

Chairperson McEntee, Representative Messier, and Members of the House Judiciary Committee,

I am writing to respectfully oppose House Bill 7636, the “Suicide Prevention—Voluntary Firearm Restrictions Act.”

I want to begin by acknowledging the seriousness of suicide prevention and the importance of providing meaningful support to individuals in crisis. This is an issue that deserves thoughtful, effective solutions. However, I have concerns that this bill, while well-intentioned, raises practical, legal, and constitutional issues that warrant further consideration.

This legislation creates a formal government process for individuals to place themselves on a list that restricts their ability to exercise a constitutional right. While participation is described as voluntary, the bill establishes a state-managed system involving law enforcement and the Attorney General’s office to track and enforce those restrictions. Even when entered voluntarily, the creation of such a system raises concerns about how constitutional rights are managed, recorded, and restored by the government.

In addition, Rhode Island already has an established legal framework to address situations where an individual may pose a risk to themselves or others using a firearm, namely, the Extreme Risk Protection Order (ERPO) law. That process allows for temporary firearm restrictions through the courts, with judicial oversight, evidentiary standards, and due process protections.

By contrast, this bill creates a parallel system outside of the court process, without the same level of judicial review or procedural safeguards. While intended to be voluntary, it introduces a government-controlled mechanism that may overlap with or duplicate existing law, rather than strengthening the tools already in place.

There are also practical concerns about participation. The bill requires individuals to interact with law enforcement or involve a healthcare provider to be added to the list. Individuals experiencing a mental health crisis may be reluctant to engage with formal government systems, particularly those involving law enforcement, which could limit the effectiveness of the program.

Additionally, although the bill provides for eventual destruction of records, it still requires the collection, storage, and transmission of sensitive personal information across multiple agencies. This raises legitimate privacy concerns and may further discourage individuals from utilizing the program.

Finally, the bill introduces penalties, including a civil fine, for individuals who possess a firearm while on the list. This creates a situation where individuals who voluntarily seek to take precautionary steps could nonetheless face legal consequences, which may be counterproductive to the goal of encouraging people to seek help.

Suicide prevention is a critical issue, but it is best addressed through accessible mental health care, crisis intervention resources, and support systems. Strengthening and utilizing existing legal tools with appropriate due process protections, such as the ERPO framework, is a more effective and balanced approach than creating a new and separate regulatory system.

For these reasons, I respectfully urge the Committee to hold House Bill 7636 for further study and consider alternative approaches that more directly support individuals in crisis while respecting constitutional principles and existing legal frameworks.

Thank you for your time and consideration.

Brian C. Murtha

59 Ferris St

Pawtucket, RI 02861

(401) 864-0280