

## **NEWS:**

# **Legislators Wade into Court Case Challenging Firearms Restrictions in State Parks, Forests**

**April 21, 2017** – A bipartisan coalition of more than two dozen Delaware legislators is backing two sportsmen's organizations seeking the elimination of regulations restricting firearms in state parks and forests.

The 26 lawmakers have all signed an Amicus Curiae ("friend of the court") brief in support of ongoing legal action stemming from a lawsuit filed by the Bridgeville Rifle & Pistol Club and the Delaware State Sportsmen's Association against the Delaware Department of Natural Resources and Environmental Control (DNREC) and the Delaware Department of Agriculture (DDA).

At issue are regulations promulgated by the two agencies that prohibit visitors to state parks and state forests from carrying firearms not being used for hunting. Those rules bar thousands of Delawareans with concealed carry weapons permits from carrying their sidearms in those venues.



**Delawareans with concealed carry permits are barred from carrying their personal sidearms in any state park, like Cape Henlopen (above).**

Ruling in late December, a Superior Court judge upheld the agencies' authority and let the regulations stand. That decision is now [under appeal in the Delaware Supreme Court](#).

[The lawmakers' 17-page brief](#) notes that Article I, Section 20 of the Delaware State Constitution protects the right of citizens to "keep and bear arms for the defense of self, family, home and state" -- protections even more substantial than those included in the Second Amendment of the U.S. Constitution.

Among other things, the brief argues that the authority of DNREC and the DDA flows directly from the legislature, which did not grant either the ability to regulate firearms. As such, the document maintains that both agencies have overstepped their mandates.

Among those signing the brief were members of the *House Republican Caucus*: [State Reps. Steve Smyk, Rich Collins, Kevin Hensley, Ruth Briggs King, Ron Gray, Mike Ramone, Jeff Spiegelman, Deborah Hudson, Joe Miro, Danny Short, Bobby Outten, Dave Wilson, Harvey Kenton, Charlie Postles and Lyndon Yearick.](#)