

FPC Urges Supreme Court to Restore the Human Right to Carry Arms in Public Throughout the U.S.

WASHINGTON, D.C. (October 30, 2019) — Today, [Firearms Policy Coalition](#) (FPC) filed an important United States Supreme Court brief in the case of *Malpasso v. Pallozzi*, asking the Court to hear a challenge to Maryland’s “good and substantial reason” requirement for a firearm carry permit. The brief is available online at [FPCLegal.org](#).

“As the brief explains, we believe this case is worthy of the Supreme Court’s review for several reasons,” said FPC Director of Research and brief author, Joseph Greenlee. “By now, nearly every federal circuit court has addressed the right to bear arms in public. The courts have taken a variety of different approaches and have reached an even greater variety of outcomes. The result has been a different right from state to state, with the right essentially banned in many—leaving millions of Americans unable to exercise a fundamental right. Several courts have gone so far as to expressly request additional guidance from the Supreme Court in their opinions, and we hope that the Court will take this opportunity to provide that guidance.”

FPC was joined by *amici* organizations Firearms Policy Foundation, California Gun Rights Foundation, Madison Society Foundation, and Second Amendment Foundation.

Firearms Policy Coalition (www.firearmspolicy.org) is a 501(c)(4) grassroots nonprofit organization. FPC’s mission is to advance individual liberty, restore freedom, and defend the People’s rights—especially the fundamental, individual Second Amendment right to keep and bear arms.

Background

- Maryland forbids anyone from carrying a firearm in public without a permit.
- Maryland issues permits only to applicants who can demonstrate a “good and substantial reason to wear, carry, or transport a handgun.”
- A desire to exercise the constitutionally protected right of self-defense is not a “good and substantial reason” according to Maryland. Rather, something like “apprehended danger” is required.
- Receiving a vague threat or living in a high-crime area is insufficient to establish “apprehended danger.” Even a clear and credible threat is not necessarily sufficient. Before issuing a permit, the government first considers how likely it is that the threat will be carried out, whether carrying a handgun is a necessary response, and if some other approach to protection is more appropriate.
- The United States Supreme Court has strongly indicated that the right to bear arms for self-defense extends beyond the home. Some federal circuit courts have expressly held that it does. And no federal circuit court has held to the contrary. But several circuit courts have upheld good-reason standards that limit the exercise of the right to applicants who can provide a unique and government-approved reason to bear arms—like Maryland’s “good and substantial reason” requirement. By requiring a unique reason, these good-reason standards necessarily forbid ordinary law-abiding Americans from carrying a gun.

- FPC filed this brief to encourage the Court to establish consistency throughout the nation—so fundamental rights are not changing from jurisdiction to jurisdiction—and even more importantly, so that every law-abiding person can freely exercise the natural right to bear arms.

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