

A federal judge rules again that California's assault weapons ban is unconstitutional

A federal judge who previously overturned California's three-decade-old ban on assault weapons did it again on Thursday, ruling that the state's attempts to prohibit sales of semiautomatic guns violates the constitutional right to bear arms. U.S. District Judge Roger Benitez of San Diego conceded that powerful weapons like AR-15 rifles are commonly used by criminals, but said the guns are importantly also owned by people who obey the law and feel they need firearms to protect themselves.

"The State of California posits that its 'assault weapon' ban, the law challenged here, promotes an important public interest of disarming some mass shooters even though it makes criminals of law-abiding residents who insist on acquiring these firearms for self-defense," Benitez wrote. "Nevertheless, more than that is required to uphold a ban." The judge's ruling is nearly identical to a 2021 decision in which he called California's ban on assault weapons a "failed experiment." Benitez has repeatedly struck down multiple California firearms laws. Just last month, he ruled the state cannot ban gun owners from having detachable magazines that hold more than 10 rounds.

POLITICS

Poll: Most Americans say curbing gun violence is more important than gun rights

Benitez's latest decision would overturn multiple state statutes related to assault weapons. The judge gave the state 10 days to seek a stay on the ruling as part of an appeal to the U.S. 9th Circuit Court of Appeals. California Attorney General Rob Bonta said his office had already filed a notice of appeal. "Weapons of war have no place on California's streets," Bonta said in a statement Thursday. "This has been state law in California for decades, and we will continue to fight for our authority to keep our citizens safe from firearms that cause mass casualties. In the meantime, assault weapons remain unlawful for purchase, transfer, or possession in California." John Dillon, an attorney for the plaintiffs who sued to overturn the law, cheered the judge's ruling.

HEALTH

Gun deaths hit their highest level ever in 2021, with 1 person dead every 11 minutes. "The Court's decision is constitutionally sound and addresses the many inadequacies of the State's arguments and so-called justifications for this unconstitutional ban," Dillon said in a statement Thursday. "We will continue to fight for our Plaintiffs' Second Amendment rights through any appeal until the State is forced to start respecting these rights."

Bonta had appealed the judge's 2021 ruling but before the 9th Circuit could decide the U.S. Supreme Court issued a ruling in a New York case that set a new standard for how courts should consider gun restrictions. The 9th Circuit vacated Benitez's previous decision and sent the case back to him to reconsider under the new standard. Benitez again concluded the ban was unconstitutional. And he returned to an analogy he made previously, comparing the AR-15 to Bowie knives.

"Like the Bowie Knife which was commonly carried by citizens and soldiers in the 1800s, 'assault weapons' are dangerous, but useful. But unlike the Bowie Knife, the United States Supreme Court has said, '(t)here is a long tradition of widespread lawful gun ownership by private individuals in this country,'" Benitez wrote.

NATIONAL

How AR-15-style rifles write the tragic history of America's mass shootings

California first restricted assault weapons in 1989, with multiple updates to the law since then. Assault weapons as defined by the law are more dangerous than other firearms and are disproportionately used in crimes, mass shootings and against law enforcement, with more resulting casualties, the state attorney general's office argued in 2021, and barring them "further the state's important public safety interests."

The lawsuit filed by the San Diego County Gun Owners Political Action Committee, California Gun Rights Foundation, Second Amendment Foundation and Firearms Policy Coalition is among several by gun advocacy groups challenging California's firearms laws, which are among the strictest in the nation.

It was filed on behalf of gun owners who want to use high-capacity magazines in their legal rifles or pistols, but said they can't because doing so would turn them into illegal assault weapons under California law. Unlike military weapons, the semi-automatic rifles fire one bullet each time the trigger is pulled, and the plaintiffs say they are legal in 41 states.

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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

Nov. 28, 2023

7:00 PM

Americaan Legion
 16701 E. 40 Highway
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• • •

MVACA

Missouri Valley Arms Collectors Assn.

To Be Announced

KCI Expo Center
 Kansas City, MO

• • •

R. K. Shows

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Dec. 16-17, 2023

KCI Expo Center

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WANENMACHER'S

TULSA ARMS SHOW

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American Legion Gun & Knife Show

To be announced

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LIBERTY NOTES

By Kevin L. Jamison

It is a Good Day for Liberty.

I've read "Three Felonies a Day" by Harvey Silvergate. The author's thesis is that a person could be indicted for three felonies a day without knowledge that he is committing any crime. Unfortunately he uses extended examples from the fields of high finance, politics and law. These highly regulated areas are easy hunting for a technical violation. Thousands of laws exist. We are assumed to know all of these laws. More thousands of regulations implement these laws and violation of any regulation violates the law. No scholar has the brain power to know them all. We have appellate courts because judges cannot know all of these laws. Perjury traps are a more likely danger to the individual. It is against the law to lie to law enforcement. They can lie to us; we cannot lie to them. The federal government has laid perjury traps for the unwary. Martha Stewart was suspected of an unlawful stock transaction. She panicked and lied to the FBI agent. She went to prison for lying about a legal stock transaction. She cannot possess guns now and that is supposed to make us all much safer. This is why the old dead white guys insisted that we have a right to remain silent.

I have had several cases in which a person found a cell phone or wallet at a casino and intended to turn it into lost and found. The cameras detected the finding, but not the intention. The person was charged with petty theft. Kansas City area prosecutors have taken these cases to trial. They have lost but this clearly indicates that they do not have enough to do.

People are advising the Ukraine that they should trade land for peace. What they are really saying is that the Ukraine should reward aggression in exchange for temporary peace. The Russians took the Crimea area of Ukraine. They got away with it and tried to take eastern Ukraine and make the rest a puppet state. Israel traded land for peace and we see what that got them.

We are continually being asked to "compromise" to give up some of our rights in exchange for absolutely nothing.

Israel severely limited the right to possess guns after a notorious assassination. In the recent terrorist attack the few acts of resistance were by the few who legally possessed guns. Israel has now loosened its gun laws. A bit too late and not a moment too soon.

Yes. Immigration has caught a number of persons on the terror watch list coming into the United States. That is the number caught. Yes. It is possible that a terror incident is planned. However. There are a number of terror groups in the world and they do not always work together. A terror incident would probably involve a single terrorist or tiny group. Shooting back would work.

Britain has outlawed "zombie knives," They are described as having blades 20 centimeters (8 inches) long with holes in the blade. Some machetes are included. I have seen large knives with holes in the blade. The holes serve no purpose. This law serves no purpose. There are crimes committed with knives and the government pretends to do something with this law. If stabbings are committed with screwdrivers what then?

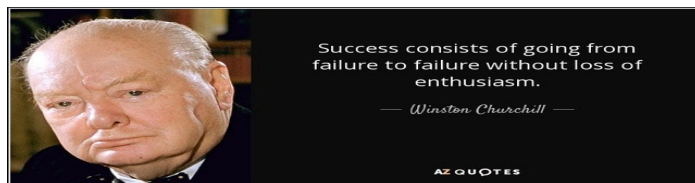
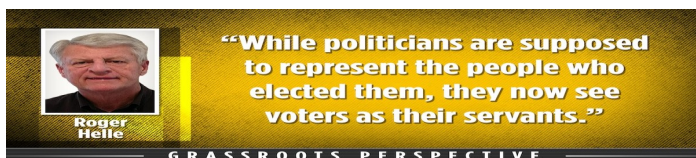
The Western Missouri Shooters Alliance planned to do a "Stop the Bleed" first aid class in November. Events conspired and it is planned for Spring.

I've read "Fever in the Heartland" about the KKK in Indiana a century ago. It is interesting that it became a powerful organization. It controlled politics and had ambitions for controlling the Presidency. Its founder had kluckers appear at church services with substantial donations. He made common cause with the prohibitionists and moral evangelists. He infiltrated the state "Anti-Horse Thief Detective Association" which had run out of horse thieves to chase and found a new mission flogging people whom the kluckers disliked. The founder had deserted his wife and infant daughter, raped and otherwise abused women and was an alcoholic. He did not keep his habits much of a secret. He must have been a charismatic character. Some persons were threatened for failure to join the klan. The founder boasted "I am the law." He owned police departments staffed them with kluckers. He owned prosecutors and judges. He owned the governor and legislators. One night he went too far and the lady died. He was unable to cover it up and the scandal destroyed the klan. This creature had ambitions at the federal level including the presidency. But for this death and the resulting scandal he would have expanded his tyranny.

A federal district court in California has decided *Duncan v Bonta*. The decision found that California's ban on standard gun magazines is unconstitutional. It minutely examines and destroys the states' excuses for the ban. This is a trial court decision and will doubtless be reviewed by the 9th Circuit court of appeals. It will be difficult for the appellate court to refute the detailed examination by the district court. That does not mean that it will not be broad and unfounded declarations. The struggle continues.

The order finding SAPA unconstitutional prevents it being enforced until the 8th Circuit Court of Appeals hears the case. Missouri asked the US Supreme Court to allow it to be enforced pending a hearing on the case. The Supreme Court denied the request. This only sends it to the 8th Circuit for a hearing. This is only a procedural ruling and has nothing to do with the merits of the case.

I Second That.



"Love your country, but never trust its government." —Robert A. Heinlein



PRESIDENT'S CORNER

PRESENTATION

K. L. Jamison

At a recent "Gay Pride" event some participants chanted "We're here, we're queer and we're coming for your children!" I cannot conceive of what these participants thought they were accomplishing with this chant. Many people do not care what homosexual et al do. We care very much about our children. Threats against them trigger our protective instincts. This creates an instinctive opposition to what these participants advocated. Cooler, more sensible heads tried to excuse the chant but were unconvincing.

We can learn from this foolish episode. It frightened people. Frightened people do foolish things. They react against the threat. Some people feel threatened by our guns. It's called hoplophobia, an unnatural fear of weapons. This makes no sense to use but it is a real phobia. People are afraid of odd things. There is a common fear of clowns. There was a girl in my old neighborhood who was afraid of butterflies; she liked worms. People have strange manias. To be successful advocates we must understand these manias and ease them rather than aggravate them.

I read about a man who testified in front of a city council against a proposed gun control ordinance. He warned them that his semi-automatic rifle was, "The killingist tool around." He thought that he had warned them off. He only encouraged them to pass the ordinance. We have lesser threats in our culture. I've seen T-shirts and other objects promoting the Second Amendment over a skull. This links our issue with death; something we are trying to avoid.

Some people don't think we make our point unless we demonstrate with gun and camouflage clothing and tactical equipment. This frightens people and people try to kill what they fear. There are exceptions. The governor of New Mexico arbitrarily and unconstitutionally revoked the right to carry firearms, openly or concealed, in Albuquerque. New Mexico gun owners crowded the city square carrying guns of all types. Such open civil disobedience was appropriate to the provocation. One of the principles of self-defense is reasonableness. The act of self-defense must be appropriate to the provocation. Not every threat requires an armed response. Signs, pins, and hats may suffice. Sometimes an empty holster makes the point.

Some believe they cannot get the point across without shouting and threatening. In reality, the louder one shouts the less people listen. A thirteenth century Persian poet wrote, "Raise your words, not voice. It is rain that grows flowers, not thunder."

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

Ninth Circuit Rules California Law Banning Firearms Advertisements Likely Violates the First Amendment in NRA-Backed Case.

NRA scored a legal victory in the Ninth Circuit Court of Appeals against an overbroad California law that bans firearms advertisements that may be attractive to minors.

In June of 2022, the California Assembly passed and Governor Newsom signed AB-2571 into law. NRA filed suit shortly thereafter. The bill as originally drafted was so overbroad that it effectively banned advertising youth-hunter-education programs. The NRA's lawsuit pointed that out, and the state promptly amended the statute so that it only bans advertisements of firearms products "in a manner that ... reasonably appears to be attractive to minors." But that didn't fix the law's overbreadth problem. It still banned advertisements featuring a parent hunting or shooting with their minor child.

The Ninth Circuit rightly recognized that the law was overbroad and banned truthful advertisements related directly to the Second Amendment—which the First Amendment forbids. The court remanded the case back to the trial court for further proceedings. The state, however, is refusing to accept the obvious. It has asked for an extension of time to seek a rehearing en banc, before 11 judges on the Ninth Circuit.

We look forward to continuing the fight in this case for our members.

The Case is captioned *Safari Club International v. Bonta*. United States Sportsmen's Alliance Foundation and Congressional Sportsmen's Foundation are also parties to the case.

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Michigan Police Officials Express Concern, Skepticism Over “Red Flag” Enforcement

So-called “red flag laws” have become a recent favorite of gun control activists, who portray them as a way to keep firearms out of “dangerous hands.” The laws empower judges to issue case-by-case firearm prohibition and confiscation orders, upon a petitioner’s showing that the respondent of the order poses a danger to themselves or others. The concept has at times held superficial appeal even to those who might normally support Second Amendment rights. But it’s constitutionality and efficacy wilt under close, critical scrutiny, which is why the NRA opposes the concept. Last week, an unusually revealing article by Bridge Michigan, an independent news source from the Wolverine State, brought another critical voice to the debate: that of the police who will actually be tasked with executing the orders. Entitled “Michigan police agencies sweating enforcement of ‘red flag’ gun laws,” it vividly underscores the difference between theory and practice when it comes to gun control.

Among the officials quoted in the article is Robert Stevenson, executive director of the Michigan Association of Chiefs of Police. He said he supports the idea that people who are “not mentally balanced” should not have firearms, but he is concerned with the practicalities of how police will enforce Michigan’s new red flag law, which takes effect next spring. Stevenson offered several scenarios in which the supposedly “lifesaving” law could itself pose lethal risks.

As he explained to Bridge Michigan: *What happens if the person with the order tries to hurt the officers? What if the person who was deemed suicidal becomes overwhelmed and still poses harm to themselves when their guns are being seized? What if the individual with an order has to be detained by force or even be killed, due to the threat they pose?*

From the citizen’s perspective, Stevenson said, it could be a case of: “We’re trying to save somebody in the family. We went to the police to save them, and they killed them.”

The legislator who spearheaded Michigan’s red flag effort, Sen. Mallory McMorrow (D-Royal Oak), claimed to Bridge Michigan she “studied the laws in other states, such as California and Florida” and “found no instances of a gun being fired during a seizure of weapons.” Sen. McMorrow’s research, however, was seriously flawed.

A simple Internet inquiry should have revealed to her that Gary J. Willis, a 61-year-old African American man, was killed by police in Anne Arundel, Md., as they attempted to retrieve his firearm under a red flag order shortly after 5:00 a.m. on Nov. 5, 2018. Willis’s wife, Dolly, was also home at the time. Police claim that Willis became increasingly agitated as officers explained the requirements of the order to him and that he reached for the gun after he had voluntarily set it aside at their request. Willis died on the scene after being shot at least five times by police. A Baltimore Sun article quoted the local police chief as saying the execution of red flag orders involves, by definition, “a tense, dangerous situation,” one he would prefer to be handled by SWAT teams.

Gun control advocates like to claim any intrusion on constitutional rights is justified, if it “could save just one life.” Apparently, however, they don’t hold themselves to that same standard when promoting policies that themselves pose lethal risks.

Also expressing skepticism of the red flag concept to Bridge Michigan was Matt Saxton, the executive director of the Michigan Sheriffs’ Association. Sexton said his “organization was never asked to comment on conversations of how to enforce the new law.” He described being “left in the dark, not sure what to strategize for and what to envision when [the new law] takes effect.” It appeared to him that localities would be left to figure out the logistics of implementation on their own, perhaps in collaboration with each other. Sexton told Bridge Michigan “he doesn’t believe that extreme risk protection [i.e., red flag] laws are the best laws that could be passed,” but he hopes for the best.

No wonder that the most consistent experience states have when passing red flag laws is to later discover they are little known, little utilized, and don’t live up to their billing as a game-changing way to prevent “gun violence.”

A Duke University sociologist who studies red flag laws and their effects told PBS, “It’s too small a pebble to make a ripple. ... It’s as if the law doesn’t exist.”

When a law is almost universally treated as if it doesn’t exist, it may be because it should have never existed in the first place. Disuse, indeed, might be the best that could be hoped for when it comes to red flag laws.

"The struggle is always between the individual and his sacred right to express himself and ... the power structure that seeks conformity, suppression and obedience."

—Justice William O. Douglas

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"Censorship reflects a society's lack of confidence in itself." —Justice Potter Stewart



A CHEAP LEGAL NOTE
THE WHAT IF'S
K. L. Jamison

I frequently get calls from people asking their legal options if confronted with road rage. My advice in relation to any sort of threat is to call 911. Then the “What If’s” starts. What if the police do not respond? There are parts of Missouri not covered by cell phone service and some not covered by 911. Some areas are thinly patrolled. A mere attempt to call the authorities will be evidence. The first person to call 911 is labeled the “victim” in 95% of the cases according to my unscientific research. The remaining 5% are the product of peculiar authorities who have watched “Law and Order” and believe that whenever someone is shot there must be a trial.

What if the angry motorist tries to run a person off the road? Cars used as weapons are weapons. What if the angry motorist pulls a gun? It depends on what he does with it. If he simply brandishes it that is a crime but may only be moving the gun from one place to another. A client was the subject of an imaginative police report when he moved a gun from his car seat to a door pocket.

What if he points a gun at me? That is a deadly threat. If you have not provoked this threat, it is legal to respond. Of course, that is where your life becomes complicated. Avoidance may not be required but it saves on bail money. There is some reason to believe that the court will look at retreat or other avoidance when determining who is the victim.

Self-defense cases are very fact dependent. The responding police will not have all the facts and may default to arresting everyone. Courts have only the facts presented by witnesses or science. What if’s can go on forever. A cell phone video will tell the court which of the “what if’s” to consider.

Kevin L. Jamison is an attorney in the Kansas City Missouri area concentrating in the area of weapons and self-defense.

Please send questions to Kevin L. Jamison 2614 NE 56th Ter Gladstone Missouri 64119-2311 KLJamisonLaw@earthlink.net. Individual answers are not usually possible but may be addressed in future columns.

This information is for legal information purposes and does not constitute legal advice. For specific questions you should consult a qualified attorney.

**Rifle created by St. Louis brothers in 1815
 becomes Missouri's Official State Rifle**

A 200-year-old rifle becomes Missouri’s newest state symbol.

Legislation signed this year designates the Hawken rifle as Missouri’s Official State Rifle. It was designed by St. Louis brothers Jacob and Samuel Hawken in 1815, and was meant to be used by fur trappers, explorers, traders, and others venturing into the unexplored parts of the country, west of Missouri.

Dekalb County Commissioner Kyle Carroll, who’s also a historian, said the rifle was unique in its design. “It was a change from the long guns that came, that you’re familiar with, the Pennsylvania guns. Once they started going west, that gun needed to be stouter because it had to go so far on horseback and survive in the mountains and so forth.”

Historian Paul Fennewald said one of Missouri’s first executives spurred the creation of the rifle.

“The first lieutenant governor, William Ashley, for his Rocky Mountain fur trade company, knew that they needed to have a better rifle. So he approached the Hawken brothers about building one and giving that a test, and that kind of was a springboard for the Hawken rifle.

State Representative Doug Clemens co-sponsored the legislation, saying the Hawken was a reliable, high-quality weapon that was effective at very long range. He was able to fire an original, 190-year-old Hawken, and a replica, at a recent conference.

“I did find, for a second there, I felt the history flowing through my hands. And frankly, just to hold a gun that is a 190-years-old, much less fire it, is an honor. I’ve been joking that’s going to be one of my old man things, I’m going to go in the Capitol, and I’ll point at that rifle behind the glass and I’ll say, ‘I shot that gun.’”

State Representative Mazzie Boyd also co-sponsored the legislation, saying the rifle played an integral part in westward expansion and fur trading, and she hopes people learn more about history. “With the fur trade era, I mean this just opened up the entire west, and the fact that it started right here in Missouri, I think, is just incredible. I mean, people couldn’t just go to Walmart and just go buy clothes. I think it’s just a whole different world that sometimes people just don’t even think about.”

Supporters of the legislation say the designation is about more than the gun. It’s about how fur trading was the economic engine of Missouri in the early 1800s.

“In totalitarian societies, cities change their names regularly. Statues go up and are torn down. Words, as the historian Thucydides warned 2,400 years ago, habitually change their meanings to reflect passing political orthodoxy — and thugs, commissars and brownshirts oversee the charade. For an antidote to these statue-smashers and name-changers, Americans seek just one honest public official who dares to say ‘no more’ — and arrests rather than appeases those who destroy public property, or shames those who ruin people through guilt by association.”

—Victor Davis Hanson



The Private Thoughts of a Gun-Control-Promoting Mayor

The mayor of St. Louis, Tishaura Jones (D), does not believe that gun control works. Has that prevented her from calling for more of it? Of course not.

In June, after a shooting in downtown St. Louis, Jones issued a boilerplate statement blaming the violence on Missouri's adherence to the Second Amendment. "Our state's lax gun laws make our challenge even more difficult," she said. "The legislature's lack of action on gun-safety laws encourages the proliferation of guns on our streets and puts our responding officers directly in harm's way."

In private, however, Jones does not believe anything of the sort; in fact, as was demonstrated by a collection of her text messages released as part of an open-records request, Jones understands that the way to fix crime is with smart public policy, effective policing and the development of a culture that values life. "Newark, NJ," she wrote in a text message in March, "has the same size population, same size police force, and similar racial demographics" as St. Louis, "yet had 50 murders in 2022. I visited these programs first hand and I know that they work. We just need the will." Given her public pronouncements, one might have expected Jones to attribute the difference between Newark and St. Louis to New Jersey's strict gun laws. But, in another message, she acknowledged openly that "Chicago has strict gun laws as well but that doesn't deter gun violence. It's about investing in the people." Indeed.

What can explain this dichotomy? A better question might be: Given the incentives on offer, why *wouldn't* Tishaura Jones try to have it both ways? After all, her primary audience—the press—is guilty of precisely the same two-step approach in every report it issues. I see this all the time: While waiting to go on television to talk about the right to keep and bear arms, I have often been in green rooms with hosts and guests who have acknowledged to me privately that crime is a complicated issue and that the Second Amendment is not responsible for crime, but who, once the lights were on and the cameras rolling, have launched into lazy stump speeches that blamed the entire phenomenon on firearms and those who legally own them.

Such useless, cynical, below-surface-level analysis is routine. When covering crime, the mainstream-media's agenda is both transparent and consistent. It assumes that, secretly, everyone in America agrees with the gun-control movement, and that the dividing line in our politics is between those who are willing to admit it and those who aren't. It frames every incident involving guns as the product of the laws that regulate those guns—even when there cannot possibly be any link between them. It works assiduously to convince the general public that crimes committed with firearms are at an all-time high, when, as a matter of historical record, they are far lower than they were in the 1980s or 1990s. And, worst of all, many in the media fudge the numbers. Over the last few years, almost every journalist in the country has adopted as gospel the absurd statistics that are peddled by the Gun Violence Archive, which is why every newspaper article and TV segment about firearms now includes such self-evidently silly claims as that there have been 500 or 700 or 2,000 mass shootings in America thus far this year.

Having been caught engaging in doublespeak, Tishaura Jones told the media, "I understand the impact of some of my comments and will contact the relevant parties to ensure productive dialogue moving forward." Or, to put it another way: I got caught; I've learned nothing from it; and from now on I'll be more careful when saying things that I know aren't true. *Plus ça change.*

US Supreme Court won't revive law targeting federal gun curbs

The U.S. Supreme Court on Friday declined to revive a Missouri law that bars state and local officials from enforcing certain federal gun restrictions that the Republican-crafted law had claimed to nullify for violating firearms rights protected by the Constitution's Second Amendment.

Handing a victory to President Joe Biden's administration, the justices rejected a request by Missouri officials to halt a federal judge's ruling that invalidated the 2021 state law, called the Second Amendment Preservation Act. The Second Amendment enshrines the right "to keep and bear arms."

The administration sued Missouri in 2022 to block the law. It had urged the Supreme Court not to revive the measure, arguing that it violated a constitutional provision called the "supremacy clause" that makes federal law supersede conflicting state laws. The administration said that the measure improperly interfered with U.S. firearms regulations and undermined public safety.

Conservative Justice Clarence Thomas on Friday indicated that he would have reinstated the Missouri law. The Biden administration sued Missouri in 2022 to block the law, which was signed the previous year by Republican Governor Mike Parson at a gun shop. The Missouri law declared that certain federal regulations governing taxes, firearm sales and restrictions on gun possession by people convicted of certain felonies, convicted of a misdemeanor charge of domestic violence, people dishonorably discharged from the military and some others were invalid based on alleged infringement of Second Amendment rights.

The law threatened state and local officials with fines of up \$50,000 for knowingly enforcing federal gun laws deemed by the Republican-controlled state legislature to violate the Second Amendment.

The Biden administration has said the law caused many Missouri state and local law enforcement agencies to stop voluntarily assisting in the enforcement of federal gun laws or providing investigative assistance.

U.S. District Judge Brian Wimes in a March ruling invalidated the law as a violation of the supremacy clause. "While purporting to protect citizens, (the Missouri law) exposes citizens to greater harm by interfering with the federal government's ability to enforce lawfully enacted firearms regulations designed by Congress for the purpose of protecting citizens," Wimes wrote. The St. Louis-based 8th U.S. Circuit Court of Appeals in September declined to halt the judge's ruling, prompting Missouri officials to seek emergency relief from the Supreme Court.

SCOTUS (Continued on page 8)



SCOTUS (Continued from page 7)

Gun rights, held dear by many Americans and promised by the country's 18th century founders, are a contentious issue in a nation with high levels of firearms violence including numerous mass shootings. Biden, who has called gun violence a national embarrassment, and many of his fellow Democrats support firearms restrictions, while most Republicans oppose these.

The Supreme Court, with its 6-3 conservative majority, has taken a broad view of Second Amendment rights in three major rulings since 2008. The most recent of these came in 2022 when the court declared for the first time that the Second Amendment protects an individual's right to carry a handgun in public for self-defense.

The Supreme Court is set to decide a major gun case in its current term testing whether a federal law that keeps firearms away from people under domestic-violence restraining orders violates the Second Amendment. Arguments are scheduled for Nov. 7.

Witness Shoots and Kills QuickTrip Robbery Suspect

The St. Charles Police Department says a 26-year-old man from St. Louis City on a violent crime spree was shot and killed by another man who was witnessing an armed robbery in progress at the QuickTrip located at 2260 First Capitol Drive.

Police say the crime spree began around 3 a.m. Saturday morning with an armed robbery at Mobile On The Run located at 1401 S. Fifth Street. The suspect held a knife to the 43-year-old female clerk's throat while she opened the cash register. The suspect then pushed her to the floor, stole the money from the register, and then dragged her to the back of the store asking where the safe was.

The clerk wasn't able to access the safe and the suspect dragged her back to the front counter where she opened a second register in attempt to stop the assault on her. After going through the second register the suspect fled the store in a black SUV. The clerk suffered lacerations from the knife to her left wrist, right hand, and neck. She was taken to an area hospital with non-life-threatening injuries.

While police officers were on the way to that armed robbery at the Mobile On The Run, a call for an alarm sounding at Mid-Town Phillips 66 located at 524 First Capitol came in around 3:15 a.m. When officers arrived, they found broken glass indicating a burglary had just taken place.

As officers were investigating that burglary, another report of an armed robbery came in just a few minutes later, at 3:20 a.m. at the QuickTrip located at 2260 First Capitol. There was a report of shots fired. When officers arrived, they found the suspect had been shot by a citizen during the armed robbery. The suspect was taken to a hospital where he was pronounced dead.

The witness who shot the suspect told police he had stopped at QuickTrip, used the restroom and made a purchase. The witness was walking back to his vehicle parked in front of the store when he saw a black SUV drive into the parking lot abruptly and stop directly in front of the door without pulling into a parking space.

The witness saw the suspect who was carrying a backpack run into the QuickTrip and turn toward the coffee pot area where the 26-year-old female clerk was standing. The suspect dragged the clerk toward the front counter while she was screaming. The witness saw the suspect holding a knife to her throat.

The witness retrieved his 9mm handgun, entered the store and confronted the suspect. The suspect grabbed his backpack and told the witness, "I have something for you." The suspect then came from around the counter and approached the witness who then fired several times at the suspect. The suspect fell to the floor. The witness and clerk were not harmed, and both called 911.

Investigators have determined that the suspect SUV, a black 2013 Toyota Highlander had been reported stolen in an armed robbery on July 15 from the 13500 block of Riverport in Maryland Heights. Items believed to have been stolen from the burglary at Mid-Town Phillips 66 were found inside the SUV. The suspect's identity is not being released at this time.

"Society in every state is a blessing, but government, even in its best state, is but a necessary evil; in its worst state an intolerable one; for when we suffer or are exposed to the same miseries by a government, which we might expect in a country without government, our calamity is heightened by reflecting that we furnish the means by which we suffer."

—Thomas Paine

"Our society — unlike most in the world — presupposes that freedom and liberty are in a frame of reference that makes the individual, not government, the keeper of his tastes, beliefs, and ideas; that is the philosophy of the First Amendment; and it is this article of faith that sets us apart from most nations in the world."

—William O. Douglas

"Violence, naked force, has settled more issues in history than has any other factor, and the contrary opinion is wishful thinking at its worst. Nations and peoples who forget this basic truth have always paid for it with their lives and freedoms."

—Robert A. Heinlein



Newsflash: Texans Tote Guns

The Washington Post seemed shocked to learn that certain Americans enjoy exercising their Second Amendment rights.

Some things in life are certain: death, taxes, and Texans owning guns.

The fact that people living in the Lone Star state are packing is only a surprise to those in the Leftmedia. The Washington Post, in particular, seems to make a big deal out of something everybody already knows.

Reporter Molly Hennessy-Fiske states the obvious, writing: "Neighbors tuck guns into bedside tables, cars and trucks. They take guns fishing, to church, the park, the pool, the gym, the movies — even to protests at the state Capitol. The convention center hosts gun shows where shoppers peruse AR-15s and high-capacity magazines outlawed in other states. Texas billboards offer an endless stream of advertisements for ammunition, silencers and other accessories."

She could have mentioned that the Earth is round, or that the sun sets in the west every evening.

"It has been legal here to openly carry long guns like rifles for generations," Fiske adds. "But Texas's gun-friendly attitude isn't just a relic of the Old West and ranching: Many restrictions on handguns were loosened only recently. Two years ago, state lawmakers gave those 21 and older the right to carry handguns without a permit; in 2015, they gave those with concealed handgun permits the right to carry on public college campuses."

Sounds good to us. And many other Americans agree, as they continue to leave states like California in droves. Nothing like protecting our right to self-defense to get people packing their bags.

But Cali still doesn't get it. Governor Gavin Newsom "has made gun control a signature issue as he has built more of a national profile in the past year," according to The Wall Street Journal. "He is pursuing an amendment to the U.S. Constitution that would raise the minimum age to buy a gun to 21, ban the sale of guns classified as assault weapons, and institute universal background checks to purchase a firearm. California legislators recently passed a resolution calling for a constitutional convention to introduce that amendment."

But they're not stopping there. The California legislature recently voted in favor of an excise tax on gun purchases and ammo. The 11% tax would be added on top of the current federal 10% tax, which is used for hunter education and school safety programs. Law enforcement officials would be exempt, as would businesses with less than \$5,000 in sales, reports the Journal. Newsom signed the bill into law on Tuesday.

What's lost in the mix is that California has more than a hundred gun laws, and they all target people who aren't a threat to anyone.

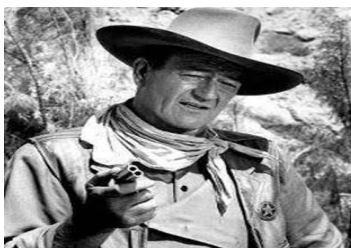
"The state has embraced its role as the Democratic ideal," writes the Washington Examiner's Zachary Faria, "and has obsessively tried to impose a gun control agenda focused only on law-abiding gun owners, never on criminals. For example, the state has softened the sentencing enhancements for gang members, who drive the gun violence problem in California and across the nation. In Los Angeles, gun-crime enhancements have also been thrown out the window."

It's clear that Democrats across the country aren't interested in criminals with guns. They're going after law-abiding citizens who want to defend themselves against those same criminals.

Unfortunately for those gun-grabbing Democrats, they're bucking a trend that's moving in the other direction. Twenty-seven states now have permit less carry on the books.

On the legal front, the tide seems to be turning against gun bans. After dim-witted New Mexico Governor Michelle Lujan Grisham enacted an order banning all guns in public, a federal judge blocked it. And just last year, the U.S. Supreme Court struck down a New York law against concealed weapons by ruling that citizens are permitted to carry guns outside the home.

The reality that Texans like their guns shouldn't be national news, but Democrats are all about distracting and demonizing. If California, New York, and other gun-grabbing states took fighting crime as seriously as they fight our constitutional rights, their own citizens would be safer.



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We will have a limited number of raffle tickets (1,200). We will not mail tickets to members to sell. Tickets will be available at all General meetings and at events where WMSA has a table. Additionally, to build our treasury for the coming year, this year's raffle is aimed towards gaining more WMSA members.

The tickets are \$5 each or 5 for \$20. As an added incentive, bring in a new member at a General Membership Meeting and get a free raffle ticket. Any current member who brings in a new WMSA member gets a free raffle ticket for each new member added to our rolls.

Bring your prospective new member to a General membership meeting and when the new member completes the membership application and pays their dues, you are handed a ticket, no charge! The drawing for the rifle will be in July 2024, either at the Missouri Valley Arms Collector Show or the WMSA General Membership Meeting.

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- 3) Politicize and activate gun owners in defense of their rights.
- 4) Acquaint the public with the true nature of the Second Amendment.
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REMINDER Next General Meeting is scheduled for Tuesday, Nov. 28, 2023 at 7:00 PM
 Meeting located at **American Legion** 16701 E. 40 Highway Independence, MO

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Arming Women Against Rape and Endangerment
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