

**LD-2238 An Act to Address Gun Violence in Maine by Requiring a Waiting Period for Certain Firearm Purchases**

**Memorandum of Opposition**

**Date: March 07, 2024**

**To: Honorable Members of the Committee On Judiciary**

**From: Jonathan Martell**

**RE: LD-2238 An Act to Address Gun Violence in Maine by Requiring a Waiting Period for Certain Firearm Purchases**

Members of the committee,

I would like to express my Opposition of LD-2238 An Act to Address Gun Violence in Maine by Requiring a Waiting Period for Certain Firearm Purchases

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.

This is a recycle of LD 60 from 2023 and LD 1099 which failed in 2019, and fortunately, I was able to reuse some of my previous notes. I will say that it is frustrating to have to use my vacation time to fight the same bills year after year. Are you not supposed to represent your constituents?

This bill is not clear, but it applies to all sales even private sales. This is clearly, completely unenforceable. It has been shown that waiting periods do nothing to prevent or reduce crime in numerous studies. This would also decimate Maine's hunting industry as hunters from out of state would be denied their right to purchase hunting firearms.

The average time-to-crime for firearms traced by the BATFE in 2018 was nearly nine years, so the idea that guns are often used in crimes of passion or impulsive actions right after purchase is not supported by anything other than anecdotal evidence.

*Bureau of Alcohol, Tobacco, Firearms, and Explosives. "Firearms Trace Data – 2018: Time-to-Crime; Firearms Recovered and Traced in the United States and Territories." 2018.*

Criminals will not be affected by waiting periods. Most state inmates who were in possession of a firearm at the time of their arrest obtained the firearm through an illegal source or from a friend or family member.[]

*U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, "Source and Use of Firearms Involved in Crimes: Survey of Prison Inmates, 2016." 2019. p7.*

There are few prosecutions of prohibited persons who attempt to buy a firearm from a dealer. Out of 112,090 total federal denials in 2017, there were 12 prosecutions.

*United States Government Accountability Office, "Law Enforcement: Few Individuals Denied Firearm Purchases are Prosecuted and ATF Should Assess Use of Warning Notices in Lieu of Prosecutions," Report to the Ranking Member, Subcommittee on Commerce, Justice, Science, and Related Agencies, Committee on Appropriations, House of Representatives. September 2018.*

What this bill will do is get women killed. Yes, that's right, it will get women killed.

The police are under no obligation to protect an individual, and what they tell women escaping abusive relationships is to purchase a firearm. What does this bill do? It prevents them from defending themselves for at least 72 hours.

Three days may not sound that long, but when you have someone stalking you, or attacking you at will. It is literally a lifetime. Do you want blood on your hands, because that is exactly what this bill will do.

Once again, this bill goes against the Maine State Constitution in that infringes on a persons right to keep and bear arms as they see fit. Maine has a long heritage of safe firearm use, and is one of the safest states in the country. We don't need the likes of Bloomberg causing trouble in Maine.

Don't violate your oath of office, vote Ought Not to Pass on LD-2238

Sincerely,

Jonathan Martell  
Sanford, ME