

# the ordinary guy

Column by Mark A. Walters  
VOL. 24



## THE GRASSROOTS KEEP GROWING

*A Candid Interview with Mr. Ed Stone of GeorgiaCarry.org*

to the efforts of gentlemen like Mr. Stone and the members of these organizations. Ed will be the first one to tell you, and he does so quite eloquently and honestly below, that this is not the effort of just one man but of a group of very dedicated individuals. From the board of directors to the grassroots members, your rights are being expanded because of the dedication of fine folks nationwide just like you!!

**MARK:** *Can you give the readers of CCM a brief background on yourself and the history of GCO?*

**ED STONE:** I am an attorney practicing law in Atlanta. I am also a former police officer with a dozen years of experience in that field, so I realize that there are dangerous people out there. I had a rude awakening when I turned in my badge and discovered that I could no longer carry a pistol in many areas in Georgia.

There is a misconception out there that Georgia is a gun-friendly state, but that perception does not match the reality. The shocking truth is that Georgia has criminal laws that put more places off limits to the carry of a firearm than any other state in the nation that actually permits some form of carry. The most egregious example of a place off limits in Georgia is the "public gathering" law, which makes it a crime to have a firearm where people are gathered or where people may gather for a particular function. Appellate court cases in this state have held that the following places are off limits under this statute: A Fourth of July barbecue (some liberty day celebration), the parking lots adjacent to an establishment that serves

alcohol, a gathering of bored teenagers in a parking lot, the parking lot of an auto auction, and any firearm left in a motor vehicle up to 200 yards away from a public gathering. It is against this restrictive background that GCO was formed when a half dozen like-minded individuals decided to organize as an unincorporated association and fight for the right to bear arms in Georgia. GCO started slowly in late 2006, when we (GCO) began attacking focused issues in local litigation such as temporary license issuance and local bans on carry in parks. GCO's early successes in these lawsuits helped to raise its profile and credibility in the state, and GCO has gathered momentum since then. By October of 2006, GCO had forced a couple of probate judges to issue temporary licenses and stop collecting social security numbers. GCO was starting to become active in fighting local city, and county gun bans. In February of 2007, GCO was incorporated as a nonprofit corporation with the Secretary of State in Georgia. On October 26, 2007, GCO started accepting memberships, and in February of 2007 GCO was incorporated as a nonprofit corporation with the Secretary of State in Georgia.

GCO now has hundreds of members from all across Georgia. Its number one priority is to take Georgia from being the most restrictive state in the nation to being the least restrictive. GCO is dedicated to the proposition that gun free zones encourage criminal attack.

**MARK:** *Can you tell the readers of CCM, who happen to reside in Georgia, that we may eventually remove the ridiculous "public gathering" statute, and, for the*

Many of you may remember my reporting on these pages about the wait for my GA firearms license after my move from Florida to northern Georgia back in late 2005. During my waiting game, I struck up a friendship with Mr. Ed Stone, the president of GeorgiaCarry.org. (GCO) before GCO was in business. Ed and I have remained in touch, albeit sporadically over the ensuing two years as I followed the efforts of the organization.

The following interview with Mr. Stone reflects the triumphs of GeorgiaCarry.org since its inception. Folks, I gotta tell ya, it is impressive to say the least. Although some of you may initially think, "Why do I care about a Georgia firearms rights organization when I live in Michigan?" OK, legitimate question. The importance of these grassroots organizations can not be underestimated. These groups have, and are, influencing the fight for our rights, not only in our home states but throughout the country. Legislative changes are taking place in statehouses across America every day due directly

benefit of those readers who don't live in Georgia, would you be so kind as to let them know how lucky they are not to have this restriction in their home state?

**ED STONE:** They are luckier than they know! This Jim Crow law goes back to Reconstruction and an incident known as the Camilla Massacre. I direct your readers to GCO's website ([www.georgiacarry.org](http://www.georgiacarry.org)) where they can read several interesting articles about this incident and the law that was passed because of it. In short, it was a law designed to disarm and control the black population in Georgia. The law makes it unlawful to carry or possess a firearm at "athletic or sporting events, churches or church functions, political rallies or functions, publicly owned or operated buildings, or establishments at which alcoholic beverages are sold for consumption on the premises." Georgia has a potentially infinite number of places off limits to carry stemming from the ambiguity in the public gathering law. In Georgia, law abiding people simply cannot know much of the time where it is legal to carry and where it is not. This presents an untenable situation for Georgia's citizens, for Georgia's law enforcement officers, and for Georgia's courts. The good news is that by the time this article makes it to press, there will be a bill sponsored by Representative Timothy Bearden to repeal Georgia's public gathering law and most of the places off limits in Georgia, making Georgia's places off limits list more like those in Oregon or Colorado.

**MARK:** GCO has been very active in suing those counties here in Georgia that violate the state's gun laws. Can you tell our readers about some of the active litigation you are currently involved in?

**ED STONE:** Absolutely! As an initial matter, however, I wish to point out that GCO always sees litigation as a matter of last resort. GCO has been successful in politely urging the repeal of gun bans without litigation in several areas, including Forsyth County, Lee County, Gwinnett County, Woodstock, Kennesaw—an ironic place for a gun ban [Ed. Mr. Stone is referring to the city of Kennesaw which passed an ordinance requiring heads of households (with certain exceptions) to keep at least one firearm in their homes.], Milton, and Johns Creek. In addition, GCO stopped a proposal for a local gun ban in Fayette County before it could be adopted.

GCO is in trial court with the city of Atlanta over its preempted gun ban. In addition, GCO is in trial court with the cities of Roswell, East Point, Sandy Springs, Union City, and Athens (where the University of Georgia is located). GCO is also in litigation with Fulton County and Clarke County. At the time of this writing, GCO is in litigation with three probate judges for requiring or requesting social security numbers (in Cherokee, Cobb, and Carroll counties). GCO won a similar lawsuit against the probate judge of Henry County earlier this year. Countless times however, the situation has been resolved without any litigation by approaching the probate judge or local government on behalf of an aggrieved GCO member. Litigation is GCO's path of last resort.

**MARK:** I'm going back a couple of years here. You and I first made contact back in December of 2005. In fact, I was very close to becoming the test case for your organization as you and I sought to fight the Cherokee County probate court Judge Kipling McVay, who blatantly violates the states legislative requirement that a firearm license be issued within 60 days to those who meet state requirements. If you recall, I received my license within 90 days and we didn't push forward. My readers may remember my plight to receive my license as it was chronicled here on these pages. Since that time, can you tell our readers what steps you've taken against these judges who routinely violate state law?

**ED STONE:** I had forgotten that our first contact went back to before GCO even existed! This has been a vexing issue for Georgians, as some probate courts issue firearms licenses within a period of days, while several GCO members have had to wait a year, and one unfortunate GCO member had to wait an intolerable two and a half years to receive his firearms license. As a result of these experiences, GCO has placed the timely issuance of firearms licenses high on its priority list.

**MARK:** Ed, for the majority of our readers who do not live in this state, can you tell us why it is so vitally important that your group succeed here? Do your efforts here in Georgia have ramifications for CCW license holders nationwide?

**ED STONE:** Everything that happens in one state affects the states around it.

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*“One individual is unlikely to make any difference, but you may be amazed what organizing many individuals together for one purpose can accomplish.”*

GCO constantly uses the example of other states to convince its legislators here to do the right thing. As an example, Georgia permits gun confiscations during a time of declared emergency. Even Louisiana repealed that law after the highly publicized gun seizures following Hurricane Katrina. GCO points to the fact that Georgia's neighbor to the north, Tennessee, and its neighbor to the south, Florida, both passed Katrina bills unanimously. There was not one single dissenting vote in either state in either chamber, not even by the most vehemently anti-gun politician in Florida. Now, even California has passed a Katrina bill. GCO is confident that as a result, Georgia will finally pass a Katrina bill in 2008. What happens in one state affects us all.

**MARK:** *Back in late summer of 2007, CCM published my interview with the president of the Virginia Civil Defense League (VCDL), Mr. Phillip VanCleave. Phil and I have spoken a number of times over the years and I know other fledgling organizations have sought his advice. Have you spoken to Phil and has he and the VCDL been of any assistance to your group as you grow your membership?*

**ED STONE:** I read that interview, and yes, he has. I do not know whether he will recall discussing issues with me, but we have corresponded several times, and he offered encouragement to me when a certain out of state lobbying group ostensibly dedicated to the Second Amendment killed a bill a new GCO was pushing at the time. GCO's major push on fighting illegal local gun bans in Georgia was also inspired by VCDL's success in fighting city hall.

**MARK:** *Can you give any of our readers any sound generic legal tips that may apply to all of us as CCW holders?*

**ED STONE:** Generic? Well, first, be familiar with the laws in the state you are visiting. For example, in Georgia one is not required to notify law enforcement that he is carrying a firearm. In other states, this is not the case, and it may be a crime to fail to notify a law enforcement officer that you are carrying a firearm.

Therefore, my generic advice of "exercise your right to remain silent" when you are stopped for carrying a firearm may not apply in another state. While most law enforcement officers support the right to carry, a few do not. Since you do not know whether you are encountering one of these few, I have always found it best not to volunteer that you are carrying a firearm unless the law requires it. Furthermore, the rule we have adopted here in Georgia is to first determine if any encounter with law enforcement is voluntary or by force. If it is voluntary, you have the right to simply walk away and ignore the officer. The magic question is: "Am I free to go?"

**MARK:** *Do you have any advice for someone who may want to begin an organization in his or her own state?*

**ED STONE:** If you are in a state with no existing organization, do it! The national organizations just do not have the time or the interest necessary for fixing state-level problems. Just be prepared for the time it takes, which is probably more than you might expect in the beginning. Also, start small. Pick an issue and work on that issue. Success will bring you attention and members. Ask yourself this question: "If not me, then who will do this?" One individual is unlikely to make any difference, but you may be amazed what organizing many individuals together for one purpose can accomplish. For the most part, there are no local level "anti-gun" organizations doing the same thing.

**MARK:** *Any thoughts on the upcoming elections?*

**ED STONE:** People who support the right to bear arms need to coalesce behind a candidate who also supports that right. While I hate to sound like a "one issue voter," a candidate's views on the Second Amendment tell me so much more about him than just whether he "likes guns." It tells me how he views the Constitution and the framework the Founders set up. This, in turn, tells me what kind of judicial nominees that candidate is likely to appoint. It also tells me his basic political philosophy regarding the relationship between government and the individual.

A candidate who does not support the right to bear arms, as in "carry" them, does not have any real respect for the individual.

**MARK:** *Ed, I appreciate your time, and as a Georgia resident and member of GCO, I would like to thank you very much for all of your efforts and the efforts of your organization. Any parting thoughts?*

**ED STONE:** Thank you for taking the time to do this interview, and thank you for continuing to write about the right of self-defense. GCO is striving to make the right to bear arms an actual civil right in Georgia, which it is not today. Please let your readers know that GCO is pretty transparent. What I mean is, we are proud of what we are accomplishing, and we make information relating to it available on our website. For instance, every pleading of any significance in GCO court cases is available to read on the website, both win and lose, ugly warts and all. I invite your readers to pay us a visit at [www.georgiacarry.org](http://www.georgiacarry.org).

My heartfelt thanks to Ed for taking time out of an incredibly busy schedule to talk to CCM!! I'll continue to update all of you to the future successes of GCO. For anyone interested in starting a similar group, please feel free to contact me, and I will be more than happy to put you in touch with the folks that can assist you!

*Since the interview with Mr. Stone, the Georgia House and Senate have passed two versions of HB89 which will remove some of the restrictions on lawful Georgia firearms owners. The new bill has been kicked back to the Georgia Senate for their vote. I will keep you informed if this bill is passed and signed. Keep your fingers crossed!!*

*Mark is the Vice President of DTI, Inc. based in Atlanta, Ga. He is a member of the Professional Outdoor Media Association (POMA) and the National Shooting Sports Foundation (NSSF). He is a NRA certified instructor in three disciplines and a second amendment activist in his hometown. He encourages readers to contact him at: [theordinaryguy@comcast.net](mailto:theordinaryguy@comcast.net)*