

No. 20-843

**In the Supreme Court
of the United States**

NEW YORK STATE RIFLE &
PISTOL ASSOCIATION, INC., ET AL.,
Petitioners,

v.

KEVIN P. BRUEN, IN HIS OFFICIAL CAPACITY
AS SUPERINTENDENT NEW YORK STATE POLICE, ET AL.,
Respondents.

On Writ of Certiorari to the
United States Court of Appeals
for the Second Circuit

**AMICUS BRIEF OF THE NEW YORK
COUNTY LAWYERS ASSOCIATION
IN SUPPORT OF RESPONDENTS**

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TABLE OF CONTENTS

INTEREST OF AMICUS CURIAE 1

SUMMARY OF ARGUMENT 3

ARGUMENT 6

 The Proliferation of Concealed
 Weapons Places the Judiciary,
 Attorneys, and the Public at Undue
 Risk of Harm from Gun Violence..... 6

 I. Courthouse Operations Are,
 By Their Very Nature,
 a Forum for Conflict 7

 II. Courthouse Violence
 Continues to Rise..... 13

 III. Violence Against Legal
 Professionals Continues to Rise..... 17

CONCLUSION..... 19

TABLE OF AUTHORITIES

CASES

<i>Bonidy v. U.S. Postal Serv.</i> , 790 F.3d 1121 (10th Cir. 2015).....	11
<i>District of Columbia v. Heller</i> , 554 U.S. 570 (2008).....	<i>passim</i>
<i>Ex Parte Cheney</i> , 90 Cal. 617 (1891)	20

STATUTES

Cal. Penal Code §§ 26150–26225.....	13
Ga. Code Ann. §§ 16-11-126–130.....	13, 19
Minn. Stat. § 624.714.....	13
Miss Code Ann. § 45-9-101	13
Nev. Rev. Stat. Ann. §§ 202.3653–202.369	13
Ohio Rev. Code Ann. §§ 2923.124–125.....	13
S.C. Code Ann. §§ 23-31-210–240.....	13
Wis. Stat. § 175.60	19

OTHER AUTHORITIES

ABA Report with Resolution 19A105 (Standing Committee on Gun Violence) (Aug. 2019), <i>available at</i> https://www.americanbar.org/groups/public_interest/gun_violence/policy/19A105/	16
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TABLE OF AUTHORITIES
(continued)

<p>ABA, Report with Resolution 11A115 (Standing Committee on Gun Violence) (Aug. 2011), <i>available at</i> https://www.americanbar.org/groups/public_interest/gun_violence/policy/11A115/</p>	16
<p>Adam Lamparello, <i>Why Wait Until The Crime Happens? Providing for the Involuntary Commitment of Dangerous Individuals Without Requiring a Showing of Mental Illness</i>, 41 Seton Hall L. Rev. 875 (2011)</p>	10
<p>Alison Dirr & Andy Thompson, <i>When Domestic Violence Becomes a Public Risk</i>, Wausau Daily Herald (Mar. 25, 2017), <i>available at</i> https://www.wausaudailyherald.com/story/news/2017/03/25/when-domestic-violence-becomes-public-risk/99558086/</p>	18
<p>Associated Press, <i>Man Arrested in March 2020 Shooting of a Judge</i>, U.S. News (Mar. 15, 2021), <i>available at</i> https://www.usnews.com/news/best-states/mississippi/articles/2021-03-15/man-arrested-in-march-2020-shooting-of-a-judge.....</p>	12
<p>Chief Administrator of the Courts, <i>New York State Unified Court System 2020 Annual Report</i> (2020), <i>available at</i> https://www.nycourts.gov/legacypdfs/20-UCS-Annual-Report.pdf</p>	17

TABLE OF AUTHORITIES
(continued)

CNN Editorial Research, <i>Atlanta Courthouse Shootings Fast Facts</i> , CNN (Mar. 1, 2021), available at https://www.cnn.com/2013/10/31/us/atlanta-courthouse-shootings-fast-facts/index.html	9
David Bailey, <i>Sheriff Says Heroes Averted Worse Courthouse Shooting</i> , Reuters (Dec. 16, 2011), available at https://www.reuters.com/article/us-minnesota-courthouse-shooting/sheriff-says-heroes-averted-worse-courthouse-shooting-idUKTRE7BF1Y820111216	11
David Struett & Sophie Sherry, <i>2 Killed in 'Brazen' Gang-Related Shooting Outside Kankakee County Courthouse, Police Say</i> , Chicago Sun Times (Aug. 27, 2021), available at https://chicago.suntimes.com/crime/2021/8/26/22643014/kankakee-courthouse-shooting-gang-related	13
Dow Constantine, <i>Citizens Have a Right to Safety in the Courthouse</i> , 28 Justice Sys. J. 36 (2007)	8, 18

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