



NEWS RELEASE

Second Amendment Foundation

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SAF FILES FEDERAL LAWSUIT CHALLENGING RESTRICTIVE NEW JERSEY CARRY LAWS

For Immediate Release:

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BELLEVUE, WA – The Second Amendment Foundation today filed a federal lawsuit challenging laws in the state of New Jersey that effectively prevent average law-abiding citizens from legally carrying loaded sidearms outside of their homes for personal protection.

Joining SAF are the Firearms Policy Coalition, New Jersey Second Amendment Society and two private citizens, Stanley Bennett and Michael Hucker. The lawsuit was filed in U.S. District Court for the District of New Jersey. Plaintiffs are represented by attorneys David Jensen of Beacon, NY., Raymond M. DiGuseppe of Southport, NC and Adam Kraut of Sacramento, CA.

Named as defendants are Clayton Police Chief Andrew Davis, Guttenberg Public Safety Director Robert D. White, Guttenberg Police Officer-in-Charge Juan Barrera, State Police Supt. Patrick J. Callahan and Attorney General Gurbir S. Grewal. The lawsuit is known as [*Bennett v. Davis*](#).

The lawsuit challenges the Garden State's restrictive gun laws relating to carrying loaded handguns outside of the home without a permit, along with the state's regulatory scheme that makes it difficult for average citizens to apply for and receive a carry permit.

“The right to bear arms must be available to all citizens, not just a privileged few,” said SAF Founder and Executive Vice President, Alan Gottlieb. “Like other rights protected by the Constitution, that right is not limited to the confines of one's home. Ever since the SAF victory in *McDonald v. City of Chicago* ten years ago, the Second Amendment absolutely applies in New Jersey. We will continue to sue whoever we need to as we restore the Second Amendment one lawsuit at a time.”

“The people of New Jersey have been oppressed by an abusive, authoritarian government for far too long, and we intend to remedy that beginning today,” added FPC President Brandon Combs. “Our nation fought the Revolutionary War to forcefully reject the Crown's heavy-handed rule and denial of fundamental liberties, including the right to bear arms, but the State has regressively called back to that tyranny as inspiration for its current policies. Governor Murphy, Attorney General Grewal, and other anti-rights government officials may not like that people have the right to carry loaded guns in public, but their opinion doesn't trump the Constitution. It's time to bring freedom back home to the Garden State.”

“This case is fundamentally a simple but important one,” noted attorney DiGuseppe. “In New Jersey today, the right to carry loaded handguns in public for all lawful purposes, including self-defense, is completely denied to law-abiding people, like and including our clients. But the U.S. Supreme Court has held that such bans are categorically unconstitutional. We look forward to vindicating the rights of our clients and forcing New Jersey to respect the Constitution.”

“The right to keep and bear arms is not limited to the home,” attorney Kraut added. “In *Heller*, the Supreme Court held that to ‘bear’ arms means to ‘carry’ them for ‘a particular purpose—confrontation.’ And even the late Justice Ginsburg wrote that bearing arms means to ‘wear, bear, or carry . . . upon the person or in the clothing or in a pocket, for the purpose . . . of being armed and ready for offensive or defensive action in a case of conflict with another person.’ But the State of New Jersey has totally banned the average law-abiding citizen from exercising their rights. That is unconstitutional and unacceptable.”

“New Jersey’s draconian prohibition on the right to protect yourself with a firearm, the same way politicians and judges protect themselves, has endangered lives and created countless victims,” said NJ2AS President Alexander Roubian. “New Jersey residents want nothing more than to protect themselves and their loved ones, as they are entitled to. We are confident the courts will agree and proud to join forces with the nation’s leading organizations, the Second Amendment Foundation and Firearm Policy Coalition, to help take this battle to the highest court.”

The Second Amendment Foundation (www.saf.org) is the nation’s oldest and largest tax-exempt education, research, publishing and legal action group focusing on the Constitutional right and heritage to privately own and possess firearms. Founded in 1974, The Foundation has grown to more than 650,000 members and supporters and conducts many programs designed to better inform the public about the consequences of gun control.

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