



FOAC - Monthly Meeting Agenda

May 9th, 2021

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) 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): Judge Kevin Brobson, Candidate for Pa Supreme Court: Dom Costa Candidate for Allegheny County Sheriff

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

5. Fundraiser, “The Return of the Gun Bash” – The FOAC Board in lieu of an online raffle has scheduled a **LIVE GUN BASH** at the Washington County Fairgrounds to take place this Fall on October 9th. Tickets are being prepared and will soon go on sale. Check the FOAC website <https://foac-pac.org/> select events then Gun Bash. Emails will also be sent out to our members and contacts. Tickets will available for purchase from the website, your favorite ticket seller or by mail.

6. Election Issues –

6.1 May 18th Primary – FOAC Voters Guides - This election will include County Level positions, such as commissioners, sheriffs, DAs as well as local municipal officials and school boards. While FOAC's recommendation/endorsement process does not involve the latter level, these are very critical elections about which to be an informed voter. There are also several State-wide Judicial races: for vacancies on the Pa Supreme Court (D's currently have a 5-2 majority), Pa Superior Court (R's hold 8-7 majority) and Pa Commonwealth Court (R's hold a 7-2 majority). There are 4 special Legislative elections and 4 ballot measures. As part of our mission, FOAC surveys and interacts with all candidates from the county level up. Since this is the Municipal (off-year) Election cycle, this means we are focused on Judges, Special Elections and County races, specifically Commissioner, DA and Sheriff offices. This FOAC involvement covers not only questionnaires but also phone interviews; personal meetings 'and' e-mail interaction.

6.1.1 FOAC Voter Guides – the release of the FOAC voter guides has been delayed due to major technical problems with the website. FOAC staff have been working to fix the problems. Currently both the County and Judicial Guides can be retrieved by selecting your county from the drop-down menu on the right side of the page and then choosing County or Judicial Guide. The State guide on the other hand needs to be retrieved by clicking your county on the map and then manually entering your address in the pop-up box and submit. Then choose the State Guide – Important you should not be signed into the website for this to work correctly. This is the link to the voter guide page <https://foac-pac.org/Voter-Guide> The guides can be printed out and distributed or handed out at the polls.

6.2.1 Special Elections –

PA House – District 59, includes parts of Somerset and Westmoreland Counties and has been held by an R since 1969. **FOAC supports Leslie Rossi.**

PA House – District 60 – includes areas of Armstrong County, Butler County, and Indiana County, Rep Pyle (R) held this seat since 2005. **FOAC supports Abby Major.**

PA Senate – District 22 includes all of Lackawanna County and parts of Luzerne County and Monroe County. It has been held by a D since 1971. **FOAC supports Chris Chermak.**

PA Senate – District 48 includes parts of Dauphin, Lebanon, and York counties. and has been held by an R since 1983. **FOAC supports Chris Gebhard.**

6.3 Statewide Ballot Questions – There are three amendments and one ballot initiative. Some counties have additional questions specific to their county. For example, Allegheny County has an ordinance question which asks for the Prohibition of the Use of Solitary Confinement in the County Jail and Pittsburgh has an additional question to prohibit no knock raids. <https://justharvest.org/2021-primary-election-4-statewide-and-2-local-ballot-questions/>

There has also been a lot of confusion about these 4 questions. Our take on the 3 proposed amendments to the Pennsylvania Constitution is as follows:

Questions #’s 1 & 2 involve Constitutional Amendments clarifying the limits of the Governor’s power to impose Emergency Declarations on the Commonwealth. These amendments restore the oversight of the legislature to limit or end these Emergency Declarations and we Recommend a YES vote. Limiting dictatorial powers is always a good thing!

Question #3 involves another Constitutional Amendment that creates a Constitutional Prohibition against denying rights because of race or ethnicity. We look at this as an issue of expanding Freedom and conforming to the intent of the drafters of our state and federal Constitutions. Further, the denial of 2nd Amendment rights to minorities goes back to the Dred Scott USSC decision and earlier. The Democrats passed many laws disarming Black Americans to help the Klu Klux Klan. Today, some of these same attitudes exist for instance in low-income housing and the issuance of Licenses to Carry Concealed Firearms, etc.

There is also the issue of the Pledge of Allegiance and Declaration of Independence using the term ‘ALL’ and not ‘All American Citizens’. If you are in this country legally, citizen or not, then the founders believed you had the ‘right’ to enjoy the protections of the Constitution and that bias and discrimination is an affront to the heart and intent of the Constitution. We ask that you consider the thoughts above and ignore speculative comments from others who are repeating other’s thoughts without thinking these issues through and vote your ‘own’ conscience and beliefs.

Question #4 would increase the debt of the local municipalities and give the state government greater control through mandates over local municipalities. This would harm local control and force us to pay higher taxes. There will also be strings attached with state mandates as well. A no vote supports keeping PA’s loan program available to volunteer fire and emergency medical service companies and not to paid municipal fire and emergency medical services companies. **This is a personal decision.**

7. Current Issues & Activist Efforts:

7.1 Ground Breaking Settlement with Philadelphia re LTCF Delays - Firearm Policy Coalition’s (FPC) *Fetsurka, et al v. City of Philadelphia, et al*. This litigation involved challenging Philadelphia’s initial refusal to accept LTCF applications. When this law suit was filed the city began accepting applications but there were substantial delays in processing. Pa law preempts issuing authorities from regulating, in any manner, the application for and the process to obtain a LTCFs. FPC’s support in this litigation allowed the challenge to the City’s treatment of residents as second-class citizens. It has also enabled FPC to work with Philadelphia to implement an electronic submission system that provides for a faster and more streamlined application process; thereby resulting in the Gun Permit Unit being able to quickly and efficiently process the 6500+ applicant backlog. Processing turnaround time is 120 hours. Additionally, Philadelphia agreed to pay FPC’s

attorney fees. <https://blog.princelaw.com/2021/04/23/groundbreaking-settlement-with-the-city-of-philadelphia-in-relation-to-license-to-carry-firearm-delays/>

7.1.1 Lehigh County DA Commits Felony for Disclosing LTCF Information – The DA disclosed confidential firearm purchase and license to carry firearms applicant information to the media in relation to a recent shooting at a Wawa. Not only did the DA disclose general information, but even went and disclosed the actual dates of purchase, application and approval. Under Pa law this information is considered confidential and public disclosure is prohibited. Violation is subject to both criminal and civil penalties. Any person who knowingly or intentionally disseminates, publishes or otherwise makes available such information to any person other than the subject of the information commits a felony of the third degree. State or local governmental agency or department that violates this subsection shall be liable in civil damages in the amount of \$1,000 per occurrence or three times the actual damages incurred as a result of the violation, whichever is greater, as well as reasonable attorney fees. Most probably this will be another incidence in which a government official violates the law and receives no consequences – unless the individual decides to sue for violation of his rights. <https://blog.princelaw.com/2021/04/26/district-attorney-commits-felony-in-disclosing-confidential-license-to-carry-firearms-applicant-information/>

7.2 SCOTUS Finally Agrees to Review Lower Courts 2A Ruling – The Supreme Court previously denied certiorari in three 2A cases. The cases were [Holloway v. AG Garland, et al., docket no. 20-782](#) (regarding whether a single, isolated DUI, involving no property damage or harm to any person can strip someone of their Second Amendment rights); [Folajtar v. AG Garland, et al., docket no. 20-812](#) (regarding whether a young lady's false statement on a tax return a decade ago, can strip her of her Second Amendment rights); [Flick v. AG Garland, et al., docket no. 20-902](#) (regarding whether an individual who was convicted of smuggling in counterfeit cassette tapes can be stripped of his Second Amendment rights). The first two cases were litigated by Attorney Joshua Prince. <https://blog.princelaw.com/2021/04/19/u-s-supreme-court-denies-review-of-three-second-amendment-as-applied-challenges/>

The case SCOTUS accepted is NYSRPA et al. v Corbett et.al. The New York statute requires an individual to distinguish themselves from the general population as having a special need in order to receive a concealed carry permit to legally carry outside the home. This is an egregious requirement in that the bill of rights including the 2A (the right of the **people**) is for all, not a special few. So essentially this means that unless you have special connections (as well as finances) with those in power a regular citizen will not receive a license. While NY is a May issue state in truth it is a will not issue state. The petitioners (as well as the NRA) are hoping to hear SCOTUS affirm that there is an individual right to self-defense outside of the home. The question, however, as defined by the court is much narrower and limited: "The petition for a writ of certiorari is granted, limited to the following question: Whether [New York] State's denial of petitioners' applications for concealed-carry licenses for self-defense violated the Second Amendment." <https://thenewamerican.com/supreme-court-finally-agrees-to-review-lower-court-ruling-against-second-amendment/> Considering the behavior of these judges so far it is difficult to predict how this will be handled. The only judge we can count on for upholding the true meaning of the 2A is Judge Clarence Thomas. Timewise we are looking at probably a year. In the meantime, this will surely kick up the efforts by the D's to "pack the court" from 9 to 13, eliminate the filibuster, and attempt to give DC statehood to gain 2 senate seats. The latter is clearly unconstitutional. <https://foac-pac.org/Scotus-To-Hear-Ny-Right-to-carry-Case;-Stage-Set-For-Gun-Law-Upheaval/News-Item/12263>

7.3 "Public Trial by an Impartial Jury of the State" or Mob Rule? The sixth amendment states: "In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an **impartial jury** of the State and district wherein the crime shall have been committed". Dr. John Lott calls the Chauvin trial a **travesty** which violated the rules that protect us all. Some examples include the following: Maxine Waters called for the anti-police crowd to get more confrontational and others

threatened to come after the defense witnesses and the jury members if the verdict was not what they wanted. Did the jury hear of these comments and did this intimidate the jury? Judge Cahill never even quizzed the jurors. Lott refers to a long list of serious concerns which have not gotten media attention that should have resulted in a mistrial. The prosecution dumped over 5,000 documents on the defense many of which occurred at 5pm the day before they were relevant. The prosecution did not provide key documents that the defense requested and while the judge ruled that the prosecution could therefore not refer to them, they did so any way. <https://townhall.com/columnists/johnrlottjr/2021/04/22/the-derek-chauvin-trial-was-a-travesty-prosecutors-violated-rules-that-protect-us-all-n2588370> A witness for the defense was Dr Fowler, who was a previous Maryland Chief Medical Examiner, from 2002 to 2019. Maryland Governor and State Attorney General, after receiving a letter from DC's former medical examiner and signed by 431 MDs, have launched an investigation to question all of his previous decisions. The purpose of this is clear, silence experts who agree to work for the defense in high profile and contentious cases. Without the ability to call witness, a defendant cannot adequately defend himself. <https://gunfreezone.net/leftists-are-really-trying-to-destroy-the-court-system/> In addition one of the 12 jurors Brandon Mitchell was photographed previously attending a protest and wearing a "get off our necks" t-shirt and BLM ballcap and he lied about this when questioned. How was this individual impartial?? https://www.dailymail.co.uk/news/article-9539447/Chauvin-juror-defends-participation-Washington-protest.html?ito=social-twitter_dailymailus The defense has filed an appeal based on several factors including jury misconduct. The appeal can be viewed at this link <https://mncourts.gov/mncourtsgov/media/High-Profile-Cases/27-CR-20-12646/Notice-of-Motion-and-Motion.pdf> The issue in this case is the preservation of rights guaranteed to all of us by the US Constitution. If they can destroy this process for Chauvin they can destroy it for any of us.

7.4 Idaho Deputy's Viral Video – Bellevue Deputy Nate Silvester made a clearly truthful video delivered in a humorous fashion regarding the irresponsible and disturbing comments made by a basketball player regarding a police officer's actions taken toward a knife wielding attacker. The police officer saved the life of the attacker's victim. Deputy Silvester is taking heat from his department officials, who are distancing themselves from his comments and suspended him without pay.. The Department has received tens of thousands of social media responses calling the department officials weak, in varying levels of politeness and supporting Deputy Silvester. <https://gunfreezone.net/police-officer-mocks-lebron-and-gets-suspended-by-weak-ass-department/> In addition a go fund me page has raised over 400 thousand dollars for him – most of which he will donate to a Children's Foundation. "We're not going to tolerate being attacked or bullied or vilified in the media anymore," Silvester said. As of last week his video had over 5 million views. <https://www.police1.com/social-media-for-cops/articles/fundraiser-for-idaho-officer-who-mocked-lebron-on-tiktok-close-to-400k-in-donations-FQEgtp8FskG7YUVE/>

7.5 Pennsylvania House Second Amendment Caucus–Rep Matthew Dowling has been named Chairman. One of his first actions was to create a mission statement: "The House Second Amendment Caucus works to promote a pro-gun agenda for law-abiding citizens by preserving the right to keep and bear arms as guaranteed in the constitutions of both the Commonwealth of the Pennsylvania and the United States of America. Member legislators are committed to rejecting proposals that aim to weaken Pennsylvanians' constitutional rights, as well as advancing initiatives to support and enhance those rights." Rep Dowling has actively worked with FOAC to introduce pro-gun legislation, for example HB 979 a critically need bill to strengthen Pa state preemption. Additionally, he has initiated a weekly Pro-Second Amendment program "On Target". It will be released each week on Wednesday. The first program is an interview with Rep Ortity discussing the FOAC supported bill, HB280 PICS to NICS.

If you have Facebook, please use this [LINK](#) to view this week's show.

- o <https://www.facebook.com/repdowling/videos/514855469867081>

If you do not have Facebook, you can view the program here:

- o [PA State Rep. - PA House 2nd Amendment Caucus \(repdowling.com\)](https://www.pahouse2ndamendmentcaucus.com)

To listen as a podcast, you can do so here:

- o <https://s3.us-east-2.amazonaws.com/pagopaudio/277556129.mp3>

7.6 McCloskey Update – The Missouri couple are scheduled for trial in November on charges of unlawful use of a weapon (a felony) and evidence tampering. This situation is another demonstration that government does not look kindly on a law abiding citizen having access to the tools of lethal force. The racist prosecutor, Kimberly Gardner who brought these charges and was thrown off the case for her prejudice, won her reelection. A special prosecutor has been appointed. Protestors broke down an iron gate; defiantly trespassed and threatened the McCloskey's who were defending themselves and their home against threatened violence. Protestors maintained they were "peaceful". Have any of these individuals been arrested and charged? This case will raise several questions. What are the "legal" rights of citizen to defend their home when protestors pose a threat? Does a protest March have any right to step on private property? Heller in 2008 established that people have a right to keep a handgun in the home for self-defense. Does the RTKBA apply to defending the home or just the people inside? Missouri Governor Parsons has stated he would pardon the couple if convicted. Full article by Dave Workman <https://www.ammoland.com/2021/05/st-louis-couple-that-defended-home-from-protesters-face-november-trial/#axzz6u6jYnUAL>

7.7 Continued Narrative to Demonize Trump Supporters – The propaganda launched against Trump supporters continues to increase. The target of this campaign are the Americans who support President Trump, the Constitution, the rule of law, our Inalienable Rights, our Judeo-Christian values, and founding principles of our Republic. Biden in his address referred to the events of January 6th as "The worst attack on our Democracy since the civil war." This is a flagrant lie. He also referred to "rebuilding a nation, revitalizing our democracy." The American Republic was already a fully functioning exceptional Nation with a thriving economy. The rebuilding he is referring to is a transformation of America – destroying the Republic and from the rubble creating a Socialist/Communist State – a totalitarian structure that obliterates human individuality and freedom. Keep in mind that his and others' use of the term "Democracy" is actually codeword for collectivism/socialism and is completely opposed to our Representative Republic. "Domestic Violent Extremists" is also code word for Trump supporters. A recent memo by the Secretary of DHS stated that this group "poses the most lethal and persistent terrorism-related threat to our country today. Addressing this threat is an urgent priority of the Biden-Harris Administration and of this Department." He further states "I have directed the Department to immediately begin a review of how to best prevent, detect, and respond to domestic violent extremism threats within DHS." https://www.dhs.gov/sites/default/files/publications/21_0426_prevent-domestic-violent-extremism-within-dhs.pdf This process can best be described as a purge of Americans who do not support their narrative. The US Military has been going through this same process. Why do they consider those who support President Trump, the Constitution, and our Founding values as such a threat? The most powerful weapon against Totalitarianism is the Truth. These Americans refuse to accept and live by the lies and instead stand strong on a foundation of truth.

8. Training Tips. Safety and Self Defense in a New Society- In this month's training tip, 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 discuss **Point Shooting and Sighted Fire**. What are they? When is each method indicated for use in a defense situation?

9. Media and Events: President Kim Stolfer received several requests by various media for comments on the Biden Administration's attack on the Second Amendment as well as other issues. Kim was asked for input from the following media:

- The Delaware Valley Journal
- KDKA Radio Morning Show interview

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- PCNC (WPXI Cable Affiliate) as a guest on the Pittsburgh Now Show
- An Associated Press story regarding Firearm cases and the Candidates for Pa State Supreme Court. The article is available at this link <https://apnews.com/article/legislature-pennsylvania-lawsuits-harrisburg-courts-a0a67d2748dd21e23ffc73eb37f62b6>

10. Legislation:

10.1 Pa State House – 44 Firearm related bills, 31 anti-gun and 11 pro-gun. Current Pa House legislation can be accessed at this link <https://foac-pac.org/Proposed-Pennsylvania-House-Legislation>

10.1.1 FOAC has been actively working with legislators to introduce and secure cosponsors for several bills including the following.:

- **HB 659 Constitutional Carry of a Firearm - Rep Bernstine**

<https://www.legis.state.pa.us/cfdocs/Legis/CSM/showMemoPublic.cfm?Chamber=H&SPick=20210&cosponId=34060> A letter was sent to all FOAC endorsed Pa Representatives asking them to sign onto this bill as a co-sponsor. In addition, FOAC volunteers have been personally contacting legislators to answer questions and elicit support. With IOWA just added 19 States now have Constitutional Carry. Once the Tennessee Governor signs their bill which has passed both the House and Senate the total will be 20. <https://foac-pac.org/Iowa-Governor-Signs-Constitutional-Carry-Bill/News-Item/12166>
<https://foac-pac.org/Tennessee-Passes-Constitutional-Carry/News-Item/12158>

- **HB 280 PICS to NICS Rep Ortaitay-** The PICS system is a failed \$250 million-dollar experiment that deprives citizens of their rights. FOAC sent letters to Pa Reps asking for support and co-sponsorship for this bill. <https://foac-pac.org/Proposed-Pennsylvania-House-Legislation-HB280/State-Law/4172>

- **HB 979 Strengthening Pre-Emption Rep Dowling** <https://foac-pac.org/Proposed-Pennsylvania-House-Legislation-HB979/State-Law/4409> – FOAC sent letters to Pa Reps asking for support and co-sponsorship – the bill currently has 70 sponsors

- **HB 921 Disparity of Force Rep Davanzo** – This bill strengthens the Pa Castle Doctrine protection <https://foac-pac.org/Proposed-Pennsylvania-House-Legislation-HB921/State-Law/4380> FOAC sent letters to Pa Reps asking for support and co-sponsorship

- **Rep Amen Brown proposed legislation** – focuses on prosecuting violent repeat criminals - <https://www.legis.state.pa.us/cfdocs/Legis/CSM/showMemoPublic.cfm?chamber=H&SPick=20210&cosponId=34883>

10.2 Pa Senate– 24 Firearm Related bills, 16 anti-gun, 4 pro-gun. Current Pa Senate legislation can be accessed at this link <https://foac-pac.org/Proposed-Pennsylvania-Senate-Legislation>

- A Constitutional Carry Bill **SB565** was introduced in the Pa Senate by Senator Dush and currently has 12 sponsors. <https://foac-pac.org/Proposed-Pennsylvania-Senate-Legislation-SB565/State-Law/4495>

10.3 US Senate–26 Firearm related bills, 15 anti-gun, 7 pro-gun See updates at <https://foac-pac.org/Proposed-Federal-Senate-Legislation> - anti-gun bills include government specified storage, wasting taxpayers money on calling for research on topics that already contain volumes of research, Red Flag law which violates due process.

10.4 US House – 76 firearm bills, 40 anti-gun, 21 pro-gun –Pro-gun bills include **HB38** which is Concealed Carry Reciprocity and **HB 95** The Hearing Protection Act which removes suppressors from NFA regulation. <https://foac-pac.org/Proposed-Federal-House-Legislation>

10.4.1 HB 1446 Enhanced Background Checks Act of 2021– A ridiculous extension of the delay in purchasing firearms. When a delay is created by the so called instant check system, you now have to petition for a review and wait an undetermined amount of time for that review to conclude. The Bill leaves it wide open for delaying the purchase or transfer of any firearm regardless of the Constitutional infringements or due process for one never convicted of a crime. <https://foac-pac.org/Proposed-Federal-House-Legislation-HB1446/State-Law/4495>

pac.org/Proposed-Federal-Legislation-HB1446/Federal-Law/8884 Passed by the House on 3/11/21 219 to 210 and sent the Senate on the same day. No further action as of this point.

10.4.2 HB8 Bipartisan Background Checks Act of 2021 – the title is deceptive 211 sponsors and only 3 Rs, 208 Ds. This is a universal background check bill which mandates background checks for all sales, outlawing private sales without going through a licensed dealer. The intention is to create a database of firearms owned by only law-abiding citizens. These bills having been enacted in some states have had no effect on lowering crime as they do not apply to criminals. Such a registration system, however, has historically been the foundation for government confiscation. When Australia began confiscating firearms – mandatory “buy backs – they obtained about 60,000. Government officials who wanted to continue the attacks on firearm owners lamented that they may not be able to obtain the estimated 170,000 remaining guns that were now prohibited, because no registration system was in place and they did not know where they were located. <https://foac-pac.org/Proposed-Federal-House-Legislation-HB8/Federal-Law/8885> This bill was passed by the US House on 3/11/21 227 to 203 and sent to the US Senate on the same date. No further action has been taken as of this point.

11. Events: Please check the FOAC website for updates <https://foac-pac.org/Events>

11.1 Washington County Gun Shows – June 19-20, September 25-26. 9am to 4pm. Washington County Fairgrounds 2151 North Main Street Washington Pa 15301. FOAC needs volunteers to work our table. Kevin Jackson has been coordinating the FOAC gun show tables. Should you be able to help FOAC please send him an email rubyred933@hotmail.com or call him: 412-302-3544.

11.2 Harrisburg Rally – Stop the Steal of Your God-Given Rights and Liberties – To Protect Your RKBA – State Capitol Steps, Monday, June 7th 2021, 10am. <http://www.repmetcalfe.com/UniteAgainstTyranny>

11.3 Concealed Carry Seminars – Kim/FOAC will be conducting the following LTCF seminars:

- **May 27th** – Rep. Dowling – Addison VFD, Rt. 40 7214 National Pike, Addison, PA 15411
- **June 3rd** – Rep. Warner – Connellsville Township Firehall, 905 Fireman Lane, Connellsville, PA
- **July 7th** – Rep. Davanzo – Herminie Gun Club – Address TBD

12. Good of the Order:

13. Adjournment