

Gun Control Not a Priority as Midterms Loom with Biden in Basement

A new Monmouth University poll released this week shows gun control is second from the bottom of a list of nine priority issues with the midterm elections just over two weeks away and American gun owners poised to help take Congress away from Democrats.

At the same time, Rasmussen's Daily Presidential Tracking Poll shows President Joe Biden's numbers still trailing, with 44 percent approving of his performance but 54 percent disapproving. This includes only 22 percent who "strongly approve" and 45 percent strongly disapproving.

The top issue concerning voters—certainly including gun owners—is inflation. Their concerns have jumped 9 points since last month, corresponding to the rise in inflation, including gasoline. During the fall months, outdoorsmen and women spend a fair amount of money on fuel just to get back and forth to the field, and then to operate generators and chainsaws. They also are paying more for groceries than at this time last year.

At the bottom of the list for voters is climate change, an indication that the Biden administration's priorities are at odds with that of American consumers.

Crime is the third highest priority, the Monmouth survey revealed, which likely explains why increasing numbers of Americans are carrying or applying for licenses to carry in the 25 states where a license is still required. Fully half of the states no longer require carry permits or licenses.

It has not been a good year for the Democrats' gun control agenda, which collided with the Constitution in June as the Supreme Court struck down a century-old restriction in New York requiring carry permit applicants to prove a "good cause" for needing to carry a defensive firearm. In the aftermath, the New York Legislature swiftly adopted a new scheme designed to get around, rather than comply with, the high court's ruling.

But in recent days, federal judges have smacked down components of that legislation, declaring it unconstitutional. This week, the Second Amendment Foundation obtained a temporary restraining order from a federal judge in Buffalo, derailing places of worship to be "sensitive places" where even legally concealed handguns are prohibited. The speed with which Judge John L. Sinatra, Jr. handed down his TRO surprised many, and SAF founder and Executive Vice President Alan Gottlieb was delighted. It took only three days for the judge to rule. SAF filed its initial lawsuit earlier this month.

"Ample Supreme Court precedent addressing the individual's right to keep and bear arms—from *Heller* and *McDonald* to its June 22 decision in *Bruen*—dictates that New York's place of worship restriction is... unconstitutional," Judge Sinatra wrote.

Now, with the midterm elections looming and pollsters predicting Republicans could take over the House and possibly the U.S. Senate, the likelihood is increasing that Biden's gun control agenda is about to crash.

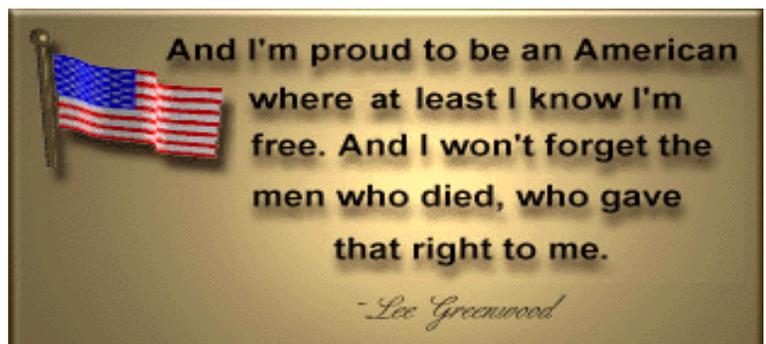
"Let each citizen remember at the moment he is offering his vote that he is not making a present or a compliment to please an individual — or at least that he ought not so to do; but that he is executing one of the most solemn trusts in human society for which he is accountable to God and his country."

—Samuel Adams

"This country is owned by We the People. We wrote a Constitution. We put down what we wanted to put in it. We can amend it when we wish. And it is not up to nine people to tell 330 million Americans how to live."

—Justice Neil Gorsuch

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...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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COMING EVENTS

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

• • •

WMSA

General Membership Meeting

November 22, 2022

7:00 PM

American Legion Post
 16701 E. 40 Hwy
 Independence, MO

• • •

MVACA

Missouri Valley Arms Collectors Assn.

July 29-30, 2023

KCI Expo Center
 Kansas City, MO

• •

R. K. Shows

Nov. 26-27, 2022

KCI Expo Center

• • •

WANENMACHER'S

TULSA ARMS SHOW

Nov. 11-12, 2022

EXPO CENTER-EXPO SQUARE
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 TULSA, OKLAHOMA

• • •

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April 15-16, 2023

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16	Justin Dan Brown	28	Sandy Crawford
34	Tony Luetkemeyer		

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District	Candidate	District	Candidate
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5	Louis Riggs	6	Ed Lewis
7	Peggy McGaugh	8	Josh Hurlbert
9	Dean Van Schoiack	10	Bill Falkner
11	Brenda Shields	12	Tom Hutsler
14	Eric Holmes	15	Adam Richardson
16	Chris Brown	17	Bill Allen
18	Eric Woods	19	Karen Spalding
20	Aaron McMullen	21	Dakota Worrell
28	Jennell Houts	30	Jon Patterson
31	Dan Stacy	32	Jeff Coleman
33	Chris Sander	34	J. C. Crossley
35	John Burrows	36	Kurt Lauvstad
38	Chris Lonsdale	39	Doug Richey
51	Kurtis Gregory	53	Terry Thompson
55	Mike Haffner	56	Michael Davis
57	Rodger L. Reedy	62	Sherry Gallick

The Candidates listed above are endorsed by the Western Missouri Shooters Alliance. These districts are the area in Western Missouri that is generally covered by WMSA. These are the new districts set by the Missouri Legislature during their last session.

Please check your voter ID Card for the number of the district where you live. Some Senate Districts are NOT up for election this year and were omitted.

BE SURE YOU VOTE ON NOVEMBER 8th!!!

LIBERTY NOTES

By Kevin L. Jamison

It is a Good Day for Liberty.

There is an audiobook called "The Light of Days." It concerns Jewish women resistance workers in Poland during WW II. There is a chapter on how weapons were acquired. German soldiers sold guns to the resistance. They had to know that these guns would be used against them or at least their fellow soldiers. When I was researching the Mau Mau uprising in Kenya I learned that prostitutes in Nairobi charged soldiers three to five cartridges for their services. These cartridges moved along the Mau Mau supply line. I have heard of police officers selling seized guns out of the property room. In the hills of Pakistan tribesmen make machine guns with hand tools. Guns are made with 3-D printers. If the usual suspects believe they will keep guns from bad guys, they are delusional.

I have received a suggestion to add a Legal Notes column to the newsletter. Members can ask questions. We will see how that goes.

My older son bought me a T-shirt. It has a logo of an AR 15-pointed muzzle up flanking the words "Second That." All together it appears to say, "I Second That." I think it is a great logo. It has possibilities stamped in the center of a Liberty Bell on our flag.

Mexico filed a multi-billion-dollar lawsuit against American gun makers. The claim is that they are responsible for violence in Mexico. A federal judge has dismissed the lawsuit, but I fear that this is not the last we shall hear of it.

There was a "buy back" in New York offering \$500 gift cards for guns. A man made a hundred guns on a \$200 laser printer. The event made him compromise on the amount paid but he cleaned up. I do not discourage these events. They are illegal in Missouri if they use public funds. They give the usual suspects an all-day sucker to keep them occupied and out of mischief.

Andrew Branca is an attorney concentrating in the law of self-defense. He has a web site www.lawofselfdefense.com. He does podcasts relating to self-defense. The podcasts are free. If a person pays a few bucks the viewer can ask a question during the podcast. One podcast followed a lurid televised lawsuit between a divorced Hollywood couple. There was testimony that during the marriage the wife defecated on the marital bed. This appears to have been an editorial comment on the marriage that doubtless someone else had to clean up. During the podcast a viewer asked if the husband could have shot her in self-defense during this editorial comment. I would have answered that this was a stupid question and we have all lost IQ points by listening to it. Mr. Branca, however, is a gentleman and explained that this editorial comment threatened no one and was not remotely grounds for deadly force. Try www.lawofselfdefense.com he will try to sell you a coffee cup, but one should never be too far from a coffee cup.

I've been getting e-mails promising that I could get a concealed carry license without range time, photographs, fingerprints or government involvement. I thought this was unlikely but clicked on it out of curiosity. My computer security system immediately announced that the site was unsafe. That settled it. Concealed carry licenses exempt the holder from state law regarding concealed weapons laws. Only the state can grant an exemption from state law. The e-mail I received was some sort of scam or virus.

A federal court in West Virginia ruled that the requirement to put serial numbers on guns is unconstitutional. The reasoning was that there was no such requirement in the Constitution and therefore it does not pass Constitutional muster today. This is the ruling of a single district court. It will be appealed and we will see what happens. I am not clear as to why gun companies started putting serial numbers on their product. The government claims that it allows guns found at crime scenes to be traced to owners. Guns are rarely recovered at crime scenes and when they are, they are traced to the person they were stolen from.

Hurricane Ian had some public personages reciting the "you loot we shoot" mantra. It is nice rhyme and understandable sentiment. However, it is murder. You cannot kill over property. Scum taking advantage of a disaster to loot are still people. You cannot kill people over property. Please do not argue with me on this; I just work here, I don't make policy. True, Texas has a law allowing deadly force in protection of property. But, that is only Texas and even Texas lawyers advise against it. There are procedural hoops before one can invoke this law. I advise against warning shots as well.

New York State's new anti-gun rights law does not contain exceptions for historical reenactments. This has caused the cancelation of a number of historical memorials.

In the words of two great time travelers, "Be excellent to each other!"

We shall overcome.

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PRESIDENT'S CORNER

PUBLIC SERVICE

K. L. Jamison

Running organizations like this requires a certain number of meetings. These meetings preserve the organization for our grandchildren and continue events for our grandchildren. There is a certain degree of comradeship in associating with like-minded persons. The exchange of information is valuable. At a recent meeting a member reported on a TV "news" report on Grandparents Against Gun Violence. It was a 30 second advertisement for the group which was billed as a "gun safety" organization. The group has never taught a second of gun safety in its history. We have taught gun safety and need to get in the forefront as a gun safety organization.

Every year certain persons celebrate holidays and sporting events by shooting in the air. Every year people are injured and killed by falling bullets. The usual suspects blame this negligence on us. There is a bill to raise firing a gun in the city limits from a misdemeanor to a felony. This could be used against persons firing at attacking dogs or otherwise in self-defense. I doubt very much that a drunk celebrating the New Year will check the statute book and refrain because it is a felony.

That drunk may refrain if he has heard a number of public service announcements that it is illegal, stupid and dangerous. We are the people with the authority and experience to write these public service announcements. I am asking our members to write a 30 second public service radio announcement on gun safety. Send them to my e-mail KLJamisonLaw@earthlink.net. You won't win anything but you will contribute to gun safety and keep our rights safe for our grandchildren.

I thank-you for the honor of being your president.

California judge blocks sharing gun owners' information, citing 'massive' privacy breach

A California law that provided names and other information about gun owners to researchers analyzing the effectiveness of gun violence restraining orders was blocked by a judge, who ruled it may violate the privacy rights of gun owners. San Diego Superior Court Judge Katherine Bacal ordered a preliminary injunction against the state's Assembly Bill 173 last week. "Accordingly, plaintiffs have shown that the balance of harms weighs in favor of issuing the injunction," she wrote in her order on Friday, noting that the law's provisions threatened the privacy rights of gun owners.

Democratic Gov. Gavin Newsom signed the bill into law last September and requested that Attorney General Rob Bonta (D) send personal information on gun purchasers to the state Firearm Violence Research Center at the University of California, Davis.

Gun owners' information included when and where they purchased their guns, as well as details about the buyers' names, addresses, dates of birth, and what they purchased. The research center was also authorized to share the data with other research institutions outside UC Davis.

Bacal, an appointee of former Republican Gov. Arnold Schwarzenegger, noted that the state accused the plaintiffs of failing to "establish irreparable harm" because the information in question has already been shared with researchers as recently as November 2021. "Yet this does not account for the potential ongoing and future harms that could occur by continuous use of the information," Bacal said, referring to a June data breach that prompted the California Justice Department to remove its Firearms Dashboard Portal from its website. "Furthermore, and while this motion has been pending, a massive data breach reportedly occurred that leaked personal identifying information from the firearm databases for concealed carry applicants in or about June of 2022," the judge added.

The Firearms Policy Coalition, one of several gun advocacy groups that challenged the California law, lauded Bacal's decision as a victory for gun rights, as well as privacy rights.

"The California government has proven time and time again that it can't be trusted with the private personal information of its residents," said FPC Director of Legal Operations Bill Sack. "Today's ruling reinforces what FPC has been arguing all along; that you needn't be forced to open your front door to immoral government intrusion in order to exercise your fundamental rights."

California Rifle & Pistol Association President Chuck Michel told the *Washington Examiner* in June that the published data on gun owners could cause the "doxing of law-abiding gun owners," that is, the potential for someone to share information online about the location of a gun owner for malicious intent.

Bonta issued a statement after the decision expressing disappointment, adding that "research and collaboration would help protect our communities from gun violence and save lives."

"We will continue this fight in court," Bonta added.

"No nation ever protested its way from poverty to prosperity or got there through rhetoric or bureaucracies."

—Thomas Sowell

"The spirit of resistance to government is so valuable on certain occasions, that I wish it to be always kept alive. It will often be exercised when wrong, but better so than not to be exercised at all. I like a little rebellion now and then. It is like a storm in the atmosphere."

—Thomas Jefferson



Gun survey says 1.6M defensive uses per year, gun owners are diverse

A huge firearms survey that was updated earlier this year found that gun owners use their firearms in self-defense in roughly 1.67 million incidents a year. The survey also found that gun owners are diverse.

According to the survey, guns are used in self-defense in roughly 1.67 million incidents a year, and around a third of gun owners – just over 30 percent – have used a gun to defend themselves or their property. The survey of 16,708 gun owners was conducted between February 17 and March 23, 2021, and was updated in May 2022.

Georgetown University professor William English, who created the survey, told The Reload that the survey's results suggest tens of millions of Americans have been involved in roughly 50 million "defensive incidents."

"Given that 31.1% of firearms owners have used a firearm in self-defense, this implies that approximately 25.3 million adult Americans have defended themselves with a firearm," English wrote in a report on the study, which was published on the Social Science Research Network (SSRN).

"Answers to the frequency question suggest that these gun owners have been involved in a total of approximately 50 million defensive incidents," he continued. "Assuming that defensive uses of firearms are distributed roughly equally across years, this suggests at least 1.67 million defensive uses of firearms per year in which firearms owners have defended themselves or their property through the discharge, display, or mention of a firearm (excluding military service, police work, or work as a security guard)."

In more than 80 percent of defensive incidents, no shot was fired, the survey said. Handguns are the most common gun used for self-defense purpose and are also the most common type of gun owned.

Support for red flag laws turns to opposition when voters told about how they work

A new study shows that the attitude of Americans toward red flag laws, where guns are taken away from citizens by a judge who determines they are a danger to themselves or others, dramatically changes from support to opposition when more detail is provided in the poll question about the process of gun confiscation via the legal process.

The recently released study of 1,000 likely voters conducted by the Crime Prevention Research Center initially showed that 58% of people support red flag laws when told the "primary purpose is to allow judges to take away a person's gun based on a single complaint when there is a concern about that individual committing suicide."

When respondents were told there are no hearings where a defendant presents their case to a judge before their gun rights are taken away and mental health experts are not involved in the process, the 58% support drops down to 30% with 47% opposing.

Data showed that the strongest support for red flag laws came from Democrats, the wealthy, the Black and Hispanic communities, and people aged 18-29. "You constantly hear in the media and in the news that these polls show overwhelming support for these different types of gun control," John Lott, president of the Crime Prevention Research Center, told Fox News Digital. "I think a lot of it is just due to the way the questions are framed."

Lott added that there is "a lot of misinformation about guns" and that the survey questions are "really biased in how they're written up."

Lott also pointed out that the survey shows that strong support of red flag laws dropped from 34% to 14% when respondents were told of the lack of due process in most red flag cases, and strong opposition rose from 18% to 29%. Lott said this is consistent with polling he conducted earlier this year that suggested those who are least informed about guns and gun laws are the most likely to support stringent gun control.

"Everybody wants to try to protect somebody who's a danger to themselves or somebody else," Lott told Fox News Digital. "But I wasn't sure people understood exactly how red flag laws work."

"The fact is that red flag laws do not have a hearing before the guns are taken away," Lott said, adding that there are "no mental health care professionals" involved in the red flag process, which can be triggered based on a single complaint.

The Associated Press reported earlier this year that red flag laws have been used in 19 states and the District of Columbia to remove guns from citizens 15,049 times since 2020.

"Kids are fluid about everything. If kids knew what they wanted to be at age eight, the world would be filled with cowboys and princesses. I wanted to be a pirate. Thank God nobody took me seriously and scheduled me for eye removal and peg-leg surgery."

—Bill Maher

"I think that Democrats, if the election ... is a referendum on the president, they will lose. And they know that."

—former White House Press Secretary Jen Psaki

"Facts are stubborn things; and whatever may be our wishes, our inclination, or the dictates of our passions, they cannot alter the state of facts and evidence."

—John Adams

"To live his life in his own way, to call his house his castle, to enjoy the fruits of his own labour, to educate his children as his conscience directs, to save for their prosperity after his death — these are wishes deeply ingrained in civilised man. Their realization is almost as necessary to our virtues as to our happiness. From their total frustration disastrous results both moral and psychological might follow."

—C. S. Lewis



The Second Amendment Puts Safety First

*Gun control simply cannot stop violence in this country,
which is being caused by a crime-ridden society that is out of control.*

The Second Amendment addressing the right of American citizens to bear arms is a touchy subject these days, but its effect on our daily lives cannot be overstated. Being able to protect ourselves in a world that is becoming more dangerous by the day is essential to survival. The right to arm oneself, whether the weapon is concealed or not, has become more important than ever.

Take a stroll through any big city and you're likely to see a replay of what I witnessed recently in New York City: rampant homelessness, burgeoning crime and a proliferation of drug use. Feeling safe should be an inalienable right. But today, that's no longer a given in this country.

Instead, our cities are in a dangerous downward spiral. They are increasingly filthy, and crime rates are skyrocketing. Make no mistake about it, America and its people are at risk. Cities that used to be barometers for the American experience are now bastions of hellish disarray.

Go to San Francisco and you will see precisely what I mean. Shoeless drug addicts roam the streets like zombies in a trance, treating the streets like public toilets. Drove of homeless people shoot up heroin not in trash-littered back alleys but in plain sight on major roads. The gutters are filled with discarded syringes.

What we need to rectify this situation is more policing and enforcement of the rule of law. Until then, we are going the wrong direction by focusing upon gun control. We need to be increasing funding to the police, not "defunding" them. And we need to ensure that law-abiding citizens are afforded their constitutionally guaranteed right to bear arms. It's an essential way for men and women to protect themselves.

People kill people. Guns do not. And it is obvious that overregulating gun ownership will have zero effect on the estimated 400 million guns that are already in private circulation. Gun control simply cannot stop violence in this country, which is being caused by a crime-ridden society that is out of control.

Imagine that you are a small businessman in a big city rife with crime and short on cops. Imagine how you might react if an armed robber burst into your store, pulled a gun and demanded cash. You could meekly hand the money over and put your fate in the hands of an armed criminal, hoping he doesn't just decide to orphan your children. Or you could up the odds in your favor by defending yourself with a legally purchased and properly registered firearm.

In San Francisco, former District Attorney Chesa Boudin decided that the city would not be prosecuting thieves who stole, as long as their thievery fell beneath a certain price point. The initiative was announced publicly. The result of that ridiculousness? Gangs of criminals breaking into stores.

Talk about throwing gasoline on a fire. We saw the videos of these shocking crime sprees posted online.

In this era of lawlessness, the best life insurance policy is one tucked into a holster. Should we be forced to choose a thug's life or our own, we should have the means to make the right decision.

Gun control advocates like to point to the mayhem wreaked by mass shootings, especially in schools, which are a truly terrifying reality. But we know that the perpetrators of those horrors are often mentally ill people. I am not opposed to sensible steps to keep dangerous weapons out of the hands of the insane and the criminal — but I am opposed to overreach by the government to prevent law-abiding and rational Americans from securing the firearms of their choice.

Gun violence deaths detailed by Giffords Law Center hype the numbers but fail to look at the hard truth: Gun deaths are caused by people who misuse guns, and stricter gun legislation would do little to stop those individuals who are compelled to use guns to commit crimes.

The sooner we recognize this truth and the sooner we recognize where our country is headed, the quicker we will come to the realization that we truly must protect ourselves at all costs. Responsible gun owners know how to properly secure their weapons away from children, and often train with professionals and carry with care.

Gun ownership by good people deters crime. Criminals may think twice about committing their attacks if they are forced to wonder if their victims are packing heat. As the saying goes, "If guns are outlawed, then only outlaws will have

SAFETY (Continued on page 8)

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"Wherever the real power in a Government lies, there is the danger of oppression." —James Madison

SAFETY (Continued from page 7)

them." What's more, stricter gun laws make it more difficult for people to protect their homes and families, a growing concern in a day and age where fewer and fewer people want to become police officers.

In addition, consider the reality. Police simply cannot protect everyone all the time. Response times may be short, but the window for self-preservation often occurs in mere moments.

A Pew Foundation report found that 79% of male gun owners and 80% of female gun owners said owning a gun made them feel safer. Another 64% of people living in a home in which someone else owns a gun also said they felt safer.

Safety in a land without allowing people to exercise their Second Amendment right will become even harder to find. But good people can make America safer with a permit in their pocket and a holstered gun on their hip.

Supreme Court's gun ruling opens door to next fight: Where can they be carried?

It could be years before the justices are asked to answer what is a "sensitive" space and whether the government can prohibit firearms there.

State laws prohibiting people from carrying firearms in "sensitive" locations are providing the foundation for the next battle involving the Second Amendment in the wake of a recent Supreme Court decision, with the question in the courts shifting from whether Americans can have guns at home or in public to where they can be carried.

Already, challenges to so-called sensitive place restrictions in New York and the District of Columbia have been filed, and more are expected to follow from gun rights supporters, who argue the measures keeping them from bringing guns into places like houses of worship, on college campuses and in public parks infringe on their right to keep and bear arms.

"That's going to be an important and interesting battlefield going forward for Second Amendment cases," Joseph Blocher, an expert on the Second Amendment and professor at Duke Law School, told CBS News. "Until now, it's been a sleepy corner of Second Amendment law and scholarship, and that means there's going to be a lot of open questions to figure out, and the central one is, what makes a place sensitive such that the government can prohibit guns in that place?"

In its 2008 decision in *Heller v. District of Columbia*, the Supreme Court ruled there is a constitutional right to keep a handgun in the home for self-defense. More than a decade later, in June, the high court recognized the right to carry a handgun outside the home for self-defense, striking down a New York permitting regime that limited who could carry concealed firearms in public.

Justice Clarence Thomas, writing for the majority in the June decision, cited "few" 18th and 19th century sensitive places in the historical record where guns were prohibited — legislative assemblies, polling places and courthouses — but said "we therefore can assume it settled that these locations were 'sensitive places' where arms carrying could be prohibited consistent with the Second Amendment."

Justice Brett Kavanaugh, joined by Chief Justice John Roberts, also noted in a concurring opinion what he said were the limits of the Supreme Court's decision, including that the Second Amendment allows for a variety of gun regulations, among them laws prohibiting the carrying of firearms in sensitive places like schools and government buildings. But what remains unclear from the examples cited by the justices is "the principle that connects those things," Blocher said.

New York's law, passed after the Supreme Court invalidated its licensing rules, designates 20 categories of sensitive locations where people cannot carry guns, among them any place of worship or religious observation, bars, ferries, banquet halls, public parks and Times Square.

The law, which took effect Sept. 1, quickly drew a legal challenge from the gun rights group Gun Owners of America and its member Ivan Antonyuk, who argued the state's new restrictions infringed on their Second Amendment rights.

The scope of New York's list of sensitive locations, they wrote in their complaint, makes it "hard to imagine how a carry license holder could so much as leave home without running afoul of the [Concealed Carry Improvement Act]. That is precisely the result that Bruen warned about," a reference to the court's June ruling in *New York State Rifle and Pistol Association v. Bruen*.

COURT (Continued on page 9)



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"Equal and exact justice to all men, of whatever persuasion, religious or political." —Thomas Jefferson

COURT (Continued from page 8)

While a federal judge in Syracuse dismissed the case in late August, he said the gun rights backers have a substantial likelihood of success on the merits of their case and, wrote the law's list of sensitive locations is "not deeply rooted in the nation's historical tradition of firearm regulation."

In addition to the challenge from Gun Owners of America, the New York State Jewish Gun Club is preparing to file its own lawsuit against the state over its restrictions on guns in sensitive spaces, which make it a crime for congregants to carry firearms in synagogues.

"The focus of this sensitive-place statute in New York is so overbroad and vague. It says you can't possess a weapon in a place of worship or religious observation, and it begs the question: what is a religious observation?" said Ameer Benno, a lawyer hired by the gun club to challenge the law. "There's the Second Amendment right, but the fear that if you transgress that right you could be prosecuted for a felony will chill people from exercising their religious freedom."

The suit hasn't yet been filed, but Benno said he and co-counsel Cory Morris have signed on numerous plaintiffs — individuals and houses of worship — who believe their Second and First Amendment rights are violated by New York's sensitive-space restrictions.

"This isn't a mythical thing. This is a very real, sad reality that Jews are targeted and houses of worship are targeted for violence and extremism, and by telegraphing to the world that these places are now gun-free zones, you're quite literally putting a target on the backs of all Jewish men and women," Benno said.

The attacks aren't limited to synagogues, he said, and extend to churches and mosques where worshippers have "equal right to possess a weapon for their self-defense" but are prohibited from doing so under New York's law.

"It's simply that we have a right to be protected where we are, and this new law is overreaching," said Tzvi Waldman, founder of the New York State Jewish Gun Club. "I just want to protect myself and be left alone."

Waldman said that while some synagogues, primarily those with large memberships, can afford to hire private, armed security, the cost of doing so would be a substantial burden for smaller temples.

"We can't afford that," he said, "and besides the point, it's a constitutional right. There's no need to outsource security for someone else. You don't need to hire a press secretary to be able to speak. It's the same way. The Second Amendment is not a second-class right."

The Supreme Court has not yet grappled directly with the constitutionality of state laws barring guns in sensitive locations, and the most significant open question for lower courts will be how they apply the new test laid out by Thomas in his June opinion.

For a firearm regulation to pass constitutional muster, the government must show it is consistent with the nation's historical tradition, Thomas wrote for the court's 6-3 conservative majority.

"What is it that makes those places sensitive? I think what the doctrine is going to have to provide is not just a list of locations, but a reason for those locations but not others. And that's where we have so much uncertainty," Blocher said. "Lower court judges will have to wrestle with those cases. It could come down to a judge's intuition about whether Giants' stadium is similar to a medieval fair or markets where weapons might have been restricted."

Benno, though, is confident that New York's law prohibiting the carrying of guns in sensitive locations — particularly houses of worship — would not withstand the Supreme Court's new text, history and tradition test.

"It seems to be the regulation of weapons in houses of worship were the exception, rather than the rule," he said. "The state is never going to be able to establish there is a historical tradition of what they've done here. This is an unprecedented act of government overreach that not only violates the Second Amendment, but goes right to the heart of the First Amendment."

The Supreme Court's decision finding the government cannot prohibit the carrying of firearms in public for self defense was its most significant ruling involving the Second Amendment in more than a decade, and it could be years before the justices are asked to answer what is a "sensitive" space and whether the government can prohibit firearms there.

"We're prepared to fight this legal battle as far as it takes us," Benno said. "If it's to the Supreme Court, then so be it. We're confident in the legal strength of our argument. We're confident the state doesn't have the law on their side."

"Life, faculties, production — in other words, individuality, liberty, property — this is man. And in spite of the cunning of artful political leaders, these three gifts from God precede all human legislation and are superior to it."

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