

Written Testimony on  
L.D. 582, "An Act to Enhance Certain Penalties for Possession of Firearms by  
Prohibited Persons"

**Presented by**

**Deputy Chief Christopher M. Martin**

**Brewer Police Department**

Committee on Criminal Justice and Public Safety

April 5, 2023

Senator Beebe-Center, Representative Salisbury, and distinguished members of the Committee on Criminal Justice and Public Safety:

I am submitting testimony in support of the passage of LD 582," An Act to Enhance Certain Penalties for Possession of Firearms by Prohibited Persons".

The Brewer Police Department has investigated numerous cases involving firearms possession by prohibited persons, many of which were involved in trafficking of illicit drugs. In one such case, suspected drug users and traffickers had unlawfully obtained a firearm and had traded that firearm in exchange for drugs, this handgun was later involved in a gang related murder in New York City. In another instance, a suspected drug trafficker was obtaining numerous firearms and supplying them to drug traffickers affiliated with out of state gangs. Another example involved a couple that had procured a firearm who were active users of illicit drugs, and after a weekend of heavy methamphetamine and fentanyl use one of them unfortunately succumbed to the effects of the drug use. Nearly all of our drug trafficking investigations have involved weaponry, as of late.

The prevalence of guns in relation to drug trafficking is alarming, and the increase of gun violence associated with the drug trade has impacted Maine. This is true across the state, and has significantly increased over the past decade.

Our current laws treat prohibited gun possession offenses as a minor crime, and this doesn't adequately address the underlying seriousness and risks associated with this criminal behavior. Someone under the influence of methamphetamine or heroin and in possession of firearms is a significant risk to the general public as they possess a diminished capacity to make good decisions while seriously

impaired. Traffickers from out of state with ties to organized crime come to Maine to procure firearms, often through “straw purchases” – individuals who live locally who obtain the firearm on their behalf. There is a companion bill coming out that will make “straw purchases” illegal in Maine, something that currently doesn’t exist.

Our state statute for prohibited persons for firearms mirrors that of Federal statutes in definition and language, but lacks the seriousness in crime classifications that the Federal statutes do. This makes possessing firearms by a prohibited person in Maine a low risk but high reward criminal venture, something we must address.

We must recognize that illicit drug consumption is a money-making venture, one that organized crime is the profiteer. The Mexican Cartels control every major distribution hub in the United States with no other criminal organization posed to challenge their dominance. All of the fentanyl, methamphetamine, and cocaine that we have here in our state came from the distribution of the Mexican Cartels, which has an identified presence in New England states. From there it goes to other levels of organized crime, gangs, and is further distributed at the street level.

We are seeing wholesale quantity seizures of fentanyl and methamphetamine by patrol officers in my area. Pounds and kilograms are readily available, this is a significant change from years past.

Our demand is at an all time high, as illustrated by record numbers of overdoses and overdose deaths.

Supply sources, gangs, are now coming to my area to distribute drugs to meet the demand. A stark contrast from years past when our consumers travelled to Massachusetts to procure drugs for use and sale. These gang members come from New York, Connecticut, and Massachusetts. Gun involvements and violence are becoming more common place. The underlying reason is because its about money, making money. Criminal organizations profit while our citizenry is at risk.

I would also ask that an additional change is written into our statute that would exempt marijuana use. Adult marijuana use is now legal in Maine and our statute should reflect this.

I respectfully ask for your support on this bill to give law enforcement a much-needed tool to combat organized crime here in Maine.