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## **ACLU OF RI POSITION: OPPOSE**

### **TESTIMONY ON 25-H 5652, AN ACT RELATING CRIMINAL OFFENSES -- WEAPONS March 26, 2025**

This bill would bar possession of a firearm by any person sentenced under the state's hate crime sentencing act. The ACLU of Rhode Island opposes this legislation, as we do not believe a conviction for what can be a minor, non-violent offense – and an offense where the sentencing may very well be elicited from a person's speech – can or should trigger a firearm possession ban.

Our organization has long had concerns about the hate crimes sentencing act itself and its clear potential to increase penalties for an offense based solely on an individual's protected speech. Those concerns are only aggravated when a conviction under the statute is used to take away a person's legal rights in other contexts.

Presently, the law bars possession of a firearm by persons convicted of crimes of violence, including certain crimes involving domestic violence. However, this bill would bar firearms possession for misdemeanor-related offenses that do not necessarily have any element of violence, solely because they are deemed to have been directed to a person based on their race or other characteristic as defined in the hate crime law. For many of the reasons that we are today opposing a bill that would automatically bar a person convicted of *any* felony from possessing a firearm, we oppose this bill as well.

The commission of certain hate crimes may very well warrant disqualifying the person from possessing firearms, but we believe those instances are already covered by the restrictions in the law. We do not believe it can or should be done with the broad brush proposed by this bill. Thank you for considering our views.