

## RESOLUTION NO. 22/23-21

### A RESOLUTION REQUESTING THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE PRESERVE THE FUNDAMENTAL RIGHT OF TENNESSEANS TO KEEP AND BEAR ARMS

**WHEREAS**, the Second Amendment to the U.S. Constitution reads as follows: *“A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms shall not be infringed.”*; and

**WHEREAS**, the Second Amendment of the United States Constitution was incorporated against the states in 2010 by the U.S. Supreme Court in *McDonald v. Chicago* 561 U.S. 742, reinforcing an earlier decision in *District of Columbia v. Heller* 554 U.S. 570 (2008) emphasizing the individual right of citizens to keep and bear arms; and

**WHEREAS**, self-defense and self-preservation are rights bestowed by God to all people; and

**WHEREAS**, so-called “red flag” laws are repugnant to the U.S. Constitution, specifically to the Second Amendment, because such laws, 1) potentially deprive law abiding citizens of their right to self-defense, 2) violate the due process doctrine by potentially depriving a citizen of property and self-defense based on presumptions, accusations, or a prediction of future behavior of a person, and 3) unfairly punish and infringe, without a criminal conviction, the right of citizen(s) to keep and bear arms.

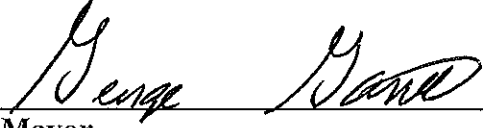
**NOW, THEREFORE, BE IT RESOLVED** by the Dandridge, Tennessee Board of Mayor and Aldermen, meeting this 9<sup>th</sup> day of May 2023 as follows:


**SECTION 1:** That the General Assembly of the state of Tennessee is urged to reject any so-called “red flag” legislation that 1) infringes on the God-given right of law abiding Tennesseans to self-defense, 2) violates the due process doctrine by depriving a citizen of their right to keep and bear arms based on presumptions, accusations, or a prediction of future behavior of a person, or 3) punishes a citizen by infringing on their right to keep and bear arms short of a criminal conviction.

**SECTION 2:** That the General Assembly of the state of Tennessee focus on the root cause of violent crime, including gun violence, utilize better enforcement of existing gun laws to deprive violent criminals or the adjudicated mentally ill of their ability to do harm, and provide greater adult mental health services appropriate to treat conditions that may lead to violent crime.

**SECTION 3:** That upon approval and signing of this resolution, the Administrator of the Town of Dandridge, Tennessee is directed to transmit a copy to the state legislators that represent Dandridge, Tennessee, Jefferson County, Tennessee, the governor of the state of Tennessee, the speaker of the Tennessee House of Representatives, and the speaker of the Tennessee Senate.

Resolved this 9<sup>th</sup> day of May, 2023.

  
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Mayor

ATTEST:   
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Town Recorder