

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

Memorandum of Opposition

Date: March 04, 2024

To: Honorable Members of the Committee On Judiciary

From: Jonathan Martell

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

Members of the committee, I would like to express my Opposition of LD-2119 An Act to Support Suicide Prevention by Allowing the Voluntary Waiver of Firearm Rights

My Name is Jonathan Martell, from Sanford.

I am a current Sanford City Councilor, Lifetime member of the Gun Owners of Maine, Legislative Officer for the Sanford Springvale Fish and Game Club, NRA Range Safety Officer, and lifelong firearms enthusiast.

I can appreciate the desire to help reduce suicides in Maine as I have lost several friends to suicide. While I believe this bill to be well intended, I also see several unintended consequences.

One was a college acquaintance that was dealing with depression after finding making friends and feeling socially accepted especially difficult. The other was a coworker that was in the process of breaking up with his long time girlfriend. Neither of them would have used this process.

My friends would not have been helped by this law. What is desperately needed is mental health assistance without the stigma or fear of losing their rights forever because of a difficult time in their lives.

I understand the need to "Do Something", but this is not the right approach. All this will do is create a false sense of helping the situation when in reality, no one will voluntarily use this. The Yellow flag law already covers involuntary commitments, review and is more effective. This bill will only be expanded to be part of a court judgment, or situations where victims can be forced to sign under duress.

First and foremost we need to respect the rights of those who are suffering from depression, mental illness, or experiencing abusive situations. A right is not something you can or should, just sign away. What this bill doesn't do is allow women in a domestic violence situation obtain protection from a homicidal partner. It does not prevent someone from signing away their rights under duress. It does not offer them mental health help in a way that will preserve their rights and dignity.

It does not provide a reasonable restoration path. Fourteen days minimum to restore your rights is a long time for a mother that suddenly needs to defend herself from an abusive ex that is trying to harm her. Not only would someone have to submit the paperwork, but they would then wait for processing of up to 7 additional days or longer. The Maine State Police has a long record of slow processing for carry permits even with hard deadlines. This is likely not be no better. This bill does not protect anyone, nor does it guarantee your rights back when you might need them the most.

Destroying the records of waivers may sound like a good idea, but the FBI system is flawed. Later on they decide to remove the prohibition. What happens if there is an issue with the FBI system? It's not uncommon for the system to list someone as prohibited when they are not supposed to be. If all records have been destroyed, that person has an even less of a chance of getting their firearms rights reinstated.

I ask that you keep the current language intact, and vote no for these proposed amendments.

Sincerely,

Jonathan Martell
Sanford, ME

