

Committee on Criminal Justice and Public Safety

March 17, 2025

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Testimonial from:

David G. Fitz MD

Cumberland, Maine

An Act to Remove the Duty of an Individual Exercising Self-defense to Safely Retreat or Abstain from Performing Certain Acts upon Demand LD 486, HP0315

Senator Beebe-Center

Representative Hasenfus

Other members of this legislative committee:

This “Shoot First” bill has been presented in the past. It was a bad bill then, and is a bad bill now.

My name is David Fitz. I am a father, grandfather, and retired surgeon. I’m also a gun owner and hunter, and live in Cumberland, Maine. I’ve taken care of gunshot wounds: intentional, accidental, and self-inflicted. I’ve also taught firearm safety courses in the greater Portland area.

The problems with “Shoot First” or “Stand Your Ground” laws are related to the associated increase in homicides and murders in those states that have these laws, as pointed out by Rand Corporation critical reviews of all current and past studies. The intent has been to reduce rates of crime and violence. Unfortunately, the reverse has happened: we see an increase in gun related deaths, violent criminal behavior, and all associated costs. The July 2024 Rand review suggests, “By lowering the legal risk of using deadly force, these laws could encourage the escalation of aggressive encounters, resulting in an overall increase in firearm homicides or injuries. Furthermore, the greater likelihood of facing a citizen willing to use a firearm defensively under these policies could induce criminals to carry firearms more often, and thus increase the share of violent or property crimes.” Ask the governor of Florida what’s happened

with his homicide rates since passage of Florida's law. Ask him what legal defense drug dealers are using in court during the prosecution of crime related shootings, even of each other.

How and why these laws are pushed and passed are via the marketing of fear and paranoia, as in the testimonies you've already heard today by our aggressive gun lobby. Video game creators push military-style assault weapons and gun violence. Arms manufacturers market their weaponry to children through these games and direct advertising. I will remind you all of the image of the 17 year old high school dropout, with his AR-15 and hat on backwards, when he killed 2 men, and wounded 1 during rioting and civil unrest in Kenosha, Wisconsin.

He became a darling of the gun lobby and conservative right. Prior to the shooting, his attempt to join the marines was rejected. Post shooting and acquittal, he was on numerous talk shows and Fox News, where his wannabe behavior was glorified. He never would have been in Kenosha if he possessed reasonable intelligence or judgment.

If you pass this law, Maine will become less safe, and criminal defense will be significantly easier for those involved in violent crime. We will witness more emboldened and important feeling (but otherwise inadequate) Beta males, pumping iron and carrying weapons, AND they will be using them inappropriately.

Please vote "ought not to pass" for this "Shoot First" bill. Keep Maine as safe as can be, and put a lid on the inappropriate marketing of fear and paranoia.

Thank you