



**FOR IMMEDIATE RELEASE**

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**Harrisburg Unprepared to Defend Unconstitutional Ordinances in Court**

*After Nine Years, Attorneys Still Not Ready to Defend City*

HARRISBURG, PA – Firearms Owners Against Crime (FOAC) – Institute for Legislative, Legal and Educational Action (ILLEA) President Jim Stoker today called recent action, or inaction, by the City of Harrisburg disrespectful and a flagrant waste of tax dollars.

“The City of Harrisburg appeared in court last Wednesday as defendants in a constitutional case that has made its way through the court system for more than NINE YEARS with its attorneys claiming that they were not ready to argue a case that was filed in 2015. NINE YEARS,” said Stoker. “It’s bad enough that the city enacted unconstitutional ordinances, and has wasted taxpayer dollars defending bad legislation, but now they’re wasting even more money paying private attorneys who aren’t prepared to argue the case for which they were hired.”

Both parties appeared before the Court on Wednesday, July 17, 2024, for oral argument on briefs filed in 2022. The defendant attorneys, representing the City of Harrisburg, showed up in Court only prepared to argue one of their own three arguments.

“The sooner the city of Harrisburg gets their act together and shows up prepared, the sooner we can dispense with their blatant disregard of the United States and Pennsylvania Constitutions,” Stoker continued.

FOAC is challenging the legality of the Harrisburg gun ordinances and seeking declaratory and injunctive relief against the city, its mayor, and the police chief.

Specifically, FOAC has challenged the following provisions of the Code Ordinances of Harrisburg: Section 3-345.2 prohibiting the discharge of a firearm within city limits unless at a firing range or an accredited educational facility approved by the mayor or chief of police; Section 3-345.4 requiring a lawful gun owner to report any lost or stolen firearm within 48 hours; and, Section 10-301.13 prohibiting the possession, use, and discharge of firearms within city parks.

FOAC additionally challenged Section 3-345.1 prohibiting an unaccompanied minor from possessing a firearm within the city. Under the Code, violation of these provisions is subject to a minimum fine of \$50 or a maximum fine of \$1,000 per violation, and the violator could also forfeit their personal property and/or be imprisoned for each violation.

FOAC has successfully fought other local gun ordinances similar to those enacted by Harrisburg. The attempt to regulate firearms unconstitutionally infringes on rights conferred by the Second Amendment to the United States Constitution and Article I, Section 21 of the Pennsylvania Constitution and are preempted by the Pennsylvania Uniform Firearms Act of 1995. The case seeks declaratory relief.

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**CONTACT:**

Jim Stoker, President

[jstoker@foac-illea.org](mailto:jstoker@foac-illea.org)

[www.foac-illea.org](http://www.foac-illea.org)

(412) 260-4675