Initiative Measure No. 1059

FILED
JAN 27 2010
SECRETARY OF STATE
STATE OF WASHINGTON

AN ACT Relating to adopting the Washington state right to protection act of 2010 and the constitutional rights of self-defense; adding a new section to chapter 9.41 RCW; and creating new sections.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

NEW SECTION. Sec. 1. This act may be known and cited as the Washington state right to protection act of 2010.

NEW SECTION. Sec. 2. The people find that the United States was founded on principles of freedom, including freedom from persecution by government. The federal and state governments were not intended to have the powers they have accumulated over the past few decades. Washington citizens have the right of self-defense to protect themselves and others, as established in the United States and Washington state Constitutions and recognized in *District of Columbia v. Heller*, 554 U.S. ---, 128 S. Ct. 2783 (2008). No governmental entity has the authority to supersede these constitutional guarantees.

NEW SECTION. Sec. 3. A new section is added to chapter 9.41 RCW to read as follows:

(1) Any law-abiding citizen of Washington state has the right under the United States and Washington state Constitutions to protect themselves and others including, but not limited to:

(a) The use of firearms and ammunition;

(b) The use of mace or other repellants; and

(c) Any other means necessary and appropriate to stop an aggressor.

(2) Any law-abiding citizen of Washington state has the right to defend himself or herself, unless he or she is in the act of committing a crime, without interference from federal or state agencies.

(3) Law-abiding citizens of Washington state shall not have their firearms, ammunition, or other means of ensuring their constitutional rights of self-defense waived, restricted, or otherwise burdened by any governmental agency nor shall their firearms, ammunition, or other means of ensuring their constitutional rights of self-defense be marked, tracked, or traced with distinguishing symbols or radio frequency identification dust, chips, tags, paint, or any other direct identifiers.

(4) All law-abiding citizens of Washington state have a constitutional right

to privacy in their homes and vehicles, and other places of domicile and means of transportation, and to remain unmolested therein as long as they are not in the act of committing a crime.

NEW SECTION. **Sec. 4.** Any federal law, rule, order, or other act by the federal government violating the provisions of this act is hereby declared to be invalid in this state, is not recognized by and is specifically rejected by this state, and is considered as null and void and of no effect in this state.

NEW SECTION. **Sec. 5.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

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