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Testimony in support of

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

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Senator Carney, Representative Moonen, and esteemed Judiciary committee members, thank you for hearing this bill. My name is Representative Sam Zager, and I represent District 116, Part of Portland, where I also practice family medicine.

As this committee is well aware, this 3-day waiting period bill is one of several proposals under consideration this session regarding firearm violence. No right under the US or Maine Constitution is absolute, and the Supreme Court of the United States in the *Heller* and *Bruen* decisions allows for tailored approaches to regulating firearms. There has to be a compelling public interest.

To consider the public interest, we should first examine the scope and type of problem we have: more American children die each year involved with a firearm than a motor vehicle. See Figure 1 of this [article](#) published in the medical journal *Pediatrics* by Dr. Bailey Roberts and co-authors two months before the Lewiston tragedy.¹ **In addition to showing that firearms being the #1 killer of American children, they also pointed out the problem is worsening:** “From 2018 to 2021, there was a 41.6% increase in the firearm death rate [among children].” We ought to be able to reduce the number of children dying in this manner. These numbers and trends constitute a public health crisis.

In the face of public health crises, public policy and collective solutions have a remarkably good track record. Consider a public health crisis of the 20th century: annual US deaths due to motor vehicles had nearly tripled in the 25 years from 1943 to 1968. Then, the federal government [mandated the installation of seatbelts](#).² Motor vehicle deaths in this country reached 56,000 per year in 1972, approximately the same number of deaths in the entire Vietnam War. It took another 25 years for actual seatbelt usage to reach a majority (54% in 1994). There were also

¹ <https://publications.aap.org/pediatrics/article/152/3/e2023061296/193711/Trends-and-Disparities-in-Firearm-Deaths-Among?autologincheck=redirected>

² <https://www.ghsa.org/issues/seat-belts>

other government steps (e.g. speed limits and drunk driving enforcement), and citizen campaigns to change people's behaviors (e.g. Mothers Against Drunk Driving, MADD). The net effect was more than a 50% reduction in per capita motor vehicle fatalities (roughly 20,000 fewer Americans dying each year). **Americans realized that we could make driving safer without taking away driving. Similarly, we can reduce deaths from firearms, while still respecting the Second Amendment right to well-regulated firearm possession and usage. As with motor vehicle accidents, we just have to decide we want to do something to save lives.**

When it comes to the 72-hour waiting period in this bill, there actually is good evidence that it would save lives. Michael Luca et al published a [study](#) in the Proceedings of the National Academies of Science in 2017. They found in a natural experiment, caused by the temporary implementation of the Brady Bill, that waiting periods reduce gun suicides by 6% and homicides by 17%.³

This bill addresses an important issue of firearm fatalities, a large and growing problem, in a way that has been demonstrated to reduce both suicides and homicides. I urge the committee to support it.

Thank you for your service and attention.

³ <https://www.pnas.org/doi/epdf/10.1073/pnas.1619896114>