

# Making a Difference



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Contributing Editor

*“Punishment is supposed to fit the crime. A felony conviction is forever,” Bernard Kerik, former hero of 9/11, author of From Jailer to Jailed.*

I was stunned when I first read the application for a pardon and saw the prohibition to apply for restoration of gun rights. No other reason is prohibited; the right to keep and bear arms is constitutionally protected both federally and in Maine. It is unenforceable because an applicant can simply state another reason, even if this restoration is the goal.

The concept of felons requesting restoration of their right to keep and bear arms elicits visions of violent criminals seeking to resume their anti-social careers. However, criminals by definition are rarely worried about laws.

A felony conviction carries a life-time of consequences. There are careers into which one cannot enter or remain. One might fail to be hired and/or miss opportu-

## Lessons Learned

nities for advancement. Socially, one could have a harder time than usual being accepted. A decent, honest citizen might accept these problems knowing that they are the result of his decision at some point in his life. As harmful as they may be, he might be able to live with them. However, some consequences might be extremely hard to endure.

In Maine hunting is an honored tradition. It is a multigenerational pastime; an activity passed from parents to children. The act of venturing into the woods, of ultimately providing sustenance for the family is a strong bond to both kin and nature. The denial of this bond causes pain.

That emotional need, symbolized by the object that is forbidden, is what would make someone over time want this particular right restored. He might be able to accept the other punishments, but severing such a strong tie to his kinsmen is a constant source of pain.

You may not be a hunter, or have hunters in your family or circle of friends. But, every family has certain activities and occasions that they celebrate together. Often those activities seem meaningless to outsiders. It is part of what makes a family or any social group united and special.

Except for the quote from a television interview with Mr. Kerik,

that was the testimony I did not present to the Criminal Justice and Public Safety Committee. This article is not about lessons a convicted felon might learn. It is a case study in activism, particularly in getting a bill passed. Or defeated.

*Learn the rules.* Every state has a process, as does the federal government although that is larger, farther away and harder for one ordinary individual to influence. In Maine our legislature works on a two-year program. After the election in November, legislators begin work in December and all bills must be introduced by the first week in January of the first year. Any other bills must be presented as “emergency” in the second year.

Our state representatives and senators hit the ground running. They have their own pet projects that they want enacted, and will be busy preparing those. There will be orientations and assignments to committees, and a massive flurry of activity. You must have your project prepared or very easy to prepare, because if your chosen lawmaker had decided to submit it, you would not need to be asking. Be sure to read the original draft of the bill carefully, to be certain it is saying what you meant.

*Keep your eye on the ball.* Bills go to particular committees based

on their subject matter. Know which committees will deal with your bill. Get the names and contact information for the members and the clerk of those committees. Keep track of the progress, and know when there will be hearings and votes on your bill. Do not rely on anyone else to tell you when things will happen.

*Do not become complacent.* This is where I fell down. I have a good friend who was re-elected this term after being ousted in the fiasco of 2012. She was excited to introduce the bill. As I had been, she was shocked when she read the pardon application. She got a cosponsor who is a mainstay of the other party; my bill had bipartisan support. Everyone she approached had a similar reaction: how did this get in there? We are, after all, talking about a constitutionally protected right.

In addition another friend of mine sits on the CJPS committee. I felt quite confident that I could step aside and let things take their course. So, I took my eye off the ball and became complacent. I did not keep checking the committee's calendar, and did not learn until Friday after work that there would be a hearing at 9 o'clock Monday morning. I had been at the mountain since mid-week with another physically demanding two days ahead of me. The late notice was because the committee had not notified Beth O'Connor that the bill would be heard, and she only stumbled upon the information when she went to their website. Something I should have done myself.

We got home late Sunday night, I got up at 4:30 to leave at 5 and saw there was only a dusting of

snow. I was allowing myself an extra hour to make the drive in case of what was the usual weather this winter. Then I got lazy. I sat down at my computer to check the forecast and started thinking that I would have a minimum of 5 hours round-trip, I would sit for a couple hours in hearings on other bills, might not be able to even give my testimony, which would take about 5 minutes. And I dropped the ball. I wrote my testimony and sent it to my legislator friend to read to the committee.

Proper procedure when one is not going to be present is to send testimony to the clerk of the committee. The clerk will make a copy for each member and that will be part of their packet for discussing and deciding on the merits of the bill. Since I had planned to be there, I had not tried to send the testimony to the clerk. It is highly possible that I would not have gotten the testimony to the clerk in time. But, that thought is just one of the things I use to try to assuage my deep disappointment in myself. As it happened, Beth did not receive the testimony I emailed until after the hearing.

My opposition in the form of the Chiefs of Police did not decide it was not worth the trip. My friend on the committee has never said "no" to the police. I got one "ought to pass" vote from a representative I had not met. (That will change!)

*Don't quit.* A general once said that the war is won not necessarily by the superior army, but by the one that fights longest. It took me a long time to get myself up and dust myself off. I wasted a lot of time yelling at myself. After all the energy and time I had invested in

this proposition, I had let it just wither away.

*There are no white knights...* well, there are but they are pretty busy with other things. If you believe in what you are asking, you must do it yourself. If you have allowed things to fall, you will have to do more work. You cannot sit in a tower and wait for a hero to ride in and save the day.

It is entirely possible that even with my effort and testimony the committee would have made the same decision. I only garnered one vote. Certainly, the lawmaker I know would have felt uncomfortable voting against me had I been there, but I know her alliance to the police.

Therefore, I have been on Facebook and emailing, pushing my bill. Emphasizing to the legislature and to citizens that this is merely about an application. There is still a whole process that applicants must endure; applying does not guarantee anything.

My question remains: how do we deny someone the ability to even ask to have a constitutionally protected right restored?

**W&G**

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## **Army, Marine Shooters Test Electronic Targets**

The US Marine Corps Shooting Team and the US Army Service Rifle Team are testing the new Kongsberg Electronic Target System installed at the soon to open Civilian Marksmanship Program's Talladega Marksmanship Park. Complete details online at: [thecmp.org](http://thecmp.org).

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