

Alabama AG denounces ruling denying right to carry concealed guns in public



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Alabama's attorney general denounced a federal appeals court ruling today that effectively denies residents of one California county the right of possession of a handgun for self-defense outside the home.

"The U.S. Ninth Circuit Court of Appeals held today that residents have no Second Amendment right to carry a firearm outside their home for self-defense," Alabama AG Luther Strange stated in a press release.

"In effect the appeals court ruled that San Diego County can outlaw guns outside the home by declining to issue anyone a permit. This court's decision is a direct challenge to the Second Amendment and is unconstitutional," Strange stated.

The court ruled in a 7-4 opinion in the case.

"We hold that the Second Amendment does not preserve or protect a right of a member of the general public to carry concealed firearms in public," the court ruled.

According to Strange's statement one of the 9th Circuit judges, Consuelo Callahan wrote in a dissenting opinion that: "a prohibition on carrying concealed handguns in conjunction with a prohibition of open carry of handguns would destroy the right to bear and carry arms."

Strange stated he filed an amicus brief on April 30, 2015, on behalf of Alabama and 20 other states, in the case of *Peruta v County of San Diego* challenging San Diego County's effective prohibition of both open and concealed carry of firearms.

Alabama's amicus brief asserted that "San Diego County sheriff's prohibition on the possession of a handgun outside the home, with limited exceptions, makes it impossible for citizens to use them for the core lawful purpose of self-defense and is hence unconstitutional."

The brief continues, according to Strange, by saying "the sheriff's department admits that, under this system, the typical person cannot qualify for a concealed carry permit for personal protection.

In fact, an applicant must specifically demonstrate 'a set of circumstances that distinguish the applicant from the mainstream and causes him or her to be placed in harm's way. Simply fearing for one's personal safety alone is not considered good cause.'"

The brief added under San Diego County's gun restrictions "bearing arms in self-defense is not a right, but a privilege granted by the government to those it deems most in danger from a specific, previously documented threat."



10 Most Popular
Handguns in Alabama

10 most popular handguns in Alabama

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