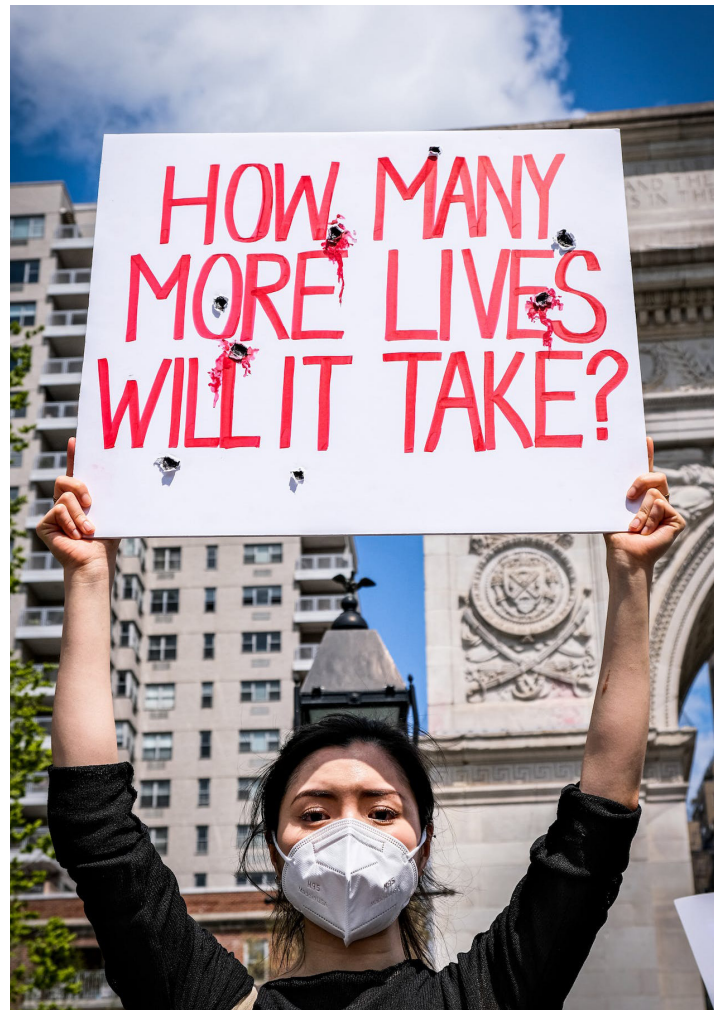


Biden Versus Trump Judges: Gun Safety

As firearms violence takes an increasing toll of deaths and injuries around the country, more and more states and local governments have enacted laws to promote safety by restricting firearms. The three Trump justices on the Supreme Court, however, cast the deciding votes in an extremely harmful 6-3 Court ruling in the *New York State Rifle & Pistol Association v Bruen* case in 2022. *Bruen* not only struck down an important New York state gun safety law, but also established a restrictive new test requiring that in order for a gun safety law to be upheld, it must be shown that it is analogous to “[historical](#)” firearms regulations in the 1800s or before.

Both before and after *Bruen*, Trump lower court judges have thrown out key gun safety provisions around the country. For example:

- Trump Judge Julius Richardson wrote a 2-1 decision after *Bruen* that [struck down](#) a Maryland law calling for background checks and training for people who want to buy handguns.
- Trump Judge Kenneth Lee issued a 2-1 ruling before *Bruen* that [invalidated](#) California’s ban on high-capacity ammunition magazines, which was later reversed by the full Ninth Circuit.
- Trump Judge Ryan Nelson wrote a 2-1 decision that [overturned](#) a pre-*Bruen* injunction blocking a Trump administration rule that made it easier to distribute dangerous 3-D and “ghost” guns.
- After *Bruen*, Trump judge Cory Wilson wrote a unanimous decision, also joined by Trump Judge James Ho, that [ruled unconstitutional](#) a federal law that prohibits someone subject to a domestic violence restraining order from possessing firearms. The Supreme Court is reviewing the case this year, with a decision expected by early July.



On the other hand, judges nominated by President Biden have written or voted in favor of a number of important decisions after *Bruen* that have upheld significant gun safety provisions. For example:

- Biden judge Eunice Lee co-wrote a unanimous ruling that [allows](#) continued enforcement of an important post-*Bruen* New York gun safety law, involving licensing provisions and prohibitions on carrying guns in “sensitive” areas as the courts process a challenge to it.
- Biden Judge David Urias [denied](#) a pro-gun group’s request to block enforcement of the New Mexico governor’s order restricting guns in parks and playgrounds.
- Biden Judge Lindsay Jenkins [rejected](#) a pro-gun group’s motion to block enforcement of an Illinois law that restricts purchase and possession of dangerous assault weapons and ammunition.
- Biden Judge Regina Rodriguez [upheld](#) the federal law that prohibits firearms possession by someone convicted of a felony.



Although the Supreme Court will rule on some of these and other gun safety cases in the future, as in other areas, district and appellate judges will likely decide most of them. The courts’ track record makes clear that despite restrictive Supreme Court standards, Biden judges will likely uphold many reasonable laws and regulations to promote gun safety, while Trump judges will probably continue to invalidate important gun safety provisions.

