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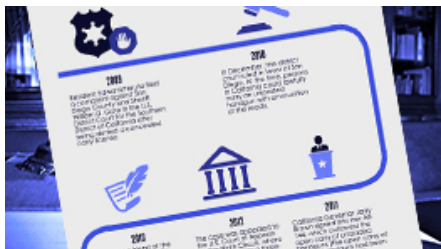
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LEGAL UPDATE

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NOVEMBER 2014



Ninth Circuit Panel Rules that Localities Must Allow Option for Carrying Firearms Outside the Home

Long-suffering California gun owners received some rare good news in February when a three-judge panel of the U.S. Court of Appeals for the Ninth Circuit recognized a right to bear arms outside the home. In its decision in the NRA-backed case of *Peruta v. County of San Diego*, the panel struck down San Diego County's "good cause" requirement for a concealed carry license, as county policy failed to recognize general self-defense as sufficient good cause.

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Eleventh Circuit Upholds Florida's Patient Privacy Law

In a victory for gun owners who simply seek medical care, not political philosophy, from their doctors, the U.S. Court of Appeals for the Eleventh Circuit has upheld the NRA-supported Florida's Firearm Owner's Privacy Act. This law was passed after an escalating series of events in which patients were harassed or denied access to services because they refused to be interrogated by their doctors about their ownership of firearms. The case, *Wollschlaeger v. Governor of Florida*, vindicated Florida's attempt to protect patients from being forced to divulge personal information that is irrelevant to their own medical treatment.

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Chicago Taxpayers Again Forced to Reimburse NRA for Legal Fees

For the second time in as many years, Chicago taxpayers will be forced to foot the bill for their politicians' insistence on pursuing unconstitutional gun control. In early July, the United States District Court for the Northern District of Illinois ordered Chicago to pay \$940,000 to the NRA.

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Delaware Supreme Court Sides with Public



Housing Tenants on the Right to Bear Arms

On March 18, the Delaware Supreme Court struck a blow for gun rights, and against economic discrimination, when it struck down a Wilmington Housing Authority policy that restricted the rights of public housing tenants to bear arms where they live. The court ruled in the case of *Jane Doe v. Wilmington Housing Authority* that under the state's constitutional right to arms provision, policies restricting residents from carrying firearms in common areas and requiring tenants to produce paperwork attesting to their lawful ownership of firearms were not permissible.

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Connecticut Case Seeks to Overturn Firearm and Magazine Bans

While the state of Connecticut ponders how to handle the owners of thousands of unregistered semi-automatic firearms and magazines in the state, an important NRA-backed case challenging the constitutionality of the state's firearm and magazine bans is making its way through the federal courts.

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NRA Supports Two Concealed Carry Cases in Illinois

In recent years the Land of Lincoln has been host to some of the nation's most important battles for the Second Amendment, including *McDonald v. City of Chicago*, *Shepard v. Madigan*, and *Moore v. Madigan*. This trend continued with two new Illinois cases, one challenging the state's concealed carry licensing practices in federal court (*Illinois State Rifle Association v. Grau*), the other challenging them in state court (*Illinois Carry v. Illinois Department of State Police*).

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Challenge to New York City Gun Regulations Emerges from Limbo

In April 2013, NRA state affiliate New York State Rifle & Pistol Association (NYSRPA) filed suit in the U.S. District Court for the Southern District of New York challenging the constitutionality of Title 38 of the Rules of the City of New York. The case is now pending as *NYSRPA v. City of New York*. The suit states that the rules infringe upon the Second Amendment by denying the right to possess and carry a firearm for personal defense, as well as by prohibiting residents from practicing at a firearms range or participating in shooting events located outside the borders of the City of New York.

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NRA Continues Efforts to Protect Privacy and Curb Runaway Data Collection

Americans are justifiably proud of our military, intelligence, and law enforcement forces. Their bravery, dedication, and sacrifice help keep this nation safe and free. They have the gratitude of the NRA, its members, and the American people.

Americans can also take pride that the nation's commitment to a free and open society has largely survived efforts to enhance security and intelligence-gathering both abroad and throughout the homeland. This preservation of important principles has required sustained and dedicated efforts on the part of many, including your NRA. We take a backseat to no one in our support of the men and women of America's Armed Forces and law enforcement communities.

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U.S. District Court Upholds Colorado Gun Control Laws, Reads AR-15s and their Magazines Out of the Second Amendment

On June 26, Colorado gun owners were dealt a setback in the form of the United States District Court for the District of Colorado's decision in *Colorado Outfitters Association v. Hickenlooper*. The court upheld the state's 2013 gun control laws prohibiting private firearm transfers without government approval and banning magazines with a capacity of greater than 15 rounds.

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Court Declares District of Columbia's Ban on Bearing Arms Unconstitutional

On July 26, the United States District Court for the District of Columbia handed down its decision in *Palmer v. District of Columbia*. In keeping with a string of recent right to carry victories in the federal courts, the ruling struck down D.C.'s total ban on the carrying of firearms outside the home for self-defense.

Judge Frederick J. Scullin authored the opinion, in which he conducted a two-step analysis to determine the validity of the laws in question. First, he examined whether the Second Amendment right encompasses carrying outside the home. After answering the first question in the affirmative, he then turned to the matter of whether the challenged laws impermissibly violate that right.

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Sharply Divided Connecticut Bar Members Vote to Abandon Brady Campaign's Anti-gun Litigation Effort

Lawyers are generally required to be admitted to the bar association of a given jurisdiction (and to pay bar dues) before being allowed to practice in that locale. The overarching purpose of bar associations is to maintain the integrity, trust, and quality of the legal profession, and more broadly, to promote justice and the rule of law. Bar associations pursue these goals by, for example, establishing minimum standards of knowledge or competence for entering the profession, rules of professional ethics and conduct, continuing education requirements and opportunities, and free or affordable legal aid programs.

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Supreme Court Grants BATFE Broad Leeway on "Straw Purchase" Rules in *Abramski v. United States*

On June 16, 2014, the United States Supreme Court issued an opinion in the case of *Abramski v. United States*. The ruling seemingly allows the government to require virtually any information it wants from a person buying a firearm from a federally licensed dealer, whether or not that information has any relationship to public safety or the policies of federal law. Abramski, a former policeman, was given money by his uncle to buy a gun on the uncle's behalf. The apparent benefit to the uncle was that Abramski could obtain the gun at a lower price than the uncle himself could.

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