



FOR IMMEDIATE RELEASE

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## **Supreme Court Holds That Second Amendment Right Applies to State and Local Governments, But Permits Wide Range of Regulation**

(San Francisco, CA) Today, the U.S. Supreme Court announced its highly anticipated decision in *McDonald v. Chicago*, holding that the Second Amendment restricts the actions of state and local governments. Today's ruling is an extension of the Court's 2008 controversial decision in *District of Columbia v. Heller*, in which the Court held for the first time that the Second Amendment guarantees an individual right to possess a firearm in the home for self-defense. Because Washington, D.C. is a federal district, *Heller* did not resolve the issue of whether the Second Amendment applies to state and local governments.

Although the Supreme Court held that the right recognized in *Heller* applies to the states, it emphasized that the Second Amendment does not protect a right to possess any firearm for any purpose. The Court stated: "It is important to keep in mind that *Heller*, while striking down a law that prohibited the possession of handguns in the home, recognized that the right to keep and bear arms is not 'a right to keep and carry any weapon whatsoever in any manner whatsoever and for whatever purpose.' We made it clear in *Heller* that our holding did not cast doubt on such longstanding regulatory measures as 'prohibitions on the possession of firearms by felons and the mentally ill,' 'laws forbidding the carrying of firearms in sensitive places such as schools and government buildings, or laws imposing conditions and qualifications on the commercial sale of arms.'"

Expressing the organization's reaction to the Supreme Court's decision, Robyn Thomas, Executive Director of Legal Community Against Violence (LCAV), stated, "It is disappointing, but not surprising, that the Supreme Court has decided to extend the Second Amendment to state and local governments. We believe that state and local legislators should have been permitted to continue to tailor gun laws to fit their particular needs, and expect that this decision will result in an enormous increase in the number of frivolous lawsuits challenging reasonable gun laws." Ms. Thomas also noted, "However, we are encouraged that the Court reiterated that the Second Amendment is consistent with a broad variety of reasonable gun violence prevention regulations and expect that the overwhelming majority of those legal challenges will be unsuccessful."

LCAV will continue to provide assistance to state and local governments seeking to address gun violence in their communities, and to support governmental entities facing Second Amendment challenges to common sense gun laws. We will also continue to track all significant developments in Second Amendment litigation nationwide.

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*Legal Community Against Violence (LCAV) is a national law center dedicated to preventing gun violence. Formed in the wake of the 1993 assault weapon massacre at 101 California Street in San Francisco, LCAV provides free legal assistance to public officials and activists working to reduce firearm-related deaths and injuries. To learn more about our services or to request assistance, visit our website, [www.lcav.org](http://www.lcav.org), the nation's most comprehensive source for information on U.S. firearms regulation.*