

**The City of Syracuse**  
**RESOLUTION 2013-08**  
**SUPPORTING THE RIGHT TO KEEP AND BEAR ARMS BY**  
**UPHOLDING THE 2<sup>ND</sup> AMENDMENT OF THE CONSTITUTION OF**  
**THE UNITED STATES OF AMERICA**

WHEREAS, After the Restoration of 1660 the British government began suppressing political dissidents by disarming opponents of the monarchy;<sup>i</sup>

WHEREAS, backlash from the British people led to assurances in the Declaration of Right that the people “may have arms for their defense suitable to their conditions and as allowed by law;”<sup>ii</sup>

WHEREAS, when our nation was debating ratification of the United States Constitution, those opposed to the Constitution argued that if it was ratified, the federal government would disarm the people;<sup>iii</sup>

WHEREAS, those supporting the Constitution argued that the document did not give the federal government power to abridge the right to keep and bear arms;<sup>iv</sup>

WHEREAS, in 1791 the Second Amendment to the United States Constitution was ratified, which states “A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed;”<sup>v</sup>

WHEREAS, the United States Supreme Court has held that “the Second Amendment conferred an individual the right to keep and bear arms;”<sup>vi</sup>

WHEREAS, the Utah Constitution guarantees that the “individual right of the people to keep and bear arms for security and defense of self, family, others, property, or the state, as well as for other lawful purposes shall not be infringed; but nothing herein shall prevent the Legislature from defining the lawful use of arms;”<sup>vii</sup>

WHEREAS, on December 14, 2012 a shooting at Sandy Hook Elementary in Connecticut reignited passions on the issue of guns;<sup>viii</sup>

WHEREAS, on January 17, 2013, the Utah Sheriffs’ Association issued an open letter to President Obama recognizing “domestic massacres” and stating

It is easy to demonize firearms; it is also foolish and prejudiced. Firearms are nothing more than instruments, valuable and potentially dangerous, but instruments nonetheless. Malevolent souls, like the criminals who commit mass murders, will always exploit valuable instruments in the pursuit of evil...lawful violence must sometimes be employed to deter and stop criminal violence. Consequently, the citizenry must continue its ability to keep and bear arms, including arms that adequately protect them from all types of illegality...<sup>ix</sup>

and

WHEREAS, Davis County Sheriff Todd Richardson joined in the letter from the Utah Sheriff's Association and held a town forum on gun control on January 24, 2013;<sup>x</sup>

NOW THEREFORE BE IT RESOLVED THAT the City of Syracuse upholds the Constitution of the United States of America and wholeheartedly supports the right to keep and bear arms as an individual right that belongs to the people; and

BE IT FURTHER RESOLVED THAT the City of Syracuse also upholds the Utah Constitution which guarantees that the "individual right of the people to keep and bear arms for security and defense of self, family, others, property, or the state, as well as for other lawful purposes shall not be infringed; but nothing herein shall prevent the Legislature from defining the lawful use of arms;

BE IT FURTHER RESOLVED THAT the City of Syracuse supports the position of the Utah Sheriff's Association and Davis County Sheriff Todd Richardson in the open letter written on January 17, 2013;

BE IT FURTHER RESOLVED THAT the City of Syracuse deeply mourns the senseless violence that has occurred in our state and across this great nation;

BE IT FURTHER RESOLVED THAT the City of Syracuse calls upon local, state and national officials to engage in immediate and responsible dialogue concerning gun rights, criminal violence, and in deterring unlawful gun activity without infringing on rights secured by the Constitutions of Utah and the United States;


BE IT FURTHER RESOLVED THAT the City of Syracuse supports legislation that protects and upholds the right to keep and bear arms, that does not ban assault weapons and high-capacity magazines, enforces existing gun laws, and continues to protect both open and concealed carry of arms;

BE IT FURTHER RESOLVED THAT the City of Syracuse encourages all people to participate in this sensitive conversation with honesty and sincerity while avoiding inflammatory rhetoric or accusations;

BE IT FURTHER RESOLVED THAT the City of Syracuse encourages citizens in their efforts toward responsible and legal gun ownership, and in acquiring training in the storage and use of firearms for their own protection and the protection of others;


BE IT FURTHER RESOLVED THAT copies of this resolution be sent to the President, each member of Utah's congressional delegation, Governor, Attorney General, Utah Senate President, Utah Speaker of the House, each member of the Utah State Legislature representing Davis County, the Utah Association of Counties, the Utah League of Cities and Towns, and the Davis County Sheriff.

PASSED, APPROVED AND ADOPTED this the 12th day of March, 2013.

  
\_\_\_\_\_, Mayor

SEAL

ATTEST:

  
\_\_\_\_\_  
Syracuse City, Clerk



<sup>1</sup> "Between the Restoration and the Glorious Revolution, the Stuart Kings Charles II and James II succeeded in using select militias loyal to them to suppress political dissidents, in part by disarming their opponents." Dist. of Columbia v. Heller, 554 U.S. 570, 592, 128 S. Ct. 2783, 2798, 171 L. Ed. 2d 637 (2008), citing J. Malcolm, *To Keep and Bear Arms* 31-53 (1994) (hereinafter Malcolm); L. Schworer, *The Declaration of Rights*, 1689, p. 76 (1981).

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<sup>ii</sup> 1 W. & M., c. 2, § 7, in 3 Eng. Stat. at Large 441 (1689).

<sup>iii</sup> “During the 1788 ratification debates, the fear that the federal government would disarm the people in order to impose rule through a standing army or select militia was pervasive in Antifederalist rhetoric.” Dist. of Columbia v. Heller, 554 U.S. at 598 citing Letters from The Federal Farmer III (Oct. 10, 1787), in 2 The Complete Anti-Federalist 234, 242 (H. Storing ed.1981).

<sup>iv</sup> “Federalists responded that because Congress was given no power to abridge the ancient right of individuals to keep and bear arms, such a force could never oppress the people.” Dist. of Columbia v. Heller 554 U.S. at 599 citing A Pennsylvanian III (Feb. 20, 1788), in The Origin of the Second Amendment 275, 276 (D. Young ed., 2d ed.2001) (hereinafter Young); White, To the Citizens of Virginia, Feb. 22, 1788, in *id.*, at 280, 281; A Citizen of America, (Oct. 10, 1787) in *id.*, at 38, 40; Remarks on the Amendments to the federal Constitution, Nov. 7, 1788, in *id.*, at 556.

<sup>v</sup> U.S.C.A. Const. Amend. II

<sup>vi</sup> Dist. of Columbia v. Heller, 554 U.S. 570, 595, 128 S. Ct. 2783, 2799, 171 L. Ed. 2d 637 (2008)

<sup>vii</sup> Utah Const Art I, §6

<sup>viii</sup> “After Sandy Hook, Newtown Continues To Cope As It Plans A Future Beyond Tragedy,” Huffington Post, March 4, 2013, available at [http://www.huffingtonpost.com/2013/03/04/newtown-after-sandy-hook\\_n\\_2805491.html](http://www.huffingtonpost.com/2013/03/04/newtown-after-sandy-hook_n_2805491.html)

<sup>ix</sup> Letter from Utah Sheriffs’ Association to the Honorable Barack Obama, President of the United States (Jan. 17, 2013), available at [http://www.utahsheriffs.org/USA-Home\\_files/2nd%20Amendment%20Letter\\_1.pdf](http://www.utahsheriffs.org/USA-Home_files/2nd%20Amendment%20Letter_1.pdf)

<sup>x</sup> “Davis Co. Sheriff talks gun control in town hall forum,” Fox 13 News, January 24, 2013, available at <http://fox13now.com/2013/01/24/davis-co-sheriff-talks-gun-control-in-town-hall-forum/>