



# FOAC - Monthly Meeting Agenda

## August 9, 2020

### 1. Call to Order / Pledge of Allegiance / Moment of Silence – Troops / Prayer

#### Roll Call: Quorum [Yes] [No]

- |                     |                    |                   |                 |
|---------------------|--------------------|-------------------|-----------------|
| 1) Kim Stolfer      | 4) Aaron Bernstine | 7) Chip Gallo     | 10) Leon Baker  |
| 2) Jim Stoker       | 5) Ed Bogats       | 8) Gerald Jackson | 11) Klint Macro |
| 3) Danielle Ohliger | 6) Open Seat       | 9) Dan McMonigle  |                 |

### 2. Approval of Proposed Agenda:

#### 2.1. Changes (if any):

### 3. Guest Speaker(s): Representative Valerie Gaydos PA House 44<sup>th</sup> District

<http://www.repgaydos.com/>

### 4. Secretary's Report: FOAC Secretary: Dale Brackin– Minutes

### 5. Fundraiser: The 26 Guns in 26 Weeks Raffle projected ticket sale date is September. Tickets will cost \$50.

### 6. Election Issues: The FOAC Voter Guides are continuously being updated and are available on the website for all state and federal races. We encourage you to Use the Voter Guides and make copies to pass out. We are currently evaluating critical races in Pa to determine which will need additional support.

<https://foac-pac.org/Voter-Guide>

**6.1 Lies and Deception as a standard tool** – The Left does not function according to a moral code. Any reference to God's wisdom, The Ten Commandments, does not exist – in fact God does not exist. Instead the driving principle is the "Ends justify the means." Anything whatsoever that moves the agenda forward is permissible – this has resulted in massive murders and destruction. The left seeks to achieve its goals through shameless deception. Lies are accepted and encouraged. Why is it necessary to use such tactics? Because their policies have been throughout the world utter failures. If they were truthful about their real goals – for example, no individual should be allowed to possess any firearm, firearms should only be in the hands of government – they would lose support. So deceptive word creation and language twisting is necessary to conceal their true intent.

#### Two examples in current Pa elections. –

**6.1.1 Rep Valerie Gaydos Pa House District 44<sup>th</sup>**- Rep Gaydos is a FOAC endorsed candidate with an A rating and a 98% Pro Gun Voting record. She is clearly supportive of the RTKBA and is also a pro-life conservative. A push poll was conducted in her district alleging the lies that she is anti-second amendment and pro-choice.

**6.1.2 Aaron Bashir Candidate. PA House District 172<sup>nd</sup> (Philadelphia)** – New candidates who are supportive of the RTKBA are not always familiar with the intricacies of legislation. Unfortunately, this is used in a nefarious way by anti-gunners. Mr. Bashir as a result of his questionnaire and interview was endorsed by FOAC. It came to light that he was also endorsed by Gun Sense – a deceptive name for an organization that is an extreme gun control group – a Bloomberg Everytown Group. "Moms Demand Action Gun Sense Candidates are candidates who are running for office in 2020 and have demonstrated that they will govern with gun safety (i.e. Gun control) in mind. "This group, in lieu of a questionnaire, simply telephoned candidates and presented themselves as an organization representing the majority of gunowners who support Universal Background Checks, ERPOs, Lost and Stolen Reporting). "We can protect our communities from gun violence while still protecting the Second Amendment." Mr. Bashir was unfortunately duped by this carefully constructed deception. FOAC followed up with a discussion with

him, viewing this as an educational opportunity and Mr. Bashir quickly contacted Gun Sense telling them he rejects their endorsement and to remove his name from their candidate list.

**6.2 The PA Attorney General Race** – FOAC Endorsed Candidate **Heather Heidelbaugh** is challenging incumbent Silent Shapiro. This is a critical race as Shapiro has been ever silent in regards to Pa Officials flagrantly violating pa state law. Consequently, in order to protect individual rights, the enforcement of state law has fallen to citizens. As all of you know this has been a very lengthy and the outcome is not always certain. (video)

**6.3 Unintended Consequences** ([to borrow from John Ross's excellent novel on the gun culture](#)) – In spite of extreme aggressive efforts by the D party to disarm Americans, the Socialist support of violent lawlessness combined with efforts to vilify and defund our law enforcement has resulted in huge numbers of individuals becoming keenly aware that self-protection is an individual responsibility. As a result, firearm/ammo sales have soared and there are at least **Ten million new gun owners this year** – An estimated two million firearms were purchased in July, 134.6% more than July 2019. Estimates suggest that the market for the first seven months of 2020 has nearly matched that of the entire year of 2019. How will that affect the November elections?

## 7. Current activist issues & efforts

**7.1 Allegheny County "Use of Less-Lethal Weapons Ban" Fails 12 to 3** – Allegheny Council in a show of common sense struck down this bill by a huge majority. FOAC provided essential input into this discussion showing that this bill was unconstitutionally broad and vague and violated Pa state preemption as well. Allegheny County Solicitor agreed with FOAC's argument and position.

"On July 14<sup>th</sup>, the Less-lethal Weapons Ban advanced to the full Council for a final vote. Passage of the bill failed by a vote of 12 to 3. Voting in opposition to the ordinance were Council members: Sam DeMarco, Tom Baker, Cindy Kirk, Patrick Catena, Tom Duerr, John Palmiere, Nick Futules, Paul Zavarella, Bob Macey, DeWitt Walton, Paul Klein, and Robert Palmosina. Councilwoman Anita Prizio joined bill sponsors: Bethany Hallam, and Liv Bennett voting in favor of the bill. Ordinance 11516-20 would have weakened the ability of the Allegheny County Police to intercede in crowd control when a demonstration became violent or destructive. Additionally, SWAT Teams use of flashbang grenades to successfully disorient captors in hostage situations, and safely rescue hostages would have been curtailed. Smaller communities depend on the expertise of the trained Allegheny County SWAT Team members to assist in crisis situations. Without the use of tear gas and other tools, officers would be forced to walk away or resort to the use of deadly force. **Please contact members of Allegheny Council, and thank them for voting against Ordinance # 11516-20, and for showing their support of the Allegheny County Police and local police departments.**"

To contact members of Allegheny Council visit:

<https://www.alleghenycounty.us/county-council/council-members.aspx>

Call Allegheny County Council: 412-350-6490

Council Member Bethany Halam, who unsuccessfully pushed this bill, is openly recruiting individuals to run against those who did not agree with her.

**7.2 Harrisburg 2A Rally Rescheduled**– "Answering the people's demands that Gov. Tom Wolf's tyrannical abuse of emergency powers must be stopped and never imposed again, State Representative Daryl Metcalfe (R-Butler) officially confirmed today that this year's Rally to Protect Your Right to Keep and Bear Arms will take place on **Tuesday, Sept. 29, beginning at 11 a.m., on the front steps of the Capitol, in Harrisburg.**"

"Message to Tom Wolf: Your blatant, unconstitutional misbehavior in office and callous disregard for the most fundamental civil liberties of your fellow man give this year's theme of Stand Your Ground Against Socialism even more substantive significance," said Metcalfe. "You have no authority to imprison any citizen in their home or otherwise rob them of their right to put food on the table. Our right to arm and defend ourselves and our loved ones is non-negotiable, and you can expect us to vigilantly defend these inherent rights on the state Capitol steps on Tuesday, Sept. 29."

**Notice:** Video, photographic and audio recordings of FOAC meetings are prohibited without prior expressed or written approval from the FOAC **OIC**. Photographs are permitted for "personal", non-commercial, non-political use ONLY when authorized by the FOAC OIC& all parties in the photograph.

One of the legislative priorities is HB1747 (see below) which would repeal statutes that allow the governor to suspend or limit the sale of firearms during a disaster emergency declaration and also the bill would repeal a section of the Crimes Code that infringes upon the right to open carry during an emergency declaration.

**7.2.1 Flagrantly Biased Media Coverage of Rally** – Rallies and protests which carry “The Narrative” are revered, even if they involve, lawlessness including homicides, assaults and injuries, massive destruction of private property and intolerance and racism – they are describe by the media as “peaceful”. Actual peaceful rallies and protests by law abiding citizens which run counter to “The Narrative” are denigrated and vilified. Pennlive news published two articles – note the extreme differences in the pictures of the anti-gunner extremists and the firearm advocates. Both articles are biased in favor of the antigun agenda and also contain misinformation. Kim Stoller was interviewed for one of the articles. He described the PA Safety Alliance event as a “shameful example of demagoguery” and the policies they advocate would “violate people’s civil liberties.” Our rights and our freedoms are not predicated on the actions of others, otherwise the whole concept of freedom is lost,” he said. “And if we don’t understand that, we’re done as a society.”

- <https://www.pennlive.com/news/2020/07/lets-make-this-happen-gun-reform-advocates-gather-at-the-pa-capitol-to-call-for-change.html>
- <https://www.pennlive.com/news/2020/07/postponed-gun-rights-rally-at-pa-capitol-now-rescheduled-for-september.html>

**7.3 LTCF Status** – researching some local counties shows wide differences – **Allegheny County** Sheriff’s Office, Sheriff Mullen, is taking no walk ins, all must be scheduled by appointment <http://www.sheriffalleghenycounty.com/firearms.html>. According to their website the next available appointment is on January 12, 2021. **Westmoreland County**, Sheriff Alberts, is only taking appointments and according to Deputies the next available appointment is in mid- late September <https://www.co.westmoreland.pa.us/352/Firearms-Permits> **Beaver County**, Sheriff Tony Guy, is open for normal business and back to normal operations, be prepared for only a slight delay when coming in <http://www.beavercountypa.gov/Depts/Sheriff/Pages/default.aspx> **Butler County**, Sheriff Mike Slupe, applications for LTCFs are being processed in the lobby between 830am to 4pm Monday thru Friday Some satellite locations are also opening. <https://www.butlercountypa.gov/354/Firearms> **Green County**, Sheriff Marcus Simms, LTCFs are processed Monday thru Friday 830 am to 330 pm and the 3<sup>rd</sup> Thursday of the month until 6pm. **Somerset County**, Sheriff Brad Cramer, is open 830 am to 4pm, is accepting applications and issuing LTCFs, no appointment is necessary <https://www.facebook.com/pages/category/Government-Organization/Somerset-County-PA-Sheriffs-Office-618859451617174/> **Fayette County**, Sheriff James Custer, completed forms can be mailed in and then call in for an appointment which is scheduled within the week, **Washington County**, Sheriff Sam Romano, Applications are accepted Monday-Friday, 9 pm - 3:45 pm, no appointment is required.

While most offices surveyed are functioning close to or at normal, the significant delays of 2 to 5 months is disconcerting. This is especially so for the huge numbers of new firearm owners in light of the emergency declarations. **A phone call was made to Sheriff Albert in Westmoreland County** to discuss his Department’s LTCF processing, the problems they are experiencing and the 6-8-week delay on appointments but the phone call was not returned. Westmoreland Sheriff’s Department is participating with the Concealed Carry Seminars conducted by FOAC and permits are being issued at these locations – see events

**7.4 Update on the McCloskey’s** –After confiscating their firearms St Louis Circuit Attorney Kim Gardner, backed by Soros during her election, filed a charge of felony unlawful use of a weapon as well as a misdemeanor charge of fourth degree assault against both McCloskeys. The charges could result in up to four years in prison; however, Gardner is recommending a diversion program such as community service rather than jail time. A felony account, whatever the punishment, results in

disbarment so as attorneys this would ruin their lives and ability to make an income as well as a lifetime loss of 2<sup>nd</sup> Amendment Rights.

**7.4.1 McCloskey gun inoperable when police sized it** – was a prop for one of their cases – but the prosecution ordered the crime lab to make it operable and lethal to confirm to their charges – illegal tampering with evidence – nothing is passed these people to get what they want - <https://foac-pac.org/McCloskey-Gun-Inoperable-When-Police-Seized-It-But-Prosecution-Ordered-Crime-Lab-to-Make-It-Operable-and-Lethal/News-Item/11278>

**7.4.2 Missouri Governor “without a doubt” will pardon the McCloskeys.** State Attorney General is also getting involved to seek a dismissal and defend the rights of all Missourians to protect their lives and property. Both top state officials are standing up for the Castle Doctrine and the right of the people to stand in armed defense of their lives and property in the face of an angry mob.

**7.4.3 All it takes is a prosecutor who is on the side of the mob** - Prosecutors have absolute immunity, granted to them by the Supreme Court in the 1970s and '80s. Kim Gardner has little to fear. She can take the McCloskey's guns and claim the mob was peaceful, without fear of a lawsuit. The McCloskeys are likely to prevail in court, but Kim Gardner can inflict considerable punishment by process. This situation shows the importance of strong Castle Doctrine laws. Without the clear Missouri Castle Doctrine law, the McCloskey's would be in serious danger of going to prison, merely for defending themselves. <https://www.ammoland.com/2020/07/the-charge-against-st-louis-couple-for-defending-their-home/#axzz6U4s98Uva>

**7.4.3.1 After 40 years it is time to reconsider absolute immunity for prosecutors** – Four decades ago, the U.S. Supreme Court implemented a major, nationwide policy that consolidated prosecutorial authority: it granted prosecutors absolute immunity for acts committed in their prosecutorial role. (Imbler vs Pachtman) This decision sheathed prosecutors in protective armor while they pursued criminal convictions and it eroded one of the few mechanisms available to hold prosecutors accountable. **Absolute (Sovereign) immunity** is exactly what it sounds like—a blanket and unconditional grant of protection from civil liability. A related doctrine, **qualified immunity**, also protects government officials from liability, but only if “their conduct does not violate clearly established statutory or constitutional rights . . .” (Harlow v. Fitzgerald) Put simply, qualified immunity protects government officials who abide by the rules. Absolute immunity protects them from civil liability even when they break the rules. <https://www.acslaw.org/expertforum/after-40-years-is-it-time-to-reconsider-absolute-immunity-for-prosecutors/>

**7.4.4 NYC and DC DA’s File Suit to Shut Down the NRA** - In a move that is a shot at the Second Amendment and a first step towards potential Biden administration moves to severely restrict gun ownership, the attorneys general of New York state and the District of Columbia are suing the National Rifle Association (NRA) to force its dissolution. The NRA is fighting back with a lawsuit of their own.

<https://thepoliticalinsider.com/new-york-and-dc-attorney-generals-file-suit-to-shut-down-nra-pro-second-amendment-group-fights-back/>

**8. Media** – Kim Stolfer was a guest on An Interview with Nigel Broadbent Series – this is a two-part video – part one can be viewed at this link - <https://www.bitchute.com/video/nJFnRvnBz48N/>

**8.1 Trump Card**– Dinesh Dsouza’s new and most important movie about socialism is opening in theaters on 8/7 – checking when DVD’s will be available.

<https://www.amctheatres.com/movies/trump-card-64446/videos?videoId=6169974237001> This follows his new book “United States of Socialism” <https://www.dineshdsouza.com/>

**8.2 Proper response to terrorists** - Protestors on their way to harass the Seattle police chief at her home, encountered locals who were not in the mood to host protests in their neighborhood. Protestor: “We are peaceful! You pointed a gun at my face!” Resident: **“That’s why you are peaceful.”**

”<https://twitter.com/Doranimated/status/1290473037729587202> and in France Ne touchez pas l'arme  
<https://www.youtube.com/watch?v=QIZKY2Se56M>

**8.3 Discussion of Allegheny County Sheriffs Demonstration of a Concealed Firearm Traffic Stop – Is voluntarily informing always the best advice?** - ACS has produced a demonstration in which the generalization is made that at any traffic stop a driver should voluntarily inform the police officer that there is a firearm in the car; “Officer, I want you to know, I have a concealed firearm and I have a permit as well,” Keep in mind there is no legal requirement in Pa to volunteer this information – no duty to disclose. Is the ACS’s blanket rule a wise recommendation or can it lead the driver into a unexpected mire of unnecessary complications?

<https://foac-pac.org/Allegheny-County-Sheriffs-Office-Demonstrates-Concealed-Firearm-Traffic-Stop/News-Item/11327>

Video <https://www.wpxi.com/news/allegheny-co-sheriffs-office-demonstrates-concealed-firearm-traffic-stop/420717467/>

What are some actual prudent guidelines for handling such a traffic stop?

**9. Legislation:** PA Senate 48 bills 28 anti-gun 10 pro-gun. Pa House 123 bills, 56 anti-gun 46 pro-gun. US Senate 70 bills, 39 anti-gun 23 pro-guns. US House 176 bills, 107 anti-gun 41 pro-gun. All legislation details can be found on the FOAC website under Legislation tab. <https://foac-pac.org/Proposed-Federal-House-Legislation> Keep in mind that all those anti-gun bills both on the State and Federal levels are just waiting to be unleashed on the American People depending on the results of the fall election.

**9.1 The DNC Platform Goal is to End the Firearm Industry and Turn 2A Rights into a Privilege** - The document as written clearly demonstrates a hostility not only towards the Second Amendment itself, but all those Americans who choose to exercise their right to keep and bear arms. Law-abiding gun owners and the firearm industry are the primary targets of the Democrats’ anti-gun agenda. <https://foac-pac.org/Democrat-Campaign-Platform-Turns-2A-Rights-Into-A-Privilege/News-Item/11314> Two paragraphs on page 43 not much space is necessary when the entire D party is in lockstep <https://www.politico.com/f/?id=00000173-782a-d3de-ab7b-783b9b650000>

- Criminalizing private firearm transfers
- Disrupting interstate commerce by criminalizing online firearm and ammunition sales
- Instituting endless “delay” windows for background checks
- Banning the manufacture and sale of modern sporting rifles
- Banning the manufacture and sale of standard magazines
- Enacting licensing schemes to exercise Second Amendment rights
- Enacting ex parte “red flag” laws to seize guns without legal recourse
- Mandating home storage requirements under penalty of law
- Repealing the Protection of Lawful Commerce in Arms Act to subject the industry to frivolous lawsuits: <https://www.nssf.org/dnc-platform-goal-end-the-firearm-industry/#ixzz6UAxgJoZM>

This agenda serves two purposes for this party. First it furthers disarmament of Americans. This is necessary to consolidate the power of force only within the central statist government and a compliant, submissive, defenseless population. Secondly, scapegoating firearms and law-abiding gun owners masks the abject failures of their policies.

**9.2 HB 1747** - was passed in the House (124-74) on June 24<sup>th</sup> and immediately sent to the Pa Senate. <https://foac-pac.org/Proposed-Pennsylvania-House-Legislation-HB1747/State-Law/3714> This legislation, introduced by Rep Dowling, would repeal the Emergency Declaration law that enables a ban on firearms sales and possession for citizens if it is a Declared Emergency and limits the governor’s ability to limit access to firearms during an emergency declaration. This legislation has been a focus of FOAC for nearly 4 (four) years and our desire to see this moved increased with the

recent Emergency Declarations. Passage of this legislation will remove very onerous language in a section of PA law, *in Title 18's Uniform Firearms Act*, that currently **disarms EVERY PA Citizen** who does not have a License to Carry Concealed Firearms (LTCF) during declared Emergencies. The portions of Sections 6107 and 7301 that [HB 1747 seeks](#) to remove are unconstitutional, as they prohibit law-abiding individuals from being able to exercise their constitutional rights and defend their lives. ***The curtailment of constitutional rights is never authorized, especially in a time of emergency***, when the exercise of those rights is of paramount importance. This legislation is especially critical due to the significant increase of new firearm owners and the lengthy backlog in some counties of LTCF appointments. HB1747 has been sitting in the Senate Judiciary since June 24<sup>th</sup>.

**Action Step:** Please call Pa Senators and ask them what the Senate plans to do with HB1747 – This needs moved out the judiciary and brought to a floor vote. Contact information can be found here <https://foac-pac.org/PA-Legislator-Info>

President Pro Tem of the Senate is Joe Scarnati (A rated by FOAC) and Majority Leader is Jake Corman (B rated by FOAC)

**9.3 Federal Legislation H.R. 6395 Gun Control Sneaks by Lackadaisical Republicans (1427-page bill)** -The bill passed, 295-125 with a veto-proof majority. There were 9 Republicans not voting, 108 voting “yea,” and 81 voting “nay.” With this final passage, the U.S. House of Representatives finished its work on this spending “masterpiece,” and more than half of Republicans were now on record in support of “red flag” gun confiscation orders (GCOs) for the Armed Services. Just like that, 108 Republicans went on record in favor of ex parte gun confiscation for our active and retired military men and women. This is what enabled “red flag” gun confiscation to pass the House of Representatives in a veto-proof majority with Republican support. On page 343 of 1427 lay a section stating: “a military court protective order issued on an *ex parte* basis shall restrain a person from possessing, receiving, or otherwise accessing a firearm.” Understood in context, Section 542 of the bill codified a new “red flag” gun confiscation order program enforceable against any person subject to the United States Code of Military Justice—meaning both active duty military and retirees, among others. Because these would be issued on an *ex parte* basis, the gun owner would get no notice, no attorney, and no ability to defend himself against the accusations—in short, no due process. <https://www.govinfo.gov/content/pkg/BILLS-116hr6395rh/pdf/BILLS-116hr6395rh.pdf>

For now, there is strong support for the Second Amendment in the U.S. Senate, and this chamber will likely fight to remove this egregious language in conference negotiations. But the Senate is hardly composed of hard-working stalwarts, and no one can guarantee we will retain control of the Senate after the November elections either. Even if Republicans do retain control of the Senate, this episode shows how easy it is for Republicans to “accidentally” pass gun control simply because they are asleep at the wheel. <https://www.houstoncourant.com/houston-voices/2020/gun-control-sneaks-by-lackadaisical-republicans>

To see how your Congressional Representative voted <https://clerk.house.gov/Votes/2020152> If they voted NAY thank them. If they voted YEA call them to wake them up out of the oblivion of their slumber. Take them to task for this egregious violation against the rights of our Veterans and Armed Forces. Perhaps send them a package of NoDoz Maximum Strength or a 5lb bag of Black Rifle Coffee to use before each and every vote. Falling asleep at the wheel is deadly for our Freedom. All contact info for PA Federal legislators can be found on the FOAC website <https://foac-pac.org/Federal-Legislator-Info>

**10. Events: The event situation is very fluid currently. Please check** the FOAC website for updates <https://foac-pac.org/Events>

**Concealed Carry Seminar Hosted by PA State Rep. Eric Davanzo – 8/13/20, 5-8pm,**

West Newton Sportsmen's Club, 35 Sportsmen's Rd, West Newton, PA 15089, Kim Stolfer is the featured speaker. This seminar is already filled. <https://foac-pac.org/Events/345> There is another seminar planned for September 17<sup>th</sup>. Contact Rep Davanzo local office for registration information. 724-929-2655.

**National 2<sup>nd</sup> Amendment Rally Planned for October 24<sup>th</sup> in Washington D.C.** - The event will feature a coalition of speakers with a wide variety of perspectives and priorities in regard to gun rights in the United States. This is a grass roots event, organized and funded by concerned American Gun Owners, not any specific organization or company.  
<https://www.facebook.com/events/699912233847595/>

**11. Good of the Order:**

**12. Adjournment**