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America's Future Files Amicus Brief with SCOTUS in Support of Second Amendment Rights

Florida – October 6, 2023 – America's Future, Inc., a national leader in the fight to preserve individual rights, promote American values and traditions, and protect the nation's Constitutional Republic, announced that it filed an Amicus brief with the Supreme Court of the United States (SCOTUS) in *United States v Rahimi*, SCOTUS Dkt. No. 22-915. The brief was filed in support of the respondent, Mr. Rahimi, and his Second Amendment rights, following the court's grant of a writ of certiorari to the petitioner, United States. The brief was filed on October 4, 2023, with eight other nonprofits. The question expected to be resolved is, "whether 18 U.S.C. 922(g)(8), [a federal firearms law] which prohibits the possession of firearms by persons subject to domestic-violence restraining orders, violates the Second Amendment on its face?"

On background, Mr. Rahimi was subject to a domestic violence civil court order that prohibited him from contacting the opposing party for a two-year period. The court order was entered into by agreement of both parties. The agreed-upon domestic violence civil court order triggered 18 U.S.C §922(g)(8), which prohibits any person who is the subject of a domestic violence order from possessing a firearm. Thus, the civil court order, which was based on an unproven allegation of abuse, directly impaled his Second Amendment right to keep and bear arms. Subsequently and during the two-year period the civil order was in place, Mr. Rahimi was charged by federal law enforcement with one count of felony firearm possession and eventually convicted of the offense.

As noted in the brief, the United States, petitioned the SCOTUS following a Fifth Circuit Court of Appeals judgment vacating Mr. Rahmini's conviction based on the recent landmark Second Amendment SCOTUS decision, *NY Rifle & Pistol Assn v Bruen (2022)*, in which the ruling instructed all lower courts to determine Second Amendment cases based solely upon the text of the Second Amendment and nothing else.

In this case, the petitioner, United States, takes the position that any person it “deems dangerous” is, therefore, dangerous, and as a consequence, the government should be allowed to exercise dominion over that person.

Contrary to the federal government’s position, the brief explains that the federal government’s argument clashes with the Constitution and its broad protections of God-given rights, stating that “[T]he Second Amendment was designed specifically to limit the power of government to deem persons too dangerous or untrustworthy to enjoy basic civil liberties...the discrimination that early (or even more modern) dangerousness laws sanctioned — whether based on race, religion, political affiliation, loyalty, perceived dangerousness, or otherwise — is at odds with the Constitution adopted by the Framers. Indeed, even when this country flirted with such laws again after the Civil War, additional constitutional amendments were soon ratified to correct the abuses.”

“We stand firm on protecting and defending our constitutional rights, without exception,” said Mary O’Neill, Executive Director of America’s Future. “The SCOTUS should affirm the Fifth Circuit’s judgment and safeguard every citizen’s right to keep and bear arms under the Second Amendment.”

To read more details about this filing, along with other briefs filed by America’s Future, please visit our Law & Policy page on our website at www.AmericasFuture.net.

ABOUT AMERICA’S FUTURE, INC.

Founded in 1946, America’s Future, Inc. is a 501(c)(3) nonprofit organization committed to protecting the individual rights of every American and our Judeo-Christian values that make America exceptional. We do our work through educational and informational initiatives, strategic partnerships, communications, and networking opportunities that empower Americans to get involved in the fight to preserve the American way of life, now and for generations to come. For information, visit www.AmericasFuture.net.