



**Maryland Citizens
Defense League**



P.O. Box 2035
Columbia, MD 21045

March 12, 2002

SB 382 - Self-Defense Act - Rule of Law

The Honorable Walter M. Baker
Chairman, Senate Judicial Proceedings Committee
Miller Senate Office Building, 2 East Wing
11 Bladen St.
Annapolis, MD 21401-1991

Dear Chairman Baker,

The Maryland Citizens Defense League strongly SUPPORTS this Bill. **Once it becomes effective it will immediately begin to save the lives of Maryland citizens and start to lower Maryland's sky-high crime rates.** Where states have enacted similar laws they have consistently had quick reductions in their crime rates. **This Legislature's failure to enact past such bills has directly led to the death of, and injury to, innocent Maryland citizens.**

We've been telling you that for years, and for years most of you have failed to listen. Indeed, Maryland's worsening crime situation compared to other states - as shown on the reverse side chart - is partly due to this Legislature's failure to try something proven to work elsewhere. Does Maryland have to become also the worst of 50 states in Homicides and Violent Crime - like Maryland has been for six years in Robbery - before you will listen and try what works elsewhere? Are Marylanders so much more untrustworthy than the citizens of most other states, which already have "shall issue" concealed-carry laws? **Denying citizens needed self-protection while Maryland's crime rates escalate is obscene!**

Maryland's comparative crime rates are prima facie evidence that all citizens, including visitors to our State, are at such a high risk of violence, robbery, or murder that they should automatically be considered to have a "good and substantial" reason to carry a firearm for self defense. The Maryland State Police's routine denial of most all concealed carry permit applications for lack of a "good and substantial" reason is so ludicrous that it is obscene. If Maryland had an increased number of law-abiding citizens carrying concealed weapons then criminals would face uncertainty about their potential victims' ability to defend themselves.

Most Maryland's victims of violence and homicide are young Blacks in Baltimore City and Prince George's County. Many are shot in drug gang warfare, but some of the dead and wounded were innocent, law-abiding citizens. So while drug gang warriors are already illegally armed and will; remain so, will you continue to deny citizens the protection of armed self defense, which most other states give their citizens? The consequences of that will again fall heaviest upon Blacks who are law-abiding citizens. Some will again say that failure to pass SB 382 is racist - yes, anti-Black. Blacks most need the protection of a concealed carry firearm. Many of all races decide to carry concealed weapons illegally. They are out there on the streets right now as we sit here, particularly in Baltimore City and PG County. After all, is it smarter to be risk being murdered or risk some jail time? Don't put citizens, Black or otherwise, into such a predicament. Pass SB 382. Don't let yet another year go by continuing to deny Maryland citizens the ability to legally protect themselves.

Sincerely, and angrily,

Robert M. T. Wilson
For the Legislative Committee

3 Attachments

1. Crime Statistics.
2. Maryland -
3. "Concealed guns reduce crime; If people are packing, crooks think twice" by John R. Lott Jr. (the John M. Olin law and economics fellow at the University of Chicago School of Law and the author of "More Guns, Less Crime") Star Tribune (Minneapolis, MN) August 16, 1998, Metro Edition.
4. "Gun Laws Can Be Dangerous, Too" by John R. Lott, Jr. - Copyright 1999 Wall Street Journal - May 12, 1999

Note About Maryland Crime Rates Generally. The most accurate, bottom-line gauge of how Maryland is doing in its crime control efforts is to compare Maryland's crime rates with those of other states. When all the smoke and mirror statements and false data have been cast aside, these comparative rates give one a valid basic assessment of the crime situation in Maryland vs. the crime situation in other states. As one may readily see, Maryland's relative crime situation is horrific and has been growing, in spite of misleading statements to the contrary by Gov. Glendening, Lt. Gov Townsend, Colonel Mitchell of the Maryland State police, and many other officials. Those officials prefer to compare Maryland's situation this year to Maryland's situation last year when that comparison is convenient. **The above proves that Maryland's citizens are suffering violent crimes at rates greater than the citizens of most all the other 49 states. This is proven beyond the shadow of a doubt.**

Maryland Crime Rates vs. Other States*

Year	Homicides	Violent Crimes	Robbery
1992	6	4	2
1993	5	6	2
1994	8	8	2
1995	4	4	1
1996	3	3	1
1997	6	6	1
1998	4	5	1
1999	4	4	1
2000	3	3	1

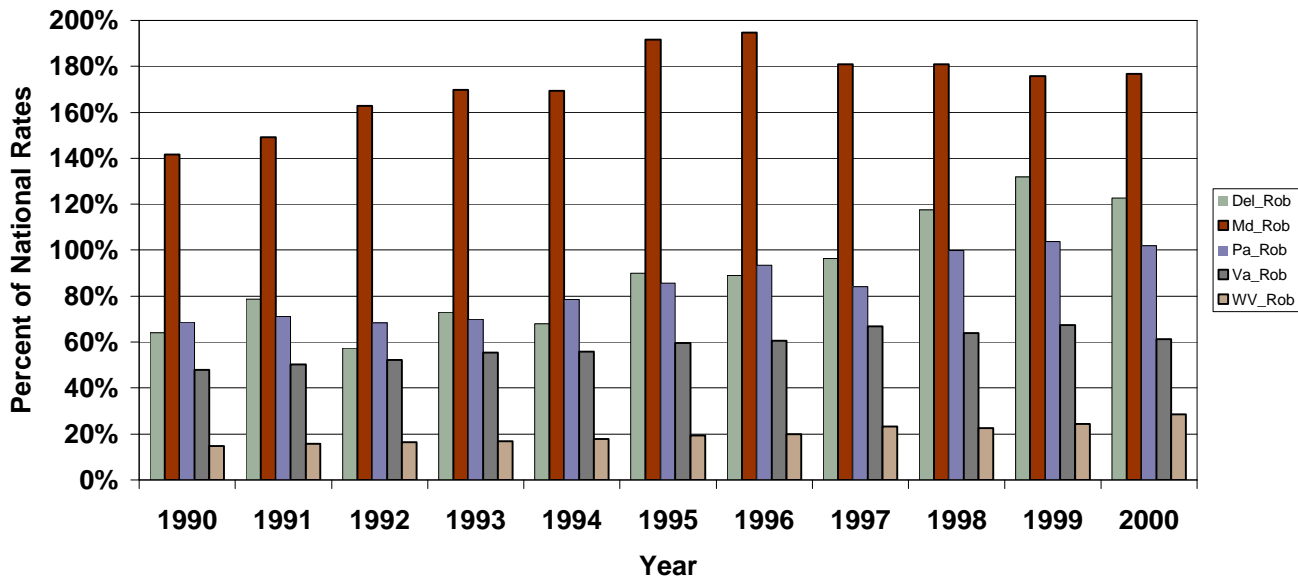
*Source: FBI's annual Uniform Crime Reports (UCR).

This chart shows the annual ranking of Maryland's rates of crime vs. the crime rates of all other states.

For example, Maryland citizens have a higher rate of being robbed than the citizens of any other state - and this has been the case for every year since 1995 as reported by the FBI. The rates of homicides and violent crime in Maryland are worse than in 47 of the other states.

The below shows Maryland's Robbery rate as a percent of the national robbery rate. Also, shown are similar data on our surrounding neighboring states

Maryland Robbery Compared to Neighboring States



Notice that Maryland's robbery rate has exceeded national rates by 50% for a decade and is almost THREE times that of Virginia. Also, Maryland's rate is nearly 9 times that of West Virginia, and 50% higher than Pennsylvania. None of our neighboring states show as much violence as Maryland. Maryland performs almost as poorly on other violent crime measures.

Concealed Carry Comparisons**

Arrest rates per 1000

Of Washington, DC police officers:	19.0
Of St. Louis police officers:	13.0
Of New York City police officers:	3.0
Of Florida concealed handgun permit holders:	0.9

**Source: "D.C. Police Paying for Hiring Binge" Washington Post 8/28/94 and Memorandum by James T. Moore, Commissioner of Florida's Department of Law Enforcement, to office of the Governor, dated 3/15/95.

Maryland - Home of America's Most Victimized Citizenry

Anti-American, anti-freedom organizations continue to pander to the fears of citizens. They continue to wage a destructive campaign of rhetorical terror against American values. Their never-ending "reasonable gun control" campaigns have stampeded many urban liberal politicians into passing ill-conceived "feel good" legislation which, rather than control crime has encouraged and increased crime. Such destructive legislation has hamstrung and harassed law-abiding firearms owners. It has made the citizens' right to armed self defense difficult to exercise. It has created victim-rich locales, or even entire states, to the benefit of criminals. It has caused the death of, and injury to, many innocent citizens. **Maryland is a good example of such a victim-rich state.**

After the September 11th attacks, the Brady Campaign and Brady Center even stooped so low as to again use innuendo, exaggeration, half-truths, and unsupported anecdotes to declare global terrorism to be the bastard child of America's heritage of firearms ownership. Such organizations never present the facts about how many citizens were protected by firearms. Such facts are counterproductive when their objective is to disarm the citizenry.

Long before September 11th there were many places in the United States, like Maryland, where legal firearm ownership had been so denigrated and overburdened with regulation and law that legal self defense by its citizens was extraordinarily difficult. Unfortunately, in addition to the reckless practices of gun control theory, there are states where the Brady Campaigners have also been dabblers in gun control experiment. MCDL maintains that such experiments demonstrate to the nation the abysmal failure of policies that have crippled the social benefits of an armed citizenry.

Gun control experimentation has been so successful in Maryland that it has won accolades from gun control groups, and boasts the only "A" rating by the Violence Policy Center. However, along with such acclaim, MCDL is now announcing that the FBI's latest Uniform Crime Reports show Maryland has risen to #3 for violence, #3 for murder, and is - for the sixth consecutive year – home of America's most robbed citizens.

MCDL warns that every U.S. citizen should look to Maryland as the laboratory which provides concrete proof of decades of failed policy and dysfunctional social theory foisted upon a victimized citizenry in the name of public safety.

Sarah Brady of the Brady Campaign and Brady Center (the artist formerly known as Sarah Brady of Handgun Control, Inc.) has recently issued a press release containing "safety" measures that every law-abiding citizen in the United States should read, especially if such citizens want to know what it takes to make their state as "successful" as Maryland. With regard to such "safety" measures, MCDL can only reply "Welcome to Maryland, Mrs. Brady, home of America's most victimized citizens."

Law abiding Marylanders are so victimized now, they can hardly wait until they've been made totally defenseless by Maryland officials!

Star Tribune (Minneapolis, MN) August 16, 1998, Metro Edition

By John R. Lott Jr., the John M. Olin law and economics fellow at the University of Chicago School of Law and the author of "More Guns, Less Crime."

Minnesota DFLers think they have found Republican gubernatorial candidate Norm Coleman's Achilles heel. So what is Coleman's supposed weakness? At least until last week, when he appeared to soften his position, Coleman supported replacing Minnesota's current subjective discretionary concealed handgun law with objective standards regarding training and criminal background checks to determine who is granted a permit.

Ted Mondale claims that Coleman "threatens the safety and security of our families." Mike Freeman says it will lead to "impulsive gun violence." DFL radio ads assert that Coleman is putting "our children at risk." Among DFL gubernatorial candidates, only Doug Johnson supported Coleman's position.

Given the horrific crimes committed with guns, such opposition is understandable. But much of the public policy debate on guns is driven by lopsided news coverage that mentions only the crimes committed with guns. Usually ignored are the over 2 million times each year that Americans use guns defensively. Dramatic stories of mothers who use guns to stop carjackers from kidnapping their children seldom even make the local news.

Police play an extremely important role in reducing crime, though they virtually always arrive at the crime scene after the crime has been committed. The question is what would-be victims should do when they must face a criminal by themselves. Passive behavior, particularly for women, is not the wisest course of action. The probability of serious injury from a criminal confrontation is 2.5 times greater for women offering no resistance than for women resisting with a gun. Allowing people to defend themselves also deters criminals from attacking in the first place.

Guns enable "bad guys" to kill more easily, but they also allow the innocent to defend themselves. The crucial question becomes: What is the net effect? Do guns deter crime or encourage it? Are more lives saved or lost? Anecdotal evidence cannot resolve this debate.

To provide a more systematic answer, I published a book on gun control that analyzed FBI crime statistics for all 3,054 American counties from 1977 to 1994 as well as extensive information on accidental gun deaths and suicides. The study examined states that changed from discretionary to objective concealed-handgun laws. Thirty-one states now have these "right-to-carry" rules.

The findings were dramatic. The more people who obtain permits over time, the more violent crime rates decline. After concealed handgun laws have been in effect for five years, murders declined by at least 15 percent, rapes by 9 percent and robberies by 11 percent. These are the drops over and above the recent national declines and after such things as changing arrest and conviction rates, demographics, and other gun-control laws have been accounted for. The reductions in violent crime are greatest in the most crime-prone, most urban areas. Women and blacks gained by far the most from this ability to protect themselves.

The benefits of concealed handguns are not limited to those who carry them or use them in self-defense. That these weapons are concealed keeps criminals uncertain as to whether potential victims will be able to defend themselves with lethal force.

What about the concern in DFL's ad about "allowing virtually anyone to carry a concealed gun"? The evidence in other states indicates that those willing to go through the permit process are extremely law-abiding. Permits are revoked for any reason very rarely, and most of these revocations have nothing to do with improper use of a firearm.

Concerns that permit holders would shoot others after traffic accidents or angry-drivers-cut-off-in-traffic shootings have proven unfounded. Despite millions of people now holding permits and some states having issued permits for as long as 60 years, only one permit holder has ever used a concealed handgun after a traffic accident, and that case involved self-defense.

No permit holders have ever shot at, let alone killed, a police officer; instead, permit holders have on occasion saved the lives of police officers who were being attacked by criminals. I found no evidence that concealed handgun laws caused either accidental gun deaths or suicides to increase.

A system of objective standards also has an important advantage over discretionary rules that let public officials decide on a case-by-case basis who deserves a permit. Discretionary rules have made it especially difficult for the poor and minorities, who are not as well connected politically but who face the greatest threats from crime,

Surely one of the most terrifying incidents anyone can witness involves the shootings of multiple victims in a public place. Victims recount their feelings of utter helplessness as a gunman methodically shoots his cowering prey. Some countries have reacted to these events by banning guns, though others, such as Israel, have taken to licensing their citizens to carry concealed handguns. Indeed, much of the impetus for concealed-handgun laws in the United States during the 1980s arose from the belief that these laws would prevent such attacks.

Using data on these shootings for all states from 1977 to 1995, incidents in which at least two people were killed or injured in a public place were also studied. Shootings that were the byproduct of another crime, such as robbery, were excluded. The United States averaged 21 such shootings per year, with an average of 1.8 people killed and 2.7 wounded in each one.

A range of different gun laws as well as other methods of deterrence, such as the death penalty, were examined. However, only the concealed-handgun laws succeeded in reducing deaths and injuries from these shootings. When states passed them, the number of multiple-victim public shootings declined by 84 percent. Deaths from these shootings plummeted by 90 percent, injuries by 82 percent. Shootings still occur in places like schools, where guns are illegal. Higher arrest rates and increased use of the death penalty slightly reduced the incidence of these events, but the effects were never statistically significant.

While national surveys of police show they support concealed handgun laws by a 3-1 margin, the experience after passage of concealed-handgun laws has caused even former opponents in law enforcement to change their positions. A typical response was provided in December by Glenn White, president of the Dallas Police Association. He said, "I lobbied against the law in 1993 and 1995 because I thought it would lead to wholesale armed conflict. That hasn't happened. All the horror stories I thought would come to pass didn't happen . . . I think it's worked out well, and that says good things about the citizens who have permits. I'm a convert."

To date, I have made my data available to academics at 36 universities. Everyone who has tried has been able to replicate my findings, and only three have written pieces critical of my general approach. Although the vast majority of researchers concur that concealed-handgun laws significantly deter crime, not even these three critics have argued that allowing concealed-handgun laws increases crime.

Before my work, the largest previous study examined 170 cities within one single year and found results similar to my own. Ted Mondale frequently cites the only study that has found any category of crime to increase. Yet that study picked a total of only five counties from three states, with no explanation on how those five counties were chosen, and accounted for no other factors that affect crime.

Both sides in the gun control debate have their own anecdotal stories, and surely many hypothetical horror stories will be raised before this campaign is through. Fortunately these fears are easily disproved once one looks at the experience in other states. The benefits are also equally obvious. My estimates for Minnesota, based upon its characteristics, indicate that a right-to-carry law would prevent about 1,500 violent crimes each year.

By John R. Lott, Jr. - Copyright 1999 Wall Street Journal - May 12, 1999

Keeping their promise to President Clinton, Republican leaders in Congress have moved quickly to consider a broad range of gun-control laws in the wake of the Littleton attack. Today the Senate will be debating and voting on a range of new proposals, with the House Judiciary Committee set to start hearings tomorrow. Mr. Clinton says that we must "do something" and that he knows "one thing for certain." If more restrictions had been enacted, "there would have been fewer kids killed."

But would more gun laws save lives? There are already a large number of laws in place. The Columbine murderers, Eric Harris and Dylan Klebold, violated at least 17 state and federal weapons-control laws. Mark E. Manes, who allegedly sold the handgun to Harris and Klebold, may have violated at least one federal and one state law, and if either of the killers' parents knew their child possessed a handgun, they would have run afoul of a Colorado law. Nationwide there are more than 20,000 gun-control laws that regulate everything from who can own a gun and how it can be purchased to where one can possess or use it.

Regulations have both costs and benefits, and rules that are passed to solve a problem can sometimes make it worse. The biggest problem with gun-control laws is that those who are intent on harming others, and especially those who plan to commit suicide, are the least likely to obey them. Mr. Clinton frames the issue in terms of whether hunters are willing to be "inconvenienced," but this misses the real question: Will well-intended laws disarm potential victims and thus make it easier for criminals? Potential victims use guns more than two million times a year to stop violent crimes; 98% of the time simply brandishing a gun is sufficient to stop an attack. **Crimes are stopped with guns about five times as frequently as crimes are committed with guns.**

Consider, then, the costs and benefits of Mr. Clinton's main proposals.

Waiting periods. A three-day waiting period for handgun purchases could not possibly have stopped the Littleton attack, which the killers had been planning for a year. Mr. Clinton focuses on the general benefits from a "cooling-off period," and such benefits might exist. Yet real drawbacks exist, too. Those threatened with harm may not be able to quickly obtain a gun for protection. Experience with the Brady waiting period that lapsed last year, as well as with state waiting periods, indicates that these laws are either neutral or do more harm than good. In the only academic research done on the Brady law, I found that the national waiting period had no significant impact on murder or robbery rates and was associated with a small increase in rape and aggravated-assault rates.

Mandatory gun locks. This proposal, too, is unrelated to the attack in Colorado; Eric Harris and Dylan Klebold would have known how to unlock their guns. Mr. Clinton claims that gun locks will save lives, particularly those of young children. In 1996 30 children under five died in gun accidents--fewer than the number who died of drowning in water buckets. With some 80 million Americans owning 240 million guns, the vast majority of gun owners must be extremely careful or such accidents would be much more frequent.

More important, thousands of children are protected each year by parents or other adults using guns to defend themselves and their families. Mechanical locks that fit either into a gun's barrel or over its trigger require the gun to be unloaded; and locked, unloaded guns offer far less protection from intruders. Thus requiring locks would surely increase deaths resulting from crime. Gun locks may make sense for parents who live in low-crime areas, but this should be a matter of individual choice.

Prison sentences for adults whose guns are misused by someone under 18. Parents are already civilly liable for wrongful actions committed by their children, but Mr. Clinton proposes a three-year minimum prison term for anyone whose gun is used improperly by any minor, regardless of whether the gun owner consents to or knows of the use. This is draconian, to say the least, the equivalent of sending Mom and Dad to prison because an auto thief kills someone while driving the family car.

New rules for gun shows. The Clinton administration has provided no evidence that such shows are important in supplying criminals with guns. What's more, it is simply false to claim that the rules

for purchasing guns at a gun show are any different from those regarding gun purchases anywhere else. Dealers who sell guns at a show must perform the same background checks and obey all the other rules that they do when they make sales at their stores. Private sales are unregulated whether they occur at a gun show or not.

If, as Mr. Clinton proposes, the government enacts new laws regulating private sales at gun shows, all someone would have to do is walk outside the show and sell the gun there. To regulate private sales, the government would have to register all guns. Those who advocate the new rules for gun shows should be willing to acknowledge openly if their real goal is registration.

Age limits. Mr. Clinton proposes a federal ban on possession of handguns by anyone under 21. Under a 1968 federal law, 21 is already the minimum age to purchase a handgun, but setting the age to possess a handgun is a state matter. While some people between 18 and 21 use guns improperly, others face the risk of crime and would benefit from defending themselves. My own research indicates that laws allowing those between 18 and 21 years of age to carry a concealed handgun reduce violent crimes just as well as those limited to citizens over 21.

Background checks for purchasers of bomb-making material. This will have little effect, simply because few items are likely to be covered. No one seriously discusses including fertilizer, used to make the bomb that killed 168 in Oklahoma City in 1995, or propane tanks like the ones found after the Littleton massacre. There are simply too many common household items that can be used to make bombs.

Much of the debate over gun control these days is conducted without regard for facts. For example, the press reproduces pictures of a Tech-9, the so-called assault pistol used in the Columbine attack. The pictures show a much larger ammunition clip than was actually used, making it look as frightening as possible. Few reports even mention that at most one of the 13 Littleton victims was killed with this gun. In spite of all the rhetoric and despite its appearance, this "assault weapon" functions no differently from other semiautomatic pistols sold in the U.S. It is no more powerful, it doesn't shoot any faster, and it doesn't shoot any more rounds. One pull of the trigger fires one bullet.

Good intentions don't necessarily make good laws. What counts is whether the laws will ultimately save lives. The real tragedy of Mr. Clinton's proposals is that they are likely to lead to the loss of more lives.

John R. Lott Jr. is a fellow in law and economics at the University of Chicago School of Law. He is author of "More Guns, Less Crime: Understanding Crime and Gun Control Laws" (University of Chicago Press, 1998).