



**Testimony of Attorney General Janet T. Mills  
In Support of L.D. 1884, An Act to Create a Community Protection Order to  
Allow Courts to Prevent High-risk Individuals from Possession Firearms  
Tuesday, April 3, 2018**

Senator Keim, Representative Moonen and Honorable Members of the Joint Standing Committee on the Judiciary:

I am pleased to appear before you today in support of the bill sponsored by Senator Dion to protect Maine people from individuals who pose a significant and provable danger to themselves or the public.

The bill sets a very high bar for the court to order the relinquishing of firearms to law enforcement, and the Committee may wish to fine tune the language of the bill to make it compatible with the language of other Maine statutes dealing with mental illness and dangerousness. But the bill is a step in the right direction in protecting the public safety without trampling on Second Amendment rights and without stereotyping individuals with mental illness, the vast majority of whom live fulfilling lives without posing any threat to others.

Other people today may speak about the tragedy in Parkman, Florida. But I can also recall many cases right here in Maine in which this law, had it been in effect, would have saved lives.

There were 21 victims of homicide in Maine in 2017, nine of those related to domestic violence; more than half of the homicides were committed with firearms.

In one case in recent years, an individual who had a longstanding feud with his parents was released from a local hospital when his mother had taken him for treatment and went to the parents' home unannounced and beat his mother, then shot and killed his father.

In another case in southern Maine, a man who exhibited irrational hostility towards his parents went to a gun store to buy a gun. The clerk observed his irrational behavior and declined to sell him a handgun. The man went back the next day and went to a different clerk who sold him the handgun which the man then used to shoot and kill his mother as his mother was calling the hospital for help for her son.

In each case, the individual had demonstrated and verbalized very dangerous behavior, but family members were helpless to do anything about it and helpless to keep firearms away from the individual.

Family members are in a very tough spot when it comes to reporting a dangerous person to the police. Either there is nothing the police can do because the individual has not committed a crime, or law enforcement responds by making an arrest and bringing the individual to court. Either way, police intervention may simply fuel anger and resentment and create a barrier to help for the troubled person.

A community protection order will save lives by preventing suicide as well as homicides in Maine. The Domestic Abuse Homicide Review Panel, housed in the Office of the Attorney General, found that in nine of the sixteen homicides it recently reviewed the perpetrator threatened suicide prior to or after committing homicide.

When I served on this Committee more than a dozen years ago, we forged consensus around one of the most important bills of the decade: the bill that allows judges to order the forfeiture of firearms by persons facing temporary protection from abuse orders. Thanks to Steve Rowe, then the Attorney General, all interested parties took part in drafting and commenting on the bill and improving it. We had a unanimous committee report and the bill passed under the hammer in the House and the Senate and was signed by the Governor. That law alone, I am convinced, has saved hundreds, if not thousands, of lives in our state.

I truly hope something similar will happen here. I hope that those who object to the bill or to the specific language will work together to forge a law that will achieve the proper balance between the rights of the individual and the right of the public to be safe in our state.

Thank you.