

Joshua Jacques  
Sidney  
LD 411

Subject: Oppose LD 411 - It Violates Second Amendment Rights

Dear Legislator,

I strongly urge you to oppose LD 411, "An Act to Amend the Law Governing the Disposition of Forfeited Firearms." This bill expands the mandatory destruction of forfeited firearms, undermining the Second Amendment rights of Mainers and imposing unjust burdens on law-abiding citizens. The Second Amendment is not a second-class right and must be treated with the same reverence as the First.

LD 411 requires the destruction of firearms forfeited in criminal cases, even when rightfully owned by innocent third parties not involved in the crime. This is akin to a law mandating the destruction of books or computers seized in a crime, regardless of ownership—a First Amendment violation that would spark outrage. Such a measure would be seen as censorship or property theft, yet LD 411 does the same to firearms, disregarding their status as constitutionally protected property.

The Second Amendment, as affirmed by *Heller* (2008), *McDonald* (2010), and *Bruen* (2022), guarantees an individual right to keep and bear arms, equal to other Bill of Rights protections. Maine's Constitution, Article I, Section 16, reinforces this, stating the right "shall never be questioned." LD 411's broad destruction mandate fails to respect this right, punishing lawful owners and chilling the exercise of a fundamental liberty.

Existing laws, like the Gun Control Act of 1968 and Maine's forfeiture statutes, already ensure that firearms used in crimes are handled appropriately, with destruction required for those used in homicides (17-A MRSA §1158-A). LD 411's expansion is unnecessary, oversteps constitutional bounds, and risks economic harm to Maine's hunting and sporting communities. If the state wouldn't destroy a journalist's laptop or a church's property in a criminal case, it shouldn't destroy firearms either.

Please reject LD 411 to uphold the Second Amendment and protect Mainers' rights.

Sincerely,  
Joshua Jacques