

Gun Lawyer -- Episode 85 Transcript

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SPEAKERS

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Evan Nappen 00:18

I'm Evan Nappen, and welcome to Gun Lawyer. So, unless you've been living under a rock, you've been experiencing an onslaught of anti-gun propaganda, left and right. The Democrats are in a panic over the state of affairs in the U.S. I mean, record inflation for 40 years. We're talking 1981 inflation levels and going higher. Gas and food shortages, and everything's just a mess. So, when that happens, it's time to call out for gun control, and they had an atrocity they can hang their hat on. They said, man, this is like manna from heaven. We're going to do our blood dance and try to divert the American people's attention from just how lousy a job the current president has done. So, here we go. Gun control, gun control. That's where they try to hide behind. So, they're doing it. The problem we have is that it is all running on emotion. Who doesn't feel bad when kids are killed like that? It's horrible. It's an atrocity. Of course, we're upset. But the DO SOMETHING crowd, you know, do something. Do something crowd. So, what are they doing? Oh, well, we'll take away the law-abiding citizens' rights. That'll help. Yeah, well, it never does. And unfortunately, this is what we're dealing with.

Evan Nappen 01:53

Recently, I saw the classic anti-gun person known as Michael Moore. Michael Moore in Columbine and all that stuff. He's always been an anti-gun, Second Amendment hater, even though he's purported not to be. Oh, no, I'm not against your having your rifle. That's what all the anti-gunners do. They always sell that line. And it's just incremental, taking of guns and nonsense. Anyway, the good news is that the mask has come off. Michael Moore now is officially calling for the Second Amendment to be repealed and for essentially all the guns in America to be confiscated. Because as he says, "you don't need a gun." It's that simple. Repeal the Second Amendment because you don't need a gun. Now, that's their message. Normally, we might say, Michael Moore, he's just an anti-gun jerk. Of course, that's what they're going to say, and this is what they're going to do. It's going to keep on saying the same game.

Evan Nappen 03:12

But I think it's a little different this time, and I'll tell you why it's different. It's different because of the timing. The timing I'm talking about is the timing in which the Supreme Court is going to rule on the most important gun case in basically 10 years. And that is the New York State Rifle & Pistol (Association, Inc.) versus Bruen case. The Court opinion is probably going to come out on Monday, June 27, which is very, very close to now. And the worst case, it'll come out June 30. But normally, it's the last Monday of the month at the end of the court session and that would make it Monday the 27th.

On that day, we can't wait, can't wait, to see that court decision. I am sure it will be with other controversial court decisions, such as on the abortion issue and other issues. But the issue I care about the most is guns. We're going to get that opinion, and I am very cautiously optimistic that the opinion is going to give an amazing power boost to the Second Amendment, its meaning, its importance and its ability to take down anti-gun laws throughout the land and not just on carry.

Evan Nappen 04:39

I think there's going to be a major, major impact, and the anti-gun people are scared about it. They know that their time is ticking away, and because of that, I believe that the modern movement of the anti-gunners, particularly after this decision comes out, will be a solid, united front of a push to repeal the Second Amendment. Because that's what they're going to be left with when you have a Court decision that's super pro-gun, pro-Second Amendment, and takes the Second Amendment and gives it teeth, gives its power, and gives it juice to take out anti-gun laws. At a minimum, make it so shall issue carry can happen and get rid of the arbitrary criteria that denies so many people in so many states, like New York and New Jersey, their right to defend themselves, to carry a firearm, and to be of a defender instead of a victim. Well, we're going to see that happen and that bothers the anti-Second Amendment folks, the anti-gun rights folks, and they're not going to legislatively be able to get their evil plans on the books.

Evan Nappen 06:15

As a matter of fact, the ones that they have put on the books are going to be in jeopardy. So, the fight is going to center, it's going to coalesce, around a battle for the Second Amendment. You watch. Michael Moore is calling for it now. He's just preemptively softening the beach. He's putting it out there. I disagree with him, and I can't stand his views on it. I totally get it. But you know what? I'm not saying he's stupid. He sees the writing on the wall and so do I. We both see the writing on the wall from two different sides. This is going to be the battle, the battle for the Second Amendment, and all of you are going to be a part of it. Because this is going to be the real fight. This is going to be the ultimate fight, the ultimate fight to actually save our rights.

Evan Nappen 07:08

What is the Second Amendment? What is a Constitutional right? What does it even mean? I want to get something straight, right away, so you know what you're fighting for. Sometimes you'll hear someone say, what rights does the Constitution give us? The answer is none. It doesn't give us a damn right at all. Nothing. Why, Evan, what do you mean by that? I'll tell you what I mean. Because the Constitution doesn't give rights. The government doesn't give us rights. Those rights preexist the government. They are fundamental, God given, natural rights. Right to have a weapon and defend yourself. They are not given nor granted by government. What the Constitution does is guarantee those rights. It's a guarantee by our government that those preexisting rights will not be violated.

Evan Nappen 08:03

What Michael Moore and the other anti-gun advocates and politicians are really saying when they say we want to ban the Second Amendment is that they want to void your guarantee. That's right. You signed up, had this social contract and you're in America. Just like when you have a product, it's guaranteed. So, here we are, with a guarantee of our rights, and these clowns say that we want to

revoke that guarantee. We want to repeal that guarantee. You don't get a guarantee. And let me just tell you, if they were to succeed in that, it doesn't mean we lose our rights. We always have our rights. They can't be taken away, but that guarantee can be voided. The rights can be void by what actions the government does. But you still ultimately have the rights, even though the government is trampling all over those rights and not abiding by the guarantee. So, what we're fighting for, ultimately, when it comes down to the battle for the Second Amendment, is a battle for the government to keep its promise. Keep its promise to protect and guarantee our rights. In this case, the right for each and every one of us to keep and bear arms. The right that we have for self-defense and to have the most effective means to have that self-defense. This is what it comes down to. So, folks, this is the battle, and this is where the future lies.

Evan Nappen 10:07

You mark my words and watch because after this decision comes down, you're going to see more and more and more of a call to repeal the Second Amendment. You'll see an actual amendment proposed to the Constitution to repeal the Second Amendment. Just like they had to do an amendment to repeal prohibition, they will do an amendment to repeal the Second Amendment. Then you'll see the left, blue, woketard states, you'll see them actually ratify it. I'm sure. The extreme states will actually ratify getting rid of the guarantee of our rights, the Second Amendment. That's where the fight is going to be, and if they can get enough states, they'll repeal it.

Evan Nappen 10:07

Then, as part two, complete disarmament of the American population and that's their ultimate goal. And Michael Moore says it - man, you don't need a gun. You don't need a gun. That's going to be ultimately what the choice in their mind becomes, why do you need a gun? You don't need a gun. Even though each and every one of us has their own personal reason. There's plenty of reasons why you need a gun, whether it's for self-defense, or target shooting, or hunting, or just because you like them, or because you've collected them, whatever. Since when is America a needs-based society? Is that it? What do you need a Corvette for? What do you need a boat for? What do you need that art hanging on your wall for? Everything is going to now be needs based? The only thing we can have is what we absolutely need?

Evan Nappen 10:07

You know the thing with a gun, of all things, I need that most of all, because when you need it, you better have it. All right, it's really simple. Think of guns like a fire extinguisher. You hope you never have to use that fire extinguisher. But damn, if you have a fire, it's about the only thing that is really going to work and work well and fast. It's going to be a fire extinguisher. You may improvise with some of the things around, but you'll wish you had a bona fide fire extinguisher to put out that fire. Well, that's what guns do. So, this is critical. Keep in mind in our fight for our rights, what we're talking about. I want that guarantee. I demand that guarantee and that guarantee be enforced, and that guarantee be followed and abided by. Because that guarantee is what I signed up for, and I am not giving it up. I'm not going to let it go through emotionalism and other people's agendas, and neither should you. When we come back, I have some more exciting things to talk about. See you then.

Speaker 3 13:27

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 and 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, that 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 14:41

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Evan Nappen 14:56

Hey, welcome back to Gun Lawyer, and I want to thank you for being a listener. I really, really mean it. I do seminars throughout New Jersey, and I run into just great listeners. They tell me how much they love the show, and I love talking with them about the show. I really appreciate it so much to have this voice, to be able to get the word out about things that you just won't find elsewhere because the media is so disgustingly dominated and controlled. And just get the word out here and be able to talk to my brothers and sisters that love firearms, the Second Amendment, treasure our rights, and understand what I'm talking about. So, if you have other friends, who you think might be interested, please have them listen to Gun Lawyer. Anywhere you get your podcast, you can get Gun Lawyer, and it really makes a difference.

Evan Nappen 15:54

So, speaking of the kind of information that you don't hear in other places, I scrounge all over, and I have a lot of sources, a lot of news feeds and things that come to me on this subject. I'm constantly digesting, reading, and finding these things. I see things that I say, hey, I want to talk about this on Gun Lawyer because I want folks to know about it. Well, I found a very interesting piece that just recently came out. It's written by one of my favorite gun writers. He writes for AmmoLand. AmmoLand is great. If you don't subscribe, it's free. Check out AmmoLand and get the daily blast that has great articles, really great. One of my favorites that writes for AmmoLand, I have a number of them, but his name is Dean Weingarten. Anytime I see his byline on an article, I know that it's going to be good. I just know it's going to be good. He's a great writer, and he writes about great stuff. I always read what he writes. I'm actually a big fan of Dean and his writings.

Evan Nappen 17:02

He has an article that I'm reading from here. I'm quoting from it just to give full credit, and you should read it as well. But I didn't even know about this until I read it from Dean's article. This shows you how much they are suppressing this. The article is entitled, "No Effect from "Red Flag" Laws in California: JAMA study". The JAMA study - we're talking about the Journal of American Medical Association.

Okay, the doctors group. They are famously left wing, and they are not ever thought of as our pro-gun friends at JAMA. You would think that such an organization would do everything in his power to promote the company line, so to speak to. To push the anti-gun fever, and maybe politically they are, but I have to give credit where credit's due.

Evan Nappen 18:05

As per the Weingarten article, JAMA did a study, and the study looked at the effectiveness of "Red Flag" laws in reducing firearm, fatal and non-fatal injuries. They looked at a four-year period of time of "Red Flag" laws in California. Red Flag is where an individual claims that another person is somehow a danger to themselves or others, and with virtually no due process, like in New Jersey, there's zero due process until after all the damage is done. Guns are seized and taken from the individual, and they are put through hell, frankly, over how it gets done. Particularly in New Jersey, without any warning, the guns are seized, person's licenses are automatically revoked with no hearing or due process. There's a search warrant. The house is searched and essentially raped by the government in terms of your privacy. All that takes place on the claim of one person making this claim under a Red Flag Law. Under this idea of trying to stop an individual who may or may not be looking to harm himself or others.

Evan Nappen 19:25

So, California had one of these Red Flag laws and still does. This JAMA study looked at it over a four-year period. According to the article, which is from Dean Weingarten, he attributes it to a Doctor Pear, who had full access to the data in the study, and that's all in Weingarten's great article. He outlines the key points, and I'm going to just read you what the key points are from this great article. "Question: Has the implementation of the gun violence restraining order, beginning in 2016, been associated with a reduction in firearm assault or firearm self-harm in San Diego County, California." And then the "Findings: In this cross-sectional study, the gun violence restraining order law was not significantly associated with a reduction in firearm violence of any kind during its first 4 years of implementation, 2016, to 2019."

Evan Nappen 20:38

So, how many of you, how many of my listeners, knew that the Journal of American Medical Association found that in a four-year, cross-sectional study about red flag laws that they don't do basically anything stopping firearm injuries or death? Boy, I haven't heard that on the news. Did you? I didn't see a whole news story on any of the legacy media or anything about that, did you? No, instead, what you see is a push for a national Red Flag Law. Oh, great a national waste of time, a national violation of person's property, a national law, which will have no due process and takes away your right to bear arms and steal your guns from you. Yeah, we better do that nationally, even though it has had no effect.

Evan Nappen 21:40

Now, of course, it had no effect on stopping firearm injuries or deaths, but I'll tell you where it does have an effect. It has an effect on the people that get slammed with Red Flag. It affects them emotionally, financially, in order to even fight these things. It impacts them on their reputation. Because remember, in New Jersey, the Red Flag is an ERPO, an Extreme Risk Protection Order. The TERPO is a Temporary Extreme Risk Protection Order. That means an order was signed declaring you to be in

extreme risk, with no due process, based on a claim of one person. That's right. Significant damage gets done to the person who's been Red Flagged, of course. But, as far as having any of the goals met or the aims met, or whatever these things were passed for, originally in their claims of the miracles that would work by having these laws. Well, lo and behold, none of that panned out.

Evan Nappen 22:49

But yet, it doesn't stop them, does it? It doesn't stop them from pushing it. It doesn't stop them from passing more Red Flags and trying to make it national. Because, ready for the big surprise, folks? It's not about that. It's about having mechanisms to do confiscation. It's about taking guns and gun rights. Effectiveness? That's a joke. Why would you think they care about whether it actually works or not? Because if that's the case, not a single soul would support gun control. It's never worked. It doesn't work at all. Every gun law they ever passed has been a failure. Look at the most heavily gun-controlled places in America. All the urban cities, and they're a mess. Gun control is a total failure. It doesn't work, but it doesn't matter. It's not about whether it works or not.

Evan Nappen 23:43

It's about disarming the law-abiding and taking their rights and ending the guarantee that we have to be able to defend ourselves. It's about turning us from defenders into victims. Because when you're a victim, they have power over you and control over you. And that's really where the money is. Right there. So, you do the gun bans, you do the gun confiscations, you yank these rights away, and you get a dependent constituency of victims. That's their plan, and these laws fit right into it. Even though the "follow the science" says, it doesn't work. Well, so what?

Evan Nappen 24:34

Well, I'll tell you what. I also get some great letters from fans and friends, and I always appreciate that. So, here's an interesting letter from Andrew. Andrew says, hey, Evan, I read online and hear people saying how, if the government comes to take my legally owned firearm, they would basically get into a shootout with them. My question is, what are the legal ramifications of that? What if what they're doing is unconstitutional? I'm thinking it's better to comply, then hire a lawyer and fight it out in court. Going up against the government in a shootout seems like a losing proposition.

Evan Nappen 25:22

Okay, Andrew. I'll accept that you wrote this letter seriously and in good faith, although, maybe you didn't, but I'll assume you did. I'll assume you did. Because let me just be clear, do not get into shoot outs with the government. I don't really have to say that. I mean, really? Do we really have to? Do you need to write that one down, folks? Do not get into a shootout with the government. Okay. I'll give you a second if you need to write that one down. But alright, that's not how we do things. It's not. It's not healthy for anybody. It's dangerous to you and to the officers involved.

Evan Nappen 26:09

If you're a victim of gun laws, and I completely sympathize with that, I get it. Injustice reigned supreme. I know. I get it. It doesn't mean you shoot anybody over it, okay. You just don't. That's why we have a system. Is the system perfect? Far from it. But we can make it work. It's what we have, and it's what we need to do. You need to work within the system to change it. As much as the odds are all against us

and as much as the media is against us, I still have a First Amendment right to talk to you in this podcast. I'm still getting the word out. We're still able to communicate, we're still able to fight the fight in the courts. We haven't gotten to a point where our system has utterly and completely collapsed into oblivion, and we have no more government, and it's anarchy. I don't want that, folks. I do not want that. I do not want to live in a society like that.

Evan Nappen 27:15

I want a Constitutional minarchy. I want to see a government that's based on our Constitution, that lives up to its ideal, that has a minimum amount of government and a maximum respect for individual liberty and freedom. That's what I believe our Founding Fathers wanted when they put this miracle together of the United States of America. I know we can achieve the dream. We can get to that. We can do this and not have shootouts with the government. Okay, we haven't gotten there yet. It's a long, long way away, and I know it's bad. I know we feel at times sad and depressed and look at what's going on as everything's going down the tubes, as George Carlin once joked about. It's going down the tubes. What tubes? I don't know, but it's going down the tubes. But you know what, really, I haven't lost faith yet.

Evan Nappen 28:11

We have a great Supreme Court decision. It took a long time to get there. Took a long time. We got three pro-gun judges, making for a five super pro-gun majority in that court. We're finally going to get action where we want it, and we did it through the system. We're going to see changes politically, big time. I know it's coming, and we are on the side of truth. Truth is on our side. We are pro rights. We're pro people. We're pro the individual with truth on our side, and a system that still can work. We got to make it work, and we got to do it within the system. We can and don't lose sight that we're making progress. I know the anties are out there, and they're loudmouth jerks. I get it. And there's bad agendas being followed. Even within government. It's true. But we can fix it. We can fight it, and we do it the right way. And never with violence. That's not how you do it, folks. We can do it the right way so that we keep our country together, and we remain a civilized country. A country that can live up to its ideals. This is Evan Nappen reminding you that gun laws do not protect honest citizens from criminals. They protect criminals from honest citizens.

Speaker 3 29:45

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