
**Testimony of Andrea Mancuso, on behalf of the Maine Coalition to End Domestic Violence
In Support of LD 22: “An Act to Impede the Transfer of Firearms to Prohibited Persons”
Before the Joint Standing Committee on Criminal Justice and Public Safety
Monday, April 3, 2023**

Senator Beebe-Center, Representative Salisbury, and distinguished members of the Joint Standing Committee on Criminal Justice and Public Safety, I am writing on behalf of the Maine Coalition to End Domestic Violence (MCEDV)¹ to raise issues for your consideration regarding LD 22, “An Act to Impede the Transfer of Firearms to Prohibited Persons.”

Keeping firearms out of the hands of those our courts have determined are dangerous protects both that person’s close family members and also the broader community. MCEDV and our community partners have collaborated for decades to improve Maine’s ability to achieve this goal. Though the Deadly Force Review Panel’s recommendation for this new Class D crime may have some level of impact in preventing third parties from making firearms available to those who cannot legally obtain them on their own, MCEDV would ask you to consider that other policy options, such as closing background check loopholes, would accomplish this goal more comprehensively.

If you choose to move forward with the creation of this new Class D crime, we encourage you to **amend the bill to build in an affirmative defense** that would help ensure survivors of domestic violence would not be prosecuted under this new law when their abusive partner coerces them into obtaining weapons on their behalf. This is not a speculative outcome. In 2023, MCEDV and some our member programs have been working with the United States Attorneys Office for the District of Maine to help address an issue they have identified around vulnerable women being pulled into inter-state gun trafficking as straw purchasers by men who are prohibited from obtaining weapons themselves. Our network is a partner in this because victims of domestic violence and sex trafficking number significantly in the population of straw purchasers identified in just this interstate trafficking scenario. We would also encourage you to direct some public awareness resources, so that those most likely to be in a position to provide a weapon to a prohibited person have some reasonable opportunity to understand the criminal liability associated with doing so.

¹ MCEDV represents a membership of the eight regional domestic violence resource centers across Maine as well as the Immigrant Resource Center of Maine. Last year, our programs provided services to more than 12,000 survivors of domestic abuse and violence and their children in our state.

This Committee should also be cognizant that one of the best ways to keep guns out of the hands of those who have already been identified as likely to be dangerous if they have them is to ensure any guns they already have are appropriately relinquished to law enforcement at the time the defendant becomes prohibited. MCEDV, in partnership with the Maine Judicial Branch and Maine's law enforcement community, has been working intentionally and collaboratively on this important need. In 2023, this will include quantifying the extent of the need across the state to address weapons storage issues at law enforcement agencies and providing resources to address these needs, as we work with our partners to remove practical barriers weapons removal from those who have become prohibited from possessing them.

Because of the prevalent role firearms play in serious domestic violence assaults and homicides, as well as our participation on Maine's Domestic Abuse Homicide Review Panel since its inception, MCEDV has a deep understanding of the laws and structures to address gun violence in our state and also where the gaps and challenges are. MCEDV and our member programs are happy to serve as a resource to this Committee as you continue to discuss these important issues.

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