



March 7, 2024

Senator Carney, Representative Moonen, and Members of the Judiciary Committee, my name is John Hennessy. I am the Advocacy Director for the Episcopal Diocese of Maine offering testimony in support of LD 2224 – An Act to Strengthen Public Safety by Improving Maine's Firearm Laws and Mental Health System.

The Episcopal Church strongly supports all efforts to address America's unique and shameful gun violence crisis. We are active members of the Maine Gun Safety Coalition. It is out of love for the living God, and reverence for human life, that Episcopal Peace Fellowship - Maine calls upon the Legislature to act decisively to limit access to deadly firearms and invest in proven efforts to interrupt violence and make our communities safer.

We reiterate our urgent call for legislation that will add reasonable restrictions on firearm ownership, require universal background checks, ban assault weapons and other rapid fire devices, eliminate loopholes, tighten laws against gun trafficking, require gun safety training, fund gun violence and suicide prevention programs, and address gun violence as a public health crisis.

Most religious Americans believe gun reform is necessary to save lives. Religious Americans overwhelmingly support commonsense policies aimed at gun violence prevention. One study found that most Americans affiliated with a religious community – 84 percent of Buddhist, Catholic, evangelical, and mainline Protestant, Hindu, Jewish, Mormon, and Muslims – support background checks for all gun sales.

We know the United States faces an epidemic of gun violence. In fact, around 41,000 Americans die from gun violence every year, and according to the American Association of Pediatrics, gun violence is now the leading cause of death for American children. Let me repeat that, the leading cause of death for American children is gun violence.

As a result of this epidemic, nearly every American will know someone affected by gun violence. For the people of Maine, that tragic fact became very real on October 25, 2023, when 18 people were killed and 13 more injured in the shooting in Lewiston, ME.

Unfortunately, the tragedy in Lewiston was not an isolated incident. Maine has the highest gun death rate in New England. Most of these lives lost are due to firearm suicide, with 132 Mainers taking their own lives with a firearm in 2021 alone. In April of 2023, the towns of Bowdoin and Yarmouth saw a shooting that resulted in 4 people being killed and 3 people injured. The city of Portland saw a 300% increase in the number of people being struck by gunfire between 2021 and 2022.

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The bill in front of you makes some modest changes to make it easier to evaluate people in crisis and issue yellow flag orders where appropriate. As we understand it, mental health professionals will be able to rely on additional sources of evidence and information to come to a correct diagnosis. Law enforcement will have an additional tool to take someone into protective custody to have them evaluated.

When used well, the Yellow Flag law can be an important tool for law enforcement to remove access to firearms from someone when they are experiencing a mental health crisis and are a threat to themselves or others.

We are glad to see the increase in awareness about the danger of firearms during a crisis, which has led to a major increase in the use of the yellow flag law since the shooting in Lewiston last October. This increase shows just how many Mainers need help and shows just how desperate the need is for their loved ones and local law enforcement officials to have more tools to separate those Mainers in crisis from deadly weapons and stop prevent tragedies before they happen. Law enforcement officials are asking for more tools to keep their communities safe by removing access to firearms for those who are a danger to themselves or others but may not meet the threshold for a medical determination.

It is important to note, most people who are mentally ill are not more likely to commit acts of violence. And people who are at an elevated or immediate risk of committing acts of violence or self-harm are not necessarily mentally ill. With that in mind, it is critical, when looking to prevent tragedies, that we focus on behaviors and not a false equivalence between mental health diagnoses and violence.

By focusing on behavior, we can more effectively identify people who are at risk. Families in Maine know their loved ones best. And family members are often the first people to notice that their loved one needs help. That's why family members need a process that makes it easier for them to get dangerous weapons away from someone who is a threat to themselves or others. The tragedy in Lewiston, combined with the 150+ firearms suicides in Maine every year and the countless other acts of gun violence that take place in Maine, show how critical it is to give our law enforcement personnel more tools to keep us safe and families more tools to get their loved one's help.

Our leaders in Augusta must create additional processes for temporarily getting guns out of the hands of people who are a threat to themselves or others. Law enforcement needs more tools to keep their communities safe, and families need more ways to get their loved one's help.

We believe that a dangerous gap in our gun laws lets people buy guns without any confirmation that they are legally allowed to do so. Under current law, unlicensed sellers—people who sell guns online, at gun shows, or anywhere else without a federal dealer's license—can transfer firearms without confirming that they are legally allowed to possess firearms. Because of this loophole, people who are subject to domestic violence convictions or court orders, people who have been convicted of violent crimes, and people ineligible to possess firearms for mental health reasons can easily buy guns from unlicensed sellers with no background check in Maine.

This bill would require that a background check be performed for all private firearms sales that are the result of advertising. This would mean that sales that take place at a gun show or online would need to also have a background check performed, just like if you bought a firearm at L.L. Bean, Cabela's, or another local gun dealer. This bill further incentivizes, but does not require, background checks for private unadvertised sales by making it easier to prosecute someone if they transfer a firearm to someone who is not allowed to have one. This would incentivize private sellers to get a background check performed before they transfer the firearm to someone they don't know.

This proposal is a unique and welcome approach to substantially expanding the number of gun sales that are performed with a background check while respecting, and even encouraging, the culture of responsible gun ownership in Maine. Requiring background checks for online gun sales, sales at gun shows, and other sales that are the result of advertising is a crucial step forward in keeping guns out of the hands of people who shouldn't have them, including domestic abusers, people convicted of other violent crimes, and others.

While protecting responsible gun owners, this bill takes important steps towards holding reckless sellers accountable for selling dangerous weapons to people they don't know. Background checks are easy, convenient, and impose almost no burden on law-abiding gun purchasers.

To those who say these, and other measures being proposed would have done nothing to prevent the tragedy in Lewiston, we ask you to consider they might prevent the next one. Please support this bill to make our state safer.