

Janet Lynch  
Pownal  
LD 551

Please find the text of my testimony below. I have also attached a signed pdf copy.  
Thank you.

From: Janet Lynch, Pownal, representing myself

Date of hearing: 8 May 2023

Re: LD 551, An Act to Strengthen Maine Citizens' Second Amendment Rights by Allowing the Discharge of Firearms on Private Property That Is Within 500 Feet of School Property in Certain Circumstances

Dear Senator Beebe-Center, Rep. Salisbury, and members of the Criminal Justice and Public Safety Committee.

I strongly oppose this bill on the grounds that it would make the areas around our schools more dangerous and would add to the risks of children being shot while on or near school grounds or when walking to or from school. This bill would make zones around schools less safe by increasing the likelihood of gun violence in and around schools. The bill is further flawed in that it does not include a duty to retreat from and de-escalate a potentially dangerous situation, effectively making zones around schools “stand your ground” zones. In states where “stand your ground” (no duty to retreat) laws have been passed, the murder rate goes up, because they incentivize escalation of violence. This would effectively make school zones more dangerous than other places in Maine and increase the likelihood that innocent students and others are shot. This is unacceptable.

The bill’s definition of the circumstances under which a firearm could be discharged within 500 feet of a school is dangerously vague and broad. It states that the exceptions to the prohibition on the 500 foot rule are, “self-defense or in order to protect the person's residence.” Neither “self-defense” nor protection of property is here defined, creating huge loopholes for those within 500 feet of a school to shoot first and ask questions later, with potentially fatal results. In particular, the phrase “to protect the person’s residence” is so broad as to amount to a license to shoot in a zone where children are regularly present. One can easily imagine an armed neighbor abusing this language as a defense for shooting a student who accidentally strays onto his or her property, or whom they suspect of vandalism. While trespass and vandalism are illegal, they are hardly capital crimes. Protection of property is important, but public safety and the protection of students’ lives is far more important. Those who own property within 500 feet of a school have many options short of shooting, including contacting law enforcement.

The bill also assumes that all gun owners are accurate shots and does not take into account that stray bullets from firearms shot within 500 feet of a school may well hit students or staff, and this is surely a major reason why this prohibition exists.

Children often play in school yards and may get close to a property line. When they play school sports, they should not be forced to have to worry about dodging bullets.

Those who live within 500 feet of a school already enjoy a higher level of safety than others because of the prohibition on discharging of firearms in and around schools, and many consider this an advantage when choosing to buy property in the vicinity of a school.

Sadly, the risk of school shootings has increased elsewhere around the country. The current prohibition on shooting within 500 feet of school increases safety for all by carving out zones of safety where children are present. Allowing shooting in and around schools only would only increase the risk of an accident whereby innocent bystanders may be shot, while decreasing the safety of our state’s school children and school neighborhoods. It would also add to the extreme stress to which students, for whom active shooter drills are a reality, are regularly subject. This in turn is resulting in high rates of anxiety and poor mental health among American youth.

An exclusion zone of 500 feet around schools is a reasonable and prudent precaution to protect our state's children, and it must be maintained.

Sincerely,

Janet Lynch, Pownal