

The Commonwealth of Massachusetts

House of Representatives

State House, Boston 02133-1054

July 28, 2016

Attorney General Maura Healey
One Ashburton Place
Boston, MA 02108-1518

Re: Assault Weapon Ban Enforcement Directive

Dear Attorney General Healey:

This letter is written in follow up to the Assault Weapon Ban Enforcement Directive issued by your office on July 20, 2016. We are sure that you can understand that we have been contacted by many constituents questioning the validity and substance of your action. In order to properly assess that action, respond to the inquiries, and make our own determinations as to whether legislative action is needed or appropriate, we would appreciate clarification on the following points:

1. The exact constitutional and/ or statutory basis that authorizes your action.
2. The exact statutory provisions that you rely upon to deem the weapons described as copies or duplicates as being prohibited.
3. Whether this action expands upon, or overturns actions or directives taken or issued by any of your predecessors.
4. Whether the standards you set out as to what is a copy or duplicate weapon, the *Similarity Test* and *Interchangeability Test* are contained within Massachusetts law directly or by incorporation of the former federal law, or are otherwise developed through case law or by your office.
5. Whether there is a list of the weapons previously believed to be Massachusetts compliant that are not so by application of your Directive, which list is available to the public.

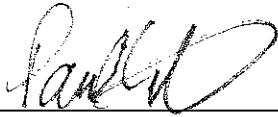
6. Whether the possession and/ or private sale of now non-compliant weapons, which weapons were owned by private citizens in good faith prior to July 20, 2016 now violate the law.
7. If the possession and/ or private sale of the same does violate the law, whether the decision you have incorporated in your advisory that you will not take enforcement action against the private possession and/ or sale of such now non-compliant weapons, which weapons were owned by private citizens in good faith prior to July 20, 2016 is binding upon all law enforcement agencies or personnel such that private citizens have a certainty of safe harbor for such possession and/ or sale now and in the future.
8. Is there a means to determine exactly how many of the now non-compliant weapons owned prior to July 20, 2016, which will now have safe harbor, exist in Massachusetts and who owns them today, and if so, whether such owners receive clarification as to the status of the weapons.
9. By what means will a private citizen in possession of such a safe harbored weapon demonstrate the safe harbor rights if questioned as to possession of the same by an officer, or upon being questioned upon a sale.

It may be that you have provided the information requested above through various communications. If so, it is requested that you collect that into a single response and provide it to us for evaluation. In addition, it would be helpful if you could arrange a legislative briefing on the Directive to further develop the details of the matter and the execution of the same as it impacts the citizens of Massachusetts.

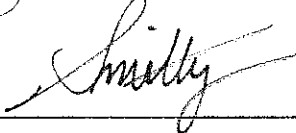
Very truly yours



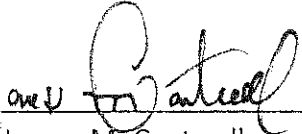
John V. Fernandes
State Representative
10th Worcester District



Paul K. Frost
State Representative
7th Worcester District



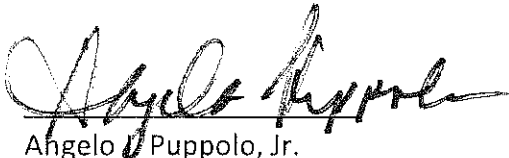
William Smitty Pignatelli
State Representative
4th Berkshire District



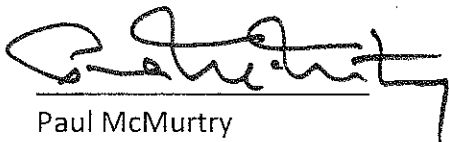
James M. Cantwell
State Representative
4th Plymouth District



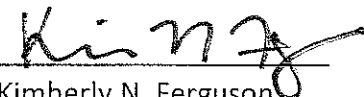
Gailanne M. Cariddi
State Representative
1st Berkshire District



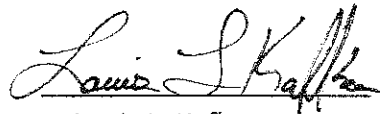
Angelo Puppulo, Jr.
State Representative
12th Hampden District



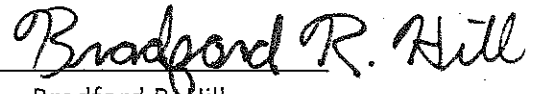
Paul McMurtry
State Representative
11th Norfolk District



Kimberly N. Ferguson
State Representative
1st Worcester District



Louis L. Kafka
State Representative
8th Norfolk District



Bradford R. Hill
State Representative
4th Essex District



Michael J. Finn
State Representative
6th Hampden District



Thomas J. Calter
State Representative
12th Plymouth District



David K. Muradian, Jr.
State Representative
9th Worcester District



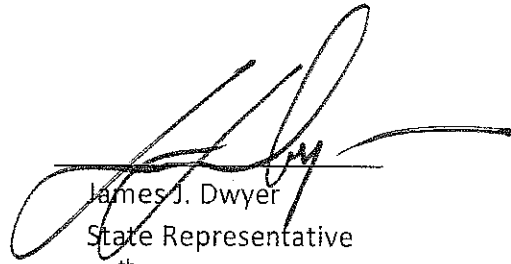
David T. Vieira
State Representative
3rd Barnstable District



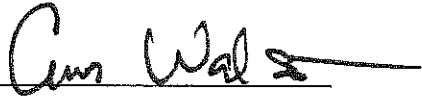
Jeffrey N. Roy
State Representative
10th Norfolk District



Donald R. Berthiaume, Jr.
State Representative
5th Worcester District



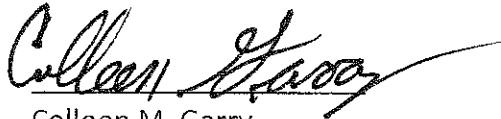
James J. Dwyer
State Representative
30th Middlesex District



Chris Walsh
State Representative
6th Middlesex District



John J. Mahoney
State Representative
13th Worcester District



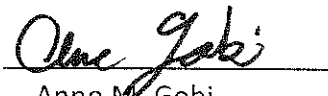
Colleen M. Garry
State Representative
36th Middlesex District



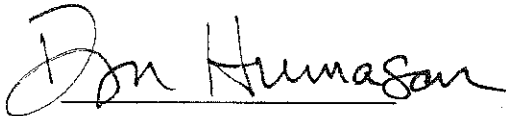
Steven S. Howitt
State Representative
4th Bristol District



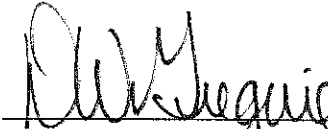
RoseLee Vincent
State Representative
16th Suffolk District



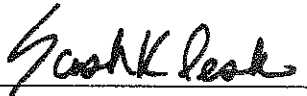
Anne M. Gobi
State Senator
Worcester, Hampden, Hampshire
and Middlesex District



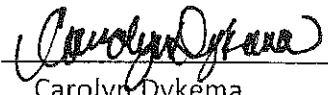
Donald F. Humason, Jr.
Minority Whip
Second Hampden and Hampshire District



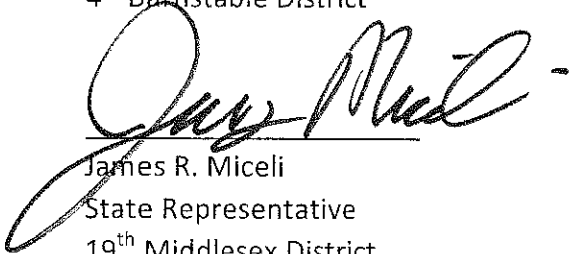
Danielle W. Gregoire
State Representative
4th Middlesex District




Sarah K. Peake
Division Chair
4th Barnstable District



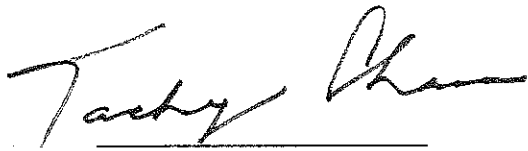
Carolyn Dykema
State Representative
8th Middlesex District



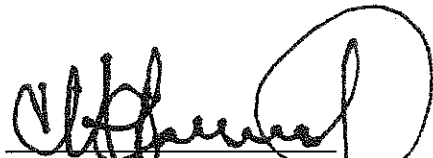
James R. Miceli
State Representative
19th Middlesex District



Daniel Cahill
State Representative
10th Essex District



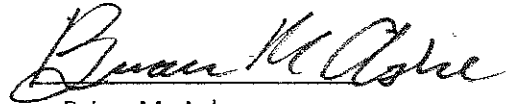
Tackey Chan
State Representative
2nd Norfolk District



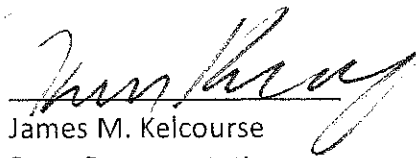
Marcos A. Devers
State Representative
16th Essex District



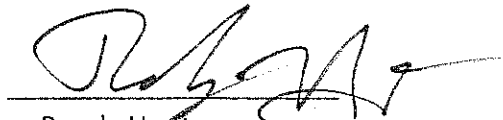
Marc T. Lombardo
State Representative
22nd Middlesex District



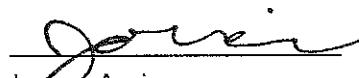
Brian M. Ashe
State Representative
2nd Hampden District



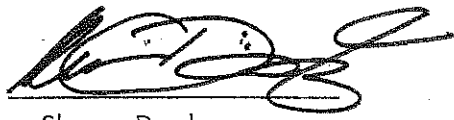
James M. Kelcourse
State Representative
1st Essex District



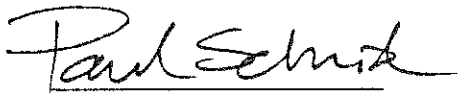
Randy Hunt
State Representative
5th Barnstable District



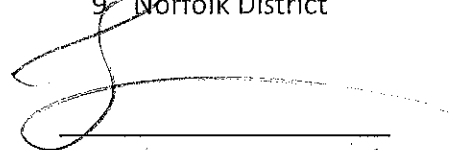
James Arciero
State Representative
2nd Middlesex District



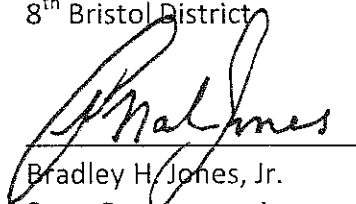
Shawn Dooley
State Representative
9th Norfolk District



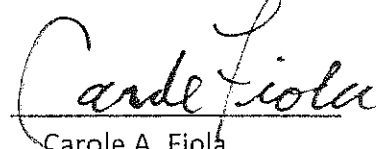
Paul A. Schmid, III
State Representative
8th Bristol District



Frank A. Moran
State Representative
17th Essex District



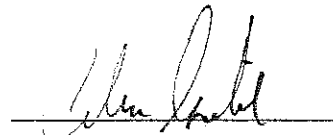
Bradley H. Jones, Jr.
State Representative
12th Middlesex District



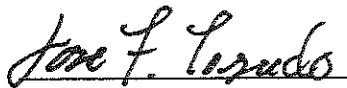
Carole A. Fiola
State Representative
6th Bristol District



Susan Williams Gifford
Third Assistant Minority Leader
2nd Plymouth District



Alan Silvia
State Representative
7th Bristol District



Jose F. Tosado
State Representative
9th Hampden District



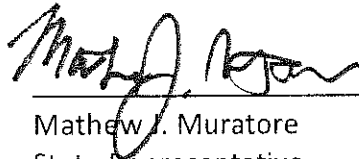
Kevin J. Kuros
State Representative
8th Worcester District



F. Jay Barrows
State Representative
1st Bristol District



Christopher M. Markey
State Representative
9th Bristol District



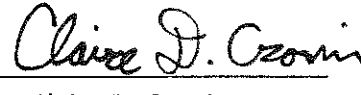
Mathew J. Muratore
State Representative
1st Plymouth District



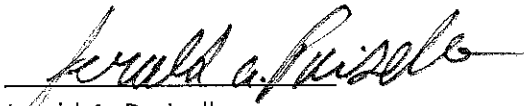
Kate D. Campanale
State Representative
7th Worcester District



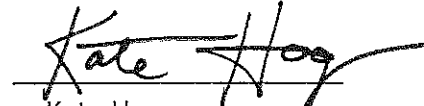
Mark J. Cusack
State Representative
5th Norfolk District



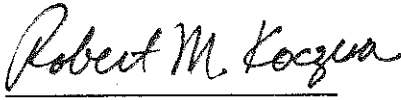
Claire D. Cronin
State Representative
11th Plymouth District



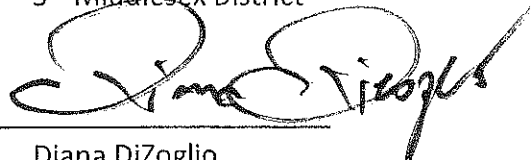
Jerald A. Parisella
State Representative
6th Essex District



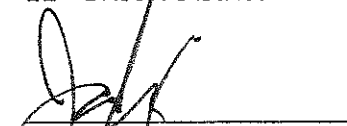
Kate Hogan
State Representative
3rd Middlesex District



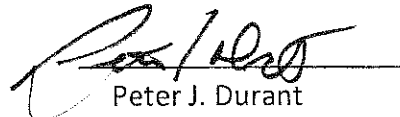
Robert M. Koczera
State Representative
11th Bristol District




Diana DiZoglio
State Representative
14th Essex District



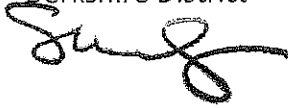
Josh S. Cutler
State Representative
6th Plymouth District



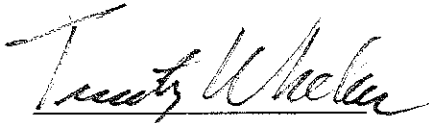
Peter J. Durant
State Representative
6th Worcester District



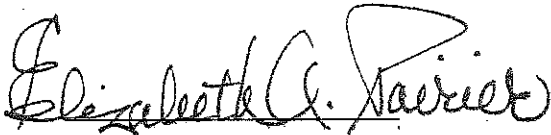
Paul W. Mark
State Representative
2nd Berkshire District



Susannah M. Whipps Lee
State Representative
2nd Franklin District



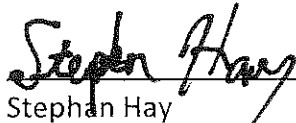
Timothy R. Whelan
State Representative
1st Barnstable District



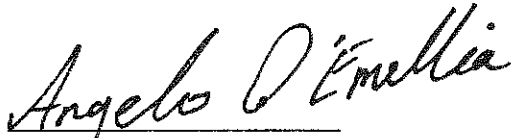
Elizabeth A. Poirier
Second Assistant Minority Leader
14th Bristol District



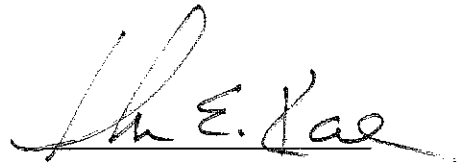
Todd M. Smola
State Representative
1st Hampden District



Stephan Hay
State Representative
3rd Worcester District



Angelo L. D'Emilia
State Representative
8th Plymouth District



Hannah Kane
State Representative
11th Worcester District



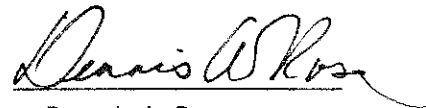
Keiko M. Orrall
State Representative
12th Bristol District



Stephen Kulik
State Representative
1st Franklin District



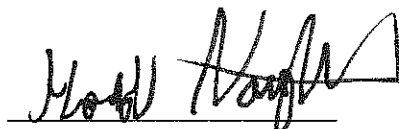
Michael S. Day
State Representative
31st Middlesex District



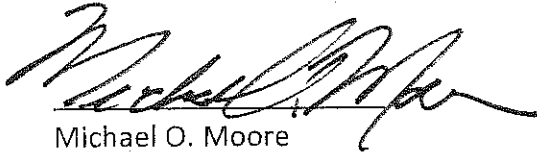
Dennis A. Rosa
State Representative
4th Worcester District



Leonard Mirra
State Representative
2nd Essex District



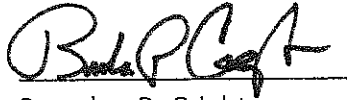
Harold P. Naughton, Jr.
State Representative
12th Worcester District



Michael O. Moore
State Senator
Second Worcester District



Joseph D. McKenna
State Representative
18th Worcester District



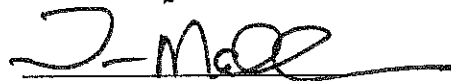
Brendan P. Crighton
State Representative
11th Essex District



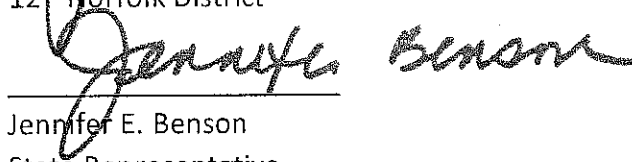
Gerard Cassidy
State Representative
9th Plymouth District



John H. Rogers
State Representative
12th Norfolk District



Timothy R. Madden
State Representative
Barnstable, Dukes and Nantucket
District



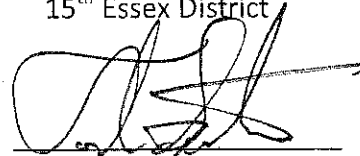
Jennifer E. Benson
State Representative
37th Middlesex District



Linda Dean Campbell
State Representative
15th Essex District



William C. Galvin
State Representative
6th Norfolk District



Theodore C. Speliotis
State Representative
13th Essex District



John C. Velis
State Representative
4th Hampden District