

**BILL 57 (2022), CD1**  
**Testimony**

**MISC. COM. 91**

**EMLA**

Aloha,

I am providing written testimony in opposition to BILL 057(22) CD1.

The Supreme Court of the United States (SCOTUS), through the NYSRPA vs. Bruen decision, recently established "text, history, and tradition" as the new standard for jurisprudence regarding the Second Amendment. Any precedent analyzed using the text, history, and tradition method must have its origins rooted near the creation of the Second Amendment in 1791.

In regards to sensitive places, the SCOTUS ruling specifically mentioned polling places, schools, and government buildings as examples of sensitive places that historically prohibited the bearing of arms. Additional proposed locations noted in BILL 057(22) CD1 fail to provide historical context or justification for inclusion on a list of sensitive areas.

New York included all of the sensitive areas defined in BILL 057(22) CD1 in the Concealed Carry Improvement Act (CCIA), which was a response to the SCOTUS decision. U.S. District Court Judge Glenn Suddaby, among other judges, have already ruled large parts of the (CCIA), particularly many of the sensitive locations, are unconstitutional and do not adhere to text, history, and tradition.

Further, U.S. District Court Judge Renee Marie Bumb ruled New Jersey's list of sensitive locations, which are very similar to New York's, unconstitutional. Bumb also blocked the enforcement of carrying firearms on private property without the "express consent" of an owner or signage indicating firearms are allowed. The State's default ban for firearms on private property essentially made a decision for an entire population. BILL 057(22) CD1 aims to replicate the same directive for private property.

BILL 057(22) CD1 has offered no validation for the list of sensitive places in accordance with the text, history, and tradition method set forth by SCOTUS. Banning the bearing of arms in various proposed sites, which mimic New York's CCIA and New Jersey's sensitive places list, has already been ruled unconstitutional. Numerous testimony alluded to these facts under review of the first version of BILL 057(22), but the City Council appears poised to move forward regardless, which is incredibly unfortunate.

Thank you.