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Supreme Court Rules In Favor of Liberty

A win for liberty and limited government! The Supreme Court ruled this morning that the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) exceeded its authority when it interpreted a federal firearms statute to outlaw the use of bump stocks.

Read the opinion here: [22-976 Garland v. Cargill \(06/14/2024\) \(supremecourt.gov\)](#)

“We conclude that semiautomatic rifle equipped with a bump stock is not a ‘machinegun’ because it does not fire more than one shot ‘by a single function of the trigger,’” Justice Clarence Thomas said in the court’s majority opinion.



Bump Stock Installed on AK-47

In reality, this was not a Second Amendment case. Rather it was a case regarding the authority of an administrative agency to effectively legislate without any action of Congress. **Ultimately this was a case about separation of powers and raining in executive administrative agencies from abusive rulemaking.**

Nevertheless, liberal justices still had an opportunity to show that they know virtually nothing about firearms. They availed themselves of this opportunity!

The vote was 6–3, with Justice Sonia Sotomayor writing a dissent joined by the other two liberal justices. Her dissent suggested that bump stocks effectively make semiautomatic weapons into machine guns.

“When I see a bird that walks like a duck, swims like a duck, and quacks like a duck, I call that bird a duck,” she said.



Liberals are afraid of strange things

She added that the “majority’s artificially narrow definition hamstrings the Government’s efforts to keep machineguns from gunmen like the Las Vegas shooter.”

The prohibitive measure was introduced after the 2017 mass shooting in Las Vegas, in which a gunman used bump stock-equipped firearms. It reversed years of ATF interpretations allowing nonmechanical bump stocks, or those without a spring.

It is stupid statements like this one from Justice Sotomayor that gives significant evidence that these people have never fired a gun before and have no idea what they’re talking about. Those that actually do know what they’re talking about understand that there is a world of difference between the semi automatic rifle with a bump stock as versus a truly automatic firing weapon. Pointing to the Las Vegas episode is even dumber because the fact that the shooter used a bump stock made him less lethal, not more lethal. Bump stocks are notoriously inaccurate and cause magazine jams and there is significant evidence to show that the shooter had many magazine load failures with his bump stock which ultimately cut his potential rate of fire by more than 60% as versus a standard, functioning semi automatic hunting rifle.



Justice Sotomayor, as stupid as a duck?

But liberals don't pay attention to facts in these regard they're just afraid of scary black rifles.

Following the Vegas shooting, the ATF (then with the blessing of former president Donald Trump) reinterpreted a post-prohibition law that banned the use of machine guns. It was difficult to tell from oral arguments on Feb. 28 how the justices would vote.

The U.S. Court of Appeals for the Fifth Circuit had initially upheld a district court decision in favor of the ATF's rule but that decision was reversed during an en banc review. Justice Thomas's decision upheld that review's ruling in favor of Michael Cargill, the radio host who challenged the ATF rule.

Mr. Cargill responded to the decision with a celebratory [video](#) posted to X. He predicted the decision would prevent the ATF from pursuing regulations of triggers and other parts of firearms.



“So now, we have a case that is case law that we can move forward around this country and defend our Second Amendment rights,” he said.

Unlike with other gun rights cases, the attorneys in this case—Garland v. Cargill—didn't talk much about the Second Amendment during oral arguments.

Rather, they sought to convince the justices that the phrases “automatically” and “single function of the trigger” within federal law (The National Firearms Act) either did or didn't apply to bump stocks.

Justice Samuel Alito filed a concurrence on June 14 that seemed to urge congressional action. Referring to the Las Vegas shooting, he said “an event that highlights the need to amend a law does not itself change the law's meaning.”

He added: “There is a simple remedy for the disparate treatment of bump stocks and machineguns. Congress can amend the law—and perhaps would have done so already if ATF had stuck with its earlier interpretation. Now that the situation is clear, Congress can act.”

Justice Thomas's opinion similarly highlighted how after the Las Vegas shooting in 2017, then-Sen. Dianne Feinstein (D-Calif.) warned that legislation was necessary to ban bump stocks.

Following the opinion's release, President Joe Biden and other Democratic politicians responded with warnings and calls to action.

“This is a horrible decision that will undoubtedly result in more gun deaths,” Rep. Pramila Jayapal (D-Wash.), who chairs the Congressional Progressive Caucus, said on X.

Rep. Gerry Connelly (D-Va.) called the decision “shameful” on X and called on Congress to pass a bump stock ban authored by Rep. Dina Titus (D-Nev.). The latter posted: “An angry lawmaker is a motivated one – This fight is far from over.”

A statement from President Biden called for Congress to “ban bump stocks, pass an assault weapon ban, and take additional action to save lives – send me a bill and I will sign it immediately.”

Republican Rep. Thomas Massie (Ky.) responded by suggesting the decision restored the proper separation of powers between the executive and Congress.

“In our Constitutional republic, Congress makes the laws, not the administrative branch,” he wrote on X. “The Supreme Court just acknowledged this in a 6 to 3 decision invalidating Trump’s bump-stock ban.”



When Trump and Massie are at Conflict, Massie Has Turned out to Be Right

Much of the debate during oral argument in February focused on whether bump stocks allow a single trigger pull to initiate a process by which bullets are rapidly released.

Jonathan Mitchell, the New Civil Liberties Alliance attorney arguing for Michael Cargill, repeatedly emphasized during oral argument that bump stocks only allow one bullet per trigger pull. He also argued that firing with bump stocks doesn’t meet the statutory language of “single function of the trigger” because of grammatical reasons and the fact that bump stock users have to apply pressure to maintain accelerated fire.

Principal Deputy Solicitor General Brian Fletcher and Justice Ketanji Brown-Jackson suggested instead that bump stocks allow users to initiate a process with the bump stock after a single pull of the trigger.

In his majority opinion, Justice Thomas asserted that “nothing changes when a semiautomatic rifle is equipped with a bump stock.”

He added: “The firing cycle remains the same. Between every shot, the shooter must release pressure from the trigger and allow it to reset before reengaging the trigger for another shot. A bump stock merely reduces the amount of time that elapses between separate ‘functions’ of the trigger.”

He likened the device to a shooter who has a “lightning-fast trigger finger.”

Justice Sotomayor criticized the majority opinion for “maintaining a myopic focus on a trigger’s mechanics rather than on how a shooter uses a trigger to initiate fire.”

She added that “when a shooter initiates the firing sequence on a bump-stock-equipped semiautomatic rifle, he does so with ‘a single function of the trigger’ under that term’s ordinary meaning.”

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We believe the American system of government, a constitutional Republic, is the finest ever developed by man.

We believe the traditional moral values of our Judeo-Christian heritage form the cornerstone of western civilization and that the family is the most vital unit of society.

We believe the free market system, competitive capitalism, and private enterprise afford the widest opportunity and highest standard of living for all.

We believe in the dignity of the individual. We welcome people from all ethnic racial and religious backgrounds judging others only by character and ability - as we wish to be judged ourselves - our common bond is a love for liberty and our rejection of totalitarianism under any label.

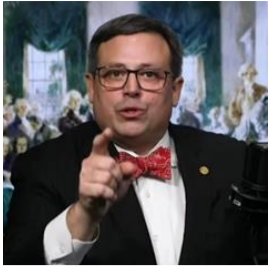
We believe that individual rights are endowed by our creator, not government; that the government's function should be limited to protecting our right to life, liberty, and property; and that individual rights are inseparably linked to individual responsibility.

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The fight continues!

If you have any comments or questions for MRP, please contact us at: info@puregrassroots.org.

Yours in Service,



R. Morris Owens, J.D.

Director of Communications for Michigan Republican Policy

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