



Three More Counties and Their Sheriffs Join NevadansCAN's RED FLAG LAW Lawsuit

LAS VEGAS, NEVADA, UNITED STATES, March 13, 2020 /EINPresswire.com/ -- On March 5th, 2020, three northern counties filed the third Complaint-in-Intervention seeking Declaratory Relief against the unconstitutional AB291 (aka [Red Flag Law](#)) signed into law in June 2019.

Eureka County Sheriff JESSE J. WATTS, Humboldt County Sheriff MICHAEL E. ALLEN and the Board of County Commissioners; and Pershing County Sheriff JERRY ALLEN and the Board of County Commissioners, joined [NevadansCAN](#) in their lawsuit filed last December to invalidate Nevada's Red Flag Law (AB291). They join AITOR NARVAIZA, Sheriff of Elko County and the Board of County Commissioners, along with Christopher Anderson (Anderson vs. State of Nevada) who intervened earlier.

This is a remarkable development for this lawsuit; the State of Nevada argued to dismiss NevadansCAN's case on the basis of "lack of standing". The addition of 3 sheriffs greatly diminishes the basis of the objection presented by the State.

"We are so pleased that the sheriff's choose to stand with us to prevent this unconstitutional law from being foisted on the people of Nevada" said Julie Hereford, one of the original plaintiff's.

Several of the arguments presented by the sheriff's complaint are as follows.

- Enforcement of such a law utilizing Plaintiffs-in-Intervention's personnel and other resources, would cause them to violate their oaths of office proscribed by NRS 282.020 by violating superior rights of their citizens and residents subsisting under the Constitution and laws of the United States and of the States of Nevada. Furthermore, given the dangers imposed by this legislation, many sheriffs will rightfully refuse to put their deputies and the public in harm's way to enforce a confiscation order that has a high possibility (about one in three) of being wrong.

- A legitimate governmental purpose in regulating the right to bear arms cannot be pursued by means that broadly stifle the exercise of this right where the governmental purpose can be more narrowly achieved, without attendant infringements of the Fourth, Fifth, Sixth and Fourteenth amendments to the United States Constitution.

- The red flag component of AB291 sweeps unnecessarily broadly, invading the realm of an enumerated right, the right to keep and bear arms, when less drastic means are available to accomplish the desired ends.

These are just a few of the arguments. You can find the rest in the official Complaint for Eureka, Humboldt, and Pershing Counties <https://nevadanscan.com/wp-content/uploads/2020/03/1Pershing-County-et-al.-Proposed-Complaint-in-Intervention-Seeking-Declaratory-Relief-1.pdf> and Elko County <https://nevadanscan.com/wp-content/uploads/2020/03/Order-Granting-Intervention.pdf>

"This law is egregious on so many levels. Allowing it to stand shreds the Bill of Rights so many people have fought and died to defend and preserve. We cannot allow our constitutional rights and freedoms to be legislated away." - Mary Rooney .

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