



D.C.'S NEW GUN LAWS ARE CONSTITUTIONAL

Members of Congress attempting to amend the “D.C. House Voting Rights Act” frequently argue that the District of Columbia’s new gun laws are unconstitutional. However, following the Supreme Court’s decision in the *District of Columbia v. Heller* case in 2008, the District engaged in a deliberate and thoughtful process to revise its gun laws to comply with the ruling. As a result, the city’s laws were affirmed as constitutional by the U.S. District Court for the District of Columbia.

On March 26, 2010, federal judge Ricardo M. Urbina upheld the District of Columbia’s licensing and registration system, assault weapons ban, and prohibition on high-capacity ammunition magazines. In his [ruling](#), Judge Urbina stated that “public safety is a quintessential matter of public regulation” and found that these laws “permissibly regulate the exercise of the core Second Amendment right to use arms for the purpose of self-defense in the home.” The case, *Heller, et al., v. District of Columbia*, represented the second challenge to the District’s firearm regulations by plaintiff Dick Heller.



Judge Urbina ruled that “these rigorous firearms regulations are justified...not only because the District is a densely populated, urban locale, but also because ‘as the nation’s capital it hosts a large presence of government and diplomatic officials.’” Furthermore, he praised the D.C. Council for holding “extensive hearings” involving “numerous witnesses on both sides of the gun control divide” before formulating its new laws.

The ruling also noted that the *Heller* [decision](#) by the Supreme Court found a wide range of gun regulations to be perfectly constitutional. As Justice Antonin Scalia wrote in the majority opinion:

“Like most rights, the Second Amendment right is not unlimited. It is not a right to keep and carry any weapon whatsoever in any manner whatsoever and for whatever purpose: For example, concealed weapons prohibitions have been upheld under the Amendment or state analogues. The Court’s opinion should not be taken to cast doubt on longstanding prohibitions on the possession of firearms by felons and the mentally ill, or laws forbidding the carrying of firearms in sensitive places such as schools and government buildings, or laws imposing conditions and qualifications on the commercial sale of arms.”

In conclusion, no provision in D.C.’s new gun laws has been implicated as unconstitutional by the Supreme Court or by any other court in the United States. To the contrary, existing jurisprudence has clarified that a wide range of local gun regulation is both reasonable and constitutionally permissible. Finally, [many other states have already enacted longstanding gun laws similar to those of the District.](#)