

U.S. SUPREME COURT
***District of Columbia v Heller* DECISION**
June 26, 2008

- **Position:** Our fight to enact strong gun laws to save lives will be undiminished by the Supreme Court's decision in *DC v Heller*. It remains too easy for dangerous people to obtain dangerous weapons in this country and we must solve that problem.
- **The Ruling:** The Court found that the Constitution gives individuals a right to possess guns for private purposes unrelated to state militias. It also found that the Constitution does not allow a general ban on handguns in the home. But its decision indicates that other less restrictive gun laws are consistent with the Constitution.
- **Impact on Reasonable Gun Laws:** The ruling, written by Supreme Court Justice Antonin Scalia, could make it more difficult for the gun lobby to block the passage of reasonable gun laws in the future.

The NRA and others have long argued that sensible and modest restrictions on guns are but initial steps down a "slippery slope" leading to a general gun ban. By holding that the Second Amendment prohibits a gun ban, the Heller decision assures gun owners that there is no such "slippery slope." The Court also rejected the "absolutist" view of the Second Amendment that some use to argue "any gun, any time for any one."

Now, politicians will no longer have these as arguments to justify opposition to universal background checks and other common sense measures to prevent dangerous people from getting dangerous weapons. As a result, gun control should no longer be a "wedge" issue in politics. We can move forward with finding middle-ground, sensible solutions to gun violence.

- **Problem:** The *Heller* decision may embolden criminal defendants and gun lobby interests to file legal attacks on existing gun laws, despite language in the ruling indicating that reasonable restrictions on guns are allowed. With the help and expertise of the Brady Center's legal team, those attacks can, and must, be successfully resisted.
- **Urgency:** We know that, after the *Heller* ruling, approximately 80 Americans will continue to die from guns every day. Our weak gun laws lead to tens of thousands of senseless gun deaths and injuries in

this country. We must continue to fight for sensible gun laws to help protect you, your family, and your community.

- **Brady Expertise:** As the nation's leading defender of gun laws in the courts, the Brady Center will continue to lead the fight to protect lifesaving gun laws against legal challenges. The Court's decision strongly suggests that common sense gun laws are entirely consistent with the Constitution.