

[HouseJudiciary@rilegislature.gov](mailto:HouseJudiciary@rilegislature.gov)

March 18, 2021

**SUPPORT:** 5554, 5555, 5556, 5553, 5386, 5969, 6082, 5726, 5970, 5942, 6146

**OPPOSE:** 5971, 5972, 5973, 5395, 5557, 5558, 5639, 5727, 5730, 5883

TO: Chairman Bob Craven and House Judiciary Committee members

FROM: Linda Finn, Executive Director, Rhode Island Coalition Against Gun Violence  
Middletown, RI, Constituent of Rep. Terri Cortvriend

Dear Chairman Craven and Honorable Judiciary Committee Members,

This is the eighth year that the Judiciary Committee is hearing many of the bills that the Rhode Island Coalition Against Gun Violence has been advocating for since 2013 - **eight years of hearings on bills that have not had a vote.**

For the first time in all these years, support in both chambers now matches the strong public support in Rhode Island for this important strong gun safety legislation. Bills to limit large-capacity magazines (HB 5554), regulate military-style assault weapons (HB 5556) and to keep guns out of schools (HB 5555) all have 40 co-sponsors. Their Senate companions have 20 co-sponsors on each bill as well. In the recent 2020 election, eleven A- rated NRA candidates lost to RICAGV endorsed candidates. Only one A- rated NRA candidate won over one of our endorsees. The General Assembly is changing because voters want elected officials that truly represent them -- and now they do! Our Coalition of 120 Partner Organizations is asking for votes on these bills. It's time. Year after year you have these hearings. We see the dread on your faces when "gun night" is announced and we all must endure long, stressful, and oftentimes emotional, hearings. Survivors of gun violence continue to relive their trauma only to have the bills held for further study in perpetuity. This is the year. Bring these bills to the floor for a vote.

Since the start of the COVID-19 crisis in March 2020, we are seeing alarming numbers of requests for NICS background checks: an 111% increase in requests in 2020 vs. 2019 (51,369 vs. 24,336).<sup>1</sup> We have also had an 87 % increase of gun deaths in 2020: 28 killed in 2020 vs. 15 in 2019.<sup>2</sup> Despite the gun lobby's campaign of fear and division, which puts profits over public safety, evidence shows that access to a firearm actually increases the risk of both suicide and homicide. These are facts and the majority of Rhode Islanders understand this and support this legislation.

In March of 2020, a statewide survey conducted by the Center for Research & Public Policy<sup>3</sup> included 600 interviews with residents of Rhode Island to collect views on gun safety and gun violence prevention issues and legislation. I have attached the full survey for your review and can provide cross tabs for specific questions by request. The survey found that:

- **77.7% of Rhode Island households do not own firearms (3.8% were unsure)**
- **17.5% of respondents indicated they or a household member owned a rifle or shotgun**
- **18% owned a handgun**
- **7.8% owned an assault weapon.**
- **Nearly 30% noted that they or another household member had taken a firearm safety course**
- **Twice as many of respondents were members of the NRA than were members of the RICAGV or Mom's Demand Action for Gun Safety**

Overall, the Survey found support for:

- **Banning large-capacity magazines- 71.5%**
- **Banning military-style assault weapons- 70.5%**

A breakdown by county shows large majorities in every Rhode Island county; Bristol County had the strongest support, Kent and Washington County also had a strong majority who support these gun laws.

<b>Banning Large Capacity Magazines in Rhode Island</b>					
	Bristol	Kent	Newport	Providence*	Washington
Strong Support	58.8	57.4	54.8	52.4	50.7
Somewhat Support	20.6	18.9	23.8	16.4	21.1
<b>TOTAL SUPPORT</b>	<b>79.4</b>	<b>76.3</b>	<b>78.6</b>	<b>68.8</b>	<b>71.8</b>
Somewhat Oppose	2.9	7.4	16.7	11.7	11.3
Strongly Oppose	17.6	13.9	0	12.9	9.9
<b>TOTAL OPPOSITION</b>	<b>20.5</b>	<b>21.3</b>	<b>16.7</b>	<b>24.6</b>	<b>21.2</b>

<b>Banning Military-Style Assault Weapons in Rhode Island</b>					
	Bristol	Kent	Newport	Providence*	Washington
Strong Support	64.7%	59%	64.3%	58.4%	51.2%
Somewhat Support	11.8%	14.8%	16.7%	10.1%	19.7%
<b>TOTAL SUPPORT</b>	<b>76.5%</b>	<b>73.8%</b>	<b>81%</b>	<b>68.5%</b>	<b>71.8%</b>
Somewhat Oppose	5.9%	7.4%	9.5%	10.7%	11.3%
Strongly Oppose	17.6%	14.8%	2.4%	14.8%	14.1%
<b>TOTAL OPPOSITION</b>	<b>23.5%</b>	<b>22.2%</b>	<b>11.9%</b>	<b>25.5%</b>	<b>25.4%</b>

The gun lobby likes to say that these laws would only take away rights from “law-abiding citizens” but the fact is that increasing the accountability of gun owners to safely store their firearms, enforcing stricter rules to reduce straw purchases and decreasing the number of highly-lethal firearms enhances the safety of all Rhode Islanders.

Sincerely,

Linda Finn  
 Executive Director  
 Rhode Island Coalition Against Gun Violence

1 <https://www.ricagv.org/news/ri-2020-background-checks-on-track-to-dwarf-previous-years>

2 Non-suicide deaths; <https://www.ricagv.org/news/87-percent-increase-gun-deaths-2020-v-2019>

3 See [RICAGV Poll Report](#) starting on page 3 of this PDF.

\*Providence County includes: Central Falls, Cranston, East Providence, Pawtucket, Woonsocket, Providence, Burrillville, Cumberland, Foster, Gloucester Johnston, North Providence, North Smithfield, Scituate and Smithfield.

# RICAGV

RHODE ISLAND **COALITION AGAINST**  
**GUN VIOLENCE**

## THE RHODE ISLAND COALITION AGAINST GUN VIOLENCE STATEWIDE SURVEY

MARCH 2020

Prepared for:  
The Rhode Island Coalition Against Gun Violence

Prepared by:  
The Center for Research & Public Policy, Inc.



## STATEMENT OF CONFIDENTIALITY AND OWNERSHIP

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All the analyses, findings and recommendations contained within this report are the exclusive property of The Rhode Island Coalition Against Gun Violence.

As required by the Code of Ethics of the National Council on Public Polls and the United States Privacy Act of 1974, The Center for Research and Public Policy maintains the anonymity of respondents to surveys the firm conducts. No information will be released that might, in any way, reveal the identity of the respondent.

Moreover, no information regarding these findings will be released without the written consent of an authorized representative of The Rhode Island Coalition Against Gun Violence.

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# 1 INTRODUCTION

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The Center for Research & Public Policy (CRPP) is pleased to present the results to a statewide survey on behalf of the Rhode Island Coalition Against Gun Violence (RICAGV). The survey was conducted to collect resident views on gun safety and gun violence prevention issues and legislation.

The research study included 600 completed interviews with residents of Rhode Island who were 18 years of age or older.

The online survey (N=600) was conducted March 1 – 11, 2020.

The survey included the following areas for investigation:

- Awareness of gun safety and gun violence prevention programs and firearm laws
- Support/opposition to handgun registration, licensure, and registration
- Support/opposition banning high capacity magazines, assault weapons
- Use of candidate stands on gun safety issues when voting
- Support/opposition to lawsuits against firearm manufacturers used in violent crimes
- Views on carrying firearms on public school property
- Views on owning AR-15 military-style assault weapons
- Opinion on funding mental health counselors / training and arming resource officers
- Ownership of firearms
- Awareness of firearm organizations
- Awareness of gun laws in neighboring states and “Red Flag Laws”
- Demographics

Section II of this report discusses the Methodology used in the study, while Section III includes Highlights derived from an analysis of the quantitative research. Section IV is a Summary of Findings from the survey.

Section V is an Appendix to the report containing the crosstabulations and the survey instrument employed.

## METHODOLOGY

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Using a quantitative research design, an online survey was completed among 600 Rhode Island residents.

Survey design input was provided during a meeting with CRPP and RICAGV leadership.

Following programming and a pre-test/soft-launch, on February 27-29, 2020, full-scale fielding occurred on March 1 – 11, 2020.

Survey design is a careful, deliberative process to ensure fair, objective and balanced surveys. Staff members, with years of survey design experience, edit out any bias. Further, all scales used by CRPP (either numeric, such as one through ten, or wording such as strongly agree, somewhat agree, somewhat disagree, or strongly disagree) are balanced evenly. Additionally, placement of questions is carefully accomplished so that order has minimal impact.

Readers of this report should note that any survey is analogous to a snapshot in time and results are only reflective of the time period in which the survey was undertaken. Should concerted public relations or information campaigns be undertaken during or shortly after the fielding of the survey, the results contained herein may be expected to change and should be, therefore, carefully interpreted and extrapolated.

Furthermore, it is important to note that all surveys contain some component of “sampling error”. Error that is attributable to systematic bias has been significantly reduced by utilizing strict random probability procedures. This sample was strictly random in that selection of each potential respondent was an independent event based on known probabilities.

Each qualified online panel member within the United States had an equal chance for participating in the study. Statistical random error, however, can never be eliminated but may be significantly reduced by increasing sample size.

Statistically, a sample of 600 completed surveys has an associated margin for error of +/- 4.0% at a 95% confidence level.

Results throughout this report are presented for composite data – all 600 cases.

Crosstabulations of data are included in the appendix to this report. These crosstabs allow for a view of results – key, core questions – by demographic subgroups.

# 3 HIGHLIGHTS

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## ON AWARENESS

Nearly two-thirds, 64.7%, of all survey respondents indicated they are following the issues of gun safety and gun violence prevention programs very (18.7%) or somewhat closely (46.0%).

Just over one-half, 51.0%, suggested they were very (13.5%) or somewhat familiar (37.5%) with Rhode Island's firearm laws.

Awareness of the Rhode Island Coalition Against Gun Violence was measured. Just over one-half, 50.8%, noted they were very (12.0%) or somewhat aware (38.8%) of the Coalition.

## ON ISSUES / LEGISLATION

Support for handgun registration is strong. Over three-quarters, 76.8%, indicated they strongly (57.2%) or somewhat supported (19.7%) handgun registration.

Similarly, a large majority, 88.3%, indicated they strongly (75.2%) or somewhat supported (13.2%) continuing the requirement for handgun owners to have licenses.

Respondents were reminded / informed that both shotguns and rifles do not require licensing or registration in Rhode Island. There exists strong support for rifle and shotgun registration in Rhode Island – 77.2% in support.

Similarly, respondents were asked about licensing of shotguns and rifles. A large majority, 80.7%, noted they supported licensing.

While 9.3% see Rhode Island gun control laws as too strict, another 27.0% see the laws as about right. The largest group, 49.7% indicated they see the laws as not strict enough.

There is majority support for a number of proposals including:

Banning large-capacity magazines – 71.5%

Banning military-style assault weapons – 70.5%

Holding gun owners liable when their guns are used in crimes – 74.8%

Requiring gun owners to report stolen firearms to law enforcement – 91.8%

## ON SAFETY AT HOME

Among those respondents with children living at home under 18 years of age (34.3%), two-thirds (66.5%) suggested they do not ask parents about guns in the homes of friends when their children go to visit. Some, 5.8% do ask the parents about guns while 5.3% ask if the guns are locked and 19.9% ask about both.

## ON POLITICS / POLITICAL LEADERSHIP

Just over two-thirds, 68.5%, noted they do consider a candidate's stands on gun safety issues when they consider their votes.

Over one-half, 50.7%, indicated they would be more likely to vote for a candidate who favored banning military-style assault weapons such as the AR-15.

Another 52.5% suggested they would be more likely to vote for a candidate who favored banning large-capacity magazines.

Interestingly, 59.7%, suggest easy access to guns is to blame for shootings such as the Westerly, Rhode Island shooting in December 2019.

One-third of all respondents surveyed, 33.7%, support allowing lawsuits against manufacturers, distributors or dealers of guns used in violent crimes.

## ON GUN SAFETY POLICY

Just over two-fifths (42.8%) of all respondents were aware that individuals with a concealed firearm permit may enter K-12 public school property.

Just under one-third, 30.5%, of respondents supported allowing those with concealed firearm permits to enter K-12 public school property with their respective firearms. Another 56.4% were opposed, and 13.2% were unsure.

While 26.7% of respondents suggested they would not question a homeowner's ownership of an AR-15 for home protection, 63.3% believed that owning an AR-15 for home protection is unnecessary – more than adequate. Some, 10.0%, were unsure.

There exists some willingness to pay somewhat more in taxes for a few initiatives related to gun violence:

- Increased non-violence programs for ex-gang members – 49.7%
- Increased statewide programming to reduce gun violence – 62.7%
- Increased availability of mental health counseling for students in public schools – 77.0%

In a trade-off, 31.8% would select training and arming resources officers in K-12 schools, while 53.8% would opt for investing more funds for K-12 mental-health counseling/emotional support counseling.

## ON HISTORY WITH FIREARMS

Respondents were asked about firearms they or other household members owned –

- 18.7% indicated they, or another household member, own one or more handguns
- 17.5% indicated they, or another household member, own one or more rifles or shotguns
- 7.8% indicated they, or another household member, own one or more military-style assault weapon

Among those who own firearms, 28.1% reported that the firearms are kept loaded all or most of the time while 81.3% suggested these arms are kept locked up all or most of the time.

Three-quarters, 74.1%, suggested ammunition is stored separately from the firearms.

Nearly one-third of all respondents, 30.0%, noted they, another household member or both have taken a firearm safety course such as those offered by the National Rifle Association or the Rhode Island Department of Environmental Management.

Some respondents indicated they, a household member or they and a household member, were members of a number of firearm-related organizations –

- National Rifle Association – 12.3%
- Rhode Island 2<sup>nd</sup> Amendment Chapter – 6.8%
- Federated Rhode Island Sportsmen Club – 5.2%
- Rhode Island Revolver and Rifle Association – 5.4%
- Rhode Island Coalition Against Gun Violence – 5.0%
- Moms Demand Action for Gun Sense – 6.3%

## ON LEGISLATION AWARENESS

Awareness varied for several facts related to firearms and firearm legislation –

- “Red Flag Laws” – 53.0%
- Guns in the home are 22 times more likely to kill a family member than in self-defense – 52.7%
- The law that allows seizure of firearms from those convicted of domestic abuse – 52.3%
- The presence of a gun in the home triples the risk of homicide in the home – 49.5%
- The presence of a gun in the home increases the risk of suicide fivefold – 49.0%
- The states of Connecticut, Massachusetts and New York ban assault weapons -- 34.0%
- The states of Connecticut, Massachusetts and New York limit firearm magazine capacity -- 29.0%

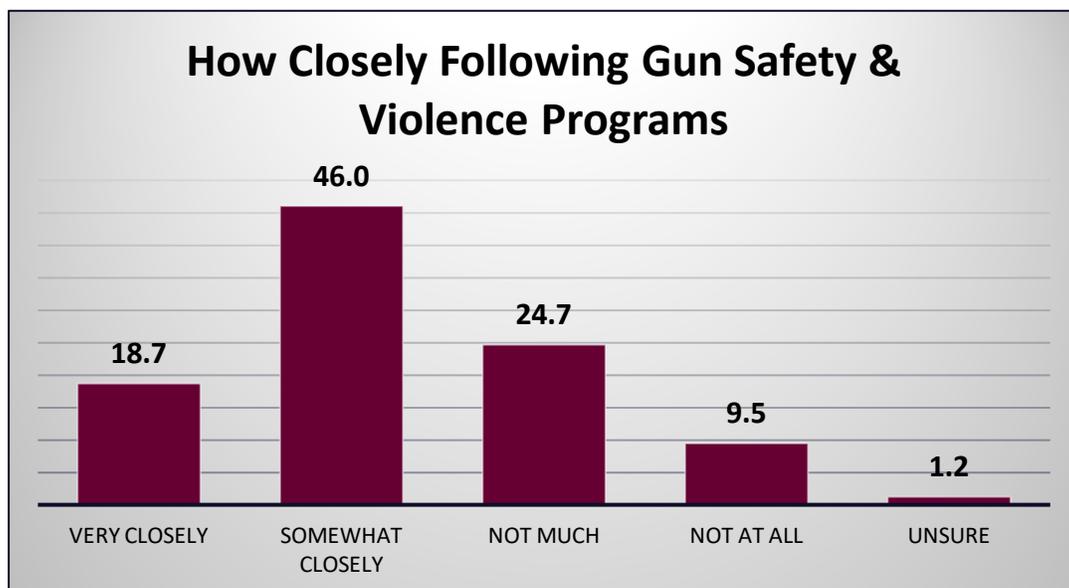
# 4 SUMMARY OF FINDINGS

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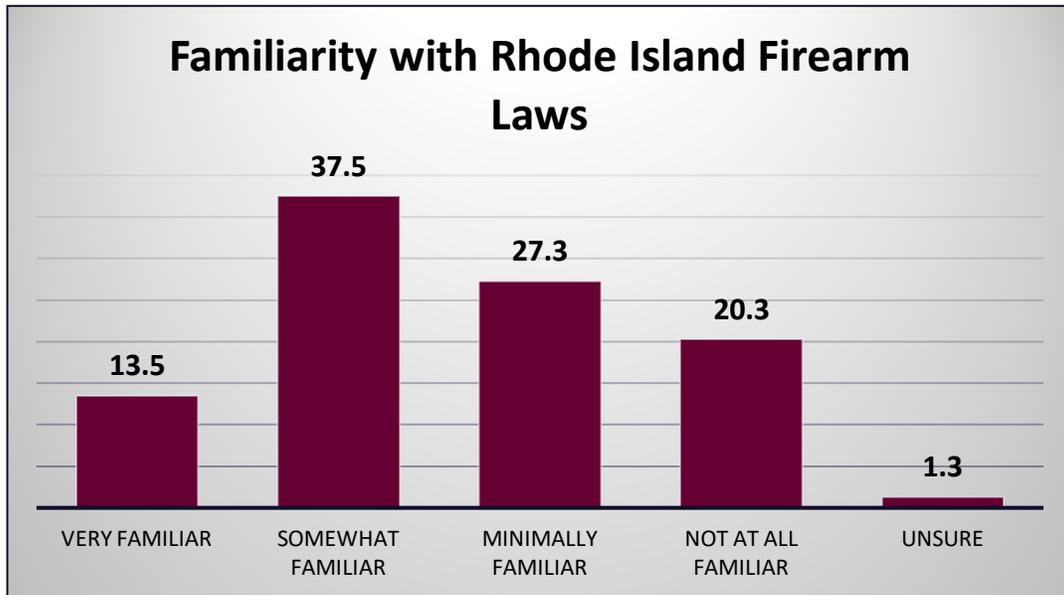
Readers are reminded that the narrative throughout this report refers to composite aggregate online survey data – 600 residents. Text, tables and graphs throughout this report present these composite results.

## AWARENESS

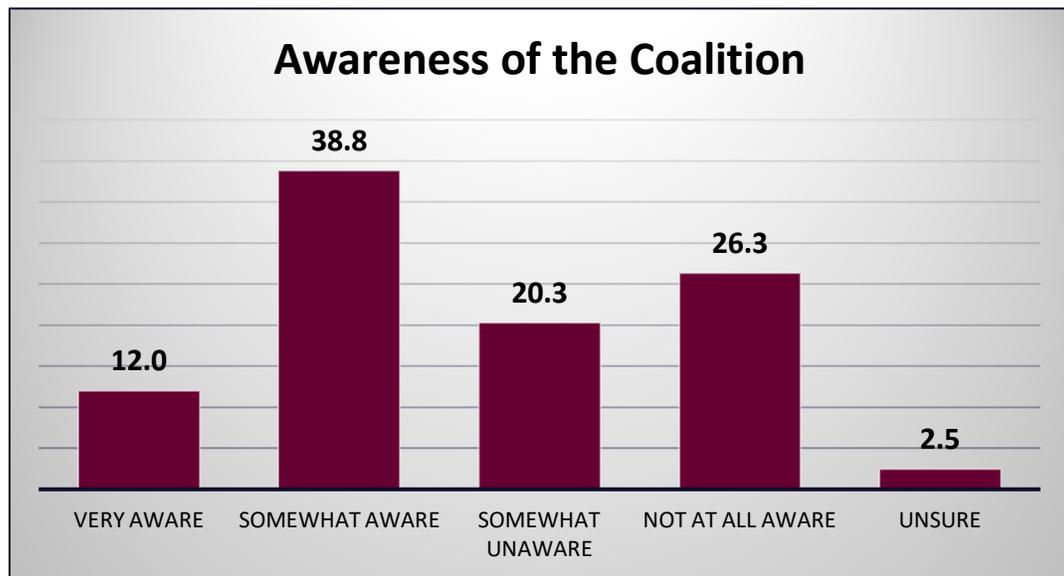
All statewide survey respondents were asked to indicate how closely they follow the issue of gun safety and gun violence prevention programs. Nearly two-thirds, 64.7%, indicated they are following these issues very or somewhat closely as displayed in the following graph.



All respondents were asked how familiar they were about current firearm laws in Rhode Island today. Just over one-half, 51.0%, reported being very or somewhat familiar with the current laws. Results are shown here.



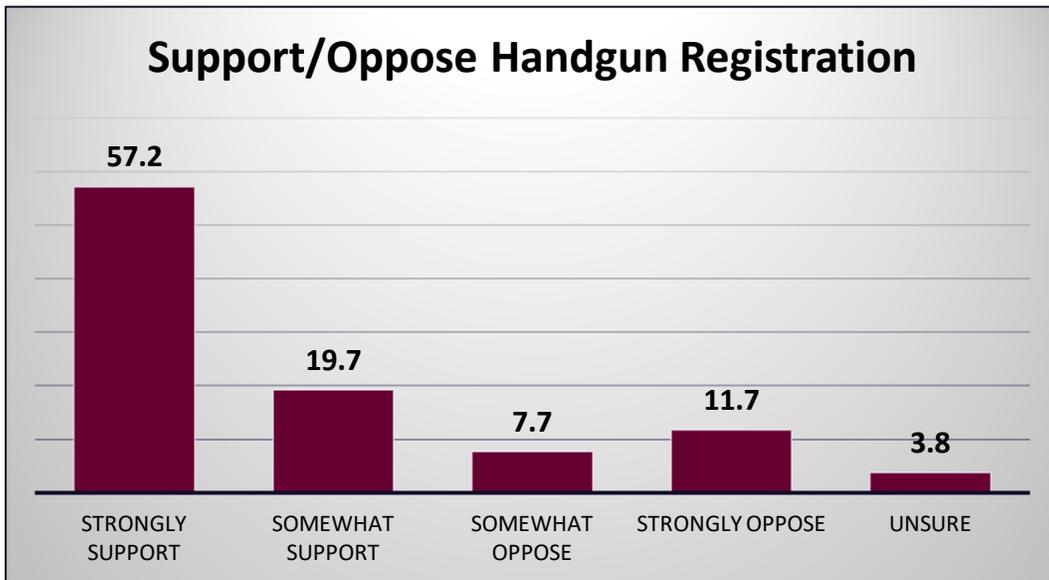
Each statewide survey respondent was asked how aware they were of the Rhode Island Coalition Against Gun Violence. One-half, 50.8%, of all respondents indicated they were very or somewhat aware of the Coalition. Results are depicted in the following graph.



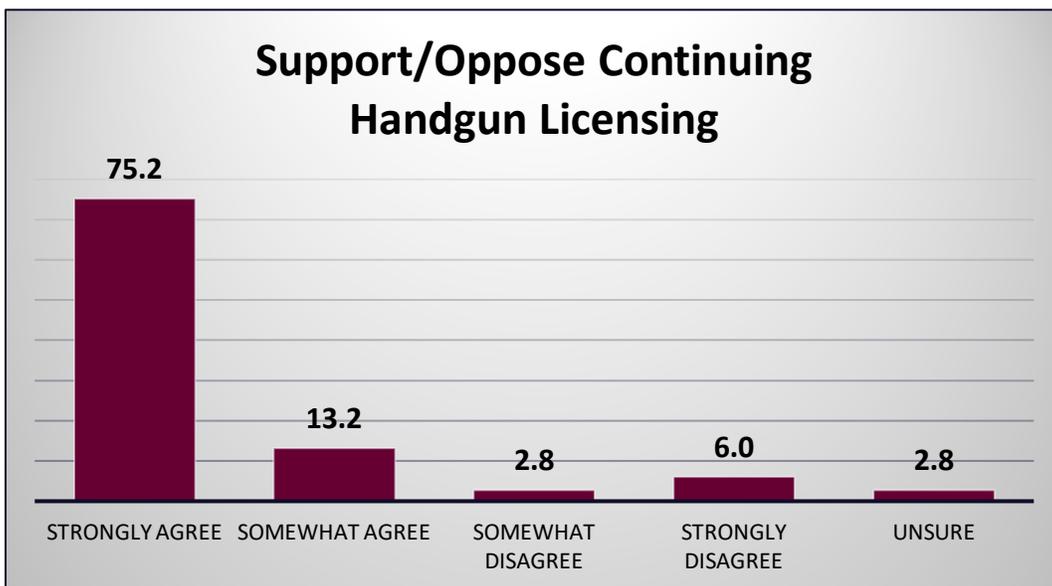
## ISSUES / LEGISLATION

Respondents were asked to think about handguns in Rhode Island. Each was reminded / informed that the state does have a licensing requirement, but registration is not required.

Each was asked how strongly they support or oppose a handgun registration requirement in Rhode Island. Over three-quarters, 76.8%, strongly or somewhat supported registration. Results are displayed here.

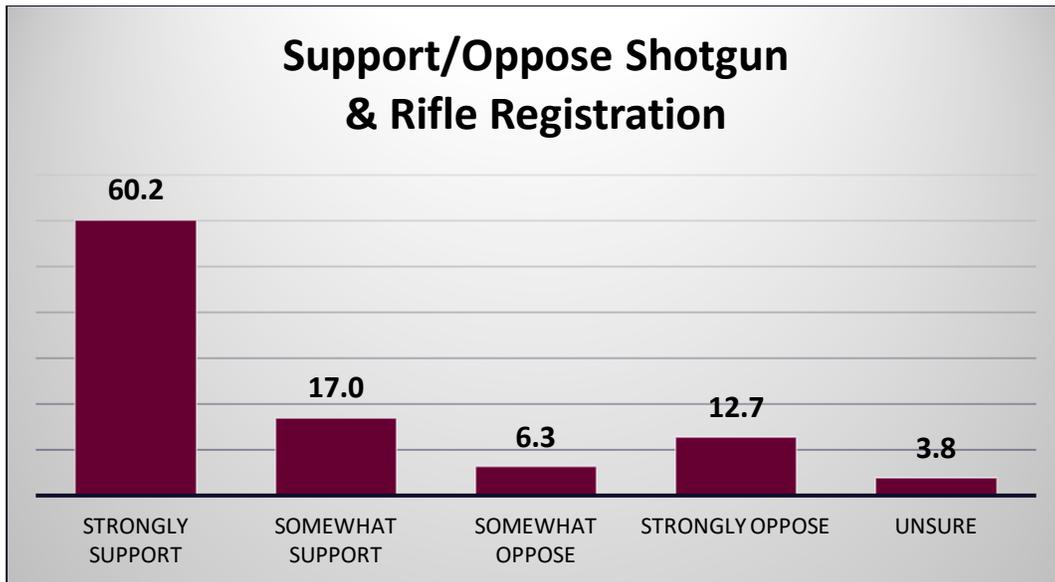


All respondents were asked if handgun owners should continue to be required to have licenses. A large majority, 88.3%, indicated they strongly or somewhat agree with continuing a licensing requirement. The results are displayed in the following graph.

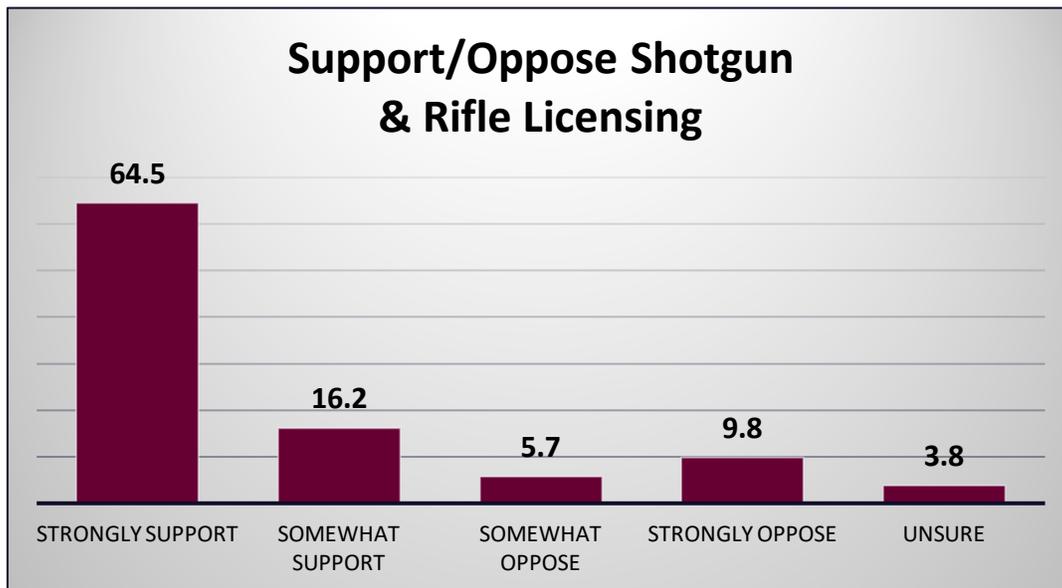


3. Respondents were asked to think about rifles and shotguns. Each was reminded / informed that both shotguns and rifles do not require licensing or registration in Rhode Island.

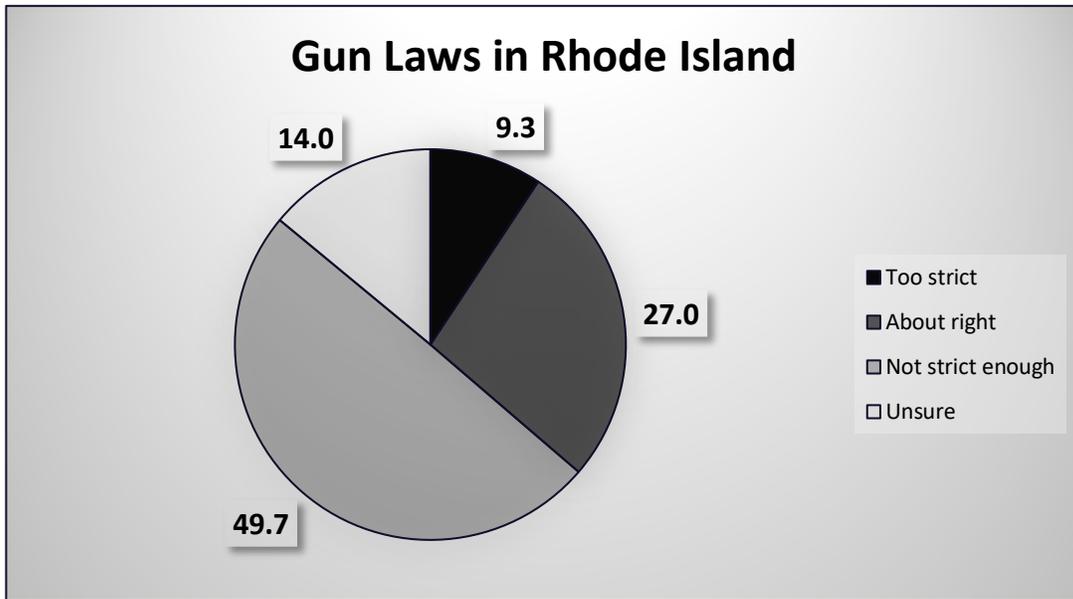
Respondents were asked if they supported rifle and shotgun registration in Rhode Island. Three-quarters, 77.2%, suggested they strongly or somewhat support registration. Results are shown in the following graph.



Respondents were asked if they would, similarly, support or oppose licensing for shotguns and rifles. A large majority, 80.7%, noted they strongly or somewhat supported licensing of both rifles and shotguns.



Respondents were asked, overall, if gun control laws in Rhode Island are too strict, about right or not strict enough. The largest group of respondents, 49.7%, suggested the laws were not strict enough. Results are displayed here.

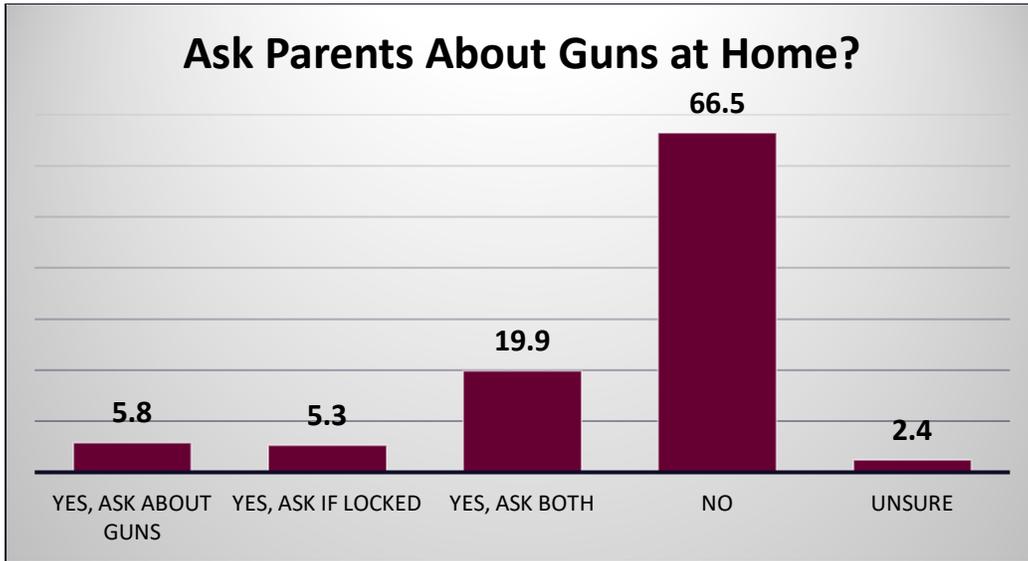


Several proposals promoted by those in support of additional legislation to promote firearm safety and reduce gun violence were presented to respondents. Each was asked how strongly they supported or opposed each of the proposals results are presented in the following table.

Proposals	Strongly Support	Somewhat Support	Strongly & Somewhat Support	Somewhat Oppose	Strongly Oppose	Unsure
Ban large-capacity magazines – a firearm magazine capable of holding more than ten rounds of ammunition rounds	52.8	18.7	71.5	10.8	11.8	5.8
Ban all military-style assault weapons like the AR-15	58.0	12.5	70.5	9.8	14.3	5.3
Hold gun owners liable when they allow access to their guns that are later used in crimes	50.5	24.3	74.8	9.0	9.0	7.2
Require that gun owners report to law enforcement when firearms are stolen	80.5	11.3	91.8	2.3	2.2	3.7

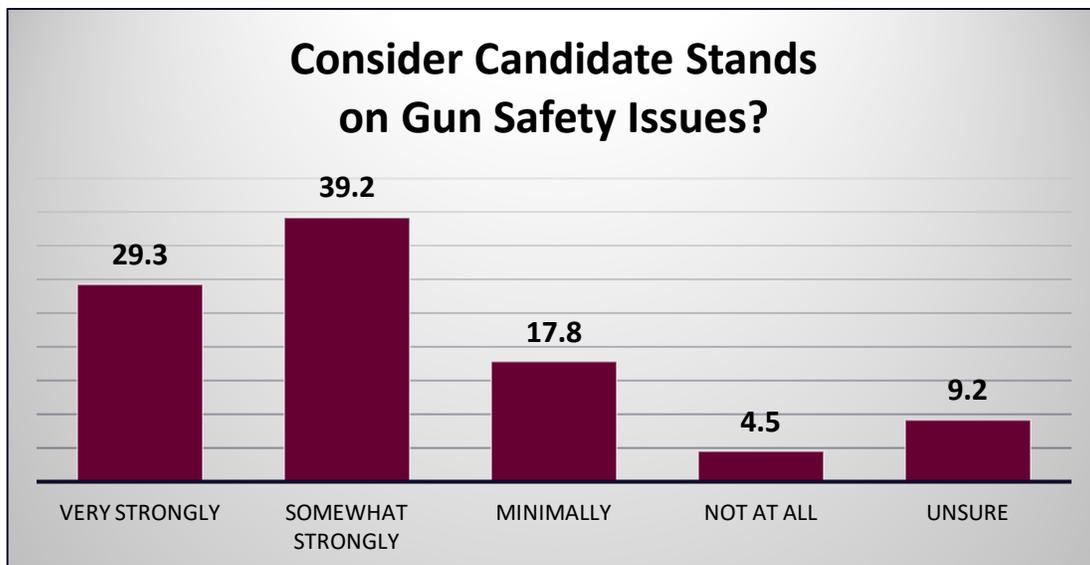
## SAFETY AT HOME

Approximately one-third, 34.3%, of all statewide respondents indicated they did have children under 18 years of age living at home. This group of respondents were asked if, when their children visit the homes of friends, they ask the respective parents about guns in the homes. While 66.5% indicated they did not, about one-third did. Results are displayed here.

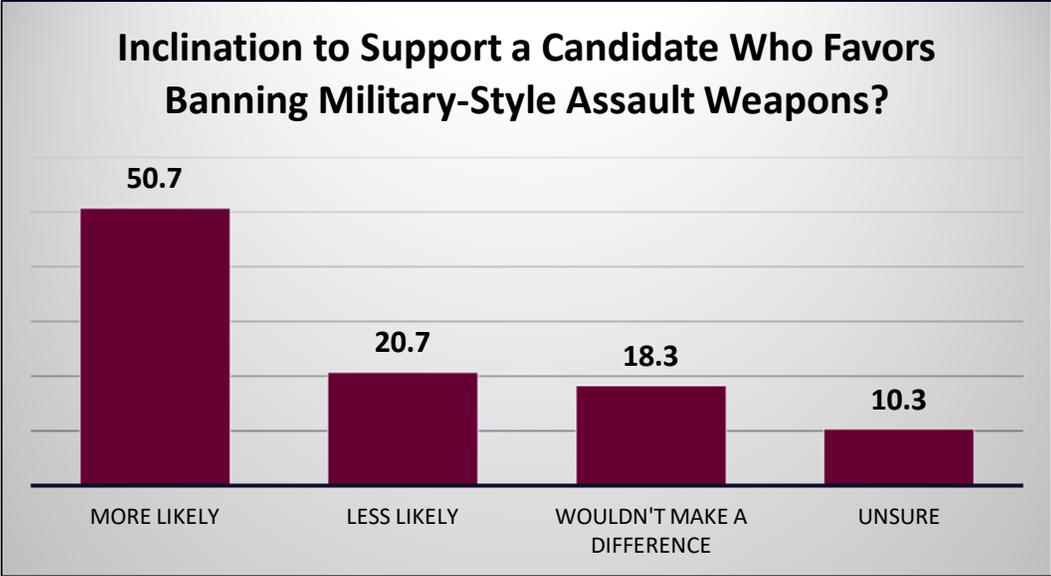


## POLITICS / POLITICAL LEADERSHIP

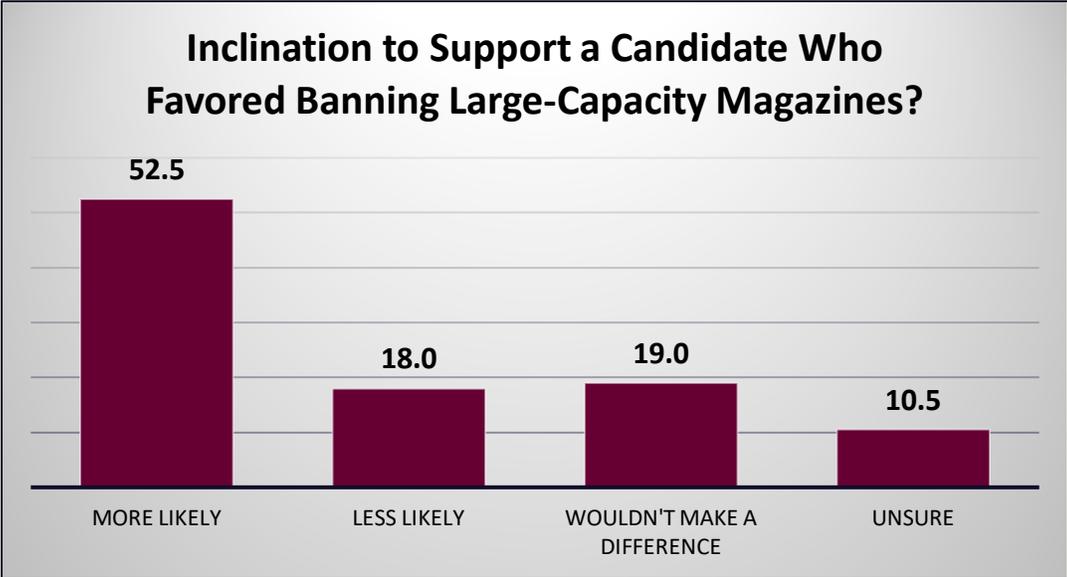
Over two-thirds, 68.5%, suggest they very or somewhat strongly consider stands on gun safety issues when voting for candidates in elections. Results are displayed here.



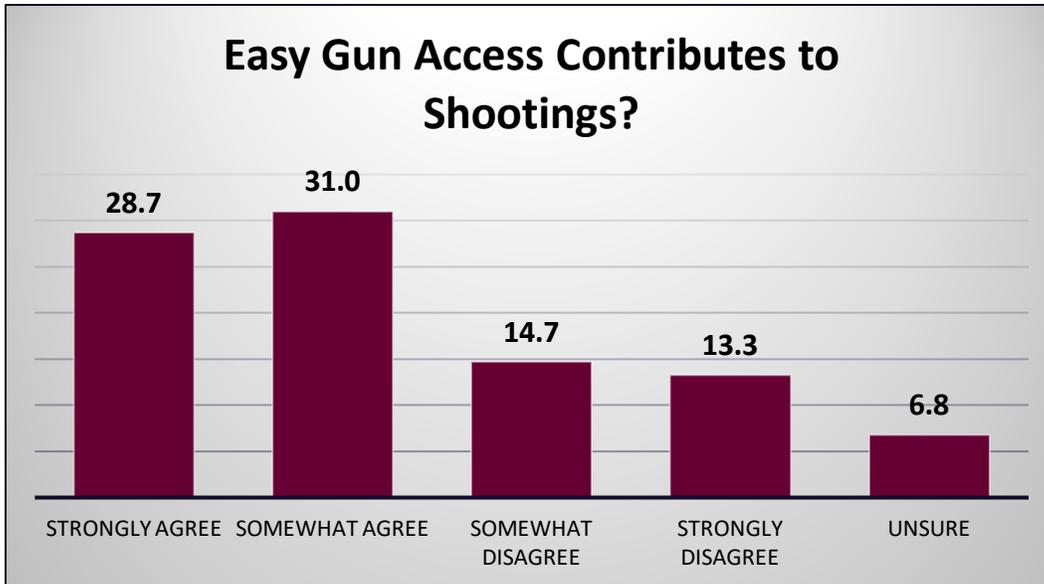
In an upcoming Rhode Island election, respondents were asked if they would be more or less likely to support a candidate who favored banning military-style assault weapons like the AR-15 – or if it would not make a difference. Results are displayed here.



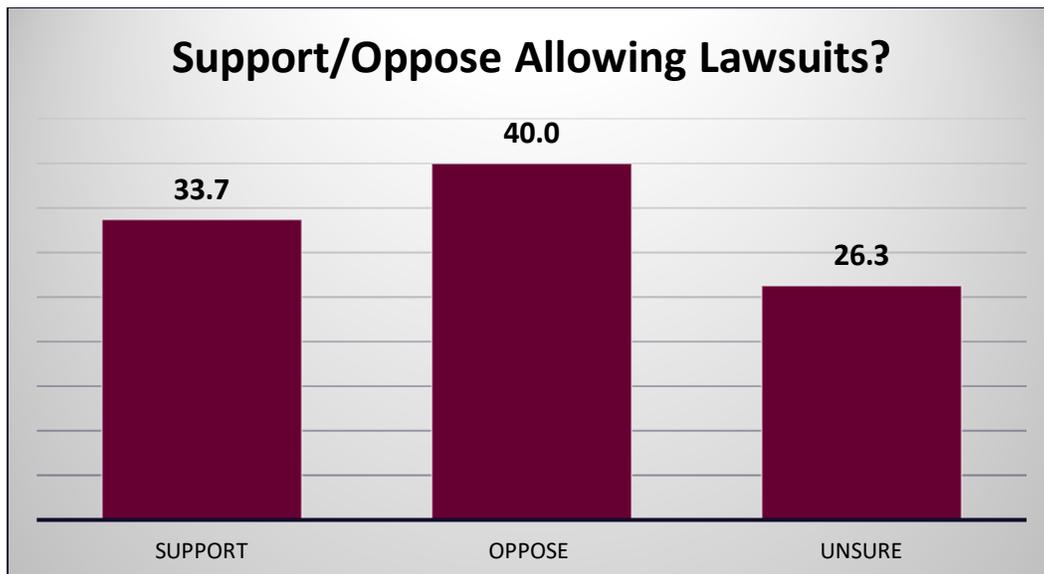
In an upcoming Rhode Island election, respondents were asked if they would be more or less likely to support a candidate who favored banning large-capacity magazines – or if it would not make a difference. Results are displayed here.



Respondents were presented with the following: “Some say easy access to guns is to blame for shootings such as the Westerly, Rhode Island shooting in December 2019”. Each was asked how strongly they agreed or disagreed. A majority, 59.7%, agreed either strongly or somewhat. Results are shown in the following graph.

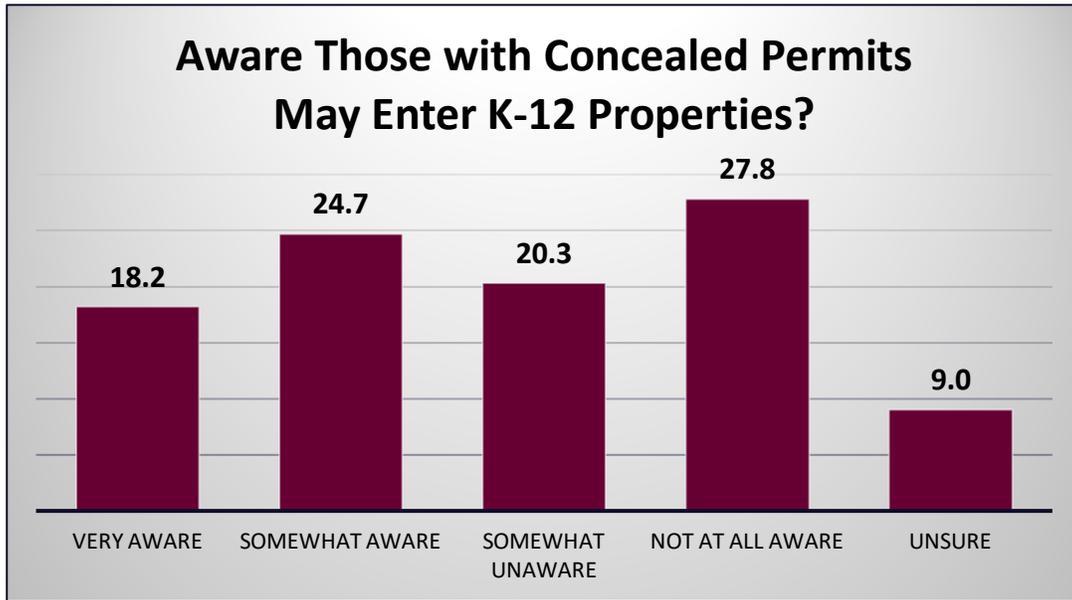


The survey measured support for allowing lawsuits against manufacturers, distributors or dealers of guns used in violent crimes. The largest group of respondents, 40.0%, were opposed to allowing such lawsuits as shown in the following graph.

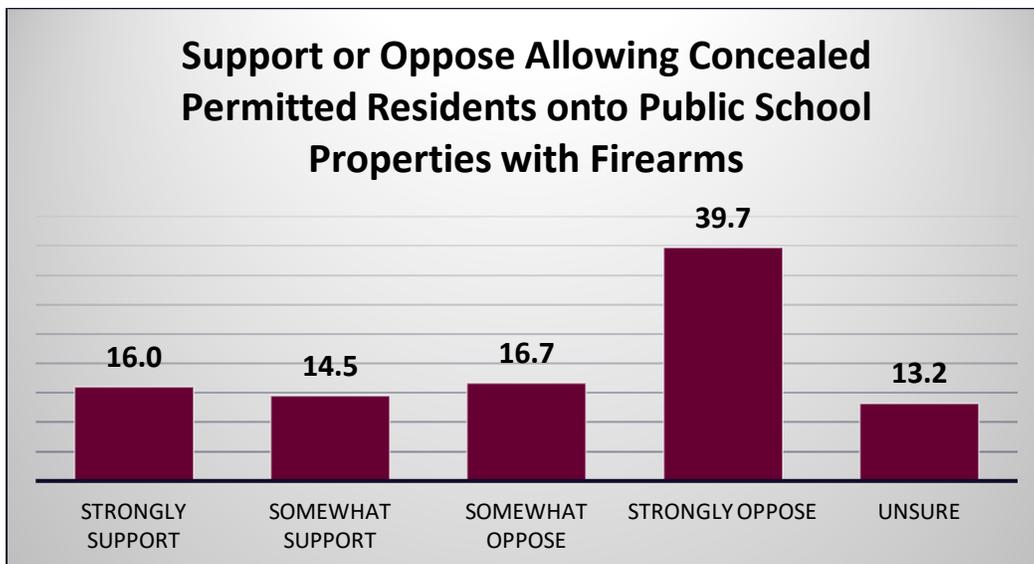


## GUN SAFETY POLICY

Currently, individuals with a concealed firearm permit may enter K-12 public school property with a firearm. Each respondent was asked how aware they were of this law. Over two-fifths, 42.8%, indicated they were very or somewhat aware as displayed here.



Approximately one-third, 30.5%, of all respondents strongly or somewhat support allowing those with a concealed firearm permit to enter K-12 public school properties with the firearms. Results are displayed in the following graph.



Regarding ownership of military-style assault weapons like an AR-15, respondents were asked which of two statements best reflected their own opinion of such ownership. The following table holds the statements and results.

<b>Statements on Ownership of Military-Style Assault Weapons</b>	<b>Percent</b>
I won't question a homeowner's ownership of an AR-15 for home protection	26.7
Owning an AR-15 for home protection is unnecessary – more than adequate	63.3
Unsure	10.0

The survey explored willingness to pay more in taxes for several conceptual program opportunities. Of the three areas measured, willingness to pay more in taxes for increased mental health counseling for public school students was strongest at 77.0%. Results are found in the following table.

<b>Programming</b>	<b>Very Willing</b>	<b>Somewhat Willing</b>	<b>Total Very &amp; Somewhat Willing</b>	<b>Somewhat Unwilling</b>	<b>Not at all Willing</b>	<b>Unsure</b>
Increased non-violence programs for ex-gang members	16.5	33.2	<b>49.7</b>	15.0	24.8	10.5
Increased statewide programming to reduce gun violence	28.8	33.8	<b>62.7</b>	11.5	17.7	8.2
Increased availability of mental health counseling for students in public schools	48.3	28.7	<b>77.0</b>	7.2	9.5	6.3

In a trade-off decision, respondents were asked which one of two directions they would select regarding a financial investment. The table that follows displays the two directions and results.

<b>Trade-off Decision on Two Options for Financial Investment</b>	<b>Percent</b>
Training and arming resource officers in our K-12 schools	31.8
Investing more funds for K-12 mental health counselors/emotional support counseling	53.8
Unsure	14.3

## HISTORY WITH FIREARMS

Nearly one in five Rhode Island residents surveyed (18.5%) suggested they, a household member or both they and a household member own a handgun.

As well, nearly the same percentage (17.5%) indicated they, a household member or both they and a household member own a rifle or shotgun.

Fewer residents reported owning military-style assault weapons in their household (7.8%).

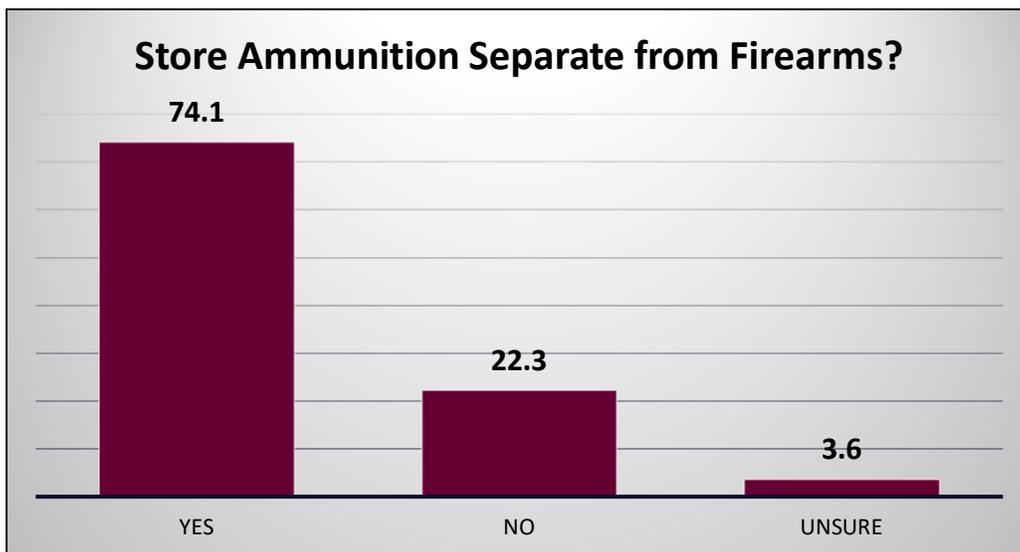
Results are displayed in the following table.

Ownership	Yes, Self	Yes, Household Member	Yes, Both Self and Household Member	No	Unsure
Handguns	10.5	6.3	1.7	77.7	3.8
Rifles or shotguns	8.0	6.7	2.8	77.7	4.8
Military-style assault weapons	4.0	2.7	1.2	88.5	3.7

Only owners of one or more types of arms (N=139) – handguns, rifles, shotguns or assault weapons – were asked how the weapons are stored. Respondents were asked if these weapons were loaded and locked up.

Ownership	All the Time	Most of the Time	Sometimes	Seldom	Never	Unsure
Weapons loaded?	18.7	9.4	8.6	11.5	47.5	4.3
Weapons locked up?	71.2	10.1	4.3	5.0	7.9	1.4

Three-quarters of all owners, 74.1%, indicated they do store ammunition separately from the firearms. Another 22.3% suggested they do not and 3.6% were unsure.



All respondents, regardless of firearm ownership, were asked if they have ever taken a firearm safety course such as those offered by the National Rifle Association or the Rhode Island Department of Environmental Management. Nearly one-third, 30.0%, reported they, a household owner or they and a household owner have, indeed, taken such a course. Results are reflected in the following table.

<b>On Firearm Safety Courses</b>	<b>Yes, Self</b>	<b>Yes, Household Member</b>	<b>Yes, Both Self and Household Member</b>	<b>No</b>	<b>Unsure</b>
Taken a Firearm Safety Course?	14.3	9.8	5.8	65.7	4.3

Membership in various firearm-related organizations was measured. The table that follows holds the organizations and the percentages reporting membership in each.

<b>Organizations</b>	<b>Yes, Self</b>	<b>Yes, Household Member</b>	<b>Yes, Both Self and Household Member</b>	<b>No</b>	<b>Unsure</b>
National Rifle Association	5.8	4.3	2.2	83.8	3.8
Rhode Island 2 <sup>nd</sup> Amendment Chapter	2.3	3.3	1.2	85.5	7.7
Federated Rhode Island Sportsmen Club	1.7	2.2	1.3	88.5	6.3
Rhode Island Revolver and Rifle Association	1.5	1.2	2.7	89.0	5.7
Rhode Island Coalition Against Gun Violence	2.5	1.5	1.0	88.8	6.2
Moms Demand Action for Gun Sense	2.8	1.7	1.8	89.3	4.3

## LEGISLATION AWARENESS

Several facts related to firearms and firearm legislation were offered to respondents within the survey instrument. Respondents were asked if they were aware or unaware of each. Results are presented in the following table in declining order by those aware.

<b>Firearms Laws / Legislation / Facts</b>	<b>Aware</b>	<b>Unaware</b>	<b>Unsure</b>
“Red Flag Laws” – allowing authorities to seize firearms owned by those deemed a danger to themselves or others	53.0	36.3	10.7
Guns kept in the home for self-protection are 22 times more likely to kill a family member or friend than to kill in self-defense	52.7	32.0	15.3
The law allowing the seizure of firearms from those convicted of misdemeanor felonies for domestic abuse	52.3	36.8	10.8
The presence of a gun in the home triples the risk of homicide in the home	49.5	34.0	16.5
The presence of a gun in the home increases the risk of suicide fivefold	49.0	35.0	16.0
The states of Connecticut, Massachusetts, and New York ban assault weapons	34.0	53.2	12.8
The states of Connecticut, Massachusetts, and New York limit firearm magazine capacity	29.0	55.8	15.2

## **DEMOGRAPHICS**

The following are demographics collected among survey respondents. Demographic information allows a view of survey results by various subgroups.

<b>County</b>	<b>Percent</b>
<b>Bristol County</b>	<b>5.7</b>
<b>Kent County</b>	<b>20.3</b>
<b>Newport County</b>	<b>7.0</b>
<b>Providence County</b>	<b>52.8</b>
<b>Washington County</b>	<b>11.8</b>
<b>Unsure</b>	<b>2.3</b>

<b>Education</b>	<b>Percent</b>
<b>Some high school</b>	<b>4.0</b>
<b>Graduated high school</b>	<b>18.7</b>
<b>Some college</b>	<b>25.8</b>
<b>A career-related credential, license or certificate</b>	<b>5.7</b>
<b>Graduated college</b>	<b>30.8</b>
<b>Post graduate work</b>	<b>13.8</b>
<b>Unsure</b>	<b>1.2</b>

<b>Age</b>	<b>Percent</b>
<b>Age 50 or under</b>	<b>59.3</b>
<b>Over age 50</b>	<b>40.2</b>
<b>Prefer not to answer</b>	<b>0.5</b>

<b>Total Family Income Before Taxes</b>	<b>Percent</b>
<b>Under \$30,000</b>	<b>19.2</b>
<b>\$30,000 to less than \$40,000</b>	<b>10.3</b>
<b>\$40,000 to less than \$50,000</b>	<b>7.8</b>
<b>\$50,000 to less than \$60,000</b>	<b>9.7</b>
<b>\$60,000 to less than \$70,000</b>	<b>8.0</b>
<b>\$70,000 to less than \$100,000</b>	<b>17.3</b>
<b>\$100,000 or more</b>	<b>19.2</b>
<b>Unsure</b>	<b>2.0</b>
<b>Prefer not to answer</b>	<b>6.5</b>

<b>Party Registration</b>	<b>Percent</b>
Republican	16.3
Democrat	31.7
Unaffiliated / Independent	40.0
Unsure	3.7
Prefer not to answer	8.3

<b>Race</b>	<b>Percent</b>
White	81.0
African American	3.5
Asian, Pacific Islander	1.8
Aleutian, Eskimo or American Indian	0.2
Other	1.5
Unsure	1.2

<b>Hispanic?</b>	<b>Percent</b>
Yes	10.8

<b>Gender</b>	<b>Percent</b>
Male	45.5
Female	53.3
Transgender man	0.3
Transgender woman	0.3
Non-binary	0.3
Identity not listed	---
Prefer not to answer	0.2

## INTERPRETATION OF AGGREGATE RESULTS

The computer processed data for this survey are presented in the following frequency distributions. It is important to note that the wordings of the variable labels and value labels in the computer-processed data are largely abbreviated descriptions of the Questionnaire items and available response categories.

The frequency distributions include the category or response for the question items. Responses deemed not appropriate for classification have been grouped together under the “Other” code.

Each frequency distribution includes the absolute observed occurrence of each response (i.e. the total number of cases in each category). Immediately adjacent to the right of the column of absolute frequencies is the column of relative frequencies. These are the percentages of cases falling in each category response, including those cases designated as missing data. To the right of the relative frequency column is the adjusted frequency distribution column that contains the relative frequencies based on the legitimate (i.e. non-missing) cases. That is, the total base for the adjusted frequency distribution excludes the missing data. For many Questionnaire items, the relative frequencies and the adjusted frequencies will be nearly the same. However, some items that elicit a sizable number of missing data will produce quite substantial percentage differences between the two columns of frequencies. The careful analyst will cautiously consider both distributions.

The last column of data within the frequency distribution is the cumulative frequency distribution (Cum Freq.). This column is simply an adjusted frequency distribution of the sum of all previous categories of response and the current category of response. Its primary usefulness is to gauge some ordered or ranked meaning.

# Gun Safety Reform: It's About Public Safety

While the gun lobby likes to say that these laws would only take away rights from “law-abiding citizens,” the fact is that increasing the accountability of gun owners to safely store their firearms, enforcing stricter rules to reduce straw purchases, and decreasing the number of highly-lethal firearms enhances the safety of all Rhode Islanders.

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## JUMP TO:

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# Gun Safety Reform is Constitutional

Thanks to Michael Kraemer, advisor to RICAGV since 2014, for authoring this important primer on the Second Amendment. Though now retired, Michael was a partner at White and Williams in Philadelphia from 1985-2002, a partner at Hinckley, Allen & Snyder in Providence from 2002-2013, then returned to White and Williams in Boston from 2013-2016.

[You can also read it on the RICAGV news blog.](#)



## What right does the Second Amendment Protect?

The U.S. Supreme Court ruled in [District of Columbia vs Heller, 554 US 570](#) (2008) that an individual has **the right to own and maintain a handgun at home** for personal protection.

The Court **did not establish any other right regarding gun ownership**, other than “the right...to use arms in defense of hearth and home.”



## Is this right unlimited?

**No.** Justice Antonin Scalia wrote in the majority opinion in Heller:

**“Like most rights, the right secured by the Second Amendment is not unlimited. [The right] was not a right to keep and carry any weapon whatsoever in any manner whatsoever and for whatever purpose.”**

He explained further that the right may be regulated and limited and gave various non-exclusive examples.

# Gun Safety Reform is Constitutional



Does the Second Amendment create a right to carry a weapon, openly or concealed, outside of one's home?

**No.** As the 1st Circuit Court of Appeals, the federal appellate court with jurisdiction in our state, wrote: "The core Second Amendment right is limited to self-defense in the home." *Gould vs Morgan*, 907 F3d 659 (1st Cir. 2018). Associate Justice Robert D. Krause of the Rhode Island Superior Court had occasion to write a lengthy and scholarly opinion in [State of Rhode Island vs Ortiz, Case No. P2/19-0672AG](#) (Dec. 2020) discussing this issue. While this case does not have wide precedential value as it is a lower court decision, the opinion provides a detailed review of the appellate cases and then rejects a defendant's claim to a constitutional right to carry a firearm outside of the home without a permit. **The opinion is worth reading and discusses the evidence that "states with more restrictive licensing schemes for the public carriage of firearms experience lower rates of gun related homicides and other violent crimes."** He deflates the "good guy with a gun" myth by noting that "using firearms for self-defense in crowded public areas risks fatalities and serious injury to innocent bystanders." He concludes that "firearms create or exacerbate accidents and deadly encounters."



Can states ban assault weapons?

**Yes.** The federal government and the states have long banned automatic weapons and in many cases, semi-automatic weapons such as the AR-15. **No court has concluded that an individual has the right to own an automatic or semi-automatic weapon.** While the U.S. Supreme Court has not had the occasion to rule on assault weapons bans, multiple federal courts of appeals have done so and all of them reached the same conclusion that such prohibitions are constitutional. For example, the Massachusetts ban on assault weapons and HCMs was upheld by the highest federal appeals court in our area in [Worman vs Healey, 922 F3d 26](#) (1st Cir. 2019). In a lengthy opinion surveying Supreme Court jurisprudence and decisions from other circuit courts, a three-judge panel found the Massachusetts law to be a reasonable limitation and not violative of the Second Amendment. The opinion was written by Rhode Islander Judge Bruce Selya. One of the three judges signing on to the opinion was David Souter, retired Associate Justice of the U.S. Supreme Court, sitting by designation.

# Gun Safety Reform is Constitutional



Is a ban on large capacity magazines (LCM) constitutional?

**Yes.** Four out of five federal appeals courts ruling on LCM bans have found such to be constitutional, including the 1st Circuit in the Worman case. The recent decision of the Vermont Supreme Court in [State of Vermont v Misch, A3d](#) (VT 2021) is particularly notable. In this case, the Vermont Supreme Court unanimously upheld a Vermont law banning LCMs as constitutional under the Vermont Constitution. **The Court noted with approval the state legislature’s reliance on studies that showed “extensive evidence that ‘the use of LCMs in mass shootings increases the number of victims shot and the fatality rate of struck victims.’”** The court cited evidence that “large capacity magazines are associated with many of the deadliest shootings in the United States” and that between 2009 and 2018, one study showed that shootings involving LCMs led to five times the number of people shot per mass shooting. The importance of this case is in the recitation of the evidence that LCMs increase the risks of death and serious injury and accordingly are not protected by Vermont law.



Does the right to bear arms provision in the RI Constitution protect the right for individuals to carry weapons outside of the home or to own assault weapons and large capacity magazines?

**No.** The Rhode Island Supreme Court issued its definitive ruling on weapons restrictions in [Mosby vs Devine, 851 A2d 1031](#) (RI 2004). In this case, the court determined that the right to bear arms under the Rhode Island Constitution was related to the maintenance of militias and was not an individual right of possession or ownership. **The court held that “the right to possess a handgun...is not absolute and is subject to reasonable regulation.”** In short, an individual’s right to bear arms under our constitution is not even as broad as the federal right set forth in the Heller decision.

# Guns in Rhode Island

## >> RI NICS Firearm Checks in 2020\*

**111% Increase**

51,369 in 2020 **vs.** 24,336 in 2019

*The second largest increase in the country*

## >> RI Gun Deaths in 2020\*\*

**87% Increase<sup>+</sup>**

28 killed\* in 2020 **vs.** 15 killed\* in 2019

*55 injured in 2020 vs. 44 injured in 2019*

**92% Increase**

RI NICS Firearm Checks

**January 2021 vs.** January 2020

*The ninth largest increase in the country*

**54% Increase**

RI NICS Firearm Checks

**February 2021 vs.** February 2020

*The ninth largest increase in the country*

## What is NICS?

The National Instant Criminal Background Check System is a background check system in the United States created by the Brady Handgun Violence Prevention Act of 1993 to prevent firearm sales to people prohibited under the Act. Rhode Island uses NICS for firearm background checks.

## How do NICS relate to gun sales?

Experts use NICS checks to estimate gun sales, due to prohibitions on collecting certain gun sales data. Background checks do not correspond one-to-one with sales, meaning not all checks equal a sale, but could also mean more than one firearm was purchased through one NICS check.

\* [https://www.ricagv.org/wp-content/uploads/2021/01/2020-NICS\\_Firearm\\_Checks\\_-\\_Month\\_Year\\_by\\_State.pdf](https://www.ricagv.org/wp-content/uploads/2021/01/2020-NICS_Firearm_Checks_-_Month_Year_by_State.pdf)

\*\* <https://www.ricagv.org/news/87-percent-increase-gun-deaths-2020-v-2019/>

+ Does not include suicides

# School Safety Act

SB 73 By Ruggerio, Coyne, Goodwin, Gallo, Pearson, Euer  
HB 5555 By Kazarian, Diaz, Ajello, Ranglin-Vassell, Fogarty,  
Caldwell, Blazejewski, McEntee, Craven, Cortvriend

- ✓ Attorney General
- ✓ Governor
- ✓ Secretary of State
- ✓ Treasurer

**“Citizens carrying firearms in schools increases risk, not safety. There have been dozens of examples of mishandling and accidental discharge of firearms in schools across our nation.”**  
- RI Senate President Ruggerio, Bill Sponsor

**83%** of Rhode Islanders are in favor of restricting guns on elementary and secondary school grounds.

## Local Tragedies and Mishaps Involving Law Enforcement and Concealed Carry Permit Holders

In 2008 James Pagano, a Cranston Fire Department lieutenant, was shot and killed by a former Providence Police Officer who held a valid CCP, after a fight at a birthday party.

2005 Detective James Allen, a 27-year veteran of the Providence Police Department, was shot and killed with his own gun at police headquarters while questioning a man about an assault.

In 2001 East Providence Police Captain Alister McGregor was shot and killed during a SWAT training exercise when a fellow officer, who had also served in the military, had used a rifle with live ammunition, which was a protocol failure.

In 2000 off-duty Providence Police Officer Cornel Young, Jr. was shot dead by fellow officers who did not recognize him.

In 2013 Robert Panciocco, a concealed carry permit holder and an NRA certified instructor, misplaced his .22-caliber semiautomatic pistol while at his job as a janitor at Rhode Island College; fortunately, an officer found the gun in a trash can on campus; his firing was upheld in RI Superior Court.

### FBI Active Shooter Studies 2000 to 2019

In 305 incidents, almost none involved an armed citizen engaging with the shooter:

- 43% apprehended by police
- 35% shooter committed suicide
- 21% killed by police
- **1% killed by armed citizens**

## Not All Concealed Carry Permit (CCP) Holders are “Law Abiding Citizens”

**1,760 Killed by CCP Holders**

**Including: 35 mass shootings • 62 murder-suicides • 24 police officers**

The Violence Policy Center has tracked these *media reports* from May 2007 to December 2020.

# Shooting Qualifications Cheat Sheet: RI Law Enforcement vs. CCP Holders

## RI Law Enforcement

[§ 11-47-15.1](#)

- Must qualify **in four shooting stages** with requirements that include:
  - Various positions:
    - Crouch
    - Prone (on the stomach)
    - Kneeling
    - Right and left facing positions
  - Various distances from target:
    - 7, 12, 21, and 25 yards
  - Very short time frames:
    - From 25 to 75 seconds
- Retested annually to reaffirm their proficiency
- Additional situational training, not required for shooting qualification, but required for the job, such as:
  - Decision shooting (“shoot/don’t shoot”)
  - Reduced light shooting
  - Moving targets
  - Use of cover
  - Non-dominant hand shooting
  - Alternate position shooting
  - Reloading drills
  - Malfunction drills

## RI Concealed Carry Permit

[\\* § 11-47-11](#)

- Qualifications are much simpler:
  - One position (standing)
  - One distance (25 yards)
  - Firing “slow” fire:
    - 10 minutes for each of the 3 ten shot strings
- Are not retested every year
  - CCPs are good for 4 years
- No situational training

### RI public safety officials testified in 2019 in favor of banning CCP in K-12 schools

[Watch the video here.](#)

**Interjecting guns in a school  
“would be a recipe for a disaster.”**

Col. James Manni, Superintendent, RI State Police

**“The shooter in the synagogue in Pittsburgh, where eleven people were murdered, was a concealed carry permit holder.”**

Adi Goldstein, Deputy Attorney General, RI

**“Keeping guns out of schools makes it safer for everyone in those schools.”**

Steven Pare, Providence Comm. of Public Safety

**“Even police officers, whose job requirements include being a well-trained, accurate shooter, regularly miss and at times misfortunately shoot and injure the wrong person.”**

Col. James Mendonca, Chief of Campus Police, RIC

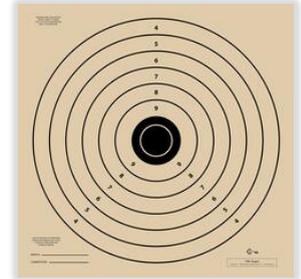
RI Police Chiefs Association

Former Central Falls Police Chief

# RI State Law on Shooting Qualifications for CCP and Law Enforcement

## § 11-47-15 Proof of ability required for license or permit.

No person shall be issued a license or permit to carry a pistol or revolver concealed upon his or her person until he or she has presented certification as prescribed in § 11-47-16 that he or she has qualified with a pistol or revolver of a caliber equal to or larger than the one he or she intends to carry, that qualification to consist of Firing a score of 195 or better out of a possible score of 300 with thirty (30) consecutive rounds at a distance of twenty-five (25) yards on the army "L" target, firing "slow" fire. The "slow" fire course shall allow ten (10) minutes for the firing of each of three (3) ten (10) shot strings.



## § 11-47-15.1 Qualifications required of law enforcement officers appointed after June 6, 1970.

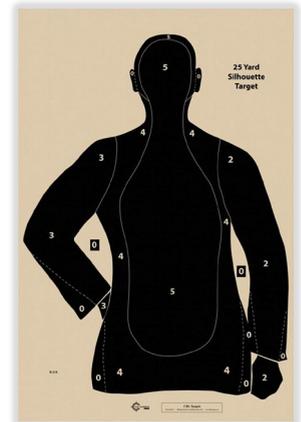
Except as provided in § 11-47-15.3, all law enforcement officers of this state and its political subdivisions whose permanent appointment shall take place later than June 6, 1970, shall qualify on the official national rifle association B-21 police combat target firing a score of 165 or better out of a possible score of 250 with fifty (50) rounds in the distance, time period, and position required in the course.

Stage A. – 7 yards 10 shots crouch position, time 25 seconds.

Stage B. – 12 yards 5 shots point shoulder left hand 5 shots point shoulder right hand, both unsupported and 5 shots kneeling, time 75 seconds.

Stage C. – 21 yards 5 shots point shoulder left hand supported, 5 shots point shoulder right hand supported, time 45 seconds.

Stage D. – 25 yards 5 shots prone, 5 shots left hand barricade, 5 shots right hand barricade, time one minute 45 seconds.



## § 11-47-15.2 Definitions of law enforcement firing positions.

(a) Crouch Position – Exerted effort to reduce the size of the body, weapon may be fired with one or two hands, the shooter may not drop to his or her knee(s).

(b) Point Shoulder – A semi-crouch position with weapon held at shoulder level.

(c) Kneeling – Kneeling on one knee, the other extended towards the target. One arm may be supported on the forward knee. The weapon may be fired with either hand and may be supported by the free hand.

(d) Barricade – Standing on both feet drawing the weapon and using the free hand to support it, with the use of the barricade.

(e) Prone – Body extended on the ground, head towards the target. The weapon may be supported by both hands which are extended towards the target. The shooter shall assume this position by dropping to his or her knees. Weapon shall be drawn while in kneeling position, free hand shall be extended forward to support shooter as he continues into the prone position.

# Additional Standards and Training for Law Enforcement in RI

## § 11-47-15.3 Commission on law enforcement standards and training.

(A) In lieu of the provisions of §§ 11-47-15.1, 11-47-15.2 and 11-47-17; each law enforcement department of this state and its political subdivisions may, on an annual basis, submit to the commission on law enforcement standards and training, herein after referred to as the commission, a proposal for the training and qualification of their officers on all firearms which they are authorized to carry or use in the performance of their official duties.

(B) Each such proposal shall include training and qualification in the following areas:

- (1) Decision shooting
- (2) Reduced light shooting
- (3) Moving targets
- (4) Use of cover
- (5) Nondominant hand shooting
- (6) Alternate position shooting
- (7) Reloading drills
- (8) Malfunction drills

(B) A minimum number of one hundred (100) rounds shall be fired by each officer during the training and qualification.

(C) Qualification shall be no less than twenty percent (20%) nor more than fifty percent (50%) of the total rounds fired.

A minimum qualifying score shall be sixty-six percent (66%) of the rounds fired during the qualification phase.

### **New York City Police Injure Nine Bystanders in Shoot Out at Empire State Building in 2012**

“Three passersby sustained direct gunshot wounds, while the remaining six were hit by fragments, according to New York Police Commissioner Ray Kelly. **All injuries were caused by police**, he said Saturday. “One officer shot nine rounds and another shot seven.”

<https://www.cnn.com/2012/08/25/justice/new-york-empire-state-shooting>

# 2021 State Laws on Concealed Carry in Schools

- The following **43 states do not generally allow** the concealed carry of firearms in K-12 schools. These laws are subject to varying exceptions and some of these states allow school districts to grant restrictions under certain circumstances.

Alaska (Alaska Stat. § 11.61.210.)<sup>i</sup>  
Arkansas (Ark. Code § 5-73-306)  
California (Cal. Penal Code § 626.9)  
Colorado (Colo. Rev. Stat. § 18-12-214)  
Connecticut (Conn. Gen. Stat. § 53a-217b)  
Delaware (Del. Code tit. 11, § 1457)  
Florida (Fla. Stat. § 790.06(12))  
Georgia (Ga. Code § 16-11-127.1)  
Hawaii (HI Rev. Stat. § 46-1.5(13))  
Idaho (Idaho Code §§ 18-3302C, D)  
Illinois (720 Ill. Comp. Stat. 5/24-1)  
Indiana (Ind. Code § 35-47-9-2)  
Iowa (Iowa Code § 724.4B)  
Kansas (Kan. Stat. § 75-7c20(a)-(c), (m)(1))  
Kentucky (Ky. Rev. Stat. § 237.110)  
Louisiana (La. Rev. Stat. §§ 40:1379.3(N)(11))  
Maine (Me. Rev. Stat. tit. 20-A, § 6552)  
Maryland (Md. Criminal Law Code § 4-102)  
Massachusetts (Mass. Gen. Laws ch. 269, § 10)  
Michigan (Mich. Comp. Laws § 28.425o)  
Minnesota (Minn. Stat. § 609.66)  
Mississippi (Miss. Code §§ 45-9-101(13))  
Missouri (Mo. Rev. Stat. § 571.107.1)  
Montana (Mont. Code § 45-8-361)  
Nebraska (Neb. Rev. Stat. § 69-2441)  
Nevada (Nev. Rev. Stat. § 202.265, 202.3673)  
New Jersey (N.J. Stat. § 2C:39-5e)  
New Mexico (N.M. Stat. § 29-19-8)  
New York (N.Y. Pen. Law § 265.01-a)  
North Carolina (N.C. Gen. Stat. § 14-269.2)  
North Dakota (N.D. Cent. Code § 62.1-02-05)  
Ohio (Ohio Rev. Code § 2923.122)  
Oklahoma (Okla. Stat. tit. 21, § 1277)  
Pennsylvania (18 Pa. Cons. Stat. § 912)  
South Carolina (S.C. Code § 16-23-420)  
South Dakota (S.D. Codified Laws § 13-32-7)  
Tennessee (Tenn. Code § 39-17-1309)  
Texas (Tex. Penal Code § 46.03)  
Vermont (Vt. Stat. tit. 13, § 4004)  
Virginia (Va. Code § 18.2-308.1)  
Washington (Wash. Rev. Code § 9A.1.280)  
West Virginia (W. Va. Code § 61-7-11a)  
Wisconsin (Wis. Stat. § 948.605)

- The following **5 states generally allow** the concealed carry of firearms in K-12 schools.

Oregon (Or. Rev. Stat. §§ 166.360(9); 166.370(3)(d))  
Utah (Utah Code § 76-10-505.5)  
Rhode Island (R.I. Gen. Laws § 11-47-60)<sup>ii</sup>  
New Hampshire<sup>iii</sup>  
Kansas<sup>iv</sup>

- Hawaii has no relevant law** prohibiting concealed carry permit (CCP) holders on school grounds.<sup>v</sup>
- Wyoming allows CCP** holders who are school employees to carry firearms on school grounds.<sup>vi</sup>
- Arizona prohibits concealed carry** in public schools; private schools may prohibit.<sup>vii</sup>

i. Alaska requires permission from a school authority in order to concealed carry in K-12 schools, knowingly possess or carry a firearm (Ala. Code § 13A-11-16.2-b).

ii. Though RI state law allows carry in schools by anyone with a CCW permit, over the years, many schools have adopted policies that ban firearm possession on campus by anyone other than law enforcement. A 2018 directive from the Board of Education extended these restrictions to all schools in order to create a more consistent state policy regarding firearms. Commissioner Ken Wagner, "[Firearms in Schools](#)," August 29, 2018.

iii. NH has no relevant statute and does not grant authority to local municipalities the power to enact ordinances prohibiting concealed carry in schools.

iv. Kansas grants authority to school districts to disallow concealed carry provided they have "adequate security measures" Kan. Stat. § 75-7c20(a)-(c), (m)(1)

v. Hawaii has no relevant statute, but HI Rev. Stat. § 46-1.5(13) grants local municipalities the power to enact ordinances prohibiting concealed carry in schools.

vi. Wyoming gives school districts discretion to allow concealed carry by school employees only Wyo. Stat. § 21-3-132.

vii. Arizona prohibits concealed carry in public schools but allows private schools to set their own policies: Ariz. Rev. Stat. § 13-3102(A)(12), (C)(4), (H), (M)(4); Ariz. Rev. Stat. § 15-341(A)(23); see also Op. Att'y Gen. Ariz. No. I16-009 (R15-024) (Sept. 2, 2016), 2016 Ariz. AG LEXIS.

# Limiting Magazine Capacity

SB 414 By Goldin, Miller, Seveney, Cano, Calkin, DiPalma, DiMario, Coyne, Quezada, Mendes

HB 5554 By Caldwell, Knight, Blazejewski, Kazarian, Craven, McNamara, Felix, Ajello, McEntee, Williams

- ✓ Attorney General
- ✓ Governor
- ✓ Secretary of State
- ✓ Treasurer

**Large capacity magazines produce shockingly high casualties, provide little or no chance to flee or fight back, and are often used in murders of police.**

**71.5%** of Rhode Islanders are **in favor** of a 10 round magazine limit.  
*85.1% Democrat ~ 68.6% Independent ~ 60.2% Republican*

**"Nine terrified children ran ... when the gunman paused to reload [his detachable thirty-round magazine] ... In all, the gunman fired at least 155 rounds of ammunition within five minutes, shooting each of his victims multiple times."**

*From the opening paragraph of the [Kolbe v. Hogan 4<sup>th</sup> Circuit](#) court decision upholding the Maryland assault weapon and large capacity magazine ban in 2017.*

## Mass Shootings with LCMs Resulted in 62% Higher Death Toll

["The Effect of Large Capacity Magazine Bans on High-Fatality Mass Shootings, 1990-2017"](#) published in the American Journal of Public Health in 2019.

- LCMs provide a **distinct advantage** to active shooters intent on murdering numerous people: they increase the number of rounds ... before having to pause to reload or switch weapons.
- States that limit LCMs experienced a lower rate of incidents and lower fatality counts

## Criminal Use has Increased from 33% to 112% Since the Federal Ban Expired

["Criminal Use of Assault Weapons and High-Capacity Semiautomatic Firearms,"](#) published in the Journal of Urban Health in 2017.

- Consistent with prior research, this study also finds that AWs and LCM firearms are more heavily represented among guns used in **murders of police and mass murders**.
- This study ... provides further evidence that the **federal ban curbed the spread** of high-capacity semiautomatic weapons when it was in place.

### States with LCM Restrictions

- Connecticut
- Massachusetts
- Vermont
- New York
- New Jersey
- Maryland
- California
- Colorado
- Hawaii
- District of Columbia

### Federal Courts Upholding LCM Bans

- 2019 – 1<sup>st</sup> Circuit Massachusetts
- 2018 – 1<sup>st</sup> Circuit Massachusetts
- 2017 – 4<sup>th</sup> Circuit Maryland
- 2015 – 2<sup>nd</sup> Circuit New York
- 2015 – 7<sup>th</sup> Circuit Illinois
- 2011 – DC Circuit District of Columbia

# Limiting Magazine Capacity

SB 414 By Goldin, Miller, Seveney, Cano, Calkin, DiPalma, DiMario, Coyne, Quezada, Mendes

HB 5554 By Caldwell, Knight, Blazejewski, Kazarian, Craven, McNamara, Felix, Ajello, McEntee, Williams

- ✓ Attorney General
- ✓ Governor
- ✓ Secretary of State
- ✓ Treasurer

## Courts Routinely Deny Second Amendment Protections for LCMs Because ...

>> They pose a great danger to public safety.

15 of the 20 deadliest mass shootings in the last decade are reported as including large capacity magazines, making them the [weapon of choice for mass killers](#). Almost all incidents occurred in minutes, with shooters firing dozens, and sometimes hundreds of bullets, producing extraordinarily high casualties: 15 attacks ~ 283 killed ~ 665 injured.

**"Firearm injury casts a long shadow over the lives of those who survive."**

A new study from Harvard Medical School and Brigham and Women's Hospital, released in January 2021, finds [alarming high rates of chronic pain, post-traumatic stress disorder and other poor physical and mental outcomes](#) - higher than among those who had sustained similar injuries in motor vehicle crashes.

>> The claim of needing more than 10 rounds for self-defense sorely lacks evidence.

In addition to other sources, the [Kolbe v. Hogan decision](#) notes: "Studies of "armed citizen" stories collected by the National Rifle Association, covering 1997-2001 and 2011-2013, found that the average number of shots fired in self-defense was 2.2 and 2.1, respectively."

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*After losing in Kolbe v. Hogan, the plaintiff's petition for certiorari was denied by the U.S. Supreme Court in November 2017 (denying a review of the case, allowing the ban to stand)*

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### An NRA-Favorite Debunks Himself on the Witness Stand in Colorado

In 2014 criminologist Gary Kleck, the plaintiff's expert, was compelled [to debunk his own research and testimony](#) many times during cross examination by the state during the Rocky Mountain Gun Owners v. Hickenlooper case. **Highlights include:**

State: "Are you able to **identify a single incident** in which a civilian crime victim fired more than ten rounds in self-defense?"  
Kleck: "No."

State: "Defensive gun uses almost **never involve gunfights or shootouts** with both parties shooting at each other?"  
Kleck: "Correct."

State: "About 75 percent of defensive gun uses **do not involve shots being fired at all?**"  
Kleck: "That's correct."

State: "You are not aware of any empirical studies that attempt to track the number of rounds fired by individuals defending themselves, are you?"  
Kleck: "I'm not aware of any such studies."

# Regulating Assault Weapons

SB 415 By Miller, Coyne, Cano, Bell, Quezada, Goodwin, DiPalma, Acosta, Mendes, Goldin

HB 5556 By Caldwell, Knight, Blazejewski, Kazarian, Craven, McNamara, Batista, Williams, Amore, Giraldo

- ✓ Attorney General
- ✓ Governor
- ✓ Secretary of State
- ✓ Treasurer

The massive fire power of military-style assault weapons provide little or no chance to flee or fight back, cause catastrophic wounds and produce shockingly high casualty counts.

**70.5%** of Rhode Islanders are **in favor** of banning assault weapons  
*86.3% Democrat ~ 73.1% Independent ~ 51.1% Republican*

## Assault Weapons Inflict Battle-Field Injuries

The AR-15 was developed for the military and was field tested in Vietnam in 1962; reports indicated that ["the very high-velocity AR-15 projectiles"](#) had caused:

- Amputation of limbs
- Massive body wounds
- Decapitations

Today's AR-15 and similar military-style rifles retain the same military features and capabilities, except that they do not have fully automatic firing.

## AR-15 vs. 9mm Handgun

**"One looks like a grenade went off in there, the other looks like a bad knife cut."**

- Dr. Peter Rhee, Section Chief, Trauma and Critical Care, Westchester Medical Center, from ["What an AR-15 can do to the Human Body."](#)

**"The AR-15 allows shooting on target literally as rapidly as the trigger can be pulled, while providing ample bullet speed to inflict lethal wounds."**

- Dr. Ernest E. Moore, editor of the Journal of Trauma, in ["The Parkland Shooters AR-15 was Designed to Kill as Efficiently as Possible."](#)

**"Once they [bullets from an assault weapon] enter the body, they fragment and explode, pulverizing bones, tearing blood vessels and liquefying organs."**

- Dr. Leana S. Wen, emergency physician and Visiting Professor at George Washington Univ. School of Public Health, in ["What Bullets Do to Bodies."](#)

## An Assault Weapon for Home Protection?

In [upholding the Mass. assault weapon ban](#) in 2019, the 1<sup>st</sup> Circuit Court of Appeals said there was no evidence:

**"In fact, when asked directly, not one of the plaintiffs or their six experts could identify even a single example of the use of an assault weapon for home self-defense."**

**63% of Rhode Islanders** said owning an assault weapon for the home **is unnecessary.**

## States with an Assault Weapon Ban

- Connecticut
- Massachusetts
- New York
- New Jersey
- Maryland
- California
- Hawaii
- District of Columbia

# Permit Reform

SB 129 By Coyne, Seveney, DiMario, DiPalma, Euer  
House bill to be submitted

## **Streamlining the concealed carry permit process to create a more efficient system, an important part of reducing gun crimes.**

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Currently under Rhode Island law any city or town may issue a concealed carry permit for a pistol or revolver to residents, which is valid throughout the state, and the Rhode Island State Police or the chief of police of the city or town in which a person resides may issue a permit to a person under the age of 18 providing they receive a course of training.

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### **Under this bill:**

- Concealed carry permits will only be issued by the office of the Attorney General
- The process will be standardized, helping to reduce gun crimes by:
  - Helping law enforcement confirm that a gun owner remains eligible to possess firearms
  - Facilitating the removal of firearms from people who have become ineligible
- The Attorney General's Office will limit the issuing of permits to those 21 years of age and older
- All concealed carry permit holders must undergo a national criminal records check including fingerprints submitted to the FBI

SB 416 By Miller, Coyne, Cano, Bell, Quezada, Goodwin, DiPalma, Acosta, Mendes, Goldin

HB 5386 By Knight, Caldwell, Craven, McEntee, Speakman, Blazejewski, Carson, Amore, Kazarian, Williams

## Cracking down on gun trafficking to close a gaping loophole and provide the Attorney General's Office the tools they need for more effective prosecution.

### Two Big 2020 Cases Demonstrate the Need for this Legislation

#### February Sentencing for Rhode Island Straw Buyer and Gun Trafficking Operation

[Two Providence men were sentenced](#) to a combined 16 years in prison for their roles in a straw buyer and gun trafficking scheme. The men were arrested in August 2020 and the case also involves two co-conspirators who planned to purchase firearms from a gun store in Warwick.

#### Five Charged in Straw Buyer and Gun Trafficking Scheme in Rhode Island

An August 2020 stolen gun report has led to [the arrest of five Rhode Island men](#) in a straw buyer/gun trafficking operation. Police allege one of the men visited gun shops in Providence, Woonsocket, Warwick, Cranston and North Kingstown where he spent more than \$40,000 on guns and ammunition that he intended to sell to purchasers who are prohibited from possessing firearms.

**In 2020 Rhode Island was second in the country for FBI NICS firearm checks, which coincided with a similarly dramatic increase in gun deaths (not from suicide) throughout the state.**

**Comparing 2020 to 2019:**

**[111% increase in NICS checks in RI](#)  
[87% increase in gun deaths in RI](#)**

#### Let's Help RI Law Enforcement Effectively Prosecute These Dangerous Crimes

"Straw purchases ... [have only one purpose](#) – to avoid the federal and state background checks designed to keep firearms out of the hands of criminals precluded by law from buying them themselves."

Peter Neronha, RI Attorney General

"We stand shoulder to shoulder with the Office of the Attorney General in a coordinated effort to [bring an end to the distribution and flow of guns](#) within the streets of Providence."

Steven Pare, Providence Commissioner of Public Safety

On gun violence in Providence since COVID-19, [Col. Clements talks about two large tranches of guns](#) — one from a man who stands accused of falsely reporting stolen guns he actually sold illegally, and another from a burglary — made their way onto the streets in 2020 ...[and that] officers had been recovering those weapons one by one.

Col. Hugh Clements, Providence Police Chief

# Safe Storage

SB 406 By Seveney, Coyne, DiMario, Kallman, Acosta, Anderson, Bell  
HB 5553 By Caldwell, Knight, Blazejewski, Kazarian, Craven,  
McNamara, Batista, Felix, Ajello, McEntee

- ✓ Attorney General
- ✓ Governor
- ✓ Secretary of State
- ✓ Treasurer

**Reducing the risk of access by children, and adults in the heat of the moment, such as in domestic violence and suicide.**

**74.8%** of Rhode Islanders are **in favor** of holding gun owners liable when their guns are used in crimes.

## Risks and Benefits of a Gun in the Home

Published in the American Journal of Lifestyle Medicine, 2011.

Harvard Prof. David Hemenway summarizes the scientific literature on [the health risks and benefits](#) of having a gun in the home:

- **The evidence is overwhelming** that a gun in the home is a risk factor for completed suicide and that gun accidents are most likely to occur in homes with guns.
- There is compelling evidence that a gun in the home is a **risk factor for intimidation and for killing women** in their homes, and it appears that a gun in the home may **more likely be used to threaten intimates** than to protect against intruders.
- On the potential benefit side, **there is no good evidence** of a deterrent effect of firearms or that a gun in the home reduces the likelihood or severity of injury during an altercation or break-in.

## American Academy of Pediatrics

["The safest home for children and teens is one without guns."](#)

Gun violence is a public health epidemic that is injuring and killing children at alarming rates. Any death from gun violence is one too many if it's in your family or your community. We must implement common-sense solutions that have been proven to reduce these injuries and deaths.

## Studies Reveal Increased Risk of Homicide and Suicide with Guns in the Home

[Firearms and accidental deaths: Evidence from the aftermath of the Sandy Hook school shooting](#)  
*Published in Science, 2017*

"The spike in gun exposure that followed the Sandy Hook school shooting increased the incidence of accidental firearm deaths, **particularly among children.**"

[The Accessibility of Firearms and Risk for Suicide and Homicide Victimization Among Household Members](#)

*January 2014*

"Specific characteristics about storage and types of firearms seem to increase suicide risk.

**Firearms that are stored loaded or unlocked** are more likely to be used than those that are unloaded or locked, and **adolescent suicide victims often use an unlocked firearm** in the home."

[The Relationship Between Gun Ownership and Firearm Homicide Rates](#)

*November 2013*

"We observed a robust correlation between **higher levels of gun ownership and higher firearm homicide rates.**"

# 2021 Bill Summary - House

Bill#	Sponsor	This Bill Would ...	Position	Executive Endorsement	Comp. Bill
<a href="#">HB5554</a>	Caldwell	Make it a felony for an individual to possess any semi-automatic firearm magazine which is capable of holding more than 10 rounds of ammunition.	Support	AG, Gov, SOS, Treasurer	SB414
<a href="#">HB5556</a>	Caldwell	Ban the possession, sale, and transfer of assault weapons (AW). Possession of AW owned on the effective date of this act would be "grandfathered" subject to certain registration provisions.	Support	AG, Gov, SOS, Treasurer	SB415
<a href="#">HB5555</a>	Kazarian	Prohibit firearms on school grounds except for peace officers, retired law enforcement, persons under contract to provide school security services, and unloaded firearms in locked containers or a locked rack on motor vehicles.	Support	AG, Gov, SOS, Treasurer	SB73
<a href="#">HB5553</a>	Caldwell	New offense would make it a felony for the owner of any firearm to store the firearm unlocked. Failure to store the firearm locked would subject the owner to a fine of not more than \$3,000. If the owner of a firearm leaves it loaded and a child gains access and causes injury, then the owner can be subject to a penalty of up to 5 yrs imprisonment and/or a fine of not more than \$5,000.	Support	AG, Gov, SOS, Treasurer	SB406
<a href="#">HB5386</a>	Knight	Prohibit purchasing, transferring, or obtaining a firearm on behalf of another person if that person is prohibited from possessing a firearm and increase the penalties for purchase of firearms by use of false info. Would also amend applications for the purchase of pistols, revolvers, shotguns, and rifles to include total number of pistols, revolvers, shotguns, and rifles to be purchased.	Support	AG	SB416
<a href="#">HB5969</a>	Felix	Define rifle and shotgun as weapons and make it unlawful to possess a loaded rifle or shotgun in public subject to various exceptions inclusive of hunting activity punishable upon conviction by imprisonment up to 5 years or a fine up to \$5,000.	Support	AG	SB417
<a href="#">HB6082</a>	McEntee	Define "electric arm" as a handheld device that transmits an electric charge from the device to a person, including a stun gun or a taser, subject to the various protections of firearms and remove stun gun from the list of prohibited weapons.	Support	AG	SB419
<a href="#">HB5726</a>	Diaz	Define rifle and shotgun as weapons and make it unlawful to possess a loaded rifle or shotgun in public subject to various exceptions inclusive of hunting activity punishable upon conviction by imprisonment up to five (5) years or a fine up to five thousand dollars (\$5,000).	Support		
<a href="#">HB5970</a>	Tanzi	Increase the age from 18 to 21 yrs for lawful sale of firearms or ammunition. Full-time law enforcement, state marshals and members of the U.S. military would be exempt from these prohibitions.	Support		
<a href="#">HB5942</a>	Ranglin-Vassell	Prohibit schools from offering employment incentives or bonuses to teachers on the condition that the teacher either is or becomes licensed to carry a weapon	Support		

# 2021 Bill Summary - House

Bill#	Sponsor	This Bill Would ...	Position	Executive Endorsement	Comp. Bill
HB5971	Noret	Create an appeal process, in which an applicant for a concealed firearms permit or firearms transfer, would appeal denial of permits with the right to a hearing in the superior court and would require all records of the appeal process be deemed non-public records.	Oppose		None
HB5972	Chippendale	Permit RI residents, 21+, to carry a concealed handgun, without a permit, subject to meeting three (3) conditions: (1) The handgun carrier must possess a certificate of qualification of shooting proficiency; (2) A safety certificate recognized by the RIDEM; (3) They must have in their possession a governmental issued photo id.	Oppose		SB507
HB5973	Filippi	Permit the open and concealed carry of weapons by any person in the act of evacuating pursuant to an order of the governor or local authority under chapter 15 of title 30.	Oppose		None
HB5395	O'Brien	Mandate arming campus police at public higher educational institutions and would include campus police in the definition of "law enforcement officer" for the purposes of the "Law Enforcement Officers' Bill of Rights."	Oppose		None
HB5557	Lima	This act would provide that any person under 18 who is issued a license may carry a stun gun; add "tasers" to the definition of "firearm" and would provide for an appeal process for denial of an application for a permit.	Oppose		SB176
HB5558	O'Brien	Allow those persons with concealed carry permits issued by other states to carry upon their person weapons in Rhode Island provided that the issuing state recognizes and gives reciprocity to RI permit holders.	Oppose		None
HB5639	Solomon	Allow AG to enter in agreements with other states to recognize a concealed handgun permit as valid; authorize RI to recognize and honor a concealed weapon permit from out of state provided the license holder is 21+, the reciprocal state/county provides a means of 24 hr instant verification, the permit holder has in their immediate possession the valid out of state permit along with a state issued photo id and the individual is subject to the same laws/restrictions with respect to carrying a weapon as a resident of RI.	Oppose		SB509
HB5727	Casey	Require the AG to issue a report containing the total cases charged with a firearm in all RI courts and a list of cases charged with a firearm which have been disposed during the calendar year. Said report would include the make, model number and caliber of the firearm involved in said charges, and would also include if the firearm was stolen, altered, or obliterated serial numbers, and indicate if firearm was 3D printed or ghost gun.	Oppose		SB119
HB5730	Cardillo	Authorize the AG to enter into a reciprocal agreement with MA and/or CT to honor each other's issued concealed handgun permits. This act would also exempt active law enforcement officers from other states from the prohibition to carry concealed handguns w/out a permit.	Oppose		None
HB5883	Place	Allow AG to enter in agreements with other states to recognize a concealed handgun permit as valid; authorize RI to recognize and honor a concealed weapon permit from out of state provided the license holder is 21+, the reciprocal state/county provides a means of 24 hr instant verification, the permit holder has in their immediate possession the valid out of state permit along with a state issued photo id and the individual is subject to the same laws/restrictions with respect to carrying a weapon as a resident of RI.	Oppose		None

# 2021 Bill Summary - Senate

Bill#	Sponsor	This Bill Would ...	Position	Executive Endorsement	Comp. Bill
<a href="#">SB414</a>	Goldin	Make it a felony to possess any semi-automatic firearm magazine which is capable of holding more than 10 rounds of ammo. Violation is punishable by up to 5 yrs imprisonment or a fine of up to \$5,000. There are limited exceptions for firearms dealers, law enforcement, military.	Support	AG, Gov, SOS, Treasurer	HB5554
<a href="#">SB415</a>	Miller	Ban the possession, sale, and transfer of assault weapons (AW). Possession of AW owned on the effective date of this act would be "grandfathered" subject to certain registration provisions. Violations are punishable by a fine of up to \$10,000 or up to 10 yrs imprisonment.	Support	AG, Gov, SOS, Treasurer	HB5556
<a href="#">SB73</a>	Ruggerio	Prohibit the possession of firearms on school grounds except for peace officers, retired law enforcement officers, persons under contract to provide school security services, and unloaded firearms in locked containers or a locked rack in a motor vehicle.	Support	AG, Gov, SOS, Treasurer	HB5555
<a href="#">SB419</a>	Goodwin	Define "electric arm" as a handheld device that transmits an electric charge from the device to a person, incl. a stun gun or a taser, subject to the various protections of firearms and remove stun gun from the list of prohibited weapons.	Support	AG	HB6082
<a href="#">SB416</a>	Miller	Prohibit purchasing, transferring, or obtaining a firearm on behalf of another person if that person is prohibited from possessing a firearm and increase the penalties for purchase of firearms by use of false info; amend applications for the purchase of pistols, revolvers, shotguns, and rifles to include the total number of pistols, revolvers, shotguns, and rifles to be purchased.	Support	AG	HB5386
<a href="#">SB417</a>	McCaffrey	Creates new offense and makes it a felony for the owner of any firearm to store the firearm unlocked. Failure to store the firearm locked would subject the owner to a fine of not more than \$3,000. If the owner of a firearm leaves it loaded and a child gains access and causes injury then the owner can be subject to a penalty of up to 5 yrs imprisonment and/or a fine of not more than \$5,000.	Support	AG	HB5969
<a href="#">SB406</a>	Seveney	New offense and would make it a felony for the owner of any firearm to store the firearm unlocked. Failure to store the firearm locked would subject the owner to a fine of not more than \$3,000. If the owner of a firearm leaves it loaded and a child gains access and causes injury then the owner can be subject to a penalty of up to five (5) years imprisonment and/or a fine of not more than \$5,000.	Support	AG	HB5553
<a href="#">SB129</a>	Coyne	Repeal the authority to local authorities to issue permits to carry concealed weapons and gives only the attorney general the authority to issue permits, repeals provisions allowing minors, under certain conditions to carry firearms, requires a national criminal background check on every applicant for a concealed carry permit, requires local law enforcement to cooperate in the permitting process and repeals provisions allowing permits to be issued to law enforcement officers who have retired in good standing after at least 20 years of service.	Support		

# 2021 Bill Summary - Senate

Bill#	Sponsor	This Bill Would ...	Position	Executive Endorsement	Comp. Bill
SB119	de la Cruz	Require the AG to issue a report containing the total cases charged with a firearm in all RI courts and a list of cases charged with a firearm which have been disposed during the calendar year; would include the make, model number and caliber of the firearm involved, and if the firearm was stolen, altered, or obliterated serial numbers, and indicate if the firearm was a 3D printed firearm or ghost firearm.	Oppose		None
SB191	de la Cruz	Provide for a cause of action against an individual or entity that prohibits the possession of firearms on real property, except residences, by an individual that is authorized and licensed to carry a firearm. The cause of action would allow the injured individual to recover for injury to his or her person, death, physical, emotional and/or mental distress, economic loss or expense, property damage or any other compensable loss as a result of conduct occurring on the real property that prohibits the possession of firearms.	Oppose		None
SB507	Rogers	Permit RI residents, 21+, to carry a concealed handgun, without a permit, subject to meeting three (3) conditions: (1) the handgun carrier must possess a certificate of qualification of shooting proficiency; (2) a safety certificate recognized by the RIDEM; (3) must have in their possession a governmental issued photo identification.	Oppose		HB5972
SB508	Rogers	Allow an individual to lawfully possess a device that would silence the sound of a natural report of a rifle or shotgun to hunt game, as long as the host rifle or shotgun is allowed.	Oppose		None
SB509	Rogers	Allow the AG to enter in agreements with other states to recognize a concealed handgun permit as valid. This act would authorize RI to recognize and honor a concealed weapon permit from out of state provided the license holder is 21+, the reciprocal state or county provides a means of 24 hr instantaneous verification	Oppose		HB5639
SB176	de la Cruz	Amend definition of firearms to include tasers, and define taser and stun gun. This act would permit any person over the age of 18 to lawfully possess a stun gun and allow such individual to use or attempt to use the stun gun against another person in self-defense as long as that individual had a reasonable belief that a person was about to inflict great bodily injury of death upon himself, herself or a third party. The act would also provide the review and appeal process for individuals applying for a permit or license to carry with the licensing authority or attorney general.	Oppose		HB5557
SB517	Rogers	Prohibit the sale or possession of firearm silencers unless the person complies with federal law in the sale, possession and use.	Oppose		None
SB522	Rogers	For firearms purposes, define a suitable person for purposes of authorization to lawfully possess a pistol or revolver; would set forth conditions where RI may recognize a concealed weapon permit or license issued by a reciprocal state;	Oppose		None
SB526	Rogers	Exempt from "public records" availability, all those documents, evidence and records of proceedings considered by the "relief from disqualifiers board and appellate courts" involving request for relief from firearm prohibitions.	Oppose		None
SB533	Rogers	Provide a rebuttable defense if any person shall die or sustain a personal injury while committing any violent criminal offense of a person if that individual is lawfully in a place they have a right to be, and acted in self-defense and in the reasonable belief that the person engaged in the criminal offense was about to inflict great bodily harm or death upon that person or any other individual.	Oppose		None

# About The Campaign for Gun Violence Prevention Rhode Island

The Campaign for Gun Violence Prevention Rhode Island (CGVPRI) is a coalition of organizations, working together to share resources, build strategies and coordinate efforts to prevent gun violence. CGVPRI supports policies that will make Rhode Island a safe place for everyone to live.

