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Firearm Manufacturers are not Responsible for the Deeds of Madmen

Gun Owners of America supports the Protection of Lawful Commerce in Arms Act, which gives firearms manufacturers and dealers protection from lawsuits seeking to hold them responsible for crimes committed by third parties.

The Equal Access to Justice for Victims of Gun Violence Act, H.R. 2814, would repeal sections of the Protection of Lawful Commerce in Arms Act, **including the prohibition on bringing of qualified civil liability actions in federal or state court.** This leaves a few original gun control compromise sections to remain in statute.

In 2005, Congress enacted the Protection of Lawful Commerce in Arms Act (PLCAA), and this law worked well for many years in preventing lawsuits seeking to financially ruin firearms manufacturers and dealers. Supported by many of the anti-gun organizations that opposed PLCAA, these suits seek to achieve back-door gun control, by running firearms companies out of business.

Of course, gun makers can be held liable for injury caused by defective products. But **these lawsuits sought to hold manufacturers liable for injuries caused by the criminal misuse of non-defective firearms.** It would be like suing Chrysler for damages caused by a drunk driver.

The purpose of the lawsuits was clear. **What the gun control crowd couldn't achieve through the legislative process, they would attempt to win in the courts.**

One mayor behind the suits, Joseph Ganim from Bridgeport, Connecticut, admitted that their goal was "creating law with litigation."

Although other Courts – including the famously liberal Ninth Circuit – have properly applied the PLCAA, the Connecticut Supreme Court, by a 4 to 3 vote, **turned that law on its head to allow plaintiffs a way to sue Remington and others for the Sandy Hook school shooting.**

The Connecticut Court repeatedly characterized the AR-15 type weapon used as militaristic and dangerous, even though it is one of the most popular rifles made and sold today. The Connecticut Court found offensive certain standard advertisements for the rifle used in the shooting, which highlighted the power of these rifles, claiming that these ads somehow caused the shootings to occur.

PLCAA protects the People's exercise of the constitutionally enumerated right to keep and bear arms. Repealing this law will (1) significantly impair the finances of companies in the firearms business and (2) infringe the exercise of the Second Amendment's inherent right of all Americans to keep and bear arms.

Just as we don't punish car manufacturers for the deeds of a drunk driver, we shouldn't punish a firearm manufacturer for the deeds of a madman. Furthermore, firearms are used overwhelmingly used for good – as tools to save life.