



SHEILA DIXON  
Mayor

# BALTIMORE POLICE DEPARTMENT



FREDERICK H. BEALEFELD, III

Police Commissioner

June 12, 2008

TO: The Honorable President and Members  
of the Baltimore City Council  
c/o Karen Randle  
Room 400 City Hall

FROM: James H. Green, Deputy Legal Counsel  
Baltimore Police Department

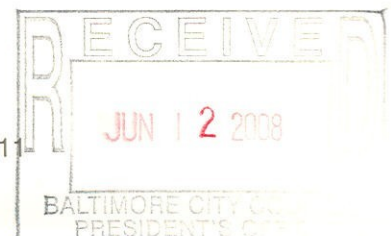
RE: City Council Bill No. 08-0046-Firearms-reporting Theft or Loss

The Baltimore Police Department (BPD) supports the adoption of City Council Bill No. 08--0046-Firearms-Reporting Theft or Loss as amended. The Bill requires that the owner or possessor of firearms report the theft or loss of their firearm to the BPD within forty-eight (48) hours after the discovery that the firearm(s) is missing.

Reducing firearm violence plays a significant role in Baltimore's crime fighting efforts and the City's overall violence reduction strategies. The effect of the legislation before the Council closes several loopholes and allows for the targeting of the most violent persons contributing to violence in Baltimore and throughout the state. Every day, members of the BPD are asked to protect the citizens of Baltimore. The department is charged with preventing violence and removing violent offenders from our communities. Law enforcement cannot do this alone and we need strong legislation to help us achieve these results. A strong message must be sent to criminals and those who provide firearms to them that firearm violence will not be tolerated.

Mayor Dixon has spoken about our recent successes and her overall approach to crime in Baltimore-we continue to make progress. The successes have focused on targeting violent offenders and gun violence. Our focus on violence must be comprehensive. Strong law enforcement partnerships have been central to our success. The importance of how Baltimore is focusing our resources collectively to target gun violence is significant and is best demonstrated through several

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initiatives to include:

- Gun Tracing Task Force
- GunStat
- Gun Offender Registry
- Law Enforcement and Maryland Parole and Probation partnerships
- Maryland Exile

Most of the homicides and non-fatal shootings that plague Baltimore are perpetrated by prohibited persons with illegal guns. Last year 96% of all homicide suspects arrested had prior records and over 50% had firearms offenses in their criminal histories. This is a trend that the department has been tracking for a period of time.

One of the issues addressed through our GunStat process is the data on repeat gun offenders which shows that many of the persons charged with violence or firearms offenses have a history of arrests/convictions for crimes involving firearms. Most of these individuals cannot purchase or possess firearms legally.

Often law enforcement traces guns recovered in crimes back to the registered owner who indicates that they lost their gun or that it was stolen although they have never reported it so. Law enforcement needs investigative and legal tools to help target and hold responsible those individuals who continue to put guns into the hands of criminals. Council Bill 08-0046 will help make gun owners more accountable for their weapons and help to facilitate the return of lost or stolen property by allowing law enforcement to immediately investigate the fireman's disappearance. Without a legal requirement for reporting, investigations are often hampered. This is not a bill that should frighten lawful gun owners. It is not about the responsible accountable gun owner. Several years ago, then Montgomery County Executive Duncan, testified before the General Assembly about reporting lost and stolen guns and the serious consequences of illegal transfer of firearms. He told the story of Montgomery County Officer Kyle Olinger who was shot during a traffic stop. The gun was traced to a Washington County owner who indicated that the gun had been stolen although there was no record or report. It turns out that a number of his guns turned up in crimes in Virginia, New York, and Maryland. He claimed that fourteen guns were stolen although not one reported to law enforcement.

Council Bill 08-0046 would require gun owners to report their lost or stolen firearms to the BPD within forty-eight (48) hours of discovery. A similar proposal was made before the Maryland General Assembly however this legislation failed. Baltimore has an opportunity to join a growing number of states (Connecticut, Massachusetts, New York, Michigan, Ohio, Rhode Island, New Jersey), and several major cities (Los Angeles, Oakland, and Philadelphia) which have adopted similar reporting requirements. This legislation will help to crack down on straw purchasers and the illegal secondary market.

This is a common sense measure and the department respectfully asks for your favorable report. The BPD is very pleased to share additional information with the Council on this issue. Thank you for the opportunity to comment on this legislation.

cc: Frederick H. Bealefeld III, Police Commissioner, BPD  
Ronald Levitan, Acting Chief of Legal Affairs, BPD  
Angela Gibson, Mayor's Legislative Liaison  
Sheryl Goldstein, MOCJ