

Written Material

United States v. Rahimi

What Was Decided

1. Decision Summary:

- The Supreme Court reversed the Fifth Circuit's decision and held that 18 U.S.C. §922(g)(8), which prohibits individuals subject to domestic violence restraining orders from possessing firearms, does not violate the Second Amendment.

Legal Justifications

1. Historical Tradition of Firearm Regulation:

- Since the founding, the nation's firearm laws have included provisions to prevent individuals who threaten physical harm to others from misusing firearms.
- The Court referenced historical laws like surety laws and "going armed" laws as analogous to Section 922(g)(8).

2. Surety Laws:

- Surety laws required individuals suspected of future misbehavior to post a bond, which would be forfeited if they breached the peace.
- These laws offered procedural protections and targeted those threatening violence, including spousal abuse.

3. Going Armed Laws:

- These laws prohibited individuals from carrying dangerous or unusual weapons in public to terrify others.
- Violators faced forfeiture of their arms and imprisonment.

4. Application to Section 922(g)(8):

- The Court found Section 922(g)(8) to be "relevantly similar" to these historical laws in both purpose and effect.
- Section 922(g)(8) only applies after a court finds the individual poses a credible threat, fitting within the tradition of disarming individuals who threaten violence.

5. Constitutionality of the Burden:

- The burden imposed by Section 922(g)(8) (temporary disarmament) is seen as less severe than historical penalties (imprisonment).
- Section 922(g)(8) is temporary, applying only as long as the restraining order is in effect.

Legal Authority Used

1. **Supreme Court Precedents:**
 - **District of Columbia v. Heller:** Recognized the individual right to bear arms but noted the right is not unlimited.
 - **New York State Rifle & Pistol Assn., Inc. v. Bruen:** Stated that firearm regulations must align with the nation's historical tradition of firearm regulation.
2. **Historical Analogues:**
 - **Surety Laws:** Preventive measures requiring individuals to post bonds if they posed a threat.
 - **Going Armed Laws:** Punishments for individuals who carried weapons to intimidate others.
3. **Statutory Interpretation:**
 - Section 922(g)(8) is consistent with historical practices of disarming individuals found to be a threat, making it constitutionally valid as applied to Rahimi.

Garland v. Cargill

What Was Decided

1. **Decision Summary:**
 - The Supreme Court held that a semiautomatic rifle equipped with a bump stock is not a "machinegun" under the National Firearms Act of 1934 (26 U.S.C. §5845(b)). Consequently, the ATF exceeded its statutory authority by issuing a rule that classifies bump stocks as machineguns.

Legal Justifications

1. **Interpretation of "Machinegun":**
 - The Court analyzed the definition of a "machinegun" under 26 U.S.C. §5845(b), which is defined as any weapon that shoots more than one shot automatically by a single function of the trigger.
 - A semiautomatic rifle with a bump stock does not meet this definition because:
 - It cannot fire more than one shot by a single function of the trigger.
 - Even if it could, it would not do so automatically.
2. **Function of the Trigger:**
 - The phrase "function of the trigger" refers to the action by which the trigger activates the firing mechanism.

- A semiautomatic rifle requires the shooter to release and reset the trigger between each shot, meaning each shot requires a separate function of the trigger.
- 3. **Automatic Firing:**
 - The term "automatically" in the statute specifies that the firing must occur due to a single function of the trigger without any additional manual input.
 - A bump stock does not change the fundamental operation of a semiautomatic rifle, as the shooter must maintain manual input (forward pressure) to continue firing, which does not qualify as automatic.
- 4. **Consistency with Historical Understanding:**
 - The Court referenced historical definitions and consistent ATF interpretations prior to 2017, which did not classify bump stocks as converting semiautomatic rifles into machineguns.
 - The interpretation aligns with the original understanding of the statutory terms.

Legal Authority Used

1. **Statutory Text and Definitions:**
 - National Firearms Act of 1934, 26 U.S.C. §5845(b): Defines "machinegun."
 - 18 U.S.C. §922(o): Relates to the prohibition of transferring or possessing machineguns.
2. **Supreme Court Precedents:**
 - **Staples v. United States (1994)**: Discussed the definition of machineguns and the necessary elements for a weapon to qualify under this definition.
3. **Administrative Procedure Act (APA):**
 - The decision also involved considerations under the APA, challenging the ATF's statutory authority to redefine bump stocks as machineguns without clear legislative backing.

Related Cases and Law:

- [United States v. Rahimi](#) (2024) – Opinion written by Chief Justice John Roberts
- [NYSRPA v. Bruen](#) (2022) – Supreme Court case which expanded Second Amendment rights outside of the home and established a new Second Amendment test.
- [Text, History and Tradition Test](#) – Established by the 2022 landmark decision, *NYSRPA v. Bruen*, the text, history, and tradition test now governs laws restricting the right to keep and bear arms – invalidating any gun laws that fail to meet its standard.

- [District of Columbia v. Heller](#) (2008) – landmark Supreme Court decision that held that the Second Amendment to the U.S. Constitution protects an individual's right to keep and bear arms for traditionally lawful purposes such as self-defense within the home.
- National Firearms Act of 1934, 26 U.S.C. §5845(b): Defines "machinegun."
- National Firearms Act of 1934, 26 U.S.C. §5845(b): Defines "machinegun."
- 18 U.S.C. §922(o): Relates to the prohibition of transferring or possessing machineguns.
 - The term "machinegun" means any weapon which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot, without manual reloading, by a single function of the trigger. The term shall also include the frame or receiver of any such weapon, any part designed and intended solely and exclusively, or combination of parts designed and intended, for use in converting a weapon into a machinegun, and any combination of parts from which a machinegun can be assembled if such parts are in the possession or under the control of a person.