

## PIKE COUNTY SELF DEFENSE AND FIREARMS FREEDOM RESOLUTION

We the People of Pike County acknowledge the right of all People to defend themselves against criminal behavior in whatever form it might take. We further acknowledge that criminal behavior can take many forms, from terrorist acts by foreign or domestic actors, to tyrannical acts by local, state, or federal government agents. In order for We the Law Abiding Citizens to be able to defend ourselves and to be able to preserve Liberty, it is necessary that We the People be able to keep and bear arms. To that end the Board Members of Pike County, with prayer for the blessings of Divine Providence, in seeking to preserve Liberty for all, hereby set forth the following reasons for this resolution.

*WHEREAS:* the Second Amendment to the United States Constitution states, "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;"

*WHEREAS:* Article 1 Section 24, of the Illinois Constitution states "The enumeration in this Constitution of certain rights shall not be construed to deny or disparage others retained by the individual Citizens of the State;"

*WHEREAS:* the Supreme Court of the United States has held in *District of Columbia et al. v. Heller*, that:

- A. The Second Amendment protects an individual right to possess a firearm unconnected with service in a militia, and to use that arm for traditionally lawful purposes, such as self-defense within the home." Pp. 2–53
- B. The Amendment's prefatory clause announces a purpose, but does not limit or expand the scope of the second part, the operative clause. The operative clause's text and history demonstrate that it connotes an individual right to keep and bear arms. Pp. 2–22.
- C. The prefatory clause comports with the Court's interpretation of the operative clause. The "militia" comprised all males physically capable of acting in concert for the common defense. The Anti-federalists feared that the Federal Government would disarm the people in order to disable this citizens' militia, enabling a politicized standing army or a select militia to rule. The response was to deny Congress power to abridge the ancient right of individuals to keep and bear arms, so that the ideal of a citizens' militia would be preserved. Pp. 22–28;

*WHEREAS:* the Supreme Court of the United States has held in *McDonald et al. v. City of Chicago, Illinois, et al.*, that the Second Amendment to the United States Constitution applies to the states;

*WHEREAS:* the Citizens of Pike County overwhelmingly passed the Constitutional Carry of Arms referendum during the election of March 2012;

*WHEREAS:* each of Pike County's duly elected public officials has sworn to support the United States Constitution and the Constitution of the State of Illinois;

*WHEREAS:* Illinois government requires all Illinois residents to have a Firearm Owners Identification card but does not require this of non-residents to keep and bear arms;

*WHEREAS:* 7<sup>th</sup> Circuit of the United States Court of Appeals, has determined that the complete ban of the carry of firearms by the Citizens of Illinois on, in, or about the public way by the State of Illinois, is unconstitutional;

*NOW THEREFORE BE IT RESOLVED* that the Pike County Board recognizes the right of the people to keep and bear arms and further that the right shall not be infringed as stated in the United States Constitution.

APPROVED and ADOPTED this 24<sup>th</sup> day of June, 2013

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Chairman, Pike County Board

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County Clerk