



WINDHAM POLICE DEPARTMENT

375 Gray Road, Windham, Maine 04062 • (207) 892-2525

Kevin L. Schofield
Chief of Police
Lt. James C. Boudreau
Executive Officer

MEMORANDUM

To: Anthony T. Plante; Town Manager
From: Kevin L. Schofield, Chief of Police
Subject: Asset Forfeiture
Date: April 2, 2018

KJ

Attached please find a forfeiture order for a firearm in the matter of State V. Philip Macri. By way of review, this case was a traffic fatality on RT. 35 in December 2016. As the result of that investigation Mr. Macri was convicted of manslaughter charges as well as firearms related charges. The court has ordered contingent upon Town Council approval, the forfeiture of a Smith and Wesson M& P.223 caliber semi-automatic rifle.

It would be our request for the Town to accept this rifle and allow the Police Department to trade it to Windham Weaponry towards the procurement of a brand new .223 semi-automatic Windham Weaponry rifle that would add to our current inventory and be the exact make & model our officers are trained with an accustomed to using.

The net cost of the new rifle and accessories needed to put it in service after trade would be approximately \$650 and would be covered with our current operating budget.



*OFFICE OF THE DISTRICT ATTORNEY
CUMBERLAND COUNTY*

Stephanie Anderson
District Attorney

142 Federal Street, Portland, Maine, 04101
101 Meadows Road, West Bath, Maine, 04530-9704

Portland
(207) 871-8384

Bath
(207) 443-5104

March 29, 2018

Town Council
Town of Windham
8 School Road
Windham, ME 04062

Re: State of Maine v. Philip Macri
Smith and Wesson M&P Firearm

Dear Councilors:

Enclosed please find an approval form for forfeiture of a Smith and Wesson M&P firearm seized by the Windham Police Department. Please be advised that:

1. 15 M.R.S.A. §5826(8) requires that, before any forfeitable item may be transferred to a town, the governing body of that town must approve the transfer; and
2. 15 M.R.S.A. §5826(8) requires that the Town Council approve the transfer of the forfeited asset.
3. Pursuant to the Forfeiture Statute, if the governing body fails to approve a transfer in a timely manner, any forfeited items shall be transferred to the State of Maine.

After the form is signed by the appropriate official, please return the original to me.

Please do not hesitate to call me if you have any questions.

Very truly yours,


William J. Barry
Assistant District Attorney

Enclosure

STATE OF MAINE
CUMBERLAND, ss.

UNIFIED CRIMINAL DOCKET
LOCATION: PORTLAND
DOCKET NO.: CR-17-641

STATE OF MAINE

PHILIP JOHN MACRI
Defendant

AND

A SMITH & WESSON M&P
FIREARM
Defendant In Rem No. 1

)
)
)
)
)
) TOWN OF WINDHAM
) APPROVAL OF TRANSFER
) 15 M.R.S.A. §5824(3)
)
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NOW COMES the Town of Windham, Maine, by and through its legislative body, and does hereby grant approval pursuant to Section 5824(3) and Section 5826(6) of Title 15 of the Maine Revised Statutes Annotated, to the transfer of the above captioned Defendant *In Rem* No. 1 on grounds that the Windham Police Department did solely investigate this criminal case.

WHEREFORE, the Town of Windham does hereby approve of the transfer of the Defendant *In Rem* No. 1 to the Town of Windham, Maine pursuant to 15 M.R.S.A. §5824(3) and §5826(6).

Dated: _____

Chairperson/Town Manager/Clerk/Mayor

(Impress Town Seal Here)