

Ariana Costa

From: Ralph DeVivo <ralph4176@gmail.com>
Sent: Tuesday, March 25, 2025 2:06 PM
To: House Judiciary Committee
Cc: Ralph DeVivo Jr.
Subject: Testimony - H-5436: Against Passage also H5443, H5651, H5652, H5654, H5889, H5890, H5891

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I oppose the following bills: H5436, H5443, H5651, H5652, H5654, H5889, H5890, H5891

AGAINST AWB HB-5436.

H-5436 Assault Weapons Ban in Rhode Island: More reasons Why It's a Problem

The proposed H-5436 bill sounds like a safety win, but dig deeper—it's got serious flaws and nothing to do with safety.

1. 5th Amendment Trouble: It bans transferring firearms in estates, slashing their value without compensation. The Constitution says that's a "taking"—and heirs could sue.
2. Probate Nightmares: The bill's wording could mean pricey legal battles to transfer firearms after someone passes, often costing more than the gun's worth.
3. Way Beyond "Assault Rifles": This isn't just about military-style guns—it will ban ~74% of all firearms with detachable magazines, and any revolver or handgun weighing over 50oz. empty, which many have legally owned for over a century.

4. Clashes with RI Law: Since 1959, Rhode Island has banned gun registration (R.I.G.L. 11-47-41). This bill breaks that rule.

5. Self-Defense at Risk: The Supreme Court (*Castle Rock v. Gonzales*, 2005) says police don't have to protect you. This bill could leave law-abiding Rhode Islanders defenseless against armed criminals.

6. Misleading Spin: Polls push the idea this only targets "military weapons," but it hits most firearms. True military guns are already banned!

The Bottom Line: H-5436 won't save lives—it'll disarm responsible Rhode Islanders who've passed strict training and background checks. Is this really about safety, or control?