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To: House Judiciary Committee; Rep. Craven, Robert E.; Rep. McEntee, Carol Hagan; Rep. Knight, Jason
Cc: Rep. Ajello, Edith H.; Rep. Batista, Jose F.; Rep. Bennett, David A.; Rep. Caldwell, Justine A.; Rep. Casimiro, Julie A.; Rep. Casimiro, Julie A.; Rep. Corvese, Arthur J.; Rep. Cruz, Cherie L.; Rep. Dawson, Matthew S.; Rep. Hopkins, Marie A.; Rep. Noret, Thomas E.; Rep. Place, David J.; Rep. Felix, Leonela
Subject: Written Testimony in Opposition to H-5436 – Rhode Island Assault Weapons Ban Act of 2025
Importance: High
Follow Up Flag: Follow up
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To the Honorable Chair and Members of the House Judiciary Committee,

I respectfully submit this testimony in firm opposition to H-5436, known as the Rhode Island Assault Weapons Ban Act of 2025. While the goal of enhancing public safety is commendable, this legislation remains a deeply flawed proposal that overreaches in its scope, infringes upon constitutional rights, and threatens Rhode Island's economic and legal standing without providing evidence-based improvements in public safety outcomes.

Unconstitutional Overreach and Ineffectiveness

H-5436 continues to criminalize the possession, transfer, and sale of a broad class of semi-automatic firearms and standard-capacity magazines—many of which are commonly owned and lawfully used by Rhode Island residents for self-defense, hunting, and recreational shooting. While the term "assault weapon" may evoke strong imagery, the bill's vague definitions and broad inclusion criteria mischaracterize firearms based on cosmetic features rather than functionality. Semi-automatic rifles, handguns, and shotguns targeted by this bill function identically to many firearms that would remain legal—one round per trigger pull—making the ban arbitrary and ineffective.

The U.S. Supreme Court's ruling in *New York State Rifle & Pistol Association v. Bruen* (2022) reaffirmed that any firearm regulation must align with the historical tradition of the Second Amendment. H-5436's attempt to outlaw firearms in widespread civilian use fails this constitutional test. Furthermore, Rhode Island's own constitution—Article I, Section 22—clearly protects the right to keep and bear arms. Lawsuits against similar bans in California, Maryland, and New Jersey demonstrate the costly legal path Rhode Island may be forced to follow should H-5436 become law, diverting taxpayer resources from more effective public safety initiatives.

Impact on Law-Abiding Citizens

The bill fails to distinguish between criminal misuse of firearms and lawful ownership. According to the FBI's 2022 Uniform Crime Report, rifles of any type were used in just 2.6% of all homicides nationwide, while handguns were responsible for the vast majority (76%). In Rhode Island, the 2023 Crime Report indicates that handguns, not rifles, are overwhelmingly involved in firearm-related offenses. There is no conclusive data indicating that so-called "assault weapons" are a significant driver of gun violence in our state.

Under H-5436, law-abiding citizens would be forced to forfeit or modify their legally purchased firearms and magazines, many of which were acquired in good faith and are central to lawful activities. This would not only violate their rights but also criminalize everyday residents—veterans, sportsmen, women, and homeowners—who pose no threat to public safety.

Economic Risks and State Competitiveness

As Rhode Island grapples with population stagnation and economic uncertainty, H-5436 risks exacerbating these challenges by driving residents and businesses to states with more balanced and constitutionally sound firearm laws. We have already seen the effects of overregulation in states like New York and California, which have experienced significant out-migration and the loss of tens of billions in annual income.

The firearm industry supports hundreds of jobs and contributes tens of millions to Rhode Island's economy annually. According to the National Shooting Sports Foundation, in 2022 the firearm industry generated \$32.1 million in tax revenue and supported over 1,300 jobs in the state. Legislation like H-5436 threatens this economic ecosystem, and may prompt both businesses and high-earning residents—particularly lawful gun owners—to relocate to states like Texas or Florida, where Second Amendment rights are better protected. These departures would erode our tax base, decrease property values, and place additional strain on public services.

Lack of Evidence Supporting the Ban's Effectiveness

Numerous studies—including a 2020 RAND Corporation analysis—have concluded that there is “inconclusive” or minimal evidence that assault weapon bans reduce gun violence. Criminals often use illegally obtained firearms and overwhelmingly choose handguns. Moreover, targeted community-based interventions, enhanced enforcement of existing laws, and mental health support programs have shown greater promise in reducing gun-related violence than blanket bans.

A 2021 meta-study found that community violence intervention programs in urban areas reduced shootings by up to 60%. Redirecting legislative efforts toward these evidence-based strategies would yield far more meaningful results than banning firearms held by lawful owners.

Conclusion and Recommendation

The H-5436 remains an overbroad and ineffective measure that places undue burdens on responsible Rhode Islanders, fails constitutional scrutiny, and carries the risk of economic and legal consequences. Rather than adopting policies that penalize lawful citizens, Rhode Island should invest in proven public safety strategies, uphold constitutional protections, and ensure that any firearm regulation is narrowly tailored and supported by clear evidence.

For these reasons, I kindly and respectfully urge the House Judiciary Committee to reject H-5436 and instead pursue constructive, data-driven approaches that protect both the safety and liberties of Rhode Islanders.

Respectfully submitted,

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