

Public Testimony for hearing - 1378 - An Act to Protect Maine Communities by Enacting the Extreme Risk Protection Order Act

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Thank you for holding these hearings today.

My name is James LaPlante I am a citizen of South Portland.

And I am testifying in support of LD1378. This will be the second time I have testified after LD2283 failed to pass. I will continue to testify and speak out until Maine Passes better protections.

Maine needs an Extreme Risk Protection Order. Had this law existed in 2020 I would have used it.

In September of 2020 my brother Stephen took his own life by shooting himself in the head with a handgun. He left behind two sons. As terrible as that was, it could have turned out much worse.

My bother had been struggling with bipolar schizophrenia for more than a decade. He was hospitalized many times – each hospitalization voluntary and each one too short and ineffective at really helping him.

In 2019 my brother started to amass a collection of guns and ammo. When the pandemic hit my brother's paranoia grew more intense. He was convinced that people were spreading rumors about him in town. At the convenient store down the road, at the grocery store and the local pizza place. The same kind of rumors that Robert Card thought people were spreading about him before his mass shooting in Lewiston.

My brother would often call me in a manic state angry about what he perceived were people talking behind his back. It would take me hours to try to talk him down. He had multiple weapons, thousands of rounds of ammunition, and several fully loaded high-capacity magazines. He had everything he needed to commit a mass shooting and had been suicidal in the past. He was living with my mother and I was terrified for her safety and for my family's safety. But with Maine's current gun laws there was little I felt could do.

When I consulted with the police, I was told there is not much they can do until he commits a crime. The police had been to the property before in response to complaints about gunfire on the property. All they could do was talk to him about safety and being mindful of the noise. My brother could be a charming person and knew how to talk to police to keep them off his case.

I looked into Maine's Yellow flag law. I read other's accounts of the law failing them and how hard it was to find a psychiatrist willing to make a diagnosis. I thought about the risks I would take if my brother was released and had his guns returned. Would my family end up part of the conspiracy against him. Would we end up targets of his arsenal.

I was placed in an untenable situation and hate that my brother's suicide was the best-case scenario at the time.

LD1378 would have given me a much more effective option to remove my brother's guns from him that Maine's current yellow flag does not. Removing those guns could have saved his life and prevented a possible mass shooting. But it is also important to close Maine's private sale loopholes. I would not feel safe using an Extreme Risk Protection Order law if I knew there were other ways for my brother to replace his guns with new ones by private sale. We need background checks for any and all firearms purchases.

Families are the true first responders in a crisis situation like this. They deserve a law that helps to protect them and the community at large from gun violence. The benefits of this law far outweigh its risks.

Thank you for listening to my concerns and drafting a better Extreme Risk Protection Order law to help protect us and our loved ones. I ask you to pass this legislation and to continue to strengthen Maine gun laws.

Thank you.