October 8, 2020

Dear Leader McConnell, Leader Schumer, Chairman Graham, and Ranking Member Feinstein,

As organizations working to strengthen public safety laws across the country, we are coming together to urge you against rushing through the nomination of Amy Coney Barrett to the United States Supreme Court in the midst of an ongoing national election.

The Supreme Court already includes four justices who have publicly indicated an eagerness to expand the meaning of the Second Amendment in a way that is at odds with over two hundred years of American jurisprudence and long traditions of gun regulations, contradicts the meaning and purpose of the Second Amendment, and could significantly undermine gun safety laws enacted by democratically-elected legislatures across the country. This unsupported interpretation of the Constitution is not only at odds with the Framers’ vision, but with the overwhelming majority of American people who want elected officials to enact evidence-based gun safety laws to address the gun violence public health crisis. Therefore, we fear that rushing this nomination would force a dangerous “guns everywhere” agenda on the country — an agenda that your constituents have repeatedly rejected at the ballot box.

A Court that adopts an extreme and unbounded view of the Second Amendment puts nearly every gun safety law at risk, including laws requiring background checks on all gun sales, common sense restrictions on open carry at peaceful protests or polling locations, and countless other measures designed to ensure guns are possessed responsibly and not used to intimidate, harm, and divide us. Confronting the gun violence in American cities that has been exacerbated by the coronavirus pandemic requires a comprehensive approach, including funding community-based violence intervention programs and enacting evidence-based gun safety laws that stem the flow of illegal guns into our communities. By further deregulating the gun industry and removing safety checks on firearm sales, thousands more Americans would lose their lives to gun violence, with Black and Brown communities closest to the every-day tragedy of gun violence experiencing the greatest losses. This unsupported reading of the Second Amendment could also give license, if not authority, for the armed extremist groups causing such unrest and bloodshed on our streets today.

A Supreme Court that adopts an expansive view of the Second Amendment could strike down laws that have proven critical in reducing the horrors of cyclical retaliatory gun violence and of mass shootings. Anti-gun
trafficking laws, gun dealer regulations, the federal limits on interstate sales of handguns, and restrictions on sales of handguns to minors would all be at risk under a more expansive interpretation of the Second Amendment. State laws restricting assault weapons and high-capacity magazines would also be in jeopardy. The results would make mass shootings deadlier and place survivors of everyday gun violence in even greater danger.

This kind of extreme and expansive reading of the Second Amendment could undermine the very foundations of our background check system by eliminating laws designed to prevent the dangerous and irresponsible use of guns. Gutting existing protections against domestic abusers obtaining firearms would put millions of American women in danger. Eliminating secure storage laws would leave children at risk of accessing unlocked guns found in the home and allow individuals at risk of harming themselves or others to access lethal means. Even while facing these devastating consequences, the Court could further expand the right of armed self-defense to the point where guns are everywhere and people are less safe than ever before.

Simply put: pushing through a nominee who may support the adoption of a radically dangerous interpretation of the Second Amendment would undermine the will and safety, health, and well-being of all American people, including the constituents you represent.

We urge you to honor Justice Ruth Bader Ginsburg’s “most fervent wish” to be replaced by the new President with a thorough confirmation process that pays tribute to her enduring contribution to the Supreme Court and the lives of all Americans.

Thank you for your consideration of our views.

Sincerely,

Battle Born Progress
Brady
The Campaign to Keep Guns Off Campus
CeaseFirePA
Chi-Town GVP Summit
Coalition to Stop Gun Violence
Connecticut Against Gun Violence
Community Justice Action Fund
Delaware Coalition Against Gun Violence
Everytown for Gun Safety
Gays Against Guns
Giffords: Courage to Fight Gun Violence
Gun Violence Prevention Action Committee IL
Gun Violence Prevention PAC IL
Guns Down America
GunSense New Hampshire
GunSense Vermont
Hoosiers Concerned About Gun Violence
Maine Gun Safety Coalition
March For Our Lives
Marylanders to Prevent Gun Violence
National Coalition Against Domestic Violence
National Council of Jewish Women
Nebraskans Against Gun Violence
New Yorkers Against Gun Violence
Newtown Action Alliance
North Carolinians Against Gun Violence
Ohio Coalition Against Gun Violence
States United to Prevent Gun Violence
Stop Handgun Violence
Team ENOUGH

Union of Reform Judaism
Woman's National Democratic Club (WNDC)
Youth Over Guns

cc: Members of the Senate Committee on the Judiciary