

Supreme Court Says ATF Can't Legislate

The Rule of Law and constitutional separation of powers matter, said the Supreme Court in Friday's 6-3 ruling in *Garland v. Cargill*. In striking down the bump stock ban issued by the Bureau of Alcohol, Tobacco, Firearms and Explosives in 2017, the Court said the case was less about the Second Amendment than it was a rebuke of executive overreach.

"On more than 10 separate occasions," noted Supreme Court Justice Clarence Thomas in his majority opinion, the ATF declined to regulate bump stocks because they do not qualify as machine guns under the National Firearms Act of 1934. That law all but banned "machineguns" and was later upheld by the Supreme Court in *United States v. Miller* (1939). The law defined a "machinegun" as "any weapon which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot, without manual reloading, *by a single function of the trigger*" (26 U.S.C. §5845(b) [emphasis added]).

Thus, Thomas took space in his ruling to explain the basic functionality of a bump stock: A machine gun "automatically" fires multiple rounds "by a single function of the trigger," he said, but bump stocks don't do that. They are instead "a plastic casing that allows every other part of the rifle to slide back and forth." That helps fire rounds more quickly, but it is not, based on the statutory language, a machine gun. That definition, Thomas said, "hinges on how many shots discharge when the shooter engages the trigger." A rifle with a bump stock is still a semiautomatic weapon — one bullet per trigger pull.

The ATF issued the ban under Donald Trump after the Las Vegas massacre, in which the killer used rifles affixed with bump stocks to murder 58 people and wound more than 500. The political pressure to "do something" was immense, and as is often the case these days, it's easier to let bureaucrats make those decisions than for members of Congress to make tough votes.

Congress abdicating its authority does not confer it on the ATF, no matter how much Democrats hilariously caterwaul about the Supreme Court "legislating from the bench." No, the Court prohibited the ATF from legislating in Congress's stead.

There are more than half a million bump stocks in circulation, bought legally by American citizens before the ban. Turning law-abiding citizens into felons with the stroke of a bureaucratic pen is not consistent with the Rule of Law — or even the "democracy" that left-wingers are so hot and bothered about protecting.

Justice Sonia Sotomayor was caught up in the emotion of it all, as well. In her dissent, she even tried to argue with Thomas on the technicality of function. "Just as the shooter of an M16 need only pull the trigger and maintain backward pressure (on the trigger)," she wrote, "a shooter of a bump-stock-equipped AR-15 need only pull the trigger and maintain forward pressure (on the gun)." That's simply incorrect.

Amusingly, Sotomayor scored what in soccer is known as an own goal, writing, "Within a matter of minutes, using several hundred rounds of ammunition, the [Las Vegas] shooter killed 58 people and wounded over 500. He did so by affixing bump stocks to commonly available, semiautomatic rifles."

Did you catch that? "Commonly available." In its 2008 *Heller* ruling, the Supreme Court determined that the Second Amendment, at the very least, protects firearms "in common use." Sotomayor just admitted — in a Supreme Court dissent on firearms law — that AR-15s are in common use.

Second Amendment advocate Charles C.W. Cooke writes, "Sotomayor even uses the word 'common!' Not 'everyday' or 'universal' or 'normal' or 'usual,' but *common* — the very word that was used in *Heller*."

She's right, of course, and that going a long way to undermining Joe Biden's commonly used refrain demanding a renewed ban on such firearms. He often demands a ban, by the way, in conjunction with threatening the American people with F-15s and sometimes even nuclear weapons. Both are more lethal than bump stocks.

Again, the point of this ruling is primarily about the constitutional separation of powers, which Justice Samuel Alito made plain in his concurrence. "There is a simple remedy for the disparate treatment of bump stocks and machineguns," he says. "Congress can amend the law — and perhaps would have done so already if ATF had stuck with its earlier interpretation. Now that the situation is clear, Congress can act."

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This ruling will no doubt have an effect on other ATF cases. The bureau already lost a pistol brace case before a district court last week, as well as a case dealing with the definition of a gun dealer back in April.

In short, the ATF is not empowered to enact the Left's gun-grabbing agenda without legislation passed by our elected representatives. And even then, the government is bound by the Second Amendment. Memo to Joe Biden and other presidents: Governing by executive diktat is no way to preserve "democracy."



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Sept. 24, 2024

7:00 PM

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Understanding Constitutional Carry: What You Need to Know

Constitutional carry, also known as permitless carry, is a policy that allows individuals to carry concealed firearms without obtaining a state-issued permit. This concept stems from the belief that the Second Amendment to the United States Constitution is sufficient authorization for law-abiding citizens to carry firearms. As this practice becomes more prevalent across various states, it's essential to understand its implications, history, and the responsibilities it entails.

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Historical Background

The Second Amendment, ratified in 1791, states: "A well-regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed." This amendment has been the cornerstone of American gun rights debates for centuries.

The term "constitutional carry" emerged in recent decades as a movement advocating for the right to carry firearms without government-imposed restrictions. The premise is that any law-abiding citizen should be able to exercise their Second Amendment rights without needing additional permits or licenses. This view holds that requiring permits for concealed carry is an infringement on constitutional rights.

Current Constitutional Carry States

As of 2024, numerous states have adopted constitutional carry laws. States such as Alaska, Arizona, Kansas, Maine, and Vermont are among the pioneers in this movement. These laws vary slightly in their specifics but generally allow individuals to carry concealed firearms without a permit, provided they meet certain age and legal requirements.

The Constitutional Carry States as of April 2024 are:

Alabama, Alaska, Arizona, Arkansas, Florida (concealed carry only), Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Mississippi, Missouri, Montana, Nebraska, New Hampshire, North Dakota (concealed carry only), Ohio, Oklahoma, South Carolina, South Dakota, Tennessee (handguns only), Texas, Utah, Vermont, West Virginia, and Wyoming

While constitutional carry states remove the need for a permit, it doesn't negate other firearm regulations. Individuals must still comply with federal laws, such as background checks for purchasing firearms and prohibitions on carrying firearms in certain locations like schools and government buildings. Certain states also have their own restrictions, such as Tennessee and Florida listed above, so be sure to know exactly what it entails to carry a firearm in your state.

The number of constitutional carry states is increasing each year, and with that great progress, we'll need to focus more on training and education. This will ensure that all law-abiding citizens who decide to exercise their constitutional carry right, will be doing so in a safe and educational manner.

Arguments For and Against Constitutional Carry

The debate over constitutional carry laws is highly polarized, with strong opinions on both sides. Advocates argue that these laws uphold the Second Amendment and enhance personal safety by allowing law-abiding citizens to carry firearms without burdensome regulations. On the other hand, critics raise concerns about public safety and the potential increase in gun violence due to the lack of mandatory training and background checks. Understanding the arguments for and against constitutional carry is crucial for forming an informed opinion on this contentious issue.

Supporters' Perspective:

1. **Second Amendment Rights:** Proponents argue that constitutional carry is a direct interpretation of the Second Amendment, ensuring that citizens can exercise their right to bear arms without government interference.
2. **Self-Defense:** Advocates believe that allowing permitless carry enhances personal safety and public security by enabling more law-abiding citizens to defend themselves.
3. **Simplification:** Constitutional carry simplifies the legal landscape by eliminating the need for permits and the associated bureaucratic processes.

Opponents' Perspective:

1. **Public Safety Concerns:** Critics argue that removing the permit requirement could lead to increased gun violence, as it eliminates the training and background checks typically required for a concealed carry permit.
2. **Law Enforcement Challenges:** Some law enforcement officials express concern that permitless carry makes it harder to distinguish between law-abiding citizens and potential threats.
3. **Lack of Training:** Without mandatory training, opponents worry that individuals carrying firearms might lack the necessary knowledge and skills to handle firearms safely and effectively.

Responsibilities and Best Practices for Gun Owners

Carry (Continued on page 4)



Carry (Continued from page 3)

Whether under constitutional carry or traditional permit systems, responsible gun ownership is paramount. Here are some best practices for those who choose to carry firearms:

1. **Education and Training:** Even if not required by law, seeking comprehensive firearm training is crucial. This includes learning about safe handling, storage, marksmanship, and proper carrying methods.
2. **Situational Awareness:** Being aware of one's surroundings and understanding potential threats is a key aspect of self-defense. This can help avoid dangerous situations before they escalate.
3. **Legal Knowledge:** Understanding state and federal laws regarding firearm use, including where firearms can and cannot be carried, is essential. Ignorance of the law is not a valid defense in legal matters.
4. **Safe Storage:** When not carrying, ensure firearms are stored securely to prevent unauthorized access, especially by children.
5. **Conflict Avoidance:** The primary goal of carrying a firearm for self-defense is to protect oneself and others. Avoiding conflicts and de-escalating situations whenever possible should always be a priority.

The Future of Constitutional Carry

The trend toward constitutional carry states is likely to continue as more states consider adopting similar laws. The debate will persist, balancing the rights granted by the Second Amendment with concerns over public safety and the practical implications for law enforcement.

As this legal landscape evolves, staying informed about changes in state laws and participating in discussions about responsible gun ownership will be crucial for advocates and opponents alike. Understanding both sides of the debate can lead to more informed decisions and policies that respect constitutional rights while addressing public safety concerns.

In conclusion, constitutional carry represents a significant shift in how states approach the regulation of firearms. It underscores the importance of balancing individual rights with collective safety and emphasizes the need for responsible gun ownership. As more states adopt these laws, ongoing education and dialogue will be essential to navigate the complexities of its evolution.

Safety Tip: Always ensure your firearm is securely holstered and never point it at anything you do not intend to shoot. Regularly practice and refresh your firearm handling skills to maintain proficiency and safety.

Legal Disclaimer

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"The first and governing maxim in the interpretation of a statute is to discover the meaning of those who made it."

—James Wilson

SCOTUS sides with free speech and the NRA

In a little win for Liberty, the Supreme Court ruled late this morning that the National Rifle Association can pursue its "unlawful coercion" case against a New York state official's effort to get companies to end their association with the nation's leading defender of Second Amendment rights. And the decision wasn't even close — in fact, it was unanimous. The NRA is a gun-rights organization, but the justices agreed that its First Amendment rights were violated when Maria Vullo, the former superintendent of the New York State Department of Financial Services, pressured insurance companies not to do business with the NRA over its political stance. Writing on behalf of the unanimous court, lefty Justice Sonia Sotomayor wrote, "Government officials cannot attempt to coerce private parties in order to punish or suppress views that the government disfavors." Bully for Liberty!

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LIBERTY NOTES

By Kevin L. Jamison

It is a Good Day for Liberty.

Jeff Knox, a second-generation gun rights activist, has encouraged people who dropped out of the NRA to re-join. Reformers have been elected to the Board and senior positions in the NRA. To continue this trend we will need members devoted to reform.

I hear constant reports that President Trump is ahead in the polls. On closer examination he is barely ahead, perhaps just within the margin of error. It is certain that nearly half the country still supports President Biden, a rabid enthusiast of gun seizure.

A bill to legalize suppressors (silencers if you prefer) has been introduced in the House of Representatives. It is a waste of time. It is unlikely to pass the House. It will never pass the Senate. President Biden will veto it as soon as it arrives on his desk. Next year could be different; that depends on who gets elected this year. Our friends will ask for your support. People pretending to be our friends will ask for your support. We will endorse as soon as possible. Support our friends, contribute, work for them. Every little bit helps.

Everything depends on who gets elected in November. Judges will be appointed, federal agencies will be staffed and the president's "bully pulpit" will set the tone and policy.

We have to focus on the problem directly in front of us. It is nice to discuss that it would be great if the suppressor bill passed. We have to concentrate on who will be elected to vote on it next year.

The US Supreme Court has just ruled that the bump-stock ban was illegal. This does not mean that it was unconstitutional. The ATF violated the Administrative Procedure Act when it passed the rule. Their procedure was illegal. This means that bump-stocks are legal; for now. The ATF can go back and cross its T's and dot its i's and produce the same rule. Members of congress have clamored to pass a law banning them. President Biden calls for a law banning them. It all depends on who gets elected in November.

"At No Point in History Have the People Forcing Others into Compliance Been the Good Guys." Unknown but observant commentator.

There has been a rash of leprosy cases in the southeast United States. These cases have not, repeat NOT, been spread by illegal immigrants. They have been spread by armadillos. These armored rodents have been moving north and have covered southern Missouri. They are frequently seen as roadkill. Authorities advise never touching them with bare hands, living or dead.

There are third party candidates who can credibly present themselves as more pro-gun than President Trump. They cannot present themselves as having a hope in hell of winning. They will take votes away from President Trump. In a very narrow race that could change the outcome. In 1860 the Northern Democrats ran a candidate, the Southern Democrats ran a different candidate, and the Republicans ran Abraham Lincoln. With less than half the total votes cast President Lincoln won.

There is a series of novels about Mathew Shardlake, an English lawyer in the time of King Henry the Eighth. I'm listening to an audiobook of "Shardlake Goes to War." At one point Shardlake is in court and hears a client complain, "That doesn't make sense!" The lawyer replies that insisting on things making sense is what doesn't make sense. This matches my motto, "It doesn't have to make sense, it's just the law."

I've read "The Unit" by Adam Gamal. The unit of the title is a special operations unit so secret the real name could not be used. The author was born in Egypt and came to the US speaking no English. The first time he was called a "camel jockey" he did not know what that meant. He was informed it was an insult. He adapted. He joined the Army to give back to his adopted country. He volunteered for "The Unit." Due to his background he excelled in interpretation and interrogation. His comments on mistakes made in recruiting and using interpreters is critical for getting intelligence. He explains the different flavors of Islam around the word and the cultures involved. He warns that we are playing wack a mole with terrorists while other countries provide "education" which creates terrorists. He had experience with the Muslim Brotherhood in Egypt and later; none of it good. It is interesting to have an outsider who loves our country and our army evaluate it. The book is valuable on several levels.

The armorer in the Rust movie was convicted of manslaughter. From jail she made a great number of calls criticizing the judge, jury and witnesses. These calls were recorded and provided to the prosecutor; who provided them to the judge. The judge then hammered her on sentencing. The founding fathers guaranteed a right to remain silent. It is unpatriotic not to use it. I Second That.

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The election for Board members will be held at our Sept Meeting.

Officers will be elected by the Board Members at their October Board meeting for the next year.



PRESIDENT'S PODIUM

EACH ONE TEACH ONE

K.L. Jamison

Something on the order of a million guns a month have been sold every month over the last four years. There are a number of new shooters out there. They do not know the safety rules. They do not know self-defense rules. They do not know hunting rules. They will make mistakes and their mistakes will cause demands for more restrictions on firearms ownership. There is a solution.

Decades ago I read of a Mexican program called "Each One Teach One." It involved literacy and it helped increase Mexican literacy. We must do the same. There are trained NRA certified instructors. Many new shooters do not know they exist. Many men think guns are a testosterone linked skill and they do not need training. They will act in accordance with what they see on television; which is to say they will do it wrong. I cringe when I see TV policemen shoot at fleeing cars; not legal except in very narrow circumstances. TV heroes waive guns about or even threaten people with guns.

Gun dealers can give out copies of the safety rules to buyers; even if no sale is made. They can give out contacts for NRA instructors. For the rest of us; we meet people at work, church or the neighborhood bar who have just bought a gun. Volunteer to take them to a range. Give them the safety rules.

A man celebrating the Fourth of July fired a gun into a lake. The bullet skipped off the water like a flat rock skips across a pond. It killed a little girl on the other side. Missouri now has a new law making celebratory gunfire a felony. Knowledge of the safety rules would have prevented this tragedy. During a movie rehearsal Alec Baldwin pointed a gun at cast members and fired a real bullet. Experienced gun owners check for live ammunition every time they pick up a gun. This routine would have saved a life.

Don't be a pest. Long involved classes should be left to times reserved for that purpose. Brief examples of the need for training should inspire interest. If they do not there is nothing to be done. At a certain point people stop listening. Drop an occasional hint. Make yourself available. Sacrifice some time for your children's future.

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

A CHEAP LEGAL NOTE A SUPREME COURT DECISION

K. L. Jamison

The US Supreme Court has ruled in *U.S. v Rahimi*. Mr. Rahimi was the subject of a protection order sought by his girlfriend. Persons subject to a protective order are prohibited from possessing firearms of any kind (there is an exception for muzzle-loaders). Following this order he was found in possession of a firearm. This discovery was made easier by him firing at people and houses; (according to police reports and prosecution charges). He was found guilty of being a prohibited person in possession of a firearm. He appealed on the grounds that there was no such prohibition in the Constitutional period in violation of the Supreme Court Bruen decision.

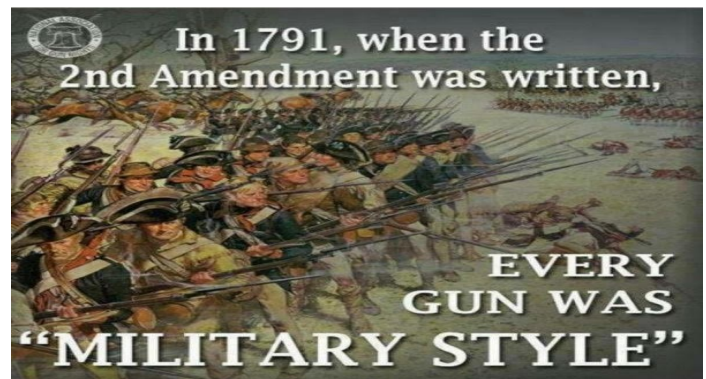
Anti-gun groups hoped that the Supreme Court would use this case to weaken the Bruen decision. Our side hoped to weaken adult abuse laws which are often abused. Neither side got what they wanted. The Court upheld the conviction on the grounds that in the Constitutional period there was such a thing as a peace bond. This was considered close enough to a protective order for the purposes of Bruen. If anything, the decision reinforces Bruen.

I will read the decision carefully. Constitutional scholars above my level will study it and report. I believe that it means we are winning in the Supreme Court. There is still a struggle to make lower courts respect the Supreme Court's decisions. There is still trouble with the legislatures and congress passing laws in defiance of the Supreme Court decisions. There is still trouble with the Chief Executive trying to find ways around the Supreme Court Decisions. This just means there is much work to do.

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

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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.



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



US Supreme Court upholds law that prevents domestic abusers from owning guns

The U.S. Supreme Court Friday upheld a federal law that bars people subject to domestic violence restraining orders from owning a firearm.

In an 8-1 decision on *United States v. Rahimi*, Chief Justice John Roberts wrote in the opinion that “our Nation’s firearm laws have included provisions preventing individuals who threaten physical harm to others from misusing firearms.”

“When an individual has been found by a court to pose a credible threat to the physical safety of another, that individual may be temporarily disarmed consistent with the Second Amendment,” Roberts wrote.

Justice Clarence Thomas, a staunch advocate of the Second Amendment, was the lone dissenter.

Thomas argued that the question before the court was not if someone can have their firearms taken away under the Second Amendment, but instead whether the “Government can strip the Second Amendment right of anyone subject to a protective order — even if he has never been accused or convicted of a crime. It cannot.”

The White House and gun safety advocates welcomed the long-awaited decision as a major victory.

“No one who has been abused should have to worry about their abuser getting a gun,” President Joe Biden said in a statement. “As a result of today’s ruling, survivors of domestic violence and their families will still be able to count on critical protections, just as they have for the past three decades.”

This was the first major test of the 2022 Supreme Court decision — *New York State Rifle & Pistol Association v. Bruen* — that struck down a New York law limiting carrying firearms in the open in a decision from the high court that greatly expanded gun rights. Thomas wrote that decision.

Because of the *Bruen* decision, the U.S. Court of Appeals for the 5th Circuit vacated Zackey Rahimi’s conviction on the grounds that the federal law violated his Second Amendment rights.

In 2019, Rahimi assaulted his girlfriend in Arlington, Texas, and threatened to shoot her if she told anyone, according to the Department of Justice. That led to a restraining order that suspended his handgun license and prohibited him from possessing firearms.

But Rahimi did not adhere to that order and then threatened another woman with a gun, and two months later opened fire in public five times.

J. Matthew Wright, a federal public defender in North Texas who argued for his client, Rahimi, declined to comment on the decision.

Roberts says Appeals Court was wrong

Roberts argued the court’s decision in *Bruen* does “not help Rahimi,” and said the 5th Circuit’s decision was wrong in its methodology.

Roberts said instead of reviewing the circumstances in which the federal law “was most likely to be constitutional, the panel instead focused on hypothetical scenarios where the provision might raise constitutional concerns.”

He said that lower courts have misunderstood the methodology the high court used in the *Bruen* decision and that those “precedents were not meant to suggest a law trapped in amber.”

Roberts said that lower courts should discern “[w]hy and how the regulation burdens” on the Second Amendment right “are central to this inquiry.”

“For example, if laws at the founding regulated firearm use to address particular problems, that will be a strong indicator that contemporary laws imposing similar restrictions of similar reasons fall within a permissible category of regulations,” he said. “As *Bruen* explained, a challenged regulation that does not precisely match its historical precursors ‘still may be analogous enough to pass constitutional muster.’”

Liberal Justice Sonia Sotomayor wrote a concurring opinion in which she said while she agreed with the *Rahimi* decision, she still believed *Bruen* was wrongly decided. However, she added the decision “clarifies *Bruen*’s historical inquiry.”

“Rather than asking whether a present-day gun regulation has a precise historical analogue, courts applying *Bruen* should ‘conside(r) whether the challenged regulation is consistent with the principles that underpin our regulatory tradition,’” she said.

Sotomayor said in the *Rahimi* case, the government did not identify a “founding-era or Reconstruction-era law that specifically disarmed domestic abusers,” but that it didn’t need to because there is “shared principle” in restricting gun use by those who pose a threat.

“History has a role to play in Second Amendment analysis, but a rigid adherence to history, (particularly history predating the inclusion of women and people of color as full members of the polity), impoverishes constitutional interpretation and hamstring our democracy,” she said.

During oral arguments in November before the court, U.S. Solicitor General Elizabeth Prelogar, representing the Biden administration, argued that the 5th Circuit misinterpreted the *Bruen* decision.

She said there is historical precedent in the ability of Congress to “disarm those who are not law-abiding, responsible citizens.”

Under a 1994 federal law, anyone who has been convicted in any court of a “misdemeanor crime of domestic violence,” and, or, is subject to domestic violence protective orders, is prohibited from purchasing and having possession of firearms and ammunition.

During those oral arguments, the justices — both liberal and conservative — seemed to side with Prelogar’s argument that the federal law is in line with the longstanding practice of disarming dangerous people and does not violate an individual’s Second Amendment rights.

SCOTUS (Continued on page 8)



SCOTUS (Continued from page 7)

More than half of female homicide victims are killed by current or former male intimate partners. Firearms are used in more than 50% of those homicides.

More than two dozen states have laws that prevent someone subject to an order in a domestic violence case from buying or possessing a gun and ammunition.

Some of those states include Alabama, Colorado, Florida, Iowa, Kansas, Louisiana, Maine, Minnesota, New Hampshire, New Jersey, Oregon, Pennsylvania, Rhode Island, Tennessee, Virginia, Washington, West Virginia and Wisconsin.

Attorney General Merrick Garland said in a statement the decision upheld a law that “protects victims by keeping firearms out of the hands of dangerous individuals who pose a threat to their intimate partners and children.”

“As the Justice Department argued, and as the Court reaffirmed today, that commonsense prohibition is entirely consistent with the Court’s precedent and the text and history of the Second Amendment,” Garland said.

Angela Ferrell-Zabala, the executive director of the gun safety advocacy group Moms Demand Action, said in a statement that the court’s decision will ensure that “millions across the country will be protected over the desires of gun rights extremists.”

“This is a win for the gun safety movement and another loss for the gun lobby hellbent on putting lives in danger,” Ferrell-Zabala said.

Douglas Letter, the chief legal officer of the Brady Center to Prevent Gun Violence, said in a statement that he hopes lower courts will follow the advice from Friday’s ruling.

“Guns are the number one weapon of choice for domestic abusers, and there is no reason why anyone who is a known danger should be permitted access to firearms,” Letter said.

Supporting Criminals? Chicago Tribune Frets Over Citizens Defending Themselves

Last weekend, Chicagoans witnessed a weekend that saw at least **72 people shot**. Tragically, nine of the victims died from their injuries. Just two weeks ago, Chicagoans survived a weekend that saw at least **44 people shot**. Tragically, at least eight of the victims died from their injuries.

In a city where criminals know they can get away with violence and criminal shootings – **even when police are involved** – it’s not surprising that law-abiding Chicagoans would consider arming themselves and, God-forbid, having to use their firearm for self-defense or to protect their families.

That’s just too much for The Chicago Tribune editorial board. The media masters there went out and did the most editorial board thing possible and decried such a trend.

“Worryingly, we’re seeing more signs of that phenomenon in Chicago, with three separate episodes over the last weekend in which would-be victims proved to be both armed and willing to fire at their assailants,” the board chose to write.

It must be nice to live in such an Ivory Tower. Is Anyone There?

So far in 2024, the crime situation in Chicago is so bad residents are relying on themselves for safety. In fact, according to NSSF-adjusted NICS data, nearly 200,000 Illinoisans have purchased a firearm during the first five months of the year alone, including in Chicago. They have no other choice.

Police and law enforcement have been hamstrung by “defund the police” politicians who cut budgets in recent years, including **400 police officer positions that were eliminated** in 2020. Even if any would-be victims in the Windy City called 911 for help, there’s a better than even chance their call won’t be answered. More than 50 percent of high-priority calls to emergency dispatchers go unanswered, according to **recent reports**.

So as crime remains a serious concern for Chicago residents, they’ve turned to legally purchasing a firearm. As a competitive shooter and past History Channel Top Shot champion Chris Cheng **told** U.S. Senators during a 2021 congressional hearing, “If I can’t have law enforcement there, then it is a rational conclusion that individual citizens like myself would opt to utilize my Second Amendment right to purchase a firearm and use that firearm in lawful and legal self-defense.”

Cue the Chicago Tribune’s disapproval of that notion. Surely Not!

The Tribune’s enlightened ones decried that Chicagoans have had it with the criminals running the city and are now standing their ground. They referenced four criminals who police said were attacking the lawful gun owners and were shot and wounded, all of them critically, **according** to a report. One would-be victim shot three criminals who were attacking him, and another shot a man who was breaking into his home.

“We’re seeing more of these cases... But the majority of Chicagoans, we’re convinced, don’t feel any safer when they read stories of good-guy-with-a-gun responses to street crime... Overall, it’s not a healthy environment in a city — where by definition people live close together — when gun-packing citizens become more the norm than the exception.”

They even recognized that the “defund the police” effort has decimated the city. “Surely, it doesn’t help the narrative, either, when the Chicago Police Department has more than 1,000 openings for officers that it’s struggling to fill,” the newspaper’s editorial board wrote. “Surely, our public officials...can agree that the growing risks of more ordinary citizens taking responsibility for their own safety at the point of a gun isn’t a healthy development.”

Once again, if law enforcement can’t be the ones to provide basic public safety to keep Chicagoans safe, what do they expect city residents to do?

NSSF Standing for Illinoisans

CHICAGO (Continued on page 9)

CHICAGO (Continued from page 8)

Regarding the editors' question about "agreeing" that ordinary citizens possessing and using firearms "isn't a healthy development," NSSF disagrees. It is a natural right to defend oneself against an imminent threat of death or serious bodily harm. Using a firearm in a bona fide self-defense situation is lawful.

If criminals are going to continue illegally obtaining and using guns to commit acts of violence against law-abiding citizens and law enforcement has been reduced to the point of being unable to adequately provide for the safety of communities, then more law-abiding citizens possessing firearms and getting trained to responsibly use them in self-defense is good.

That's why NSSF **petitioned** the U.S. Supreme Court in *Barnett v. Raoul* to consider the Constitutionality of Illinois' ban on commonly-owned firearms and standard-capacity magazines.

Illinois Gov. J.B. Pritzker signed the Protect Illinois Communities Act in January 2023, and it is among the nation's most expansive gun control laws. It bans the sale and possession of over 1,000 models of rifles, including commonly owned MSRs – of which there are more than **28.1 million** in circulation since 1990 – and certain semiautomatic handguns and shotguns as well as rifle magazines with a capacity greater than 10 cartridges and pistol magazines with a capacity greater than 15 cartridges. NSSF **challenged** the law within days of the governor signing the bill into law.

NSSF argues that the U.S. Court of Appeals for the Seventh Circuit previously erred in upholding the state's ban, which blatantly violates the Second Amendment of the U.S. Constitution.

The U.S. Supreme Court's *Bruen* decision chastised states that would reduce Second Amendment rights to a state-government privilege granted by bureaucrats and the *Bruen* decision's "history and tradition" test rejected state attempts to inject "interest-balancing" tests. Previously, states and courts would justify gun control laws by placing a thumb on the scale to rationalize infringing on rights protected from infringement by the government.

One thing law-abiding citizens of Chicago will be closely watching is what happens in their city as the Democratic National Convention draws near. Security officials and convention planners are already voicing concerns about safety issues, even proposing moving some events online as "virtual." Prognosticators seem to have a good idea of what lies ahead, especially when looking back at the violence surrounding the Chicago convention of 1968, with **POLITICO writing**, "The DNC is preparing for the worst in Chicago."

There's plenty to worry about in The Windy City including how officials are handling community safety and crime. Newspaper editors enjoying the comforts of their Ivory Tower should focus on efforts to hold the bad guys accountable for crimes and keeping them from returning to the streets, not what steps law-abiding Chicagoans are taking to lawfully protect themselves.

ATF takes two shots:

"The Supreme Court struck down a Trump-era ban on bump stocks, a gun accessory that allows semi-automatic weapons to fire rapidly like machine guns and was used in the deadliest mass shooting in modern U.S. history," reports the Associated Press. The 6-3 decision was a rebuke of the Bureau of Alcohol, Tobacco, Firearms and Explosives, which overreached its authority to outlaw something Congress had not expressly banned. One might argue that bump stocks were created to circumvent the law effectively banning machine guns, but that's an argument for the legislature, not the ATF, which changed its mind after a decade in any case. As Justice Clarence Thomas explained, the device does not literally violate the law: "A bump stock merely reduces the amount of time that elapses between separate functions of the trigger." The ATF also lost in a case over pistol braces. A U.S. District Court ruled that the Biden ATF's effort to ban "assault weapons" via strict regulations on some devices is "unlawful" and "illegitimate." In short, the ATF, under whichever president, is not free to write laws.



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