



FOR IMMEDIATE RELEASE

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Contact: Robyn Thomas (415) 433-2062, rthomas@lcav.org

Juliet Leftwich (415) 433-2062, jleftwich@lcav.org

Legal Community Against Violence Reacts to Supreme Court Decision to Hear Chicago Handgun Ban Case

(San Francisco, CA) Today, the U.S. Supreme Court announced it will review the Seventh Circuit's decision in *McDonald v. Chicago*, which held that the Second Amendment does not apply to state and local governments. In the *Chicago* case, the Seventh Circuit affirmed the dismissal of lawsuits alleging that Chicago and Oak Park ordinances prohibiting the possession or sale of handguns violate the Second Amendment. The court concluded it was bound by Supreme Court precedent holding that the Amendment applies only to the federal government, stating that the Supreme Court alone can reverse those cases. The court observed further that under principles of federalism, "local differences are to be cherished as elements of liberty" and that "[f]ederalism is an older and more deeply rooted tradition than is a right to carry any particular kind of weapon."

The Supreme Court did not reach this issue in *District of Columbia v. Heller*, the 2008 decision holding for the first time that the Second Amendment guarantees an individual right to possess a firearm in the home for self-defense, because that case only involved the laws of the District of Columbia, which is a federal enclave. Many, but not all, of the rights protected in the Bill of Rights have been held to apply to the states. Neither the Third nor Seventh Amendment applies to the states, nor do certain provisions of the Fifth and Eighth Amendments.

Expressing the organization's reaction to the Supreme Court's announcement, Robyn Thomas, Executive Director of Legal Community Against Violence (LCAV), stated, "It is not surprising that the Supreme Court decided to hear this case, since the Court in *Heller* did not address the significant issue of whether the Second Amendment applies to the states." Ms. Thomas also noted, "We believe that state and local governments should be free to address gun violence as they see fit. Even if the Court concludes, however, that the Second Amendment does apply to the states, *Heller* made clear that the Amendment is consistent with a broad variety of reasonable gun violence prevention regulations."

LCAV will support Chicago and Oak Park in the Supreme Court litigation and will continue to provide assistance to state and local governments facing Second Amendment challenges to firearms laws. LCAV will also continue to track developments in Second Amendment jurisprudence.

Resources:

- LCAV's [amicus brief](#) filed in the Chicago litigation
- LCAV's [Second Amendment materials](#), including post-*Heller* litigation analysis
- Summary and analysis of [District of Columbia v. Heller](#)
- LCAV publication: [Gun Regulation and the Second Amendment: Moving Forward After District of Columbia v. Heller](#)

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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, the nation's most comprehensive source for information on U.S. firearms regulation.