



Second Amendment Foundation

Fall 2016

REPORTER

2016 GUN RIGHTS POLICY CONFERENCE WRAP-UP

This year's GRPC was a great success. I would like to first thank all those people that made it possible. A special thanks are in order to our membership base, attendees, speakers, volunteers and sister organizations, all of which who's help makes GRPC possible every year. In case you were unable to make it this year let me get you up to date. The 2016 GRPC was held at the DoubleTree hotel by Hilton in Tampa Florida. The event was Friday, September 23rd - Sunday, September 25th. Friday started with the registration, opening speakers and then the evening reception from 7-9pm. The reception featured free dinner and desert along with refreshments. If you were one of the lucky people that were able to make it this year I am sure you still have a lot of reading to do after finding the two-foot high stack of complimentary books, articles, and magazines in your seats. After Friday night's festivities, I hope you got some rest because Saturday the conference opened at 8:00 am and closed at 8:30pm. Luckily lunch and dinner were on the house for our guests to enjoy after a plethora of speakers, book signings, and booths. But all good things must come to an end including GRPC with Sunday being a half day from 8am-1pm. Overall we were able to get over 400 attendees out to the event this year to enjoy over 60 speakers.

This year we were able to take a look at critical issues such as: city gun bans, "smart" guns, concealed carry, federal legislation, legal actions, gun show regulation and state, local activity and much more. The speakers were the highlight for me and these are just a few of the ones I was able to be present at during their presentations at GRPC. The first is Cody Wilson. He is the co-founder and director of Defense Distributed, the non-profit R&D firm responsible for developing the first generation of 3D printed arms. His company Ghost Gunner has released over 500 rifle fabricators to the public. Joined by SAF, he has brought a Constitutional challenge against the ITAR. Next is Timothy W. Wheeler, MD. He is the director of Doctors for Responsible Gun Ownership (DRGO), a Project of the Second Amendment Foundation. DRGO is a nationwide group of physicians, scientists, medical

students, and others who support the safe and lawful use of firearms. Dr. Wheeler is a retired surgeon living in the Los Angeles area. He has taken training in the moral, ethical, legal, and tactical aspects of defensive firearm use under Massad Ayoob. He has passed the Tactical Handgun course, Parts I and II at the Tactical Firearms Training Team. His television appearances have included Fox News television, CBS This Morning and CBS News 60 Minutes. His editorial articles on firearm policy have appeared in the Washington Times, the Miami Herald, National Review Online, and most recently in DRGO's blog at www.drgo.us. Last but not least is Chris Bird. He has been a writer for more than 40 years and a handgun shooter for more than 50. He was born in England and served as an officer in the Royal Military Police of the British Army. His interest in shooting has steered him through the bureaucratic red tape of owning and shooting handguns in England, Canada, and Australia. He married a Texan and now lives in San Antonio. He has just published a new book, *Surviving a Mass Killer Rampage: When Seconds Count, Police Are Still Minutes Away*. He is also the author of *The Concealed Handgun Manual* which is now in its sixth edition, and *Thank God I Had a Gun: True Accounts of Self-Defense*, now in its second edition. Bird is certified in Texas as a concealed-handgun instructor. He is past president of the Texas Concealed Handgun Association, and a member of the Texas State Rifle Association, the NRA, the Second Amendment Foundation, and Gun Owners of America.

I was also able to speak with all of them after their presentation and talk a little more in depth about their fields of expertise. I would suggest you take some time and read their work. The majority of their books are available at the SAF store either online or by phone.

It goes without saying that this year is a turbulent and crucial year for the future of our Second Amendment rights. Not only will a new president be elected but with it, cabinet seats will be handed out and a new Supreme Court justice will be appointed. This country will one way or the other shift to the right or left. As this shift comes it will also affect the American people. It is crucial now more

(Continues on page 7)

3D PRINTED FIREARMS

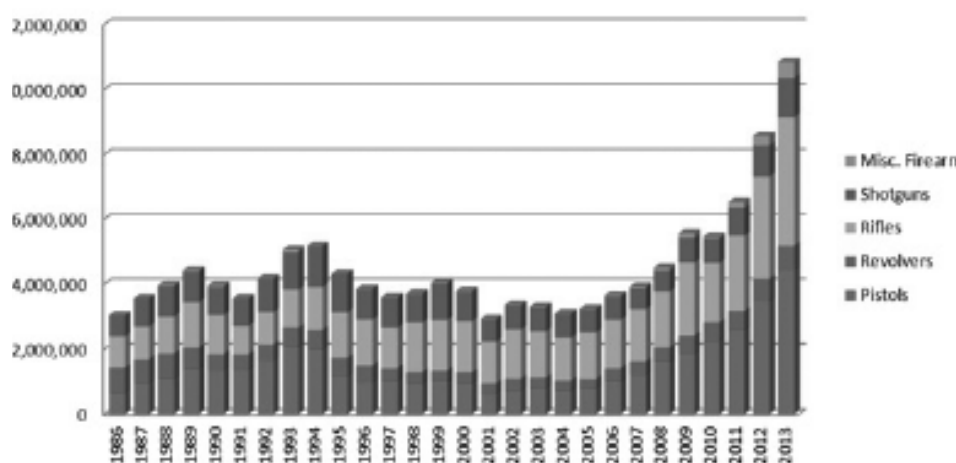
Let's talk about the future of firearm manufacturing for a minute. In the past 100 years, we have seen a vast increase in the different types and manufacturing rate of firearms. We have seen the birth of countless variations of pistols, shotguns, and rifles used for hunting, sports, self-defense, and war. The rate of production has been astonishing and in large part due to the cold war arms race. But there has also been a much more recent production increase as of 2011 as shown in the chart below:

becoming easier it was only a matter of time before a company like Defense Distributed came along. In case you have not heard of the controversial company they are an online open source firearm design company. They set out to create a fully functional 3D printed single shot pistol. Which they did, after a lot of trial and error.

Their goal was to freely share this information with the world so that anyone with the adequate 3D printer could produce this gun.

order to get a firearm. If all firearms manufacturers shut down tomorrow, you could theoretically still produce this pistol. Needless to say, that with this amount of freedom there is a risk. What if criminals use this to get a gun when they can't one anywhere else? Should everyone have access to firearms at any time for any reasons? There are many who have had a real problem with Defense Distributed putting out this information on the internet for free..... Like the government for instance. Their website sums up the situation very well saying "After two years of censorship at the hands of the United States Government, Defense Distributed, joined by the Second Amendment Foundation, has filed suit in the Western District of Texas. So they will keep fighting for the right to continue their work openly. If you would like a more in-depth layout of the process they took to get to this point you can go to:

Exhibit 1a. Firearms Manufactured (1986-2013)



DEFDIST.ORG/DDVUS


Source: <https://www.thetrace.org/2015/07/us-guns-manufacturing-atf-report/>

There are many reasons for this increase and I am sure if you follow the news at all you can make your own list of reasons why. With more and more demand for guns in the world and manufacturing

It was not made to be aesthetically appealing or have the highest capacity. This pistol was designed to be an open source firearms that you can produce in your own convenience. Let's stop for a minute and think about what that really means. First, it proves that you are no longer bound by any manufacturer or company in

Currently, we are in the lower appeals court and are trying to gain traction there. It has not been an easy fight for Defense Distributed so far. I got the chance to meet Cody Wilson at the 2016 GRPC and he showed no sign of slowing down or stopping.

In summary, I think that the future of firearm manufacturing is not going to become private anytime soon. Although I do think that there will be more and more development into 3D printed firearms, just in a much more regulated way. This is an issue that is only going to become more relevant in our lifetime and I am not able to do this issue justice in this short article. I urge you to do your own research into Defense Distributed and Cody Wilson. It is better you make up your mind now about the issue rather than let someone else make it for you.

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GUN SHOW LICENSE PLATE SCANS

The Second Amendment Foundation today is calling for a probe by the House Oversight Committee on an effort by the federal Immigration and Customs Enforcement agency to record license plate information on all cars belonging to gun show customers in Southern California, calling the project a “civil rights outrage.”

The Wall Street Journal reported Sunday that federal agents apparently persuaded local police officers in 2010 to scan those license plates, ostensibly to detect possible gun smuggling. But SAF founder and Executive Vice President Alan M. Gottlieb said the effort appears to have been “one more gun control affront launched during the Obama administration.”

“Attending a gun show is not a

criminal activity,” Gottlieb observed. “American citizens engaged in a perfectly legal activity should not have to worry about the government monitoring their exercise of various civil rights, including freedom of association and the right to keep and bear arms.

“Instead of worrying about people attending gun shows,” he continued, “maybe the same attention could have been paid to criminals walking guns across the border under the Fast and Furious fiasco. Oh, wait, that was a debacle created by government agents, also during the Obama administration.

“Unless there is clear evidence of criminal activity,” Gottlieb stated, “it is none of the government’s business who comes and goes at

a lawfully-operated gun show. This kind of snooping should require a court order, and unless some illegal activity was detected, all license plate information gathered during this effort should be destroyed, and Congress should determine how it may have been used, or misused.

“We think this revelation by the Wall Street Journal raises enough questions that the House Committee on Oversight and Government Reform should launch an inquiry,” he said. “If this kind of monitoring dealt with any activity other than a gun show, you can bet the liberal media would be screaming. The Obama administration and its media cheerleaders should understand that gun owners have privacy rights, too.”

SAF REPRESENTATIVE SPEAKS AT UNITED NATIONS

Below is a transcript of the statement given by Tiffany Johnson on behalf of the Second Amendment Foundation at the United Nations General Assembly First Committee on October 12th, 2016:

“Mister Chairman, my name is Tiffany Johnson. I would like to share my personal journey with firearms.

My first exposure was in high school, when gunfire erupted at a party, severely wounding my best friend. That same friend was murdered with a handgun a few years later.

Guns became an anathema to me. I hated them so much that one day, I decided to take a gun class primarily to infiltrate the gun world and get to know my enemy.

But the journey took an unexpected turn. As I took classes, heard personal stories and new perspectives, I realized that a firearm is just a tool. It is a

powerful tool that can be misused, but it’s a tool all the same.

Now, I am a firearms safety instructor, a handgun permit holder, and a fervent advocate of the rights of individuals to defend themselves.

Many say that protection is the government’s job. But when governments are unable or unwilling to do so, people have a natural right to self defense. Even the best police force cannot be everywhere, all the time. There is only one person who can always act in my defense. And that’s me.

The UN Charter declares that “everyone has the right to life, liberty and security of person.” And yet, UN-supported policies have often deprived human beings of the means—the tools—for actualizing those rights. Innocent people all over the world are left to defend themselves with bare hands while their abusive partners,

their assailants, or even their own governments can arm themselves with any weapons they choose. And often, these victims of violence are women; they are people of modest means; they have no political influence; they are members of minority faiths and races.

I am here not only as a responsible gun owner, but also as an attorney, a university teacher, and a black woman who has suffered more than one gun-related personal loss. I harbor no illusions about the lethality of firearms. I support the global community’s proactive efforts to stifle illicit violence. But in so doing, we must not punish the innocent or further weaken the already powerless. If we summarily disarm the very populations that are the most vulnerable, then the “right to ... personal security” is only an empty slogan, not a reality.

Thank you.”

The cases below describe just some of the lawsuits that YOUR Second Amendment Foundation is currently litigating. We've spent a lot of money in court fighting to protect and expand YOUR rights. EACH lawsuit has a price-tag as high as hundreds of thousands of dollars!

The lawsuits filed or funded by the Second Amendment Foundation strive to expand firearms rights one case at a time. The issues involved in current cases include the right to carry, the ban on interstate purchase of firearms, the rights of expat U.S. citizens to purchase firearms, over-regulation and outright bans by local municipalities and other governmental overreaches concerning the Second Amendment. SAF's legal team is national in scope and has an enviable success record in cases such as McDonald v. Chicago, Moore v. Madigan, Ezell v. Chicago, Palmer v. D.C., Bateman v. Perdue, and others.

COURT ORDERS NMI TO PAY \$93K ATTORNEY'S FEES IN GUN-RIGHTS CASE

District Court for the North Mariana Islands Presiding Judge Ramona V. Manglona granted the request of U.S. Navy veteran David J. Radich and his wife Li-Rong to award them \$93,495 of the \$103,913.83 attorney's fees they were asking for in the lawsuit they filed, successfully challenging the constitutionality of the CNMI handgun ban. She said this is the first gun-rights case brought to the NMI district court, a case which for many local attorneys would have been undesirable to take. Six or seven prominent local lawyers turned the case down. Lead counsel David G. Sigale of Chicago, was awarded \$78,375 while CNMI lawyer Daniel Guidotti will get \$15,120. The remaining \$8,143.62 is for costs. Judge Manglona ordered the defendants, Public Safety Department and

Finance Department, to pay within 30 days.

NORTHERN MARIANA ISLANDS \$1,000 EXCISE TAX ON PISTOLS DECLARED UNCONSTITUTIONAL

*While not a SAF case this case stems from our earlier case in the NMI.

U.S. District Court for the Northern Mariana Islands Chief Judge Ramona V. Manglona has declared unconstitutional the \$1,000 excise tax on pistols and several provisions that the Commonwealth of the Northern Mariana Islands imposed under the newly enacted Special Act for Firearms and Enforcement. "The government need not arm the poor, but it cannot impose uncommon burdens on their ability to exercise their fundamental constitutional rights," said Manglona in a 55-page order. Also, Manglona said the court will strike down the excise tax on handguns as it is not narrowly tailored to a legitimate interest and cannot survive any form of heightened scrutiny. Manglona discussed the \$1,000 excise tax on handguns in granting in part a plaintiff's motion for summary judgment.

DEFENSE DISTRIBUTED'S SHARING 3D PRINTED GUN BLUEPRINTS REMAINS ILLEGAL

The 5th Circuit Court of Appeals has decided that the online distribution of 3D printable gun designs remains illegal: national security concerns trump free speech. This 2-1 decision has closed another chapter in the history of Texas-based promoter of 3D printed guns Defense Distributed. The organization, first ordered to remove their 3D printable gun designs from the web in 2013,

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sued the State Department for their right to free speech. Banning guns isn't easy in the US, so the State Department turned to ITAR - the International Traffic in Arms Regulations, controlling the exportation of military data and weapons. The line of reasoning is that online sharing of 3D printable gun blueprints is legally the same as shipping a crate of guns to another country.

SAF SUES CITY OF SEATTLE FOR VIOLATING PUBLIC RECORDS ACT IN GUN TAX PROBE

The Second Amendment Foundation filed a lawsuit against the City of Seattle, alleging violation of the state Public Records Act for refusing to disclose revenue data on the "gun violence tax" rushed into law last year. SAF founder and Executive Vice President Alan M. Gottlieb said, "When Seattle hastily adopted this tax last year, then-Council President Tim Burgess sold it as a means of raking in between \$300,000 and \$500,000 annually by taxing the sale of firearms and ammunition. But now the city is refusing to turn over revenue information on the flimsy grounds that it may violate the privacy of retail gun dealers in Seattle. The city simply cannot be allowed to adopt a tax on a constitutional right and then stonewall the public and the press about that," Gottlieb said.

D.C. CIRCUIT HEARS CONFLICTING CHALLENGES TO 'GOOD REASON' FOR CARRY PERMITS

A federal appeals court heard two challenges to the District of Columbia's severe restrictions on carrying guns outside the home. The District requires that residents

seeking a license to carry a gun demonstrate "good reason to fear injury," meaning they have "a special need for self-protection distinguishable from the general community." In separate cases, the Second Amendment Foundation and the LGBTQ gun rights group Pink Pistols argue that the District's rules are inconsistent with the constitutional right to keep and bear arms. U.S. District Judge Colleen Kollar-Kotelly dismissed the Second Amendment Foundation's lawsuit last March, while U.S. District Judge Richard Leon granted the Pink Pistols' request for a preliminary injunction in May. Now the U.S. Court of Appeals for the D.C. Circuit has to decide which judge was right.

APPEALS COURT RULES THAT NON-SERIOUS CONVICTIONS DO NOT ERASE 2A RIGHTS

The Third U.S. Circuit Court of Appeals has ruled that individuals convicted of certain non-serious misdemeanor crimes do not lose their fundamental rights under the Second Amendment in a decision involving two separate cases brought by the Second Amendment Foundation.

The unanimous ruling came from an en banc panel in the combined cases of *Binderup v. the U.S. Attorney General* and *Suarez v. the U.S. Attorney General*.

In 1990, Julio Suarez was stopped on suspicion of driving while intoxicated. At the time he was carrying a handgun and spare ammunition without a permit. He pleaded guilty in Maryland state court to the charge and received a 180-day suspended sentence and \$500 fine. Daniel Binderup pleaded guilty in 1996 to a misdemeanor charge related to a consensual relationship he had with a 17-year-old female employee and received three years' probation and a \$300 fine.

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Neither man was ever incarcerated.

However, in both cases, the crimes could have resulted in jail time for which the federal gun law blocks firearms possession. Binderup and Suarez petitioned the Pennsylvania court in 2009 to remove the state prohibition against firearms possession, but federal law "continues to bar them from possessing firearms because their convictions have not been expunged or set aside, they have not been pardoned, and their civil rights have not been restored," the court noted.

"Where the Second Amendment's guarantees apply, as they do for Binderup and Suarez, 'certain policy choices' are 'necessarily' taken 'off the table.' Forever prohibiting them from possessing any firearm is one of those policy choices," the appeals

court said in today's ruling.

"Today's victory confirms that the government can't simply disarm anyone it wishes," stated SAF attorney Alan Gura. "At an absolute minimum, people convicted of non-serious crimes, who pose no threat to anyone, retain their fundamental rights. That this is even controversial is a matter of some concern."

SAF founder and Executive Vice President Alan Gottlieb cheered the ruling, adding that, "In an era where government officials want to disqualify as many people as possible from gun ownership, this ruling is monumental. This case will lead to the restoration of people's civil and constitutional right to own a firearm that is long overdue."

Gottlieb noted that today's victory once again reinforces SAF's long-stated mission of "Winning firearms freedom, one case at a time."

GUN CONTROL LEADS TO GUN THEFT

The Second Amendment Foundation today responded to a biased story about firearms theft that appears in The Trace, an on-line anti-gun-rights publication.

The story concerns gun thefts from vehicles. SAF noted that those guns would not be left in cars were it not for the ridiculous gun control laws supported by wealthy anti-gun elitists who also support the publication.

"Michael Bloomberg and other gun prohibition elitists who bankroll The Trace should be demanding tougher sentences for people who break into cars just to steal guns, rather than whining about law-abiding citizens who are forced to leave guns locked in vehicles because of gun-free zones and other restrictions," said SAF founder and

Executive Vice President Alan M. Gottlieb.

The article contends that gun owners "make it easy for thieves." In reality, Gottlieb countered, it is laws that prevent legally-armed citizens from carrying their firearms into so-called 'gun-free zones' that include restaurants, shopping malls, theaters and other public places. And, he added, the blame also lies with lax enforcement of existing laws that are supposed to punish car prowlers.

"Gun prohibitionists encourage businesses to post their property off limits to legally-carried firearms," Gottlieb noted. "The best way to keep firearms out of the wrong hands is to make it easier, not harder, for those guns to remain in the right hands. No honest citizen should be forced to leave

a legal firearm locked in a vehicle while dining out with friends, or taking their families to a movie, or to a shopping mall, where they might be attacked and seriously injured, without the means to fight back, as last weekend's incident in Minnesota demonstrated.

"This makes it easier for thieves to steal guns," he added. "It's almost as though anti-gunners want car prowlers to take those firearms, and for legal gun owners to be sitting ducks for the next madman with a knife.

"Bloomberg and The Trace don't seem to understand who the good guys and bad guys are," Gottlieb concluded. "Their real intent is to discourage gun ownership and lawful carry, by leaving honest people increasingly vulnerable to theft and physical assault, and that's disgraceful."

SAF SLAMS MEDIA COVER FOR CLINTON'S CAMPAIGN AGAINST SECOND AMENDMENT

The Second Amendment Foundation today condemned attempts by the agenda-driven media, led by CBS, to provide cover for Democrat Hillary Rodham Clinton's war on gun rights by trying to debunk Republican Donald Trump's statement Thursday night that Clinton "wants to essentially abolish the Second Amendment."

"CBS News and others argue that Trump's allegation is not true, and that 'Clinton has spoken up for Second Amendment rights on several occasions,'" noted SAF founder and Executive Vice President Alan M. Gottlieb. "They are being disingenuous at best, and they know it."

"More than a year ago," he recalled, "Clinton made gun control a cornerstone of her campaign. She talked about using Australia's gun confiscation as something that

might be considered. She told a private fund raiser last October that she thinks the Supreme Court was wrong on the Second Amendment, and in an interview with George Stephanopoulos, she even questioned whether the Second Amendment protects an individual right.

"While admitting that Clinton wants to renew the ban on modern sporting rifles and repeal a law that protects firearms manufacturers from frivolous harassment lawsuits, the official media spin today is that she's never actually said she would abolish the Second Amendment," Gottlieb stated. "That's like saying an arsonist really doesn't intend to burn a building, even though he's splashing gasoline on the walls."

"The media has adopted the anti-gun lobby's lexicon," he added. "They

routinely use deceptive terms like 'gun safety' and 'gun violence prevention' when they are really talking about gun control or gun prohibition. It is intellectually dishonest and we're going to call them on it."

He said SAF will soon launch a "Media Action Plan" to counter what he calls "rapidly growing anti-gun propaganda in the news media."

"The media wants to build a wall around Hillary Clinton," he said, "protecting her anti-gun agenda from public scrutiny. We are going to tear down that wall, brick by deceptive brick. A right that is strangled by regulation isn't a right at all, but a highly-restricted government-controlled privilege. The media is wrong to water down Clinton's gun control agenda, and we intend to reveal the truth."

2016 GRPC WRAP-UP

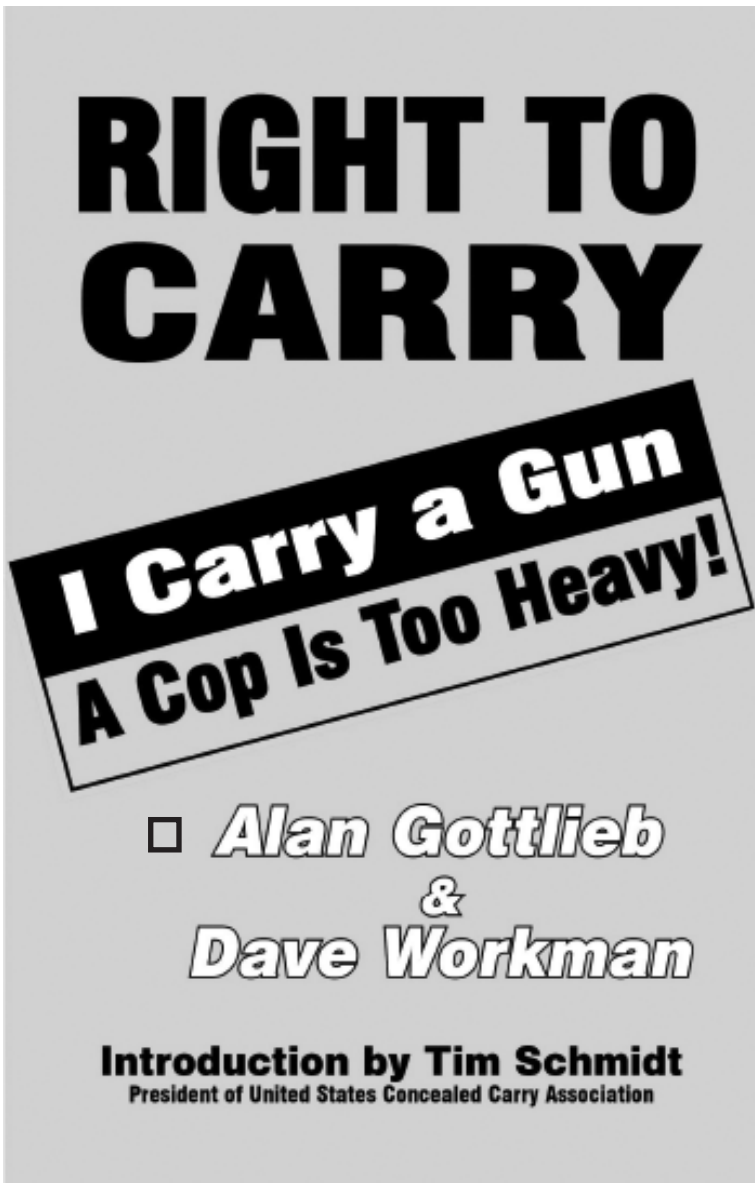
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than ever to come together in unity to share ideas, discuss our options and learn from one another. In the opening address, Alan Gottlieb said: "When GRPC started 31 years ago none of the pro Second Amendment organizations had an event to come together to talk to each other." That is why GRPC exists today. More than anything the spirit of this event is to come together to discuss more effective ways to protect our Second Amendment rights. We achieved that in spades this year. It is good to remember that we are not alone in our quest to protect the Second Amendment. Often time it is easy for a gun owner to feel isolated in today's world. The news often only highlights negative gun stories. News stories about

psychopaths with stolen guns killing people is highlighted but we almost never the stories about law abiding citizens protecting themselves and their family, hunting stories or shooting competitions. Whatever your reason for owning firearms we need to be reminded that it is our right to do so. Not a privilege that can be taken away out of fear or under the guise of making a safer world. Which brings me to another theme I noticed at this year's GRPC, getting the word out. Many of the speakers and organizations urged the attendees to let their voices be heard in order to change some people's negative perception of guns. This does not have to be big or bold all

the time. You don't need to shout it from the rooftops but instead maybe when you're talking to people that don't know about firearms bring up your last hunting trip, reminisce about the first time your dad took you to the range or how you still have your grandfathers World War Two M1 Garand he used to fight Nazis. People need to be reminded of the different uses of firearms and the gun culture that shaped America by putting food on the table, making lifelong memories and protecting the American way of life. I sincerely hope you take a moment to reflect on your best memory with a gun and share that with someone on the fence about gun control.

Don't miss the new book "Right To Carry" by Alan Gottlieb and Dave Workman



"This book is absolutely indispensable for any gun owner who does not want to leave his cave without his club."

--Mark Walters, Talk show Host,
Armed American Radio

"Gottlieb and Workman have done it again. They have hit another bulls eye with this important new book."

--Tom Gresham, Talk Show Host,
Gun Talk

"With this book Gottlieb and Workman do an impressive job intercepting, confronting and repelling everything the gun prohibitionists do to block the right to carry a firearm for self-defense."

--AWR Hawkins PhD, Contributor.
Breitbart.com

SAF Member Exclusive Offer! Get "Right To Carry" for 25% off list price! Get your copy for only \$15.00

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