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ATTORNEY GENERAL MADIGAN FILES AMICUS BRIEF DEFENDING MASSACHUSETTS LAW REGULATING THE CARRYING OF FIREARMS IN PUBLIC

Chicago — Attorney General Lisa Madigan, along with 10 other attorneys general, today filed an amicus brief that defends the constitutionality of a Massachusetts gun law preventing individuals from carrying a firearm in public unless they demonstrate an individualized need to do so.

Filed with the U.S. Court of Appeals for the First Circuit, the brief notes the right of each state legislature to enact gun laws appropriate for their states. The brief argues:

"To be sure, multiple other states chose to adopt unlimited public carry laws, but the Constitution embraces the right of each state to make different choices based on local needs. Simply put, state legislatures have the power to decide how best to address the carrying of guns in public, and nothing in the Second Amendment is to the contrary."

In arguing that the Massachusetts law is constitutional, the brief references recent data from the Violence Policy Center showing that the widespread public carrying of firearms has increased violent crime and homicide, and that between 2007 and 2016, concealed-carry permit holders shot and killed more than 800 private citizens and at least 17 law enforcement officers.

In part, the brief states that allowing widespread public carrying of firearms poses risks from civilians *"without sufficient training to use and maintain control of their weapons,"* and requires that law enforcement officers *"take extra precautions ... effectively treating encounters between police and the community that are now routine, friendly and trusting as high-risk stops."*

The brief continues to explain that:

"This is why (state) legislatures and law enforcement have ... opted to strike a permissible balance between granting handgun permits to those persons known to be in need of self-protection and precluding a dangerous proliferation of handguns on the streets."

Joining Madigan in filing the [amicus brief](#) are the attorneys general of California, Connecticut, Delaware, the District of Columbia, Hawaii, Iowa, Maryland, New Jersey, Rhode Island and Virginia.

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