



"...THE LITTLE CLUB THAT COULD...AND DID!"

Newsletter

August 2018



PRESIDENT'S MESSAGE

I would like to thank Joe Westfield for serving for many years as the club's Executive Officer. Joe moved out of the area and had to resign his position. The PPC Board elected to appoint Vice President, Jeff Goldberg to fill Joe's position, Trustee, Len Jacukowicz to fill Jeff's position as Vice President and Joe Westfield will fill Len's position as Trustee. All will serve the existing terms of the positions they assumed.

This year we are hoping to accomplish two indoor range improvement projects, improving the ventilation system and soundproofing.

Please make sure you check the club's website for range closing dates. We will try to keep the outdoor range open if possible as work is being done inside.

We would like to schedule a work day for Saturday, August 25th at the range. Weather permitting, we will be cleaning, painting, trimming and some minor building repairs. I would like to start at 7:00AM so we can all be on our way home by 1:00. Please call me (908-391-6810) to confirm you will be attending.

There some range projects that can be done on your own time if you are unable to attend the work day. Please call if you are available and I will try to schedule something depending on the type of work you are able to do.

Upcoming Events

8/14/18 Club Meeting 7:30pm

8/25/18 Range Clean- up Day - Please make plans to help

September: Youth Marksmanship League- ages 10-18

Fall RSO Training Class: Contact James Melchore

Hosted Shoot w/ RSO on Duty: Mondays & Thursdays 7pm-9pm
Sundays 9am – 1pm

IDPA Matches: 1st Saturday of month 10:00am – 6:00pm
4th Wednesday of month 6:00pm – close
Contact Len J.

Club Meetings: 2nd Tuesday of month 7:30pm. Please try to attend.

Check club calendar for events and range closings.



To learn more or get involved please contact

Barbara Brady

Program Administrator,

at 908-246-0424.

Responsibility, concentration and focus, self-discipline and self-control, patience, honesty, and respect for firearms. These are just some of the qualities the faculty of the Hawkeyes Youth Marksmanship Team encourage in the young members who are participating in the Phillipsburg Pistol Club's latest program.

On the first and third Tuesdays of April, May and June, from 6:00 to 7:30 PM, team members received 20 to 30 minutes of classroom instruction followed by 1 hour of live fire under the supervision of our NRA certified Instructors and RSOs.

Topics of instruction included range safety rules, range commands, marksmanship fundamentals, aiming, trigger control, rifle function, ammunition and firing sequence.

The program is based on the Winchester/NRA Marksmanship Qualification Program, a self-paced skill development program in which shooters earn awards as they achieve program defined scores following a course of fire, shooting at A-32 targets at 50 feet. Targets are scored by program instructors and patches are awarded as earned.

PPC has 10 members participating, 5 female and 5 male, ages 10 to 16. In the first 3 meetings, instructors and RSO's have seen a dramatic rise in target scores. Barbara Brady, Program Administrator, attributes the improvement to the maturity of the members, and the dedication of the volunteers involved.

Thanks to Joe Westfield, Program Director, Lonnie Cryan, Range Master, Jim Melchore, class instructor, and RSO's Tina Hinck, Kathy and Ray Clark, Dave Wanisko, John Curtin, Art Dunn and Chuck Kebles for faithfully showing up for each session and working to make this program a success.

This program is scheduled to resume in September.

If you know anyone who would be interested, contact Barbara Brady 908-246-0424

IDPA

International Defensive Pistol Assoc.



The PPC monthly IDPA matches are the first Saturday of every month and the fourth Wednesday. The Saturday matches start shooting at 12 P.M and usually have 8-10 courses of fire, and require approximately 150-200 rounds of ammo. The Wednesday matches start shooting at 7 P.M. and usually have 4-6 courses of fire and require no more than 100 rounds

You can get a lot of IDPA information on the internet. The IDPA website has a lot of information and you can view the rulebook, which is the best way to start in IDPA.

The IDPA match directors offer a familiarization course on occasion. If you are interested in learning the basics of IDPA regulation firearm handling. Please contact the match directors at idpa@phillipsburgpistolclub.org



The NRA Women on Target program provides women with firearm safety training and the fundamentals of marksmanship taught by a team of all women who are NRA Certified Instructors.

This year's Women on Target class took place On May 5th.

Keep an eye out for future events

Special THANK YOU to the following club members for their hard work in restoring the appearance of the steel decelerators (bullet traps). This work greatly enhances the outside appearance of the range and is greatly appreciated.

Ed Commandini, Jim Dierking, Mike Esposito, Rich Sluder, Doug Smith, Frank Volturo, Lonnie Cryan



Other News

Legislative Update

By: J.S. Goldberg

Ever since the election of Governor Murphy, New Jersey gun owners have been rightfully concerned over further usurpation of their constitutional rights by a legislative body who has little concern for the constitution of the United States. On the 13th of June 2018 these concerns have been proven justified. Six new bills have been signed into law by Murphy each one chipping away at the very few remaining rights New Jersey residents have.

The first A1181, allows mental health practitioners and law enforcement officials to keep firearms away from mental health and therapy patients who seek to harm themselves or others. The bill amends current law to require that licensed mental health practitioners exercise their duty to warn and protect by alerting law enforcement if a patient has threatened to and intends to commit imminent, serious physical violence against themselves or others. If law enforcement determines that the patient is incapable under statute of possessing a firearm, then any firearm ID card or purchasing or carrying permit is voided and subject to revocation by the Superior Court.

Next, we have A1217, known as the Extreme Risk Protective Order Act of 2018, authorizes New Jersey courts to issue gun violence protective orders to individuals who pose a significant risk of personal injury to themselves or others by possessing or owning a firearm. The protective orders prohibit the person who the order is filed against from securing or possessing any permit or license allowing firearm possession during the protective-order period. The bill also makes it a fourth-degree crime for a person to purposely or knowingly violate any provision of an extreme risk protective order.

A2757 will now require background checks on individuals who are purchasing from or being transferred firearms by private dealers. The bill amends current law to require any person who is not a licensed firearm retail dealer and who privately sells or transfers a firearm to another person to conduct the transaction through a licensed retail dealer. Licensed dealers are required to conduct a background check of the person acquiring the firearm before the transaction occurs. In addition, the legislation exempts sales and transfers between members of an immediate family; law enforcement; licensed collectors of antique firearms; or a temporary transfer from being conducted through a licensed dealer and subject to a background check.

A2758 amends the requirements necessary to show a justifiable need to carry a hand gun in public. This bill changes the serious threat threshold established by the previous administration by expressly defining justifiable need to require a showing of specific threats or previous attacks that demonstrate a special danger to the applicant's life and that cannot be avoided other than by issuance of a permit to carry a handgun. The bill's requirement to show specific threats tightens the qualifications for firearm carrying.

A2759 adds armor piercing ammunition to the list of ammunition that is prohibited in New Jersey. The bill was written to prevent civilians from legally possessing ammunition that is designed and constructed to penetrate 48 layers of Kevlar and clarifies that possession or manufacture of this ammunition is a fourth-degree crime.

A2761 reduces the maximum capacity of ammunition magazines from 15 to 10 rounds. The exception is for current law enforcement on-duty or traveling to or from duty and retired law

enforcement. Individuals who legally own a firearm with an un-modifiable fixed magazine capacity of up to 15 rounds or legally own a firearm that only accepts an un-modifiable detachable magazine of up to 15 rounds prior to the effective date of the bill must register the firearm with their local law enforcement agency. The bill makes it a fourth-degree crime for a person to knowingly possess a large capacity ammunition magazine unless a firearm such a magazine is registered as required.

You will note that A2761 is intentionally vague and a bit confusing. Below find what Evan Nappen has just written which will serve to clarify an ambiguous law and should answer all of your questions. For those of you unfamiliar with Mr. Nappen, he is an attorney practicing in New Jersey and the foremost expert on New Jersey gun laws.

LARGE CAPACITY AMMUNITION MAGAZINES

(1) What is a large capacity ammunition magazine under New Jersey law?

A: A large capacity ammunition magazine is defined under subsection y. of N.J.S.2C:39-1 as “a box, drum, tube or other container which is capable of holding more than 10 rounds of ammunition to be fed continuously and directly there from into a semi-automatic firearm.” Under the new law, the definition no longer includes an attached tubular device which is capable of holding only .22 caliber rim-fire ammunition.

Do not confuse the State law with the previous (1994-2004) Federal law. The former Federal so-called “Assault Weapons Ban,” which was automatically repealed by a “sunset” provision in 2004, prohibited magazines over 10 rounds, but “grandfathered” all previously existing magazines. State law has now placed the limit at 10 rounds; however, the State did NOT “grandfather” previously existing magazines.

(2) What is the penalty for possession of a large capacity ammunition magazine under New Jersey law?

A: It is a crime of the 4th degree with a maximum jail time of 18 months and a maximum fine of \$10,000.

(3) Are there exemptions for possession of a large capacity ammunition magazine?

A: Yes. An attached tubular device which is capable of holding only .22 caliber rimfire ammunition is exempted. Additionally, “Assault firearm” shall not include a semi-automatic rifle which has an attached tubular device and which is capable of operating only with .22 caliber rimfire ammunition. (e.g. The Marlin Model 60, Remington Model 552, etc. are no longer prohibited.) However, any other type of semi-automatic rifle with a fixed magazine capacity exceeding 10 rounds is now defined as an “Assault Firearm” under New Jersey Law. Such firearms may be able to be registered.

Under the original law, N.J.S. 2C:39-3j., which remains in effect, possession of large capacity ammunition magazines is prohibited unless the possessor has a registered “assault firearm” (as per N.J.S. 2C:58-12) (this registration period expired in 1991) and “the magazine is maintained and used in connection with participation in competitive shooting matches sanctioned by the DCM.” Under N.J.S. 2C:39-3g., possession by armed forces or military personnel is exempt but only while actually on duty or traveling to or from an authorized place of duty. The magazine must be duly authorized under regulation or orders as well.

In addition to the 1991 registration period, the new law allows any person who possesses a large capacity ammunition magazine to register a firearm with a fixed magazine capacity or detachable magazine capable of holding up to 15 rounds, subject to new registration requirements.

The new registration requirements demand that a person who legally owns, prior to the enactment of the new law;

1) a firearm with a fixed magazine capacity holding up to 15 rounds which is incapable of being modified to accommodate 10 or less rounds; OR

2) a firearm which only accepts a detachable magazine with a capacity of up to 15 rounds which is incapable of being modified to accommodate 10 or less rounds.

(Note: No single model or type of firearm that actually meets or falls under either of the two descriptions above has yet to be identified. Since tubular magazine .22's semi-automatics are exempt, this is another example of our legislators' complete lack of knowledge about guns and not knowing what they are doing.)

One must register that firearm within **one year** from the new law's enactment. *(Note: the law says one year, even though there is only 180 day "grace period" for newly prohibited magazines. This is yet another example of our legislators not knowing what they are doing.)*

In order to register such a firearm, the owner must:

- (1) complete a registration statement, in the form to be prescribed by the Superintendent of the State Police; and
- (2) produce for inspection a valid firearms purchaser identification card, permit to carry a handgun, or permit to purchase a handgun.

The information provided in the registration statement shall include, but not be limited to: the name and address of the registrant; the number or numbers on the registrant's firearms purchaser identification card, permit to carry a handgun, or permit to purchase a handgun; and the make, model, and serial number of the firearm being registered. Each registration statement shall be signed by the registrant, and the signature shall constitute a representation of the accuracy of the information contained in the registration statement.

The owner must register the firearm in the law enforcement agency of the municipality in which the applicant resides or, if the municipality does not have a municipal law enforcement agency, any State Police station.

Within 60 days of the new law, the Superintendent of State Police must create registration forms and must supply them to all full-time municipal police departments and each State Police station. One copy of the completed registration statement shall be returned to the registrant, a second copy shall be sent to the superintendent, and, if the registration takes place at a municipal police department, a third copy shall be retained by that municipal police department.

(3) Are registered firearms inheritable?

A: No. The heir or estate of an owner of a firearm which has been registered pursuant to the above shall within 90 days after the owner's death, dispose of that firearm in accordance with the law.

(4) Are law enforcement officers exempt for possession of large capacity ammunition magazines?

A: Yes. Under N.J.S. 2C:39-3g. Law enforcement officers are exempt for possession of large capacity ammunition magazines provided that the officer is actually on duty or traveling to or from an authorized place of duty and that the large capacity ammunition magazines have been duly authorized by law, regulation, or law enforcement orders.

Are members of the U.S. Armed Forces or National Guard exempt for possession of large capacity ammunition magazines?

A: Yes. Under N.J.S. 2C:39-3g. Members of the U.S. Armed Forces or National Guard are exempt for possession of large capacity ammunition magazines provided that the possession has been duly authorized by law, regulation, or military orders.

(7) Are retired law enforcement officers exempt for possession of large capacity ammunition magazines?

A: Yes, but only up to 15 rounds. A retired law enforcement officer who is authorized to possess and carry a handgun pursuant to subsection l. of N.J.S. 2C:39-6 (retired law enforcement carry) may possess and carry a large capacity ammunition magazine which is capable of holding up to 15 rounds of ammunition. However, retired law enforcement officers were not exempted for N.J.S.2C:39-9h. (See question (15) below.)

(8) Are retired or former members of the U.S. Armed Forces or National Guard exempt for possession of large capacity ammunition magazines?

A: No.

(9) Are New Jersey Retail or Wholesale Dealers exempt for possession of large capacity ammunition magazines?

A: Yes. A licensed retail or wholesale firearms dealer may possess large capacity ammunition magazines at its licensed premises for sale or disposition to another licensed dealer, the Armed Forces of the United States or the National Guard, or to a law enforcement agency, provided that the seller maintains a record of any sale or disposition to a law enforcement agency. The record shall include the name of the purchasing agency, together with written authorization of the chief of police or highest-ranking official of the agency, the name and rank of the purchasing law enforcement officer, if applicable, and the date, time and amount of ammunition sold or otherwise disposed. A copy of this record shall be forwarded by the seller to the Superintendent of the Division of State Police within 48 hours of the sale or disposition. (Also See "Warning" at end of "Loopholes and Pitfalls" Section below.)

(10) Are motion picture, television, or video productions, exempt for possession of a large capacity ammunition magazine?

A: Yes, as long as the possession of a large capacity ammunition magazine solely is used as a prop for a motion picture, television, or video production, provided the large capacity ammunition magazine has been reconfigured to fire blank ammunition and remains under the control of a federal firearms license holder.

(11) Is there a “grace period” for possessors of large capacity ammunition magazines to take action?

A: Yes. A person who legally owns a semi-automatic rifle with a fixed magazine capacity exceeding 10 rounds or a large capacity ammunition magazine as defined under subsection y. of N.J.S. 2C:39-1 which is capable of holding more than 10 rounds of ammunition on the effective date of the new law may retain possession of that rifle or magazine for a period not to exceed 180 days after the effective date of the new law. (It was approved, June 13, 2018, so Monday, December 10th, 2018 would be 180 after.) During this time period, the owner of the semi-automatic rifle or magazine shall:

- a. Transfer the semi-automatic rifle or magazine to any person or firm lawfully entitled to own or possess that firearm or magazine;
- b. Render the semi-automatic rifle or magazine inoperable or permanently modify a large capacity ammunition magazine to accept 10 rounds or less; or
- c. Voluntarily surrender the semi-automatic rifle or magazine pursuant to the provisions of N.J.S. 2C:39-12.

(12) How is voluntarily surrender accomplished under New Jersey law?

A: Voluntary surrender under N.J.S. 2C:39-12 is a highly technical procedure in which qualifying items may be surrendered to either the Superintendent or the Chief of Police of the municipality in which the surrenderer resides. In order to voluntarily surrender these items, one must:

- A. Give written notice including the proposed date and time of the surrender;
- B. Make the surrender to the Superintendent of State Police or the Chief of Police of the municipality in which the surrenderer resides;
- C. Have the written notice received by the Superintendent of State Police or the Chief of Police before any charges have been made or complaints filed against the surrenderer for unlawful possession of the items in question;
- D. Have the written notice received before any investigation has been commenced by any law enforcement agency concerning the unlawful possession.

(13) Does voluntary surrender apply only to unlawful possession offenses?

A: Yes. This procedure does not grant immunity from prosecution for any crime or offense except that of unlawful possession.

(14) Is there financial compensation for items voluntarily surrendered to the authorities under this provision?

A: No. They are forfeited to the State without any compensation.

(15) Is it illegal to manufacture, cause to be manufactured, transport, ship, sell or dispose of a large capacity ammunition magazine under New Jersey law?

A: Yes. Under N.J.S. 2C:39-9h., it is a crime of the fourth degree to unlawfully manufacture, cause to be manufactured, transport, ship, sell or dispose of a large capacity ammunition magazine intended for use for any purpose other than authorized military or law enforcement purposes. This law prohibiting “transport” directly conflicts with the possession/carry exemptions for registered owners, retired law enforcement and motion picture, television, or video productions because the exception only includes N.J.S. 2C:39-3 and fails to mention N.J.S. 2C:39-9h. This law also prohibits “dispose of” which directly conflicts with the Voluntary Surrender provision of N.J.S. 2C:39-12 and only gives immunity for “possession” and not for transportation or disposal. This is yet another example of our legislators not knowing the law or having any understanding what they are doing.

(16) May a person lawfully possess a “blocked” large capacity ammunition magazine?

A: Yes, as long as it was owned on the day the law was enacted and was permanently blocked during the six-month grace period. Temporarily blocked magazines are not lawful. (NJAC § 13:54-1.2 Definitions) A large capacity ammunition magazine must be permanently altered so that it is not capable of holding more than 10 rounds of ammunition. (e.g. riveted, welded, epoxied, etc.) It cannot be readily restorable. An ammunition magazine which has been temporarily blocked or modified from holding more than 10 rounds, as by a piece of wood or a pin, is still unlawful.

LOOPHOLES & PITFALLS

Hundreds of thousands of otherwise honest citizens have now been turned into potential criminals for possessing lawfully obtained magazines over 10 rounds. A conviction for unlawful possession of a large capacity magazine under NJ law is a “crime” which is the equivalent of a “felony conviction.” A person who is convicted loses their Second Amendment Rights and becomes prohibited throughout the entire United States for possession of a firearm.

New Jersey’s law banning large capacity ammunition magazines is as ill-conceived as most of New Jersey’s other infamous gun laws. Large capacity ammunition magazines that fit firearms other than semi-automatic firearms are legal.

For example, we had a case in Camden County in which our client possessed a drum magazine for a machine gun that did not fit or function in any semi-automatic firearm. After filing our motion, the charges were dismissed, and the magazine returned because it was not prohibited under New Jersey law, which bans only large capacity ammunition magazines for semiautomatic firearms, not fully-automatic firearms.

Beware! Any magazine over 10 rounds that fits and functions in a semi-automatic firearm is prohibited. This includes magazines that fit and function in semi-automatic firearms that are not defined as “assault firearms.” For example, the Beretta Model 92 pistol is not banned as an “assault firearm.” However, its standard factory magazine holds 15 rounds. The magazine is now contraband.

.22 tube-fed semi-automatic rifles like the Marlin Model 60 and Remington Model 552 are no longer prohibited. After 28 years of prosecuting honest citizens for these type of rifles, the Democrats have finally admitted they were wrong. Think of the lives and families they have destroyed in the process. They still don't really care, because they keep passing new laws creating new victims of New Jersey gun laws.

Of course, no real criminal is going to care about this law or obey it. Only law-abiding citizens will comply and be placed at a disadvantage defending themselves and their families. Governor Murphy and the Democrat controlled legislature has decided that you and your loved one's lives aren't worth more than 10 rounds.

WARNING: New Jersey Retail Dealers can no longer legally sell or transfer any magazine with a capacity over 10 rounds to any civilian. The "Grace" period does not allow for selling them, except to authorized LEO & Military. It is a violation of NJS 2C:39-9h. Also, the 180 day period only applies to magazines the person possessed on or before June 13, 2018, (The day Gov. Murphy signed it into law.)

Do not buy anymore magazines with a capacity over 10 rounds as the grace period will not apply.