



Legislative Action

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Federal Appeals Court Finds Plaintiffs in 2013 Gun Laws Lawsuit Have No Legal Standing

This morning the 10th circuit court of appeals ruled that all of the plaintiffs in the lawsuit seeking to overturn the gun laws passed in 2013 had no standing because none of them had a credible fear that they would be prosecuted. It appears that the court was indicating that the suit was either premature or speculative.

In a press conference this afternoon, the plaintiffs' attorney David Kopel of the Independence Institute claimed that the ruling was a good thing as there now no longer is a ruling against them. Colorado Ceasefire disagrees with Kopel's interpretation and considers this is a victory for those who fought to get these laws on the books.

The 2013 laws that were the focus of the lawsuit were the Universal Background Check Law that requires every gun transfer be preceded by a background check and a ban on the sale and transfer of high capacity magazines holding more than 15 rounds. Ceasefire believes that what's most noteworthy is that over two years since implementation, opponents of this legislation have apparently been unable to identify people allegedly harmed by the legislation.

In that same press conference, Sheriff Justin Smith of Larimer County claimed that sheriffs are the last line of defense standing up for the rights of citizens of their communities. Eileen McCarron of Colorado Ceasefire Legislation Action questions all the sheriff plaintiffs' priorities. "Shouldn't sheriffs be protecting the right to life of all the members of their communities? Shouldn't they be endeavoring to prevent people from being shot and killed by felons or domestic violence abusers who circumvent background checks? Shouldn't they be protecting people from mass murderers who employ high capacity magazines, such as in the Aurora Theater and the Sandy Hook Elementary School shootings?"

At the press conference, McCarron asked Sheriff Smith what he would do if he learned of a gun store that was selling high capacity magazines. The sheriff never directly answered her question, but rather claimed he knew of no such instance in his county. Ceasefire believes this shows that, despite statements from the sheriffs that the high capacity magazine law is unenforceable, it is indeed being followed.

The plaintiffs may claim this is a good ruling, but Ceasefire believes the plaintiffs are simply trying to save face. Colorado Ceasefire is pleased that the laws still stand, and they continue to work to save lives. Since July 2013 over 18,500 transfers of firearms in Colorado have been

blocked because the buyer was prohibited, 851 of those were in private sales.

Colorado Ceasefire, an all-volunteer statewide organization, has been fighting for freedom from gun violence since 2000. Ceasefire initiated and was instrumental in the enactment of the 2013 Colorado firearms laws, which included universal background checks, a high capacity magazine ban, and domestic violence firearms relinquishment.

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