

THE BULLY

DONATIONS ACCEPTED

Official Publication of Western Missouri Shooters Alliance

September 2022

Elisjsa Dicken: The Hero of Greenwood Park Mall

The Left and the mainstream media would rather not talk about it, but a massacre was stopped cold Sunday by a good guy with a gun.

Elisjsa Dicken, the young man who stopped a massacre in progress Sunday evening at Indiana's Greenwood Park Mall, isn't a Good Samaritan. He's a hero. On this we hope everyone can agree.

We mention this because those on the Left are having a tough time coping with this story about a good guy with a gun stopping a bad guy with a gun — so much so that they've taken to the Bible to help them denounce those in the media who they feel are being a bit loose with the meaning of the New Testament parable of the Good Samaritan.

First, the background, as reported by the Associated Press: "A 20-year-old man likely assembled a rifle in the bathroom of a suburban Indianapolis shopping mall before shooting five people in the food court, killing three of them before an armed shopper fatally shot him, authorities said Monday. [The assailant] continued shooting people until he was shot and killed by 22-year-old Elisjsa Dicken, of Seymour, a city about 45 miles south of Greenwood, who was shopping with his girlfriend."

Said Greenwood Police Chief James Ison of Dicken: "His actions were nothing short of heroic. He engaged the gunman from quite a distance with a handgun. He was very proficient in that, tactically sound, and as he moved to close in on the suspect, he was also motioning for people to exit behind him. He has, to our knowledge — he has no police training and no military background."

Well, okay, say those on the Left, don't you dare call him a Good Samaritan!

"The Good Samaritan paid for an unknown immigrant's health care out of pocket," tweeted "comedian" John Fugelsang. "The Good Samaritan did not shoot anyone. Jesus was not a fan of killing for any reason, including self-defense. But if these amosexuals had ever read the Bible, they couldn't support the GOP or NRA." Whatever, dude. Try telling that to the grateful families of the non-victims in Greenwood Park Mall.

"The term 'Good Samaritan' came from a Bible passage of a man from Samaria who stopped on the side of the road to help a man who was injured and ignored," shrieked CBS4 traffic anchor Justin Kollar on Twitter Monday. "I cannot believe we live in a world where the term can equally apply to someone killing someone ... my God."

Kollar is right about his Scripture, which we find in Luke 10:25-37. But we hope that's his only quibble. Indeed, we hope Kollar understands that had Elisjsa Dicken not been there at that particular mall at that particular moment — and, as it turns out, in violation of the mall's policy, which bans even the lawful carrying of weapons — we'd be covering a story with a far different and far more horrific outcome.

When will we learn our lesson about "gun-free zones"? When will we learn that sociopaths bent on mass destruction don't give a rip about our anti-gun policies and ordinances and laws? Take New York, for example, which the Supreme Court recently blessed with a constitutionally correct ruling in *New York State Rifle and Pistol Association v. Bruen*, a ruling that struck down the state's encroachment upon our First Civil Right, the right to defend ourselves, and our Second Amendment right to keep *and bear* arms.

No matter, though. New York's elected officials are making sitting ducks out of the state's citizens by attempting an end run around the Supreme Court's ruling. Sure, you can have a permit, New York now says, but you can't carry a gun pretty much anywhere.

An AP story on the Indiana incident tried to tell us that good guys with guns almost never stop bad guys with guns. "Rare in US for an active shooter to be stopped by bystander," blared the headline.

But author and crime researcher John Lott knows different. And so do we. As Lott writes in *Newsweek*, "These heroic acts happen much more frequently than most imagine, because they rarely get national news coverage."

Lott continues: "According to my research, there have been at least 10 similar cases over the last year, and 21 since the beginning of 2020. And there is no reason to believe those tallies are comprehensive, given how little media coverage is usually devoted to these heroic acts."

Doubtless there are plenty of American citizens who are alive today because of those good guys who chose to arm themselves with guns.

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NOTICE: The September Meeting has been changed from Tuesday the 27th to MONDAY, the 26th at the request of Bass Pro.

There will be an election of three people to the WMSA Board of Directors at the meeting.

The candidates are : Bill Bland, Eric Burger, Bill Shelley and Paul Allen. Additional nominations can be made at the meeting. Be sure to attend and vote!



...dedicated to the restoration of the inalienable right to keep and bear arms as guaranteed by the 2nd Amendment

The Alliance is a regionally-based, grass-roots organization that seeks to:

1. Counter the designs of malicious legislators.
2. Confront the media's twisted portrayals of gun rights issues.
3. Politicize and activate gun owners in defense of their rights.
4. Acquaint the public with the true nature of the Second Amendment.
5. Network with other pro-gun groups to coordinate local, state and national strategies.
6. Train people in basic firearm safety and handgun defense.
7. Sponsor and support pro-gun legislation
8. Make politicians aware that gun owners are awakening from their accustomed apathy and
WILL TOLERATE NO FURTHER EROSION OF THEIR FREEDOMS

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CONTACT:

- Business correspondence - WMSA, P O Box 11144, Kansas City, MO 64119
- Editorial correspondence - E-mail to: Bob.WMSA@gmail.com
- WMSA Hotline/Fax - (877) 333-WMSA (9672)
- Web page - www.wmsa.net

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The writer, editor and others contributing to this publication are neither engaging in terrorist conspiracy nor advocating acts of violence against the government of the United States. Statements are presented to stimulate political discussion in real or hypothetical contexts pursued in the spirit of free inquiry.

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COMING EVENTS

Events may be cancelled at last minute due to Covid Restrictions.

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WMSA

General Membership Meeting

September 26, 2022

November 22, 2022

7:00 PM

Bass Pro Independence, MO

• • •

MVACA

Missouri Valley Arms Collectors Assn.

To be announced

KCI Expo Center
 Kansas City, MO

• •

R. K. Shows

Sept. 10-11, 222

Cable-Dahmer Arena Independence, MO

Oct. 22-23-2022
 Nov. 26-27, 2022
 KCI Expo Center

• • •

WANENMACHER'S

TULSA ARMS SHOW

Nov. 11-12, 2022

EXPO CENTER-EXPO SQUARE
 (TULSA FAIRGROUNDS)
 TULSA, OKLAHOMA

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American Legion Gun & Knife Show

To be announced

16701 E. 40 Highway
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LIBERTY NOTES

By Kevin L. Jamison

It is a Good Day for Liberty.

There is an audio book called "Don't Go to Jail." It purports to be advice from the lead character in the TV series "Better Call Saul." I would not take legal advice from that show, however entertaining. The book does not provide good advice.

There is a proposal by the Federal Fish and Wildlife agency to ban lead from hunting ammunition. This will raise the price of hunting ammunition by 60%. The substitutes for lead are more likely to wound game than kill it.

Grandparents Against Gun Violence advertised a meeting at which an ATF agent would tell them how guns work. Bill Bland attended that meeting and gave an excellent report at the last General Members meeting. The agent spent most of his time telling them how ATF worked. He was asked what the difference was between AR 15s and AR 16s. He said that he did not know. In his defense there may not be a rifle called an AR 16. The questioner was probably asking about an M-16 and did not know enough to properly ask the question. These are the people telling us what guns we really need.

The Red Cross reports a severe blood shortage. There is always a blood shortage and the pandemic and economic problems have made it worse. Give a little blood and wear your Second Amendment shirt or button when you do. I gave blood recently and wore my "Guns Save Lives" button. The guy on the table across from me gave me a thumbs up. Every little bit helps.

A sheriff's department in North Carolina has placed safes in all the counties' schools containing AR 15s and breaching tools. The concept is that in the case of a mass killer responding officers will not have to go get rifles to respond. The breaching tools are in case the bad guy is behind a locked door. This presumes the deputies have quick access to the safe. It does not appear that school personnel have the combination. Not a bad idea. I recall reading that in the Old West Wyatt Earp stashed shotguns in cooperative stores in case of urgent need. Of course media minions went to what they called a "gun safety expert" to declare that this was extremely dangerous and only a complete ban would suffice. The "gun safety expert" was from the Giffords group and not a safety expert but an anti-gun flack.

The story is that Kansas voted to keep abortion because Kansans wanted to keep the government out of their lives. I think there were other matters involved. This could be a good slogan for us.

In the first quarter of this year sportsmen have paid over \$300 million for wildlife preservation. The Pittman-Robertson tax began in 1937 at the insistence of shooters to preserve wildlife. The money goes into a lockbox and can be used for no other purpose. Tell the usual suspects that if they love animals, buy a box of ammunition.

A teacher has written that she will not be forced to join an armed teacher militia. I don't believe that she will be forced to join such a militia. All the proposals for arming teachers rely on volunteers. Volunteers who take training on their own time and own expense. Volunteers who buy their own guns. Absolutely no one has suggested that teachers be drafted for school protection. This teacher says that she loves her students. Just not enough to defend them with a gun.

The FBI has conducted a test on the same model of gun used by Alec Baldwin in the shooting on the set of the movie "Rust." It found that the gun would only fire if the trigger was pulled; something Mr. Baldwin denies. This test is worthless. It tested the same model of gun, which shows that it is a safe copy of the Colt Peacemaker. A valid test would test the actual gun used. This gun was seized by detectives. This gun should be tested. If a part was worn or broken that could account for the hammer falling without the trigger being pulled. It is also possible that Mr. Baldwin pulled the trigger without intending to do so. In either case the shooting was a tragic accident. Of course, the presence of a live cartridge in the revolver was gross negligence on someone's part. I have heard a number of accusations including negligence on the part of the ammunition provider for supplying a live round among the prop ammunition. Mr. Baldwin was handed the gun and assured that it was unloaded. One of us would have checked the gun personally. There may be a case for negligent manslaughter in there somewhere, but hard to prove. It is easily proved that handling guns according to our rules would have prevented a tragedy.

Various demographic groups have events to promote pride in their group. We should promote Gun Owner Pride.

The usual suspects are having hysterics that a model of rifle can shoot through a bullet proof vest. The company tried to explain that penetration is a function of the ammunition, not the rifle. The usual suspects do not listen. Actually great grandfather's 30-30 deer rifle ammunition can penetrate low-level body armor. The usual suspects do not care about facts.

It is said that the Missouri proposal to legalize recreational marijuana will increase the number of leftist voters this November. It is also said that the abortion issue will bring more leftist voters to the polls. A great deal depends on which side gets their voters to the polls. We cannot depend on President Biden's poor polling numbers deciding the issue. Our candidates must win on their own. To do so they need us to get out the vote. A few years ago Virginia gun owners sat on their hands, confident that things would work out. They were surprised by an anti-gun rights governor and legislature. It took years, money and work to unring that bell. More work was required to get back the rights they had lost.

The Minnesota state fair refused to allow access for patrons with guns. Two persons did not feel safe without their guns and sued. This followed the Supreme Court Bruen decision. The plaintiffs thought they had a great case. They thought they could just recite the law and the gates of justice would open wide for them. They were wrong. When the Bruen decision was issued I wrote that judges would be looking for ways to evade it. The judge in this case ruled

LIBERTY (Continued on page 4)

LIBERTY (Continued from page 3)

that the fair could exclude people with guns because it was crowded and thus a sensitive area. The Bruen decision specifically said that simply because people gathered in an area did not make it sensitive. However this judge was looking for excuses to evade the decision not uphold it. They could appeal. This would be an uphill fight. The plaintiffs thought being right was enough. We have over two centuries of experience demonstrating that being right is not enough.

I have just seen a Kansas Supreme Court case. State of Kansas v Dexter Betts handed down in late July, 2022. A police officer was clearing a house. A dog attacked him. He fired. A fragment of the bullet broke off and injured a non-threatening child. The officer was charged with negligent endangerment. He claimed self-defense and immunity. The trial court and the court of appeal agreed. The Supreme Court of Kansas said that self-defense and immunity is not a defense to a charge of reckless endangerment. The case was sent back to the trial court for further proceedings; by this they meant sentencing. The officer acted in self-defense but because the prosecutor chose to file reckless endangerment the obvious defense is taken away from him. This proves that Kansas is crazy. This could happen to any of us.

There is a lot of work to be done. Get out there and keep our rights safe for our grandchildren.
 In the words of two great time travelers, "Be excellent to each other!"
 We shall overcome.

PRESIDENT'S CORNER

POLICE PROTECTIVE POLICY

K. L. Jamison

Daniel Fox heard a break-in at his neighbor's house in Kansas City. He did the right thing and called 911. Police arrived but did not go into the house and eventually drove off. Mr. Fox found this unacceptable and voiced his disapproval on social media. He later complained of harassment by the Kansas City Police department. This harassment seems to have largely consisted of a call from a police Captain stating that KCPD policy is to not enter private property without an invitation from the owner or a warrant. The message said that this was a result of the conviction of Detective Eric DeValkenaere. The detective had entered the back yard of a house, believed that he saw a gun pointed at his partner and fired, killing the resident.

The Jackson County prosecutor has stated that the Captain's interpretation of the DeValkenare decision is wrong. She says it is not only wrong but completely wrong. I am not so sure. The entire case seemed to be a struggle between KCPD and the prosecutor's office to determine if a police shooting is justified. I understand the disagreement. At present the Highway Patrol decides these matters. I believe that the detective was caught in the middle of a power struggle.

At trial the prosecution stressed that the detectives had no probable cause or permission to be on the property. The claim was that the detective's presence violated the Fourth Amendment against unreasonable search and seizure. The judge ruled it was reckless conduct and therefore manslaughter. The prosecution admitted that a gun was found next to the resident, but claimed it was planted. The gun belonged to the resident. Reviewing court materials, I thought that there was no time to find the gun, arrange the scene and plant the gun before other officers arrived. However, courts have told me that what seems obvious to me is not obvious to others.

Mr. Fox sued KCPD for the failure to investigate his neighbor's burglary and for harassment. He says that he feared the burglars would come after his family next. He may win the harassment case, although the damages would be very small. To get money from a lawsuit there must be proof of damages. He does not seem to have any.

The suit for failure to investigate the burglary should be dismissed out of hand. There is a long chain of cases stating that the police cannot be sued for failure to protect a given individual. Since 1856, there has been no right to police protection recognized in the United States. More recently, women in a Washington D.C. home were raped and tortured while other women, hidden upstairs, twice called for help. Twice officers drove past the house without investigating. The hidden women were discovered and tortured for the next fourteen hours. They sued, the court was sympathetic, but ruled there was no cause of action. Missouri has adopted the same philosophy. A long chain of federal and state cases state that police have a responsibility to protect the community as a whole, but no individual in that whole. It may help to visualize the metaphysics of the philosophy to realize that the point is to prevent victims of crime from suing the police.

A lawyer, on the other hand, may be counted upon to protect an individual. Just call "Rent a Friend."
 I thank-you for the honor of being your president.

¹South v Maryland, 59 U.S. (How) 396; 15 L.Ed. 433 (1856).

²Warren v District of Columbia, 444 A.2d 1 (D.C. App. En banc 1987).

³Parker v Sherman, 456 S.W.2d 577 (Mo. 1970).

MY GREATEST FEAR IS THAT ONE DAY I WILL DIE



AND MY WIFE WILL SELL MY GUNS FOR WHAT I TOLD HER I PAID FOR THEM.



DETERRING MASS SHOOTERS

"I think all the world would gain by setting commerce at perfect liberty." — Thomas Jefferson



ATF Excess

There is a video on You-Tube of a citizen in Delaware who received an unannounced visit from ATF Agents and a State Trooper requesting verification of possession of two specific firearms he recently purchased. They wanted to verify that he still had both of them. They were investigating with suspicion of him as being a straw-purchaser on the basis of a 3310.4 Form (Report of Multiple Sale or Other Disposition of Pistols and Revolvers) submitted as required by law by the gun dealer.

This is why I do not recommend "taking possession" (purchase or transfer) of two handguns or more transferred to you within a five business-day period (which for ATF purposes of this regulation is at least seven-calendar days not counting holidays).

This was a warrantless search. It was a "knock and talk" but it was intimidating to the citizen as it would be to almost anyone operating lawfully. If they had probable cause for a warrant, the citizen would be required to comply with the law or possibly face an obstruction charge.

In this case, the officers were "fishing" for an easy catch via intimidation rather than actually investigating and having probable cause for a warrant. They said that a car-stop some time ago in Pennsylvania when he was lawfully carrying a pistol is what triggered the inspection. That IS NOT probable cause for a 3310.4 search! And they knew it or they would have asked a judge for a warrant. And any judge with integrity would have refused it.

I keep my attorney's phone number on speed dial and frankly, I would have used it and told the officers to wait for his arrival before anything further was discussed. The information contained in a 3310.4 is the only form that is required to be immediately sent to the ATF and LOCAL law enforcement upon a transfer. It is also the only form required to be sent immediately to ATF AND LOCAL LAW ENFORCEMENT that ties firearm descriptions (including serial numbers) to the individual who acquires them. Form 4473 background checks are retained by the FFL's and not given to the government until the dealer dies and/or goes out of business (Gun Control Act of 1968). We do not YET have small arms registration in this country except for those identified by the National Firearms Act of 1934 (machine guns, for instance). The only thing keeping this Form 3310.4 form from being gun registration is the fact that the form is to be destroyed by ATF and local law enforcement if they choose not to pursue an investigation. If you believe that happens, I've got ocean front property in Arizona I'd like to sell you. Even if they destroyed the paper copy in front of me, there is no way they'll ever convince me the digital record is gone.

I am not attorney, I am not YOUR attorney, this is not legal advice - just food for thought in case you have a surprise "knock and talk" about a multiple handgun purchase report.

Knowledge of the law is paramount to firearm ownership in this country. Courtesy and cooperation with LEGAL requests from law enforcement are always a good idea but be educated about what you are talking about when interfacing with law enforcement. I'm a former cop and a Federal Firearms Licensee. When dealing with the law make sure you are operating on facts and not fairy tales from a second cousin.

Dick Hime
Corporate Secretary, WMSA

New York makes nearly everywhere 'gun free' zone after Supreme Court ruling

Five of the six states directly affected by the Supreme Court's ruling striking down subjective standards for concealed-carry permits have curtailed their laws, but New York has doubled down.

Lawmakers in New York have made it nearly impossible to carry a firearm into any building — public or private — within the state.

The law, which takes effect in September, eliminates a requirement to demonstrate a special need to obtain a license to carry. In its place, the state has issued a lengthy list of locations where guns are banned.

The move makes it nearly impossible to legally carry a firearm anywhere in the state, and it already is facing legal challenges.

"If you define sensitive places so broadly that you can't carry anywhere, that's probably overdoing it," said Dave Kopel, a lawyer and gun rights advocate.

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KEVIN L. JAMISON
Attorney at Law



2614 NE 56th Terrace
GLADSTONE, MO 64119
KJJamisonLaw.com
KJJamisonLaw@earthlink.net

OFFICE: 816-455-2669
RES: 816-453-2376
FAX: 816-413-0696



17 Attorney Generals Sue Biden Over Privately Made Gun Ban

Gun Owners of America (GOA) and the Gun Owners Foundation (GOF) were joined this week by seventeen state attorney generals in filing for a preliminary injunction to stop a new Biden rule outlawing privately made firearms.

Such guns, whose parts are made without stamped numbers that can be tracked by the government, are referred to by the media as “ghost guns.”

A new Bureau of Alcohol, Tobacco, Firearms and Explosives rule, set to go into effect Aug. 24, changes the definition in federal law of “firearm frame or receiver,” “frame or receiver” “gunsmith” and “firearm,” without the approval of Congress, to outlaw such privately-made firearms.

GOA and GOF are now joined in their challenge by the attorneys general of Arizona, West Virginia, Alaska, Arkansas, Idaho, Indiana, Kansas, Kentucky, Louisiana, Missouri, Montana, Nebraska, Oklahoma, South Carolina, Texas, Utah and Wyoming.

“The ATF is attempting to overshoot the authority granted to it by Congress,” said Arizona Attorney General Mark Brnovich. “The rulemakings are unconstitutional, impractical, and would likely put a large number of parts manufacturers out of business.”

“Despite the ATF acknowledging serious issues with their preliminary rule, this anti-gun administration has made clear that they would not be deterred in going after ‘ghost guns’ one way or another,” said GOA/GOF’s Sam Paredes.

“GOF is excited to partner with the chief law enforcement officers of so many states in this fight. We are confident that our challenge to this final rule has serious merit and that we will ultimately prevail in having it dismantled as unconstitutional in federal court,” said Paredes.

The request was filed in the U.S. District Court for North Dakota, following a GOA and GOF initial lawsuit challenging the constitutionality of the rule earlier this month, GOA reports.

“Among other provisions, the rule would arbitrarily require (1) background checks on gun parts such as 80% kits, (2) gun dealers to serialize and register privately made firearms which are taken into their inventory, and (3) FFLs to permanently maintain all Firearm Transaction Records (Forms 4473), a change from ATF’s temporary 20-year record retention policy in violation of the Firearms Owners’ Protection Act (18 U.S.C. 926(a)(3)),” GOA reports.

“GOA and its millions of members continue to voice concerns that this is another attempt by this anti-gun administration to regulate what Congress never intended to regulate and eventually turn their partial gun registry into a complete registry of every firearm transferred,” GOA stated.

“Under current policy, when an FFL dealer goes out of business, the most recent 20 years of records are transferred to ATF. But under the new record-keeping policy in the Final Rule, every transaction record would eventually be entered into ATF’s digital and searchable national gun registry,” GOA warns.

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“If you define sensitive places so broadly that you can’t carry anywhere, that’s probably overdoing it,” said Dave Kopel, a lawyer and gun rights advocate.

If you can't trust your state to correctly count COVID-19 deaths, how can you trust them to correctly count mail-in votes?

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- 1) Counter the designs of malicious legislators.
- 2) Confront the media's twisted portrayals of gun rights issues.
- 3) Politicize and activate gun owners in defense of their rights.
- 4) Acquaint the public with the true nature of the Second Amendment.
- 5) Network with other pro-gun groups to coordinate local, state and national strategies.
- 6) Train people in basic firearm safety and handgun defense.
- 7) Sponsor and support pro-gun legislation.
- 8) Make politicians aware that gun owners are awakening from their accustomed apathy and
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Check membership type:

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REMINDER Next General Meeting is scheduled for **MONDAY, Sept. 26, 2022 at 7:00 PM**
 Meeting located at **BASS PRO, Independence, MO**

CONTACT INFORMATION - *Let them know what you think!*

Missouri State Senate

Greg Razer—D—Dist 7
 201 W Capitol Ave., Rm. 330
 Jefferson City, Missouri 65101
 (573) 751-6607

Mike Cierpiot—R—Dist 8
 201 W Capitol Ave., Rm. 422
 Jefferson City, Missouri 65101
 (573) 751-1464

Barbara Washington—D—Dist 9
 201 W Capitol Ave., Rm. 425
 Jefferson City, Missouri 65101
 (573) 751-3158

John Rizzo—D—Dist 11
 201 W Capitol Ave., Rm. 333
 Jefferson City, Missouri 65101
 (573) 751-4551

Dan Hegeman—R—Dist 12
 201 W Capitol Ave., Rm. 332
 Jefferson City, Missouri 65101
 (573) 751-1415

Lauren Arthur—D—Dist 17
 201 W Capitol Ave., Rm. 427
 Jefferson City, Missouri 65101
 (573) 751-5282

Denny Hoskins—R—Dist 21
 201 W Capitol Ave., Rm. 423
 Jefferson City, Missouri 65101
 (573) 751-7381

Rick Bratton—R—Dist 31
 201 W Capitol Ave., Rm. 331
 Jefferson City, Missouri 65101
 (573) 751-2108

Tony Luettkemeyer—R—Dist 34
 201 W Capitol Ave., Rm. 429
 Jefferson City, Missouri 65101
 (573) 751-2183

Missouri House

Randy Railsback—R—Dist 8
 201 West Capitol Ave Rm. 201A
 Jefferson City, Missouri 65101
 (573) 751-0246

Dean Van Schoiack—R—Dist. 9
 201 West Capitol Ave Rm. 201G
 Jefferson City, Missouri 65101
 (573) 751-3666

Bill Faulkner—R—Dist 10
 201 West Capitol Ave Rm. 201A
 Jefferson City, Missouri 65101
 (573) 751-9755

Brenda Shields—R—Dist. 11
 201 West Capitol Ave Rm. 407A
 Jefferson City, Missouri 65101
 (573) 751-3643

Josh Hulbert—R—Dist 12
 201 West Capitol Ave Rm. 1156-2
 Jefferson City, Missouri 65101
 (573) 751-9760

Sean Pouche—R—Dist 13
 201 West Capitol Ave Rm. 115A
 Jefferson City, Missouri 65101
 (573) 751-6593

Ashley Aune—D—Dist 14
 201 West Capitol Ave Rm. 109E
 Jefferson City, Missouri 65101
 (573) 751-3618

Maggie Nurenburn—D—Dist 15
 201 West Capitol Ave Rm. 101F
 Jefferson City, Missouri 65101
 (573) 751-4787

Mark Ellebracht—D—Dist 17
 201 West Capitol Ave Rm. 135-BA
 Jefferson City, Missouri 65101
 (573) 751-1218

Wes Rogers—D—Dist 18
 201 West Capitol Ave Rm. 105B
 Jefferson City, Missouri 65101
 (573) 751-2199

Ingrid Burnett—D—Dist 19
 201 West Capitol Ave Rm. 105A
 Jefferson City, Missouri 65101
 (573) 751-3310

Bill Kidd—R—Dist 20
 201 West Capitol Ave Rm. 403-B
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Robert Sauls—D—Dist. 21
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 Jefferson City, Missouri 65101
 (573) 751-5701

Jonathan Patterson—R—Dist 30
 201 West Capitol Ave Rm. 305A
 Jefferson City, Missouri 65101
 (573) 751-0907

Dan Stacy—R—Dist 31
 201 West Capitol Ave Rm. 411 B
 Jefferson City, Missouri 65101
 (573) 751-8636

Jeff Coleman—R—Dist 32
 201 West Capitol Ave Rm. 114B
 Jefferson City, Missouri 65101
 (573) 751-1487

Chris Sander—R—Dist 33
 201 West Capitol Ave Rm. 118A2
 Jefferson City, Missouri 65101
 (573) 751-9766

Rick Roeber—R—Dist 34
 201 West Capitol Ave Rm. 407C
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 (573) 751-1456

Keri Ingle—D—Dist 35
 201 West Capitol Ave Rm. 109E
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 (573) 751-1459

Doug Richey—R—Dist 38
 201 West Capitol Ave Rm. 207B
 Jefferson City, Missouri 65101
 (573) 751-2238

Peggy McLaughlin—R—Dist 39
 201 West Capitol Ave Rm. 411-2
 Jefferson City, Missouri 65101
 (573) 751-1468

Gregory Curtis—R—Dist 51
 201 West Capitol Ave Rm. 115D
 Jefferson City, Missouri 65101
 (573) 751-2204

Brad Pollitt—R—Dist 52
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 Jefferson City, Missouri 65101
 (573) 751-9774

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 201 West Capitol Ave Rm. 406A
 Jefferson City, Missouri 65101
 (573) 751-1462

Dan Houx—R—Dist 54
 201 West Capitol Ave Rm. 413B
 Jefferson City, Missouri 65101
 (573) 751-3580

Mike Haffner—R—Dist 55
 201 West Capitol Ave Rm. 1233B
 Jefferson City, Missouri 65101
 (573) 751-3783

Michael Davis—R—Dist 56
 201 West Capitol Ave Rm. 116-3
 Jefferson City, Missouri 65101
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