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**\*\*Please Note:** To join this membership meeting you must RSVP by sending an e-mail [info@foacpac.org](mailto:info@foacpac.org) the Meeting Password will then be e-mailed to you by one of the officers. Time of Meeting: 10:00 a.m.



# FOAC - Monthly Meeting Agenda

## January 10th, 2021

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

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

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

### 2. Approval of Proposed Agenda:

#### 2.1 Changes (if any):

### 3. Guest Speaker(s): TBA

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

**5. Fundraiser:** The '26 in 26' 2021 FOAC Virtual Gun Bash tickets sold out. The first and second drawings were on January 1<sup>st</sup> and 8<sup>th</sup>. Winning numbers are determined by the 7pm Pa Lottery daily number. Drawings will take place each Friday for a total of 26 weeks. Thanks, you to all who supported this raffle and best of luck in the drawings.

### 6. Election Issues –

**6.1 The Election** – On December 22, President Trump made an address to the nation from the oval office, but no media carried it or even referred to it. Think about what this means that a **Presidential National Address was absolutely and completely censored by the media.** In the speech President Trump laid out his case showing fact after fact that election “irregularities” were rampant especially in the swing states. His speech is available at this link

<https://www.youtube.com/watch?v=d399gk-73J8>

**6.2 Toomey's Response** – Scott (mentioned with his permission), a FOAC member, wrote Senator Toomey about the election fraud. He was extremely dissatisfied with Toomey's response and sent us a copy. The following are excerpts from Toomey's response to Scott: “.it is the fact that former Vice-President Joe Biden is President-Elect.”, “President Trump has exhausted all plausible legal options to challenge the results of the election in Pennsylvania...Furthermore developments in the battleground states have made it clear that the former vice-president won the election.”, “these developments confirm that Joe Biden won the 2020 election and will become the 46<sup>th</sup> President of the United States.”, “While I acknowledge that every election has some irregularities, the President's campaign has not presented any credible evidence of systematic voter fraud in Pennsylvania or elsewhere.”, “President Trump should accept the outcome of the election.”

Toomey also stated that he plans to work across the aisle with the Biden administration “..in keeping guns out of the hands of violent criminals and the dangerously mentally ill.” This is code for he will be working with that administration to pass gun control. We can look forward to Red Flag Laws and Universal Background Checks and be told these are “common sense” solutions. FOAC has documented the serious problems with red flag laws and Dr Lott has also shown they are not effective. UBCs are essentially punishing the innocent for the actions of wrong doers and are completely ineffective in reducing violent crime.

Two objections triggered a vote during the joint session of Congress, which spilled into the early hours of Thursday before Joe Biden was certified as president-elect. Objections require support

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from at least one member of each chamber. The objections that received support were to electoral votes from Arizona and Pennsylvania. Both objections failed to get a simple majority in either chamber. This is the link to the votes on the objections made to the electoral votes by Arizona and Pennsylvania. Note Toomey voted against both these objections. [https://www.theepochtimes.com/full-list-how-members-of-congress-voted-on-objections-to-arizona-pennsylvania-electoral-results\\_3647448.html?utm\\_source=news&utm\\_medium=email&utm\\_campaign=breaking-2021-01-07-1](https://www.theepochtimes.com/full-list-how-members-of-congress-voted-on-objections-to-arizona-pennsylvania-electoral-results_3647448.html?utm_source=news&utm_medium=email&utm_campaign=breaking-2021-01-07-1)

**6.3 Georgia Election. 1/5/21** – Republican incumbents lost both elections giving two more seats and the Senate Majority Control to the D’s. Considering the massive amount of evidence clearly showing that the voting system was corrupted and manipulated this outcome is not surprising. What was surprising was that many individuals were thinking another outcome was possible. It is difficult for many to see the reality they do not want to see. This now gives the Socialist Party control of US House, US Senate and the Executive Branch. The Judicial Branch, including SCOTUS has not demonstrated any effective resistance, so far, to the fundamental transformation of our Country that is being completed.

**6.4 DC 1/6** – The massive evidence of election fraud brought, an estimated more than a million patriots to DC to protest the certification of an illegal election. The evidence of election fraud is clear, incontrovertible and overwhelming. Videos show a group of patriots peacefully entering the capitol grounds after police removed the barriers and then proceeding with police stepping aside, still peacefully, up the steps within the building. At some point individuals began to engage in looting and destroying property. What led to this radical change in mood of the crowd? Videos show peppered within the crowd were provocateurs, Antifa and BLM. In previous meetings we discussed The Thresholds of Violence Theory and how riots begin. Considering the very high degree of tension present, placing only a few individuals within the crowd having a threshold of zero -the Antifa Provocateurs - who begin exhibiting violent behavior, a change in mood to a breakdown of peacefulness would have been easy to bring about.

During this period a woman veteran, who had served our country for 14 years was murdered by an individual dressed in a suit and tie reaching out through an office door. He was either a plain clothes policeman or other government employee. According to the laws governing the use of lethal force this was a completely unjustified deliberate act of murder.

The media of course is spinning this to further vilify and call for doing away with President Trump as well as his supporters. It is characterized as a Pro Trump Rampage. Calls for arrest and prosecutions are being made. Recently the capitol was also occupied by a group of individuals during the Kavanaugh Senate Hearings. The media sympathized with this group as protestors exercising their right of free speech. It was also stated that 100 people were simply “detained”.

After a recess of several hours as the cowering government representatives returned from their hidey-holes, Vice President Pence compliantly presided over the certification of the electoral ballots. While there were objections from 6 states anticipated, only two, Arizona and Pennsylvania, were actually made. After two hours of “debate “for each state, both objections failed and Biden was declared the winner of the Presidential Election. The extent of cowardice displayed was astounding. The “Uniparty” - the professional politicians from each party – put their stamp of approval on the Most Egregious Most Massive Election Crime in the History of Our Country – condoning a coup to remove a sitting President – one of the best America has ever had – and ushering in a socialist/communist takeover of our Country. The role of the States which supported President Trump and our American Republic will become an increasingly important factor in attempts to counter Federal Tyranny.

A Socialist Oligarchy does not tolerate an armed citizenry. We will witness the most aggressive war on firearm ownership that we have ever seen in our Country. We are entering a Dark Time. As Americans and Firearm Owners we will face very challenging pivotal decision points. The decisions we will be making as individuals and as a people will define our lives and our Freedom or our Slavery.

## 7. Current activist issues & efforts:

**7.1 ATF Suspends Proposed Pistol Brace Guidance** - ATF has backed down on its proposed pistol brace guidance. It is important to realize that this is not a surrender but only a tactical retreat. ATF has steadily been advancing gun control and will be encouraged to increase its efforts by a Biden administration. Through its actions, the rogue elements in this agency have been increasingly absorbing power by illegally rewriting law – “clarifying” they say, and using a “we will know it when we see it” approach. <https://foac-pac.org/Breaking:-Atf-Doc-Suspends-Proposed-Pistol-Brace-Guidance/News-Item/11817> Many 2A supporters thought the ruling on bump stocks was trivial – who really needs a bump stock, it’s just a novelty. This actin actually however rewrote the legal definition of a machine gun. Previously they were defined as multiple discharges for one trigger pull and were now changed to one trigger pull for one discharge but the speed of the trigger pull became significant. Other encroachments involved, redefining firearms which fit the “sporting purpose”, changing the legality of 80% lowers, confiscation of “solvent traps – continuing to push the concept of “easily convertible” The regulations are blatantly ambiguous and subjective. The ultimate goal is the disarmament of the American people the foundations are being laid. Note that using the redefinition of machine gun as well as easily convertible, every semi-automatic can potentially be included as a machine gun – taxed, regulated, registered, turned in or confiscated.

For more information on the ATF and its history of dealing with law abiding firearm owners see the JPFO website and search for BATF <http://jpfo.org/filegen-a-m/bootbatfe.htm>

**7.2 Research Shows Relationship Between Mental Illness and Support for Gun Control** – “Research really has shown a correlation between self-reported mental illness and tendencies toward leaning left (and especially far left) politically. Of course, that political leaning is anti-gun.” What this indicates is that both tend to show up consistently in the same people. <https://foac-pac.org/Research-Shows-That-Mental-Illness-And-Support-For-Gun-Control-Appear-To-Be-Related/News-Item/11826>

**7.3 Pa Supreme Court holds that Probable Cause and Exigent Circumstances are Required for the Warrantless Search of a Vehicle** - <https://blog.princelaw.com/?s=Warrantless+search+of+vehicles> Overtime the “impracticality” for government in securing warrants has ended up in relaxing standards on searches and a significant erosion of the individual right of being protected from unwarranted searches. Interesting, but not surprising, that government convenience had taken precedence over a fundamental Constitutional Right. This right is secured by both the US 4<sup>th</sup> Amendment and Pa Article 1 Section 8: “Security from searches and seizures. The people shall be secure in their persons, houses, paper and possessions from unreasonable searches and seizures, and no warrant to search any place or to seize any person or thing shall issue without describing them as nearly as may be, nor without probable cause, supported by oath or affirmation subscribed to by the affiant.” In *Commonwealth of Pennsylvania v. Keith Alexander*, 2020 WL 7567601, \*1 (2020) the Pa Supreme Court was asked re the Pennsylvania Constitution’s application to **searches of vehicles** and “whether the violation of privacy interests inherent in allowing widespread warrantless searches is compatible with the Pennsylvania Constitution.” They answered that it was not. The Court held Article I, Section 8 afforded greater protection than the Fourth Amendment, and reaffirmed prior decisions: the Pennsylvania Constitution required both a showing of **probable cause** and **exigent circumstances** to justify a warrantless search of an automobile.

<https://law.justia.com/cases/pennsylvania/supreme-court/2020/30-eap-2019.html>

**7.4 Attack on Dr John Lott rebuffed by defenders** – the Trump administration hired Dr Lott as advisor to the Justice Department. Anti-gun extremists are attacking him for his research that shows more guns equals less crime. Those supporting Dr Lott have shown that those criticizing him have actually misread the results of the research they are using. A review of their work published in the Stanford Law Review showed that their research results actually demonstrate that right to carry laws produces substantial crime reducing benefits. Unlike the antigun researcher Dr Lott has always made his raw data available while the former’s raw date always seems to suffer from something like water

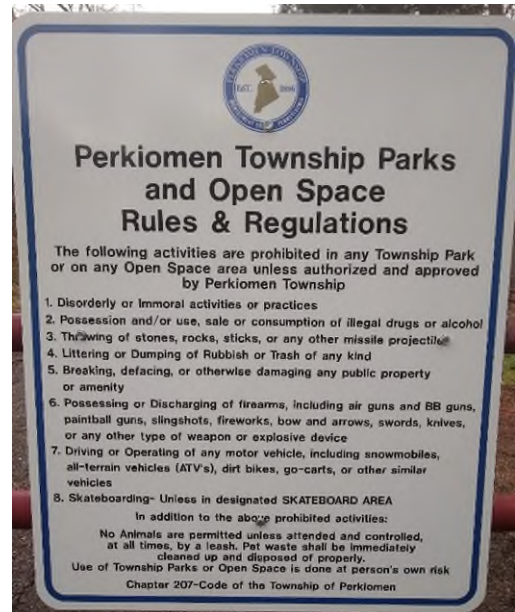
damage from a plumbing incident. <https://www.ammoland.com/2020/12/attack-on-2a-researcher-dr-john-lott-rebuffed-by-defenders/#axzz6ibm3Vbse>

**7.5 PA Preemption Law Violation Feature - Perkiomen Twp.** - as you know firearms owners against crime is involved in two preemption law firearms lawsuits against the city of Pittsburgh and against the city of Harrisburg. Both of those cases were heard in October and December respectively in Pennsylvania appellate courts. To give you some idea of the magnitude of this problem and why we do this is illustrated by the Perkiomen Twp. local ordinance.

So, I suggest you take a look at this picture (*look for bullet point #6*) and then ask yourself how you would react if you were in this township and pulled over by local police and then cited for violating the local ordinance. As a reminder, guess what happens next? You lose your license to carry because they notified your county of residence at you broke a gun law. Now because of the COVID 19 emergency order you can't even take a firearm off your own personal property for any reason!

I hope this helps explain why we fight for statewide firearm preemption laws and how despicable it is that the state will allow local governments to violate Pennsylvania crime law with impunity!

**7.6 Holloway v Barr** – FPC has filed a petition for Writ of Certiorari on this case to SCOTUS. <https://d3n8a8pro7vhmx.cloudfront.net/firearmspolicycoalition/pages/5340/attachments/original/1607021865/2020-12-3-scotus-holloway-v-barr-petition-for-certiorari.pdf?1607021865> The question presented in this petition is Does a lifetime firearms prohibition based on a nonviolent misdemeanor conviction violate the Second Amendment? Mr. Holloway was convicted of a nonviolent misdemeanor nearly two decades ago and has been law-abiding ever since, but he is nevertheless prohibited by federal law from possessing a firearm for the rest of his life. FPC argued in the petition that the Court should hear the case because the lifelong ban violates Holloway's Second Amendment rights, and to further clarify the field of Second Amendment law. If you recall in our previous discussion re Justice Barrett, she argued in a firm dissent that an individual convicted of a non-violent felony should not be stripped of their RTKBA. If successful this case could lead to a rights restoration for a lot of individuals convicted of a non-violent felony as well as protect similar people in the future.



**8. Training Tips. Safety and Self Defense in a New Society**– This month's training tip will concern the best self-protection tool we all have access to – the mind with the right attitude. Dr. Ed Bogats, FOAC BOD, 9-year Director of Safety/Security and Campus Police, CCAC and Lead Trainer/Owner (28 years) of EJC Security Services will cover the importance of situational awareness and the meaning of each of the marine color codes adopted for civilian us by Col. Cooper. His PowerPoint will be available for review on the FOAC website. Click on News and then Training Tips <https://foac-pac.org/Training-Tips>

Proper situational awareness includes awareness of both the external environment as well as the internal environment. Additional resources include **Left of Bang** – this covers the Marine Combat Hunter Program – essentially a “graduate course” in situational awareness. <https://www.amazon.com/Left-Bang-Marine-Combat-Program/dp/1936891301> and **The Gift of Fear** which covers attending to the internal environment is an important survival skill. <https://www.amazon.com/Gift-Fear-Survival-Signals->



[Violence/dp/B00ERK0HES/ref=sr\\_1\\_3?dchild=1&keywords=the+gift+of+fear&qid=1609368086&s=books&sr=1-3](https://www.foac-pac.org/Violence/dp/B00ERK0HES/ref=sr_1_3?dchild=1&keywords=the+gift+of+fear&qid=1609368086&s=books&sr=1-3)

**9. Media and Events – Gun Lawsuit Interview** – on Dec 14<sup>th</sup> Kim was interviewed by a Georgetown Journalism Graduate Student. The student was from Costa Rica. The interview was on the issue of Guns, Crime and COVID-19 but ended up expanding in scope. A video of the video is available for anyone interested.

**10. Legislation:** The Federal Houses reconvened for the new session on January 3<sup>rd</sup>. You can view US Senate Bills <https://foac-pac.org/Proposed-Federal-Senate-Legislation> and US House Bills <https://foac-pac.org/Proposed-Federal-House-Legislation> The Pa General Assembly reconvened at 12 o'clock noon on the first Tuesday of January 2021. Currently 2A Related memos show 20 anti gun bills, 6 Pro-Gun bills and 6 pieces of Firearm legislation that FOAC is watching and evaluating. The Pa Senate shows 9 anti-gun 2A related memos, 1 Pro – Gun and 5 being watched. <https://foac-pac.org/Proposed-Pennsylvania-House-Legislation> <https://foac-pac.org/Proposed-Pennsylvania-Senate-Legislation>

Attorney Prince has published a Year in Review of Major Pa and Federal Firearms Law Cases of 2020. This was included in the FOAC Weekly Newsletter for 12/29/2020 <https://foac-pac.org/FOACs-Weekly-Message-For-Tuesday-December-29th-2020/Weekly-Newsletter/81> and is also available on the Prince Law Firm site <https://blog.princelaw.com/2020/12/28/year-in-review-major-pennsylvania-and-federal-firearms-law-cases-of-2020/> What are some of things we can expect for 2021?

1. A decision by the PA Supreme Court in *Firearm Owners Against Crime, et al v. City of Harrisburg, et al*, regarding what is necessary to aver or prove in order to establish standing to challenge an unlawful municipal firearm or ammunition ordinance

2 A decision by the Commonwealth Court in *Firearm Owners Against Crime, et al v. City of Pittsburgh, et al*, regarding its three-unlawful firearm and ammunition ordinances.

3 A decision by the Commonwealth Court in *City of Philadelphia v. Armstrong* regarding its unlawful lost or stolen firearm ordinance.

4 A decision by the U.S. Supreme Court in *Holloway v. Attorney General* as to whether to grant Certiorari.

5 A decision by the U.S. Supreme Court in *Folajtar v. Attorney General* as to whether to grant Certiorari.

6 New anti-gun Biden administration ATF.

**11. Events: The event situation continues to be fluid. Please check** the FOAC website for updates <https://foac-pac.org/Events>

**12. Good of the Order:**

**13. Adjournment**