

Erik Perkins
Mattawamkeag
LD 2283

Honorable Members of the Judiciary Committee,

I oppose LD 2283 for three reasons - the standard of evidence is too low, the bill conflates all violence with gun violence, and there is no notion of imminence or relevance in the preconditions for crisis intervention orders.

The bill requires a "preponderance of evidence" for a person to commit violence with a firearm in order for a crisis intervention order to be issued. Preponderance of evidence is a low standard, usually explained as a 51% probability of being true. It is a standard for use in civil disputes, not deprivation of fundamental rights. If I were only 51% sure that my brakes would work, I would not be driving.

The bill conflates any act or threat of violence (proven or not) with the danger of committing violence with a firearm. Under a crisis protection order, a person could threaten to burn down someone's house, have their firearms seized, yet be left standing with gasoline and a match. The act of violence under consideration could even have been part of an act of self-defense by the accused - all the bill says is "harm to another person", whether or not it was justified.

There is no timeframe for when alleged acts or threats of bodily harm occurred. They could have happened decades ago - there is no statute of limitations for memory. The tactic of dredging up what amounts to decades-old hearsay has been used against people holding high public office; this bill would encode an analogous procedure to be used to legally harass ordinary nobodies.

This bill appears to allow the summary disarmament of literally every single member of law enforcement and the military - these individuals inflict bodily harm for a living, and so clearly just by existing pose a significant danger of causing severe harm to another person. The bill does not indicate which person, only "another" person.

LD 2283, while it does address a number of shortcomings of other red-flag-type laws, is still much too broad and loose to be applied to questions of basic liberties.

Thank you,
Erik Perkins
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