

Handouts concerning Multi-burst Trigger Activators 2018

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Debunking the Myth that the Founders were not Aware of Repeating Arms

We sometimes hear that the self-loading, or semi-automatic firearm is a “new” invention. We also hear that the American Founders were ignorant of possible future developments in the firearms field, and that Second Amendment recognition of the individual right to armed self-defense should not include modern so-called, semi-automatic “assault weapons.”

(An “assault weapon,” by definition, is a select-fire military arm capable of full-auto or semi-auto fire, using a cartridge of intermediate power. A fully automatic firearm discharges more than one round with a single pull of the trigger. A semi-automatic, or self-loading arm, fires one round with one trigger pull.)

Repeating firearms were invented about 250 years before the American Revolution. The Founders were educated and well-read, yet they made no attempt to restrict self-loading arms, or to place them outside the protection of the Second Amendment to the Constitution.

In his article, “Firearms Technology and the Original Meaning of the Second Amendment,” Professor David Kopel cites a 10-shot matchlock arquebus from the period 1490-1530. (The matchlock action used a slow-burning fuse-like cord to ignite the powder to fire the gun. The arquebus, also called a hackbut, was a smooth-bore gun with a hook for placing over walls or similar structures to help absorb recoil.)

King Henry VIII of England (1491–1547) possessed a long gun with a revolving cylinder. Kopel references a wheel-lock pistol with a 15 round capacity manufactured in the Seventeenth Century. These firearms were expensive and difficult to make, but such guns clearly did exist, well before the time of the Founders.

Kopel also discusses a 1646 Danish flintlock with a 30-round magazine that was produced for the Danish and Dutch armies. John Pim of Boston demonstrated an eleven-round repeater in 1722. Another repeating flintlock, made by Joseph Belton of Philadelphia, prior to the American experiment in government by the people, could fire eight shots in three seconds. President Jefferson’s Lewis and Clark Expedition (1803) carried a powerful .Austrian .46 caliber air rifle capable of firing at least 21 shots. This rifle could reportedly bring down an animal as large as an elk.

In *The Illustrated History of Pistols and Revolvers*, Major Frederick Myatt, a British author, mentions the Annely Flintlock Revolver, invented in the early 1700s. This firearm had an 8-round capacity. The Mortimer Repeating Pistol, developed about the time of the Constitutional Convention, fired seven shots without reloading.

In summary, given the historical evidence, the argument that the Founders could not have imagined semi-automatic firearms is simply insupportable. Modern firearms, as well as modern communications and printing equipment, deserve continuing US Constitutional protection.

Kopel, David, “Firearms Technology and the Original Meaning of the Second Amendment,” *The Volokh Conspiracy*, *The Washington Post*, 04-03-2017. https://www.washingtonpost.com/news/volokh-conspiracy/wp/2017/04/03/firearms-technology-and-the-original-meaning-of-the-second-amendment/?utm_term=.11ed7b20f01d

Myatt, Major Frederick, (M. C.) *The Illustrated Encyclopedia of Pistols and Revolvers*, Crescent Books, NY, NY, originally published by Salamander Books, London, England, 1980, pages 22-23.

2013 JAMA Study from Harvard shows no effect of Firearms Laws on Gun Deaths

The study, "Firearm legislation and firearm-related fatalities in the United States," was published 03-06-2013 in the Journal of the American Medical Association (JAMA).

The study purports to demonstrate that states with more gun control laws experience fewer firearms'-related deaths. However, there are problems with the methodology of this research. These problems include the origin of the criteria for the study, as well as with data collection and analysis.

The criteria for the evaluation of the data for this study come not from independent research, but from The Brady Center, previously known as Handgun Control, Inc., and the Law Center to Prevent Gun Violence, formerly The Legal Community Against Violence, both gun control organizations. The "scorecard" used to measure the supposed benefit of the gun laws has not been scientifically validated

The study left out the states of New Hampshire, Vermont, and North Dakota. The study also omitted data from the District of Columbia, which has strict gun laws and high crime rates.

The study only deals with the number of laws per state, and not with specific laws. The study's authors admit that the study appears to show correlation, but not causation.

Dr. Garen Wintemute, himself an advocate for gun control, writing in JAMA, critiques the study and calls for more research by the Centers for Disease Control (CDC) and the National Academy of the Sciences (NAS). He seems to be unaware of the massive 2003 CDC review of the literature and the even more extensive 2004 NAS study that indicate that gun laws have no effect on crime, and that there is no causative relationship between gun ownership and crime, respectively.

In summary, the 2013 JAMA study by Fleegler and colleagues is based on an untested scoring system from demonstrably-biased organizations. The study only suggests correlation between more gun laws and reduced crime by cherry picking data sets. Causation remains an elusive goal for these advocates of gun control.

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Wintemute, Garen J., MD, MPH, "Responding to the Crisis of Firearms Violence in the United States" JAMA article. <http://archinte.jamanetwork.com/article.aspx?articleid=1661391>

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Historical Perspective on the Limitation of the Right of Armed Self-Defense

"Those who do not learn from the past are condemned to repeat it." Santayana

Modern communication is often restricted by sound bites, bumper sticker slogans, and three-minute time limits. Many times, during the debate on good public policy regarding the ownership of firearms, we seem caught up in the present moment and ignore the wealth of cautionary historical information on the possible catastrophic consequences of restricting the right of a people to be armed. The best of intentions have often led to crime, corruption, tyranny, terrorism, and genocide.

We believe that weapons control is never absolute, favors the "One Percent," and discriminates against the "Have Nots." In many past and current societies, ruling classes have influenced the making of laws to make the world safer for themselves and to allow them to control the "Great Unwashed" of the society in question.

The ancient Spartans maintained a class of oppressed workers called Helots, who were forbidden the use of arms, unless it was in support of the Spartans' elite warrior class during their frequent campaigns. In order to maintain dominance, gangs of young Spartans would go forth at night to terrify Helots in their homes and to kill anyone who showed leadership potential. (1) It would not be the last use of night riders to intimidate an intentionally disarmed population.

The Roman Empire banned swords within the "Eternal City," except for the elite Praetorian Guard, whose job it was to protect The Emperor. On occasion, the Praetorian Guard selected and murdered Emperors at will, because the guards were the only ones in possession of significant armed force within the walls of Rome. (2) As the Roman poet and philosopher Juvenal aptly stated an age-old problem, "Who will guard the guards?"

Militarism and class oppression in Japan accelerated during the 16th Century, when the warlord Hideyoshi disarmed the lower classes of swords, firearms, and other weapons in what became known as the "Sword Hunt." One result of this disarmament, under the next ruler, was the law of "Cut Down and Leave," which allowed any Samurai to kill any member of a lower class for lack of respect for his or her "betters." (3) We believe this unbridled authoritarianism and militarism eventually contributed to World War II.

Some of the first gun control laws in the American Colonies were directed against Blacks. In 1644, the State of Virginia banned gun possession by free Blacks. Following the Civil War, "Jim Crow" laws against the possession of weapons disarmed former slaves. Night riders again intimidated an oppressed population. (4)

During the westward expansion of the American colonies, known as the fulfillment of "Manifest Destiny," there was a great crime in the colonizing society with regard to Native Americans, who were being displaced from their lands. This crime was the provision of firearms. The first

British edict against arming Native Americans was issued in 1641. (5) The State of Colorado banned the sale of guns to Native Americans in 1891. This law was only repealed in 1959. (6)

The strict anti- Second Amendment Sullivan Law in New York City had two primary purposes, the denial of firearms to immigrants and the protection of criminal gangs affiliated with city government. The law was somewhat successful in regard to both objectives. (7) (8)

Throughout the sordid history of the Russian Revolution, the Soviet Union, and various permutations of Communism in China, Cambodia, and elsewhere, weapons control has allowed governments to starve peasant farmers, carry out horrific purges, and establish systems of concentration camps, such as the Gulags in the Soviet Union, and the rural "killing fields" in Cambodia. (9)

The National Socialist Holocaust in Germany and the culmination of Japanese militarism during the Second World War resulted in the deaths of over 20 million people, including an estimated 6 million Jews, who were systematically denied the use of arms. Gypsies, Persons with Disabilities, Gays, and political opponents were also efficiently murdered by the Nazis. (10)

In modern Europe, a disarmed population is subject to a wave of international terrorism, including the slaughter in the Bataclan Night Club, murder in Brussels, carnage in Nice, and the killings in London and Barcelona. (11)

In the modern United States, at Virginia Tech, Fort Hood, The Pulse Night Club, San Bernardino, and many other places, attacks occurred in "gun free" zones, where governments limited, or allowed the limitation, of the private possession of firearms. (12) Truly, "When seconds count, the police are only minutes away."

In parts of Chicago and Mexico, criminal gangs ignore strict gun control laws and perpetrate acts of unspeakable violence against other gang members and disarmed civilians. In 2011, an estimated 61% of all murders in Chicago were committed by gang members. (13) (14)

While an armed population does not guarantee the survival of an individual or a group when faced with crime, corruption, terrorism, tyranny, or genocide, we know from ample historical examples how dangerous it is, when one group of people is able to "legally" deny the right of armed self-defense to another.

Please think about the politician that you most dislike. Imagine what it would be like, if he or she had absolute power. Now reflect on the fact that every restriction on the private ownership of firearms has the potential to bring that person, or his or her friends, one step closer to a monopoly on the use of armed force in the United States.

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3. Kopel, David, *The Samurai, the Mountie, and the Cowboy*, Prometheus Books, Buffalo, NY, 1992, Pages 29-30.
4. Kopel, *The Samurai...*, Pages 332-337
5. Kopel, *The Samurai...*, Page 308.
6. Kopel, *The Samurai...*, Pages 343, and 373
7. Kopel, *The Samurai...*, Pages 342-343
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14. Reuters, *The Guardian* (US), "Mexico: surge in drug gang violence leaves 35 dead in one weekend," <https://www.theguardian.com/world/2017/apr/24/mexico-surge-in-drug-gang-violence-leaves-35-dead-in-one-weekend>

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Example of an Adaptive Device for a Person with a Disability that Increases a Firearm's Rate of Fire

There are numerous devices that allow Persons with Disabilities to engage in target shooting, hunting, and the right of armed self-defense by adapting firearms to allow operation without normal-range body strength or dexterity. The following is an excerpt from an advertisement for one such device.

“Model TM100-Trigger Mechanism- Be Adaptive Equipment Model TM100 is a vacuum actuated trigger system that attaches to your trigger guard. Is (sic) simple to install on any weapon with a standard trigger guard. The unique design of the mechanism allows it to fire most weapons, if placed anywhere inside of the trigger guard. The simplicity of the set up allows the trigger mechanism to be moved from one weapon to another easily and quickly. The TM100 fires the weapon by a very slight suction on the blue tube..., which is attached to the control box. The control box is attached to the stock of the weapon with a Velcro cinch strap. The mechanism operates on 12 volt DC power and comes with a pigtail that can be attached to one of the batteries in your power chair or attached to an auxiliary battery.”

The above device is an example of an accommodation for a Person with a Disability using what is commonly called “Sip and Puff” Technology. This adaptive method allows the person in question to use his or her breath to control a device that would otherwise have to be manually-operated. The Person operates the device by inhaling or exhaling into a tube attached to an electro-mechanical apparatus. It can work with equipment from wheelchairs, to computers, to firearms.

This device allows a person who has no use of his or her arms and hands to operate the trigger of firearm. If that firearm were a semi-automatic, this device would seem to fall within the prohibition contained within the bill in question, given a plain language reading of the bill.

Semi-automatic firearms are uniquely suited for use by People with Disabilities, because such firearms are self-loading and do not require the manual operation of a bolt, lever, or pump action for every shot. We are concerned that the legislation under consideration may present a barrier to the legal use of firearms by People with Disabilities.

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<https://www.accesstr.com/Hunting-s/1903.htm>.

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