

Burrillville Town Council
Resolution declaring the Town of Burrillville a
“SECOND AMENDMENT SANCTUARY TOWN”

- Whereas, the Town of Burrillville Town Council pursuant to Rhode Island statute and the Town of Burrillville Charter, is vested with the authority of administering the affairs of the Town of Burrillville, RI and
- Whereas, the Second Amendment to the United States Constitution, adopted in 1791 as part of the Bill of Rights, protects the inalienable and individual right of the people to keep and bear arms, and
- Whereas, the United States Supreme Court in *District of Columbia v. Heller*, 554 U.S.570 (2008), affirmed an individual's right to possess firearms, unconnected with service in a militia, for traditionally lawful purposes, such as self-defense within the home, and
- Whereas, the United States Supreme Court in *McDonald v. Chicago*, 561 U.S. 742(2010), affirmed that the right of an individual to “keep and bear arms,” as protected under the Second Amendment, is incorporated by the Due Process Clause of the Fourteenth Amendment and is applicable to the states, and
- Whereas, the United States Supreme Court in *United States v. Miller*, 307 U.S. 174(1939), opined that firearms that are part of ordinary military equipment, or with use that could contribute to the common defense are protected by the Second Amendment, and
- Whereas, Article I, Section 22 of the Rhode Island Constitution provides that “The right of the people to keep and bear arms shall not be infringed.”; and
- Whereas, Article I, Section 6 of the Rhode Island Constitution provides that “The right of the people to be secure in their persons, papers and possessions, against unreasonable searches and seizures, shall not be violated; and no warrant shall issue, but on complaint in writing, upon probable cause, supported by oath or affirmation and describing as nearly as many as may be, the place to be searched and the persons or things to be seized.”; and
- Whereas, Rhode Island gun sales already require in-state residency, background checks, an eight-day waiting period and a “Blue Card” [RI Department of Environmental Management Pistol/Revolver Certification] for handgun purchases; and prohibits all gun purchases
- on the behalf of another person,
 - or for anyone under indictment or convicted of a felony or any crime for which the judge could imprison said person for more than one year.
 - or for anyone who is a fugitive from justice,
 - or for any unlawful user of, or addicted to, marijuana or any depressant, stimulant, narcotic drug or any controlled substance regardless of whether it has been legalized or decriminalized for medicinal or recreational purposes,
 - or for anyone adjudicated as a mental defective OR has ever been committed to a mental institution,
 - or for anyone who has been discharged from the Armed Forces under dishonorable conditions,
 - or for anyone who is subject to a court order restraining said person from harassing, stalking, or threatening their child or an intimate partner or child of such partner,
 - or for anyone who has been convicted in any court of a misdemeanor crime of domestic violence,

- or for anyone who has renounced their United States citizenship,
- or for anyone who is an alien illegally or unlawfully in the United States, and

Whereas, it is the desire of the Burrillville Town Council to declare its support of the Second Amendment to the United States Constitution and to the provisions of the Rhode Island Constitution which protect Burrillville Citizens' inalienable and individual right to keep and bear arms, and

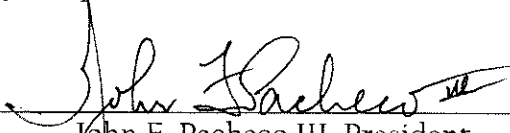
Whereas, the Burrillville Town Council Members each took an oath to support and defend the United States Constitution, the Rhode Island Constitution, and the laws of the State of Rhode Island which are not deemed unconstitutional by a court of competent jurisdiction, and the Charter of the Town of Burrillville.

NOW, THEREFORE, BE IT RESOLVED by the Burrillville Town Council that the Town of Burrillville be, and hereby is, declared to be a "Second Amendment Sanctuary Town."

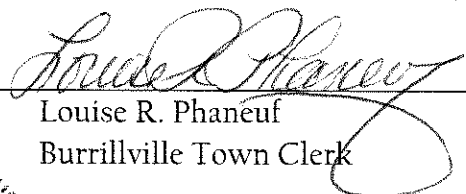
BE IT FURTHER RESOLVED that the Burrillville Town Council affirms its support for the Burrillville Police Department to exercise sound discretion when enforcing laws impacting the rights of citizens under the second amendment.

BE IT FURTHER RESOLVED that the Burrillville Town Council will not appropriate funds for capital construction of building space or purchase of storage systems to store weapons seized pursuant to the requirements set forth in any legislation if such bill is enacted by the Rhode Island General Assembly and/or for the purpose of enforcing any other law that unconstitutionally infringes upon the right of the People of the Town of Burrillville to keep and bear arms.

Adopted as a resolution this 24th day of April 2019



John F. Pacheco III, President
Burrillville Town Council

Attest: 

Louise R. Phaneuf
Burrillville Town Clerk

