

Pushing to the Extremes:
How the Gun Lobby Advances a
Radical Agenda in State Capitols Across the Country



By the Office of Senator Chris Murphy
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Introduction

Over the last two months, the Office of Senator Chris Murphy has released several reports uncovering the truth about the National Rifle Association (NRA). The previous reports, entitled *Washington's Paper Tiger: A Look at the NRA's Ineffective Political Spending*, *Not Your Grandfather's NRA: How the Firearms Industry Gives Millions to the NRA*, and *Out of Touch: The Disconnect Between the Gun Lobby and Gun Owners* examine different elements of the organization. The first report looked at the effectiveness of the organization at electing or defeating policymakers and concluded that despite the perception that it is an omnipotent political force, the NRA is little more than a paper tiger. The second report scrutinized the strong and growing relationship between the NRA and the firearms industry. Gun and ammunition manufacturers, as well as retailers of firearms, contribute millions of dollars to the organization through programs like the NRA's Round-Up program and the NRA Golden Ring of Freedom, which is reserved for individuals and organizations that contribute at least \$1 million to the NRA. In return for these corporate contributions, the association incites fear about the government confiscating guns to increase gun sales despite declining ownership of guns in the U.S. The most recent report examined recent polling data to demonstrate that despite what the Washington-based leadership of the NRA may lead you to believe, there is wide consensus when it comes to ways to reduce gun violence. NRA members, other responsible gun owners, and average Americans alike all support proposals, such as requiring background checks to all gun purchases.

Many Americans were shocked when Wayne LaPierre advocated for more weapons in our nation's schools in the aftermath of the tragic shooting at Sandy Hook Elementary School. Unfortunately, this tired line of reasoning has been on display in state Capitols across the nation for decades. The NRA has used its perceived power to advance a far-reaching agenda with the ultimate goal being greater accessibility to handguns and fewer restrictions on where gun owners can take their weapons.

This latest report looks at how the NRA and their state affiliates push the boundaries of common sense by advocating for guns in all types of settings - including bars, churches and daycare centers - and propagates a perverse interpretation of the Second Amendment. Regrettably, compiling the most extreme gun laws is difficult not because there is a dearth of examples but rather that there are so many to choose from that it is hard to narrow down. Below are some of the most egregious examples taken from previous research by the Law Center to Prevent Gun Violence and other sources.

Examples of the NRA's Radical State Legislative Agenda

- A recent NRA-backed Indiana lawⁱ was the first in the nation that defines when an individual can use force, including deadly-force, against a police officer.ⁱⁱ The law states that people have a right to defend themselves from a police officer trying to enter their home or care if the individual reasonably believes entry would be unlawful.
 - Shockingly, in justifying the Indiana law and its potential deadly impact on police officers as a result of it, Senator R. Michael Young, the sponsor, used an outlandish hypothetical example of a homeowner returning to see an officer

raping his daughter or wife. He further stated that under a previous court ruling, a homeowner in such a case could not touch the rogue police officer and the only possible recourse was to file a lawsuit later for damages. He went on to say, “There are bad clergy, bad doctors, bad teachers, and it’s these officers that we’re concerned about that when they act outside their scope and duty that the individual ought to have a right to protect themselves.”

- Indiana Governor Mitch Daniels rationalized signing the law by stating, “In the real world, there will almost never be a situation in which these extremely narrow conditions are met. This law is not an invitation to use violence or force against law enforcement officers.”ⁱⁱⁱ
- The Indiana law passed despite obvious concerns by law enforcement groups and domestic violence advocates. One 17-year veteran police officer stated, “If I pull over a car and I walk up to it and the guy shoots me, he’s going to say, ‘Well, he was trying to illegally enter my property.’ Somebody is going get away with killing a cop because of this law.”ⁱⁱⁱ The Chief of the Lake County (IN) Police Department said this about the law, “It’s just a recipe for disaster. It just puts a bounty on our heads.”ⁱ Additionally, one domestic violence advocate said, “I think if there’s hesitancy on the behalf of police to go in that home and protect that victim, then that could really impact that victim’s safety. It also sends a message to victims not to call the police because their hands are tied.”^{iv}
- Defying common sense and historical limitations of gun ownership, the NRA has pushed legislatures across the nation to allow gun owners access to all types of public places, including churches, bars and restaurants.
 - Eight states now allow guns in bars.^v
 - At the behest of the NRA^{vi}, lawmakers in Tennessee disregarded public opinion and opposition by law enforcement and prosecutors by overriding a veto by Governor Phil Bredesen to allow guns in bars. A spokeswoman for Bredesen said he opposed the bill because he believed it violated the “fundamental principle that alcohol and guns don’t mix.”^{vii} Seven in 10 Tennessee voters agreed with Bredesen, including one man who said, “We’re not living back in the 1800s. It’s not like we’re a bunch of cowboys. . . . They need to leave their guns in their cars.”^{viii}
 - Ohio Governor John Kasich signed a similar NRA-backed law to allow concealed weapons permit holders the ability to bring their firearms into many facilities that serve alcohol including bars, restaurants and stadiums.^{ix} By signing the law, the governor defied the will of 80 percent of Ohioans and 77 percent of gun owners who opposed proposals to allow the carrying of guns in bars, clubs and other establishments that serve alcohol.^{xi}

- Just last month, a NRA-backed bill in South Carolina passed the Senate Judiciary Subcommittee that allows gun owners to bring concealed weapons into restaurants that serve alcohol.^{xii}
 - Similar bills have been considered in other states, such as Wyoming, Montana, New Mexico and North Carolina.
- Despite clear reservations by members of the clergy, Arkansas recently passed a NRA-backed bill that allows individuals to bring a gun to a church or other place of worship if the congregation agrees. During consideration of the bill one pastor said, “I can't imagine the need to bring a gun into a church. I just think that's unnecessary, and I think it sends a terrible message. Religion can be an emotional thing in people's lives. I would hate to see guns present when people's emotions are running high.”^{xiii}
- This past November, voters in Louisiana passed an NRA-backed ballot initiative that could pave the way for criminals to challenge the state's gun laws in court.^{xiv} This is the first time a state has amended its constitution's right to bear arms provision to require state courts to apply “strict scrutiny” – the highest judicial standard - when considering challenges to gun laws. It would also remove language from the Louisiana Constitution that gives the state's Legislature the explicit authority to pass laws restricting the right to carry a concealed weapon.
 - By increasing the legal standard in Louisiana to “strict scrutiny” the NRA is now going to force state courts to determine whether the state's gun laws demonstrate “a compelling governmental interest” and are “narrowly defined.” If not, they could be thrown out as unconstitutional. As the Law Center to Prevent Gun Violence notes, “even the Supreme Court has not advocated for the use of strict scrutiny in cases evaluating laws under the Second Amendment.”^{xv} Experts believe that this new ballot initiative may open the door for courts to strike down laws restricting concealed weapons in public places, such as colleges or school property.^{xv}

ⁱ NRA alert on Indiana law being signed by Governor Mitch Daniels - <http://www.nraila.org/legislation/state-legislation/2012/3/indiana-governor-mitch-daniels-signs-law-upholding-us-and-indiana-constitutions.aspx?s=&st=10478&ps=>

ⁱⁱ Law Center to Prevent Gun Violence description of Indiana's law - <http://smartgunlaws.org/extremism-in-action-indiana-general-assembly-votes-to-allow-citizens-to-use-force-to-resist-law-enforcement/>

ⁱⁱⁱ Bloomberg article on Indiana law - <http://www.bloomberg.com/news/print/2012-06-05/nra-backed-law-spells-out-when-indianans-may-open-fire-on-police.html>

^{iv} RTV6 article on the Indiana law - <http://www.theindychannel.com/news/law-enforcement-weighs-in-on-right-to-resist-bill>

^v Research by the Law Center to Prevent Gun Violence. States are Arizona, Georgia, Maine, Tennessee, Virginia, Ohio, Wisconsin and Mississippi.

^{vi} NRA grassroots alert - <http://www.nraila.org/legislation/state-legislation/2010/5/tennessee-senate-overrides-restaurant-c.aspx?s=&st=10506&ps=>

^{vii} WKRN-TV Nashville article on Tennessee law - <http://www.wkrn.com/global/story.asp?s=12599391>

^{viii} Tennessean article - <http://www.tennessean.com/article/20100728/NEWS02/7280364/Most-voters-poll-oppose-guns-bars-law>

^{ix} NRA grassroots alert regarding Ohio law - <http://www.nraila.org/legislation/state-legislation/2011/6/ohio%E2%80%99s-concealed-carry-reform-bill-sign.aspx?s=&st=10499&ps=>
<http://thinkprogress.org/politics/2011/05/17/166843/ohio-guns/>

^x June 18, 2011 Foxnews.com article on Ohio law - <http://www.foxnews.com/politics/2011/06/18/ohio-set-to-allow-concealed-guns-in-bars-restaurants/>

^{xi} Mayors Against Illegal Guns Polling in Ohio - <http://www.mayorsagainstillegalguns.org/html/media-center/pr018-11.shtml>

^{xii} NRA grassroots alert regarding South Carolina bill - <http://www.nraila.org/legislation/state-legislation/2013/2/south-carolina-restaurant-carry-passes-senate-subcommittee.aspx?s=restaurant+carry&st=&ps=>

^{xiii} Quote from Rev. Walter Van Zandt Windsor, pastor of Trinity Episcopal Church in Pine Bluff, Ark. - http://www.huffingtonpost.com/2013/01/29/guns-in-churches-concealed-arkansas_n_2575472.html

^{xiv} Law Center to Prevent Gun Violence Extremism in Action description of Louisiana law - <http://smartgunlaws.org/category/gun-studies-statistics/gun-extremism-in-action/>

^{xv} The Chronicle of Higher Education – analysis from E. Pete Adams, Executive Director, Louisiana District Attorneys Association - <http://chronicle.com/blogs/decision2012/2012/11/01/louisiana-ballot-measure-could-mean-more-guns-on-campus-professor-says/>