

Injustice from Byrd & Rockefeller

West Virginia Gun and Property Owners Let Down

CHARLESTON, WV - AUGUST 12TH, 2009 - Senators Byrd and Rockefeller let down West Virginia gun and property owners on Thursday by voting to confirm Sonia Sotomayor as a Supreme Court Justice. "Sotomayor has shown a disregard for gun rights and personal property rights in her previous decisions on the bench. Two things that West Virginians hold dear," said West Virginia State Party Chairman Doug McKinney.

Sotomayor was part of a New York federal appeals court panel that ruled earlier this year that the 2nd amendment limits only the federal government, not states. This misinterpretation of the 2nd Amendment creates the opportunity for a future loss of gun ownership rights.



The new justice's position on private property rights is even worse. The Constitution allows for the taking of private property only for public use, but in *Didden v. Village of Port Chester*, Sotomayor allowed private property to be taken and given to another private entity. What actually happened was a CVS Pharmacy was forced to close by the local government and a Walgreen's was put up in its place. University of Chicago law professor Richard Epstein and George Mason University law professor Ilya Somin said, "the taking of private property amounted to 'out-and-out extortion' with

government support."

Judge Sotomayor's apparent bias against gun rights and private property rights should have been taken into account by Senators Byrd and Rockefeller. "Senator Byrd and Rockefeller are out of touch with the people back home," said McKinney, "The people of West Virginia believe in the US Constitution and the Senators should have voted against Sotomayor because she does not share the values of West Virginians."

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