

Roberta DiMezza

From: Danny Bunte <danbunte@gmail.com>
Sent: Friday, January 31, 2025 5:34 PM
To: House Judiciary Committee; Senate Judiciary Committee
Subject: Governor McKee's AWB directive

Follow Up Flag: Follow up
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To my elected representatives,

I am a 53 year old lifelong RI resident as is my entire family. I am a husband and father and have spent my entire working career trying to make other people's lives better by researching and producing new and novel medications to help ensure patients receive the critical care they need. And yet, here I am once again regretfully forced to take time away from my work and my family to pen another letter to you, the elected representatives of the people of the State of RI.

To say that I am discouraged is an understatement. I'm absolutely disgusted by the persistent attempts at unconstitutional gun control measures being debated in both the House and Senate which are being demanded by Governor McKee and supported by many Democrats. Shame on him and shame on you all. May I remind you all AGAIN (even though most of you seem to not care) the Constitution of the United States and the Constitution of the State of RI explicitly prohibits you, the lawmakers, from imposing infringements upon 2nd amendment rights and I object to any more of your attempts. The proposal for an AWB is in blatant violation of the 2'nd Amendment of the US Constitution, Section 22 of the RI Constitution, and recent rulings by the US Supreme Court in Heller and Bruen. Your attempts to deprive the citizens of our rights is not allowed and will no longer be tolerated. Those of you proposing and supporting these bills are in direct violation of US Code 3331 and Section 3 of RI Constitution of the solemn oaths that you all took when being elected to represent us.

"All general officers shall take the following engagement before they act in their respective offices, to wit: You being by the free vote of the electors of this state of Rhode Island, elected unto the place of do solemnly swear (or, affirm) to be true and faithful unto this state, and to support the Constitution of this state and of the United States; that you will faithfully and impartially discharge all the duties of your aforesaid office to the best of your abilities, according to law: So help you God. [Or: This affirmation you make and give upon the peril of the penalty of perjury.]"

We are free people governed by the Bill of Rights, not the "Bill of Democrat Needs and Feelings" or the talking points of the day from anti-gun groups such as Mom's Demand Action in order for you to gain favor and political funding. There are nearly a half of a million lawful firearm owners across the entire State of RI who are watching your job performance and are sick and tired of your behavior. You are being watched and your voting records evaluated. You will be primaried, campaigned against and lose your jobs. You have already made us less safe to defend our person's and homes by limiting our ammunition capacity and cost the citizen's of this state millions of tax dollars in litigation from the so-called Hi (standard) capacity magazine ban that you rammed through after it died in committee. That case (Ocean State Tactical vs. RI), and Snope vs Brown (Maryland's AWB) is currently before SCOTUS seeking certiorari and when it is finally accepted and ruled on, you will lose because neither, or the Governors AWB can pass the Bruen test of History, Text, and Tradition of the 2'nd Amendment when it was ratified in 1791 or the Heller test which states that anything in common use for lawful purposes cannot be banned. I absolutely reject any more of my tax dollars being used to deprive us of our rights.

This AWB push is being sold to everyone as a way to “end gun violence” which is an outright lie. It will do none of the sort and has been a proven failure in many states such as NY, CA, IL, etc. because criminals do not care about laws, nor do they ask the government for permission. Instead, the AWB will be an outright ban on the most common firearm in the country and nearly every other semi automatic firearm all because of scary looking features, none of which change function. Tell me you are not for civilian disarmament without outright saying it. The only thing that this AWB will accomplish is make law abiding RI citizens felons while making us less safe and deprive us and future generations of our God given rights. Additionally, the requirement for registration of firearms is already illegal under federal law in the Gun Owners Protection Act and making citizen's pay a fee to keep what they lawfully possess is also illegal and an absurdity. I reject the Governor's attempts to steal money from my family to keep what we may already lawfully possess under the guise of registration fees to make up funding for his, and your, failed spending policies and budget shortfalls.

As a reminder, the SCOTUS Heller decision deemed arms in common use for lawful purposes CANNOT be banned and SCOTUS Bruen decision states that any attempts at restriction of 2A rights must be based on the “text, history, and tradition of the states at the time of ratification in 1791”. Additionally, Caetano vs. Massachusetts determined that there were enough stun guns in law-abiding citizens possession that they could not be banned. The Governor's, and many of your desires to ban so called assault weapons, cannot survive the scrutiny of these decisions nor will the citizen's tolerate any more infringements.

I will leave you with the following quotes and points to ponder:

- The constitution of the United States of America, supreme law of the land. Article 4 section 2 paragraph 1. The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states. Amendment 14 section 1 No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States.
- The Constitution is very clear on of the powers enumerated to the government. We the people, delegated no more than 21 powers to the government. Article 1, Section 8, Clauses 1-16 defines those powers. Therefore, all laws made by Congress, any restrictions imposed by government agencies as well as any restrictions made by executive order, and all Supreme Court decisions or other legislative acts that violate the constitution are a no law and wholly void.
- 16 American Jurisprudence 2d, Sec 177 late 2d, Sec 256: “The general misconception is that any statute passed by legislators bearing the appearance of law constitutes the law of the land. The U.S. Constitution is the supreme law of the land, and any statute, to be valid, must be in agreement. It is impossible for both the Constitution and a law violating it to be valid; one must prevail. This is succinctly stated as follows: The General rule is that an unconstitutional statute, though having the form and name of law is in reality no law, but is wholly void, and ineffective for any purpose; since unconstitutionality dates from the time of its enactment and not merely from the date of the decision so branding it. An unconstitutional law, in legal contemplation, is as inoperative as if it had never been passed. Such a statute leaves the question that it purports to settle just as it would be had the statute not been enacted. Since an unconstitutional law is void, the general principles follow that it imposes no duties, confers no rights, creates no office, bestows no power or authority on anyone, affords no protection, and justifies no acts performed under it. A void act cannot be legally consistent with a valid one. An unconstitutional law cannot operate to supersede any existing valid law. Indeed, insofar as a statute runs counter to the fundamental law of the land, it is superseded thereby. No one is bound to obey an unconstitutional law and no courts are bound to enforce it.”
- 16Am Jur 2d., Sec. 258: “On the other hand it is clear that Congress cannot by authorization or ratification give the slightest effect to a state law or constitution which is in conflict with the Constitution of the United States.”

- 18 U.S. Code § 242 - Deprivation of rights under color of law. Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, or to different punishments, pains, or penalties, on account of such person being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined under this title or imprisoned not more than one year, or both; and if bodily injury results from the acts committed in violation of this section or if such acts include the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire, shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse, or an attempt to commit aggravated sexual abuse, or an attempt to kill, shall be fined under this title, or imprisoned for any term of years or for life, or both, or may be sentenced to death.

Lastly; "Amendment II: A well-regulated militia, being necessary to the security of a FREE state, the RIGHT of the PEOPLE to KEEP and BEAR ARMS, SHALL NOT BE INFRINGED." This is not a suggestion but a DIRECTIVE to you, the people elected to represent us, not rule us. Recent history in Ukraine and now Israel should be sufficient evidence of how important our 2'nd amendment is in the defense of our persons, state, country, and freedoms.

Sincerely,
Danny Bunte
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