

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

I am writing to respectfully oppose House Bill 8067.

At the outset, I would like to acknowledge that keeping firearms out of the hands of individuals who are legally prohibited is an important public safety goal. However, this bill appears to address an issue that is already clearly covered under both Rhode Island law and federal law.

Under existing statutes, individuals convicted of felonies are already prohibited from purchasing or possessing firearms. Federal law likewise enforces this prohibition nationwide. As such, H8067 does not create a new safeguard, but rather duplicates and expands upon laws that are already in place. This raises a fundamental concern: instead of creating redundant legislation, the focus should be on consistent and effective enforcement of the laws we already have.

Additionally, this bill expands the prohibition to explicitly include individuals who have entered a plea of *nolo contendere*. Unlike a conviction following a trial, a *nolo contendere* plea is not an admission of guilt, but often a legal mechanism used to resolve a case without contesting the charges. Treating such pleas as the equivalent of a conviction for the purpose of permanently restricting a constitutional right raises serious due process concerns. It effectively imposes a lifelong deprivation of a fundamental right without the same level of adjudication or evidentiary standard typically associated with a criminal conviction. This approach risks undermining the principle that rights should not be permanently restricted without clear and fully adjudicated findings of guilt.

The bill also applies broadly to all felony offenses, without distinction between violent and non-violent crimes. This creates a one-size-fits-all approach that does not account for the nature of the offense, the passage of time, or evidence of rehabilitation. A lifelong prohibition without consideration of these factors may be disproportionate, particularly in cases involving non-violent conduct.

Furthermore, the structure of the penalties within this bill introduces inconsistencies. While certain violations under current law carry mandatory minimum sentences, this bill creates a separate category for felony-related prohibitions that do not include the same mandatory minimums. This inconsistency could lead to confusion in application and unequal outcomes.

Finally, there is no clear pathway outlined in this bill for individuals to seek restoration of their rights after they have completed their sentence and demonstrated rehabilitation. If the intent is to promote both accountability and reintegration, that balance is not reflected here.

For these reasons, I respectfully urge the Committee to carefully consider whether this legislation is necessary, and whether it improves upon existing law in a meaningful way. I ask that H 8067 be held for further study.

Thank you for your time and consideration.

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