



# REPORTER

## SAF SEEKS SCOTUS REVIEW OF IMPORTANT ILLINOIS CARRY CASE

The Second Amendment Foundation has petitioned the Supreme Court of the United States to review a case challenging the State of Illinois' ban on concealed carry by non-residents, asserting that without high court review, "virtually all Americans will be deprived of their full Second Amendment rights while in the State of Illinois, based on nothing more than their state of residence."

Joining SAF in this legal action are the Illinois State Rifle Association (ISRA), Illinois Carry and nine private citizens. They are represented by attorney David Sigale of Glen Ellyn, Ill., a veteran of Second Amendment cases in Illinois and elsewhere.

"This is a case that literally begs for Supreme Court attention," said SAF founder and Executive Vice President Alan M. Gottlieb. "When the Court ruled in the 2008 Heller case that the Second Amendment protected a fundamental right, it was clear that this right belongs to everyone, not just the residents of an individual state. The Seventh Circuit held in *Moore v. Madigan* that the carrying of firearms in public for self-defense is a fundamental right, but under existing Illinois restrictions, that right has been limited to

Illinois residents and citizens from only four other states.

"All the plaintiffs in this case are asking for is to be treated equally to Illinois residents," he added. "They're not asking for special treatment. They will take the training required by state law and abide by all the other rules."

ISRA Executive Director Richard Pearson added, "It is unfair that people from out of state cannot get an Illinois concealed carry license. We intend to remedy that."

This is not the first legal action SAF has taken against Illinois. Its case in *Moore v. Madigan* paved the way for creation of a licensing system that allows concealed carry. Before that, SAF and ISRA sued Chicago to nullify its decades-old handgun ban. SAF and its partners in this case have been busy fighting to expand Second Amendment rights in the state since the landmark 2010 ruling in *McDonald v. City of Chicago*.

"We're determined to make sure that all law-abiding citizens are not forced to leave their Second Amendment rights at the state border when they travel into or through Illinois," Gottlieb stated. "This is yet another example of trying to win back firearms freedom, one lawsuit at a time."

## SAF JOINS AMICUS CHALLENGING MARYLAND GUN LAW

The Second Amendment Foundation has joined four other organizations in an amicus curiae brief to the U.S. Supreme Court supporting a challenge to Maryland's restrictive gun control law requiring applicants for concealed carry permits to provide a "good and substantial reason" to exercise their right to bear arms.

SAF is joined by the Firearms Policy Coalition, Inc. ("FPC"), Firearms Policy Foundation, California Gun Rights Foundation and the Madison Society Foundation. Their brief is submitted to the high court by Sacramento attorney Joseph G.S. Greenlee.

The case is known as *Malpasso v. Palozzi*. Plaintiffs are Brian Kirk Malpasso and the Maryland State Rifle and Pistol Association.

"This case could have far-reaching ramifications," noted SAF founder and Executive Vice President Alan M. Gottlieb. "At issue is Maryland's restrictive requirement but the outcome, if the Court agrees to hear this case, could define the parameters of bearing arms outside the home, and that will impact restrictive laws in several states where carry

permits or licenses are strictly regulated, which translates to nearly impossible to get."

The amicus brief asks the high court to determine "to what extent the right to bear arms applies beyond the home," because the question "has deeply divided lower courts." The 27-page brief notes that the D.C. and Seventh Circuits held that the right applies just as strongly outside the home as inside the home, while the First and Second Circuits determined that the right likely applies outside the home, but in a weaker form. Meanwhile, the Third and Fourth Circuits declined to decide whether the right exists outside the home and the Ninth and Tenth Circuits held that the right to bear arms does not protect concealed carry.

"Clearly," Gottlieb said, "the lower courts need definitive guidance on this important constitutional issue. What other constitutionally-enumerated fundamental right applies only within the confines of the home? It is time the high court takes up this issue to determine whether the Second Amendment vigorously protects a right, or allows states to treat it as a regulated privilege."

# SAF APPLAUDS SENATE REPUBLICANS FOR CONDEMNING DEM. THREAT TO HIGH COURT

The Second Amendment Foundation applauds all 53 Senate Republicans, led by Majority Leader Mitch McConnell, for defending the U.S. Supreme Court from bullying by five Democrats who openly threatened the high court with political retribution if it does not dismiss an important Second Amendment challenge to a New York City gun control law.

In a strongly-worded letter to Supreme Court Clerk Scott S. Harris, Sen. McConnell and his colleagues blasted a Democrat amicus brief to the high court urging dismissal of a case challenging the law that essentially threatens to pack the court if it doesn't comply.

SAF has filed an amicus brief in the case, urging that the Supreme Court overturn New York City's infringement of Second Amendment rights. The case is known as New York Rifle & Pistol Association v. City of New York.

"Democrats in Congress," the letter states, "and on the presidential campaign trail, have peddled plans to pack this Court with more justices in order to further their radical legislative agenda."

Senators Sheldon Whitehouse (RI), Mazie Hirono (HI), Kirsten Gillibrand (NY), Dick Durbin (IL) and Richard Blumenthal (CT) filed an amicus brief that essentially accused

five justices, including Chief Justice John Roberts, of accepting the case for the political purpose of creating a precedent that will allow other gun laws to be challenged. The law was so extreme that New York amended it in an attempt to avoid a court showdown.

"If the court dismisses this case," said SAF founder and Executive Vice President Alan M. Gottlieb, "there is nothing to prevent New York City from re-enacting the statute. In addition, the gun prohibition lobby is rightly concerned that a ruling against New York City could also apply to other states and cities' infringements on Second Amendment rights."

"We're proud of Sen. McConnell and his colleagues," Gottlieb added. "We have never before seen such an outrageous effort by anti-gun extremists on Capitol Hill to subvert the constitutional process. I was personally appalled by the brief. Just when you think opponents of the Second Amendment can't sink any lower, they surprise you."

In their brief, Whitehouse and his fellow Democrats concluded, "The Supreme Court is not well. And the people know it. Perhaps the Court can heal itself before the public demands it be 'restructured in order to reduce the influence of politics.' Particularly on the urgent issue of gun control."

"The implication," says McConnell in his letter, "is as plain as day: Dismiss this case, or we'll pack the court."

"Evidently," Gottlieb continued, "the five senators signing onto this brief are terrified that the nation's high court is about to examine the extreme nature of local gun control laws and their constitutionality under the Second Amendment.

"Instead of the Supreme Court dismissing the case," Gottlieb stated, "we believe the court should reject the amicus brief. It is an insult to the court's integrity, and to the Constitution, itself.

"Contrary to what the Whitehouse Five contends in their brief," he said, "the nation needs the Supreme Court to take Second Amendment cases and determine whether laws such as the one in New York are infringements, and then provide guidance to the lower courts about where the constitutional line may be drawn.

"McConnell and the Senate Republicans have clearly had enough of Democrat demagoguery," Gottlieb observed. "Their amicus brief is further evidence that they would happily erase the Scone Amendment from the Bill of Rights, but they want the Supreme Court to do that, rather than risk the political fallout. Sen. McConnell and the Senate Majority are telling them 'No.'

"Having crossed the line in their attempt to coerce the court, Whitehouse and his four colleagues have shown their disdain for constitutional rights and our system of checks and balances against unconstitutional laws," he concluded.



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# SAF CONSIDERING LAWSUIT TO FORCE FASTER CCL PROCESS IN ILLINOIS

The Second Amendment Foundation revealed that it is considering legal action to force authorities in the State of Illinois to speed up the application and renewal process for concealed carry licenses, following a report by WMAQ in Chicago about the length of time citizens must wait for their licenses.

“A right delayed is a right denied,” said SAF founder and Executive Vice President Alan M. Gottlieb. “We are considering taking legal to end this abuse of process.”

According to the report, it is taking from 120 to 140 days for the State Police to process license applications when it should be taking between 90 and 120 days. Currently, nearly 34,000 first-time and renewal CCL

applications are being processed. The state has almost 301,000 CCL holders, and those who obtained their licenses in 2013, when the law first took effect, need to renew.

“The Second Amendment Foundation’s successful lawsuit forced Illinois to pass their concealed carry license law,” Gottlieb recalled. “Now the slow process is discouraging people from exercising their rights.”

The State Police Firearms Services Bureau reportedly has only five staffers designated to handle about 20,000 phone calls a week. Gottlieb said that is simply unacceptable in a state where revenue from CCL applications and renewals runs into the millions of dollars.

“In neighboring Indiana,” Gottlieb

said after viewing the WMAQ report, “authorities process licenses in less than 60 days and in Wisconsin, they do it in five days on the average.

“This isn’t about serving the public,” he observed, “it’s about discouraging the public. It doesn’t take a degree in mathematics or economics to realize there is a growing demand for carry licenses, but the resources clearly are not being provided to meet that demand, and we think it’s deliberate.

“This especially impacts gun owners in the Chicago area, where demand is the highest,” Gottlieb stated. “If the General Assembly and state police don’t care to allocate the necessary resources to solve this problem, we may ask the courts to make them do it.”

# SAF HAILS HIGH COURT’S DECISION TO MOVE N.Y. GUN LAW CHALLENGE FORWARD

The Second Amendment Foundation cheered the U.S. Supreme Court’s decision to move forward with a case that challenges a New York City gun law that was so restrictive the city amended it, and then tried to get the high court to dismiss the case.

“We’re delighted that the Supreme Court will move this important case forward,” said SAF founder and Executive Vice President Alan M. Gottlieb. “The Second Amendment Foundation has filed an amicus brief in support of overturning this egregious attempt to infringe on the right to keep and bear arms. We are confident that the high court will ultimately rule in favor of Second Amendment rights.”

The city scrambled to change

the law once the court decided to accept the case for review earlier this year. The challenge is brought by the New York State Rifle and Pistol Association.

“It’s outrageous that the city has furiously tried to derail this case by changing the law,” Gottlieb stated. “That says volumes not only about the city’s fear of having to defend their restrictive gun control law before the court, but it also suggests to us that the city knew all along their law would not pass the constitutional smell test under any level of scrutiny, and they panicked.

“New York, and other state and local governments, have been getting away with adopting ridiculously oppressive gun regulations because lower courts have thumbed their

noses at previous Supreme Court rulings in favor of the Second Amendment,” he added.

“Equally outrageous, if not moreso,” Gottlieb observed, “was the attempt by Capitol Hill Democrats led by Rhode Island Sen. Sheldon Whitehouse to bully the high court by filing a brief to dismiss the case or face the possibility that Democrats would pack the court. How dare Whitehouse and his associates attempt such coercion. We’re proud of the Supreme Court justices for ignoring this threat to their independence as a separate branch of government.

“The Democrats’ political demagoguery obviously backfired, and rightly so,” he said. “It just might cost them in November 2020.”

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 reached more people than ever before thanks to streaming online and the 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**

# JUDGE SAYS EDMONDS, WA 'SAFE STORAGE' RULE VIOLATES PREEMPTION LAW IN SAF/NRA SUIT

A Snohomish County, WA Superior Court judge has ruled that a 2018-passed ordinance in the City of Edmonds requiring so-called "safe storage" of firearms "impermissibly regulates firearms in violation" of Washington's 36-year-old preemption law, in a lawsuit filed by the Second Amendment Foundation and National Rifle Association.

SAF and NRA are joined by three private citizens, Brett Bass, Curtis McCullough and Swan Seaberg.

Judge Anita Farris handed down the ruling, possibly setting the stage for a state Supreme Court showdown. In a separate case, filed by SAF and NRA against the City of Seattle in neighboring King County, a different judge ruled the opposite. That case is now before the State Court of Appeals.

"We're encouraged by the judge's ruling," said SAF founder and Executive

Vice President Alan M. Gottlieb. "Judge Farris' ruling confirms what we've argued all along, that under the state preemption law, first adopted in 1983 and strengthened in 1985, the Legislature has sole authority over firearms regulation in the state."

The preemption statute is designed to create statewide uniformity in firearms regulation, he noted. Allowing municipalities to chip away at the law by adding a storage requirement simply cannot be permissible, he added.

The judge denied the city's request in the SAF/NRA summary judgment victory to stay the decision until it can be appealed. Gottlieb noted that Judge Farris was having none of it. The judge explained that part of the "stay test" requires showing a reasonable probability of success on the merits, and she saw no possibility of success

for the city on appeal. She described it as "not a close call."

"Michael Bloomberg's gun control lobbying group has been supporting similar restrictive local laws all over the country," Gottlieb stated. "This victory will help stop this across the country. Preemption uniformity was a good idea in the 1980s and it is still the most commonsense way to deal with firearms regulation," Gottlieb observed. "What is the law in one part of a state should be the law in all parts of that state."

Under the judge's order, pending appeal, a permanent injunction will take effect against the Edmonds storage ordinance, and if an appeal is unsuccessful, that requirement must be repealed.

Plaintiffs are represented by attorneys Stephen Fogg and Eric Lindbergh with Corr Cronin LLP of Seattle.

## SECOND AMENDMENT GAMING

The Second Amendment Foundation is starting a new outreach project targeting gamers. The hope is to educate younger demographics about the Second Amendment.

The project will be led by our Director of Outreach Andrew Gottlieb.

"The main goal for the program is to reach out to gamers before their views of the Second Amendment and firearms turn negative. After the domestic terrorist attack in El Paso, video games were blamed and the reaction from the gaming community was to turn that blame on guns. As someone who is part of both communities, it hurt to see people who we have so much in common with turning on us because they were used as a scapegoat (just like law-abiding gun owners often are).

We need these people on our side. Firearms, when used safely, can be a lot of fun and that is a side of the industry that we need to share more."

The numbers are where the gaming community becomes impressive. Studies have shown that 65% of adults in the United States play video games. 60% of those will actively take part in politics. Half of them play games that involve firearms of some kind and that number is growing with the younger generations. That breaks down to 48 million people who interact with firearms through video games that will shape the future of gun politics.

For a lot of people video games are their first and only interaction with firearms. It is our job to help encourage that relationship and possibly expand it to real firearms,

training, and grassroots activism.

It is no secret that the Second Amendment community is getting older and we think this is a great opportunity to reach out to create a new foundation of the movement to protect our constitutional rights.

2AGaming will be streaming on Facebook at [www.fb.com/2AFGaming](http://www.fb.com/2AFGaming) or you can find the latest stream at [www.fb.gg/2AFGaming](http://www.fb.gg/2AFGaming). Facebook Gaming has been amazing for us and we were accepted into their "Level Up" program already. The content will be centered on games that involve firearms and we hope to have members from the community such as instructors, activists, and industry involved as guest participants. We also are setting up a Discord server for people to come hang out and talk about gaming and guns.

# WILL DEMS DEMAND KNIFE CONTROL?

In the aftermath of September's brutal stabbing attack in Florida, the Second Amendment Foundation asked whether Congressional Democrats will now start pushing knife control.

"Five people were brutally stabbed," said SAF founder and Executive Vice President Alan M. Gottlieb. "The nation deserves to know whether Democrats will hold the suspect responsible, or blame the knife he used."

Authorities said the five victims were being treated at a nearby hospital.

Gottlieb noted that this is hardly an isolated incident. He pointed to an early-August stabbing rampage in Southern California that left four people dead, and another incident in Massachusetts late last month that left two people dead and a third injured.

And in California's Ventura County, authorities arrested a man for fatally stabbing a woman and her elderly mother two weeks ago.

"Democrats and the gun prohibition lobby have been remarkably silent about these crimes," Gottlieb observed. "We're waiting for someone to start complaining about 'an epidemic of knife violence.' There are no background checks or waiting periods involved in purchasing knives, and in any given year, according to the annual FBI crime reports, more people die from stabbings than are killed with either rifles or shotguns, so maybe Congressional Democrats will start talking about that.

"The real issue here," he said, "is

that in every brutal slaying, regardless of the weapon used, the perpetrator should be held responsible. But only when firearms are involved do these knee-jerk crusaders demand action, and it is always aimed at guns and the people who own them who had nothing at all to do with the crime.

"We're calling Democrats and gun control extremists out," Gottlieb stated. "If they're satisfied to hold knife-wielding killers individually responsible, the same standard must apply when it comes to crimes committed with firearms. Millions of people who own knives and/or guns have harmed nobody, so Democrats should stop treating them all like criminals."

## ANONYMOUS WHISTLEBLOWER COMPLAINT AGAINST TRUMP LIKE RED FLAG ACTION

The anonymous whistleblower complaint against President Donald Trump now being used by Democrats to launch an impeachment inquiry is tantamount to a "red flag" action against a gun owner, with the accused being presumed guilty until he or she can prove their innocence, the Second Amendment Foundation said.

"The lynch mob mentality now being exhibited by Capitol Hill Democrats is the same kind of rush-to-judgment thinking that courts and prosecutors use to rationalize seizing someone's firearms, while throwing due process under the nearest bus," said SAF founder and Executive Vice President Alan M. Gottlieb. "Far-left House Democrats, who have wanted to remove the duly-elected president from office since the 2016 election are treating this anonymous complaint like gospel, virtually the same way the legal system treats a so-called 'red

flag' complaint against a gun owner.

"Completely absent from this political circus act is anything close to skepticism," he continued. "There's a transcript of a telephone call between Trump and the Ukrainian president which Trump's detractors read one way and his supporters read another way, and that's about it. At least the president has the advantage of knowing there's been a complaint filed, but in the case of a 'red flag' allegation, the gun owner typically doesn't know a thing until police come knocking on the door. In either case, neither the president or an affected gun owner has had the opportunity to face their accuser.

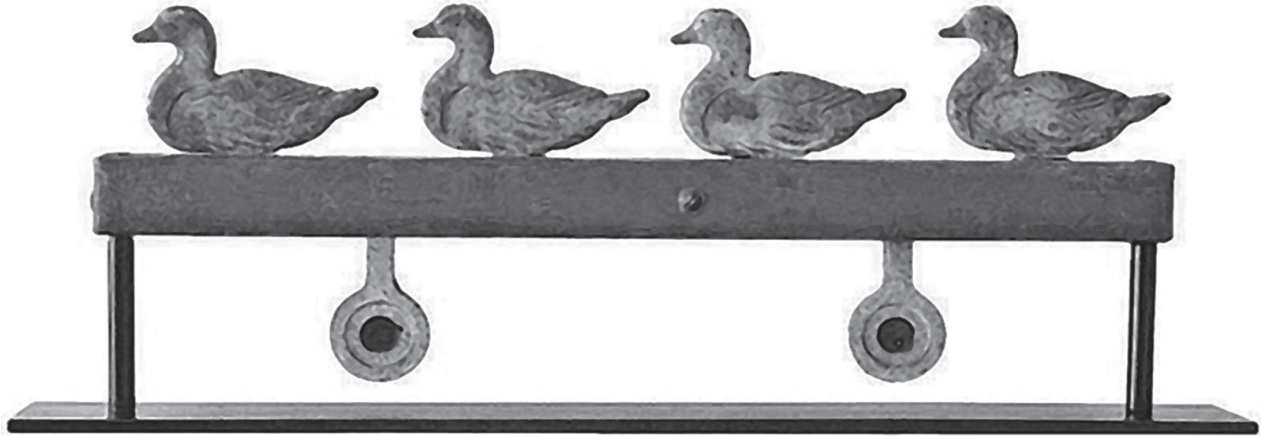
"Many people are convinced that the president's case amounts to political theatrics," Gottlieb said. "However, there are no theatrics involved when a private citizen's

property is seized. As we saw last year in Maryland, a gun owner was served and something went wrong, and that person was shot dead inside his own front door.

"We're not sure how this drama will play out against President Trump," he noted, "but we do know that anytime an anonymous complaint can be used to launch something as serious as an impeachment inquiry, by the same people who are pushing 'red flag' laws against gun owners, it's time to seriously re-think both processes.

"If this can happen to a president," Gottlieb observed, "how long will it be before a 'red flag' case can be launched on the basis of an anonymous complaint? Step-by-step, it appears we're getting closer to the kind of government the Second Amendment was designed to protect us against, and that's alarming."

# 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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