



Your Morning Jolt: Background Checks

Mike Menkus
Life Member

GeorgiaCarry.Org Annual Convention
August, 2015



Who let HIM
near a
microphone?

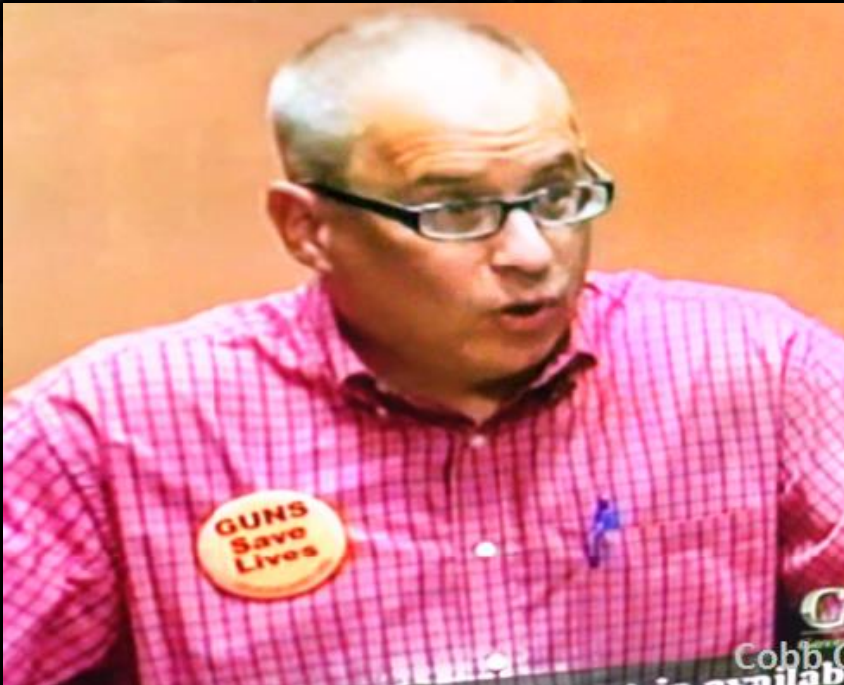
Housekeeping Item

My opinions alone ...
may or may not represent the views of GeorgiaCarry.Org

Who Am I

What Happens!

The Intersection of Public Policy and
the Human Right of Self Defense



Active Killers

& How Gun Free Zones Aid Them
(2012 Convention)

June 2015

Cobb County Commission Meeting

tinyurl.com/junecobb

Agenda

- **The Tough Times Heading Our Way**
- **Why We Must Hate Background Checks**
- **Time To Punch Back Twice As Hard**

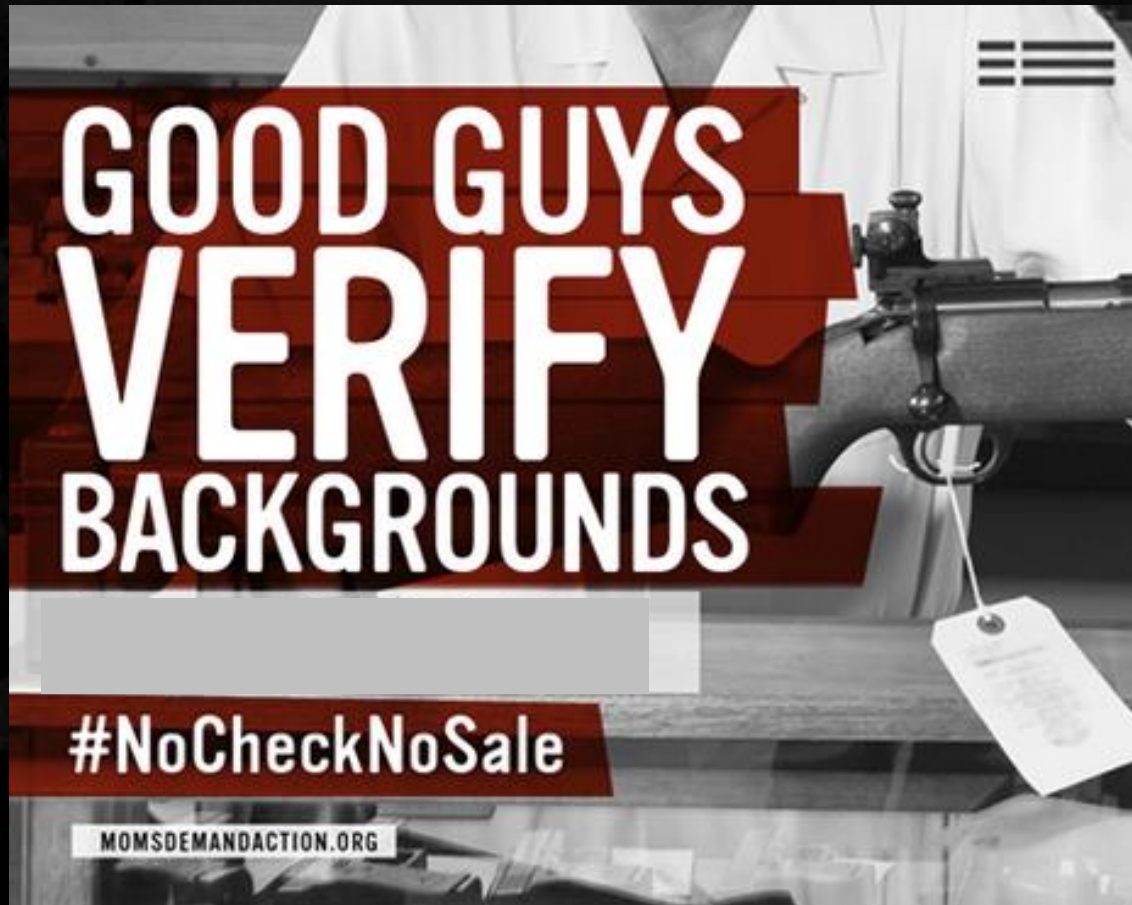


The Tough Times Heading Our Way



**Background checks stop criminals
and other potentially dangerous individuals
from obtaining firearms**

Push With Strong Dose of Extortion & Guilt



**That's A Nice Reputation You Have.
It'll Be A Shame If It Gets Destroyed**

Republicans

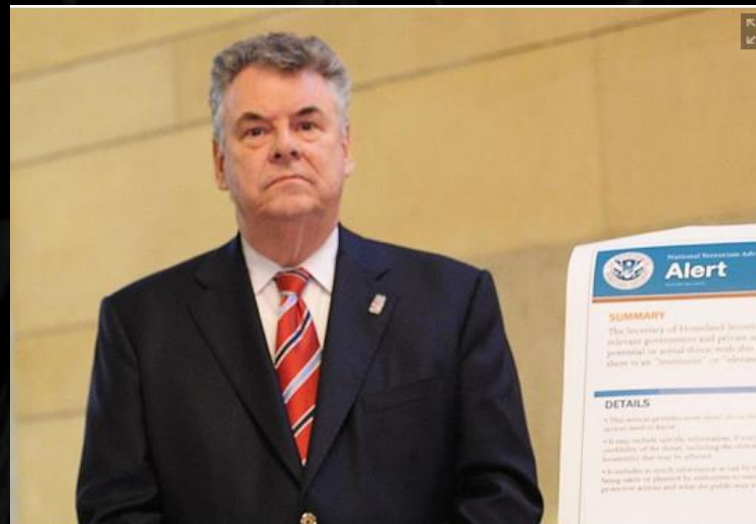


Pres. Obama's Gun Control

Rep. Peter King joins bipartisan push for House version of bill imposing universal background checks on gun purchases

The bill is the House version of a bipartisan Senate bill and the plan is to coordinate the two to work together on the reform. The proposals come as many legislators take up Obama's call for enforcement of and creation of gun control laws.

Obama's call for enforcement of and creation of gun control laws.



Republicans Obsessively



Background Checks

NRA-PVF Endorses Pat Toomey for U.S. Senate in Pennsylvania



Getty

Sen. Toomey: Gun background-check measures worth another try

Background Check Provision Gets Chucked From No Child Left Behind Rewrite

By Laura Moser



Sen. Pat Toomey failed to get background checks into the education bill passed Thursday.

Photo by Christopher Halloran/Shutterstock.com

“I don’t even think of it as gun control. I think background checks is in a different category”

NRA Has Always



Background Checks



Wayne LaPierre Speaks in Favor of Universal Background Checks

"We think it's reasonable to provide mandatory instant criminal background checks for every sale at every gun show. No loopholes anywhere for anyone ..."

NRA Still



Background Checks



Cornyn said the issue of gun control had been 'politicized so much.' | AP Photo

John Cornyn introduces NRA-supported background-check bill

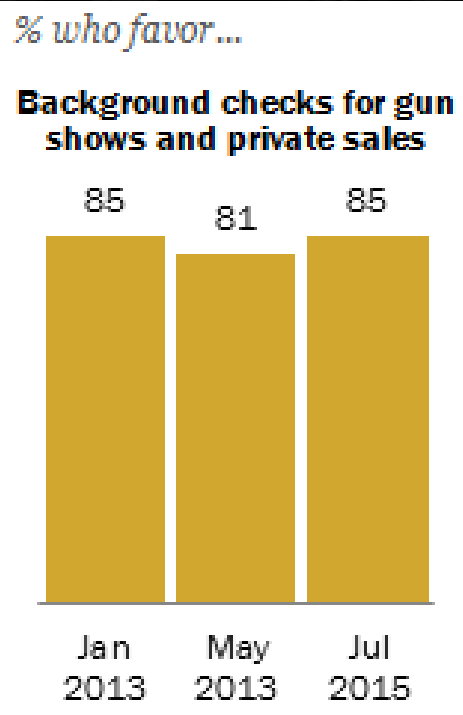
**How Much Of Our Rights Will
The NRA Give Away This Time?**

As A Result, Americans




Background Checks

Continued Bipartisan Support for Expanded Background Checks on Gun Sales





If You Truly  Liberty,
You Must Hate Background Checks

Background Checks Are An Affront to Liberty

~~Inalienable right possessed by all Americans~~

A privilege requiring government permission to exercise in advance





**Background checks stop criminals
and other potentially dangerous individuals
from obtaining firearms**

Where Criminals Obtain Their Guns

	1984	1991	1993	1997	2004
Black Market Source (fences, drug dealers, off the street, etc.)	26%	40.8%	Brady Handgun Violence Act Enacted	37.3%	40.0%
Friends & Family	44%	33.8%		40.1%	37.4%
Retail (gun shops, pawn shops, gun show, etc.)	21%	20.8%		14.0%	11.3%
Other - Theft	9%	4.6%		8.7%	11.2%

From Interviews of Convicted Criminals

	1984										
Black Market Source (fences, drug dealers, off the street, etc.)	26% <table> <tr> <td>Purchase</td><td>42%</td></tr> <tr> <td>Theft</td><td>38%</td></tr> <tr> <td>Borrow</td><td>4%</td></tr> <tr> <td>Trade</td><td>11%</td></tr> <tr> <td>Gift</td><td>4%</td></tr> </table>	Purchase	42%	Theft	38%	Borrow	4%	Trade	11%	Gift	4%
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Friends & Family	44% <table> <tr> <td>Purchase</td><td>39%</td></tr> <tr> <td>Theft</td><td>23%</td></tr> <tr> <td>Borrow</td><td>18%</td></tr> <tr> <td>Trade</td><td>9%</td></tr> <tr> <td>Gift</td><td>14%</td></tr> </table>	Purchase	39%	Theft	23%	Borrow	18%	Trade	9%	Gift	14%
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Purchase	10%										
Theft	90%										

80% to 90% of Guns Come From Non-Retail Sources

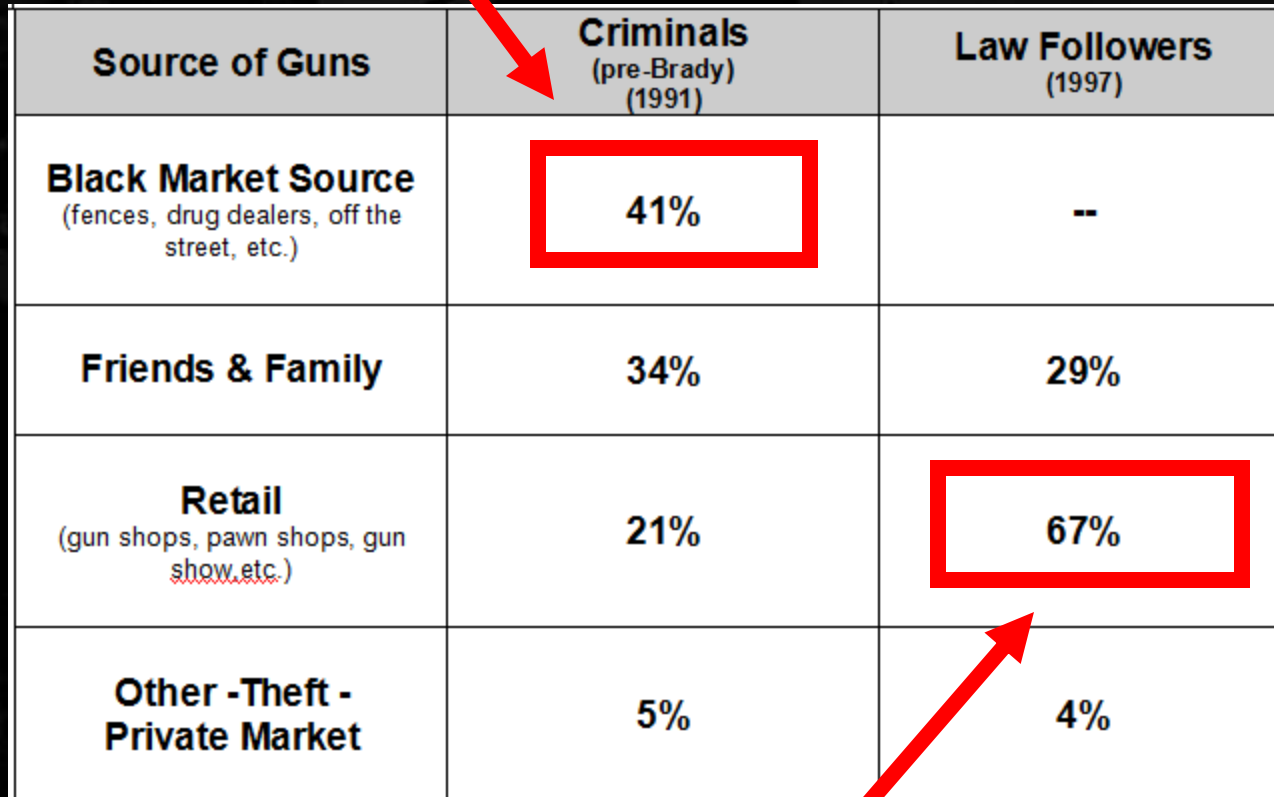
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If You Wanted To Disarm Criminals Where Would You Focus Your Resources?

Source of Guns	Criminals (pre-Brady) (1991)	Law Followers (1997)
Black Market Source (fences, drug dealers, off the street, etc.)	41%	--
Friends & Family	34%	29%
Retail (gun shops, pawn shops, gun show, etc.)	21%	67%
Other -Theft - Private Market	5%	4%

If You Want To Disarm Americans Where Would Your Spend Money?

If You Wanted To Disarm Criminals Where Would You Focus Your Efforts?



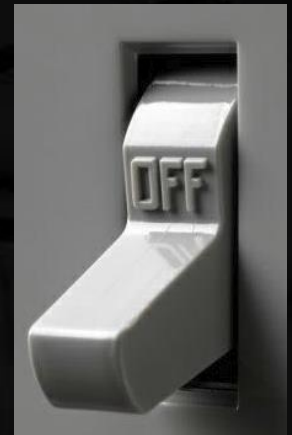
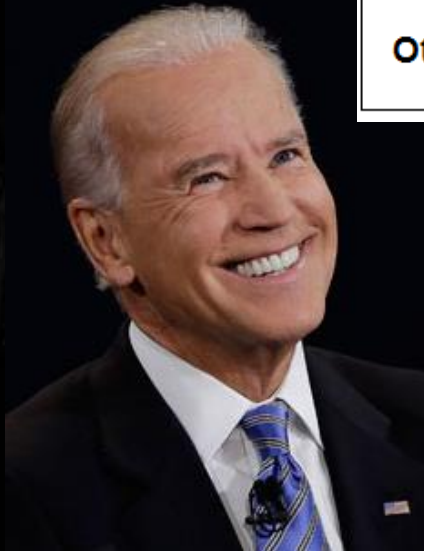
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If You Want To Disarm Law Abiding Americans
What Would You Do?

FULL Government Control of Firearm Transfers

Where Law Followers Obtain Guns		
	Within Government Control (NICS Required)	Outside Government Control
Black Market Source (fences, drug dealers, off the street, etc.)		--
Friends & Family		29%
Retail (gun shops, pawn shops, gun show, etc.)	67%	
Other - Private Sales		4%

**Extending Background Check
System To Private Sales
Will Enable President Biden To END
The Transfer of All Firearms**





**Background checks stop criminals
and other potentially dangerous individuals
from obtaining firearms**

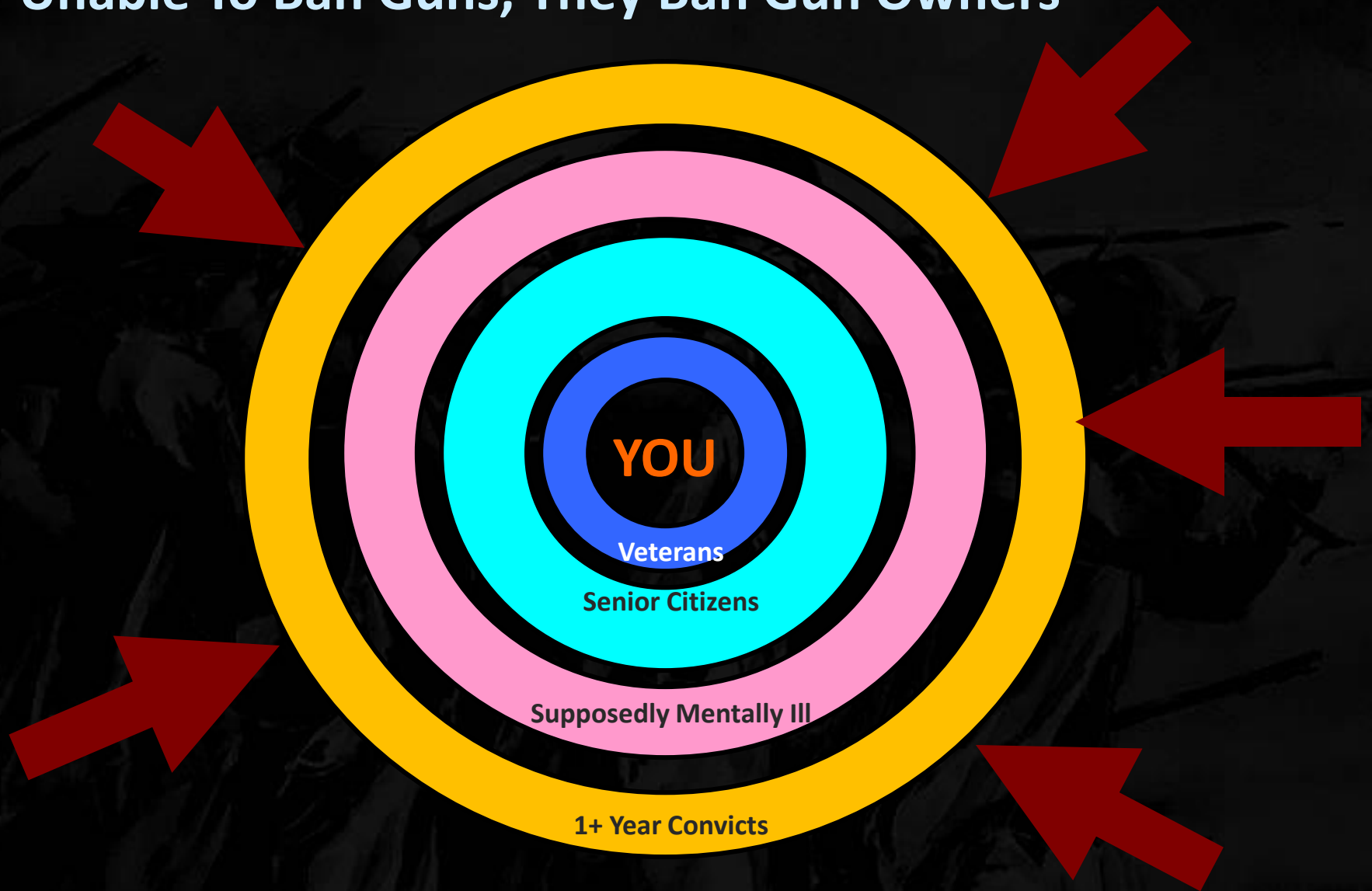
Non-Dangerous Individuals Swept Up Into Prohibition



The crime that this prohibited person committed
was so heinous that she has lost
her inalienable human right of self-defense **FOR LIFE**

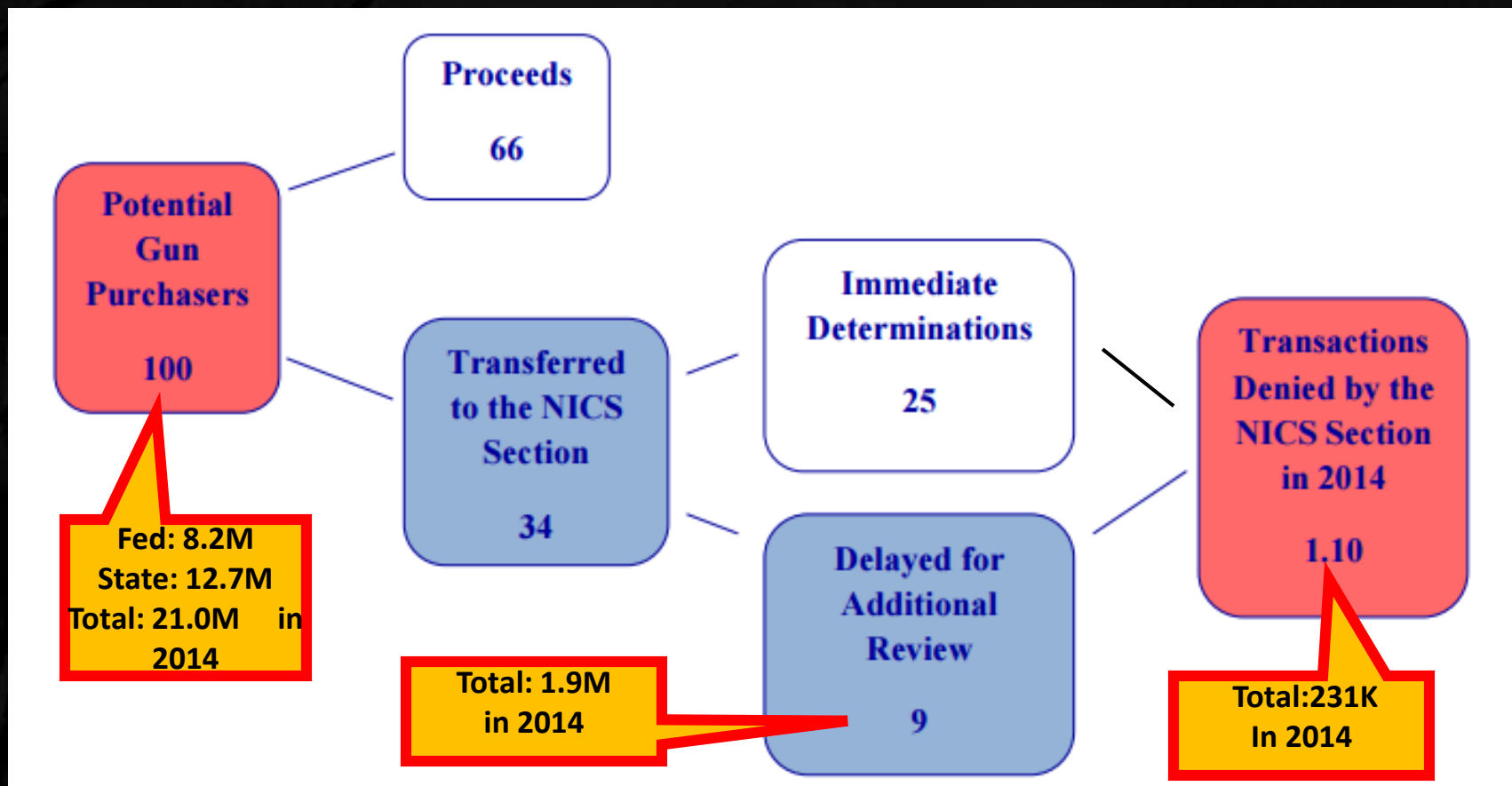
**72% of Felons Are Non-Violent Offenders
With No History Of Violence**

Unable To Ban Guns, They Ban Gun Owners



When They Come For You, Who Will Speak Up?

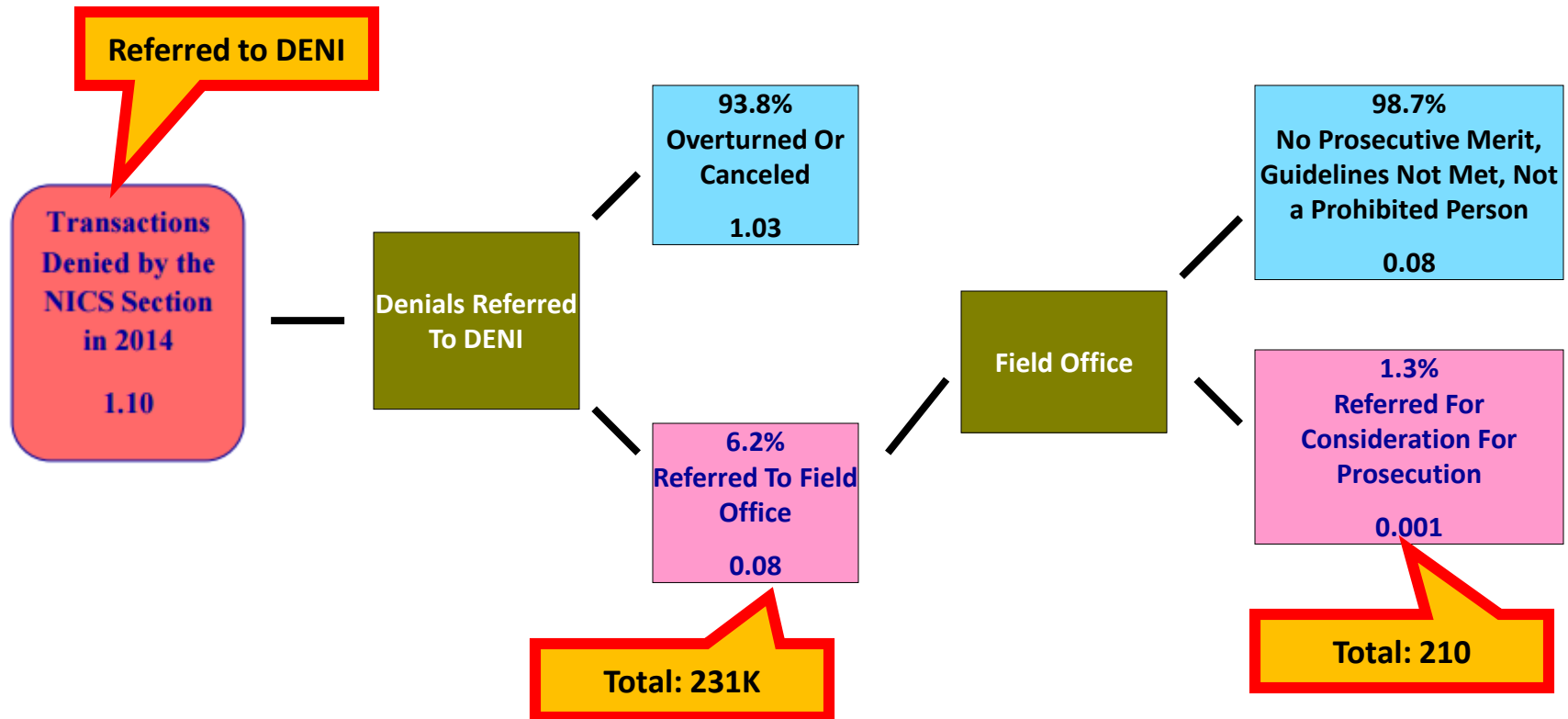
33% Of Checks Are Delayed



FBI, National Instant Criminal Background Check System (NICS) Operations, 2014

Thomas Jefferson Will Be Delayed

ATF Denial Enforcement and NICS Intelligence Branch



Frandsen, Ronald, Enforcement of Brady Act, 2010, August 2012

99.999% Surrender Privacy To Prosecute 0.001%

4th Amendment – What's That?

Table 6. Status of 2010 charges referred for prosecution

Judicial status	Charges ^a	Percent
Total	62	100.0%
Selected outcomes:		
Declined by prosecutor	18	29.0%
Guilty plea by defendant	13	21.0%
Pending action by prosecutor	12	19.4%
Dismissed per plea agreement	10	16.1%

^aAs of December 13, 2011

**All This For 23
Federal
Convictions In
2010!**

0.0004%



**Equivalent to running criminal background check
on everyone at nearly 4 Falcons games to find ONE criminal**

Wake Up – The Math Is Over -- Just Kiddn'



21M Background Checks (Year 2014)

9% Are Delayed Greater Than A Couple of Minutes (1.9M)

0.08% Denied (230K)

0.001% Will Be Submitted For Prosecution (210)

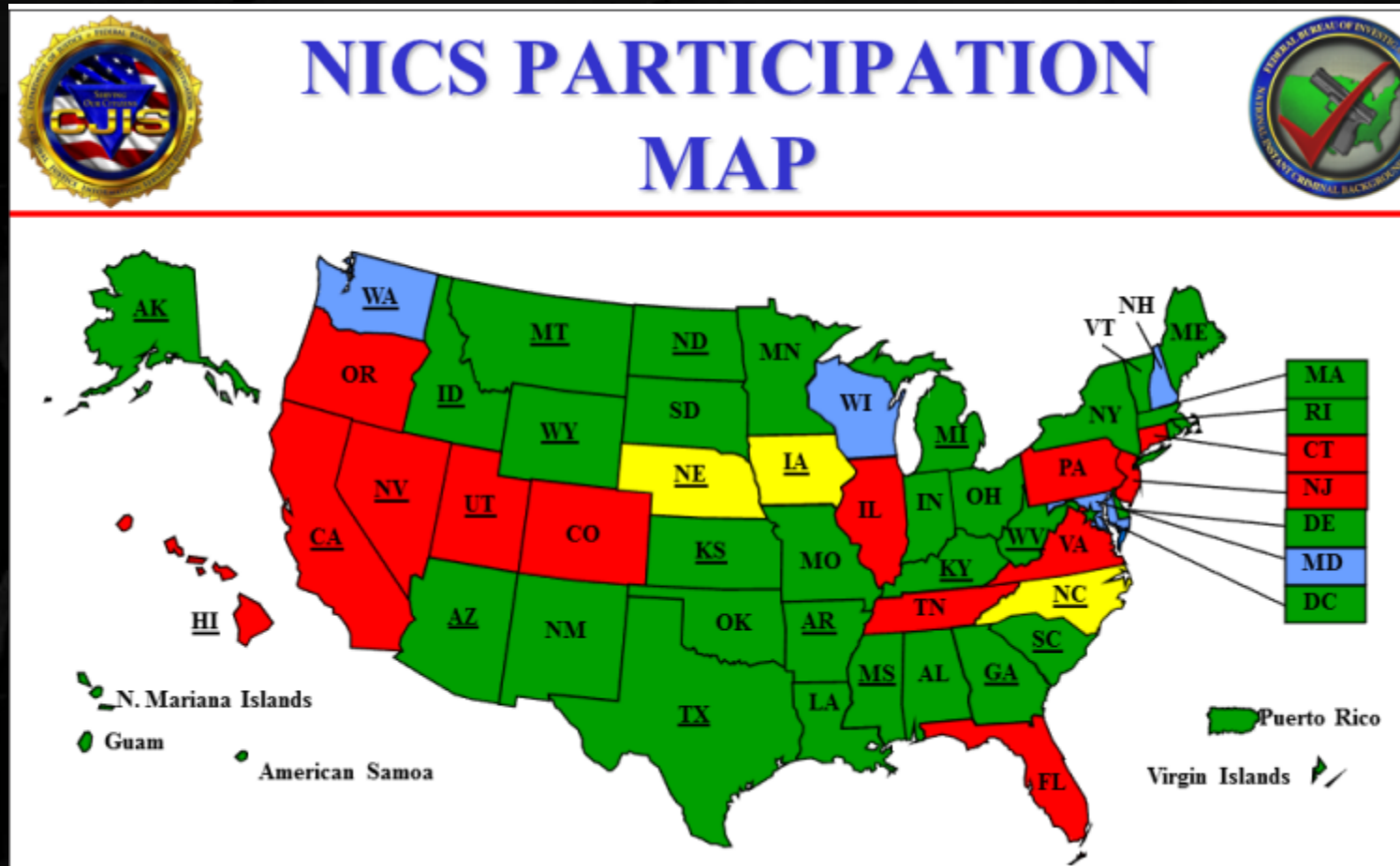
0.0004% Will Be Successfully Prosecuted (84)

Background Checks Aren't Meant To Stop Criminals.
They Are Meant To Control YOU!



Time To Punch Back Twice As Hard

Interstate Sales Among Participating States



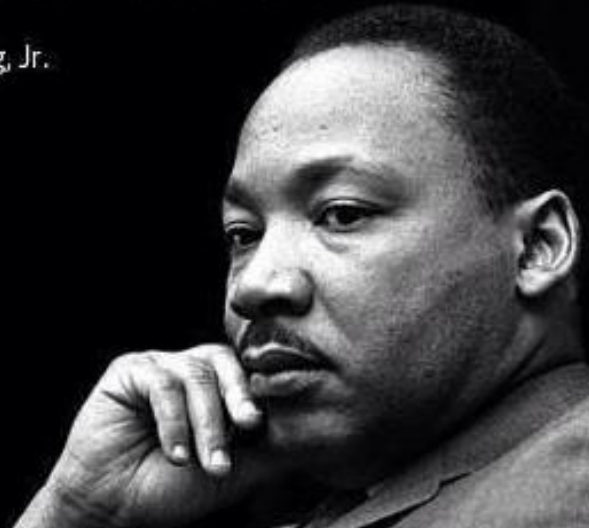
Reduce Prices By Increasing Competition

Instill System With A Presumption of Innocence

Only An Immediate Denial Should Ever
Stop Or Delay A Sale

"A right delayed is
a right denied. "

- Martin Luther King, Jr.



NICS Alternative For Any Term Carry License

(3) Paragraph (1) shall not apply to a firearm transfer between a licensee and another person if—

(A)

(i) such other person has presented to the licensee a permit that—

(I) allows such other person to possess or acquire a firearm; and

~~(II) was issued not more than 5 years earlier by the State in which the transfer is to take place; and~~

**Eliminate ATF Control Of Carry Licenses
The ATF Has Lied To Our Legislators!**

Add Due Process Protections



**Term Of Prohibition Should Be Defined
As Part Of Sentencing By A Judge Who Knows The
Facts Of Your Offense**

Erase The Database of Non-Criminal Gun Owners

DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
FIREARMS TRANSACTION RECORD PART I - OVER-THE-COUNTER

NOTE: Prepare in original only. All entries on this form must be in ink. See Important Notices, Definitions and Instructions.

SECTION A - MUST BE COMPLETED PERSONALLY BY TRANSFEREE (BUYER)

1. TRANSFEREE'S (Buyer's) NAME (Last, First, Middle) ☐ MALE ☐ FEMALE 2. HEIGHT 3. WEIGHT 4. RACE

5. RESIDENCE ADDRESS (No., Street, City, County, State, ZIP Code) 6. BIRTH DATE MONTH DAY YEAR 7. PLACE OF BIRTH (City) STATE OR FOREIGN COUNTRY

8. OPTIONAL INFORMATION - The information requested in this item (8) is strictly optional but will help to ensure the lawfulness of the sale and avoid the possibility of being misidentified as a felon or other prohibited person.

SOCIAL SECURITY NUMBER ALIEN REGISTRATION NUMBER MISCELLANEOUS NUMBER (Military ID, etc.)

A

9. CERTIFICATION OF TRANSFEREE (Buyer) - Questions a. through l. must be answered with a "yes" or a "no" in the box at the right of the question.

a. Are you the actual buyer of the firearm indicated on this form? If you answer "no" to this question the dealer cannot transfer the firearm to you. (See Important Notice 1.)	g. Have you been discharged from the Armed Forces under dishonorable conditions?
b. Are you under indictment or information in any court for a crime for which the judge could imprison you for more than one year? An information is a formal accusation of a crime made by a prosecuting attorney.	h. Are you an alien illegally in the United States?
c. Have you been convicted in any court of a crime for which the judge could have imprisoned you for more than one year, even if the judge actually gave you a shorter sentence? (See Important Notice 5 and EXCEPTION.)	i. Have you ever renounced your United States citizenship?
d. Are you a fugitive from justice?	j. Are you subject to a court order restraining you from harassing, stalking, or threatening an intimate partner or child of such partner? (See Important Notice 6 and Definition 4.)
e. Are you an unlawful user of, or addicted to, marijuana, or any depressant, stimulant, or narcotic drug, or any other controlled substance?	k. Have you been convicted in any court of a misdemeanor crime of domestic violence? This includes any misdemeanor conviction involving the use or attempted use of physical force committed by a current or former spouse, parent, or guardian of the victim or by a person with a similar relationship with the victim. (See Definition 5.)
l. Have you ever been adjudicated mentally defective or have you been committed to a mental institution?	l. Are you a citizen of the United States?

m. What is your State of residence? (State) If you are not a citizen of the United States, you have a State of residence only if you have resided in the State for at least 90 days prior to the date of this sale. (See Definition 6.)

I CERTIFY THAT THE ABOVE ANSWERS ARE TRUE AND CORRECT. I UNDERSTAND THAT A PERSON WHO ANSWERS "YES" TO QUESTION 8b IS PROHIBITED FROM PURCHASING A FIREARM. I UNDERSTAND THAT A PERSON WHO ANSWERS "YES" TO ANY OF THE QUESTIONS 9c THROUGH 9k IS PROHIBITED FROM PURCHASING OR POSSESSING A FIREARM. I ALSO UNDERSTAND THAT THE MAKING OF A FALSE ORAL OR WRITTEN STATEMENT OR THE EXHIBITING OF ANY FALSE OR MISREPRESENTED IDENTIFICATION WITH RESPECT TO THIS TRANSACTION IS A CRIME PUNISHABLE AS A FELONY. I FURTHER UNDERSTAND THAT MY REPETITIVE PURCHASE OF FIREARMS FOR THE PURPOSE OF RESALE FOR LIVELIHOOD AND PROFIT WITHOUT A FEDERAL FIREARMS LICENSE IS A VIOLATION OF LAW. (SEE IMPORTANT NOTICE 7.)

TRANSFEREE'S (Buyer's) SIGNATURE DATE

ATF F 4473 (5300.9) PART I (10-98) PREVIOUS EDITIONS ARE OBSOLETE

Privacy Of Gun Owners Has To Be In The
Constitution Somewhere.
We Just Have To Look Harder.

Require Dealer Destruction Of Form 4473



The Resistance Begins With Us!