

# ZIA RIFLE AND PISTOL CLUB

affiliated with  
New Mexico  
Shooting Sports Association

PO BOX 27254  
ALBUQUERQUE, NEW MEXICO 87125  
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## Officers

President	Pat Mileschosky	266-8904	<a href="mailto:president@ziarifleandpistolclub.com">president@ziarifleandpistolclub.com</a>
1st Vice President	Heidi Chowning	2636169	<a href="mailto:1stVP@ziarifleandpistolclub.com">1stVP@ziarifleandpistolclub.com</a>
2nd Vice President	Joel Baca	615-7334	<a href="mailto:2ndVP@ziarifleandpistolclub.com">2ndVP@ziarifleandpistolclub.com</a>
Secretary	Chris Garrett	321-8688	<a href="mailto:secretary@ziarifleandpistolclub.com">secretary@ziarifleandpistolclub.com</a>
Treasurer	Gary Wells	681-3687	<a href="mailto:treasurer@ziarifleandpistolclub.com">treasurer@ziarifleandpistolclub.com</a>

## October 2022

The **October** meeting of the Zia Rifle & Pistol Club is scheduled for **Thursday, October 20th**, at 7:00 PM at **Bear Canyon Senior Center, 4656 Pitt NE**. All members are welcome and encouraged to attend. If there is anything you would like to discuss, please contact Secretary, Chris Garrett.

*See you there!*

### Zia BOD Meeting Minutes from August 18, 2022

The August 18, 2022 BOD meeting was called to order at 7:02 p.m. at the Bear Canyon Senior Center, with club President Pat Mileschosky presiding. A quorum of the BOD was achieved with 14 of 20 BOD members in attendance.

#### Item I - Approval of Agenda and Minutes

The agenda for the August 18, 2022 meeting was approved with seven additions (update on ARA purchase, shotgun trap carts, member at large vacancy, new rimfire steel activity, NRA grant, perspective members, and website revisions.)

The minutes for the July 21, 2022 BOD meeting was approved without changes.

#### Item II - Treasurer's report

Club Treasurer Gary Wells presented a report on the past month's flow in and out of the treasury and that our taxes have been filed.

#### Item III - Old Business

**Update on ARA equipment:** Jim Pollard, ARA Activity Chair reported a computer, scanner, printer, and table were purchased and in the hands of the activity's tech person. Targeting to have these ready for an upcoming tournament.

**Update on new website:** Pat Mileschosky, Club President reported that there has been some churn at the new web company, delaying the rollout of our new site. Our current hosting expired on 8/18/22, and Heidi is pushing to get the new site up inside of two weeks.

#### Item IV - New Business

**Membership and Orientation:** Peter Ide, MAL and Orientation Chair presented a detailed report. Highlights include: we still have people who do not respond to invitations (they go on a special list after 3 "no responds"), folks who apply are being invited to the next available class (effectively no waiting list), we oriented 126 members YTD, and currently have 1611 non-Junior members.

**Donation to the NMSSA:** Peter reported on shenanigans planned for the upcoming 60-day NM legislative session and suggested the Club support the NMSSA with a \$10k donation. A motion was made, seconded, and approved following a lot of great discussion.

**Rimfire Steel Activity:** Ted Simmons is developing a new rimfire steel activity designed to entice youth and family participation. Highlights include: first Saturday, simplified adaptation of [RCSA Rimfire Challenge](#) (25' pistol, 50' rifle), and requested \$1k to purchase equipment and supplies. A motion was made, seconded, and passed.

*Continued on page 2*

*Cont. from page 1*

**Trap Carts:** Lyn Carter, Sporting Clays Chair showed photos of a prototype trap cart made by a member, described a plan to test and evaluate it, and requested \$514 to reimburse the maker for supplies. A motion was made, seconded, and passed.

**Members at Large:** Lyn presented Javier Chavez as a qualified member who is interested in the open MAL position. After some discussion it appears we may have multiple qualified members who want to serve the club in as MALs, and so decided to reevaluate them at the next BOD meeting.

**Activity Website Updates:** Heidi Chowning, 1st VP requested Activity Chairs evaluate the web pages for their activities and provide updates as soon as possible to ensure they are integrated when the site goes live. Activity names were also discussed.

**NRA Grant:** Heidi informed the BOD that a grant application was filed to obtain support for the ladies class. Last year no grants were awarded due to no fundraising by the Friends of the NRA.

**Perspective Members:** Heidi also laid out some procedures for people looking to join Zia while the web site is down.

**Nomination Committee:** Pat Milesosky, President appointed Joel Baca as Chair of the 2023 Nomination Committee with members Lois Blanchard, Ted Simmons, and Heidi Chowning.

### **Item V - Adjourn**

After exhausting all items on the agenda, and there being no further business, the meeting was adjourned at 8:17 p.m. The next BOD meeting will be held on September 15, 2022 starting at 7:00 p.m. at the Bear Canyon Senior Center, 4656 Pitt NE.

## **Sporting Clays September 18, 2022**

John Hunt	86	Chuy Rodriguez	65
Bob Totman	85	Vic Echeverria	65
Larry Anderson	84	Steve Ploetz	65
David Yee	83	Darren Lewis	64
Peter Gregory	83	Linsu Bosley	63
Jim Hess	82	Paul Neis	62
Ralph Jordan	82	Chuck Demos	61
Javier Chavez	80	Pat Bosley	61
Eric Chaves, Jr.	79	Phyllis Nicholson	57
Matt Schrantz	79	Evan Jacobson	52
Lyn Chowning	77	Matt Martinez	41
Ron Uilkie	75	Bob Pariza	36
Eric Chaves, Sr.	75	Kellan Neis	35
Rob Baldinell	75	Kara Hill	24
Lyn Carter	75		
Curt Montman	74		
Clay Kuehn	74		
Andrew Kuehn	69		
Jeromy Hoover	68		
David Neale	67		
Peter Jacobson	67		
Ken Cox	66		
Ron Bjourberg	66		
Al Osmun	66		

We had a fantastic turn out and I think everyone had a good time. Thanks to all who helped, and emailed their registration, I think it went well today.

As I mentioned, I will run a training class for those interested in helping out with Sporting Clays on the Saturday before the next shoot. The next shoot is Sunday October 16, and the training will be on Saturday the 15th. We will start at 9:00 a.m. and be done in an hour to an hour and a half. Coming to the training is not a commitment to help, but more like an opportunity to see what is needed, and decide if you may be interested in helping.

Even if you can't help on a regular basis, it will be a good idea to have more than just a few of us who know how to make things work, just in case. I will send out an email reminder a week before the training.

Also, there is a shoot on Friday, October 14th, at Del Norte Gun Club to benefit the March of Dimes. Larry Anderson who shot with us today, asked to pass this along to you.



### Results of the Small Bore Rifle Silhouette Match September 4, 2022



This is the gang giving a “thumbs up” to congratulate one of our own **David Barboza** in placing 3<sup>rd</sup> overall AA in the State of New Mexico Small Bore Rifle Silhouette match.

#### 1/2size target results:

COMPETITORS NAME	CHICKEN	PIG	TURKEY	RAM	TOTAL
JOHN BENSON	9/5	10	8	9/5	36
TOM FOREMAN	8/5	9/5	6	9/5	32
DENNIS BARNHART	10	9/5	8	4	31
SHARON FOREMAN	9/5	7	8	7	31
BOB GUARNIERI	10	8	5	8	31
BILL SHERMAN	9/5	7	6	8/5	30
TEDMCTAMMANY	8/5	6	5	5	21
DENISE MCTAMMANY	7	6	3	3	19
LUCINDA SHERMAN	4	8	3	1	16
DAWN WINDERS	3	5	5	3	16
DAVID ORCHARD	3	3	3	5	14

First place went to **John Benson** with 36! He shot 10 pigs, 5 chickens and 5 rams in a row!

2<sup>nd</sup> place went to **Tom Foreman** who shot 32 with 5 chickens, pigs and rams in a row.

There was a three way tie for 3<sup>rd</sup> place between **Dennis Barnhart**, **Sharon Foreman** and the newest addition to the group **Bob Guarnieri** all with 31...

After a shoot off at the 1/5 size pigs, **Dennis Barnhart** took 3<sup>rd</sup> place, followed by **Sharon Foreman** in 4<sup>th</sup>, and **Bob Guarnieri** placing 5<sup>th</sup>.

**Dennis Barnhart** got 10 chickens and 5 pigs in a row. **Bill Sherman** got 5 chickens in a row and 5 rams in a row (this is the first time that Bill shot 5 rams in a row way to go Buddy!). The “new” shooter **Bob Guarnieri** got 10 chickens in a row. **Ted McTammany** got 5 chickens in a row.

**Lucinda Sherman** again shot with open sights and turned in a score of 16. This girl is on Fire!

### 1/5 size target results:

There were no competitors for the 1/5 size target category. **David Barboza** and **Sid Gariss** were in Hobbs New Mexico competing in the State of New Mexico Small Bore Rifle Silhouette matches. David placed 3<sup>rd</sup> overall in the AA class. According to Sid, it just wasn't his day.

Although there were no 1/5 size competitors, we still had 4 full relays. Immediately following the match we had a pot luck lunch that included paella that was cooked fresh at the range by John Benson.

Small Bore Silhouette shooting is one of the most challenging sports for individual marksmanship. Many great shooting competitions offer challenging shots at long range from a bench or other supported position. All our shooting is done from a standing position swaying in whatever breeze there happens to be. We shoot 10 chickens at 40 meters, 10 pigs at 60 meters, 10 turkeys at 77 meters, and 10 rams at 100 meters. A total of 40 rounds are needed for a match plus sight in rounds.



**Dave Barboza in Hobbs, NM**

We shoot with .22 rim fire rifles with scopes or open sights. Any standard velocity or high velocity .22 short, long, or long rifle ammo is permitted but the extra hot rounds such as the STINGER or VIPER rounds and magnums are prohibited.

The following information taken from the NRA Silhouette Rifle Rule book and explains the match time sequencing:

Time is not checked on each shot but is computed on the indicated allowance for each five-shot string. The Range Officer may terminate any relay before completion of the full time allowance, if all competitors in that relay have completed firing.

#### Time Allowances:

**Ready Time** - Fifteen seconds will be allowed after the command **READY** is given before the command **FIRE**.

Two and one half minutes will be allowed to fire one shot on each target of a bank of five targets. Targets are shot in sequential order from left to right.

**Alibis** - 30 seconds will be allowed for each unfired round of the series in which the alibi is allowed.

**Shoot-offs** - 30 seconds will be allowed for each shot fired in a shoot off of ties.

A minimum of 30 seconds will be allowed between the command **CEASE FIRE** and **READY**.

Setup starts at 8:00am. We will have a sight in/practice period starting after set up and will start the match promptly at 9:00am. This event is open to any Zia member/guest and all are welcome. Juniors are encouraged to try this fun and challenging shooting sport.

The small bore rifle silhouette match is held on the first Sunday of each month. **The next match will be on October 2nd.** I hope you can make it!

**The adjacent bench rest/plinking range to the immediate West of the Small Bore Rifle Silhouette Range will be closed for the duration of our matches. This will allow us to provide participants with a higher level of safety.**

**Please note: Although the posted sign states that the range will be closed from 8:00am 2:00pm, as soon as the small bore rifle silhouette match is over, the adjacent range will be open to the public. Historically our matches run no later than noon.**

For additional information contact Sharon Foreman, email: [katieth2012@icloud.com](mailto:katieth2012@icloud.com)

## Results of the Bench Rest Rifle Silhouette Match September 10, 2022



COMPETITORS NAME	TOTAL
JOHN R.	33
GARY D.	30
TOM F.	29
DENNIS B.	29
ERICK L.	26
EARL B.	26
RON B.	25
FREDDY M.	8

There was excellent weather and almost no activity in the wind flags. 8 shooters were present for a full relay, so we got done rather quickly

John Robison had the highest score with 33 followed by Gary Devlin with 30. Then a couple of 29s and on down the line to an unusual low of 8 points. We all have our days! Long range bench rest silhouette is very challenging at best, particularly when shooting a .22 rimfire rifle from 60 to 200 meters; even the slightest breeze can wreak havoc.

The bench rest rifle silhouette (formerly known as "Mouse Gun") match is held on the second Sunday of each month. This coming month (October) the match will be on October 9<sup>th</sup>.

For those of you that are wondering what we do...

We take a scoped .22 rifle that has plenty of elevation adjustment and shoots long rifle ammo (**no stingers or hyper velocity**) and we shoot at 1/5 scale targets, whereas the chickens are set a 60 meters and are roughly 2"x2" in size. The pigs which are roughly 3"x4" are set at 100 meters, the turkeys, roughly 3"x5" tall are set at 150, and the rams 6"x4" are at 200 meters. All you need is a sand bag, maybe a bipod, or perhaps a fancy bench rest rig, it doesn't matter as any type of rest is allowed. At the onset of each 15 minute relay, there are unlimited "sighters" at the beginning sighters being shots that are fired at a 8"x11" steel plate set at the same distance at each of the targets. When you are pretty sure that your rifle is sighted in good enough for that bay of targets, the "sighters" stop and you shoot 10 shots in left to right order in what is remaining of the 15 minute time allotment for score.

Relays consist of 10 chickens at 60 meters, 10 pigs at 100 meters, 10 turkeys at 150meters, and 10 rams at 200 meters. This all done while sitting at a bench. It is a relaxed atmosphere and a ton of fun! A total of 40 rounds are needed for a match plus "sighters".

Setup starts at 7:30 am. We will have a sight in/practice period starting after set up if possible, and will start the match promptly at 8:00am.

For additional information contact Tom Foreman, email: [fairbanks525@msn.com](mailto:fairbanks525@msn.com)

## Zia Rifle and Pistol ~ Committees and Contacts

### Members at Large

Vic Echeverria	239-2516	mal_echeverria@ziarifleandpistolclub.com
Peter Ide	250-3200	mal_ide@ziarifleandpistolclub.com
Henry Pocock	440-0176	mal_pocock@ziarifleandpistolclub.com
Tom Tomasi	249-9942	mal_tomasi@ziarifleandpistolclub.com
...		

### Administrative Committees

Membership/Newsletter	Lois Blanchard	281-2800	membership@ziarifleandpistolclub.com or newsletter@ziarifleandpistolclub.com
New Member Orientation	Lois Blanchard	281-2800	newmemberorient@ziarifleandpistolclub.com
Info	Joel Baca	615-7334	info@ziarifleandpistolclub.com
Web Site Manager	Joel Martin	550-7988	web@ziarifleandpistolclub.com
Range Maintenance / Repairs			mainteance@ziarifleandpistolclub.com
Zia Activity Calendar			calendar@ziarifleandpistolclub.com

### Activity Committee Chairpersons

Smallbore Rifle Silhouette	Sharon Foreman	250-8546	sbr-sil@ziarifleandpistolclub.com
Rimfire Benchrest - ARA	Jim Pollard	512-644-4460	rbench-ara@ziarifleandpistolclub.com
Rimfire Benchrest Silh. Cast Bullet Rifle Silhouette	Tom Foreman	350-4026	rbench-sil@ziarifleandpistolclub.com cbr-sil@ziarifleandpistolclub.com
Cowboy Rifle (Rf & Cf) and Long Range Hunter Pistol Silhouette	David Orchard	269-6578	cbr@ziarifleandpistolclub.com
Centerfire Prone Junior Training (Rifle)	Dennis Barnhart	294-6256	huntp-sil@ziarifleandpistolclub.com centerfireprone@ziarifleandpistolclub.com
Long Range Pistol	Joel Martin	550-7988	juniorrifle@ziarifleandpistolclub.com
Action Pistol	David Orchard	269-6578	lrp@ziarifleandpistolclub.com
Cowboy Action	Ron Bjornberg	293-3707	actionpistol@ziarifleandpistolclub.com
3-gun Tactical	Ted Simmons	869-8315	cowboyaction@ziarifleandpistolclub.com
Precision Rifle	Ross Haney	350-2557	threegun@ziarifleandpistolclub.com
Shotgun Activities	Steve Akard	239-7554	precisionrifle@ziarifleandpistolclub.com
Shotgun, Wobble, etc.	Lyn Carter	269-1017	shotgun@ziarifleandpistolclub.com
	Jim Klein	617-794-3006	trap@ziarifleandpistolclub.com



### For Sale or Trade

Feinwerkbau (FWB) 300S match air rifle, factory sights, and more than 1,500 pellets. Trade for ???  
Sierra 52 grain HPBT Match (#1410) bullets, about 600, \$24/hundred  
5.56x45 (223 Remington) Eastern Bloc (Wolf, Tula, etc.) ammo, steel cases, some 55 grain, some 62 grain, about 400 available at \$40/hundred

**Bill Swantner 505 463 5432 call or text**

### Custom Molded Ear Plugs Discount for Zia Members!



**For More Info Contact:  
Mark Reid  
505-275-PLUG  
Email: mark.reid@hpssw.com**



Remember:  
The Zia range is closed  
Wednesday mornings from  
3:00 a.m - 12:00 noon

# Zia Activity Calendar October/November 2022

Remember:  
The Zia range is closed  
Wednesday mornings from  
3:00 a.m - 12:00 noon



## SATURDAY

## SUNDAY

SATURDAY			SUNDAY				
EAST RANGE	INDOOR/ SHOTGUN	WEST RANGE	EAST RANGE	INDOOR/ SHOTGUN	WEST RANGE		
Action Pistol Berm 2 Reserved Pat 266-8904  <b>WEST RANGE</b>	Junior Practice 0930-1530 Joel 550-7988	ARA 4 Target Match Sign in 0700 0800 Match Jim 512-644-4460	OCTOBER 1	OCTOBER 2	MR Prone F-Class Set Up 0830 Match 0900 Pat 266-8904	 Benchrest/Plinking Ranges closed during SB Rifle Silhouette match	SB Rifle Silhouette 0800 Setup 0900 Match Sharon 250-8546
Cowboy Rifle Long Range Pistol 0900 David 269-6578  Cowboy RF 1300	Junior Practice 0930-1530 Joel 550-7988	Action Handgun 0900 Ron 293-3707	OCTOBER 8	OCTOBER 9	SB BR Silhouette Setup 0730 Match 0800 Tom 350-4026		
Precision Tactical Rifle Sign In 0730 Match 0800 Steve 239-7554	Junior Practice 0930-1530 Joel 550-7988	Club Tournament ARA 6 Target Sign in 0700 Match 0800 Jim 512-644-4460	OCTOBER 15	OCTOBER 16	<b>Hunter Pistol Silh. RF &amp; CF</b> Pistol cal. Levergun Silh. Setup 0800 Match 0900	Sporting Clays Sign In: before 0915 Match: 0930 email sign in or questions: Lyn 269-1017 ziasignup@gmail.com	
3 Gun Tactical 0800 - Set Up 0900 - Match Ross 350-2557	Junior Practice 0930-1530 Joel 550-7988	Action Handgun 0900 Ron 293-3707	OCTOBER 22	OCTOBER 23		Wobble Trap 1000-1200 Jim 203-5234	
	Junior Practice 0930-1530 Joel 550-7988	Revolver / Concealed 0900 Ron 293-3707	OCTOBER 29	OCTOBER 30			
Action Pistol Berm 2 Reserved Pat 266-8904  <b>WEST RANGE</b>	Junior Practice 0930-1530 Joel 550-7988	ARA 4 Target Match Sign in 0700 0800 Match Jim 512-644-4460	NOVEMBER 5	NOVEMBER 6	MR Prone F-Class Set Up 0830 Match 0900 Pat 266-8904	 Benchrest/Plinking Ranges closed during SB Rifle Silhouette match	SB Rifle Silhouette 0800 Setup 0900 Match Sharon 250-8546
Cowboy Rifle Long Range Pistol 0900 David 269-6578  Cowboy RF 1300	Junior Practice 0930-1530 Joel 550-7988	Action Handgun 0900 Ron 293-3707	NOVEMBER 12	NOVEMBER 13	SB BR Silhouette Setup 0730 Match 0800 Tom 350-4026		
Precision Tactical Rifle Sign in 0730 Match 0800 Steve 239-7554	Junior Practice 0930-1530 Joel 550-7988	ARA 4 Target Match Sign in 0700 Match 0800 Jim 512-644-4460	NOVEMBER 19	NOVEMBER 20	<b>Hunter Pistol Silh. RF &amp; CF</b> Pistol cal. Levergun Silh. Setup 0800 Match 0900	Sporting Clays Sign In: before 0915 Match: 0930 email sign in or questions: Lyn 269-1017 ziasignup@ gmail.com	
3 Gun Tactical 0800 - Set Up 0900 - Match Ross 350-2557	Junior Practice 0930-1530 Joel 550-7988	Action Handgun 0900 Ron 293-3707	NOVEMBER 26	NOVEMBER 27		Wobble Trap 1000 - 1200 Jim 203-5234	



# NRA-ILA

NRA NM State Director

Tara Mica

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## Mandatory Gun Storage Proposals Protect Criminals & Leave Law-Abiding Citizens Vulnerable

New Mexico already has a law on the books to hold adults accountable for endangering a child. (*NMSA Section 30-6-1, New Mexico's Child Abuse/Abandonment statute*). Under the law, it is a felony for a responsible person to knowingly, intentionally, or negligently, and without justifiable cause, cause or permit a child to be placed in a situation that may endanger the child's life or health. Prosecutors have the tools, in appropriate cases, to hold parents, guardians or other custodians of children accountable when a child gains unauthorized access to any dangerous or illegal substance or weapon and harms himself or someone else.

Mandatory gun storage laws are also ineffective. According to a study by John R. Lott, Jr, PhD, and John Whitley, "[Safe Storage Gun Laws: Accidental Deaths, Suicides, and Crime](#)," - there is no evidence that CAP laws reduce either juvenile accidental firearm deaths or suicides. Instead, these laws appear to make it harder for law-abiding gun owners to protect themselves. Out of ten states studied that had CAP laws for at least four years, relative violent crime stopped falling when these statutes were adopted and then ended up even higher at the end the four-year period. The only consistent impact was that these laws were significantly related to higher rates of rape, robbery, and burglary.

Lastly, this type of legislation will have a chilling effect on youth participation in firearm-related activities and it may be unconstitutional. Language in these laws set potential legal traps for responsible parents whose children participate in legitimate recreational, training and competitive activities. Additionally, the United States Supreme Court struck down as invalid laws that require "firearms in the home be rendered and kept inoperable at all times." (*District of Columbia v. Heller, 2008.*) The Court affirmed that "the need for defense of self, family, and property is most acute" in the home and the Second Amendment "elevates above all other interests" the right "to use arms in defense of hearth and home." (*Heller*) Clearly, a firearm meant for home defense must be accessible and operable.

## Unconstitutional Restrictions on Firearms Sales to Young Adults Won't Reduce Crime

At age 18, citizens are eligible to vote, serve in the military (83% of United States Marine Corps enlistees are 20 or younger) and be drafted. An 18-to-20-year-old may be tried as an adult for crimes in state and federal courts. Young adults may serve in law enforcement, may generally serve on a jury, enter into contracts, sue and be sued, get married and own property. The landmark SCOTUS *District of Columbia v. Heller (2008)* decision did not suggest that young adults are excluded from "the people" protected by the Second Amendment. As the *Heller* decision made clear, "the people, from whom the militia must be taken, shall have the right to keep and bear arms." At the time of the Founding, 18-to-20-year-olds were permitted indeed required to be part of the militia and to arm themselves. The age of majority remains 18 today for militia.

In *NYSRPA v. Bruen (2022)*, SCOTUS made clear that in order for a firearm regulation to pass muster under the Second Amendment the government must "identify a well-established and representative historical analogue." Regarding prohibitions on young adults purchasing firearms, this cannot be done. There were no laws that restricted 18-20 year-olds from purchasing firearms at the time of the American founding.

Following the Bruen decision, a federal court in Texas struck down the state's prohibition on 18-20-year-olds carrying a handgun outside the home for self-defense. The decision pointed out that "Heller said that 'the people' is a term of art that refers to 'all members of the political community, not an unspecified subset.'" Moreover, noting Bruen, the decision explained, "Bruen said it was undisputed that 'ordinary, law-abiding, adult citizens are part of 'the people' whom the Second Amendment protects.'" Given the precedent in these two cases, the federal court stated the following,

*With this guidance, the Court asks a simple question: are law-abiding 18-to-20-year-olds properly considered members of the political community and a part of the national community? The answer is yes. And based on that answer, the Court concludes that law-abiding 18-to-20-year-olds are a part of "the people" referenced in the Second Amendment.*

Only 7 states restrict the purchase of long guns by 18-20 year-olds: CA, FL, HI, IL, NY, VT & WA. Litigation is on-going on these bans. In May, a panel of the 9th U.S. Circuit Court of Appeals ruled that a California law banning the sale of semi-automatic centerfire rifles to adults under 21 was unconstitutional (*Jones v. Bonta*). In March, a panel of the 11th U.S. Circuit Court of Appeals heard arguments on the Florida law prohibiting the sale of rifles and shotguns by licensed dealers to adults under age 21. NRA is a plaintiff in this lawsuit (*NRA v. Swearingen*).



Making further state action unnecessary, the federal government has instituted a 3-10 day federal waiting period for 18-20-year-olds purchasing firearms. During this period, the FBI is tasked with conducting a so-called “enhanced” background check on the prospective purchaser. This includes an examination of state juvenile records and contacting local law enforcement in the jurisdiction in which the purchaser resides.

In 2019, Dr. Gary Kleck published the research paper “Regulating Guns Among Young Adults” in the American Journal of Criminal Justice. This study assessed the impact of state bans on gun carrying among persons age 18 to 20 on rates of murder, robbery and aggravated assault. The results indicated no significant effect of these bans on any of the three violent crime rates. A second study assessed the impact of the federal ban on the purchase of handguns by persons aged 18 to 20. Results indicated there was no impact on the 18 to 20-year-old share of arrests for homicide, robbery, or aggravated assault.

<https://link.springer.com/journal/12103/volumes-and-issues/44-5>

## Magazine Limits and Semi-Automatic Firearms Bans: Failed Gun Control Studied, Not Renewed by Congress

Gun control advocates falsely use the term “high capacity magazines” to describe standard equipment rather than magazines which stretch a firearm’s capability beyond its intended design. They also use the term “assault weapons” to describe commonly-owned semi- (not fully-) automatic modern sporting rifles used for recreational and competitive shooting, hunting and protection. Magazines are manufactured as standard equipment for handguns and rifles that often accommodate 15 to 30 rounds of ammunition. There are roughly 304 million detachable magazines and almost 80 million of these can accommodate more than 30 rounds. There are approximately 20 million AR-style semiautomatic rifles in circulation in the U.S.

Under the expired federal “Assault Weapons” Ban between 1994-2004, the production of newly manufactured magazines for both rifles and handguns was limited to a capacity of 10 cartridges. A 1997 Department of Justice-funded study of the Clinton ban determined that “At best, the assault weapons ban can have only a limited effect on total gun murders, because the banned weapons and magazines were never involved in more than a modest fraction of all gun murders.” A 2004 follow-up Department of Justice-funded study came to a similar conclusion. The study determined that “AWs [assault weapons] and LCMs [large capacity magazines] were used in only a minority of gun crimes prior to the 1994 federal ban,” “relatively few attacks involve more than 10 shots fired,” and “the ban’s effects on gun violence are likely to be small at best and perhaps too small for reliable measurement.” Presented with the overwhelming evidence of the ban’s inefficacy, Congress did not renew it.

A recent survey of available research (2020) by the RAND Corporation found there is no conclusive evidence for the effect of high-capacity magazine and assault weapons bans on firearm homicides. <https://www.rand.org/research/gun-policy/analysis/ban-assault-weapons/mass-shootings.html>. In 2013, Colorado enacted a law banning magazines that hold more than 15 rounds. While the state experienced a slight decrease in total firearm-related murders (-4 total) from 2013 (106) to 2014 (102), it then saw a 35-murder increase (to 137 total) in 2015 and the number continued to rise: to 161 in 2016, 160 in 2017, 188 in 2018, 164 in 2019, 206 in 2020.

Prohibitions on commonly-owned semi-automatic firearms and their magazines violate the Second Amendment. In *Heller*, SCOTUS made clear that the types of firearms protected by the Second Amendment include those “in common use at the time” for “lawful purposes like self-defense.” The AR-15, which is the favorite target of so-called “assault weapon” ban legislation, is the most popular rifle in America and therefore undoubtedly “in common use” and protected by the Second Amendment. In 2015, *Heller* decision author Justice Antonin Scalia joined Justice Clarence Thomas in a dissent from the denial of certiorari in a case concerning a local ban on commonly-owned semi-automatic firearms. The document made explained,

*Roughly five million Americans own AR-style semiautomatic rifles. The overwhelming majority of citizens who own and use such rifles do so for lawful purposes, including self-defense and target shooting. Under our precedents, that is all that is needed for citizens to have a right under the Second Amendment to keep such weapons.*

In *Bruen*, the Court reiterated its holding that the “Second Amendment protects the possession and use of weapons that are ‘in common use at the time.’” In addition to reiterating *Heller*’s holding protecting firearms “in common use,” which precludes the prohibition of commonly-owned semi-automatic firearms and their magazines, Bruen made clear that in order for a firearm regulation to be valid under the Second Amendment the government must “identify a well-established and representative historical analogue.” As there is no historical tradition of banning these items in the U.S., such a prohibition would be precluded by this standard as well.

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