

**JEFFERSON COUNTY, TENNESSEE
BOARD OF COMMISSIONERS**

RESOLUTION 2023-21

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

**Prime Sponsor, Commissioner Marcus Reed
Commission Co-Sponsors: Janet Norton, Joe Coleman, Jimmy Dale Patterson, Austin
Brooks, Ronnie Coleman, Terry Dockery, and Ransom Douglas**

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 Jefferson County, Tennessee Board of Commissioners meeting this 17th day of April 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

Resolution 2023-21

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 Jefferson County Clerk is requested to transmit a copy to the state legislators that represent 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

Votes: 18 Yes 1 No 0 Abstain

Attest: Frank C. Herndon  Date: 4/19/2023
Frank C. Herndon, County Clerk

Approved: Mark Potts Date: 4/19/2023
Mark Potts, County Mayor