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LD 1378

I am writing to urge the committee to vote Ought Not to Pass on LD 1378.

Maine Voters have repeatedly rejected the authoritarian overreach represented by red flag laws. Over and over again these bills are submitted in an effort to get around the Maine voters' disapproval. It is dishonest and a disservice to your oath of office to uphold the Maine constitution, which is crystal clearer on the matter of firearm ownership. "Every citizen has a right to keep and bear arms and this right shall never be questioned."

Allowing family members, ex-spouses, and ex-partners to have someone's firearms taken away without a hearing is outrageous and laughable on the face of it. But it is no laughing matter to imagine an abusive ex using this sort of State action to have their victim disarmed. I find it hard to believe lawmakers are truly unaware of how often abusers use the Courts, successfully, to go after the victim trying to escape them. Also, family feuds can very easily result in one party using lawfare against another. Enabling that behavior to this extent is not something that benefits Mainers.

Sending police to the home of a truly distressed person to disarm them is dangerous to the police, as well as to the person being "helped". This has the high probability of creating standoff situations and does nothing to get the person actual help. The Lewiston shooting showed that this will also be unevenly enforced, with law enforcement reluctant to disarm a military member very proficient in the use of firearms. The laws already on the books would have allowed them to do so but they chose not to. Expanding the powers of law enforcement is not a sane way to hold them accountable for that failure.

Due process is supposedly the basis of our judicial system. There is no due process in the proposed red flag law. No lawmaker should be willing to endorse a citizen's rights being taken from them without a hearing.

Maine is facing a lot of serious issues. Out of control spending in Augusta, lack of housing, hospitals and clinics closing due to not being paid, massive electric bills, unbalanced budgets, and resources being pushed to the brink by imported asylum seekers. Wasting time attacking our rights instead of addressing any of those issues is tone deaf at best. Stop forcing Mainers like me to spend their lunch breaks writing out why you should care about your oath of office.
Do not let this horrible bill go any further.