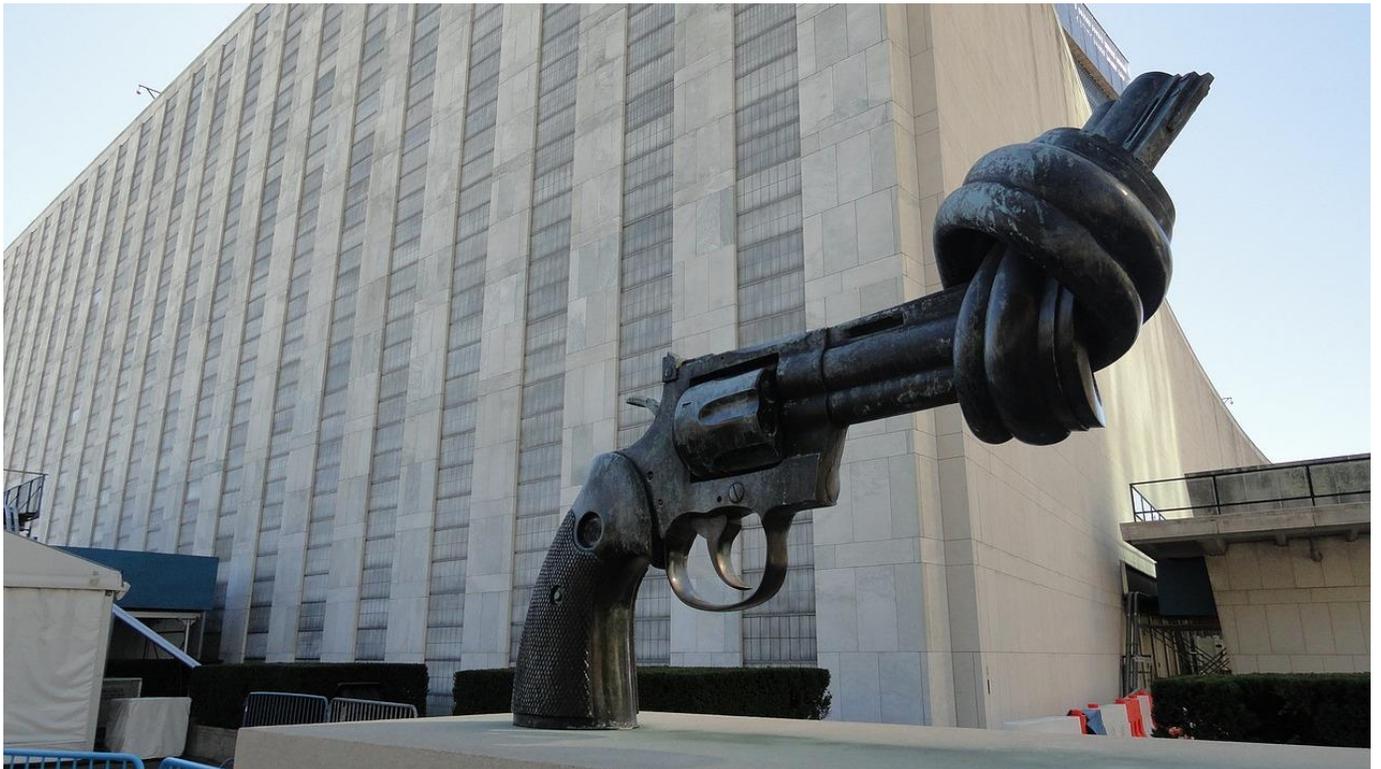


GUN SAFETY & ADVOCACY TOOLKIT



MARCH 19, 2018

HOW TO USE THIS TOOLKIT

The issue of gun reform is not easily resolved, just like healthcare reform, immigration reform, or any other topic that affects all of us yet shines a light on how deep fundamental beliefs will cause a block in open discussion and an unwillingness to think beyond our own personal opinions.

But lost opportunities come with a price, usually tinged with regret. We have a chance right now to show the world and our children that we can work together for their benefit. We cannot let this moment in our nation's reckoning with gun violence become yet another chapter in the pages of history books describing this as another lost cause.

All too often gun reform opponents fall back to the security of the Second Amendment. As you review the information provided within this toolkit, remember that the landmark [DC vs Heller Supreme Court opinion](#) never said that anyone could own whatever gun they want. It specifically stated:

"Like most rights, the right secured by the Second Amendment is not unlimited." The Second Amendment is "not a right to keep and carry any weapon whatsoever in any manner whatsoever and for whatever purpose."

"[N]othing in our opinion should be taken to cast doubt on longstanding prohibitions on the possession of firearms by felons and the mentally ill, or laws forbidding the carrying of firearms in sensitive places such as schools and government buildings, or laws imposing conditions and qualifications on the commercial sale of arms."

We must continue to keep this in mind as we advance the conversation of gun safety reform.

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In this toolkit, we've put together resources to:

- Help you understand the current gun laws in North Carolina,
- Provide opportunities to get involved and make your voice heard,
- Offer suggestions on what common sense gun safety reform can look like.

Determine what makes sense to you, and then reach out to elected officials who need to hear from us.

Change starts with you. Being willing to talk to your friends, neighbors and family about these issues is the most important action step you can make. Share this toolkit and its message broadly!

And follow us for more ways to engage:



GUN LAWS IN North Carolina

Former Gov. McCrory passed [HB562](#) into law August 2015, with highlights outlined in [this post by the NRA Institute for Legislative Action](#).

This [March 2018 summary by Will Doran](#) from the News & Observer provides some excellent background on the current state of gun laws in NC, some of which are highlighted below.

Before 2015, local NC law enforcement officials were allowed to use their discretion in denying someone a National Firearms permit for highly dangerous weapon types – for example, if the applicant had never been convicted of a crime but the county sheriff knew he was a gang member, or if the sheriff simply didn't want any locals owning machine guns.

But that changed after former Gov. Pat McCrory signed a wide-ranging gun bill into law that included several changes, including one *requiring* sheriffs to approve those NFA permit applications as long as the person meets all the guidelines. Most other states give law enforcement more control over the decision.

In addition to machine guns and sawed-off-shotguns, an NFA permit also allows people to buy otherwise illegal gun attachments like silencers and suppressors, or shoulder stocks for pistols.

Some states also have laws outlawing magazines that hold more than a certain number of bullets, but North Carolina does not.

Positive reform can happen when the public places pressure on state legislators, as we just saw in Florida when Gov. Scott [passed a Gun Safety Bill over the protest of NRA](#).

Domestic Violence

[North Carolina is one of only seven states](#) that require judges to force abusers to surrender their guns – if there are allegations of violence or violent threats. Most states just give the judge that option. However, some states also give judges the option to order abusers to surrender guns even in cases that don't involve imminent threats of violence, but North Carolina specifically forbids that.

However, a federal appeals court, in a case known as [U.S. v. Vinson](#), ruled that North Carolina's legal definition of assault is too broad for the federal government to consider as it relates to federal gun restrictions or charges. That means that in some cases, people with a domestic violence-related assault conviction in North Carolina might still pass a federal background check for a gun.

Background Checks

[NC is one of the few states](#) to require background checks for private sales of handguns, although private sales of rifles and shotguns can still happen without background checks. Private sales include everything except buying a gun from a licensed dealer – like making a purchase from someone at a gun show at the fairgrounds, or from a friend or family member.

As for background checks in general, federal law requires background checks on gun purchases through National Instant Criminal Background Check System (NICS). However, the federal government is forbidden from forcing states to send in information. And most mental health records never make it into the system. As of 2016, North Carolina was considered a partial participant in NICS.

The fact that most states don't send in all of their mental health records means that if someone has serious mental issues in one state but then moves to another state and tries to buy a gun, they might not be flagged on a background check.

Concealed Carry

There are clear legal distinctions about the right to carry guns in North Carolina. People can carry openly in some places as long as they can legally own a gun, but no one can carry a concealed gun without a permit.

The concealed carry application process is handled by the sheriff of the county you live in; it consists of a \$90 fee, a background check and a test of basic firearms skills.

Anyone who has gotten a concealed carry permit in any other state can also legally carry concealed in North Carolina. And 36 states – including all the states that border us – recognize concealed carry permits granted here.

Concealed carry isn't allowed everywhere, but since Republicans took control of the General Assembly in 2011 they have been expanding the list of places where people can carry concealed guns.

North Carolinians can now carry guns in bars and restaurants, but only if they don't drink alcohol and the gun remains concealed the whole time. Also, bars and restaurants are allowed to ban weapons.

People can also carry concealed weapons at highway rest stops and public parks, as well as public gatherings like funerals and parades.

Open carry is also allowed in many, but not all, of the same places as concealed carry. For instance, you can carry openly at rest stops – but not at funerals or parades, unless you get permission from local law enforcement first.

In Feb. 2017 the NCGOP tried to pass HB69, to allow [concealed carry without a permit](#), in the places which currently allow open carry. This bill did not pass and remains a misdemeanor for a first offense.

Guns in Schools

It remains illegal to carry guns inside of any school, public or private, unless you're with campus security.

People with a concealed carry license can store guns in their car at all public schools, as well as at private schools that haven't prohibited that.

PENDING REFORM LEGISLATION IN NC

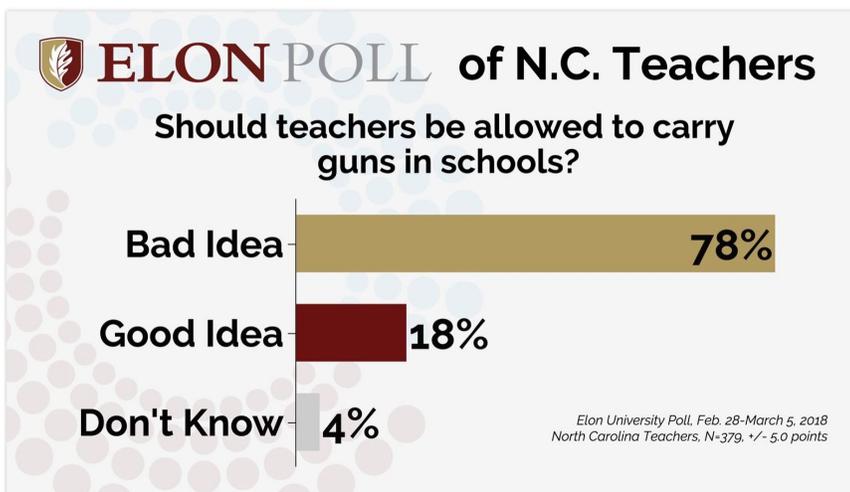
- [House Bill 723](#), an omnibus Gun Safety Act, was introduced in April 2017 by Reps. Harrison, Insko, Fisher and Cunningham, and has remained buried in committee with no opportunity for a vote. It includes reforms such as strengthening the law for safe storage of firearms, amending the reciprocity for concealed handgun permits, strengthening the ability to share information with the National Background Check system, requiring gun owners to obtain liability insurance, and limiting the size of ammo magazines among other things.
- [Senator Jay Chaudhuri has a pending bill](#) to expand the firearm protections against domestic violence perpetrators to civil no contact cases.
- [Rep. Marcia Morey's recent proposal](#) would give judges another tool similar to a domestic violence restraining order to get weapons quickly and temporarily out of the hands of people exhibiting threatening or dangerous behavior.

Under her proposal, anyone such as a teacher, co-worker or acquaintance who has first-hand knowledge of someone in possession of or with access to a firearm behaving in a threatening manner could petition a district court judge for a gun violence restraining order.

NC House Select Committee on School Safety

NC Speaker Tim Moore recently announced the formation of a [House Select Committee on School Safety](#), which will “consult with local governments, school systems and policy experts in a range of fields to address violence prevention, emergency management and security in North Carolina classrooms.”

State Schools Superintendent Mark Johnson announced [he’s against arming teachers](#) and instead wants the state to provide more money to hire additional school resource officers – armed law enforcement officers assigned to work at schools.



It is important to note that there are members on this committee who advocate “[armed volunteers would work in public schools](#)” under agreements between sheriffs’ offices and school boards. They would have the power to arrest anyone while on duty and must meet firearms proficiency standards required of people serving as criminal justice officers”.

Above all, we need to recognize the [harmful racial consequences](#) of potentially arming teachers and/or volunteers while promoting the idea of more guns in our schools.

WHAT CAN YOU DO?

Call and Email: These are the [committee members for the House Select Committee on School Safety](#). Click on the link for each member to see their phone numbers and email addresses in order to contact them with your opinions.

Show Up: It is also important to show up at the committee meetings to hear first hand the nature of the discussion and extent of the consideration given to options. You can sign up to be notified when the committee will meet, and also listen in to the audio stream if you are not able to attend.

Sign Up: Receive [email notification for committee meetings](#). If you cannot attend you can click on the [audio stream link on the NCGA calendar](#) for meetings.



5 STEPS TO COMMON SENSE GUN REFORM

A Stronger NC Guide



AGE RESTRICTIONS

- Raise the age in NC to 21 for all gun purchases.
- Raise the age of possession for all guns to 18.



LICENSING, REGISTRATION, INSURANCE & TRAINING

- Require a license to purchase or own a gun, as well as training requirements
- Require insurance for gun owners which would include requirements for safe storage.



BACKGROUND CHECKS

- Fix the background-check system by doing small things such as giving the F.B.I. ten days, instead of three, to complete them
- Enact a waiting period to purchase gun, to allow for necessary background checks.
- Close the gun show loophole and require all sales to go through the same background checks and permitting processes as they would for handguns.
- Direct the State Bureau of Investigation to review the quality of information being shared with the federal background check system.



PURCHASE LIMITATIONS

- Ban new sales of high-capacity magazines, bump-stocks, semi-automatic weapons and magazines that fire more than ten rounds
- Look at caps on the amount of guns you can buy in a certain time frame.



RESEARCH

- Encourage research on safety mechanisms such as "personalized" guns and gun triggers (fingerprint locks).
- Fund research on gun violence and methods of reducing it.

For more information, visit www.strongernc.org



COMMON SENSE GUN REFORM

The graphic on the left outlines options from Stronger NC for you to consider as you develop your personal interpretation of gun safety reform.

Many of the points we've listed align with [Governor Cooper's recommendations](#). The governor also include the following steps:

- Enact risk protection orders, empowering people, through due process, to temporarily take guns away from individuals who pose a danger to themselves or others.
- Expand Medicare to make mental health care more accessible.
- Increase funding for more school mental health counselors.

Keep in mind the highly-respected [Quinnipiac University Poll](#) reported on February 20, 2018 that Americans support universal background checks for all gun purchases by 97-to-2 percent, a nationwide ban on the sale of assault weapons by 67-to-29 percent, and a mandatory waiting period for all gun purchases by 83-to-14 percent.

This [blog post](#) does an excellent job of outlining why pro-gun advocates almost never argue the merits of specific legislation.

"Their constant tactic is to sidetrack the discussion, talking about the Second Amendment, the technical definition of certain guns, their misperception of what a law does, their bizarre ideas about how other countries' laws work, or proposing an entirely different policy that they claim will solve the problem. So, when you argue with pro-gun people, you must concentrate on steering the conversation back to the specific proposal at hand."

It's important to understand the approach so you can more easily justify gun reforms.

CALLS TO ACTION

Join Moms Demand Action NC

The group has grown from 8 to 25 chapters across North Carolina this year, and provide multiple options for engagement, from just a few minutes a day to several hours a week. Events and contact info are posted on their [Facebook page](#). If you are not on FB, you can email the NC Lead Coordinator at NorthCarolina@MomsChapterLeaders.org to find a chapter near you.

If you are an educator, please [sign this petition to join their campaign](#). We need teachers, principals, professors, deans, school board members, athletic coaches, and all education professionals to help us defeat the gun lobby and keep guns out of our schools and campuses.

Read [here](#) for their position on arming teachers in schools, and check out this [alarming map](#) of 301 school shootings since 2013.

Contact your Representatives

Contact your North Carolina representatives as well as the members of the House Select Committee on School Safety (see link above) with your opinion and recommendation on common sense gun safety reform.

Federal Reforms:

Senator Thom Tillis: (202) 224-6342

Senator Richard Burr: (202) 224-3154

State Reforms:

To find out who represents you in NC, search by your address on these [interactive maps](#). Click on your location and it will take you to your representative's contact page.

You can also look them up by district number. To find out what your district number is, use this search tool by the [NC State Board of Elections](#). As a bonus, you can also find a sample of your upcoming ballot to see which candidates have filed in your district. Contact them and ask for their position on gun safety reform before the primary election on May 8th, 2018.

Other contact listings:

NC House: <http://bit.ly/2CVneDK>

NC Senate: <http://bit.ly/2DamgAn>

Gov. Roy Cooper: 919-814-2000 or <https://governor.nc.gov/contact-governor-cooper>

Attorney General Josh Stein: 919-716-6400 or

<http://www.ncdoj.gov/Home/ContactUs.aspx>