

## Ariana Costa

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**From:** Kevin Hunold <kevin.hunold88@gmail.com>  
**Sent:** Monday, March 24, 2025 12:22 PM  
**To:** House Judiciary Committee  
**Subject:** Testimony in opposition of HB 5436

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

Dear Chairman Craven and Members of the House Judiciary Committee,

My name is Kevin Hunold, and I am a resident of Coventry, RI. I am writing to express my strong opposition to HB 5436, HB 5443, HB 5130, and HB 5069.

### **Please Oppose HB 5069 - Limits on Concealed Carry Licenses**

HB 5069 seeks to restrict the reasons for which individuals may apply for a concealed carry license. Under R.I.G.L. § 11-47-11, Rhode Islanders have the legal right to apply for a concealed carry permit from local authorities, who must issue the permit to qualified applicants aged 21 or older. These applicants must reside in Rhode Island or have a place of business here, or be residents of other states with valid permits. Importantly, case law (see *Gadomski v. Tavares*, 113 A.3d 387, 392) has ruled that local law enforcement cannot require applicants to show a need for carrying a concealed firearm. HB 5069 would effectively violate this legal precedent.

### **Oppose HB 5130 and SB 59 - Mandatory Submission of Crime Guns to ATF**

HB 5130 and its companion bill, SB 59, would require all "crime guns" to be submitted for ATF testing and tracing. The language in this bill is excessively vague, specifically the phrase "identified by law enforcement as suspected of having been used in a criminal offense," which bypasses due process protections. This bill could result in the unwarranted confiscation of firearms without adequate legal protections for the owners.

### **Oppose HB 5443 - Voluntary Watchlist for Firearm Restrictions**

HB 5443 proposes a voluntary system in which individuals can add themselves to a watchlist that would restrict their right to purchase or possess a firearm. This proposal is unnecessary, as individuals who may pose a risk to themselves or others already have the option to seek psychiatric evaluation and are prohibited from purchasing firearms if deemed unfit. The real issue is ensuring that individuals who are prohibited from possessing firearms are reported to the National Instant Criminal Background Check System (NICS). This bill would merely duplicate existing measures.

### **Oppose HB 5436 - Assault Weapons Ban**

HB 5436 seeks to ban the possession, purchase, sale, and manufacture of commonly owned firearms under the label of "assault weapons." This bill is problematic for several reasons:

#### **1. Illegal Firearm Registry**

HB 5436 mandates the creation of a gun owner registry (page 6, lines 28-34), which is explicitly prohibited by Rhode Island law (Title 11, Chapter 11-47, Section 11-47-41). Forcing law-abiding citizens to register their firearms would be a direct violation of this law and an overreach of governmental authority.

#### **2. Ineffective and Overbroad Feature Bans**

The bill includes arbitrary bans on firearm features that do not inherently increase danger:

- **Weight Restrictions (>50 oz):** These restrictions target rifle variants like the AR-15 and AK-47 but also affect common revolvers and semi-automatic handguns, such as the .44 Magnum or .50 cal, which are designed to reduce recoil.
- **Threaded Barrels:** Threaded barrels are unfairly linked to suppressors, which are already illegal in Rhode Island, but they also serve the legitimate purpose of reducing recoil via compensators. Many common shotguns and rifles feature threaded barrels.
- **Shrouds:** The vague definition of "shroud" (page 2, lines 22-24) would effectively ban nearly every semi-automatic rifle, including common hunting rifles, as most feature handguards for safe operation.
- **Magazine Placement & Buffer Tubes:** These provisions target standard firearm features like magazine placement and buffer tubes, which are vital for the function of many semi-automatic and bolt-action rifles.

3. **Criminalizing Possession of Parts**

The bill makes it illegal to possess parts that could be assembled into an "assault weapon," even if unassembled (page 2, lines 33-34). This provision could turn ordinary Rhode Islanders into criminals for owning harmless firearm components.

**Practical and Constitutional Concerns**

HB 5436, like the other bills, infringes on constitutional rights and fails to enhance public safety. The feature bans target standard, widely owned firearms and create legal risks for responsible gun owners without providing any clear public safety benefits.

For these reasons, I urge you to oppose these bills. Rhode Islanders deserve representation that upholds the law and respects our constitutional rights.

Thank you for your time and consideration.

Sincerely,  
Kevin Hunold