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*****FOR IMMEDIATE RELEASE*****

***Joint Public Defender Statement on U.S. Supreme Court
Ruling in New York State Rifle & Pistol Association Inc. v.
Bruen***

(New York, NY) – Black Attorneys of Legal Aid, The Bronx Defenders, Brooklyn Defender Services, Monroe County Public Defender, Ontario County Conflict Defender’s Office, Ontario County Public Defender, Oneida County Public Defender, Wayne County Public Defender, and St. Lawrence County Public Defender released the following statement in response to the Supreme Court’s ruling in NYSRPA v. Bruen:

“New York enacted its firearm licensing requirement in the early 20th century to prevent immigrants and people of color from possessing guns. Since its enactment, the law has justified discriminatory policing and criminalization of Black and brown people living in urban low-income communities. As public defenders, we represent too many people of color who face years in prison not for shooting, but for simply possessing an unlicensed gun -- something that is legal in close to half of the country. New Yorkers prosecuted for simple gun possession are branded “criminals” and “violent felons” for life, facing mandatory prison sentences, separation from their communities and families, and an inability to maintain stable employment and housing. That is why we and other public defenders across the state filed [an amicus brief](#) asking the Supreme Court to put an end to New York’s discriminatory gun licensing scheme. Today’s ruling strikes down the carry provision of the law; however, it fails to address the discriminatory nature of the underlying gun licensing scheme and the criminalization of Black and brown New Yorkers.

We share in the collective horror at the recent tragedies in Buffalo, Uvalde, and Tulsa and the deep concerns about gun violence. And we acknowledge the overdue need to seriously address gun violence in this country. We are also concerned about the violence perpetuated against

Black and brown people in urban areas of New York State who are criminalized and incarcerated for unlicensed gun possession while unlicensed gun possession in white rural communities frequently goes unaddressed.

The people we represent, whose stories we told in our brief, did not hurt anyone. Like all gun owners, they had many different reasons to own a gun. Some had traveled from places where unlicensed gun possession is common and legal. Some had survived gun violence themselves and had a gun to protect themselves and their families. Some live in communities where they do not trust and cannot rely on the police. And yet, the police have unfettered discretion in deciding who can get a license and protect themselves.

Over 90% of the people prosecuted for unlicensed gun possession in New York City are Black and brown. These are the people impacted by New York's discriminatory gun licensing scheme, which has fueled the criminalization and incarceration of young New Yorkers of color. As the last two years have shown us, even short periods in New York City jails can be a death sentence.

Gun regulation need not mean funneling low-income Black and brown people into the criminal legal system. Today, we call on the legislature to design new gun regulations that are rooted in equity, not racism and to address the mass criminalization and incarceration of people of color for unlicensed gun possession. We look forward to working with the legislature to chart a new course in addressing gun violence - one that does not perpetuate racial discrimination and harm.”

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