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Governor Mills' Proposal to Reduce Violence and Enhance Public Safety

In her 2024 State of the State Address, Governor Janet Mills announced a proposal to implement meaningful public safety protections in the wake of violence in Maine, including the tragedy in Lewiston.

The proposal stems from conversations with Republican and Democratic lawmakers and with people and organizations from across Maine, in which she heard a common belief that gun violence prevention is important, that we must strengthen our mental health system, and that dangerous people should not have access to firearms.

Her proposal addresses these three areas of concern in a pragmatic, responsible, and responsive way that respects the second amendment right to safe and legal gun ownership and that upholds our state's longstanding outdoor heritage.

Proposal: Strengthen Violence Prevention

Establish an Injury and Violence Prevention Program

Many states have violence prevention programs that approach the issue of violence through the broader lens of public health in order to understand and address long-term trends. Maine is not one of those states. The proposal would:

- establish an Injury and Violence Prevention Program at the Maine CDC as a central hub for violence and injury data that can bring together the information being collected by diverse sectors of our state, including health care, education, social services, and criminal justice agencies.
- support the Governor and Legislature in identifying patterns to inform public health measures to prevent violence and reduce violence-related deaths in Maine.

Governor Mills has proposed \$1 million in her supplemental budget for this program.

Proposal: Improve our Mental Health System

Establish a Statewide Network of Crisis Receiving Centers

Crisis receiving centers provide prompt and appropriate care to people who are suffering a mental health crisis and are a proven alternative to an emergency department or jail, which are too often where such individuals land.

The Mills Administration, with the support of the Legislature, opened Maine's first crisis receiving center in Portland in February of 2022. Over the last year, an average of over 170 people per month have visited the Center to obtain supports, including peer support,

to resolve a crisis. Since then, the Mills Administration has also announced plans to create a hybrid crisis receiving center in Kennebec County with a focus on substance use treatment.

To further expand access to behavioral health services across Maine, particularly for those in crisis, the proposal would:

- establish a crisis receiving center in Lewiston, for which Governor Mills has proposed \$1.4 million in funding through her supplemental budget.
- direct the Maine Department of Health and Human Services to develop a plan to expand these existing crisis receiving centers, over time, into a broad network that provides greater access to services for people.

Proposal: Keeps Firearms Out of the Hands of Dangerous People

Close Gaps in the Extreme Risk Protection Order Law

Law enforcement officers were not able to take the Lewiston shooter into protective custody to initiate Maine's extreme risk protection order law to remove his weapons. The proposal would:

- address that gap by allowing law enforcement to seek the approval of a judge, in unusual circumstances, to take a person into protective custody for the purpose of conducting a mental health assessment. If an officer has made reasonable efforts to take the person into protective custody but has been unable to do so, and the officer can establish probable cause that the person has a mental illness and presents a likelihood of serious harm due to access to weapons, the court will issue a protective custody warrant. This change will provide law enforcement with another tool to ensure that someone is taken into protective custody and their weapons are removed.
- ensure that when a judge issues a weapons restriction order it is communicated as quickly as possible from the courts to the State Bureau of Identification – so that a state database which is utilized by the National Instant Criminal Background Check System to prevent sales to prohibited persons – can be updated as soon as possible to prevent potential time gaps that would allow a prohibited person to purchase a weapon.
- extend statutory deadlines for court processes to provide District Attorneys additional time to prepare for hearings.

Address Private Sales

When a person is subject to Maine's extreme risk protection order law, their name is entered into a national database of persons prohibited from purchasing weapons. This is

a process that works well if the individual attempts to purchase a weapon from a Federally licensed firearm dealer. In that case, the sale would be denied. But, under current law, that same individual may be able to purchase a weapon in a private sale — a weapon they are not legally allowed to have. The proposal would:

- address this issue by requiring any sale of a firearm that is advertised to be checked against the National Instant Criminal Background Check System (NICS), the same system used by licensed firearm dealers. If enacted, it would ensure that when a gun is sold through an advertised, private sale, it cannot be sold to someone who is prohibited from having a firearm.

Incentivize Private Sellers to Verify a Buyer is Legally Allowed to Own a Gun

Safe gun transfers from one family member to another, from one neighbor to another, or from one trusted friend to another are common among law abiding gun owners in Maine. But there is still a possibility that someone could sell a weapon to someone else – privately and unadvertised – without knowing whether that person is legally allowed to own a weapon. Right now, it is a crime in Maine – a misdemeanor – if someone *intentionally or knowingly* sells a firearm to someone who is a prohibited person. The proposal would:

- expand the law by adding the term “*recklessly*” to *intentionally or knowingly* – making it a stronger standard and making it easier to successfully prosecute anyone who sells a gun to someone who is not allowed to have one.
- toughen the law to make that type of illegal sale a felony – not just a misdemeanor.

This would not change anything for people who are transferring a firearm to a relative or a friend who they know is allowed to own one. That longstanding tradition in Maine would remain the same. But it would mean that, if you are selling to a stranger, you should visit a licensed firearm dealer to check the NICS system, and make sure they are not a prohibited person, to avoid a felony charge and the possible prison time that comes along with it.

Complementary Budget Initiatives

These Governor’s legislation is complemented by several initiatives in her supplemental budget proposal that also strengthen public safety and Maine’s mental health system. More information on those initiatives can be found [HERE](#).

Builds on Previous Bipartisan Public Safety Measures

Governor Mills’ proposal builds on previous commonsense measures enacted with bipartisan support by the Legislature during her time in office, including bills to:

- allow judges to remove weapons from people under domestic violence orders;
- ensure that survivors of domestic violence are notified if their abuser tries to obtain a firearm;
- create penalties for straw purchases of firearms;
- provide incentives for the safe storage of firearms;

- provide funding for the Maine School Safety Center to help make our schools safe;
- and create an extreme risk protection law to remove weapons from someone who's a danger to themselves or others, with due process protections.