

LD2086-An Act to Amend the Law Governing the Disposition of Forfeited Firearms

Memorandum of Opposition

Date: March 04, 2024

To: Honorable Members of the Committee On Judiciary

From: Jonathan Martell

RE: LD2086-An Act to Amend the Law Governing the Disposition of Forfeited Firearms

Members of the committee, I would like to express my Opposition of LD2086-An Act to Amend the Law Governing the Disposition of Forfeited Firearms

My Name is Jonathan Martell, from Sanford.

I am a current Sanford City Councilor, Lifetime member of the Gun Owners of Maine, Legislative Officer for the Sanford Springvale Fish and Game Club, NRA Range Safety Officer, and a lifelong firearms enthusiast.

Maine has a strong hunting and firearms heritage. It's not uncommon for firearms to be handed down generation to generation. My Grandfather had an old shotgun that sat in a closet as long as I can remember. When I was a teenager, I developed an interest in hunting with my dad. He could easily have loaned me that old shotgun to go birdhunting. Most of the time that isn't a problem, but sometimes people do things they shouldn't whether unintentionally or not. My grandfather should have been able to get that heirloom back regardless of what I may have done. It belonged to him.

While this bill summary purports to fix issues with the law, it actually does the opposite. Instead of the legal owner of the firearm simply being required to having a right to possess the firearm, it changes the language to specify that the firearm had to have been stolen.

How is this fair to the owner who was not involved in any way? Now the owner must prove that the firearm was in fact stolen. That firearm could have belonged to a grandfather or uncle who let the juvenile use it for hunting.

The citizens have a right to their property and to receive it back if it is used in a crime for which they had no involvement. The currently law allows for that. The changes add unnecessary language and hurdles to anyone attempting to retrieve their rightful property. How is it decided that it was stolen? There is no language regarding how that is determined.

Most people have a strong respect for law enforcement and due process under the law. This is creating a serious injustice for which the innocent are punished by having their hard earned or very sentimental property destroyed for no reason.

I ask that you keep the current language intact, and vote no for these proposed amendments.

Sincerely,

Jonathan Martell
Sanford, ME