



REPORTER

GUN-FREE ZONES ARE SHOOTING GALLERIES FOR MANIACS

Declaring that so-called “gun-free zones are shooting galleries for maniacs,” the Second Amendment Foundation is calling for an end to such designations by launching an advertising campaign aimed at print and online publications.

“Without a self-defense option,” said SAF founder and Executive Vice President Alan M. Gottlieb, “we are all at greater risk.”

The campaign has a simple message: “You’re a sitting duck in a gun-free zone.” The ad may be seen here.

Gottlieb referred to a report from the Crime Prevention Research Center that 98 percent of mass public shootings since 1950 occurred in places where citizens are prohibited from having firearms. He noted that in Europe, “every mass public shooting has occurred in a gun-free zone.”

He pointed to mass shootings at schools, shopping malls, movie theaters and churches as prime examples where “gun-free zone” designations did not prevent tragedies, but may actually have enabled crazed killers by

making it impossible for the victims to fight back.

“Whether you’re talking about a high school in Florida, a theater in Colorado or a mall in Nebraska,” Gottlieb observed, “the common denominator has been that they all prohibited firearms on the premises. Of course, in every case, that ban had zero effect on the shooters who took innocent lives. There are numerous other examples where the gun-free mindset has been worse than a failure, and history has provided us the grim casualty counts to prove it.

“The evidence shows that gun-free zones are not the answer,” he stated. “Indeed, they provide an added danger because they prevent legally armed citizens from defending themselves and others, while creating the mere illusion of safety.

“For more than two decades,” Gottlieb said, “the U.S. has perpetuated a false sense of security with gun-free zones. It’s time to end this dangerous folly. Nobody wants to be a sitting duck in a maniac’s shooting gallery.”

GUN PROHIBITIONISTS RE-PACKAGING GUN CONTROL AS PUBLIC HEALTH CRISIS

The billionaire-supported gun prohibition movement has re-packaged its gun control agenda as a public health crisis, trying to convince the public that the cure to violent crime is to amputate the Second Amendment from the Bill of Rights, the Second Amendment Foundation said.

“They couldn’t sell gun control as crime control,” said SAF founder and Executive Vice President Alan M. Gottlieb. “Then they couldn’t sell gun control as gun safety. Now they’re trying to convince the public that gun ownership is a public health issue.

“But this isn’t about public health,” he added. “This is all about politics. They’ve repackaged their agenda, but it’s the same old snake oil in a different bottle, and their strategy is right out of the gun control playbook.”

SAF, which hosts Doctors for Responsible Gun Ownership as one of its priority projects, said the public should be alarmed at this campaign to equate gun ownership to a communicable disease. The SAF/DRGO project is a counter to the Johns Hopkins Bloomberg School of Public Health and its Center for Gun Policy and Research. Billionaire anti-

gun-rights former New York Mayor Michael Bloomberg has reportedly donated \$2.9 billion to the university over the years.

“What will they do next,” Gottlieb wondered, “attack freedom of speech as a mental health problem if someone openly disagrees with their crusade for public disarmament?”

“For the health community to suggest that gun ownership is a public health problem amounts to medical malpractice,” he observed. “And by the way, medical malpractice kills a lot more people than firearms.”

Gottlieb’s warning comes as the Board of Health in King County, Washington is conducting a so-called “gun violence prevention summit” that doesn’t include a single representative from the firearms community. There is no input from firearms retailers, gun range operators or firearms instructors; not a single genuine gun safety expert.

“If there is a national crisis,” Gottlieb said, “trampling the rights of millions of healthy gun owners is not the cure. Demonizing guns and gun owners amounts to practicing voodoo during brain surgery. You’ll make a lot of noise and get plenty of attention, but the patient dies.”

FED. JUDGE DENIES DOJ MOTION TO DISMISS SAF CALIFORNIA LAWSUIT

A federal judge has denied a motion to dismiss a lawsuit against the California Department of Justice and Attorney General Xavier Becerra over the state's failure and refusal to establish a properly functioning internet-based firearms registration system that was mandated by law.

U.S. District Judge Morrison England, Jr., a George Bush appointee, denied the motion, noting in his 10-page ruling that, "the Supreme Court specifically recognized that a violation of procedural due process occurs when 'it is the state system itself that destroys a complainant's property interest, by operation of law,' whether the state's action "is taken through negligence, maliciousness or otherwise."

"We said at the start of this legal action and we still maintain that the state's system was like a bad version of 'Catch-22'," noted SAF founder and Executive Vice President Alan M. Gottlieb. "The government required

registration by a certain deadline, but the online registration failed and people couldn't register. It's simply not acceptable when the government mandates something and then doesn't provide the tools for the public to comply, making them criminally liable and subject to firearms confiscation."

Judge England noted in his ruling, "While Defendants appear to blame the individual Plaintiffs for waiting until the last minute to attempt to register their firearms (seven waited until the last two days of the online registration period), the fact that Defendants' website used a dramatic 'countdown clock' showing the number of weeks, days, hours, minutes and seconds elapsing until the deadline at least arguably supported a belief that registrations could be both processed and accepted 'until literally the last second of the registration period.' Particularly when coupled with the documented systemic failures outlined above, the countdown clock

also supports an inference of deliberate indifference.

SAF is joined in the case by the Calguns Foundation, Firearms Policy Coalition, Firearms Policy Foundation, Madison Society Foundation and seven individual plaintiffs.

"Attorney General Becerra and his DOJ had one job to do: Provide a functional system for gun owners to use in registering their eligible firearms," added Firearms Policy Coalition President Brandon Combs. "But instead of doing their jobs, they created a huge new mess for law enforcement and put innocent people and lawfully-owned property at serious risk."

"The state of California couldn't even build a working system to respect gun owners' rights," noted Calguns Foundation Chairman Gene Hoffman.

The case, known as Sharp v. Becerra was filed in U.S. District Court for the Eastern District of California.

INJUNCTION AGAINST 'AGE BASED GUN BAN'

A federal district court judge in California has issued a preliminary injunction against the Del Mar Fair Board's attempt to ban gun shows, in a case involving the Second Amendment Foundation, other groups and individuals.

SAF is joined by the California Rifle and Pistol Association, B&L Productions, Inc., Crossroads of the West, South Bay Rod and Gun Club, Maximum Wholesale/Ammo Brothers and five private citizens. SAF is represented by veteran attorney Donald Kilmer, who

has won previous lawsuits challenging gun show restrictions in the Golden State. CRPA is represented by attorney Chuck Michel, another veteran of gun law litigation. The case is supported by the National Rifle Association's Institute for Legislative Action.

Federal District Judge Cathy Bencivengo issued the preliminary injunction, prohibiting the Del Mar Fair Board from enforcing a recently-enacted moratorium on gun shows at the fairgrounds. Plaintiffs in the case consider this a huge victory over a

moratorium that took effect back on Jan. 1 and the lawsuit was followed later that month.

"Of course we're delighted with this ruling," said SAF founder and Executive Vice President Alan M. Gottlieb. "At a time, and in a state, where law-abiding gun owners seem under constant attack, having a federal judge side with our complaint validates our efforts to protect constitutional and civil rights.

"Lately," he added, "it seems like a week doesn't go by without another court victory in our efforts to win firearms freedom one lawsuit at a time."

The lawsuit was filed in U.S. District Court for the Southern District of California in San Diego. At the time, Gottlieb called the fairground board's action as "an attempt to marginalize gun owners and exclude them from the public square." He suspects this is an effort to drive gun shows from public venues altogether.



Second Amendment
REPORTER

Published by the
Second Amendment Foundation
12500 N.E. Tenth Place
Bellevue, Washington 98005
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www.saf.org

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SAF JOINS IN AMICUS BRIEF SUPPORTING CHALLENGE TO COLORADO GUN CONTROL

The Second Amendment Foundation has joined in an amicus brief to the Colorado State Supreme Court in support of a case that challenges Centennial State gun control laws including the ban on so-called “high capacity” magazines.

SAF joins the Firearm Policy Coalition, Firearm Policy Foundation and Millennial Policy Center. The case is known as *Sternberg v. Colorado*.

The Colorado General Assembly adopted a ban on so-called “large capacity ammunition magazines” as part of a sweeping gun control push that year. That statute is being challenged by the lawsuit.

“This is an important case

because it is testing state gun laws against Colorado’s strong right-to-keep-and-bear-arms state constitutional provision,” said SAF founder and Executive Vice President Alan M. Gottlieb. “Our brief provides a historical examination of why the right was specifically protected by the state constitution, and applies that to today’s context.”

The 28-page brief was prepared by noted Second Amendment civil rights attorney Joseph Greenlee, and it discusses the history of firearms development that adds an important context to arguments that the state constitution’s framers had no concept of rapid fire repeating rifles. The amicus brief shows that

to be historical nonsense, Gottlieb observed.

“Anti-gunners are constantly arguing that there is no historical support for protecting modern repeating firearms,” he explained, “and our brief provides proof that repeating rifles capable of holding 15 or more cartridges were in existence long before Colorado became a state in 1876. The framers of Colorado’s constitution knew exactly what they were doing.

“Frankly,” Gottlieb stated, “joining in this brief has been a delight, not only because we enjoy working with our colleagues, but also because it offers SAF an opportunity to add a historical perspective to this discussion.”

SAF, ISRA WIN AS ILLINOIS APPEALS COURT DISMISSES DEERFIELD APPEAL

The Second Amendment Foundation has posted yet another victory in Illinois, as the Second District Appellate Court has dismissed an attempt by the Village of Deerfield to challenge a permanent injunction against the community’s ban on so-called “assault weapons” and “large-capacity magazines.”

SAF was joined in the case by the Illinois State Rifle Association—it’s partner in the landmark 2010 U.S. Supreme Court victory in *McDonald v. City of Chicago*—on behalf of Deerfield resident Daniel Easterday. Deerfield’s appeal was dismissed for lack of jurisdiction, the court ruled.

The plaintiffs were represented by Glen Ellyn attorney David Sigale.

“This effectively shuts down any further effort by the Deerfield administration to encumber law-

abiding citizens in the community who own the kinds of legal firearms city officials want to ban,” said SAF founder and Executive Vice President Alan M. Gottlieb. “We were delighted to once again be working with our good friends at the Illinois State Rifle Association. Together with David Sigale, we make a pretty good team.

“But this was always about much more than teamwork,” he continued. “We’re talking about the right of honest citizens to live without fear of suddenly being turned into criminals by an overzealous government that arbitrarily decides to prohibit possession of a perfectly legal firearm, purchased in accordance with applicable state and federal laws, because of political correctness.”

“Many thanks to Alan M Gottlieb,

the Second Amendment Foundation, Illinois State Rifle Association, David Sigale, and all of the people that have supported me,” Easterday said in reaction to the court ruling.

The case had been consolidated with a separate challenge to the Deerfield ban.

“Constitutionally-protected rights cannot be subjected to the extremism of social justice crusades,” Gottlieb said. “It should take more than the mere stroke of a pen to criminalize something so much a part of the American fabric as the legal ownership and possession of firearms that are in common use.

“This is just one more chapter in SAF’s effort to win back firearms freedom, one lawsuit at a time,” he concluded.

This section of The Reporter is usually reserved for a list of our legal cases but in this issue we also want to address something that is going to be important for gun rights supporters to focus on in 2019. The Second Amendment is under attack. This is not "fear mongering" this is the truth. What we have been seeing are new tactics designed to not just restrict your rights but to discourage the American people from exercising their constitutional right to keep and bear arms.

- **What is it?** A culture war on gun owners. The idea is to make it a chore to own a firearm and to chastise you if you support the Second Amendment.

- **When did it start?** After the tragedy in Florida in February of 2018 Walmart and Dick's Sporting Goods decided to stop selling to anyone under the age of 21. From there businesses decided to distance themselves from anything "gun" related.

- **What you can do to fight back...** We need gun owners to stand up and be heard now more than ever. Law abiding gun owners should not be punished for a problem that we have nothing to do with. Let your voices be heard. Support companies that support your rights. Support organizations that are actually doing something when it comes to protecting your rights. Get out and vote for people who will solidify your rights. We need to show how many people actually support the Second Amendment so that it is not taken away from us.

The list that follows describes just a select few of the lawsuits that YOUR Second Amendment Foundation is currently participating in.

- **(SCOTUS WATCH) SAF Sues over California Handgun Statute . . .**

The Second Amendment Foundation and Calguns Foundation have petitioned the U.S. Supreme Court for a review of their challenge to California's "Unsafe Handgun Act," a part of that state's penal code that violates the Second Amendment by banning handguns of the kind in common use for traditional lawful purposes. California's Unsafe Handgun Act generally prohibits the manufacture, import or distribution of handguns that do not meet the state's extremely restrictive design requirements under the state penal code. The result, as the plaintiffs contend in their petition for high court review, is that the state is gradually achieving a handgun ban because they cannot meet the impossible requirements, which include microstamping. That technology is not offered by any handgun manufacturer because it cannot be practically implemented, the petition notes.

This case could have interesting repercussions for future laws that try to reach and restrict what type of firearm you are allowed to own as well as how it is made.

- **SAF and NRA Join Forces to Sue over I-1639 . . .**

This Washington State initiative is aimed at making it harder to own a gun if you want to do so legally. Safe storage,

MEMBER UPDATE

mandatory training, age limits, and a few other details are the highlight of what it aims to do.

Watch for this particular situation to have an impact on what the anti-gun groups try to do in other states that allow ballot initiatives. This was funded by a select few with deep pockets including some out of state interests that found that they could buy an election.

SAF Joins Defense Distributed in Lawsuit regarding censorship of 3D Printed objects and sharing files .

. . This case involves passage in New Jersey last November of legislation that criminalizes constitutionally protected speech. Attorney General Grewal has promised to jail anyone who violates this new statute by publishing or otherwise making available "digital instructions" that "may be used" to "produce a firearm" with a "three-dimensional printer," the lawsuit says. While this case seems to be about firearms at first glance it really is more about free speech. This should have impacts across other issues and has already seen some support from people who understand the tech side more than the Second Amendment side.

SAF has a record of winning cases that set incredible precedent for the future of expanding out rights. Some of those are:

McDonald v. Chicago
Ezell v. Chicago
Moore v. Madigan

Palmer v. D.C.
Bateman v. Perdue
Binderup v. Sessions

We now have cases in multiple states that are working to protect foster parent's civil rights so that they do not have to make the decision of choosing whether they can take care of kids or protect their home and family.

Without our supporting members none of these victories would have been possible. Because of our wonderful supporters like you we are constantly trying to build upon that success. All of these cases mean something in the long run but because of how many we take on and how long they can last they end up costing a lot of money.

Our annual conference is reaching more people than ever before thanks to streaming online and making sure to have fantastic speakers. Because of this wonderful event we are able to educate and grow the firearms community faster than ever before.

Thank you again for all of your support. We will continue to work hard so that you can continue to trust us to get results!

**Andrew Gottlieb
Director of Outreach and Development
Second Amendment Foundation**

SECOND AMENDMENT LAWSUIT CHALLENGING CALIFORNIA “ASSAULT WEAPON” BAN FILED IN SAN DIEGO FEDERAL COURT

Attorneys for three San Diego residents and one San Diego-based advocacy organization filed a federal lawsuit challenging California’s ban on so-called “assault weapons”. A copy of the motion and brief can be viewed or downloaded at www.firearmspolicy.org/legal.

“This District Court already ruled the state’s prohibition on the possession of large-capacity magazines is unconstitutional, and enjoined and prohibited enforcement of those provisions of the Code that would have prohibited their possession,” the plaintiffs say in their complaint. “Both implicit and explicit

in this District Court’s ruling was the ability to use such magazines if otherwise lawfully possessed” in legally-possessed firearms.

“Thus,” it goes on, “the prohibitions that attach to the possession and use of a certain legislatively-invented class of otherwise commonly used, constitutionally protected” firearms “are likewise invalid and should be stricken.”

“This is a straight-forward case to protect our clients’ constitutional rights and property,” explained attorney John Dillon. “The State of California’s ban on these firearms

will fail constitutional scrutiny for the same reasons that its ban on firearm magazines did.”

“The government cannot ban the constitutionally-protected firearms at issue in this case,” said attorney George M. Lee. “We look forward to proving that the State’s statutes, policies, and practices at issue in this case are both unconstitutional and irrational.”

The case is supported by Second Amendment Foundation (SAF), California Gun Rights Foundation (CGF), Firearms Policy Coalition (FPC), and Firearms Policy Foundation (FPF).

SAF, CALGUNS AND PARTNERS ASKING INJUNCTION AGAINST ‘AGE BASED GUN BAN’

The Second Amendment Foundation and Calguns Foundation are seeking an injunction against a section of California’s penal code that prohibits young adults, ages 18-20 from purchasing or acquiring firearms, and they are asking the federal court to declare this prohibition to be unconstitutional.

Joining SAF and Calguns are the Firearms Policy Coalition, Firearms Policy Foundation, a local business and three private citizens. The lawsuit was filed in U.S. District Court for the Southern District of California. The plaintiffs are represented by lead counsel John W. Dillon of Carlsbad, California-based Gatzke Dillon & Balance LLP. A copy of the court filing can be accessed at www.firearmspolicy.org/legal.

“We’re going to court against this law because it clearly violates the Second and Fourteenth amendment rights of young adults,” said SAF founder and Executive Vice President Alan M. Gottlieb. “When a citizen turns 18 years

old in this country, he or she is considered a legal adult, free to exercise their rights under the Constitution, and that certainly should include the Second Amendment right to keep and bear arms.

“But this California law turns that concept on its ear, with very few exceptions, such as possessing a valid hunting license,” he added. “But our individual plaintiffs do not hunt, and have no intention of pretending to be hunters, just to exercise their constitutional rights.”

The law in question is Penal Code 27510, an onerous regulation that prohibits licensed dealers from selling, supplying or delivering firearms to any person under age 21. Because of this, say SAF and its fellow plaintiffs, the law violates the rights of the plaintiffs and citizens in the 18-to-20 age group.

“Once individuals turn eighteen, they are adults in the eyes of the law,” explained John W. Dillon. “Law-abiding adults are entitled to fully exercise all of

their fundamental rights, including their Second Amendment right to keep and bear arms for all lawful purposes, not just hunting or sport.”

“The Second Amendment is not a second-class right and adults over the age of eighteen but under twenty-one are not second-class people,” said FPC President and FPF Chairman Brandon Combs. “This case seeks to restore the Second Amendment human rights of legal adults who are being prevented from exercising them because of unconstitutional laws, policies, practices, customs that the State of California defendants are known to enforce.”

“The Second Amendment fully applies to all non-prohibited adults, period,” commented Calguns Foundation Chairman Gene Hoffman. “California cannot deny a fundamental, enumerated right to adults over the age of 18 that have no disqualifying criminal or mental health history.”

SEATTLE GUN VIOLENCE TAX FAILS AGAIN

For the third consecutive year, Seattle's so-called "gun violence tax" revenue on firearms and ammunition has fallen dramatically below original forecasts, and in the process, has continued failing to prevent violent crime as homicides climbed last year, and this week's tragic shootings affirm, the Second Amendment Foundation said.

"The failure of this gun tax to accomplish anything good was as predictable as November rain in Seattle," said SAF founder and Executive Vice President Alan M. Gottlieb. "Monday evening's shooting of a mother and her 10-month-old child in a park area, and Wednesday morning's fatal shooting in North Seattle simply amplify the fact that the city administration's scheme has been a catastrophe when it comes to reducing crime."

Information obtained by

TheGunMag.com shows the city last year collected only \$77,518. That is down more than \$15,700 from the 2017 revenue of \$93,220.74, which was more than \$10,000 below the \$103,766.22 collected in 2016, the first year of the tax. The GunMag.com and SAF had to file a Public Records Act lawsuit to force the city to reveal its revenue data, which was dramatically below the \$300,000 to \$500,000 initially predicted by former Councilman Tim Burgess, who championed the tax in 2015. The tax imposes a \$25 fee on the sale of each firearm, and a 5-cent tax on each centerfire cartridge sold in the city.

"This new tax not only failed to bring in the revenue that was forecast," Gottlieb observed, "it was accompanied by an alarming spike in Seattle homicides last year. On top

of that, the tax has driven firearms and sporting goods business out of the city, which many people believe was the actual intent all along.

"Seattle residents were promised pie-in-the-sky," he added, "and so far, they haven't even gotten a decent crust. We fought this gun tax in court because we felt, and still do, that it violates the state preemption law. We were also convinced, and remain so, that the revenue predictions were deceptive, if not downright delusional.

"Seattle's gun violence tax has been a miserable flop," Gottlieb concluded. "It has provided a false sense of accomplishment while penalizing business owners and the law-abiding citizens they once served. If the city council had any sense of responsibility, it would repeal this tax and let its memory disappear into the dust bin of municipal history."

PHILLY SHOOTOUT ANOTHER DISMAL FAILURE OF GUN CONTROL

The August shootout in Philadelphia that left six of that city's courageous police officers injured stands as yet another example of the failure of gun control because the suspect in this case has been identified as having a lengthy criminal background that precluded him from possessing firearms, the Second Amendment Foundation said.

"The suspect in Philadelphia has done time for drug and gun law violations, and other crimes," said SAF founder and Executive Vice President Alan M. Gottlieb. "He's a walking example of gun control failure and considering his background, we're wondering why he was even on the streets. His presence in the community underscores the argument for judicial reform, and his ability to

obtain firearms shows once again that gun control laws do not prevent determined criminals from getting their hands on guns."

News reports say the suspect had an AR15 rifle and several handguns. Gottlieb noted that millions of honest citizens have such firearms, which were not designed for the military, and they have harmed nobody. Indeed, he added, private citizens have used such rifles to defend themselves and others from harm.

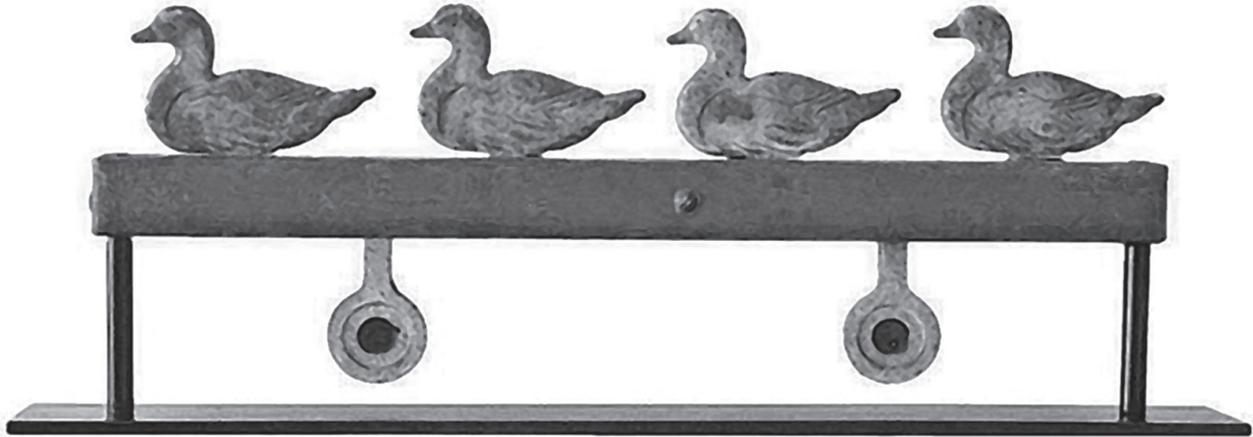
There was the case in Sutherland Springs, Texas where a private citizen used an AR15 to shoot a crazed mass killer who had opened fire in a nearby church, Gottlieb recalled. In a different case, an Oklahoma man used an AR15 to fatally shoot three home intruders. Last year in

Colorado, he continued, a retired Alabama man camping in the Pike National Forest used two AR15 rifles to stop the suspect in a shooting spree.

"Law-abiding citizens use semi-auto rifles for all kinds of purposes, including self-defense," Gottlieb said. "However, instead of admitting that their gun control laws have failed, politicians try to exploit cases like Philadelphia to demand more gun laws that also won't work because criminals don't obey the law.

"You do not prevent criminals from having guns by disarming their intended victims," he explained about gun control laws. "But that's the nature of gun control. It penalizes the good guys and doesn't stop the bad guys."

You're a sitting duck



in a gun-free zone

Public safety is a critical part of the education campaigns of the Second Amendment Foundation, and with good reason. Without a self-defense option, we are all at greater risk.

The facts support our concerns about gun-free zones. The Crime Prevention Research Center (CPRC) recently finished updating a list of mass public shootings worldwide.

FACT: Over the course of 18 years, 1998 to 2015, the CPRC found 2,354 attacks and at least 4,880 shooters outside the U.S. and 53 attacks and 57 shooters within this country. The study found the U.S. makes up 1.49 percent of the murders worldwide, 2.20 percent of the attacks, and less than 1.15 percent of the mass public shooters.

FACT: Most gunmen are smart enough to know that they can kill more people if they attack places where victims can't defend themselves; 98 percent of mass public shootings since 1950 have occurred in places where citizens are banned from having guns. In Europe, every mass public shooting in history has occurred in a gun-free zone. And Europe is no stranger to mass public shootings. In the past eight years, it has experienced a per-capita casualty rate 50 percent higher than that of the U.S.

FACT: The U.S. is a relatively safe place from these shooting attacks precisely because so many attacks are thwarted by legally armed good Samaritans.

FACT: The evidence shows that gun-free zones are not the answer. Truth is, they are an added danger because they prevent legally armed citizens from defending themselves and their neighbors. It's time to get rid of gun-free zones. The U.S. has tried them for more than 20 years and evidence shows that gun-free zones actually increase the danger. Nobody wants to be a sitting duck in a maniac's shooting gallery



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