

Thank you members of the Judiciary Committee for the opportunity to give testimony in support of **LD 2224** *An Act to Strengthen Public Safety by Improving Maine's Firearm Laws and Mental Health System* and in support of **LD 2238** *An Act to Address Gun Violence in Maine by Requiring a Waiting Period for Certain Firearm Purchases*.

I am Judi Richardson of South Portland and as I told this committee on Tuesday, I have been advocating for over 13 years to reduce gun violence in our state. I advocate not out of spite for gun owners or guns. I live in a gun-owning household, my husband Wayne is a lifelong hunter and I respect the traditions of hunting and responsible gun ownership. But more importantly, I am a mom and now a grandmom. My beloved, first-born daughter, Darien was shot and killed 14 years ago. I advocate to reduce gun injuries and deaths so others may not have to endure what Darien went through or the pain we have felt since her death. Gun violence is a public health and safety epidemic and a complex issue but there are many things we can do to prevent and reduce this growing epidemic. Gun violence is preventable and there are many things we can do. Today, that means asking you all to support these life saving measures that are desperately needed to help keep Maine safe. You can make a positive change.

On January 8, 2010, 1:30 am in Portland, intruders with guns blazing, entered Darien's bedroom and opened fire. Darien was shot several times, a bullet shredding her thumb and another struck her right leg by her knee, traveled the length of her thigh and lodged in her hip where it was to remain. She spent days in ICU and weeks in critical care working through the emotional and physical pain that accompanies recovering from severe trauma. Darien's pain and suffering wasn't over when released from the hospital. She had more surgeries and therapy to continue, she couldn't return to her home - the crime scene. She couldn't return to work. But she put on a brave face, smiled her beautiful smile and moved forward. Tragically, 51 days after this violent shooting she died from complications of her gunshot wounds on February 28, 2010. She was only 25 years old. My family and I were devastated. But there were no vigils, no public outcry, Just another victim of daily gun violence. We are outraged at all the mass shootings but I can tell you first hand that each and every shooting is just as devastating to the victim and those who love them.

Portland Police later recovered the .45 caliber semi-automatic handgun used to kill Darien at the scene of another, unrelated murder in Portland about a month after Darien's was shot. When Darien died from her gunshot wounds the bullet was removed from her hip and given to the police. Police worked with the ATF (Federal Bureau of Alcohol, Tobacco, Firearms & Explosives) to track down the manufacturer, the distributor and the gun shop that sold the gun which led them to the legal owner of record (*a Maine man who had undergone a background check*) who said he sold that gun soon after he bought to a person he didn't know, he didn't do a background check or keep any record - something that is not required by law in Maine if you are an unlicensed seller. There the investigation stalled.

This is a tragic example of the loophole in the criminal background check law which makes criminal background checks **optional** for everyone who is not a federally licensed firearms dealer. In Maine anyone can sell a gun to anyone else without checking to see if the buyer is prohibited from owning one. Holding unlicensed sellers to the same standard as federally licensed gun shops or retailers for background checks and record-keeping would make it possible to track a gun from one owner to another and is critical in a homicide investigation such as Darien's. Just consider that for a moment: 2 murders, one handgun sold without a background check through the "loophole" in Maine. Darien's homicide is still unsolved with that violent killer walking among us and that is a public safety concern.

Anyone who is turned down at an authorized licensed dealer because they didn't pass a background check can just go to an unlicensed seller and purchase a gun. Anyone that doesn't want there to be a record of their purchasing a gun can go to an unlicensed seller. That's the gaping loophole in the background check law. That's how guns can get into the hands of people who should not have them, including domestic abusers. That's how guns get into the so-called "Black Market". No system is perfect but making background checks on all gun sales mandatory would

reduce the number of guns that ultimately end up on the black market and reduce gun trafficking to other states. Requiring all gun sellers to follow the same laws does not interfere with legal gun ownership. Responsible, law-abiding gun owners would not be restricted in any way. But the criminals or rouge dealers who seek to take advantage of Maine's weak gun laws shouldn't have it so easy. We have a moral responsibility to do whatever we can to prevent gun violence.

Darien was a beautiful and vibrant person filled with love and joy. Darien's death devastated me and my family. I truly hope you never have to live with this kind of never ending pain. Darien was born, raised, educated and building a life in Maine. Darien was a good, productive member of society who had the right to live a full and happy life. Not a day goes by that I don't feel her absence and the empty space where she should be. She should have been in her sister's wedding. She should be spoiling her new nephew. She should be here.

Leaders in Maine must act to expand background checks and hold reckless sellers accountable to keep guns out of the hands of people who can't have them.

My plea is not only because of what happened to Darien and my family and not just because of the horrific tragedy in Lewiston, but because it will continue to happen if we continue to do nothing.

The financial cost of gun violence is not often talked about. One man with a gun shut down the entire state, schools and business were shut down - at great cost. Gun deaths and injuries cost Maine 2.3 billion each year - 17.3 million paid by the tax payers.

With regard to **LD 2238** which I fully support a waiting period on the purchase of a gun. I would point out that unless we close the gaping background check loophole in the law and expand background checks on all gun sales anyone who wants to avoid the waiting period will be able to go to an unlicensed seller and avoid the wait.

I have stated over and over that Maine cannot claim ignorance to the problem of gun violence and the toll it takes on our citizens, yet that's just what the legislature did over and over. As legislators, you have a responsibility to take steps to make Maine citizens safer. I urge our state lawmakers who have previously and consistently been reluctant to pass gun safety laws will do so now. We can make a positive change.

I strongly urge you to vote Ought to pass **LD 2224** and **LD 2238**.

Thank you.

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LD 2238

I testified today but did not have copies of my written testimony.