

Campaign to Keep Guns Off Campus

Recent Supreme Court Decisions on the Second Amendment

In June 2008, the U.S. Supreme Court overturned the District of Columbia's handgun ban in *District of Columbia v. Heller*. The DC handgun ban, enacted by the city council in 1975, restricted residents from owning handguns, excluding those grandfathered in by registration prior to 1975 and those possessed by active and retired law enforcement officers. In its 5-4 decision, the Supreme Court held that:

“The Second Amendment protects an individual right to possess a firearm unconnected with service in a militia, and to use that arm for traditionally lawful purposes, such as self-defense within the home.”

In regard to scope of the right, the Supreme Court wrote:

“Nothing in our opinion should 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 June 2010, the Supreme Court overturned Chicago's handgun ban in *McDonald v. Chicago* holding that *Heller* applied to the states. In *McDonald* the Supreme Court reaffirmed that the Second Amendment individual right to keep guns in the home for self defense allows for reasonable restrictions on firearms, including who can have them and under what conditions, and where they can be taken.

There is nothing in these two recent Supreme Court decisions that would overturn the longstanding tradition of prohibiting firearms on college campuses.