



**For Immediate Release**  
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## **LDF Statements on Supreme Court Ruling New York State Gun Control Law Unconstitutional**

Today, the U.S. Supreme Court ruled in *New York State Rifle & Pistol Association, Inc. v. Bruen* that a New York gun control law requiring a person to show “proper cause,” or a special need for self-protection, to carry a concealed firearm outside their home violates the Second Amendment. This decision limits the ability of states to regulate gun possession and is inconsistent with decades of sensible state-level gun regulation. It comes at a time when the United States is engulfed by rising gun violence, including a historic number of mass shootings.

As Justice Breyer explained in a dissenting opinion joined by Justices Sotomayor and Kagan, the Court’s decision represents a sharp departure from its own precedent, and from the precedent of every court of appeals to consider similar restrictions. Specifically, as Justice Breyer pointed out, the Court’s conservative supermajority made clear that it would “refuse to consider the government interests that justify a challenged gun regulation, regardless of how compelling those interests may be.”

In September 2021, the [Legal Defense Fund](#) (LDF) and the National Urban League filed an [amicus brief](#) urging the Court to reject the Second Amendment challenge that it embraced today. The brief demonstrated that states’ authority to limit the public carrying of firearms is well-established and has resulted in reduced handgun violence and deaths. Such restrictions play a particularly important role in reducing handgun violence against Black people—especially young Black men. As Justice Breyer noted in his dissenting opinion today, “the consequences of gun violence are borne disproportionately by communities of color, and Black communities in particular.”

In response to the *Bruen* decision, LDF released the following statements:

### **LDF President and Director-Counsel Janai S. Nelson:**

“The Supreme Court’s decision represents an expansive interpretation of the Second Amendment that is inconsistent with its own precedent and will make it more difficult for states and localities to enact reasonable gun control measures—especially in a time of heightened gun violence. Black communities will experience the greatest harm resulting from the Court’s decision to invalidate reasonable gun control laws because Black people are far more likely to be victims of gun violence.

“To be clear, LDF has serious concerns about the racially discriminatory application of firearms regulations, and we are committed to eradicating such discrimination. But these concerns,

which were not the basis of the Court’s decision, do not justify wholesale invalidation of reasonable gun control laws under the Second Amendment.”

**LDF Director of Litigation Sam Spital:**

“As we saw recently in Buffalo, Black communities are the leading targets of white supremacist gun violence. This is not a recent trend. Indeed, pro-Reconstruction state legislatures originally passed public carry restrictions to protect formerly enslaved Black Americans from white supremacist violence. While purporting to rely on history in its interpretation of the Second Amendment—and its application to the States by virtue of the Reconstruction Era Fourteenth Amendment—the Court gave short shrift to that history in today’s decision.”

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*Founded in 1940, the [Legal Defense Fund](#) (LDF) is the nation’s first civil rights law organization. LDF’s Thurgood Marshall Institute is a multi-disciplinary and collaborative hub within LDF that launches targeted campaigns and undertakes innovative research to shape the civil rights narrative. In media attributions, please refer to us as the Legal Defense Fund or LDF. Please note that LDF has been completely separate from the National Association for the Advancement of Colored People (NAACP) since 1957—although LDF was originally founded by the NAACP and shares its commitment to equal rights.*