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# Ruling creates turmoil in court on gun laws

Legal wrangling playing out as mass shootings continue to plague US

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WASHINGTON — A landmark U.S. Supreme Court decision on the Second Amendment is upending gun laws across the country, dividing judges and sowing confusion over what firearm restrictions can remain on the books.

The high court's ruling that set new standards for evaluating gun laws left open many questions, experts say, resulting in an increasing number of conflicting decisions as lower court judges struggle to figure out how to apply it.

The Supreme Court's so-called Bruen decision changed the test that lower courts had long used for evaluating challenges to firearm restrictions. Judges should no longer consider whether the law serves public interests like enhancing public safety, the justices said.

Under the Supreme Court's new test, the government that wants to uphold a gun restriction must look back into history to show it is consistent with the country's "historical tradition of firearm regulation."

Courts in recent months have declared unconstitutional federal laws designed to keep guns out of the hands of domestic abusers, felony defendants and people who use marijuana. Judges have shot down a federal ban on possessing guns with serial numbers removed and gun restrictions for young adults in Texas and have blocked the enforcement of Delaware's ban on the possession of homemade "ghost guns."



A landmark Supreme Court decision on the Second Amendment is dismantling gun laws across the country, dividing judges and sowing confusion over what firearm restrictions can remain on the books. BRITAINY NEWMAN/AP FILE

"There's confusion and disarray in the lower courts because not only are they not reaching the same conclusions, they're just applying different methods or applying Bruen's method differently," said Jacob Charles, a professor at Pepperdine University's law school who focuses on firearms law.

The legal wrangling is playing out as mass shootings continue to plague the country awash in guns and as law enforcement officials across the U.S. work to combat an uptick in violent crime.

Last week, six people were fatally shot at multiple locations in a small town in rural Mississippi and a gunman killed three students and critically wounded five others at Michigan State University in East Lansing, Michigan, before killing himself.

Dozens of people have died in mass shootings so far in 2023, including in California, where 11 people were killed as

they welcomed the Lunar New Year at a dance hall.

The decision opened the door to a wave of legal challenges from gun-rights activists who saw an opportunity to undo laws on everything from age limits to AR-15-style semiautomatic weapons. For gun rights supporters, the Bruen decision was a welcome development that removed what they see as unconstitutional restraints on Second Amendment rights.

The New Orleans-based 5th U.S. Circuit Court of Appeals acknowledged that the law "embodies salutary policy goals meant to protect vulnerable people in our society." But the judges concluded that the government failed to point to a precursor that is comparable enough to the modern law. Attorney General Merrick Garland has said the government will seek further review of that decision.