

Joseph Grant
Wiscasset
LD 2283

The Judiciary Committee regarding LD 2283

To Committee members,

I am submitting the following testimony in opposition to the passage of LD-2283, An Act to Enact the Crisis Intervention Order Act to Protect the Safety of the Public and request a vote of ought not to pass.

Maine already has a yellow flag law that respects the language of our Constitution and consequently the rights of our citizens. That law, when used correctly, strikes the necessary balance of providing checks and balances thus respecting Constitutional rights while protecting public safety. If followed last year the Lewiston tragedy would have been prevented.

In the case of LD 2283, an ex parte hearing, held in secret, based simply on an affidavit from ex partners, relatives, or a law enforcement agency with no opportunity for the accused to present a defense can strip an individual of their Constitutional rights. Once stripped of that right that person has “the burden of proof by a preponderance of the evidence”. This turns our justice system concept of “innocent until proven guilty” on its head. The defendant must prove a negative to reclaim the rights so casually taken.

This bill as written is an attack on our Constitution and our justice system. It sets the precedent of denying an individual their right to bear arms and their right of self-defense on the singular claim of someone who is untrained and may or may not have the individual’s best interest at heart. It then requires the defendant to prove conclusively that they are “not guilty”, an almost impossible task.

Show your respect for Maine’s Constitution, “Every citizen has a right to keep and bear arms and this right shall never be questioned” and your respect for the law and the citizen’s rights and vote ought not to pass on this bill.

Joe Grant, Wiscasset, Maine