



# Arizona Citizens Defense League

*Protecting Your Freedom*

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AzCDL's Membership Newsletter

May 2014

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John Wentling—Vice President  
Fred Dahnke—Secty/Treasurer  
"Duke" Schechter—Director  
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Charles Heller—Media Relations

Available on the web  
([www.AzCDL.org](http://www.AzCDL.org))

- AzCDL Goals & Successes
  - Legislative Updates
  - Court Cases
  - Membership
  - Newsletters
  - Online Store
  - Important Links
- (and much more)

Need help accessing the web  
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(623) 242-9086

## Contacting AzCDL



P.O. Box 10325  
Glendale, AZ 85318



[Info@AzCDL.org](mailto:Info@AzCDL.org)



(623) 242-9086

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## 2014 Legislative Review



### Outgoing Governor expresses true feelings with vetoes

In 2009, as a result of President Obama selecting Arizona Governor Janet Napolitano to head the Department of Homeland Security, Jan Brewer succeeded her as Arizona's Governor. In order to retain that title, she had to run for election in 2010 and appeal to a broad audience that included the state's gun owners. That was the year AzCDL was able to get Constitutional Carry through the Legislature and signed by Governor Brewer.

However, starting in 2011, after Governor Brewer was elected, most legislation that proposed any significant restoration or protection of your right to bear arms received a chilly reception from her office, typically receiving a veto. This year, with no re-election to worry about, Governor Brewer vetoed the following pro-rights firearms bills passed by the Legislature.



### Protection for me but not for thee

The Governor, who is protected by armed bodyguards and whose office screens for weapons, vetoed HB 2339 which would have allowed CCW permit holders to carry in public (state and local government) facilities that do not screen for weapons. In other words, for us ordinary citizens, a cheap cardboard "no firearms" sign is all the protection we are entitled to and we must disarm when entering or risk arrest.

In her [veto letter](#), Governor Brewer said she was concerned about the "fiscal impact" on state and local governments to beef up their security to make sure that even citizens with CCW permits can't enter. Right! Let's stick with the status quo, where any criminal can waltz past the flimsy sign unmolested.

### Arizona goes banana republic

Governor Brewer vetoed HB 2517, which would have added penalties for cities and counties violating state firearms preemption laws. If cities like Tucson want to push an ideological agenda by creating laws harassing otherwise law-abiding gun owners, they'll get a wink and nod from Arizona's Executive Branch.

One of the Governor's arguments in her [veto letter](#) was that anyone who perceives a local ordinance is illegal may seek remedies through the legal system. Remember that when you're arrested for violating some bogus local law and are facing financial ruin.

### We are not worthy

Governor Brewer vetoed HB 2338, which would have made it an Aggravated Assault if someone took, or attempted to take, your legally possessed firearm from you. In her [veto letter](#) the Governor said current law, which makes grabbing your firearm the equivalent of a punch in the nose, is sufficient.

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# 2014 Legislative Review

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## Don't be caught with an air rifle

There are conflicting definitions of a firearm in Arizona statutes. One, ARS 13-105, uses the "action of an expanding gas" to define a firearm. This definition includes air-operated rifles and pistols. Meanwhile, ARS 13-3101 uses the "action of an explosive" to define a firearm.

What makes the conflicting definitions sinister is ARS 13-3107 which makes the "unlawful discharge" of a firearm within city limits a class 6 felony. As a result, a backyard plinking session with your child and their Daisy Air Rifle could result in your arrest since either firearms definition could be applied.

SB 1366 would have updated the firearms definition in ARS 13-3101 to a weapon that uses "rapidly expanding gases created by a burning propellant or burning powder." Additionally, ARS 13-3107 (unlawful discharge) was changed to explicitly refer to the ARS 13-3101 firearm definition and not the air rifle definition.

All very logical to any thinking person, but not to Governor Brewer. In her [veto letter](#), she claims that criminals would now be able to take their "weapons" (air rifles?) into public buildings, court houses, jails and polling places. And, she claims, law enforcement officers would be prohibited from even temporarily taking these "weapons" away from someone, despite Supreme Court decisions saying otherwise. Finally, per the Governor, because the words "readily convertible" would be removed from ARS 13-3101, all a bad guy would need to do is disassemble a firearm to legally carry it anywhere they wished. Her staffers must have missed (or chosen not to see) the "readily converted" language that SB 1366 added to ARS 13-3102 (weapons misconduct) when doing their research.

## Now for some Good News

Though not all that we wanted, the Governor did sign the pro-rights firearms bills listed below. These legislative changes become effective on July 24.

HB 2103—The AzCDL-requested bill that extends CCW permit eligibility to

men and women with military service who are at least 19 years old.

HB 2443—Allows active duty military personnel, stationed in Arizona, to obtain hunting permits.

HB 2483—Strengthens the protection of the lawful use of firearms, air guns and archery equipment on private property.

HB 2535—Facilitates transfers of NFA (National Firearms Act) registered firearms by requiring local law enforcement to sign the required certification on legitimate transfers within 60 days of receiving a request to do so.

A list of all the bills that AzCDL followed this session, and their outcome, can be found at AzCDL's Bill Tracking Page, [http://www.azcdl.org/html/bill\\_tracking.html](http://www.azcdl.org/html/bill_tracking.html)

## The Mental Competency Ruse



One of the not-so-good firearms bills the Governor signed was HB 2322.

Federal law requires that the states be able to populate the FBI's National Instant Criminal Background System (NICS) with data on those who are prohibited from owning firearms for mental health reasons by court order.

As drafted, HB 2322 took an "everything including the kitchen sink" approach towards mental health issues. In addition to meeting federal mandates, it would have created a new state database for monitoring mental competency, and it also would have

added to the list of prohibited possessors in Arizona those determined to be "incompetent" by a court and anyone simply charged with, but not convicted of, certain firearms and domestic violence offenses.

Fortunately, with pressure from AzCDL members, HB 2322 was scaled back to meet the federal requirements and the extreme measures were dropped.

## Bad Bills Stopped

In addition to getting several good bills through the Legislature this year, AzCDL was instrumental in stopping a dozen bad bills from becoming law. Included in this list were bills that would:

- Eliminate Constitutional Carry.
- Require Universal Background Checks for ALL firearm transfers, commercial and private.
- Diminish "Stand Your Ground."
- Require you to keep your guns unloaded and locked away.
- Weaken the justification of the use of deadly force for self-defense.
- Allow local municipalities to destroy firearms that have been seized or surrendered.

## A New Beginning

AzCDL wasn't founded to appease politicians. We don't act based on whether or not a Governor likes our proposed changes to the law. Our goal is to get good bills through the Legislature and to the Governor. How they respond to legislation (sign or veto) is there for all to see.

## Remember in November

In the coming months we will have an opportunity to elect a new Governor. While AzCDL cannot endorse any candidate, we are optimistic about some of those running. You can find more information about candidates at the AzCDL PAC website:

<http://azcdlpac.com/>





## Another Successful “Team AzCDL” Front Sight Class



Another April, another two dozen intrepid AzCDL members braving the wilds of the Nevada desert – this year’s 4-day defensive handgun course at Front Sight.

For variety this year, we were treated to our own little haboob – a sandstorm that swept gun smoke and flying sand to a point that it almost obscured the targets at the right side of the range.

The instructors, including some we’ve trained with in years past, were outstanding (and patient), but after 5 years that’s what we’ve come to expect.

Thanks to Range Master Terry Wong, Instructor Eric Archambault, Line Coaches Dan Erickson and Bob Wigginton and Range Safety Officer Nick Buchawicki, the four days passed quickly...although getting everything right, from the presen-

tation from concealment to the hostage rescue head shot, sometimes made individual days interminable, but satisfying.

Also satisfying was the mix of new students and old hands returning to polish their skills and the two new members we picked up on site. We also made quite an impression on some non-Arizonans, both on our range and others, who were enthusiastic about starting sister organizations back home.

Once again, our members were attentive and safe – the only negligent discharge, rare enough at any Front Sight course, being fired by...one of the staff. Not what you’d expect, but an effective teachable moment. Unless you’ve checked, you should always presume your handgun is loaded. He forgot, and it was. If it can happen to a profession-

al....

We had a few members who wanted to attend, but couldn’t get away during April, and one who had to leave early.

One of them suggested a return engagement in the Fall, when the legislative session and tax season are long over.

If we get enough to make it worthwhile, there’s no reason not to – if you are interested in attending a Fall class email [Duke.Schechter@AZCDL.org](mailto:Duke.Schechter@AZCDL.org) and we’ll try to make it happen.

Duke Schechter  
AzCDL Director



## Join us at AzCDL’s 2014 Annual Meeting in Phoenix!

Mark your calendars!

You are invited to attend AzCDL’s annual meeting of members on

**Saturday, October 11, 2014**

This year’s annual meeting will be held at the Sheraton Crescent, 2620 W Dunlap Avenue, in Phoenix.

This year’s keynote speaker will be



Rev. Kenn Blanchard, author of [Black Man With A Gun](#).

**We are expecting a huge turnout.**

As more information becomes available we will notify our membership along with posting it on our website at:

[http://www.azcdl.org/html/annual\\_meeting.html](http://www.azcdl.org/html/annual_meeting.html)

See you there!



## AzCDL's 2014 Director Election



To promote continuity in leadership, the terms of office for AzCDL's directors are staggered. This year, the director positions held by Fred Dahnke, Duke Schechter and newly appointed Tom Woodrow are due to expire.

While Fred, Duke and Tom are seeking reelection, the nomination process is open to all members. All nominations will appear on the ballot. If there is only one nominee for a vacancy there will not be a balloting process.

If you are a Life member interested in running for any of these positions on the AzCDL Board of Directors, you may nominate yourself or be nominated by any other member.

If you are going to nominate someone else, you must provide a personal verification from the nominee, including the nominee's signature and membership number, indicating they want to be on the ballot. Candidate biographies and/or statements are welcomed. Send all nomination requests to:

AzCDL Membership  
P.O. Box 86256  
Tucson, AZ 85754-6256

You may also email nominations to: [treasurer@AzCDL.org](mailto:treasurer@AzCDL.org). A readable, scanned image of the nominee's personal verification document attached to an email may be considered acceptable if, in the sole judgment of AzCDL's Board

of Directors, it can be verified as authentic.

All nominations must be received by AzCDL by June 30, 2014. Any nomination received after June 30, 2014 will not be placed on the ballot.

If you include a candidate biography and/or a statement of why they/you should be elected, it must be limited to a single 8.5" x 11" page using standard margins and line spacing, and a font size equivalent to Arial 10. Any legitimate candidate statement timely received will be made available to members during the balloting process.



## AzCDL's Political Action Committee (PAC)



### 2014 is an election year!

The primaries are in August. AzCDL members have an extra tool to help legislators "see the light" - our Political Action Committee (PAC).

Campaign donations speak loudly to legislators seeking reelection and new candidates seeking to challenge sitting legislators. We want to see principled, pro-rights leaders get elected.

AzCDL's PAC is a force-multiplier for your individual donation. No matter what the size of your donation, when combined with hundreds or thousands of others, it WILL make a big difference!

All donations are welcome. We are in a dangerous era, and it's time to make hard decisions. Which is more important, an extra box of plinking ammo or the election of men and women who

will fight for your right to use that ammo?

AzCDL expects to be 12,000 strong when the 2015 legislative session starts. If every member donated \$10 to the PAC, we could make a serious difference in the outcome of the coming elections. Think of what could be accomplished if everyone was able to donate even more!

AzCDL has already made a tremendous impact on Arizona's gun laws. With a strong and vibrant PAC, we have the potential to significantly alter the political landscape for legislative sessions in coming years.

In keeping with our focus on Arizona legislation, our PAC is limited to supporting or opposing candidates for the Arizona legislature or other statewide offices (e.g., governor).

Arizona laws prohibit the use of PAC monies to support or oppose candidates for Federal offices or any local (county, city, town, etc.) elections.

Your donations are the fuel that the PAC needs to be strong and successful!

Donations can be made online at <http://azcdlpac.com/>

Checks may also be mailed to:

**AzCDL PAC**  
**16228 W. Custer Lane**  
**Surprise, AZ 85379**

Arizona law requires that the PAC *request* the following information when making donations: the name of your employer; your title/position; your street address.



# ELECTIONS HAVE CONSEQUENCES

