

# Limited CWP “School Carry” Law Enacted

Concealed weapon permit (CWP) holders can now legally possess their concealed weapons on school grounds, but ONLY if the weapon “remains inside an attended or locked motor vehicle and is secured in a closed glove compartment, closed console, closed trunk, or in a closed container secured by an integral fastener and transported in the luggage compartment of the vehicle.” An analysis by Steven Shaw, Esq. - author of *South Carolina Gun Law* - of how S. 593 affects gun owners in South Carolina can be found starting on page 10.

The South Carolina General Assembly passed S. 593, and Governor Sanford signed it into

law on June 2, 2009, which was also the law’s effective date. But, the real hero - and the person most responsible for getting S. 593 enacted into law - is freshman Senator Shane Martin. If Shane Martin had not won the Republican primary in June 2008, we would not be celebrating passage of a CWP school carry bill now. Please read *A Recipe for Passing Pro Gun Legislation* starting on page 11 to understand how critically important primary elections are in getting pro gun legislation passed, and the crucial role GunRights PAC played in turning the challenger Shane Martin into Senator Shane Martin.

**Bottom line for what S. 593 means to the people of SC:**

For SC CWP holders, they must disarm PRIOR to entering upon any school grounds and store their weapon as described above inside the vehicle. If a CWP holder fails to disarm PRIOR to entering the school grounds, she will be committing a felony. For CWP holders from a reciprocal state, they are still prohibited from entering upon elementary and secondary school grounds under the federal “gun free” school zones law. But, a CWP holder from a reciprocal state will be treated as a SC CWP holder with regards to firearms on college property because the federal law only applies to elementary and secondary schools.

There is no change in the

law for non CWP holders. Non CWP holders will still commit a SC felony if they enter upon any school grounds with a firearm anywhere in their vehicle or on their person. In addition, they would be violating the federal “gun free” school zone law.

**IMPORTANT NOTE: If a CWP holder fails to store her concealed weapon in one of the above listed locations inside the vehicle PRIOR to entering upon the school grounds, then the CWP holder will have committed a felony.** It is still a felony for non CWP holders to possess a firearm anywhere on school grounds unless authorized to do so by school authorities.

## How S. 593 Became Law

Back in May 2008, there was a contested race in the Republican primary for the Senate District 13 seat. The incumbent - Sen. Jim Ritchie - had never introduced or sponsored a pro gun rights bill, and he had just helped lead the fight to destroy a good concealed weapon permit (CWP) recognition bill that would have allowed SC CWP holders to carry in more than 30 states. The challenger - Shane Martin - was a school board member seeking higher office. After talking with Shane Martin, GrassRoots GunRights leaders realized Shane Martin was the best man for the Senate District 13 Senate seat. Please read *A Recipe for Passing Pro Gun Legislation* starting on page 11 to understand how criti-

cal it is to have a pro gun senator. If Shane Martin had not won the Republican primary back in June 2008, we would not be celebrating the passage of S. 593 now.

During the Republican primary race, Shane Martin told GrassRoots leaders he supported the 2<sup>nd</sup> Amendment. Shane Martin told GrassRoots leaders he would not only *support* pro gun rights legislation, but he would also *introduce* pro gun rights legislation. GrassRoots leaders told Shane Martin the SC Senate has not had a senator willing to introduce the really controversial pro gun bills like school carry and restaurant carry for many years. Shane Martin stated he would do so because he believed it was the right thing

to do. GrassRoots leaders told Shane Martin gun owners in SC needed a man like Shane Martin in the Senate.

After *challenger* Shane Martin became *Senator* Shane Martin, he asked GrassRoots leaders if they would be willing to draft legislation to allow a CWP holder to possess a concealed weapon on school grounds so as to allow parents to drop off and pick up their children without committing a crime. Sen. Martin also asked if GrassRoots leaders would draft legislation to allow CWP holders to carry in restaurants that served alcoholic beverages for on premises consumption. GrassRoots leaders agreed to do so. To better understand why it is important to have special interest groups draft proposed legislation, please read *Drafting Legislation* on page 12.

GrassRoots leaders discussed the school carry bill with Sen. Martin and how prior efforts to pass such a bill had gone down in flames. Sen. Martin decided he wanted to introduce a bill that was more limited in scope than prior bills so as to give it a better chance of passage. Sen. Martin wanted to at least allow parents with a CWP to drop off and pick up their children without committing a crime. It was decided to limit possession of the concealed weapon on school grounds to only the inside of the vehicle, but not outside of the vehicle. GrassRoots leaders drafted the proposed legislation for Sen. Shane Martin.

Roots leaders drafted the proposed legislation for Sen. Shane Martin. While GrassRoots would have introduced the school carry and restaurant carry as two separate bills, Sen. Martin did not make that clear to the Senate staff that was responsible.

See **S. 593** on page 12

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# President’s Message



**AMMUNITION!**

**More than just brass and lead**

Remember the old Western movies? When the bad guy ran out of bullets, he’d often throw his gun at the good guy. I don’t ever remember seeing that work very well. Guns without ammo are just poor clubs and not much better than rocks. That’s one reason why GrassRoots opposes laws that require guns to be unloaded – guns are *useless* when they’re not loaded. Cooper’s first rule of firearms safety is: “ALL GUNS ARE ALWAYS LOADED”\* They should be, and they should always be treated that way.

Well, the people that don’t want you armed know this too. Take away the ammo and the guns are nothing. You can be sure there are plans afoot to do just that – to take away your ammo through high taxation, registration and outright limitations and prohibition. Gun people see the writing on the wall, which is why there’s this huge sucking sound in America as ammo and reloading components disappear as soon as they appear somewhere. Seen any 9mm ammo in Wal-Mart lately? I saw .380 ammo going (yes, being sold) at the last gun show I went to for \$38 a box - and that was FMJ for plinking use!

GrassRoots GunRights leadership, and leaders in other similar state gun groups around the country, are watching the

legislative scene for restrictions on ammo. Many states, including South Carolina, have seen laws introduced requiring that each round of ammunition be marked with a serial number, and that purchasers be registered. Reloading or use of unregistered ammo would then become a crime [see article on *Ammunition Accountability*, page 19]. At the state level, these aren’t much of a threat when groups like GrassRoots GunRights with active members are around. The serious restrictions on ammunition though, will be introduced at the Federal level, using the “Commerce Clause” of the Constitution as their putative authority.

But this article isn’t really about lead and brass ammo for our guns. Guns are just tools. They are only useful when they are wielded by those know how and *when* to use them. Without ammo guns are useless, but more importantly, without the will, mind-set and preparation to use them, guns are *less than useless* because they give people a false sense of security. People think they’re ok – but they’re not!

The principle component, the most important and needed thing for a person’s, and people’s, independence and self defense is not a loaded gun - it is a ready and prepared mind! We need “mental” ammunition! And we need it right now, because the gun grabbers and advocates of the nanny-state know this also and have been working for quite some time to take our will and mind-set away from.

There’s a constant assault on gun people from every side of society: media, schools, and government and they’ve brain-washed our neighbors, our families and those in our churches to pick up and repeat the “Guns Are Bad! Guns Are Evil!” mantra. Every where we turn, gun people are vilified, ridiculed, discriminated

against, and treated as second class citizens.

This can wound us and take us out of action. It keeps many from even joining the fight. But know this, WE ARE THE GOOD GUYS! CWP holders and others who choose to carry a gun daily, do so to fulfill their responsibilities to themselves and others, and do so at considerable personal expense in time, money and liability.

We know the cost of doing this, the vigilance necessary and the great weight of liability constantly hanging over us. Just ask Jason Dickey about the cost. Yet despite all that, we know that indeed “More Guns, means Less Crime” and society as a whole and many individuals benefit enormously when good citizens like us choose to go armed. So we do our duty – despite the cost. And the enemy is striving to wound us and put us out of action, right now!

How do we get this “mental” ammunition to help fight off these assaults on our will? One way is by being a *part* of GrassRoots. Just being a member and reading The Defender is good - the dues help. But that’s not what I mean by being a *part* of GrassRoots. What we need are good gun people making the calls to their legislators and sending in the orange post cards when we ask them to. But more, GrassRoots members need to work together, encouraging each other in the work. We need people manning the tables at gun shows, getting with other GrassRoots members and going to their local government meetings or checking on businesses that prohibit our right to self defense. That’s grassroots action, and that’s what makes GrassRoots work. And, knowing that *you* are doing good in the cause of liberty is mental ammunition that will fortify and build you up against the assaults and propaganda of the media on

your spirit.

That’s why we hated like anything not publishing a Defender for almost a year – it let some think we had dropped out, robbing them of that mental ammo they needed. We were in a real dilemma. Read the article on page 4, *What Would You Have Done*. It tells of what we faced in getting S. 593 (carry on school grounds) passed. We don’t like to be treated like mushrooms (kept in the dark and fed crap) and we know you don’t either. If we’re going to inform our members, we want to do so completely. And if we had to keep you in the dark, at least we weren’t going to feed you crap - stuff without substance. But the way of getting S. 593 passed bothered us. Not consciously, but it was there nagging at the back of our minds, knowing that we were using a different method to accomplish our goals than we usually used. Now, the “stealth” method is just another gun in our gun safe, one we might use occasionally. Read the article, keep the faith and work on others to keep them in the fight also

Many of our neighbors, friends and family have succumbed to the anti-self defense propaganda. To counter the half-truths and lies of the anti-liberty crowd we need ammunition. A good source is GUN FACTS. Gun Facts is a free e-book that debunks common myths about gun control. It is intended as a reference guide for journalists, activists, politicians, and other people interested in restoring honesty to the debate about guns, crime, and the 2nd Amendment.

Gun Facts has 94 pages of information. Divided into chapters based on gun control topics (assault weapons, ballistic finger-

See **President** on page 10

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The GrassRoots South Carolina newspaper, The Defender, is distributed to the membership of GrassRoots. Submissions can be sent by email to Editor c/o GrassRoots South Carolina, PO Box 2446, Lexington, SC 29071, or electronically to Newspaper@SCFirearms.org. Original material on local issues will be given highest priority, and since permission must be received to reprint previously published materials, items without an author and source will not be considered for publication. Changes of address and questions regarding membership status should be sent to Bill Rentiers at the above PO box or email address. Copyright © 2009 GrassRoots South Carolina, Inc.

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GrassRoots South Carolina, Inc. is a South Carolina 501(c)4 nonprofit corporation. Our mission is to educate and promote acceptance of responsible firearms ownership within the State of South Carolina and to protect the rights of gun owners. Our objectives are to improve all aspects of lawful ownership and carrying of firearms in South Carolina.

GrassRoots South Carolina, Inc. members contact their elected representatives to promote or oppose legislation concerning all gun owners and issues surrounding the right to keep and bear arms in South Carolina.

# Analysis of S. 593

S. 593 would allow a concealed weapon permit (CWP) holder to possess a firearm inside a vehicle on school grounds subject to strict gun storage requirements. S. 593 would allow a SC CWP holder to drop off or pick up a child at a school or college in SC without first needing to store her concealed weapon somewhere off of school property, which would otherwise be a felony. But, the firearm would be required to remain inside the vehicle at all times, or else the CWP holder will be committing a felony.

S. 347 contains both a school carry and a restaurant carry exception for CWP holders. There appeared to be more resistance to restaurant carry than there was to school carry. So, S. 593 was created to allow the school carry provisions to move forward without being bogged down by the resistance to the restaurant carry provisions. Unfortunately, when S. 593 was drafted, they failed to simply “cut and paste” the language from the well drafted S. 347. Instead, they created a poorly drafted S. 593, which needed amendments to fix the problems created by the poor drafting of S. 593. Please read the analysis of S. 347 to better understand the drafting differences.

S. 593 was first amended to fix the major problems, and then S. 593 was amended to create problems.

The major problem with S. 593 as originally drafted was that there are two laws prohibiting the possession of a firearm on school grounds in SC, and S. 593 as originally drafted only amended one of those laws (S. 347 proposed to amend both laws since that was necessary to actually accomplish the goal of allowing a CWP holder to possess a firearm on school grounds). Amending only one of the two laws prohibiting firearms on school property would have created a legislative entrapment situation where a CWP holder could still be convicted of a felony under the law not changed even though one of the two laws had been changed. After GrassRoots GunRights pointed out the problems with how S. 593 was drafted, the Senate amended S. 593 to provide that both SC laws would be changed.

Some problems were created by a Senate amendment demanded by Sen. Brad Hutto as the price to get S. 593 enacted into law this year. S. 593 was amended to require that the weapon “remains inside an attended or locked motor vehicle and is secured in a closed glove compartment, closed console, closed trunk, or in a closed container secured by an

integral fastener and transported in the luggage compartment of the vehicle.” As originally drafted, both S. 347 and S. 593 would have required that the concealed weapon - while on school grounds - remain in the vehicle at all times. But, the concealed weapon could have remained on the person of the CWP holder while in the vehicle as she dropped off or picked up her child.

The Senate amendment to S. 593 demanded by Sen. Brad Hutto prohibits a CWP holder from wearing her concealed weapon on her person inside her vehicle while on school grounds. This means the CWP holder will be forced to handle the concealed weapon more frequently than necessary, to do so in front of the children, and to show the children where the concealed weapon is kept inside the vehicle. None of these forced alternatives are better than allowing the CWP holder to keep the concealed weapon concealed and on her person. In addition, as originally drafted, a CWP holder could have legally opened the glove box, console, or trunk where the concealed weapon was kept in the presence of a law enforcement officer to retrieve a driver’s license, registration, or proof of insurance. The Hutto amendment deleted the language to allow a CWP holder to legally do so even in the presence of a law enforcement officer.

S. 593 was enacted into law on June 2, 2009, when Gov. Sanford signed the bill.

Bottom line for what S. 593 means to the people of SC: There is no change in the law for non CWP holders. Non CWP holders will still be committing a felony if they enter upon any school grounds with a firearm in their vehicle or on their person.

For SC CWP holders, they must disarm PRIOR to entering upon any school grounds and store their weapon as described above inside the vehicle. If a CWP holder fails to disarm PRIOR to entering the school grounds, she will be committing a felony. For CWP holders from a reciprocal state, they are still prohibited from entering upon elementary and secondary school grounds under the federal “gun free” school zones law. But, a CWP holder from a reciprocal state will be treated as a SC CWP holder with regards to firearms on college property because the federal law only applies to elementary and secondary schools.

A question has been raised as to whether a CWP holder could legally possess a long gun - or a handgun which is too large to be considered a concealable weapon under the SC CWP law - inside a vehicle on school grounds if it was

encased and stored in the luggage area of the vehicle. The law is not clear on this matter. The law could easily be interpreted to mean only a concealable weapon will be allowed in a vehicle on school grounds, but not a long gun. So, unless you don’t mind buying a lawyer a new yacht and risking never being able to possess a firearm for the rest of your life, you might not want to take a long gun onto school grounds.

GrassRoots GunRights strongly supported S. 593 with the amendments to fix the original drafting problems. GrassRoots GunRights supported passage of S. 593 with the Hutto amendment only because the Hutto amendment was the price to pay to get S. 593 passed this year. If we had decided to fight the Hutto amendment, S. 593 would not have passed this year and may not even have passed next year.

## Analysis of S. 190

S. 190 is just another gun control law. S. 190 will make South Carolina essentially mirror federal law with regards to lifetime firearms disability law, which will make the likes of Charles Schumer, Barack Obama, and Nancy Pelosi very happy.

Existing South Carolina law only makes it illegal for a person who has committed a crime of violence to possess a handgun in SC. But, S. 190 will now make it a felony for a person who has committed a non violent crime to possess any firearm or ammunition. Exceptions are made for crimes designed to regulate business or crimes that are a state misdemeanor with a two year or less possible imprisonment.

S. 190 is simply another step in the march towards gun control. S. 190 is especially troublesome because we now have SC state politicians moving to the gun control side of the political spectrum.

Why should a person who has paid their debt to society continue to be denied their constitutional rights and turned into second class citizens? Why is it the gun control crowd only wants to deny the constitutional 2<sup>nd</sup> Amendment right to those who have committed crimes and served their sentences, but not any of the other constitutional rights?

Just think how effective law enforcement could be if the police were no longer required to show probable cause before entering a former criminal’s home to search for evidence. Yet, the gun control crowd never proposes denying a former criminal those constitution-

GrassRoots GunRights will work to get the Hutto amendment removed as soon as possible. But, rather than have the issue continue to be whether limited school carry was allowed or not, the new issue will be limited to whether the Hutto amendment is good law or not. Then, if we lose the fight over the Hutto amendment in the future, we will still have limited school carry since S. 593 is now the law of SC.

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al rights. Why not? The answers are that gun control is not about guns or crime or protecting the children, it is all about control.

If a former criminal is no longer a danger to society, then denying him his constitutional rights and making him a second class citizen is wrong. If a former criminal is too dangerous to be put back into society, then that person should continue to be incarcerated.

Fighting crime is just an excuse used to pass more gun control. The federal government’s own Centers for Disease Control and Prevention published a report stating there was insufficient evidence to show any of the gun control laws in existence had saved any lives. Dr. John Lott has published research showing gun control laws have actually allowed violent crime rates to remain higher than the rates would have been had the gun control laws not been in existence. Thus, gun control has not been proven to be an effective method to fight crime, and gun control could actually be making violent crime worse.

While the net effect of S. 190 is negligible because federal law already punishes those that S. 190 will punish, it is still something we should oppose on principle. If the US Supreme Court’s Heller decision is ever used to overturn federal gun control laws, we will then be faced with having to overturn state gun control laws like S. 190. We need to oppose S. 190 now before S. 190 becomes another brick in the wall of gun control.

# Down Range



by Bill Rentiers

Recently, I met a guy named “Mike.” Mike works doing various residential construction projects. When we met, Mike was taking a photo of a job he recently completed for a neighbor.

Mike had some military bumper stickers on his truck, so we struck up a conversation about our military service. Mike is a veteran. Mike told me that he lost his Second Amendment rights some years ago. Mike said back when he got into trouble, his infraction was considered a misdemeanor, but it is now considered a felony, so Mike can no longer own or possess firearms. Mike said one day soon he plans to hire a lawyer to get his gun rights restored.

I know another man named “Pat” who told me he no

longer has the right to possess firearms because of a silly youthful prank. As a young adult he and some friends were joyriding one evening in a small town and “lassoed” a newspaper-dispensing machine. Evidently, the cost of this vandalism was such that he is a considered a felon, and barred from owning firearms.

Do you feel safer knowing that these two “dangerous criminals” can no longer exercise their God-given right to keep and bear arms? (I certainly don’t.) If things keep going in this direction, one day none of us will have gun rights anymore. Pass enough laws and soon all of us will be considered criminals.

Well Senator Glenn McConnell has sponsored legislation (S. 190) that would lower the bar even further. If S. 190 passes, some South Carolinians who have minor criminal records, but who can currently possess firearms, will no longer be able to own or possess firearms or ammunition. True supporters of gun rights should be outraged.

Once, in America’s old west, the sheriff handed back a gun and holster as an offender was released from the jail. Over time, the law changed. Violent felons could no longer have guns - for

life. Now it is all felons - whether violent or not - who have lost their gun rights. Next, a simple misdemeanor may sentence you to a lifetime loss of your gun rights. Before you know it, a conviction for jaywalking will be enough to lose your gun rights forever.

Why do our lawmakers only pick on our gun rights? Why not violate our other civil rights too? It is unacceptable to Americans to have one’s freedom of religion, freedom of speech, freedom of the press, or the right to peaceably assemble violated, but for some odd reason violating our gun rights seems to be considered fair game. This is just wrong.

In my opinion, these are perfect examples of why GrassRoots GunRights of SC is such a staunchly “no compromise” gun rights organization, and so badly needed. Every so often, a lawmaker may stand up for our gun rights. GrassRoots is certainly glad when this happens, but it doesn’t happen often enough. More often, it seems lawmakers sponsor bills that hurt our gun rights rather than help to restore them.

As for Mike and Pat, and others like them, some people may say, “Well, they shouldn’t have broken that law.” Perhaps so, but what happened to the concept of “having paid one’s debt to

society?” Once a person has paid his or her debt to society, there is no good reason why gun rights should still be denied.

If a former criminal has truly been rehabilitated, we should not take the one thing from him that he might need most - the right to own a firearm to protect himself and his family. If a former criminal is not truly rehabilitated, chances are he will have a gun regardless of the law. Yet again, the gun law only has an impact on the law-abiding citizen.

If a person is still a threat to society, he or she should be kept locked up. If a person is no longer a threat to society, we should not continue to punish them for life them by taking away rights permanently. Doing so creates a sea of second-class citizens, who can no longer own the most effective means of self-defense available - firearms. And America should not approve of the creation of a lesser class of citizens. We should all be treated equally.

Rights are rights. Our rights are not given to us by governments, but endowed by our Creator. Our rights can never truly be taken away. They can only be infringed - or violated outright, by those we elect as our public servants.

## What Would You Have Done?

GrassRoots leaders apologize to our members for failing to publish *The Defender* until the legislative session was over. But, there is a very good reason why.

GrassRoots leaders were faced with a request we had never been faced with before. And, to be honest, we were not sure what to do. So, we are now asking you - “What Would You Have Done?”

As you know, SC concealed weapon permit (CWP) holders have been prohibited by state law from possessing a firearm on school grounds even though the federal “Gun Free School Zones Act” allows SC CWP holders to carry in SC schools. This has caused many problems for parents with CWPs when dropping off and picking up their children from schools and colleges across SC. It became especially troublesome when an armed parent would get a call at work from the school saying the child was sick and needed to be picked up from school. What was the parent to do? Leaving the gun at work was not an option for most, and going home to drop off the gun wasted valuable time when a sick child needed to go to the doctor.

Getting the SC laws changed to allow a parent with a CWP to legally drop off and pick up her children has been a high priority for GrassRoots for many

years. Unfortunately, opposition to such a change has been overwhelming each time the issue has been brought up. And, each time legislation has been introduced to change the laws, the legislation has been shot down as school officials lined up to testify against it.

Well, this last legislative session was different than past legislative sessions. For the first time in a long time, the SC Senate had a real pro gun rights senator - Sen. Shane Martin. Sen. Shane Martin was not afraid to introduce pro gun legislation. Sen. Martin introduced legislation to allow a CWP holder to possess a weapon in a vehicle on school grounds, which would allow parents to legally drop off and pick up their children from schools and colleges across SC.

But, this is where GrassRoots had to make a very difficult decision. Sen. Martin told GrassRoots leaders he thought he could get S. 593 - his CWP possession of a firearm in a vehicle on school grounds legislation - passed as long as we were able to keep the legislation below the radar. Sen. Martin asked GrassRoots leaders to refrain from asking GrassRoots members to actively push for passage of S. 593 until he asked for our help. Sen. Martin said he would ask for GrassRoots’ help if the legislation ran into trouble, and he wanted

GrassRoots activists to be ready to roll if needed.

GrassRoots leaders have never been asked to do this before. Yes, we have been asked before to not push to get legislation passed. But, those former requests were all made to prevent passage of pro gun legislation, not as a tactic to get pro gun legislation passed. So, what should GrassRoots leaders have done?

It was a difficult decision to make. GrassRoots leaders decided to cooperate with Sen. Martin and stand by to be his reinforcements, if needed.

Sen. Shane Martin is a former school board member, which gave him more credibility when discussing school safety issues with fellow senators. Sen. Martin used his school board experience to help get his legislation through the Senate. Sen. Martin was the ace in the hole that we have been missing in prior fights to get this legislation passed.

When the Senate subcommittee hearing on S. 593 was held, there were no school officials lined up to speak against the bill as in years past. The only organization to appear and speak on the bill was GrassRoots, and we supported the bill.

GrassRoots leaders knew we could not publish *The Defender*

without mentioning S. 593, so we were forced to not publish *The Defender* at all. Unfortunately, by standing by and waiting to see if GrassRoots activists were going to be needed, we failed to provide GrassRoots members with *The Defender* in a timely manner. But, GrassRoots did not want to risk losing S. 593 just because we made the CWP school carry bill a front page item in *The Defender* and thereby generated enough opposition to kill the bill. And yes, CWP school carry would have needed to be the front page story because it was that important.

GrassRoots leaders felt we could not publish *The Defender* without mentioning S.593 because we felt failing to discuss S. 593 would be tantamount to lying to you. If we had to temporarily keep you in the dark, at least we were not going to lie to you. And, publishing *The Defender* without mentioning S. 593 would have been lying by omission. This was not our policy in so many words. It was not something we recog-

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Lexington, SC 29072

## Analysis of S. 794 and H. 4022

These bills are known as the “South Carolina Firearms Freedom Act.” They invoke the 9<sup>th</sup> and 10<sup>th</sup> Amendments to the US Constitution and declare the commerce clause of the US Constitution does not allow the US government to regulate SC made and kept firearms - except machine guns. A number of other states are doing the same thing.

On the surface, firearms appear to be the subject matter of these bills. But, the real subject matter of these bills is the fight over the distribution of power between the federal government and state governments. Since GrassRoots is a single issue pro gun rights organization, we will not allow GrassRoots to be drawn into the fight over the distribution of power between the federal and state governments.

The problem with these bills is that as currently drafted they will only get SC residents in a lot of trouble. These bills will lead SC citizens to think they are acting in a legal way, but then leave SC citizens who obey the new SC law at the mercy of the federal government and without any help from the state of SC.

Lets illustrate the prob-

lem using an example other than firearms. California passed a law making medical marijuana legal in California. But, the federal government still went into California and arrested and prosecuted people who had abided by the California medical marijuana laws. The same thing will happen here in SC over SC made and kept firearms unless these bills are amended to protect the people of SC. And remember, whoever the feds come after will lose their rights to keep and bear arms forever.

If the sponsors of these bills were serious about protecting gun owners in SC, then they would include language to protect the people of SC. One alternative would be to include language making it a crime for federal officials to come into SC and persecute SC residents for complying with SC gun laws. But, even then, if a SC resident was convicted of violating federal law, he would still lose his right to keep and bear arms for life even if the federal officials were prosecuted under SC law.

Another alternative to protect SC residents would be for SC to do as Texas has done in their similar bill. Texas included the following language in their bill:

“(a) The attorney general shall defend a citizen of this state whom the federal government attempts to prosecute, claiming the power to regulate interstate commerce, for violation of a federal law concerning the manufacture, sale, transfer, or possession of a firearm, a firearm accessory, or ammunition manufactured and retained in this state.

(b) On written notification to the attorney general by a citizen of the citizen’s intent to manufacture a firearm, a firearm accessory, or ammunition to which this chapter applies, the attorney general shall seek a declaratory judgment from a federal district court in this state that this chapter is consistent with the United States Constitution.”

The above language makes a statement and backs it up with legal protection for the citizens of the state. The SC bills need to be amended to at least include the language found in the Texas bill.

These bills will not protect shotguns since they state “This article does not apply to ... a firearm that discharges two or more projectiles with one activation of the trigger or other firing device.” A shotgun discharges many pro-

jectiles with one activation of the trigger. The intent was to except machine guns from the protections of these bills. This problem is that these bills are poorly drafted. If they only wanted to except machine guns and not shotguns too, then they should have used the word “rounds” instead of the word “projectiles.”

One last thought - what constitutional principle makes it permissible for the federal government to regulate machine guns under the commerce clause, but not semiautomatic firearms? There is no constitutional principle that would allow them to be treated differently. So, it would appear these bills are more about making a political statement that will motivate gun owners to support the bills than it is about protecting the right to keep and bear arms.

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## Analysis of S. 753

S. 753 will change the SC resident CWP into a lifetime CWP instead of a renewable every four years CWP. But, there are problems with S. 753 with regards to renewals for existing CWP holders that need to be fixed. Additionally, once the CWP renewal problems are exposed, there is a good chance politicians will try to amend S. 753 to change the fee for a CWP from the current \$50 to a much higher fee. We will need to be vigilant and not allow our rights to be used for revenue production instead of just cost recovery.

Section 23-31-215(A) requires SLED to issue a CWP if an applicant meets the prescribed standards. This section of the law is NOT being amended by S. 753. So, the law for issuing a CWP is not changing under S. 753.

The ONLY section of law that is changing under S. 753 is the section dealing with RENEWALS of a CWP - Section 23-31-215(P). It provides that a resident CWP is good for life and that renewal fees for a resident CWP will be changed from \$50 to \$100 to \$200 - depending upon one’s age at time of renewal. But, if you get a lifetime CWP initially, you will not need to renew it.

So, S. 753 will provide that a person who obtains a new CWP will get one issued for life for a

fee of \$50. But, those of us who already have a CWP and want to renew it will be forced to pay from \$100 to \$200 to get exactly what others are getting for \$50. What extra services will existing CWP holders be provided that new CWP applicants will not be provided to justify the extra dollars (over \$11 million) from existing CWP holders? This alone should show that S. 753 is discriminatory and probably unconstitutional since it denies equal protection of the laws. But, most likely, the way the politicians will go about fixing this inequality is to raise the fee for a new CWP, not lower the proposed fee for renewing an existing CWP.

S. 753 needs to be amended to allow for an existing CWP holder to have her CWP changed to a lifetime CWP for the same fee that would be charged for a lost CWP. Either way, it is just a matter of having SLED replace the CWP card for a current CWP holder.

Dr. John Lott’s work proves increased numbers of CWP holders are directly responsible for decreased rates of violent crime for everyone, and increased costs to obtain or maintain a CWP lead to fewer people getting a CWP. Thus, when CWP fees are higher, violent crime rates for all people in SC remain higher than the violent crime rates would have been had the

CWP fees been lower. Therefore, the best public policy for SC would dictate that CWP fees remain lower - not higher - so that more people will get CWPs and thereby help protect the people of SC at no cost to the state or people of SC.

As things stand now, the people of SC reap an unearned benefit from CWP holders while making CWP holders shoulder the entire cost burden associated with obtaining a CWP. There is no justice in making CWP holders - the good guys who protect the people of SC - bear all of the costs of obtaining a CWP and then force CWP holders to pay more for renewing or obtaining a CWP than the actual administrative costs would dictate.

If politicians want to know what a fair CWP renewal fee should be, then tell them to take a

lesson from the DMV and driver’s licenses. The DMV is able to provide a written test, road test, and all associated record keeping for only \$2.50 per year.

GrassRoots GunRights strongly supports a lifetime CWP. But, GrassRoots also believes our constitutional right to keep and bear arms should not be infringed by allowing fees to be determined by what politicians think they can get from us. Remember, the power to tax is the power to destroy. If we allow the precedent to be set that our right to keep and bear arms is subject to paying a fee higher than reasonable administrative costs (i.e., DMV’s cost of \$2.50 per year), then it makes it easier for anti gun politicians to later raise CWP fees to unbearable levels.

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[http://groups.yahoo.com/group/grassroots\\_leadership/](http://groups.yahoo.com/group/grassroots_leadership/)

# Analysis of H. 3003

As currently drafted, H. 3003 is a compromise bill that forces gun owners to give up something (i.e., in vehicle concealed carry for CWP holders; concealed carry for business owners, employees, and managers; and any kind of carry for business owners and managers of businesses that serve alcoholic beverages for on premises consumption) in order to get something (i.e., open carry). The following analysis explains in detail what H. 3003 does, and how H. 3003 can be fixed so that gun owners are not forced to give away existing privileges in order to gain other privileges.

H. 3003 deletes Section 16-23-20, which is the statute that makes possession of a handgun illegal unless a person fits into one of the listed exceptions. Thus, it would become legal to carry a handgun - whether openly or concealed - unless some other law prohibited doing so.

Unfortunately, Section 16-23-460 continues to make it a crime to carry “a deadly weapon usually used for the infliction of personal injury concealed about his person.” For the vast majority of people it would be factually correct to state that one’s handgun was “usually used” for target practice. In fact, it is likely that virtually all handguns have never been “used for the infliction of personal injury.” Therefore, Section 16-23-460 should not apply to any handgun unless it could be proven the handgun in question was “usually used for the infliction of personal injury” as the statute requires. But, it is unlikely a court or jury would agree. Thus, concealed carry of a handgun will most likely only be allowed pursuant to the Law Abiding Citizen’s Self Defense Act of 1996 or some other law specifically allowing such. But, open carry of a handgun should become legal if H. 3003 is enacted into law.

H. 3003 moves most of the exceptions to the prohibition on possessing a handgun found in existing Section 16-23-20 to Section 23-31-215(O), which is part of the concealed weapon permit (CWP) law. Any person who fits into one of the exceptions moved into Section 23-31-215(O) from Section 16-23-20 will still be allowed to possess a handgun - either openly or concealed - without being required to possess a CWP. But, if a person not possessing a CWP fails to fit into one of the exceptions found in Section 23-31-215(O), then only open carry would be allowed - unless another law specifically provided for concealed carry of the handgun (i.e., Section 23-31-230: “Notwithstanding any provision of law, any person may

carry a concealable weapon from an automobile or other motorized conveyance to a room or other accommodation he has rented and upon which an accommodations tax has been paid.”).

Before going any further, it is important to understand how the courts interpret the law. One of the rules of statutory construction (interpreting the law) states that every word of a statute must be given meaning if at all possible. Thus, if the court has to choose between two opposing interpretations of a statute where one interpretation gives meaning to every word of the statute and the other interpretation would make some of the words of the statute redundant, superfluous, or meaningless; then the court will choose the interpretation that gives meaning to every word of the statute as the one intended by the legislature. To do anything else could allow the court to engage in writing the law instead of interpreting the law. Understanding this rule of statutory construction is necessary to understanding the GrassRoots GunRights analysis of H. 3003.

Not every exception in existing Section 16-23-20 was moved into Section 23-31-215(O). Lets examine what was not moved and the significance of the failure to move it.

1. H. 3003 fails to move Section 16-23-20(9) in its entirety. H. 3003 fails to move “a person in a vehicle if the handgun is: ... (b) concealed on or about his person, and he has a valid concealed weapons permit pursuant to the provisions of Article 4, Chapter 31, Title 23” into Section 23-31-215(O). This language was enacted into law in 2007 in an effort to stop law enforcement officers from harassing CWP holders. This failure to move all of Section 16-23-20(9) creates a huge problem for CWP holders.

Since 1996, there have been many complaints from CWP holders of law enforcement officers not knowing the law and essentially harassing CWP holders for legally carrying in a vehicle. One example stands out, although there are many others.

The GrassRoots VP was pulled over for a burned out headlight in his wife’s minivan while on the way to a Christmas play with his wife and two young daughters. The GrassRoots VP informed the Highway Patrol officer - as required by law - that he had a CWP. The Highway Patrol officer immediately started act-

ing as if the GrassRoots VP was public enemy #1. The fully cooperative and polite GrassRoots VP was forced to stand spreadeagled with his hands against his vehicle for twenty minutes while his wife and two daughters watched in disbelief from inside the vehicle. The Highway Patrol officer somehow felt he had to obtain backup to control a non confrontational handicapped man, his wife, and two young daughters who had been on their way to a Christmas play when pulled over for a burned out headlight. The Highway Patrol officer was ignorant of the law and had to verify from the back up officer that no law had been broken merely because as a CWP holder the GrassRoots VP was carrying a concealed handgun in a vehicle.

Due to many similar complaints of law enforcement officers harassing CWP holders for carrying a self defense sidearm while in a vehicle, the General Assembly considered passing additional legislation in 2007

specifically stating a CWP holder could carry while in a vehicle. GrassRoots stated there was no need to pass an additional law to specifically state what was already allowed by the existing law, there was only a need to better train law enforcement officers regarding the existing law. GrassRoots pointed out a South Carolina Attorney General opinion already existed that agreed existing law already allowed a CWP holder to legally carry in a vehicle.

But, legislators believed they needed to enact a law that made it explicit that CWP holders could legally carry while in a vehicle since too many law enforcement officers were not obeying the law or following the direction in the Attorney General opinion. Legislators felt they needed to do something to try to stop the harassment of CWP holders by law enforcement officers. So, Section 16-23-20(9)(b) was enacted into law. Unfortunately, passage of Section 16-23-20(9)(b) forces the courts to interpret Section 16-23-20(9)(a) as not allowing CWP holders to carry in a vehicle since to hold otherwise would be to make the words of Section 16-23-20(9)(b) meaningless.

Failure to move Section 16-23-20(9)(b) into Section 23-31-215(O) will allow law enforcement officers to arrest CWP holders for carrying in a vehicle. The courts will rule the legislature’s failure to move Section 16-23-20(9)(b) into Sec-

tion 23-31-215(O) is proof the legislature has decided to no longer allow CWP carry in a vehicle. **Thus, Section 16-23-20(9)(b) needs to be moved into Section 23-31-215(O) to protect the privilege of CWP holders to carry concealed in a vehicle.**

2. H. 3003 fails to move Section 16-23-20(13), which allows either open or concealed carry of a handgun by “the owner or the person in legal possession or the person in legal control of a fixed place of business, while at the fixed place of business, and the employee of a fixed place of business, other than a business subject to Section 16-23-465, while at the place of business; however, the employee may exercise this privilege only after: (a) acquiring a permit pursuant to item (12), and (b) obtaining the permission of the owner or person in legal control or legal possession of the premises.” Thus, only open carry would be allowed by business owners and their employees, not concealed carry. Many business owners would prefer discreet concealed carry in front of their customers instead of open carry. But, failure to move Section 16-23-20(13) denies business owners the privilege of discreet concealed carry - even though business owners are currently allowed to do so - unless the business owner first obtains a CWP.

Another problem with the failure to move Section 16-23-20(13) into Section 23-31-215(O) is that owners and managers of restaurants that serve alcoholic beverages would no longer be allowed to possess any handguns in their businesses whether carried openly or concealed. It is the exception found in Section 16-23-20(13) that allows business owners and managers to carry in restaurants that serve alcoholic beverages in spite of Section 16-23-465, and the current interpretation of Section 16-23-465 prohibits CWP carry in such restaurants. Thus, the only people who would ever possess a handgun in a restaurant that served alcoholic beverages would be visiting law enforcement officers and criminals.

Now, one could argue that Section 16-23-20(8) - which was moved into Section 23-31-215(O) - would control businesses just like it controls homes and real property. But, such an argument would fail. The courts would find the General Assembly has historically drawn a distinction between homes and real property found in Section 16-23-20(8) versus businesses and business property found in Section 16-23-20(13). To suddenly claim Section 16-23-20(8) includes Sec-

*GrassRoots Gun-Rights opposes increasing penalties for possession of a concealed weapon.*

H. 3003 continued from page 6

tion 16-23-20(13) would violate the rule of statutory construction requiring every word be given meaning since such an interpretation would require that Section 16-23-20(13) be deemed to have been superfluous wording. The courts will not do such a thing. Rather, the courts will hold that the failure to move Section 16-23-20(13) was intentionally done to restrict the carry privileges of business owners.

**In order to maintain the existing privileges for business owners, employees, and managers found in Section 16-23-20(8), the following language from Section 16-23-20(8) needs to be moved into Section 23-31-215(O) as two separate exceptions:**

1. “the owner, the person in legal possession, or the person in legal control of a fixed place of business, while at the fixed place of business,” and
2. “the employee of a fixed place of business, other than a busi-

**ness subject to Section 16-23-465, while at the place of business.”**  
The above edited portion of Section 16-23-20(8) needs to be moved into Section 23-31-215(O) to both protect the privilege of business owners and employees to carry concealed in their businesses, and to protect the privilege of owners and managers of businesses that serve alcoholic beverages to carry in such businesses.

3. H. 3003 fails to move Section 16-23-20(12). Years ago, GrassRoots fought to close a loophole in the law that would allow a CWP holder to be prosecuted for not having his weapon concealed while he was transferring his self defense sidearm between his person and his vehicle when forced to disarm to enter a prohibited carry location. Section 16-23-20(12) contains that hard fought protection.

As currently drafted, H. 3003 does not need to contain Section 16-23-20(12) to protect CWP

holders who are forced to disarm to enter a prohibited carry location since open carry would be legal - even in vehicles. But, there is a very good chance law enforcement will oppose open carry in vehicles. **If H. 3003 gets amended to prohibit open carry in vehicles, then Section 16-23-20(12) will need to get moved into Section 23-31-215(O) to protect CWP holders from being prosecuted for simply disarming to enter a prohibited carry location.**

H. 3003 also amends Section 16-23-460 to increase penalties for possession of a concealed weapon. Since virtually all weapons other than handguns are excluded from the law, the penalties of this law essentially apply only to handguns. The penalty will be increased from forfeiture of handgun and either a \$200 to \$500 fine or 30 to 90 day imprisonment to forfeiture of handgun and not less than a \$500 fine and/or 30 to 90 day imprisonment. So, if a person is openly carrying, he better be sure to not let his handgun get covered by his jacket or other outer clothing or else he would be subject to these increased penalties.

**GrassRoots GunRights opposes increasing penalties for possession of a concealed weapon. GrassRoots GunRights supports what is commonly known as Vermont carry or Alaska carry, both of which allow a person to carry a concealed weapon without a permit. Thus, increasing penalties for that which should not be illegal in the first place is going in the wrong direction. The better direction to go would be to delete Section 16-23-460 altogether and simply prosecute criminals for committing criminal acts instead of persecuting innocent people for mere possession of a concealed handgun without a CWP.**

H. 3003 also amends Section 63-19-1210(9) to allow a juvenile who violates the CWP law to be charged as an adult.

After reading the entire Code of Laws dealing with firearms, there does not appear to be any section making it a crime to generally openly possess a handgun once Section 16-23-20 is repealed. Thus, no existing penalty statutes should apply for generally openly possessing a handgun. But, any amendments to H. 3003 must be carefully scrutinized to ensure things do not change for the worse.

**Bottom line: As currently drafted, H. 3003 is truly a compromise bill in that gun owners give up something (i.e., in vehicle concealed carry for CWP holders; concealed carry for business owners, employees, and managers; and any kind of carry for business owners and managers**

**of businesses that serve alcoholic beverages for on premises consumption) in order to get something (i.e., open carry). Why must gun owners give away existing privileges in order to gain other privileges?**

GrassRoots is a no compromise, no surrender pro gun rights organization. GrassRoots will not accept the idea that we must give away some existing privileges in order to gain some other privileges. GrassRoots will not tolerate using our rights as political bargaining chips. Thus, until H. 3003 is amended to protect the currently existing privileges enjoyed by gun owners, GrassRoots can not support H. 3003. But, if the legislature amends H. 3003 (as identified above) to protect the existing privileges enjoyed by gun owners while extending even more privileges to gun owners, then GrassRoots will support H. 3003. Going the extra mile and turning South Carolina into an Alaska carry state by deleting Section 16-23-460 would be the ideal thing for the legislature to do.

What continued from page 4

nized and discussed. But, it was the policy we felt in our gut.  
GrassRoots leaders were not sure standing by and waiting was the right decision, but it seemed like the right decision at the time. GrassRoots leaders felt getting S. 593 enacted into law was worth the risk of angering GrassRoots members who wanted *The Defender* sent on time. GrassRoots leaders felt GrassRoots members would either understand and support our decision, or at least understand and forgive us for making the wrong decision. GrassRoots leaders were counting that GrassRoots members would be more appreciative with getting S. 593 enacted into law than in receiving their copies of *The Defender* in a timely manner.

Yes, this issue has bothered us immensely. It was hitting at the core of our beliefs, and we just could not get *The Defender* ready knowing an important item was not there. So, now we are letting you know. Please let us know what you think we should have done. We want to know what you think we should have done. Although, using our 20-20 hindsight, it appears we made the right decision.

We still believe the best policy is informed members, called to action, working together, focused on one target. But, occasionally Sun Tsu got it right, the best battle is the one you do not have to fight.

Analysis of S. 347

S. 347 would allow a concealed weapon permit (CWP) holder to possess a firearm inside a vehicle on school grounds, and S. 347 would also allow a CWP holder to possess a concealed weapon inside a restaurant that serves alcoholic beverages for on premises consumption as long as the CWP holder is not present in the portion of the business primarily devoted to the dispensing of alcoholic liquor, beer, or wine for consumption on the premises.

First, S. 347 would allow a SC CWP holder to drop off or pick up a child at a school or college in SC without first needing to store her concealed weapon somewhere off of school property, which would otherwise be a felony. But, the firearm would be required to remain inside the vehicle at all times, or else the CWP holder will be committing a felony.

As originally drafted, S. 347 was a well drafted bill. It proposed to amend both of the SC statutes that prohibited firearms on school grounds, not just one. A CWP holder could keep her concealed weapon concealed and avoid unnecessary handling of a firearm while dropping off or picking up her child since reference was made to Section 16-23-20(9). If the CWP holder needed to exit the vehicle and enter the school, then the CWP holder could legally disarm while remaining in the vehicle and store the weapon in the glove box or console before exiting the vehicle since reference was made to Section 16-23-20(12). Additionally, if there was a need

to open the glove box or console where a concealed weapon was stored to retrieve a driver’s license, registration, or proof of insurance while on school grounds, it could be done legally since reference was made to Section 16-23-20(9). Compare S. 347 to S. 593 to better understand the difference between a well drafted bill and a poorly drafted bill.

Second, S. 347 would allow a CWP holder to carry inside a restaurant that serves alcoholic beverages, but not in the bar section of the restaurant. This section of S. 347 uses the same language used in the time tested and proven law of Florida where CWP holders have been carrying in restaurants serving alcoholic beverages for well over a decade. Almost 75% of the people in the United States live where a CWP holder can legally enter into a restaurant that serves alcoholic beverages for on premises consumption. CWP holders all around the country have proven they are responsible people, and the CWP holders of SC will prove they are just as responsible.

GrassRoots GunRights strongly supports these reasonable changes to the laws of SC. It is high time the laws of SC recognize the honest, law abiding citizens of SC who have a CWP are not a threat to the safety and well being of our children or the general public.

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## Analysis of H. 3298

H. 3298 would allow a person to possess a handgun “stowed under a seat” in a vehicle in addition to the already existing allowances for possession in “a closed glove compartment, closed console, closed trunk, or in a closed container secured by an integral fastener and transported in the luggage compartment of the vehicle.”

Unfortunately, H. 3298 is poorly drafted and will create problems for gun owners. Section 16-23-10(10) specifically prohibits stowing a handgun under a vehicle’s seat. Yet, H. 3298 fails to address the conflict created between Section 16-23-20(9) as amended by H. 3298 and Section 16-23-10(10) if left unamended. Rather than leave this conflict for the courts to sort out after some poor gun owner is arrested and prosecuted, it would be better to save that poor gun owner the time and expense of litigation by fixing the problem now.

GrassRoots GunRights proposes amending H. 3298 to include amending Section 16-23-10(10) as

follows:

Section 16-23-10(10) “Luggage compartment” means the trunk of a motor vehicle which has a trunk; however, with respect to a motor vehicle which does not have a trunk, the term “luggage compartment” refers to the area of the motor vehicle in which the manufacturer designed that luggage be carried or to the area of the motor vehicle in which luggage is customarily carried. In a station wagon, van, hatchback vehicle, truck, or sport utility vehicle, the term “luggage compartment” refers to the area behind, ~~but not under,~~ the rearmost seat. ~~In a truck, the term “luggage compartment” refers to the area behind the rearmost seat, but not under the front seat.~~

The above GrassRoots GunRights proposed amendment will resolve the conflict between Section 16-23-10(10) and the language in H. 3298 as originally drafted. Adopting the GrassRoots GunRights proposed amendment will save some poor gun owner from buying another yacht for an-

other attorney to fix a problem that could and should be fixed by the legislative branch - not the judicial branch - of government.

While at first glance one might question why a person would want to keep a handgun under the seat of a vehicle, there actually are times when keeping the handgun under a seat is a preferred location. For example,

- \* Some gun owners would like to have a gun safe installed under the seat of their vehicle for safe storage of their handgun. But, under existing SC law, storing a handgun in a gun safe under the seat would be illegal.

- \* Many vehicles are built with appropriate storage bins under the front seat. Stowing a handgun under the front seat could be the most convenient alternative since some of those vehicles do not have a console and the glove box is full of other things.

- \* A concealed weapon permit holder driving a high riding SUV might find it preferable to store his self defense side arm under

the driver’s seat when needing to disarm to enter a prohibited carry location. It is easier for many to disarm while standing up than it is to do while seated. Thus, stepping out of his vehicle and then storing the handgun under the driver’s seat would be more convenient than trying to climb back into the vehicle to store it in a glove compartment or console.

Law enforcement officer safety is not an issue here since it would be easier for a miscreant to retrieve a handgun from the console under existing law than it would be to retrieve it from under a seat under the proposed law. Plus, if a miscreant meant to shoot an officer in the first place, the handgun would most likely be in the miscreant’s hand, not stored somewhere in the vehicle.

GrassRoots GunRights supports H. 3298 if amended as proposed above to resolve the conflict with Section 16-23-10(10).

## Analysis of H. 3024

H. 3024 is another poorly drafted bill trying to fix something that is not broke. H. 3024 could put innocent hunters and other innocent people in prison for up to 15 years.

Section 16-23-440 makes it a crime to unlawfully discharge a firearm into or at buildings that are regularly occupied or into occupied vehicles. The key word here is “unlawfully.” H. 3024 deletes the requirement that the discharge must be unlawful, and this opens up a Pandora’s box of problems.

It is currently lawful to discharge a rifle on school grounds as a member of a college or high school shooting team (West Ashley High School and The Citadel both have ranges on campus). But, since H. 3024 deletes the requirement that a discharge be otherwise unlawful before being a crime, all shooting sports will be illegal on school grounds.

H. 3024 could also be interpreted to mean a person target

shooting in an indoor shooting range is committing a felony since the range is regularly occupied by people and lawful discharges of firearms are no longer protected under H. 3024. Thus, H. 3024 as currently drafted could be used to close down indoor shooting ranges.

A hunter or sport shooter whose discharged round hits a building that is regularly occupied by a person is guilty of a felony and could serve up to 15 years even though there was no intent to harm anyone or anything. If a round accidentally leaves a shooting range - even as a ricochet - and hits a building regularly occupied by a person, a felony has been committed. A building regularly occupied by a person could be a barn, garage, or outhouse.

But, that is not the worst of it. H. 3024 adds a new section of law that makes it a felony punishable by up to 15 years in prison to discharge a firearm and have the round land on any “property

owned, operated, or controlled by a private or public school including, but not limited to, an elementary school, a secondary school, college, university, technical college, or another post-secondary institution.”

There are two issues that need to be resolved with this section. First, just like the amendments to Section 16-23-440 that delete the requirement that the discharge be unlawful, this new section does not require that the discharge be unlawful. Second, there is no requirement that the person discharging the firearm have any knowledge that the property where the round lands is a prohibited landing area. For example, there are rural parcels of undeveloped property owned, operated, or controlled by a school that are not marked in any way so as to give fair warning that the property is a school property.

Thus, it is possible that a hunter who discharges a round at

a game animal out in the country could have his round land on a parcel of rural undeveloped property that has been left to a school and the hunter will have committed a felony.

A crime should necessarily involve both an evil intent and fair notice that what one is doing is a crime. H. 3024 would allow a person otherwise lawfully acting in self defense to be imprisoned for up to 15 years if the discharged round hits a building, an occupied vehicle, or lands on property controlled by a school.

GrassRoots strongly opposes H. 3024 because it: 1) deletes the requirement that the discharge be unlawful before a crime is committed, 2) does not require that fair notice be given that a parcel of property is a school property, and 3) does not protect the right to self defense.

## Analysis of H. 3987

H. 3987 is more gun control. H. 3987 states: “In Florence County a person must obtain permission from the governing body of a homeowner’s association or a residential subdivision before he may discharge a firearm on property owned by or under the control of the homeowner’s association or residential subdivision.” H. 3987 provides for a \$100.00 civil fine for violating the law. What is especially troubling about this bill

is that property owners who were not prohibited from discharging a firearm on their property when they bought the property can suddenly find themselves unable to do so any longer just because their “politically correct” neighbors do not want them to do so any longer. There is no requirement that the discharging of a firearm be unsafe or that the discharging of the firearm rise to the level of being a public nuisance before penalties are imposed. All

the new law would require is that the neighbors do not like what you do. In fact, a property owner could have lived in the same place for 30 years and suddenly find himself surrounded by new neighbors who don’t like what he has safely been doing for 30 years - and the new neighbors would have the law on their side.

GrassRoots GunRights opposes H. 3987 because it is gun control unconstrained by reason,

logic, or justice. A private property owner should be allowed to do as he pleases on his own property as long as what he does is not a danger or nuisance to others. H. 3987 denies a property owner the enjoyment of his own property and allows the “politically correct” crowd to dictate what a property owner can safely do on his own property.

## Analysis of H. 3659

H. 3659 is another gun control bill that makes possession of a handgun a felony (unless you fit into one of the listed exceptions) instead of a misdemeanor, drastically increases the felony penalties for possession of a handgun by a prohibited person, and defines what an “assault weapon” is under South Carolina law.

GrassRoots GunRights strongly opposes H. 3659. Mere possession of a handgun without having used - or intending to use - the handgun in a crime should not be a crime.

The 2<sup>nd</sup> Amendment guarantees a person the right to “keep and bear arms.” A “right” is something that can be exercised without a permit. Only a privilege requires a permit. Both Vermont and Alaska recognize the “right to keep and bear arms” and allow people to possess a handgun without a permit. South Carolina should change the law to properly recognize the “right to keep and bear arms,” not change the law to increase the penalty from a misdemeanor to a felony.

H. 3659 could be used to convict a concealed weapon permit (CWP) holder of a felony simply for innocently violating the law with regards to where one can legally carry. If a CWP holder is carrying pursuant to - but not in complete compliance with - the CWP law, then the CWP holder would not come under one of the listed exceptions to the law prohibiting possession of a handgun. Thus, a CWP holder could be convicted of a felony for innocently violating the CWP law.

Drastically increasing the penalties for possession of a handgun by a prohibited person is another step in the wrong direction. The increased penalties are NOT for committing a crime with the handgun, the increased penalties are for mere possession of a handgun by a prohibited person. So, who are these prohibited people that need to have their penalties increased for possessing a handgun? Better yet, will the increased penalties actually make anyone safer? Will increased penalties for a child under 18, a habitual drunk-

ard or a pot smoker, or a mentally incompetent person possessing a handgun make you safer? Do you really think that children, drunks, and mentally incompetent people are able to properly reason and conclude they should not possess a handgun because the penalties are being increased? Remember, these prohibited people will incur the increased penalties for mere possession of the handgun, any criminal use of the handgun would rightfully incur additional penalties. The current penalties are working just fine and there is no need to drastically increase the penalties on people who are not capable of rational thought anyway.

H. 3659 will define “assault weapon” in South Carolina law. Unfortunately, there is no logic to the definition and appears to be an assault upon AR-15s and newer semiautomatic rifles with greater than 20 round magazines, and tactical shotguns. Here is how H. 3659 defines an “assault weapon”:

- “‘Assault weapon’ means a firearm with any of the following characteristics:
- (a) all semiautomatic action, centerfire rifles with a detachable magazine with a capacity of twenty-one or more rounds;
  - (b) all semiautomatic shotguns with a folding stock or a magazine capacity of more than six rounds, or both;
  - (c) a firearm which has been modified to be operable as an assault weapon as defined in this item; and
  - (d) any part or combination of parts designed or intended to convert a firearm into an assault weapon, including a detachable magazine with a capacity of twenty-one or more rounds, or any combination of parts from which an assault weapon may be readily assembled if those parts are in the possession or under the control of the same person.

‘Assault weapon’ does not include weapons that do not use fixed cartridges, weapons that were in production prior to 1898,

manually operated bolt-action weapons, lever-action weapons, slide-action weapons, single-shot weapons, multiple-barrel weapons, revolving-cylinder weapons, semi-automatic weapons for which there is no fixed magazine with capacity of twenty-one or more rounds available, semiautomatic weapons that use exclusively en bloc clips, semiautomatic weapons in production prior to 1954, rimfire weapons that employ a tubular magazine, a firearm that use .22 caliber rimfire ammunition, or an assault weapon which has been modified either to render it permanently inoperable or to permanently make it a device no longer defined as an assault weapon.”

To show just how stupid this bill is, one need only consider that a foreign made AK-47 semiautomatic rifle with a 100 round magazine is not an “assault weapon” under this bill while an American made AR-15 semiautomatic rifle with a 30 round magazine is an

“assault weapon.”

An AR-15 with a 20 round magazine is not an “assault weapon.” But, buy a 30 round magazine that fits into the AR-15 and sud-

denly you are in possession of an “assault weapon.” An SKS is defined as not an “assault weapon” because it was in production prior to 1954 even though it can be fitted with a 100 round magazine.

The whole concept of calling semiautomatic rifles “assault weapons” just because they look like fully automatic military weapons comes from the playbook of the gun grabbers. The anti gun zealots are counting on the ignorance of the masses regarding firearms, along with the complicity of the mass media that show videos of fully automatic weapons when discussing semiautomatic “assault weapon” legislation, to get more guns banned.

H. 3659 is so poorly drafted that it includes references to “assault weapon” (which is a rifle or shotgun) in the article of law dealing with handguns. H. 3659

provides that an “assault weapon” can be confiscated when used to violate a handgun law. The biggest problem with H. 3659 is that it is the first step in banning semiautomatic rifles and shotguns, not that it bans them now.

The idea is to ban guns on an incremental basis. First, ban those small inexpensive handguns by labeling them as “Saturday Night Specials.” If people only knew the origin of the term “Saturday Night Special,” they would see how gun control has racist origins. Then, ban anything that looks like a military weapon since only a minority of gun owners own such weapons. Then, ban other handguns since that will not offend the largest group of gun owners - hunters. Then, ban those high powered sniper rifles used by hunters to kill at long distances. Finally, ban those shotguns.

H. 3659 bans some semiautomatic military looking rifles but not others. Why? The reason is that to ban them all would get too many people opposed to H. 3659. So, the gun grabbers want to divide the pro gun forces. But, once the gun grabbers have banned some of the semiautomatic military looking rifles, they will come back for the rest of them. We must all stand united and stop the gun grabbers now.

Gun owners need to understand that the gun grabbers will not rest until all guns are banned. Gun owners must stick together and fight all attempts at gun control. Remember, a house divided can not stand.

GrassRoots GunRights opposes H. 3659 because it is just more gun control that turns misdemeanor possession of a handgun into a felony when we should be repealing the laws making mere possession of a handgun a crime at all, it drastically increases penalties for mere possession of a handgun by prohibited persons who will not be dissuaded by the increased penalties, and it promotes more gun control by intentionally misleading people into thinking that semiautomatic rifles and shotguns are fully automatic weapons.

...the gun grabbers will not rest until all guns are banned.

## Analysis of H. 3994

H. 3994 is called the “Transportation and Storage of Firearms in a Locked Vehicle” bill. H. 3994 states “A person, property owner, tenant, employer, or business entity may not establish a policy or rule that prohibits a person, except a convicted felon, from transporting and storing firearms in a locked vehicle on property set aside for the vehicle.” This bill seeks to protect the rights of gun

owners to possess a firearm in a private vehicle. A legal benefit to property owners is that since the law will deny a property owner the power to prohibit firearms in vehicles, the property owner can not be held legally liable for the misuse of firearms pulled from a vehicle. This will deny an attorney the option of trying to hold a wealthy property owner liable for the misuse of firearms pulled from

a vehicle on the property.

Unfortunately, the bill is poorly drafted and needs to be amended. How does one enter or exit a locked vehicle? To ensure the intent of the law is also the language of the law, the bill needs to be amended to read “a locked or attended vehicle” as was done in S. 593, not just a locked vehicle. Then, a person can legally enter and exit his vehicle.

GrassRoots GunRights strongly supports H. 3994. As more and more businesses provide the only available parking on site and as public parking disappears, it is critically important that the right to keep and bear arms in private vehicles be protected in a real world practical manner.

# A Guide to S. 593

by Steven Shaw Esq.

## SOME NEW RULES FOR SCHOOLS

In the spring of 2009, the South Carolina Legislature passed, and Governor Sanford signed, Senate Bill 593. The new law decriminalizes bringing guns onto school grounds for Concealed Weapons Permit holders under certain circumstances. You should still read the Rules for Schools in South Carolina Gun Law but also use the following as a supplement to the book. This supplement and the book complement each other and both should be understood together.

### The context of Senate Bill 593.

Prior to the passage of S. 593, many parents dropping-off kids for school, students at colleges, teachers going to work and anybody else required to be on school property had a problem. The problem was that the South Carolina Code of Laws made it illegal to have a firearm on any grounds owned, operated or controlled by a school (except if you had permission from the authorities in charge of the premises or property). So, while parents might have otherwise been legal possessing a firearm either on their person with a Concealed Weapons Permit or in the glove compartment or console while driving the children to school, the same firearm became illegal if the parent drove onto a drop off area on school premises. Further complicating the process was that it is often difficult to determine where school premises begin and end. This situation left the parents in the unfortunate position of having to choose between breaking the law by entering school property with a firearm or forfeiting their natural right to arms as protected by the Second Amendment and the South Carolina Constitution. Similarly, teachers and college students who could otherwise lawfully carry a firearm off campus were required to forfeit their right to keep and bear arms the instant that they crossed onto school premises.

### What does S. 593 do?

S. 593 amends South Carolina criminal law to provide an exception to the prohibition against certain weapons on school grounds under certain circumstances. Specifically, S. 593 amends Sections 16-23-420 and 16-23-430 of the S. C. Code of Laws. In a nutshell, S. 593 decriminalizes firearms on school

grounds if the possessor has a valid Concealed Weapons Permit (CWP) and keeps the firearm in a closed glove compartment, console, or trunk or in the luggage area of the vehicle so long as the firearm is inside of a closed container that has an integral fastener. Also, the vehicle must be attended or locked. Following, we'll take a look at each element of the law as well as potential questions and problems that may arise.

S. 593 first amends Section 16-23-430 of the S.C. Code of Laws. Section 16-23-430 prohibits “*weapons*” on *elementary* and *secondary* school premises (elementary, middle and high schools). The Section specifically defines a firearm as a weapon. Violations are a felony carrying a potential penalty of \$1,000 fine and five (5) years in jail, or both, as well as confiscation of the weapon and a lifetime federal firearms disability. S. 593 amends the Section by adding the following:

*(B) This section does not apply to a person who is authorized to carry a concealed weapon pursuant to Article 4, Chapter 31, Title 23 when the weapon remains inside an attended or locked motor vehicle and is secured in a closed glove compartment, closed console, closed trunk, or in a closed container secured by an integral fastener and transported in the luggage compartment of the vehicle.*

So, on its face, S. 593 eliminates criminal liability for CWP holders possessing a weapon on elementary or secondary schools so long as the weapon remains inside the closed glove compartment, closed console, closed trunk (or in the luggage area so long as the weapon is in a closed container secured by an integral fastener) and the vehicle itself is locked or attended. Before getting too deep into the specifics of this first half of S. 593 though, let's look at the second half of S. 593 because many of the analyses will be the same for both halves.

S. 593 also amends Section 16-23-420 of the S.C. Code of laws. Section 16-23-420 is different from Section 16-23-430 because it prohibits firearms specifically and extends the prohibition to all schools as opposed to only elementary and secondary schools. S. 593 amends Section 16-23-420 as follows:

The provisions of this subsection related to any premises or property owned, operated, or controlled by a private or public school, college, university, technical college, or other post-secondary institution, **do not apply**

to a person who is authorized to carry a concealed weapon pursuant to Article 4, Chapter 31, Title 23 when the weapon remains inside an attended or locked motor vehicle and is secured in a closed glove compartment, closed console, closed trunk, or in a closed container secured by an integral fastener and transported

in the luggage compartment of the vehicle.

As before, on its face, S. 593 eliminates criminal liability for CWP holders possessing a weapon on elementary and secondary schools, as well as colleges, so long as the weapon remains inside the closed glove compartment,

See **Guide** on page 14

## President continued from page 2

printing, firearm availability, etc.), finding information is quick and easy. Each chapter lists common gun control myths, then lists a number of documented and cited facts (with over 480 detailed footnotes) that directly dispute the gun control claim. Thus when a neighbor, family member, editor or politician repeats some slogan propagated by the gun control industry, you can quickly find that myth then rebuke with *real* information.

The e-Book is available free, on-line at: [www.GunFacts.info](http://www.GunFacts.info). A printed copy is available for \$9.95. You can call the author, Guy Smith at 510-521-4477.

### Gun control myths debunked in Gun Facts include (but are in no way limited to):

- Gun Shows
- Assault Weapons
- Sniping Rifles - Sniper Rifles
- Handguns For Women Handgun Sales
- Violence and Violent Crime
- 2nd Amendment Issue
- "Pocket Rockets" and "Saturday Night Specials"
- Concealed Carry and Concealed Weapons Permits
- Licensing and Registration
- Firearm Deaths (Homicide, Accidents)
- Social Costs of Guns
- Children and Guns
- Automatic Weapons
- 50 Caliber Rifles
- Microstamping
- Ballistic Fingerprinting
- Assault Weapons Ban
- Crime Gun Traces
- International Gun Ownership and Crime
- Gun Dealers
- Gun Control Statistics
- Deadly Force Encounters
- Guns, Crime, Criminology and Crime Prevention (Self Defense)
- Firearm Availability
- Guns and Police (Law Enforcement/LEO)

Folks, arm yourselves! They’re shooting at us – right now! But you’ll need more than a gun and a box of bullets. You need mental ammunition. Stock up by joining the fight to restore our liberty, get active with GrassRoots, where we think good people ought to be able to carry whatever they want, wherever they want - without apology!

I’m proud to know you all,



Ed Cooper

\*Cooper’s Rules of Firearms safety. There are lots of gun safety rules out there. *These* are the ones you should remember and burn into your brain:

- 1 **All guns are always loaded.** Even if they are not, treat them as if they are.
- 2 **Never let a gun point at anything you are not willing to destroy.** (For idiots who insist their gun is unloaded, see *Rule 1.*)
- 3 **Keep your finger off the trigger till your sights are on the target.**
- 4 **Identify your target, and what is behind it.** Never shoot at anything that you have not positively identified (what if you miss?).

# A Recipe for Passing Pro Gun Legislation

Robert D. Butler, J.D.  
President, GunRights PAC

Passage of S. 593 - the concealed weapon permit (CWP) school carry law - can be traced back to a single event - the victory of challenger Shane Martin over the incumbent Sen. Jim Ritchie in the June 2008 Republican primary. The ONLY reason we have any CWP school carry bill at all is because Sen. Shane Martin had the guts to introduce and fight for the legislation, which would have never happened had Sen. Ritchie remained in office.

GunRights PAC - the political action committee of GrassRoots GunRights - was the ONLY gun rights organization to support the challenger Shane Martin. NRA-ILA - the political action committee of the NRA - supported the incumbent Sen. Jim Ritchie. Why did GunRights PAC and NRA-ILA support different candidates? This is an important difference that needs to be remembered by those who donate money thinking and hoping the money will make a difference.

GunRights PAC took a long, hard look at how a good CWP *recognition* bill was sabotaged at the end of the legislative session in 2008 and turned into a lousy CWP *reciprocity* law. CWP *recognition* is different than CWP *reciprocity*. CWP *recognition* means that a CWP issued by another state will be honored without requiring the two states to enter into a formal reciprocity agreement. CWP *reciprocity* means that a CWP issued by another state will only be honored after the two states enter into a formal agreement to do so. CWP *recognition* is better than CWP *reciprocity* because it is more faithful to the 2<sup>nd</sup> Amendment's dictate that the right "to keep and bear arms shall not be infringed." Just as states do not require reciprocity agreements be entered into prior to allowing drivers from other states to drive in their state, reciprocity agreements should not be required prior to allowing CWP holders to carry in other states.

The dirty work to kill a good CWP *recognition* bill in SC was led by two senators - Sen. Jake Knotts and Sen. Jim Ritchie. If the CWP *recognition* bill had not been sabotaged, SC CWP holders would now be able to legally carry in over 30 states. Instead, SC CWP holders only have reciprocity with 16 states, and two of those states already allowed SC CWP holders to carry because they had already passed CWP *recognition* laws just as we were trying to do in SC.

GunRights PAC noticed that both Senators Knotts and

Ritchie were being challenged in their respective Republican primary elections. It is much easier for a dedicated minority - read that as "special interest group" - to unseat an incumbent during a primary than it is to unseat an incumbent in the general election. So, GunRights PAC decided to get involved in the Republican primary elections of the two senators who had just sabotaged the SC CWP recognition bill.

GunRights PAC took donations from gun owners all across SC and put those donations into one large pot. Just as a flood is the result of many small rain drops, a well funded GunRights PAC is the result of many small and medium donations.

Research showed incumbent Sen. Jim Ritchie had NEVER introduced a pro gun rights bill in his entire legislative career. Ritchie had never co-sponsored a pro gun rights bill, either. But, Ritchie had just helped lead the hatchet job on a good CWP recognition bill. Ritchie needed to learn there would be consequences during the election season for his betrayal of gun owners during the legislative season.

GunRights PAC contacted challenger Shane Martin to find out where he stood with respect to protecting our gun rights. It would not make sense for GunRights PAC to support a challenger that was just as bad as the incumbent.

It turned out Shane Martin was a proud member of GrassRoots GunRights, and Shane Martin stated he was a strong supporter of our gun rights. Being a member of GrassRoots showed Shane Martin was doing more than just telling GunRights PAC what we wanted to hear. So, GunRights PAC decided to support challenger Shane Martin.

GunRights PAC donated the maximum allowed under SC law to the Shane Martin for Senate campaign. But, that was not going to be enough to ensure Martin beat Ritchie because the NRA-ILA was supporting the incumbent Sen. Jim Ritchie! How could the NRA-ILA actively support an incumbent who had never introduced or co-sponsored a pro gun rights bill? How could the NRA-ILA actively support an incumbent who had just worked to kill a good CWP recognition bill? How the NRA-ILA could actively support such an incumbent over a strong pro gun rights challenger was both confusing and troubling. Sadly, NRA-

ILA made multiple mailings to the people in Senate District 13 asking them to support the incumbent Jim Ritchie.

GunRights PAC decided the gun owners and voters in Senate District 13 needed to know the truth. GunRights PAC decided the gun owners and voters in Senate District 13 needed to know exactly how the incumbent had consistently failed to support gun owners' rights during the legislative season. So, GunRights PAC sent a large 8.5" x 11" "postcard" to all the registered Republican primary voters in Senate District 13 letting them know the truth about how the incumbent had failed to support the rights of gun owners while in office, and why they needed to vote for Shane Martin - a true pro gun rights candidate.

Hopefully, the truth about how the incumbent had failed to support gun owners and how Shane Martin would support gun owners made a difference with gun owners in the primary election run off.

You need to ask yourself a question. Which candidate do you think a pro gun rights organization should have supported? On one hand we have a challenger who proudly belongs to GrassRoots and claims to be a strong gun rights supporter, and on the other hand we have an incumbent whose legislative record proves he has not been a strong supporter of our gun rights. GunRights PAC felt the decision to support Shane Martin was an easy one to make. Yet, NRA-ILA supported the incumbent. Who would you have supported?

Hindsight proves GunRights PAC made the right choice in supporting Shane Martin, and NRA-ILA made the wrong choice in supporting Jim Ritchie. So, the next time you are ready to donate your hard earned dollars to a pro gun rights organization, be sure to remember which pro gun organization spends your dollars the same way you would spend your dollars.

Remember, if Ritchie had won the Republican primary race in June 2008, there would have never been a pro gun bill introduced in the Senate and we would still be prohibited from possessing a concealed weapon in our vehicle on school grounds. Who we support in primaries can make a world of difference in what legislation gets introduced later.

Politicians need to know the people support what they do. If politicians do not get support from the people, the politicians will think they need to do something differently. Which brings us to another issue.

Sen. Shane Martin took a beating in the mass media for introducing bills to protect and restore our gun rights. Sen. Martin's campaign war chest has been depleted, which makes him vulnerable come next election. GunRights PAC has already contributed as much as the law will allow GunRights PAC to contribute to Sen. Martin. But, Sen. Martin still needs more donations to pay off his old campaign debts and to get ready for the next campaign.

If you want to thank Sen. Shane Martin for standing up for you and introducing and fighting for legislation to protect and restore your gun rights, then please send a donation to show your appreciation. Ideally, checks should be made out to "Sen. Shane Martin", but the donations should be sent to:

GunRights PAC  
220 Isobel Ct.  
Lexington, SC 29072

The reason to send the donations to GunRights PAC is to ensure that Sen. Martin knows that all of those donations come from GrassRoots members and supporters. It is important to make sure Sen. Martin remembers which pro gun rights organization has stood beside him in his time of need. We need to show our appreciation for what he has done for us. Please donate something to show your appreciation for Sen. Shane Martin's strong support of our gun rights.

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Have you told a  
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on YOU!

# Drafting Legislation

We frequently hear people complaining about special interest groups drafting legislation. But, who better to draft legislation than those who are the most knowledgeable about the subject matter?

While it is the job of legislators to make the decisions about what legislation should do, the job of actually drafting the legislation should be left to those who know the subject matter. When those who do not know the laws as well as the special interest groups know the law draft legislation, there is much wasted time spent trying to fix problems that should have been dealt with properly in the beginning.

Watching how CWP school carry legislation was handled

**S . 593** continued from page 1  
sible for changing the draft language provided by GrassRoots into the finished product to be officially introduced. So, the senate staffers provided Sen. Shane Martin a bill - S. 347 - that contained both the CWP school carry and the CWP restaurant carry language included in one bill.

Interestingly, Sen. Martin found there was more opposition in the Senate to the CWP restaurant carry provisions than there was to the CWP school carry provisions in S. 347. So, Sen. Martin decided to introduce a new bill with only the CWP school carry provisions included. This was done to try and get the CWP school carry bill passed this year. This became bill S. 593.

Unfortunately, the senate staffers failed to just remove the CWP restaurant carry provisions from S. 347 and leave the CWP school carry provisions. So, they ended up with a poorly drafted bill that would not have accomplished allowing CWP school carry at all. There are two sections of SC law that prohibit firearms on school property. Unless both sections of law are changed to allow CWP school carry, the section left unchanged can still be used against the CWP holder. The senate staffers only changed one section of SC law. GrassRoots then proposed amending S. 593 during the subcommittee hearing so as to fix the drafting error. The subcommittee then amended S. 593 so as to change both sections of law prohibiting firearms on school property. Please read the analyses of S. 347 and S. 593 to see how important it is to properly draft a bill.

Sen. Shane Martin asked GrassRoots leaders to please keep a low profile on the CWP school carry bill until asked to do otherwise. Sen. Shane Martin told GrassRoots leaders of his prior

should prove the point that drafting pro gun legislation is best left to those who specialize in gun rights.

S. 347 was a well drafted bill to do exactly what Sen. Shane Martin said he wanted to do. S. 347 amended both sections of SC law prohibiting firearms on school grounds (S. 593 as originally drafted only amended one section of law), allowed a CWP holder to keep her weapon concealed, did not require unnecessary handling of a firearm, required the weapon remain in the vehicle at all times, and allowed a CWP holder to legally remove a driver’s license, proof of insurance, or registration from the glove box or console if needed (S. 593 does not allow such). GrassRoots

school board member experience, which he felt he could use to keep opposition to a minimum as long as the CWP school carry bill stayed below the radar. But, if the CWP school carry bill started to run into significant opposition, then he would ask GrassRoots to charge into battle.

GrassRoots leaders were forced to decide whether to allow Sen. Shane Martin to run the offense for his CWP school carry bill and remain low profile, or whether GrassRoots should make the CWP school carry bill a front page item. GrassRoots decided that getting a CWP school carry bill enacted into law was our top priority. So, GrassRoots leaders agreed to be ready to jump into the fight as soon as Sen. Martin asked for our help. But, part of remaining low profile and ready to jump into the fight meant we had to hold off publishing *The Defender*. Please read “What Would You Have Done?” on page 4.

Sen. Shane Martin talked with school officials and resource officers about *his* - not GrassRoots’ - CWP school carry bill. This must have done a lot of good because no school officials or resource officers appeared at the subcommittee hearings to speak against the bill. In years past, there was a line of school officials and resource officers appearing to speak against any kind of CWP school carry.

The issue of CWP school carry received very little mass media coverage this time. In years past, the issue of CWP school carry was the lead story for days on end - and the mass media was never supportive of CWP school carry. Interestingly, the area that generated the most mass media coverage of CWP school carry - and none of it supportive - was Sen. Shane Martin’s home district of Spartanburg.

GunRights drafted S. 347 for Sen. Martin. Others drafted S. 593, and GrassRoots was forced to propose amendments to fix the drafting problems.

Sen. Brad Hutto demanded S. 593 be amended to require a CWP holder disarm and store her weapon in the vehicle prior to entering upon school property. While GrassRoots believes requiring such is a bad idea for multiple reasons, the actual drafting of the Hutto amendment could have been done better. Sen. Hutto’s amendment should have stated the CWP holder had to comply with Section 16-23-20(9)(a) instead of requiring the weapon be “secured in a closed glove compartment, closed console, closed trunk, or in a closed

S. 593 passed through the Senate Judiciary Committee without a single vote against it after being amended as GrassRoots had requested. But, after the bill hit the Senate floor, Sen. Brad Hutto attached a minority report to S. 593. A minority report on a bill pulls it from the Senate’s uncontested calendar (which allows bills to move quickly through the Senate) and places it onto the Senate’s contested calendar (which is usually the kiss of death for a bill). S. 593 was now essentially dead for 2009 and possibly forever.

Sen. Martin talked with Sen. Hutto about S. 593. Sen. Hutto agreed to remove his minority report if Sen. Martin would agree to an amendment to S. 593 that would require a CWP holder to disarm and store her concealed weapon PRIOR to entering school grounds. While this Hutto amendment is bad in many ways, not getting S. 593 passed was an even worse alternative. So, it was agreed to allow the Hutto amendment to be placed into S. 593 as the price to pay to get S. 593 through the Senate. The Hutto amendment is discussed in the analysis of S. 593 on page 3.

Once S. 593 was passed by the Senate, it was sent over to the House. The House sent S. 593 to the Judiciary Committee. But, rather than hold a subcommittee or committee hearing on S. 593, the House suddenly recalled S. 593 from the Judiciary Committee and took up consideration on the floor of the House. The House then amended S. 593.

The House amendment to S. 593 was very poorly drafted because it failed to amend both sections of SC law dealing with firearms on school property. So, the net effect was that the House amendment only muddied things up and did not accomplish what it

container secured by an integral fastener and transported in the luggage compartment of the vehicle.” Then, a CWP holder would still have been required to store the weapon as Sen. Hutto wanted done, but she could have legally opened the glove box or console in the presence of a law enforcement officer to retrieve a driver’s license, registration, or proof of insurance if needed. It is the small details like this that make the difference between a well drafted bill and a poorly drafted bill. Small details like this help ensure that an innocent gun owner does not get charged with a crime for opening the glove box to get the registration after a small fender bender in the school parking lot.

was intended to accomplish - i.e., allowing anyone to possess a firearm in a vehicle on school grounds. Also, while S. 593 was a clean bill from the Senate since it did not conflict with federal law, the House amendment to S. 593 created a conflict between federal and state law. Such a situation could cause an innocent person who believed she was properly following the SC law to be entrapped because the federal law would still be used to convict her of possessing a firearm on school grounds. More importantly, creating such a conflict could have caused some former supporters to stop supporting the bill.

The House sent the amended S. 593 back to the Senate. The Senate refused to accept the House amendment. The House then decided to accept the Senate version of S. 593. And finally, the governor signed S. 593 into law on June 2, 2009.

Gun owners gave up nothing to get limited CWP school carry. While CWP holders did not get everything we wanted, we have more than we had. And, the next battle we fight over CWP school carry will be over getting more rights restored, not over whether we can carry at all. S. 593 will now allow a CWP holder with a child in school or college to drop off and pick up her child without committing a crime. Students with a CWP attending college can keep a concealed weapon in their vehicle, which is especially valuable to those who attend night school. Teachers, professors, and staff who possess a CWP can now keep a weapon in their vehicle on school grounds.

We owe a big “thank you” to Sen. Shane Martin.

# “You’ve Changed”

GrassRoots GunRights received the following letter:

“Dear GrassRoots Officers and Staff:  
03 December 2008

Grassroots has, in recent months, made a fundamental change in the way that it presents the position of SC gun rights advocates to the SC legislature. Many GrassRoots members feel that this new, hard line, aggressive approach is a mistake. This message is being sent to all of you because, based on the past successes of Grassroots, I have to believe that more than a few of you will agree that we have gotten off course.

To get to the specifics: This stance that training should not be required for a carry permit does NOT reflect the view of the people that I have come in contact with in over 45 years of shooting and over 25 years of membership in gun clubs (Palmetto Gun Club and Polk County Gun Club). I have never met a single serious hunter or gun sportsman who does not believe that some training in firearms is essential for anyone holding a gun. And yes, we do understand the difference between the desirability of training vs. the government mandated training.

Bill Rentiers has a right to his views as expressed in the summer 2008 issue of The Defender, but he is way out of line if he presents those views to the legislature in the name of GrassRoots members. His position, right or wrong, will not prevail and will only weaken our cause. In addition, the harsh, threatening words directed by [GrassRoots VP Dr. Robert] Butler toward the SC legislators who opposed reciprocity with the ‘no-training states’ is counterproductive and will certainly not sit well with the many folks in the State House who have supported us in the past.

Please take a hard look at our long-term objectives and the plans to reach them. I hope that you will agree that we can best attain our ultimate goals by targeting achievable measures such as ‘carry at school drop-off points’ and ‘carry on college campuses.’ It is a mistake to push for overly ambitious ‘freedoms’ that, not only the public, but most serious gun owners are reluctant to support. I would like for Grassroots to continue to be an organization for reasonable change that SC gun owners can be proud to join.

Sincerely,

H. Evans Townsend  
CC: The Palmetto Gun Club”

GrassRoots GunRights wants everyone to read the reply:

Dear Mr. Townsend,

“Thank you” for your letter. We will now address the four primary issues you raise - 1) GrassRoots has changed, 2) Dr. Robert D. Butler’s GunRights PAC article will cause legislators to no longer support us, 3) GrassRoots Executive Officer Bill Rentiers’ opinions whether “right or wrong” on protecting our gun rights are too extreme, and 4) GrassRoots should limit the issues we support to those you and your friends consider to be “reasonable.”

GrassRoots GunRights has NOT “changed” our approach to protecting our gun rights. GrassRoots has always taken a principled position on our rights. We believe the right to keep and bear arms is a natural fundamental right or God given right. Some people are uncomfortable taking such a principled position, we are not. So, what you call “hard line and aggressive,” we call standing firm on principle. As Barry Goldwater stated, “Extremism in the defense of liberty is no vice. And moderation in the pursuit of justice is no virtue.” GrassRoots and Bill Rentiers do not apologize for taking principled stands now any more than we apologized for taking principled stands from our very beginning.

GrassRoots believes many well intentioned people do not truly understand how the political process really works causing them to accept the excuses given them by politicians, which is why we have so many infringements upon our gun rights today. Too many people are willing to accept the excuses provided by politicians as to why they must accept losing their gun rights piece by piece. Unfortunately, not enough people are willing to hold the feet of politicians to the fire for failing to protect our gun rights, which tells politicians you give them permission to continue to fail to protect our gun rights.

GrassRoots supports holding politicians accountable during election season for what they do during legislative season. If this is seen as having “gotten off course,” then GrassRoots is proud to steer in a new direction - one that leads to legislative successes, not accepting more excuses for losing. But, this is not a new course - it is the very same course GrassRoots has

been on from the beginning. It is also the course that has allowed GrassRoots to be successful in the legislative arena over the years.

Your opinion is that Dr. Robert D. Butler’s GunRights PAC article will alienate politicians and make them less willing to support pro gun legislation. Dr. Butler’s opinion is that it is only fair to let politicians know what to expect if they betray us, which will then cause politicians to do the right thing and support our rights rather than risk a political fight that could have been avoided.

So, whose opinion is best supported by reality? Well, the nice thing about hindsight is that it is usually 20/20. So, using hindsight, how do you explain the legislative success this session in getting possession of a firearm on school grounds legislation (one of your favored pieces of legislation) enacted into law even though it has been shot down for many years? Do you really think this legislation would have passed if GunRights PAC had not helped get Sen. Shane Martin elected?

This law was introduced by Sen. Shane Martin - the very challenger supported by GunRights PAC (which is the GrassRoots political action committee) against the former incumbent who had failed to ever introduce or co-sponsor pro gun legisla-

tion. And, this legislation ran into little opposition in the General Assembly. If the GrassRoots and GunRights PAC tactics and positions only serve to alienate politicians as you claim, how come this legislation was enacted into law during the first year of Sen. Shane Martin’s term? It would appear Dr. Butler’s opinion has been proven correct, not yours.

How do you think GrassRoots has been able to achieve all those “past successes” anyway? Going soft on those legislators who merely feed gun owners “table scraps” has never been in the GrassRoots GunRights playbook.

Sen. Everett Dirksen was quoted as saying, “When I feel the heat, I see the light.” My grandmother told me, “If you can’t stand the heat, then get out of the kitchen.” Experience has shown one must either “lead, follow, or get out of the way” if anything is going to get accomplished. These three sayings all pertain to the political arena. If gun owners fail to create “the heat,” then politicians will never “see the light.” If gun owners “can’t stand [to create] the heat,” then they should get out of

the way of those who will. Politics is not for the faint of heart. It is a rough and tumble game. Playing to win is much more difficult than just playing. GrassRoots is in it to win it, not to just play the game.

GrassRoots GunRights will be hosting a Legislative Tactics Seminar (see article on page 24) to teach GrassRoots members how to play politics to win. I suggest you and your friends attend so that you can learn why what we do works. Then, we will be an even stronger team.

You say the gun owners you have met do not support the “stance that training” should not be required for a carry permit. Well, the gun owners we have met realize mandatory “training” is wrong on at least two levels - principle and practical.

Mandatory “training” is wrong on principle. Free men do not need a permit to exercise a right. Permits are needed for privileges, not rights. Many people understand that our rights are rights - period. Thus, mandatory “training” is wrong on principle.

But, there are those who will claim that “practical” considerations force us to surrender our rights for the greater good, i.e, perceived “safety,” “for the children,” or to “fight crime.” Thus, we should not stand on principle when “reasonable” and “practical” infringements are needed.

These “practical” reasons are claimed because nobody can oppose safety, children, or fighting crime. But, these “practical” reasons are virtually always just an excuse used to impose gun control and can not stand up to objective scrutiny.

For example, on a practical level, mandatory CWP “training” just does not work to protect public safety. The facts - see Dr. John Lott’s numerous peer reviewed journal articles and his book “More Guns, Less Crime” - prove mandatory CWP “training” does NOT make anyone safer. Rather, the facts prove mandatory CWP “training” actually costs lives, not saves lives. Thus, mandatory CWP “training” is wrong on a “practical” level even if one was willing to abandon principle.

Standing on principle has already been used to our advantage in the General Assembly. Rep. David Weeks asked GrassRoots leaders why we would oppose CWP training as a prerequisite for CWP reciprocity since mandatory training should make a CWP holder a better CWP holder.

In politics, it is best to answer the question that should have

*Politics is not for the faint of heart. It is a rough and tumble game.*

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closed console, closed trunk (or in the luggage area so long as the weapon is in a closed container secured by an integral fastener) and the vehicle itself is locked or attended.

How does S. 593 apply to Me?

The provisions of S. 593 only help you on **elementary and secondary schools** (middle and high schools) if you have a valid *South Carolina-issued* CWP. The provisions of S. 593 help you on any other school grounds (like colleges, universities and daycare centers) if you have a South Carolina issued CWP (either resident or qualified non-resident), or reciprocity from another state. If you do not have any CWP, you are prohibited from bringing a firearm of any kind onto school premises (S.C. Code of Laws Section 16-23-420 (A)) (unless you fall under an exemption like police officers or you have permission from the authorities in charge of the school).

If S. 593 stood alone, a person with an out-of-state CWP asserting reciprocity would benefit the same under S. 593 as would someone with a South Carolina issued CWP. But, S. 593 does not stand alone and out-of-state CWP holders are burdened by the federal Gun Free School Zones Act.

What if I do not have a South Carolina issued CWP?

Without a *South Carolina issued* CWP, under the federal Gun Free Schools Act of 1996, you are prohibited from knowingly possessing a firearm in a “school zone” (basically within 1,000 feet of an elementary, middle or high school with some exceptions). The Gun Free Schools Act has been interpreted by the Bureau of Alcohol Tobacco and Firearms to require that the individual carrying the firearm must have a CWP ***issued by the state that the school is in***. This distinction is important because there are many instances where out of state parents might have to travel to a South Carolina school for student competitions or events. To insure compliance with the Gun Free Schools Act, holders of out-of-state CWPs (with S.C. reciprocity) should park off elementary, middle or high school premises with any firearms stored in the closed glove box, closed console, closed trunk, or in a closed container with an integral fastener in the luggage area of the vehicle.

Before we move on, let me mention that you should consider the federal Gun Free School Zone Act to apply within 1,000 feet of an elementary, middle or high school

boundaries or within 1,000 feet of an off-site event sponsored by one of these schools. The Act defines a *school zone* as:

[I]n, or on the grounds of, a public, parochial or private school; or within a distance of 1,000 feet from the grounds of a public, parochial or private school (18 U.S.C. 921(a)(25)).

The Act goes on to define a *school* as:

[A] school which provides elementary or secondary education, as determined under **State law** (18 U.S.C. 921(a)(26)).

So, to fully define school under the Act, we have to look at South Carolina law. With respect to firearms, the South Carolina Code of Laws defines schools as:

[P]roperty owned, operated or controlled by a public or private school (S.C. Code of laws 16-23-420(a)).

Therefore, you should consider the federal Gun Free School Zones Act not only applicable to within 1,000 feet of all public and private schools but also within 1,000 feet of all premises where any school sponsored or controlled activity is occurring. If this law seems burdensome, it is, and it should be struck down for a number of reasons. However, at this point, it is the law and you can incur criminal liability if you are found in violation of it.

What if I do have a South Carolina CWP?

If you have a valid South Carolina CWP, the new law provides an exception to the prohibition against firearms on all school premises or areas controlled by schools without getting special permission from the authorities in control of the school. The firearm can be loaded and chambered. To fall within the exception, the CWP holder must have the firearm in a closed glove box or console, closed trunk, or in the luggage area of vehicle so long as the firearm is in a closed container with an integral fastener. In our book *South Carolina Gun Law*, we go into detail explaining the terms used in this section of the Code. For the purposes of this article, I will try to give brief definitions or descriptions:

Schools – Public and private preschools through Colleges including technical

schools.

School Premises – Inside the real estate boundaries of the school property and any other premises that the school is controlling (i.e. off campus ball games or competitions).

Console – There exists reasonable debate amongst gun owners as to the definition of *console*. There is no case defining console so I can only give my reasoned opinion. A factory installed console between the front seats is clearly a console. Aftermarket consoles that attach to the floor between the front seats or the front seat itself might likely be ruled a console also. It is also reasonable to think that consoles between the rear seats would be included in the definition but you can’t be sure. However, the more that the console gets away from a factory installed or permanently attached aftermarket console between the two front seats, the more wiggle-room a court has to find that the console is not a console under the Section.

Luggage Area - The luggage area of a vehicle is that area designed for storage of luggage. In a typical SUV, the luggage area is behind the last row of seats.

Closed Container - A container that is capable of fully closing so that items inside the container cannot be seen (i.e. a gun case, tackle box, or gun rug).

Integral Fastener - A device, designed as part of the container, that is capable of positively keeping the container closed (i.e. a metal or plastic clasp on a gun case or tackle box or the zipper on a gun rug).

The above definitions are important because, even though CWP holders will now be legal carrying onto school premises and events, the CWP holder cannot carry as typically allowed under the permit. In general, the CWP allows the holder to carry a concealable weapon, concealed in many places. That generally means carrying a handgun in a concealed holster on the person, in a pocket, around an ankle or in a purse or briefcase. Under S. 593, the CWP holder cannot carry a concealable weapon, concealed on school premises. Alternatively, the CWP holder can only possess a firearm on school premises if the firearm is in the vehicle’s closed glove box, closed console or closed trunk or in the luggage area in a closed

container with an integral fastener. So, if the CWP chooses to carry his or her concealable weapon, concealed, on or about his person on the way to a school, the CWP holder must remove the handgun from its concealed location and place it into one of the listed areas of the vehicle ***before*** entering the school premises or event. While it seems illogical to move a safely holstered firearm to one of the areas of the vehicle listed, that is the law and a violation will subject you to criminal prosecution. (I will later discuss the legality of transitioning from concealed carry to one of the vehicle areas).

Another requirement is that the vehicle must be locked or attended. So, if you simply drop children off at school, you remain in the vehicle and the vehicle remains attended. Also, if you stand alongside of your vehicle or nearby the vehicle, you could probably successfully argue that the vehicle is attended under the meaning of the law. If, however, you leave the car in the school parking lot and walk the child to the first class or assembly, you must lock the vehicle before leaving it in the parking lot. Since there is no court case defining the term “attended vehicle” under this Section, the best practice is to lock your vehicle if you are not in it or standing very nearby to it.

The South Carolina CWP holder should pay special mind to the concepts of *attended vehicle* and *person in possession* of the firearm if leaving the vehicle on school premises. For instance, what if the husband has a South Carolina issued CWP and leaves his handgun in the glove box to walk his child to first period class after locking the vehicle. In that instance, he is in compliance because the firearm is in a legal place and the vehicle is locked when he walks away. However, say that wife is also in the vehicle on the school premises but she does not have a South Carolina issued CWP. The firearm is now in the possession of the wife who does not have a South Carolina issued CWP so she is not legal under S. 593. But, what if the husband locked his wife in the car before leaving the car? Has the husband complied with the law because he left the firearm in a legal place in the locked vehicle? This issue might eventually require court interpretation or a modification of the law. For now, the best practice is to ensure that anyone left in the vehicle with a firearm has a valid South Carolina issued CWP.

Once the South Carolina issued CWP holder is off of the school or school event premises,

# Analysis of H. 4112

H. 4112 would add members of the General Assembly, public defenders, assistant public defenders, clerks of court and deputy clerks of court who possess a concealed weapon permit (CWP) to those who can carry anywhere in the state while carrying out the duties of their office. Existing law already allows virtually all judges to do so. The existing list of those allowed to carry anywhere in the state is limited to those government employees working in the courts. Most of those to be added to the list are also government employees working in the courts. It is inter-

esting to note that the end result of what H. 4112 will do is make it so that judges, solicitors, and public defenders - all government employees - can all carry in court, but private defense attorneys will still be barred from doing so. But, the most troubling aspect of H. 4112 is how it will make politicians super citizens with privileges greater than the rest of us mere mortals. H. 4112 is an example of how those in public office lose sight of the fact they are public servants, not our masters. Can you imagine any situation where a politician could not

argue that he is carrying out the duties of his office? The very essence of a politician is to meet and greet people whenever and wherever he is. Politicians are forced to discuss issues with constituents at church, in restaurants that serve alcoholic beverages, in schools, in courtrooms, in day care facilities, in publicly owned buildings, etc. etc.. Thus, H. 4112 would allow a politician to carry anywhere and everywhere while denying the rest of the law abiding citizens of SC the same privilege. The ruling pigs of George Orwell’s political satire *Animal Farm* changed the law from “All

animals are equal.” to “All animals are equal, but some animals are more equal than others.” This change was made to allow the pigs to have special privileges that were denied to the rest of the animals even as the pigs claimed to represent equality. H. 4112 would make the pigs proud. H. 4112 creates inequality amongst CWP holders. H. 4112 denies most CWP holders the ability to protect their lives as effectively as the politicians want to be able to protect their own lives. If politicians can see the current restrictions on where a CWP holder

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been asked, not the question that was asked. So, instead of answering Rep. Weeks’ question, GrassRoots leaders asked Rep. Weeks whether a well informed voter would make a better voter? He replied that it would. GrassRoots then asked Rep. Weeks whether he supported literacy tests before being allowed to vote. It was then that the GrassRoots position made sense to Rep. Weeks. As a black man who has seen how government can abolish a right when allowed to impose “reasonable restrictions,” Rep. Weeks finally understood why GrassRoots opposes mandatory training before being allowed to exercise a right. After talking with GrassRoots leaders, Rep. Weeks not only supported the pro gun bill before his subcommittee, but he signed on as a co-sponsor, too. Standing on principle is never the wrong thing to do.

There are many people who support the issues you oppose (i.e., abolishing mandatory “training” for CWP), and who oppose the issues you support (i.e., allowing armed parents to drop off and pick up their children from school or college). So, how should GrassRoots decide which issues to back and which ones to avoid?

GrassRoots bases the decision of whether to support legislation or not on basic principles. First, the right to keep and bear arms is a natural right or God given right. Second, government is not justified in infringing upon that right. GrassRoots believes citizens should be able to carry a self-defense firearm wherever they wish unless there is a legitimate reason to prohibit such, i.e., for security purposes when visiting a prisoner. GrassRoots believes in standing up for principles regardless of whether there is a majority in support of those principles.

Let’s say for example that a person fails the state mandated CWP training course. Should that person have his right to bear a firearm infringed upon? Grass-

Roots says “no.” Answering “yes” would be treating our right to bear arms as if it were a mere privilege. If a person’s answer is “yes” due to worries about gun safety, is that not trading rights for a perceived safety? When citizens are willing to trade rights for safety, they usually end up with neither.

GrassRoots leaders are aware of one elderly lady who successfully completed the classroom portion of the CWP class. But, due to arthritis in her hands, she was not physically able to complete the 50 round range qualification portion of the CWP class. Should the state be allowed to deny this elderly lady the right to effective self defense just because she is unable to fire 50 rounds at a time?

What about a battered woman who leaves her abuser? Should she be required to pay a fee, complete training, submit fingerprints and a photograph, and then wait 90 days before she can move freely outside her home with a self defense firearm? GrassRoots says “no.” There is no ethical reason to deny that woman her right to immediately exercise the most effective means of self defense available to her. Sadly, the woman in our example is not able to exercise her rights, nor can she enjoy real safety, until she jumps through a number of “hoops” - thanks to government infringements on her Second Amendment rights.

Some states do not require training to obtain a permit to carry a firearm. Others do not even require a permit in order to carry a firearm. The best available research proves there is no increased benefit to public safety in those states demanding CWP “training” than in those states requiring no training. So, why should the government be allowed to infringe on a natural or God given right when there is no legitimate practical

reason for doing so? Our natural and God given rights should not be held hostage to the ignorance of the majority.

While obtaining firearms training is certainly a good idea (both GrassRoots Executive Officer Bill Rentiers and GrassRoots V.P. Robert Butler are NRA certified handgun instructors), GrassRoots cannot support making good citizens jump through such hoops before they are allowed to exercise their natural or God given rights. If GrassRoots were to stay silent on this issue, what message would our silence send to our elected officials? Politicians would think they can get away with enacting even more so called “reasonable restrictions” on our gun rights.

Regardless of what principles GrassRoots believes in, we are only able to support or oppose legislation first introduced by a member of the General Assembly. GrassRoots can not

introduce legislation on its own. When GrassRoots does ask to have legislation introduced, it is legislation that should be supported by all gun owners, i.e., range protection enacted in 2000, CWP and gun law reforms enacted in 2002, handgun reforms enacted in 2004, etc., etc. (details of which can be found at SCFirearms.org).

GrassRoots GunRights decides which legislation to support and which to oppose by comparing legislation to our principles. By sticking to pro gun rights principles as our litmus test, decisions regarding which individual bills to support or oppose become much easier to make.

GrassRoots is savvy enough to understand we should not waste our resources supporting or opposing legislation that has no chance of passing. But, regardless of whether we are willing to spend our resources supporting or opposing legislation, GrassRoots GunRights still needs to at least take a

principled position on such legislation.

Remember, most politicians like to work in the political middle, not the extremes. But, the political middle is determined by the legitimate political extremes (with the extreme fringe elements being ignored). So, by standing firm on principle, GrassRoots is able to create a legitimate political extreme such that the political middle gets moved closer to restoring our rights. Without GrassRoots establishing a legitimate political extreme, the political discussion would be over how much more gun control to allow instead of how much gun control to get rid of.

You want GrassRoots to only support legislation that you see as “reasonable.” Yet, there are many who would think that legislation you support as “reasonable” - i.e., to allow “carry at school drop-off points” and “carry on college campuses” - is too extreme. So, how should GrassRoots leaders decide which legislation to support and which legislation to oppose when the concept of what is “reasonable” varies so widely between people? The only workable answer we have been able to use effectively is to stand firmly on principle and to support or oppose legislation based upon principle.

In short, while you may be very passionate about your positions, GrassRoots is also very passionate about the principled stances we have always taken. Members of GrassRoots have come to rely on our principled stances from the organization they have joined and supported for many years now. If you want a principled Second Amendment fighter in your corner, GrassRoots GunRights is the organization for you. GrassRoots would love to have you stand with us as we fight to restore our rights, and we can use all the help and support we can get. If not, well ... we will continue to stand on principle anyway because that is just the way we are.

*Standing on principle is never the wrong thing to do.*

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the weapon can be retrieved from its storage in the vehicle and returned to the place of concealment on or about the person. Or, if the CWP holder wants to leave the handgun in the glove box, console, trunk or luggage area, he or she can because those areas fall within an existing exception to the general prohibition against handguns (Section 16-23-20(9)(a)).

Transitioning from concealed carry to one of the vehicle areas is protected by a different Section. South Carolina Code of Law Section 16-23-20(12) makes it legal for a CWP holder to transition between his person and a closed glove compartment, console or trunk or in a closed container with an integral fastener in the glove compartment. Notice the Section says *between* the CWP holder’s person and those specified areas of the vehicle so it is legal to transition both to and from concealment on your person.

Employer Liability vs. Criminal Liability for Teachers, Administrators & School Staff

Teachers, administrators, professors and staff with CWPs can keep firearms in their attended or locked vehicles, in the specified areas of the vehicle on school premises, without criminal liability. Undoubtedly, some authorities in charge of the school or school premises might try to institute a policy of “no guns on the premises” as a condition of employment. This issue has already been addressed in a South Carolina Attorney General’s Opinion dated March 1, 2000. The Attorney General concluded that a Department of Corrections policy could not prohibit that which state law allows. Therefore, the Department of Corrections could not prevent employees from having guns in their vehicles. Before going on, it is important to note that the Attorney General Opinion is applicable to *state-run* school facilities and possibly not private facilities.

In his opinion, the Attorney General discussed a Department of Corrections policy that prohibited employees, including guards, from having a firearm in their vehicles. The policy provided that any employee violating the rule would be fired. Citing caselaw from as far back as 1928, the Attorney General opined the long-established precedent that a state agency is powerless to prohibit that which the State authorizes, directs, requires, licenses, or expressly permits. He then went on to note that, because the

General Assembly specifically granted, through Section 16-23-20, the right to carry a firearm in the closed glove compartment, closed console, or closed trunk of an automobile, the Department of Correction’s prohibition against an employee’s having a weapon in his locked motor vehicle would be without authority and inconsistent with state law. The same analysis applies to S. 593. The new law expressly permits a CWP holder to have firearms on school premises in his vehicle in the specified vehicle areas and either attended or locked. So, CWP holders are not prohibited for having a firearm in the vehicle notwithstanding any state-run school’s policy against firearms on school premises.

Private schools and colleges are not agencies of the state so the same analysis above cannot be strictly applied to those institutions. Private schools are private organizations operating on private property and are not state agencies. So, teachers, staff and administrators might face employment sanctions if the particular institution has a policy against employees having firearms on the premises. Likewise, visitors and students of private universities are subject to the rules and regulations of each private institution. While violators of such institutional policies would not face criminal liability, they are none-the-less subject to any penalties applicable for rule violations.

Students and S. 593

S. 593 will allow some students to possess firearms on campus. The first thing that a student must do is determine whether it is legal for them to possess a firearm in general. Under South Carolina law, with some exceptions, the minimum age for possessing a handgun is 18 years of age. Remember, though, that the new law is not applicable to a person on college campuses unless that person has a valid South Carolina CWP or reciprocity from another state (the federal Gun Free School Zones Act is only applicable to elementary, middle and high schools). The minimum age to get a South Carolina CWP is 21 years of age.

States other than South Carolina might issue CWPs to

persons under age 21 (18 to 20 year olds). If the student is relying upon a CWP from a reciprocal state, the student should be aware that South Carolina Code of Laws Section 23-31-215(N) requires a CWP holder from a reciprocal state to abide by SC law. Thus, it would appear that an 18 to 20 year old CWP holder from a reciprocal state would not be legal in SC. However, this issue has not been determined by a court. To ensure compliance with the law, holders of out-of-state CWPs, relying upon reciprocity, must be 21 years of age when bringing firearms onto campus according to S. 593.

If the student has a CWP, the student must remember to leave the handgun in an attended or locked vehicle in the specified areas as discussed previously. As a final note, the federal Gun Free School Zones Act is not applicable to colleges, community colleges, technical schools or any similar

educational institution that is not an elementary or secondary school.

Students should be aware of differences between public and private universities. As stated earlier in the section regarding employee liability,

private universities and colleges are not agencies of the state. Private universities and colleges are private organizations operating on private property and are not state agencies. So, students and visitors on private university premises might face non-criminal sanctions if the particular institution has a policy against having firearms on the premises.

Can I now have a Rifle or Shotgun on School Premises?

Some have suggested that the language of the new law allows CWP holders to have not only concealable weapons (most handguns) in vehicles on school grounds, but *any* type of weapon. This interpretation is based upon language in S. 593 never referring to “firearms” or “handguns” but only **weapons**. Under this interpretation, a CWP holder is allowed to have any type of weapon on school grounds so long as it is stored in a closed glove compartment, console, or trunk, or in the luggage area in a closed container with an integral fastener.

The benefit under this interpretation is that weapons larger than those that qualify as

*concealable weapons* under the CWP Section would qualify as weapons. The CWP Section defines concealable weapons as *a firearm having a length of less than twelve inches measured along its greatest dimension*. Because legal rifles must have a barrel length of at least 16 inches and shotguns must have a barrel length of 18 inches, rifles and shotguns do not fall within the definition of a concealable weapon. So, if the new law is interpreted to mean *weapons* and not *concealable weapons*, CWP holders would not be prevented from having rifles and shotguns so long as they are stored in the allowed areas of an attended or occupied vehicle. Obviously most glove compartments and consoles are not able to contain a rifle or shot gun. However, most trunks and luggage areas are.

There are not yet any court cases interpreting the meaning of weapon under this new law. If a CWP holder chooses to carry a rifle or shotgun under this interpretation and is later arrested for possession of firearms on school grounds, that individual might well be the “test case” for the issue. Because the new law specifically cites carrying pursuant to the CWP Section, the most conservative way to approach interpreting *weapon* is to define it the same way the CWP does. To carry a weapon pursuant to the CWP Section, the weapon must be a concealable weapon. Therefore, the best practice is to only store concealable weapons in the allowed areas of attended or locked vehicles. In general, concealable weapons are handguns less than 12 inches long.

Can I have a firearm in my motorcycle saddlebag on school premises?

Section 16-23-20 of the S.C. Code of Laws spells out the general handgun prohibition and the exceptions. That Section of the Code of Laws differentiates motorcycles from vehicles. Subsection (9)(a) provides the exact language upon which the new law (S. 593) gets its language (i.e. [there is an exception to the handgun prohibition if] the person has the handgun *in a vehicle* and the handgun is in the closed glove compartment, console, etc.) Later Section 16-23-20, Subsection (16) grants a separate and distinct exception for a person *on a motorcycle* if the firearm is secured in a saddlebag. So, it can safely be said that the legislative intent of Section 16-23-20 is to view vehicles separately from motorcycles. It is also significant that the Subsections refer to an

# Our Next Legislative Battle:

## Allowing CWP Holders to Carry in Nice Restaurants

Sen. Shane Martin has introduced legislation - S. 347 - to allow concealed weapon permit (CWP) holders to carry in restaurants that serve alcoholic beverages for on premises consumption. S. 347 will allow a CWP holder to carry in the restaurant portion of a business that serves alcoholic beverages for on premises consumption, but not the area where dispensing alcoholic beverages is the primary activity. In other words, a CWP holder would be allowed to carry in the restaurant portion, but not the “bar” portion, of the business.

Why is this good for the people of SC? There two primary reasons allowing CWP holders to carry in nice restaurants is good public policy: 1) it makes all people in SC safer, and 2) it is the principled thing to do.

So, how does allowing CWP carry in restaurants that serve alcoholic beverages make people safer?

The best available research shows the more CWPs issued by a state, the lower the violent crime rate goes for all the people in the state. In his book “More Guns, Less Crime,” Dr. John Lott stated: “Because the guns may be concealed, criminals are unable to tell whether potential victims are carrying guns until they attack, thus making it less attractive for criminals to commit crimes that involve direct contact with victims.” Dr. Lott went on to say, “Citizens who have no intention of ever carrying

concealed handguns in a sense get a ‘free ride’ from the crime-fighting efforts of their fellow citizens.” Thus, the benefits to public safety are awarded to all the people in SC, not just the CWP holders.

The research also shows the more legal restrictions a state puts on CWP holders, the fewer people who will bother to get a CWP. When CWP fees go up, fewer people get a CWP. When mandated CWP training requirements are increased, fewer people get a CWP. Whenever something causes people to perceive a lower value in getting a CWP, the fewer people who will get a CWP.

It logically follows that since more restrictions cause fewer people to get a CWP, and fewer people with a CWP mean violent crime rates for all the people in SC remain higher, then more CWP restrictions mean more violent crime victims. Ensuring more violent crime victims in SC is not good public policy. Thus, practically speaking, anyone wanting to improve public safety would demand that any legal restrictions on CWP holders must prove those legal restrictions will actually save lives before allowing such legal restrictions to exist.

It is claimed that “common sense” dictates that “guns and alcohol” do not mix. It is argued

that banning guns in restaurants serving alcoholic beverages is a special situation justified by safety concerns. So, what evidence exists regarding allowing CWP holders to carry in restaurants that serve alcoholic beverages for on premises consumption?

According to OpenCarry.org and HandgunLaw.us, forty-one (41) states allow self-defense sidearms in restaurants that serve alcohol. Thirty-nine states allow concealed carry in restaurants. Two states (Montana and Virginia) allow open carry in restaurants.

More than *four out of five* law-abiding Americans are able to carry a self-defense sidearm into a restaurant that serves alcohol. Of the forty-eight states that issue CWPs, only seven states prohibit CWP holders from carrying a self-defense sidearm into restaurants that serve alcohol.

If law-abiding citizens carrying firearms in restaurants that serve alcohol were actually a problem, over 80% of America should now be experiencing an epidemic of gun violence in their restaurants. Yet no such problems exist anywhere that law-abiding citizens are allowed to carry.

If there was any evidence to show CWP carry in nice restaurants was a problem, the anti-gun forces would be shouting from the rooftops about it. But, there is no

evidence to show CWP holders carrying in restaurants is a problem anywhere in the U.S..

Current SC law should be changed to remove the ban on CWP carry in nice restaurants. Forty-one states trust their citizens to safely carry in restaurants, and they do so without problems. But, SC lawmakers still do not entrust South Carolinians to act just as responsibly as people elsewhere in the U.S.. What makes the politicians in SC think the people of SC are morally or genetically inferior to the vast majority of America?

Interestingly, South Carolina CWP holders are trusted more in other states than they are at home. Twelve of the sixteen states having CWP reciprocity with South Carolina allow CWP holders to carry in restaurants serving alcoholic beverages. Alaska, Arkansas, Kansas, Michigan, Missouri, Texas, Wyoming, Virginia, Kentucky, West Virginia, Florida and Tennessee allow restaurant carry.

The trend is growing to allow CWP holders to carry in restaurants that serve alcohol. In 2008, legislation to permit CWP holders to carry in restaurants that serve alcohol was sponsored in North Carolina. Such a law passed in June 2009 in Tennessee.

Since there is no evidence to support banning CWP carry in nice restaurants due to safety concerns, and there is evidence showing such restrictions lead to higher violent crimes rates, the ONLY reasonable thing to do based upon the best available evidence is to repeal the ban on CWP carry in nice

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exception of the person is *in* a vehicle or *on* a motorcycle.

So, when we look at the new law, S. 593, you should assume that the legislature had the same intent. The new law tracks the language of 16-23-20(9)(a) which provides for an exception if the gun is *in the vehicle* in one of the legal areas. The new law makes no provision for a person *on a motorcycle*. You should assume that if the legislature wanted to include an exception for motorcycles, it would have included an exception for them as it has in section 16-23-20. Therefore, the best practice is to not assume that the new law applies to motorcycles.

## Conclusion

In summary, with some conditions, South Carolina-issued CWP holders can now possess firearms on all school premises and events without incurring

criminal liability. The firearm must remain inside an attended or locked vehicle in the closed glove compartment, console, or trunk, or in the luggage area in a closed container with an integral fastener. The firearm should be a concealable weapon as defined in the CWP Section of the South Carolina Code of Laws. Those with non-South Carolina-issued CWPs can use the provisions of S. 593 on all non-elementary or secondary school grounds (i.e. colleges and universities).

While S. 593 has some conditions that require you to think through a trip to schools, the new law is important progress toward implementing the full protection of gun rights under the Second Amendment and the South Carolina Constitution. GrassRoots GunRights South Carolina has been vital to the effort in getting S. 593 passed.

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can carry are unreasonable for them, then these politicians should be able to see the same restrictions are unreasonable for all of us. The proper solution is to change the law for all CWP holders, not just the politicians.

What makes a politician’s life more worth protecting than your life? What makes a politician’s family more important than your family? Politicians need to learn they must obey the same laws the rest of us are forced to obey. Only then will the politicians start enacting better laws for all.

GrassRoots GunRights strongly opposes H. 4112 as currently drafted because we still believe the words “We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.” H. 4112 needs to either be amended to provide the

same carry privileges for all CWP holders, or H. 4112 needs to die.

Are you a Grass-Roots MEMBER?

You can join the GrassRoots Leadership discussion forum at:

[http://groups.yahoo.com/group/grass-roots\\_leadership/](http://groups.yahoo.com/group/grass-roots_leadership/)

# What Is Gun Control?

What Exactly is “Gun Control” and What Should We Do About It?

The bottom line answers are:

- 1) “gun control” is any action taken by government that will adversely affect the individual right to either keep or bear arms, and
- 2) we must oppose all government actions that adversely affect the individual right to keep or bear arms regardless whether we personally are adversely affected or not.

Unfortunately, even though the bottom line answers are simple, people have a hard time understanding them. Whether we win or lose the fight to protect our constitutional rights will come down to whether we can understand both the principles involved and the strategies and tactics used to deny us our rights.

Lets look at the principles involved. To better understand the principles involved, one should first read the 2<sup>nd</sup> Amendment to 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.”

The right to keep and bear arms has been described as a God given or natural right - i.e., one that a person possesses by the very nature of being a person. While the right to freedom of speech was granted to us in the 1<sup>st</sup> Amendment to the U.S. Constitution, which starts out by stating “Congress shall make no law ...,” the right to keep and bear arms is not a right bestowed upon us by government. The right to keep and bear arms is a right that pre-existed the U.S. Constitution and the U.S. Constitution simply recognized the need to protect the pre-existing right.

“Infringe” means to encroach upon. Thus, any time the government tries to restrict the individual right to either keep or bear arms, the government is violating a constitutionally protected right.

Gun owners could learn a lot from the people who fight to protect our constitutional right to freedom of speech. Those who protect our right to freedom of speech make no apologies for standing firm in their opposition to any infringements upon the right to freedom of speech. They fight to protect anything remotely related to freedom of speech. For example, those who fight to protect freedom of speech fight to protect vulgar language, nude dancing, indecent pictures, etc., etc.. Why? Because they fight to protect the *principle* of freedom of speech even for speech they do not personally like.

When standing up for the *principle* of freedom of speech, they refuse to get involved in a debate over whether they approve of the content of the speech. They fight to protect the *principle* of freedom of speech. They also refuse to accept the infringement of getting any sort of permit or permission from the government before being allowed to exercise the right to free speech

Too many gun owners fail to protect the *principle* involved in our constitutionally protected right to keep and bear arms. Too many gun owners are willing to let “the right to keep and bear arms” be infringed just so long as it is someone else’s rights being infringed or just so long as the infringement is not too burdensome. But, once gun owners start agreeing the “right to keep and bear arms” is not truly as important a right to be protected on *principle* as the right to freedom of speech is, then “the right to keep and bear arms” will be lost.

If “the right to keep and bear arms” is lost, it will only be because we have forfeited the right by failing to protect the right. Gun owners need to realize we must start protecting “the right to keep and bear arms” on *principle* with the same no compromise attitude those who protect the right to freedom of speech utilize. That is the only way “the right to keep and bear arms” will survive to pass along to our children and grandchildren.

So, as the title of this article asked, what is gun control?

It is easy to see gun control when anti gun politicians want to ban guns. So, after Congress enacted the so-called Assault Weapons Ban, gun owners reacted and threw many of the bums out of office. What was unfortunate is that gun owners did not stand together in the first place. Too many gun owners did not feel a need to protect “the right to keep and bear arms” since they did not own any of those ugly black rifles or 11+ round magazines. But, it is the principle of “the right to keep and bear arms” that gun owners should have protected all along, not whether they owned an ugly black rifle or 11+ round magazines or not.

It is easy to see gun control when anti gun politicians want to ban ammo or force every round of ammo to bear a serial number. What good is a gun without ammo?

So, when anti gun politicians propose such ammo bans and serial number ammunition encoding, gun owners react and let the anti gun politicians know that enacting such laws could mean another round of clearing the bums out of office.

Both banning guns and banning ammo have immediate effects on our right to keep and bear arms. Thus, it is easy to see these actions by anti gun politicians as being gun control.

But, there are more insidious ways for anti gun politicians to enact gun control - ways that are not readily apparent to many gun owners. For example, the frivolous lawsuits filed against gun manufacturers was a form of gun control because the lawsuits were designed to make the cost of doing business too high to stay in business. The anti gun politicians and other anti gun groups did not really care whether they won or lost the lawsuits. The real goal was simply to increase the cost of doing business so as to make the cost of buying a gun too much for people to afford.

It is human nature for a person to not care about those things that he can not or does not do. For example, if government placed a 100% tax upon lacrosse equipment, how many people do you think would complain? Further, how many people do you think would take up the expensive sport of lacrosse when they could buy equipment to participate in another sport much more cheaply? Now, apply that reasoning to guns.

If most people can not afford to own a gun, then most people will not have an interest in protecting the right to keep and bear arms. Then, after a generation or two of neglect, the right to keep and bear arms will be dead. While this form of gun control will not achieve the goal of banning guns in the short term, it is just as effective - and possibly even more effective - in the long term.

The most insidious way for anti gun politicians to enact gun control is to make people believe guns are bad. Why? Because if guns are bad, then only bad people will have guns. Since nobody wants to be seen as a bad person, people will start to voluntarily give up their guns. Once people start voluntarily giving up their guns, the anti gun politicians and other gun control people have won. The anti gun politicians and gun control crowd may not quickly win the war against “the right to keep and bear

arms” as they would by banning guns and ammo. But, the anti gun politicians and gun control crowd will still win the war against guns none the less - it will just take them a while longer to do it.

So, how do anti gun politicians and the gun control crowd make people think that guns are bad?

Dr. John Lott exposed the bias of the mass media when it comes to reporting on firearms issues. Virtually all media stories only show the negative side of firearms. Positive stories about firearms are not published.

A favorite tactic of anti gun politicians and the anti gun crowd is to hide their anti gun actions behind claims of promoting safety. Who could argue against promoting safety? Remember, “gun free” school zones were created to promote safety. Yet, subsequent to passage of the “gun free” school zones law is when most school shootings started. Evidence points to the fact that “gun free” school zones actually increased the likelihood of school shootings by creating a safe environment for suicidal maniacs to complete their dastardly deeds without interference by those capable of stopping them.

There are several cases where an armed good guy stopped an active shooter from killing more people at a school. But, have you ever read about these cases in the mass media? The only stories you read in the mass media about guns in schools are the ones about bad guys killing people, never the stories about good guys saving lives. Thus, people are left with the impression that guns are only used for evil.

Another favorite tactic of anti gun politicians and the anti gun crowd is to hide their anti gun actions behind claims of being tough on crime. Who could argue in favor of crime? Remember, the so called Assault Weapons Ban was passed as part of an anti crime bill. Even though FBI statistics showed the guns being banned were virtually never used in crime, anti gun politicians still claimed otherwise and used the mass media to make people think the banned guns were actually machine guns instead of semi automatic guns. Then, after the AWB expired, there was no increase in crime involving the formerly banned guns. But, people have been left with the impression that these ugly black guns are evil - and those who own them must be evil, too.

Both the arguments of promoting safety and fighting crime are red herrings meant to distract people from the truth. The United States government’s Centers for

*If “the right to keep and bear arms” is lost, it will only be because we have forfeited the right by failing to protect the right.*

# Ammunition Accountability

Have you just recently heard about legislation to require “ammunition encoding” in South Carolina? Lately, GrassRoots GunRights leaders have been receiving a lot of email about this bill from people who are getting erroneous information off the internet. Unfortunately, many people are saying they just found out about this bill, which has GrassRoots leaders very concerned.

GrassRoots is constantly watching for any new proposed legislation that impacts your right to keep and bear arms. Thus, GrassRoots knew about S. 1259 - the SC ammunition encoding bill - in early April 2008 as soon as Senator Dick Elliott sponsored it.

On the Legislative Watch page of the GrassRoots website ([www.SCFirearms.org](http://www.SCFirearms.org)), GrassRoots wrote shortly after the bill was introduced: “It is doubtful that this bill will go anywhere because it was introduced so late in this session.” On the SCFirearms online discussion forum (you can learn how to sign up below), GrassRoots leaders wrote: “The good news is that this bill is not going anywhere.” GrassRoots was correct.

GrassRoots informed everyone that S. 1259 was dead in the Summer 2008 issue of *The Defender* newspaper (see “2008 Legislative Wrap-Up” on page 3). If S. 1259 had become law, it would have required serial numbers on

handgun and “assault weapon” ammunition. S. 1259 would have had a serious negative impact on the cost of ammunition and probably would have killed reloading by individual shooters.

S. 1259 died when the 117<sup>th</sup> SC legislative session ended in June 2008. In the South Carolina General Assembly, bills that do not become law by the end of a two-year session are dead. Not one legislator added his or her name to S. 1259 as a co-sponsor. The bill did not receive a subcommittee hearing, which is why you did not receive a GrassRoots Action Alert

asking you to take action.

The good news: You can relax - S. 1259 is and has been dead.

The bad news: Obviously, too many people are not reading *The Defender* in its entirety. If they were, they

would have known months ago that S. 1259 was dead. So, please be sure to read the entire issue of *The Defender*, not just the front page.

Another ammunition encoding bill could come back this session. Although, no such bill has yet been introduced in the 2009-2010 legislative session. Will you know if or when it is? Or, will you find out months after it is too late?

GrassRoots monitors all gun-related bills in our state legislature. GrassRoots keeps you informed and tells you when it is time to act (and what actions to take) to stop anti-gun bills like S.

1259. GrassRoots also tells you when a pro-gun bill needs your support.

To stay informed and up to date on gun rights issues in South Carolina:

1. Sign up for GrassRoots Action Alert emails. When you receive a GrassRoots Action Alert, take action!
2. Sign up for GrassRoots Legislative Watch emails.
3. Read *The Defender* newspaper from GrassRoots.
4. Join the SCFirearms discussion forum and or the GrassRoots Leadership discussion forum (\*see below for the differences between these two discussion forums).
5. Visit the GrassRoots GunRights of SC website ([www.SCFirearms.org](http://www.SCFirearms.org)) often for important updates.
6. Join GrassRoots GunRights of SC, and encourage all your friends and family to join GrassRoots.

You can stay on the front lines of the gun rights battles in South Carolina just by doing these six simple things!

If you do these six things, you will stay well informed about gun rights legislation in South Carolina. If not, then you might get excited about dead legislation again.

GrassRoots needs you, and you need GrassRoots. Together we can work as a team to help you protect your gun rights in South Carolina. Join GrassRoots today!

\* The SCFirearms discussion forum is open to the public and is not restricted to members of GrassRoots GunRights of SC. The purpose of the SCFirearms discussion forum is to provide an area for discussion of topics related to

South Carolina gun ownership and Second Amendment activism.

\* The GrassRoots Leadership discussion forum is open only to members of GrassRoots GunRights of SC and is only for discussions concerning GrassRoots business such as proposed legislation and activism issues. Unlike the SCFirearms discussion group, casual “gun shop” chatter is not permitted on the GrassRoots Leadership forum.

## Gun Control

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Disease Control published a paper that found there was insufficient evidence to conclude that any of the gun control laws enacted over all of the years had ever saved any lives.

The problem is that emotional outbursts based upon fear make good 30 second sound bites for the mass media. Logical presentations of the facts exposing the error of those emotional outbursts are ignored by a dumbed down society that is more interested in gossip columns than fact sheets.

The fact that firearms are used 2 million times a year in self defense is not as interesting as the crying mother of a dead student. It does not matter that the lunatic killer came to a school precisely because the school was a “gun free” zone that enabled the suicidal killer to obtain a higher body count than he could have obtained if there was no “gun free” zone created by the government.

The fact that U. S. Crime statistics prove the best way to survive an armed robbery or home invasion unharmed is to resist with a firearm never gets the same coverage as claims that guns are bad and will only cause the ones you love to get hurt.

Bottom line: Gun owners must learn to protect “the right to keep and bear arms” based upon principle just as those who protect the right to freedom of speech do so based upon principle. So, we must oppose gun bans, ammo bans, and all laws that punish the possession of guns instead of punishing the people who do evil things regardless of whether done with a gun or something else. Remember, when a politician introduces a bill to punish those who possess a firearm without committing any other crime, that politician is an anti gun politician working to make people think that evil guns are the problem instead of evil people being the problem. And, once people start believing guns are evil, they will also start thinking that anyone who owns a gun must be evil too.

# Be A GrassRoots GunRights Volunteer!

## GrassRoots gun show table workers

Gun show table volunteers help GrassRoots staff our table at gun shows. The primary purpose of our gun show table is to recruit members into GrassRoots GunRights. Gun show volunteers actively engage gun show shoppers in conversation as they pass by the table. These volunteers talk with people about the important work GrassRoots does and the many GrassRoots accomplishments of past years. Tasks may involve helping to set up and break down the gun show table, pass out information, accept donations and sign up new and renewing members in GrassRoots GunRights of SC.

## GrassRoots Gorillas

Gorillas are the GrassRoots version of “minutemen.” When called upon, (if able) GrassRoots Gorillas come running! Grass-

Roots Gorillas are a team of activists who do a number of things. GrassRoots Gorillas attend gun-related subcommittee hearings at the statehouse and take notes on how each politician votes. Gorillas carry orange clipboards at hearings, so politicians can easily see them in the audience. Since votes are not recorded at these hearing, Gorillas keep politicians from being able to claim they supported a gun rights bill (or opposed a gun control bill) when the politician actually did the opposite.

Gorillas have also participated in “counter protest” demonstrations when anti-gun groups have protested at the statehouse. Gorillas usually have flexible work schedules that enable them to attend hearings and other events during business hours. Retired people, college students, housewives, and evening and night shift workers are perfect fits for being a GrassRoots

Gorilla.

## The Defender newspaper volunteers

*The Defender* newspaper volunteers have good writing skills. They research and write articles for the *The Defender* using good grammar and information they have verified to be correct. *The Defender* has earned a reputation for being a well written, factual, and professional looking newspaper concerned with gun rights issues in South Carolina.

## GrassRoots website volunteers

GrassRoots website volunteers work as a project team to improve the GrassRoots website. Desired skills for GR-website volunteers include website design and development, knowledge of website development tools, and graphics programs.

# Concealed Carry for South Carolinians Traveling in Other States

by Paul Peters,  
Firearms Instructor

South Carolina has concealed weapon permit (CWP) reciprocity with 16 states: Alaska, Arizona, Arkansas, Florida, Kansas, Kentucky, Louisiana, Michigan, Missouri, North Carolina, Ohio, Tennessee, Texas, Virginia, West Virginia, and Wyoming. “Reciprocity” means that two states have officially agreed to honor each other’s permit. However, a number of additional states will also honor your SC CWP, even though SC does not reciprocate. You may check the SLED website periodically to see which states SLED says are reciprocal states ([www.sled.sc.gov/Reciprocity1.aspx?MenuID=CWP](http://www.sled.sc.gov/Reciprocity1.aspx?MenuID=CWP)). You can extend further your ability to carry into more states by getting non-resident permits from other states.

Some states will honor non-resident permits. Some will not. For example, Michigan and Colorado will honor resident permits only. Michigan will honor resident permits from SC but will not honor SC permits held by individuals who do not live in SC. Georgia will honor certain resident and non-resident permits but not others. Georgia will honor a non-resident permit from Pennsylvania

but will not honor a resident permit from SC. Vermont and Alaska do not require a permit, even though SC and Alaska have reciprocity and Alaska does issue permits, which enables Alaskan permittees to carry in SC and some other states.

The single, most useful, price-worthy non-resident permit for South Carolinians is the Pennsylvania permit (\$26), which adds the adjacent state of Georgia and several other states. Previously I have recommended the NH permit; however, on July 1, 2009, NH increased its non-resident fee from \$20 to \$100 and decreased the permit’s term from 5 years to 4 years. Before SC established reciprocity with Florida, many South Carolinians obtained FL CWPs (\$117).

I believe this information is up to date (as of July 11, 2009), but I cannot guarantee that. Also, be aware that the legal requirements for concealed carry and the list of prohibited places (places where a permittee cannot carry) vary from state to state. **Do not rely on the information in this article or on the adjacent map. Laws change. The information herein is unofficial. It is your responsibility to check official sources for the laws of each state in which you carry.**

Two websites for unofficial CWP information for the various states are [www.handgunlaw.us](http://www.handgunlaw.us) and <http://carryconcealed.net/index.php>. Not all information on unofficial websites is correct or up to date. You will find some links to states’ websites at these two websites. To get official information for each state, go to each state’s website. Concealed carry information for a number of states is on the attorney general’s website for each of those states. A good file for NC law is located at: [www.jus.state.nc.us/NCJA/ncfirearmslaws.pdf](http://www.jus.state.nc.us/NCJA/ncfirearmslaws.pdf). One of the best portable, unofficial sources for Florida firearms laws is a book entitled: *Florida Firearms Law, Use, and Ownership* by Jon H. Gutmacher. You may order the book online at [www.floridafirearmslaw.com](http://www.floridafirearmslaw.com).

Consult the map to see which non-resident permits are honored in the states in which you want to carry. Obtain the permits that best suit your needs. In addition to PA, NH, and FL, some other states issue non-resident permits. Some states honor no out-of-state permits. For example, if you want to carry in Maine, you must get a non-resident Maine CWP. Some states that say they offer non-resident permits have difficult requirements, such

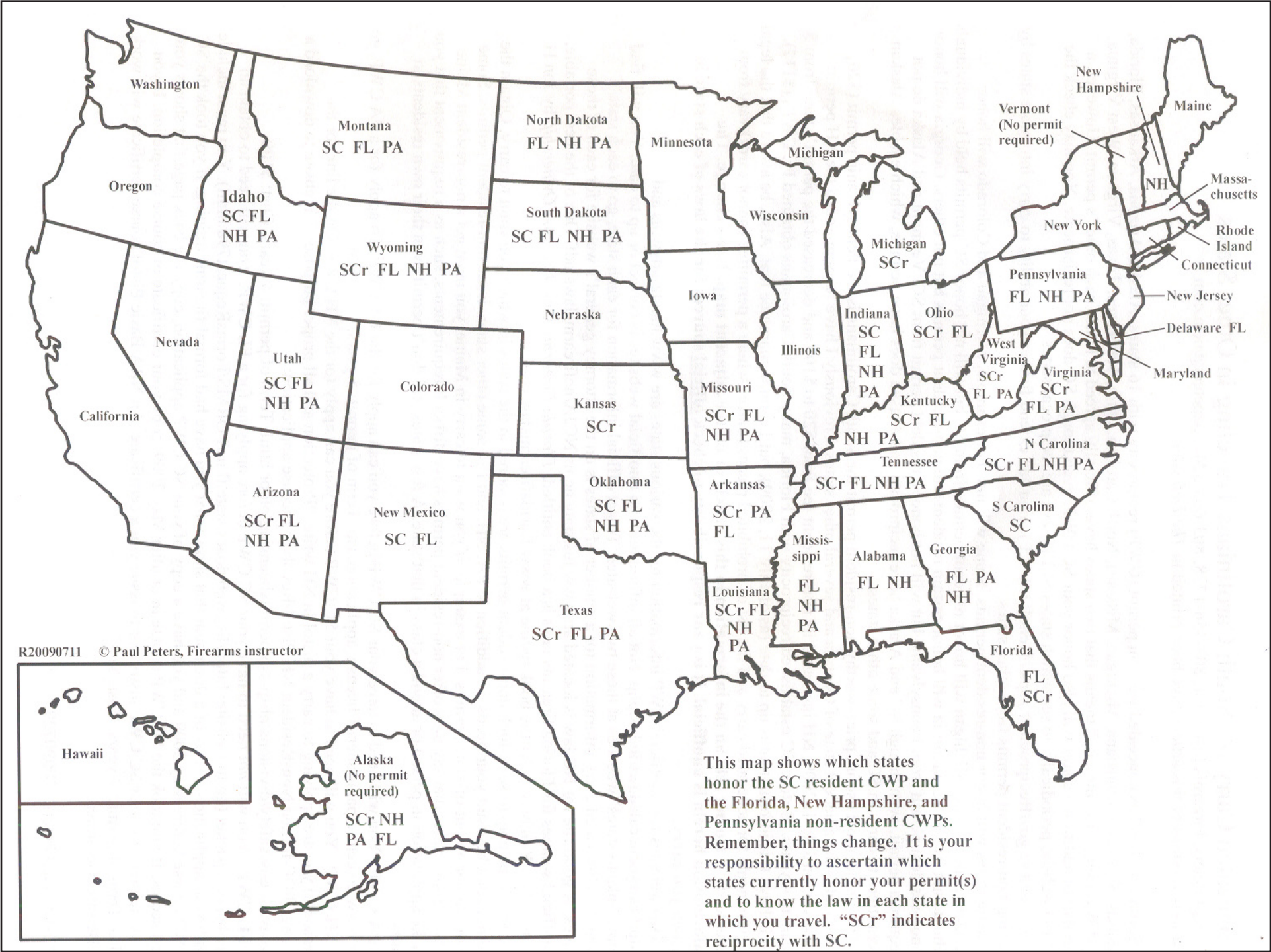
as a requirement that you make application in person or attend a class in that state. Some states do not offer non-resident permits or honor out-of-state permits. A few states still don’t permit even their own residents to carry.

**PA CWP** You will need to have your SC CWP before you can apply for the PA CWP. To apply for a PA CWP, go to [www.co.centre.pa.us/sheriff/license\\_application.asp](http://www.co.centre.pa.us/sheriff/license_application.asp). Term of permit: 5 years. Cost: \$26.

**NH CWP** You will need to have your SC CWP before you can apply for the NH CWP. The application asks you to state for what reason(s) you are making application to carry a pistol in NH. On the response line write: “Protection and all proper purposes.” Website to download a 2-page PDF-format Non-Resident NH Pistol/Revolver License application: [www.nh.gov/safety/divisions/nhsp/ssb/permitslicensing/plupr.html](http://www.nh.gov/safety/divisions/nhsp/ssb/permitslicensing/plupr.html). Term of permit: 4 years. Cost: \$100.

**FL CWP** You will *not* need to have your SC CWP before applying for a FL CWP. You will need to obtain an application packet (go to website: <http://licgweb.doacs.state.fl.us/FORMS/FormsRequest790.html>). You must

See Carry on page 23



Please use the GrassRoots Instructor members listed below whenever you have firearms training needs during the coming year. Your support of GrassRoots Instructor members is greatly appreciated.

Last Name	First Name	Home Phone	Email Address	City
Alexander	Leonard	803-606-4442	Firearms.Training@hotmail.com	LEXINGTON
Allen	Frank	864-421-7882	frank@allenarms.net	GREENVILLE
Atkinson	Richard	843-423-3380	atkins1300@aol.com	MARION
Bair	Richard	803-245-2006		BAMBERG
Belanger	Victor	609-638-9063	vic@apink.com	SMYRNA
Bilicki	Mark	864-907-2852	the454casull@hotmail.com	PIEDMONT
Bork	Tim	864-787-1246	tim.bork@gmail.com	TRAVELERS REST
Braddock	James	803-424-1000	JBSIERRA1@aol.com	CAMDEN
Brown	Cecil	843-365-6338	mrjbb51@verizon.net	CONWAY
Carson	Ken	803-496-5761	sunsetguns@yahoo.com	SANTEE
Clark	Sam	864-834-7596	samclark@concealedguns.com	TRAVELERS REST
Cooper	Robert	864-862-1094	bearcooper@bellsouth.net	FOUNTAIN INN
Dean	David	803-438-8656	ddean@sc.rr.com	LUGOFF
DiNardo	Frank	843-559 8223	frankdinardo@att.net	WADMALAW ISLAND
Gilmer	Henry	864-224-6739	ammoplus@bellsouth.net	ANDERSON
Griffin	William	803-755-9304	wgrifin@bellsouth.net	WEST COLUMBIA
Harris	Michael	864-313-0744	mhb2born2fly@outdrs.net	GREENVILLE
Harris	Sherry	864-905-2767	shdixiechick@outdrs.net	GREENVILLE
Headley	Frank	803-776-1226	fheadley@onemain.com	COLUMBIA
Headley	Linda	803-776-1226	lheadley@onemain.com	COLUMBIA
Hendricks	Robert	843-498-6145	robertlh17@hotmail.com	PATRICK
Hepfner	Robert	843-524-3250	erhepfner@embarqmail.com	LADY’S ISLAND
Hornsby	James	803-273-3169	hornsby_lake@comporium.net	KERSHAW
Jackson	Elbert	803-681-8275	scseahawk@aol.com	HILTON HEAD
Jackson	Frank	843-482-0749	nvr2miss@yahoo.com	MONCKS CORNER
Jackson	Gary Dean	864-243-0808	gateman@charter.net	PIEDMONT
Jacobs	William	864-993-2522	clemsongunsmith@hotmail.com	GREENWOOD
Johnson	Stan			GRANITEVILLE
Judy	James	843-729-3822	beltraining@gmail.com	REEVESVILLE
Katz	Janet	803-783-0590	janetkatz@msn.com	COLUMBIA
Katz	Joseph	803-783-0590	joseph@stufu.com	COLUMBIA
Kelsay	Steve	803-622-0137	kelsays@gmail.com	COLUMBIA
Knight	James	803-359-3674	sandman494@aol.com	LEXINGTON
Kolesar	John		jksc33@fhtm.us	TIMMONSVILLE
Lanford	Mike	864-414-5533	spartanmike@charter.net	SIMPSONVILLE
Ledbetter	Harry	803-649-9785	h51d54@gforcecable.com	AIKEN
Limehouse	Harley	843-442-8870		JOHN’S ISLAND
Lindler	Matt	803-646-3033	matt@forcetech.us	NORTH AUGUSTA
Mancari	Michael	864-445-0244	mamancari@yahoo.com	BATESBURG
Martin	Robert	803-924-1029	rmartin@freedomfirearmstraining.com	WHITMIRE
Meyer	William	843-249-4885	airmeyer@earthlink.net	LITTLE RIVER
Moore	Robley	864-348-7403	longgun1951@yahoo.com	IVA
Morningstar	Gary	864-230-3690	gary422@bellsouth.net	GREENVILLE
Morris	Deborah	803-776-2984	pmorris2@sc.rr.com	COLUMBIA
Morris	Powell	803-776-2984	pmorris2@sc.rr.com	COLUMBIA
Nash	Johnnie	843-747-0281	johnnieelcid89@aol.com	NORTH CHARLESTON
Nieuwland	Alex	803-609-2289	qoolalex@yahoo.com	HOPKINS
Nolan	Patrick	803-254-9543	pnolan@sc.edu	COLUMBIA
Nolan	Richard		docrich357@aol.com	AIKEN
Parker	George	803-240-6248	lgparker@regstaff.sc.gov	LANCASTER
Peters	Paul	803-356-1728	papeters@msn.com	LEXINGTON
Rankin	George	864-225-6424	rankincwp@bellsouth.net	ANDERSON
Rentiers	William	803-233-9295	rentiers@yahoo.com	LEXINGTON
Riley	Rick	803-593-4872	rickriley_sc_cwp@yahoo.com	BATH
Robinson	Jerome	803-236-1634	jerome_1475_robinson@yahoo.com	SUMTER
Saunders	William	843-538-2613		WALTERBORO
Sawyer	Buck	843-358-5555	wwjd@sccoast.net	AYNOR
Sheppard	Jack	803-802-0370	fatjak@comporium.net	FORT MILL
Shock	Sam	864-444-2931	shock_s@bellsouth.net	PICKENS
Smith	Larry	864-630-1883	cwpclass@earthlink.net	LIBERTY
Smoak	Frank	843-834-9162	fns@s2saccessories.com	CHARLESTON
Starnes	Mark	803-628-0304	markstarnes@gmail.com	CLOVER
Stone	Jackson	843-413-9402		FLORENCE
Taylor	Colin	864-344-7979	colin@presidiodefense.com	GREENWOOD
Threlkeld	James	864-222-0391	jpt01@charter.net	WILLIAMSTON
Tuten	James	803-943-5740	JHT@islc.net	VARNVILLE
Walguarnery	Mike	803-315-8112	CWPTrainer@sc.rr.com	COLUMBIA
Walsh	William	864-419-1911	billwalsh@charter.net	EASLEY
Ward	Rufus	864-647-0009	rufus@webtrek.us	WESTMINSTER
Watkins	Georgiann	803-319-7047	carryinglegally@aol.com	COLUMBIA

Sometimes a politician needs to hear from lots of pro gun rights people RIGHT NOW! Sometimes only the speed of email can save the day. Sometimes there is no time to send out a newsletter or post-card. Sometimes politicians need to hear the right thing at the right time by thousands of people. It is exactly those times when GrassRoots relies upon Action Alert emails.

Action Alert emails are only sent out by GrassRoots leadership. Action Alerts are only for urgent business, NOT for chit chat. GrassRoots knows you are busy and only sends an Action Alert if necessary. Only eight have been sent out so far in 2007. An Action Alert asks you to immediately call or email your legislators to let them know GrassRoots speaks for you in opposing an imminent anti gun legislative matter or supporting a pro gun legislative matter.

Sign up for GrassRoots Action Alert emails at [www.SCFirearms.org](http://www.SCFirearms.org) and help protect your rights.

ATTENTION BUSINESS OWNERS!

Do you support the right to keep and bear arms? Do you refuse to post your establishment against lawful carry of firearms by your customers? Would you like to get the word out to thousands of gun owners that your business is a ‘gun-friendly’ place?

JOIN THE GRASSROOTS MERCHANT PROGRAM TODAY!

Membership in the GrassRoots Merchant Program is FREE. The only requirements are: 1) Your business gives a discount to card-carrying members of GrassRoots GunRights of SC. (You decide how much and on which products or services), and 2) Your business does not prohibit lawful concealed carry of firearms.

In exchange, GrassRoots will list your business on our website as GrassRoots Merchants. Pro-gun consumers statewide will be able to view this list of GrassRoots Merchants on our website. GrassRoots hopes to encourage all pro-gun citizens to patronize pro-gun businesses whenever possible.

## Survey Results: What Are We Willing To Fight For?

The survey results are in! You spoke and GrassRoots GunRights heard you!

In the last issue of *The Defender*, readers were asked what issues they would be most willing to fight for in the next legislative session. The number one issue readers said they are willing to fight for is “concealed carry in restaurants that serve alcohol.” Other issues high on the list were enacting “Vermont carry,” and removing restrictions against concealed weapon permit (CWP) carry in other currently prohibited locations such as churches, schools, doctors’ offices, day care centers, and publicly owned buildings.

GrassRoots will fight to make these goals a reality. In fact, GrassRoots has already been hard at work helping to craft pro-gun legislation.

As you can see from the front page of *The Defender*, a limited school carry law has already been enacted this year. It needs to be improved, but at least those with a concealed weapon permit (CWP) can now legally drop off and pick up their children from schools and colleges in SC.

A CWP restaurant carry bill - S. 347 - has been introduced by Sen. Shane Martin, the same senator that introduced the CWP possession in a vehicle on school grounds bill that was enacted into law this year. As written, S. 347 will enable CWP holders to carry a self-defense firearm into the dining area of a restaurant that serves alcohol but not the part of a restaurant primarily devoted to serving alcohol.

As you can see, GrassRoots GunRights is working very hard to fight for your gun rights. But GrassRoots needs YOUR support to make these goals become reality. The real power of GrassRoots comes from GrassRoots members - people like you.

When GrassRoots asks you to call and email your elected officials to support these and other pro-gun bills, please take action immediately! Make those calls. Send the emails. Most importantly, tell these politicians “GrassRoots GunRights speaks for me!”

## Do You Want To Receive GrassRoots Legislative Watch Emails?

Some people want to know about every gun-related bill as soon as it is sponsored, even if it has little chance of success. If you are one of these people, the GrassRoots “Legislative Watch” email list is for you.

What are GrassRoots Legislative Watch emails? A GrassRoots Legislative Watch email is a notification email sent to you as soon as a new gun-related bill is introduced in the General Assembly. Later, once the new bill has been thoroughly examined, a GrassRoots analysis of the bill will be posted on the Legislative Watch pages of the GrassRoots website and can be reached from a link in the GrassRoots Legislative Watch email. If action becomes necessary or desirable, a GrassRoots Action Alert will be sent out with instructions on what actions to take.

The GrassRoots Legislative Watch emails are very different from GrassRoots Action Alerts. GrassRoots Legislative Watch emails are informational notices with no immediate action required. GrassRoots Action Alerts are sent out when your immediate action


is needed, i.e., to contact your legislator NOW to support a pro-gun bill or oppose an anti-gun bill. Obviously, GrassRoots Action Alerts are more important because “actions speak louder than words.”

If you want to be informed each time a gun-related bill is introduced in the SC General Assembly, then sign up for GrassRoots Legislative Watch emails today. You can sign up for GrassRoots Legislative Watch emails on the GrassRoots website at [www.SCFirearms.org](http://www.SCFirearms.org).

Also, be sure to sign up for the GrassRoots Action Alerts if you have not already done so.

Check out the  
GrassRoots website:  
  
[www.SCFirearms.org](http://www.SCFirearms.org)

SOUTH  
CAROLINA  
GUN LAW



Stephen Fulton Shaw, Esq., Ph.D.  
James P. Kelley, Esq.  
Sergeant G. Curtis Moore, Jr.

Forward by Robert D. Butler, D.C., J.D.

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Carolina Gun and  
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Battle continued from page 17

restaurants.

The above arguments are based upon research and evidence. But, the moral arguments to allow CWP carry in nice restaurants are even stronger.

The right to keep and bear arms is a God given or natural right. The right to effective self defense is a God given or natural right, too. We should never permit government to infringe upon our God given or natural rights.

Criminals prefer to work under the cover of darkness with victims that are unarmed and carrying valuables. People usually go to restaurants at night. Customers frequently must park in a poorly lit parking garage or side street well away from the well lit areas immediately in front of the restaurant.

Customers bring money to pay for their meals, but cannot carry a self defense sidearm. South Carolina law forces the customers of restaurants that serve alcohol to be exactly what criminals want most – easy pickings! It is morally wrong for the government to assist criminals by creating favorable “working conditions” - i.e., disarmed victims - for the criminals.

Ending the ban on CWP carry in nice restaurants is good public policy, saves lives, costs government nothing, is supported by the empirical evidence, and is the morally correct thing to do. For all of these reasons, the law-abiding citizens of South Carolina (not just gun owners) should insist the law be changed.

Carry continued from page 23

include with your application a copy of a document that shows that you have had formal firearms training. If you took the SC CWP course before May 2009 and you have a copy of your SC CWP application, you may use a copy of the back page that shows your test scores. If you took the SC CWP course in or after May 2009, include a copy of your certificate of course completion that you received from your instructor.

If you have neither, you may contact your SC CWP instructor and request that he or she issue you a certificate. A certificate of completion for the NRA Basic Pistol course will work also. Term of permit: 7 years. Cost: \$117.

Be safe. Go armed.

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Paul Peters may be reached at 803-665-5241 or papeters@msn.com.

Join the GrassRoots online discussion forum at: <http://groups.yahoo.com/group/sc-firearms/>

Please make a contribution to GunRights PAC today!  
Send your donations to:

GunRights PAC  
220 Isobel Ct.  
Lexington, SC 29072

Make a donation today!  
GrassRoots Legal Defense Fund  
P.O. Box 2446  
Lexington, SC 29071

These merchants carry GrassRoots flyers. Please support them with your patronage.

- |  |  |
|--|--|
| A Fish Store<br>409 Rast St.<br>Sumter, SC 29150<br>(803) 773-1315                   | Hunter’s Headquarters<br>560 Bypass 72 NW<br>Greenwood, SC<br>(864) 229-2034               |
| Aim Right Guns<br>3203 Hwy 21 M103<br>Fort Mill, SC 29715<br>(803) 548-7999          | The Jeweler’s Loupe<br>1304 Richland Ave.<br>West Aiken, SC<br>(803) 648- 3875             |
| Carolina Precision Rifles<br>1200 Old Jackson Hwy.,<br>Jackson, SC<br>(803) 827-2069 | Macon-Moore Performance<br>3735 Broad St. Ext.<br>Sumter, SC 29150<br>(803) 494-4450       |
| Carolina Star<br>371 Cedar Branch Rd.,<br>Windsor, SC<br>(803) 649-0878              | Sidney’s Dept. Store<br>550 - 560 Broad Street<br>Augusta, GA<br>(706) 722-3112            |
| The City Barber Shop<br>238 Park Av. SW.<br>Aiken, SC<br>(803) 642-6594              | Sportsman’s Link<br>596 Bobby Jones Exp. #21A<br>Augusta, GA<br>(703) 210-7283             |
| David A. Owings, DMD<br>540 W. Martintown Rd.<br>N. Augusta, SC<br>(803) 279-9346    | Sumter County Customs<br>2600 Peach Orchard Rd.<br>Dalzell, SC 29040<br>(803) 499-1111     |
| Five Aces Custom Tattoo<br>393 Rast St.<br>Sumter, SC 29150<br>(803) 774-2237        | Tony’s Guns & Police Supplies<br>4308 Broad St. Ext.<br>Sumter, SC 29154<br>(803) 494-4867 |
| The Gun Rack<br>213 Richland Ave.<br>W. Aiken, SC 29801<br>(803) 648-7100            | United Loan & Firearms<br>1040 Broad Street<br>Augusta, GA<br>(706) 722-1326               |
| Hootie’s Outdoors<br>3770 Jefferson Davis Hwy<br>Clearwater, SC<br>(803) 593- 0019   | Walden’s Outdoor World<br>2323 Peach Orchard Rd.<br>Augusta, GA<br>(703) 560-2266          |

If your store carries GrassRoots flyers, your name should be here too! Let us know if we should have listed your business and missed it. If you want to carry our flyers, send an email to [ExecOfficer@SCFirearms.org](mailto:ExecOfficer@SCFirearms.org)

GRASSROOTS GUNRIGHTS  
Help us do more!

Complete and mail with check to:  
**GrassRoots, PO Box 2446, Lexington, SC 29071**

- ☐ **One-year Membership (New) \$25**  
Includes newspapers and mailings, email alerts and updates  
Additional contributions are welcomed (see below) and are used to further the goals of GrassRoots right here in South Carolina.
- ☐ **One-year GrassRoots Firearms Instructor Membership (New) \$25**  
Instructor Member benefits include free copies of GrassRoots newspapers to hand out to your students, Advertising on our web page, publication of your special class offerings, and articles in the GrassRoots newspaper (on a space-available basis), referral of inquiries to GrassRoots for CWP classes. Grass-Roots wants instructors to succeed and we’ll help!
- ☐ **Renewal \$25 for Membership - \$25 for Firearms Instructor**  
Please check here if you are renewing Regular or Instructor membership so we can avoid duplicates.
- ☐ **Please send me \_\_\_\_ GrassRoots bumper stickers \$1.00 when included with dues.**
- ☐ **Thanks for making my CWP more useful.** Here is an extra contribution to help in the work. Please continue to do all you can to protect and promote my rights as a South Carolina gun owner and CWP holder.  
Amount enclosed \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/State/Zip \_\_\_\_\_  
Phone: \_\_\_\_\_  
Fax: \_\_\_\_\_  
Email: \_\_\_\_\_

Make checks payable to GRASSROOTS  
News 0609

Visit us on the web:  
**[www.SCFirearms.org](http://www.SCFirearms.org)**



# Legislative Tactics Seminar Planned

The GrassRoots GunRights Legislative Tactics Seminar (LTS) teaches you how to be a more effective gun rights activist. Just as a firearm is a more effective tool for self defense than a whistle or cell phone (to call 911), there are also good and better ways to work within the political arena. In the fight to protect your gun rights from the gun-grabbing politicians, some tactics have proven more effective than others. The LTS will teach you how to best work within the political system to win.

If you are serious about protecting your gun rights, then you need to attend a LTS! If you want to hold a GrassRoots GunRights leadership position (and yes, there are opportunities), then you must attend a LTS.

GrassRoots GunRights is conducting another LTS. The LTS will be held Saturday, October 3<sup>rd</sup>, 2009, from 9am to 5pm at the Sinclair Masonic lodge, 1104 B Ave., West Columbia, SC. Since the LTS will last a full day, lunch and snacks will be provided for a nominal fee to allow us to keep working without interruption.

This legislative session is an important one with a concealed weapon permit (CWP) restaurant carry bill having already been introduced and awaiting Senate consideration. In addition, open carry and lifetime CWP bills are also being considered. These bills have lots of opposition. So, we must do the best we know how to do if we want to win.

There are a lot of players in the political arena. By necessity, there must be winners and losers. GrassRoots plays to WIN, so should you! But, you need to know how to win before you will win.

If you want to know the key to winning, then come to the LTS. But only come if you want to play to win! The LTS is for those who are serious about protecting and regaining their rights.

The LTS will teach you the principles of effective action and how to judge which actions are best for different situations. The LTS will show you which tactics work, and will give you the confidence necessary to get in the game and play to win! The LTS will also make you a better team player because you are going to know the right play book to use.

Learning the principles taught in the LTS requires the entire day. Questions will be answered at the appropriate times. But, most early questions will be answered later in the LTS. There is no time for debating and defending the status quo tactics that have been used for decades as we have slowly and consistently lost our gun rights. If there is time left at the end of the LTS, we can debate such things.

Get the training you need to be an effective gun rights activist. Space is limited and only those pre-approved will be allowed to attend. We will not allow the LTS to be disrupted, and we reserve the right to remove anyone from the LTS for any reason we deem fit. We will not accept applications at the door. So, sign up NOW!

Those interested in attending the LTS should contact Bill Rentiers (email: ExecOfficer@SCFirearms.org or phone: 803-233-9295) with your name and complete contact information.

Make a donation today!

GrassRoots Legal Defense Fund

P.O. Box 2446

Lexington, SC 29071

Make a contribution to GunRights PAC today!

Mail your donations to:

GunRights PAC

220 Isobel Ct.

Lexington, SC 29072

## HELP JASON DICKEY!

Jason Dickey needs money to pay for legal representation, and he desperately needs your help. Please send whatever you can afford to help get Jason out of prison and protect your right to self defense to:

GrassRoots Legal Defense Fund  
PO Box 2446  
Lexington, SC 29071

GrassRoots GunRights started a Legal Defense Fund to protect our gun rights. This war against self defense and the CWP program is exactly why the Legal Defense Fund exists. We must protect Jason and the entire CWP program against this war on CWP holders and self defense. Please do all that you can to help. Please contribute something today.

Please send whatever you can afford to help get Jason out of prison and protect your right to self defense!

## NRA Training Counselor Workshop

November 13 – 15, 2009  
Myrtle Beach, SC

Frank Headley  
NRA Senior Training Counselor  
803-920-2673 fheadley@onemain.com

## 2009 Gun Shows Schedule

### Gun Shows and GrassRoots

With the support of our members, GrassRoots will again have a table at each of the Gun Shows listed below for 2009. From time to time, we also have some special GrassRoots tables at some other venues. As usual it's our volunteers who make it possible for these good things to happen.

Keep checking our Website <http://www.scfirearms.org> and future issues of *The Defender*, for announcements and updates.

### South Carolina Gun Shows Scheduled for 2009

Greenville Palmetto Expo Center  
2009- Apr. 25 - 26, Sept. 19 - 20, Dec. 19 - 20

Columbia Jamil Shrine Temple  
2009- Jan. 17 - 18, Mar. 7 - 8, July 25 - 26, Nov. 14 - 15

Columbia SC State Fairgrounds  
2009- March 21 - 22, June 13 - 14, Dec. 12 - 13

Florence Florence Civic Center  
2009- Jan. 3 - 4, Apr. 18 - 19, Sept. 26-27

Charleston Exchange Park Fairgrounds, Ladson  
2009- Feb, 21-22, May 30 - 31, Sept. 12 - 13, Nov, 28-29

Myrtle Beach Convention Center  
2009- Nov. 7 - 8

*More and more of our members are giving their time and talents by volunteering to work a shift at our GrassRoots tables at gun shows. Many of these folks find they enjoy the experience and sign up again and again, but there's always room for new members to help. If you would like to volunteer for a shift just contact your area GrassRoots gun show Organizer (list below), a week or so prior to the show date and ask to help. You will probably be paired with an experienced show worker for one of the half – day shifts, and you can see how you like it. When you're at one of these shows please tell the promoters "Thank You for giving GrassRoots a Table", so we can promote SC Gun-Rights, and stop by our table to tell the volunteers thanks too.*

### Gun Show Table Organizers:

- Greenville:

Mike & Sherry Harris (864)-313-0744  
mhborn2fly@outdrs.net
- Charleston:

Tom Glaab (843) 769-0659 gunshow@clutter.com  
Howard Jones, III (843) 538-5668
- Myrtle Beach:

Tom Glaab (843) 769-0659 gunshow@clutter.com
- Florence:

Don Cody (803) 803-499-2285 doncody77@yahoo.com
- Columbia:

Mike Walguarnery (803) 315-8112  
CWPTrainer@sc.rr.com

GrassRoots GunRights Gun Show Director:  
Mike Walguarnery (803) 315-8112 gunshows@SCFirearms.org