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Brief: States Should Be Able to Enact Laws Restricting Firearms on Private Property

Attorney General Brown Joins Coalition Arguing Law Does Not Violate Second Amendment

BALTIMORE, MD (January 31, 2023) – In a show of support for protecting residents from the harmful effects of gun violence, Maryland Attorney General Anthony G. Brown joined a coalition of 16 Attorneys General asking the U.S. Court of Appeals for the 2nd Circuit to reverse a lower court decision that preliminarily enjoined a provision of New York’s Concealed Carry Improvement Act (CCIA). In an [amicus brief](#), Attorney General Brown and the coalition argue that the lower court’s decision was wrong because the enjoined provision of the CCIA is consistent with Supreme Court precedent and with a long tradition of states enacting similar regulations.

In the brief, filed in the case *Christian vs. Nigrelli*, the coalition explains the CCIA requirement criminalizing possession of a weapon on another person’s private property – when the person carrying the firearm knows or should reasonably know that the property owner has not given express consent to carry firearms on the premises – is constitutional and effective. The coalition further explains the Second Amendment allows states to implement firearm regulations tailored to local conditions to promote gun safety and protect the public from gun violence. The coalition also argues this provision is consistent with the longstanding practice of states across the country to enact regulations for the carry of firearms on private property.

“The ability for states to enact reasonable gun safety laws enables them to fulfill a traditional regulatory role of protecting their residents,” said Attorney General Brown. “Gun violence is an epidemic. States have a Constitutional right to restrict who may possess firearms, and where those firearms may be carried, in the interest of public safety.”

Joining Attorney General Brown in filing the brief are the Attorneys General of California, Connecticut, the District of Columbia, Delaware, Hawaii, Illinois, Massachusetts, Michigan, Minnesota, New Jersey, Oregon, Pennsylvania, Rhode Island, Vermont, and Washington.

<https://www.marylandattorneygeneral.gov/press/2023/013123.pdf>