

Anne M. Gallaudet
Scarborough, Maine

April 16, 2025

Re: LD 208, An Act to Eliminate the 72-hour Waiting Period on Firearm Purchases and
LD 1230: An Act to Abolish the 72-hour Waiting Period for a Gun Purchase

Senator Carney, Representative Kuhn and Honorable Members of the Judiciary
Committee.

I appreciate this opportunity to address you on this important matter. My name is Anne Gallaudet. I am a resident of Scarborough, Maine. I am writing in opposition of LD 208 and LD 1230.

The 72-hour waiting period on firearm/gun purchases gives law enforcement additional time to perform a thorough background check and, importantly, creates a “cooling off” period to prevent impulsive acts of firearm suicide or firearm homicides.

Existing waiting period laws range from 3 days to 14 days, with the majority of the laws requiring buyers to wait 7 or 10 days before taking possession of a gun they have purchased. Maine’s waiting period of 72 hours is at the lowest end.
<https://www.everytown.org/how-long-are-waiting-periods/> From my vantage point, a three-day waiting period is enough time for people buying for emotional reasons to calm down.

Some may argue that a waiting period denies victims of domestic abuse a valuable tool to defend themselves. However, research shows that the presence of a gun in an intimate abuse situation increases the chances that “a death will occur by 400 percent, no matter who owns the firearm.” <https://www.americanprogress.org/article/guns-and-violence-against-women/> , citing, <https://ajph.aphapublications.org/doi/full/10.2105/AJPH.93.7.1089>

Currently, Maine’s 72-hour waiting period law is the subject of a federal court case. A federal district court granted a coalition of gun rights groups a preliminary injunction staying (pausing) Maine’s 72-hour waiting period saying it was likely unconstitutional as it was an infringement of the Second Amendment. A three-judge panel of the United States Court of Appeals for the First Circuit denied a request by defendant Maine to remove the preliminary injunction on the waiting period law. The case is now before the Appeals Court en banc (the whole court) and will take a while to be heard.

Maine's law legislating a 72-hour waiting period has not been found to be unconstitutional, notwithstanding the current stay of the Maine law by a federal appeals court. However, the Maine law is stayed (paused). So, why bother to repeal it? **The basis for passing it was sound; no supportive data has changed and other states (e.g., Vermont, New Mexico and Colorado) have passed similar laws which have been held constitutional under the latest applicable US Supreme Court law** (New York State Rifle & Pistol Association v. Bruen (https://www.supremecourt.gov/opinions/21pdf/20-843_7j80.pdf)). Ultimately, because of conflicting opinions in the federal courts, the US Supreme Court will likely hear the Maine case to resolve the conflicting rulings. Until then, Maine's law passed last year will likely remain stayed.

Thank you for considering my appeal. I urge you to vote "Ought Not to Pass" on LD 208 and LD 1230.

Anne Gallaudet,
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