



## GUN OWNERS OF MAINE

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### DEFENDING GUN RIGHTS

#### **LD 2119: An Act to Support Suicide Prevention by Allowing the Voluntary Waiver of Firearm Rights**

We wish to speak in opposition to LD 2119, as the language does nothing to prevent the coercion or intimidation of Maine residents into giving up their rights to purchase firearms, and is unclear surrounding how an individual would regain their rights after that initial waiver.

- Individuals suffering from mental illness, or a mental health episode may lack the necessary mental capacity to understand the gravity of rights forfeiture. This may lead to an individual waiving their rights based on coercion or during a time of stress. If an individual waives their right, there is no clear process for restoration, resulting in a potential lifetime ban of firearm ownership regardless of future mental health status.
- Coercion: Mainers could be coerced by a person with perceived power over the individuals to waive their Second Amendment rights. This could be an abuser, a doctor, or anti-gun family members who does not believe that anyone should own firearms. In other states, doctors have testified that they would urge patients to voluntarily waive their rights.
- Rights Restoration: While LD 2119 includes a proposed form that an individual can use to petition to get their rights back from the state, this would have no bearing on the Federal NICS (National Instant Criminal Background Check System) check. Currently, there is no such "voluntary rights waiver" at the federal level, so the prohibited individual would simply be recognized as "prohibited." There is no special subclass of prohibited individuals who waive their rights. For an individual to regain their non-prohibited status, they would have to petition the federal government. This is a complicated, costly, and lengthy process.
- **The assumption that the state police can simply remove the designation from the federal NICS database is both incorrect and shows a lack of understanding of how the NICS system works.**
- This cumbersome process could make individuals prohibited indefinitely, regardless of mental health status or if they were coerced to waive their rights.

Please oppose this bill because it puts Maine residents at risk of receiving an indefinite ban on their constitutional rights, and is, unfortunately, subject to abuse by anti-gun medical providers, social workers, or individuals looking to strip a person of their right to legal gun ownership. Instead of treating Mainers with a mental health diagnosis as second-class citizens, lawmakers should instead focus on increasing mental health care access, so patients can receive the care they need.

On behalf of our membership and the Gun Owners of Maine Board of Directors,

Laura Whitcomb, President  
Gun Owners of Maine  
[laura@gunownersofmaine.org](mailto:laura@gunownersofmaine.org)  
(207) 649-2677