



2024 LEGISLATIVE TESTIMONY

SB 488

CIVIL ACTIONS - PUBLIC NUISANCES - FIREARM INDUSTRY MEMBERS FAVORABLE

Good morning, Chairman Smith, Vice Chairman Waldstreicher and members of the committee. My name is Kevin Sullivan. I am an attorney at Salsbury Sullivan, LLC in Baltimore. I am here on behalf of the Maryland Association of Justice to speak in favor of Senate Bill 488.

This bill aims to hold the sellers of firearms responsible for selling a firearm to someone who should not possess one. That seems like common sense.

If we are going to entrust a company to sell a dangerous weapon – the most dangerous weapon – to members of the public, we should insist that they do so in a responsible way.

I currently represent the family of Jake Mace in a federal lawsuit against Walmart. Jake was a Walmart employee experiencing an acute mental health crisis. He was hospitalized several times after expressing suicidal intentions. Jake's managers at Walmart knew of his hospitalizations and suicidal intentions. A week before his death, Jake sent a text message to a Walmart co-worker explaining his plan to purchase a gun to kill himself. The co-worker forwarded that text message to Jake's manager and pleaded with the manager to put Jake on a blacklist so he could not buy a firearm at Walmart. The manager said he would "take care of it." But nothing was done. A week later, Walmart sold Jake a gun. He used it to take his life in the parking lot. Jake was married with a young son and another one on the way when he died.

Senate Bill 488 would help ensure that something like that will not happen to another family.

The proposed law also provides for punitive damages. This is important because, in Maryland, there is cap on the amount of damages one can recover in a wrongful death case and unfortunately the cap reduces the value of cases to the point where big companies like Walmart are not incentivized to make changes. But, if punitive damages were available, that is the type of law that will make large companies take notice and make substantive changes.



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And the types of changes we are talking about— instituting reasonable controls— should be ones we can all get behind.

Gun violence is real. The experts all agree that firearms are the most effective means of ending a life. As the father of three daughters in Maryland public schools this is not lost on me. One of my biggest fears is an active shooter at a school. We must do everything in our power to reduce the risk of that.

Senate Bill 488 will not eliminate gun violence, but it will help to assure that guns are not placed into the hands of individuals who should not have them, and it will hold companies accountable for the irresponsible sale of firearms.

For all of these reasons, I urge the committee to submit a favorable report on SB 488.

About Maryland Association for Justice

The Maryland Association for Justice (MAJ) represents over 1,250 trial attorneys throughout the state of Maryland. MAJ advocates for the preservation of the civil justice system, the protection of the rights of consumers and the education and professional development of its members.

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