



VILLAGE OF DEERFIELD

STATEMENT ON *EASTERDAY* LAWSUIT

The sole legal issue in the *Easterday* lawsuit filed by the Illinois State Rifle Association and Second Amendment Foundation is whether the Village lawfully “amended” its prior assault weapons ordinance under Illinois law. The lawsuit admits that the Village lawfully enacted its prior assault weapons ordinance during the limited period of time which the State Legislature allowed local governments, like the Village, to regulate the possession or ownership of assault weapons. The lawsuit admits that the State Legislature expressly grants the power to amend such an assault weapons ordinance in the future. The lawsuit admits the lawfulness of the Village’s ban on the sale of assault weapons. And the lawsuit effectively concedes the lawfulness of the Village’s assault weapons ban under the Second Amendment to the U.S. Constitution.

When the State Legislature allowed home rule units, like the Village, the opportunity to enact an assault weapons ordinance and amend such an ordinance in the future, the State Legislature recognized that different communities should be allowed to democratically address the possession or ownership of assault weapons in accordance with the different needs and interests of each community. In allowing for amendments to assault weapons ordinance, the State Legislature recognized that communities should be allowed to amend their assault weapons ordinances to address their changing needs and interests. Accordingly, the Village amended its prior assault weapons ordinance to address the Village’s best interests for the protection of the Village.

The Village is confident that it had the authority to enact the ordinance under existing State law.