



CUMBERLAND COUNTY SHERIFF'S OFFICE

- Kevin J. Joyce
SHERIFF
- Naldo S. Gagnon
CHIEF DEPUTY

36 COUNTY WAY, PORTLAND, MAINE 04102

PHONE (207)774-1444 – FAX (207)828-2373

LD 999, An Act Regarding Background Checks of the Sale of Firearms

Good morning Senator Deschambault, Representative Warren and distinguished members of the Criminal Justice and Public Safety committee.

My Name is Kevin Joyce and I am the Sheriff of Cumberland County. I am testifying on this as the Sheriff of Cumberland County and by no means want to confuse my support for this bill with it being endorsed by the other members of the Maine Sheriffs' Association.

I support LD 999, An Act Regarding Background Checks of the Sale of Firearms.

First of all, I want to acknowledge the common refrain for bills like this with similar intent, that this will not stop criminals from getting firearms and committing crimes, injuring people or worse yet, killing people. I have yet to hear one solution that is absolute.

However, when I go to an established firearms dealer's store, I must go through a background check. This protects the dealer and society. However, this bill attempts to fix the proverbial "loop hole" that gun sales at gun shows and private sales are somehow exempt. Even though a criminal may be able to access a gun "on the street" as a tool to commit their crimes, currently those wanting a firearm for other criminal purposes can still effectively acquire a firearm at a gun show or by private sale and this bill would address that avenue of acquisition.

Several years ago, as a young police officer, I purchased a shotgun from the Kittery trading post. I had to pass a background check and completed the purchase. For several years, I carried that shotgun for work purposes, until my agency actually purchased shotguns for us. When the agency started to provide shotguns, I sold mine by private sale. To date, I cannot tell you who I sold the gun to or for how much, but I often wondered whose hands the gun "fell into"? Since the gun may have changed hands again by private sale, the last person that the firearm is registered to is me? That is concerning since what if the gun is utilized in a crime and upon searching, the last known owner is me?? Knowing what I know now, I would do things much differently and welcome the opportunity to make sure that the individual purchasing the firearm, to the best of my knowledge, was a suitable person to own a firearm. I would also keep better records personally, in case the firearm was ever utilized in a crime.

You see this bill and others is not a panacea, but it will likely keep a few people from acquiring a firearm who really shouldn't have one.



Lastly, a constituent reached out to me whose daughter was murdered 11 years ago. The case remains unsolved. It is my understanding that the investigating agency has the firearm that was involved, but they don't have the person who pulled the trigger. Could the firearm have been acquired through theft or a trade in some parking lot whereby the intent of this bill would have no impact? Sure! But, maybe the firearm was acquired through a well-intended transaction such as a private sale or a "gun show" and there could have been some prevention of this horribly tragic event??

I always hear the comment, "guns don't kill people do". So let's make sure that we make every attempt possible to determine who gets these guns. Again, it is not perfect, but it is a step in the "right direction".

I do believe that any transactions between family members should not be included in this bill. If I want to sell to a family member, I should generally know whether or not the relative has had any criminal involvement or mental health issues.

I will be happy to answer any questions.

Kevin J. Joyce, Sheriff

Cumberland County

