

FREDERICK COUNTY SHERIFF'S OFFICE

HEADQUARTERS FREDERICK COUNTY LAW ENFORCEMENT CENTER

110 Airport Drive East
Frederick, Md. 21701
301-600-1046
301-600-1527 (Fax)
301-600-7655 (TTY)

JUDICIAL OPERATIONS

100 W. Patrick Street
Frederick, Md. 21701
301-600-2162
301-600-3690 (Fax)



CHARLES A. JENKINS
SHERIFF

DETENTION CENTER/ CENTRAL BOOKING

7300 Marcie's Choice Lane
Frederick, Md. 21704
301-600-2550 (D.C.)
301-600-2566 (D.C. Fax)
301-600-1790 (C.B.)
301-600-1791 (C.B. Fax)

WORK RELEASE CENTER

7281 Marcie's Choice Lane
Frederick, Md. 21704
301-600-1727
301-600-3404 (Fax)

To: The Honorable Luke H. Clippinger and Members of the House Judiciary
Committee

From: Sheriff Charles A. Jenkins, Frederick County

Date: February 26, 2020

Re: **House Bill 1288 Criminal Procedure – Forfeiture of Firearms- Sale to
Dealer**

Position: **Support**

I am taking the opportunity to submit this written testimony in support of HB 1288, a bill which would authorize a law enforcement agency to sell, exchange, or transfer legally forfeited firearms under certain situations to the benefit of the law enforcement agency. Law enforcement agencies are seeing a significant increase in forfeited firearms for a variety of reasons as changes in laws require firearms to be surrendered more often to local law enforcement. This increase is creating a number of logistical problems in terms of maintaining inventories and firearm storage. This has become a real problem for small to mid-size agencies.

Should this bill pass it will allow the law enforcement agency the ability to retain certain firearms for use by agency personnel or sell the forfeited firearm to a Federal Firearms Licensed dealer through a legal transfer. The ability to retain and convert certain firearms for agency use can potentially save an agency from having to purchase certain firearms, saving the expenditure of local tax payer dollars. Having the ability to legally transfer and sell those firearms to a licensed dealer can generate many thousands of dollars annually, which can be a significant amount of money within the budgets of local Sheriffs and smaller law enforcement agencies. In most cases, the firearms surrendered to law enforcement are high quality very expensive

firearms, or individual collections of firearms worth many thousands of dollars. The revenue generated for an agency could potentially fund new firearms purchases for agency personnel and cover range and ammunition expenses annually. More money infused into agency firearms training programs provides for more range time, better proficiency, and less likely that an accidental discharge will occur, or collateral damage if an officer is involved in a shooting. This can be very beneficial in a time of tight and often shrinking annual budgets. I believe it would be very prudent for a Sheriff or police chief to take advantage of the opportunity for this potential revenue stream.

For agencies that should choose to exercise the ability to sell, transfer, or convert firearms for agency use, this law would ensure that every transfer is made legally to a licensed dealer and those firearms do not get into the hands of individuals who are prohibited from possession or ownership. There are no "loopholes" in this process. For agencies that choose to opt out and not to benefit from this enabling law, they can certainly make that choice not to participate. This is a very common sense piece of legislation that can be very beneficial.

The decision should be left to the local agency, which at the end of the day is responsible for the final disposition of the firearms. There is nothing to risk by allowing law enforcement agencies to make the decision on how to legally make disposition on legally forfeited firearms. I respectfully request that the House Judiciary Committee vote for a favorable report on HB 1288.