

To: Members of the Judiciary Committee.

Subj: LD 2086 An Act to Amend the Law Governing the Disposition of Forfeited Firearms

My name is Craig Caffrey of Bowdoinham ME and I have submitted this testimony in strong OPPOSITION to LD 2086 An Act to Amend the Law Governing the Disposition of Forfeited Firearms.

If the Sagadahoc County Sheriff, Joel Merry, did his job and initiated the “Yellow Flag Law,” we wouldn’t be having this discussion. Yet, Sheriff Merry, a Democrat, failed in his duties to adequately safeguard the citizens and bring Mr. Card in for observation, mental health review and treatment.

When a crime is committed with a firearm, this bill as currently worded removes the ability to have the firearm returned to the owner if it was innocently lent to the perpetrator. Please note existing statute already prohibits the return of said firearm if the lender “knew or should have known that the person was a prohibited person” or lent the firearm “knowingly or recklessly.”

Furthermore, there is additional language within this bill that redefines and broadens the definition of a "machine gun" to an unprecedented degree. I would note that existing Maine law makes it illegal to own a machine gun without "permission by the Federal government". To the extent that a state definition is broader, it unjustly removes legal firearms from the hands of law-abiding Maine citizens without recourse, as there is no such "permission" available or planned to be available at a state level. I would also note that the provision also bans any "semi-automatic" firearm that "has been modified in any way that (1) Materially increases the rate of fire of the semi-automatic firearm; or (2) Approximates the action or rate of fire of a machine gun." This definition is also fatally flawed, as it is impermissibly broad, vague and includes numerous every-day firearm accessories, a partial list of which includes larger magazines, anything that allows a more rapid changing of magazines, or anything that makes it easier to hold a firearm more securely, allowing for faster trigger pull. Whether or not the redefinition of "machine gun" is included, this entire bill is fatally flawed, ineffective, and unjust.

Lastly, I feel the need to include the following in order call out the Anti-Gun Legislation and supporters to show how not only did the system fail prior to the Lewiston shootings, but how all this could have been prevented in Sheriff Merry did his job and enacted the “Yellow Flag Law.” The Concussion Legacy Foundation (CLF): “Robert Card had evidence of traumatic brain injury. In the white matter, the nerve fibers that allow for communication between different areas of the brain, there was significant degeneration, axonal and myelin loss, inflammation, and small blood vessel injury. There was no evidence of chronic traumatic encephalopathy (CTE),” said Dr. McKee, director of the BU CTE Center. “These findings align with our previous studies on the effects of blast injury in humans and experimental models. While I cannot say with certainty that these pathological findings underlie Mr. Card’s behavioral changes in the last 10 months of life, based on our previous work, brain injury likely played a role in his symptoms.”

<https://concussionfoundation.org/news/press-release/family-of-Robert-Card-II-releases-findings-of-his-brain-tissue-analysis-in-effort-to-prevent-future-tragedies>

I strongly encourage this committee to vote “OUGHT NOT TO PASS” on LD 2086 An Act to Amend the Law Governing the Disposition of Forfeited Firearms.

Thank you for your time,

Craig Caffrey

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LD 2086

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