

U.S.

Judge Bars Washington, D.C., Restriction on Guns Outside Home

By TAMAR LEWIN MAY 17, 2016

Finding that the District of Columbia's strict gun law is probably unconstitutional, a federal judge ruled Tuesday that, while a challenge to the law is pending, district police must stop requiring applicants to have a "good reason" for seeking a permit to carry a gun on the street.

Judge Richard J. Leon's 46-page ruling in United States District Court in Washington reopens the district's long fight over how much room the Second Amendment's guarantee of the right to bear arms leaves for local regulation — and whether it applies only to firearms in the home, or to guns carried outside as well.

The law gave the police the discretion to grant concealed-carry licenses only to those with "good reason to fear injury" or other specific reasons, such as having a job in which they carried large amounts of cash or valuables.

All citizens have a constitutional right to keep firearms in their homes for self-defense, the United States Supreme Court ruled in 2008 in [District of Columbia v. Heller](#).

Referring to that ruling, Judge Leon [wrote](#), "The district's understandable, but overly zealous, desire to restrict the right to carry in public a firearm for self-defense to the smallest possible number of law-abiding, responsible citizens is exactly the type of policy choice the justices had in mind."

The judge ruled on a lawsuit filed last year by Matthew Grace, the owner of four legally registered handguns, and Pink Pistols, a shooting group he belongs to. In his court papers, Mr. Grace said that he had no special reason for needing to carry a gun on the street, beyond the usual worries about

street violence, but that the gun law violated the Second Amendment right to bear arms for self-defense.

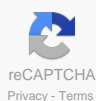
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Judge Leon agreed that the Second Amendment covered the right to carry a pistol in the street as well as in the home. “The need for self-defense is, of course, greater outside the home than it is within it,” he wrote, adding that the right of “law-abiding responsible citizens to carry arms in public for the purpose of self-defense does indeed lie at the core of the Second Amendment.”

Robert Marus, a spokesman for the District of Columbia attorney general’s office, said it was “very likely” that Judge Leon’s ruling would be appealed, “so that we can go back to enforcing our law.”

The district approved its concealed-carry permit law in September 2014, not long after a federal judge overturned its longstanding ban on carrying firearms in public.

The new law, among the strictest in the nation, matches those in Maryland, New Jersey and New York, which have all been upheld by federal appeals courts elsewhere.

A similar case involving a different plaintiff, *Wrenn v. District of Columbia*, is pending in the district. In that one, a different judge said the law was probably constitutional and [refused to issue an injunction](#).

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