

**Peggy McGehee  
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Good afternoon, Chairs Beebe-Center and Salisbury and Members of the Committee:

I am Peggy McGehee, a resident of the Town of Falmouth, and I speak in support of L.D. 1340. Rapid fire modification devices, like bump stocks, convert a semi-automatic firearm into extremely dangerous automatic weapons of war, capable of firing up to 1,200 rounds per minute.

In 2018, a mass shooter shot 1049 bullets in 11 minutes at a Harvest Festival in Las Vegas, killing 58 people and injuring nearly 500 others. Thirteen of the rifles he used were outfitted with rapid-fire modification devices called bump stocks, allowing his semiautomatic weapons to fire at the rate of an automatic rifle with up to 1,200 rounds per minute.

In May, 2022, a shooter outside a MacDonald's restaurant in Chicago shot 9 people, killing 2, with a semi-automatic handgun he had converted into a high-capacity machine gun with a device known as an auto sear, about the size of a thumbnail, called a Glock "switch." The number of such switches recovered by the Bureau of Alcohol, Tobacco, Firearms and Explosives rose from 100 in 2017 to about 1,500 last year. Since 2018, police have observed that these converted guns are showing up at more and more crime scenes.

There are, today, thirteen states with banning or restricting the modification devices, including Vermont and Massachusetts, and other state legislatures are considering adopting the same.

To the extent opponents assert that the bill violates citizens' Second Amendment rights, it does not. There is no U.S. Supreme Court decision, Maine Law Court, U.S. District Court for Maine, or U.S. First Circuit appellate court decision declaring rapid fire modification devices to be unconstitutional.

Rather, because rapid fire modification devices are both dangerous and not in common use for self-defense, they meet the U.S. Supreme Court's standard for constitutionality. *See District of Columbia v. Heller*, 554 U.S. 570 (2008) ("We also recognize another important limitation on the right to keep and carry arms [which is, if the firearms are not] 'in common use at the time' for lawful purposes like self-defense... We think that limitation is fairly supported by the historical tradition of prohibiting the carrying of 'dangerous and unusual weapons.'")

Applying that Supreme Court standard, the D.C. Federal District Court held just last month, in the case of *Hanson v. District of Columbia*, that a ban on large capacity magazines ("LCMs")—was constitutional as LCMs were dangerous and not in common use for self-defense. The Court held that "'law-abiding individuals do not use LCMs for self-defense because incidents where a civilian actually expends more than ten bullets in self-defense are 'vanishingly rare.'" Like LCMs, rapid fire modification devices are dangerous and not in common use for self-defense.

Thank you for your consideration of these comments.

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