



# Arizona Citizens Defense League

## Protecting Your Freedom

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AzCDL's Membership Newsletter

August 2011

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John Wentling—Vice President  
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P.O. Box 10325  
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<http://www.AzCDL.org>

Available on the web  
(<http://www.AzCDL.org>)

- AzCDL Goals & Successes
- Legislative Updates
- Court Cases
- Online Application
- Newsletters
- Important Links  
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Need help accessing the web site? Contact AzCDL at (623) 594-8521

### Contacting AzCDL



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## New Laws Effective July 20th



The 2011 Legislative session started on January 10th and ended on April 20th. With pro-rights majorities in both chambers and a Governor that signed Constitutional Carry into law in 2010, the passage of pro-rights legislation looked encouraging. Four bills, three in the House and one in the Senate, were filed early that dealt positively with some form of Campus Carry.

However, after an assassination attempt on Congresswoman Giffords at a political gathering in Tucson on January 8th, some alleged "pro-rights" state legislators revealed that they were willing to take any position on any issue for the sake of appearances and political correctness.

The leadership in the House of Representatives, under the direction of the Speaker, Kirk Adams, halted the progress of almost all House initiated firearms bills, including the three Campus Carry bills introduced at the beginning of the session. The majority of the pro-rights bills that were passed this session were initiated in the Senate. Despite the resistance encountered in the House, eight bills that AzCDL requested and/or supported made it through the legislature and to the Governor's desk.

However even the Governor succumbed to the wave of political correctness that washed over the Capitol. She vetoed the remaining, Senate initiated, Campus Carry bill along with an AzCDL-requested bill that would have made it safer for law-abiding citizens entering government offices.

However, when the session ended, we still experienced a net gain in the restoration and protection of your Right to Bear Arms in Arizona. The following is a summary of the new laws that became effective on July 20, 2011.

### Justification of the Use of Force

The elements of justification for the use of force were broadened and strengthened in certain situations. Highlights of the new law include:

- Removal, as an element for justification in defense of another, of whether a reasonable person would believe that their intervention is immediately necessary.
- Redefining "acting reasonably," as it applies to crime prevention, as acting to prevent what one would reasonably believe is the imminent or actual commission of an offense.
- Redefining the presumption for the defense of a home or occupied vehicle to encompass a situation in which a person reasonably believes that the threat or use of deadly force is immediately necessary.
- Establishing a presumption that a person who is unlawfully or forcefully entering your occupied home or occupied vehicle is posing an imminent threat.

Certain exceptions apply. The full text of the new law can be found in ARS 13-406, 13-411, and 13-419.

(Continued on page 2)



# New Legislation Enacted for 2011



(Continued from page 1)

## Protection from Civil Suits

An AzCDL-requested proposed Constitutional Amendment that would protect crime victims from law suits by those who harmed them, passed out of the Legislature on April 14th and was sent to the Secretary of State where it will be placed on the 2012 ballot.

Currently, Article 2, Section 31 of the Arizona State Constitution prohibits any law from limiting the amount of damages that can be recovered for causing the death or injury of someone. Article 18, Section 6 mandates that the right of action to recover damages for injuries cannot be stopped and the amount recovered cannot be limited.

The Legislature attempted to protect crime victims from being sued via legislative means (ARS 12-716) but the courts determined portions of the law to be in violation of the state Constitution. The only remedy is a Constitutional Amendment.

## CCW Training Reform

The burden on the Department of Public Safety (DPS) to approve CCW training courses, training organizations, and instructors has been removed. In a nutshell, Arizona law now mirrors Florida's when it comes to qualifying for a CCW permit.

With the new changes to ARS 13-3112, ways to qualify for an Arizona CCW permit include:

- Completion of courses, offered by a law enforcement agency, college, or a private or public institution, academy, organization or firearms training school that uses NRA instructors or is approved by DPS.
- Completion of hunter education courses approved by Arizona Game and Fish or a similar agency of another state.
- Completion of an NRA firearms safety or training course.
- Completion of law enforcement or security guard training approved by DPS.
- Proof of current military service or an honorable discharge or general discharge under honorable conditions.
- A valid current or expired CCW permit issued by another state that has a training or testing requirement for initial issuance.
- Completion of any governmental police agency firearms training course and qualification to carry a firearm in the course of normal police duties.
- Completion of any other firearms safety or training course that is conducted by an NRA instructor or approved by DPS.

## Restoration of Rights

ARS 12-2101 has been amended to allow a person, who has been deemed to be a prohibited possessor because of mental illness, to petition to have their rights restored via court proceedings.

## Right to Carry

ARS 17-305, which prohibited the carrying of firearms in games refuges, has been repealed.

## Hunting Preemption

ARS 13-3107 and 3108 have been amended to prohibit political subdivisions (counties, cities, etc.) from enacting any ordinance or regulation limiting the lawful taking of wildlife during an open season unless the ordinance, rule or regulation is consistent with the state's hunting laws and Game and Fish Commission rules and orders.

## State Firearm

With the addition of ARS 41-860.02, the Colt Single Action Army Revolver is the official state firearm of Arizona.

## Be Vigilant

Renew your AzCDL membership today!  
Not a member? Join!



## 2011 Independence Day Rifle Match



On July 4, 2011, the sixth annual AzCDL Independence Day Action Rifle Match was hosted by the ACTS Division of the Pima Pistol Club in Catalina.

As a benefit match, net proceeds of \$1,500 were donated to AzCDL. Sixty participants finished the match.

Links to videos of each stage of the match, along with match results, can be found at AzCDL's website.

[http://www.azcdl.org/html/rifle\\_match.html](http://www.azcdl.org/html/rifle_match.html)



### Match Sponsors

We extend our thanks to the following Contributing Sponsors for this year's match: Cavalry Manufacturing; Desert Patches; Falcon Industries; Hogan Guns; Practical Tactical; Quentin Defense; Shooter's World; Spec Ops Brand.

Special thanks to Russell Phagan and Karl Kasarda for setting up and running the match!

# Join us at AzCDL's 2011 Annual Meeting in Tucson!

**Mark your calendars!**

You are invited to AzCDL's annual meeting of members on:

**Saturday, October 1, 2011**

This year's annual meeting will be held at the **Tucson Expo Center, 3750 E. Irvington Rd., Tucson, Arizona.**

Join us in celebrating AzCDL's legislative victories. We are expecting a huge turnout. Bring family and friends.

*As with all our annual meetings, the tasteful open carrying of firearms is appreciated!*

There is no charge for attending the meeting which begins at 2:00 PM.

Prior to the meeting, a luncheon will be served at 1:00 PM.

All luncheon attendees will be eligible for our door prize drawings which include a Front Sight Diamond Membership

The Front Sight Diamond Membership entitles the winner to attend all Front Sight courses, as often as they wish at Front Sight's Nevada facility.

The fee for lunch is \$25 per person. However if you join or renew your membership before the meeting, you may be entitled to FREE luncheon tickets.

Details about the annual meeting, along with reservation forms, can be found on our website:

[http://www.azcdl.org/html/annual\\_mtg.html](http://www.azcdl.org/html/annual_mtg.html)

If you do not have Internet access, call (623) 594-8521 for a reservation form.

Those having lunch will need to register and pay by September 25, 2011.

Our speakers this year include:

Gabriel Saucedo Mercer  
Candidate for Arizona's 7th Cong. District

Senator Frank Antenori, representing Arizona's Legislative District 30.

In addition to the door prize drawings, we will draw the winning tickets for our 2 firearms raffles currently underway (see article below).



## AzCDL 2011 Election Results



To promote continuity in leadership, the terms of office for AzCDL's directors are staggered. This year, the positions held by Fred Dahnke and J.D. "Duke" Schechter, expired and they sought re-election. No other nominations were submitted.

Per AzCDL's bylaws, a balloting process is not required when any individual runs

unopposed. As a result, Fred and Duke have been reelected to 3 year terms. The terms of the current AzCDL directors expire in the following years:

- 2012—Dave Kopp
- 2013—John Wentling & Charles Heller
- 2014—Fred Dahnke & Duke Schechter

Per AzCDL's bylaws, the Board of Directors elects the Officers following the annual election of directors. On July 11, 2011, the following officers were elected:

- Dave Kopp—Chairman of the Board
- Dave Kopp—President
- John Wentling—Vice President
- Fred Dahnke—Secretary / Treasurer



## Raffle Tickets—Win a Gun—\$10!



**Get 'em before they're gone!**

AzCDL is raffling off two pistols, a Ruger LCR and a Springfield XD.

The LCR is Ruger's 5 shot "Light, Compact, Revolver" that utilizes a newer trigger cam design to reduce "stacking." It is chambered for .38 special.

The Ruger LCR features a steel cylinder housed in an aluminum upper and a glass filled polymer lower frame.

The gun comes with a pistol "rug" complete with the Ruger logo.

The Springfield XD is chambered for .40 S&W. It has a polymer frame, 4" steel barrel and 3 dot sights.

The XD box comes with two 12 round magazines, a polymer holster, two-magazine pouch and a magazine re-loading tool.

**Only 200 tickets will be sold for each firearm. Tickets are \$10 each.**

*Buy your ticket before they are sold out!*

Tickets are available at all gun shows where AzCDL has a presence.

You can also purchase raffle tickets online at AzCDL's "store":  
[http://www.azcdl.org/html/online\\_store.html](http://www.azcdl.org/html/online_store.html)

The winning tickets for both firearms will be drawn in Tucson, at AzCDL's annual meeting on October 1, 2011.

The winner does not have to be present, but must comply with all federal, state and local firearms laws and must pick up their firearm via a federally licensed firearms dealer.

## Arizona CCW Permits on the decline?

After the passage of Constitutional Carry in 2010, CCW permit applications and renewals began to slow down considerably.

In July 2011, the number of active permits reported by the Department of Public Safety (DPS) was less than what they reported in June.

Will we now see a steady decline in CCW permits as fewer apply or renew? Time will tell.

### CCW Permit Advantages

Even though it is not required in Arizona, there are advantages to having an Arizona CCW permit:

- Until the rest of the country catches up with Arizona's respect for the Right to Bear Arms, government permission slips (i.e., permits) are still required to carry a firearm in most other states.
- The majority of states that do issue permits recognize Arizona's CCW permit, including neighboring Nevada which only recognizes the permits from 15 states.
- A CCW permit is required when entering Arizona establishments that serve alcohol and are not posted "no firearms." One of AzCDL's goals is to restore the right of all law-abiding citizens to dine out while armed. Until then, you need a CCW permit.

- Under Federal Law (the "Brady Act") having an Arizona CCW permit satisfies the background check requirement when purchasing a firearm from an FFL dealer.
- Having a CCW permit also satisfies the Federal "1,000 foot" rule regarding schools.



### No Permit does not equal No responsibility

Exercising freedom comes with a cost—responsibility. Each of us is responsible to know the law, and to have the proper mindset, skills and abilities that come with "bearing arms." Proper and continuous training has always been our individual responsibility.

One advantage of Constitutional Carry is that you are no longer required to sit through a one-size-fits-all class, mandated by bureaucrats and administered only by government anointed instructors. Market forces are now in play. Savvy instructors are catering training to the needs of the students who want to learn.

To promote training in the skill at arms, AzCDL is a partner in the "Train Me Arizona" campaign.

We encourage you to become involved also. This is the armed citizenry envisioned by our nation's founders—aware of our freedoms and exercising them responsibly. Remember, the nation, and the world are watching Arizona. How we, as gun owners and activists, respond to the restoration of our right to bear arms, sets the trend for other states to follow. Wear this responsibility with pride. For more information on the Train Me Arizona campaign, visit: <http://www.trainmeaz.com>

### Know the Law

Responsibility includes understanding Arizona gun laws. An excellent FREE resource on the impact of gun laws in Arizona can be found at the DPS website. We have a link to it on AzCDL's Educational page:

<http://www.azcdl.org/html/educational.html>

In the "Arizona Specific" section you will find "Legal Issues Regarding the Use of Lethal Force" by Michael Anthony.

We also recommend owning a copy of *The Arizona Gun Owner's Guide*."

You can purchase a copy online at

<http://www.gunlaws.com>



## Federal Firearms Legislation

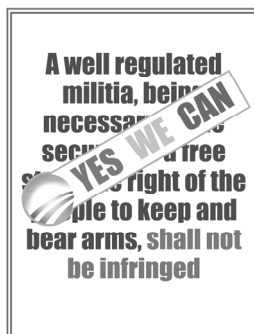


While AzCDL's focus is primarily on Arizona legislation, we keep an eye on what is happening at the federal level as well in other states.

Until we start the 2012 legislative session, you can find federal firearms related bills listed at our Legislative Action Center:

<http://capwiz.com/azcdl/home/>

Click on "Issues" at the top of the page. When you get to the Issues page, click on "Current Leg-



islation" for a list of federal firearms bills. The listing shows the number of co-sponsors and AzCDL's position.

Click on any of the bills listed to contact your U.S. Representative or Senator about the proposed legislation.

If you are aware of any bill we've missed, send an email to [treasurer@azcdl.org](mailto:treasurer@azcdl.org) so we can take a look at it.