

Michael Parker
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LD 2283

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LD 2283: An Act to Enact the Crisis Intervention Order Act to Protect the Safety of the Public

Good morning, distinguished members of the Committee on Judiciary. I wish to add my testimony to the record today. My name is Michael Parker. I am a resident of the Town of Strong. I am writing to voice my very strong opposition to LD 2283: An Act to Enact the Crisis Intervention Order Act to Protect the Safety of the Public. Several years ago, we were here discussing whether “Red Flag” gun laws were good for Maine. After much debate, it was decided that they are not. Nothing has changed. At that time, a compromise which resulted in a better solution - the “Yellow Flag Law” - was reached through the legislature working with outside groups, which resulted in REAL changes to how persons in crisis are able to obtain care, rather than simply seek to remove firearms from their homes. This was a solution that respected the citizens’ right to DUE PROCESS. The Yellow Flag law has now been shown MORE likely to result in a successful intervention for those who required mental health assistance than the existing laws provided - WHEN USED. We know it was NOT used in the case of the tragic shootings in Lewiston. Had it been used, that shooting likely would never have occurred. To use that event as a springboard for this seems both partisan and disingenuous.

LD 2283 presents a threat to a citizen’s right to due process, as well as the rights of the accused under the Constitutions of the United States and State of Maine. A basic accusation of ‘feeling uncomfortable’ around someone could result in law enforcement being tasked with seizing that individual’s personal and private property without a substantiated cause; essentially a de facto ‘guilty’ determination. Remember, you do NOT have to own firearms to be targeted this way - with the assumption of guilt. At least not until the ‘reform’ for this creates a gun registry, that is. This proposed legislation would allow the taking of rights and property with no actual evidence of any wrongdoing. It will place the burden of proof, and cost of litigation, on the citizen, and take much time to rectify if not accurate. Imagine the way this could, and will certainly, be abused by those seeking to cause harm to others! This bill is a poor policy idea just looking to be wrongly applied, and brings the full force of the State upon persons who have NOT been found to have done anything to anyone. This is a draconian, unfair, un-American and frankly, frightening proposal that will likely work LESS effectively than the Yellow Flag law. I am quite wary of any legislation brought ‘for our safety’; these policies are often ineffective of their intent but always err on the side of governance instead of the individual’s right.

It is my opinion that laws of this nature exist in authoritarian autocracies, not representative republics. This one certainly will certainly have rebound effects into 1st Amendment and 4th Amendment issues, if not others.

Thank you for your willingness to consider my position on this issue. I ask you to vote OUGHT NOT TO PASS on LD 2283: An Act to Enact the Crisis Intervention Order Act to Protect the Safety of the Public