



### **Respecting Rights While Pursuing Real Solutions to Gun Violence**

I share the urgency we all feel in addressing gun violence at large and schools specifically. It's a serious issue that deserves our full attention. I also understand that there are those who firmly believe that prohibiting certain firearms identified as "assault weapons" or "weapons of war", will make our state safer, or at least limit the carnage by someone intending to commit murder. But we must be careful not to let that urgency lead us to discard constitutional protections in favor of policies that may feel good but fail to provide the safety we deserve.

The Second Amendment is not a relic—it's a living protection of individual liberty. The Supreme Court has made clear in recent rulings, especially in *New York State Rifle & Pistol Association v. Bruen*, that any firearm regulation must align with the nation's historical tradition of gun laws[1]. This "text, history, and tradition" test now governs how courts evaluate Second Amendment challenges, and it has already led to a wave of litigation against state-level bans on so-called "assault weapons" and high-capacity magazines[2].

Many of these bans are currently being challenged in federal courts across the country. For example:

- Maryland's AR-15 ban was upheld by the Fourth Circuit, but Justice Kavanaugh questioned the ruling and signaled the Supreme Court may take up the issue soon[2].
- California's and New Jersey's bans are also under scrutiny, with courts split on how to apply the *Bruen* standard to modern firearms[2].

These cases underscore a critical point: the legality of banning commonly owned firearms used by millions for lawful purposes is far from settled. The courts are still working through how to reconcile modern regulations with constitutional protections.

As this progresses, all of us must commit to being intellectually honest in the strategies we align with, and any changes to law we support. The deadliest attack on a Midwest school did not even involve a firearm, but a bomb. The most fatal school shooting in our country's history involved two handguns.

Expecting broad firearm bans to reduce school shootings requires us to first assume that a ban will reduce their use by criminals, and second, that banning a style or type of firearm will reduce the likelihood of attacks. Oftentimes, states with strict firearm laws have similar gun violence rates as those without, therefore bans alone appear unlikely to produce the results we want. This should prompt thoughtful people to look further.

Recognizing there is no single solution, our approach should concentrate on evidence-informed strategies that reduce gun violence without infringing on rights. The courts will make the determinations under their jurisdiction, and at the same time, we can take a broad, public health style approach, that's been used successfully to combat smoking, car crashes, and infectious diseases, and apply it here as well. This includes:

- Enforcing existing laws
- Extreme Risk Protection Orders
- Early identification and expanded mandated reporters
- Expanded and aligned mental health services
- Flexible school safety funds
- Community violence intervention programs[3]

These strategies are backed by data and have been shown to reduce gun deaths and injuries. They target the root causes of violence, like domestic abuse, suicide risk, early crisis intervention and community conflict.

We all want safer communities. And we can pursue that goal in a way that respects constitutional rights and is grounded in what actually works; these are not mutually exclusive. This approach may not sit well with special interest groups but will build a system that identifies someone in crisis, connects them to resources, reduces the opportunities for people to access firearms who shouldn't, and divert them from violence before they cause harm. Plus, it will get broad-based support in our communities and in the legislature.

I'm interested - as I believe you are - in doing the right thing by finding solutions that stop attacks from happening with any weapons. Thank you for working with me on this important issue.

-Rep. Danny Nadeau

## References

- [1] [How Recent 2nd Amendment Court Cases Affect Gun Laws](#)
- [2] [An Update on Challenges to State Assault Weapon and Magazine Bans](#)
- [3] [The Public Health Approach to Prevent Gun Violence](#)