



# HOUSE OF REPRESENTATIVES

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Senator Rafferty, Representative Brennan, and members of the Joint Standing Committee on Education and Cultural Affairs:

My name is Reagan Paul, I represent House District 37, which includes Winterport, part of Frankfort, Prospect, Stockton Springs, and Searsport. I am here before you today to present my bill, **LD 1557 “An Act to Increase and Enhance School Safety by Allowing Individuals with Concealed Carry Permits to Possess Handguns on School Property”**.

I am aware of the passionate divide on this topic. But we must not let emotion cloud our reason and better yet...we should not allow emotions to cloud the facts. The heated rhetoric surrounding this issue reminds me of the classic book, “The Art of War” by Sun Tsu where one of the prevailing principles is that if you can get people to feel, they no longer think. I’ve read the testimony submitted prior to this hearing, and I can say with confidence that the claims in opposition are not based in reality, have no facts to back them up, and are based on feelings or opinions or they could be easily addressed. I would caution legislating based on emotion. I am aware of the heightened state of fear and emotion surrounding the tragic recent events in our State in Bowdoin and other tragic events in our country. But none of those things change the facts. They still remain.

I truly believe everyone on this committee wants to keep children safe. But, there is a huge difference between feeling safe and actually being safe. There are just two competing viewpoints to contend with here:

1. Gun Free Zones (GFZ) Keep Children Safe OR
2. Responsible, trained concealed carry permit holders save lives and deter potential threats to our children’s safety

In life, there is inherent risk to every choice we make. There is risk in having guns but there is more risk in not having guns. We are protected by armed police patrolling the Capitol. I know I would feel less safe without them out there. Why? Because they can meet threats with equal or greater force. Our children deserve the same.

So let’s look at some facts. To do that, we will have to look at some fiction too.

**✗ Fiction: This legislation is extreme and unprecedented**

**Fact: This legislation aligns with existing federal law and other states have already implemented similar laws.**

Two federal laws restrict who may carry guns in or around schools offering K-12 education: the Gun-Free School Zones Act of 1990 (18 U.S.C. 922) and the Gun-Free Schools Act of 1994 (20 U.S.C. 7961). These laws do not prohibit all people from carrying guns in schools, however. Law enforcement officers and individuals with valid state-issued concealed-carry permits are exempted from the laws' prohibitions (18 U.S.C. 922(q)(2)(B)(ii)). Maine law took further steps to restrict who could legally carry on school property. (See Title 20-A: Education attachment) 8 states (Delaware, Kansas, Michigan, Mississippi, New Hampshire, Ohio, Oregon, and Wyoming) allow concealed carry permit holders to carry on school property. Wyoming allows concealed carry permit holders to open carry. 28 states allow schools to arm teachers or staff, not just trained guards or officers, in some capacity according to the Crime Prevention Research Center.

**Fiction: This legislation would allow random, untrained individuals to carry firearms in schools.**

**Fact: This legislation ensures that responsible, safe and trained gun owners can protect themselves, students, and other faculty members on campus**

In Maine, a State issued concealed carry permit requires a firearm training course, HIPAA release to screen for mental illness, and approval by a law enforcement issuing agency. There is also a 3 week waiting period for a full background check to be run on the applicants.

According to the U.S. Census Bureau, people with concealed carry licenses are:

- 5.7 times less likely to be arrested for violent offenses than the general public
- 13.5 times less likely to be arrested for non-violent offenses than the general public

According to the FBI's Uniform Crime Statistics, states that allow CCW holders to carry on campuses, both K12 public schools and college campuses, had significantly lower violent crime rates, including firearm homicides and all forms of murder. Statements to the contrary are not justified. CCW holders not only fail to cause problems, their very presence suppresses violent acts. This has been demonstrated from shore to shore in our country where there are approximately 182,000 defensive gun uses in public each year according to the National Firearms Survey. We just don't get to hear about those. In states where college campuses allow CCW holders equal access, murders are 37% lower, rapes are 11% less frequent, robbery drops 47% and aggravated assaults plunge 36%. Even firearm homicides drop 33%. In the absence of a measurable problem concerning CCW holders carrying on campus, many people use baseless fear to motivate these restrictions. But the empirical data shows that CCWs on school grounds is a non-existent problem and possibly part of the solution.

Much has been made in public discussion about a slogan popularized by the National Rifle Association, namely: "The only thing that stops a bad guy with a gun is a good guy with a gun."

Ignoring that no such absolute statement is true (such as "all politicians are criminals"), it is however a good slogan to ponder. The United States Shooter Events Study gives us some main takeaways:

1. Armed interventions are the single largest form of event resolution.
2. Armed intervention greatly reduces casualties.
3. At schools, armed resources officers greatly reduce carnage (if they intervene).
4. Adding concealed carry permit (CCW) holders to schools marginally improves outcomes over armed resource officers.

According to Real Clear Politics, up to 16.5 % of active shooter events across the country have been stopped by CCW permit holders.

Also important to note: nobody will be forced to carry if they do not feel comfortable doing so.

**Fiction: This legislation will increase gun violence**

**Fact: Gun violence dropped in the State of Maine after the 2015 Constitutional Carry Legislation**

Opponents of this bill say that allowing more guns in school would increase gun violence. That is not based on fact. The fact is that in Maine, violent crime has decreased since the enactment of Constitutional Carry in 2015, based on information from the FBI. It was predicted that the streets would become the wild west. They were wrong about constitutional carry and those same opponents are wrong that having CCW permit holders in schools make them less safe too.

Forty-two states, comprising the majority of the American population, are either "right-to-carry" states – where anyone without a criminal record will be issued a permit – or require no permit at all (though there are legal restrictions carrying weapons by felons, domestic abusers, etc.). Statistics show that in these states the crime rate fell (or did not rise) after the right-to-carry law became active. Could it be the NRA was right? Well yes actually, the data shows that good guys with guns really do stop bad guys with guns.

**Fiction: GFZs Protect Lives and Police alone can keep kids safe.**

**Fact: 85% of mass shootings occur in GFZs**

Using the FBI's definition of mass public shootings {MPS}, from 1988 through August of 2019, more than 85 percent of Mass Public Shootings have occurred in gun-free zones. If the presence or potential presence of armed civilians deters violence, gun-free zones could serve as more-attractive targets to violent criminals or mass shooters because perpetrators will be less likely to encounter armed resistance in these areas. The

question is, how can one logically say that the best way to defend children is by leaving them defenseless?

In addition to gun-free zones, some MPS with the highest fatalities have another common factor. Defined by GunFacts.info, they occurred in "cattle pen" scenarios:

- Many people in a "crowded" area (required); and
- Limited exists or exit capacity; and/or
- Few or no places to take cover.

FBI interviews with convicted criminals have shown that shooters research locations where they can pen in large numbers of potential victims, giving them the potential for a higher body count.

Another issue to consider is police response time. Again, the FBI reports that mass shootings are over in 8-12 minutes. This is especially concerning in most of Maine schools that are not in close proximity to police. In my hometown, we do not have a police department. The closest police department is 12 minutes away from our schools, and by the time police would be able to come on scene, the carnage would be done.

Think about Uvalde. Police waited outside for over an hour but investigators say that 100 shots were fired in the first 3 minutes.

In the Parkland, Florida school shooting there was an armed resource officer but his response time was 99 seconds, Sounds pretty good, right? Unfortunately, in those 99 seconds 21 people were shot and 6 were killed.

In Sandy Hook, the first 911 call came in after 5 minutes, The police responded quickly, being nearby, within 4 minutes. The result of those 9 minutes were 20 dead children and 6 adults.

In these types of situations, we have no idea how different the outcome could have been if there were armed staff or visitors but what we do know is that not only minutes that mattered, but seconds mattered too. Remember, when seconds count, police are often minutes away.

The other issue this bill would cover are those law abiding citizens who carry concealed in their vehicle or on their person, who may just be dropping off a child to school or sports practice. Because Maine law requires you to be at least 500 feet from a school, those even just driving by most schools with concealed legal weapons are inadvertently breaking the law. This bill would offer them protection as well for exercising their constitutional right to carry.

I would be remiss if I didn't mention the shooting in Nashville at the Covenant school. Immediately, the tragedy was taken advantage of to further an anti- second amendment

agenda. We were all horrified by the events and it is hard to wrap our minds around suddenly losing children to a deranged killer. I think the words of a Nashville police spokesman, when asked if the Covenant school was the only school that was targeted he replied, "It was the only school that was targeted. There was another location that was mentioned, but because of a threat assessment by the suspect, too much security, they decided not to." What are the odds of a massacre if teachers, office staff, parents, or even the janitor are willing to shoot back? We know schools are a soft target with a gun free zone sign that basically says, "Welcome, we can't defend ourselves." What if there was a sign that said, "Our staff may be armed." It is hard to quantify. Many people feel the solution is gun control, but the fact that schools are already gun free zones means nothing to them. It just means that we haven't taken gun free zones far enough yet, right? The desire for safety doesn't mean pushing for gun control. Gun free zones double as free fire zones and turning the other cheek is well and good, until it is your child lying dead on the floor. Kids deserve to be safe and whether you like it or not, that means guns. I refuse to apologize for my pro- second amendment stance and I won't back down from the belief that schools should not be gun free zones, because it has been demonstrated that they aren't already, at least for the bad guys. Our hearts go out to families who have suffered unspeakable agony, but the pain and the outrage should be taken out on the person, not the inanimate object. You can vilify guns all you want, but it is guns that guard your banks, patrol your streets, and protect your politicians. Why are our children deemed to be of less worth than an ancient Senator in D.C.?

The data tells us that gun violence is not an epidemic. With America's growing population, gun violence was higher in 1974 than it is today. So let me repeat, gun violence is not an epidemic, but evil is and quite frankly people are tired of mental illness, psychosis, and evil being ignored in favor of demonizing an inanimate object. So I say, let's make schools a killer's most feared target. You say you do it for the children, but anti-gun agendas say differently. Gun control will quite literally be the death of our kids and that my friends is true, whether you want to admit it or not.

In closing, there is a huge difference between feeling safe and actually being safe. Right now, parents and school faculty have no choice but to put their hope in a GFZ sticker and a police response time that in the majority of cases will be too late, to protect them from a shooter with murder in their heart. This bill would allow the most responsible citizens to voluntarily choose to exercise their constitutional rights and be able to defend themselves and others. This bill also would not cost taxpayers a single dime. This committee has been tasked with making decisions on bills based on their constitutionality. This is not an opinion committee. This is not a feelings committee. I implore you to pass this bill based on data, not emotion and charged rhetoric devoid of fact.

I find it ironic that people have the right to choose when it comes to everything except for protecting themselves against an armed shooter who intends to take their life. This bill gives parents and faculty the choice of how to protect children in schools. If they believe that gun free zones are sufficient, nothing has to change. If there are individuals

that decide that equal or greater force is a better way to protect and prevent tragedy, that is their right. Give Mainers the right to choose how they protect their children.

The question is: what do the members of the Education committee value more? Emotionally fueled rhetoric or protecting the lives of children?

Thank you for your time and consideration, I would be happy to answer any questions you may have.

Respectfully,

Reagan Paul  
State Representative

Title 20-A: EDUCATION  
Part 3: ELEMENTARY AND SECONDARY EDUCATION  
Chapter 223: HEALTH, NUTRITION AND SAFETY  
Subchapter 6: SAFETY

## §6552. Firearms

1. **Prohibition.** A person may not possess a firearm on public school property or the property of an approved private school or discharge a firearm within 500 feet of public school property or the property of an approved private school.

[PL 2009, c. 614, §2 (AMD).]

2. **Exceptions.** The provisions under [subsection 1 \(./20-A/title20-Asec6552.html\)](#) do not apply to the following.

A. The prohibition on the possession and discharge of a firearm does not apply to law enforcement officials. [PL 2009, c. 614, §3 (RPR).]

B. The prohibition on the possession of a firearm does not apply to the following persons, if the possession is authorized by a written policy adopted by the school board:

(1) A person who possesses an unloaded firearm for use in a supervised educational program approved and authorized by the school board and for which the school board has adopted appropriate safeguards to ensure student safety; and

(2) A person who possesses an unloaded firearm that is stored inside a locked vehicle in a closed container, a zipped case or a locked firearms rack while the person is attending a hunter's breakfast or similar event that:

(a) Is held during an open firearm season established under [Title 12, Part 13 \(./12/title12ch0sec0.html\)](#) for any species of wild bird or wild animal;

(b) Takes place outside of regular school hours; and

(c) Is authorized by the school board. [PL 2009, c. 614, §3 (RPR).]

C. The prohibition on possession and discharge of a firearm does not apply to a person possessing a firearm at a school-operated gun range or a person discharging a firearm as part of a school-sanctioned program at a school-operated gun range if the gun range and the program are authorized by a written policy adopted by the school's governing body. [PL 2009, c. 614, §3 (NEW).]

[PL 2009, c. 614, §3 (RPR).]

3. **Penalty.** A person who violates this section is guilty of a Class E crime.

[PL 1981, c. 693, §§ 5, 8 (NEW).]

### SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW). PL 1989, c. 414, §13 (AMD). PL 2007, c. 67, §1 (AMD). PL 2009, c. 614, §2, 3 (AMD).

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