



FROM THE DESK OF

DUDLEY BROWN

EXECUTIVE DIRECTOR

LEGAL DEFENSE FOR
AMERICA'S GUN OWNERS

Seminole County Sheriff's Office
Attn: Sheriff Dennis M. Lemma
100 Eslinger Way
Sanford, FL 32773

January 3, 2022

RE: CEASE & DESIST

Sheriff Lemma,

It has come to our attention that on December 28, 2021, your office announced the indefinite suspension of fingerprinting services, a legislatively mandated step to acquire a concealed carry permit in the state of Florida.

As president of the National Association of Gun Rights, the National Foundation for Gun Rights, and our state affiliate, Florida Gun Rights, which together represent gun owners from Seminole County, the State of Florida, and nationwide, I am writing to demand the immediate reinstatement of fingerprinting services for law-abiding citizens seeking concealed carry permits.

Your suspension of services required for concealed carry permit applications violates the Constitution of the United States, the Constitution of the State of Florida, and Florida's legislative statutes.

The right to keep and bear arms is a "fundamental right necessary to our system of ordered liberty." *McDonald v. City of Chicago, Ill.*, 561 U.S. 742, (2010). The scope of the right to keep and bear arms extends as far as it was understood to extend by the people who adopted the Second Amendment. *District of Columbia v. Heller*, 554 U.S. 570, 634 (2008).

Based on the above text and the jurisprudence of the Supreme Court of the United States, the Supreme Court has found that history, tradition, and textual analysis has enshrined the right to keep and bear arms. This has held true, when state actors have sought to limit the rights of law-abiding citizens citing hypothetical strawmen.

Even now, some attempt to establish the emergence of the coronavirus as reason enough to deny the Constitutional rights of citizens. **This is contradictory to Supreme Court precedent regarding both the Second Amendment and recent cases relating to the limitation of Constitutional rights due to the pandemic as seen in Roman Catholic Diocese of Brooklyn v. Cuomo, 141 S. Ct. 63 (2020).**

Simply put, the denial and obstruction of the ability of a law-abiding citizen to keep and bear arms is a direct violation of the Constitution of the United States, and your refusal to allow law-abiding citizens to undergo mandated fingerprint testing in relation to concealed carry

licensing qualifies as an unconstitutional harassment.

The suspension of fingerprinting services for concealed carry applications also violates Florida's state Constitution and statutes relating to concealed weapons and firearms.

Section 8 of the Constitution of the State of Florida as revised in 1968 clearly states that "The right of the people to keep and bear arms in defense of themselves and of the lawful authority of the state shall not be infringed, except that the manner of bearing arms may be regulated by law."

Further, Title XLVI, Chapter 790 of Florida's legislative statutes provides that licenses to carry a concealed weapon or firearm shall be granted to qualifying applicants after submitting a set of fingerprints. The chapter specifically states that a "sheriff's office **shall** provide fingerprinting service if requested by the applicant..." (Title XLVI, Chapter 790, subparagraph 7. (6)(b), emphasis added). This section constitutes a state mandate that your office provide fingerprinting services to those seeking to gain a concealed carry license.

Nowhere in the State of Florida's legislative code is a sheriff granted the authority to revoke the ability of a law-abiding citizen to receive the fingerprinting services that are a requirement in order to qualify for concealed carry permits.

Your office's suspension of fingerprinting services for concealed carry license applications infringes upon the statutory and Constitutional rights of the residents of Seminole county.

We demand that you publicly announce the immediate reinstatement of fingerprinting services previously offered to the public for concealed carry license applications at levels consistent with previous custom. Otherwise, we will be forced to explore all legal options to protect the Constitutional rights of our members in your county.

Regards,



Dudley Brown, President
National Association for Gun Rights
National Foundation for Gun Rights
Florida Gun Rights