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Scarborough, Maine

March 16, 2025

Re: LD 486: An Act to Remove the Duty of an Individual Exercising Self-defense to Safely Retreat or Abstain from Performing Certain Acts upon Demand

Senator Beebe, Representative Hasenfus and Honorable Members of the Joint Criminal Justice and Public Safety Committee

I appreciate this opportunity to address you on this important matter. My name is Anne Gallaudet. I am a resident of Scarborough, Maine. I am writing *in opposition* of LD 486. Please vote "ought not to pass."

In Maine, the "castle doctrine" allows for the use of force, including deadly force, in certain situations to protect one's home and property, but there's a duty to retreat outside of the home. In contrast, "Stand your ground" laws like LD 486, allow an individual to use deadly force in self-defense in public if they reasonably believe it to be necessary to defend against certain violent crimes *without* a requirement to retreat first, if possible, to avoid deadly harm.

For good reason, Maine does **not** have a "stand your ground" law. Maine law generally imposes a requirement to retreat which is highly reasonable. A person, not in their dwelling, cannot use deadly force if they, with complete safety, (1) know that they can safely retreat from the encounter, (2) can surrender property to someone asserting a colorable claim of right to the property, or (3) can comply with a demand that they abstain from performing an act that they are not obliged to perform.

This proposed legislation (LD 486) aims to remove 2 of the 3 circumstances (#1 and #3, above) under which a claim of self-defense can be defeated and thus reduce the circumstances under which one must first aim to retreat and otherwise de-escalate the circumstances, before engaging in deadly force.

I submit that there is no rational basis for changing our law by passage of LD 486. Indeed, the consequences of passing LD 486 will have just the opposite effect – rather than increase safety, it will increase the use of deadly force in Maine.

LD 486 will not deter crime. Stand your ground laws have consistently led to an increase in crime.

<https://jamanetwork.com/journals/jamainternalmedicine/fullarticle/2648742>;
<https://www.rand.org/research/gun-policy/analysis/stand-your-ground/violent-crime.html#:~:text=Using%20negative%20binomial%20regression%20models,aggravated%20assault%20rates%20were%20uncertain>

LD 486 will increase firearm homicides and injuries.

<https://jamanetwork.com/journals/jamanetworkopen/fullarticle/2789154>;

<https://pmc.ncbi.nlm.nih.gov/articles/PMC8861849/>

LD 486 will significantly increase emergency room visits and hospital discharges related to firearm inflicted injuries. <https://www.nber.org/papers/w18187>

LD 486 will not make us safer. LD 486 on its face encourages the escalation of violence and even vigilante mentalities in a time when we are already froth with disharmony, distrust and feelings of being wronged. We need to be focused on helping people gain skills to de-escalate situations of conflict, not the opposite.

<https://everytownlaw.org/why-we-stand-against-stand-your-ground-laws/>

Importantly, this law is unnecessary as Maine's current law clearly recognizes self-defense, especially when a person is in their own dwelling (home) or is not the initial aggressor in a confrontation.

Thank you for considering my comment. I urge you to vote "ought not to pass" on LD 486.

Anne Gallaudet, Scarborough, ME