



Testimony of Claire Berkowitz,  
Executive Director of the Maine Children's Alliance  
Before the Joint Standing Committee on Judiciary  
**LD 1312, An Act Regarding Access to Firearms by Extremely Dangerous and Suicidal Individuals**  
**April 22, 2019**

Senator Carpenter, Representative Bailey and members of the Committee on the Judiciary, my name is Claire Berkowitz and I am the executive director of the Maine Children's Alliance. The Maine Children's Alliance is a state-wide nonpartisan, research and advocacy organization whose mission is to promote sound policies and best practices that improve the lives of Maine's children youth and families.

I am here to support LD 1312, *An Act To Create a Community Protection Order To Allow Courts To Prevent High-risk Individuals from Possessing Firearms.*

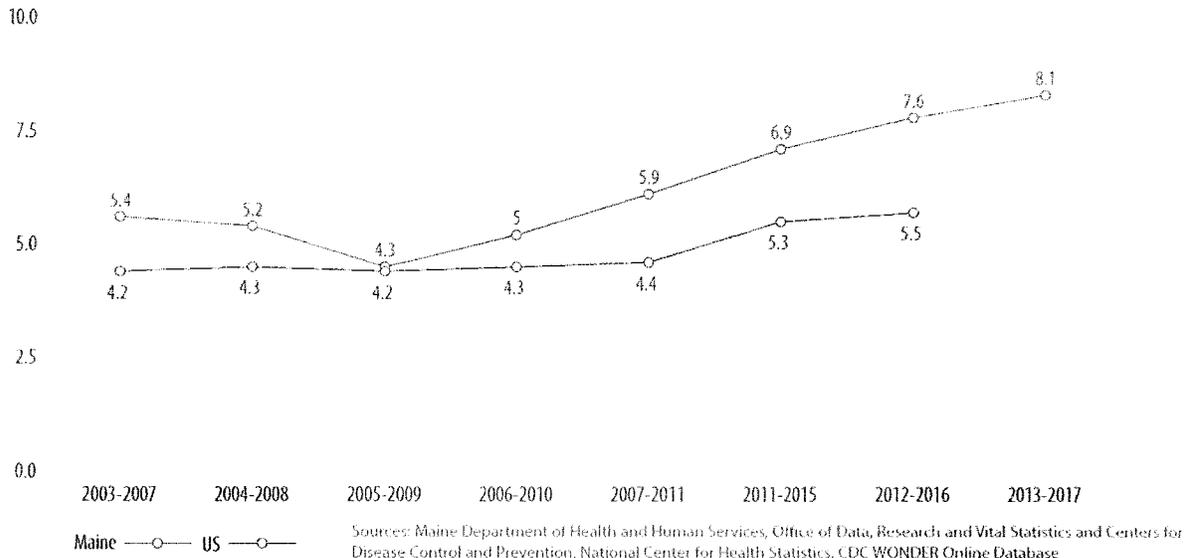
We all want our children to grow up healthy and transition safely into adulthood. As parents and adults, it is our responsibility to take the necessary measures to keep them safe. As decision makers, you and your colleagues have the ability to make Maine a safer place for children and youth. One way that Maine can do that is to enact a Red Flag Law, a policy that empowers family members and law enforcement to seek an Extreme Risk Protection Order, a court order temporarily restricting a person's access to guns when they pose a danger to self or others. Fifteen states and Washington, DC have Red Flag Laws in place—and bills are currently proposed in another 23 states.

When a person is in crisis, loved ones and law enforcement are often the first to see signs that they pose a threat to themselves or others. Red Flag Laws empower law enforcement and immediate family members to petition a court for an Extreme Risk Protection Order, sometimes called a Gun Violence Restraining Order. If a court finds that a person poses a significant danger of injuring themselves or others with a firearm, that person is temporarily prohibited from purchasing and possessing guns and required to turn over their guns while the order is in effect.

While Red Flag Laws are being enacted in response to the tragedy of mass shootings, these laws also address another American gun violence epidemic—firearm suicide. A 2015 brief from the Maine CDC found that the leading method of suicide among youths ages 10-24 were firearms, which were used in 47 percent of all youth suicides that occurred in Maine between 2010-2012.<sup>1</sup> Although the number of suicides by teens varies each year, in our recent KIDS COUNT

publication we reported that the average number of suicides per year by youth under age 20 in Maine has risen by 50 percent in just 5 years, and is well above the national average<sup>ii</sup>.

**MAINE'S TEEN SUICIDE RATE IS INCREASING FASTER THAN THE RATE FOR TEENS IN THE U.S. (RATE PER 100,000 AGES 10-19)**



Maine is a small state, made up of tight-knit communities, and these communities are deeply impacted at the loss of these young lives. For a teenager going through a difficult time and considering suicide, reducing their access to a firearm can save their life. Nine out of ten suicide attempts with a gun result in death<sup>iii</sup>. But in contrast, most people who attempt suicide by other means live—and do not eventually die by suicide<sup>iv</sup>.

It is our job to protect the youth in our state. When there are family members in crisis in the home, and they have access to a firearm, the children in that home are not safe. When a teenager is struggling with a difficult experience, and they have access to a firearm, they are not safe. It is our responsibility as community members to ensure that people who are a danger to themselves or others do not have access to a firearm. Through this proposed Extreme Risk Protection Order, we can ensure that we have a legal process for establishing this safeguard that can save lives. Thank you for considering my testimony today.

<sup>i</sup> Maine Department of Health and Human Services/Center for Disease Control. (2015). Suicide in Maine: A Data Brief – Youth (Ages 10-24): <http://www.maine.gov/suicide/about/data/docs/Suicide-in-Maine-Youth.pdf>.

<sup>ii</sup> 2019 Maine KIDS COUNT Data Book: <http://mekids.org/assets/files/2019KIDSCOUNT.pdf>

<sup>iii</sup> Miller, M, Azrael, D, and Hemenway D. The Epidemiology of Case Fatality Rates for Suicide in the Northeast. *Annals of Emergency Medicine*. 2004: 723-730. [https://mhdo.maine.gov/\\_externalreports/epidemiologyofcasefatalityrate.pdf](https://mhdo.maine.gov/_externalreports/epidemiologyofcasefatalityrate.pdf)

<sup>iv</sup> Owens D, Horrocks J, and House A. Fatal and non-fatal repetition of self-harm: systematic review. *British Journal of Psychiatry*. 2002;181:193-199.