



# HOUSE OF REPRESENTATIVES

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March 7, 2024

*Testimony of Rep. Kristen Cloutier in support of*

### **LD 2224, An Act to Strengthen Public Safety by Improving Maine's Firearm Laws and Mental Health System**

*Before the Joint Standing Committee on Judiciary*

Good morning Senator Carney, Representative Moonen and distinguished members of the Judiciary Committee. My name is Kristen Cloutier, and I represent House District 94, which includes part of my hometown of Lewiston. I am honored to be the lead cosponsor on the bill before you today: **LD 2224, An Act to Strengthen Public Safety by Improving Maine's Firearm Laws and Mental Health System.**

Four months ago, my community was shattered by a senseless, preventable tragedy that took the lives of 18 people, injured 13 others and left deep scars – both physical and emotional. Ever since that horrific night, I have been reminded daily of how an unthinkable act of gun violence in one community can have ripple effects on our entire state, impacting each and every one of us.

Throughout Maine, many folks remain on edge knowing the very real possibility that another mass shooting could happen at any time. The epidemic of gun violence is a public health crisis, and we must act now to prevent future gun-related tragedies and the long-lasting psychological and emotional trauma that follows.

As my community continues to grieve and struggles to move forward in the aftermath of this tragedy, doing nothing is not an option. As a Legislature, we have the responsibility to take action. This proposal, outlined by Gov. Janet Mills in her recent State of the State Address, has three distinct goals: strengthening violence prevention, improving Maine's mental health system and keeping firearms away from dangerous people who should not have them.

The measure includes initiatives to:

- Create a statewide network of crisis receiving centers;
- Establish an injury and violence prevention program at the Maine CDC;
- Close the current background check loophole for advertised firearm sales; and
- Add a critical, additional layer of protection to help law enforcement prevent people in crisis from accessing guns

First, LD 2224 would expand access to behavioral health services across Maine and establish a crisis receiving center in Lewiston, as well as other locations across the state, modeled after the first-ever crisis receiving center which opened in Portland in February 2022. Crisis receiving centers will be used to provide care to people who are suffering from a mental health crisis, instead of leaving them in an emergency department or a jail, which is currently happening across our state.

Additionally, it is crucial that we improve our system of data collection as it relates to violence so that we have a better understanding of what future legislation and programs are necessary to help keep Mainers safe. LD 2224 would establish a program within the Maine CDC that would serve as a central hub for violence and injury data collected by agencies across our state who work in our health care, education, social services and criminal justice sectors.

When it comes to private firearm sales in Maine, there is a significant lack of oversight. Currently, people who buy a firearm from a licensed gun dealer must undergo a background check, as required by federal law. However, there is no such requirement for private firearm transactions. LD 2224 would make progress to help close the loophole for advertised sales.

Currently, firearms obtained in Maine can be trafficked to other states with stricter laws, or traded for narcotics. LD 2224 would address this issue by requiring any sale of a firearm that is advertised – through Facebook, Craigslist, Uncle Henry’s or other means – be checked against the National Instant Criminal Background Check System, which is used by licensed firearm dealers. If enacted, it would ensure that when a gun is sold through an advertised, private sale, it cannot be sold to someone who is prohibited from having a firearm, including convicted felons and those convicted of domestic violence crimes.

And finally, this bill would strengthen Maine’s existing extreme risk protection order law, which would help prevent people in crisis from accessing guns. LD 2224 would allow law enforcement to seek the approval of a judge, in unusual circumstances, to take a person into protective custody if they are deemed a dangerous threat to themselves or others. If then deemed dangerous by a medical practitioner and judge, law enforcement could remove their weapons, pending a full hearing before a court.

In the case of the Lewiston shooting, if our state had a stronger extreme risk protection order law, Maine law enforcement may have been able to put Robert Card into protective custody and remove his firearms before so many innocent lives were lost.

Together, the provisions in LD 2224 offer meaningful, common-sense solutions that respect Second Amendment rights, protect public health and ensure safe and responsible gun ownership.

We have the ability to prevent a future tragedy like the Lewiston shooting from devastating another Maine community. I implore this committee, and the entire Legislature, to pass LD 2224.

Thank you for your time and consideration of this critical piece of legislation, which has the power to prevent gun violence and save lives.