

Testimony Opposed to SB116

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SB116 should be rejected because its penalties aren't consistent with other crimes in Maryland

A simple robbery with an assault rifle has potential penalty 20+ years in prison, but Maryland penalties for homicide are less than 16 years on average

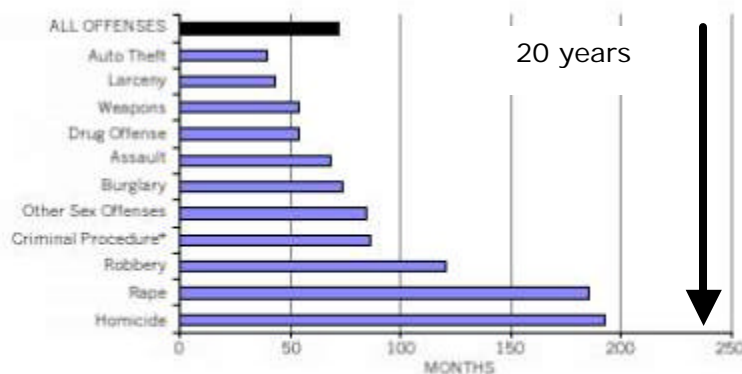


Figure 10. Mean sentence lengths of released Maryland prisoners, by offense, 2001

Source: Urban Institute analysis of 2001 MD DPSCS, Division of Correction data.

*The offense category of Criminal Procedure includes Probation Violations, Parole Violations, Escape, Contempt of Court, Perjury, Criminal Procedure Other, and Attempt to Flee. Police. Over two-thirds (68 percent) of the inmates released in 2001 who were included in the criminal procedure category were probation violators. Per email communication with Bob Gibson of the Maryland Department of Public Safety and Correctional Services, Office of Research and Statistics, October 17, 2002.

From **A Portrait of Prisoner Reentry in Maryland**, March 2003, Nancy G. La Vigne, Vera Kachnowski with Jeremy Travis, Rebecca Naser, and Christy Visher, URBAN INSTITUTE, Justice Policy Center.

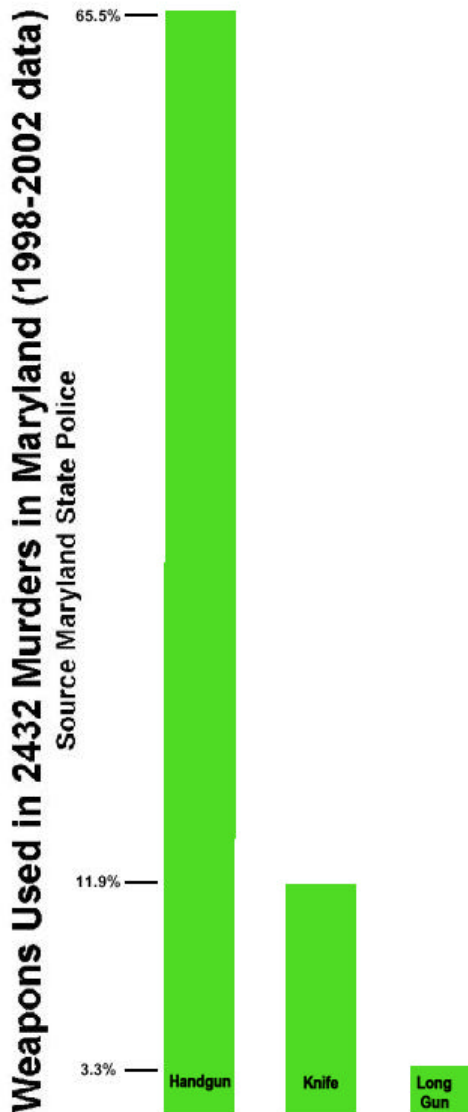
HOMICIDE and RAPE are more serious crimes, but evidently not to the sponsors of SB116

- ⊖ Some might think being robbed with a shotgun, machine gun, or handgun to be as serious, but those crimes draw the penalties:
 - Simple robbery with a shotgun -- 5-10 years (p. 41),
 - Simple robbery with a machine gun -- 7-13 years (p. 50),according to the **Maryland Sentencing Guidelines Manual**, JAN. 2003
- ⊖ Some might think killing someone with a motor vehicle while intoxicated, voluntary manslaughter and hit and run accidents with a death to more serious, but those crimes draw the penalties
 - killing someone with a motor vehicle while intoxicated -- < 5 years,
 - voluntary manslaughter -- 10 years,
 - hit and run accidents with a death -- 5 years,

So, the sponsors of SB116 don't believe RAPE, HOMICIDE, or ROBBERY with a MACHINE GUN are more serious crimes

¹ Philip F. Lee has a PhD in Mathematics from Georgia Tech (1970) and more than 30 years experience in applying statistical methods.

SB116 should be rejected because it doesn't address a real public safety problem – "semi-automatic long guns" are rarely used in crime.



"Semi-automatic long guns" are difficult to use for most crimes

Hard to Conceal

Awkward to Use

Proof of the Pudding is in the "Use" statistics

In the five year period 1998-2002, more than 65% (1593) of all 2432 murders were with handguns.

Less than 3.3% (~80) of Maryland's murders were with **any kind of long gun** (mostly common rifles and shotguns)

11.9% of murders were with knives (~290) – MANY MORE THAN LONG GUNS

WHERE IS THE CONCERN FOR "ASSAULT KNIVES"?

Use of "semi-automatic long guns" in murder is a fraction (small fraction) of long gun use (3.3% of Maryland murders) which is a small fraction of murder altogether.

So **WHAT IS THE RATIONAL JUSTIFICATION** for SB116's focus on "semi-automatic long guns"?

"Semi-Automatic Long guns" are NOT preferred by criminals!

SB116 should be rejected because it isn't aimed to deter criminals possessing "semi-automatic long guns." But deterring is good because:



Figure 6. Parole violators as percentage of total Maryland prison admissions, 1980-1998

Sources: Urban Institute analysis of Bureau of Justice Statistics, National Prisoner Statistics data series (NPS-1); Hughes, T. et al. 2001. *Trends in State Parole, 1990-2000*.

A Portrait of Prisoner Reentry in Maryland, March 2003, Nancy G. La Vigne, Vera Kachnowski with Jeremy Travis, Rebecca Naser, and Christy Visher, URBAN INSTITUTE, Justice Policy Center.
http://www.urban.org/UploadedPDF/410655_MDPortraitReentry.pdf

Figure 6 from **"A Portrait of Prisoner Reentry in Maryland"** shows that parole violators are an increasing fraction of prisoners in Maryland's facilities.

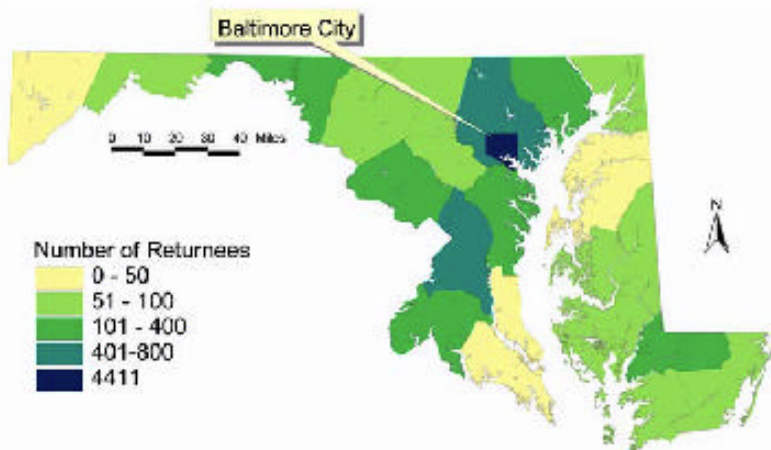


Figure 24. Geographic distribution of returning prisoners, by county, 2001

Source: Maryland Division of Correction.

Figure 24 from the same report shows where most released prisoners go – any wonder why Baltimore crime is high?.

Why wait for a violent crime as SB116 does?

Why not fix parole to keep criminals off the streets as well as we use to do?

Why not punish possession of all guns by criminals with a prior violent conviction more severely?

SB116 should be rejected because gun control doesn't work to reduce violence

The National Academy of Sciences just issued a 328-page report on gun control laws. Based on 253 journal articles, 99 books, 43 government publications, and its own research, the panel couldn't identify a single gun control regulation that reduced violent crime, suicide or accidents.

This panel was set up during the Clinton administration, and of its members whose views on guns were publicly known before their appointments all but one had favored gun control.

In October 2003, a task force of scientists appointed by the **Centers for Disease Control** conducted a sweeping study of the nation's gun-control laws. Included in the review were mandatory waiting periods and bans on certain weapons. All told, 51 published studies about the effectiveness of eight types of gun-control laws were analyzed.

In each case, the task force found "insufficient evidence to determine effectiveness." In other words, the scientists found no proof gun-control reduces violence.

References to read more about these results:

"Gun control doesn't reduce crime, violence, say studies," December 30, 2004
http://www.worldnetdaily.com/news/article.asp?ARTICLE_ID=42167

"Data on Firearms and Violence Too Weak to Settle Policy Debates; Comprehensive Research Effort Needed," NAS Press release, 12/16/04
<http://www4.nationalacademies.org/news.nsf/isbn/0309091241?OpenDocument>

"Firearms and Violence: A Critical Review," THE NATIONAL ACADEMIES PRESS,
<http://books.nap.edu/books/0309091241/html/R1.html#pagetop>

"CDC News Conference Transcript," October 2, 2003
<http://www.cdc.gov/od/oc/media/transcripts/t031002.htm>

"Gun bans don't work," Oct. 6, 2003, **The Washington Times**
<http://www.washingtontimes.com/op-ed/20031006-085844-8119r.htm>

Gun Control wastes resources that could be used for crime or criminal control