

Nathan Leach  
Gorham, Maine  
LD 2283

I am writing to urge you to oppose the proposed bill, titled the "Crisis Intervention Order Act." It would allow law enforcement agencies, household/family members, or law enforcement officers to petition the court for an order temporarily prohibiting someone from purchasing, possessing, or controlling firearms if they are deemed a "significant danger" of causing severe harm to themselves or others.

As you know, the key points are:

- Petitions can be filed alleging the person poses a significant danger, with an affidavit stating supporting facts.
- Emergency ex parte orders can be issued without notice to the person, prohibiting firearm possession for up to 14 days until a hearing.
- After a hearing with low burden of proof (preponderance of evidence), the court can issue an order prohibiting the person from possessing firearms for up to 1 year.
- The person would be required to immediately surrender any firearms to law enforcement upon being served the order.

While aimed at preventing harm, this bill raises significant due process concerns for law-abiding citizens:

- It allows seizure of firearms without any criminal charges or arrest based solely on allegations and a low evidentiary standard.
- Emergency ex parte orders can be issued without any prior notice or opportunity for the person to contest the allegations initially.
- The hearings have very short timeframes (14 days) which may not provide adequate time to prepare a defense against the allegations.
- There are limited avenues for terminating the orders once issued, with only one chance to request termination per order period.
- The orders can have a broad impact on the constitutional rights of law-abiding citizens who have not been convicted of any crime.

So while the intent is public safety, I have severe civil liberty concerns about the lack of robust due process protections before depriving citizens of a constitutional right like firearm ownership. The low evidence threshold and ability to seize property ex parte are particular areas of controversy.

I reaffirm my request that you oppose the proposed bill.

Sincerely,