

# Maine Chapter

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## Subject: Testimony in Support of LD 2086, "An Act to Amend the Law Governing the Disposition of Forfeited Firearms"

Senator Carney, Representative Moonen, and distinguished members of the Committee on Judiciary, my name is Joe Anderson. I am a resident of Portland, a pediatric hospitalist in Lewiston, and I serve on the board of the Maine Chapter of the American Academy of Pediatrics. I am here to express our support for LD 2086, "An Act to Amend the Law Governing the Disposition of Forfeited Firearms," as amended by Senator Carney. It is our understanding that this bill, as amended, would bring Maine law in line with federal law, resulting in the redefinition of "machine gun" to include conversion devices that effectively turn semi-automatic weapons into fully automatic machine guns (including bump stocks, Glock switches, and auto sears.)

The Maine Chapter of the AAP is a professional organization representing over 275 pediatricians and pediatric subspecialists working together to further our mission *to improve the lives of children and adolescents in Maine*. It should not surprise anyone that the pediatricians in the state are in full support of limiting access to devices that functionally put automatic weapons in the hands of civilians.

**However, we would like to take this opportunity to express our deep frustration that despite recent statements from our elected officials about addressing the gun violence epidemic through a public health lens, we are here today debating limiting access to conversion devices, rather than a ban on assault-style semiautomatic weapons and high-capacity magazines.** Physicians and public health experts have been consistent in their call for an end to civilian use of assault weapons and high-capacity magazines since the federal assault weapons ban expired in 2004, and the available evidence supports their position. The following organizations, among many others, have called for restricting civilian access to assault-style weapons and high-capacity magazines:

- American Medical Association
- American Academy of Pediatrics
- American College of Surgeons
- American Pediatric Surgical Association
- American Academy of Family Physicians
- American Psychiatric Association
- American College of Physicians
- American Public Health Association

## Large-Capacity Magazines

A study in the American Journal of Public Health published in 2019 sought to examine the effect of large-capacity magazine (LCM) bans on high-fatality mass shootings from 1990 to 2017.<sup>1</sup> They defined an LCM as a detachable

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ammunition-feeding device capable of holding more than 10 bullets, and a high-fatality mass shooting as one with 6 or more victims shot to death, not including the perpetrator(s). The Lewiston shooting would have met both qualifications.

During the study period, there were 69 high-fatality mass shootings, with 64% of those involving LCMs. Attacks involving LCMs on average resulted in a 62% higher death toll, providing the justification for why these devices should be banned. However, a common argument is that a ban is unlikely to prevent criminals from obtaining and using the banned devices to commit crimes. This study demonstrated that in states where no ban was present, the incidence of high-fatality mass shootings was more than double that of states with a LCM ban in place, and the annual number of deaths due to high-fatality mass shootings was more than three times higher.

### Assault Weapons

Although no universal definition exists for the term “assault weapon”, one common definition is that that this term refers to semi-automatic rifles with military-style features, and typically does not refer to pistols or shotguns.

These firearms were not designed for hunting, for personal protection, or for target practice. They were designed for the battlefield – to decimate bone, blood vessels, and vital organs with the express goal of permanently incapacitating its target. As I witnessed in the minutes following the shooting in Lewiston, the entry wound of a large-caliber, high-velocity bullet looks relatively similar to other gunshot wounds I’ve seen in my career. But the gruesome exit wounds illustrate the destruction they cause as they course through the human body – and provide an explanation for why more than half of those shot in the Lewiston tragedy never even made it to our hospital and died at the scene.

Data on the impact of assault weapons is sometimes difficult to come by – partly due to the limited number of mass shooting events as compared to other forms of gun violence, and partly a result of the Dickey Amendment’s nearly quarter-century embargo on CDC-funded gun violence research. Despite these challenges, the available research is enlightening.

An analysis of public mass shootings resulting in four or more deaths found that more than 85% of such fatalities were caused by assault rifles.<sup>2</sup> This study also found that during the 10-year period that the federal assault weapons ban was in effect, mass shooting fatalities were 70% less likely to occur compared to the periods before and after the ban. Other studies have suggested that state-level assault weapons bans help to prevent mass shooting deaths.<sup>3</sup>

### The Gas-Operated Semi-Automatic Firearms Exclusion (GOSAFE) Act

Senator King co-sponsored the federal GOSAFE Act, which seeks to regulate the sale, transfer, and manufacture of semi-automatic firearms. We believe this is a common-sense approach that protects Mainers’ constitutional rights and keeps with Maine’s longstanding history of responsible firearm ownership for the use of self-defense, hunting, or

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sporting purposes. The image below is a helpful explanation of how this policy would work, and we believe it could be a useful framework should our legislators summon the courage to put such a policy to a vote.

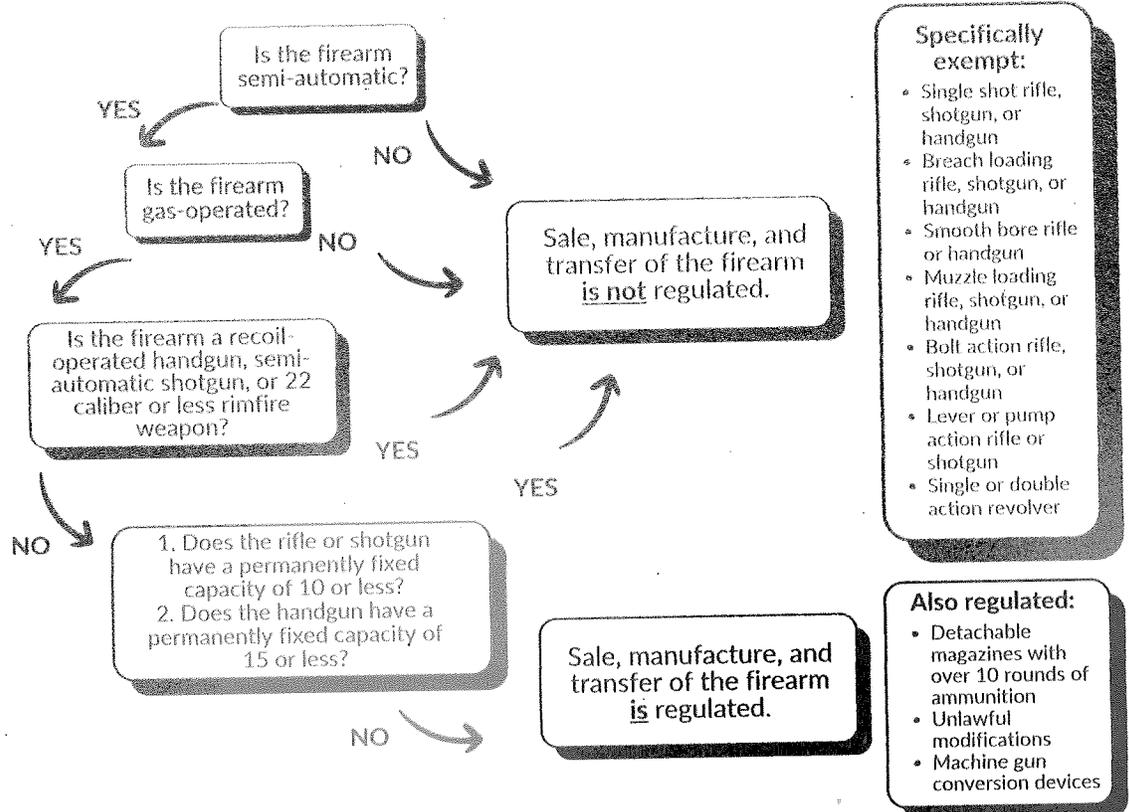


Image retrieved from: <https://www.heinrich.senate.gov/gosafe>

We hope you will reconsider this issue and take seriously the commitment to address gun violence with a comprehensive public health approach by enacting a ban on assault weapons and high-capacity magazines. Thank you for your time and consideration. We are available to answer any questions you may have.

Sincerely,

Joe Anderson, DO, FAAP  
Advocacy Chair, Maine Chapter of the American Academy of Pediatrics

<sup>1</sup> Klarevas L, Conner A, Hemenway D. The Effect of Large-Capacity Magazine Bans on High-Fatality Mass Shootings, 1990-2017. Am J Public Health. 2019 Dec;109(12):1754-1761.

<sup>2</sup> DiMaggio, Charles PhD, MPH; Avraham, Jacob MD; Berry, Cherisse MD; Bukur, Marko MD; Feldman, Justin ScD; Klein, Michael MD; Shah, Noor MD; Tandon, Manish MD; Frangos, Spiros MD, MPH. Changes in US mass shooting deaths associated with the 1994-2004 federal assault weapons ban: Analysis of open-source data. Journal of Trauma and Acute Care Surgery 86(1):p 11-19, January 2019.

<sup>3</sup> Gius, M. (2015). The impact of state and federal assault weapons bans on public mass shootings. Applied Economics Letters, 22(4), 281-284.