

Testimony to the Judiciary Committee on LD 2283, April 5, 2024

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I'd like to thank Senator Carney, Representative Moonen, and the honorable members of the Judiciary Committee for this opportunity. My name is David Jolly and I live in the town of Penobscot. I am here today to provide testimony in support of LD 2283 - *An Act to Enact the Crisis Intervention Order Act to Protect the Safety of the Public*.

I worked in the field of public health for 35 years and it is from that perspective that I would like to speak to you. In public health, we follow the science. We look for evidence that a strategy will work, that it will ameliorate a public health problem. And so, I'd like to draw your attention to evidence that the approach to reducing gun violence that LD 2283 proposes will decrease gun injuries and deaths.

LD 2283 would allow family members or friends to go before a judge to request weapons confiscation without a mental health evaluation. This is necessary because mental health evaluations can be difficult and time-consuming to get and because only 3–5% of violent acts can be attributed to individuals with a serious mental illness.¹ Most acts of violence are, however, preceded by warning signs observable to others. Up to 80% of people considering suicide give some sign of their intentions², and an FBI study of active shooters found that on average they displayed four to five observable and concerning behaviors prior to their attacks.³ Family and friends are the people most likely to witness these warning signs. Furthermore, crisis intervention orders (CIOs) do not undermine second amendment rights. There is no evidence that the CIO process is abused or leads to false petitions. A study of Colorado cases found just four with unqualified petitioners over a four-year period, and none of those petitions resulted in an CIO or firearms confiscation.⁴ Maine needs a robust crisis intervention order law. It would save lives without compromising the rights of responsible gun owners.

I'd like to close with a different public health perspective, that of communitarianism. You have heard from people who feel the passage of this legislation or other gun safety bills will undermine their second amendment rights. It won't. These bills respect the rights of responsible gun owners and the longstanding hunting culture of Maine. Having said that, no individual rights are absolute. They always have to be balanced against concerns for the rights and well-being of other individuals and the community as a whole. We have the right to drive but not recklessly or at 100 miles an hour. We have the right to smoke but not in enclosed public spaces where our second-hand smoke can compromise the health of others in that space. Accepting the need to strike a balance and the willingness to accept some limits on our personal freedoms for the sake of others and our community as a whole is the spirit of communitarianism, and I hope that this spirit will inform the committee's discussion of and decision on this bill.

I reaffirm my support for LD2283, and I urge to the committee to vote "Ought to Pass" on this bill. Thank you.

1. Substance Abuse and Mental Health Services Administration, Department of Health and Human Services <https://www.samhsa.gov/mental-health/myths-and-facts#:~:text=Myth%3A%20People%20with%20mental%20health,with%20a%20serious%20mental%20illness>
2. Golden, Robert; Peterson, Fred; Weiland, Carla. The truth about illness and disease. Infobase Publishing 2009.

3. Silver, James; Simons, Andre; Craun, Sarah. "A Study of the Pre-Attack Behaviors of Active Shooters in the United States," Federal Bureau of Investigation, June 2018, <https://www.fbi.gov/file-repository/pre-attack-behaviors-of-active-shooters-in-us-2000-2013.pdf/view>
4. <https://injepijournal.biomedcentral.com/articles/10.1186/s40621-021-00353-7>