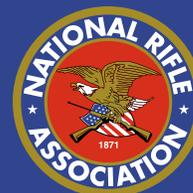




BULLET magazine



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Vote Row B



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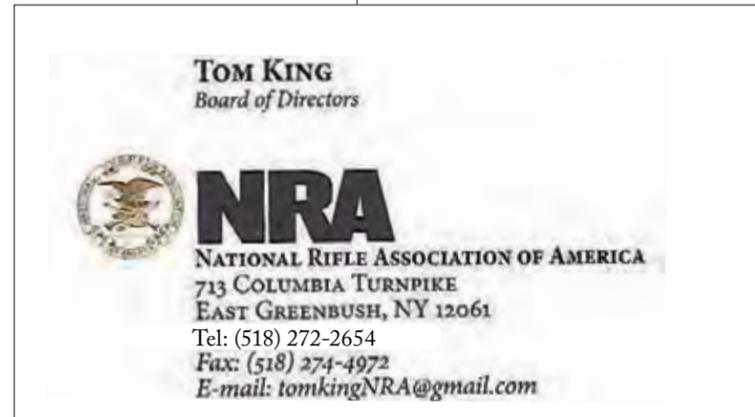
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Deadline for submissions for the December issue of *Bullet* magazine is: October 22, 2022

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President's Message

by Tom King

Now is the time!

It must be entirely obvious that the Democrats—both national and statewide have become the party of gun confiscation—who despite a landmark Supreme Court decision reaffirming our Second Amendment rights, have gone out of their way to make sure that our constitutional rights are limited to the places and the people of their choosing; circumventing the Supreme Court ruling in *NYSRPA v. Bruen*. The Democratic Legislature and the governor violated their sworn oath to defend and protect the Constitution of the United States by ignoring and challenging the U.S. Supreme Court while calling the court deplorable for their landmark decision.

What can we do? We can vote! Vote to support the Republican candidates from New York state who support our God-given rights to life, liberty, the pursuit of happiness and the right to keep and bear arms. To secure our rights and turn the tide in New York state is to throw the Democrats out of office.

I know we usually rate candidates and offer endorsements to the best of the bunch, but this year is different and as much as I dislike Republicans In Name Only, we must support them. Remember, a RINO in office is much better than a Democrat sitting in the same office. To that end I'm declaring a Second Amendment Emergency, and I'm endorsing all Republican candidates and calling on all gun owners of New York state to vote a straight Republican slate. This has never happened before and most likely will not happen again, but this



Thank you to Brian Olsen and "American Shooter Supply" for his \$10,000 challenge donation

year it is more necessary than ever to elect Republicans. Vote a straight Republican or Conservative slate.

At the time of the writing of this article, both the Republican gubernatorial candidate, Lee Zeldin, is within easy striking distance of Gov. Kathy Hochul; and the Republican Attorney General candidate, Michael Henry, is slightly ahead of Letitia

James. What sweet victories those wins would be.

The crusade has begun. We finally have a slate of candidates who represent our values who can win—and in fact some are winning. Please get out and vote Republican. Don't make this the last crusade! ■

The States and Their Dependency on the Gun Industry

by Jim Collins

Recently, I came across some information that I would like to share with the membership. An outfit called WalletHub compared the 50 states across 16 key metrics. The mission was to determine the states that depend most heavily on the arms and ammunitions industry—both directly and through firearm ownership. The data set ranges from firearms industry jobs per capita to firearm sales per 1,000 residents to firearm ownership rates.¹

According to the data, the states that are most dependent on the firearms industry are (in order of most dependency): Idaho, Wyoming, Kentucky, South Dakota, Montana, Arkansas, Alaska, North Dakota, Missouri and Oklahoma.

While the states that are least dependent on the firearms industry are (in order of least dependency): Rhode Island, New Jersey, Hawaii, New York, California, Maryland, Massachusetts, Connecticut, Georgia and Virginia.

Interesting stats:

- Montana has the highest firearm ownership rate (65%), New Jersey has the lowest with (8.90%).

- New Hampshire has the most firearm industry jobs per residents (73.42 per 10,000), Hawaii is the lowest at (4.07 per 10,000).
- New York has the highest average firearm industry wages and benefits (\$85,432), New Mexico has the lowest (\$37,847).
- New Hampshire has the highest total federal business taxes paid by the firearms industry per capita (\$150.02), Delaware has the lowest (\$2.96).

A statement from the NYS Sheriff's Association

I would like to include part of a statement from the New York State Sheriff's Association. Its comments refer to the new bills recently passed regarding pistol licensing in New York, which resulted from the U.S. Supreme Court ruling in a case brought by our association.

We want to be clear. The Sheriffs of New York do strongly support reasonable licensing laws that aim to assure that firearms do not get into the wrong hands. We do not support punitive licensing requirements that aim only to restrain and

punish law-abiding citizens who wish to exercise their Second Amendment rights. If we had been consulted before passage of these laws, we could have helped the Legislators discern the difference between those two things, and the result would have been better, more workable licensing provisions that respect the rights of our law-abiding citizens and punish the lawbreakers.²

God bless the sheriffs! They know that abusing the freedom of honest citizens will do nothing to reduce crime. Any effort in that direction is ultimately doomed to failure!

As always, may God watch over and protect the brave men and women serving us, at war, in our patriotic Armed Forces and may God bless America!

Yours in freedom! ■

¹ WalletHub, 2022 (bit.ly/3qNXsrx)

² New York State Sheriffs' Association, 2022 (bit.ly/3f2IoUd)

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Women in the Shooting Sports

In honor of the upcoming Election Day, I found some quotes to inspire us to action.

“America was not built on fear. America was built on courage, on imagination and an unbeatable determination to do the job at hand.”
—Harry S. Truman

“Our lives begin and end the day we become silent about things that matter.”
—Dr. Martin Luther King Jr.

“Someone struggled for your right to vote. Use it.”
—Susan B. Anthony, women’s rights activist during the suffragette movement in the early 20th century

“Not voting is not a protest. It is a surrender.”
—Keith Ellison

“Bad officials are elected by good citizens who don’t vote.”
—George Jean Nathan

“The ballot is stronger than the bullet.”
—Abraham Lincoln

“One of the penalties for refusing to participate in politics is that you end up being governed by your inferiors.”
—Plato

“Voting is not only our right—it is our power. When we vote, we take back our power to choose, to speak up and to stand with those who support us and each other.”
—Loung Ung

“The ignorance of one voter in a democracy impairs the security of all.”
—John F. Kennedy

“The future of this republic is in the hands of the American voter.”
—Dwight D. Eisenhower

“Every election is determined by the people who showed up.”
—Larry J. Sabato

“The right of voting for representatives is the primary right by which other rights are protected.”
—Thomas Paine

Get the point? The United States of America is a democratically elected constitutional republic.

You and I elect the representatives to various governmental bodies, which then make decisions and laws on our behalf. If you do not vote, then it’s the people who show up who choose who are representatives are. When there are too many radicals who show up to vote, and not enough reasonable people, then we are indeed governed

by Jackie Emslie

by inferiors. We are living in that nightmare now. Right now. Our entire society is suffering from obvious and horrific errors in laws made by overall inept and disgraceful legislative bodies that deny the damage and harm.

Do not be one of those ignorant voters. If you are not sure who to vote for, please consult with people in your gun clubs, gun shops and Second Amendment advocacy organizations and they will tell you the good, bad and the very ugly. Figure out who you are voting for before you head to the polls! Be smart.

It is critical to understand the power of the vote. It is your superpower. Even though you don’t wear a cape, be a superhero for the here and now to elect reasonable representatives to fix these laws that have inflicted so much damage and plug the holes in the sinking ship. The future will thank you.

As of this writing, momentum is building in every corner of the state and beyond. People are fed up with the crime, the filth, and the wrong direction in which we are headed. Do the right thing, and vote correctly this November. Whether by absentee ballot, early voting, or voting on the big day, it is your responsibility to wield your superpower. See you on the other side! ■

Help Make Empties

By Charlie Beers

“Keep shooting, I need help making empties.” These words were spoken to me in a slow baritone, Texas drawl about 14 years ago. It was my first day on the range at The NRA Whittington Center, in Raton, N.M. It was a day of awe and excited enlightenment all wrapped into one with total shooting saturation. This must be how some folks feel at Disney World.

The person who spoke was a Texan in a khaki shirt and campaign hat, who looked like Lord Baden-Powell in an early Boy Scouts of America advertisement. That day, Myron Boyd of Georgetown, Texas, invited me to shoot a dozen or so rifles—ranging from a 1903 Springfield to black powder cartridge rifles that lobbed football-like lead down the range.

Myron had only known me for minutes, but he hooked me on long-range shooting. At the end of the first day, he flipped me a business card, so I would remember him. The final line of his credentials read, “fairly good windmill man.”

It nearly killed me as I waited for breakfast the next morning to get Myron’s explanation of what a fairly good windmill man was. Apparently, Myron repaired irrigation windmills on the side, and he was “fairly good at it.” Over the next two days of range time, I heard numerous stories of Texas and of Myron’s work with the DOT. I also learned various Texas Ranger and National Guard lore.

That was just the start of my friendship with Myron. The time between each September’s range visits have been filled with emails, loading bench

sessions and cards at the holidays. My girlfriend-at-the-time turned into my wife, and we now have a daughter who has been mentored by Myron too.

He was the first man to invite this Yankee to join in the fun, the jokes (e.g., in recent years, I covered up his 4x6-foot Texas flag with a New York one—Texans are awfully proud of their flag), and the after-range refreshments.

This year, I was back at Whittington, and I sat on our cabin porch with hummingbirds at the feeder as the fiery rays of morning light broke the horizon. Another New Mexico morning was upon us, and the ranges were waiting, but a fixture was missing on the high-power silhouette range. Myron wasn’t here—no pickup truck, no campaign hat, and no sharps rifles.

I found Myron back at his cabin, in a chair and he was happy to be at Whittington. This past year took its toll on Myron’s health. The giant personality of my earlier years was quieter, and the dynamics of the family had shifted.

Aging is difficult to watch and at times painful to accept. I was thrilled to see Myron and spend time on his cabin porch.

The value of mentors

The lessons I learned from Myron—and others like him—have carried me from the headwaters of the Hudson River to the Kalahari Desert. Not all lessons have been about shooting, although most started that way. I am fortunate to have been given mentors who owned their mistakes and shared the hardships of life, love and raising children. I realize now that I have



Myron and Carly 2019

accepted the baton in the relay of life. I have people to share knowledge with and empties to make.

This September, I had friends with kids and other friends who wanted to try some long-range fun. We made empties and learned some math in doing so. We calculated wind drift and read mirage as the sun boiled the air above our barrels. Fourteen years in and I am not the new guy anymore. Patient friends have worked with my headstrong daughter as she leaned to pinch the rear bag for elevation and how minor errors compound with distance.

Please find the next generation and share our sport with them. Our roles in life change and we need to accept and engage in the mentor and teacher roles as readily as we did the student role.

This spring, I lost a great teacher who has his own story brewing in my mind. Toby Chandler will grace these pages soon with his entry into the U.S. Secret Service on the Kennedy detail. In retirement, Toby was the essence of

a soft-spoken Texas gentleman. His humor was present when we spoke even after his first stroke.

There are few ways I would rather burn money than seeing excited shooters crush their own expectations shooting a new discipline. Buy the extra box or load a few more rounds to share. If you were lucky, people shared with you, if not just pay it forward for the sake of our sport.

My daughter, Carly, now has her own mentors bringing her into the family. Carly's skills as a trapper have improved and she is now shaking the Texans down for tips on the clays course.

Thanks to Glen Cook for her early business and finance lessons—maybe someday she'll be a broker like you. ■

The CMP National Pistol Matches at Camp Perry

By Steve Kraynak

Regrettably, I was not able to attend the Civilian Marksmanship Program National Pistol matches at Camp Perry again this year due to physical issues. More regrettably, last year's NYSRPA team leader Bob Henschel was not able to attend this year due to a physical problem that required surgery shortly before the event at Camp Perry!

Fortunately, former longtime members of our team Jim Hitt and Bruce Martindale took over organizing and running the teams, and they did a great job! I am indeed grateful for the time and effort they put in to organize the teams.

There have been quite a few team-program changes over the last couple of years. This year's team rosters are as follows:

The .22 caliber, C.F. & .45 caliber four-man teams are as follows:

- **NYS "Cassidy" team:**
Captain Jim Hitt.
Team members: Dennis Bennett, Konstantin Pitsoulis and Yoketing Eng.
- **NYS "Rich" team:**
Captain Bruce Martindale.
Team members: Mike Colwell, Heather Powers and Rich Powers.
- **NYS "Poles" team:**
Captain Bill Woodworth.
Team members: Thomas Martindale, Dennis Dittrick and Mike Bartlett.



NYSRPA team members: (L to R) standing Dennis Bennett, Yoketing Eng, Konstantin Pitsoulis, Dennis Dittrick, Jim Hitt, Mike Colwell & Rick Powers. Sitting (next to the cannon barrel) (L to R) Bill Woodworth and Bruce Martindale. Front row sitting (L to R) Thomas Martindale, Heather Powers and Mike Bartlett.

The National Pistol Trophy Hardball "Ristau" Team Match:

- Captain Jim Hitt.
Team members: Bruce Martindale, Konstantin Pitsoulis, Yoketing Eng and Dennis Dittrick.

Team and individual results can be viewed on the Civilian Marksmanship Program's website: <https://thecmp.org/cmp-national-matches/>

Going forward, the New York State Precision Pistol matches are being held at two locations, which include Dutchess County Pistol Association and Niagara County Sportsman's Association. The results will be posted in the next issue of the *Bullet*.

I would like to thank our team members and captains for their participation and effort representing the NYSRPA at the Camp Perry matches.

Good shooting! ■



Beers and Adams Family with Bob Maw and Traci Humphrey NRAWC 2022

Gun Controllers: Ban Firearms for ‘Radicals’ (and designate political opposition under that category)

On Aug. 24, New York’s Democrat Gov. Kathy Hochul gave a speech¹ about how the Empire State is combatting what she repeatedly referred to as “gun violence.” Among other things, her remarks suggested that the state will begin using political and ideological litmus tests to determine who is a “suitable person” to own or carry a firearm.

There are two main methods gun control advocates use to advance their agenda, which ultimately would ban firearm ownership for anyone but those who protect the gun control advocates themselves or who prop up their regimes as police, soldiers, security guards, etc.

The first is to ban what they claim are unusually dangerous weapons.

The second is to ban the keeping and bearing of arms by those who they claim are unusually dangerous persons.

At first blush, neither seems like an inherently unreasonable proposition. Indeed, they almost seem like common sense.

But, it doesn’t take connecting too many dots to understand that what is “too dangerous” in their minds includes America’s most popular types of firearms and magazines,² and who is “too dangerous” includes any person who does not embrace their own politics and beliefs.

While describing recent changes to New York’s already draconian firearms laws, Hochul said (see video beginning at 11:30³)

We also talked about, I mentioned, social media a number of times. I’ve called upon and working closely [sic] with our attorney general to identify what’s going on in social media. Those questions are now part of our background check, such as like in the old days you’d talk to someone’s neighbor. Now you can talk to their neighbors online and find out whether or not this person has been spouting, uh, you know, philosophies that indicate they have been radicalized, and that’s how we protect our citizens as well.

This plan, however, is problematic on its face, even before analyzing how it will be applied.

“[S]pouting philosophies,” even “radical” ones, is—of course—itsself constitutionally protected conduct under the First Amendment. It cannot legitimately be suppressed by the government, nor can it legitimately be used by the government as a pretext to suppress other fundamental civil liberties like the right to keep and bear arms.

The Supreme Court has made clear that protected speech encompasses controversial expression. This includes such things as profanity, flag burning, nudity, criticism of U.S. military action during wartime, criticism of the government, and even advocacy of force or law violation, except where it is directed to inciting “imminent” lawless action and “is likely” to incite or produce such action.

Content on various social-media platforms is already required to comply with the various platforms’ terms of service. As rules from private

companies, these restrictions are not generally restrained by the First Amendment.

So, when Kathy Hochul mentions scrutinizing social-media posts to determine someone’s eligibility to exercise Second Amendment rights, she is referring to a subset of expression that is already curtailed and censored by the tech companies themselves.

Putting aside the fact that New York’s entire approach of using social-media posts as the basis to deny fundamental rights is facially unconstitutional, what is left after private content moderation for these officials to consider radical?

Judging by the statements of Hochul’s fellow far-left politicians, it is likely to be common philosophies and ideas that don’t mirror their own.

As if on cue, Joe Biden himself provided a perfect example⁴ last week with a widely criticized⁵ speech⁶ in which he broadly painted supporters of his chief political rival—himself a former president—as extremists and threats to democracy. The White House’s later attempt⁷ to contextualize Biden’s comments came off more as damage control than sincerity.

Yet leaders of Biden’s party had embraced his earlier comments, with Congressman Jamie Raskin, D-Md., telling a television audience⁸: “President Biden was right to sound the alarm this week about these continuing attacks on our constitutional order from the outside by Donald Trump and his movement.”

Meanwhile, Hochul’s predecessor in the governor’s mansion was even more willing to marginalize political opponents on the issue of firearms specifically. During a 2014 radio interview, Democrat Andrew Cuomo said that “extreme conservatives” who are “pro-assault weapon” have “no place in the state of New York, because that’s not who New Yorkers are.”⁹

And, of course, the Democrat attorney general who Hochul is “is working closely with” on this new effort has herself referred to the NRA as a “terrorist organization.”¹⁰

Meanwhile, the “updates” to New York’s firearms laws were themselves passed in open defiance of a recent U.S. Supreme Court decision¹¹ that invalidated the state’s concealed carry licensing law, for—among other

things—giving licensing officials too much discretion in administering the scheme.

New York’s new law gives them even more discretion, and—as the governor herself indicates—it will be used not just to suppress Second Amendment rights but to punish and chill political speech on the internet as well.

Thanks to Kathy Hochul, Joe Biden, and their fellow travelers, gun owners have all the information they need to make sound choices at the ballot box this November.

¹ <https://www.youtube.com/watch?v=BI7vMthUvQ0>

² <https://www.nraila.org/articles/20220725/assault-weapon-the-all-purpose-pejorative>

³ <https://youtu.be/BI7vMthUvQ0?t=690>

⁴ <https://www.whitehouse.gov/briefing-room/speeches-remarks/2022/09/01/remarks-by-president-bidenon-the-continued-battle-for-the-soul-of-the-nation/>

⁵ <https://www.spiked-online.com/2022/09/03/whos-really-threatening-american-democracy/>

⁶ <https://www.post-gazette.com/opinion/editorials/2022/09/02/joe-biden-speech-maga-republicans-threat-democracy-donald-trump/stories/202209020093>

⁷ <https://13wham.com/news/nation-world/biden-walks-back-sharp-criticism-of-maga-republicans-following-backlash-biden-calls-trump-maga-republicans-a-threat-to-democracy-in-primetime-speech-president-joe-biden-former-president-donald-trump-extremism-soul-of-the-nation-biden-makes-address>

⁸ <https://www.msn.com/en-us/news/politics/rep-jamie-raskin-says-biden-was-right-to-sound-the-alarm-about-maga-republicans-calling-them-a-fascist-political-party/ar-AA11srjW?ocid=msedgntp&cvd=be9289901b364844b9d669ca9bf22b1e#image=AA11sDQL>

⁹ <https://www.nraila.org/articles/20140124/cuomo-says-firearm-advocates-among-others-have-no-place-in-the-state-of-new-york>

¹⁰ <https://lawandcrime.com/high-profile/letitia-james-campaigned-for-ny-attorney-general-by-calling-the-nra-a-terrorist-organization/>

¹¹ https://www.supremecourt.gov/opinions/21pdf/20-843_7j80.pdf

Reprinted from: <https://www.nraila.org/articles/20220906/gun-controllers-ban-firearms-for-radicals-and-designate-political-opposition-under-that-category>



More Dispatches from New York's War on Gun Owners

Another week, another round of attacks on law-abiding gun owners in the Empire State.

1. Treating law-abiding gun owners as presumptive criminals

On Sept. 2, investigative journalism outlet Project Veritas posted a “leaked” New York Police Department “Legal Update Bulletin,” titled, “New York State Restrictions on Carrying Concealed Firearms.” Allegedly a newsletter from the Office of the Deputy Commissioner of the NYPD, the document instructs officers on how to address those exercising their Right-to-Carry outside the home for self-defense in the wake of the U.S. Supreme Court case *NYSRPA v. Bruen* and the New York State Assembly’s legislative attempt to undo the decision.

Aside from information for officers on the contours of New York’s convoluted new law, such as stressing the incomprehensible new patchwork of gun-free zones, the document notes that those exercising their Second Amendment rights are to be presumed guilty until proven innocent.

The bulletin emphasizes, “People who are carrying firearms in New York State are presumed to be doing so unlawfully, until proven otherwise.” The document goes on to explain, “Officers may stop an individual when the officer has reasonable suspicion that such individual is carrying a firearm ... and may frisk that individual since the

officer has reasonable suspicion that the individual is armed and dangerous.” Note that the bulletin states that this latter intrusion may occur based merely on reasonable suspicion of carrying a firearm, not suspicion that the firearm is being carried illegally.

This policy turns the American system of constitutional rights on its head. In other contexts, a law-abiding individual is free to exercise their constitutional rights without government interference unless there is reasonable suspicion the person is doing so in an illegal manner, at which point law enforcement may investigate further. The mere act of exercising the right does not alone give rise to such suspicion.

In the American system of constitutional rights, it is imperative that the burden of proving that a person has broken the law remain with the government. Consider, the District of Columbia *v. Heller* made clear that the Second Amendment protects the right of law-abiding citizens to keep and bear arms. Bruen held that this right extends beyond the home and that this right is not subject to the unfettered discretion of the state, but is instead enjoyed by all law-abiding Americans. In other words: it is the default that Americans have the Right-to-Carry outside the home. Therefore, carry outside the home should be considered presumptively lawful and suspicion that a person is carrying unlawfully must arise from something other than just carrying a firearm.

Here, at the whim of the state, law-abiding New Yorkers will be forced

to prove that they are exercising their rights in accordance with the law. Moreover, the document does not make clear whether presenting a valid carry license will be taken as sufficient proof of legal carry or if some further open-ended investigation may be necessary.

As with all of New York’s official response to the Bruen decision, this policy does not appear to be a good faith attempt to comply with the U.S. Constitution and Supreme Court precedent. Rather, the city and state seem to be involved in an effort to discourage exercise of the Second Amendment right.

2. Door-to-door checks on firearm license applicants

More news on how New York City intends to harass law-abiding gun owners was detailed in a Sept. 1 report from the New York Post titled, “The one who knocks: Mayor Adams vows door-to-door checks on gun permits.”

Under New York’s new carry law, prospective licensees are required to be of “good moral character.” Further, applicants are required to furnish four character references and a list of their social-media accounts for police to look into. Gun owners have every reason to suspect that this “good moral character” standard is an attempt to re-enact the type of discretionary licensing scheme the court rejected in Bruen.

According to the New York Post item, vetting prospective New York

City licensees will include a door-to-door investigation involving the applicant’s neighbors. Speaking of the investigations, Adams stated, “And I think those are the same skills that’s going to be used to look at not only social media but also knocking our neighbors’ doors, speaking to people, finding out who this individual is that we are about to allow to carry a firearm in our city.”

Downplaying the intrusiveness of this scheme, Adams said, “When I became a police officer, people knocked on my neighbor’s doors and interviewed them and asked what type of person am I.” Of course, no one has the constitutional right to be a law enforcement officer. The U.S. Supreme Court has made clear that individuals have a constitutional Right-to-Carry a firearm for self-defense outside the home.

3. Impermissible gun bans

On Aug. 31, Adams joined Gov. Kathy Hochul (D) for a press conference celebrating New York’s legislative effort to undermine Bruen. At the event, the pair announced that “Times Square” would be deemed a “sensitive location” in which law-abiding citizens would not be allowed to exercise their Right-to-Carry at any time.

A news release from New York City accompanying the press conference contained a map of the area where firearms are prohibited. While the thought of “Times Square” will conjure images of towering neon lights and Broadway for most Americans, the new gun-free zone extends well beyond these areas. Readers fortunate enough to be unfamiliar with the city are invited to use Google Maps to peruse the largely residential blocks from W. 43rd St. to W. 48th St. between

8th Ave. and 9th Ave. to get an idea of what New York is attempting to shove under the “Times Square” umbrella.

A discussion of “sensitive places,” where it may be permissible to restrict the Right-to-Carry in some circumstances, featured heavily during the Bruen oral arguments and even touched upon Times Square.

Justice Amy Coney Barrett suggested, “Can’t we just say Times Square on New Year’s Eve is a sensitive place?” perhaps understanding the stringent security measures surrounding that event and that those measures are indicative of an actual “sensitive place.” NYSRPA counsel Paul Clement responded by stating, “The right way to think about limiting guns in Times Square on New Year’s Eve is not as a sensitive place but as a time, place, and manner restriction.” Neither suggested that New York could prohibit firearms in Times Square at all times.

For her part, New York Solicitor General Barbara D. Underwood argued for a more expansive interpretation of “sensitive place” as it relates to Times Square, claiming, “Times Square on—when the theater district—when commerce is in full swing, Times Square almost every night is shoulder-to-shoulder people.”

In his opinion in Bruen, Justice Samuel Alito rejected the notion that large swathes of a city could be designated “sensitive places” in the manner Underwood sought. After pointing to Heller’s reference to “schools and government buildings” as the type of “sensitive places” where firearms may be restricted, the justice also listed “legislative assemblies, polling places, and courthouses.” Alito went on to explain,

... expanding the category of “sensitive places” simply to all places of public congregation that are not isolated from law enforcement defines the category of “sensitive places” far too broadly ... Put simply, there is no historical basis for New York to effectively declare the island of Manhattan a “sensitive place” simply because it is crowded and protected generally by the New York City Police Department.

As for the “Times Square” gun ban’s practical impact on crime, consider the following story.

On Aug. 26 a man was fatally stabbed near the intersection of 44th St. and 8th Ave.—within New York’s new “Times Square” gun-free zone. NBC New York reported, “[a suspect] is in custody on murder and criminal possession of a weapon charges ... Police also recovered a pair of brass knuckles on the scene.”

What’s so strange is that the location of the crime scene happens to be a brass knuckles-free zone. In fact, according New York Penal Code Section 265.1, the entire state is a brass knuckles-free zone. Of course, the whole state is also supposed to be a murder-free zone.

New York authorities should expect their new gun-free zone to be of similar efficacy. ■

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**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK**

NEW YORK STATE RIFLE & PISTOL)
ASSOCIATION, INC., *and*)
)
ROBERT NASH, *and*)
)
BRANDON KOCH,)
)
Plaintiffs,)
)
v.)
)
KEVIN P. BRUEN, in his official capacity)
as Superintendent of the New York State Police,)
and)
)
RICHARD J. MCNALLY, JR., in his official)
capacity as Justice of the New York Supreme)
Court, Third Judicial District, and Licensing)
Officer for Rensselaer County,)
)
Defendants.)

Civil Action No. 1:22-cv-00907 (GTS/CFH)

COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

Plaintiffs New York State Rifle & Pistol Association, Inc., Robert Nash, and Brandon Koch (collectively “Plaintiffs”), by and through the undersigned attorneys, file this Complaint against the above-captioned Defendants, in their official capacities as state and local officials responsible under New York law for administering and enforcing the State’s laws and regulations governing the carrying of firearms outside the home. Plaintiffs seek a declaration that New York’s limitations of and burdens on the right to carry firearms as enacted in Senate Bill 51001 (“SB51001”) and as otherwise detailed below are unconstitutional under the First, Second, Fourth, and Fourteenth Amendments to the United States Constitution. Plaintiffs also seek an injunction compelling Defendants to refrain from enforcing those invalid limitations. In support of their Complaint against Defendants, Plaintiffs hereby make the following allegations.

INTRODUCTION

1. The Second Amendment to the United States Constitution guarantees “the right of the people to keep and bear Arms.” U.S. CONST. amend. II. The Supreme Court, in *New York State Rifle & Pistol Ass’n, Inc. v. Bruen*, 142 S. Ct. 2111 (2022), made clear that the text of the Second Amendment protects equally the right to keep arms in the home and the right to bear them in public. “Nothing in the Second Amendment’s text draws a home/public distinction with respect to the right to keep and bear arms.” *Id.* at 2134; see also *id.* at 2135 (The Second Amendment “guarantees an ‘individual right to possess and carry weapons in case of confrontation,’ and confrontation can surely take place outside the home.”) (quoting *District of Columbia v. Heller*, 554 U.S. 570, 592 (2008)). This guarantee protects the right of “ordinary, law-abiding, adult citizens” to “carry[] handguns publicly for self-defense.” *Id.* at 2134.
2. At issue in *Bruen* was a New York law that granted licenses to carry concealed without regard to employment or place of possession pursuant to Section 400.00(2)(f) of the New York Penal Law (a “Handgun Carry License”) to only those who could demonstrate to a licensing officer that they had “proper cause” for obtaining a Handgun Carry License. The licensing officer’s determination was discretionary. *Bruen* struck down that requirement, holding that the Second Amendment precludes “licensing laws[] under which authorities have discretion to deny concealed-carry licenses even when the applicant satisfies the statutory criteria, usually because the applicant has not demonstrated cause or suitability for the relevant license.” *Id.* at 2123–24.
3. In response to *Bruen*, New York enacted the Concealed Carry Improvement Act (Senate Bill 51001) (the “CCIA”). The CCIA replaces one unconstitutional, discretionary law with another unconstitutional, discretionary law. The CCIA contains a slew of burdensome and discriminatory requirements for obtaining a Handgun Carry License—violating the First, Second, Fourth, and Fourteenth Amendments—and an additional slew of restrictions on where and how Handgun Carry License holders may exercise their right to carry arms outside the home—in violation of the First, Second, and Fourteenth Amendments.

JURISDICTION AND VENUE

4. This Court has subject-matter jurisdiction over Plaintiffs’ claim under 28 U.S.C. §§ 1331 and 1343.
5. Plaintiffs seek remedies under 28 U.S.C. §§ 1651, 2201, and 2202 and 42 U.S.C. §§ 1983 and 1988.
6. Venue is proper in this Court under 28 U.S.C. § 1391(b)(1) & (b)(2).

PARTIES

7. Plaintiff Robert Nash is a citizen of the United States and a resident and citizen of the State of New York. He resides in Averill Park, NY 12018.

8. Plaintiff Brandon Koch is a citizen of the United States and a resident and citizen of the State of New York. He resides in Troy, NY 12180.
9. Plaintiff New York State Rifle & Pistol Association, Inc. (“NYSRPA”) is a group organized to support and defend the right of New York residents to keep and bear arms. The New York restrictions on the public carrying of firearms at issue in this case are a direct affront to NYSRPA’s central mission. NYSRPA has thousands of members who reside in New York. Its official address is 713 Columbia Turnpike East Greenbush, NY 12061. Plaintiffs Nash and Koch are members of NYSRPA. They are two among many NYSRPA members who will be deterred by the CCIA’s requirements from exercising the right to carry a firearm outside of the home. Many of NYSRPA’s members own or lease private property and wish to allow individuals to possess firearms on their private property without posting clear and conspicuous signage indicating (or otherwise providing express consent) that the carrying of firearms, rifles, or shotguns on their property is permitted on their property.
10. Defendant Kevin P. Bruen is the Superintendent of the New York State Police. As Superintendent, he exercises, delegates, or supervises all the powers and duties of the New York Division of State Police, which is responsible for executing and enforcing New York’s laws and regulations governing the carrying of firearms in public, including prescribing the form for Handgun Carry License applications. His official address is New York State Police, 1220 Washington Avenue, Building 22, Albany, NY 12226. He is being sued in his official capacity.
11. Defendant Richard J. McNally, Jr., is a Justice of the New York Supreme Court, Third Judicial District, and a Licensing Officer for Rensselaer County under N.Y. PENAL LAW § 400.00. Pursuant to N.Y. PENAL LAW § 265.00(10), he is responsible for receiving applications from residents of Rensselaer County for a license to carry a handgun, investigating the applicant, and either approving or denying the application. His official address is Rensselaer County Courthouse, 80 Second Street, Troy, NY 12180. He is being sued in his official capacity as a State Licensing Officer.

FACTUAL ALLEGATIONS

New York’s Burdensome Handgun Carry License Application Process

12. New York law generally forbids any person from “possess[ing] any firearm,” N.Y. PENAL LAW § 265.01(1), without first obtaining “a license therefor,” *id.* § 265.20(a)(3). Violating this ban is a class A misdemeanor, punishable by a fine of \$1,000 or less or up to a year in prison. *Id.* §§ 70.15(1), 80.05(1), 265.01. Possessing a loaded firearm without a license is a class C felony, punishable by a fine of up to \$5,000 or between one- and fifteen-years imprisonment. *Id.* §§ 70.00(2)(c) & (3)(b), 80.00(1), 265.03.

13. New York's ban is subject to minor exceptions for active duty members of the military, police officers, and peace officers. *Id.* § 265.20. An ordinary member of the general public who wishes to carry a handgun outside the home for purposes of self-protection, however, can only do so if he obtains a Handgun Carry License under Section 400.00(2)(f) of New York's Penal Law.
14. A person seeking a Handgun Carry License must submit an application—on a form approved by Defendant Bruen—to the Licensing Officer for the city or county where he resides. *Id.* § 400.00(3)(a). No license is available to authorize the carrying of handguns within the State openly.
15. To be eligible for a Handgun Carry License, an applicant must satisfy numerous objective criteria. For example, he must be at least 21 years old, must not have been convicted of any felony or serious offense (including certain misdemeanors), must not be an unlawful user of a controlled substance, and must not have any history of mental illness. *Id.* § 400.00(1).
16. Additionally, the applicant must complete a minimum of 16 hours of in-person live firearms safety and training curriculum on the following topics: (i) general firearm safety, including an overview of firearm and ammunition functions and operation, firearm cleaning and maintenance, safe handling practices, range safety rules, and proper holster considerations and retention strategies for safe concealed carry (two hours minimum); (ii) firearm safe storage requirements, as defined in N.Y. PENAL LAW §§ 265.45 and 265.50, and general firearm secure storage and transportation best practices (one hour minimum); (iii) state and federal gun laws, including the possession disqualifiers under 18 U.S.C. § 922(g) and New York State law, restrictions on the private sale or transfer of firearms under New York General Business Law § 898, and requirements for keeping firearm license information up to date, properly registering pistols and revolvers, and license recertification and, if applicable, renewal requirements, including but not limited to the provision set forth in Articles 265 and 400 of the Penal Law (two hours minimum); (iv) concealed carry situational awareness of surroundings, including firearm display and concealment; (v) conflict de-escalation tactics that include verbal and non-verbal strategies, including retreating, that are intended to reduce the intensity of a conflict or crises encountered; (vi) adverse effects of alcohol and drug use as it pertains to firearm safety; (vii) best practices when encountering law enforcement (e.g., a traffic stop), including how to communicate throughout the encounter, considerations for disclosing concealed carry status and displaying a valid firearm license, obeying all commands given by the officer(s), and best practices for handling a firearm and self-identification as a lawful concealed carry licensee if the firearm is visible when an officer responds to an incident; (viii) the statutorily defined sensitive places listed below in paragraph 31; (ix) conflict management; (x) use of deadly physical force, including the circumstances in which deadly physical force may be considered justified, and when there is the duty to retreat pursuant to N.Y. PENAL LAW § 35.15(2); (xi) suicide prevention including recognizing signs of suicide risk and resources to obtain assistance, including a suicide hotline (e.g., 988 Suicide and Crisis Lifeline); and (xii) basic principles of marksmanship, including stance, grip, sight alignment, sight picture, breathing, and trigger control (one hour minimum). The applicant must also then score 80% or higher on a written test that covers this curriculum. New York does not cover the fees associated with attending the firearms safety training course or the associated exam.
17. The applicant must also complete minimum of two hours of a live-fire range training course that covers (i) range safety; (ii) safe drawing, target acquisition, and re-holstering; (iii) dry firing; (iv) safe loading and unloading of ammunition; (v) performing a firearm condition check, and how to achieve and verify a safe and empty firearm condition; and (vi) safely discharging the firearm. He must not just complete a range training course but must demonstrate a certain level of proficiency, requiring each applicant to: (i) perform a firearm condition check and demonstrate that the firearm is in a safe and empty condition; (ii) without any ammunition loaded, safely draw the firearm from concealment, acquire a target, and safely re-holster; (iii) safely load the firearm with five rounds of ammunition; not holster the loaded firearm; maintain a ready position with the firearm safely pointed downrange; (iv) on the instructor's command to fire, aim at a paper target that is 25 ½ by 11 inches and fire all five rounds from a standing position, from a distance of 4 yards, hitting at least four out of the five rounds on the target; and (v) perform a firearm condition check and verify that the firearm is in a safe and empty condition. New York does not cover the fees associated with completing at least two hours of live-fire range training— which may include renting a firearm and purchasing ammunition—or the associated exam. Upon information and belief, the expenses associated with the firearms safety training course and live- fire range training course will be hundreds of dollars.
18. The applicant must also ensure that after demonstrating his proficiencies in firearms safety training and live-fire that he obtains a certification of completion endorsed and affirmed under the penalties of perjury by his authorized instructor.
19. The applicant must also satisfy a subjective criterium: a licensing officer (always a government official; usually a judge or law enforcement officer) deems him “of good moral character.” The CCIA defines good moral character to mean that the licensing officer, in his discretion, deems the applicant to have “the essential character, temperament and judgement necessary to be entrusted with a weapon and to use it only in a manner that does not endanger oneself or others.”
20. To determine whether an applicant is of good moral character, a licensing offer must meet with and interview the applicant. At this interview, the applicant shall provide to the licensing offer and the licensing officer shall review:
 - a. The names and contact information for the applicant's current spouse, or domestic partner, any other adults residing in the applicant's home, including any adult children of the applicant, and whether or not there are minors residing, full time or part time, in the applicant's home.
 - b. The names and contact information of no less than four character references who can attest to the applicant's good moral character and that such applicant has not engaged in any acts or made any statements that suggest they are likely to engage in conduct that would result in harm to themselves or others.
 - c. The certification of completion of the training required by the CCIA.
 - d. A list of the applicant's former and current social media accounts from the past three years.
 - e. Such other information required by the licensing officer that is reasonably necessary and related to the review of the licensing application.
21. The term “social media accounts” is not a defined term. Social media accounts may include Facebook, Instagram, and Twitter accounts. It may also include WhatsApp, Venmo, Yelp, Snapchat, online dating accounts, or myriad other online accounts that are arguably a “social media account”—all of which allow for expressive communications and many of which allow for users to communicate through text, audio, or photographs, doing so privately and/or anonymously. Nor is there any guidance for how in-depth the licensing officer's review may or must be and for what the licensing officer may or must review. The licensing officer may, for instance, require the applicant to grant access to the applicant's private social media accounts so the licensing officer may search for and review the applicant's most personal and sensitive information and communications, like private messages and photographs sent and received on the applicant's social media accounts. The CCIA authorizes a licensing officer to make copies of and store whatever he finds when digging through the applicant's social media accounts. *See N.Y. PENAL LAW* § 400.02(1).
22. Requiring Handgun Carry License applicants to provide a list of their social media accounts and character references to a licensing officer will chill the protected speech of New Yorkers, including Plaintiffs Nash and Koch and NYSRPA's members, because they will not know what they can and cannot say in their private lives and in their private social media, and whether their exercise of protected speech may one day give a licensing officer pause in issuing a license to exercise an entirely different constitutionally protected right.
23. The provision allowing a licensing officer to review “such other information required by the licensing officer that is reasonably necessary and related to the review of the licensing application” on its face grants the licensing officer access to any and all other information he so desires.
24. The government must then take the applicant's fingerprints and physical descriptive data.
25. A Handgun Carry License must be renewed every three years.
26. Before issuing or renewing a license, the licensing officer must conduct a rigorous investigation and background check to verify that each of the statutory requirements is satisfied. New York requires an investigation of all statements required in the application by the duly constituted police authorities of the locality where the application is made, including but not limited to such records as may be accessible to the division of state police or division of criminal justice services pursuant to section 400.02 of the New York Penal Law. For that purpose, the records of the appropriate office of the department of mental hygiene concerning previous or present mental illness of the applicant shall be available for inspection by the investigating officer of the police authority.
27. The CCIA allows licensing officers up to six months—unless the licensing officer provides written notice that the approval process will take longer—to approve or deny an application for a Handgun Carry License. That indefinite wait for Handgun Carry License applicants is in addition to however long it took the applicant to complete the required training courses and obtain a certification of completion, find four individuals willing to be a character reference, compile his social media (whatever that term means), schedule an interview and meet with a licensing officer, and provide that licensing officer whatever additional information that licensing officer wishes to review.
28. Completing a Handgun Carry License application and waiting for a licensing officer's subjective approval is a lengthy and exorbitantly expensive process that will have the effect of denying ordinary citizens their right to public carry.

New York's Restrictions on Handgun Carry License Holders

29. The CCIA greatly restricts where Handgun Carry License holders, including Plaintiffs Nash and Koch, may exercise their fundamental right to carry arms in public for self- defense.
30. The CCIA forbids New Yorkers from possessing or carrying a firearm in “sensitive locations,” which are defined to include:
 - a. Any place owned or under the control of federal, state or local government, for the purpose of government administration, including courts.
 - b. Any location providing health, behavioral health, or chemical dependence care or services.
 - c. Any place of worship or religious observation.
 - d. Libraries, public playgrounds, public parks, and zoos.

- e. The location of any program licensed, regulated, certified, funded, or approved by the office of children and family services that provides services to children, youth, or young adults, any legally exempt childcare provider; a childcare program for which a permit to operate such program has been issued by the department of health and mental hygiene pursuant to the health code of the city of New York.
 - f. Nursery schools, preschools, and summer camps.
 - g. The location of any program licensed, regulated, certified, operated, or funded by the office for people with developmental disabilities.
 - h. The location of any program licensed, regulated, certified, operated, or funded by office of addiction services and supports.
 - i. The location of any program licensed, regulated, certified, operated, or funded by the office of mental health.
 - j. The location of any program licensed, regulated, certified, operated, or funded by the office of temporary and disability assistance.
 - k. Homeless shelters, runaway homeless youth shelters, family shelters, shelters for adults, domestic violence shelters, and emergency shelters, and residential programs for victims of domestic violence.
 - l. Residential settings licensed, certified, regulated, funded, or operated by the department of health.
 - m. In or upon any building or grounds, owned or leased, of any educational institutions, colleges and universities, licensed private career schools, school districts, public schools, private schools licensed under article one hundred one of the education law, charter schools, non-public schools, board of cooperative educational services, special act schools, preschool special education programs, private residential or non-residential schools for the education of students with disabilities, and any state-operated or state-supported schools.
 - n. Any place, conveyance, or vehicle used for public transportation or public transit, subway cars, train cars, buses, ferries, railroad, omnibus, marine or aviation transportation; or any facility used for or in connection with service in the transportation of passengers, airports, train stations, subway and rail stations, and bus terminals.
 - o. Any establishment issued a license for on-premise consumption pursuant to article four, four-A, five, or six of the alcoholic beverage control law where alcohol is consumed and any establishment licensed under article four of the cannabis law for on-premise consumption.
 - p. Any place used for the performance, art entertainment, gaming, or sporting events such as theaters, stadiums, racetracks, museums, amusement parks, performance venues, concerts, exhibits, conference centers, banquet halls, and gaming facilities and video lottery terminal facilities as licensed by the gaming commission.
 - q. Any location being used as a polling place.
 - r. Any public sidewalk or other public area restricted from general public access for a limited time or special event that has been issued a permit for such time or event by a governmental entity, or subject to specific, heightened law enforcement protection, or has otherwise had such access restricted by a governmental entity, provided such location is identified as such by clear and conspicuous signage.
 - s. Any gathering of individuals to collectively express their constitutional rights to protest or assemble.
 - t. The area commonly known as Times Square, as such area is determined and identified by the city of New York; provided such area shall be clearly and conspicuously identified with signage.
31. It is unclear where, if anywhere, an ordinary Handgun Carry License holder may lawfully carry a handgun for self-defense. Not only are the sensitive locations impermissibly vague, making it impossible for a Handgun Carry License holder to know if he is in a “sensitive location” and thus in violation of the law, they are so broad that they swallow the right such that there is no realistic ability to exercise the right to carry a handgun in public. A Handgun Carry License holder may not, without disarming himself: enter a place owned or even controlled by the State; seek medical care; attend church; go to a public park; walk through a college campus; ride public transit; go out to eat; vote; use a sidewalk if there is a special event happening; or go anywhere two or more people are assembled and engaged in First Amendment activities. These problems are not unique to New York City. New Yorkers throughout the state are subject to onerous and vague restrictions pertaining to so-called sensitive locations. The CCIA is intentionally vague, overbroad, and in contradiction of *Bruen*. Governor Hochul does not even know where Handgun Carry License holders may carry a firearm, stating that although New York “can’t shut [carrying] off [in] all places,” the CCIA limits carrying to “probably [in] some streets.” See Marcia Kramer & Dick Brennan, *Fresh off primary win, Gov. Kathy Hochul dives right into guns -- who can get them and where they can take them*, CBS NEWS NEW YORK, available at <https://www.cbsnews.com/newyork/news/fresh-off-primary-win-gov-kathy-hochul-dives-right-into-guns-who-can-get-them-and-where-they-can-take-them/>. She also labeled Bruen a mere “temporary setback because we are going to marshal the resources to make sure that we do not surrender my right as governor and our rights as New Yorkers to protect ourselves from gun violence.” *Id.*
32. Former police officers who no longer possess any police powers but who possess a Handgun Carry License may possess a firearm in the aforementioned sensitive locations.

- 33. The CCIA also forbids, with minor exceptions, New Yorkers from possessing or carrying a firearm in a “restricted location,” which includes all “private property [without] clear and conspicuous signage indicating that the carrying of firearms, rifles, or shotguns on the[] property is permitted or [the property owner] has otherwise given express consent.” The CCIA mandates a presumption that all private property be a gun free zone. Unless a property owner or lessee takes specific action in the form of compelled speech to restore his fellow citizen’s Second Amendment rights, law-abiding and responsible New Yorkers may not possess or carry a firearm on that property owner or lessee’s property.
- 34. Former police officers who possess a Handgun Carry License may possess a firearm in the aforementioned restricted locations.
- 35. Criminal possession of a weapon in a sensitive or restricted location is a class E felony. But for a credible threat of prosecution, Plaintiffs Nash and Koch would possess a firearm in each of the aforementioned prohibited sensitive and restricted locations.
- 36. The CCIA also restricts how Handgun Carry License holders may keep their firearms in their automobiles. The CCIA prohibits Handgun Carry License holders from storing or otherwise leaving a rifle, shotgun, or firearm out of his or her immediate possession or control inside a vehicle without first removing the ammunition from and securely locking the rifle, shotgun, or firearm in an appropriate safe storage depository out of sight from outside of the vehicle. Safe storage depository does not include a glove compartment or glove box but only a safe or other secure container which, when locked, is incapable of being opened without the key, keypad, combination or other unlocking mechanism and is capable of preventing an unauthorized person from obtaining access to and possession of the weapon contained therein and is fire, impact, and tamper resistant.
- 37. Failure to safely store rifles, shotguns, and firearms in the first degree is a class A misdemeanor. But for the credible threat of prosecution, Plaintiffs Nash and Koch would safely and responsibly secure their firearms in their unattended automobiles without first removing ammunition from their firearms and without utilizing a safe storage depository.

The CCIA Will Deter Plaintiffs From Obtaining or Renewing Handgun Carry Licenses

- 38. Plaintiff Robert Nash is an adult citizen and resident of New York. He is not a law enforcement official or a member of the armed forces, and he does not fall within any of the other exceptions enumerated in N.Y. PENAL LAW § 265.20 to New York’s ban on carrying firearms in public.
- 39. Mr. Nash possesses all of the qualifications necessary to obtain a Handgun Carry License that are enumerated in N.Y. PENAL LAW § 400.00(1). For example, he is over 21 years

- of age, he has not been convicted of any felony or other serious offense, and he is not addicted to controlled substances or mentally infirm.
- 40. Mr. Nash desires to carry a handgun in public for self-defense. Mr. Nash lawfully owns several handguns which he keeps in his home to defend himself and his family, and he would carry a handgun for self-defense when he is in public were it not for Defendants’ enforcement of New York’s ban on the public carrying of firearms. Mr. Nash is not entitled to a Handgun Carry License by virtue of his occupation.
- 41. In or around September 2014, Mr. Nash applied to the Licensing Officer for the county where he resides, Rensselaer County, for a license to carry a handgun in public. After investigation, Mr. Nash’s application was granted on March 12, 2015, but he was issued a license marked “Hunting, Target only” that allowed him to carry a firearm outside the home only while hunting and target shooting.
- 42. Because of these restrictions, Mr. Nash is not able to carry a firearm outside of his home for self-defense.
- 43. On September 5, 2016, Mr. Nash requested the Licensing Officer, Defendant Richard N. McNally, Jr., to remove the “hunting and target” restrictions from his license and issue him a license allowing him to carry a firearm for self-defense.
- 44. On November 1, 2016, after an informal hearing, Defendant McNally denied Mr. Nash’s request and “determined that the ‘Hunting, Target only’ restrictions [shall] remain on your carry concealed permit.” Letter from Richard McNally, Jr., to Robert Nash (Nov. 1, 2016) (attached as Exhibit 1). Defendant McNally “emphasize[d] that the restrictions are intended to prohibit you from carrying concealed in ANY LOCATION typically open to and frequented by the general public.” *Id.*
- 45. Defendant McNally did not determine that Mr. Nash was ineligible for any of the reasons enumerated in N.Y. PENAL LAW § 400.00(1); indeed, his eligibility is confirmed by the fact that he continues to hold a “restricted” license. Instead, Defendant McNally concluded that Mr. Nash had failed to show “proper cause” to carry a firearm in public for self-defense because he did not demonstrate a special need for self-defense that distinguished him from the general public.
- 46. Mr. Nash will be deterred from renewing his Handgun Carry License under the newly-enacted CCIA because of the expense, inconvenience, and other impermissible burdens of the CCIA’s application process and its constituent parts.
- 47. Plaintiff Brandon Koch is an adult citizen and resident of New York. He is not a law enforcement official or a member of the armed forces, and he does not fall within any of the other exceptions enumerated in N.Y. PENAL LAW § 265.20 to New York’s ban on carrying firearms in public.
- 48. Mr. Koch possesses all of the qualifications necessary to obtain a Handgun Carry License that are enumerated in N.Y.

PENAL LAW § 400.00(1). For example, he is over 21 years of age, he has not been convicted of any felony or other serious offense, and he is not addicted to controlled substances or mentally infirm.

49. Mr. Koch desires to carry a handgun in public for self-defense. Mr. Koch lawfully owns at least one handgun which he keeps in his home to defend himself and his family, and he would carry a handgun for self-defense when he is in public were it not for Defendants' enforcement of New York's ban on the public carrying of firearms. Mr. Koch is not entitled to a Handgun Carry License by virtue of his occupation.

50. In 2008, Mr. Koch was granted a license to carry a handgun in public by the Licensing Officer for the county where he resides, Rensselaer County. However, he was issued a license marked "Hunting & Target" that allowed him to carry a firearm outside the home only while hunting and target shooting.

51. Because of these restrictions, Mr. Koch is not able to carry a firearm outside of his home for self-defense.

52. In November of 2017, Mr. Koch requested the Licensing Officer, Defendant Richard N. McNally, Jr., to remove the "hunting and target" restrictions from his license and issue him a license allowing him to carry a firearm for self-defense.

53. On January 16, 2018, after an informal hearing, Defendant McNally denied Mr.

54. Koch's request and "determined that the 'Hunting, Target only' restrictions [shall] remain on your carry concealed permit." Letter from Richard McNally, Jr., to Brandon Koch (Jan. 16, 2018) (attached as Exhibit 2). Defendant McNally did not determine that Mr. Koch was ineligible for any of the reasons enumerated in N.Y. PENAL LAW § 400.00(1); indeed, his eligibility is confirmed by the fact that he continues to hold a "restricted" license. Instead, Defendant McNally concluded that Mr. Koch had failed to show "proper cause" to carry a firearm in public for self-defense, because he did not demonstrate a special need for self-defense that distinguished him from the general public.

55. Mr. Koch will be deterred from renewing his Handgun Carry License under the newly-enacted CCIA because of the expense, inconvenience, and other impermissible burdens of the CCIA's application process and its constituent parts.

56. Plaintiff NYSRPA has at least one member who will be deterred from completing an application for a Handgun Carry License under the newly-enacted CCIA because of the expense, inconvenience, and other impermissible burdens of the CCIA's application process and its constituent parts, as well as the restrictions on Handgun Carry License holders. But for Defendants' continued enforcement of the New York laws and regulations set forth above, that member would forthwith carry a firearm outside the home for self-defense.

COUNT ONE

42 U.S.C. § 1983 Action for Deprivation of Plaintiffs' Rights under U.S. CONST. amends. II and XIV

57. Plaintiffs incorporate by reference the allegations of the preceding paragraphs.

58. Plaintiffs Nash and Koch and Plaintiff NYSRPA's law-abiding, responsible members are included in the "the people" protected by the Second Amendment.

59. New York's objective and subjective requirements to obtain Handgun Carry License, detailed above in paragraphs 12–28 and including their attendant burdens, expenses, and delays and the requirement that a licensing officer use his discretion to determine whether a Handgun Carry Applicant is of good moral character, burden conduct protected by the Second Amendment.

60. New York's objective and subjective requirements to obtain Handgun Carry License, detailed above in paragraphs 12–28 and including their attendant burdens, expenses, and delays and the requirement that a licensing officer use his discretion to determine whether a Handgun Carry Applicant is of good moral character, are not consistent with this Nation's historical tradition of firearm regulation.

61. The sensitive and restricted locations prohibitions imposed on where and how Handgun Carry License holders may exercise their constitutional right to bear arms in public for self-defense, as well as the restrictions on how Handgun Carry License holders must store their firearms in their cars, detailed above in paragraphs 29–37, burdens conduct protected by the Second Amendment—the constitutional right to bear arms in public for self-defense.

62. The sensitive and restricted location prohibitions limiting where and how Handgun Carry License holders may exercise their constitutional right to bear arms in public for self-defense, as well as the restrictions on how Handgun Carry License holders must store their firearms in their cars, detailed above in paragraphs 29–37, are not consistent with this Nation's historical tradition of firearm regulation.

63. To determine whether a Handgun Carry License applicant is of good moral character, a licensing officer shall meet with and interview the applicant. At this interview, the applicant shall provide to the licensing officer and the licensing officer shall review, among other things, the names and contact information for the applicant's current spouse, or domestic partner, any other adults residing in the applicant's home, including any adult children of the applicant, and whether or not there are minors residing, full time or part time, in the applicant's home and the names and contact information of no less than four character references who can attest to the applicant's good moral character and that such applicant has not engaged in any acts or made any statements that suggest they are likely to engage in conduct that would result in harm to themselves or others.

64. The CCIA requires a Handgun Carry License applicant to obtain permission to exercise their Second Amendment right to carry a firearm in public from their spouse, household members, and character references, which impermissibly provides a third-party veto power over Handgun Carry License applicants' exercise of their right to bear arms. Cf. *Planned Parenthood of Cent. Missouri v. Danforth*, 428 U.S. 52, 74 (1976) ("Just as with the requirement of consent from the spouse, so here, the State does not have the constitutional authority to give a third party an absolute, and possibly arbitrary, veto over the decision of the physician and his patient to terminate the patient's pregnancy, regardless of the reason for withholding the consent.").

65. By infringing the right to bear arms in public in these ways, the New York laws and regulations discussed in the foregoing allegations violate the Second Amendment, which applies to Defendants by operation of the Fourteenth Amendment, both facially and as applied to Plaintiffs Nash, Koch, and members of NYSRPA, and they are therefore invalid.

COUNT TWO

42 U.S.C. § 1983 Action for Deprivation of Plaintiffs' Rights under U.S. CONST. amends. I and XIV

66. Plaintiffs incorporate by reference the allegations of the preceding paragraphs.

67. To determine whether a Handgun Carry License applicant is of good moral character, a licensing officer shall meet with and interview the applicant. At this interview, the applicant shall provide to the licensing officer and the licensing officer shall review, among other things, the contents of an applicant's protected speech, including the names and contact information for the applicant's current spouse, or domestic partner, any other adults residing in the applicant's home, including any adult children of the applicant, and whether or not there are minors residing, full time or part time, in the applicant's home; the names and contact information of no less than four character references who can attest to the applicant's good moral character and that such applicant has not engaged in any acts or made any statements that suggest they are likely to engage in conduct that would result in harm to themselves or others; and the applicant's former and current social media accounts from the past three years.

68. The CCIA's requirement that Handgun Carry License applicants provide to a licensing officer their former and current social media accounts from the past three years applies specifically to speakers engaged in online communication, chilling their ability and willingness to speak on the internet, and preventing a Handgun Carry License applicant from speaking privately and/or anonymously.

69. The CCIA will chill the protected speech of Plaintiffs Nash, Koch, and NYSRPA's members because they will not know what they can and cannot say in their private lives and in their

private social media, and whether their exercise of protected speech may one day give a licensing officer pause in issuing a license to exercise an entirely different constitutionally protected right.

70. The CCIA allows a licensing officer to reject a Handgun Carry License application because of who the applicant associates with at home or online. The CCIA's requirement that Handgun Carry License applicants provide to a licensing officer their social media as well the names and contact information of at least four character references, and of the applicant's current spouse, or domestic partner, any other adults residing in the applicant's home, including any adult children of the applicant, and whether or not there are minors residing, full time or part time, in the applicant's home are an unjustified government interference with an individual's choice to enter into and maintain certain intimate or private relationships. Thus, the CCIA conditions the right to carry a firearm upon a person engaging in only government-approved speech and association.

71. The CCIA will interfere with Plaintiffs Nash, Koch, and NYSRPA's members' choices to enter into and maintain certain intimate or private relationships because they will not know whether their associations may give a licensing officer pause in issuing a license to exercise an entirely different constitutionally protected right.

72. The exercise of one constitutional right cannot be conditioned on the forfeiture or violation of another. *See, e.g., Simmons v. United States*, 390 U.S. 377, 393–94 (1968) (It is "intolerable that one constitutional right should have to be surrendered in order to assert another.").

73. The CCIA impermissibly compels the speech of property owners and lessees. It requires property owners and lessees to espouse a belief one way or the other on the public carriage of firearms by requiring them to post (or not post) on their property a "clear and conspicuous signage indicating that the carrying of firearms, rifles, or shotguns on the[] property is permitted" (or "otherwise giv[ing] express consent" to each individual person who desires to carry a firearm on their property). *See Agency for Int'l Dev. v. All. for Open Soc'y Int'l, Inc.*, 570 U.S. 205, 213 (2013) ("[F]reedom of speech prohibits the government from telling people what they must say.") (citation omitted).

74. By infringing the rights to free speech and association, the New York laws and regulations discussed in the foregoing allegations violate the First Amendment, which applies to Defendants by operation of the Fourteenth Amendment, both facially and as applied to Plaintiffs Nash, Koch, and members of NYSRPA, and they are therefore invalid.

COUNT THREE

42 U.S.C. § 1983 Action for Deprivation of Plaintiffs' Rights under U.S. CONST. amends. IV and XIV

75. Plaintiffs incorporate by reference the allegations of the preceding paragraphs.
76. To determine whether a Handgun Carry License applicant is of good moral character, a licensing offer shall meet with and interview the applicant. At this interview, the applicant shall provide to the licensing offer and the licensing officer shall review, among other things, the applicant's former and current social media accounts from the past three years.
77. Handgun Carry License applicants have an expectation of privacy in their social media activity that is not publicly available. Social media activity that is not publicly available is protected from unreasonable search and seizure from government officials, including licensing officers.
78. Licensing officers may, without a warrant, require credentials or other access from applicants to view private material, which, in any other circumstance, would require a warrant. See *Carpenter v. United States*, 138 S. Ct. 2206, 2222 (2018) ("If the third-party doctrine does not apply to the 'modern-day equivalents of an individual's own 'papers' or 'effects,' then the clear implication is that the documents should receive full Fourth Amendment protection. We simply think that such protection should extend as well to a detailed log of a person's movements over several years.").
79. The exercise of one constitutional right cannot be conditioned on the forfeiture or violation of another. See, e.g., *Simmons*, 390 U.S. at 393-94 (It is "intolerable that one constitutional right should have to be surrendered in order to assert another.").
80. By infringing the right to be free from unreasonable searches and seizures in these ways, the New York laws and regulations discussed in the foregoing allegations violate the Fourth Amendment, which applies to Defendants by operation of the Fourteenth Amendment, both facially and as applied to Plaintiffs Nash, Koch, and members of NYSRPA, and they are therefore invalid.

COUNT FOUR

42 U.S.C. § 1983 Action for Deprivation of Plaintiffs' Rights under U.S. CONST. amend XIV (Due Process Clause)

81. Plaintiffs incorporate by reference the allegations of the preceding paragraphs.
82. To be eligible for a Handgun Carry License, a Handgun Carry License applicant must satisfy a subjective criterion: that a licensing officer deems him "of good moral character." The CCIA unhelpfully defines good moral character to mean that the licensing officer, in his discretion, deems the applicant to have "the essential character, temperament and judgement necessary to be entrusted with a weapon and to use it only in a manner that does not endanger oneself or others."
83. To determine whether a Handgun Carry License applicant is of good moral character, a licensing offer shall meet with and interview the applicant. At this interview, the applicant shall provide to the licensing offer and the licensing officer shall

review, among other things, the applicant's former and current social media accounts from the past three years and such other information required by the licensing officer that is reasonably necessary and related to the review of the licensing application.

84. The CCIA does not define or limit the term "social media accounts."
85. The CCIA also does not define or limit the term "such other information required by the licensing officer that is reasonably necessary and related to the review of the licensing application." The licensing officer seemingly has authority to require from an applicant any and all information when meeting with and interviewing that applicant. Further, under the CCIA, the licensing officer may require different information from different applicants.
86. In these respects, the CCIA does not contain minimal guidelines as to who is of "good moral character." It does not provide explicit standards for those who apply these terms to avoid resolution on an ad hoc and subjective basis, with the attendant dangers of arbitrary and discriminatory application. Licensing officers have unfettered discretion to demand more and more information and to disbelieve an applicant who states they have no social media accounts. The CCIA authorizes and/or encourages arbitrary and discriminatory enforcement of what constitutes a social media account that a licensing officer may review and how these social media accounts may be reviewed.
87. The terms "good moral character, "social media account," and "such other information required by the licensing officer that is reasonably necessary and related to the review of the licensing application" are therefore void for vagueness—both as applied to Plaintiffs Nash, Koch, and members of NYSRPA and on its face.
88. The CCIA forbids Handgun Carry License holders from possessing a firearm in sensitive and restricted locations, which are detailed above in paragraphs 30-34. Possessing a firearm in a sensitive or restricted location is a class E felony.
89. The categories of sensitive and restricted location restrictions are so broad and all-encompassing that the CCIA fails to provide an ordinary person with fair notice of the conduct the CCIA proscribes—or, conversely, where a Handgun Carry License holder may lawfully carry a firearm. The CCIA's sensitive and restricted location restrictions are therefore void for vagueness. *City of Chicago v. Morales*, 527 U.S. 41, 56 (1999) ("Vagueness may invalidate a criminal law for either of two independent reasons. First, it may fail to provide the kind of notice that will enable ordinary people to understand what conduct it prohibits; second, it may authorize and even encourage arbitrary and discriminatory enforcement.").

COUNT FIVE

42 U.S.C. § 1983 Action for Deprivation of Plaintiffs' Rights under U.S. CONST. amend XIV (Equal Protection Clause)

90. Plaintiffs incorporate by reference the allegations of the preceding paragraphs.
91. The CCIA exempts former police officers who possess a Handgun Carry License from its sensitive and restricted locations prohibitions.
92. Former police officer Handgun Carry License holders and other Handgun Carry License holders are similarly situated insofar as they are both civilians and classes of State residents who, absent the CCIA, would generally have the right to carry firearms in public for self-defense. There is no constitutionally sufficient rationale that would justify this distinction.
93. The former police officer exception is a classification affecting Second Amendment rights, and Second Amendment rights are fundamental rights.
94. Furthermore, by not defining what "other information" a licensing officer may require, the CCIA permits licensing officers to treat similarly situated Handgun Carry License differently by requiring them to provide—and thus reviewing—different information. There is no constitutionally sufficient rationale that would justify this distinction.
95. Because the CCIA draws distinctions that fail any applicable level of scrutiny, it violates the Equal Protection Clause of the Fourteenth Amendment both facially and as-applied. See *Plyler v. Doe*, 457 U.S. 202, 216-17 (1982) ("Thus we have treated as presumptively invidious those classifications that disadvantage a 'suspect class,' or that impinge upon the exercise of a 'fundamental right.' With respect to such classifications, it is appropriate to enforce the mandate of equal protection by requiring the State to demonstrate that its classification has been precisely tailored to serve a compelling governmental interest.").
96. The CCIA violates the equal protection rights of Plaintiffs Nash, Koch, and members of NYSRPA, and it is therefore facially unconstitutional, void, and invalid.

COUNT SIX

42 U.S.C. § 1983 Action for Deprivation of Plaintiffs' Rights under U.S. CONST. amend XIV (Right to Privacy)

97. Plaintiffs incorporate by reference the allegations of the preceding paragraphs.
98. To determine whether a Handgun Carry License applicant is of good moral character, a licensing offer shall meet with and interview the applicant. At this interview, the applicant shall provide to the licensing offer and the licensing officer shall review, among other things, the names and contact information of no less than four character references who can attest to the applicant's good moral character and that such applicant

has not engaged in any acts or made any statements that suggest they are likely to engage in conduct that would result in harm to themselves or others.

99. The CCIA in effect requires a Handgun Carry License applicant to find at least four individuals and disclose to them that (1) he does not have a Handgun Carry License (or a Handgun Carry License without restrictions) and (2) he desires to obtain one (or one without any restrictions).
100. Plaintiffs Nash and Koch, as well as those NYSRPA members described above, have a privacy interest in their confidential status as a Handgun Carry License holder. See N.Y. PENAL LAW § 400.02(1); *U.S. Dep't of Just. v. Repts. Comm. For Freedom of Press*, 489 U.S. 749, 762 (1989) (right of personal privacy includes "avoiding disclosure of personal matters") (citation omitted).
101. The CCIA's requirement that Plaintiffs disclose confidential information to at least four individuals to find the statutorily-required character references is arbitrary in the constitutional sense and shocks the conscience. It therefore violates the right to privacy of Plaintiffs Nash, Koch, and members of NYSRPA.

PRAYER FOR RELIEF

102. WHEREFORE, Plaintiffs pray for an order and judgment:
103. An order declaring that the challenged sections of the Handgun Carry License requirements, as set forth above, both on their face and as applied through foregoing implementing regulations and practices adopted by Defendants, violates the First, Second, Fourth, and Fourteenth Amendments of United States Constitution in violation of 42 U.S.C. § 1983;
104. Enjoining Defendants and their employees and agents from enforcing the challenged sections of the Handgun Carry License requirements, as set forth above;
105. Awarding Plaintiffs their reasonable costs, including attorneys' fees, incurred in bringing this action, pursuant to 42 U.S.C. § 1988; and
106. Granting such other and further relief as this Court deems just and proper.

Dated: August 31, 2022 Respectfully submitted,
 /s/ John Parker Sweeney,
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 James W. Porter, III
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The Adirondacks, a Park or a Wilderness Area

By Tom King

I've been hunting, fishing, hiking, canoeing, camping, and shooting in the Adirondacks for most of my adult life. I've watched the mountains morph from a wild area with few trails, into a forever wild area with limited access to large tracts of land with fringe areas developed into areas laced with trails and opportunities for outdoor enjoyment.

Due to this evolution over the passage of many years, the mountains have become a playground for the people of New York state. On any given weekend you may run into people enjoying the mountains from all areas of the state, including New York City.

The magnificent Adirondack Mountains have evolved into the Adirondack Park, which is run by an agency of the same name and is controlled by outsiders who govern the mountains as New York City governs Central Park. This agency establishes regulations that suppress any type of growth or activities that do not meet with its approval, including limiting the number of people who can use certain areas.

The most egregious calamity to befall The Park occurred on July 6, 2022, when Gov. Kathy Hochul—in an attempt to circumvent the U.S. Supreme Court's ruling in *New York State Rifle & Pistol Associations v. Bruen*—ruled that parks are sensitive areas, and therefore it is illegal to carry a firearm within their borders. With the stroke of a pen, hundreds of years of Adirondack tradition



were flushed down the drain with no thought and no consideration to the traditions or mores of current day Adirondackers.

No longer is a walk in the woods with a handgun legal. In fact, if you are caught with a handgun in the vast Adirondacks, you will be charged with a felony. A felony for carrying your legally owned and registered firearm anywhere within the million-acre Adirondack Park. Meanwhile, violent felons are let go with a slap on the wrist in Central Park.

Gov. Hochul's Concealed Carry Improvement Act is worse than a slap in the face to all the concealed-carry permit holders who live within the

boundaries of the Adirondack Park. It is a travesty; criminals are treated with more respect and consideration than legal and lawful gun owners who live within the park are treated.

It is time for politicians to understand that the hunting, shooting and firearm traditions have been bred into the DNA of Adirondack natives. And, politicians should remember that we believe that firearms have two enemies—politicians and rust. ■

NYSRPA Directors Ballot 2022

Vote for Six Candidates

To be eligible to vote, members must be Life Members or be an annual member for five continuous years.

Marie D'Amico—Rochester, N.Y. _____ Steve Kraynak—Watervliet, N.Y. _____

Jackie Emslie—Poughkeepsie, N.Y. _____ Maria Mann—Port Jarvis, N.Y. _____

George Kline—Nanuet, N.Y. _____ Fred Sales—Amityville, N.Y. _____

Write-in candidates: (Directors must be Life Members.)

Smallbore Director Chuck Meyer has retired, and we are looking for a replacement. If interested, please contact the NYSRPA at info@nysrpa.org.

Member number or name: _____

Mail ballot to: NYSRPA, PO Box 278, East Greenbush, NY 12061

About Fred Sales, Amityville, N.Y.

I have been an avid hunter and angler for 50 years. My son and I hunt our own property in Delaware County, N.Y. I have been a successful hunter with both firearms and archery.

Some of my career highlights include:

- Retired Suffolk County police officer with 32 years of service
- Member of the Emergency Service Section of Suffolk County Police Department for 26 years
- Former NYS and NYC Corrections Officer

- FBI Sniper School trained
- FBI certified firearms instructor
- Certified bomb technician-hazardous device, School-Redstone Arsenal-Huntsville, Alabama
- Hazardous materials technician
- Trained in heavy rescue and confined-space rescue

Part of my job as an elected Suffolk County P.B.A. board member was to serve as the registered lobbyist in Albany, and I performed that job for

15 years. I am well-versed in the New York state legislative process and, in fact, I was successful in blocking anti-Second Amendment bills, which included microstamping and the banning of 50-caliber firearms possession in New York state.

My extensive background in the New York state Legislature would help me in being a proactive representative for the NYSRPA on all matters related to hunting, firearms, and Second Amendment issues. ■

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Amityville, NY 11701

North Forest R&G Club
Lockport, NY
Skeet, Trap, 5 Stand, Clays
(716) 438-2009
www.nfrgc.com

North Star Sportsman's Club
Hamlin, NY
Shotgun
F. Petricone (585) 456-8824
www.northstarsportsmansclub.org

Northern Chautauqua R&P Club
Fredonia, NY
(716) 672-3488

**Northern Dutchess
Rod & Gun Club**
Rhinebeck, NY 12572
T. Abrahams (845) 389-2661
www.ndrgc.com

**NYC Womens Sport Shooting
League**
info@nycwssl.org

Old Breed R&P Club
Nassau County Range Bullseye
Rimfire/Center Fire Sun. 9 a.m.
Bob (516) 404-9166

Oneida Rifle Club
Indoor/Outdoor Pistol, Indoor
Smallbore, Outdoor Rifle, Trap Field,
Youth Instruction
(315) 363-0249

Oneonta Sportsmen's Club
Shotgun every Sunday
www.oneontasportsmensclub.com

Owlkill Rod & Gun Club
Eagle Bridge, NY
www.owlkill.org

Paris Gun Club
Utica, NY
M. Burline (315) 796-7766
K. Froit (315) 796-5518

Parkchester Rifle & Revolver Assoc.
1010 Sacket Ave.
Bronx, NY 10462
(718) 823-3162

Pathfinder Fish & Game Club
116 Crescent Drive
Fulton, NY
Rifle/Pistol Ranges for Centerfire,
Rimfire, Muzzleloading, Air Rifle;
Trap, Skeet, 5-Stand and Sporting
Clays; Cowby Action, USPSA, Steel,
Indoor, Outdoor and 3-D Archery,
Youth Hunting, Air Rifle and
Archery
www.pathfinderfishandgame.com

Pearl River Gun Club
PO Box 48
Pearl River, NY
Pearlrivergunclub.com

Peconic River Sportsmen's Club
Manorville, NY
Club Office (631) 727-5248
NRA registered matches
High Power
T. Najdzion (516) 982-0612
Tnajdzio@optonline.net

Philmont Rod & Gun Club
65 Railroad Ave.,
Philmont, NY
Community Supported and
Supporting
Shotgun, Rifle, Pistol, Fishing,
Archery, Outdoor 3-D Archery,
Competition, Adult/Youth
Instruction, Boating, Archery,
Hunting, Trap
prgc1923@gmail.com
(518) 672-4108

Pine Tree Rifle Club
419 Johnson Ave.,
Johnstown, NY
Fishing, Hunting, Shooting,
Military, Buy-Sell-Trade
NRA Basic Shotgun 6/9 Registration
(518) 883-8605
Skeet Tues./Thur./Sat.
Trap Sat., 11 a.m.-1 p.m.
(518) 883-8605

Plattsburgh Rod & Gun Club
Indoor Range
NRA Rifle Matches League
Competitions Junior Programs
Equip & Instruction Provided
P. Visconti (518) 534-1730
roughridersrifleteam@yahoo.com

Pleasantville Rifle Club
Westchester County NY
All Shooting Disciplines
NRA Firearms Instruction
M. Berman (914) 245-8618

Ramapough Sportsmens Assoc.
PO Box 366
Nanuet, NY
Smallbore, Pistol, Women's & Junior
Activities

**Rensselaer County Conservation
Alliance**
PO Box 179
West Sand Lake, NY 12196
www.RCCANY.com
Trapperfrank12712@gmail.com

Ridge Runners Shooting Club Inc.
Champlain, NY
www.ridgerunners.us
www.facebook.com/
ridgerunnersrange
G. Graham
back2biloxi@yahoo.com

Rockland Rifle & Revolver
Camp Smith
Jim Treacy Jingie6br@gmail.com
5 Drury Lane
Highland Falls, NY 10928

Rockland Rifle Club
West Point
E. Mahecha emahecha@verizon.net

Rockdale Rod and Gun Club
PO Box 128
Guilford, NY 13780
(607) 764-8679
rockdalerodandgun.com

Roosevelt Rod & Gun Club Inc.
PO Box 2458
Seaford, NY 11783
Hunting big & small game

Roslyn Rifle & Revolver Club
1130 Broadway, Westbury, NY 11590
Indoor Pistol
NRA Conv. Pistol Intnl.
Pistol Sectional
M. Gorman (917) 929-8717

Saranac Lake Fish & Game Club
PO Box 588
Saranac Lake, NY 12983
(518) 891-2560

Saugerties Fish & Game Club
168 Fish Creek Road,
Saugerties, NY
Trap Thurs. & Sun. (open to public)
D. Zeeh (845) 481-4465

Shortsville Rod & Gun Club
Shortsville, NY 14548

Southampton Pistol & Rifle Club
919 Majors Path
Southampton, NY 11968

Sportsmen's Club of Clifton Park
CMP Matches, Trap, Steel Shoots,
Instruction
scocp.org
CMP David Friedman
(518) 248-9480
Trap John Donahue (518) 235-5582
Steel Frank Hill (518) 406-8844
One-on-One firearm instruction
Saratoga Unrestricted Permit Course
Saratoga, Schenectady, Albany Basic
Pistol Permit
Instructor@scocp.org

Springville Field & Stream
PO Box 106
8900 Chaise Road
Springville, NY 14141
Springvillfs@gmail.com

Square Deal Sportsmen Inc.
Maine, NY
USPSA/IPSC C. Brinser
(607) 748-2771
Highpower/CMP D. Canfield
(607) 625-7571
Dcanfield@xcapfg.com

**Stephentown Valley
Rod & Gun Club**
PO Box 545
Averill Park, NY
(518) 766-5350

Sunrise Fish & Game Assoc. Inc.
93 Bayview Ave.
Massapequa, NY 11758
(516) 658-4057

Taconic Valley Rod & Gun Club
420 Dater Hill Road, Troy, NY
www.tvrgc.com

Ten X Shooting Club Inc.
Lancaster, NY
Smallbore, High Power, Sporterifle,
Pistol, Air Rifle,
Women and Jr. Activities
Tenxshootingclub.com

Tioga Co. Sportsmen
Owego, NY
NRA/CMP
J. LaClair (607) 748-2369
Sporterifle
R. Colling (607) 699-9061
Ruger Rimfire
B. Waite (215) 688-0614
CMP Rimfire sporter
Conventional Pistol
B. Aube (607) 754-6182
IDPA
B. Vernola (607) 754-0740
Trap ranges
L. Howe (607) 659-5069
Skeet
D. Mider (607) 642-8419
5 Stand
K. Gee (607) 237-6786
Cowboy Action
B. Compton (607) 659-4770
Silhouette
M. Porter (607) 687-2472

Tonawandas Sportsmen's Club Inc.
5657 Killian Road
North Tonawanda, NY 14120
(716) 692-2161
admin@tonsportsclub.com

Trenton Fish & Game
CMP Matches Bullseye Rimfire/
Center fire
B. Kapfer (315) 896-6596
Action Pistol
B. Judycki (315) 732-0873
Trap L. Pawlings (315) 723-5657

Tri-State R&G Club
Port Jervis, NY
High Power, Pistol, Shotgun,
Smallbore
(845) 551-9265
Ladies' Events
M. Mann (845) 551-9265

Troy Pistol League
Troy, NY
www.troypistol.com
HsvictorR22@gmail.com

Trumansburg Rifle & Pistol Club
PO Box 10
Trumansburg, NY 14886

Tupper Lake Sportsmen's Club
PO Box 1005
116 Lake Simond Road
Tupper Lake, NY 12986
(518) 359-9715
www.tupperlakearchers.net
savagemw49@gmail.com
Indoor/outdoor Archery
3-D shoots
Northern Challenge fishing derby
(biggest in the region)
tupperlakearchers.
nettupperlakearchers.net

Twin City Shooting Club
North Tonawanda, NY
Pistol, Light Rifle, Indoor Range
www.twincityshootingclub.com

Voorheesville Rod & Gun Club
52 Foundry Road,
Voorheesville, NY
(518) 765-9395
www.vrgclub.com
Open daily @ noon
Trap Sun. & Tues. at 1 p.m.
Pistol Classes 1st Sat. & 3rd Sun.
Wolfgang or Tony (518) 441-2160
Berne Range 9 a.m.-1/2 hr. before
sunset
rangeinfo@vrgclub.com
Archery: Clubhouse grounds target
points only, brdheads prohibited.
Crossbows bring own bolt backstops.
Call club to book parties or events.

Walden Sportsmen's Club
1823 NYS Route 52
Walden, NY 12586
www.waldensportsmensclub.org
Trap Sun. 9-12, year-round
3-D Archery, Women's Sporting,
Action Shooting, Boy Scout Training
and Hunter Education

Wallkill Rod & Gun Club
Clays & 5 Stand
Sun., 10 a.m., year-round
Wed. evenings in summer
Harry (845) 219-9327
Bucky (845) 542-8571
www.wallkillrodandgun.com

Waterloo Rifle & Pistol Club
Waterloo, NY
Smallbore, High Power, Sporterifle,
Pistol, Women's & Jrs.
waterloorpc.com

West Canada Creek Association
5528 State Route 28
Newport NY, 13416
Shoot Trap Wed. at 5 p.m.
Robert Grose (315) 219-2365

Whortlekill R & G Club
Hopewell Junction, NY
Indoor Pistol and Handgun Instruction
G. Robinson (845) 298-3263
Shotgun J. Stern (203) 232-7896
Hunter Education
P. Scarano (845) 401-6636

Wilton Rod & Gun Club Inc.
153 Edie Road
Gansevoort, NY 12831

Wolcottsville Sportsmen's Club
1525 Phelps Road
Corfu, NY 14036

Woodbury Field & Stream Club Inc.
PO Box 5
Central Valley, NY 10917

If your club is a member and would like to be listed, email club info to: info@nysrpa.org

Nancy's Corner

As promised, by now most of you are aware we filed a second NYSRPA v. Bruen lawsuit. The fight for New York gun owners is as necessary as always and made stronger by your support! Thank you.

The passing of a life-long member

On a sad note, I wanted to take a moment to mention the passing of Life Member Ellis Boyles. Ellis was a great conversationalist, who I talked to two or three times a month, he wanted great things for New York, where he raised his family—the place he lived his whole life. Ellis called me every month to donate, and he vowed to do so until New York state residents came to their senses and saved their Second Amendment rights, or until he passed away. Unfortunately, he has left us, and he will never see that day. Ellis passed away on Aug. 29, 2022, in a motorcycle accident. I am going to miss his monthly calls.

Don't forget to vote

November is returning, and that means elections. We need to seriously weigh out what we want as New Yorkers. I'm not here to tell you who you must vote for—but I am here to remind you to practice due diligence, and figure out who is the best candidate for you and our future generations. If history has taught us anything, it is that when we wave that white flag, we will inevitably continue to have less and less liberties until they are all gone! Let us not be defeated, get out there and practice our Fifteenth Amendment right so that we may continue to hold on to what this country was founded on!

Keep fighting the good fight

Under new laws, Gov. Kathy Hochul is not only attacking our rights to carry and completely disregarding everything the U.S. Supreme Court ruled on in the case of NYSRPA v. Bruen, but she also is demanding that businesses post

by Nancy Lewandusky



that they are allowing guns on their properties—this is called compelled speech, and it is a violation of the First Amendment. We won't stand for any of it!

It was great seeing you all at the gun shows, and I hope I was able to answer most of your questions. Please continue to spread the word about our organization and what our fight is about, we always need more people to help in fighting the good fight. Without the support of our members, we would not be able to win justice against these egregious laws forced on us by our local government.

See you at the polls! 🗳️

THE GUN OWNERS VOICE IN ALBANY!



www.nysrpa.org

GET MEMBERSHIP APPLICATION HERE



Are your friends members? If not, use the application below to sign them up. **Make copies if you have lots of friends!**

Application for Individual Membership

PO Box 278, East Greenbush, NY 12061

Please check one New member
 Renewal (NYSRPA # _____)

Name (Please PRINT) _____

Address _____

City _____ State _____ ZIP _____

County (NYS residents only) _____

Phone (home) _____

Email _____

Date of birth (required) (MM/DD/YY) ____/____/____

NRA Member? No Yes (NRA # _____)

For statistical purposes only, please indicate Male Female
Revised 1/1/2011

This application was referred to NYSRPA by: NYSRPA Membership # _____

Name _____

Address _____

Please select your enrollment type/term

- Active Military \$25.00 \$ _____
- Adult - 1 year (ages 18-64) \$30.00 \$ _____
- Senior* - 1 year (ages 65-over) \$25.00 \$ _____
- Junior - 1 year (under 18) \$15.00 \$ _____
- Family - 1 year \$50.00 \$ _____
- Life (under 65) \$500.00 \$ _____
- Life (ages 65-over) \$300.00 \$ _____
- Additional Voluntary Contribution \$ _____

TOTAL ENCLOSED \$ _____

*Disabled American Veterans qualify for the Senior 1-year dues rate

Please indicate your payment method:

- Check/money order (payable to NYSRPA)
- Visa MasterCard CVV# (required) _____
- Acct.# _____ Exp. _____
- Signature _____



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**VOTE:
OUR LIVES DEPEND ON IT!**



NYSRPA ESTORE

Editor Carl Gottstein
713 Columbia Turnpike
PO Box 278
East Greenbush, NY 12061

MEMBERSHIP HOTLINE *(credit card orders only)*
(518) 272-2654
(Monday-Friday 9 A.M.-4 P.M.)



**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK**

NEW YORK STATE RIFLE & PISTOL)
ASSOCIATION, INC., *and*)
))
ROBERT NASH, *and*)
))
BRANDON KOCH,)
))
Plaintiffs,)
))
v.)
))
KEVIN P. BRUEN, in his official capacity)
as Superintendent of the New York State Police,))
and)
))
RICHARD J. MCNALLY, JR., in his official)
capacity as Justice of the New York Supreme)
Court, Third Judicial District, and Licensing)
Officer for Rensselaer County,)
))
Defendants.)

Civil Action No. 1:22-cv-00907 (GTS/CFH)

see page 14