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May 1, 2025

**Testimony of Representative Melanie Sachs introducing
LD 411, An Act to Amend the Law Governing the Disposition of Forfeited Firearms
Before the Joint Standing Committee on Judiciary**

Senator Carney, Representative Kuhn and esteemed members of the Joint Standing Committee on Judiciary, my name is Melanie Sachs, and I am honored to represent the community of Freeport in the Maine Legislature. I am before you today to introduce **LD 411, An Act to Amend the Law Governing the Disposition of Forfeited Firearms**

LD 411 proposes an important update to Maine law regarding the disposition of forfeited firearms. Under Maine current law, firearms used in murders or homicides must be destroyed. However, for all other forfeited or recovered firearms, law enforcement agencies are given discretion to auction them, use them for training purposes, or destroy them, per 17-A MRS §1504.

This bill would extend the current destruction requirement to *all* forfeited firearms — not just those used in murders or homicides — bringing Maine law into alignment with existing federal policy. According to the U.S. Department of Justice's Asset Forfeiture Policy Manual (2025), federal law prevents forfeited firearms from being resold due to the real and serious concern that these weapons could re-enter circulation and be used in further crimes. Unlike other types of forfeited property, federally forfeited firearms and ammunition may not be sold (18 U.S.C. § 3051(c)(3)). The Manual further notes “The Department has concluded that the forfeiture of firearms and ammunition involved in crime constitutes a compelling law enforcement interest” (pg. 107).

This proposal was heard as part of a larger piece of gun safety legislation last year and garnered broad support. Even the Gun Owners of Maine noted in their testimony that “a bill clarifying how to handle disposed forfeited firearms” was “of no concern to us.”

Only one group provided specific testimony in opposition to this proposal — the Sportsman’s Alliance of Maine (SAM). They raised a classic slippery slope argument, suggesting that if we destroy forfeited firearms, we might as well destroy every object used in a crime — from hammers to cars.

I respectfully disagree. This bill does not demonize firearms — it addresses the reality that firearms used in crime are fundamentally different from those owned responsibly. We don't

destroy tools like hammers and cars because their primary purpose is not violence. Firearms require different treatment under the law. The Department of Justice agrees, noting that “Firearms are a unique type of personal property” and as such, “Forfeited firearms and ammunition are treated differently from other types of forfeited property.” (pg. 107).

It is also worth noting that the Sportsman’s Alliance of Maine also currently holds a state contract to auction forfeited firearms and derives financial benefit from maintaining the status quo. I confirmed this recently with the Commissioner of the Department of Administrative and Financial Services. While I understand organizations advocating for their interests, we must not let financial considerations outweigh the public safety of Mainers.

Ultimately, LD 411 reflects a commitment to common sense and consistency with federal standards. I encourage the committee to advance this important bill. Thank you for your time and thoughtful attention to this matter. I am happy to answer any questions you may have.