

## Testimony in Support of LD 1009: An Act to Restore Full Civil Rights to Possess Firearms to Persons Previously Convicted of Certain Nonviolent Felony Crimes

To the Honorable Members of the Maine Legislature,

I am writing to express my strong support for LD 1009, "An Act to Restore Full Civil Rights to Possess Firearms to Persons Previously Convicted of Certain Nonviolent Felony Crimes," introduced in the 132nd Maine Legislature. This legislation provides a fair, balanced, and carefully structured pathway for individuals who have served their sentences for certain nonviolent felony convictions to regain their constitutional right to possess firearms. Below, I outline the key reasons for supporting this bill.

### 1. **Promotes Rehabilitation and Reintegration**

LD 1009 recognizes that individuals who have completed their sentences and demonstrated rehabilitation deserve an opportunity to fully reintegrate into society. By allowing those convicted of nonviolent Class B or Class C felonies—such as certain property or drug-related offenses—to apply for restoration of their firearm rights after 10 years of law-abiding behavior, the bill rewards personal growth and accountability. Restoring these rights enables individuals to participate in activities like hunting, sport shooting, or self-defense, which are integral to Maine's culture and way of life, thereby fostering a sense of belonging and civic engagement.

### 2. **Balanced Eligibility Criteria Ensure Public Safety**

The bill includes robust safeguards to protect public safety while offering a path to restoration. Eligibility is limited to individuals who:

- Have not been convicted or adjudicated of any felony prior to or concurrently with the underlying conviction;
- Have remained free of convictions or adjudications for 10 years since final discharge;
- Were convicted of nonviolent Class B or Class C crimes, with specific exclusions for serious offenses like robbery, assault on officers, or sex trafficking. These strict criteria ensure that only those who have demonstrated a sustained commitment to lawful behavior qualify, minimizing risks to the community. The requirement for a Department of Public Safety review and court approval further ensures thorough vetting.

### 3. **Restores Constitutional Rights**

The Second Amendment guarantees the right to keep and bear arms, and LD 1009 aligns with this principle by providing a mechanism to restore this right for rehabilitated individuals. Permanent firearm prohibitions for nonviolent felonies, particularly those unrelated to violence or weapons, can be overly punitive and disproportionate to the offense. By allowing restoration after a decade of compliance, the bill respects the constitutional protections afforded to all citizens while maintaining accountability for past actions.

### 4. **Addresses Disparities in the Justice System**

Many nonviolent felony convictions, such as those for drug possession or financial crimes, disproportionately affect individuals from marginalized communities. Permanent firearm prohibitions can exacerbate these disparities by limiting opportunities for full

societal participation long after sentences are served. LD 1009 offers a path to restore rights, helping to level the playing field and reduce the long-term consequences of convictions that may have resulted from systemic inequities or youthful mistakes.

5. **Clear Process with Accountability Measures**

The bill establishes a clear and transparent process for restoration, requiring applicants to submit requests to the Department of Public Safety, which reviews their criminal history before notifying the relevant court to issue a restoration order. This multi-step process ensures oversight and accountability. Additionally, the provision for automatic revocation of restored rights upon a subsequent felony conviction provides a strong deterrent against future criminal behavior, reinforcing the bill's commitment to public safety.

6. **Aligns with Federal Law and Encourages Clarity**

LD 1009 is consistent with the federal Firearms Owners' Protection Act (18 USC §921(a)(20)), which recognizes state restorations of civil rights for firearm possession. By providing a formal process for restoration, the bill helps clarify the legal status of eligible individuals, reducing confusion about their rights under state and federal law. This clarity benefits both applicants and law enforcement, ensuring that restored rights are recognized and enforced appropriately.

In conclusion, LD 1009 is a well-crafted piece of legislation that balances public safety with fairness and rehabilitation. It offers a second chance to individuals who have paid their debt to society, demonstrated long-term compliance, and seek to fully exercise their constitutional rights. By promoting reintegration, addressing disparities, and maintaining strict eligibility criteria, the bill strengthens Maine's commitment to justice and opportunity. I respectfully urge the Committee on Judiciary to recommend the passage of LD 1009.

Thank you for considering this testimony.

Sincerely,  
Dana Hunnewell  
Concerned Citizen of Maine