

JEFFERSON COUNTY BOARD OF LEGISLATORS

Resolution No. 270

Affirming Support for the Second Amendment to the United States Constitution and
Opposing the Recently Enacted “Concealed Carry Improvement Act” of 2022

By Legislator: Robert D. Ferris

Whereas, Every person possesses inalienable rights, among these are life, liberty, property, and the right to keep and bear arms in defense of these inalienable rights, and

Whereas, The Supreme Court of the United States has begun restoring the Rights of the People to keep and bear arms in decisions including *District of Columbia v. Heller* and *McDonald v. City of Chicago* which held there is an individual right to keep and bear arms for use in traditionally lawful purposes, including self-defense within the home, and

Whereas, The Supreme Court’s most recent decision in *New York State Rifle and Pistol Association, Inc. et. al. v. Kevin P. Bruen*, struck down New York State’s unconstitutional “proper-cause requirement” to have and carry a pistol or revolver, and

Whereas, The “*Bruen*” decision specifically affirms the presumptively-valid , inalienable right to carry arms in public for self-defense, and

Whereas, In response to the “*Bruen*” decision, the New York State Legislature and Governor passed S51001 the “Concealed Carry Improvement Act” with a spurious message of necessity and no public debate, and

Whereas, New York State ignored both the letter and spirit of the “*Bruen*” decision by:

- amending the State’s licensing process to include requirements for poorly-defined “good moral character”,
- expanding the list of “sensitive places” firearms are restricted exponentially, and most chillingly,
- requiring a search of applicants’ private, personal social media accounts, for “character and conduct”, and

Whereas, The New York State Sheriffs’ Association recognized these new laws as “punitive licensing requirements that aim only to restrain and punish law-abiding citizens who wish to exercise their Second Amendment rights”, and

Whereas, The Jefferson County Board of Legislators has a long history of opposing New York State’s infringements on the inalienable right to self-defense including Resolution No. 82 of 2013 “Opposing the New York State Secure Ammunition and Firearms Enforcement (SAFE) Act of 2013”, and Resolution No. 92 of 2020 “Opposing Infringements on the Inalienable Right to Keep and Bear Arms, and Affirming Support for the Second Amendment to the United States Constitution”, and

Whereas, Our colleagues in Niagara, St. Lawrence, and Warren counties, as well as other Boards of Legislators and Supervisors are beginning to network to overturn these unconstitutional infringements on our citizens' right to self-defense, and

Whereas, Various lawsuits present numerous opportunities for Jefferson County to join pending litigation challenging the various provisions of the Concealed Carry Improvements Act.

Now, Therefore, Be It Resolved, That the Jefferson County Board of Legislators strongly supports the inalienable right to self-defense, the inalienable right to keep and bear arms, and the First, Second, Fourth and Fourteenth Amendments to the United States Constitution, and be it further

Resolved, The Board of Legislators stands in opposition to the Concealed Carry Improvement Act and any other unconstitutional infringements of liberty in defiance of the United States Supreme Court ruling in *NYSRPA v. Bruen*, and be it further

Resolved, The Board of Legislators calls upon the New York State Legislature to immediately and fully repeal the Concealed Carry Improvement Act and replace it with a permitting process that fully complies with both the spirit and the letter of the "*Bruen*" decision, and be it further

Resolved, The Board of Legislators is committed to pursue all legislative and legal remedies to overturn any unconstitutional infringements on the right to keep and bear arms, including joining pending litigation, and be it further

Resolved, That a certified copy of this resolution be provided to Jefferson County's State and Federal Representatives, the Speaker of the New York State Assembly, the Temporary President of the New York State Senate, the Governor of the State of New York, and every County Legislature or Board of Supervisors in the State of New York.

Seconded by Legislator: Robert W. Cantwell, III

State of New York)
County of Jefferson) ss.:

I, the undersigned, Clerk of the Board of Legislators of the County of Jefferson, New York, do hereby certify that I have compared the foregoing copy of Resolution No. _____ of the Board of Legislators of said County of Jefferson with the original thereof on file in my office and duly adopted by said Board at a meeting of said Board on the _____ day of _____, 20____ and that the same is a true and correct copy of such Resolution and the whole thereof.

In testimony whereof, I have hereunto set my hand and affixed the seal of said County this _____ day of _____, 20____.

Clerk of the Board of Legislators