

# Gun Lawyer Episode 29 Transcript

## SUMMARY KEYWORDS

firearm, new jersey, gun, gun laws, resemble, ban, law, dumb, gun free zone, lawyer, mag, guns, criminals, fire, serial number, dumbest, new jersey's, absolutely, slingshot, crime

## SPEAKERS

Evan Nappen, Speaker 3

### **Evan Nappen** 00:19

I am Evan Nappen, and welcome to Gun Lawyer. Today we are going to have a good time because we are going to talk about the top 12 Dumbest Gun Laws in America. That's right, we're doing the top 12 dumbest gun laws in America. I have fascinating news for you. They are not all from New Jersey. Now, of course, New Jersey is the champ of dumb gun laws, and many of them are from New Jersey, but not all. Let's start our countdown with number 12. You may find that some of these dumb laws, you may not even realize they are laws, but they are and are they dumb?

### **Evan Nappen** 01:05

So, number 12 does go to New Jersey because it is New Jersey's covert firearm ban. Many folks probably don't realize that New Jersey under our Governor Murphy signed into law, a covert firearm. Now what exactly is a covert firearm? A covert firearm means any firearm that is in the shape or configuration such that it doesn't resemble a handgun, rifle, shotgun or machine gun. What does that even mean? What is resemble? It is not limited to a firearm that resembles. Now, what does resemble mean? Resemble a key chain? A pen? A cigarette lighter a cigarette package? A cell phone or a smartphone? Wallet or cane resemble it. I mean that is such a wonderfully fine-tuned criminal law right there. Does your gun resemble? I mean what is resemble? It's idiotic. "Well, that is a jury question, obviously." I mean what the hell.

### **Evan Nappen** 02:16

Of course, it wraps into it the North American Arms .22 revolver that some might argue resembles a pager when it has that folding grip. Well how about the Life Card? The Life Card is a .22 pistol but it's a kind of a square and then you open it. It is a single shot. The Life Card looks like a card. Does it resemble a firearm? Whatever that means. The Braverman Stinger that looked like a pen, but it was not. It took two steps. You had to pull it apart and that it made it look like a gun. So, what part? Does it have to resemble a firearm only when it is ready to fire? Or what if it doesn't resemble a firearm until it's ready to fire because that's what that one is. Of course, New Jersey covers antiques, too. So that covers antique guns like antique black powder. Do you know many configurations there are of this?

### **Evan Nappen** 03:11

But wait. New Jersey did not stop there with their covert firearm ban. Of course not. That is not vague and ridiculous and absurd and dumb enough for New Jersey. They also banned possession of any

firearm that is enclosed in a container or covering that is designed or modified to allow the firearm to be fired while so enclosed. And that disguises or obscures the shape of the firearm so that it does not resemble (oh, here we go back to resemble) a handgun, rifle, shotgun, or machine gun. Oh, that's a good one.

**Evan Nappen 03:49**

So, let's think about this for a minute. Obviously, the legislators didn't think about it for a minute. But let's think about it. A firearm enclosed, right? It's enclosed that disguises or obscures the shape of the firearm. Well, it doesn't say anything about how big the enclosure is. So, what if I am shooting out of a hunting blind? Wait a minute, I'm completely obscured, and my gun is in the blind. You cannot see anything resembling a firearm. Yet, when the duck goes by, bang. It fires right out of there, completely obscured and enclosed. Well, why stop at a duck blind? How about your home? You are in your home and that is an enclosure. It does not say the size of the enclosure. It can make it resemble a viral I want to paint a gun in my household. It's like a gun. I mean, this is absurd. This absolutely makes the list for number 12 of the Dumbest Gun Laws in America.

**Evan Nappen 04:56**

Now let's go to number 11. Ah, we have got to include it here - ghost guns. Now, what makes ghost gun laws so dumb, other than it is dumb? Every gun law is dumb. I know. Every one. We know. All the gun laws are dumb. I agree. But these are the top 12 dumbest. Well, let's just take a look at how, for example, New Jersey defines a so-called ghost gun. It is a part of a kit of a firearm frame or a firearm receiver, which is not imprinted with a serial number registered with a Federally licensed manufacturer or a combination of parts without a serial number readily manufactured or otherwise assembled, which does not have the capacity right here to function as a firearm, unless manufactured or so assembled. So, in other words, they are trying to go after the 80 percenters and all that. But, of course, it is so vague.

**Evan Nappen 05:58**

You look at this and go, "Wait a minute." First of all, any firearm frame without a serial number. Well, every firearm has a frame. Right? They all do. They all have frames. It was not until 1968 that serial numbers were even required to go on guns. So, when you go in gun stores, even ATF recognizes that you can have guns without serial numbers. And what do dealers mark? "NSN", meaning No Serial Number. Well, New Jersey just made it a crime to possess any actual firearm that you lawfully acquired from a dealer that says NSN because it never had one to begin with. Too bad. The frame on that gun is a crime of the third degree. You are looking at five years in State Prison on that one. Do you know what else it covers? I'll tell you what else it covers. New Jersey covers black powder; they count it as firearms. If you have ever built one of those muzzleloader kits, well, you have got a ghost gun now in New Jersey. You are looking at five years in State Prison because that is a ghost gun. These are the dumbest laws. They did not bother to think it through.

**Evan Nappen 07:11**

Let's go to number 10 on our list. Number 10 - the bump stock. Now look, I know all the controversy surrounding bump stocks. There is politics involved in bump stocks. But let's actually take a look at the bump stock law as written in the infamous state of New Jersey. Right in their definition. What does it

say? A bump stock means any device or instrument for a firearm that increases the rate of fire achievable with a firearm by using the energy of the recoil of the firearm to generate a reciprocating action that facilitates repeated activation of the trigger. So, if you have such a device that does that, it is a bump stock. Let me tell you about such a device. Ready, folks? A rubber band. That's right. You take an AR-type gun or any other. Wrap a rubber band around the trigger and pull it around the front of the mag well and back around the trigger pulling it forward. You now have made a bump stock, firing semi-auto, out of a rubber band because that rubber band will increase your action of firing the gun. It fits this definition perfectly. So, New Jersey's ban on bump stocks is a ban on rubber bands. That is as dumb as you can get.

**Evan Nappen 08:30**

Number nine on our list. Again, not to totally focus on New Jersey. I promise we will get out of Jersey in a minute but there is just so much good stuff out of Jersey. Just the dumbest stuff you could possibly imagine comes out of that state. In New Jersey, you need a pistol purchase permit, which is an onerous process, a ridiculous application process. You have to go through background checks beyond belief, references, mental health checks, all these requirements. It actually exceeds becoming a law enforcement officer some of the things they check. You need to get a pistol purchase permit in New Jersey to buy a flintlock pistol, even an antique, or a BB pistol, a BB pistol even. It does not matter how old. It can be from the 1600s. I even had a fellow charged once for possessing a flintlock pistol and the charge is simply possession of a handgun. It is the same as if you had a loaded .44 Magnum in your boot. They require pistol purchase permits for flintlock pistols and BB pistols.

**Evan Nappen 09:40**

Let's go to number eight. The infamous ban on hollow nose ammunition. New Jersey prohibits possession of hollow nose with some minor exceptions. You can have it in your home, place a purchase, at the target range, and while hunting. If you are in any way outside those exemptions, you are guilty of a felony level offense, and you are looking at up to eight 18 months in State Prison per round. We see this all the time. Think about a ban on hollow nose. How dumb is this? What is hollow nose ammunition? It is less penetrating ammo. Why are they mandating high penetration ammo? They want you to go through the walls, go through the targets, go through all that. No, what is the idea behind the hollow nose? It is to have the energy expend in the target that you're aiming at and not over penetrate. To provide more safety and is better for your defense. That is exactly what it does. But New Jersey has decided to impose the Geneva Convention on New Jersey and mandated only high penetration ammo. That is dumb number eight of the Dumbest Gun Laws.

**Evan Nappen 10:51**

Now here is a fascinating dumb law that does not come from New Jersey. Yes, there are plenty of other states with dumb laws. And this one, I just think makes the list. In Connecticut, they ban semi-automatic, so-called assault weapons. But here's the deal. In Connecticut, it is legal if you obey the Federal law to have a machine gun. But if you had a machine gun in Connecticut that is select fire (in other words, it fires fully automatic and semi-automatic), you have to disable the semi-automatic function. I am not making this up. It's insane. You can have full auto, but you cannot have semi-auto in Connecticut. Absolutely one of the dumbest gun laws on the books. So, people that have a full auto M16 legal NFA, they have to remove the disconnectors. Guys that had collectible Thompsons had to

disassemble and make it so they can only fire full auto only. They really have to do this. Otherwise, they have contraband. It's insane.

**Evan Nappen 12:11**

Now we are going to number six. We are halfway through the list. Number six of the top 12 Dumbest Gun Laws is without a doubt New Jersey's temporary transfer law. In New Jersey, in order to temporarily transfer a firearm at the target range or while hunting, (those are the only times) that adult has to be over 18. If they are with you, in your presence, you can then temporarily transfer a firearm so they can use it as long as it is at an authorized range or while hunting and the person is legal for hunting. But if you are anywhere outside those two narrow exemptions, you cannot temporarily transfer a firearm to someone who is an adult. But there is a separate exemption for minors. So, if the person is a minor and as long as they are under your direct supervision, you can transfer the firearm to them at any time in New Jersey. So, it creates this incredibly dumb situation. If you are in your home and your home is being attacked, (let's say by a group of MS-13 Democrats), they are attacking your home, and you get into a firefight with them and get wounded. If you give your gun to your wife, assuming she is over 18, you are breaking New Jersey's temporary transfer law. But if you give it to your six-year-old daughter, you are fine. That is definitely number six on the dumbest gun laws.

**Evan Nappen 13:51**

So, when we come back, we will continue our countdown, and you will find out what the number one dumbest gun law in America is and the ones in between. I'm sure you will get a kick out of this.

**Speaker 3 14:09**

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](http://EvanNappen.com) or follow the link on the Gun Lawyer resource page. Evan Nappen -America's Gun Lawyer.

**Speaker 3 15:24**

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**Evan Nappen 15:39**

Alright folks, so you know, I really appreciate my audience so much, and I just want to ask you to help keep fellow gun owners from becoming law-abiding criminals. Tell them to listen to Gun Lawyer and subscribe to our podcast. You can go to [Gun.Lawyer](http://Gun.Lawyer). It is like [.com](http://.com) but it's [.lawyer](http://.lawyer). [www.gun.lawyer](http://www.gun.lawyer). Check us out, subscribe, rate us, and help us along here. It is our voice and our ability to communicate.

**Evan Nappen 16:06**

I also want to talk to you really quick about my favorite EDC. I have mentioned it before is Mitch Rosen for my carry rig. I love Mitch Rosen Extraordinary Leather, and I have it on right now. It is just the best. Try out Mitch Rosen. He is a friend, and he does not pay for this. I just do it because I love his products, and I want you to try it out. You will see what I am talking about. Make sure you get the belt with the holster because once you have that combination you are going to be spoiled.

**Evan Nappen 16:30**

So, let's get back to our countdown here. Number five of the top 12 Dumbest Gun Laws is micro stamping. Now micro stamping has been proposed by Governor Murphy, and it exists in California. Micro stamping is the idea of marking. When you fire the gun, the brass gets marked with an identifying type of serial number or mark. The theory is that they find the marked brass, and they can somehow trace the gun. Now, of course, this is incredibly dumb because any gun equipped with such technology can immediately be defeated with a \$2 file. So, you take the \$2 file and no more markings on the brass. Good luck with that. The whole thing is stupid. But even more than that, remember not all guns eject brass. So, I do not know what micro stamping is going to do on a revolver. Nothing. Yet the cost added to the firearm, that is what it's really about here. The idea is to make yet another hurdle, another expense, another add on that we need to spend so we can exercise our Second Amendment rights. It is absolutely a dumb law.

**Evan Nappen 17:52**

Number four on the list is the infamous large capacity magazine ban. Now we have seen large capacity magazine bans and boy are they dumb. First of all, the original magazine ban Federally which limited new manufacturer to 10 rounds in the mag. Do you know what that did? It had a wonderful effect really. On one hand I could almost like the law (of course, I do not like it but almost) because it forced the manufacturers to make much more concealable, more deadly handguns that only held 10 rounds instead of big handguns that hold more rounds, you cannot conceal as well. So, by making the mag capacity less, it really had a great effect of being able to make much better carry guns that are much smaller and better for concealment purposes. I would really rather have no ban, of course, so we can have a choice as to whether we want concealment or maybe a bigger full-size handgun that holds more rounds.

**Evan Nappen 19:04**

In New York's ban, they not only banned to 10 rounds, but then they had this insanity that said, you can only load seven rounds in it. What is that? They take it to a whole new level of dumbness. It's like dumb plus. They not only have the dumb ban, but then they add in you can only load seven rounds. Are you kidding me? I can't load three more. My question with any mag ban is always, how many bullets is your life worth? How many bullets is your life worth? Is your life worth maybe three extra bullets in your gun? To save your life. I bet you it is worth that, and maybe we should get to decide that.

**Evan Nappen 19:41**

Now look New Jersey's ban on large capacity magazines (LCM), oh that is really great. In New Jersey, they define LCM as any box, tube, container, or drum that holds now over 10 rounds and feeds directly

and continuously into a semi-automatic firearm. I had an actual case where my guy had a 100-round Thompson drum mag, only the mag, and they charged him with it. They charged him with a large capacity magazine, and I was able to show that, without modification, it would not fit in any semi-auto. No, it only worked in the full auto. It was actually a machine gun mag made for the full auto machine gun. Because of that, the judge agreed and said, it did not apply. Not only did he dismiss the magazine charge, but he returned the magazine. So, in New Jersey, you cannot have semi-automatic magazines, but you can have machine gun mags. That's okay. Just another brilliant law passed by these folks. This is what we have to deal with.

**Evan Nappen 20:44**

Number three, and this is definitely one of the more popular dumb laws. Most people that I have surveyed absolutely agreed when it comes to the bans on assault firearms, the absurdity of how they try to configure the ban just never ceases to amaze most folks. Absolutely, without a doubt, when they start going to the features-specific route, where they say any semi-auto that is mag fed and has the following features (you know, some of these features are intrinsically evil) somehow make it an assault firearm. They include like a telescoping stock. What does a stock that may move two or three inches back and forth have to do with crime? Nothing. It has to do with adjusting so you can shoot comfortably and more accurately maybe, and they always hate that but come on. It's pretty dumb. Or a flash suppressor? Who cares if a flash is suppressed? What is that?

**Evan Nappen 21:42**

But the one that wins the prize, without a doubt, for the dumbest gun law when we are talking about these features, is the bayonet lug. Why in the world if a gun has a "bayonet lug" does that have anything to do with a gun being dangerous? Didn't you know? All guns are dangerous so that doesn't make sense. It's no more or less dangerous. The fact that it has a bayonet lug? What is it? Are we being overrun with drive by bayonettings? I mean, what is it? It's absurd. A bayonet lug. I mean, come on. These dumb laws are sold to the public, and they are so dumb. These guns are blood in the streets and all their nonsense.

**Evan Nappen 22:36**

When it comes down to having to fight in court over these things, a bayonet lug becomes determinative in New Jersey whether this is an assault firearm or not. And whether the honest law-abiding citizen, who does not even realize it because his gun has a bayonet lug on it, is looking at 10 years in State Prison with a minimum mandatory three and a half years, no chance of parole. Over a bayonet lug. Yeah, it is about as dumb as it gets. But not quite, because we still have to get to number two of the dumbest gun laws.

**Evan Nappen 23:13**

Now number two of the Dumbest Gun Laws. This is just a place of honor for New Jersey. Although it may not technically be a gun, it is a weapon law. It just shines as to the absurdity, stupidity, and just pure unadulterated dumbness of New Jersey's gun laws. New Jersey's ban (I kid you not) on slingshots. In New Jersey, it is a felony level offense to possess a slingshot. Yes, folks. New Jersey has turned Dennis the Menace into a felon. Bart Simpson is a felon in New Jersey. Because they possess a slingshot, possesses slingshot. Just show you how clear and concise and regular their logic is. You

can buy a crossbow with no problem and no license. Not that there should be. There absolutely should not be. But you can have a crossbow with broadhead, razor arrows, shooting silently, that's fine, which it should be fine. But God forbid you have a slingshot, a slingshot. I mean, come on, and you are facing 18 months in State Prison for your possession of a slingshot in New Jersey. It just stands for the absolute stupidity of the gun and weapon laws that are out there. I think it has to be highlighted and that is why it is number two.

**Evan Nappen 24:53**

Now, folks, number one. Again, it is not a scientific study, but I have to say the number one dumbest gun law is, without a doubt, Gun Free Zones. Gun Free Zones. Think about how stupid this is. "We are going to put up a sign. No guns here. This is a gun free zone." Hey, that will stop crime, won't it? Because all you got to do is put up a sign, and it works so great. Come on. Anyone that would believe that creating a Gun Free Zone and putting up a sign is going to do anything about crime, it shows you why they even think gun laws will work at all. Because they are that stupid. Who is going to obey the Gun Free Zone? A law-abiding citizen. That is all, no criminal, no bad guys. They will ignore that sign. It is not going to do a damn thing. They do not care that it is a Gun Free Zone.

**Evan Nappen 25:54**

As a matter of fact, in a number of the high-profile atrocities that have occurred, the person committing them targeted a Gun Free Zone because they knew they would not face resistance. That's right, they specifically chose the "gun free" movie theater over the one that wasn't. That's right. And who gets disarmed? The law-abiding citizen. These are victim disarmament zones, and they are designed to make you a victim. They serve no purpose. They do not stop any criminals. Think about it. The absurdity of even believing that creating such a place with a sign could have any positive effect. Instead, it is the opposite. And guess who suffers? You and I suffer.

**Evan Nappen 26:50**

The purpose of all these laws is to make us, particularly in Jersey, criminals. To turn us into victims of gun laws. Criminals ignore all this stuff. It has no effect on crime. We know it. It is nonsense sold to the public. They do not bother reading their laws as to how ridiculous they are. When it comes down to the enforcement, just how vague and absurd they are. And who's going to suffer under all this? The law-abiding citizen. That's who. The real bad guys are going to ignore them. Even if they ever get charged with it, well, they are committing a real crime. These are the first things that are going to be plea bargained away. It has no impact.

**Evan Nappen 27:37**

The folks that push this are selling a lie, a lie to take away our rights. Do you want the proof? Just look at these top 12 Dumbest Gun Laws in the U.S., and you will know beyond a reasonable doubt just how bad their agenda and narrative is. This is why I'm reminding you that gun laws don't protect honest citizens from criminals. They protect criminals from honest citizens.

**Speaker 3 28:15**

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