



**CITY OF PORTLAND**

**To:** Members of Criminal Justice & Public Safety Committee  
**From:** Frank Clark, *Police Chief*  
**Date:** April 27, 2021  
**RE:** Testimony in regards to LD 759

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Senator Deschambault, Representative Warren and distinguished members of the Committee on Criminal Justice & Public Safety: On behalf of the City of Portland, I am offering our support for LD 759, *An Act To Amend the Child Endangerment Laws To Include Certain Unauthorized Access to a Loaded Firearm*.

The bill before you simply seeks to address and enhance gun safety, period. Every year, nearly 350 juveniles unintentionally shoot themselves or someone else. This bill's goals are to protect children from obtaining and using a loaded firearm that would increase the chances of such a discharge that could result in injury or death. This is an important statewide policy discussion, and one that should be aimed at both reducing inappropriate youth access and education as well.

Although it could be argued that such conduct could be construed as criminal under existing general state statute, this act would clarify that intent and make it clear that such recklessness, *only when it results in the actual reckless use, or the use of the firearm during the commission of a crime, or the reckless or negligent discharge of the firearm*, is a crime. It also provides a number of affirmative defenses intended to allow for a balance and reasonableness assessment, and the protection of gun owners who act safely or have no reason to think a child may access a firearm in their home.

Responsible gun owners can make our homes and communities safer. Although millions of responsible gun owners follow recommended storage practices, a 2016 study indicated that half do not. A 2020 study, *The Science of Gun Policy*, found that child access prevention laws, such as this, can impact unintentional firearm injuries and deaths, as well as firearm self-injuries, suicides and non-self-inflicted injuries among our youth.

In summary, I ask that you vote in support of LD 759. Thank you for your time and consideration.