

Subject: Concerns Regarding H5436A – Request for Transparency and Opposition to the Bill

Good morning, Chairman Craven and Members of the House Judiciary Committee,

Before outlining my specific objections to the bill, I want to express my concern about the process by which this legislation is being handled. It was disingenuous to present this bill to the committee for a hearing last month while openly acknowledging that multiple aspects would be removed or significantly changed. The version heard by the committee was expected to differ substantially from the Sub A, which was only introduced last week.

This raises serious concerns about public transparency and fair participation. Rhode Island citizens were asked to testify on a draft that does not reflect the legislation that may ultimately become law. This effectively denies the public an opportunity to comment meaningfully on the actual contents of the bill.

For the sake of transparency and meaningful public input, I respectfully urge the committee to formally introduce H5436A and schedule a **public hearing**—one where the public can provide testimony on the actual language and intent of the legislation.

If the bill is not offered for public testimony, I ask that you vote **NO** on H5436, H5436A, or any other version of this bill that may come before you today.

Here are some specific concerns with H5436A:

- It would ban commonly owned target and hunting semi-automatic shotguns that hold six or more rounds in the magazine tube.
 - According to the Supreme Court’s *Heller* decision, “bearable arms in common use” are constitutionally protected and cannot be banned.
- The listed exemptions are limited to Olympic and USA Shooting participants. It fails to include the NRA and CMP, which are governing bodies for non-Olympic competitive shooting events in the U.S.
- On page 4, Section (b), the bill introduces a presumption of guilt rather than innocence. This contradicts the foundation of our legal system, which holds that individuals are **innocent until proven guilty**.
- The “certificate of possession” is described as voluntary, which is misleading. In reality:
 - Without the certificate, one cannot prove legal ownership prior to 7/1/2025.

- Without the certificate, heirs would not be allowed to possess lawfully owned firearms.
- The process for obtaining the certificate is undefined, likely leading to inconsistency and confusion.
 - As with the CCW process, police departments in each city or town will likely create their own procedures. Some may establish unnecessarily burdensome requirements that diverge from legislative intent.
- The bill does not explicitly list **hunting** or **concealed carry** as legal uses.

This bill is far-reaching, vaguely worded, and lacks sufficient detail for police departments, the Attorney General's office, or the courts to enforce or interpret it properly.

Thank you for your time and consideration.

Sincerely,

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