

STATE OF NEW JERSEY

GOVERNOR PHIL MURPHY

AG GREWAL FILES LAWSUIT TO PREVENT IMMINENT RELEASE OF PRINTABLE - GUN COMPUTER FILES

From the New Jersey Office of the Attorney General:

TRENTON – Attorney General Gurbir S. Grewal filed a lawsuit today seeking to prevent a firearms developer from publicly releasing computer files that would enable individuals to create untraceable firearms using a 3-D printer. The firearm developer, a Texas-based company called “Defense Distributed,” has threatened to release the files to the public on Wednesday, August 1, 2018.

Attorney General Grewal filed the lawsuit in Superior Court in Essex County, seeking a temporary restraining order against Defense Distributed and its founder, Cody Wilson. The lawsuit follows a cease-and-desist letter that Attorney General Grewal sent the company on Thursday, July 26, 2018.

In a separate letter, Attorney General Grewal informed DreamHost, the web-hosting provider, that Defense Distributed’s website will be violating the provider’s Acceptable Use Policy. As the letter explains, Defense Distributed impermissibly plans to use the website to facilitate imminent violations of New Jersey state law.

“These dangerous files would allow anyone – including terrorists, domestic abusers, felons, fugitives, and juveniles – to print untraceable assault weapons using a 3D printer from the comfort of their own homes,” **said Attorney General Grewal**. “And because the guns would be printed without serial numbers, they would be untraceable by law enforcement, making it all the more difficult to solve crimes committed with these weapons. Once Defendants open that Pandora’s box, it can never be closed.”

Defense Distributed made national headlines by developing gun computer files that enable consumers to create fully operational firearms with a 3-D printer. The company’s founder, Cody Wilson, developed a printable plastic pistol known as the “Liberator .380” in 2012 and put the plans online, but was blocked by the federal government. Wilson sued, and under a settlement he reached with the U.S. State Department, his company can begin releasing computer files for printable guns beginning on August 1.

But as explained in today’s court filings, publication of those computer files would still violate New Jersey law.

New Jersey’s public nuisance law provides a cause of action to hold firearm manufacturers accountable – and to enjoin imminent violations of the law – when their plans would facilitate the illegal sale of weapons to criminals and other prohibited users, and when the manufacturer has done too little to prevent that illegal market from developing.

On Sunday, July 29, 2018, Defense Distributed and the Second Amendment Foundation, a gun rights organization, sued Attorney General Grewal in federal district court in Austin, Texas, seeking to prevent Attorney General Grewal from preventing the publication of the company’s computer files on its website, known as “DEFCAD.” The same day, Wilson claimed that he had taken steps to prevent the distribution of those files in New Jersey, posting on his personal Twitter account, “Yes, DEFCAD has been blocked in New Jersey.” [1] However, as noted in New Jersey’s court filings today, the Defense Distributed website remains accessible in New Jersey.

Also, today, Attorney General Grewal joined 20 other state attorneys general in a letter criticizing Secretary of State Mike Pompeo and Attorney General Jeff Sessions for settling the federal lawsuit against Defense Distributed and urging them to withdraw from the settlement before the company publishes the computer files later this week.

“For years, and as recently as April 2018, the federal government recognized that these printable-gun computer files would be a threat to United States national security and foreign policy interests,” **said Attorney General Grewal**. “Although the Secretary of State and Attorney General abruptly switched positions – with no good reason – the threat remains. I’m proud to lead the fight in New Jersey to stop Wilson and Defense Distributed from publishing printable-gun computer files, and I call on the federal government to join us in protecting the safety of our residents and our law enforcement officers.”

7_30_18_Multistate_Letter_re_3D_Firearms_Final.pdf (https://urldefense.proofpoint.com/v2/url?u=https-3A__t.e2ma.net_click_nj7yw_zo77ft_7uxumf&d=DwMFaQ&c=4BTEw-1msHjOY4ITcFLmDM6JB8x6ZgbU2J24IH0HZLU&r=UI0OhB4iQoT5Bg_oJ-Dn0E9Yi9-hVuvMzZWbSN6RKxw&m=V_2f7FfRfdwhqSwMqBPV3OhNhXtziheafIO_36vOU4U&s=R48VKu5m1K5_MzQzAryn-lbZKHkiYji0Dg23Tkecal&e=)

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