UNINTENDED CONSEQUENCES:

WHAT THE SUPREME COURT'S SECOND AMENDMENT DECISION IN *D.C. v. HELLER* MEANS FOR THE FUTURE OF GUN LAWS

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UNINTENDED CONSEQUENCES: WHAT THE SUPREME COURT'S SECOND AMENDMENT DECISION IN *D.C. V. HELLER* MEANS FOR THE FUTURE OF GUN LAWS

The Supreme Court's 5-4 decision in *District of Columbia v. Heller* declared a private right to arms, dramatically changing the long-settled meaning of the Second Amendment, struck down the District of Columbia's ban on handguns as unlawful, and inspired lawsuits against similar bans in other cities. The *Heller* decision, and its questionable reasoning, creates risks to gun laws that criminal defendants and the gun lobby will likely attempt to exploit. Nonetheless, the long-term effects of the decision are at odds with the day-after headlines proclaiming a seminal victory for "gun rights."

The Court went out of its way to make clear that most gun laws are "presumptively" constitutional while also putting to rest gun owners' fears of a total ban or ultimate confiscation of all firearms. By taking the extremes of the gun policy debate off the table, *Heller* has the potential to allow genuine progress in implementing reasonable gun restrictions, while protecting basic rights to possess firearms. The unintended consequence of *Heller* is that it may end up "de-wedgeifying" one the of the more divisive "wedge" issues on the political landscape: guns. The net result of *Heller* would then be positive by leading to the enactment of the strong gun laws that we need - and the vast majority of Americans want -- to protect our communities from gun violence.

The Limited Direct Effect of the *Heller* Decision

A narrow 5-4 majority of the Supreme Court in *Heller* held that the Constitution provides private citizens with a right to arms, rejecting the view -- held by virtually every previous court in our nation's history -- that the Second

Amendment's militia clause and history limit the right of arms to service in a "well-regulated militia." But the practical effect of the decision is likely to help, not hurt, the cause of preventing gun violence in America.

The direct effect of *Heller* is that the District of Columbia's ban on handguns was invalidated. As Justice Scalia put it in the Court's opinion, the Second Amendment protects "the right of law-abiding, responsible citizens to use arms in defense of hearth and home." *D.C. v. Heller*, 554 U.S.__, slip op. at 63 (2008). However, other than the Washington, D.C. law struck down by the Court, only Chicago, and a handful of suburban Chicago jurisdictions, have a handgun ban. And even those bans may not be struck down under *Heller*. Because the District is a federal enclave, whether the Second Amendment is "incorporated" against the states was "a question not presented by this case," and the Court cited to its earlier decisions that "reaffirmed that the Second Amendment applies only to the Federal Government." *Heller*, slip op. at 48, n.23. Therefore, unless and until the Court holds otherwise, the Second Amendment does not restrict state or local laws. As direct precedent, *Heller* could not be used to support the invalidation of any other gun law in America.

Not only are the gun bans impacted by *Heller* few and far between, but they are the only gun violence prevention proposals that do not consistently garner overwhelming public support. *Compare* Pew Research Center for the People & the Press, April 23-27, 2008, finding that 59% of Americans oppose a handgun ban[1] *with* Greenberg Quinlan Rossner & The Tarrance Report poll

[1] See poll at http://people-press.org/reports/pdf/419.pdf, last accessed on 10/8/08.

finding that 67% of Americans favor an assault weapon ban.[2] Taking such bans off the table of policy options will have little effect on the national debate over what effective, politically viable gun violence prevention proposals should be enacted.

The Risks of *Heller*: A Legal Weapon In The Arsenal of Gun Criminals?

There are, of course, other potential unintended consequences of *Heller* that are not at all positive. There are important potential legal risks presented by the Court's recognition of a private right to arms unrestricted to militia use. Criminal defendants (and their defense lawyers) can be expected to try to transform *Heller* into a "get out of jail free" card, to attempt to evade punishment for serious gun crimes. Some have already begun to argue that the unlawful possession or use of a gun was an "exercise of their Constitutional right to keep and bear arms". While those attacks have been unsuccessful so far, it is possible that prosecutors will be more likely to agree to a plea bargain, or that a different judge, facing different facts, could allow a criminal to walk free based on a misguided extension of the *Heller* ruling.

It is also likely that the gun lobby will seek to have courts invalidate sensible gun laws that protect our families from gun violence, and to prevent the implementation of future laws, using an expanded – and, we believe, unfounded -- interpretation of *Heller*. Justice Breyer warned of potential "unfortunate consequences" of the decision:

[2] See poll at http://www.mayorsagainstillegalguns.org/downloads/pdf/polling_memo.pdf, last accessed on 10/8/08.

> The decision will encourage legal challenges to gun regulation throughout the Nation. Because it says little about the standards used to evaluate regulatory decisions, it will leave the Nation without clear standards for resolving those challenges. See *ante*, at 54, and n. 26. And litigation over the course of many years, or the mere specter of such litigation, threatens to leave cities without effective protection against gun violence and accidents during that time.

Breyer Dissent at 40. In addition to lawsuits filed since *Heller* attacking the handful of other handgun bans -- in the Chicago area and San Francisco's housing authority – the gun lobby pushed for a federal bill to invalidate most of Washington, D.C.'s gun laws, using the *Heller* decision as a pretext.[3] Although the bill would strike down regulations of the sort that Justice Scalia noted were "presumptively lawful," and even would have allowed the open carrying of assault weapons on the streets of Washington, the bill was titled "to restore Second Amendment rights in the District Columbia." The bill exposed the gun lobby's desire to use the narrow holding of *Heller* as a "Trojan Horse", arguing that the Second Amendment demands "any gun, any where" policies that the Court pointedly rejected.

While there is little question that *Heller* will inspire an onslaught of legal challenges to our nation's gun laws, and spurious arguments for dangerous gun policies, we believe that the decision, properly read, should not restrict the ability of communities to enact strong laws to keep deadly weapons off our streets and out of the hands of dangerous persons.

In fact, in an implicit response to allay Justice Breyer's fears, the Court went out of its way to make clear that a wide variety of gun laws, short of a

[3] H.R. 6691, introduced July 31, 2008, 110th Congress, 2d Session.

handgun ban, remain constitutional, even listing some laws that it stated are "presumptively lawful," including:

- Bans on possession by felons and the mentally ill;
- Bans on guns in schools;
- Laws setting conditions for firearms sales;
- Concealed carrying prohibitions;
- Prohibitions on "dangerous and unusual" weapons;
- Safe storage laws.

The Court then added that "our list does not purport to be exhaustive." *Id.* at 55, n.26.

The Court even suggested that its non-militia-based reading of the Second Amendment may have little effect on legal challenges to gun laws. Responding to the point that hundreds of judges have relied on the militia-based interpretation of the Second Amendment, Justice Scalia wrote: "In any event, it should not be thought that the cases decided by these judges would necessarily have come out differently under a proper interpretation of the right." Op. at 52 n. 24.

The Court also refused to accept one of the *Heller* plaintiffs' primary arguments: that gun laws should be subjected to a "strict scrutiny" standard, under which many gun laws would probably not survive court review. While the majority did not settle on a particular standard of review for future gun laws, Justice Breyer explained in his dissent that **"**the majority implicitly, and appropriately, rejects [strict scrutiny] by broadly approving a set of laws—prohibitions on concealed weapons, forfeiture by criminals of the Second Amendment right, prohibitions on firearms in certain locales, and governmental

regulation of commercial firearm sales—whose constitutionality under a strict scrutiny standard would be far from clear." Breyer Dissent at 9.

Particularly given the Court's rejection of strict scrutiny, it is likely that courts considering whether the post-*Heller* Second Amendment allows for reasonable gun laws will follow the approach taken by state courts construing comparable state constitutional right to bear arms provisions. In 42 of the 44 states whose constitutions include a right to bear arms provision, the states' high courts have interpreted the clauses as conferring an individual, not collective or militia, right. Adam Winkler, *The Reasonable Right to Bear Arms*, 17 Stan. L. & Pol'y Rev. 597, 598 (2006). But among those individual rights' states, no state has found the right to be absolute, and state courts across the board have consistently held that gun control measures that reasonably regulate firearm ownership, without completely or arbitrarily abrogating it, do not infringe the right. Winkler, *supra* note 2, at 598. For example, state courts in Georgia, Nebraska, North Carolina, Texas and Florida have all upheld bans on short-barreled or sawed-off shotguns, finding such laws permissible under state constitutional provisions that recognized a private, non-militia-based right to arms. *Carson v. State*, 247 S.E.2d 68, 73 (Ga. 1978) (holding that Georgia law banning sawed-off shotguns was legitimate and constitutional); *State v. LaChapelle*, 451 N.W.2d 689, 691 (Neb. 1990) (holding that legislature may properly forbid possession of short rifles or shotguns under the police power if it is a reasonable regulation); *State v. Fennell*, 382 S.E.2d 231, 233 (N.C. Ct. App. 1989) (holding that right to bear arms is subject to reasonable regulation); *Ford v. State*, 868 S.W.2d 875, 878 (Tex. Ct. App. 1993) (holding that right to bear

arms is not absolute and may be regulated to prevent crime); *Rinzler v. Carson*, 262 So. 2d 661, 664, 666 (Fla. 1972) (holding that right to bear arms is not absolute and is subject to valid police regulations) . The Supreme Courts of Wyoming and Idaho, construing similar constitutional protections, upheld bans on concealed weapons as reasonable restrictions. *State v. McAdams*, 714 P.2d 1236, 1238 (Wyo. 1986) (holding that although the concealed weapons ban imposed some limitation on right to bear arms, it was not unreasonable); *State v. Hart*, 157 P.2d 72, 73 (Idaho 1945) (holding that the prohibition on carrying concealed weapons was a reasonable exercise of the police power). Courts in Colorado, Connecticut, and Ohio have upheld bans on assault weapons as a reasonable restriction of the right to bear arms recognized in those states' constitutions. *Robertson v. City & County of Denver*, 978 P.2d 156, 161 (Colo. App. 1999) (holding that assault weapons ban was constitutional); *Benjamin v. Bailey*, 662 A.2d 1226, 1235 (Conn. 1995) (holding that state constitution allowed reasonable regulations on firearms); *Arnold v. City of Cleveland*, 616 N.E.2d 163, 172-73 (Ohio 1993) (holding that right to bear arms is not absolute and can be subject to reasonable regulations).

As many of these courts have recognized, "the legislative power to regulate arms is an inherent part of the "police power" – or, as the Colorado Supreme Court characterized it, the "state's right, indeed its duty under its inherent police power to make reasonable regulations for the purpose of protecting the health, safety, and welfare of the people." Winkler, *supra*, at 601, quoting *People v. Blue*, 544 P.2d 385, 390-91 (Colo. 1975). The Connecticut Supreme Court agreed that "[s]tate courts that have addressed the question under their respective

constitutions overwhelmingly have recognized that the right [to bear arms] is not infringed by reasonable regulation by the state in the exercise of its police power to protect the health, safety, and morals of the citizenry." *Benjamin*, 662 A.2d at 1233.

Courts applying *Heller* to other gun laws should similarly recognize that strong laws that prevent criminals from obtaining guns are not inconsistent with a private right to arms. In upholding reasonable gun laws, state courts should continue to recognize "the compelling state interest in protecting the public from the hazards involved with certain types of weapons, such as guns." *State v. Cole*, 665 N.W.2d 328, 344 (Wis. 2003).

Heller Provides No Impediment to Strong Reasonable Gun Laws

The Second Amendment, as interpreted by the *Heller* Court, should not pose an impediment to strong reasonable gun laws. The policy proposals favored by the Brady Campaign, and most Americans, are not among those policy options taken off the table by *Heller*. Rather, they are narrowly tailored to minimize gun violence and prevent criminal use of guns, while allowing for possession of conventional handguns and long guns for lawful purposes. For example, we support:

- Universal criminal background checks for all gun sales that eliminate the loophole under which criminals can now buy guns from "private sellers" without a background check at gun shows and elsewhere, no questions asked;

- One-handgun-a-month laws that prevent high volume handgun purchases by gun traffickers;

- Repeal of various restrictions on federal enforcement power against corrupt gun dealers;

- Restrictions on military-style assault weapons (with exceptions for law enforcement and the military), while not preventing lawful purchases of conventional handguns, rifles, and shotguns.

These reasonable proposals should be permitted under *Heller*. While the Justices were narrowly split over whether the Second Amendment was limited to a militia-based right, the Justices unanimously agreed that virtually all existing gun laws are constitutional, regardless of the Second Amendment's meaning.

The Broader Positive Effects of *Heller*: The End of The Slippery Slope

Even more significant than the limited direct effect of the *Heller* ruling are its positive indirect effects on the debate over gun policy. The decision cuts the legs out of the gun lobby's primary argument against reasonable gun laws – the "slippery slope" argument that every gun law should be opposed, even if it appears reasonable and modest on its own terms, because it could serve as a stepping stone to an ultimate ban of all firearms in private hands. The slippery slope is trotted out by the gun lobby to marshal opposition to reasonable gun laws that, on their merits, are difficult to argue against. For example, a proposal to register firearms like automobiles was opposed in the NRA's magazine, *America's First Freedom* because "[R]egistering guns is just a stepping stone and system for ultimately collecting guns." (Marshall Lewin, America's First Freedom, October 2005). The federal ban on military assault weapons was similarly opposed on the grounds that, "If cynical, duplicitous politicians could ban any firearm for no good reason, then they could ban *every* firearm with equally empty arguments." (Marshall Lewin, America's First Freedom, November 2006).

The prospect that reasonable gun laws that *allow* lawful possession and use of handguns, rifles and unaltered shotguns are actually part of a long-term

plan to *prohibit* all lawful possession of guns has never been realistic. Indeed, the Court of Appeals of North Carolina specifically rejected this argument when it upheld as a reasonable restriction a state law banning sawed-off shotguns, stating "[w]e are not convinced by [appellant's] argument that such a restriction leads us down the 'slippery slope' and gives the legislature full license to restrict any and all firearms possessed by individuals." *Fennell*, 382 S.E.2d at 233. But it has held sway in some sectors of the public – as evidenced by the gun lobby's persistent and often effective use of the slippery slope argument. The argument has provided the gun lobby with a theoretical basis to oppose laws that, on their merits, appeared eminently reasonable.

When gun policies are considered on their merits – without concern for the speculative fear of possible future confiscation -- the majority of Americans agree that stronger gun laws are needed to respond to gun violence. Most Americans recognize that America's gun violence problem is out of control, and that law enforcement needs stronger laws and tools to keep gun criminals at bay. A recent poll found that 87 % of Americans (including 83% of gun owners) disagree with current federal law that enables convicted criminals to buy all the guns they desire from a gun show or other "private seller" without a background check, no questions asked, and favor closing this "gun show loophole." *See* Greenberg Quinlan Rosner Research & The Tarrance Group, March 31-April 3, 2008 http://www.mayorsagainstillegalguns.org/downloads/pdf/polling_memo.pdf. Eighty-nine percent of Americans, including 89% of gun owners, favor changing the current law, which now allows terrorists to buy all the guns they desire, even

though they are deemed too dangerous to be allowed to fly on airplanes. *Id*. A solid majority of Americans (67%) believe that military-style assault weapons should be banned. *See* ABC News Poll, April 22, 2007, www.pollingreport.com/guns.

Even though most Americans – including most gun owners -- favor stronger gun laws, Congress has generally catered to a vociferous minority which has resisted virtually any reasonable gun law. The slippery slope argument – the fear that any effort to restrict access to deadly weapons could lead to confiscation of all guns -- helps explain this apparent divide. Some may have felt in the past that the Second Amendment barred the enactment of the strong gun laws they would like to see enacted. Others – especially some gun owners – may have feared that their support for strong and necessary gun laws might ultimately threaten their gun rights.

The *Heller* decision has taken the slippery slope argument off the table. As Justice Scalia stated in the majority opinion:

> Like most rights, the right secured by the Second Amendment is not unlimited. From Blackstone through the 19th-century cases, commentators and courts routinely explained that the right was not a right to keep and carry any weapon whatsoever in any manner whatsoever and for whatever purpose.

Op. at 54.

While the policy proposals favored by the Brady Campaign are lawful under *Heller*, Justice Scalia pointedly rejected any suggestion that the gun lobby's "any gun, any where" policy was Constitutionally required.

After *Heller*, the gun lobby can no longer factually claim that gun proposals could conceivably lead to the end of civilian gun ownership in this

country. At the same time, the *Heller* Court made it clear that a broad range of reasonable gun laws are constitutionally-permitted. By saying that reasonable gun laws would survive constitutional challenge, and cannot lead to comprehensive bans or confiscation, *Heller* forces gun laws to be debated on their individual merits, rather than on the speculative fears conjured up by the gun lobby. As a result, the decision offers a great opportunity to the vast majority of Americans who would like to have stronger laws that protect their communities from gun violence, while respecting the legal right of law-abiding citizens to own guns.

"De-Wedgeifying" The Gun Issue

There is a reason that guns – along with God and gays – has been among the most divisive wedge issues in the political playbook. There are many law-abiding citizens in America who care deeply about their guns, and do not want their guns taken away. The proposals that the Brady Campaign advocates (from universal background checks to anti-trafficking measures) are aimed at keeping dangerous weapons out of the hands of dangerous people, and would not deprive law-abiding citizens of conventional pistols, rifles, or shotguns. Nonetheless, the gun lobby has been successful in arguing that any Brady Campaign proposal is "anti-gun," and could lead to a total gun ban or confiscation of all guns in private hands. Every election, the gun lobby tells gun owners that the politicians they oppose are "going to take away your guns." As then-NRA President Charlton Heston famously told the NRA Convention in 2000, with a rifle held aloft his head, "As we set out this year to defeat the divisive forces that would take freedom away, I want to say those words again for everyone within the sound of

my voice to hear and to heed, and especially for you, Mr. Gore: `From my cold, dead hands!'" The fact that Al Gore only supported reasonable gun violence prevention proposals, not far-reaching gun bans, did not stop the NRA from employing some slippery slope sleight of hand to convert those modest proposals into a broad attack on gun owners' "freedom." In 2004, the NRA recycled those attacks against John Kerry, as the Annenberg Political Fact Check explained:

> The National Rifle Association began airing a TV ad Oct. 26 falsely accusing Kerry of voting to ban deer-hunting ammunition. In fact, what Kerry voted for was a proposal to outlaw rifle ammunition "designed or marketed as having armor piercing capability. The NRA ad also claims Kerry is co-sponsoring a bill to "that would ban every semiautomatic shotgun and every pump shotgun." That's false. Kerry co-sponsored extension of the now-expired assault-weapon ban, a measure that would have expanded the ban to cover military-style shotguns but specifically exempts pump-action shotguns.[4]

In 2008, the name on the top of the Democratic ticket changed, but the NRA script remained the same: Barack Obama supports gun control, ergo, they say, he is after your guns.[5]

These gun lobby attacks are – and always have been – patently false. While there have been some in America who favor far-reaching gun bans, Al Gore, John Kerry, and Barrack Obama are not among them. The Brady Campaign, too, has not supported broad bans on conventional handguns, sporting rifles or shotguns, but that has not stopped some in the gun lobby to falsely drum up fears of a nefarious secret agenda. Indeed, the gun lobby's fear-mongering tends to be selective. For example, John McCain supported closing the gun show loophole, and George W. Bush and John Warner supported

[4] http://www.factcheck.org/article296.html
[5] NRA anti-Obama mailing at http://marcambinder.theatlantic.com/archives/2008/09/nra_hits_obama_hed_be_the_most.php

renewing the assault weapon ban, but the NRA has not suggested they had ulterior motives – at least not when they were on a general election ballot.

After *Heller*, the fears that the gun lobby tries to drum up are not simply false – they are impossible. For *even if* supporters of gun control *wanted* to bar law-abiding citizens from possessing guns to defend themselves in the home, the Constitution, as interpreted by *Heller*, would not permit it. The law-abiding citizen's hunting rifle and handgun is safe. Once the fact that the slippery slope is dead settles into our political consciousness, the "wedgeification" of guns should lose its salience.

Now that the Supreme Court has removed the fears and Constitutional concerns that have clouded our national discourse on gun policy, gun owners have no more reason to fear that reasonable gun laws could lead to confiscation of their guns -- for the Supreme Court has made clear that the Constitution will not allow it. Supporters of reasonable gun laws need not fear that the laws they desire are not permitted under the Constitution -- for the Court has made clear that they are permitted. *Heller* has left us in a world where the debate over our nation's gun policy should be necessarily constrained within these limits. After *Heller*, the issue is: What reasonable gun laws should be passed that will make our families and communities more safe, without infringing on the right of law-abiding persons to possess guns for self-defense? This framing of the issue will move the debate from the extremes to the middle and, as such, is highly favorable to progress toward a new, sensible, national gun policy.

Heller's Shaky Precedent

Despite the potentially positive effects of *Heller*, its shaky legal reasoning should not be ignored. Especially when the gun lobby and criminals attempt to extend the opinion far beyond its language, courts must be reminded that the right discovered by five Justices in *Heller* was not supported by the Second Amendment's text or history. Many legal scholars still firmly believe that the decision by Justice Scalia and four fellow Justices that the Second Amendment protects a right to bear arms unrelated to participation in a state militia was incorrect. Virtually every court in American history that had construed the Amendment had been swayed by the historical record that makes the militia-centric purpose of James Madison and the other framers undeniable, as well as by the inconvenient fact that the Amendment begins by expressly referencing its one purpose -- "a well-regulated militia, being necessary to the security of a free State." The last time the Court considered the Amendment's meaning, in *U.S.* v. *Miller*, 307 U.S. 174 (1939), it unanimously stated that it "must be interpreted and applied" in accord with its "obvious purpose to assure the continuation and render possible the effectiveness" of a well regulated militia. Nonetheless, Justice Scalia somehow found that the Amendment served purposes unstated in its text, stating "[t]he prefatory clause does not suggest that preserving the militia was the only reason Americans valued the ancient right * * *." Unencumbered by history, the *Miller* precedent, or the militia-centric language chosen by the Framers, Scalia read the Second Amendment as if its first 13 words didn't exist. So much for "judicial restraint," "original intent," and "respect for precedent."

As Justice Stevens aptly noted in his dissent, "the right the Court announces was not 'enshrined' in the Second Amendment by the Framers; it is the product of today's law-changing decision." Judicial scholars from across the political spectrum have roundly criticized Justice Scalia's majority opinion. One of the most noted conservative legal scholars of our day, Judge Richard Posner, likened the opinion to a "snow job," stating that "It is questionable in both method and result, and it is evidence that the Supreme Court, in deciding constitutional cases, exercises a freewheeling discretion strongly flavored with ideology."[6] Judge J. Harvie Wilkinson III, a perennial on the short-lists of potential Republican Supreme Court nominees, railed against Scalia's decision as driven by the Justices' policy views, and as evidencing a "failure to adhere to a conservative judicial methodology."[7] Judge Wilkinson wrote that the losers in *Heller* "have cause to feel they have been wrongfully denied the satisfaction of a fair hearing and an honest fight."

The questionable basis for the ruling should counsel against its extension, much like another controversial decision, *Bush v. Gore*.

Conclusion

As students of the Constitution and American history, we believe that Justice Stevens' opinion, also representing the views of Justices Breyer, Souter,

[6] Richard A. Posner, "In Defense of Looseness," *The New Republic*, August 27, 2008.
[7] J. Harvie Wilkinson III, "Of Guns, Abortion, and the Unraveling of the Rule of Law," forthcoming and at http://ssrn.com/abstract=1265118. Before the decision another noted conservative legal scholar, Professor Douglas W. Kmiec, who served as head of the Office of Legal Counsel (U.S. Assistant Attorney General) for Presidents Ronald Reagan and George H.W. Bush, wrote that under an originalist interpretation "the Second Amendment is no limitation" on a D.C. handgun ban. Douglas W. Kmiec, "As originally understood, the Second Amendment has nothing to say about the DC City Council's handgun ban," *Slate*, April 22, 2008, http://www.slate.com/blogs/blogs/convictions/archive/2008/04/22/as-originally-understood-the-second-amendment-has-nothing-to-say-about-the-dc-city-council-s-handgun-ban.aspx.

and Ginsberg, better reflects the meaning of the Second Amendment and the intent of its framers than the majority opinion of Justice Scalia. However, in the real world, the *Heller* decision will likely mark an historic example of another law -- the law of unintended consequences. By making clear that the Constitution does not permit broad gun bans such as the District's, while allowing for strong reasonable gun laws, the *Heller* decision could well mark a turning point that leads to our nation finally addressing our gun violence problem in a sane and sensible way.

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The Brady Center to Prevent Gun Violence is a national non-profit organization working to reduce the tragic toll of gun violence in America through education, research, and legal advocacy. The programs of the Brady Center complement the legislative and grassroots mobilization efforts of its sister organization, the Brady Campaign to Prevent Gun Violence and its network of Million Mom March Chapters.

This report was written by the Legal Action Project of the Brady Center to Prevent Gun Violence. If you have questions about any part of this report, or would like a copy, please write to Legal Action Project, Brady Center to Prevent Gun Violence, 1225 Eye Street, N.W., Washington D.C. 20005. The report is also available at www.bradycenter.org and at www.gunlawsuits.org.

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