

Testimony of Timothy Shannon in Support of LD 2224 and LD 2238

March 7, 2024

Senator Carney, Representative Moonen, and honorable members of the Judiciary Committee:

My name is Timothy Shannon. I live in Yarmouth and am here today to urge you – in the wake of the tragic Lewiston shootings – to support LD 2238 and to both support and strengthen LD 2224.

With respect to LD 2238, a 72-hour waiting period between the purchase and receipt of a firearm is modest and sensible. Allowing emotions to settle and impulses to pass, it will reduce the risk of suicide and homicide. You should pass LD 2238.

With respect to LD 2224, the provisions concerning background checks on all gun sales, including gun shows, are sound and should be supported. This is a good proposal that will prevent firearms from getting into the hands of those who are prohibited from having them.

LD 2224, however, does come up short by tinkering with – rather than replacing – the Yellow Flag framework. The bill doubles down on an administratively cumbersome, slow, and failure-prone medical response, rather than adopting the faster, cleaner, more easily-administered “red flag” system that has worked in 21 other states. You should amend LD 2224 to:

- Give friends and families the power to petition a judge to temporarily remove firearms from a person at risk of hurting themselves or others. Friends, family, and co-workers will always be the first to detect danger. We should listen to them – and empower them to seek help.
- Drop the medical evaluation, at least as a precursor to action. The draft conflates mental illness with a propensity for violence, which is simply not true. We have no more “mentally ill” persons than any other industrialized country, yet orders of magnitudes more gun violence. LD 2224 (as drafted) doubles down on a false narrative and ignores the countless situations of anger, crisis, and impulse that – while short of diagnosable “mental illness” – all too often turn into suicide or homicide. Worse, the draft retains a procedural hurdle at a moment of crisis, when speed matters most. Let petitioners go straight to a judge.
- Drop the requirement of police custody, at least as a precursor to action. The existing draft, allegedly in deference to one liberty interest, more fundamentally invades others. Temporarily separating weapons from a person in crisis is faster, more focused, and more modest. With a quick petitioning period for restoration, it also imposes far less due process concerns. We should be making this process faster and easier.

Put simply, the revised “Yellow Flag Law” in LD 2224 is too slow, too burdensome, and focused on the wrong things. I urge you to investigate and adopt a cleaner and faster red flag framework.

We owe it to the 18 people killed in the Lewiston shootings to strengthen our gun safety laws. Thank you.