

Allegheny County Sportsmen's League and Firearm Owners Against Crime Issue Letter to Pittsburgh City Council and Mayor Warning of Litigation if Proposed Ordinances are Passed

Pittsburgh, PA (December 17, 2018) — Today, [Allegheny County Sportsmen's League \("ACSL"\)](#) and [Firearm Owners Against Crime \("FOAC"\)](#) issued a stern warning to Pittsburgh City Council and Mayor William Peduto through their attorney [Joshua Prince, Esq.](#), of [Firearms Industry Consulting Group](#), a division of [Civil Rights Defense Firm, P.C.](#), that any action to implement three ordinances outlined at a press conference on Friday, December 14, 2018, would not only violate Pennsylvania's preemption statute but result in certain litigation. A copy of the letter can be viewed at [here](#).

The proposals presented at Friday's press conference by the Mayor and Pittsburgh City Council Members Corey O'Connor and Erika Strassburger included:

- An assault weapons ban making it unlawful to manufacture, sell, purchase, transport, carry, store, or otherwise hold in one's possession an assault weapon within the City, such as the popular AR-15 rifle;
- A ban on items such as bump stocks, armor-penetrating bullets, and large capacity magazines; and
- The adoption of Extreme Risk Protection Orders (ERPOs), which enables individuals to be stripped of their ability to keep and bear arms in violation of due process

Under Pennsylvania law, it is unlawful for a municipality to regulate the lawful ownership, possession, transfer or transportation of firearms, ammunition or ammunition components when carried or transported for purposes not prohibited by the laws of Pennsylvania. Prior enactments of similar ordinances have been successfully challenged and struck down by various Pennsylvania courts. In fact, the Pennsylvania Supreme Court previously declared in *Ortiz v. Commonwealth* that "[b]ecause the ownership of firearms is constitutionally protected, its regulation is a matter of statewide concern ... [T]he General Assembly, *not city councils*, is the proper forum for the imposition of such regulation." 681 A.2d 152, 156 (Pa. 1996).

"In offering these three unlawful firearm-regulation proposals, Mayor Peduto and the Pittsburgh City Council are violating numerous provisions of the Crimes Code, by seeking to impede the exercise and enjoyment of numerous rights and privileges protected by the Pennsylvania Constitution and statutory law," said Prince. "Contrary to what the Mayor and City Council believe, they are not above the law and will be held accountable for any action taken to enact these proposals."

"We are pleased to have joined forces with Firearm Owners Against Crime to put an end to this dangerous attempt to damage the liberty of the residents of Pittsburgh," stated Klint Macro, President of ACSL. "The limitation, restriction, or destruction of our sacred Liberty is not acceptable. We must not stand by while elected officials assault the Rights of Law Abiding Citizens. This is not only an assault on the Rights of the Citizens of Pittsburgh, but it is also an assault on the Liberty of everyone that calls Western PA Home."

"The actions of the City of Pittsburgh are an example of government run amok, shirking the law and the Constitution and citizen's rights to advance agenda driven gun control," announced Kim Stolfer, Chairman of FOAC. "This is another, in a continuing string, of lawlessness to cover up for the fact that gun free zones fail completely and that the duty of self-protection is the responsibility of law-abiding citizens and not an Orwellian overreaching government."

“Once again, we see another municipality attempting to enact ordinances to preclude individuals from violating existing law. The irony is that the same individuals who seek to impose these new regulations are themselves violating the law, showing the fallacy in their logic that criminal laws preclude criminals from committing criminal acts” said Adam Kraut, another attorney for ACSL and FOAC.

If you would like to donate to support this matter, ACSL and FOAC would greatly appreciate donations, which can be made online through the Civil Rights Defense Firm's escrow account here – <https://secure.lawpay.com/pages/civilrightsdefensefirm/trust>. Simply place "ACSL/FOAC Pittsburgh Preemption Litigation" in the reference box.

Allegheny County Sportsmen’s League (www.acslpa.org) is an organization whose mission is to, *inter alia*, defend and protect, by means of educating public officials and the general public, about the Constitutions of the United States and the Commonwealth of Pennsylvania, especially the Second Amendment and Article 1, section 21, respectively.

Firearm Owners Against Crime (<http://foac-pac.org>) a non-partisan, non-connected all-volunteer Political Action Committee organized to empower ‘all’ gun owners, outdoors enthusiasts and supporters of the 2nd Amendment to the Bill of Rights of the U.S. Constitution and Article 1 Section 21 and 25 of the PA Constitution with the tools and information necessary to protect freedom from transgression.

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