RESOLUTION

RE: EXPRESSION OF SUPPORT FOR THE SECOND AMENDMENT OF THE UNITED STATES CONSTITUTION AND ARTICLE II, SECTION 13 OF THE COLORADO CONSTITUTION PROTECTIONS OF THE RIGHT TO BEAR ARMS BY LAW ABIDING CITIZENS

WHEREAS, the Board of County Commissioners of Weld County, Colorado, pursuant to Colorado statute and the Weld County Home Rule Charter, is vested with the authority of administering the affairs of Weld County, Colorado, and

WHEREAS, the Second Amendment of the United States Constitution provides: "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, Article II, Section 13 of the Colorado Constitution states: "The right of no person to keep and bear arms in defense of his home, person and property, or in aid of the civil power when thereto legally summoned, shall be called into question," and

WHEREAS, the Second Amendment protects the rights of self-defense, defense of others and defense of the nation, and assumes the rights to hunting and sport shooting, and

WHEREAS, it is estimated that more than 70 million people, representing more than half of the households in America, have chosen to lawfully exercise their rights to bear arms and defend themselves and their families, and

WHEREAS, the vast majority of all lawfully-owned firearms in the United States are not used in a crime, and

WHEREAS, in 2008, the United States Supreme Court, in the case of District of Columbia v. Heller, 554 U.S. 570 (2008), ruled that the Second Amendment protects an individual’s (rather than a collective) right to keep and bear arms, and in 2010, in the United States Supreme Court further opined in the case of McDonald v. City of Chicago, 130 S.Ct. 3020 (2010), that the right of an individual to keep and bear arms protected by the Second Amendment is incorporated into the Due Process Clause of the Fourteenth Amendment, and applies to the States, and

WHEREAS, studies by the National Academies of Sciences and the Centers for Disease Control have found no persuasive evidence that "gun control" laws reduce crime, and

WHEREAS, today, Americans are safer from violent crime than they have been at any time since the mid-1960’s.
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NOW, THEREFORE, be it resolved by the Board of County Commissioners, that the Board expresses its support of the Second Amendment of the United States Constitution and Article II, Section 13 of the Colorado Constitution protections of the right to bear arms by law abiding citizens.

BE IT FURTHER RESOLVED by the Board that it strongly urges the United States Senate to reject international treaties that will infringe on the Second Amendment rights of American citizens, including, without limitation, the United Nations (UN) Arms Trade Treaty, Inter-American Convention Against Illicit Manufacturing of and Trafficking in Firearms ("CIFTA"), or the UN Programme of Action.

BE IT FURTHER RESOLVED that the Board strongly urges the United States Congress and the Colorado General Assembly to refrain from enacting new legislation that would infringe on the rights that are protected by the Second Amendment of the United States Constitution and Article II, Section 13 of the Colorado Constitution as set forth herein.

The above and foregoing Resolution was, on motion duly made and seconded, adopted by the following vote on the 28th day of January, A.D., 2013.

ATTEST: [Signature]
Weld County Clerk to the Board

BY: [Signature]
Deputy Clerk to the Board

APPROVED AS TO FORM: [Signature]
County Attorney

Date of signature: 1/30/2013

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

William F. Garcia, Chair

Douglas Rademacher, Pro-Tem

Sean P. Conway

Mike Freeman

EXCUSED
Barbara Kirkmeyer

2013-0288
BC0044