Written by **Bob Adelmann** on October 5, 2017

Pro-gun Victory: D.C. Decides Not to Appeal Concealed Carry Ruling to Supreme Court

Effective Thursday, residents of the nation's capital seeking a concealed carry permit won't have to show a "good or proper reason" to obtain it. That's because anti-gun politicians on Washington, D.C.'s council think it's too risky for them to take their case to the Supreme Court, considering the current political climate there. If they appeal the ruling handed down in July and the Supremes sustain it, it would likely apply not only to their district, but also to other states that have imposed similar restrictions on their citizens.

D.C. Attorney General Karl Racine noted the risks of an appeal going against it:

> I continue to believe the District's "good reason" requirement is a common-sense, and constitutional, gun regulation. However, we must reckon with the fact that an adverse decision by the Supreme Court could have wide-ranging negative effects not just on District residents but on the country as a whole.

On the whole the country likes the idea of concealed carry, with most of them telling sheriffs they "shall issue" permits if the applicants meet certain requirements. But there are a few recalcitrant hangers-on who still believe that their residents can't be trusted and require proofs similar to D.C.'s in order to get permission to carry concealed. New York requires a "proper cause"; New Jersey demands a "justifiable need"; Maryland requires a "good and substantial reason" before granting that permission; while California's law says applicants must show "good cause" before obtaining a CCW (carrying a concealed weapon) permit.

Alan Gura, the lead attorney in the Supreme Court rulings in *Heller* and *McDonald* which expanded Second Amendment rights, was looking forward to bringing to the Supreme Court the constitutional case for sustaining the appeals court's ruling. He mused, when learning that the appeals court had ruled against the district, "With the court of appeals again confirming the people's right to bear arms, Washington, D.C.'s politicians must once again ask themselves whether it makes sense to keep resisting our fundamental rights."

Now Gura knows. *Wrenn v. District of Columbia* won't be appealed. He will have to wait for another opportunity.

The states with onerous unconstitutional rules all but prohibiting their citizens the freedom to exercise their Second Amendment fights include those mentioned above along with Massachusetts, Hawaii, and Connecticut.

The Second Amendment Foundation (SAF) issued a celebratory statement:

> Apparently fearing a devastating loss that could crush arbitrary concealed carry laws in a handful

> of states, the District of Columbia has declined to appeal its loss of a concealed carry case.

This was followed by a statement from SAF's founder, Alan Gottlieb:

> We believe the city was under intense pressure to take the hit and not appeal the ruling … if the District had lost the case before the high court, it would have dealt a fatal blow to similar requirements in California, New Jersey, Maryland and New York, for example, and that prospect had anti-gun politicians in those states quaking in their boots.

It's still no cakewalk for District residents to obtain a CCW permit. Those applying must still undergo 16 hours of training in firearms safety and D.C. gun laws, and another two hours of training at a gun range. In addition each must subject himself/herself to the indignity of an in-person interview at the police department. All of this, remember, to get permission from a state bureaucrat to exercise a God-given right that is guaranteed by the Constitution of the United States!

Furthermore, since there are no gun stores in Washington, D.C., residents must first obtain a registration certificate from the D.C. police and then pick up a weapon purchased outside the district after it has been shipped to a dealer who is located inside police headquarters.

But time and momentum are on their side. At present 42 states have "shall issue" laws (with an increasing number of them no longer requiring a permit at all), while only nine still allow sheriffs the "may carry" privilege at their discretion. Rasmussen Reports noted the swing of the pendulum in its latest survey showing that Americans "strongly favor a justice [at the Supreme Court] who will abide by the Constitution."

By declining to appeal, anti-gun politicians in the nation's capital are playing a waiting game that they increasingly won't be able to win.

Photo: Thinkstock

An Ivy League graduate and former investment advisor, Bob is a regular contributor to The New American *magazine and blogs frequently at LightFromTheRight.com, primarily on economics and politics. He can be reached at badelmann@thenewamerican.com.*

Related article: Appeals Court Denies Hearing on D.C. Concealed-carry Law