

Erin Belfort
Cape Elizabeth
LD 2224

Senator Carney, Representative Moonen, Honorable Members of the Judiciary Committee,

My name is Erin Belfort, MD, and I live in Cape Elizabeth, Maine. I am a child and adolescent psychiatrist practicing in Portland, Maine. I am writing in support for LD 2224, as well as concerns about portions of the “yellow flag law” contained in the bill, and to request your consideration for certain changes which I believe will improve the law.

The “yellow flag law” as currently constituted is helpful, especially as it has been utilized more frequently since the Lewiston tragedy, and the changes made in LD 2224 will strengthen it and make it more useful. However, as a psychiatrist I feel strongly that the fact that it only applies to “a mentally ill person” who has a “disease”, and the subsequent requirement for a mental health evaluation as part of the process of weapon removal, is a serious deficiency in the law. There are several problems with this requirement.

Currently, equating gun violence with mental illness perpetuates a false and damaging narrative about people with mental illness, who in general, are more likely to be victims of violence than perpetrators. In fact, only 3-5% of violent crimes are perpetrated by people with mental illness, and the vast majority of mentally ill persons are not dangerous. Dangerousness and threat, are not synonymous with mental illness.

The yellow flag law asks police to make an assessment of mental health, something they are inadequately trained to do, and asks mental health professionals to make an assessment of dangerousness, also something which is not within the typical scope of practice. Mental health providers are focused on the diagnosis and treatment of mental illness and typically working with patients/clients seeking care and not necessarily mandated to do so. Requiring mental health evaluation adds unnecessary delay and there are inadequate resources and providers to do this work.

We need a shorter, not a longer, process to remove weapons from people deemed to be dangerous.

I urge you to change the law concerning weapons removal, making the criteria imminent threat without the qualifier of disease or mental illness, and eliminating the requirement for mental health evaluation.

Thank you,

Erin Belfort, MD, DFAACAP
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