

Episode 134-- How the Private Sale Loophole Harms

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SPEAKERS

Judi Richardson, JJ Janflone, Kelly Sampson, Wayne Richardson



JJ Janflone 00:08

This is the legal disclaimer where I tell you that the views thoughts and opinions shared on this podcast belong solely to our guests and hosts, and not necessarily Brady or Brady's affiliates. Please note, this podcast contains discussions of violence that some people may find disturbing. It's okay. We find it disturbing too. Hey, everybody. Welcome back to another episode of Red, Blue and Brady.



Kelly Sampson 00:41

It has been a super busy week. I mean, it's so often it is but man this week would not quit.



JJ Janflone 00:45

Yeah, I felt like every time I turned around, there was another news story or another problematic statement out of California.



Kelly Sampson 00:52

Yeah. Tell me about it. I mean, for listeners, if you actually want to hear us tell you all

about it. Check out the special mini-sode we released this week, and



JJ Janflone 01:01

Oh, my gosh, Kelly, we're so discombobulated that I don't think we introduced ourselves. Although I'm guessing at this point, people can guess that you're Kelly, because I called you, Kelly.



Kelly Sampson 01:09

Yeah, they can probably guess that. You're JJ?



JJ Janflone 01:12

True. If they've listened to it before. They would hope that I would. I would be JJ. I would hope that I'm still JJ.



Kelly Sampson 01:17

I hope so too or else I'd be speaking to like a pod person, I guess.



JJ Janflone 01:21

It's been that sort of week. But yeah, hi, people. We host a show. It's this show. Hi.




Kelly Sampson 01:27


Yeah. And today we're joined by two and I cannot say enough amazing parents, Judi and Wayne Richardson, who have fought for gun violence prevention, specifically closing the private gun sale loophole for over a decade since the murder of their 25 year old daughter, Darien.





JJ Janflone 01:43


And the Richardson's I can't echoe it enough what Kelly just said they're amazing people and I think all listeners will be horrified to hear about how an existing loophole in the books has allowed their daughter's killer to not only go free, but remain unidentified.


 Kelly Sampson 02:00
Judi and Wayne, can you please introduce yourself?

 Judi Richardson 02:03
Okay. I'm Judi Richardson.

 Wayne Richardson 02:05
I'm Wayne Richardson.

 JJ Janflone 02:06
Sadly, I think we end up starting these stories from such a hard place but especially after like going through your Facebook Judi, and seeing all the stories there. I'd like to start today if we could with with you two, telling us about Darien.

 Judi Richardson 02:20
Darien was our first child. She was a fun, loving, wonderful person. She was loving and kind. She was very social. She was like we call her a social butterfly. She has friends from all walks of life. She loved music, she loved to dance. She loved her friends. She was she wanted to be a teacher. And she had gone to college. She went up she graduated from Bowdoin College and taught for a year at Waynflete, which is a private school here in Maine. And then they didn't need her the next year. So she went to Portland public schools but ended up leaving teaching to go make some money she said, and work on her to get her master's in education. So she at the time that she passed, she was working for Aetna insurance.

 Wayne Richardson 03:12
She was a very smart girl , she liked playing sports. And actually, she holds a record at the high school on the swim team, which hasn't been broken yet. So she's very happy for that. But she was a very outgoing person. Very lovely smile all the time. She had a beautiful smile. And everybody she met and she just lit up their life.

 JJ Janflone 03:35

In the pictures that I've seen too as I mentioned, I stalked Judi a little bit on Facebook. She's an, I mean, she's an absolutely gorgeous girl. And just, it seems like always one of those people who just like always smiling.

J Judi Richardson 03:49

She was always smiling everything. That's what everyone said that everyone remembers most about her. She was always smiling very easy. And she was always like that even you know, as a little girl, she was like that, that she had the smile that just, you know, it was like a magnet, people were drawn to her. And it, she had it all the way, her whole life.

K Kelly Sampson 04:12

As JJ said, so often we don't, you know, we can focus so much on what happened to people and not who they were as people. So thanks for sharing your daughter, with us and with listeners who sounds like a wonderful person. Yeah.

J Judi Richardson 04:24

She was she was loved by everybody that she knew, you know, and like some of her friends would tell me she was able she had the ability like to bring all kinds of groups together. And I remember after her passing when one of her friends from college who all lived in New York was saying that they said you look around and just look and see all these people that maybe wouldn't have hung out with or, you know, she had that ability, you know, to draw people in and you know, she I always she found the good in everybody.

K Kelly Sampson 04:54

If you're comfortable with it, could you please tell us what happened to Darien?

J Judi Richardson 04:59

So on January 8th, And she was like I said she was working at Etna, She was a couple years out of college and she was renting duplex in Portland, Maine with she had a couple of roommates. She had two roommates. And it was a big house. The landlord's lived in the other half. And she lived in one half. At 1:30 in the morning, just intruders armed intruders bursts into their house and went up into her room and just started shooting. They just shot into the room. And Darien was asleep. It was in. She like she put her she put her hand up like that. And then they her thumb was blown off. And she tried to roll off the bed and another bullet entered by her knee and traveled the length of her thigh. And it was lodged

in the hip. And then she was so, you know, 911 was called she was rushed to the hospital. And she had surgery right away, because they were trying to save the thumb, they had pieced together and she had this huge apparatus on it. And she was going to eventually have to have some graphs on that on the other concern was that, that bullet in their leg, but there wasn't much they wanted to do because it was such a long, deep injury, they were worried about exploring. So what they just took, they just wanted it to heal and kind of packed it and in thought, you know, she heals it, and then the bullet will be there. And they know they assured us people live with bullets in them all the time. And so she was in the ICU for a few days, then they moved her. And when they moved her actually she did start bleeding out. She was like from that wound. So then they put her in like a critical care, which she was there for almost three weeks. And as soon as you know, they couldn't figure out why she would continue to bleed out and she had to have transfusions. And they just thought let's heal it. You know, there was doctors with conflicting information. And this was, you know, 11 years ago, I don't think they had a lot of experience with gunshot wounds, although they said they did. But we had two conflicting stories from doctors that wanted to explore and others that said that would be too dangerous. And they're like this little veins that don't even show up on MRIs and CAT scans. So she did so what they did there it was she was just going to live when the wound healed. And she had she had to learn to kind of walk again, because she couldn't walk she was in bed rest that whole time. And so she had physical therapy every day. And when she could walk again, they said okay, you're released. And we literally would release like that day. And she couldn't go back to her home because it was a crime scene and no one wanted to stay there. She moved home with us. And she lived she actually lived for till February 28. And then she died from the wounds of her of her injuries. She was no that wasn't they were going to be doing other surgeries too. Like I know, one of the things you know people think, Oh, you know, she was shot and she's fine. She was but that wasn't what it was, you know, it's like people don't know, they don't know how traumatic it was. It wasn't you know, emotionally traumatic, it was psychologically traumatic and she was in a lot of pain. And she had more to go like being released from the hospital wasn't the end of it. Like I said they were working on they were going to bone put a bone in her thumb and rebuild it and all this all this plans that they had but she eventually she died because of that gunshot wound. It was ruled a homicide because it was a delayed they call it delayed complication gunshot wound. And so it was really it was 51 days after she was shot.



JJ Janflone 08:53

And I want to thank you for for sharing that because I know that that must have been incredibly hard for for you and for your family you know for her siblings as well to to go through all of that you know pain with her and then after as well too, but I think I think you're right i think that that's I mean Kelly and I have seen this on the podcast all the time.

People hear you got shot in your hand you got shot in your leg, you're fine, you got released from the hospital, you're fine. And you know, we've talked to people on the podcast who are 15 years out from their shooting and are still going through surgeries and pain and and all of that Not to mention the you know, emotional and mental trauma of it.



Judi Richardson 09:33

And I don't think people understand that. I don't think they really understand what damage a bullet does. Like it's it does so much damage like in her case you don't can't even see it. The doctors can't see it. I mean, a lot of your your arteries and your capillaries. They're so tiny, they don't show up so they don't really know. You know, it's uh, you know, they tried to do their best but you don't really know and yeah, it's like we've met so doing this where we met lots of survivors. And yeah, you have future future injuries, bullets move. Like I was so worried about that bullet that was in her and I'm like, you know what's going to happen? It moves or it's in her hip will she ever be able to have a baby If she wants or you know, it's like all these, you know, I was just so worried about her, we both were just so worried that how she's going to survive this, how is she going to survive the emotional, the pain, the financial, you know, everything, everything was, everything's affected. She couldn't live where she lived, she couldn't go to work because her hand was going to her hand was going to take at least a year, that and that was a good prognosis. If they could pull it together, there was also the chances that some wouldn't survive. So her job in the insurance at the time was not going to, she wasn't going to easily be able to go back to work.



Wayne Richardson 10:53

That's the thing. You're traumatized also. She was traumatized for quite a while, she was in a lot of pain. And not only that, but if you do survive because of the money that it'll cost you for more surgery for the hospital, I mean, anything, is anything really expensive. And people don't think about that for a long time. And like you say, you have a burden you some people die from lead poisoning, because if it stays in your body long enough, you can develop lead poisoning. We know people have that, like now living with that.



JJ Janflone 11:24

And yeah, I think people just don't know I mean, the health care costs alone we've talked about on this podcast can be crushing. And that's what

J

Judi Richardson 11:31

And that's what Darien said too in the hospitals just like that was part of a thing about what do people do is she does she prefer Aetna insurance at the time. She had great insurance. She had a supportive work environment that also but yeah, her bills were awful. You can imagine. And we didn't know the future costs of the bills, because, you know, grafting a bone and rebuilding. You know, everything. But, yeah, there's just so much cost to it. And I think, like Emily said, like living with a bullet and moves, and you have to have surgeries later, and you have no idea what would have come out and and i don't know what people do. I know like that little girl that was shot here. And mainly people have to start GoFundMe pages for them because there isn't, you know, any other way. And I think people don't realize that there's not a lot of victim compensation. In Maine, we had one Darien was the only time we saw the victims advocate, because they don't really help you here unless you're it's supposed to trial. But they came in and give her a pamphlet for victims compensation. She felt she completed it and sent it in and she was awarded, she was going to get the full amount, which in Maine was only 15,000 at the time. And but they didn't send the check. She died before they sent the check. And so when I contacted them, they said, Well, since she died, it's null. I'm like what, like everything that happened since January is that's just nothing. So that that was eye opening to me. I don't think people realize that I think people and the victims compensation in at least in Maine has all kinds of rules. And you know, who can get it and how you get it and what it's just like, it's not like people think, like all this stuff out there to help you.

K

Kelly Sampson 13:25

Yeah. And again, to echo JJ, thanks for sharing all that. I know, it can't be easy, but I think it's it's so important, because a lot of times people just discount all of that. And it's just so important. And one thing that we've read about is how they the police, I should say discovered the weapon that was used to kill Darien very early on, but they have not been able to find the person who shot her. And could you explain to our listeners, why why they haven't been able to connect the two?

J

Judi Richardson 13:55

Yeah, so they found they discovered the weapon, actually at the scene of another murder in Portland. And it was totally unrelated except for the hand gun. And what that that murder that happened was it was a young man shot was angered with his roommate and he went and got a gun and shot him. Then he ran and threw the gun in the bushes. The police recovered it. And that was February 10 2010. So Darien was still alive at that time. So it wasn't connected until after she died. So when Darien died, they removed the bullet that was still in her from her hip. And the ballistics proved that it was from the same

handgun. And they called us in and they're like, you know, we found good news, bad news. We found the gun but it was it was sold privately and the person didn't have to say a name. So what that means is like the detectives worked with ATF and they they traced the gun to the manufacturer. They find out who the first manufacturer is they find out who the distributor was and they even found out where the gun shop in Maine was that he sold it to. So the person bought it from. So they went to that. And they got the name of the original owner that bought at retail. And this was like in 2000 to 2008. They go talk to the guy and the guy says, I don't recall, I don't recall really, when I sold it, but I sold it at a gun show. I didn't take any records. I didn't keep a record. So that that is the private sale loophole. Because if you sell a firearm and you're not a licensed dealer, you can just sell it without doing a background check. And it happens all the time. And he's not, you know, he's not obligated legally, legally, he didn't do anything wrong. He sold a gun, you know, I always wonder, did he know? Does he know? I don't know. Because the people and they say, Well, you know, you a sell a gun, you don't remember, if you don't want to write down a name, then there's no way to know where it goes after that. So we know though that happened in early 2009. And by that, look, January and February two murders happened in 2010. From that same gun.

W

Wayne Richardson 16:20

Yeah, unfortunately, in Maine, that's how the law here is if you're a licensed gun dealer, you have to do a background check. But if you're not, if you're not licensed, you can sell a gun to anybody that you can. In Maine, we have a magazine called Henry's you go to Henry's look through it to the gun section and call a person up there, say I want to buy a gun, they show up in a parking lot. Trades money for the handgun or whatever. And off they go. Strangers. It's a shame and the Police tell us that's what criminals do a lot. If they use a gun in a crime, to put it out there, so another criminal get it and they can use it in another crime. So that's how these guys could pick guns.

J

Judi Richardson 16:56

That's partly how they get into the black market. You know, there's no magical black market that that people are making guns and selling them from them that they're coming from private sales. And you know, I'm sure you know, the iron pipeline from Maine down to New York. And, you know, we're surrounded by states (well except us) You know, Connecticut, and New York have good gun laws. Massachusetts has great gun laws, but their guns come from here. It's not a long trip to come up and buy a gun, when you don't have to give your name or anything else or have to have a background check.



JJ Janflone 17:31

As someone who has dropped out of Uncle Henry's which is basically for folks who don't know, like it's a paper circular. It's kind of like a paper Craigslist. That's horrifying. I didn't actually realize that guns could be in there.



Judi Richardson 17:44

There's like 12 pages and the most recent one we had pulled, picked up, and in it of just firearm ads and they've cleaned it up somewhat a bit. Because now you know that it's been more but you used to be able to even you'd see like they trade things, you could trade something for a gun, you know, trade something in your house for a weapon.



Wayne Richardson 18:07

You could trade a lawnmower for handgun. I mean, that's how bad it was.



JJ Janflone 18:12

And that as well, even if so if this person who did sell it private sale, if even if they had kept a record or they did from from what I understand they wouldn't you can't legally compel them to re share it with law enforcement either under under the current laws.



Judi Richardson 18:27

And that and that's what the police told us. They're like, you know, this is this is where it ends, there's nothing we can do further. You can't make them, there's no fine for it. There's no, you know, you think every responsible person would say, Well, I don't want that on my conscience or I know or, but it's an easy Oh, if you you know, if you sold a weapon, and then you found out it was used in two murders. You might not want to be forthcoming. I don't know that that's the case. I've also talked to people, you know, we talked to a sheriff here that advocates and he was explaining us, he sold he said he himself sold a weapon privately never thought of it. But then as this came out, he's like, I don't know who I sold the gun to. It still to this day, it's still bothers me. He thinks about what if I ever that ever came back on me. You know, I never ever occurred to me that I should think you know, people just think so. And this was his, he's an older person that so this was quite a while ago and people didn't think about it.



Kelly Sampson 19:32

And you mentioned you know, the police told you, we're just not going to be able to force this person or find it and I'm wondering if you're willing to share with listeners, what is it? How do you deal with that with not knowing who this person is? Who did this?



Judi Richardson 19:49

It's really difficult. I mean, it's hard. It's another level of pain and angst and it's unsettling it, you know, you just you don't ever know you're it's in constant like, you know, even if it's been 11 years, I worry, you know, you worry someone standing next to you in the supermarket that did it? Or if I do I see a young man or when I hear about another shooting is that you know is that the person? Because we know people sometimes do it again or more, more often we'll do it again. And we've been public and when you're when you have a homicide or murder, you know, you people know who you are if we lived in the same house that the girls grew up in. And, you know, we could read you don't know it's unsettling, like, they know who we are. But we don't know who they are. And that they're getting away, shouldn't it you know, it's just, I often say to it's not just us, it's this is someone getting away with murder in our state. And then there, they're not the only ones, of course, but you can get what you can get away with murder with a gun very easily. No one sees you. No one, you know, there's no evidence you take the gun with you. We were actually lucky they got as far as they did. If you think about it, you know, this, connect those two that are related. And by the way, that one and the other case, the guy is sentenced and he is in jail. So it was totally unrelated. But he has also not given up who he got the gun from, which is another connection. But it's that that's the way it is and we have to live with it. We don't like it. And I don't think anyone I don't think I don't know why the other people aren't upset about it. I think people just don't understand, you know, they just don't know,



Wayne Richardson 21:40

It was very frustrating. I mean, like Judi said, we know the person is out there. When he could be sitting beside us in a restaurant. It could be, you know, we just don't know. And so we think about that all the time. And like he says he's getting away with murder. It shouldn't be happening. And it was frustrating to the person that is in jail. He knows something. But he's not saying where he got the gun from that's a piece of the puzzle that we're missing. Right?



Judi Richardson 22:05

Now, you got to be careful with that too, because that guy almost he almost had a mistrial, because the name did come up in his trial, because people were trying to get him to say the name, say where he got it, even his family wanted them to but you're not allowed to do that. So he didn't he still sits in jail. But that was one he tried. He later tried for an appeal. And they didn't. But you know, we also the police in May, we don't have any system for reward funds. So we had we had they asked us to raise a reward because they said no one's talking like no one is giving information and they're always looking for information. And we did put up award then we increased it. But that hasn't. That hasn't helped.

K

Kelly Sampson 22:51

I think that's just goes again to what folks do and don't know about the way that private sales work in the US.

J

Judi Richardson 22:59

You know, we didn't until it happened to us. We didn't know you know when we got called into the police and we were in a big room with the chief and everyone and they were like, yeah, we found the gun. We were like oh, we're gun owners we have guns Wayne's been a gun owner her hunted all his life. His father was even a licensed firearms dealer. But I didn't we didn't know that loophole that there would be no accountability if you sold it privately and and then the gun is used in a crime. It's just like, That's absurd.

W

Wayne Richardson 23:28

You know, like she said, I'm a hunter, I bought guns, all the guns I bought always had a background check because I go to either Cabela's, LL Bean or your gun place and got background checked. So I never knew where you go by one. Well going through that, you know, I said, Wow, this is some it's gonna it's gonna change. And, you know, I guess uh, you learn something new all the time.

J

Judi Richardson 23:49

Well, you have in Maine we have a lot of domestic violence and a lot of it, half of the homicides and the shootings are domestic violations. And I've been told more than once by victims and victims or survivors that, you know, their ex husband had his guns taken away because his abuser, but then went and bought one on Henry's or Craigslist, you know, and still got a gun. Yeah, if you know you're prohibited from buying, you're not going to go to, you know, a licensed dealer, you're going to go to a private sale and

people don't realize that it's so easy.

K

Kelly Sampson 24:28

I thought about why we sometimes will keep using the term common sense. Because unlike both of you, I didn't come from a hunting background. But I didn't really know about the loopholes until I got into this work, because it just seems so obvious. Right? And I was wondering if you could talk a little bit about how you entered into this space of working to prevent gun violence and how you became advocates.

J

Judi Richardson 24:49

Well, one of the reasons is that that that was very frustrating to learn. But I have to say the first year after Darien passed away. Well, you're never going to be the same but I was really not I was not myself and I was focused on hoping that, that they would find somebody and doing their reward and doing all these things. And then because she was shot on January 8th, and then January 8, 2011, it was Gabby Giffords was shot. And it kind of woke me up a little bit when I heard of another shooting, I'm like, this is the day the Darien was shot and there's another shooting a year later and, and there was a little girl, Christina, I have come to know most of these people, sadly, you know, but I kept thinking about a little girl standing in the grocery line to see Gabby Giffords was shot at a supermarket where you know, on this day, so there was there was going to be one of the groups of gun violence prevention groups in Maine was having a vigil for it. And I saw the vigil on a paper and I'm like, no one had a vigil for my daughter, no one, you know, so I called up the number and I'm like, you know, my daughter was shot last year, this on this day ended up dying. And the woman I talked to him was very nice. But she also said, I remember that the shooting was by my house, but I didn't realize she died. Because people just they hear one little bit of the story, and then they don't pay attention. And I'm like, it kind of angers me. And I said not to discount what happened out in Arizona, or what happened to Gabby or all of them. But why are we in Maine having vigils for victims out there? And we're not doing it for the people here. And she says, Why don't you come and say that? So I shall I go, you know what I will. So I went, I got we went to the, to the vigil, and I stood up and spoke, which was terrible. Because all I could do was cry. It was the first time I ever spoke in public. And then from then on, we just, it just, we just kept going and going and you know, and then it was all kinds of shootings, and then Sandy Hook happened as well. And Trayvon. And so it was like, you know, we kept having kept having vigils, here in Maine for other things. And I would speak at them, but it was like, we never really addressed the Maine, the Maine gun violence.

W

Wayne Richardson 27:16

So we were saying, why is this happening all the time, and somebody finally says, you have to change the laws, so we said "oh, that's we have to do so that we've been involved going down to DC and finding more and more about the laws and you know, and plus because we don't want other people going through what we went through, you know, what we're trying to pass up because we're trying to prevent people going through the pain and suffering that we're still going through. And they say you got to change the laws. So that's why we've been involved.

K

Kelly Sampson 27:41

And I think what you're kind of getting at is that. I mean, I don't want to put words in your mouth, but I'm hearing you just saying, you know, there's perceptions about what gun violence is. And then there's the reality of it. And I'm wondering if either of you or both of you, if there's something that you wish people knew about gun violence, whether in Maine or in the United States in general, that maybe it's misunderstood or kind of misrepresented, even I guess, would be the word.

J

Judi Richardson 28:08

I think one thing about gun violence, I think that people tend to want to think that as people, they're doing something wrong, and you know, people, you know, you live in the inner city and you're in a gang and you're gonna have gun violence, or you're, you know, you're, you know, you're not doing the right thing, or you're not with the right people. You know, I just, it's just not true. I think there's a tendency to people to want to blame the victim victim blame, because if you push it away, it's not going to affect you. And I think that's why why Sandy Hook shooting was so eye opening for a lot of people because they thought even though we have children dying all the time in the cities, and you know, every day on the news you hear it, but it's like, that was the first time people thought, Oh, yeah, like, they were all just sitting in the classroom. So it is it's a perception in but they don't realize that anyone could be affected. You know, there's an even with the things that we call, you know, drive by shootings, and people have shot that just a little girl was shot sitting in her bedroom because someone drove by and you know, in Lewiston, but people don't go Oh, that's gun violence. Like that's gun violence. The governor of our state was talking about domestic abuse and said that she was a survivor of domestic abuse because she had a boyfriend who would, who would drink and held the gun in your head. I'm like, that's gun violence. But they don't you know, people in Maine don't call it that. For whatever reason. It can happen to anyone anywhere. And that's the problem. And I think the other thing I wish people knew was that there are preventions we don't you know, we always talk about the Second Amendment and not doing anything about the guns

because it's our right and but there are things you can do. You know, there are things you can do like the closing the loop hole. It's not you know, you can't stop everything. And yeah, you know, you hear the same oral arguments criminals always going to get guns and yeah, yeah. But, you know, we don't have to be like this.

W

Wayne Richardson 30:17

I think the culture is changing now because what's going on the United States, when people get shot in grocery stores, people being shot in churches, people being shot in schools, people now this is going on the whole country is not just one state. It's happening all over the place mass mass killings. And I think people are sick and tired of it. I think people want things done. And now, you know, it's up to the government, you know, change laws, get things passed, I think it should be across the whole state for for background checks the whole country, because why have it in one state, when they can draft another state, you buy something, bring it back in. And that's what happens all the time. And that's what's got to be stopped.

J

Judi Richardson 30:57

We do need to federal we have been we've been pushing for that and advocating for that. And we've we spoke at a couple events with Gabby's group, with Nancy Pelosi last year calling, calling them out on Mitch not doing anything when that bill was sitting there. But I think we're also right now we have a bill here in Maine in there for a background check. Just another simple one. This, you know, but unfortunately, the NRA is really good at what they do. And they've just, especially here in Maine, they get to their, their members and supporters so that they just stroke show up in droves and call and email and they really push their legislators to not want to do anything with guns. And since we've been involved in this, we've had a few background checks. At our state level, we've had the background check referendum. And we, but it's hard to get people don't even want to talk about guns, even legislators don't even want to talk about guns and always seen as our little laws that we did have weakened. You know, we used to have a concealed carry 100 year old law that you had to have a permit to conceal carry and 2015 I think NRA came in and they're doing it all over now every state I think, which is very scary if you think about that, because you can buy a gun private sale without a background check. So there's no record and conceal it.

W

Wayne Richardson 32:35

And I'm being trained people buying weapons not being trained either. And that's what gets a lot of people in trouble. You know I do believe in the Second Amendment. Nothing

wrong with that. That's the NRA, what they do is they use scare tactics. They're saying the government, the government's coming to take your guns. The government doesn't want to take anybody's guns, Maine is well known for it's hunting traditions. I've been hunting my whole life and many people do have guns, responsible gun owners. And they say, well, what's going on? They say, a criminal can get a gun, I say they get the gun, here through the loophole. Well, this is the black market well it's not a black market. It's the loophole and I explain what's going on. They say oh we didn't think about it that way. Well, that's how they getting these guns! So I can't stand the NRA!

J


Judi Richardson 33:24

Like what Wayne was saying so Wayne does hunt. And you know, if you watch if you watch hunting videos, or look at hunting, things on YouTube, they are saturated with propaganda from the NRA. So even if you're a responsible gun owner and don't really believe in all those things, that's all you see, you know that they're going to take your gun out. In Maine, the famous one was, it used to be "God given right to have your gun, you can't have it taken away." It's like God given right? No, that's, but this is really what they say and believe. And there's no, there's no reason we you know, and the other thing about main is hard is that it is such a hunting culture and gun owning culture that even people like we've met a lot of families through parents of murdered children. We know other people that have been shot or their children have been shot and killed in the domestic abuse, but they don't want to speak out publicly. They don't want to go against their friends and their neighbors and their relatives. And especially if you're from a small town in rural Maine, you don't want to be the one that's like us the big mouth that are always running my mouth was. So it's that's how they feel. It's very difficult to get other people to come forward even they'll talk privately, and then suicides also very high here. And if we speak or run an event or something people always come up to us but they won't. They won't share publicly. They don't want to be involved. So it's hard. It's a it's a cultural shift that we need. You know, when we testified for this new version of the background check Darien's law we that was the only opposition because, you know, it's it's not against the Second Amendment. It's we already have background checks, and they work. So why have this gaping hole? So why do they say it's against the Second Amendment? And you know it, their reasoning does not make any sense. It's like, no, it's not against the Second Amendment. We have, you know, you just said we have background checks, or then they'll say that we have background checks. There's no such thing as a loophole. That and that's hard. It's hard to win the argument. Sometimes it's just lies, because you just go around in a circle.

K

Kelly Sampson 35:44

Kind of just wanting to take advantage of the platform. And the fact that people may be listening to this who may know something, if someone is listening, and they have information about the origins of the gun that was used to kill Darien or anything in general, were Is there a place where they can share that information?

 Judi Richardson 36:02


Yeah, so I'm on the Portland Police Department set up actually, they have a text a tip line that's anonymous. And also there's a bit of a website that has unsolved crimes, unsolved homicides, actually on it, and there's a number I can give it to you. So it's Portland, Maine Police Department not, sometimes they get sent to the wrong Portland but and the number is area code 207-874-8533. That's the detective Bureau, you can leave, you can leave a message or you can talk to a detective there if they know anything. And also the text a yip is the text the keyword, PPDME with Portland Police Department main. And that number is 207-847-7411. And that is anonymous, that that was set up right after the chief at the time Darien died was James Craig. And he said that he and this was new back then to have a text to tip. And they set that up and we were advertising that heavily. But they haven't they've received some tips, but not a lot. And we were hoping as a years like it's been 11 years now, hopefully people start to have a conscience or tell other people or just want to make right you know, people know.

 Wayne Richardson 37:29

Somebody knows somebody knows information that we're looking for to solve this. This is again, pieces of a puzzle, the puzzle is there and we're missing a few pieces to solve this. And I wish someone would come forward with information to help get this solved.

 JJ Janflone 37:43

And I think you know, I can speak for Kelly and I that we both hope and yeah. And for everyone a Brady that you know, we both hope you get your resolution, both in Darien's murderer being caught and in this loophole being closed. And I want to say thank you so much for coming on today. And for all that you've done. Really, thank you. So speaking of guns falling through the cracks,

 Kelly Sampson 38:06

So I'm picturing them falling through a sewer grate right now which knowing how these stories go is probably actually a way better picture than what you're about to tell me.



JJ Janflone 38:14

I didn't have sewer gun on my 2021 list, but I should probably add that. But yeah, no sewer gun this time. Instead, it's a woman in Greenville, Tennessee, who went shopping at a church rummage sale, where she bought what she thought was an airsoft gun and holster. Which if you aren't familiar, they're basically toy guns. They can look real. They're used in certain types of sporting events and for fun.



Kelly Sampson 38:36

Yeah, I don't like this.



JJ Janflone 38:37

I didn't think you'd like it when I picked this. Have you ever liked our moments of levity?



Kelly Sampson 38:42

No, but each week I'm horrified.



JJ Janflone 38:45

Yeah, this is me. This is the me horrifying you segment. When she got home though this this woman in particular, she was horrified to find out that she had in fact not purchased a toy, but instead a loaded Glock 23, which is a 40 caliber handgun.



Kelly Sampson 38:59

My big question is how does a loaded gun not only end up donated number one, but also set out or purchase at the sale?



JJ Janflone 39:08

I'm not sure. But what I do know is that the gun was loaded with the full magazine and the bullet in the chamber.



Kelly Sampson 39:13

It could have been so much worse.



JJ Janflone 39:15

Thank goodness that this is a woman who who purchased it, you know, not like a kid who picked it up. And she called the church pastor, who then called police and ultimately the police determined the gun had been stolen. And they did that by tracking its number. And thankfully the weapon is now secured.



Kelly Sampson 39:31

Good. I mean bad. Overall, but good. Good. Yeah.



JJ Janflone 39:35

Yeah, that should be like the long tagline for our entire podcast.



Kelly Sampson 39:42

In the news this week, New York state lawmakers passed first of its kind legislation that requires members of the gun industry to implement responsible practices to ensure that fewer firearms are diverted into the illegal market. And if such accidents are not taken. That gun industry actors can be held accountable. The bill empowers the State Attorney General and cities to take legal action against members of the gun industry and allows individuals to seek damages if they were hurt as a result of a gun businesses actions, this can actually have a huge impact, because it would allow civil lawsuits to be brought against firearm manufacturers and dealers and attempt to circumvent the federal protection of lawful commerce in arms act aka PLCAA. Which has largely been interpreted to give broad immunity to gun companies. Something we've talked about on this podcast many times, In some more good news. This week, Nevada Governor Steve Sisolak signed into law a bill that would ban and prevent the further proliferation of ghost guns, which are firearms constructed from unfinished and unserialized brands and receivers that are often sold in kits that can very easily and quickly be assembled into fully functioning firearms. This new law makes Nevada one of only a handful of states with such bans, tackling a growing issue as ghost guns have been rising in popularity, and have been traced back to crimes more and more over the past year. And then the latest action by the Biden administration to tackle the epidemic of gun violence. This week, the US Department of Justice published model extreme risk law legislation to eight states and localities in enacting these life saving law enforcement tools. If you want to learn more about extreme risk laws, check out the links in the description of this episode.



JJ Janflone 40:33

Hey, want to share with the podcast? Listeners can now get in touch with us here at Red, Blue, and Brady via phone or text message! Simply call or text us at (480) 744-3452 with your thoughts, questions, concerns, ideas, whatever!



Kelly Sampson 41:28

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