

**LD 1378: An Act to Protect Maine Communities by Enacting the Extreme Risk Protection Order Act****Presented to Maine's Joint Standing Committee on Judiciary**

As the state's largest grassroots mental health advocacy organization, NAMI Maine appreciates the initiative of this committee in the development and placement of LD 1378: An Act to Protect Maine Communities by Enacting the Extreme Risk Protection Order. During the last session, many came forward to process the tragic events of October 25th and the aftermath that followed. NAMI Maine advocated that although there is a time and place for Extreme Risk Protection Orders, it is critical to base them on research regarding risk factors, and not on the stigma surrounding mental health challenges. We feel that the wording and placement of this legislation address those concerns.

Although Extreme Risk Protection Orders have been in effect for a limited period, emerging data have demonstrated their effectiveness. This includes research conducted reviewing thousands of ERPOs that were issued in six states, finding that 10% were issued regarding the threat of mass shootings or potential multi-casualty events.<sup>1</sup> Additionally, research in California found that 54% of ERPOs were issued in cases of interpersonal violence and threat, 15% were issued in cases of self-harm or suicide, and 25% were issued in cases where both were present.<sup>2</sup> The state of Connecticut found that for every ERPO that was issued 1-2 suicide deaths were prevented.<sup>3</sup> Each state implemented Extreme Risk Protection Orders on the premise of evidence-based risk factors, allowing individuals to seek orders based on concerning behaviors and articulated threats to an individual and not mental health.

NAMI Maine does present some questions for the committee to consider, however. The initial question is the statement regarding the inability of court officers to offer assistance in the completion of the forms. An individual seeking an order against a loved one will be facing a pinnacle of crisis regarding safety and well-being. Without the assistance of others, we would ask the committee what would constitute as assistance and if an outside organization could assist with providing a guide or resource to support family members through this process. Additionally, we do question the guidelines regarding an individual who has threatened or attempted suicide and would ask how the court officers would judge the level of risk in which an individual presents, as there are many who experience chronic suicidality or present with a plan for suicide for extended periods of time with no or minimal intent. We present these questions as a subject to consider regarding the training and threshold in which individuals would potentially have access to firearms restricted.

NAMI Maine would like to express our appreciation and support for the work that went into developing and drafting this legislation, particularly in avoiding stigmatization. We support this legislation and hope to see the questions presented addressed during a work session.

**ABOUT NAMI MAINE:** Incorporated in 1984, the National Alliance on Mental Illness, Maine Chapter (NAMI Maine) is the state's largest grassroots mental health organization. With support from national and regional affiliates, the agency is dedicated to building better lives for everyone impacted by behavioral health concerns. NAMI Maine engages with leaders and community partners at all levels to improve the state's mental health system through collaboration and education.

<sup>1</sup> [Extreme risk protection orders in response to threats of multiple victim/mass shooting in six U.S. states: A descriptive study - ScienceDirect](#)

<sup>2</sup> [Gun violence restraining orders in California, 2016–2018: case details and respondent mortality](#)

<sup>3</sup> [Implementation and Effectiveness of Connecticut's Risk-Based Gun Removal Law: Does it Prevent Suicides? | Law and Contemporary Problems](#)

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