

Talking Points for the Legislative Listening Tour on Massachusetts Gun Laws

Hunting:

- FID/LTC fees are an incredible burden for families that want to hunt in Massachusetts. This doesn't include the time and/or expense of taking a required training course.
- Only a handful of states even require a license to own a rifle or shotgun Hawaii, Illinois, Massachusetts, and New Jersey. Is there any hard evidence that can be pointed to that backs up the need for this?
- Why is it illegal to carry concealed on my ATV or snowmobile even on my own property?
- Why is it illegal for a non-hunter to carry concealed during the shotgun season for deer?
- The storage and transportation laws are too confusing and conflicting. We often are not sure which law applies and when.
- Why do we have to have our hunting guns enclosed in a case if we are on a public way. What public safety problem is this supposed to address? What if I have to walk back to my vehicle after a hunt? I unload my gun and walk down the road to my vehicle, what harm am I imposing? Am I a threat?
- There are a lot of hunters who use inline black powder rifles to hunt. A good number of these use a shotgun primer as the ignition source. There is a lot of confusion as to whether we need a gun license to possess those primers.
- If an out of state hunter buys a non-resident hunting license, are they directly given any information on the complicated laws they have to follow here? Most of the country does not have the overreaching laws like we do here, so there is no reason for them to be aware the complex laws in Massachusetts.
- It has been the experience of the hunting community that most law enforcement, including Environmental Police Officers, do not have a solid grasp on the State's gun laws. If you talk to different officers, especially from different agencies, you will hear different interpretations. What is being done to fix that?

Ghost Guns:

- Ghost Guns is just another invented term designed to scare the general public that is not aware of the laws that already exist. It is supposedly to address the notion that lawful citizens are "manufacturing" guns without the government's permission. What the average citizen is probably not aware of is that we have had that right all along and we have never been, nor are we now, a threat to public safety.
- What precisely is a so-called ghost gun because the definition seems to change when the media talks about them?
- It is already illegal for a prohibited person to possess any modern gun, why are we wasting time making something more illegal?
- Precisely what problem exists with lawful gun owners that this proposal is supposed to address? There is a long history of lawful citizens making their own guns. This all goes

back to the folks who had the skills to build a rudimentary muzzleloader up to modern times. It is very common for firearms owners to buy a mix of parts to custom build a gun to their specific needs or wants. It is perfectly legal and is not a threat to public safety.

- During the last legislative session, GOAL filed a so-called ghost gun bill through Rep. Michael Soter – [H.2527 “An Act relative to criminal manufacture and possession of certain weapons”](#) The bill took a rational and realistic approach and severely punishes only the criminals/prohibited persons who illegally manufacture and traffic guns for illicit activities. It was the only ghost gun bill that was released favorably by the Committee on Public Safety but was never acted on by the legislature. If this is such an important issue, then why didn’t the legislature pass the bill into law?
- If the concern is undetectable guns, In 1988 Congress passed into law what is known as the Federal Undetectable Firearms Act (UFA). (Codified as 18 U.S.C. § 922(p)) The law essentially criminalizes guns that are made in such a way that evades detection through normal security procedures, typically airport screening. The law was supported by the National Rifle Association (NRA).
- Is it the concern of government and others that some guns may not have serial numbers? If that is the case, is there any data on how many crimes have been solved by tracing serial numbers?
- Because Massachusetts gun laws and regulations are so overbearing, they have artificially increased the cost of firearms in this State. As a result, citizens of limited financial means may find it affordable to build their own. It is costly enough for men and women to exercise their 2A civil rights in Massachusetts. Now it will be even more cost prohibitive.
- For the record, it is already a violation of federal law (18 U.S.C. 922) and state law (Chapter 269, Section 11C) to alter or destroy the manufacturer’s serial numbers on a gun. To do so comes with severe penalties. Additionally, Massachusetts’ state law Chapter 269, Section 11B adds a penalty of up to five additional years in prison for committing a felony while in possession of a gun with serial numbers that have been tampered with.
- As for privately made guns that are legitimately for private use only, there are no requirements to apply a serial number to the gun unless it is going to be transferred to another person. Since it is extraordinarily rare for a lawful gun owner to commit a crime, there is no reason to demand serial numbers and registration.
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GOAL article: www.goal.org/GOALs-Ghost-Gun-Exorcism-Legislation

Domestic Violence:

- What is the State doing to help victims, or potential victims of domestic violence?
- The process in Massachusetts to acquire a License to Carry a Firearm is incredibly burdensome and expensive for many people, especially those who are struggling to put

food on the table for their children. A firearm may be the only lifesaving tool a victim of domestic violence can count on to save her life and the lives of her children.

- Massachusetts has a history of persecuting, even prosecuting, victims for trying to defend themselves. Nothing makes this stance then when the Commonwealth prosecuted a victim of domestic violence for trying to defend herself with a stun gun. It took action from the Supreme Court of the United States in [JAIME CAETANO v. MASSACHUSETTS](#) to protect her from the criminal charges against her. What is the Commonwealth going to do to change its anti-self-defense stance?
- After the Caetano case, the State was required to repeal the prohibition on electronic defensive tools such as stun guns. The resulting laws are a complete mess. In most states around the country, these items are “over the counter” products, but Massachusetts now classifies them as handguns. This places tremendous roadblocks in place as it can take, sometimes, a year or more to complete the License to Carry process which is itself broken.
- Pepper spray, another “over the counter” product throughout most of the rest of the country. The most basic of all recognized self-defense tools can only be sold at a retailer. How many people know that?
- The prohibitions on who can even possess pepper spray (Chapter 140, Section 122D) are essentially the same for handguns. Just because someone might have a blemish on their record should not mean they are denied the most rudimentary means of defense against domestic violence.
- GOAL has filed a bill, for the second time, H.1776 [An Act relative to protecting domestic violence victims](#): This bill was filed by [Massachusetts State Representative Alyson Sullivan-Almeida](#). The legislation would provide severe penalties for attackers who illegally enter a home especially if children are present. It would also provide legal protections for victims that had to use force to defend themselves or children. Will the legislature pass this important safety measure?
- GOAL has filed this bill, for the second time, H.1527 [An Act relative to violent protection order violations](#): This This bill was filed by [Massachusetts State Representative Susan Williams Gifford](#). The legislation would require the State to provide those who successfully acquire a protection order with information on self-defense resources. The bill will also provide legal protections for potential victims if they have to use force to defend themselves anywhere they have the right to be. Will the legislature pass this important safety measure?
- The Supreme Court of the United States has made it very clear that the Second Amendment is indeed a civil right, and specifically not a “second class” civil right. What steps is the Commonwealth going to quickly take to undo the quagmire of laws and regulations that prevent, and or significantly delay, the ability of good people to defend themselves against overwhelmingly mor powerful attackers? For some reason this State lives by the policy that being pro-civil rights equates to being weak on guns or crime.

General:

- State law requires a license application to be processed in 40 days. Quite often it can take months just to get an appointment and months more to get it processed. What is being done to address this? Why are there no punishments for government officials who refuse to comply with the law?
- When there are problems that need to be addressed, the State Agencies in charge of licensing claim that the LTC and FID cards are not state licenses, and they have no authority to correct things at the local level. How is that possible?
- The current excessive gun laws are so convoluted it is virtually impossible for the average person to understand them let alone comply with all of them.
- The Commonwealth's gun laws are so punitive in nature and difficult to comply with that many gun owners have given up trying. Especially when we know the laws and regulations can be reinterpreted on a whim.
- There is a book published by retired police chief Ron Glidden that covers everything a Massachusetts gun should know. It is over 400 pages long and it appears the legislature wants even more.
- GOAL runs a class called Massachusetts Gun Law for Citizens. The class takes nearly four hours and doesn't even cover the criminal side of the law. Even with four hours, there are still questions the experts can't answer because there is too much gray area and opportunity for inventive interpretation by government and law enforcement.

Suicide – where is the success

- After 25 years there has only been a minimal decrease in gun related suicides. During the same time suicide by hanging has skyrocketed.
- Why did the legislature block all debate and amendments concerning mental health during the Red Flag Law passage.
- GOAL has been trying for several years to establish a professional commission to tell us what the mental needs are in Massachusetts. Why has that bill been blocked.
- GOAL has filed legislation to create an in-state Friends and Family suicide prevention hotline. It has never even been released from committee for consideration, why?

Gun Safety – where is the success

- The state collects millions of dollars in license fees every year but does not spend a penny on firearm safety education. All of it is paid for by the 2A community.
- It is evident that the state could not care less about gun safety. In 2014 GOAL was instrumental in passing a law that required the State Police to produce public service announcements (PSAs) about training and safe storage. Nearly nine years later – nothing, why?
- During the COVID pandemic the state government specifically targeted the 2A community and shut down all safety training that is required by Massachusetts to obtain a license when the federal government listed it as a critical activity. Even our ranges were singled out and forced to close. Why?
- In 2014 GOAL worked very hard with the legislature to pass school safety measures. Have any of those been implemented. If not, why not?

Crime – where is the success

- After a quarter of a century since the 1998 Gun Control gun related homicides have increased by 111% - where is the success?
- IN 2014 GOAL drafted the criminal language that was passed in that huge bill. These laws covered the crimes of trafficking, breaking and entering into firearm retailers, transporting across state lines for criminal purposes, deceptive weapon laws. Have any of these laws been used. How many people that we see on the news have been prosecuted under these laws that we drafted.
- GOAL has repeatedly filed legislation that would make criminal trafficking in guns and hardcore drugs punishable by up to life in prison. Why hasn't that bill been considered and passed into law?
- GOAL has repeatedly filed legislation to give victims of domestic violence the ability to defend themselves and their children. The proposal would also provide severe penalties for domestic violence home invasion, especially if children are present. That bill also has languished in so-called study. Why?
- Why does the State continue to pass laws that only affect the lawful 2A community. We are among the most vetted citizens in the Commonwealth yet punitive laws are continually passed and is clear you want more. Why?
- There are only two groups of people that must report a home move to the state, or they lose their civil rights. They are sex offenders and lawful gun owners. Why?