

June 26, 2008

<p>TO: Interested Parties</p> <p>FROM: Jim Kessler, Vice President for Policy and Rachel Laser, Director of the Culture Program</p> <p>RE: The DC Gun Ban Case – How to talk about it</p>
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In our view, the Supreme Court decision in the Heller case is a fair one that balances the individual right to own firearms for self-protection, with reasonable gun restrictions designed to protect society. The Supreme Court ruled, simply, that while Congress, state houses, and mayors' offices can pass gun safety restrictions, the DC gun ban went too far.

Recommended Talking Points:

We caution progressives and other supporters of reasonable gun safety laws against overreacting to this decision. We believe this case to be very positive for those who support gun safety laws like Brady, the assault weapons ban, closing the gun show loophole, even licensing and registration at the state and local level. We do not believe that this is the place to call the Supreme Court "extreme" or "out of touch" or "in the pocket of the NRA." Instead, we suggest an approach that buttresses progressive support for both the Second Amendment and reasonable gun laws.

- This is a reasonable and balanced decision.
- The 2nd Amendment confers an individual right to own firearms for protection, collection or sport.
- The Supreme Court agrees that the Second Amendment does not extend to terrorists and criminals.
- The Supreme Court agrees that the Second Amendment allows for reasonable restrictions that balance rights with responsibilities, such as John McCain's bill to close the gun show loophole – a loophole George Bush pledged to close when he ran in 2000.
- The DC gun ban is the most stringent gun law in the country, and falls outside the Second Amendment because it is an outright ban on the ownership of the most commonly used firearms for self-protection.
- In deciding this case, the Supreme Court stated in its opinion that while the DC gun ban is unconstitutional, nearly all other gun safety laws short of an outright ban would be within the confines of the Second Amendment.
- This decision is likely to have little to no impact on any current gun safety statute – either national, state or local.