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Joint Standing Committee on Criminal Justice and Public Safety
c/o Office of the Revisor of Statutes
State House Station #13
Augusta, ME 04333

Opposition Testimony — Proposal to Require Destruction of All Surplus and Forfeited Firearms

Dear Members of the Committee:

I respectfully submit this testimony in opposition to any legislative proposal that would prohibit the State of Maine from offering surplus or forfeited firearms for private or public sale, and that would instead mandate the destruction of all such firearms regardless of their condition or lawful resale potential.

Such a policy is deeply flawed for several reasons:

1. It eliminates a source of revenue for the State. Law enforcement agencies and state departments currently have the ability to auction or transfer certain surplus and lawfully forfeited firearms to licensed dealers or responsible individuals under strict regulations. This process generates valuable revenue that can support public safety initiatives, training, and equipment. Mandating destruction wastes these resources at taxpayer expense.

2. It ignores the distinction between lawful and unlawful possession. Not all forfeited firearms are inherently illegal. Some are seized incidentally in investigations, while others are surrendered voluntarily or forfeited through non-criminal proceedings. Destroying all firearms indiscriminately assumes criminal misuse in every case and fails to respect the rights of lawful owners or transferees.

3. It undermines established due process protections. Automatically mandating destruction without the option of court-supervised disposition or lawful resale sidelines judicial oversight and may infringe on property rights—especially in cases where ownership is contested or not clearly tied to criminal activity.

4. It sets a dangerous precedent for government overreach. A blanket policy of destruction signals that the government is unwilling to distinguish between unlawful conduct and responsible ownership. This could erode public trust and opens the door to future legislation that disregards lawful private property rights in other areas.

This proposal may be well-intentioned, but it is overly broad and unnecessarily punitive. I strongly urge the Committee to reject this policy and instead support a framework that allows for the lawful resale, transfer, or return of firearms where appropriate, subject to judicial review and regulatory oversight.

Thank you for the opportunity to provide testimony. I appreciate the Committee’s service and thoughtful consideration of the broader consequences of this policy.