

## MORE LAW ABIDING GUN OWNERS = LESS CRIME

More than 4,000 people a year apply for concealed carry permits at the office of the Schuylkill County sheriff, according to an article on <http://republicanherald.com>.

“And in recent years, the number of applicants have been on the rise. In 2014, we issued 3,259. In 2015, we issued 4,102. And so far this year, we issued 2,383. That’s more than we had last year at this time, which was 2,112. I think we will surpass 4,000 in 2016,” said Barbara A. Szczyglak, a sergeant in the sheriff’s office. She runs the office’s license-to-carry section.

“A lot of women anymore come in and apply,” according to Szczyglak. “People work different shifts. They worked first, second and third shift and those folks are out there coming home, traveling back and forth by themselves,” Szczyglak said.

Responding to this demand, State Rep. Mike Tobash, R-125 is sponsoring “Concealed Carry Seminar: Protecting your family and your Second Amendment rights,” to be held from 6 to 9 p.m. Aug. 25 at Wiconisco Fire Engine Company No. 1, 387 Arch St., Wiconisco, Dauphin County.

“Learn the facts about Pennsylvania’s concealed carry laws and the Castle Doctrine,” Tobash noted, according to the article.

The presentation and discussion will be led by an attorney, Matthew D. Menges, from the firm Trinity Law, based in York.



MOLON LABE

“The first part of the presentation focuses on just the law with respect to carrying a firearm. So we talk about concealed carry, open carry, when you need to have a license and who can get a license,” Menges said. “The second part of the seminar focuses more on the use of deadly force, when you’re authorized to use deadly force and when you have a duty to retreat. That’s what people refer to as the Castle Doctrine. And we’ll focus on some of the things you need to know if you ever are involved in an incident where you do have to use deadly force, like what’s going to happen afterward and things you should say and you shouldn’t say.”

“My fears include misinformation and irresponsible gun ownership, and having outrage with some incidents we’ve seen nationally affecting people’s right to protect

themselves. I think the more we can educate the more that gun owners can continue to act responsibly,” Tobash noted in the article. “If it’s similar to the other ones that we held, where the response was so overwhelming, we expect in excess of 300 people.”

“People are thirsty for the knowledge. And in our effort to make sure that our Second Amendment rights are maintained and that lawful citizens maintain the right to carry firearms, we need to make sure they’re operating within the law, that they’re well educated and that they understand what lawful carrying really means,” Tobash added.

“Not everyone who applies gets a permit. There are applications that are denied,” Szczyglak added. On average, the office rejects “50 or 60” applications a year “for one reason or another,” usually based on a background check. That’s determined by background information the sheriff’s office collects from the state.

“This is Pennsylvania. We’re strong Second Amendment folks here in Pennsylvania. The license is generic. It just shows that you don’t have something of a shady background or been arrested or something negative in your background. And it allows you to carry a handgun concealed on your person or in your car loaded,” Brian K. Tobin, the chief deputy in the sheriff’s office, said.

Permits expire after five years, Szczyglak said.

Tobash and his staff have been compiling statistics on current firearm laws.

“Based on Pennsylvania State Police records in 2006 there were 53,361 violent crimes (murder, non-negligent manslaughter, forcible rape, robbery and aggravated assault)

committed in the commonwealth. Specifically focusing on violent firearm offenses (homicide, robbery and aggravated assault involving firearms) there were 15,209 in 2006. In that same year, 415,075 firearms were sold to law-abiding Pennsylvanians by or through licensed gun dealers,” Tobash said, according to the Republican Herald article.

“Since then, legislative efforts to address both violent crime in general and gun violence in particular have made a real impact,” Tobash said.

“By 2014, the overall violent crime rate had fallen to 40,250. This reflects an almost 25 percent reduction in violent crime since 2006. Violent firearm offenses had dropped to 10,468. At the same time, annual sales of firearms had essentially doubled. In 2013, the Pennsylvania Instant Check System (the background check system for firearm purchases used by gun dealers) logged over 1.1 million calls. This resulted in the sale of transfer of over 800,000 firearms by gun dealers. The overall firearm sales numbers for 2014 are down slightly — 676,099 — but it still marks a significant increase above 2006 and was only topped by annual sales in 2012 and 2013,” Tobash said.

In Pennsylvania in 2012, there were 800,890 firearms reported purchased or transferred, according to Pennsylvania State Police 2012 Firearms Annual Report.

In Pennsylvania in 2013, there were 808,507 firearms reported purchased or transferred, according to Pennsylvania State Police 2013 Firearms Annual Report.

“This bears repeating. Based on Pennsylvania State Police statistics, from 2006 to 2014,

annual firearm sales in Pennsylvania have skyrocketed, but all violent crime steadily dropped almost 25 percent and violent firearm offenses dropped by 31 percent,” Tobash said.

<http://republicanherald.com/news/tobash-police-encourage-concealed-carry-education-1.2069161>

---

## JOSHUA PRINCE CHALLENGES MONROE COUNTY GUN LICENSE PERMIT PROCESS

Four local plaintiffs say Monroe County Sheriff Todd Martin’s office illegally disclosed confidential information about at least 12,584 gun permit applicants during a five-year period, according to a suit filed by patriot and attorney Joshua Prince. The unidentified plaintiffs seek statutory damages of \$1,000 per each alleged disclosure of an applicant’s identity, plus attorney fees, according to an article in the [poconorecord.com](http://poconorecord.com).

Prince says Martin’s office sent postcards — rather than sealed envelopes — for mailings approving, denying or revoking individual gun license permits, and in obtaining background information from references, violates state law by making the disclosures public. Information on the postcards is visible to postal employees and roommates of an applicant or a reference, the plaintiffs assert, according to the article.

The Monroe County Sheriff’s Office no longer uses postcards in its mailings pertaining to gun license permit applications, according to court records in a potential \$40 million lawsuit challenging the county’s application process.

Prince has asked that all Monroe County applicants during the five-year period for a license to carry firearms (LTCF) be certified as a

class so that he can seek damages on their behalf as well as for his four clients.

The case was assigned to Wyoming County President Judge Russell D. Shurtleff to avoid a potential conflict of interest from a Monroe County judge hearing the case. The judge granted Prince’s motion to keep secret the identities of the four Monroe County plaintiffs who applied for and received gun permits.

“The sheriff’s office no longer uses postcards to notify applicants of the status of their permit applications or to seek opinions from references,” wrote Stroudsburg attorney Gerard Geiger, who represents Monroe County and the sheriff’s office. “The sheriff’s office uses the application form prescribed by the Pennsylvania State Police. That form includes a request for references.”

Prince says that several provisions of the county’s application process for a license to carry a firearm — including requiring applicants to provide two references — violate the law. He said county requirements that applicants must have a permanent physical address, disclose a copy of one of their tax forms and, if on disability, disclose documentation from a doctor on the nature of the disability or medications being taken for it, also are unlawful.

“All plaintiffs and the putative class are fearful that their confidential and private information that defendants are requiring and maintaining may be disclosed, either purposely or inadvertently, by defendants, including to employees who lack any legal right to review, inspect or otherwise know the information on that documentation,” Prince wrote, according to the Pocono Record article.

It is not known when Judge Shurtleff will rule on Prince's request for a preliminary injunction barring the sheriff's office from enforcing its gun permit application policies.

<http://www.poconorecord.com/article/20160718/NEWS/160719618>

---

## PA COURT RULES AGAINST 2ND AMENDMENT IN COMMITMENT CASE

A Pennsylvania resident is prohibited from owning a gun by virtue of an involuntary commitment for mental health care, even if the commitment was preceded by consent to treatment, the Commonwealth Court has ruled, according to an article in [thelegalintelligencer.com](http://thelegalintelligencer.com).

The Court already has a reputation for being against the Second Amendment, after it ruled against Act 192, which had made it possible for the National Rifle Association and other groups to sue Pittsburgh and other municipalities that enact ordinances stricter than state firearms laws.

In mid-July, a unanimous three-judge panel ruled in *Gorry v. Pennsylvania State Police* that Robert R. Gorry's two involuntary commitments prevent him from owning a gun under the Uniform Firearms Act of 1995 and the federal Gun Control Act, despite his argument that he voluntarily consented to treatment. Gorry had appealed an order by an administrative law judge of the Office of Attorney General, the article notes.

Roger Laguna of Laguna Reyes Maloney in Harrisburg, representing Gorry, said he was disappointed by the decision, according to [The Legal Intelligencer](http://thelegalintelligencer.com) article.

The decision flies in the face of a decision handed down by a Pennsylvania federal judge, who ruled that a correctional officer and Army veteran who was committed to a mental institution as a teenager cannot be barred from owning firearms. That judge found the man's Second Amendment rights had been violated because he had not had any additional episodes to indicate he was dangerous since his eight-day stay in a mental facility nearly a decade earlier

<http://www.thelegalintelligencer.com/home/id=1202762806519/For-Gun-Access-Involuntary-Commitment-Trumps-Treatment-Consent?mcode=1202617075166&curindex=0&slreturn=20160631154406>

---

## MEMORIZE THESE SAFETY RULES

1. Always treat all guns as though they are loaded
2. Always keep your firearm pointed in a safe direction
3. Always keep your finger off the trigger until you are ready to shoot
4. Be sure of your target and what is beyond it

---

### US Constitution 2<sup>nd</sup> Amendment

"A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed."

### PA Constitution Article 1 Section 21

"The right of the citizens to bear arms in defense of themselves and the State shall not be questioned."

---