



Firing Lines

Fighting for your Second Amendment Rights since 1965

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

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Elections have consequences!

By Tom Reynolds

We, in New York State, should understand the consequences of one-party, far left control of our state. But for those who choose not to learn, we have a teachable moment in Virginia.

Before the November 2019 election, Republicans controlled Virginia's House by 51-48 and the Senate by 21-19; these slim majorities were enough to keep anti-gun Democrat Governor Ralph Northam in check. In 2019, far left groups, including George Soros and Michael Bloomberg, poured millions into the races and the radical left gained control of both houses; 55-45 in the house and 21-19 in the Senate.

With their political control complete, the gun grabbing majority introduced a host of gun control laws: Red Flag laws; universal background checks; gun rationing laws limiting purchases to one every thirty days; minimum purchase age of 21; criminalize private firearm transfers (can't sell or trade with a friend); a fine for failing to report a lost or stolen gun within 24 hours; local governments can enact stricter gun control laws; restrict parents' decisions (a 17 year old girl cannot use a gun in the home for protection); an "assault" weapons ban is also expected to be introduced and may have been by the time this is published.

In response, over 100 counties and municipalities (according to the Associated Press) have declared themselves 2nd Amendment Sanctuary Counties. As there are 95 counties and 38 municipalities (133 total) in Virginia, 100 is a very significant portion.

In addition, on January 20th, a massive gun rights rally was held in the state capital, Richmond, which was attended by

over 20,000 people, many of whom came armed. Despite media predictions of violence, none happened. Not one shot fired. Not one person injured. They even picked up their garbage. (You may have noticed that this rally and every other one in other states were often headlined "Gun carrying protestors" but there were no follow up stories on people being shot - or not shot). Hmm...I wonder why?

With this overwhelming show of non-support for the new laws and a rally which disproved the usual talking points of the left, what is the reaction of the legislators and governor in Virginia? They are ignoring the will of a significant portion of the people and pushing ahead with their draconian gun laws.

Faced with this kind of opposition, why are they continuing their efforts?

For one thing, Bloomberg and Soros helped pay for their elections and if they want similar support in their reelection campaigns, they had better follow through with the Bloomberg / Soros agenda.

For the anti-gun, true-believers, this is a chance to install gun laws that are not easily overturned. Why are they not easily overturned and what is the lesson for those of us in New York State? Once a law is passed, it takes a majority in both legislative houses and the governor's signature to repeal a law. If only one of those three rejects the repeal, it requires great political acumen and a strength of purpose to renegotiate the repeal law. (In NY State, we had a Republican party severely lacking in the will to do this when they had a Republican controlled Senate.) Without a cooperative majority in both houses and the governor, repeal is unlikely.

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**Join SCOPE
Today!
SCOPEny2A.org**

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

Ann Coulter

"Foolish liberals who are trying to read the Second Amendment out of the Constitution by claiming it's not an individual right or that it's too much of a public safety hazard, don't see the danger in the big picture. They're courting disaster by encouraging others to use the same means to eliminate portions of the Constitution they don't like."
Alan Dershowitz

To contact SCOPE:
E-mail:
sue.scopeny@gmail.com

SCOPE Board Members
SCOPE Chapter Chairs are
also Board Members

President
At Large Director
Nick Massal
hunted@roadrunner.com
585.593.0131

2nd Vice President
John Prendergast
jpr3nder66@outlook.com
315.694.0481

Treasurer
At Large Director
Tom Reynolds
tkjl9@yahoo.com
607.215.0612

At Large Director
Steven Speta
nyankee92@aol.com
585.466.6460

At Large Director
Tim Andrews
tandrews5@rochester.rr.com
585.315.6411

**SCOPE CHAPTER
INFORMATION**

Allegany Chapter
Chairman Jim Krywalski
jkrywalski@gmail.com
716.913.8176
Meetings 3rd Tuesday
Angelica American Legion
7:00pm Angelica, NY

Capitol District Chapter:
Albany/Columbia/Greene/
Schenectady/
Rensselaer/Saratoga
Chairman Curtis Cappellano
curtisc@nycap.rr.com
518.330.7732
Meetings 2nd Tuesday 7:00pm
Nassau Sportsmen's Club

Cattaraugus Chapter
Chairman Mike Wesley
mswesley@localnet.com
Meetings 2nd Thursday
7:00pm
American Legion Post 531,
Little Valley

Cayuga Chapter
Jim Dishaw
dishawjp@gmail.com
315.255.3315
Meetings 2nd Thursday
7:00pm
Masonic Lodge Weedsport,
NY

Central NY Chapter:
Contact don6027@gmail.com

Chautauqua Chapter
Chairman Will Conta
716.857.0382
will.conta@charter.net
Meetings 3rd Tuesday 7:00pm
VFW Post 8647 Mayville, NY

Chemung Chapter
Contact don6027@gmail.com

Delaware Chapter
Chairwoman Andrea Elliot
del.co.scope@gmail.com
845.586.1721

Erie Chapter
Contact don6027@gmail.com

Newsletter Deadline for the *Firing Lines*

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

We do take articles from you, our members.
They are subject to editing for spelling and gram-
mar. We also reserve the right not to print the arti-
cle.

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

FIRING LINES

Editor - Ralph Esposito

To contact SCOPE
and FIRING LINES

Write to:
SCOPE
PO Box 165
East Aurora, NY 14052-0165

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Lines as long as credit is given
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Firing Lines allows
S.C.O.P.E. to keep members
informed on issues in regards to
defense of the 2nd Amendment,
in particular, and the
Constitution in general. It is
also an opportunity for
members to voice their
opinions and concerns on those
subjects; as such, it contains a
variety of personal opinions. It
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position of S.C.O.P.E. or its
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constitute legal advice

RC PRODUCTIONS



Genesee Chapter
Chairman Jim Tuttle
jtuttle10@rochester.rr.com
716-474-4454
Meetings 2nd Tuesday
7:00pm
Calvary Baptist Church
3515 Galloway Rd. Batavia,
NY

Jefferson-Lewis Chapter
Chairman C. Bruce Kingsley
cbkingsley@tds.net
315.649.3424
Meetings 3rd Monday 7:00pm
Gander Outdoor Salmon Run
Mall

Monroe Chapter
Chairman Gene Nolan
genenolan41@gmail.com
585.520.3821
Meetings 4th Tuesday 7:00pm
Elks Lodge 24 Henrietta, NY

Niagara Chapter
Contact don6027@gmail.com

Oneida-Herkimer Chapter
Chairman Bohdan Rabarsky
bohdan1@roadrunner.com
315.733.2720
Meetings 2nd Monday 7:00pm
American Legion 229 Utica,
NY

Ontario Chapter
Chairman Tim Maher
tim@embroideryloft.com
585.281.3336
Meetings 3rd Monday 7:00pm
Canandaigua Sportsmen's
Club, Canandaigua, NY

Orleans Chapter
Chairman David Thom
orlctychair@gmail.com
585.589.6918
Meetings 3rd Monday 7:00pm
Hoag Library; 1st Floor Albion,

St. Lawrence Chapter
Contact don6027@gmail.com

Schoharie Chapter
Chairman Walter Janczak
ljanczak@midtel.net
518.868.6902
Meetings 3rd Thursday
7:00pm
Alternate venue every 3
months
Carlisle Town Hall Carlisle,
NY
Middleburgh R&G Club Mid-
dleburgh, NY

Schuyler Chapter
Chairman Steven Getman
getman.law@gmail.com
607-288-3220
Meetings 2nd Thursday
7:00pm
Jan/Mar/May/Oct
Moose Lodge Montour Falls

Seneca Chapter
Chairman John Christensen
jcruger357@yahoo.com
315.651.8753
Meetings 4th Tuesday 7:00pm
VFW Post 6433 Waterloo, NY

Southern Tier Chapter
Contact don6027@gmail.com

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

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Suffolk Chapter
Chairman Sherman Kearns
suffolkcounty-
scope@gmail.com
631.806.1171
Meetings 4th Thursday 6:30pm
Dark Storm Industries Oak-
dale, NY

Ulster Chapter
Chairman Edward Altenau
ealtenau@hvc.rr.com
845.382.1143

Wayne Chapter
Chairman Don Smith
don6027@gmail.com
315.398.0195
Meetings 2nd Wednesday
7:00pm
Marion VFW Post 1430
Marion, NY

Wyoming Chapter
Chairman Gary Gardner
585.786.9946
Meetings 2nd Thursday

7:00pm
Dept. of Social Services
Bldg. Warsaw, NY

Yates Chapter
Chairman John Prendergast
jpr3nder66@outlook.com
315.694.0481



Check your address label for your renewal date

With this newsletter your expiration date is included on the address label. It will save SCOPE time and money if you can renew your membership a month or two before your membership is due to expire.

You can use the membership application in the newsletter or go online to www.Scopeny2A.org to renew.

Thank you

Renew your membership today!

SCOPE-PAC

Political Action Committee

Effectively defending the 2nd Amendment requires us to go on the offensive. We cannot wait, unprepared, for the next assault from the radical left. Although we may have a friend in the White House, Cuomo and the radical left still reside in Albany.

SCOPE Inc. works to educate the public and influence legislation while SCOPE-PAC is a separate, all volunteer organization and can provide direct financial support to candidates and promote legislation safeguarding the 2nd Amendment. Money is the "Mother's Milk" of politics.

Politicians and candidates look at each individual and organization in terms of can they help, can they hurt me or do they matter at all. We can help candidates in a number of ways but the most effective is with money, that's where SCOPE PAC comes in and where each individual gun owner can help. There is estimated to be about 4 million gun owners in New York and if all those gun owners just donated a dollar each month we would have millions to work with. All we are asking is that you, our members and other gun owners donate at least that much to SCOPE PAC. It's not a lot to ask, so please help.

The time to begin building up cash reserves for that election cycle is now, when smaller donations given over time can mount up into a significant amount and will make a difference. Please consider making a donation now, no matter how small, to SCOPE-PAC and again whenever you can afford to support the 2nd Amendment



SCOPE-PAC
P.O. Box 12711
Rochester, NY 14612

Or online at:
www.SCOPEPAC.com



Covid 19 and Rights

By Richard Rossi
Delaware County SCOPE

As we are all aware, our country and the world are attempting to cope with the CIVOD-19 pandemic. My deepest sympathy goes out to all the families who have lost loved ones and my thanks go out to all those who continued to work during this period.

When emotions are high, common sense and logic go out the window. Unfortunately, actions fueled by emotions lead to bad decisions which usually fail and, in New York State, result in loss of our Rights and Freedoms. Unfortunately, emotional reaction seems to be the “status quo” of our NYS elected officials.

In order to prevent the spread of the virus, our country took a path of “Lockdown – Shelter-in-Place” to address this pandemic. Our government, by Executive Order, mandated which businesses were “essential” and which were not; liquor Stores were deemed essential and I also heard that ‘Pot Shops’ were on this list in some states. Our schools and universities were closed and embarked on a ‘learn-at-home’ or on-line approach. The directives of “social distancing” and wearing a mask in public were imposed. Did this decrease the spread of the virus and save lives? I will not argue this point, at this time, as future analysis may determine if this was the appropriate action. Nor will I address what could have been done earlier – CHINA, WHO, CDC etc. But I will say that I don’t find any reference to these actions in the Constitution.

If the goal of the ‘essential businesses’ directive was to prevent the spread of the virus and appropriate measures were taken by business owners to protect their staff and customers, why couldn’t they remain open? What was the guiding factors for determining who remained open? In effect, we became a socialist state where the government told businesses how they would be run.

Some citizens were arrested for worshiping in a church parking lot while following social distancing rules in their cars. Apparently, the 1st Amendment’s religious rights are now inoperative. Mayors ordered that public protests by citizens wanting redress of grievances were deemed to be in violation of the quarantine, even if adequate precautions have been followed. Therefore, the 1st Amendment’s right to peaceable assembly was also dismissed.

As for the 2nd Amendment, our Governor Cuomo closed gun shops and they remained closed even after President Trump declared that gun shops were on the Federal Essential Business list. We all know, our governor is anti-self-defense. Was this an attempt to ‘impose his will’ without getting legislation passed and a further attempt at gun control? I never heard a reasonable/valid reason for this action. Was this issue addressed by the media.....

This is the same governor who, via his ‘cashless bail reform’ had let criminals out on our streets. In an attempt to safe-guard criminals in jails, he and the NYC Mayor then let criminals out early to prevent the spread of COVID-19 among the jail population. Is this a reasonable response to the public safety of law abiding NYS citizens?

Fearing that things might

escalate and in fear for their lives, law-abiding citizens wanted to exercise their 2nd Amendment rights; they sought to buy guns and ammo but were denied that right. Where is the rationale of this in light of public safety and constitutional rights?

I saw two quotes, some time ago that are chilling:

“The Constitution ONLY protects what judges say it does.”

And

“Quarantine is when you restrict the movement of sick people. Tyranny is when you restrict the movement of healthy people.”

Our Constitution and Bill of Rights are the supreme law of our country. Does an Executive Order issued by a Governor, Mayor or the President supersede or suspend the Constitution in a time of an emergency, as declared by the Governor, Mayor or President? Does public safety nullify our Rights and Freedoms under our Constitution?

We have been going down a ‘slippery slope’ for some time with our Second Amendment Rights, but now we are also seeing our First Amendment Rights infringed, as well. The courts seem to be blind to restraining elected officials who are limiting and infringing on our rights and freedoms as Law-abiding America Citizens.

In closing, I would like to leave you with this statement:

***WHEN ALL THE GUNS
HAVE BEEN BANNED***

***WHEN ALL THE WORDS
HAVE BEEN CENSORED***

***WHEN ALL THE FREE-
DOMS HAS BEEN TAKEN***

***ONLY THEN WILL YOU
DISCOVER WHY OUR***

***RIGHT TO BEAR ARMS
WAS SO HIGH ON THE LIST***

God Bless America. We will endure and get through this, but will our rights and freedoms take a further step into oblivion?

Please check your email for renewal reminders.

***If you have an email address listed with SCOPE,
your renewal reminder will now come via email.***

ONE PARTY DOMINATION

By Don Smith

In a state dominated by one party from a small geographic area of the state, a divided legislature is important to rein in the extreme notions of the dominant party. Last year, both houses of the state legislature were dominated by one party for the first time in many years. We saw the results of a Senate controlled by those who were focused on 'gun control'. Previously, most gun control legislation - but not all, remembers the Safe Act - "died" in the Senate which was controlled by Republicans. However,

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There is always the possibility of court action on the constitutionality of the law. Who's got a million dollars lying around to fight this all the way to the United States Supreme Court? The governor has deep pockets (tax dollars) to keep fighting repeal through the court system and during this time the law remains in effect.

If all this seems familiar, we've seen it in New York State over the past decade. A committed radical left and a weak-kneed Republican Party let the Safe Act and its successors become law.

So, what about the 2nd Amendment Sanctuary Counties being pushed in Virginia? Legally, they have little standing as state law supersedes county and municipal laws. The same principle applies to Illegal Immigrant Sanctuary Counties, where federal laws supersede state and local laws.

Why declare oneself a "Sanctuary" County? Immigration and gun control "Sanctuaries" are a political time bomb and - as we see at the federal level - there must be a strong will to enforce the superior law. How willing is the Virginia Governor to enter Sanctuary Counties - against the will of the counties -

under one party control last year, we saw seven 'gun control' bills passed and, of course, signed by Cuomo.

The most egregious was the so-called "Red Flag" law or ERPO (Extreme Risk Protection Ordinance). This bill affects more than just the Second Amendment. Other Constitutional and civil rights such as Due Process were impacted as ERPO ignored the 4th, 5th, 6th and 14th Amendments.

The 2020 legislative session in Albany has seen many more gun control bills introduced. There are eight bills of particular concern that have been introduced into both legislative houses. (Find these on www.scopeny2A.org under NYS Legislation.)

and enforce his laws? How willing is the governor to enforce them if local officials stand firm in refusal (a big IF). Legislators should not forget that a large portion of their enforcement arm (the State Police and National Guard) may have sympathy for the Sanctuary Counties. Is the governor willing to use the National guard against American Citizens over a constitutional issue?

The governor and his legislature are indirectly striking back. They are denying funding for law enforcement officers' pay raises and threatening to strip pensions from sheriffs who will not enforce their anti-2nd Amendment laws.

One has to wonder, is the extreme left trying to provoke Virginia gun owners into violence in defiance of extreme laws, so the left-wing media can claim a public relations victory and also give the government a reason to try to disarm the people? It will only take one isolated shooting for hysteria to overcome the media. We may be closer to a provoked conflict than anyone wants to believe.

This coming November, New Yorkers have a chance to throw out the gun grabbing legislative majority. All it takes is the ambition to vote.

www.scopeny2A.org under NYS Legislation.)

Besides the above bills, there are other issues of concern. In particular, a bill passed which gave the governor expanded "emergency powers" in a time of public 'distress'. Though New York law already allows Cuomo to suspend provisions of any state or local statute that would delay coping with a declared disaster, the new measure goes further, broadening the definition of disaster to something that is "impending." Guess who determines if Cuomo's emergency power is necessary? The temporary powers last for a year and are renewable.

Assembly member Richard Gottfried, the longtime chair of his chamber's health committee, had this to say: *"I'm scared or concerned because I don't know what the governor has in mind."* State Senator Julia Salazar, a Brooklyn Democrat, voted against the bill and made this statement: *"It's a reckless expansion of executive power."* Salazar and one other Democratic Senator voted against the bill. Only two Republican State Senators voted against the bill: Senator Pam Helming (54th District) and Senator George Borrello (57th District). Several Republican Senators are retiring this year. Why did they not vote against the bill? Especially those from Upstate NY! This is bipartisanship at its worst.

Cuomo did not offer a detailed explanation of his push to expand his emergency powers, telling reporters that *"these are uncharted territories"* and that *"government has to respond."* This should be as troubling to you as it is to me.

The Senate Republican retirements will require a massive effort by the State GOP party and party Chairman Nick Langworthy to find Republican replacements. Without a divided legislature after the November election, the anti-gunners will have the opportunity in 2021 to control state redistricting. We may not see a divided legislature for at least a decade.

Get involved

By Gene Nolan
Chairman Monroe County SCOPE

We live in the greatest country on the planet! (If you don't believe this, you probably shouldn't read any further!) Americans are the most generous, innovative, and hardworking people in the world. What other government has given foreign countries hundreds of millions of dollars to help them get through the most recent crisis, while at the same time taking care of their own? Americans enjoy, and sometimes take for granted, more freedoms than most other nations. Freedoms directed by three of the greatest documents in history: The Declaration of Independence, the US Constitution and The Bill of Rights.

However, the price we have paid to protect these rights and freedoms, in sacrifice, hardship, treasure and loss of human lives has been very high! If you don't believe this, visit Arlington or the cemeteries of Normandy, Korea and the Vietnam War. Today, our lifestyle and freedoms are again under attack, both internally and externally.

State shuts down Firing Pin gun shop in Bergen, NY

You may recall that the owner of the Firing Pin, Brandon Lewis, was seen on social media while attending the rally in Virginia. <https://barrettbrandontfp.com/>

<https://americanmilitarynews.com/2020/01/someone-brought-a-barrett-50-cal-to-the-va-gun-rally/>

NY State retaliated with a vengeance and closed the store despite President Trump declaring gun shops an "essential" business.

This is from the 'Pin's Facebook page: <https://www.facebook.com/>

As members of SCOPE as well as sportsmen and gun owners, let's look at how these attacks directly affect us. Gun owners receive little if any support from people outside of our organization. The media, our elected officials (Adolf Cuomo and Field Marshall Schumer), a portion of the general public (swayed by the media), and many businesses (Starbucks, Levi Strauss, Gillette, Dicks Sporting Goods, MasterCard), openly attack our gun rights. Rights which are constitutionally guaranteed. These rights are continually being ignored and eroded. What do we do to stop this infringement on our rights?

Get Involved!

* Why should I? * What's in it for me? * I'm too busy. * I don't have time. * I pay my dues, isn't that enough? * I work all day, I'm too tired to attend meetings. * I'm afraid of repercussions if I show public support. * I don't want anyone to know I possess a firearm. * No one is going to take my guns. * Contacting my elected representative won't do any good. * Let someone else do it.

These are just a few of the

excuses that have been used to NOT get involved. Every one of these ridiculous ideas will only speed up the process of gun confiscation! You think not? Come out of your comfort zone and use all your God given senses to realize what is happening around you, especially in New York State. We need to get involved and put a halt the gun grabbing! Not if, but when gun confiscation does take place, don't bother getting excited and energized and try to get involved; it's too late.

An active member of SCOPE has the opportunity to attend meetings, get the latest on pending and proposed legislation that further restricts your rights, join committees within your chapter to increase membership, plan events, etc. Living in a somewhat cynical society, I've heard the response "You guys are not doing anything" (meaning the chapter's BOD). Well let me set the record straight; the BOD members with whom I have come in contact are working their tails off. They donate their time and resources (and in many cases their finances) because they firmly believe that gun owners are under siege.

At this point in time, we have two choices. The first: get involved since, as gun owners, we are under siege (we truly are); sort out the good political people who can help us; vote; take pride in owning a firearm. The second choice, when gun confiscation comes, and it will if we continue the current path, is to refuse to hand over our weapons. I'm sure every person reading this realizes the consequences of this second choice. I personally think the first choice can be accomplished but we must stand united. Get involved!

God bless this great country and God protect and direct our President.



TheFiringPinLlc

"Friends,

We knew this day would come. Today we were called by an investigator from Gov. Cuomo's Executive Order Task Force who ORDERED us to close, under threat of losing our business license and NY Dealer's license.

Trust me, I want to fight this, and there will be a day where we do, but for now we need to go home, hug our loved ones and take some time to regroup. ..."

So it clearly appears that the presence of Brandon Lewis at the Virginia rally resulted in the state closing his business.

ACCESS TO INFORMATION

By Don Smith

The Coronavirus shutdown has slowed down much, but not all, SCOPE chapter activity. Wayne County is increasing access to internet activity to try to offset the loss of meetings.

Many interested gun owners have signed on to receive Second Amendment alerts and/or notices of impending anti-gun bills both at the state and federal levels. Perhaps, some have heard legislative updates at a monthly SCOPE meeting in your county. You may also have received requests to contact elected officials in an attempt to persuade them to cast favorable votes and lobby for our cause. I'm attempting to offer a more efficient method of updating you on a multitude of issues.

Several of us in SCOPE offer articles on news which will be of interest to all of you. These are available at the State SCOPE website: <https://www.scopeny2a.org/>

On the "Home" page you will find **BLOG POSTS** at the bottom left. **NYS LEGISLATION** is on the bottom right side of the page; click on "More Info" to learn about pending legislation. You will find 8 bills of particular concern, that may be passed into law.

On that same page, you will find a link called **Your Representa-**

tives. Click on **Assembly** or **Senate** to find your representative and contact them to ask them to vote against all of these bills. Contact your Congress person regarding federal legislation HR 5717; ask them to vote against this bill.

Looking again at the State SCOPE website, go to the **CHAPTERS** button on the navigation bar and click on **WAYNE COUNTY**. You will see the words **Articles, Chairman's Corner** and **Useful Links** above the statement "All public meetings are cancelled until further notice." On the navigation bar there is an option for "**SCOPE Blog**".

Clicking on "**Articles**" brings you to the following message: "Welcome to our Wayne County Articles page. We'll be using this page to provide the latest information on Second Amendment related subjects, civil and Constitutional rights, as well as the activities of the Wayne County chapter of SCOPE. Click on any article's header to read the entire article. On this page there is also a link labeled "**Complete list of the Wayne County Scope's Articles**" which take you to a page which lists all of the past articles.

Back on the original Wayne Chapter page, is a new **Chairman's Corner** option. It has the latest blogs on items of interest to 2A supporters. There is also a link labeled **Complete list of the Chairman's Corner Posts** which takes you to a page of past chairman's posts.

Again back on the original

Wayne Chapter page is **Useful Links**. It is just that. More links are expected to be added over time.

We are continually updating these to allow you to utilize this website for future alerts and updates. We may from time to time expand our Wayne 'corner' (page) with additional pages as the need arises.

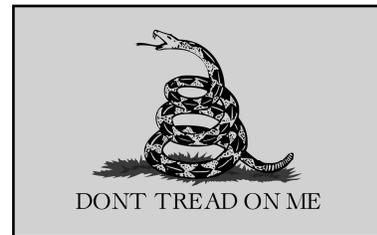
Dave Colburn has been kind enough to volunteer to maintain our Wayne website. Its content will replace email alerts and updates. Some of you in the past have sent me articles of interest. Please continue to do so. I'll be glad to forward these to Dave for inclusion on the website.

All in all, this should be a much more efficient and effective way to keep everyone updated on topics critical to all gun owners.

Don Smith
315.398.0195
don6027@gmail.com

"Those who would give up essential Liberty, to purchase a little temporary Safety, deserve neither Liberty nor Safety."

Benjamin Franklin (1706-1790)



With the results in on the November elections, the battleground to save our Second Amendment Rights is now in the courts.

Court litigation is expensive and necessary and we need your help. Please donate today to help us fight Cuomo in the courts.

You can donate using your credit card at: www.Scopeny2A.org

Or you can mail a check to: SCOPE, PO Box 165, East Aurora, NY 14052

Please Donate Today

NYSRPA vs. New York City

By Henry Kramer

On April 27, 2020, the United States Supreme Court announced its decision in *New York State Rifle & Pistol Association, Inc. (NYSRPA) v. New York City*, docket 18-280. New York City had passed one of the most restrictive gun control laws in the nation; it had banned the transport of licensed firearms virtually everywhere outside the gun owner's home. This was the overreaching law as it was originally at issue and challenged by NYSRPA.

New York City faced a constitutional challenge that the City might well lose in the U S Supreme Court. The City amended the rule so that gun owners may now transport firearms to a second home or shoot-

ing range. The amendment was made in the hope that this slight relaxation of the law might be enough to render the original case no longer viable (moot). After the U.S. Supreme Court had granted certiorari (exercised its discretion to hear the case), the State of New York also amended its firearm licensing statute. New York City then claimed the case had been rendered moot (academic) as these changes gave the NYSRPA the relief it had requested in its pleadings.

The City's strategy succeeded as the Supreme Court once again ducked the issue, at least for now. In an opinion (per curium) the Court agreed with the City. The Court elected not to decide what could have been its first real pronouncement in about a decade on the scope of the Second Amendment. Instead, the Court found that New York City's repeal of the gun control regulation under challenge had made the matter moot.

Normally the case would have ended there but the Court sent the case back to the lower courts to determine if there could be monetary damages. Because the mootness was due to a change in the legal framework after the case was initially filed, the Supreme Court left open the possibility of a damages claim against the City, to be decided by a lower court.

Why did they kick the can down the road? There are several possible reasons though we do not know why, for sure. First, at least four justices voted to hear the case initially, but they may not have a fifth justice's vote locked up for a strong Second Amendment decision. Second, there is an election coming soon and they may prefer to address

the issue when it is too late to impact the outcome of a presidential election. Third, Justice Ginsburg has been ailing and may be replaced soon.

The Court rarely takes cases that no longer present live disputes, but it has occasionally done so in the past. For example, Connecticut had a law banning birth control; they never enforced it but used the threat of prosecution as a way to limit birth control. The Supreme Court took the case of *Griswold v. Connecticut* and refused to consider it moot although no one had been prosecuted under the birth control law.

There will likely be a definitive Supreme Court decision on Second Amendment rights in the next few years. The Court needs to reach and resolve questions as to whether and how far the Second Amendment protects: 1) the right to carry a handgun outside the home for self-defense; 2) whether state and their localities may ban assault rifles and magazine sizes; and, 3) whether it is constitutional for the federal government to limit or ban interstate sale of guns. As this is written, pending Second Amendment cases poised for the Court to hear have arisen in Illinois, Maryland, Massachusetts, and New Jersey.

Proponents of Second Amendment rights can look forward to the Court addressing their rights in the reasonable future. However, it is disappointing that the Court allowed the New York City case to be declared moot. Unfortunately, the lack of a decision means that, in the interim, until the Supreme Court gives clear guidance, political entities other than New York City may be inspired to follow the City's example and to emasculate Second Amendment rights to the same extent as New York City.



Benny B. The winner of the Cattaraugus County AR-10 raffle. The drawing was held May 1, 2020. Many thanks to Roy's Guns of Perrysburg for handling the transfer. Thank you to all the participants for supporting Cattaraugus County S.C.O.P.E.



Red Flag Laws and the Constitution

By Laura Sepka
Vice Chair
Wayne County SCOPE

Gun control advocates see gun crime as an opportunity to advance their agenda, even in situations where a gun control failure allows the crime to occur. Their attempt to hijack the Parkland high school shooting for their own purposes is a perfect illustration of this.

The response to the Parkland murders was spontaneous. Florida and several other states rushed to pass unconstitutional legislation called Extreme Risk Protection Orders (ERPOs) also commonly known as 'Red Flag' Laws. These are believed to prevent such future horrific events. Yet "red flags" already existed in Parkland and were ignored by both the school system and the Sheriff's department. The young killer was 'flagged' many times but suffered no

consequences. Both agencies were intent on protecting their reputations. The federal government was not free of responsibility either.

A similar law took effect in New York on August 24, 2019. These 'Red Flag' Laws are intended as a way to keep "dangerous" people from possessing firearms. Family members, ex-family members, school personnel and law enforcement are empowered to make an unproven accusation resulting in a court order stripping an individual of both their firearms and their Constitutional rights.

New York's and other state's ERPO laws fail to safeguard not only the 2nd amendment but also the 5th and 14th amendments. Both the 5th and the 14th guarantee: "*That no person shall be deprived of life, liberty or property without due process of law*". Due process protections are side-stepped, and the standard of evidence required to remove an individual's personal property is greatly minimized. The person who is the object of the complaint receives no notification nor do they have an opportunity to refute a possible false accusation.

If "Red Flagged", you are considered guilty until proven innocent and only by hiring a lawyer and expending time and a great deal of money can the accusation and confiscation possibly be reversed. There is no requirement for the accuser to sign an affidavit nor any penalty for false accusations.

No one wants a repeat of Parkland, Virginia Beach, El Paso, Dayton, or Odessa. However, removing the gun does not remove the threat. It may only change the means. Legislation that trades constitutional protections for the hope of future security is truly a red flag that should concern us all. Gun owners may not be the only ones impacted by the next unconstitutional law. Elected officials took an oath of office to protect the Constitution, not revoke its guaranteed rights.

"Those who would give up essential Liberty, to purchase a little temporary Safety, deserve neither Liberty nor Safety."

Benjamin Franklin (1706-1790)



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Lessons from history?

By Tom Reynolds

In a parliamentary system, majority parties select a Prime Minister and rule the government. When no party has a majority, minority parties combine to form a majority. In the 1930's, Germany had a semi-parliamentary system that was called the Reichstag (now called Bundestag) and its Prime Minister was called a Chancellor.

In 1929, a worldwide depression began which hit especially hard in Germany. Suffering under the results of its World War I loss and then the depression, in 1930 the people of Germany started turning to the extreme left and elected a Reichstag that was 40% Nazi and Communist. Not a majority but a strong base to influence policy.

After the 1932 elections, the Nazis became the largest party in the Reichstag although they still did not have a majority. Laws were passed which increased penalties for political violence and *special courts* were established to deal with it.

Hitler was appointed Chancellor in 1933.

How did Hitler and the Nazis go from a minor party into the ruling party in just three years? Their opposition parties had *ineffective leadership* that chose to *negotiate with rather than oppose* the Nazis. Conservatives wrongly believed they could *control the leader* (Hitler) and, thus, remain the power behind the throne. In addition, there was a widespread belief that in a sophisticated country like Germany a *dictatorship was not possible*.

During the same period, the Communists were openly advocating the *destruction of the moderate left*.

Hitler used the occasion of a fire which destroyed the Reichstag's building as an excuse to *suspend civil liberties* and *eliminate political oppo-*

sition. He effectively used the *special courts* against his opposition. The Enabling Act of 1933 gave Hitler *temporary* complete power; neither the German Constitution nor the Reichstag could then stop him. Although Hitler had promised he would not interfere with politics, he *abolished non-Nazi parties*.

Why is this history lesson important to gun rights advocates and anyone who believes in the U S Constitution?

From 2010 through 2018, the New York State Senate was in Republican hands while NY's Assembly and governorship were in Democratic hands. Both the Assembly and Governor Cuomo are rabidly anti-gun as well as strongly liberal on other issues. They succeeded in getting many of their programs enacted because the Republicans in the NY Senate were weak and *ineffective* and mounted *little opposition*. For example, during this time the Safe Act was passed with several Republicans joining the Democrats to vote for it.

Andrew Cuomo was the governor during all this period and in 2019 the Democrats gained control of NY's Senate, thus giving them control of both legislative houses as well as the governorship.

Governor Cuomo has been very vocal in saying that there is *no room for his political opponents* in NY State: Conservatives. To accomplish this, his economic policies have denuded the Republican / Conservative Upstate of jobs, leading to population decrease and a loss of political clout.

In 2020, the Chinese Virus struck the USA and hit particularly hard in NY City, which is Cuomo's political stronghold. Upstate NY had significantly less occurrence of the virus. To combat this threat, Cuomo asked for and was given *temporary* dictatorial powers. (Temporary, in this case, is a year with possible renewal.) Business Insider reports that Cuomo was given the power to "supersede state and local statutes...

he is able to issue directives that would normally be under the legislature's authority". The Albany Times Union reported that in the first 55 days under his new powers, Cuomo changed 262 laws. In addition, he canceled 6 special elections and the Democratic Presidential Primary (a judge has overruled the latter).

In another action, at his request, Cuomo was given new power in the sitting of renewable energy / wind power projects. According to the Buffalo News, "...the governor is throwing out the state sitting law (PSL Article 10) and... cutting town boards and rural citizens out of the process. The governor has had enough of home rule." It eliminates local zoning laws, allows for Eminent Domain taking of land, guts environmental review and limits a town's taxation powers.

Cuomo is also at war with the Working Families Party (WFP), an extreme progressive party that splits Democratic votes. He got the WFP *deleted from the ballot* by raising the threshold for ballot access.

The U.S. Constitution's, 1st Amendment protects religious freedom and freedom of protest. During the China Virus crisis these *civil rights were suspended*.

Lest those of us who are trying to protect the 2nd Amendment worry that Cuomo has forgotten us... don't worry, he has not. With his absolute majority to back him, Democrats passed "Red Flag Laws", raised the NICS time to 30 days, passed Safe Storage laws and approved a municipal buyback program, to name a few. There were dozens more bills proposed when the Chinese Virus shut the legislature down. Cuomo closed gun stores as non-essential even though the federal government listed them as essential, further interfering with our 2nd Amendment rights.

(Continued on page 16)

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(Continued from page 14)

At the federal level, a *special court* - the FISA court – allowed government bureaucrats to target American citizens who supported a President the bureaucrats did not like.

Ineffective opposition. Destruction of political party rivals. Conservatives misjudging their opposition. Belief that a dictatorship is not possible. Temporary dictatorial powers. Special courts used for political purposes. Suspension of civil liberties. Where have we seen that before?

Those who do not learn from history are bound to repeat it.

As in 1930's Germany, the NY State government passes laws

which legalize its actions. It doesn't make them right or just or moral and especially not wise but it does give them the cover of legality. In a time of crisis, the bigger picture, long term effects of actions are ignored for short term political solutions.

There are over 5 million gun owners in New York State. If they are concerned about where the state is going, they can stop all this by simply voting. It's a lot easier than a rebellion.

Note: The separation of powers is a basic tenet of a republican form of government and is guaranteed by the U. S. constitution. Overly broad and unlimited delegation of powers to rewrite statutes, given by the legislature to the

governor, may not be constitutional under the state or federal constitutions and it remains to be seen if it can pass legal muster. Whether the governor's statutory alterations are legal is a question that may ultimately (in years) reach the U.S. Supreme Court but, in the interim, his actions continue in place.



Please consider donating to the S.C.O.P.E., Inc. **Legal Defense Fund**

We still have much to battle Albany over, and as you well know it takes money to do this! This battle with Albany and the NY (UN)S.A.F.E. Act will be going on for the foreseeable future. Perhaps the action that N.Y.S.R.P.A. is undertaking against NYC will have a benefit for all of us, but we do not yet know. We must be ready to fight, or assist others, in court.

We need to fight the socialist politicians on all fronts!

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Application on page 12

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The Battle of Athens: Armed Veteran Resistance to Political Corruption

By Harold Moskowitz

Starting in the 1930's Tennessee began to be controlled by Democrat political machine bosses. By 1946, a political machine controlled most of the state, the governor's office, and a U.S. senator. Locally, intimidation and violence were used to maintain control. In 1936, Paul Cantrell was elected sheriff of Athens, Tennessee in McMinn County. The residents suspected election fraud resulting from swapped ballot boxes. His corruption while sheriff was facilitated by state laws. In Tennessee, sheriffs and deputies received a fee for each person "booked," jailed, or released.

In 1940, a machine politician elected to the state legislature introduced a bill to reduce the number of McMinn County voting precincts. Its passage prevented Republicans from being able to regain power.

The Republicans controlled the county court. It ordered the county to purchase voting machines after the U.S. Department of Justice unsuccessfully investigated election fraud allegations in 1940, 1942, and 1944. The political machine got the legislature to abolish the county court. The voting machines were then sold.

Cantrell routinely had the ballot boxes collected from voting precincts in McMinn County. The ballots were counted in secret at the Athens jail. Opposition party poll watchers were declared "troublemakers" and removed from the precincts when they spotted and complained about voting irregularities.

During World War II, 3,526 young men were away in combat. While away fighting for democratic

principles on foreign shores, they were kept informed about the abuses of political and police power at home. Two servicemen on leave had been shot and killed by deputies. In 1945, returning veterans saw how the corrupt officials were controlling the lives of McMinn County residents. They were increasingly unhappy about the corruption, fraud, and police "fee gathering." Machine politicians controlled the newspaper and the schools. GIs were harassed by deputies. Arrests incurred heavy fines. Many were beaten up.

In secret meetings, they decided to field an all GI slate of candidates and to form a non-partisan political party. They would try to oust the corrupt machine politicians from office through the election process. A Primary Election was scheduled for August 1, 1946. The veterans offered a \$1,000 reward for verifiable information about election fraud. The day before the election, 450 VFW members in a neighboring county announced their readiness to respond to "any need in McMinn County." They offered to be poll watchers. Telegrams dated July 22 to 'machine' Governor McCord and U.S. Attorney-General Tom Clark requesting assistance to ensure a fair election had gone unanswered. The machine politicians felt threatened by the GI involvement in the political process. The mayor hired around 300 sheriff's deputies. They were brought in from outside the county. Among them were ex-convicts. They would be armed and placed in all voting precincts.

Some GI poll watchers were intimidated and beaten by deputies. At one precinct, a young woman was allowed to vote even though she had no poll tax receipt and was not registered. When the poll watcher tried to interfere, he was hit with a blackjack, kicked in the face, and taken to jail along with the ballot box.

At 4:00 P.M., the sheriff posted armed guards at each precinct in preparation for taking the ballot

boxes to the jail. The veterans went to the National and State Armories. They temporarily borrowed rifles, two Thompson submachine guns and ammunition. By 9:00 P.M., the jail was surrounded. Inside with the ballot boxes were the sheriff, a state representative to certify and validate election results, and about 50 deputies.

The veterans demanded the locked ballot boxes. For several hours, the sound of automatic weapons, rifles and personally-owned shot-guns penetrated the night. "Molotov cocktails" were uselessly thrown. At 2:30 A.M., dynamite successfully breached the locked jail doors. The deputies came out and surrendered.

When the votes were certified, all candidates on the GI slate won. In addition, with the election of Governor Gordon Browning and U.S. Senator Estes Kefauver, the corrupt state-wide Democrat political machine was broken up. No one had been killed. There were few criminal prosecutions resulting from the confrontation.

The "mainstream media" of the time almost unanimously condemned the actions of the veterans. The New York Times had a headline falsely stating "Tennessee Sheriff Slain in Primary Day Violence."

For a full year afterward, the national press seized upon any news from Athens as evidence of the veterans' "lawlessness." These papers never reported how the veterans had tried to remove the corrupt machine politicians by staying within the democratic election system and had sought help ahead of the election from the state governor and U.S. Attorney-General. On the first anniversary of the armed resistance, the New York Times downplayed the role of the veterans as "incidental" to what it described as "direct action in community affairs."

It has been said that the only thing that makes evil possible is for

(Continued on page 19)

Vote the elite out

By Attilio A. Contini

I read the latest issue of Firing Lines and saw a common thread in the articles; asking our readers to take advantage of the "Ballot Box". The point is "Get Out the Vote".

For seven years, my primary objective has been to wake up gun owners to the reality that we have the numbers - if we have the courage to step up and vote for our rights. There are 5 million gun owners in New York that we must motivate to vote. Too many of them have given up - without a fight - on the Ballot box; they actually refuse to vote, thinking it is a waste of time. How foolish! Our enemy capitalizes on this. Until we seriously use our right to vote, other actions are a waste of time. Our politicians correctly believe that gun owners are too apathetic and lazy to vote. They believe we will not mobilize and vote them out of office, so they succumb to the pressure of the gun grabbers who relentlessly fight for their cause.

Are you concerned about the state of New York State? You should be.

We are seeing the systematic diminishing of our 2nd Amendment Rights here in New York State; it's a cancer that is rapidly becoming terminal. A few of us have been taking band aid steps to stop or reverse its spread, but our gains are very sparse. The cancer is spreading so fast that we seem unable to effectively address it. The attack is so widespread that the organizations which are leading the defense are becoming overwhelmed.

We must also look at the whole picture, not just the 2nd Amendment. We need to assess the entire situation from top to bottom and realize that we have an enemy in our midst which is out to destroy everything in this country that is good, wholesome and sane. This enemy is

(Continued from page 18)

"good men" to do nothing. In McMinn County, Tennessee, young men of the "Greatest Generation" used skills they had used fighting dictators overseas and the spirit of the Second Amendment to drain the "political swamp."

Socialist, Communist, and tyrannical and it must be purged from all levels of government and society. It seems that every part of our social order is under siege. A certain group of society has not only attacked our Constitutional Rights but our freedom, liberty, moral standards, and our form of democratic government. They seem to be part of an international plot with an elitist attitude that they are smarter and better than the rest of us. They claim that we don't know what is best for ourselves and we must be cared for from the cradle to the grave. Since they know what is best for us, we dare not question or challenge their opinion, thus also declaring the 1st Amendment null and void.

Look what the "elite" have been doing to President Trump, whose major fault is that he had the audacity to be elected President! He doesn't bow down to them and the self-appointed "elite" believe he must be removed from office. They believe the people who voted for him are deplorable, stupid, ignorant, racist, bigoted, hateful, and Nazi's. But if you look at their actions and beliefs, they are the ones who are doing the things of which they accuse us. They are the ones who advocate the principles of Nazism.

I submit that these "elite" promote un-American behavior: they promote 2nd Amendment laws that make criminals of law-abiding citizens; they ignore and violate existing laws by welcoming criminal, illegal immigrants into our communities; they create "Sanctuary Cities" which ignore federal law and give illegal's unrestricted movement, drivers' licenses, public assistance, health care and even encourage illegal aliens to register and vote; they fight against voter ID laws and advocate voting practices such as ballot harvesting, early voting, and various forms of voter fraud; they tell us we do not have the right to protect ourselves and families from criminal activity including threats to our very life; they advocate the killing (murdering) of the unborn, infanticide, the handicapped, and even the terminally ill; they label people as terrorists who are pro-life, patriotic, and believe in God; they welcome, into our country, Jihadists who want to kill all Christians and Jews; they know that deficit spending will lead to the eventual collapse of the dollar. This enemy is using our very government to dis-

criminate against and destroy us!

Look at their agenda. Everything they propose tears down and ruins the economy and the fiber of our society as they work towards their ultimate Socialist society. As necessary as the multi-trillion bailout package was to shore up the economy and help the unemployed, they held legislation up with add-ons that promote their goals. For them the Coronavirus epidemic is a golden opportunity to kill off some of the so-called undesirables of society and further the destruction of our economy and nation.

Have you noticed that some of the extremists became very quiet during the Coronavirus epidemic? For them, this boondoggle is accomplishing many of their pet projects: controlling population; reducing carbon emissions; and most importantly, forcing people to become more dependent on government for their existence. They play the worst type of politics because they know the opposition must give in to their demands in order to get the votes needed for necessary items.

If we want to preserve and protect our 2nd Amendment rights as well as our other constitutional rights, our freedom, our liberty, our form of government and our capitalist economic system, we must properly identify the threat we face and begin to take effective action. We must go on the offensive and cleanse our political system and government of this cancer before it becomes terminal. We must begin to act now and not wait until just before the next election.

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