



Firing Lines

Fighting for your Second Amendment Rights since 1965

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.

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November/December 2023

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Second Amendment Advocates Must Show Guns Also Save Lives

Self-defense expert Massad Ayoob* makes the argument that 2A advocates need to be more vocal in talking about the lives that are saved by guns. The gun grabbing Left is always on the offense and, thus, we are on the defense. We need to go on the offense!

Those who advocate for gun control, usually through the passing of additional laws, have controlled the narrative for too long. It is time to *“use the emotional element on our side as well.”* He acknowledged that several thousand people are killed with guns every year. But he said gun control activists focus almost exclusively on the tragic number of deaths while ignoring the millions of lives saved by guns.

According to the 2021 National Firearms Survey published by Georgetown University, there were an estimated 1.67 million instances in which a person used a firearm in defense of self or others. According to the survey, a little over 25 percent of these incidents occurred in the gun owner's home, and more than half, 53 percent, happened outside their home but on their property. About 9.1 percent of defensive gun uses were in public, and 4.8 percent occurred at work.

Most importantly, in 81.9 percent of the cases, no shots were fired, the study reads. Yet gun control advocates, and their complicit media sources, ignore, downplay or deny the *“good guy with a gun”* narrative.

Other studies have shown similar results. Gary Kleck used Center for Disease Control (CDC) unpublished surveys and

found 1 million annual defensive uses of a gun.

Using Kleck's lower number of 1 million defensive gun uses, if only 1 percent of them would have resulted in a murder, that is 10,000 lives saved. If only 1 percent would have resulted in a rape, that is 10,000 rapes prevented.

The focus is always on the killers and their victims. The faces of the two Columbine, Colorado shooters appeared on the covers of Time and Newsweek. This type of media attention drives copycat killers to seek attention they can't get any other way. Mr. Ayoob said the attention should be on the people who take the role of defenders.

Mr. Ayoob points out that another killer had a similar plan for a church, also in Colorado. But it turned out very differently. On Dec. 9, 2007, a gunman opened fire in the parking lot of New Life Church in Colorado Springs, Colorado. (He had killed two other people the night before. He shot four people in the parking lot, two of whom died.) As he entered the church foyer, he shot and wounded one man and was confronted by volunteer security guard Jeanne Assam. The former police officer was holding a 9 mm handgun and was able to stop the killer before he could hurt anyone else.

According to Mr. Ayoob, it's a travesty that Columbine is a catchphrase for gun control, while New Life Church is virtually forgotten.

*Massad F. Ayoob (born July 20, 1948) is an American firearms, self-defense instructor

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Join SCOPE Today!
SCOPEny2A.org

“Guns are our friends because in a country without guns, I'm what's known as "prey." All females are.”

Ann Coulter

The mission of S.C.O.P.E. is to Protect, Restore and Expand the gun rights of all New Yorkers.

SCOPE Board Members

SCOPE Chapter Chairs are also Board Members
To contact SCOPE, E-mail: sue.scopeny@gmail.com

SCOPE Board Members

SCOPE Chapter Chairs are also Board Members

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SCOPE CHAPTER INFORMATION

go to www.SCOPEny2a.org/chapters for your local meeting information

If you do not see your county listed below;

Contact Don Smith for information
don6027@gmail.com

Allegany Chapter

Chairman Jim Krywalski
jkrywalski@gmail.com
716.913.8176
Meetings 3rd Tuesday 7:00pm
Angelica Conservation Club

Capital District/Saratoga Chapter:

Albany/Columbia/Greene/Schenectady/Rensselaer/Saratoga
Chairman Rich Chapman
richchap@me.com
www.SCOPEny2a.org/CapitalDistrict
for calendar of meetings

Cattaraugus Chapter

Chairman Jim Land
jimboss44@hotmail.com
Meetings 2nd Thursday 7:00pm at American Legion Post 531, Little Valley

Cayuga Chapter

Jim Dishaw
dishawjp@gmail.com
Meetings 4th Thursday 6:00PM at A.T. Walley's, Auburn,

Chatauqua Chapter

Chairman Will Conta

Newsletter Deadline for the Firing Lines

Firing Lines is printed every two months. The deadlines are **January 15, March 15, May 15, July 15, September 15 and November 15.**

We do take articles from you, our members. They are subject to editing for spelling and grammar. We also reserve the right not to print the article.

Articles should be emailed as a file. Text or basic Word document formats are preferred. Please pictures in JPG format. NO PDF files. Thank You

716.857.0382
chatauquacounty@1791.com
Meetings 3rd Tuesday 7:00pm
VFW Post 8647 Mayville

Erie Chapter
Chairman Nick Brzezniak
beefree60@yahoo.com
716.583.5394
Meetings 3rd Thursday 7:00pm
Thomas E. Tehan Post 1449
2075 Electric Ave., Blasdell

Genesee Chapter
Chairman Jim Tuttle
tuttlej507@gmail.com
716-474-4454
Meetings 2nd Tuesday 7:00pm
Sportsman Coon Club
8770 Hopkins Rd., Batavia

Jefferson-Lewis Chapter
Chairman C. Bruce Kingsley
cbkingsley@tds.net
315.649.3424
Meetings 3rd Monday 7:00pm
Watertown Sportsmen's Club

Monroe Chapter
Chairman Joe Verdura
verjija@aol.com
Meetings 3rd Wednesday 6:30pm at Elks Lodge 24, Henrietta

Oneida-Herkimer Chapter
Chairman Bohdan Rabarsky
bohdan1@roadrunner.com
315.733.2720
Meetings 2nd Monday 7:00pm
Fraternal Order of Eagles Club, Deerfield

Ontario Chapter
Chairman Marty Buonanno
martybtwin2@aol.com
Meetings 3rd Tuesday 7:00pm
Canandaigua Sportsmen's Club

Orleans Chapter
Chairman Mark Allen
scopeorleans@outlook.com
Meetings 2nd Tuesday 7:00pm

Hoag Library, Albion

Schoharie Chapter
Chairwoman Kathy Goodrich
katmolsen326@gmail.com
Meetings 3rd Thursday 7:00pm, Alternate venue every 3 months Jan/Feb/March/Jul/Aug/Sep: Carlisle Town Hall, Carlisle, Apr/May/June/Oct Nov: Middleburgh R&G Club, Middleburgh

Schuyler Chapter
Chairman Steven Getman
scopeschuyler@gmail.com
607.288.3220
Meetings 1st Thursday 7:00pm
Jan/March/May/Oct
Moose Lodge. Montour Falls

Seneca Chapter
Chairman Frank Capozzi
fcapozzi1@rochester.rr.com
315.568.8054
Meetings 3rd Wednesday 7:00pm Even months: South Seneca Sportsman Club
Odd months: North Seneca Sportsman Club

Steuben Chapter
Chairman Doug Mitchell
dmitch7664@stny.rr.com
607.359.2928
Meetings 1st & 3rd Mondays 7:00pm at Bath Rod & Gun Club, Bath

Wayne Chapter
Chairman Don Smith
don6027@gmail.com
315.398.0195
Meetings 2nd Wednesday 7:00pm at Marion American Legion, Marion

Wyoming Chapter
Chairman Ken Walradt
kjwrattman68@yahoo.com
585.297.8203
Meetings 2nd Thursday

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FIRING LINES

Editor - Ralph Esposito

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Write to:

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PO Box 165
East Aurora, NY 14052-0165

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Firing Lines allows S.C.O.P.E. to keep members informed on issues in regards to defense of the 2nd Amendment, in particular, and the Constitution in general. It is also an opportunity for members to voice their opinions and concerns on those subjects; as such, it contains a variety of personal opinions. It should not be taken as representing the official position of S.C.O.P.E. or its officers and members unless so stated. Readers should remember that it is not meant to constitute legal advice

RC PRODUCTIONS



(Continued from page 2)

7:00pm, 5 Point Rod & Gun Club, Wyoming

Yates Chapter
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and Security advisor. He has taught police techniques and civilian self-defense to both law enforcement officers and private citizens since 1974. He was the director of the Lethal Force Institute in Concord, New Hampshire, from 1981 to 2009, and now operates his own company. Ayoob has authored several books and more than 1,000

articles on firearms, combat techniques, self-defense, and legal issues, and has served in an editorial capacity for *Guns Magazine*, *American Handgunner*, *Gun Week*, *Guns & Ammo* and *Combat Handguns*. On September 30, 2020, Ayoob was named president^[3] of the Second Amendment Foundation.

Merry Christmas, Happy Hannukah and Happy New Year from SCOPE



Saturday, September 28th, 2024

*** Annual SCOPE Banquet ***

at the

Pompey Rod & Gun Club

2035 Swift Road, Fabius, NY

ESCAPE FROM NYC

By Richard Rossi

No, I am not going to talk about "the movie" nor am I going to propose that the citizens of upstate leave New York State. However, I am going to address the political climate or should I more appropriately say - the decline of our Rights and Freedoms.

Our governor and, unfortunately, our legislators in Albany, are not working for "We the People" of our entire state. Upstate New Yorkers have been forgotten and ignored by those in power. The rest of New York State is totally under the thumb of New York City, and I don't see a change happening in our lifetime, if the same status quo continues. We will, however, see a drastic decline in our Rights and Freedoms.

However, we have a way to restore our Rights and Freedoms and I am personally in favor of it. It is called Divide NY; it would divide the state into three self-governing, autonomous regions.

It will take the efforts of all of us to get this done.

Geographically, New York State is divided into 62 counties (five of which are boroughs of New York City). Within these counties are 62 cities (including New York City), 932 towns, 555 villages and 697 school districts (including New York City).

New York City controls every dollar and every other thing that happens in the rest of New York State.

The State of New York contains a tremendously diverse population and is unique in its dichotomy. It's a totally different culture outside of NYC, as well as Long Island and the suburbs. The overwhelming majority of the state consists of small to medium sized communities set in a rural and suburban climate; generally conservative values blend with moderate liberal ideals to create a unique political platform. Meanwhile, the counties that make up New York City are significantly more liberal leaning in their values. The size and power of the most significant financial city in the world is world famous. But at the same time, the other downstate and Long Island counties are also uniquely different from both upstate and NYC.

It is equally unfair to the residents of upstate, downstate, NYC and Long Island & suburbs to share a representative government; the vast differences in lifestyle and aspirations demonstrate that NYC, downstate, Long Island & suburbs and upstate should have their own autonomous governments so as to more effectively serve their constituents.

Under the Divide New York Plan, the New Amsterdam & Montauk regional governments would have the power to repeal unnecessary NY City initiated regulations and bad laws that are killing jobs in their areas. While the New York regional government could enact those

changes it wants for NY City only.

Regional Identities would be restored. Under Divide New York State's 3 Autonomous Region Plan, each autonomous region would have full governing ability to restore personal liberty, repeal/enact laws benefiting their citizens and create economic prosperity based on regional resources.

Only a token State Government. As the State of New York would be divided into autonomous regions, not a new state, those issues that overlap the three regions would be dealt with at the token state government level. The token state government will keep an elected-Governor, Lieutenant-Governor, and Comptroller.

All Regional Senators will also serve as the New York State Senate.

All Regional Assembly persons will also serve as the New York State Assembly.

Autonomous Region Governance. Each region shall have an elected Regional Governor, Regional Lieutenant-Governor, and Regional Secretary of State. The Regional Governor appoints most regional officials including the Education Commissioner. The Regional Secretary of State appoints the Regional Attorney General and Regional Motor Vehicles Commissioner. Fiscal years of each region will be from March 1 to last day of February. Regular sessions for regional Legislatures will be limited to January, February, and March.

New Amsterdam Region would consist of the counties of Albany, Allegany, Broome, Cattaraugus, Cayuga, Chautauqua, Chemung, Chenango, Clinton, Columbia, Cortland, Delaware, Dutchess, Erie, Essex, Franklin, Fulton, Genesee, Greene, Hamilton, Herkimer, Jefferson, Lewis, Livingston, Madison, Monroe, Montgomery, Niagara, Oneida, Onondaga, Ontario, Orange, Orleans, Oswego, Otsego, Putnam, Rensselaer, Saratoga, Schenectady, Schoharie, Schuyler, Seneca, St Lawrence, Steuben, Sullivan, Tioga, Tompkins, Ulster, Warren, Washington, Wayne, Wyoming, and Yates.

For a complete detailed plan please visit <https://www.divideny.org/about.html>

After reading please sign the petition, to show your support at: <https://www.divideny.org/petition.html>

See: <https://www.divideny.org/local-action.html> for complete instructions on how to get this done.

Contact your Town Supervisors & Council Members to propose a resolution in favor of dividing NYS

Also contact your Board of Supervisors for your county telling them to draft a resolution in favor of this and provide a copy to your state representatives.

Contact your State Senator and State Assembly

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SCOPE Elections

If you want to run for a SCOPE Leadership Position

SCOPE by-laws require anyone wishing to run for an At Large Directorship in 2024 to publish their intentions by January 1, 2024.

At Large Directors to the Board of Directors are elected by the entire membership. These positions are full-fledged board members with full voting rights. At Large directors represent the SCOPE membership as a whole, whereas County Chairs represent their county.

Section 2.2.3 states: *At-Large Directors must be at least 18 years of age and must also have been a member in good standing continuously for at least 2 years prior to their notice of candidacy. The SBOD may waive the two-year requirement. To become an At-Large Director candidate a member must give a notice of candidacy and a biography by January 1st to the election committee. The notice of candidacy must be by US Mail and post marked by January 1st of the election year. It shall be mailed to the SCOPE office and forwarded to the election committee.*

The member will become a recognized candidate unless the election committee can show cause to the SBOD for ineligibility. The SBOD may waive the two-year requirement for extraordinary circumstances. An inadvertent lapse of membership does not qualify as an extraordinary circumstance.

A chapter chair may not hold the position of At-Large Board member

If you feel you qualify and have interest, please forward your intentions with a biography to:

SCOPE, Inc. Election Committee

PO Box 165

East Aurora, NY 14052-0165

▶ Intentions/Biographies must be postmarked by January 1, 2024

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member and let them know you are in favor of dividing NYS into 3 autonomous regions. (NY Senate bill S3093 is an amendment to our New York State constitution to partition our state into three completely autonomous regions; the New Amsterdam, the Montauk and the New York Regions with only a token state government.)

Please make the time to get involved to insure our Rights and Freedoms. We have an opportunity to make a difference. However, each of us must do our part - step up and be counted. Be a part of the solution. Help restore the traditional values and morals that we are proud of in up-state NY.



Talking Points/Reasons for Open Carry - Proposed Legislation

Concealed Carry is legal in NY State, with the proper license. Why isn't open carry legal? (Other than it would make liberals nervous.) We tend to accept the status quo without thinking about it. Wouldn't openly carrying a firearm be more of a deterrent to criminals than concealed carry? After all, we know that 'gun free zones' are a magnet for mass murderers.

Perhaps it is time to go on the offensive against the gun grabbers and propose some 'common sense legislation' that would make New York State a safer state. Let's expand 'Unrestricted Pistol Permits' to include Open Carry.

What is Open Carry?

Open carry means to carry a firearm in public in circumstances where the firearm is fully or partially holstered and visible to others.

Some states specify that open carry occurs when the weapon is "partially visible," while others may require the weapon to be "fully visible" to be considered carried openly. States may impose various restrictions including age limits, criminal history conditions, geographic limits, etc.

Open carry laws generally fall into one of four categories:

Permissive Open Carry States — Allow gun owners who can legally possess a firearm, to openly carry a gun without a permit or license (*includes Alaska, New Mexico, West Virginia and Utah*)

Licensed Open Carry is legal or it is not Addressed in these states — Allow gun owners to carry firearms openly only after they are issued a permit or license (*includes Connecticut and Indiana*) or

open carry is not specifically addressed in state statutes, but a permit or license is required to carry a handgun (*Massachusetts, New Jersey*).

Although open carry may not be expressly prohibited in these states, individuals may want to proceed with caution as open carry may be uncommon and may cause alarm in the general public.

Anomalous Open Carry States — Carrying a gun openly may be either generally lawful or legal under state law, but local governments may have gun laws that differ from the state's laws (*Colorado, Missouri, Nebraska, North Carolina, Oregon, Tennessee*). For instance, in California, the sheriff of any county with a population under 200,000 people, or the chief of police of a city

within that county, may issue licenses to carry a loaded, exposed handgun, or criteria may differ for residents v. non-residents (in Michigan, open carry is allowed without a permit for residents that are at least 18 years old and who can legally possess a firearm, provided the gun is registered in their name. However, non-residents must have a permit from their home state).

Non-Permissive Open Carry States — Carrying a gun openly is against state law or is legal only in limited circumstances (e.g., while hunting) or when legally used for self-defense (*includes the District of Columbia, New York and South Carolina*)

<https://www.usconcealedcarry.com/resources/terminology/carry-types/open-carry/>

Reasons for Open Carry:

NBC News reports the number of people on the terrorist watch list that were stopped at the southern U.S. border has risen. So far in fiscal year 2023, 160 migrants whose identities match those on the terrorist watchlist have been stopped trying to cross the U.S.-Mexican border, compared to 100 in 2022 (*NBC News, Number of People on Terrorist Watchlist Stopped at Southern U.S. border Has Risen, September, 14, 2023, Julia Ainsely*).

5.5 million migrants have crossed the U.S. southern border between 2022-2023 (USATODAY, September 30, 2023). Another 1.7 million migrants crossed the U.S. southern border in 2021. American cities are overrun by illegal migrants. Numerous Americans have been killed by illegal migrants since the border was opened in January 2021.

Crime rates are through the roof in the United States. New Yorkers are more worried about safety and crime than people in most states. 62% of survey respondents stated they have high levels of concern every day – 12 points higher than the national average of 50% (Safewise, The State of Safety in New York 2023, October 13, 2023 by John Carlsen).

Hamas threats put nation on edge. Hamas, Hezbollah and ISIS sleeper cells are suspected in the United States.

In 2023, the Crime Prevention Center reports between 2014-2022, civilians with guns stopped 35.7% attacks. In 2022, it is at least 41.3%. When gun-free zones are excluded from the calculation of civilians with guns stopping attacks, the average jumps to 63.5%. (*Crime Prevention Center*)

Provides the ability to better defend oneself and increase personal safety in an environment of reduced police man-

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Musical Chairs

If you are paying attention to the various firearms related lawsuits filed against the Cuomo and Hochul administrations, you will know that last year's big Supreme Court decision was in the case of NYSRPA versus Bruen. Bruen was Kevin Bruen, the head of the NY State Police, at that time, but no longer.

Current lawsuits are being filed against Steven Nigrelli, the current head of the NY State Police.

Oops. No longer current but now the former head of the NY State Police.

Currently, there is no head of the NY State Police as Nigrelli has resigned. Is this a clever plan of the Hochul Administration? If there is no head of the NY State Police, there is no one to file suit against for the many unconstitutional acts of her NY State government?

Why the turnover?

Kevin Bruen was confirmed by the NY Senate in June 2021. Fifteen months later (October 2022) he resigned. Apparently, the governor's office began investigating his potential mishandling of internal workplace complaints.

The NY Times reported* that Mr. Bruen was being investigated for supposedly shielding a former director of human resources at the agency with whom he had a close working relationship from at least one internal complaint that had been lodged against her.

Mr. Bruen had a close relationship with the former human resources staffer, Mary Ellen Tedesco, whom Bruen had sought to protect, according to the two officials with knowledge of the matter. Ms. Tedesco, who assisted with vetting applicants and making hiring decisions at the agency, had already resigned.

Enter Bruen's replacement Steven Nigrelli as the Acting head of the NY State Police, starting October 2002.

Exit Steven Nigrelli on October 2023 due to his resignation.

The Times Union reported** that Nigrelli submitted his resignation after learning he would not be named the permanent leader of the agency following an investigation into allegations that he had harassed or

mistreated employees, including women. The state Office of Employee Relations launched an investigation after receiving a harassment and discrimination complaint against the 32-year veteran of the State Police.

Gov. Kathy Hochul's office informed Nigrelli of her decision not to nominate Nigrelli as the permanent head of the NY State Police. That followed the investigation that substantiated some of the allegations dating back years. There was no finding of any criminal conduct.

In August 2021, Governor Andrew Cuomo resigned after a report from the New York State attorney general concluded that the governor sexually harassed nearly a dozen women, including current and former government workers, by engaging in unwanted touching and making inappropriate comments. The 165-page report also found that Mr. Cuomo and his aides unlawfully retaliated against at least one of the women for making her complaints public and fostered a toxic work environment.

Gun owners in NY State must now submit to and pay for a background check to buy ammunition. Perhaps, the same should apply to high level executives in the NY State government.

* State Police Superintendent Resigns Amid Investigation - The New York Times (nytimes.com)

** NY state police leader Steven Nigrelli resigns after harassment probe (timesunion.com)

Please check your email for renewal reminders.

If you have an email address listed with SCOPE, your renewal reminder will now come via email. Please check your email for renewal reminders.

(Continued from page 6)

ning and budgets, and increased criminal activity.

Makes firearms more accessible. Most people carry firearms for self-protection. Having to dig through a handbag or reach for a handgun in a holster underneath your pants leg takes up precious seconds. Open carry makes your firearm more accessible, which means you'll be able to reach for it more quickly to defend yourself.

Acts as a deterrent for crime and improve law enforcement

response times.

Demonstrating responsible gun ownership and carrying methods builds positive impressions in the community about what it means to own a firearm.

It is the family's responsibility to protect itself from crime. The sight of a weapon may prevent a criminal from committing a crime and adding to NY State criminal statistics.

***Are you a SCOPE Life Member?
Want to do more?***

Would you like to upgrade your membership?

Life Member ___ upgrade to Endowment Membership \$200.00
___ upgrade to Benefactor Membership \$400.00

Endowment Member ___ upgrade to benefactor Membership \$200.00

Name _____

Address _____

City _____ State _____ Zip _____

Telephone _____

Email _____

mail to: SCOPE, Inc. PO Box 165 East Aurora NY 14052

S.C.O.P.E. Inc.

Shooters Committee On Political Education
PO Box 165, East Aurora, NY 14052

Application for Associate Club Membership in S.C.O.P.E., Inc.

S.C.O.P.E. does not sell, give away, or allow others to use your club information

DATE: _____

DUES: _____ 1-99 Members: \$25 / Over 100 Members: \$50.00 / Sponsor (receives plaque) \$200.00

Organization Name: _____

Mailing Address: _____ County: _____

City / State / Zip: _____ Phone: _____

*Club Email Address: _____

Club Website: _____

*Please ensure we have an email contact for your club. This will enable us to keep you up to date on information regarding our Second Amendment rights.

SCOPE Member Clubs

The following are clubs that are members of SCOPE. If you plan to join a club, please try to join one that is a SCOPE member. If your club would like to become a SCOPE club member please give SCOPE a call or drop us an E-mail.

5 Point Rod & Gun Club
Adirondack Federation
of Sports Clubs
Alabama Hunt Club
Allegany County Federation
of Sportsmen
Allied Sportsmen of WNY
Almond Rod & Gun Club
Angelica Conservation Club
A-ON-DO-WA-NUH
Sportsman Club
Assoc. of Former NYS Troopers,
Baldwinsville Rod & Gun Club
Barre Sportsmens Club
Batavia Rod & Gun Club
Bath Rod & Gun Club,
Bergen Rod & Gun Club
Black Rock Fish & Game Club,
Blasdell Rod & Gun Club
Bog Trotters Rifle & Pistol Club
Branchport Rod & Gun Club
Buckhorn Sportsmens Club
Busti Trap & Skeet Club
Caribou Rifle & Pistol Club,
Cattaraugus Rod & Gun Club,
Chautauqua County Federation
of Sportsmen
Chemung County Fed of Sportsmen
Chemung County Rod & Gun Club
Chesterfield Fish & Game Club,
Clinton Co. Federation of Fish
& Game Clubs
Community Conservation Club
Conservation Club of Brockport
Dalton Gang Sportsmen Club
Deer Search of WNY
Deerfield Fish & Game Club
Depew Rod & Gun Club
Dutchess County Pistol Association
East Hook Sportsmen Assn.,
Elbridge Rod & Gun Club
Essex County Fish & Game League
Federated Sportsman's Club of
Cattaraugus County
Franklinville Conservation Club

Genesee Co. Federation of Sportsman
Clubs
Genesee Co. Fish & Game Protective
Assoc.,
Genesee Valley Conservation Club
Genesee/Wyoming Pheasants Forever
#843
Glen-Coe Conservation Society,
Gouverneur Rod & Gun Club
Greenway Verona Mills Fish
& Game Club
Hamburg Rod & Gun Club
Harder O'Donnell Post 734
American Legion
Hidden Lake Conservation
Association
Hidden Valley Lodge
Holley Rod & Gun Club
Honeoye Fish & Game Club
Indian Lake/Blue Mtn. Fish
& Game Assoc
Iroquois Rod & Gun Club
Lackawanna Conservation
Lima Gun Club
Lime Lake Sportsman's Club
Lodi Rod & Gun Club
Long Lake Fish & Game Club
McCavanaugh Pond Club
Mendon Conservation League
Middleburgh Rod & Gun Club
Middlesex Conservation Club
Millgrove Sportsmen's Club,
Millport Hunting & Fishing Club
Morgan Hill Game Association
Neighbors Gun Club
New Paltz Rod & Gun Club,
Newark Rod & Gun Club
Newfield Rod & Gun Club,
North Seneca Sportsmen's Club
North Star Sportsman's Club,
Northern Chautauqua Rifle
& Pistol Club
Northern Dutchess Rod & Gun Club,
Northwoods Sportsmen Association
NY Houndsmen Conservation
Association
Oakfield Rod & Gun Club
Oatka Fish & Game Club,
Olean Rod & Gun Club,
Ontario Rod & Gun Club,
Painted Post Field & Stream Club
Point Rock Fish & Game Club
Red Creek Conservation Club,
Richfield Sportsmen's Club
Ripley Rod & Gun Club

Rochester Brooks Gun Club
Rochester Rifle Club
Roslyn Rifle & Revolver Club
SaraSpa Rod & Gun Club
Schroon Lake Fish & Game Club
Scio Rod & Gun Club
Second Amendment For EVER,
Seneca Co. Fed of Sportsmen's Clubs
Shortsville Rod & Gun Club
Sodus Bay Sportsman's Club
Sons of American Legion
Squadron 734
South Bristol Fish
& Game Association,
South Seneca Sportsmens Club
Sportsmans Coon Hunters
Association
Sportsmen's Club of Clifton Park
Springville Field & Stream Club,
Sprout Brook Rod & Gun Club
Square Deal Sportsmen,
Stamford Rod & Gun Club,
Steuben Co. Federation of
Conservation Clubs
Syracuse Pistol Club
Tonawandas Sportsmens Club
Trumansburg Rifle & Pistol Club
Tupper Lake Sportsmens Club
Twin City Shooting Club
Vernon Rod & Gun Club
Veterans of America Gun Club
Waterloo Rifle & Pistol Club,
Wellsville Rod & Gun Club
Westfield Fish & Game Club,
Whortlekill Rod & Gun Club,
Williamson Conservation
& Sporting Club
Wolcottsville Sportsman's Club
Wyoming County Conservation
Association
Wyoming County Wildlife Federation
Yates County Federation of
Conservation Clubs
Yates County Sportsmens Association



SCOPE Chapter Activities

By Susan Maressa

To find your county's meeting information go to SCOPEny2a.org/calendar or go to your chapter's page of the website SCOPEny2a.org/chapters.

SCOPE is a 'boots on the ground' organization and we need your boots! We want a chapter in every county to work with our elected officials. If your county does not have an active SCOPE chapter and you are willing to help form a County Committee and subsequently an active Chapter, please contact Don Smith at don6027@gmail.com.

The following is an update of the activities of some of our chapters.

Allegany County:

Was back at the Angelica Conservation Club for their September Meeting.

Dinner meetings at the Angelica Hotel are still an option, with December's meeting/Christmas Party scheduled to take place there.

A big thank you went out to all who volunteered for the Garlic Festival. Congratulations to the winner of the *Amish Rocker* raffle; though the 'hot' tickets were for the Henry and the 2 Savage Axis rifles.

Plans are underway for the DRGO Seminar; put on jointly by the Allegany and Cattaraugus Chapters of SCOPE. Robert Young, MD, from Doctor's for Responsible Gun Ownership, will be speaking at *The Hall* in Allegany, NY. It is going to be a free event.

October 17th, it was decided that a Savage 110, High Country Extreme 6.5 Creedmore with Scope would be the next raffle. The Savage was purchased through a SCOPE Associate Business.

A motion was made to have winter meetings at the Wellsville Fire Hall; the motion passed. Details will be posted to SCOPEny2a.org/Allegany as we get more details.

Jim Land, the Chairman of the Cattaraugus Co. SCOPE chapter was the guest speaker. After a discussion on the success of the DRGO event, Jim spoke about Red Flag laws in Cattaraugus County and a lengthy discussion ensued.

Allegany Chairman Jim Krywalski read a letter from KRR Ammo concerning civilian ammunition manufactured by

Lake City Ammo, production will be in military calibers only; there was an explosion at Horady factory in NE.

Cattaraugus County:

Assemblyman David DiPietro was the guest speaker at the September 14th meeting. Mr. DiPietro spoke on several New York governmental issues; first, the NYS background check system. The system crashed and people were unable to buy any ammunition which is against the Second amendment. A suit has been filed by Mr. DiPietro and George Borrello regarding this.

Secondly, he spoke on the lack of bi-partisanship in NYS. Democrats are unwilling to cross party lines on any issue. Call the Democrats to complain. The Republicans already know. He also discussed the illegal immigration issues.



Robert Young, MD (DRGO), Cattaraugus Chairman Jim Land, Allegany Chairman Jim Krywalski at the *Doctor's For Responsible Gun Ownership* event that took place in October.

A recap was given on August events; the Cattaraugus County Fair and the Rendezvous Weekend. The upcoming Little Valley VFD Sportsmen's Show will be the first weekend in November; volunteers are needed. The DRGO Seminar was discussed; everything is coordinated and ready to go. The *Right Thinkers* group is aware of the seminar and is passing info along to their members.

On October 12th, the speaker was Cattaraugus County Supreme Court Judge Ronald Ploetz. Judge Ploetz reviewed the new NYS guns laws (CCIA) and their effect on the people and the court system of Cattaraugus Co. There are numerous challenges both federal and state on the constitutionality of these recent laws. Catt. Co. received 1500 new concealed carry permit applications prior to September 1, 2023 in anticipation of the new gun laws and permit application process. The county had to hire another staff person in order to complete these

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applications in a timely manner.

The Red Flag laws that were originally passed in 2018 stated there were limited people who could petition the court for removal of firearms. There were only 4 cases brought before the Catt Co court from 2018 to 2022 (2 were denied and 2 went forward).

The Red Flag laws were changed which mandated mental health providers notify the State Police anytime a person has accessed a mental health facility. Since that change, there have been 4-5 per week referred to the court in Catt. Co. Judge Ploetz noted that we are at least one year away from seeing any court decisions on these new laws. A lengthy discussion followed.

Erie county:

At their September meeting, the Erie County Chapter was addressed by Crissy Casilio, the Republican candidate for Erie County Executive. She criticized incumbent Mark Poloncarz of neglecting the negative impact of allowing the influx of illegal aliens.

Representatives of New York Citizens Audit/Constitutional Coalition also addressed the members. They spoke about their concerns as they impact voting rights in the state. Assemblyman David DiPietro also spoke about the continued corruption and misconduct among his fellow legislators.

In October, representatives of New York Citizens Audit offered reports of their audit of the NYS Board of Election's assorted discrepancies.

Monroe County:

Held their meeting on September 26th. New business was discussed: cost v. perceived benefits of radio advertising, this being an election year, we must try everything we can to get people to the polls.

A group discussion on the lawsuits filed in NYS associated with gun and ammunition background checks.

With a little prodding after the initial declinations; the guest speakers were newly elected Monroe County Republican Party Chairman Patrick Reilly and Republican Candidate for Monroe County Family Court Kristine Demo-Vasquez.

Mr. Reilly spoke of the challenges for Republicans to win in Monroe County, upcoming strategies and changes he plans to introduce as Chairman.

Ms. Demo-Vasquez discussed the need for family court judges who could listen and act on case content and details.

Upcoming events are scheduled: Avon Flea Market,

Damascus Shriner's Sportsman's Day, and a Saturday at Tractor Supply in Geneseo; they are always welcoming. A volunteer sign-up sheet was circulated.

Oneida-Herkimer Counties:

Met at the Fraternal Order of Eagles Club.

In September, after an event re-cap and thank you to all the volunteers the main discussion was centered around the new CCIA Laws going into effect on September 13th: new background check system on firearm and ammo purchase will start; NYSP will take over the Federal NICS check system; \$9.50 per firearm and \$2.50 per ammo transaction charges for background check. Lawsuits are underway. We have to wait and see how far and how fast they go.

In October, the chapter welcomed 2 speakers: The first speaker was Kim Murphy, representing New York Citizens Audit; the second speaker was Steve Piacentino, representing Constitutional Caucus of New York.

Ms. Murphy distributed a summary sheet outlining numerous voting discrepancies and manipulation of voter rolls, in violation of NYS election law. The results cited demonstrate the 2020 and 2022 elections were not accurate, and thus invalid. She stressed that all the data was obtained from official Board of Election sources. The full report is available on the AuditNY.com website. The entity that will need to be pressured to conduct an audit is the New York State Assembly and one vehicle to that end is to have local governments such as town boards pass resolutions calling on the Assembly to perform an audit. Additionally, a lawsuit is being prepared to obtain a ruling to force an audit. Finally, Ms. Murphy requested we all take some action, as volunteers, through donations, and calling your assembly person.

The topic Mr. Piacentino stressed was the lack of poll workers and poll watchers, and how that could lead to the potential of election fraud or errors. He urged everyone who had an interest it being a poll worker or a poll watcher to contact him, or the Oneida County Board of Elections.

We must get involved if we expect to see any change.

Ontario County:

At the September 19th meeting; the Ontario County chapter elected new officers: Marty Buonanno was elected Chapter Chairman. A comment made by a member of the Canandaigua Sportsmen's Club, that the new laws affected how they could supply shells to shooters. Jeff Galahan

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SCOPE member businesses

A&K Gun Sales
5 West main St
PO Box 16
Corfu, NY 14036
585-599-3006

AR Pierrepont Co.
154 Berkeley St
Rochester, NY 14607-3003
585-473-3225

Armstrong's Armory
1167 Union Rd
West Seneca, NY 14224
716-289-8629

B&B Repair Service
14 Second Street
Canisteo, NY 14823
607-698-2876

Bare Arms Gun Shop
738 Creek Rd
Little Falls, NY 13365
315-868-4831

Bonded Collection Services
PO Box 305
Fairport, NY 14450
585-223-7357

BS Recreational Farm
8384 State Park Rd
Three Mile Bay, NY 13693
315-649-3424

Bullseye Shooters Supply
453 S. Hamilton St
Painted Post, NY 14870
607-962-1100

Creekside Morgans
60529 Rt 415
Avoca, NY 14809-9540
631-988-6303

Donahoo-Consulting, LLC
1000 N Division Street
Peekskill, NY 10566-1830
914-455-4099

Earl's Enterprises
3231 Armstrong Rd.
Branchport, NY 14418
315-595-2816

Finger Lakes Ammunition
4130 West Lake Rd
Auburn, NY 13021
3157304102

George's Gun Shop
PO Box 39
Grand Gorge, NY 12434
607-588-7653

Golden Coin Laundry
582 east Main Street
Batavia, NY 14020
5853568210

Harold's Welding Shop
1164 E. Swamp Rd
Penn Yan, NY 14527-9363
585-554-5178

Inspire Precision
2495 Andover Rd
Wellsville, NY 14895
585-593-8749

Interlaken Guns & Ammo
8268 Main Street
Interlaken, NY 14847
607-532-4867

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stated that the NY state police told him, that clubs can provide shells to shooters, as long as they are used at the club. Newly elected chapter Vice-Chair, Chris Lesperance said that the DEC also stated this.

Ruth Smith, who is a candidate for West Bloomfield Supervisor, spoke to the members.

On October 17th, the Ontario chapter held it's first meeting under it's new leadership.

Suggested goals for the future of our chapter:

- 1.) (really!) get out the vote,
- 2.) educate ourselves and others regarding the 2A and our Bill of Rights,
- 3.) explore the legal issues for developing a legal defense fund, and
- 4.) coalition building.

Marty has pocket Constitutions for the taking. Let's become familiar and start teaching others.

It was a 'working' meeting; members broke up into groups, each having their own task: compile a list of Gun Shops/ Rifle & Pistol, Conservation etc. Clubs/ Pro 2A Groups, Gun Lobby Reps within the County. Research social

media sites for the most impact; calculate the number of voters upstate needs to offset NYC.

Members are asked to step up. Get involved. 2024 is going to be a very important year. We cannot sit back and hope the issues go away; 2023 has shown us this isn't going to happen.

Next meeting set for December 19th, 2023 at the Canandaigua Sportsman's Club

There will be no November meeting due to opening of Deer season, and Thanksgiving week.

Schuyler County:

Legal Updates have been posted:

For October:

- Hunters are warned to expect possible snags for ammunition purchases amidst Concealed Carry Improvement Act

- NYSFA Files Federal Lawsuit Against Kathy Hochul

- 'It's not working': State police ammo database sees issues, delays

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J. Kozel & Son
1211 W Bloomfield Rd
Honeoye Falls, NY 14472
5854369807

Sardinia Mini Storage
PO Box 158
Sardinia, NY 14134
716-807-9963

Valley Gun Shop
1600 Davis Rd.
West Falls, NY 14170
716-652-7444

Legal Shield/ ID Shield
PO Box 364
Ransomville, NY 14131
716-863-6577

Seneca Gun Sports
4705 Rt 14
Rock Stream, NY 14878
607-243-7243

VFW Post 8647
10 Memorial Dr
Mayville, NY 14757
716-753-2444

Mud Creek Guns & Ammo
297 Mud Creek Rd.
Kennedy, NY 14747
716-267-7505

Strong Side Defensive Firearms
Training
5316 Franklin Rd
Marion, NY 14505
585-506-2978

Wallkill River Small Arms
2332 Route 300
Wallkill, NY 12589
844-308-GUNS

Powers Taxidermy
2 Elmwood Place
Canisteo, NY 14823
607-698-9205

The Firing Pin
8240 Buffalo Rd
Bergen, NY 14416
585-494-0333

Walton's Service Center
1634 Rt 54
Penn Yan, NY 14527
315-536-6928

Precision Armament Division
of PM Research, .
4110 Niles Hill Rd.
Wellsville, NY 14895
585-593-3169

Thunderbird Arms
714 Broadway
Darien Center, NY 14040
15855473762

Williamson Hardware
4101 Main Street
Williamson, NY 14589
315-589-4011

S&B Products
PO Box 145
Munnsville, NY 13409
315-363-3710

Tilton Sears, FFL
11000 Salter Rd.
North Rose, NY 14516
315-587-9716

**Please whenever possible use
our member businesses. Help
keep our Second Amendment
community strong.**

SHOOTER'S COMMITTEE ON POLITICAL EDUCATION (SCOPE, INC)		
PO Box 165, East Aurora, NY 14052		
Business Associate Membership Application		
Date of Application _____	Donation, Annual \$50 _____	Annual Sponsor \$250 _____
Business Name _____		Phone _____
Address _____		City _____
State _____	Zip _____	Fax _____
Mailing address if different _____		
Contact Name & Title _____		
Secondary Contact _____		
Website _____		Email _____
Type of business (gun shop, sporting goods, etc.) _____		
<small>(Donations to SCOPE are not refundable or tax deductible)</small>		

Please use our member businesses whenever you can

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- Mom-and-pop shops around state already feel effects of new gun laws
- Gov. Hochul signs legislation strengthening New York's already tough gun laws
- New Yorkers fight gun convictions on heels of Supreme Court permit ruling
- Legality of Hunter Biden gun charges challenged by Supreme Court Bruen ruling

For November:

- NYC can't deny gun licenses based on applicants' 'moral character,' federal judge rules
- Mass Confusion Over New York's New CCW, Ammunition, & Gun Transfer Laws
- Legislator: Hunters Should Be Exempt From Ammo Tax
- NY Bill Would Require Background Checks to Buy 3D Printers, Attempts to Target Ghost Guns
- New York training requirement for concealed carry license challenged in Second Circuit
- New York ordered to pay over \$447,000 to NRA in legal fees over Supreme Court decision
- Judge rules California assault weapons ban is unconstitutional, violates Second Amendment

If you or any gun owners you know are not up-to-date on the current laws; the list of information in the Schuyler County Legal updates is endless. Not only information about NY but around the country and at the Federal level. It never hurts to know what other states' gun owners are dealing with; good or bad. All gun owners should be paying attention and making their voices heard at polling time.

These Legal Updates include local, state, and federal information; they are available at www.SCOPEny2a.org/Schuyler

Steuben County:

Holds its meetings on the 1st and 3rd Monday of each month. At each meeting, there is an update from the Steuben Chapter of Armed Women of America (AWA). Steuben SCOPE has been instrumental in helping Steuben AWA.

September 18th, the Steuben members listened to Steuben County Clerk, Judy Hunter as she reviewed the steps needed to renew pistol permits whether online or by US mail. Also discussed were requirements for handgun ownership and purchases; certification of co-owners of handguns must be done by both parties listed as being owners.

After a Q&A period; the rest of the meeting was taken up assembling surveys that will be given to upcoming candidates on this November's election.

The October meeting was packed with discussion:

- The success of the Steuben 2023 Fall Raffle / plans for 2024
- Future *member's only* raffles
- Review of future speakers for upcoming meetings
- Steuben election questionnaire/ Chapter newsletter and membership drive
- 2024 Steuben Co. Fair fundraising

All led the discussion followed by NYS lawsuit(s) status and the importance of voting.

Bobby Jo Burdick gave her monthly *Armed Women of America* update; she reviewed recent actions and events

Wayne County:

Met on November 8th. For anyone who owns a computer; there are videos you can watch; ranging in time from a few minutes to a few hours - highlighting three 2nd Amendment cases:

- D.C. v Heller
- McDonald v Chicago
- NYSRPA v Buren

Important issues:

- we need to push registered voters to the polls
- we need more Letters to the Editor in the local papers
- a list of proposed gun bills is in the Sep/Oct Firing Lines; electronic copies are always available on the SCOPE website

A final discussion was presented on churches ignorance of gun rights and gun use; Lutheran Denomination Draft of a public social message need Lutheran gun owners, gun clubs, gun orgs, gun activists to voice their opinions.

Check with your church to see if they have a published social message on guns.

Yates County:

Yates County SCOPE is a 502 C4 organization. With this designation we work to educate the public on the 2nd Amendment. In hosting the *Annual Judge's Night* event, we consider this program a forum to educate the people of Yates County. This event is open to the public.

The 2023 Yates County Judge's Night took place on October 12th.

SPEAKERS:

- Mac Stutzman
- running for Yates County Court Judge
- name found on the Rep/Conservative line on the ballot
- worked under Todd Cassella
- understands the importance of the 2nd Amendment
- Joe Waldorf
- Served in the Monroe County DA office
- shared stories of his time in office
- was in private practice

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Red Flag Laws and the 2nd Amendment

By Matthew D. Winchell, J.D.

On June 23, 2022, the United States' Supreme Court struck down a New York State law that placed an insurmountable number of limitations on applicants seeking concealed carry pistol permits, the case commonly referred to as Bruen. In a 6-3 decision, the Supreme Court ruled against New York State, marking the largest win for 2nd Amendment advocates in well over a decade.

(2) In response to the decision, New York State has started enforcing Extreme Risk Protection Orders, more commonly known as Red Flag Laws. Essentially, there are seven relevant factors that the Court shall consider when making their determination whether there are grounds for a temporary extreme risk protection order:

- (1) *"a threat or act of violence or use of physical force directed toward self, the petitioner, or another person;*
- (2) *a violation or alleged violation of an order of protection;*
- (3) *any pending charge or conviction for an offense involving the use of a firearm;*
- (4) *the reckless use, display or brandishing of a firearm, rifle, or shotgun;*
- (5) *any history of a violation of an extreme risk protection order;*
- (6) *evidence of recent or ongoing abuse of controlled substances or alcohol; or*
- (7) *evidence of recent acquisition of a firearm, rifle, shotgun, or other deadly weapon or dangerous instrument, or any ammunition therefor."*(3)

This list seems expansive, but the legislature left the door open for each individual judge to add to the list as

they see fit.(4)

If a Court has unilaterally found that a person is no longer capable of being in possession of weapons, a temporary extreme risk protection order will be served upon you in writing. The order will include the following:

- (1) a statement of the grounds found for the issuance of the order;
- (2) the date and time the order expires;
- (3) the address of the Court that issued the order;
- (4) a statement informing you that you may not purchase, possess, or attempt to purchase or possess any type of firearm and that the Court will hold a hearing no sooner than three business days, but no later than six business days after the service of the temporary order.(5)

If you receive a temporary extreme risk protection order, and you have been notified that there is a hearing scheduled to determine whether a final extreme risk protection order is appropriate, it is imperative that you have an attorney working with you through this process. If the Court issues a final extreme risk protection order, you will not be able to possess any firearms for a period of twelve months.(6) Furthermore, a request can be made to extend the time frame that the extreme risk protection order is in place.(7) If this is done a hearing will be held to determine if the request will be granted based on sufficient evidence of new conduct.(8)

These laws have been scrutinized in various regions of New York State as being unconstitutional for infringing on 2nd Amendment rights.(9)

In *G.W. v. C.N.*, the Supreme Court in Monroe County held that the Extreme Risk Protection Order laws are unconstitutional and any temporary order or final order issued by the Court pursuant to this law be vacated immediately.(10)

Essentially, the question presented to the Court *"is whether CPLR Article 63-a sufficiently protects a New*

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- was a county attorney
- strict constitutional attorney
- oversight, and accountability of pistol permits
- endorsed by law enforcement
- running for NYS Supreme court in the 7th Judicial District (joewaldorf.com)

Alexi Renzi

- running for re-election for NYS Supreme Court in the 7th Judicial District
- constitutional conservative; interprets the constitution as its written
- was in the DA's office, Town Judge, County Court, Supreme Court (400+ trials)
- "Something has to change to make the community

better"

- has a pistol permit and enjoys shooting

SCOPE gives us an opportunity to help make our voice heard. We educate voters, donate money to different organizations such as G.O.A to help fund lawsuits. By attending meetings on a regular basis, you have the benefit of staying abreast of the issues. This is also a great way to educate your friends about issues the mainstream press won't report. Be involved; it takes a team of individuals with many different talents to accomplish what this 2A organization is all about, whether it's manning a booth, planning an event, researching / collecting raffle items, researching legislation, keeping records or so many other important parts of the machinery.

Gannett Strikes Again

In newspapers, the article positioned 'over the fold' is meant to be the leading article placed in the most prominent position in the newspaper. It's usually reserved for the most important article - although the other old saying, "if it bleeds it leads" may also find its way 'over the fold.'

Not so with the Gannett / USA Today's newspaper chain, which is the largest newspaper chain in the U S A. In Gannett, the "over the fold" position is reserved for the latest piece of Democrat Party propaganda. So, no one should have been surprised when that lead position on November 2nd headlined, "*Trump judges steer law to the right.*" In fact, the article was so sensational that it went both above and below the fold and ran over into much of page 2.

Although not about the 2nd Amendment, this article (in reality a thinly disguised op-ed) is a great example of what we are up against when we try to get balanced and accurate 2nd Amendment information out to the general public. (Or any information on our rights like freedom of speech, freedom of religion and gun rights, that are not in line with the Left's narrative.)

"*Trump judges steer law to the right*" is about the New Orleans based 5th Circuit Court of Appeals. That court is one step below the Supreme Court of the United States (SCOTUS).

Gannett first labeled SCOTUS as "*the most right-leaning in decades*".

Then, the premise of the article is that the out-of-control conservative judges of the 5th Circuit, with 12 of 16 judges appointed by Republican presidents, are so far right that the even the far-right SCOTUS has to reel it in.

There was a token effort by Gannett to give the illusion of fairness. Buried two thirds of the way into the article, after pointing out the damning statistic that SCOTUS "*at least partially reversed seven of the nine appeals from the 5th Circuit*" there was one sentence...one sentence...which said: "*By comparison, last term the Supreme Court reversed 10 of 13 decisions by the San Francisco based 9th Circuit, widely viewed as the nations most liberal appeals court.*"

Perhaps the article should have been about the 9th Circuit's extreme liberal judges, instead. A detailed study in 2018 reported by Brian T. Fitzpatrick, (a law professor at Vanderbilt University), looked at how often a federal circuit court was reversed by SCOTUS on the merits, during the twenty-one years between 1994 and 2015. The 9th Circuit's decisions were reversed at the highest rate in the country and were unanimously reversed more than three times as often as the least reversed circuits and over 20% more often than the next closest circuit.

Gannett failed to mention that little tidbit as it

would switch the highlight to the decisions of extreme liberal judges and destroy the point of the article, which was to make conservative judges seem extreme.

The reality is that what was said about the 5th Circuit could have been more accurately stated about the Left Coast based 9th Circuit. For instance:

Gannett stated that: "*The 5th Circuit hears appeals...from deeply red states where Republicans control legislatures and attorneys general can draw national headlines with culture war suits...*"

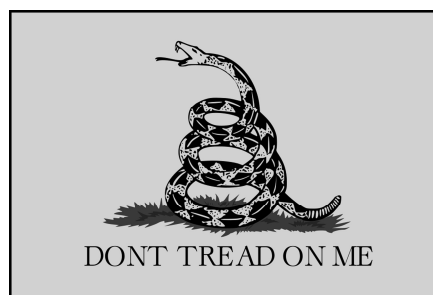
The article could have just as easily and accurately said: "*The 9th Circuit hears appeals...from deeply blue states where Democrats control legislatures and attorneys general can draw national headlines with culture war suits...*"

The casual person who read this article will only get the incorrect impression that conservative judges, who believe in the U S Constitution as it was written, are making erroneous, extreme decisions which are so extreme that even SCOTUS cannot abide by them. This is, of course, the purpose of the article; misinform the public about conservative judges.

If Gannett were producing anything closer to balanced reporting—and that's a big if - it could have done an article on how two courts with opposite philosophical viewpoints are being reversed by SCOTUS. Gannett could even have maintained its Democrat propaganda purpose and not mentioned that the leftist 9th has been the most reversed appeals court for decades. Of course, that might make SCOTUS look like a balanced arbitrator and that would never have been acceptable in Gannett editors' offices.

If a tree falls in the forest and no one is around to hear it, does it make a sound?

We have truth and adherence to the U S Constitution on our side. But if none of our statements make it to the general public, have we communicated? The Gannetts of the world are not going to use those fallen trees to make paper which publicizes the truth. Their business is propaganda. It's up to SCOPE and others to call the Left on these issues and it's up to you, the readers, to pass this information on.



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York citizen's due process rights when, as here, the state denies a fundamental right, to wit: by infringing on that citizen's right to keep and bear arms under the Second Amendment of the United States Constitution."(11)

Before analyzing the question presented, the Court looked back to Bruen and reiterated that *"the Second and Fourteenth Amendments protect an individual right to keep and bear arms for self-defense."*(12) The Court also repeated from Bruen that *"when the Second Amendment's plain text covers an individual's conduct, the Constitution presumptively protects that conduct, and to justify a firearm regulation the government must demonstrate that the regulation is consistent with the Nation's historical tradition of firearm regulation."*(13) Contrary to what many people against the 2nd Amendment would have us believe, in another hallmark case, McDonald, the Court declared that the Second Amendment is not a second-class right.(14)

Turning back to the question at hand in G.W. v. C.N., the Court notes in dicta that after July 6, 2022, police officers and district attorneys are mandated to file for a temporary extreme risk protection order *"upon the receipt of credible information that an individual is likely to engage in conduct that would result in serious harm to himself, herself, or others"* as defined by the mental hygiene law.(15)

The Court compared the language in the extreme risk protection order to that in the mental hygiene law, which defines likelihood to result in serious harm in the

following manner:

(1) *"substantial risk of physical harm to himself as manifested by threats of or attempts at suicide or serious bodily harm or other conduct demonstrating that he is dangerous to himself; or*

(2) *a substantial risk of physical harm to other persons as manifested by homicidal or other violent behavior by which others are placed in reasonable fear of serious physical harm."*(16)

Under the mental hygiene law, it is required that a physician to make the determination that a patient present a *"likelihood to result in serious harm."*(17)

The extreme risk protection order and the mental hygiene law both require the same finding that *"an individual is likely to engage in conduct that would result in serious harm."*(18) The extreme risk protection order goes one step further when it specifically refers to the mental hygiene law in the definition.(19) However, it does not afford the same protection of having a physician make the medical determination of a person being likely to engage in conduct that would result in serious harm.(20) Instead, it places that decision in the hands of the district attorney, police officers, school administrators, and various other non-professionals.(21)

This would be one of the main issues the Court found within the law for extreme risk protection orders. (22) The court said that *"[i]n order to pass constitutional muster, the legislature must provide that a citizen be afforded procedural guarantees, such as a physician's*

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Blogger Thoughts

On August 12th, 2019, *Blog & Mablog* wrote: “Every time there is a mass shooting of some kind, the outburst of furious emotion that follows does need to be answered, and it needs to be answered with reasons that sensible people can remember, or find easily as the occasion demands.”

Blog & Mablog provided us with some of those reasons which are condensed, as follows:

General thoughts on the 2nd Amendment

To say that gun control does not work is to say that it does not work with regard to its stated purpose.

It does work with regard to its real purpose, which is to disarm a law-abiding citizenry.

Gun-free zones should actually have another name, which would be ‘soft targets.’

Never forget that the staggering gun violence in all the usual places, like inner city Chicago, are the places with the strictest gun control laws possible.

If you are ever in a situation when every second counts, the SWAT team is only minutes away.

If you are in a mall and an active shooter comes in, what would be your first thought? “If only the legislature had passed stricter measures regulating firearms dur-

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determination that a respondent presents a condition ‘likely to result in serious harm,’ before a petitioner files for a TERPO or ERPO.”(23)

This was not the only problem the Court found within the law. It commented in depth of the possibility that someone other than the person subject to the ERPO may have their guns taken away without procedural due process.(24) Specifically, “a court may be permitted to issue a search warrant to confiscate a respondent’s guns, but which also may result in certain circumstances of the confiscation of guns owned or possessed by non-respondents.”(25)

In legal terms possess has a specific meaning, “a person has tangible property in his or her constructive possession when that person exercises a level of control over the area in which the property is found sufficient to give him or her the ability to use or dispose of the property.”(26)

Therefore, if the respondent subject to the ERPO lives with a person who is not subject to an ERPO, that person would have their guns taken away without probable cause.(27) This would be a violation of that person’s Second and Fourth Amendment rights guaranteed by the Constitution, which is applicable to the states through the Fourteenth Amendment.(28)

It is very likely that these Red Flag Laws will be held unconstitutional, either by New York State or by the Supreme Court of the United States. This is a very slow-moving process as it takes years for a case to make it to these levels. In the meantime, it is imperative that you seek assistance of counsel if you have a been served with a temporary extreme risk protection order. If you do not seek assistance, you risk losing your 2nd Amendment rights.

1 New York State Rifle and Pistol Assn., Inc. v. Bruen, 142 S.Ct. 2111 (2022).

2 Id.

3 N.Y. C.P.L.R. § 6342 (McKinney)

4 Id.

5 Id.

6 Id.

7 Id.

8 Id.

9 G.W. v. C.N., 181 N.Y.S.3d 432 (N.Y. Sup. Ct. 2022); See also R.M. v. C.M., 189 N.Y.S.3d 425 (N.Y. Sup. Ct. 2023).

10 Id.

11 Id. at 435.

12 Id.

13 Id.

14 McDonald v. City of Chicago, Ill, 130 S.Ct 3020 (2020).

15 G.W., 181 N.Y.S.3d at 436.

16 Id.; See also MHL § 9.39.

17 Id.

18 Id.

19 Id.

20 Id.

21 Id.

22 Id.

23 Id.

24 Id.

25 Id. at 438-9.

26 Id. at 439

27 Id.

28 Id.

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Lutheran Draft Statement on Gun Violence

By Gregory Zajac, Wayne County SCOPE member

Religion doesn't have the same place in America that it once did. However, the pronouncements of church bodies still receive media attention, and the views of denominational leaders still carry weight.

There is a problem, however. Especially in the historic "mainline" denominations, where those at the top often have no experience with firearms or shooting sports. If your only exposure to guns is through police shows, war movies, and news accounts of mass shootings, it's natural that you would be suspicious of gun owners and in favor

of any proposal that promises to reduce gun-related crime.

The Evangelical Lutheran Church in America, the denomination with which I am affiliated, recently released a draft version of a proposed Social Message on firearms. It is fifteen pages long and includes sections on gun manufacturers, gun owners, gun clubs, and gun rights advocacy groups.

I do not doubt the sincerity of the authors, or their desire for peace in troubled communities. The document's anti-Second Amendment position, however, reflects an unfamiliarity with the sporting use of firearms, and how an armed citizen can serve as a deterrent to crime.

The writing team states that this is a draft and they are inviting comments. Hindering this is that the draft

(Continued on page 20)

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ing their last session?" Or, "I wish that I had brought my pistol with me!"

When guns are outlawed, only outlaws will have guns.

The Second Amendment was not included in the Constitution because the Founders wanted to preserve the right to hunt. It was included because they wanted the population to have the resources available for a coordinated military defense, whether from outside invaders or tyranny from Washington. This means that "assault weapons" need to be part of the mix.

The Left says that modern high-tech weaponry, like shoulder-mounted surface-to-air missiles, was not in view when the Constitution was signed. Answer: How else could we shoot down the surveillance drones?

The tendency of sinners is always to blame surroundings and stuff. If the stuff is inanimate and cannot defend itself, so much the better. The addict blames the cocaine. The drunkard blames the alcohol. The thief blames the property that tempted him. But we must not blame the stuff, and acknowledge that the real problem is elsewhere. Blaming the guns is facile and simple-minded. Gun violence is an area where blame-shifting and excuse-making is common, but it doesn't wash.

Centralized Government Power

We regularly hear calls for "common sense gun control." We have been watching the ruling elites govern and frankly we don't believe that they have the slightest grasp of what common sense is. Why should we trust them when they have been untrustworthy with regard to virtually everything else?

The most vocal advocates of gun control exhibit both hatred of those who oppose them and a sheer lust for power, reserving to themselves the right to regulate the minutest details of our lives. It is a very bad idea to grant that much power to people who hate regular folks that

much.

Advocates of gun control routinely display a vast ignorance of guns. People who don't know what they are talking about shouldn't be allowed to regulate anything.

Inquiring minds – but not main stream media - want to know

We must also acknowledge that in this sinful world, there can be genuine secondary causes that can affect crime. Intelligent public policy should therefore be interested in pursuing any avenue that promises to help us address this. But we are not having an intelligent public policy debate on this subject because certain proposed answers are outlawed *a priori*—meaning that you will not be able to get them on the agenda. For instance: widespread gun ownership discourages gun violence; laws permitting concealed carry discourage gun violence; why are mass shooters overwhelmingly young men who grew up without a father; is it the case that a strong male presence in the home is not an instance of toxic masculinity, but is rather the thing that prevents toxic masculinity; what prescription drugs were the shooters on; how many of these shooters were pot smokers?

Scripture:

The real cause of murder is the sinful heart of man. When Cain wanted to murder Abel, his lack of access to guns did not hinder him.

Scriptures teach us that individuals have the right to defend their own lives and property with violence, up to and including lethal violence (Ex. 22:2-3) "*If a thief is caught breaking in at night and is struck a fatal blow, the defender is not guilty of bloodshed.*"

A final thought from Blog & Mablog

I am even willing to extend the right to gun ownership to some prisoners and felons. I particularly have in mind anyone who is about to testify against the Clintons.

But I don't have time

By Mitchell & Conta

24 hours per day times 7 days equals 168 hours per week. No more, no less. Neither you nor I can stretch them...or compress them. The same number for you and me. But somehow 168 hours doesn't seem to be enough.

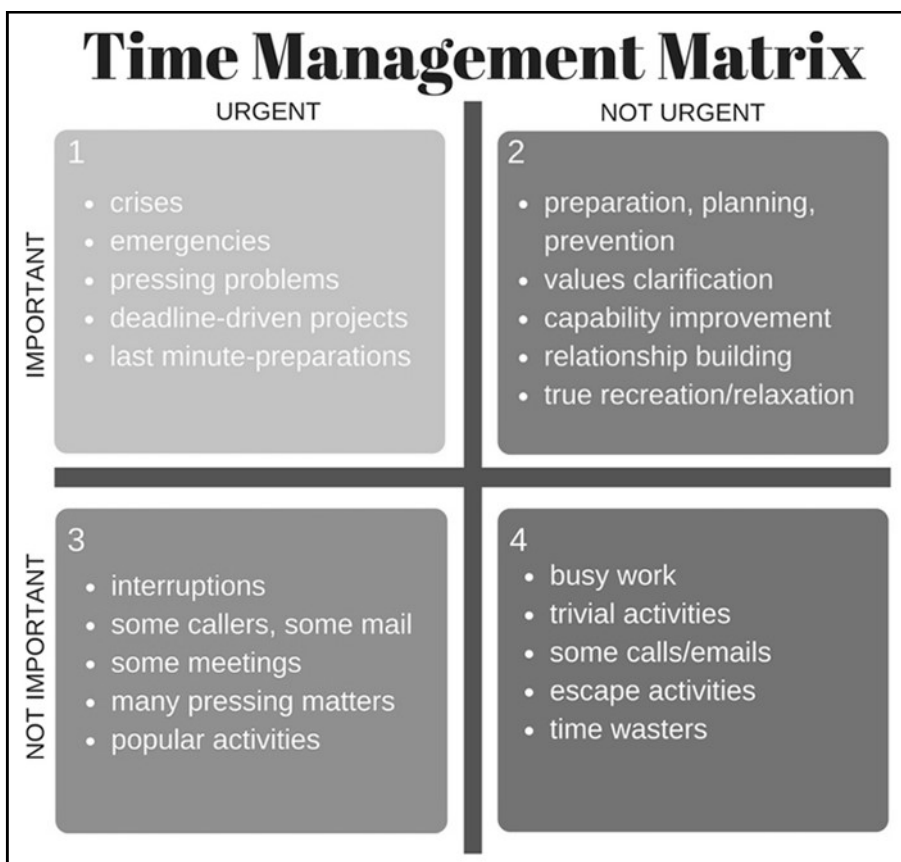
Sleeping	8 hrs daily times 7 days = 56 hrs / week
Eating	3 hrs daily times 7 days = 21 hrs/ week
Household	2 hrs daily times 7 days = 14 hrs/ week
TV / screen	2 hrs daily times 7 days = 14 hrs/ week
Work	8 hrs daily times 5 days = 40hrs/ week
Subtotal	145 hrs / week

Wow, we still have 23 hours left this week. Basically, one whole day touse in any of the above categories or how about utilizing an hour or two advocating for the Second Amendment, helping a neighbor, helping at a food pantry or your church.

But then, what shall we do with the remaining 20 plus hours? I hope you will advocate some of that time for the Second Amendment, whether its attending SCOPE meetings, writing letters or editorials, researching legislation, organizing speakers, working at 2A information booths or urging friends to vote.

There are so many jobs and tasks for an army to be successful. An army must have "cooks, cleaners, construction workers, drivers, suppliers, planners, front line soldiers and officers". The SCOPE army needs you. We are only as strong as our weakest link.

For those of you who enjoy visual tools, below is a representation sometimes credited to General Dwight Eisenhower. Use it to tweak your 168 hours for the benefit of your Second Amendment Rights and those of your children and your grandchildren.



(Continued from page 19)

was not given wide distribution. I am seeking to change that. The writing team should get what they are asking for – comments, lots of them. To access the draft go to www.elca.org. In the search box enter, "gun violence draft." To leave comments, click on "this survey form."

I find it hard to believe that Lutherans are the only ones developing a public position on firearms. Other denominations may be undertaking similar work.

Those in charge need to hear from us. They need to understand that members in the pews hold a variety of viewpoints on Second Amendment issues.

www.SCOPEny2A.org

SCOPE Needs YOU

By Don Smith, SCOPE Membership Chair

“Confiscation is an option” according to Governor Cuomo in December 2012, following Sandy Hook. He began his attack on our liberties with the so-called “SAFE” Act, in January 2013.

Then he and his allies in Albany continued their assault by passing an unconstitutional “Red Flag” law in 2019. Hochul followed suit with her so-called “Concealed Carry Improvement Act” (CCIA) and ‘strengthening’ of the “Red Flag” law, both in 2022. The Constitution along with due process be damned as both, with their Albany allies, were determined to show gun owners who was in control!

We have recently seen in New Mexico a play right out of Hochul’s playbook. Governor Lujan Grisham signed an executive order banning the carrying of a loaded firearm in public in Bernalillo County, including Albuquerque, for 30 days. People who violate the rule face a civil fine of \$5,000. Fortunately, U.S. District Judge David Urias temporarily blocked the law on Wednesday, September 13. The judge ruled that the executive order runs contrary to recent U.S. Supreme Court rulings on gun rights by violating citizen’s abilities to defend themselves.

Nearly 20 other states have passed similar unconstitutional “Red Flag” laws affecting your right to “Keep and Bear Arms”. None offer “front-end” due process. Hearings can be “ex parte”...meaning you do not have the opportunity to be present, let alone have an attorney. The laws violate the Second, Fourth, Fifth, Sixth and Fourteenth Amendments as you are considered guilty until proven innocent.

Recall the gentleman in Maryland who lost his life needlessly at 5:17 AM on Monday, November 5th, 2018. He was a law-abiding gun owner but was shot and killed in his home by police as they tried to carry out a “Red Flag Gun Confiscation Order”, based on hearsay by whomever.

How would you react to a knock at your door so early in the morning? Why the urgency? Would the outcome have been different had the police arrived in broad daylight? Why send a cadre of officers?

This type of radical behavior by government officials is the reason so many have lost confidence in government agencies.

Oregon followed NY’s lead with a ballot measure that would ban “assault” weapons and create instant felons (as did the ‘Unsafe’ Act). Owners would have 20 days to relinquish their gun or face a 10-year jail sentence and fine of \$250,000. Firearms collected would be destroyed reminiscent of the failed gun ban of 1996 in Australia.

Never forget, President Biden picked “Beto” O’Rourke to run his gun-control efforts. Beto’s response: “Hell yes we’re going to take your AR-15”.

Recall what Biden said on May 20, 2022, about the most popular handgun caliber in the United States: “Why should we allow people to have military-style weapons including pistols with 9-mm bullets which can hold 10 or more rounds”.

We have the numbers needed in Upstate to turn any election in our favor. Recall there are an estimated 5-million-gun owners in NYS, but in 2022 we estimate only 1.3 million of us voted. (3.7 million did not vote.) Lee Zeldin lost by approximately 378,000 votes. Just imagine the outcome had we all voted for our constitutional rights. But it can only happen if you, and others like you, make a commitment.

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When Your Doctor Asks About Guns

By Timothy Wheeler, MD

Reprinted from Doctors for Responsible Gun Ownership (DRGO)

Have you had the experience of going to your doctor for a particular problem, let's say headaches, and been surprised by the doctor asking you about a completely unrelated subject—whether you have a gun in your home?

It's no accident that doctors' or health plans' questions about guns in your home have become routine. In the 1980s and 1990s medical professional organizations declared a culture war on gun ownership in America. The American Academy of Pediatrics (AAP) developed an official policy urging pediatricians to probe their young patients' parents about guns in their homes.

Claiming only to be concerned about "gun safety", the latest code term for gun control, the AAP pushed its member doctors to advise families to get rid of their guns. One of the authors of the original AAP anti-gun policy, Dr. Katherine Christoffel, was quoted in an AMA journal as saying "Guns are a virus that must be eradicated."

The American Medical Association (AMA) and the American College of Physicians (ACP) have also mounted aggressive and highly publicized campaigns against gun ownership and advised their member physicians to pressure their patients to get rid of their guns. Other physician specialty groups have done the same.

Many people are rightly outraged by this unprofessional behavior of some physicians. Several states, most notably Florida, have passed laws to stop doctors and other health care professionals from misusing their patients' trust to push a political agenda of gun control. Such abuse of authority and trust by a physician is called an *ethical boundary violation*.

You may encounter the question in your health plan's standard health appraisal questionnaire. Even though it may not be of your doctor's making, it's still part of your permanent medical record. Or your doctor may have a personal prejudice against gun ownership, shaped by her training in medical school or residency. Either way, it is important for people to know some very important facts:

- Doctors receive absolutely no training about firearm safety, mechanics, or tactics in medical school or residency. They are completely unqualified by their training to advise anyone about guns.
- Gun ownership is a civil right. A doctor's abuse of his position of trust to pressure you to give up that civil right is professionally and morally wrong. In some states it is illegal. You DO NOT have to tolerate it.
- You as a consumer have great power in the doctor-patient relationship. Do not be afraid to use it.

Let's be clear. We're not talking about a doctor who casually talks with you about guns out of a common interest you both may have. If you and your doc get to comparing notes about your favorite hunting rifles or latest trip to the gun range, that is a world apart from a calculated effort to prejudice you against gun ownership.

So what can you do when your doctor or your health plan starts asking you about guns in your home?

Your doctor may very likely just be going along with the guidelines of his or her gun-hating medical organization, such as the AAP or ACP. One survey showed that although many doctors agree that guns are a public health problem, only a minority feel it's right to ask their patients about guns in their homes. Many doctors sense that it's wrong and don't allow themselves to be recruited as gun control activists by their medical organizations.

A range of options is available to you, some sending a more powerful message than others. These are updated from DRGO's original recommendations, since the medical profession has changed so much in the last two decades.

1) Politely refuse to answer the doctor's question or the health plan's questionnaire item about guns. You can either explain your discomfort with the question or decline to give a reason.

2) If the gun question(s) appears on your health plan's routine health assessment questionnaire, file a formal written complaint with the health plan. Every health plan has a member complaint process, often prescribed by law. Your complaint will be registered and the health plan will respond.

3) If the health plan responds with the excuse that their questions about your guns are standard medical practice that they must follow, you can take the complaint to the next step—file a written complaint with your state agency that regulates health plans. For example, in California you would follow the complaint procedure on the Department of Managed Health Care web site. It's your right as a patient under California law.

4) If your doctor persists in asking intrusive questions about guns in your home, you can also file a complaint specifically against him or her with your health plan. Such complaints are taken seriously, and the doctor will be called to account for it. Having one or more complaints about ethical boundary violations on her record will make her think twice about doing it again.

5) Internet consumer rating sites have created another way doctors can be publicly rated on the basis of service, attitude, and behavior. Some commonly used rating sites are Yelp.com, Healthgrades.com, Vitals.com, and RateMDs.

6) Increasingly, doctors' pay from Medicare and insurance companies is tied to how they score on patient

(Continued on page 23)

Too Many Laws?

By Attilio A. Contini

As I write this, there are sixty-five Federally proposed Gun Bills on the 2023-24 calendar.

In addition, Hochul and the State Legislature are proposing and passing more laws, rules and regulations faster than the legislators have time to read them.

Both the federal and state legislatures enact laws that rarely include provisions to administer and enforce them. Think about that. How many laws are there already on the books that get lax or no enforcement? Laws supposedly to keep guns out of the hands of criminals and those who would hurt others or themselves. In spite of more laws, there is greater violence and crime on the streets.

We need to step back and assess the situation. In the past 50 to 100 years, how many laws actually reduced crime and made our streets safer? Why pass laws that over burden society and infringe on the Constitutional Rights of law-abiding citizens but have little impact on criminals? Our elected officials and public servants need to ask themselves: what have we accomplished and why does the problem worsen instead of being solved?

It is time to look at the nature of the beast.

As the old saying goes, "You cannot legislate morality". Criminals never have and never will obey the law. That is why we have a legal system that should properly try and punish criminals. The only way to stop the killing and violence with guns is for the punishment to be so severe that criminals will not use guns for fear of the consequences.

Since gun laws obviously do not work and only harass law abiding citizens, our elected representatives should ask: why even consider new laws? Why keep the many failed laws on the books? What would happen if

every single gun law and criminal justice law passed in the last seventy years were repealed? Would today's so called "gun violence" and crime increase or decrease?

Yes, there is a need for background checks and the NICS data base. However, there is a big and important "BUT". The current system does not work without the correct information stored in the system. (Garbage in, garbage out.) Too often we read about government agencies not sending information while law abiding citizen gun owners do get in the system. The only names that should be in the data base list are those of known convicted felons, illegal drug addicts, and people with mental health disorders and it is the courts, not government agencies, that determine whose name is put on the list.

The NICS system should be so complete that if someone's name is NOT on the list, he/she should automatically qualify to purchase any weapon he wants.

With the computer technology we have today an FFL or sales person should be able to get the background check results within minutes and be able to complete a sale of a gun within an hour. Unfortunately, Governor Hochul and the NY Legislature's latest background checks through the NY State Police have made the simple into complex and time consuming.

Let's be honest, the unwritten reasons for the NICS system and Hochul changing NICS to the NY State Police is to make it difficult for people to purchase guns and ammunition and keep track of who has a weapon, (so they can confiscate our guns, when they are ready.)



(Continued from page 22)

satisfaction surveys. These are often sent randomly to patients, but you can request one to fill out. You can have a powerful impact on a doctor's conduct by reporting the doctor's unethical questioning about your guns.

7) If the doctor's conduct is especially offensive, as was the case with a Florida pediatrician, you have the right to submit a complaint to the doctor's licensing board. This is an agency in your state government that holds the ultimate power of licensure over your doctor. A quick internet search for "medical board" in your state should take you to the official form for filing a complaint. This is a step that should not be taken lightly.

Remember when writing your complaint to be polite. Explain why you find the doctor's or health plan's behavior unacceptable. Include the powerful points we've dis-

cussed:

- Your doctor is professionally unqualified to give expert advice on firearms
- Your right to own firearms is a civil right that is none of your doctor's business
- A doctor misusing his or her authority and trust to push a political agenda of gun control is an ethical *boundary violation*. Such unprofessional conduct is not acceptable.

Your right to own a firearm is enshrined in the Constitution. Don't let any doctor or health plan intimidate you into giving up your civil rights.

Timothy Wheeler, MD is the founder and former director of Doctors for Responsible Gun Ownership, and a retired head and neck surgeon.

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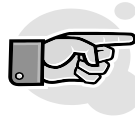
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