

Gun Lawyer -- Episode 63 Transcript

SUMMARY KEYWORDS

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SPEAKERS

Evan Nappen, Speaker 3

Evan Nappen 00:18

Hello, I am Evan Nappen and welcome to Gun Lawyer. Today I want to talk about strategies for dealing with the coming storm, particularly those that live in states like New Jersey. New Jersey's coming storm is a wave of anti-gun laws that I know you know from the past couple of shows. We have gone into detail about these proposals. We may make it out here in this lame duck session without things getting passed, but it's going to happen in 2022. We are going to fight hard, and we are going to try to stop it. But we have to be realistic. We have gun prohibitionists who are in political power across the board, and they hate us. You have to accept this. They hate gun owners. They hate what we stand for, and they hate what we are about. They hate guns. They have an agenda and a narrative, and they push it. We see this in these bills. As individuals, particularly if you live in a state like New Jersey, you have got to think ahead. You have got to preempt and prepare for dealing with living in that environment.

Evan Nappen 01:54

If you are choosing to remain in New Jersey, then you need strategies so that you can better deal with that. Because if you don't, you are going to end up, in the best case, just losing your guns and your gun rights. In a worst case, which is even more likely than ever, you are going to end up in state prison for a minimum mandatory term of imprisonment. Prior to that, held in the jail until your matter gets resolved, by way of a trial, or some other legal means. This is not an exaggeration. This is not hyperbole. This is for real, and that's where this is going. If you don't wake up and see that, you may be very sorry that you didn't.

Evan Nappen 02:54

So, I want to help folks along here with thinking about strategies and ways of dealing with what is coming our way. Now keep in mind, there already is a god-awful gun law system in Jersey that turns law-abiding citizens into criminals. It creates victims of gun laws, left and right. Remember, every gun law in Jersey is a felony level offense. Even possession of a slingshot in New Jersey is a felony. And why is that? Because it's part of the design to make you a felon. So, if you're made a felon, you are then disenfranchised of your gun rights for the entire country. Because you're now a convicted felon and under federal law, you are barred from guns period. It does not matter if your conviction was for slingshot possession in New Jersey, you are going to have the same consequence.

Evan Nappen 04:03

Adding to this mess in Jersey are the worst and most atrocious gun prohibitionist laws you can imagine coming. They are going to, in all likelihood, pass some version or another because we really do not have blocking forces politically in Jersey to stop it. So, we are probably going to see a version of that so-called Safe Storage bill which mandates that firearms and ammunition be in separate locked containers. Every round, every bullet component, every primer, shell casing, everything be in a separate locked container. If you do not have that, then you are looking at being charged with violating that law. You are looking at Firearm ID Cards expiring after four years; so that 2 million plus or so Firearm ID Card holders are going to have to renew or otherwise be unlicensed. You are looking at mandatory registration of firearms beginning with hammering non-residents coming in and requiring them to have a Firearm ID Card whether they want to purchase a long arm or transport it or not.

Evan Nappen 05:27

You are looking at a 50-cal. ban, which we discussed in detail, which is going to ban all kinds of guns in the same way that the assault firearm ban banned so-called assault firearms. We are seeing this horrible bail reform law that puts gun possession offenses in the same category as murder, so that you are going to be held. You combine all this with existing gun laws in Jersey that are so terrible, the assault firearm law, that's an absolute convoluted mess that makes no sense. It defies logic that has nothing to do with crime or danger or safety or anything. It's just arbitrary determination of this gun being a bad gun and this gun being a good gun with no rhyme or reason or basis in common sense whatsoever. It doesn't matter. If it shakes out that your gun falls to the other side of that line, you are looking at being held without bail pending trial, and if convicted, mandatory state prison - three and a half years. All because you thought your Jersey legal gun was not illegal, even though it's legal just about everywhere else in the United States.

Evan Nappen 06:51

Talking about magazine capacity limitations, any mag over 10 rounds is a felony level offense. If you have a factory mag to the gun you bought and it was registered with a pistol purchase permit, but it had an 11 round factory mag, you are looking at a felony. There is no grandfathering of magazines. You are in trouble. You got a problem on Jersey's unbelievably bad gun laws that does harm, incredible harm, to law-abiding citizens. I do not want to see any of my listeners harmed by these horrible laws. I have spent my whole life, my whole career, defending what I call law-abiding criminals because of New Jersey.

Evan Nappen 07:39

Then you combine all of this with intense confiscation schemes, unlimited confiscation schemes, red flag confiscations. Right now, the Prosecutor's office in Atlantic County just put out a video on how to file Red Flags. You know, how to, really easy how to. So, everyone can file red flags on everyone. Make it happen, grab those guns, get them. No due process upfront - none. You do not even know that it is happening. The person makes a claim and files a complaint. Next thing you know, you are dealing with law enforcement at your home, taking your guns, mandatory seizures, search of your home, privacy invaded, all licenses instantly revoked automatically. You are left there with your property seized and a receipt in your hand, because it is the only thing that's required to be given to you.

Evan Nappen 08:48

Then you are required, within 48 hours, to file that receipt with the prosecutor's office. Then you can finally have some due process and get a hearing on the Red Flag confiscation. That's just Red Flag, and if in that confiscation, a slingshot is found, or a magazine that holds over 10 rounds, or a dreaded intrinsically evil, so-called assault firearm is found where they just want to put you to your proofs, because exemptions are something you have to prove. Even though you are legal to have it in your home, it is still an exemption, a defense. You have to prove it. So, you may have to go to court and prove that your home is your home. While you are in the middle of trying to prove that they are going to hold you in jail because it is a Graves Act offense for unlawful possession of that handgun, or unlawful possession of that rifle or shotgun that they claim is a problem for you.

Evan Nappen 09:45

It does not end with Red Flag confiscation, because we also have healthcare confiscation where it's called duty to warn. All these medical folks, including therapists, are required to report you if you make any type of hyperbolic statement whatsoever, or they think in any way that you are a danger. Along comes the government to take your guns and not only your guns, but they take you. They take you for evaluation. Even though you are fine, and you are found to be fine, you still have to deal with the hearing on trying to get your guns and your gun rights back. And again, if anything problematic was found during that episode, you are facing escalation to criminal charges, which are all are felonies. Then you are facing mandatory time, and most likely being held without bail and dealing with mandatory prison sentences. And it doesn't end there, because there are also domestic violence seizures. If there is any claim of domestic violence, your guns are seized.

Evan Nappen 10:52

Let me just say, folks, everything here that I am saying, you may say they confiscate just because they do it under "safekeeping". They pull it out of their ass and say, we are going to take your guns because we can, and we will. They do it without even statutory authorization. And you may say to yourself, well, I am a good person. I am a law-abiding citizen. I don't do anything wrong. So, there is no reason anyone is ever going to take my guns. Well, it does not have to be you. If one person in your household gets a DV (Domestic Violence) or a Red Flag, or a healthcare confiscation, or a pull it out of your ass confiscation, and it has nothing to do with you, other than that person living with you, guess whose guns are getting taken as well? That's right, yours - the innocent third party. I get tons of those cases - the innocent third party.

Evan Nappen 11:44

If your guns are taken because of some other issue with some other person, it does not matter because if found in those guns and accessories, etc, that are seized is anything that New Jersey has arbitrarily decided is somehow a problem and should be prohibited and is intrinsically evil and bad, part of the narrative and agenda that they're seeking, guess what? You are going to be criminally charged even though you did not bring any of this on. Folks, this is the picture in New Jersey. It's not exaggeration. My entire practice deals with this every day, and it's going to get worse.

Evan Nappen 12:27

If and when what is now being proposed is going to take it to a whole other level of absurdity, a whole other level of incredible danger for you, as a gun owner. And you are not going to hear this in the lamestream media. You are not going to see it in the controlled media. You are not going to see it or hear it. They are not going to tell you about it. You're only going to learn about it too late when it's happened to you, and you're saying, how come nobody told me. But that's why you're listening to Gun Lawyer. Because I'm telling you, and I'm giving you the heads up. You are smart enough to be listening to know. If you have dealt with New Jersey, the way I have, you know that nothing I am talking about is an exaggeration. I have case after case after case of persons who would tell you that they've gone through it and experienced it themselves.

Evan Nappen 13:35

So, with that picture being made with this state, and having to deal with this state. New Jersey is not alone. There are other states just as evil, just as wrongheaded, just as hateful of us out there. But New Jersey just wins the prize in my view because it is so terrible, and now it's going to get enhanced. And you got to take a step back and you say to yourself, what can I do about this? When we come back from the break, I am going to give you specific advice on things you can do to protect yourself. Strategies that you need to think about so that you can minimize and mitigate the exposure and danger that every gun owner faces in the state of New Jersey and other states that want to trample on our Second Amendment rights and disenfranchise us from our God given rights to have firearms and weapons and our ability to defend ourselves.

Speaker 3 14:56

For over 30 years Attorney Evan Nappen has seen what rotten laws due 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.

Speaker 3 16:11

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Evan Nappen 16:26

Hey, okay, welcome back. I want to focus on talking about specific ideas, what can we do as individuals to protect ourselves in this horrible environment? First of all, knowledge is key. I appreciate all my listeners very much, and I'm glad to have this voice to be able to help folks protect themselves. Tell your friends, listen to Gun Lawyer. Make sure you subscribe and have them subscribe. Listen to these shows so that you do not become law-abiding criminals. The key issue is just that it's in New Jersey.

So, one of the things you need to think about, is there a way to not have your firearms in New Jersey? Now many, many people have left New Jersey, and that is, of course, an option, to vote with your feet. There is an exodus out of the state for a multitude of reasons, not the least of which is the destruction of New Jersey's freedom across the board for the things that we love. But it's not always possible. It's not always feasible for individuals to leave New Jersey as much as individuals would like to. As a matter of fact, the polls show that the overwhelming majority of people in New Jersey want to leave New Jersey but can't. Imagine living in a state where the majority of the population does not want to be there. Isn't that nice? So, you're not alone.

Evan Nappen 18:15

But why do people stay? Well, they stay for what I call, one of the reasons, is golden chains. And that's because New Jersey is a very densely populated state. Because of that, there's a lot of people and where there is a lot of people, there is a lot of financial transactions. A lot of things being bought and sold and there's commerce. And because of that, there's gold here, there's money to be made. There are jobs because of that. So, golden chains that keep people chained to a state where they would rather leave and live and have freedom but can't break free. I get that, and what if you are in that position? What if you are in a position where your dream would be to leave? Many people cannot wait to retire and get out and do whatever they can.

Evan Nappen 19:02

But what can you do? Well, here are some options for you. You need to look about your surroundings and realize that New Jersey is bordered by a state that is substantially better than New Jersey and that's Pennsylvania. There are other free states as well, but Pennsylvania is without a doubt the closest. It is possible for you to get a vacation home in Pennsylvania where you can store your firearms, ammunition etc. Pennsylvania actually has a specific exemption in their gun laws for a vacation home. So, it's an important option. Of course, you have to be careful that they are safely stored and secured. Of course, you may worry about their vulnerability, etcetera. I can tell you that there are a number of ways to address this. Other than having an actual place, there are certain facilities that store firearms out of state for a price, rental etcetera. Now, I am not talking about a common storage unit area. Many of those places prohibit storage of firearms, ammunition. I am talking about businesses that are focused on the actual storage of firearms out of state. There are a number of businesses that do that, and you can explore that as an option.

Evan Nappen 20:52

Probably one of the best things I have seen is when you have your own place out of state, and if you want to hear about a great place, that really is fantastic, this is how to do it right. If you want to go all out or you're a gun collector, you have a great big gun collection, and you're worried that you are going to be victimized by New Jersey and have an entire confiscation. Look, I have had cases where 400, 500, 1000 guns have been seized by major collectors, and it's a nightmare.

Evan Nappen 21:28

Well, here is something that I know of. This is a place that is going to be coming up for sale in the spring. If anyone is interested in this, personally get a hold of me, and I can get you information on it. It is a client that has this, and it is in the Poconos. It is a vacation home with a hidden room with six full

size, top of the line, gun safes. It's in a secret room, and you can enjoy the vacation home aspect of it. It could even be rented, and they would not even know that this secret storage area is there. It is in the Poconos, and it is in one of these gated communities. A gated community means that only people who are supposed to be there, go there. The gated community has their own security, and so keeps it another level even outside of government. The storage area is completely concealed, separately alarmed, hardened. It's got five Presidential Liberty Safes and one Cannon safe. The place is fully furnished with three bedrooms, two bathrooms, and a loft. It's an incredible setup. It really is cool, and it is the kind of thing that is the ultimate for someone who is stuck in New Jersey and needs to store their firearms outside of the state. I think the asking price is going to be somewhere around 220,000. But like I said, it is going to come up in spring, and if anyone is seriously interested, privately contact me, and I can get you in touch with the seller.

Evan Nappen 23:31

Of course, you can do this yourself. You can find a place, and you can make sure things are secured and stored properly. What do you want to store? Basically, you want to get everything out except for what are the minimalist guns to leave in New Jersey. What are the minimalist guns that are the best choices to leave in New Jersey? Well, essentially, you want to still be able to have the ability to defend yourself. So, what firearms should be left if you are able to store everything else out of state? Number one, you want to be incredibly discreet. You do not want to talk about it. You do not want to brag about it. You don't want to tell anyone about it. You just want to have them, and no one knows. Loose lips sink ships. You keep it as quiet as possible. But what do you keep in state? What minimum guns are some of the best choices? Now look, I love tactical firearms. I totally love them, and I love all guns. It has to cut or shoot for me to like it. Okay, it's that simple.

Evan Nappen 24:52

But we are talking here about an idea to minimize your risk. What goes into that? If there is a situation, how do you avoid a problem and becoming part of the narrative where they can run with certain guns and paint you to be some bad guy, some nut job or some killer, all the extreme things they do? So, let's start with your basic self-defense gun. Frankly, in New Jersey, your basic self-defense handgun is best to be a revolver. Now, look, I love autos. I love autos, and I am sure many of you love to shoot autos and are proficient with all the semi-auto pistols. It is not about a debate as to whether a semi auto pistol or revolver is better. It's not that classic debate which has gone on for years and years. I am not talking about that. I am talking about a strategy. So, when you are in New Jersey and you have to defend yourself with a handgun, if you have used a revolver to do that, and if you have some speed loaders and a revolver, you are going to look a lot better than any semi auto handgun, in terms of the presentation that the state would attempt to make on you.

Evan Nappen 26:26

There are plenty of revolvers that are very effective and have proven reliability. There are certain mechanical advantages to revolvers that I am sure you know. Number one is they can remain loaded. Now, of course, if New Jersey passes "Safe Storage", you are not going to be able to have anything loaded. But they can remain loaded without springs being compressed. They are very easy to operate, and they are less prone to jamming. Even though with autos, you know the key ways to clear jams, etc. But revolvers are known to have a strong reliability factor. But it's not about that, again, it's not about

that debate. It's about what if you defend yourself and have to get in front of a jury defending yourself, and what you had was a classic revolver. And if your guns are confiscated, the few guns you have in Jersey, and what is taken is a revolver, no one is going to get that hot and bothered about that as they would about all the other bad, intrinsically evil guns, that Jersey loves to make out to the public as some kind of danger.

Evan Nappen 27:47

I have seen it where prosecutors insist on the plea going to some prohibited item that is of the current fad. Even if the plea could have easily gotten done to something else, but they want the fad. They want the latest hot thing banned on their trophy list. So, they push for these things. Well, revolvers do not fit that and that's why it's a good choice in the minimalist New Jersey. Additionally, you want to have a rifle. Try to make it a deer rifle of some sort. Lever actions are the best - get a lever action. They hold a decent amount, and they are classic hunting gun. Nothing tacti cool, semi auto that the state can make out on about it and enhance it and try to scare juries about it. Again, if your guns are taken, you had a deer rifle and a revolver. Okay, not a standout situation while all your great stuff is stored safely out of state.

Evan Nappen 29:07

The other thing which cannot be beat is a pump shotgun. Look, pumps shotguns are classic hunting shotguns. I know that there are a lot of great tactical pumps out there and that's cool. But if you're going for a strategy here of minimalist, then you can have the equivalent of a pump riot gun in the configuration of a pump deer gun. A 20-inch barrel deer gun, 20-inch barrel, cylinder bore, with a nice wood stock. It is just as effective as a riot gun because it is a riot gun, but it isn't when it's a deer hunting configuration, right? But it does the same job. Again, that's a deer gun, used for deer hunting. Legally you can use it for deer in New Jersey. So, maybe you want it as your deer hunting shotgun and your home defense shotgun. But again, minimalist and not making yourself standout and yet still being able to survive in Jersey's anti-gun environment.

Evan Nappen 30:14

These are things to think about. You need to consider this and think about your situation. What would happen if there was a gun confiscation that occurred to you right now? Right now, the police are at your door, and they are going to take all your guns and search your house. What's going to happen to you? Where are you going to end up? You know, you know. Make sure every magazine you own is 10 rounds or less. Do you have a slingshot you forgot about? Do you have some gun that you thought was Jersey legal, but maybe not? Do you have a problem gun on your hand? Do you have something that maybe they think is a ghost gun, like a muzzle loader that you built from a kit? Oh, you didn't know that was a ghost gun. Yeah, it is. This is what I am talking about. Think about it. This is not an exaggeration. This is not a drill. This is for real. You have got to plan now, so you do not become turned into a criminal and have your life, your family, and your hopes and dreams ruined by New Jersey's anti-gun zealotry agenda and narrative to disenfranchise every gun owner of their Second Amendment rights. This is Evan Nappen, reminding you that gun laws don't protect honest citizens from criminals. They protect criminals from honest citizens.

Speaker 3 32:00

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