



Maryland Chiefs of Police Association Maryland Sheriffs' Association



MEMORANDUM

TO: The Honorable William C. Smith, Jr., Chair and
Members of the Senate Judicial Proceedings Committee

FROM: Darren Popkin, Executive Director, MCPA-MSA Joint Legislative Committee
Andrea Mansfield, Representative, MCPA-MSA Joint Legislative Committee
Natasha Mehu, Representative, MCPA-MSA Joint Legislative Committee

DATE: February 27, 2024

RE: **SB 1097 – Public Safety – Gun Buyback Programs – Destruction of Firearms**

POSITION: SUPPORT WITH AMENDMENTS

The Maryland Chiefs of Police Association (MCPA) and the Maryland Sheriffs' Association (MSA) SUPPORT SB 1097 WITH AMENDMENTS. This bill addresses gun buyback programs and requires that firearms traded in for compensation be destroyed and every component and part attached to the firearm be made permanently inoperable and unrepairable.

Several law enforcement agencies across the state operate gun buyback programs. Serial numbers on all guns acquired through this process are run to ensure the guns were not stolen and have not been used in a crime. If the gun has been used in a crime it is held as evidence and if stolen, it may be returned to the lawful owner. Once this is complete, in most cases, firearms acquired in this manner are melted down and destroyed. However, there is a provision in law to allow for the conversion of the firearm for agency use.

MCPA and MSA do not object to adding more structure to this process but would like to ensure the statute is clear that an investigation takes place involving the firearm and that the firearm may be returned to its lawful owner, kept as evidence, or destroyed.

On page 3, in line 5, following (II) insert “AND (III)” and in line 9, following “(II)” insert

A LAW ENFORCEMENT AGENCY OPERATING A GUN BUYBACK PROGRAM
MAY CONDUCT AN INVESTIGATION INVOLVING THE FIREARM AND MAY
RELEASE THE FIREARM TO A LAWFUL OWNER, MAINTAIN THE FIREARM AS
EVIDENCE, OR DESTROY THE FIREARM. (III)

For these reasons, MCPA and MSA SUPPORT SB 1097 WITH AMENDMENTS and urge a FAVORABLE committee report as amended.