the FEDERALIST

A Gay-Friendly Shooting Club Just Won This Big Gun Rights Victory In DC

Bre Payton

May 19, 2016

A federal judge ruled on Tuesday that a key provision of Washington DC's concealed carry law was unconstitutional, and ordered DC police to stop requiring residents to prove they have a "good reason" to be issued a concealed carry permit.

The plaintiff, Matthew Grace, is a district gun owner and member of The Pink Pistols, a shooting group that "honors diversity and is open to all shooters regardless of sexual orientation," with dozens of chapters nationwide.

"We teach queers to shoot. Then we teach others that we have done so," their website states.

Armed queers don't get bashed. We change the public perception of the sexual minorities, such that those who have in the past perceived them as safe targets for violence and hateful acts—beatings, assaults, rapes, murders—will realize that that now, a segment of the sexual minority population is now armed and effective with those arms. Those arms are also concealed, so they do not know which ones are safe to attack, and which are not...which they can harm as they have in the past, and which may draw a weapon and fight back.

As <u>Reason.com has reported</u>, the group formed partly due to stories of openly gay individuals being threatened with physical violence — like Tom G. Palmer, a senior fellow at the Cato Institute, who was able to scare away a pack of homophobic thugs because he was packing heat.

VICE reports:

Tom Palmer, a gay libertarian, was walking to dinner with a co-worker in 1982 when he was told by a group of passing homophobes that he would be killed and nobody would ever find his body. Walking slowly away, and then running, Palmer was pursued by the gang for about a hundred feet until he turned to face them with the handgun his mother had given him. His aggressors retreated when they saw the gun, and Palmer was safe—the gun may very well have saved his life.

Since the altercation in 1982, Palmer has been on the forefront of the gun rights cause. In 2014, he sued the city over its ban on all firearms in public, and won. In the Palmer decision, Judge Frederick Scullin <u>deemed the District's ban on</u> carrying open and concealed carry firearms outside of the home to be unconstitutional, citing legal precedent from a prior Supreme Court case, *Heller vs. D.C.*

Palmer was also <u>a plaintiff</u> in <u>the Heller case</u>, in which the Supreme Court determined that the city's requirement that residents must keep all guns kept inside their homes nonfunctional, by either disassembling them or with a trigger lock, violated citizens' Second Amendment rights.

In 2008, <u>The Pink Pistols filed an amicus brief</u> on behalf of the plaintiffs in the Heller case, explaining that restricting the right to bear arms disproportionately affects those who are often targets for hate crimes — thus the right to bear arms is essential for the LGBT community. Additionally, the brief stated that legal precedent established in <u>Lawrence v. Texas</u>, which allows gay and lesbian individuals to participate in same-sex relationships in the privacy of their own homes without government intervention, can only be upheld if they can defend themselves from a hate crime.

Laws, such as D.C. Code § 7-2507.02, that prevent the use of firearms for self-protection in the home are of particular concern to members of the LGBT community, because historically hate crimes based on sexual-orientation bias have most commonly occurred in the home or residence.

By effectively preventing LGBT individuals from defending themselves through possession of firearms in their own homes, persons motivated to attack LGBT individuals may do so with the confidence that their intended victims will be unarmed. Such a result not only conflicts with the natural law right of man to act in his own self-defense, as recognized by the framers, but jeopardizes the privacy rights of LGBT individuals recognized by this Court inLawrence, when the exercise of such rights makes one an unarmed target.

Openly gay individuals have successfully fought for three of the latest major gun-rights victories in the nation's capitol by pointing out the obvious: that everyone ought to be able to defend himor herself from bodily harm, a right afforded to everyone by the Second Amendment.