

July 7, 2022

Governor Charlie Baker
Massachusetts State House,
24 Beacon Street
Office of the Governor, Room 280
Boston, MA 02133

RE: DCJIS Practical Effects of *New York State Rifle & Pistol Association v. Bruen*

Dear Governor Baker,

We once again find ourselves demanding that you retract and revise the advisory (“FAQ”) released by the Department of Criminal Justice Information Services (DCJIS) on July 5, 2022. This specific advisory/FAQ concerned the landmark civil rights decision handed down on June 23, 2022 by the United States Supreme Court in the case *New York State Rifle & Pistol Association, Inc., ET AL v. Bruen ET AL.*

In this instance we are forced to address the unacceptable, and we believe, unconstitutional, guidance released by the Department of Criminal Justice Information Services (DCJIS). Gun Owners’ Action League (GOAL) and our members have been eagerly awaiting official guidance from the Commonwealth regarding the now illegal restricted firearm licenses. Unfortunately, the guidance your administration has released is not in compliance with this decision and has caused chaos across the Commonwealth.

The document your administration released states:

“This document is intended only as a practical guide for using the Department of Criminal Justice Information Services (DCJIS), Massachusetts Instant Record Check System (MIRCS) to comply with the requirements of Bruen.”

Given the previous advisory released, we were not surprised to find this most recent advisory to be neither practical nor in compliance with *Bruen*!

The advisory bullet points begin with: *“Whose responsibility is it to remove restrictions?”* The only thing that should have been stated here is that there is no need to remove any restrictions as they are all now illegal and unenforceable. The advisory should have been a true representation of *Bruen*

by informing all law enforcement, throughout the state, that all restrictions on firearm licenses are now illegal and cannot be enforced.

The release also goes further to incorrectly advise local licensing authorities: *“Whether and when you need to re-issue existing restricted licenses so that they no longer display a restriction on them are questions that you will need to answer after reviewing the Advisory as well as the decision in Bruen with your own counsel.”*

Why would the local authorities need to re-issue anything? Since all firearm licenses issued in Massachusetts are a state license, the Firearms Record Bureau (FRB) should immediately review their records to identify any illegally restricted licenses. Upon establishing those records, the FRB should automatically reprint all such licenses removing any restrictions and re-issue them immediately. Why is the Commonwealth wasting municipal resources and lawful citizens' time to attempt to rectify a matter that the state can easily address within its own system?

It also advises local authorities that prior to doing away with restrictions that they should: *“...after reviewing the Advisory as well as the decision in Bruen with your own counsel.”* What possibly exists to review? Specifically, what is there to review with legal counsel on the local level regarding now illegal state licenses? Unless of course they are refusing to comply with the Constitution and are preparing to defend themselves against a civil rights lawsuit!

The entire release is an brazen attempt by the Commonwealth to shed its responsibility to ensure that the State's firearm licensing system is run in a constitutional manner. It is astonishingly clear that the State is once again using what amounts to local licenses agents as political and constitutional cover!

This continued official effort to cling to unconstitutional and bigoted laws is unconscionable. The days of restricting the civil rights of lawful citizens in a bogus effort to reduce crime is over.

Governor, Massachusetts is world renowned as the birthplace of liberty. You now have a rare and historic opportunity to actually restore lost liberty. The decisions you make today will be reflected in your Gubernatorial legacy. Your simple choices are to either restore our civil rights or continue your efforts to stifle civil rights and personal liberties. Governors throughout the history of the United States who have chosen the latter are held in very low regard.

Sincerely

James L. Wallace
Executive Director