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LD 1049

LD 1049 An Act to Eliminate the Duty to Inform a Law Enforcement Officer When Carrying a Concealed Handgun Without a Permit

Senator Carney, Representative Kuhn, Members of the committee, I am David Souers. I live in Friendship, Maine. I am a retired healthcare facility architect from a family that owned, collected and used firearms as a hobby, and for recreation, target practice, hunting and protecting our agriculture from certain wildlife, in compliance with a variety of laws protecting ourselves and others for the types of firearms, locations and use.

I am here to testify against LD 1049.

Current law requires an individual carrying a concealed handgun without a valid permit who comes into contact with a law enforcement officer during the course of any arrest, detainment or routine traffic stop to immediately inform that law enforcement officer of the fact that the individual is carrying a concealed handgun.

What is the good reason for LD 1049?

This proposed Bill requires the person carrying a concealed handgun to inform the law enforcement officer only when the individual comes in contact with a law enforcement officer in the course of an arrest, detainment or routine traffic stop. Why shouldn't the person carrying a concealed handgun bring this to the attention of the officer?

It seems quite apparent that when this notice is provided openly and forth rightly it should prevent any surprises and probable injury or death to the law enforcement officer or the individual carrying the concealed handgun. Many shootings of police and persons carrying concealed handguns, or not carrying any handgun occurs when either party are suddenly surprised by seeing or assuming there is a concealed handgun.

It would therefore be more effective if every time a law enforcement officer in the course of an arrest, detainment or routine traffic stop, asked the individual if they were carrying a concealed handgun, regardless of whether they had a permit or not. And it would seem appropriate that the officer also ask if the individual has a permit to carry a concealed handgun. Not disclosing whether or not you are carrying a concealed handgun leaves the officer to always assume that you are carrying a concealed handgun. Any movement might indicate to the officer that you are reaching for it. The officer obviously still must be prudently careful. But disclosure as standard practice would help reduce an officer's belief that the concealed handgun laws favor the person being stopped, detained or arrested.

I advocate that this LD 1049 be ought not to pass, and that a Bill be proposed and passed to disclose all firearms be disclosed to law enforcement officers when being stopped, detained or arrested.