

Gun Lawyer S1 Episode 6

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SPEAKERS

Evan Nappen, Scott Bach

Evan Nappen 00:18

Hey, I'm Evan Nappen and welcome to Gun Lawyer. Let me tell you, I am really, really happy today because we have a special guest on the show, someone who's been a really close friend of mine for many years. I am extremely excited to have on the show to talk about the importance of what he does, and his name is Scott Bach. Now, Scott Bach is a Board Member of the National Rifle Association (NRA). Scott is also the Executive Director of the Association of New Jersey Rifle and Pistol Clubs (ANJRPC). He has served that State Association, which is a state NRA affiliate, for many years, and has been able to take New Jersey gun owners through some of the most tumultuous, dangerous times to our rights. As bad as New Jersey is, it would have been so much worse without Scott Bach at the helm, and I can tell you that because I saw it first hand. So, let me introduce and say hello to Scott. How you doing, Scott?

Scott Bach 01:49

Hey, Evan, it's great to be here, and don't leave yourself out of the equation, because as you well know, you're one of the Association's secret weapons when it comes to doing what we do. You're one of the unsung heroes of the New Jersey legislative battles for the last 15 years, and you've been a great friend. You've helped shape our policy and our actions with some of your sage and insightful advice.

Evan Nappen 02:19

Well, Scott, I really appreciate your saying that. But you and I are in this for the same reason. As we both know, it's because we believe more than anything in the Second Amendment and our God given fundamental individual right to keep and bear arms. You and I both get completely frustrated at times over the sheer stupidity of the laws that not only get proposed but also the ones that have even passed. Those laws turn law-abiding citizens into criminals. We've seen that happen over and over again, and we're constantly in this fight. Frankly, we are the underdog in this fight. The media doesn't give us our due. We are independent, really, of any mainstream, because they are driven by an anti-gun agenda. So, being able to do this, the show, is a way to break through that and to get our message out. That's why it's really important that our listeners understand why their state associations are vital to their rights. Now, you happen to be at the top of one of the most challenging state associations to be in because it's in New Jersey. The things that you face and have to deal with really are severe, but the

fight is across the country. Any listener, number one, you not only need to belong to the National Rifle Association, but you also need to belong to your state affiliate of the NRA, because that state club is critical. Scott, tell us why. What makes the state association so important to individual gun owners?

Scott Bach 04:25

Well, the state association is like NRA's face on the ground. NRA is dealing with 50 states, and while NRA does an incredible job in those 50 states as well as nationally, there's nothing like having people whose lives and energies are completely focused and absorbed on what's going on in their particular state. That's what we do. We call the association by its initials. It's a mouthful, ANJRPC, otherwise known as Association of New Jersey Rifle and Pistol Clubs, and we are NRA's face on the ground. One of the key reasons to be a member of your state association, every state has one. They're not all as active as we are, but one of the reasons is to get that intensive focus. That's what we do - we actually engage a lobbyist whose job it is just to monitor what's going on in Trenton.

Scott Bach 05:26

Most gun owners in New Jersey aren't aware of it. But at any given time, there's probably three to 400 anti-gun bills that are in the legislative process. They're introduced, most of them are just sitting there, and we have a person who gives us an early warning, and early heads up if one of them moves - most of them don't move. Most of them just sit there, and being able to sort out the ones that are going to move from the ones that are not going to move because you could have five people sending out 10 alerts each a day on pending legislation. We are committed to conserving member energy, and we only send out an alert when there's a real threat that's become actual. Just because a bill is introduced doesn't mean it's going to move through the process. A lot of legislators will introduce them just for the purpose of pandering to their constituents. So, we're the ones to listen to when we say to our members, as we do, there's this bill, and it's coming up on such and such a date. This is what's wrong with it. Here's who you need to contact and here's what you need to tell them. We mean business. We only ask that when there's a real threat and it's imminent. If we sent out an alert on every bill that was introduced, you wouldn't stop getting emails from us. It's unbelievable what goes on in the Garden State.

Evan Nappen 06:57

Well, that is absolutely true, and we're dealing with political odds really stacked against us too, aren't we?

Scott Bach 07:07

Absolutely. Currently, the entire state legislature and the governor's office are controlled by anti-gunners. We're not talking about just people who are opposed to private gun ownership. We're talking about radical extremists, Marxists, who think guns should be seized. They oppose private gun ownership in principle for anybody. The regulations, the thicket of regulations, as you well know, is unbelievable. They keep heaping more, and they keep heaping it on the wrong people. Criminals don't pay any attention to their stupid gun laws. The only people that pay attention to them are people like you and me and your clients who contort ourselves to follow these rules. When a criminal goes out and does something (and by the way, gets released in the catch and release system), they pass another law that only affects you and me. By the way, when one of our law-abiding citizens gets caught up in

that, they're not caught and released. They're caught and ensnared in a system that tries to put people in jail, as you well know, for five to 10 years for crimes that are not really crimes.

Evan Nappen 08:18

No, they're just technical games, a matrix of technicalities. If you step outside of it, you're now looking at the most draconian penalties imaginable - 10 years in state prison, minimum mandatory three and a half years, no chance of parole, on the simplest of gun possession. It's outrageous. New Jersey gun laws have destroyed people, destroyed their careers, destroyed their families, destroyed their hopes and dreams, absolutely destroying people. Yet, there's nothing talked about it, except within our sphere of influence. It is disgusting. It is horrible. Yet, they still go for more and more of these laws. In this harsh environment, where the threat is so enormous, Scott, the job that you've done, and it's just astounding as to how much you've been able to stop, even though there's still so much needed to be done. I'm wondering, how are you able to do that? How are you able in this worst anti-gun environment imaginable to even have an influence?

Scott Bach 09:46

That is a great question, and the answer is complicated. The bottom line is it requires the exertion of force against what feels like an immovable object, and there's a huge team at ANJRPC, a team of people that are all pushing against all odds. It starts with mindset. It starts with the belief that nothing is impossible, that anything can happen, and that we need to collect our energy. There's a million gun owners in New Jersey, and there's 8 or 9 million in the population. Taking that energy and focusing it like a laser beam when and where it's needed most, you would think that anti-gunners wouldn't care. But actually, it turns out, no legislator likes their phones ringing off the hook. No legislator likes their email inbox over quota because there's 10s of thousands of gun owners suddenly shouting at them. So, we've forced them to do certain things over time.

Scott Bach 11:05

Number one, overwhelming them with our collective power that has forced them to choose their targets carefully. There used to be a time when they would move, literally, over 80 gun bills at the same moment. Now they pick one or two because they know we're going to fight, and we're going to fight like hell. We're not going to give up. The other thing is, and this is where you, people like you, are instrumental in. Every time they come up with the new legislative proposal, they come up with these talking points that make it sound like it's the greatest thing since sliced bread, and who wouldn't agree with it? You're one of our secret weapons because you cut right through that like a laser beam. So, the other is messaging. We come out with a message that just untangles the tangle and pokes them in the eye with the bottom line truth of how absurd their proposals are and why they will be completely ineffective. So, it causes them to doubt themselves. We've sat at many a legislative hearing, where they are actually listening to our argument for the first time. Sometimes we see anti-gun legislators shaking their heads in agreement with the things we're saying. Then they look over at the caucus leader who will shake their head no, and they fall in line because the whole game in Trenton is a rigged game. Legislators don't work their way up if they don't do as they're told.

Scott Bach 12:41

So, listen, Jersey is a tough fight, and it's a game of pure defense at the moment, unfortunately. The way we've succeeded is by sheer force of will, refusing to give in, poking in between the eyes with truth, and not just argument, not just the intellectual argument, but emotional argument. Oftentimes when I'm testifying in Trenton, you won't hear me talk so much about scholarly research. You'll hear me talk about the single mom at home. As the window breaks in the middle of the night with intruders breaking in, she is still waiting (like people in New Jersey have) for her Permit to Purchase a Handgun and can't defend herself. Or she is limited to 10 rounds due to New Jersey stupid laws while the criminals come in with 30 round magazines. Out of a dead sleep, she's got to defend herself and her child. Okay, we try to find an emotional chord that anybody can resonate with, and believe it or not, this works with some of these anti-gunners. They realize there's an agenda unfolding. Sometimes they agree with us, but in the vote tally, they do what they're told.

Evan Nappen 14:04

Wow. Well, that is definitely some important techniques there that our listeners should utilize in their state associations throughout the country. We'll be back to talk more about this critical subject with Scott Bach.

14:31

For over 30 years, Attorney Evan Nappen has seen what rotten laws do to good people. That's why he's dedicated his life to fighting for the rights of America's gun owners. A fearsome courtroom litigator, fighting for rights, justice and freedom. An unrelenting gun rights spokesman, tearing away at anti-gun propaganda to expose the truth. Author of six best-selling books on gun rights including Nappen on Gun Law, a bright orange gun law Bible that sits atop the desk of virtually every lawyer, police chief, firearms dealer, and savvy gun owner. That's what made Evan Nappen America's Gun Lawyer. Gun laws are designed to make you a criminal. Don't become the innocent victim of a vicious anti-gun legal system. This is the guy you want on your side. Keep his name and number in your wallet and hope you never have to use it. But if you live, work, or travel with a firearm, the deck is already stacked against you. You can find him on the web at EvanNappen.com or follow the link on the Gun. Lawyer resource page. Evan Nappen - America's Gun Lawyer.

15:45

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Evan Nappen 16:01

Hey, welcome back to Gun Lawyer today with our special guest, Scott Bach, who is an NRA Board of Director. He's also the head of our state association. Scott has been in the gun rights fight for a long, long time, and he has made a tremendous difference in the toughest environment when it comes to guns - that is New Jersey. Hey, welcome back, Scott.

Scott Bach 16:36

I didn't get to say it before the break, but what ANJRPC does, our attitude about, there's no obstacle we can't break through. I just have to say it. You're unique among lawyers because you employ that same mindset. I have seen other lawyers run from cases that they thought were sure losers, and I've

discussed those cases with you. You've taken them on, and you find a way to beat them at their own game. You relish it. You love it, and that's what it takes in a place like New Jersey. It takes a mindset that says, I refuse to be shut down by the nonsense that we're facing. We will find a way to cut through it, and you're a master of that in the legal arena.

Evan Nappen 17:26

Well, thank you very much. It's the truth. I have pulled a lot of rabbits out of hats, that's for sure. But the other technique is to try to make the case victorious based on things that the other side cares about, because they hate guns, and they hate gun owners. I mean, there's bona fide hatred and bias against us. But I found that when we can tap into things that matter to them, such as other Constitutional rights of importance, other legal issues out there, such as discrimination and other things. It's important because the anti-gun laws really go at all civil rights, all due process. It attacks all of these concepts, because of the agenda and the narrative that the anti-gunners put through without any regard for the impact on these critical areas of what makes us Americans and what makes our system so special. I try to always use that. Also at times, the most important thing can be the court of public opinion. The court of public opinion shines the light of truth on the absurdity of the gun laws. Even though the media is generally against us, they often cannot resist the absurdity of the various cases and how they're brought. Just the blatant, "You got to be kidding me" response when someone hears about a case. So, we bring in every tool we can, that's legal and ethical to do, to save law-abiding gun owners. That's why I'm proud to be working hand in hand with you. As a matter of fact, the Association has been very successful in dealing with the lockdowns that were targeted against gun owners, ranges, and gun shops. Scott, you were so instrumental in getting the needed relief. Why don't you tell us how that happened?

Scott Bach 19:45

Sure. Well, it was the beginning of lockdown back in March of 2020. All of a sudden Governor Murphy declared that ranges and gun stores were "recreational", and then he closed recreational activities. So, along with tennis courts and golf courses, he shut down gun stores, he shut down NICS, and he shut down indoor and outdoor ranges. The first reaction was we wanted to go nuclear on them. But after analyzing it, we were realized we were in a situation very much akin to Internment Camps in World War II, which the US Supreme Court validated during times of emergency. At the beginning of lockdowns, people hadn't sorted through whether this is genuine and legitimate. People were scared and doing as they were told. Our counsel cautioned us really carefully about being disciplined. So, we appoint a very simple strategy, which was to wait until the Governor reopened something analogous to gun stores, indoor ranges, outdoor ranges, and he boxed himself in. Then to pounce - to be disciplined.

Scott Bach 21:12

So, we broke it into three parts. We have dialogue with the Governor's office all the time. We went to the Governor's office, and we told them you have no right to close gun stores. Gun stores are under the jurisdiction of the Federal government, not just New Jersey, which has its own independent bureaucracy. If you don't reopen gun stores, we're gonna sue you. He said, "I'm not reopening gun stores." So, we sued him. A week later, he reversed himself in the face of our lawsuit, without even telling us. He just announced he was reopening gun stores and NICS. Then the same thing happened with outdoor ranges. We had to be very careful of getting a bad decision and not making our play too

soon. So, we waited until he opened up certain recreational facilities that boxed himself in. Then we went to him and said, "Now you need to open outdoor ranges, because you've opened up analogous recreational facilities". And he said, "No." So, we sued him. Literally a week later, he reversed himself under the light of day. He wouldn't even fight. Reversed himself, didn't tell us just announced it. We found out along with the rest of the world. The same thing happened with indoor ranges. We waited until a little later in the season. When he opened up things like bowling alleys and other places that are analogous to gun ranges in terms of social distancing, and boxed himself in, we asked him to do it voluntarily. He refused. We sued him and a few days later he reversed himself.

Scott Bach 22:54

What does this tell us about him? Number one, it tells us that he's not a man of conviction. Number two, it tells us he wasn't serious about those items being in lockdown and that it was a political play. If it wasn't a political play, he wouldn't have reversed himself. He would have said, "hell no" - I'm going to fight you all the way. Instead, in the light of day, he just backed down each time, with petty bitterness of not even telling us he was doing it. So that reveals a mindset, a lack of conviction. If you don't have a conviction of what you've done, then why did you do it? You did it because you could. You did it because you wanted to shut down gun stores and ranges and thought COVID-19 was a great excuse to do it.

Evan Nappen 23:43

Absolutely. Scott, that was fantastic generalship by you. You really took on the leadership role of having these cases proceed in a way where you were the Sun Tzu of our fight, because even though you filed the suits, you never had to litigate to win. You won each one, simply by the threat that you put forward, because you waited until it was ripe to do it, and then struck. So, you've got a hat trick on all three wins in the face of the most anti-gun Governor, most anti-gun Attorney General in the most anti-gun state and got the retail stores, outdoor ranges and indoor ranges open. That's a fantastic job. It really shows just how smart and correct the decisions that you made were. It's well, awesome, great jobs.

Scott Bach 24:53

It was a team effort. It's what we do in ANJRPC. They'll tell us the odds were like Han Solo. Don't ever tell us the odds because we will always find a way, Evan, as you know better than anybody. It all comes down to attitude. It all comes down to just planting your feet and saying, "we're not giving into this." All the odds may be against us, but we're going to find a way. It's that attitude that drives us - you and your legal practice, and me and what I do for the Association on the political side, to find solutions that nobody else sees. Everybody else sees what we're dealing with, and they give up. You can't give up. As long as there's breath left in you, as long as you're living under the boot of unconstitutional dictators, you have to fight. You can't give up ever.

Evan Nappen 25:48

We do. We fight hard. I want to talk about something that individuals, our great listeners, might be even wondering about that is, how did you get into this? Why are you such a fighter? What makes you you because you've been there battling it out for our Constitutional rights in this incredibly tough environment. What got you there, Scott? What got your interest in this and how did this come to be about you, the person? Tell us about.

Scott Bach 26:25

Well, it's kind of a personal story. I grew up in New York City, and I believed everything I was told about guns when I grew up, but I knew something wasn't right. In my 20s, I bought my first home in New Jersey, in a rural area. There are basically two events that happened that shaped me. One was an event where I was out for a hike in New Jersey on a July morning, in the year 2000. I came face to face with a gigantic black bear, and I was not prepared for that. My heart started beating out of my chest.

Evan Nappen 27:10

I see. So, at that moment, you learned that you're not exactly sure what they do in the woods, but you sure knew what you did in the woods. Right? I think so. Right?

Scott Bach 27:23

Absolutely. The other thing was this movement in my life started. I started to get interested in firearms, and I followed that, wherever it led. It led to training. I trained with Colonel Jeff Cooper, who may be known to some of the listeners. He created the art of the pistol. He created modern pistol technique, and I trained with him.

Evan Nappen 27:50

One of my heroes, and I'm sure one of yours. One of the greatest gun writers and so influential throughout so much of what we love from the .45 1911 to the Scout rifle to just a 10 mm. What an influence and an amazing person. I miss his columns to this day. I miss the wonderful things he wrote.

Scott Bach 28:14

But I was a closet gun owner. At first, I was one of those people who look to the left and look to the right, and didn't want to make waves. The thing that changed that was actually a relationship I was in with a woman who I thought I deeply loved. I thought it might be the one. She completely was intolerant of firearms and anything to do with firearms. When you find that person that you think is the one, it gets under your skin. It's not just like, okay, bye bye. In the end, I was forced to make a choice. I knew it wasn't right. Because, it's one thing to compromise in a relationship. It's another thing to change who you are, to change your identity, and my identity was unfolding. One of the hardest and most painful things that I've ever done is to let go of that relationship, and that was the reason.

Evan Nappen 29:16

So, in other words, honestly, you had a choice between love and your Constitutional rights, freedom to own guns, and you chose your rights.

Scott Bach 29:32

I chose freedom, because you can't give up who you are in a relationship,

Evan Nappen 29:40

Then it wouldn't work, would it?

Scott Bach 29:41

It would not work and it's not the right thing, but it was difficult because this was so intense. You know what, I paid an emotional price for it and that was with me for a long time. Something inside me clicked and I said, you know what, I have paid this price for what I believe. I am not only not going to be silent about it, but also, I'm going to shout it from the rooftops. Now, I am going to be unashamed and vocal about my interest in freedom, and all of its aspects, including and especially firearms. Literally, within a year of that, I was on the Board of ANJRPC. All of a sudden these circumstances manifested that take people decades to win their way into an organization. I'm on the board of ANJRPC, and I'm on a Committee at NRA. All of a sudden, the doors started flying open, and an entire career path, not even a career path, a life path opened before me. It actually changed my career path because I was a practicing attorney, and I got knocked into this thing, where all of a sudden, I was a gun rights activist.

Evan Nappen 30:55

And now you're a recovering attorney, right?

Scott Bach 30:57

I'm a recovering attorney now. I don't practice anymore, but for a very, very long time, I lived off of savings.

Evan Nappen 31:06

You're still a gun lawyer. I know you.

Scott Bach 31:08

Well, in my heart, I am, but I'm also a client. Now, what I used to hate in clients when I practiced law, I now manifest as the client.

Evan Nappen 31:22

And you are flagged as a client, man, let me tell you, everybody knows.

Scott Bach 31:26

I know. I'm a very hard client, I know that. But you know, results pay for themselves. We're all driven, and we accept nothing but the best. If we're not going to succeed on something, it's not going to be for lack of giving it 110%. Every ounce of energy goes into what we do with passion and relentless resolve. That's what drives me to this day, and in hindsight, Evan, it's a life path that opened for me. I was meant to do this. Those were the circumstances that manifested that woke me up, and made me realize I'm here to do this. I've dedicated my life to it, and I'm not out there, thumping my chest and talking about how great, I am. I'm the team leader, and it's all for the team.

Evan Nappen 32:24

That's why I appreciate your coming on today and actually talking about these things, because you don't ever brag. You're very modest. And yet, I look and say, Oh, my God, the stuff that Scott's done. People need to know what a great leader and how much he has done in this incredibly tough environment. I'm really happy that we could share a little bit more about that. I know that's normally not your style, but I appreciate it. I want folks to know, and they need to appreciate what a great job you've

done and you truly have. Speaking of which, matter of fact, you are running again for NRA Board. Tell me about that.

Scott Bach 33:11

Yes, I've been on the NRA Board for a while now, and I'm finishing up a three year term. We run for three year terms. Along with Anthony Colandreo, owner of Gun for Hire and a gun rights activist, we're both up for reelection in 2021.

Evan Nappen 33:30

Let me say Anthony is also a good friend of mine, of the show, and both of us. He's done a fantastic job with Gun for Hire, which is another podcast you all should listen to. We love Anthony as well. Both of you from New Jersey, coming from this most difficult of all states when it comes to gun rights, gives both of you a great perspective on the Board, doesn't it?

Scott Bach 34:00

It really does, and it helps us bring our experience to the Board. There are people from states like Arizona, where their biggest obstacle is whether you can carry in a bar or not.

Scott Bach 34:15

I'm not joking. That's a real example. I have a friend of mine who's on the board from Arizona, and one year their big legislative fight was carrying in bars. So, it brings perspective. It brings our experience to the NRA Board. It also postures us to get resources from NRA that are pouring into New Jersey, which NRA really doesn't get enough credit for. NRA has put huge amounts of resources into New Jersey at my instigation and Anthony Colandreo's instigation, and we continue to do that. The partnership that we have with NRA and what they do, they're the unsung heroes, too. We ought to spotlight that.

34:58

I agree, and people need to know. They may say, "Well, I don't live in New Jersey and New Jersey is so f'kdup, why would we care?" New Jersey is the frontlines of the battle, and it becomes the petri dish for their testing of laws that then go national. They try to do this and get it done in Jersey, so they can jam it down everybody else. So we have to nip it in the bud. This is where the battle lines are; this is the front lines of the fight. So, this is vital for gun rights for the whole country to have this fight here. This is where it is. So, let me just say that I really appreciate, Scott, that you not only came on the show, but everything that you're doing and continue to do. Many gun owners owe you so much. Let me just say that.

Evan Nappen 35:49

This is Evan Nappen, reminding you that gun laws don't protect honest citizens from criminals. They protect criminals from honest citizens. Keep a fellow gun owner from becoming a law-abiding criminal. Tell them to listen to Gun Lawyer radio and visit our website at Gun.Lawyer.

36:10

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