

**The Honorable Steve Scalise**

House Majority Leader
U.S. House
Washington, D.C. 20515

The Honorable Kevin McCarthy

Speaker of the House
U.S. House
Washington, D.C. 20515

The Honorable Hakeem Jeffries

House Minority Leader
U.S. House
Washington, D.C. 20515

The Honorable Mitch McConnell

Senate Minority Leader
U.S. Senate
Washington, D.C. 20515

The Honorable Chuck Schumer

Senate Majority Leader
U.S. Senate
Washington, D.C. 20515

Dear Speaker McCarthy, Leaders Schumer and McConnell, and Leaders Jeffries and Scalise:

We the undersigned sheriffs, peace officers, and law enforcement officials **urge Congress to vote on H.J. Res. 44 and S.J. Res. 20 to reject the unconstitutional ban on up to 40,000,000 pistols** as enacted by the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) on June 1st.

ATF cannot simply restrict access to pistols because a stabilizing brace has been attached—they are essential to the exercise of the Second Amendment by Americans with disability. According to the Supreme Court in *District of Columbia v. Heller*, every American has an individual right to keep a handgun inside the home.¹ And a federal judge in the Seventh Circuit recently affirmed:

[B]races are needed by certain individuals with disabilities to operate a firearm. Thus, arm braces are an integral part of the meaningful exercise of Second Amendment rights for such individuals and can also be considered an “arm.” It is uncontroverted that law-abiding members of society, including the elderly, infirmed, and disabled, have the constitutional right to arm themselves for self-defense.²

While ATF is a federal law enforcement agency, it has no authority to enact such a gun ban. Furthermore, ATF agents have no authority to seize pistol-braced weapons because they are protected by the Second Amendment. **As constitutionally minded law enforcement, we recognize and fully respect the right of the People to keep and bear arms free from infringement—including any pistol with an attached stabilizing brace.**

As Representative Paul Gosar said so well, if Congress allows “this rule to pass without lifting a finger” it will “dishonor law enforcement” which it recently sought to commemorate during Police Week.³ Indeed, we agree with the Congressman that:

Few things would do greater harm to the thin blue line between law enforcement and the civilians they are charged to protect and serve. This rule would pit peaceful Americans against officers obligated to enforce this rule. No officer should be put into the position to confiscate pistol brace firearms from peaceful civilians who legally purchased them. What officer wants to carry on their conscience that they imprisoned unaware, physically disabled members of their community? If an objector’s concern is public safety, then know [that] enforcement of this rule will only endanger the American citizenry.⁴

As constitutionally minded law enforcement, we affirm that we do not wish to be pitted against the Second Amendment rights of law-abiding citizens. More than half the country has passed Second Amendment Sanctuary laws prohibiting the enforcement of such new federal gun laws.⁵ In some states, law enforcement is explicitly prohibited from working with ATF to violate the Second Amendment or enforce new federal gun controls under these sanctuary laws.⁶ And on May 25th, 27 state Attorneys General wrote to Congress condemning the Biden Pistol Ban and urging Congress to vote to overturn it.⁷

Attorneys General and private organizations like Gun Owners of America are fighting this in court and we will protect gun owners in our jurisdictions, but **it is time for Congress to act.** We the undersigned sheriffs, peace officers, and law enforcement officers urge the passage of H.J. Res. 44 and S.J. Res. 20 immediately, to protect the people from this unconstitutional gun ban and preserve the Second Amendment rights of the people.

Sincerely,

Sam Bushman

Constitutional Sheriffs &
Peace Officers Association

Sheriff Richard Mack

Constitutional Sheriffs & Peace
Officers Association

Daniel Steubs

American Police
Officer Alliance

Sheriff Chris Brown

Cleburne County, AR

Sheriff Jordan Weiss

White County, IL

Sheriff Ross Schultze

Washington County, IL

Sheriff Jeff Bullard

Jefferson County, IL

Sheriff Mike Lewis

Wicomico County, MD

Sheriff Todd Hood

Madison County, NY

Sheriff Roger Deeds

Hood County, TX

Sheriff Doc Wigington

Throckmorton County, TX

Sheriff Bob Songer

Klickitat County, WA

Sheriff David West

Cross County, AR

Sheriff Glenn Wheeler

Newton County, AR

Sheriff Greg L. Alexander

Marion County, AR

Sheriff Herschel Tillman

Bradley County, AR

Sheriff Hobe Runion

Sebastian County, AR

Sheriff James Singleton

Hempstead County, AR

1. Justice Scalia. [District of Columbia v. Heller](#). June 26th, 2008. 1-2.

2. District Judge McGlynn. [Federal Firearms Licensees of Illinois et al. v. Pritzker et al.](#). April 28th, 2023. 19-20. 27.

3. Gosar. "[Impending 'Pistol Brace' Rule Seeks to Subvert American Electoral System and Her Citizenry](#)". American Thinker. May 27th, 2023.

4. Ibid.

5. See "[Second Amendment Sanctuary Localities](#)." Gun Owners of America.

6. See "[Second Amendment Sanctuary States Meeting the 'Gold' Standard](#)". Gun Owners of America.

7. Hawkins. "[27 Attorneys General: Congress Must Act Against ATF Pistol Brace Rule](#)". Breitbart News. May 26th, 2023.

Sheriff Jason W. Massey
Logan County, AR

Sheriff Jay Cantrell
Washington County, AR

Sheriff Jeff Black
Lafayette County, AR

Sheriff John Staley
Lonoke County, AR

Sheriff Kevin Bell
Randolph County, AR

Sheriff LeRoy Martin
Columbia County, AR

Sheriff Marty Boyd
Craighead County, AR

Sheriff Randy Shores
Scott County, AR

Sheriff Ricky Roberts
Union County, AR

Sheriff Robert Gault
Yell County, AR

Sheriff Rodney Wright
Saline County, AR

Sheriff Ronald Nichols
Chicot County, AR

Sheriff Roy Martin
Boone County, AR

Sheriff Scott Sawyer
Polk County, AR

Sheriff Shane Jones
Pope County, AR

Sheriff Shane Russell
Sharp County, AR

Sheriff Shawn Holloway
Benton County, AR

Sheriff Shawn Stephens
Independence County, AR

Sheriff Steve Young
Lincoln County, AR

Sheriff Tim Nichols
Drew County, AR

Sheriff Brad Snyder
Greene County, AR

Sheriff Brandon Long
Stone County, AR

Sheriff Bryan McJunkins
Howard County, AR

Sheriff Charles Melton
Izard County, AR

Sheriff Dale Cook
Mississippi County, AR

Sheriff Daniel Perry
Crawford County, AR

Sheriff Danny Martin
Nevada County, AR

Sheriff Travis Hill
Pike County, AR

Sheriff Bobby Walraven
Little River County, AR

Sheriff Vernon Morris
Calhoun County, AR



2A C.O.P.S.
Coalition of Police & Sheriffs