



Federal Judge issues preliminary injunction against CA gun show ban

A federal district court judge in California has issued a preliminary injunction against the Del Mar Fair Board's attempt to ban gun shows. SAF is joined by the California Rifle and Pistol Association, B&L Productions, Inc., Crossroads of the West, South Bay Rod and Gun Club, Maximum Wholesale/Ammo Brothers and five private citizens.

Federal District Judge Cathy Bencivengo issued the preliminary injunction, prohibiting the Del Mar Fair Board from enforcing a recently-enacted moratorium on gun shows at the fairgrounds. Plaintiffs in the case consider this a huge victory over a moratorium that took effect back on Jan. 1 and the lawsuit was followed later that month. SAF founder and Executive Vice President Alan M. Gottlieb stated "At a time, and in a state, where law-abiding gun owners seem under constant attack, having a federal judge side with our complaint validates our efforts to protect constitutional and civil rights.

The Second Amendment Foundation (www.saf.org) 6/19

Gun Rights make all the difference in self-defense.

Contrary to the rhetoric of many gun control advocates, the Second Amendment's protection of the individual right to keep and bear arms is not a malevolent, outdated barricade to peace that must be demolished or diminished in the name of public safety. Rather, it is a fundamental part of the nation's scheme of ordered liberty. Firearms are used far more often in self-defense than in crime.

According to a 2013 report by the Centers for Disease Control and Prevention, which compiled and analyzed various studies involving the defensive use of firearms, Americans use firearms in self-defense between 500,000 and 3 million times annually. The agency's own data indicates that approximately 1 million defensive gun uses likely occur every year, far outpacing the number of times guns are used to illegally kill or injure others.

Nevertheless, gun control proponents regularly promote policies such as limiting magazine capacity, banning commonly owned firearms, and restricting the number of firearms a law-abiding citizen may purchase at one time. These policies not only fail to meaningfully address the underlying causes and mechanisms of gun-related violence, they also would hinder the ability of regular citizens to legally and effectively defend themselves and others.

Amy Swearer, Heritage Foundation, 6/17

"Smart Gun" legislation misses the mark.

"Authorized user recognition" technology, commonly referred to as smart gun technology, refers to the concept wherein a firearm would be able to recognize an authorized user, and be limited to firing only when operated by an authorized user as identified by a fingerprint or RFID signal.

Presidential candidate Joe Biden claimed, "If I get elected president of the United States of America with your help, if that happens, guns, we have the capacity now in a James Bond-style to make sure no one can pull a trigger unless their DNA and fingerprint is on it. We have that capacity to do it now. You know it."

The Start Advancing Firearms Enhancements and Technology (SAFETY) Act, **S. 1884**, according to Senator Murphy's press release, is designed to both provide tax incentives to firearm manufacturers who invest more in smart gun development and provide incentives to consumers to buy smart guns by reducing the firearm excise tax

amount on guns that meet his definition. Gun manufacturers have been researching smart gun technology since its first emergence in the 1990s. Measurable demand from consumers, however, has never materialized. Instead, gun buyers in general and law enforcement in particular have expressed deep suspicion toward devices that interfere with the straightforward and reliable operation of a firearm.

Researchers at Johns Hopkins Center for Gun Policy and Research found that while almost 50 percent of gun owners have heard of smart guns, just 5 percent of the respondents would even consider buying a smart gun. There are significant concerns about the reliability of a smart gun, especially if the battery that powers the technology runs out of power. In one scenario, when the battery fails, the firearm would revert to a default mode where it can be fired by anyone, not just the authorized user. In this case, not only is the entire point of the technology defeated but it would also expose the manufacturer to serious lawsuits for a defective product. The second potential scenario is if the battery fails and the firearm ceases to operate, even if the authorized user is holding it. In a life-threatening situation where someone is defending themselves or their family, the potential for a smart gun to fail in this manner is simply unacceptable.

If there is sufficient consumer demand, and the technological challenges to making a safe and reliable product are overcome, then it will come to market. NSSF, however, strongly opposes any government mandate that requires smart guns to be sold in lieu of a traditional firearm. When it comes to the Second Amendment and the right to defend yourself, Americans simply cannot be forced by the government to rely on faulty devices that may or may not work when needed the most.

Larry Keane, National Shooting Sports Foundation, 6/25