



U. S. Department of Justice

Criminal Division

1/ Bullshit 2nd Amend. Decision

Washington, D.C. 20530

MAR 25 1997

Ms. Arlynn Afton
1657 Martindale Avenue, SW
Wyoming, Michigan 49509

Dear Ms. Afton:

We received your letter of March 12, 1997, and are pleased to respond to your question about the Second Amendment.

In your letter, you relate a statement made by Sarah Kemp Brady to the effect that the Second Amendment of the United States Constitution does not guarantee the right of individuals to possess firearms. This is, in fact, correct. Although those who oppose any form of gun control commonly assert that the Second Amendment confers the right to individual ownership of firearms, this view is not sustained by case law interpreting that amendment. The courts have uniformly held that the Second Amendment protects only against federal attempts to disarm or abolish organized state militia, and does not confer on an individual the right to own or possess firearms. This has been the consistent position of the Supreme Court and the eight United States Courts of Appeals which have considered the issue.

Thank you so much for your interest in this important issue and we hope this information is helpful.

Sincerely,

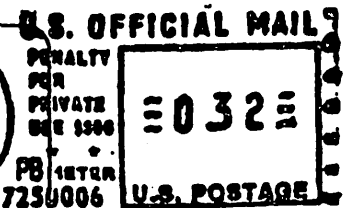
Ronnie L. Edelman
Principal Deputy Chief
Terrorism and Violent Crime Section

BELOW = OUTSIDE OF ENVELOPE

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