

Firing Lines

Fighting for your Second Amendment Rights since 1965

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INSIDE THIS ISSUE:

What is being done legislatively in the effort to repeal SAFE?

By Stephen J. Aldstadt

Unfortunately, the short answer is not much. There are still several full repeal bills, A2651, A3350, A3943 in the Assembly, and S511, S1193, and S1476 in the Senate. Don't expect any of these bills to move out of committee in the 2016 session.

For a bill to pass in Albany it has to pass "same as" in both houses. New York City, Liberal, and Anti-Gun Democrats are solidly in control of the New York State Assembly. They are still under the delusion that they did a good thing passing the NY (UN) SAFE Act. No repeal bill will pass in the Assembly.

During the 2016 Legislative Session the New York State Senate Republicans are operating primarily out of fear of losing their slim hold on the majority. Last year the Long Island Republicans joined with their upstate colleagues to pass S5837, a bill that would have repealed at least some parts of the SAFE Act. Their hope was that they could placate their upstate Republican constituents who are overwhelmingly opposed to the

SAFE Act. Over the last decade Long Island is becoming increasingly more liberal. The Long Island Republican Senators fear a backlash from their constituents in an election year if they back any pro-gun bills again this year. Don't expect any pro-gun bills to move in either house.

Upstate Republicans fear a backlash from their constituents if they allow any more anti-Second Amendment bills to pass. They also took a lot of heat from pro-gun groups for electing another liberal Long Island, pro-SAFE Act Senator to the leadership after Dean Skelos was indicted. They are not inclined to allow any more gun bills out of committee. Don't expect any gun bills to pass in the Senate.

Probably the best result we can expect is that no gun related bills will pass at all. The Long Island Republicans are afraid to pass any pro-gun bill. The upstate Republicans are afraid to allow any more anti-gun laws to pass. They may have good cause to worry. They currently hold a slim one seat majority.

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SCOPE PAC needs donations

You should all know that SCOPE has a Political Action Committee (PAC) whose sole purpose is to collect money to donate to deserving Second Amendment candidates and incumbents. 2016 is an election year for the state senate and assembly.

I have always said that if all gun owners donated one dollar a month to the SCOPE PAC we would have millions of dollars to work with. So, I'm asking all SCOPE members do donate one dollar per month (more if you can) to the SCOPE PAC. You can do that through an automatic deduction from your credit card, bank account with your debit card, or through a PayPal account if you have one. All you need to do is visit www.scopepac.com, click on the Donate button, and follow the instructions.

Money is the grease of the political machine, if we have significant money we can grease the machine in our favor.

Thanks,
Ken Mathison, Treasurer SCOPE PAC

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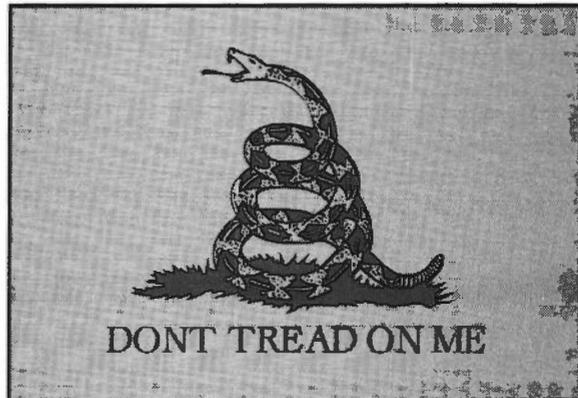
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Political Action Committee

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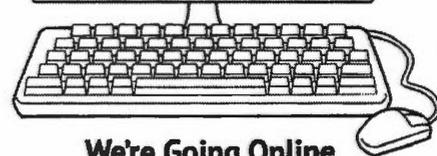
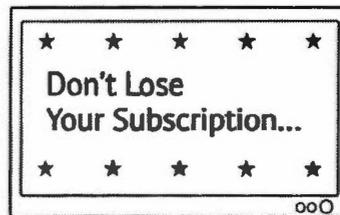
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S.C.O.P.E.-P.A.C.'s Mission is to replace the politicians in Albany that voted for this hideous, intrusive law with politicians who will vote to REPEAL this so-called "S.A.F.E." Act and support our rights going forward!

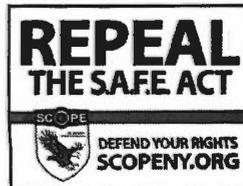


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FACE TO FACE. NOT "IN YOUR FACE!"

By Budd Schroeder

SCOPE is a grass roots organization and its most valuable asset is its membership. As the membership gets larger and more involved with the political process, it becomes more effective. The process of getting influence in government can be slower than we like, but the process is the most important part.

Each year we get more involved, and meet with more legislators. Our presence can make a huge difference in what legislation is passed or rejected. The influence and attitudes of the people in New York City, especially when it involves Second Amendment issues is a tough majority to overcome.

It is almost like two separate states within the borders of one. The liberals of downstate can control the legislation that involves the total state. The Assembly has enough liberal Democrats southeast of the Tappan Zee Bridge to pass, reject, or override vetoes for any legislation that reaches the floor.

The Senate is a different situation and the majority for Republicans in that house is paper thin. It can switch with the elections in only a few districts. A majority of one is enough to control the Senate. If the control goes to the liberal Democrats, we can expect the SAFE act to get more restrictive and have more limiting provisions regarding gun ownership and use.

There is no way the SAFE act is going to be repealed as long as Andrew Cuomo is governor and the majority in the Assembly is comprised by the anti-gun Big Apple minded politicians. However, we have a chance to make changes to the provisions of the SAFE act that can make it more workable for the honest gun owner. It depends on how the bills are presented and how we can get the legislators to support the bills.

As grass roots activists with

chapters in most of the counties we have a huge advantage over most lobbyists. We can visit our assemblymen and senators in their district offices. We can get to know them on a first name basis. We can be persuasive in a logical and rational matter. We can support the good legislators and oppose the bad ones and do it close to home.

Our chapter chairs are politically experienced and motivated to fight for our rights in the proper manner. Politicians respect power and when we demonstrate that we can help them or we can hurt them, we get the respect and attention necessary to be effective.

Going to the legislator's fund raisers is an excellent way to show support for the good ones and if an anti-gun legislator is running for re-election, we can support his opponent if the opponent is pro-gun.

In some cases we can do what every politician hates and that is to run a primary against him. We can get a person from our ranks, and during the primary race, make the run uncomfortable and expensive for the anti-gun politician. There have been successes with this strategy.

Even if the insurgent loses, it is, at the least, a major annoyance to the incumbent and the message that SCOPE can, and will get involved. He may not want to go through the same experience in two years, or he may even get a proper attitude adjustment when the Second Amendment issues are debated. There are none as fervent as a convert. The important part is to "educate" the politicians.

When politicians see the proper kind of activity it does have an effect. Word gets out and SCOPE has the reputation for honesty and dedication to the cause. We take care of our friends and make life uncomfortable for those who are not our friends. Where the plan has been used, the success rate has been high and the results are worth the effort.

One of the negatives we can run into concerns a small minority of our membership which are wound around the axle with the slogan of "no compromise." That is unrealistic in

politics. There usually is a quid pro quo with deals. That is a political reality. The trick is to learn to work within the system.

It is like trying to stop a train going down the track. If you stand on the tracks and try to stop the train, the chances are very high you will fail. However, if you learn how to get on the train, make your way to the engine, learn how the engine operates and get access to the controls, you can make the engine stop. At least, you won't get run over.

Once you become familiar with the system, learn the nuances with the process. It is a good idea to become friends with staff members and learn more about the legislator if you do not have the opportunity to have more contact with him or her. Knowledge is power and when you know the person's background and their hot buttons, it is easier to have a productive dialog.

If a politician is anti-gun perhaps there is a reason. Knowing why, is a good start. Perhaps someone close to him may have been harmed by a person with a gun. Maybe he feels that his constituents are not pro-gun and voting for more gun control will help him in his election campaign. Remember the prime motivator: "What's in it for me?"

To get at least a compromise, that is a key consideration. Why is it worth his while to vote the way you suggest? Do the advantages outweigh the disadvantages? If you can get to that point, you are off to a good start. You probably won't get instant results. Continued contact and patience go a long way to make a good relationship.

Practice makes perfect. If you are willing to learn the techniques, practice them and use them often. When you approach a legislator, be a welcome guest. Face to face is the best way of contacting them as long as it doesn't become "In your face!" Like the cooler said in the movie "Roadhouse," "Be nice."



Critiquing the "Research" Criticizing Guns

By Robert B. Young, MD

The New England Journal of Medicine doesn't like "research parasites". That's the term used in its January 21 editorial *Data Sharing* to disparage people who, among other sins, may "use the data" to try to disprove what the original investigators had posited [my emphasis]. This is an amazing statement by what should be a preeminent reporter of medical science, but for too long has allied itself with the anti-gun movement.

The advance of science requires transparency. Once published, a study's design and data have to be shared so that others can confirm or correct them. Critiquing them is how conclusions gain credence.

NEJM clearly states its motivation, less a self-serving excuse about honoring patient subjects:

"What could be better than having high-quality information carefully re-examined for the possibility that new nuggets of useful data are lying there, previously unseen? The potential for leveraging existing results for even more benefit pays ... tribute to the patients who put themselves at risk to generate the data. The moral imperative [is] to honor their collective sac-

rifice" [my emphasis]

The moral imperative is to do the science right. Carefully re-examining information *by others* is how it is validated. This is about leveraging grants and protocols to generate more publications and career advancement.

Withholding data is part of the gaming that goes on all too frequently in academic research that also includes avoiding reporting negative findings and (rarely) even making up results in order to look good. Funding depends on appearing productive. Reputation and rank come from success competing with other researchers for recognition.

This is why we need "research parasites", professionals who can analyze and report on what academic studies really mean, which is often less than the media or even their authors claim. It's a huge problem among the "public health" research community, who have never seen an anti-gun claim they couldn't underwrite or a pro-rights position they wouldn't undercut—all while ignoring overwhelmingly safe routine firearm use and hundreds of thousands of defensive uses that prevent harm each year. Conflicting findings are instantly discredited since they do not come from the tight-knit community of self-validating anti-gun authorities. This is even more problematic as it comes from the social sciences that depend on assessing be-

haviors, not the "hard" science disciplines in which objective experimentation is the gold standard.

This more or less began with Arthur Kellerman and Frederick Rivara, who published "*Gun Ownership as a Risk Factor for Homicide in the Home*" in *NEJM* in 1993. From it came the notorious claim that having a firearm in a home increases the risk of being murdered by a gun by 2.7. Of course, they picked 3 violent, crime-ridden urban neighborhoods to study, didn't even determine whether the firearms were owned by household members or others, and never considered that owning firearms for protection is very different from having them in order to assault. And, as far as we know, they've never released their raw data for review.

This pattern has continued ever since. (For an introduction, see "*Junk Science as Propaganda*".) More recently we have read about "...the dominant public health issue of today: "*Gun Safety*", by the Chair of Family Medicine at the Cleveland Clinic in *S. News* January 28, who apparently thinks so because there are "approximately the same number of [firearms] deaths a year as motor vehicle accidents." [sic] But there were less than 600 accidental gun deaths last year. Shouldn't a more "dominant public health issue" for my profession be the hundreds of thousands of deaths caused every year in the U.S. by health care provider mistakes? It's so much easier to beat up on millions of safe, responsible gun owners.

... a meta-analysis (or summation of many studies) about "*The Accessibility of Firearms and Risk for Suicide and Homicide Victimization Among Household Members*" in the January 2014 *Annals of Internal Medicine*. They discover that most suicides and homicides occur at home, the presence of firearms is notably associated with adolescent suicide, firearms "stored loaded or unlocked are more likely to be used than those that are

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unloaded or locked”, and women are more likely than men to be victims of homicide at home. None of this is surprising. But they ignore fundamental risk factors of mental illness and criminality, and the good in firearms used to prevent victimization. Guns in a home do not draw people to kill as moths to a flame.

... “*The relationship between gun ownership and stranger and non-stranger firearm homicide rates in the United States, 1981-2010*” from the October 2014 *American Journal of Public Health*. They found a correlation between gun ownership and homicides by acquaintances, not strangers. It seemed that homicide rates change by about 1.3% with each 1% change in gun ownership rates. Of course, there are more households with more guns than get acknowledged, so these rate relationships aren’t reliable. Their cause (gun ownership) can be effect (homicides): “people may be more likely to acquire firearms when they observe higher rates of homicide”. As always, no attention is given to how gun ownership may prevent more homicides than do occur.

... that acquaintance “femicide” associated with gun ownership is somehow unique. This work is from the author of the AJPH article above, an example of how academics “leverage existing results” to pad their bibliographies. “*Firearm Ownership and the Murder of Women in the United States: Evidence That the State-Level Firearm Ownership Rate Is Associated with the Nonstranger Femicide Rate*” finds that firearm murders of women increase 10.2% with a 10% increase in gun ownership (whatever the significance of that 0.2% is, given underestimates of gun ownership). This appeared in *Violence and Gender*, a journal less than 2 years old mostly studying males harming females. Its scholarly reputation is not clear. Articles lie behind a \$55 per copy paywall, which makes them unlikely to be

questioned but hasn’t diminished their media value.

... about defense against terrorists. A January 27 piece in the Bloomberg-funded *The Trace* by two prominent anti-gun apologists points out that the odds of being hurt by an acquaintance with a gun is far greater than by a terrorist. This just a lead-in to their thesis is that having firearms is more dangerous than protective, period. Of course, their belief in defensive gun uses is limited to shootings found in police reports or the media. That is nonsense. The federal Institute of Medicine and the National Research Council estimate that there are from 500,000 to 3 million defensive gun uses annually. The great majority are not reported, don’t involve shooting, and prevent many deaths, injuries, and crimes.

... , finally, a new survey published in AJPH claiming that most Americans would “consider” buying a “smart gun” that is “childproof”. Well, who wouldn’t? The problem is that the survey was slanted toward eliciting agreement on superficialities in younger respondents. The NSSF’s 2013 survey included a broader selection of the population, impartially explained the technology involved, and didn’t pretend anything is “childproof”.

And anti-gun academics keep complaining that there is not enough research (read: “government funding for their projects”). There are plenty of studies, too many even for DRGO to keep up with, but patterns emerge with familiarity:

Basic bias: Many of these academics have been open about their fear and loathing of firearms. They treat guns as independent risk factors, and then choose hypotheses and analytic approaches that reinforce that. Yet some individual is responsible for every shot fired. Firearms are tools, the means to someone’s end (even if, rarely, literally), but they are not the agents responsible for the actions.

Selection bias and cherry-picked data: Anytime a study is done,

choices are made about what data will be sought, from what sources and over what time periods, and then how it should be interpreted. A smart academician (and they’re very smart) can skew their outcomes from start to finish. The scrupulous ones don’t.

Arbitrary analogies: Comparing deaths from gunshot to entirely different phenomena (vehicle accident deaths, for example). Lessons can be drawn from flawed premises that have no relationship to the ways that guns work and can harm (say, that we must have “smart guns”, because autos have built-in safety devices).

Blame mongering: There is no interest in explaining the overall declining risks of negligence (accidents), criminal intent (violence), and mental illness (suicide). Anti-gun academics focus on blaming everyone when the wrong people wrongly use them at the wrong times. That doesn’t justify restrictions on scores of millions of American families with hundreds of millions of firearms that they use consistently safely.

Diversionary tactics: Setting up straw men, such as proclaiming the news that being shot by someone you know is more likely than being attacked by a terrorist. This raises anxiety that can be resolved with the reassurance that we can “do something”, beginning with accepting the intended conclusions. The real world work of discriminating guns owned legally or illegally, investigating who has them and why, identifying which was the injurious ones and who used them for what reasons can be avoided.

False attributions: Depicting correlation as causation, always. The more honest authors admit this problem, but most present gunshot deaths and injuries as consequences intrinsic to the existence of guns, rather than as aberrations from normal gun use and users.

Ad hominem attacks: When anti-gun exponents can’t compete on the merits they disparage their pro-rights

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SCOPE PRESS RELEASE

March 17, 2016

SCOPE Leads 154

Groups in Historic Filing to the U.S. Supreme Court in "Assault Weapons Ban" Case

Colden, NY – The Shooters Committee on Political Education ("SCOPE") today announced it has filed a Brief *Amicus Curiae*, on behalf of 154 groups from across the State, in

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opponents, especially with a progressive liberal vs. regressive conservative flavor. See almost any mention of "the gun lobby".

If you read this "research", look for those signs. There is no shortage of "gun research"—just a shortage of serious scholars willing to examine firearms and their use without antipathy.

We'll get somewhere when academics care to examine how to support thoughtful, responsible gun ownership instead of assailing the historic American tradition of widespread gun possession. That will be when they call for outreach, education, treatment, and stiff consequences as the answers to "gun violence", not restrictions without evidence of efficacy. It will be when the right to keep and bear arms is accepted as strongly as the right to free speech and religion.

If you don't choose to wade into this academic morass, we understand. We "research parasites" will continue doing it for the common good.

Robert B. Young, MD is a psychiatrist practicing in Pittsford, NY, an associate clinical professor at the University of Rochester School of Medicine, and a Distinguished Fellow of the American Psychiatric Association.

support of a Petition for the U.S. Supreme Court to strike down an "assault weapons ban." The Brief was filed in support of the Plaintiffs in *Shew v. Malloy*, appealing the recent Second Circuit decision on a Connecticut "assault weapons ban" statute, similar to the one in New York.

Stephen J. Aldstadt, President of SCOPE, said, "Today is an historic day in New York. More than 150 groups, representing tens of thousands of gun owners, have joined together to make our singular voice heard against an unconstitutional law that turns the modern sporting rifle into a criminal felony. Our solidarity is becoming more and more visible as we launch more and more fights in the judicial branch." SCOPE supports the full repeal of the "SAFE Act," including the amendments it made to NY Penal Law §265.00(22), the "assault weapons ban."

Groups participating in the Brief include the NYS Conservation Council, Safari Club International – Western and Central NY Chapter, the Association of Former New York State Troopers, Frederick Douglass Foundation of New York, New York Oathkeepers, and TEA New York. The oldest participating club is the Leatherstocking Club of Oswego County, founded in 1860. Many of the rod and gun clubs boast more than 500 members, such as the Grand Island Rod & Gun Club. Numerous of the groups are engaged in land management such as the Chestnut Ridge Rod and Gun Club (Dutchess County) with approximately 2,000 acres, and wildlife restocking such as the Federated Sportsmen's Clubs of Cattaraugus County stocking trout in more than 35 local waterways in conjunction with the NYS Department of Environmental Conservation.

Paloma A. Capanna, Attorney & Policy Analyst and Director of Legal Affairs for SCOPE said, "The Second Amendment is the modern civil rights movement. The Second Amendment became the new kid on the civil rights block in 2008, but anti-

gun states like NY continue to treat it like a second-class citizen. If it is going to take yet another case from the nation's high court to put an end to this state law nonsense, then so be it. We're in this fight until we win."

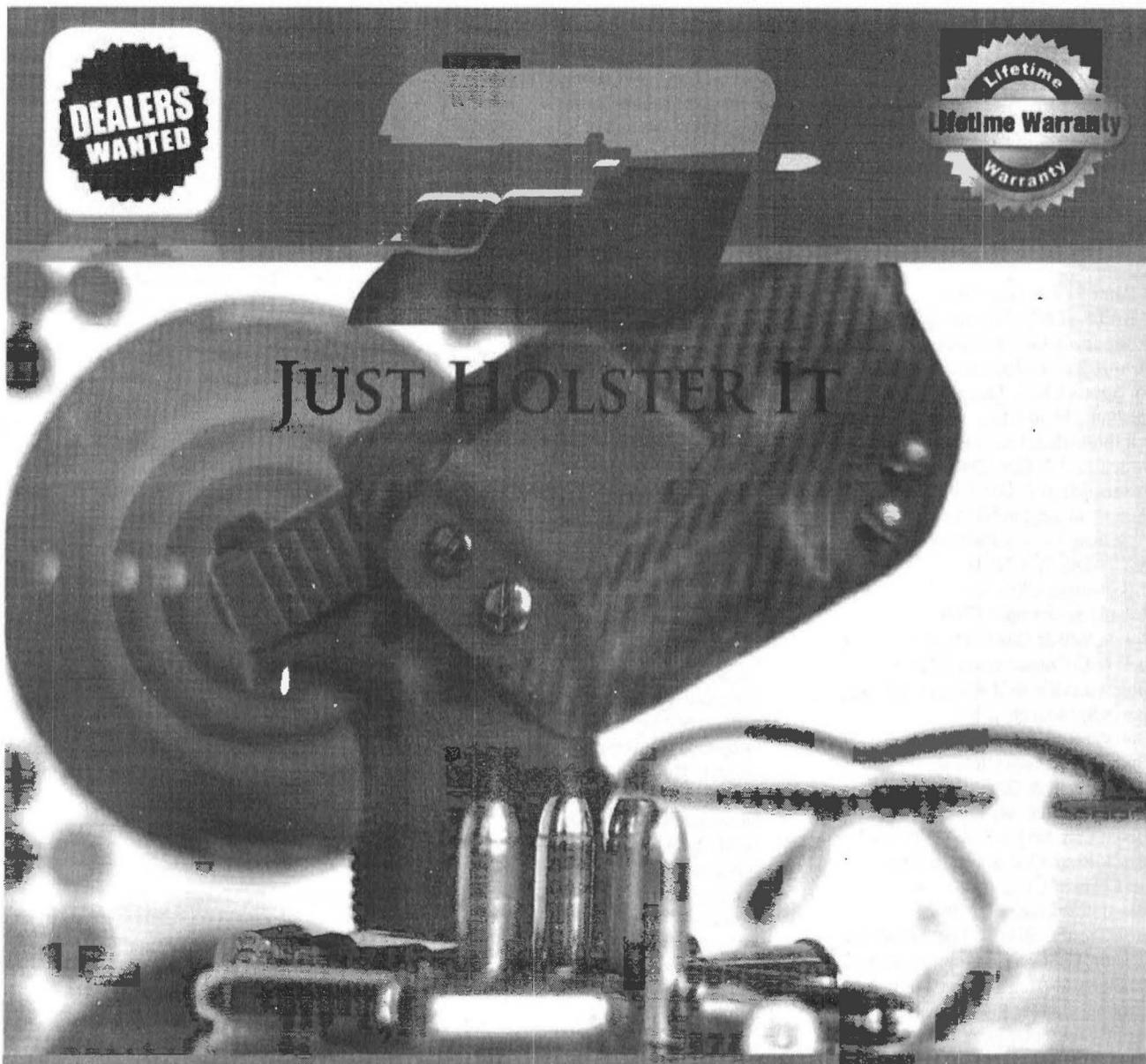
Capanna said the mainstream media "overlooks the judicial branch." The case now on appeal, *Shew v. Malloy*, argues that the CT "assault weapons ban" is unconstitutional and should be struck down by the courts. The *Shew* case appeals the Second Circuit Court of Appeals case that was a joint decision with *New York State Rifle & Pistol Association v. Cuomo*.

Aldstadt encourages people to join SCOPE for an annual membership fee of \$25 to support lobbying of the legislature and legal action in the courts, to gain access to its Webinar series "Legal in 15" and the "Firing Lines" magazine, and to participate in local chapter activities. "All those concerned with civil liberties are welcomed to join this fight," said Aldstadt.

It will be several months before the outcome of the Petition for Certiorari will be known. The Defendants now have 60-days to respond to the Petition. After all submissions are complete, the Petition will go into confidential Friday conferences with the Justices. Announcements are made on Monday mornings. The *Shew* case can be followed on-line at www.SupremeCourt.gov under Docket No. 15-1030. In a typical year, the U.S. Supreme Court receives 10,000 Petitions for Certiorari. Out of those, it accepts roughly 75 cases per year.

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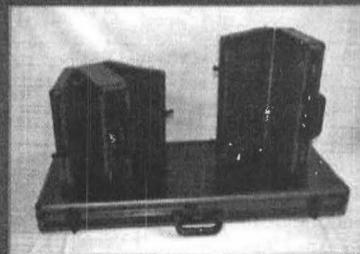
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SCOPE Member Clubs

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 President Stephen Aldstadt a call or drop us an E-mail.

5 Point Rod & Gun Club
ABATE of NY Ontario Chapter
Adirondack Conservation Council
Adirondack Federation
of Sports Clubs, Inc.
Alabama Hunt Club
Albion Fish & Game Club
Alden Rod & Gun Club
Almond Rod & Gun Club, Inc.
American Legion Riders Post 173
American Legion Riders Post 355
A-ON-DO-WA-NUH
Sportsmans Club, Inc.
Athens Sportsmans Club
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B R & G Conservation Club
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Barre Sportsmens Club
Batavia Rod & Gun Club
Bath Rod & Gun Club, Inc.
Bergen Rod & Gun Club
Big Game Recovery
Bison City Rod & Gun Club Inc
Black Rock Fish & Game Club
of Cornwall, Inc.
Blasdell Rod & Gun Club
Bog Trotters Rifle & Pistol Club Inc
Boston Valley Conservation Society
Branchport Rod & Gun Club Inc.
Broome County Sportsmen's Assoc Inc.
Brunswick Sportsman Club, Inc.
Buckhorn Sportsmen's Club, Inc.
Buffalo Revolver & Rifle Club, Inc.
Burlington Flats Fish & Game Club, Inc.
Busti Trap Club
CAL Shooting Club
Camden Rod & Gun Club
Camillus Sportsmens Club
Canaan Rifle Club, Inc.
Canandaigua Lake Duck Hunters, Inc.
Canandaigua Sportman's Club, Inc.
Cayuga County Sportsmen's Association
Chautauqua County Federation
of Sportsmen
Chemung County Federation of
Sportsmen, Inc
Chemung County Rod & Gun Club, Inc.
Clarence Shooting Club
Clay Sportsmans Club
Cloverbank Sportsman's Club Inc
Community Conservation Club

Conesus Lake Sportsmen's Club, Inc.
Coxsackie Sportsmen's Club
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Protective Assoc., Inc
Deer Search of WNY, Inc.
Delcheaego Rod & Gun Club, Inc.
Depew Rod & Gun Club
Dunham's Bay Fish & Game Club
Dutchess County Pistol Association
Dutchess County
Sportsmen's Association
East Aurora Fish & Game Club Inc
East Hook Sportsmen
Eden-North Collins Gun Club
Elbridge Rod & Gun Club, Inc.
Elma Conservation Club
Erie County Conservation Society Inc
Essex County Fish & Game League, Inc.
Evans Rod & Gun Club
Federated Sportsmens Clubs
of Cattaraugus Cty
Four Point Rod & Gun Club, Inc.
Franklinville Conservation Club
Freeport Junior Club
Genesee County Fish &
Game Protective Assoc
Genesee/Wyoming Pheasants Forever
Chapter 843
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Gowanda Rifle Club, Inc.
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Indian Lake/Blue Mountain Fish
& Game Assoc.
Iroquois Arms Collectors Assoc., Inc.
Izaak Walton League, Keuka Chapter
Junior Wilsons Sportsmen Club, Inc.
Kent Rod and Gun Club
Lackawanna Conservation Inc
Lake Plains Waterfowl Association
Lima Gun Club, Inc.
Lime Lake Sportsman's Club, Inc.
Little Beard Club Inc
Liverpool Rod & Gun Club Inc.
Livingston Co Federation

of Sportsmen's Clubs
Lockport Conservation Club
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Long Lake Fish & Game Club
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Association, Inc
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Niagara County Sportmen's Assn.
Niagara Frontier Pistol League
Niagara Frontiersmen Pistol Club
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Northstar Sportsmans' Club, Inc.
Norton Hill Wildlife Club, Inc
NYS Sporterifle, Inc.
Oakfield Rod & Gun Club
Oatka Fish & Game Club, Inc.
Olean Rod & Gun Club Inc
Onondaga County Federation of
Sportsmen's Club
Ontario Rod & Gun Club, Inc.
Orange County Federation
of Sportsmens Clubs
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Oxford Rod & Gun Club, Inc.
Painted Post Field & Stream Club
Pathfinder Fish and Game Club, Inc.
Pearl River Gun Club, Inc.
Perkinsville Rod & Gun Club
Polaris Shooting Club
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Red Creek Conservation Club, Inc.
Redfield Fish & Game Club
Richburg Rod & Gun Club
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Sackets Harbor Sportsmen's Club, Inc.

(Continued on page 11)

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Show your support for our 2nd Amendment rights with a Business Associate Membership. Dues are \$50 annually, or \$250 for a Sponsor level membership. Members will receive a window sign to display, a listing on our website and contact information. We will also supply them with membership applications and a supply of each issue of the Firing Lines for their store. Sponsors will also receive a wall plaque for display in their store.

Application on page 16

The Second Amendment Radio Show is on the air!

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Each week hear guests like Larry Pratt, Gun Owners of America and Stephen Aldstadt, President of SCOPE on the show.



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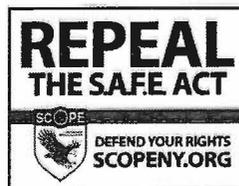
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(Continued from page 10)

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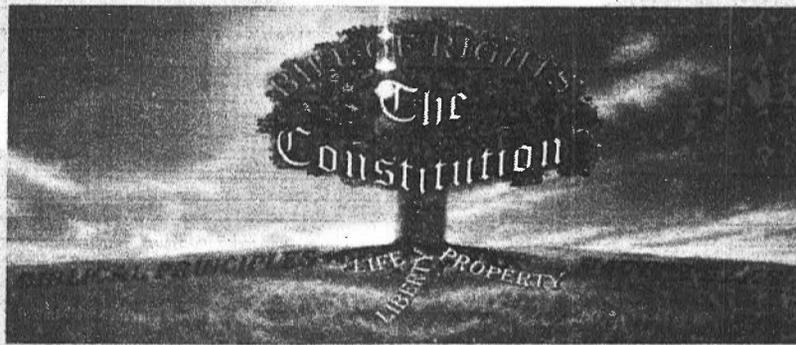
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This is an educational forum with the purpose of rekindling the spirit of the Founding Fathers. We, through much deliberation and dedication, bring a message to the public of the How and the Why our country was founded and how far America has drifted from her moorings. The three main pillars of our society that we address and that have succumbed to the "politically correct" agenda are The Family, The Faith, and The Freedoms we have been endowed with by our Creator.

Our hope and prayer is that once again the fires of Patriotism will be ignited in the hearts of Americans who love this country, love their freedom and desire to worship the God of creation that drove our forefathers to sacrifice life, honor and fortune for our future. People who will stand up and be heard, people that will be moved to action, a people who will make a difference! May we, the silent patriots, be aroused and in turn burn with a heartfelt fire to give that same measure of sacrifice for the future of this once, and maybe yet again, great nation for future generations.

We look forward to sharing our message with churches, organizations, colleges, etc. . . .

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SCOPE Legal Defense Fund

Please consider a donation to the SCOPE Legal Defense Fund. Recent battles have had a substantial impact on our funds, and the new NY SAFE Act lawsuit will need to be funded. Please help SCOPE continue fighting New York's anti-gun laws through lawsuits that need to be funded. We must fight the anti-gun politicians on all fronts. This is especially important with the enactment of the SAFE Act.

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THE ROAD TO THE S.A.F.E. Act

What began as a routine ATF letter to a U.S. Federal Firearms Licensee in the spring of 1997, just a few months later rapidly turned into an international circus on gun control with President Clinton and U.S. Senator Feinstein in the center ring – this, right at the time that a young Andrew Cuomo was dispatched by his New York governor father to work for the Clinton Administration. This episode may be the cleanest, clearest documentation we've ever seen of how politicians achieve gun control, regardless of the law or the facts. These were the early political lessons that the younger Cuomo later brought home to New York to unleash in 2013.

Read about this and more on:
SCOPEny.org
Go to the WHITE PAPER links

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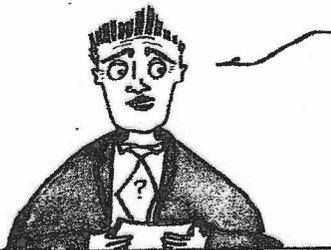
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ODAUSA.com

In The News Today...

by Arlie



**In The News Today...
with Heath B. Lyon**

The following multiple choice survey question was asked of a group of law-abiding mentally competent American citizens:

A terrorist (or mentally incompetent lunatic) suddenly enters your work place and begins shooting! What would you hope?

- A. That President Obama gives a nice eulogy at your funeral. (Which he attends on his way to a golf outing.)
- B. That Hillary reminds everyone at your funeral not to provoke anyone with a video that they might violently react to. (As they did before.)
- C. That New York Governor Andy Cuomo assures everyone at your funeral that he plans to confiscate all firearms of all law-abiding citizens. (The constitution be damned.)
- D. That your .357 Smith and Wesson works flawlessly and you are not in a "Gun Free Zone"!

Answer _____

THE STATE IS CONSIDERING JURY NULLIFI- CATION

By Budd Schroeder

The New York SAFE act has created increased interest from formerly apathetic gun owners as they watch what they thought was a Constitutional right erode into a bureaucratic nightmare. The century old Sullivan Law with its Draconian restrictions on pistol possession and use was the opening of the door that said politicians could wreak havoc on the Bill Of Rights.

The Second Amendment states that "A well regulate militia, being necessary to the security of a free state, the right of the people to keep and bear Arms, shall not be infringed." According to the writings of the Founding Fathers this was placed in the bill right after stating the rights of free speech, freedom of the press, freedom of religion and the right to peaceably assemble and to petition the government.

When asked what kind of government they founded, Benjamin Franklin replied; "A republic, if you can keep it." That was the key. "If you can keep it." Indicated that old Ben recognized that future politicians could try to usurp power and revert to a dictatorship or monarchy. A well-armed citizenry was the insurance that the people would be more powerful than the government.

Subsequent generations have shown that this was a wise move, but as time passed and legislatures convened, the power hungry politicians kept inventing ways to circumvent the intent of the founding fathers. Gun control was an invention of the Old South to keep slaves from possessing guns and it got worse after the Civil War to keep the freed slaves from bearing arms.

Professional politicians love to exercise control over the citizens. They are slick and can be ruthless in their actions. They have figured ways to make the citizens dependent on government to further their control and taxes are a good example of the way power can be abused. They also have the power to gerrymander districts to retain power and they pass election laws that can be used to keep the people in power, in power.

So, what is the big problem with gun laws? They are presented to the public under the guise of "public safety" and anti-gun proponents use buzz words like "common sense" and "reasonable" as they present their agenda. Those who are familiar with the New York SAFE act know that it affects only the honest gun owners and has no effect on reducing the criminal misuse of firearms because criminals don't obey laws.

Banning drugs and alcohol has no effect on stopping or reducing addiction and alcoholism and the restriction on firearms under the SAFE act has no effect on criminal possession and usage. However, the liberal politicians love the word "control." They love to have the power over the people and in many cases, laws they pass make the lawmakers exempt from the provisions.

So, under the SAFE act, a person can be arrested and convicted of a crime if he has a gun with illegal cosmetic features like a thumbhole in the stock, or a threaded barrel. He can go to jail if he has a magazine that holds more than ten rounds even if he doesn't have a gun that can use it.

A person can lose his right to own a firearm under the mental health law because of an opinion and a report. This is done without due process under the present law. So, what can a citizen do to get justice under this corrupt system?

New Hampshire has an idea that will be presented to the legislature. It is called jury nullification and prosecutors and judges hate the idea.

It simply means that a jury can decide whether a law is fair and justified at a trial. If the law passes, the judge must tell the jury:

"The test you must use is this. If you have a reasonable doubt as to whether the state has proved any one or more of the elements of the crime charged, you must find the defendant not guilty. If you find that the law does not apply to the proven facts of the case, you must find the defendant not guilty. However, if you find that the state has proved all of the elements charged beyond a reasonable doubt, but you find that based on the facts of this case a guilty verdict will yield an unjust result, you may find the defendant not guilty."

The laws are not always just, even some that have been upheld by a Supreme Court decision like the Dred Scott Decision and the Fugitive Slave Act. Should the Jim Crow Laws been allowed to be enforced for a century? Reasonable and just people would agree they should not have had victims paying a huge penalty for unreasonable and unjust laws.

A law like this would probably not be considered in New York where power and control are serious considerations for the liberal lawmakers, but it would be interesting to see if enough citizens demanding this law would have any effect. It would make "government of the people, by the people and for the people" not just a sentence in The Gettysburg Address, but a reality for true justice.



The Election Circus

By Ralph Esposito

Anyone who has been watching the presidential debates is either shaking their head or laughing. I alternate between the two myself.

I suppose there have been worse campaigns in the past, candidates trying to tear each other down. The media trying to help with that as much as they can. At least on the Republican side. Looking at the Democrat primary is like watching a soft fluffy pillow fight.

The lead Republican right now is Trump. Many think this is a sign people are getting completely fed up with politicians and the sycophant media that laps at their heels.

Most of us have been disappointed at best, though angry might better describe how many feel about our public servants' lies and antics. Their promises smelling more like cow fertilizer than the promised roses.

It would be easy to shrug our collective shoulders at both sides and say go take a long walk off a short pier. But there are serious concerns facing our country. Indeed we are at a crossroads.

At stake in the upcoming election are such important matters as.

- The direction of the Supreme Court with the nomination of Scalia's replacement.
- The Second Amendment, democrats call for more restrictions and limits for gun owners.
- The growing threat of terrorism around the world.

- Our porous borders, can we stop the illegal entry of people and drugs from the Mexican border?
- Our energy supply, Hillary pledged to shut down coal fired electric plants. This means stressing an already outmoded energy supply grid as well as destroying the coal industry.

I have just scratched the surface. In states like NY the economy is still not good for many and the cost of living has been going up with the only bright spot being low gas prices. Don't think that will last, already some politicians are talking about adding a new gas tax.

We must see past all the distractions and be determined to vote. Our Rights, our economy and the direction of our nation is at stake.

IT'S JUST POLITICS
By Arlie

ME AND MY CREW ARE GIVING
MY STATE A GOOD SNIFFIN'
AND FOLKS WITH VIEWS I
DONT LIKE JUST BETTER GET
OUT OF MY STATE!



REPEAL THE GOVERNOR'S 'UNSAFE ACT-

The New High School Clay Target League

By Tom Rood

Most shooting sports advocates are concerned about dwindling youth participation and its consequences towards the future of our Second Amendment rights. Some organizations and its members are not wringing their hands in frustration over this issue but are actively doing something about it.

The Yates County SCOPE chapter is already sponsoring the Yates Cornell Cooperative Extension's successful 4-H youth shooting program. However, another group has asked for Yates SCOPE for help with sponsoring a new youth shooting program to begin with the 2017 school year. It is the New York State High School Clay Target League (NYSCTL). This should not be confused with the already existing Scholastic Shooting Sports Foundation (SSSL). The SSSL is active in 42 states and has 13,000 high school

age participants. Generally the SSSL is sponsored by organizations not necessarily connected to local high schools.

The new NYSCTL encourages its teams to be incorporated into the high school's existing extracurricular programs. Each team competes against other high school teams by sending their scores over the internet. Participating high school team members must first complete the NYS Hunter Safety course.

There is no facility or maintenance cost to the school system as all shooting events occur off school property. No firearms or ammunition are ever brought onto school property and schools are not asked to transport team members to and from the shooting range. Team members go home to get their firearms and ammunition and then travel to the shooting range. All participants including coaches and instructors are insured. The program is attractive to all students as no exceptional physical abilities are required.

The Pal-Mac and Marcus Whitman school systems are looking to begin their new NYSCTL league

early in 2017 joining five other upstate high schools: Beaver River, Belleville-Hendersen, Carthage, Copenhagen, and Sackets Harbor. It is hoped that we can encourage Penn Yan and Dundee high schools to join the league thus adding more high school students to the shooting clays program and increase the spirit of friendly competition amongst local schools.

There are per-member costs associated with the program.

\$30 League registration

\$10 safety equipment (eye and ear)

\$200 for ammo and clay targets for the shooting year (9 shoots@ 50 clays each)

The Yates SCOPE chapter will assist the sponsorship for the NYSCTL program in two local high schools, Penn Yan and Dundee, should either or both schools produce a clay target team. For more information on this high school clay shooting league go to <http://nyclaytarget.com>

Yates County 4-H Shooting Sports Report for 2015

In February, 3 adults and 3 4-H youth attended a Shooting Sports training in Ballston Spa, NY. This led to new instructors certified in Rifle (2), Living History, Hunting and Wildlife, and Archery (2).

A 4-H Shooting Sports club officially formed in March. The group has roughly a dozen members that meet once a month at the Branchport Rod and Gun Club.

A Muzzleloading workshop series was held in March at the Branchport Rod and Gun Club, with 8 youth taking part.

Our Living History group held a Maple Day on March 29th, learning how trees are tapped today, as well as how they were tapped in the 1800s.

With support from Yates County SCOPE, a Chicken and Biscuit dinner was held on April 16th, raising \$2767.00 for the 4-H Shooting Sports Program.

In May a 4-H volunteer and youth attended a shooting sports instructor training in Varysburg, NY.

4-H Archery Workshops were held the end of July. There were 11 participants, with 3 new 4-H enrollees, 1 Steuben County 4-H'er, and 9 youth completing their 6 hour certification.

4-H Rifle/Air Rifle/Air Pistol workshops were held on August 2nd, 9th, and 10th at the Branchport Rod and Gun Club. Ten youth attended including 2 from Schuyler County and 1 from Steuben. All youth completed certification in at least 1 discipline.

Blaise Cox participated in the NYS 4-H State Shoot event the weekend of September 11th. He placed 3rd in air pistol slow fire, 3rd in air pistol silhouette, 4th in air pistol timed/rapid fire, 1st in 3D archery, and 1st in FITA archery!

Blaise and Angie Cox attended an Outdoor Adventure Adirondack trip in September. They learned about topics ranging from wildlife identification

(skulls, pelts, etc), wild edibles (general information), fire starting, fishing, map & compass use, outdoor cooking, and invasive species of plants. Both had very positive comments upon returning and will be applying skills and activities learned in their Shooting Sports club.

We applied for a NRA Grant in the fall of 2015 and made it through the first round of reviews. We are waiting to hear if we will be receiving funds for 2016.

In total for 2015 we had 17 youth participate in 4-H Shooting Sports club programming, 11 youth take part in archery workshops, 8 in muzzleloading, 8 in pistol, 10 in rifle, and 9 in hunting and wildlife education, reaching a total of 32 individual contacts from 3 counties (Yates, Schuyler, and Steuben), totaling 107 hours of instruction by 4-H Shooting Sports volunteers.



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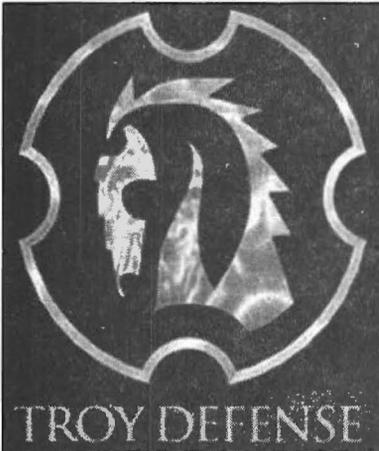
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SCOPE wishes to Thank TROY Defense for their generous donation of four Pump Action Carbines.

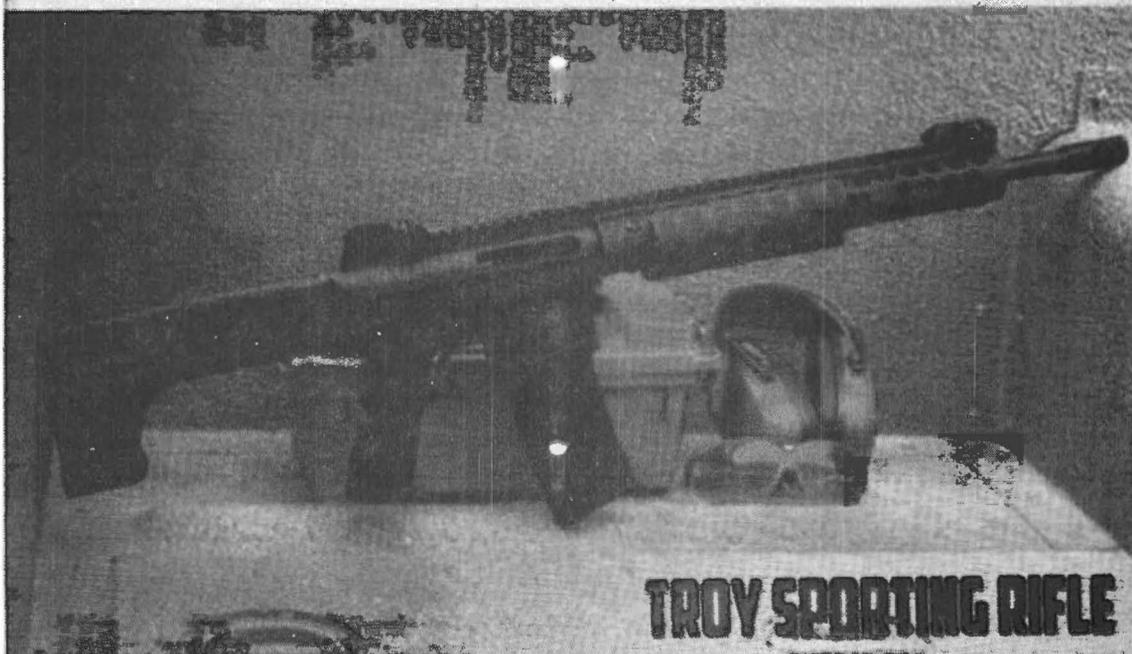
Troy Defense is a Massachusetts Company that is doing what it can to support our fight in New York. They have donated four pump action NY SAFE compliant rifles (pictured below) to SCOPE. SCOPE appreciates the support and will use the rifles in raffles to the membership. We at SCOPE are asking the membership to support Troy Defense.

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Executive Action, Gun Control and Mental Illness: Too Little is Still Too Much

By Robert B. Young, MD

President Obama is now using executive actions to fill in certain "gun safety" gaps in our present hodgepodge of laws and regulations. One might wonder whether he is motivated not only by the possibility of "saving just one life" but also by the fact that most of the nation disagrees with him about the need for further gun control and about his right to rule by fiat.

Doctors for Responsible Gun Ownership (DRGO) works hard to cover the often discouraging intersection of health care and gun rights. This effort required watching in word-for-word, tear stained, excruciating detail the January 5 White House press conference and CNN's January 7 *Guns in America* town hall from George Mason University. It meant reading the President's January 7 opinion piece in the *New York Times*, "Guns Are Our Shared Responsibility" and all 56 pages of the federal Department of Health and Human Services Final Rule 45 CFR Part 164, Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule and the National Instant Criminal Background Check System (NICS), published January 6. We shoulder these unpleasant tasks so you don't have to.

One outcome of the President's announcement is great concern that physicians and mental health care providers will now be reporting everyone's mental illness to the FBI, which runs the NICS. We all want to identify people who are prohibited from buying guns for good reason,

but the prospect that anyone in emotional distress could be prohibited from legal gun ownership for life is reasonable cause for panic. It would devastate the privacy necessary to the trusting relationships that treatment requires.

Yet only a tiny fraction of violent perpetrators are found among the mentally ill, people who are far more likely to become victims than attackers. Half of all Americans experience at least one episode of diagnosable psychiatric illness during their lifetimes. Prohibiting all of those would vastly restrict the number of Americans who could retain their constitutional right to keep and bear arms over time.

The fear of their guns being confiscated could also increase the chances that many in need of psychiatric treatment, and perhaps those at highest risk of violence, would avoid it. That would reverse the gains we've made during the past century in normalizing the reality of treatable psychiatric illnesses and undermining the stigma that had made second class citizens of those suffering.

The good news is that this new HHS Rule does not mandate anything. It defines a very limited change to current confidentiality requirements.

As things are, anyone who has been committed involuntarily to a psychiatric facility or who has been determined by a court to be "mentally defective" (i.e., unable to be responsible for themselves due to mental illness) is supposed to be listed in the NICS as a prohibited person. This information should be tracked and reported by each state. For a variety of reasons, such as variations in state requirements and despite some federal incentives, this has not happened consistently. So there are holes to fill in this reporting.

The new rule amends HIPAA to "permit" (it does *not* require) those professionals who have the legal authority to adjudicate or to

involuntarily commit patients, or agencies that otherwise lawfully collect such information, to make reports on their prohibited status to the FBI for the NICS. That generally means only courts, psychiatrists, and the directors of state and county mental health departments.

This rarely includes other physicians. It does not include the much greater numbers of other mental health treatment providers (psychologists, social workers, counselors, etc.). It limits the information strictly to demographic identification, without any diagnosis or clinical information. So to the extent this happens, it would just make it more likely that the identities of those who are supposed to be legally prohibited will be listed.

"To the extent this happens" is a big "if". Physicians are historically the fiercest protectors of patient privacy, knowing the harm that can be done and embracing the guiding principle, *primum non nocere* ("first, do no harm"). It is not at all likely that psychiatrists or other physicians will care to provide such information routinely even though permitted to do so.

Along with medical ethics, HIPAA delineates in great detail under what conditions patient information can be communicated. There are very limited, emergency circumstances in which providers may have the duty to warn or protect others whom their client specifically threatens, but this has seldom caused obstacles to patients seeking or continuing treatment afterward. Whether firearms owners will selectively exclude themselves from voluntary treatment remains to be seen.

A much greater concern should be the absence of due process for all non-judicial additions to the NICS, as well as the lack of any routine means to be removed once on it. The same problems exist with the no-

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fly and terrorist watch lists; the listing by the Veterans Administration of veterans with PTSD or representative payees; and the potential for such policies to expand across the federal government (e.g., the Social Security Administration is currently considering applying the rule to Social Security recipients on disability or with representative payees).

None of these circumstances defines someone as impaired in the safe handling of firearms, let alone as any public danger. Yet it becomes the decision of bureaucrats, not courts, to deny these citizens their Second Amendment rights. They bear no accountability for applying these prohibitions, which are of indefinite duration.

For a (somewhat hopeful) example about the burden of seeking to get de-listed as prohibited, consider the story of Charles Tyler. Nearly 30 years after being committed for a situational depression relating to his wife deserting him, he discovered that he was denied the right to purchase a firearm. He'd had no further mental health issues and no criminal record, so there was no other reason to be classified as a prohibited person.

After a two-year legal odyssey, the Sixth U.S. Circuit Court of Appeals in Cincinnati determined that the federal law defining that prohibition is unconstitutional as applied to his circumstances. No one whose civil rights have been wrongfully revoked should have to go to such cost and effort to get their rights restored.

It is maddening that our laws and this administration's agenda can so readily and arbitrarily consign citizens to living without the full protection of their rights as Americans. There is no excuse for installing societal protections that, while important, leave no way out for individuals unfairly trapped by them. Such rules are blind to the

harsh reality they impose on people. Cheryl Todd's recent thoughts on emotional immaturity, distorted perspective, inflexibility and narcissism of people (and hierarchies) operating in "functional fixedness" may shed some light.

During the *Guns in America* town hall, the President showed a telling pattern. When responding to questioners who were supportive of his agenda, he was animated and focused on them. When replying to people who raised criticisms, he was passive and less spontaneously empathic, and changed the subject. His eyes were downcast, and he couldn't or wouldn't meet their gaze for more than a moment.

This is defensive behavior. It may have to do with 7 years, or a lifetime, of isolation from mainstream America. It may have to do with having no one in his circle who would ever see these subjects differently or question his wisdom about them. It may have to do with his or his party's mindset fearing guns and blaming all gun owners for the violence that some irresponsible, criminal, and distressed people do.

It could also indicate some shame, perhaps for his inability to answer the fair and just questions his gun policies raise for the majority of

Americans. Perhaps even shame for vilifying the very people who were brave enough to confront him on his irrational, irrelevant and ineffective answers to the problem of violence in America.

President Obama's executive actions, while thankfully seeming bounded by some late arriving sense of the limits of his lawful powers, are not Goldilocks solutions. They are too little and too much, too soft and too hard. They simply don't fit at all.

Robert B. Young, MD is a psychiatrist practicing in Pittsford, NY, an associate clinical professor at the University of Rochester School of Medicine, and a Distinguished Fellow of the American Psychiatric Association.



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