AMERICAN NEWS REPORT

Federal Judge Calls D.C. Ban on Guns Unconstitutional

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The country's last complete prohibition on carrying guns outside the home was overturned by a federal judge in New York who deemed the Washington, D.C. law unconstitutional.

The ruling by Senior District Court Judge Frederick J. Scullin Jr. stated that the right to a firearm extended outside the home for D.C. residents as well as visitors to nation's capital.

"This is an important step in the journey to preserve all Americans' Second Amendment rights," said Stephen Aldstadt, President of SCOPE NY, a gun rights group that is fighting to register voters to appeal the SAFE Act in New York state.

Judge Scullin Jr. wrote, "There is no longer any basis on which this court can conclude that the District of Columbia's total ban on the public carrying of ready-to-use handguns outside the home is constitutional under any level of scrutiny. Therefore, the court finds that the District of Columbia's complete ban on the carrying of handguns in public is unconstitutional."

The Palmer v. District of Columbia case came from what some say is a surprising source – the plaintiff Tom Palmer.

Palmer is not what most consider is a "typical" gun rights advocate. He is a highly educated intellect who works at the Cato Institute think tank, and is openly gay. His Wikipedia page states he "has been active in the promotion of libertarian and classical liberal ideas and policies since the early 1970s."

Palmer told the *Washington Post* that when he was young, he brandished a gun as 19 to 20 men threatened to kill him and a friend because he was gay.

He also told the *Post*, "People who are in favor of banning handguns assume we must all be bigots, we're all gay bashers, we're all ignorant or stupid, and they never bother to find out that's not the case."

Palmer wrote about the decision in his blog:

"The D.C. government ignored the Supreme Court's ruling in the Heller case, so we had to take them back to court. We won again. The idea that they can simply ban the exercise of a fundamental and enumerated constitutional right is absurd. If the constitutional approach of the DC government were applied to the First Amendment, they would interpret the power to regulate the time, place, and manner of its exercise to include banning all churches, mosques, temples, and synagogues in the District. That cannot be right and the court has set them straight on that matter."

District of Columbia officials have until August 18 to define their intentions regarding an appeal.

Surely the story doesn't end here.