

## Roberta DiMezza

---

**From:** R.J. Petrillo <rjpetrillo@gmail.com>  
**Sent:** Tuesday, April 7, 2026 10:29 AM  
**To:** House Judiciary Committee  
**Subject:** Please OPPOSE H8071 - Ammo Background Check Bill

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Dear Members of the Judiciary Committee,

I am a member of the r/riguns community on reddit, and a concerned law-abiding gun owner in the state of Rhode Island.

I am writing you regarding the proposed ammunition background check legislation currently under consideration in **H8071**.

Regardless of one's broader position on firearm policy, I urge you to carefully evaluate the documented implementation failures that have occurred in other states that adopted similar systems. These real-world examples demonstrate that such laws can prevent lawful purchases due to technical and administrative breakdowns, not criminal disqualification.

When California implemented its ammunition background check system in 2019, the rollout resulted in widespread transaction denials due to database mismatches, address discrepancies, and clerical record errors. Law-abiding purchasers were blocked from buying ammunition because state records did not perfectly align with identification documents. In *Rhode v. Bonta*, the federal district court documented these burdens and issued a permanent injunction, finding that the law imposed substantial obstacles on lawful purchasers.<sup>1</sup>

New York experienced similar implementation difficulties. After the state centralized ammunition background checks under state police control, retailers reported significant processing delays (in some cases lasting hours or even days) before approvals were returned.<sup>2</sup> Customers with no disqualifying history were unable to complete timely purchases due to system backlogs. Notably, an earlier attempt by New York to establish an ammunition database under the SAFE Act was suspended after the state acknowledged the system could not be implemented in a functional manner.<sup>3</sup>

Nevada provides another cautionary example. As a "point-of-contact" state that routes background checks through a state system rather than directly through the federal NICS system, Nevada's firearms background check portal went offline for an extended period following a cyberattack. During that outage, lawful firearm transfers could not proceed.<sup>4</sup> This demonstrates the vulnerability inherent in centralized state-managed approval systems: when the system fails, lawful commerce stops.

An ammunition background check requirement creates a similar single point of failure. If the system goes down, is backlogged, or contains inaccurate records, law-abiding citizens cannot complete lawful purchases. The burden of correcting database errors falls on the individual, not the state. Moreover, such systems invite constitutional litigation under the Supreme Court's framework articulated in *New York State Rifle & Pistol Ass'n v. Bruen*, which requires modern firearm regulations to be consistent with the nation's historical tradition of firearm regulation.<sup>5</sup>

Before adopting a new regulatory structure, I respectfully ask that you consider:

- The courts ruling this background check system in California unconstitutional per *Bruen*.
- The documented denial rates and database errors in California
- The processing delays and suspended implementation in New York
- The complete system outage experienced in Nevada
- The potential litigation exposure for Rhode Island as there is no historical precedent for this system and would not survive constitutional scrutiny per *Bruen*, as demonstrated in CA.

Public policy should not depend on the uninterrupted performance of a centralized IT system in order for citizens to exercise a constitutional right.

Thank you for your time and consideration of these concerns.

Sincerely,  
Richard Petrillo  
Cranston, RI

1. *Rhode v. Bonta* (granting injunction due to burdens caused by California's ammo background check).
2. New York's ammunition background check system faced prolonged delays and false positives during implementation.
  - a. New York – delays and false positives in ammo background check rollout  
<https://crimeresearch.org/2023/09/new-yorks-background-check-system-for-ammo-sales-facing-constant-delays-and-false-positives/>
  - b. New York previously suspended its ammunition background check database because it “cannot be established and/or function in the manner originally intended.”
  - c. New York – SAFE Act ammunition database suspended (official NY Senate release)  
<https://www.nysenate.gov/newsroom/press-releases/2015/catharine-young/safe-act-ammunition-database-suspended>
3. Nevada's state background check system was taken offline by a cyberattack, halting lawful firearm sales due to inability to process checks. (Cyberattack disrupted state background check system)
  - a. <https://news3lv.com/news/local/nevada-cyber-attack-disrupts-gun-sales-amid-background-check-system-outage>
4. <https://mynews4.com/news/local/gun-sales-stalled-in-nevada-background-check-system-down-under-state-cyberattack>
5. *New York State Rifle & Pistol Ass'n v. Bruen*, (legal framework requiring historical consistency for firearm regulations).