

STICK TO YOUR GUNS: HOW TO LEGALLY CARRY FIREARMS (ALMOST) ANYWHERE, ANYTIME



Published by:

OFF THE GRID NEWS

www.OffTheGridNews.com | info@offthegridnews.com

STICK TO YOUR GUNS

Table of Contents

Part 1: How Did It Come to This?

No Good Deed Goes Unpunished	1
Revell's FOPA Faux Pas	2
A Tangled Web of Rights and Laws	2

Part 2: Firepower and Fear: Long Rifles to Submachine Guns

Historic Folk Hero	3
How the West Was Won	3
Automation Arises	4
How Prohibition Changed American Gun Laws	4
Gun Laws Today: Regulatory Reaction	5
Police: No Liability to Protect	7
Duck Season	8
Natural Right to Self Defense	9

Part 3: Have Gun, Will Travel

You Can't Take It With You—Or Can You?	10
The Devil Is In the Details	11
Concealed Carry in Four Flavors	12
Can You Get a Concealed-Carry Permit Valid for all 50 States?	15
Newsflash: Could Reciprocity Be On the Horizon?	15

Sidebars:

More Guns, Less Crime	9
Concealed Carry for Your Car or RV: General Guidelines	10
Who Is Prohibited from Carrying Firearms?	12

Maps:

Gun Permits by U.S. States	14
Gun Permit Portability by U.S. States	15

STICK TO YOUR GUNS

“Are we at last brought to such a humiliating and debasing degradation, that we cannot be trusted with arms for our own defense?”

~Patrick Henry, June 9, 1788, in the Virginia Convention,
on the ratification of the U.S. Constitution.

Part 1: How Did It Come To This?

No Good Deed Goes Unpunished

On March 31, 2005, Gregg C. Revell thought he was in compliance with a law written to protect his Second Amendment rights.

Revell was embarking on a flight from Salt Lake City, Utah to Allentown, Pennsylvania to pick up a car. Because he intended on driving the vehicle all the way back to Utah, he brought along a handgun and hollow-point ammunition for personal protection. However, in order to legally transport a firearm across state lines, the U.S. Firearm Owners Protection Act of 1986 (FOPA) requires that "...during such transportation the firearm is unloaded, and neither the firearm nor any ammunition being transported is readily accessible or is directly accessible from the passenger compartment of such transporting vehicle."

Revell checked his bags at the Northwest Airlines counter at the Salt Lake City airport and properly declared that he was carrying an unloaded firearm contained in one locked hard case, as well as the ammunition in a separate locked case. He duly signed the orange firearm declaration tag, which was placed inside the locked case with his handgun. So far, he had met all the requirements of the law in good faith.

However, his flight from Salt Lake City was delayed. Revell arrived in New Jersey, but missed his connecting flight to Allentown. He booked the next available flight for 8 pm that night, but the airline chose to send passengers to Allentown in a bus instead. Revell boarded the bus, but when he discovered that his baggage had not been transferred to the bus with him, he became concerned for the security of his firearm. He left the bus to find his bags.

Although he secured his baggage, he missed his bus to Allentown. With no other travel options available, he booked a flight for the following morning, boarded an airport shuttle, and headed to the Newark Airport Sheraton Hotel, taking his baggage with him.

The next morning, Revell returned to the Newark Airport and checked his bags at the airline counter, making the same declaration about the unloaded handgun and ammunition in the separate, locked, hard-shell cases packed in his luggage. He followed instructions to take his luggage over to the Transportation Security Administration (TSA) area to be x-rayed. Upon being x-rayed, the TSA agent opened the suitcases and requested the keys to the locked cases. Revell complied. The agent opened the cases and removed the ammunition and the handgun, even though the original orange declaration sheet still lay in the case.

After twenty minutes, New York-New Jersey Port Authority officers arrived and escorted Revell to an area for questioning. Revell provided the officers with his driver's license and Utah concealed firearm permit, and explained his circumstances about missing his flight and bus trip to Allentown and that he had taken his baggage with him to the Airport Sheraton over night.

STICK TO YOUR GUNS

A Port Authority officer arrested Revell for possession of a handgun without a permit and for possession of hollow-point ammunition, both of which violated New Jersey state law. Revell was handcuffed, held overnight at the Port Authority jail, and then transferred to the Essex County jail in New Jersey for three more days until being released on bond.

Revell's FOPA Faux Pas

What Revell didn't realize at the time was he forfeited his FOPA protection the moment he took possession of his bags in the Newark Airport. Taking possession of his bags—specifically, his handgun and ammunition—put him in violation of New Jersey law. He had assumed that because he was still traveling, had filled out the forms, and had not opened his cases, he would still be covered by FOPA's transportation subsection, § 926A. The problem, however, lay in that § 926A only covers the traveler when they are physically in a conveyance vehicle, such as an airliner. Once a traveler is standing somewhere with baggage in hand, they have access to their firearm—and therefore, possession.

Even though the Essex County prosecutor administratively dismissed all the charges against him, Revell's case still angers law-abiding gun owners. American citizens have always recognized the God-given right to protect themselves and their families the best way they could. For many, that means keeping and wearing a firearm. After all, the right to own a weapon for protection is guaranteed by the Second Amendment of the U.S. Constitution: "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."ⁱ

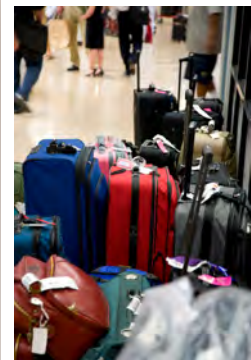
So why are government authorities trying to limit this right?

A Tangled Web of Rights and Laws

More than two hundred years after the passage of the Second Amendment, local, state, and federal government authorities have all but obliterated this right under the premise that they are protecting the public. At the same time, these same authorities have been falling all over themselves to exempt law enforcement from responsibility for negligent actions that get individual citizens beaten, violated, or killed. Despite attempts by the government to discourage citizens from owning guns, at the end of the day, civilians are left to provide for their own safety.

Despite the Second Amendment right to bear arms, today state and localities have the sole discretion for determining firearm ownership and permitting circumstances for an individual meeting the basic federally legal qualifications of the Brady Handgun Violence Prevention Act of 1993.ⁱⁱ Responsible gun owners who travel with a firearm for their own protection face a spider web of conflicting and often-changing interstate permit regulations that may or may not include reciprocal agreements.

One state might have no restrictions on firearms and issue no permits at all, and thus its gun-owning residents cannot carry a firearm in any of its neighboring states unless they buy a permit there. Another state may allow a driver to carry a handgun in the front seat within reach, a neighboring state may require the weapon to be locked in the trunk, and yet another may ban handguns altogether.



The moment Gregg Revell took possession of his own bags in the New Jersey Airport, he was in violation of the state's gun laws.

“Responsible gun owners who travel with a firearm for their own protection face a spider web of conflicting and often-changing interstate permit regulations that may or may not include reciprocal agreements.”

STICK TO YOUR GUNS

This tangled mess didn't leap fully formed from a bureaucrat's head. Rather, it took decades of patchwork lawmaking and political shortsightedness in the face of rapid technological innovation. Also contributing to today's complex web of gun laws is a climate of anti-gun rhetoric, uninformed fear, and the U.S. Supreme Court's refusal to allow a thorough discussion of the Second Amendment (and the entire Bill of Rights) versus individual state laws. To put it all into perspective and understand how the system works, let's briefly review a little history.

Part 2: Firepower & Fear: Long Rifles to Submachine Guns

Historic Folk Hero

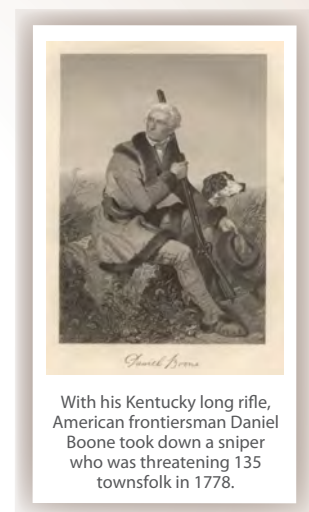
In 1778, a motley force of 400 Shawnee, Cherokee, and 12 mercenary French Canadians (sent by the British Governor of Canada, Henry Hamilton) besieged the little Kentucky frontier town of Boonesborough. According to historian Stewart Edward White, the town's 135 men, women, and children were being terrorized by a sniper perched in a distant tree who shot at cattle and the settlers. Among the wounded was Jemima Boone, the daughter of Daniel Boone. White says that Daniel Boone climbed the fort's tower with his Kentucky long rifle and waited for the sniper's next shot. As soon as Boone saw the white plume from the sniper's rifle, he drew a bead on the distant speck perched in the tree and fired. He had neither telescopic sight nor special ammunition. All he needed was a piece of flint for a spark, a half-inch round lead ball, and the skill acquired from the daily habit of using his weapon to hunt and protect himself.

His shot struck the enemy sniper in the head at a distance of over 200 yards, quite a feat for any marksman using a similar weapon.

How the West Was Won

The muzzle-loaded long rifle (also called a flintlock) was a unique American innovation that helped win the American Revolution. American snipers relied on its extended range and accuracy to pick off terrified British front-line officers and helped tip the balance at the Battle of Saratoga. Less than sixty years later, the flintlock ignition system on the muzzle-loaders would be replaced by a percussion cap (1830).ⁱⁱⁱ Twenty years later the landscape would change dramatically for the rifle, as the modern breech loading rifle took its place as the successor of these older technologies. Its cartridge design was the first in a long line of modern cartridges, and signified the end of the tedious muzzle-loading era. (1860-1870).^{iv}

While all these innovations in firearms primarily benefited militaries all over the globe, the impact on the American West was significant. American companies like Winchester and Colt provided the small arms to citizens that helped tame the prairies and win the West. It was not uncommon during the late nineteenth century to see men in sparsely populated western towns with shooting irons strapped to their hips to protect themselves from four-legged varmints...as well as the occasional two-legged variety. During this time, "consumer-grade" firearms that a rancher, cowboy, or townsfolk would carry only held 6-10 rounds. Reloading was quicker than a few decades before but still took time. More often than not, the real thing that drove off trouble was the nerve of the individual behind the trigger.



STICK TO YOUR GUNS

Automation Arises

The first self-powered machine gun^v was deployed in 1885. It was a game changer. In 1887, the first fully automatic rifle^{vi} was developed and sold worldwide. World War I brought warfare solidly to the global industrial scale. America's military was woefully unprepared when it entered the war on April 6, 1917. Consequently, it underwent an aggressive re-armament program to equip its soldiers to defeat German machine guns in the trenches of France. Out of that war, two American companies developed light machine guns: the Browning automatic rifle (BAR)^{vii} and the Thompson submachine gun.^{viii}

In 1820, a trained marksman could load and shoot his flintlock musket two to three times in one minute. One hundred years later, the BAR fired 500 to 600 rounds per minute,^{ix} while the lighter, more portable Thompson could fire 600 to 1500 rounds per minute. The high rate of fire meant no one needed to be a marksman to hit a target. Just point and shoot.



In 1820, a trained marksman could load and shoot a musket two times per minute. By 1920, this Browning automatic rifle enabled a shooter to fire up to 600 rounds a minute.

Most of the guns sold to consumers after WWI came from large stocks of captured and surrendered German, Austrian, or other weapons sold by the victors in the international open market. Catalogs from the post-WWI years^x show all manner of automatic pistols, sniper rifles, and even hand grenades and British-made heavy machine guns available from U.S. East and West Coast suppliers. These weapons were not cheap ... and many found their way into the hands of revolutionaries in Central and South America, as well as Ireland, Europe, and Asia. For Browning and the Auto-Ordnance Company^{xi} (maker of the Thompson submachine gun, now owned by Karr Arms), the decision to sell to civilians was purely economical. They needed to realize a profit on their wartime investment. Prices on these firearms were steep. A fully automatic M1921 tommy gun with a stick magazine sold for \$200 at a time when a Ford Model T sold for \$290.^{xii}

How Prohibition Changed American Gun Laws

With the passage of the Prohibition acts in 1918, war-surplus small arms (along with the Browning automatic rifle and the Thompson submachine gun), would change American gun laws forever.

In 1918, before Prohibition, Detroit had 2,334 liquor-serving establishments. During the height of Prohibition, in 1925, Detroit had 15,000 "speakeasies"^{xiii} that served alcohol illegally. The Detroit River became a canal for whiskey running and bootlegging. Payoffs to police, politicians, and judges to look the other way were commonplace. On the day of a police raid on a speakeasy, it was not unusual for half the scheduled squad to call in sick.^{xiv} Chicago and Detroit launched turf wars between rival gangs. Bloody gun battles to control prostitution, gambling, and bootlegging led to a string of massacres—including the grisly St. Valentine's Day Massacre.



During the Prohibition era, law enforcement officials found themselves out-manned and out-gunned by notorious bank robbers like John Dillinger.

STICK TO YOUR GUNS

Peace officers trying to do their job found themselves out-manned and out-gunned by notorious bank robbers such as Machine Gun Kelly, Pretty Boy Floyd, Babyface Nelson, Bonny and Clyde Barrow, and Jon Dillinger.^{xv} An incident on June 17, 1933, in Kansas City, Montana drove the point home to the Justice Department and the U.S. Congress. Vernon Miller, "Pretty Boy" Floyd, and his sidekick, Adam Richetti, went to Kansas City to free Frank "Jelly" Nash from the custody of FBI agents and local police. Their submachine gun ambush killed Nash, two local officers, and an FBI agent outside the train station. Another FBI agent was badly wounded.

It's hard to believe today, but up until that time, FBI agents were not issued firearms nor had the right to arrest anyone. It wasn't until 1934 that Congress gave the FBI statutory authority to carry guns and make arrests. Only then did the FBI acquire their first Thompson submachine guns. Congress also sought to limit the supply of "gangster weapons" available at the time—specifically, machine guns, sawed-off shotguns, and hand grenades. The idea was to require high tax and registration fees from those people who wanted to own them legally. The expense, it was hoped, would dry up the market, wither demand, and almost completely diminish the supply. The National Firearm Act (NFA) required the registration of all firearms with the Secretary of the Treasury. Firearms subject to the 1934 Act^{xvi} included shotguns and rifles having barrels less than 18 inches in length, certain firearms described as "any other weapons," machine guns, and firearm mufflers and silencers. The \$200 tax on most NFA firearms was considered quite severe and adequate to carry out Congress' purpose to discourage or eliminate transactions in these firearms. The \$200 tax has not changed since 1934.^{xvii}

This was a pivotal turning point in the citizenry's attitude towards gun ownership. At the time, gangster violence was perceived as being out of control and the National Firearm Act met with the approval of most gun owners. The law, however, was challenged in 1939 (*Miller v. United States*, 307 U.S. 174, 59 S.Ct. 816, 83 L.Ed. 1206). At issue was the interstate transfer of a sawed-off, 12-gauge, double barrel shotgun. The Supreme Court unanimously found that the NFA's limitations on weapons did not violate the Second Amendment. They reasoned that, since a shortened shotgun did not present "some reasonable relationship to the preservation or efficiency of a well-regulated militia, we cannot say that the Second Amendment guarantees the right to keep and bear such an instrument."^{xviii} The fact that sawed-off shotguns had been used by U.S. troops in the trenches of WWI,^{xix} however, only fueled the controversy in the national gun debate.

Gun Laws Today: Regulatory Reaction

For the most part, federal gun laws since 1934 (as well as most state laws) have all been reactive. That is, gun laws have been devised as a regulatory reaction to criminal behavior, behavior that relied on the violent use of firearms. Public perception about new firearm technology enabling (or perhaps even encouraging), criminal behavior also created reactive laws.

- The Gun Control Act of 1968^{xx} was spurred to passage (partially) by the assassinations of John F. Kennedy, Robert F. Kennedy, Malcolm X, and Martin Luther King. The act outlawed mail order sales of rifles and shotguns.
- The Firearm Owners' Protection Act (FOPA) of 1986 was enacted to redress abuses by the Bureau of Alcohol, Tobacco and Firearms (created in 1972), as well as codify transportation issues for gun owners. It also revised the 1934 NFA ban on machine guns^{xxi} to restrict drug gang access during the crack epidemic of the mid-1980s.

STICK TO YOUR GUNS

- The Brady Handgun Violence Prevention Act of 1993,^{xxii} following an assassination attempt on President Ronald Reagan by a mentally unbalanced man, instituted background checks into the "fitness" of would-be gun owners.
- The Violent Crime Control and Law Enforcement Act of 1994^{xxiii} resulted from the July 1, 1993, shootings by 55-year-old businessman Gian Luigi Ferri, who killed eight people and wounded six in a downtown San Francisco law office with a pair of Tech-9 pistols and a Chinese version of a Colt M1911. The federal assault weapons ban subsection^{xxiv} barred the manufacture of 19 specific semi-automatic firearms classified as "assault weapons." The ban expired on September 13, 2004.
- The Domestic Violence Offender Gun Ban of 1997^{xxv} stripped access and ownership of guns or ammunition by individuals convicted of misdemeanor domestic violence, or who were under a restraining (protection) order for domestic abuse in any of the fifty states. The legislation grew in part from public outrage during the O.J. Simpson murder trial.

These laws reveal that both civilians and police fear well-armed criminals—yet they are highly divided on how to protect law-abiding citizens. In spite of the federal gun laws that have been passed since 1986, violent crime still makes the daily headlines.

Since 1984, there has been an uninterrupted chain of spree killings in the United States^{xxvi} every year. Certainly one of the most terrifying spree killings was the Beltway Sniper attacks^{xxvii} of October 2002, when John Allen Muhammad and then 16-year-old Lee Boyd Malvo, randomly shot 13 people, including a 13-year-old boy, in the metropolitan Washington D.C. area. Six of these shootings occurred in one day—October 3.

A total of ten people died over the three-week period. The two snipers used a Bushmaster XM-15 .223 semiautomatic (allegedly stolen) and targeted their shots through a hole drilled in the trunk of a car for that purpose. They shot at people pumping gas, mowing their lawns, or walking their dog. The sniper threat put federal buildings on heightened alert. When a specific threat to schoolchildren was announced, schools in the D.C. area cancelled field trips and football games. After a shooting in Henrico County near Richmond, Virginia, schools in the Richmond area closed. Fear ruled an entire 90-mile corridor of Interstate 95 until October 24th, when the two were captured. (John Allen Muhammad was executed by lethal injection on November 10, 2009. Lee Boyd Malvo is serving a life sentence with no possibility for parole.)

Between 1986 and 1997, more than forty unarmed people were gunned down by spree killers in just twenty incidents of workplace rage.^{xxviii} In addition, police have found themselves increasingly out-gunned by criminal firepower.

- The notorious North Hollywood shootout of 1997^{xxix} pitted 300 Los Angeles area police officers, armed with service revolvers and shotguns, against two bank robbers who had outfitted themselves with body armor and modified, fully automatic assault rifles.
- In 2005, a shootout in Tyler, Texas left three civilians dead (including the shooter) and one child and three police officers injured. The shooter, David Arroyo,^{xxx} murdered his estranged wife with a MAK90 (AK47).

When Seconds Count ...

New Drag And Draw Gun Vault Gives You Instant Access To Your Firearm ... While Keeping It Safe From Children and Intruders

- Virtually unbreakable biometric coding reads your fingerprint (up to nine different users)
- Ample, padded interior accommodates most handguns
- Can be opened by touch in seconds even in the dark
- Heavy gauge steel casing makes blows almost impenetrable
- Lightweight, portable, and can be tethered in place if desired.

For more information go to:
www.myquicksafe.com

STICK TO YOUR GUNS

- On May 20, 2011, two West Memphis, Arkansas police officers were shot down during a routine traffic stop^{xxxi} by a father and son from Ohio using AK47s. Jerry R. Kane, 45, and 16-year-old Joe Kane also wounded the Crittenden County sheriff and his deputy during the final shootout in a West Memphis Wal-Mart parking lot before being killed themselves.

FBI statistics show that in 2009 (the most recent data available),^{xxxii} 1,994 police officers (out of 556,155 serving officers), were assaulted with a firearm; 48 officers were killed.^{xxxiii} Of these 48, 15 were ambushed. According to the Law Enforcement Officer Memorial Fund,^{xxxiv} gunshot fatalities are up from 38 in 2010 to 50 in 2011 (a 32% increase). The police are scared, and when it comes to day-to-day encounters with guns, they would rather be safe than sorry. After all, they can't tell a law-abiding citizen with a gun apart from a bad guy with a gun. But they, at least, can call for police backup and be reasonably certain they'll get it. No deaths or assaults by firearms are acceptable, but the actual threat to law enforcement should be put into its proper perspective. Police officers have less than a 1% chance of being assaulted by a firearm. In fact, they're 99.6% likely not to get assaulted or killed with one. This is an amazingly safe statistic for such a high-risk profession that deals with the criminal element 24/7.

Police: No Liability to Protect

Civilians, on the other hand, face not only the risk of criminal attacks, but also that their calls to the police for help might not be answered. Strange as it sounds, law enforcement in the United States is beholden to protect the public peace, but not to protect individuals from crime. It is also immune from the consequences of their officers' negligent actions. The case that produced this ruling comes from an incident in June 1850 in Washington County, Maryland. Jonathan W. Pottle^{xxxv} was a Boston banker who had arrived in Washington County to recover a judgment against a mill owner who had defaulted on his debt to Potter and his investment partners. When he accompanied the sheriff's deputy to the mill to execute the foreclosure on the mill, the mill workers seized him and demanded that he pay them their wages that the owner had not paid them. When he refused, the mill workers took him hostage. Pottle asked for help from the deputy and the sheriff. The sheriff refused. Pottle was held prisoner for four days until he agreed to pay the mill workers \$2,500.

The case was fought all the way to the U.S. Supreme Court, which ruled in 1856 that law enforcement has the responsibility to protect the public peace, but not the liability to protect individuals from criminal actions directed against them. This ruling has since provided the cornerstone for quashing all challenges in cases that have shown far more egregious and fatal examples of police negligence:

- In **Warren v. District of Columbia** (1981)^{xxxvi} three women sued the District of Columbia metropolitan police after being beaten and raped for 14 hours in spite of having called the police for help when they were first attacked. The Supreme Court ruled that police are not liable for the actions of a criminal or for failing to provide adequate protection.
- In **DeShaney v. Winnebago County** (1989),^{xxxvii} county Department of Social Services (DSS) failed to prevent the beating of Joshua DeShaney by his abusive father, to the point the child sustained brain damage. This ruling was made in spite of the fact that the abuse occurred over a period of 5 months while DSS social workers took no action. Joshua's mother sued, saying by DSS's failure to intervene and protect him from violence (about which they knew or should have known), the agency violated Joshua's right to liberty without the due process guaranteed to him by the Fourteenth Amendment to the United States Constitution.

STICK TO YOUR GUNS

The Supreme Court certified a lower court's ruling that the a state or county agency does not have an obligation under the due process clause of the Fourteenth Amendment to prevent child abuse when the child is 1) in parental, not agency custody, and 2) the state did not create the danger of abuse or increase the child's vulnerability to abuse.

- In **Castle Rock v. Gonzales** (2005)^{xxxviii} Jessica Gonzales obtained a restraining order on June 4, 1999 against her husband, whom she was divorcing. He was to remain 100 yards distant from her and her daughters. On June 22, her husband violated the order by taking the children to an amusement park. Mrs. Gonzales phoned police four times during the evening and visited the station around midnight on June 23, 1999. The police took no action. At 3:20 am, her husband arrived at the Castle Rock police station and instigated a shoot out with police and was killed. It was soon discovered that he had killed his three daughters in his car. Mrs. Gonzalez sued Castle Rock police for deprivation of rights found in 42 U.S.C. §1983 for failure to enforce the restraining order. But the U.S. Supreme Court ruled on the case, saying, failure to enforce a restraining order against Mrs. Gonzalez's husband did not constitute a property right for Fourteenth Amendment purposes.

Can civilians rely on help from the police? Consider one law enforcement officer's (LEO) chilling post on a police forum:

"I have read the ruling on Warren v. District of Columbia, I'm sure all LEOs are familiar with this ruling... It is amazing how many people think you actually are held responsible to show up to a 911 call... I myself think 'We the People' have come to rely on and expect too much from the police."^{xxxix}

Doughnut, anyone?

Duck Season

For the past 40 years, most enforcement action has been toward restricting firearm purchases because pencil-pushers and intellectuals thought fewer firearms available to criminals would reduce violent crime. Pro Second Amendment pundits put it another way: Make guns illegal so that only criminals will have guns.

From an administrative perspective, restricting firearm ownership seems to make sense. But, when it comes to violent crime, the **Warren v. District of Columbia** case alone should have been viewed as the dead canary in the coal mine. Beginning in 1976, the Washington D. C. city council passed the Firearms Control Regulations Act.^{xl} This act banned residents from owning any firearm—be it handgun, rifle, shotgun, or assault rifles. Prior ownership was grandfathered in, but with tight restrictions. Any handgun owned by a resident before the passage of the Act had to register with the D.C. metro police and the firearms had to be kept in the home, "unloaded, disassembled, or bound by a trigger lock or similar device." (That these restrictions rendered the weapon useless for self-defense was apparently irrelevant.)



Shortly after gun ownership was outlawed in Washington D.C., the crime rate soared 200% above the national average.

STICK TO YOUR GUNS

The fallout from this law was that crime in D.C. soared 200% above the national average.^{xlii} By 1991, Washington D.C. had the highest murder rate in the country with 482 homicides. The nation's capital had become the national murder capital.

Other big cities began to ban or curtail access to handguns. In 1990, Philadelphia had 497 homicides, 336 of which were gun-related. In 2006, this rose to 344 out of 406 homicides.^{xliii} Chicago, desperate to get a handle on its own crime problem, banned the sale and acquisition of handguns in 1982. The Illinois towns of Wilmette, Evanston, Oak Park, and Morton Grove also banned handguns. In 2006, San Francisco, with a slender 58% majority, voted to ban handguns. However, the vote was dismissed because the ordinance's wording infringed on state authority. Again, the rationale employed was the same as other localities reacting to violent crime: Take away access to guns and only criminals will have guns. The reality is criminals don't care about getting guns legally. Removing firearms from the hands of civilians just makes those civilians sitting ducks.^{xliv}

Natural Right to Self Defense

Dick Anthony Heller was a licensed special police officer for the District of Columbia. Within his capacity as a police officer, Heller was entrusted to carry a gun into sensitive federal office buildings—but was not allowed to have one in his home. In 2003, he and five others sued the District of Columbia over its Firearms Control Regulations Act after the District rejected his application to keep a handgun at his home.^{xliii} In 2008, the U.S. Supreme Court was finally compelled to rule on interpreting the Second Amendment: that it is an individual right intimately tied to the natural right of self-defense and that, while "bearing arms" implies carrying a weapon "for the purpose of 'offensive or defensive action,' it in no way connotes participation in a structured military organization."

Since Washington D.C is a federal enclave and NOT a state, the decision only applied to D.C. Consequently, a different case was needed to be applied to state jurisdictions.

Otis McDonald was an elderly retired maintenance engineer who sought to protect himself from violent hoodlums in his Chicago neighborhood. In 2008, he walked into a local police precinct station to pre-purchase register a .22 caliber pistol. He was denied due to the 28-year-old Chicago ban on residents owning handguns. McDonald sued the city of Chicago on Second Amendment grounds. The Supreme Court heard the case in 2010 and ruled that "the right to keep and bear arms is enforceable against the states because it is a privilege of American citizenship recognized by §1 of the Fourteenth Amendment, which provides, inter alia: 'No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States.'^{xlv} The interpretation of the Second Amendment in **Heller** was now extended to the states. In time, it will likely override some states' regulations.

More Guns, Less Crime

John Lott, an economist, researcher, author, and professor, has extensively studied and written about gun ownership and gun control issues. Using statistical economics, Professor Lott examined the effects of shall-issue concealed-carry permits by states. He found that, with such permits, violent crime steadily decreases because criminals are deterred by the risk of attacking an armed victim.ⁱ As more citizens arm themselves, the danger to criminals increases. The study ignited a firestorm, but other researchers supported the study's conclusion. In 2004, one researcher from the National Academies Press cited Lott's data and remarked that the "right to carry drives down the murder rate."ⁱⁱ Even Lott's critics acknowledge "...that these laws have not led to the massive bloodbath of death and injury that some of their opponents feared."ⁱⁱⁱ

ⁱ<http://www.johnrlott.blogspot.com>

ⁱⁱ<http://www.nap.edu/openbook.php?isbn=0309091241&page=270>

ⁱⁱⁱhttp://islandia.law.yale.edu/ayers/Ayres_Donohue_article.pdf

STICK TO YOUR GUNS

Part 3: Have Gun, Will Travel

You Can't Take It With You—Or Can You?

Keeping a handgun in your home is one thing, but wearing a handgun on your person for protection, whether openly or concealed, has been a difficult issue in some states and towns. There is a long history of criminal stigma attached to this practice. Originally, states followed what was known as the Uniform Act to Regulate the Sale and Possession of Firearms, which was written to help deal with Prohibition-era gangsters. This meant that carrying a concealed firearm (no matter what the reason) was banned by states across the nation because it was what gangsters and other criminals did. Later, states adopted changes so that wealthy or public citizens could carry a concealed weapon for their own protection.^{xlvi} Local law enforcement, who (ideally) knew the gun-applicant's character, were assigned the task of evaluating requests for concealed-carry.

While it sounds like a solid community-based approach, the system has been fraught with racism, sexism, and corruption. In 1961, Washington state enacted the first "shall-issue" permitting system when it addressed the obvious fact that citizens permitted to own a handgun had nothing to prevent them from slipping the weapon into their pocket and walking out of their home. The state's options for a regulatory response were limited. They could ban all handguns, restrict guns to the home, or make concealed gun permits open to all who qualified.

In the midst of high crime and growing population, Florida adopted a similar concealed-carry permit in 1987. The entire world tuned in to watch the "GUN-shine state" turn into a blood-spattered shooting gallery. But nothing happened.^{xlvii} It wasn't long until more and more states began changing their gun permitting regulations. By 2000, nearly half the lower 48 had changed to "shall-issue" permits for concealed carry. By 2011, all but seven had adopted "shall-issue" or unrestricted concealed-carry gun permits.^{xlviii}

Concealed Carry for your Car or RV: General Guidelines

The information below is provided only as a general guide. It assumes the handgun owner is a resident of the state listed and has a legally issued state permit to carry a concealed handgun. Always verify and know your state's gun regulations before traveling with your firearms.

Handgun may be loaded and concealed in your vehicle or RV: Arizona, Arkansas, Colorado, Connecticut, Florida, Georgia, Hawaii, Idaho, Kansas, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Missouri, Nebraska, New Hampshire, New Mexico, New York, North Dakota, Ohio, Pennsylvania, Rhode Island, South Dakota, Texas, Utah, Vermont, West Virginia, Wyoming.

Handgun may be loaded but kept in plain sight in your vehicle or RV: (firearms may not be concealed on one's person in a vehicle): Alabama, Delaware, Kentucky, Montana, North Carolina, Oregon, Tennessee, Virginia.

Handgun must be kept unloaded in your vehicle or RV: Illinois, Indiana, Iowa, New Jersey, Oklahoma, Minnesota, Washington, Wisconsin.

Handgun may be loaded but secured in your vehicle or RV: South Carolina

Handgun must be kept unloaded and secured in your vehicle or RV: California, varies from county to county.

Law Enforcement follows local ordinances: Alaska

Source:
<http://www.handgunlaw.us/states/>

STICK TO YOUR GUNS

The Devil Is In the Details

Before you start packing for that trip to another state with your firearm, remember—the devil is in the details. State gun laws are not created equal. If you don't want to end up in jail, it's crucial to know the gun law of the states^{xlix} you plan to visit if you intend to take a firearm with you. For example, registration may be handled through an agency that you might not expect. Florida handles their firearm permitting through its Department of Agriculture and thus, does not have access to the NICS database because it is not a law enforcement agency. Some states might honor a concealed-carry permit from one state while others will confiscate your weapon and throw you in jail, as they did Gregg Revell in New Jersey.

Even though all the states have differing regulations and permitting policies, they do share some common properties that you can reasonably expect when you apply for a concealed-carry permit. A quick survey of the 50 states shows most either require the NICS background check (Brady law)ⁱ or have their own set of requirements that incorporate laws similar to those in the Brady law. Most states require the applicant to be 21 years of age (though some allow 18-year-olds) and usually if the individual has served in the military. Some states may grant permits to residents and non-residents; others only grant to residents. Other general restrictions and requirements include:

- No addiction to alcohol or drugs
- No convictions of any serious or aggravated misdemeanor within 3-5 years
- No felony convictions
- No indications of mental illness
- Not subject to a protection order or involved in domestic violence offenses
- Can demonstrate knowledge of firearm
- Must provide proof of completion of a firearms safety or training course
- Must provide fingerprints for file
- Must provide state photo identification
- Must provide identification facial photo(s)
- Must pay necessary fees

Thousands of Crimes Every Year Are Committed with Stolen Guns

...

Here's How To Make Sure Yours Isn't One of Them

If you're a gun owner, you know that guns are attractive targets for thieves. *Hide Your Guns*, written by a veteran of the U.S. Special Forces, is a comprehensive manual that reveals how to ensure nobody will ever find your guns unless you want them to. You'll learn:

- Where to hide your guns **so the bad guys will never find them**
- How to create a hiding place right **in plain sight**
- Where you should *never* hide your guns under any circumstances
- When a safe isn't the solution
- How to use **creative techniques to hide guns** and other valuables, even if you're renting your house or can't do any major remodeling.
- Plus, other **secrets** known only to **Special Forces veterans**

For more information go to:
www.hideyourguns.com

STICK TO YOUR GUNS

Concealed Carry In Four Flavors

There are four flavors of state concealed-carry permit laws: no-issue, may-issue, shall-issue, and unrestricted. Four states, Alaska, Arizona, Vermont, and Wyoming, have unrestricted right-to-carry laws. Up until August 5, 2011, Illinois had a no-issue policy, but a federal injunction^{li} was instituted by the 7th Court of Appeals. Also, in the federal district court in Peoria,^{lii} a request was made to overturn the concealed carry ban.

As of August 2011, only 10 states (Alabama, California, Connecticut, Hawaii, Maryland, Delaware, New Jersey, New York, Massachusetts, and Rhode Island) have may-issue permits for concealed carry. May-issue means local or state authorities have the discretion to approve who can carry a concealed gun. This is broken down into "permissive" and "restrictive" policies. Alabama and Connecticut generally will issue permits to applicants and are considered permissive.

The remainder may-issue states are more restrictive, as follows:

California defers to its counties when it comes to issuing permits, ranging widely from "no-Issue" in San Francisco to "shall-issue" in Sacramento.^{liiii} People who live in a no-issue county but own a business in a shall-issue county, can obtain a business gun permit but can only carry the firearm in the county the permit was issued. Permits are issued to residents only. California only honors its own permits.

Delaware^{liv} only issues to residents. It involves background checks as well as sworn and signed statements from five other residents of that same county. Applicants must publish their application for the permit in a newspaper of their county for 10 days, and it must contain the home address and phone number. Applicants must have fingerprints taken by the state police.

Delaware honors permits from: Alaska, Arizona, Arkansas, Colorado, Delaware, Florida, Kentucky, Maine, Michigan, Missouri, North Carolina, North Dakota, Ohio, Oklahoma, Tennessee, Texas, Utah, Virginia, West Virginia.

Who Is Prohibited From Carrying Firearms?

National Instant Criminal Background Check System (NICS)
Federal Categories of Persons Prohibited From Received Firearms (condensed)

1. A person convicted in any court of a crime punishable by imprisonment for a term exceeding one year or any state misdemeanor offense punishable for more than two years.
2. Fugitives of justice.
3. An unlawful user and/or addict of any controlled substance.
4. A person adjudicated insane, mentally incompetent, or involuntarily committed to a mental institution.
5. An alien illegally or unlawfully in the United States or has been admitted under a non-immigrant visa.
6. A person dishonorably discharged from the United States Armed Forces.
7. A person who has renounced his/her United States citizenship.
8. The subject of a protective order issued that restrains them from harassing, stalking, or threatening an intimate partner or child of such partner.
9. A person convicted in any court of domestic violence or threatening domestic violence.
10. A person who is under indictment or information (formally accused by prosecutor) for a crime punishable by imprisonment for a term exceeding one year.

Source:

<http://www.fbi.gov/about-us/cjis/nics/general-information/fact-sheet>

STICK TO YOUR GUNS

Hawaii^{lv} requires that the applicant demonstrate to law enforcement a reasonable fear of injury to himself or his property. The applicant must be a resident, 21 or older, be of sound mental character, and qualified to use the firearm. However, permits are typically only granted to a person "engaged in the protection of life and property" i.e., on-duty, uniformed security personnel. Hawaii only honors its own permits.

Maryland^{lvi} may issue to resident and non-resident alike. It requires the applicant be over the age of 18, be fingerprinted, and submit a notarized letter explaining the reason for the permit. There is an investigation process to convince the authority that the applicant has a "good and substantial reason" showing the permit "necessary as a reasonable precaution against apprehended danger." Some have complained this is a restrictive throw back to the 1950s and that an applicant must already have their life in danger before they can even apply. An applicant could be killed while waiting for their application's approval. Maryland only honors its own permits.

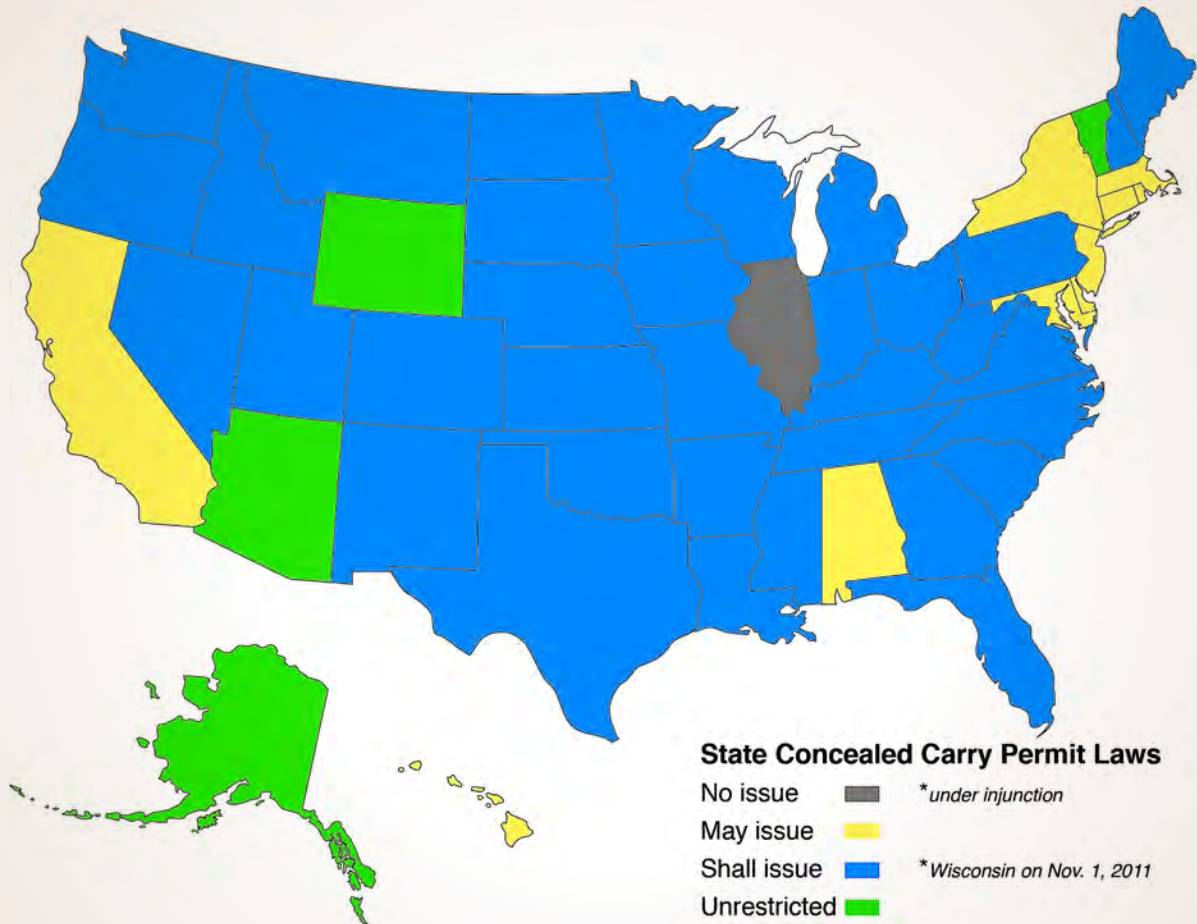
Massachusetts^{lvii} may issue concealed-carry permits to residents and non-residents. The Class A license authorizes the carrying of handguns, including large-capacity handguns. A Class A license holder is permitted to carry a loaded handgun in a vehicle, as long as it is under his direct control (rifles and shotguns must be unloaded and carried in a locked trunk or case). Class B licenses authorize smaller capacity handguns. However, Class B license holders may not carry a loaded firearm "in a concealed manner" in a public place. Class B license holders are also prohibited from carrying a loaded firearm in their vehicles. The cost is \$100. Applicants must justify their request in writing, and such requests must be detailed and specific. The state accepts only a narrow range of reasons as valid. Massachusetts only honors its own permits.

New Jersey^{lviii} may issue to residents and non-residents alike. Its permitting is almost completely discretionary. The applicant must meet the requirements of the permit, provide personal information, be fingerprinted, and prove familiarity with the use of handguns. Three reputable people who have known the person for at least three years must file a reference. Applicants must also specify their "justifiable need to carry a handgun." Applications are filed with the local police chief or Superintendent of State Police (if non-resident). Judges may also modify the permit. New Jersey only honors its own permits.

New York^{lix} issues to its residents only. Discretion to issue is left to the county or city licensing officer. Denials must be documented in writing. Qualified applicants are those who are over 21 years of age and who meet the following criteria: the applicant has never been convicted of a serious offense, he states if and when he has ever been treated for mental illness, he is not subject to a protective court order, and no good cause exists for the denial of the license. The age requirement does not apply to people who have served in the military and were honorably discharged. A loaded handgun (ammunition loaded in magazine or chamber) may be carried in a vehicle by a properly licensed individual. New Yorkers are prohibited from carrying a loaded shotgun or rifle in a vehicle. Upstate handgun owners seeking to legally carry a handgun in New York City must apply to the New York City police department to have their permit "validated." The need to carry will then be assessed to test the need for carrying a handgun. New York only honors its own permits.

STICK TO YOUR GUNS

Rhode^x Island may issue concealed-carry permits to residents and non-residents. Permits are issued at the discretion of the state attorney general, who may issue a permit to carry a handgun to any person (resident or non-resident) 21 years or older "upon a proper showing of need." [Guidelines for proper showing of need can be downloaded for free.](#) Rhode Island only honors its own permits.



STICK TO YOUR GUNS

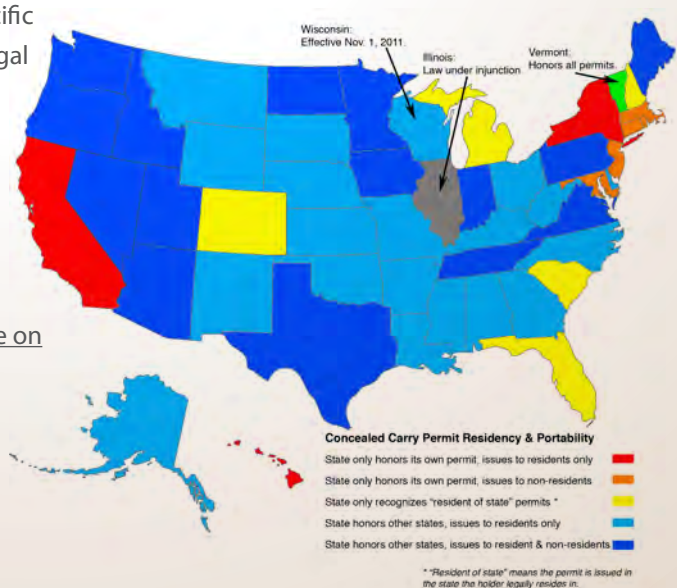
Can You Get A Concealed Carry Permit Valid For All 50 States?

No. As of August 20, 2011, state regulations (like those above) make that an impossibility. However, there are states that have reciprocal agreements with other states.^{lxi} Three states with the most widely recognized resident permits are Montana (27), Texas (31) and Alaska (36). (Some states grant permits to non-residents, and this complicates reciprocal agreements. The states of Colorado, Florida, Michigan, New Hampshire, and South Carolina only recognize permits granted by the state in which the carrier legally resides.) However, these relationships between states can change. On July 1, 2009, Nevada dropped its reciprocal agreement with Florida.^{lxii} This meant people who relied on this agreement for their security while traveling had to find and make other arrangements to continue their concealed carrying legally.

The best way to stay on top of developments in state gun laws is to stay informed. Check out sites such as the [NRA Institute for Legislative Action](#) as well as [USACarry](#) or [Handgun Law](#) for more information.

Newsflash: Could Reciprocity Be On The Horizon?

As this report went to press, important gun permit legislation began making its way through Congress. H.R.822, the National Right-to-Carry Reciprocity Act of 2011,^{lxiii} is a piece of legislation written and sponsored by Cliff Stearns (R-FL) and 242 other congressmen that would make a permit to carry a concealed weapon in one state honored in all states. While some have criticized the bill as an attempt to hijack states' rights, the bill's text (so far) is based on the Supreme Court's Second Amendment decisions protecting individual liberties in the *Heller* and *McDonald* cases. The bill does not dictate specific regulatory standards to the states—merely that a legal privilege recognized in one state ought to be respected in another state, just as in the case of a drivers license or marriage license. At this writing, the bill is currently awaiting discussion in the House Subcommittee on Crime, Terrorism, and Homeland Security. Hearings for the subcommittee after the August recess will be listed on the [House Committee on the Judiciary Hearings](#).



STICK TO YOUR GUNS

- ⁱ http://en.wikipedia.org/wiki/Second_Amendment_to_the_United_States_Constitution
- ⁱⁱ http://en.wikipedia.org/wiki/Brady_Handgun_Violence_Prevention_Act
- ⁱⁱⁱ http://en.wikipedia.org/wiki/Percussion_cap
- ^{iv} http://en.wikipedia.org/wiki/Sharps_rifle
- ^v http://en.wikipedia.org/wiki/Maxim_machine_gun#Development_281883-1884.29
- ^{vi} http://en.wikipedia.org/wiki/Mondrag%C3%B3n_rifle
- ^{vii} http://en.wikipedia.org/wiki/M1918_Browning_Automatic_Rifle
- ^{viii} http://en.wikipedia.org/wiki/Thompson_submachine_gun
- ^{ix} http://en.wikipedia.org/wiki/Model_1812_Musket
- ^x <http://www.landofborchardt.com/catalogs.html>
- ^{xi} <http://www.auto-ordnance.com/>
- ^{xii} http://en.wikipedia.org/wiki/Ford_Model_T#Price
- ^{xiii} http://www.albany.edu/~wm731882/speakeasies_final.html
- ^{xiv} <http://apps.detnews.com/apps/history/index.php?id=181>
- ^{xv} http://www.fbi.gov/news/stories/2009/march/dillinger_030609
- ^{xvi} http://www.law.cornell.edu/uscode/html/uscode26/usc_sup_01_26_10_E_20_53.html
- ^{xvii} <http://www.atf.gov/firearms/nfa/>
- ^{xviii} <http://legal-dictionary.thefreedictionary.com/National+Firearms+Act+of+1934>
- ^{xix} http://en.wikipedia.org/wiki/United_States_v._Miller
- ^{xx} http://en.wikipedia.org/wiki/Gun_Control_Act_of_1968
- ^{xxi} http://en.wikipedia.org/wiki/Firearm_Owners_Protection_Act#Machine_Gun_Ban
- ^{xxii} http://en.wikipedia.org/wiki/Brady_Handgun_Violence_Prevention_Act
- ^{xxiii} http://en.wikipedia.org/wiki/Violent_Crime_Control_and_Law_Enforcement_Act
- ^{xxiv} http://en.wikipedia.org/wiki/Federal_Assault_Weapons_Ban
- ^{xxv} http://en.wikipedia.org/wiki/Domestic_Violence_Offender_Gun_Ban
- ^{xxvi} http://en.wikipedia.org/wiki/Spree_killer
- ^{xxvii} http://en.wikipedia.org/wiki/Beltway_sniper_attacks
- ^{xxviii} http://en.wikipedia.org/wiki/Going_postal
- ^{xxix} <http://www.northhollywoodshootout.com/index.html>
- ^{xxx} http://en.wikipedia.org/wiki/Tyler_courthouse_shooting
- ^{xxxi} <http://www.freerepublic.com/focus/f-news/2522662/posts>
- ^{xxxii} http://www2.fbi.gov/ucr/killed/2009/data/table_70.html
- ^{xxxiii} <http://www2.fbi.gov/ucr/killed/2009/feloniouslykilled.html>
- ^{xxxiv} <http://www.nleomf.org/facts/officer-fatalities-data/>
- ^{xxxv} http://works.bepress.com/cgi/viewcontent.cgi?article=1012&context=steven_heyman&sei-redir=1#search=%22First%20Duty%20Government%3A%20
- ^{xxxvi} http://en.wikipedia.org/wiki/Warren_v._District_of_Columbia
- ^{xxxvii} http://en.wikipedia.org/wiki/DeShaney_v._Winnebago_County
- ^{xxxviii} http://en.wikipedia.org/wiki/Castle_Rock_v._Gonzales
- ^{xxxix} <http://community.policeone.com/forum/textthread.aspx?catid=68&threadid=22022>

STICK TO YOUR GUNS

- ^{xi} http://en.wikipedia.org/wiki/Firearms_Control_Regulations_Act_of_1975
- ^{xi} <http://www.nrila.org/Issues/FactSheets/Read.aspx?ID=72>
- ^{xlii} <http://www.philadelphiaweekly.com/news-and-opinion/Oh-Shoot.html>
- ^{xliii} http://www.usatoday.com/news/washington/2008-06-26-scotus-guns_N.htm
- ^{xliv} <http://www.supremecourt.gov/opinions/07pdf/07-290.pdf>
- ^{xliv} <http://www.chicagoguncase.com/wp-content/uploads/2010/06/mcdonaldopinion08-1521.pdf>
- ^{xlvi} <http://www.rkba.org/research/cramer/shall-issue.html>
- ^{xlvi} <http://rkba.org/research/cramer/shall-issue.html>
- ^{xlvi} <http://www.gun-nuttery.com/rtc.php>
- ^{xlvi} <http://www.handgunlaw.us/>
- ⁱ <http://www.fbi.gov/about-us/cjis/nics>
- ^{li} <http://hawaiiiccw.com/news/saf-files-preliminary-injunction-illinois-carry-ban/>
- ^{lii} http://www.pantagraph.com/news/state-and-regional/illinois/article_df5dbc5a-bec9-11e0-8c5b-001cc4c03286.html
- ^{liii} <http://www.calccw.com/Forums/county-faq/7158-county-map-california-ccw-issuance.html>
- ^{liv} http://www.usacarry.com/delaware_concealed_carry_permit_information.html
- ^{lv} http://www.usacarry.com/hawaii_concealed_carry_permit_information.html
- ^{lvi} http://www.usacarry.com/maryland_concealed_carry_permit_information.html
- ^{lvii} http://www.usacarry.com/massachusetts_concealed_carry_permit_information.html
- ^{lviii} http://www.usacarry.com/new_jersey_concealed_carry_permit_information.html
- ^{lix} http://www.usacarry.com/new_york_concealed_carry_permit_information.html
- ^{lx} http://www.usacarry.com/rhode_island_concealed_carry_permit_information.html
- ^{lxi} http://www.usacarry.com/concealed_carry_permit_reciprocity_maps.html
- ^{lxii} http://licgweb.doacs.state.fl.us/news/concealed_carry.html
- ^{lxiii} <http://www.gpo.gov/fdsys/pkg/BILLS-112hr822ih/pdf/BILLS-112hr822ih.pdf>