



## **SAM-ILA**

205 Church Hill Road, Augusta, ME 04330

David Trahan, Executive Director

[david@samofmaine.org](mailto:david@samofmaine.org)

[www.samila.org](http://www.samila.org)

Testimony Neither For, Nor Against

LD 2224, An Act to Strengthen Public Safety by Improving Maine's Firearm Laws and Mental Health Systems.

Before the Joint Standing Committee on Judiciary

Presented by David Trahan, Executive Director of the Sportsman's Alliance of Maine, Institute for Legislative Action (SAM-ILA)

March 7, 2023

Senator Carney, Representative Moonen, members of the Joint Standing Committee on Judiciary, my name is David Trahan. I am the Executive Director of the Sportsman's Alliance of Maine - Institute for Legislative Action (SAM-ILA), testifying as a neutral party to LD 2224, An Act to Strengthen Public Safety by Improving Maine's Firearm Laws and Mental Health Systems.

The Sportsman's Alliance of Maine, Institute for Legislative Action is testifying, neither for nor against LD 2224, An Act to Strengthen Public Safety by Improving Maine's Firearm Laws and Mental Health Systems.

First, we would first like to thank the Governor for her leadership in promoting policies that can gain some support from Second Amendment advocates and gun control activists. When Governor Mills was first elected, I met with her on behalf of our organization and in that meeting we both agreed that organizations need to stop saying no to everything and find ways to work together to improve public safety. From that first meeting emerged several policies that have made Maine's schools a safer place by creating the Maine School Safety Center, the new Department of Education program is dedicated to making schools safer and to address all societal problems inherent with young people.

We have worked together to pass two safe storage laws, one to create a sales tax exemption on firearm safety devices like gun safes. Another is to establish September as Safe Homes month, and other education programs. Working with the administration and the committee of jurisdiction, we established a grant program to support at-risk groups and police departments in storing firearms safely.

Last year, legislation was passed to address straw purchases, the amendment that was finally passed, was developed by organizations like the SAM ILA and the administration. Maine's weapon restriction order and protective custody statute, the so-called yellow flag law was negotiated by the administration and the SAM, ILA.

Governor Mills has taken criticism from her own party and gun control activists for not supporting more extreme gun control measures. This is particularly disturbing when you consider Maine's new Weapon Restriction Orders have been used over 200 times, the vast majority, recently.

We will never know how many kids in Maine schools are safer because of the Maine School Safety Center, and finally, how many dangerous weapons are now out of reach of criminals and young children. That's how preventing tragedy works. Critics can always say more is needed, while ignoring the lives that may have been saved. If safety is the real goal, the criticism would have been praise, not scorn for the Governor and the organization I represent.

I praise the Governor for taking a similar approach with LD 2224 to address the horrible tragedy in Lewiston. She reached out to organizations across the state for their input on possible solutions to improve public safety. We appreciate the fact that we had an opportunity to offer ideas on this legislation including the expansion of Crisis Receiving Centers, we view this component of legislation as the most important life saving measure to address the lack of mental health services in most rural parts of the state.

Each year we survey our membership on issues like expanding background checks or Universal Background Checks. Our membership and the SAM-ILA continues to oppose such an expansion, but we realize that this legislation is not quite as intrusive as the initiative we helped to defeat in the not-too-distant past. We don't support this component of the bill and have concerns around the word "recklessly" being added to the straw purchase statute passed last year.

Lastly, the changes proposed to the so-called Yellow Flag law, we would prefer to call Community Protection Orders, appears to expand the period of time in which the Judiciary, particularly, DA's and defense attorneys can prepare court proceedings and processes associated with restricting or temporarily restricting firearm rights, are a reflection and realization that our Judiciary and law enforcement agencies are overwhelmed and at a critical stage of collapse. The state of Maine is under lawsuit for not providing indigent services or defense attorneys. District Attorneys are backed up and pleading for more resources. There are over 300 vacancies in police departments across our state.

This section of the legislation is a symptom of a greater statewide crisis. The changes may address this lack of resources temporarily, but it doesn't address the fact that there are currently 3000 temporary weapon restriction orders each year that result in 1000 permanent order and now with Maine's new so-called Yellow Flag there may be an additional 300 to 400 hundred a year.

This legislation will not address this complex problem. I believe the legislature would be remiss if it didn't recognize this crisis across our state in a separate effort. Perhaps using the government oversight committee to examine the Judicial safety net as it relates to defense attorneys, a shortage of resources in the DA's offices and the increased use of weapon restriction orders on our criminal justice system.

Thank you,

David Trahan, Executive Director, SAM-ILA