

David G. Fitz MD

Cumberland, Maine

Judiciary Committee Public Hearing

April 5, 2024

An Act to Enact the Crisis Intervention Order to Protect the Safety of the Public - LD 2283

Senator Carney, Representative Moonan, and members of the Judiciary Committee:

My name is David Fitz. I live in Cumberland, Maine, and I'm a retired plastic surgeon and hand surgeon. I'm also a gun owner, hunter, fisherman, and have been a certified Hunter Safety Instructor.

Throughout my career as a surgeon, I have taken care of people who have attempted suicide through various means, including firearms. These types of traumas are among the most challenging. A failed suicide attempt using a firearm to the face and head may not be reconstructible, depending on what is left behind. Multiple surgeries are required: "normal" appearance and function are almost never achieved.

Data shows that significant numbers of suicides are impulsive acts and can be prevented by paying attention to warning signs. An extreme risk protection order, such as LD 2283 allows immediate intervention, be it for suicidal ideation, or other types of dangerous or threatening behavior. Those states that have enacted such laws have shown positive results in suicide prevention. Suicide is Maine's predominant cause of firearm related deaths. How many deaths will it take to convince lawmakers that a FEAR of losing "due process" is unjustified? In the 21

states where such laws have been enacted, there have been negligible numbers of false or unqualified "petitioners." It is a serious crime to knowingly file a false petition.

Statewide data in Maine reveals that as of the end of March, there were 226 total referrals for weapons removal orders (Yellow Flag). The data from Spurwink, the only Maine tele-health institution involved in weapons restriction assessments, showed that as of yesterday, 190 out of 191 referrals were found to agree with the family or friend who made the referral. Only one referral did not meet the statutory definition of "a mentally ill person." But, he displayed underlying criminal conduct and likelihood of foreseeable harm.

Friends and families recognize better than anyone (including psychiatrists) when a brother/daughter/spouse has become unhinged and dangerous. Law enforcement and a terrified girlfriend constitute all the "due process" I need.

**The above statistics confirm this.

Again, how many deaths will it take to get one's attention? 2, 7, 30, 100? If one of those is your grandson or neighbor, statistics can't begin to describe the loss.

You are about to hear from National Rifle Association testimonials in opposition to this bill. As you know the NRA is a corrupt organization, plagued by corrupt leadership (recently found liable for millions of dollars of misappropriation of funds), by loss of more than 30% of its membership over the last 2 years, and financial losses resulting in recent attempts to file for bankruptcy. NRA mantra has been misinformation, data misrepresentation; block anything which might hurt firearm sales under the guise of "rights." Funding from gun manufacturers isn't going away. Misinformation doesn't cut it, and in all of the states where extreme risk protection has been enacted, these laws have been found to be constitutional.

Please vote "ought to pass" for LD 2283 and save lives - that is what matters.

Thank You

David G. Fitz MD

** Data from Kristen Farnham JD

Vice President of Legal Affairs and Advancement

Spurwink Services