



James Libby, Ph.D.  
Senator, District 22

**THE MAINE SENATE**  
132nd Legislature

3 State House Station  
Augusta, Maine 04333

**Testimony in Opposition to LD 1378: “An Act to Enact the Extreme Risk Protection Order  
Act Presented to the Joint Standing Committee on Judiciary”**

**June 11, 2025**

**3pm**

Senator Carney, Representative Kuhn, and Esteemed Members of the Joint Standing Committee on the Judiciary:

My name is Jim Libby; I am the Senator Representing District 22, Parts of Cumberland, Oxford, and York Counties.

I am here today in strong opposition to the “Red Flag Legislation.”

The so called “Red Flag” law is unnecessary, unhealthy, and frankly unconstitutional.

Maine already has reasonable, bipartisan legislation that works. Under the “Yellow Flag Law,” law enforcement can detain someone who they deem a threat to themselves or others or confiscate someone’s weapons after a mental health evaluation is completed. The current “Yellow Flag” law, passed in 2019, was the fruit of collaboration between stakeholders from all sides of the issue. It provides a means to remove weapons from those who pose a proven threat to the community or themselves. The Current law ensures a mental health evaluation is provided in the process, allowing people to receive the help they need. Finally, the current law satisfies our Constitution by ensuring that no one would have their right to bear arms limited without due process of the law. In giving law enforcement the tools they need to try and prevent tragedies while safeguarding our rights, the current law fulfills the needs of our state, rendering the proposed legislation unnecessary.

For these reasons, and that the “Red Flag” law threatens our rights to due process, I oppose the proposal before you today.

Thank you. I am happy to take questions.