

Second Amendment Organization

Position Statement

Firearms Purchases and Possession

September 2018

Age limits on possession of firearms? (Complex)

The Second Amendment Organization believes that the supervised or allowed possession of firearms by children should be an issue dealt with primarily by responsible parents and not controlled by the government, except in regard to cases of parental negligence, as otherwise defined by law.

Age limits on purchasing of firearms? (Supportive)

The Second Amendment Organization believes that setting age limits for the legal purchase of firearms from licensed dealers that coincide with the legal voting age or minimum age for military service is appropriate.

Background Checks for private transfers? (Against)

The Second Amendment Organization does not support law mandating background checks for private transfers or making private transfers illegal. The Second Amendment does advocate that responsible firearms owners having any concerns about private sales of firearms to unknown persons conduct the sale through a Federally Licensed Firearms Dealer.

Mandatory Training for Ownership? (Against)

The Second Amendment Organization believes that, because there is no provision in the Second Amendment for a training requirement prior to exercise the right to keep and bear arms, the establishment of such a requirement to own a firearm would be a severe infringement on that right.

Mental Health Issues and Firearms Possession? (Complex)^[1]_[SEP]

The Second Amendment Organization supports the temporary restriction of an individual's right to purchase, possess or use firearms when that individual has been found to present a danger to themselves or others due to a diagnosed mental illness or condition.

The Second Amendment Organization does not support automated processes through which any individual seeking help or treatment for possible mental conditions or illness loses their right to keep and bear arms without due process.

National Instant Criminal Background Check System (NICS)? (Complex)

The Second Amendment Organization recognizes that the NICS program has been accepted by the Firearms Industry and the vast majority of legal firearms owners despite its fundamental nature as an infringement on the free exercise of the Right to Keep and Bear Arms. So long as NICS is in place, the Second Amendment Organization advocates for full and timely reporting of Prohibited Person Status by all jurisdictions, agencies and entities responsible for determining the various states, conditions and standings of individuals subject to restrictions of their right to keep and bear arms. Furthermore, the Second Amendment Organization supports the consistent and assertive prosecution of those dealers and individuals involved in willful violations of the Brady Act or attempts to circumvent the NICS Process.

Ownership Restrictions against “Medical Marijuana Card” holders? (Against)

The Second Amendment Organization does not support automatic prohibitions against firearms ownership, possession or use against those who have been prescribed “Medical Marijuana Cards” or have prescribed any other controlled substance by a licensed medical professional for treatment of any illness, condition or disease. Furthermore, the Second Amendment Organization advocates for the Federal Government to adjust the status of Marijuana as a controlled substance in light of the legalization of its recreational use by a large number of State, particularly in regard to its legal use in those States resulting in a automatic “Prohibited Person” Status per the current standards set forth by ATF Form 4473 and related regulations.

Ownership Restrictions against recreational users of Alcohol or Marijuana? (Against)

The Second Amendment Organization does not support restrictions against ownership or use of firearms against legal users of substances such as alcohol or marijuana at times when they are not under the influence of such substances. For the purposes of this position, until the Federal Government changes its position on the legality of marijuana (or takes action to restrict States from allowing the legal recreational use of marijuana), “legal users” would include those consuming under the conditions deemed legal by the State or lower level Jurisdiction in which they are present at the time.

State Level Firearms Ownership Requirements? (Against)

The Second Amendment Organization does not support any State (or lower jurisdiction) legislation that places greater restrictions on any individual US Citizen’s right to keep and bear arms than exist under Federal Law.

Waiting Periods? (Against)

The Second Amendment Organization does not support waiting periods for the purchase or transfer of firearms to those not otherwise prohibited from their legal ownership.

“Red Flag” Laws? (Complex)

The Second Amendment Organization does not support the establishment of laws which allow for the temporary confiscation of firearms or restriction of an individual’s right to purchase or possess firearms that does not involve a level of due process prior to enactment and a clear process for the reinstatement of that individual’s right to keep and bear arms without financial burden or undue delay in situations where that person has not committed any crime or been found to be suffering from any condition which would cause a restriction of that right.

Restraining Orders resulting in restriction of Firearms Rights? (Complex)

The Second Amendment Organization does not support laws which automatically place restrictions on the ownership, possession or carry of defensive firearms for those who *request* emergency restraining orders, nor do we support the automatic restriction of firearms ownership or possession at a place of residence for the subject of a restraining order in cases where a judge does not specifically mandate such restrictions for cause.

For more information about 2AO, please visit our web site at <http://www.2ao.org>.

Please direct any media inquiries to media@2ao.org