

US supreme court boosts NRA in unanimous free speech ruling

2024-2025 VIOLENCE
oral sessions with C. Hamard

4/11
home

By Joanna Walters in *The Guardian*, May 2024

5 The US supreme court issued opinions on Thursday relating to free speech in one case clearing the way for a National Rifle Association (NRA) lawsuit against a former New York state official.

10 The court gave a boost to the influential gun rights group that has accused the official of coercing banks and insurers to avoid doing business with it and, in the process, violating the NRA's free speech rights. The justices, in a unanimous decision from the nine-member bench, threw out a lower court's ruling that dismissed the NRA's 2018 lawsuit against Maria Vullo, a former superintendent of New York's department of financial services.

15 The NRA claimed that Vullo unlawfully retaliated against it following a mass shooting in which 17 people were killed at a high school in Parkland, Florida. The NRA was represented by the American Civil Liberties Union (ACLU), and the Biden administration argued some of its claims should go forward, an unusual alliance between often opposing parties considering the NRA is a strongly Republican-aligned organization.

The opinions issued on Thursday were important but not the focus of the nation's attention ahead of what is expected to be a busy June where the court will announce key decisions on issues affecting US democracy, presidential power, abortion and gun rights.

20 In the NRA opinion, at issue was whether Vullo had wielded her regulatory power to coerce New York financial institutions into cutting ties with the NRA, in violation of protections under the US constitution's first amendment against government restrictions on free speech. Vullo called upon banks and insurers to consider the "reputational risks" of doing business with gun rights groups following the 2018 Parkland shooting, where a 19-year-old former student armed with an AR-15 rifle, killed 17 people and sparked a youth movement for greater gun safety, led by survivors of the massacre. NRA officials lashed out at gun control advocates, arguing that Democratic party elites were politicizing the shootings to erode America's liberal gun rights.

30 Vullo later fined Lloyd's of London and two other insurers more than \$13m for offering an NRA-endorsed product called Carry Guard that Vullo's office found was in violation of New York insurance law. The product provided liability coverage for policyholders who caused injuries from gunfire, even in cases involving the wrongful use of a firearm, sometimes known as "murder insurance".

35 The insurers agreed to stop selling NRA-endorsed products that New York considered illegal. The NRA's lawsuit accused Vullo of unlawfully retaliating against it. The case did not involve the constitution's second amendment right to keep and bear arms. (425 words)