

July 23, 2021

**Steve Marshall**  
Alabama Attorney General



For press inquiries only, contact:

Mike Lewis (334) 353-2199

Joy Patterson (334) 242-7491

Page 1 of 2

**Attorney General Steve Marshall Files Brief Before U.S. Supreme Court Defending  
Second Amendment**

(MONTGOMERY) – Attorney General Steve Marshall is part of a coalition of 26 attorneys general filing a brief before the U.S. Supreme Court opposing the State of New York’s unconstitutional concealed-carry permit law.

Attorney General Marshall and 25 other attorneys general filed an amicus brief Tuesday in the case, *New York State Rifle and Pistol Association v. Corlett*, urging the Supreme Court justices to declare New York’s excessively restrictive firearm permit law unconstitutional.

“In order for a citizen of New York to obtain a concealed-carry firearm permit, they must first be able to prove they have a special need to carry a firearm outside their home,” said Attorney General Marshall. “The law basically requires New Yorkers to prove that they have already been a victim of violent crimes before they may protect themselves from potentially becoming victims of violent crimes. New York’s ‘proper cause’ requirement serves as a de-facto concealed-carry ban for most citizens and is a direct violation of the Second Amendment.”

Marshall and the other attorneys general state in their brief that the original meaning of the Second Amendment allows citizens to bear arms for self-defense outside their homes. Citing the Supreme Court’s well-known 2008 *Heller v. D.C.* gun rights decision, the coalition argued, “In *Heller*, following the text and history of the Second Amendment, this Court held that the federal constitution ‘guarantee[s] the individual right to possess and carry weapons in case of confrontation.’” Further, the *Heller* decision made it clear that any prohibition that “makes it impossible for citizens” to engage in self-defense violates the Second Amendment.

Alabama and 41 other states have “objective-issue systems,” where a permit is issued to an individual who meets a certain set of objective criteria (including background check, mental health records check, fingerprinting, knowledge of applicable laws, firearms training, or other requirements).

--more--



The attorneys general also argued that citizens who are concealed-carry permit holders are significantly less likely than the general public to commit a crime. Furthermore, objective-issue permitting and concealed-carry permits decrease crime in general and allow citizens to defend themselves outside their homes.

Alabama was joined by attorneys general from Alaska, Arkansas, Arizona, Florida, Georgia, Idaho, Indiana, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Montana, Nebraska, New Hampshire, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, West Virginia and Wyoming in filing the amicus brief.

Read a copy of the attorneys general amicus brief [here](#).