

## Are you being played for a fool?

By Stephen Aldstadt

On the first day of the legislative session in 2013, the NYS Senate passed the NY SAFE Act. Gun owners, sportsmen, law enforcement, mental health professionals, local county and municipal governments overwhelmingly oppose the NY (UN) SAFE. Yet over two years later the controversial law still remains.

Despite the efforts of New York's gun owners, Andrew Cuomo won reelection, even while losing forty seven counties. However, in that election enough senators who voted for the (UN)SAFE Act were booted out of office to change the majority in the New York State Senate. The Republicans now hold a narrow majority.

We are being told that is a good thing. Now there will be no SAFE Act II. The Republican leadership wants you to believe they will protect your rights. Will we be played for fools again?

The Republican senate leadership called for the "message of necessity". Not one senator from either party opposed that. After the election every single Republican voted to retain the same leadership that gave us the (UN)SAFE Act. Now most of them say they are on your side and they will protect your rights.

The New York Republican leadership, under Senator Dean Skelos, think they can take gun owners for granted. They think you have nowhere else to go. They are counting on you voting them back in again because the alternative will be even worse.

Don't accept their platitudes. Lip service to the Second Amendment doesn't do you any good. It does not restore your rights. You need to demand action from your legislators. Gun owners were a major factor in the Republicans regaining the majority. Let them know that you will not return them to the majority again unless they deserve it.

We have all been calling for no funding for the (UN)SAFE Act in the budget. They will tell you that they are stripping money from the state police budget that was earmarked for creating the ammunition background check system. That is all well and good, but honestly, after two years, they are not even close to putting up a working system to do that. The superintendent of the state police recently testified to that in senate hearings.

Even if it is defunded the governor can always divert money from elsewhere. It can always be funded again in next years budget when presumably the state police will have their technical problems worked out. What is needed is for the senate Republican leader to show some backbone and push to have the ammunition data base removed altogether. If they wanted to, they could get that done.

Many legislators are drafting and submitting bills to repeal or amend some or all of the (UN)SAFE Act. But the New York State legislature submits some twenty thousand bills every year. No other state has anywhere near the number of bills as New York. The vast majority go to committee to (quietly) die. They are never acted on. They get no vote. They never see the light of day. This does absolutely nothing for you. If this is all the support you get from your legislator, then do not continue to support them.

Demand your legislator sign as a sponsor of repeal legislation. But that is not enough. Demand the bill is put on the committee calendar and given a recorded vote. Your senator can make it happen if they have the political will to do so.

You are a big part of the reason that the Republicans regained the senate majority in the last election. You must hold them accountable. Promises mean nothing. Demand action. The next election cycle has already started. Will the Republicans deserve to remain in the majority? Right now is when they have to show us that.

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Our meetings will be the second Monday of each month at the Franklinville Conservation Club, 6:30 pm

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Woodchuck6660@gmail.com

**CENTRAL NEW YORK**  
Onondaga-Cortland-Oswego-Madison  
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mmastro1@twcny.rr.com  
315 652 4597

Meetings are held the 3rd Tuesday of the month at 7:30 pm. Place Clay Sportsmen's Club Location Henry Clay Blvd north of Rte 31.

**CHAUTAQUA**  
Will Conta, Chairman  
will.conta@windstream.net

Meetings are held the 3rd Tuesday of the month at 7:00 pm. Place VFW Post 8647, 10 Memorial Drive, Mayville NY.

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Jasonn845@gmail.com

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chenangocountyscope@gmail.com

**DUTCHESS**  
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No regular meetings, business is conducted via email and social media

**ERIE**  
Carl A. Leas, Chairman  
Carlpride@msn.com  
716-656-0350

Erie County Chapter holds monthly meetings every third Thursday of the month. Meetings begin at 7:00 p.m. in the 'The Chicken Coop', VFW Post 8113, 299 Lydecker Rd. in West Seneca. Located at the intersection where East & West Rd ends at Lydecker.

**GENESEEE**  
Bill Fox Sr. - Chair  
585-356-4992  
bfson, LLC@gmail.com.

**NEW meeting information,**  
Second Tuesday of every month 7 PM, at Calvary Baptist Church, 3515 Galloway Rd., Batavia NY 14020. **NEW chapter web site** is www.geneseecountyscope.org

Post office box for chapter correspondence is Genesee County SCOPE, PO Box 1659, Batavia NY 14021 - 1659.

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Monroe County meetings take place the Third Tuesday of the month 7pm at the American Legion, 260 Middle Rd, Henrietta, NY, 14467. There is no meeting the month of December.

**NEW YORK CITY**  
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(646) 319-0106  
Davefargone@aol.com

Monthly Meeting is a visit to a gun store and/or a range. Normally we're doing this on a Tuesday evening, but that may change depending on the hours of our target location of the month. Contact Dave Forgione at (646) 319-0106 for meeting details or

join our low-volume email list by sending a message to:scope-nycsubscribe@yahooogroups.com

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Niagara County SCOPE has changed its meetings to the 2nd Tuesday of each month at 7pm. Wilson Conservation Club Route 425, 2934 Wilson Cambria Rd..

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The Ontario County Chapter has its meetings on the third Monday of the Month, The Inn on the Lake, 770 S Main St., Canandaigua, NY 14424. Meetings start at 7:00 PM.

**ORANGE**  
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wileec@frontiernet.net  
Meetings will be at 7:30 PM, the 3rd Saturday of each month. 21 Claremont Trail, Blooming Grove, NY. Call Mike at 496-1183 for information.

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Monthly meetings second Monday, **our new meeting location** is VFW Post on Platt St in Albion 2nd Monday of Month @ 7pm.

Be sure to join our new SCOPE Orleans Facebook page at <https://www.facebook.com/groups/588255081215016/>

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Schuyler County Scope Committee meets the second Thursday of each month at the Montour Falls Moose Lodge 426.

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Meetings are held the 2nd Wednesday of the month at the Palmyra VFW Post 6778, 4306 Route 31 at 7:00pm. All are welcome, for information email WayneCounty-SCOPE@yahoo.com for questions and updates.

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Wyoming County Committee meets 2nd Thursday of each month at The Wyoming County DSS Building, Doody Street, Warsaw NY. (Across from Tim Horton's)

**YATES COUNTY**

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To request an application, please contact SCOPE Inc. at 716-941-3286, or e-mail admin@scopeny.org.



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*"...extremists spread fear and unrealistic theories of conspiracies that the citizenry needs to be armed because the government is possibly tyrannical..."*  
*"...that is what laws are for. There are criminals who will not obey the law. You have to give up some sense for the greater good..."*

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# THE POWER OF THE PRIMARY

By Budd Schroeder

The next state election is in 2016. This gives us time to plan and implement the best way to regain our rights that were drastically diminished by the passing of the SAFE act. We had a chance last year to rid ourselves of Andrew Cuomo, but due to the apathy and stupidity of the non-voting gun owners, he won on the New York City vote.

That is history and history has a tendency to repeat itself unless citizens are willing to take the time and make the effort to make new history. It can be done. We should not call the debacle of the lowest voter turnout in memory as a mistake. We should refer to it as a learning experience.

We learned that apathy is powerful, so we have to use the "E" word in SCOPE. Our gun owners need to be "Educated" to the fact that if they didn't vote, they are to blame for the SAFE act. We have a corrupt system and legislature in Albany, and the only way to correct that is to change the people in office. This is not as difficult as you may think.

We know that election districts are gerrymandered to protect incumbents and the political parties.

The members of the assembly draw the district lines for voting and the senate does the same to maintain this protection. So, this brings up the "P" in SCOPE for "Political" activity. The "P" can also stand for "Power." The power is the ability to get out the vote and to be active in the election process.

Where we were strong, we were effective. The fact that the Democrats in New York City came out in numbers large enough to shift the balance of votes against Cuomo in the upstate counties. The votes in his favor was not a large margin. This can work to our advantage. There are enough votes in upstate to carry an election if we can motivate the good gun owners to go to the polls and make the necessary changes.

With the corruption of gerrymandering it is obvious that the party in power stays in power in those districts unless there is a change in the structure. This is where dedication and a willingness to work can pay off. All counties are run by a party chairman and committeemen. Every two years the counties reorganize and choose the chairmen. The committeemen (and committeewomen) hold the power of the vote and can make changes in the county power structure.

It is not difficult to become a committeeman. All a person has to do is to get a petition and enough signatures on that petition to become a can-

didate. The county chairman usually picks the people he can depend on to vote his way and they get enough signatures to get on the ballot. All you need is five percent of the registered party voters in the district in order to qualify as a candidate.

If there are 100 people in that election district, five good signatures will be enough to qualify; but it is prudent to get double or triple the necessary number because the party boss will fight to keep his people in power and challenge the signatures. Primaries usually do not draw a large number of voters so someone with hustle and desire can persuade people to vote for him. It can be done.

Once the committeemen are elected in that primary, they choose a chairman. And in many cases that can be a big change in the structure of who gets the party nomination for the various public offices in that election district. Since election districts can cover multiple counties in upstate New York, it is essential that people in those districts coordinate and unify when making the plans for the change.

Even if those in power stay in power the primary process can benefit the insurgents who want to make the change. They can run a candidate against the endorsed candidate by virtually the same process. They

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Thanks  
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get their troops out to get signatures on petitions for their candidate. Again, five percent of good signatures will qualify, but it is often necessary to get double that amount to offset the onslaught by the party bosses as they challenge the validity of the signatures.

For us to be successful in this endeavor, we must look for a viable candidate in each race. The political formula for success is to find a candidate with name recognition, who has the ability to raise campaign funds, and has a power base. The honest gun owners can be an excellent power base. The power base can help with the fund raising, literature drops and phone banks.

They can also support their candidate with letters to the editor, getting on talk radio, and by discussing the election with everyone they talk to, giving them good reasons for making the change in the legislature. Word of mouth is extremely powerful. SCOPE is willing to run seminars for county chapters who want the help.

In these heavily gerrymandered districts, the only viable way to get rid of an incumbent is by a primary. Last year in several districts, the incumbent didn't even have a challenge from the opposing party. Since primaries don't traditionally have a large turnout, it makes the job of getting rid of a corrupt politician easier than it would be in a general election. A good team working on primary day to get the vote out can work wonders. Remember, the party in power will be doing the same thing, so your story has to be logical and motivating.

An old slogan is "We get the government we deserve." When we get enough people motivated to want an honest government and not one overrun by corrupt politicians, we can make the change. It isn't easy, but particularly in districts with an incumbent who voted for the SAFE Act, it should be easy to motivate

people to go to the polls. Tell them it is the best way to regain the Second Amendment rights those politicians stripped from the honest gun owners.

We have time to accomplish this goal and in most counties we have the leadership in the SCOPE chapters to organize. When our members get angry enough about the politicians who spit on the Constitution and strangle us with draconian gun

laws, we can be a mighty force. If you have the desire and passion for constitutional rights and are willing to fight for freedom, this is a viable way to push back and show that corruption in government is not acceptable to good citizens.



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if you have any questions.

## A letter to my Senator

By Donald H. Smith

I am a law abiding NY citizen of 73 years. I was born and raised in the foothills of the Allegheny Mountains near the PA border. My parents worked hard to provide us with a minimal standard of living. Life was good to any kid growing up in that environment.

The family shotgun rested in the wash room next to the door. A box of shotgun shells were kept separately in the dining room cabinet on an upper shelf. My friends came and went on a daily basis and none of us even considered playing with the gun. It was "off limits," and so were the shells. It was not until my father passed that I discovered a revolver in the dining room buffet beneath a pull-out drawer. Its ammunition was found in a separate location.

I recall my father and brother going hunting on weekends. I was too young and stayed home. This suited my mother who grew up on a farm and detested the killing of animals, especially farm animals. She considered them her pets. I remember her telling about Papa killing "her" chickens for Mama to cook. She never ate meat, although she cooked plenty of it for the rest of the family. This may have contributed to her longevity. She lived with my wife and I until she passed at the age of 102.

I eventually became old enough to take a Hunters Safety course. It was taught by my shop teacher who was also one of my paper customers. He was a strict teacher and took the course very seriously. Believe me, so did those of us who took his course.

Safety is not necessarily a natural instinct. It requires a parent's or instructor's diligence and the undivided attention of the student. I had been forewarned at home of the importance of taking gun safety seriously. So I was a willing student in the course.

I passed the course and was allowed to join my dad and brother when they went hunting. We couldn't afford an extra gun, so I just tagged along. The best part was just being in the woods. When I was in high school, I was able to hunt alone. I often shouldered the shotgun and walked up the street past our K-12 school building. It was not unlike carrying a fishing rod in the village. Others did the same. A short walk and I was on the nearest hill.

I have never considered myself a "killer." I have shot and killed a grouse, squirrel with a shotgun no less; never did that again, simply no sport to it, a turkey, a few pheasants and a deer. I've proven to myself that I can shoot accurately, so my shooting today occurs at the range with clay pigeons and paper targets.

I still look forward to hunting seasons so I have a good excuse to be in the woods. I enjoy the camaraderie of my friends, along with the beauty and solitude of the forest. Listen to the birds, see a few animals, especially when they don't see me. My camera is now my "weapon" of choice. The last time I recall firing my shotgun was at a coyote chasing a deer while I sat in my chair trying to stay awake (naps are great in the woods).

My college roommate was from Smithtown, L.I. He grew up in a different environment and with a vastly different viewpoint on guns. We shared many interests, but one of them was not guns nor hunting. I can't say he feared guns, but he could not see the logic of owning one. Our commonalities were in the field of science, music and food.

I believe this helps explain why the NY SAFE Act was acceptable to so many legislators from Downstate NY. This is not meant to be critical of those with a different point of view. But surely we all recognize that the same set of values are not shared by those in Upstate vs Downstate. What justification is there for a Downstater to subject those of us

in Upstate to a set of regulations that may be suitable in New York City but make absolutely no sense to the majority of the state's Upstate citizens?

I sat recently with Senator Boyle and discussed that very issue. He explained that 2 of 3 of his constituents favor the SAFE Act. I believe this is due to their lack of understanding of the Act and its intrusions on the lives of law abiding citizens like myself.

It is my opinion the SAFE Act is NOT about gun control, but it is certainly about CONTROL.

Gun control in this state and country is not simply an attempt to outlaw 'scary' firearms. Autocratic states like New York have successfully regulated common sporting rifles and magazines under the guise of improving the safety of its citizens. But what is their ultimate agenda? Listen to the words of Sara Brady:

"Our main agenda is to have all guns banned. We must use whatever means possible. It doesn't matter if you have to distort the facts or even lie. Our task of creating a socialist America can only succeed when those who would resist us have been totally disarmed."

Source: Sara Brady, Chairman, Handgun Control Inc, to Senator Howard Metzenbaum The National Educator, January 1994, Page 3.

These are disconcerting words coming from the mouth of an American.

Recall:

1] Chancellor Hitler in 1933: "This year will go down in history. For the first time, a civilized nation has full gun registration. Our streets will be safer, our police more efficient, and the world will follow our lead into the future!"

2] Senator Dianne Feinstein: "If I could have gotten 51 votes in the Senate of the United States, for an outright ban, picking up [every gun]... Mr. and Mrs. America, turn 'em all in."

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3] Governor Cuomo in December 2012: "Confiscation is an option".

Governor Cuomo claimed the federal government and other states would follow suit upon passage of the SAFE Act. He was wrong and remains so today.

California first introduced a so-called "assault weapons" ban in 1989 followed by Connecticut in 1993. The Connecticut ban did nothing to stop the horrific event in Newtown. The town had built a mental institution in 1933 where Adam Lanza might have been housed. Unfortunately the state closed it in 1975. NY State has followed a similar pattern in closing such facilities and exposing the public to potential danger. Consider these thoughts by David Kopel, who is research director of the Independence Institute in Colorado and co-author of the law school textbook, "Firearms Law and the Second Amendment" [Aspen, 2012].

His article in the Wall Street Journal, dated Dec. 17, 2012, is entitled Guns, Mental Illness and Newtown. It points out that "none of the guns that the Newtown murderer used was on the ban list since those bans concentrate on guns' cosmetics, such as whether the gun has a bayonet lug, rather than their function".

Yes, the Bushmaster AR-15 and even the AK-47 are "military-style weapons." But the key word is "style"—they are similar to military guns in their cosmetics, but not in the way they operate. The guns covered by the original ban were not the fully automatic machine guns used by the military, but semiautomatic versions of those guns designed for non-military use.

The civilian version of the Bushmaster uses essentially the same types of bullets as small game hunting rifles, fires at the same rapidity (one bullet per pull of the trigger), and does the same damage. The civilian version of the AK-47 is similar, though it fires a much larger bullet—.30 inches in diameter, as opposed to the .223 inch rounds used by the Bushmaster. No self-respecting military in the world would use the civilian version of these guns.

The large-capacity ammunition magazines used by some of these killers are also misunderstood. The common perception that so-called "assault weapons" can hold larger magazines than hunting rifles is simply wrong. Any gun capable of holding a magazine can hold one of any size. That is true for handguns as well as rifles. A magazine, which is basically a metal box with a spring, is trivially easy to make and virtually impossible to stop criminals from obtaining. The 1994 legislation banned magazines holding more than 10 bullets yet had no effect on crime rates.

I have watched a demonstration where 3-ten round magazines were duct taped together side by side. Thirty rounds were first shot from a 30 round magazine. Then the 3-ten round magazines were used with the



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shooter interchanging magazines as quickly as possible. The time difference for the total of 30 rounds was approximately 2 seconds...barely noticeable.

Let's consider how effective the Clinton 1994 Assault Weapons ban was on curbing crime in the US. A series of studies concluded with a 2004 study led by Christopher S. Koper for the U.S. Dept. of Justice and this statement by Koper: "*In general we found, really, very, very little evidence, almost none, that gun violence was becoming any less lethal or any less injurious during this time frame. So on balance, we concluded that the ban had not had a discernible impact on gun crime during the years it was in effect.*"

Compared with 1993, the peak of U.S. gun homicides, the firearm homicide rate was 49% lower in 2010, and there were fewer deaths, even though the nation's population grew. The victimization rate for other violent crimes with a firearm—assaults, robberies and sex crimes—was 75% lower in 2011 than in 1993. Violent

(Continued on page 11)

## Lying in Wait: 5 Cases Nearing Decisions on Second Amendment Issues and Information

By Paloma A. Capanna, Attorney

With two years gone by since the fateful day that NY SB2230-2013 sailed through the Senate, into the Assembly, and onto the Governor's desk, you may be asking, "whatever happened to those court cases?" In fact, we are headed shortly towards five decisions that will cover everything from the constitutionality of the "assault weapons" provision to the number of registered "assault weapons." Welcome to waiting for judicial decisions that have the potential to shake up Albany.

Started in March 2013, the first case out of the gate was *New York State Rifle & Pistol Association vs.*

*Cuomo*. This federal court case is now fully submitted to the Second Circuit Court of Appeals (NYC) as of the completion of oral arguments on December 9, 2014, concurrently with the comparable case out of Connecticut (*Shew vs. Malloy*). The third, similar case originated in Maryland (*Kolbe vs. Hogan*), and oral arguments in this case will be conducted on March 25, 2015 at the Fourth Circuit Court of Appeals (Richmond, VA).

In its first step in District Court, the official Record in *NYSRPA vs. Cuomo* was laid at more than 2,500 pages in nine volumes – all of which went up on appeal. The difference between the presentations is further apart than the longest long range. The questions of the three judges of the Circuit Court during oral arguments reflected their thorough review of every page of the Record on Appeal, as well as the Amicus Briefs. The oral arguments can be heard on the NYSRPA website page dedicated to the case, and are a must-hear for everyone

following the case. My SCOPE White Paper on the State's "evidence" in this case can be downloaded from our website.

A second federal case recently entered the arena, *Montgomery vs. Cuomo*, a case involving claims under the Equal Protection Clause, Due Process Clause, Privacy Penumbra, and the Second Amendment. The four named Plaintiffs lost their permits and their right to firearms use and enjoyment because they had supposedly been "involuntarily committed." What the Plaintiffs have brought under scrutiny is State marketing, training, and facilitating of reports by medical providers concerning patients to the State, while affording individuals no meaningful mechanism through which to challenge wrongful disqualification. Defendants include the NYS Office of Mental Health, NYS Department of Criminal Justice Services, NYS Police, and the Governor. I am the attorney for the Plaintiffs.

(Continued on page 9)

## We won! The BATF withdrew the ammo ban proposal. Or did we?

By Ralph Esposito

Yes, the BATF (Bureau of Alcohol Tobacco and Firearms) received (admitted to) over 80,000 comments near all against the banning of SS109 / M855 "green tip" .223 ammunition. This round is one of the most commonly used for target and sport shooting in guns chambered for the 5.56 or .223 round. It also is used by the most popular semi-auto rifle the AR-15.

One of the reasons raised was that pistols chambered in .223 are now available and the round could go through the style "bullet proof" vests worn by police. (Spoiler

alert, handguns have been made that take traditional rifle rounds for years.)

Why pick on the .223? It is twofold; first it is a way to get at semi automatic rifles that they have so effectively smeared with the title of "assault weapon." Secondly, you establish a process to ban ammunition. If you can't ban the guns, ban the ammunition.

You don't really think this will be the only type and caliber ammunition that they will try to ban? It will be hard to shoot your rifle, handgun or shotgun if there is no ammunition for it. Of course they will justify the bans with rhetoric like "if it saves one life" or "it's for the children."

The BATF withdrew the ban but was it really because of the overwhelmingly negative comments or was it because it was creating a potential political lash back? Look to the last elections, especially in NY State and its easy to see that gun

owners do go to the polls. The Congress, Senate and even the Presidential election in 2017 could be in jeopardy for the party who pushed through such a ban. Gun owners have a long memory and will get off the couch to vote; just ask former President Clinton or Governor Cuomo.

The likelihood is that this only means a short respite from more federal gun control. Already the more rabid anti-gun politicians furious over the BATF backing down are submitting legislation to ban SS109/M855 .223 ammunition and much more. President Obama needs only wait till after the presidential election and use an executive order before he turns the reins of power (reluctantly?) to his successor. Thus dumping the matter into the hands of our next President. Past performance shows that Obama is certainly not shy from issuing executive orders like candy. And as they say, timing is everything.

(Continued from page 8)

Both federal cases started in the Western District Court; *NYSRPA vs. Cuomo* in the Buffalo Division under Judge Skretny and *Montgomery vs. Cuomo* in the Rochester Division under Judge Siragusa. Both cases challenge the constitutionality of provisions of the “SAFE Act.” A tidbit to appreciate is that both cases have also, by necessity, ended up challenging provisions with roots older than the 2013 legislation. SB2230-2013 amended existing statutes, modified others, and added brand new sections, line, and phrases. When a lawsuit sets up a challenge to have a statute enjoined as being unconstitutional, it essentially reaches back across time to strike at any earlier foundation of the provision.

In the *NYSRPA vs. Cuomo* case, the law shifted from a “two-feature” test to a “one-feature test.” In the *Montgomery vs. Cuomo* case, the law added a new reporting system under MHL §9.46, which led to the secondary reporting system that the NY Department of Criminal Justice Services calls “9.41,” an admitted “misnomer” to MHL §9.41. Both lawsuits share possibilities for taking down more than the 2013 amendments.

Also of interest with two federal lawsuits underway is the early stage of comparing the State’s defenses in one case against the other. In *NYSRPA vs. Cuomo*, the State made much of its “public safety” arguments in favor of stripping down the features and accessories for firearms, including submissions by “expert witnesses” and a list of blogs and publications. Fast forward from 2013 to 2015 and in *Montgomery vs. Cuomo*, the State again is making “public safety” arguments...not repeating a single reference from the first lawsuit.

The *NYSRPA vs. Cuomo* lawsuit is awaiting the decision of the Second Circuit Court of Appeals. In *Montgomery vs. Cuomo*, the Defendants’ replies in their motions to dis-

miss or change venue are due March 30. If the Plaintiffs prevail, the next step will be the scheduling of the already submitted (stayed) Motion for Preliminary Injunction. I suspect that there may be a round of appeals to the Second Circuit as well. If the Plaintiffs’ claims are dismissed, the Plaintiffs will appeal. If the Plaintiffs’ claims are not dismissed, one can imagine that the Defendants will appeal, if for no other reason than to try to stop the Motion for Preliminary Injunction from going forward.

Also awaiting decisions are three state court cases brought under CPLR Art. 78 to compel the State to produce various records requested under the Freedom of Information Act. SCOPE is a Plaintiff in one of

the cases, thanks to 33 members of the Monroe County Chapter who put their name on FOILS, including demanding to know how many firearms had been registered. Additional Plaintiffs include Bill Robinson of the “Second Amendment Radio Show” and Gun Owners of America.

Cliffhangers, one and all, so make sure your dues are current, your donations are made to the SCOPE Legal Defense Fund, and that you get out to chapter meetings to hear the updates. Thank you to the many chapters who have hosted me the past few months to learn that which the media simply is not covering – it’s likely to be a historic year for the Second Amendment in the judiciary.

## Genealogy of the Constitution



## KrisAnne Hall

KrisAnne Hall is an Attorney and former prosecutor who travels the country teaching the Constitution and the history that gave us our founding documents. She is a disabled Army veteran, a Russian Linguist, a mother, a pastor’s wife and a patriot.

[www.krisannehall.com](http://www.krisannehall.com)

Tuesday April 28<sup>th</sup> 7pm  
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American Legion Riders Post 173  
American Legion Riders Post 355  
A-ON-DO-WA-NUH Sportsmans Club, Inc.  
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Sportsmen's Club of Clifton Park  
Springville Field & Stream Inc  
Springwater Rod & Gun Club, Inc.  
Square Deal Sportsmen Inc.  
Suburban Pistol League  
Syracuse Pistol Club

(Continued on page 11)



## Thank YOU Mr. Senator and Mr. Assemblyman – Keep Fighting please.

By Al Belardinelli

Nozzolio to Cosponsor Senator Marchione’s FULL Repeal Kolb to Cosponsor Assemblyman DePietro’s FULL Repeal

Sunday, March 8, 2015, a packed house at the SCOPE presentation hosted by the Seneca Sportsmen Club greeted Senator Nozzolio and Assemblyman Kolb. Both men stated their continuing dedication to repeal of the SAFE Act and further stated their efforts to at least repeal many of the clauses within that bad statute. They “privately” outlined the legislature’s strategy being used to accomplish OUR goals. While the effort described sounded pretty good, at that time, it fell short of full repeal... but that quickly changed. After this meeting, we formed an alliance between US and legislative efforts, which gives us great hope for FULL Repeal of the SAFE Act. By the way – OUR lobbying / calls / letters are a

HUGE factor.

After the initial presentations by the legislators, a motivated and knowledgeable audience engaged in a Q&Q+A that was really more of a brainstorming conversation. WE detailed the overwhelming facts for FULL repeal, along with the changing perception of the SAFE Act. OUR points were well taken by the legislators and they agreed to incorporate OUR “details” into their “tool bag” going forward. This week, WE will further “strategize” with them and they will help us with “legislative details” and give US names to effectively pursue additional legislators to gain the majority support needed for a positive vote for FULL Repeal of the SAFE Act. The “numbers” show WE are very close right now!!!!

Besides the obvious self-defense issues that the SAFE Act brutally curtails, is the fact that the SAFE Act was and is a mass of corruption. The corruption surrounding all facets of the SAFE Act is equal to the crimes uncovered by Preet Bharara. The blemish of the SAFE Act MUST be erased for the sake of Albany’s integrity . FULL Repeal of the SAFE Act will be a big step in Albany’s realization that the corruption in Albany is ending. NOTE: the budget ...well – let’s just say it’s the job of the legislature, NOT the dictate of Cuomo. (WE did not remove you Andy – but your days of dictating are numbered.)

## RESULTS: Tuesday March 3rd Albany Lobby Day:

It was a landmark day in Albany. The LOB and Capitol were packed with highly motivated activists and lobbyist. It was an overwhelming success!!! WE can safely state that as a result there will be a minimum of 10 additional legislators that will sponsor and support FULL Repeal of the SAFE Act!!! (WE aren’t finished – this week there is more lobbying to be done in Albany.)

Steve Aldstadt’s SCOPE delegation met with a slew of legislators and had a great acceptance by most legislators. The highlight was a very successful and fruitful meeting with – are you ready for this? – Dean Skelos. Steve will share the outcome of this “revelation” soon – stay tuned.

A delegation led by Denver Jones achieved a “literature drop” to 76 offices and additionally visited 43 legislators. All but 2 received US well. 2 additional legislators signed on to cosponsor FULL repeal / 4 additional legislators pledged to sign on / 6 others pledged they “lean” toward sponsoring / 6 more “privately stated” they would vote for FULL Repeal.



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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 law suits 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. **Send your donations to,**

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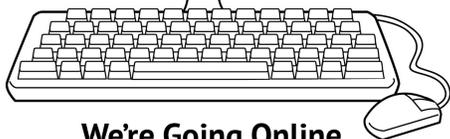
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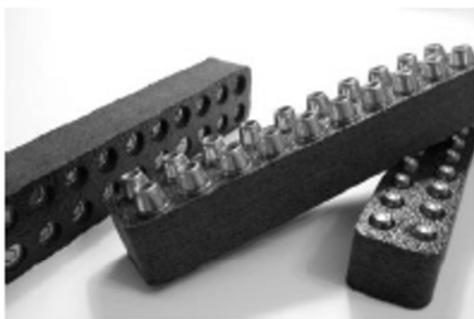
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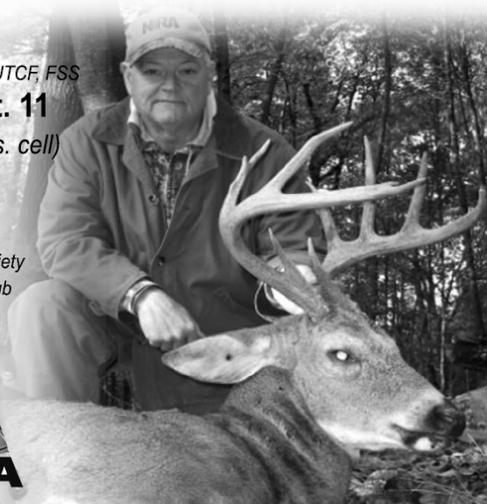
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*(Continued on page 17)*

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## SCOPE Southern tier Chapters meet with Legislators

By Tom Rood

On Friday, February 6, a meeting organized by Yates County SCOPE chapter President John Prendergast was held in the Big Flats Town Hall for leaders of the southern tier SCOPE chapters and our elected officials. The purpose of the meeting was a frank interchange of comments regarding our efforts in Albany to repeal Gov. Cuomo's so-called SAFE Act and future directions in resolving this issue. Officials present were Assemblymen Phil Palmesano (132nd district- Chemung, Seneca, Schuyler, Steuben), Assemblyman Chris Friend (124th district- Broome, Chemung, Tioga), State Senator Tom O'Mara (58th district- Chemung, Schuyler, Steuben, Tompkins, Yates), and Joe Sempolinski from Congressman Tom Reed's 23rd congressional district office. With the exception of Broome County, Congressman Reed represents these counties as well as Allegany, Cattaraugus, Chautauqua and Ontario.

The meeting room was pretty much filled and while no attendance list was taken, nearly all, if not all, of the eight Southern tier SCOPE chapter counties were represented.

The meeting kicked off shortly after 2:30 pm with opening comments from Yates County SCOPE president John Prendergast. John thanked everyone for coming and explained the reason why the meeting was set up and that if others had issues they wanted to bring forward, an opportunity for them would be made available at the conclusion of the program.

John pointed out that SCOPE is working hard organizing new SCOPE chapters, and registered voters- regardless of political affiliation - to support those political candidates that recognize our Second Amendment Rights and to continue to keep control of the NYS Senate. SCOPE stated position is full repeal of the SAFE Act. SCOPE is stronger now and is a recognized voice in the political arena and is being heard.

Phil Palmesano has always been a strong Second Amendment supporter and a strong SCOPE sup-

porter as well and his opening comments were pretty much in that light.

Assemblyman Chris Friend, in his opening remarks, pointed out that while a couple of years ago there were only 14 counties that had active SCOPE Chapters, there are now, as a direct result of passage of the SAFE Act, 43 upstate NY counties with SCOPE Chapters and three more counties with organizing committees (Chris had done his home work well before the meeting). SCOPE is making a better connection in getting people registered to vote and getting them to the polls. Chris went on to mention that several races are decided by just a handful of vote differences and that absentee ballots are important and we need to work to get more people to send them in if they are away during actual voting periods.

Joe Sempolinski said that if Tom Reed had been a member of the state legislature, he would have voted against the Safe Act. Tom Reed is in favor of the reciprocity bill and, according to Joe, has an excellent voting record where the Second Amendment was the issue. As for the .223 green ammo situation, congress is working on the funding for the DHS; but the president is using executive orders to get around congress.

Senator Tom O'Mara took over from here and gave us a lot of insight as to the workings of the legislature. Getting full repeal of the SAFE Act is nil as the downstate dems control the assembly and they are not going to vote for repeal and the governor will never sign a bill doing it. State Senate Chair Dene Skelos told a group of senators that passage of the SAFE Act was a mistake. John Prendergast pointed out that while Skelos might say that now, in the past he was anti-gun.

Senator O'Mara pointed out that the budget for NY is not a line item budget where specific items can be crossed out. Various agencies put in the budget the things they want the money for and they get a pool of funding as a result. From this money, they can move things around pretty much as they see fit. For example, while the ammo purchase background check software technology required in the SAFE Act is not currently available, there is no way to prevent funding for it in the budget process.

Another SAFE Act issue regarding the State Police controlling

the 5 year renewal of concealed carry permits, getting it put back into the hands of county clerks where it is now would become another unfunded mandate from the state.

There might be some light at the end of the tunnel regarding definition of the assault rifle definitions. Pistol grips will probably remain, but the thumb hole in the stock might be eliminated (I took a rifle apart and brought a thumb hole stock to the meeting for the legislators to see just in case they were not up to speed on just what it was. My question to all of them was just how does this make any rifle more of an assault rifle?).

Comments from here went onto some other Albany issues. Cuomo sees teachers, in effect, corrupt as well as his own legislature. He actually believes it, which brought a bit of laughter from the audience. Just about every group that has to deal with the governor's office sees him as a bully- his way or the highway. Both sides of the aisle see it the same way and feel the pressure from it.

As for using the NYC rent subsidy issue as a bargaining chip to get some SAFE Act changes, Senator O'Mara pointed out that true, this was a big issue for NYC; but at the same time, upstate people look for property tax rate caps and they are not a NYC issue. So there goes the standoff.

It was pointed out from the audience that the state constitution does not have Second Amendment provision. Getting one as an amendment is not going to happen. However, the proposed state constitution convention in 2017 would be the place to handle it. Senator O'Mara would like to see this and may promote it.

Senator O'Mara is also in favor of mandate relief. Additionally the state rules concerning the Passage due to Need of Necessity (which Cuomo used to push the SAFE Act to a vote) needs to be revised. But getting 60 down state assemblymen to vote SAFE Act repeal is not going to happen.

From the audience - There are some who would like to see a senate and assembly vote on the repeal of the SAFE Act so we could get feel of who those legislators that vote against it.

While this was not brought

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*(Continued from page 18)*

out at the meeting, upstate senators and assemblymen are listening harder to SCOPE and other Second Amendment groups like it. The reasoning is not hard to find. In November 2014, 28 NY legislators were not reelected. Some chose not to run for reelection. But 21 of those who voted for the SAFE Act were voted out of office!

Fifty two county legislatures passed anti-Safe Act resolutions. Two hundred red sixty five Town Governments did likewise.

My final personal comments:

SCOPE plans to continue to organize new chapters and recruit new members in significant numbers and its Albany voice will continue to

grow. Governor Cuomo has awakened a sleeping giant and he knows he shot himself in the foot with the passage of the SAFE Act. He badly misread his constituency, thinking he would ride into Washington on the SAFE Act's coat tails, but he torpedoed his own ship for all time. He might be governor of NY for another 4 years, but his political career is over.

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