



President
Mark W. Pennak

February 13, 2018

WRITTEN TESTIMONY OF MARK W. PENNAK, PRESIDENT, MSI, IN OPPOSITION TO SB 497 AND HB 1189

I am the President of Maryland Shall Issue (“MSI”). Maryland Shall Issue is an all-volunteer, non-partisan organization dedicated to the preservation and advancement of gun owners’ rights in Maryland. It seeks to educate the community about the right of self-protection, the safe handling of firearms, and the responsibility that goes with carrying a firearm in public. I am also an attorney and an active member of the Bar of the District of Columbia. I recently retired from the United States Department of Justice, where I practiced law for 33 years in the Courts of Appeals of the United States and in the Supreme Court of the United States. I am an expert in Maryland Firearms Law, federal firearms law and the law of self-defense. I am also a Maryland State Police certified handgun instructor for the Maryland Wear and Carry Permit and the Maryland Handgun Qualification License (“HQL”) and a certified NRA instructor in rifle, pistol and personal protection in the home and outside the home. I appear today as President of MSI in opposition to SB 497 and HB 1189.

Briefly summarized, these bills basically amend MD Code Public Safety § 306 to require the Secretary of State Police to issue a handgun permit to a person who is otherwise qualified and who is eligible for relief under a protective order, or who is under the protection of a protective order. The bills would require the Secretary to temporarily waive the requirement to complete the 16 hours of training course for such persons and would further require that the Secretary issue such a permit within 10 calendar days of receipt of the application. A person granted such a permit would have 30 days to obtain the training otherwise required by Section 306.

This bill accords to the Secretary the flexibility to issue an emergency permit to persons with the greatest need: women who are under direct threat. In that respect the bills would restore to the Secretary the ability to grant such emergency permits that the Secretary had prior to the enactment of the Firearms Safety Act of 2013, which imposed a lengthy and difficult to obtain training. Under current law, it is simply impossible to obtain a carry permit without months of delay. There can be no reasonable dispute that a person with a protective order are predominantly women who may have been abused and who are otherwise largely defenseless from attack. A protective order is just a piece of paper which is utterly useless against a violent ex-spouse or ex-boyfriend intent on assault. See <https://www.awstda.org/> Armed self-defense has been found by the Centers for Disease Control to be “an important crime deterrent.” The CDC study explains that “[d]efensive use of guns by crime victims is a common occurrence” and that “consistently lower injury rates among gun-using crime victims compared with victims who used other self-protective strategies.” See “Priorities For Research to Reduce the Threat of Firearm-

Related Violence,” <https://www.nap.edu/read/18319/chapter/1#ix> at 15-16. Women should be empowered to defend themselves against abuse and violence. We urge a favorable report.

Sincerely,

A handwritten signature in blue ink that reads "Mark W. Pennak". The signature is written in a cursive style with a large, stylized initial 'M'.

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