



D.S.S.A. NEWS

DELAWARE STATE SPORTSMEN'S ASSOCIATION
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Last Days of the 147th Delaware General Assembly

As this article is being written, there are only 10 legislative days left in the 147th Delaware General Assembly, and by the time this News Letter reaches you, there will be seven days, or less left within which the anti-gunners can accomplish their anti-freedom goals for this year.

Because this is a very fluid time, with many bills being worked and many others being introduced, this listing will probably be outdated by the time it reached you - but here it is any way.

Below is a brief listing and summary of bills currently pending. Each of these bills may be accessed by going to the DSSA web site: <http://dssa.us> or by going to the Delaware General Assembly's web site and clicking on "Bill Tracking".

SB 137 - Prime Sponsor is Senator Harris McDowell. This is the so-called "Undetectable Gun Bill". This is a gun ban bill and is vigorously opposed by both NRA and DSSA. This bill is vague, arbitrary and capricious and is far more broad than the federal law pertaining to this issue. If passed, this bill would outlaw many currently legal guns, ammunition and magazines. Please ask your legislators to **VOTE NO** on **SB 137**.

HB 98 - This bill was passed in the House and Amended in the Senate. It is the Senate Amendment pertaining to Delaware's gray fox that is opposed by DSSA. This bill, as amended, contains vague and arbitrary language that could adversely affect hunters, trappers and farmers. Please ask your Representatives to **VOTE NO** on **HB 98**, as Amended - ask them to strip the Senate Amendment from the bill.

HB 72 - Prime sponsors are Rep. Mitchell and Sen. Ennis. Having narrowly passed the House, this bill is currently on the "Ready List" in the Senate. This is a sentencing enhancement bill which calls for a one (1) year minimum jail sentence for Carrying a Concealed deadly Weapon Without a Permit to Do So where that weapon is a firearm. This targets those who illegally carry firearms while ignoring those who illegally carry other types of deadly weapons. Because this bill discriminates against firearms and because it is fraught with dangers to the unknowing and the ill-informed, DSSA and NRA oppose this bill. Please ask your Senators to **VOTE NO** on **HB 72**.

HB 67 - Prime sponsor is Rep. D. Scott of Dover. This is a "school gun ban bill" - and would create a real and present danger for our children, making it easier for crazy people, spousal abusers and potential kidnappers to use schools as "safe zones for criminal activity". This is a very bad and very dangerous

bill. Please ask your Representatives and Senators to **VOTE NO** on **HB 67**.

SB 32 - Prime sponsors are Sen. Lavelle and Rep. Briggs-King. This bill pertains to those persons who knowingly give or sell a firearm to a person prohibited. This bill is stalled in the Senate Judiciary Committee.

HB 37 - Prime sponsors are Rep. Hudson and Sen. Lawson. This bill provides enhanced penalties for those convicted of possessing a deadly weapon during the commission of a felony, differentiating for the first time between those who simply possess and those who actually use a weapon. This bill is on the House Ready List.

HB 82 - Prime Sponsors are Rep. Briggs-King and Sen. Cloutier. This bill provides for enhanced penalties for those convicted of using firearms to inflict physical injury or death. This bill is on the House Ready List.

SB 18 - Prime sponsors are Sen. Pettyjohn and Rep. Wilson. This bill addresses those who falsely report the loss or theft of a firearm. This bill is stalled in the Senate Judiciary Committee whose Chair, Sen. Henry, refuses to allow it to come up for a vote in committee.

SB 23 - Prime Sponsors are Sen. Marshall and Rep. Boulden. This bill would repeal municipal pre-emption laws and allow all of Delaware's 57 municipalities (including and especially the City of Wilmington) to write their own anti-gun laws. This bill is currently in Senate committee. Please ask your Senators to **VOTE NO** on **SB 23**.

SB 40 - Prime sponsors Sen. Ennis and Rep. Mitchell. This bill would provide for enhanced penalties for those convicted of possession of a firearm during the commission of a felony. This bill has passed the Senate on a 20-0 (1 absent) vote and is now pending in the House, appearing on the Ready List.

HB 62 - Prime sponsors are Rep. Boulden and Sen. Marshall. This bill would exempt the City of Wilmington from Delaware's pre-emption laws and allow the City of Wilmington to enact Councilwoman Shabazz's plan to register, ban and confiscate firearms currently owned by law-abiding citizens of Wilmington. This bill is currently assigned to the House Administration Committee. Please ask your Senators and Representatives to **VOTE NO** on **HB 62**.

HB 36 - Prime sponsors are Rep. Briggs-King and Sen. Cloutier. This bill would provide for enhanced penalties for those convicted of possession of a firearm by a person prohibited. This bill is currently on the House Ready List.

HB 58 - Prime sponsors are Rep. Mitchell and Sen. Peterson. This bill would ban the manufacture, sale, possession and use of standard capacity magazines for rifles, pistols and shotguns, limiting those firearms to a magazine capacity of no more than

10 rounds. This is a very dangerous bill in that it would limit your ability to defend self and family and make criminals out of otherwise law-abiding gun owners, hunters, competitive shooters and sportsmen. This bill now appears on the House Ready List. Please ask your Senators and representatives to **VOTE NO on HB 58**.

SB 37 - STRICKEN BY SPONSOR - We list this bill because it is expected that AG Biden will eventually offer a replacement for Senator Marshall's original bill which banned a long list of semi-auto rifles, pistols and shotguns, provided for mandatory registration and eventual confiscation of those firearms.

HS1 TO HB 187 - This is a substitute bill introduced to replace the fatally flawed original bill. This bill is an attempt to deal with fraudulent charitable solicitors but goes way too far in doing so and would negatively affect many charitable organizations. This bill in its current form is opposed by NRA and DSSA. Please ask your Representatives and Senators to **VOTE NO on HS1 to HB 187**.

Additional last minute measures: During the final days of every General Assembly, anti-gunners frequently try to slip in new bills attacking the rights of law-abiding hunters, gun owners and collectors. Although we have no indication that any particular anti-gun bill is being seriously contemplated at this time, history has taught us that the last days of every legislative session are the most dangerous times - these are the times when far too many legislators are trying to get their last minute items introduced and onto so-called "consent agendas".

We will be watching and working with pro-gun legislators to protect your rights during these politically dangerous times - but we need your help!

Please call your Senator and your Representative and ask them to be careful - ask them to protect your rights to hunt and to keep and bear arms.

Ask them to confer with the representatives of the NRA and the DSSA who will be present in Legislative Hall BEFORE they sign onto any new bills and BEFORE they vote on any new bills - this is very important - you are part of the process.

Make your voice heard - freedom is not free - we must be vigilant and we must fight for freedom every day - do your part, - Call Your Senator and your Representative today!

Main Differences in the 223 Remington and 5.56 NATO Cartridges

Neal Emery, Hornady Manufacturing

The differences between the 223 Remington and the 5.56 NATO are subtle but important. The first main difference between the two cartridges is that they have different maximum pressure limits. Much of the information easily found online is confusing given that the historical methods of measuring pressure in 223 Remington and 5.56 NATO are different. The military's method for measuring pressure is in a different unit and taken in a different location than the commercial 223 Remington. The 223 Remington has a SAAMI (Sporting Arms and Ammunition Manufacturers Institute) maximum pressure of 55,000 psi while the 5.56 NATO, when measured in a similar

manner, has a 60,000 psi limit. Also, the 5.56 NATO chamber has a longer throat dimension than the 223 Remington.

While the outside dimensions of the two cartridges are the same, they are not totally interchangeable. Firing 223 Remington ammunition in a 5.56 NATO chamber is common. Since the 223 Remington has a lower maximum pressure than the 5.56 NATO it will safely fire, though, some pressure degradation may occur due to the longer throat length. This means that 223 Remington ammunition fired in a 223 Remington chamber will produce somewhat higher velocities than firing 223 Remington ammunition in the longer 5.56 NATO chamber. Accuracy can suffer by having more freebore or "jump" where the bullet travels some distance before engaging the rifling. In general, ammunition with bullets seated closer to the rifling are more accurate than ammunition with bullets seated farther away. One other issue that may rarely occur is a failure to cycle in an MSR (Modern Sporting Rifle) using light for caliber bullets in a 5.56 NATO Chamber due to the pressure loss from the longer throat.

Firing 5.56 NATO ammunition in a 223 Remington chamber is not recommended and can cause serious damage to the firearm and shooter. As previously mentioned, the 5.56 NATO operates at a higher pressure limit and the issue is further magnified when fired in the 223 Remington's chamber with the shorter throat.

An increasing number of match rifles are featuring the 223 Wylde chambering. Like the 5.56 NATO, it incorporates a longer throat, however, freebore diameter is somewhat smaller, 0.2240" compared to the 5.56 NATO's 0.2265". This chambering helps incorporate the accuracy of a 223 Remington while handling the pressures of the 5.56 NATO.

It is important to identify exactly which chamber your rifle has before firing 5.56 NATO ammunition. If it is not obvious from the markings on the barrel, you may want to contact the firearm manufacturer. Keep in mind that on the AR-15 platform, what's written on the lower receiver may not match the upper receiver since that platform is very modular. It is best to look for markings on the barrel itself as to the specific chambering.

First Annual Delaware Firearms Law Seminar

The Delaware Association of Second Amendment Lawyers has announced that the Delaware Commission on Continuing Legal Education has certified the First Annual Delaware Firearms Law Seminar for three (3) hours of CLE credits in Delaware, including one (1) hour of Enhanced Ethics. This first-of-its-kind Continuing Legal Education Seminar will be held on the morning of October 30, 2014 at the Doubletree Hotel in Wilmington.

Topics for this unique CLE seminar will include the following:

- Recent Developments in Second Amendment Jurisprudence at the Federal Level and Related Issues
- Recent Developments in Delaware Law Regarding the Right to Keep and Bear Arms
- Disposition of Firearms Upon Death and the Formation of Gun Trusts

- Procedures for Obtaining a License to Carry Concealed Weapons, Standards for Court Hearings and Appeal Rights - Tips for Lawyering
- Lawyers as Lobbyists - Ethical Obligations

Lawyers, judges and law students interested in obtaining information about this very unique and interesting aspect of Delaware and federal law may contact the Planning Chairs for this event, Thomas D. Shellenberger, Esq., TShellenberger@shellenbergerlaw.com and Francis G. X. Pileggi, Esq., fpileggi@echertseamans.com.

U.S. 3rd Circuit Court of Appeals Reverses and Remands Public Housing Case - Follows Delaware Supreme Court Decision.

As you will remember, on March 18, 2014, the Delaware Supreme Court handed down a landmark decision in **Doe v. Wilmington Housing Authority**. You will also remember that this case began in the Delaware Court of Chancery as an injunctive action in which the plaintiffs were asking for an injunction against WHA's blanket ban on the private ownership of firearms within the homes of the people living in public housing.

That case was then removed to U.S. District Court by the defendants where the Court initially (ERRONEOUSLY) ruled that WHA's rules did not violate Article I Section 20 of Delaware's Constitution. The case was then appealed to the U.S. 3rd Circuit Court of Appeals which then asked the Delaware Supreme Court to answer specific questions of Delaware Constitutional law - which it did.

In a unanimous ruling by all of the Justices sitting en banc, the Delaware Supreme Court held that (1) the right to keep and bear arms is a fundamental right; (2) Delaware is a constitutional "open carry state"; and (3) all of WHA's "gun rules" are unconstitutional as a matter of Delaware constitutional law.

On Friday, June 6, 2014, the U.S. 3rd Circuit Court of Appeals reversed the initial ruling of the U.S. District Court and remanded the matter back to the U.S. District Court for action consistent with the Court's ruling, assessing costs of the appeal against WHA.

Finally, you will remember that the Delaware State Sportsmen's Association, joined by the Bridgeville Rifle & Pistol Club, filed a "friend of the court" brief in the Delaware Supreme Court in which DSSA in support of Ms. Doe, et al, arguing that the Delaware Constitution protects "open carry" in Delaware - and the Delaware Supreme Court agreed.

The opinion of the Delaware Supreme Court in Doe v. WHA, and DSSA's Amicus Brief in support of "open carry" may be found on the DSSA web site - just go to <http://dssa.us>

Cabela's Kicks off Kid's Camp All Summer DSSA to Help with Cabela' "Safe Shooting 101" Class

The new Cabela's store at the Christiana Mall will kick off its "Kid's **Camp**" this summer by hosting events designed specifically to encourage youngsters to become future outdoors men and women and to shift their focus from indoor activities to outdoor adventures. Among the activities will be seminars and/or demonstrations for the entire family. The staff and management of Cabela's has invited DSSA members and their families to join them for this FREE activity! Cabela's "Kids Camp" is recommended for kids 8 to 12

Cabela's will offer these workshops, including:

- June 7th and 8th 10:00-AM 12:00 PM
 - Fishing/Casting 101
 - Basics for fishing
 - Casting techniques
- June 28th and 29th 10:00-AM 12:00 PM
 - Panning for Gold/Metal Detectors
 - Basics on how to use a metal detector
 - Set up area where the kids can use the detector to detect items
 - Set up area where the kids can pan for gold
- July 5th and 6th 10:00-AM 12:00 PM
 - Identifying Animals and Calls
 - Use calls from the store to demonstrate different animals and let the kids try them
 - Use pictures as well as footprint photos
 - Use animal pelts/feathers
- July 27th and 28th 10:00-AM 12:00 PM
 - Archery 101
 - Archery range
 - Coincides with archery weekend
- August 2nd and 3rd 10:00-AM 12:00 PM
 - Safe Shooting 101
 - Utilize the BB Gun range
 - Each kid can also keep their target from the BB gun range

The "Safe Shooting 101 Classes will be presented by the Delaware State Sportsmen's Association utilizing NRA Certified Instructors.

Delaware State Midrange State Championship

The Bridgeville Rifle & Pistol Club hosted the first State Championship Midrange match on May 24th and 25th at the facility in Bridgeville. Midrange rifle matches are one of the growing shooting disciplines in high power rifle competition. The course of fire consists of 20 shots each in the prone position from 300, 500 and 600 yards. There are both conventional (sling) and F-Class categories.

The championship consists of 120 records shots over the two days. The weather was very cooperative and the

competitors enjoyed seasonal temperatures and ample sunshine.

When it was all over, the State Champion in the conventional category was Nathan Sanders from Newark with a score of 1186 x 59 out of a possible 1200 and in the F-Class category, John Sigler of Dover with a score of 1170 x 14 out of a possible 1200. Congratulations to these competitors on a job well done.

On a special note, junior competitor, Jonathan Howell of Bear set two national records. The first was at the 500 yard stage on Saturday. He fired a 199 x 11 which broke the existing record by X count. The other was for the aggregate for the day with a 589 x 30, which broke his own record from last year.

Mid-Range rifle competition is growing throughout the United States, and even at the National Rifle Championships. There is now a Mid-Range Championship portion of the national rifle championships.

FRIENDS OF NRA DINNER

On May 9, 2014, the Delaware Chesapeake Friends of NRA hosted their Annual Spring Dinner at Modern Maturity Center in Dover, DE. When the doors opened at 5:30 P.M., the evening began with lots of games, card games, the Wall of Guns, a dice game, shotshell game and several other games. Also available was the games package, where you buy a pistol case full of tickets for the games and get a chance to win a gun. Altogether, there were between 35 and 40 guns, either won or auctioned during the night.

With 425 people in attendance, at 7:15 P.M. everyone sat down to a fabulous roast beef dinner, with mashed potatoes, green beans, coleslaw, dumpling and more. The Silent Auction closed at 7:45 P.M., with lots of last minute bids placed. Then it was time for the Live Auction. Items included on the Live auction were: NRA dinner bell, NRA Special Edition Red Ryder BB Gun, Joe Foss framed display, Fort McHenry Commemorative Flag set, one of a kind WWII photograph, Delaware NRA License plate #88, autographed Charlie Daniel's guitar, NRA Colt matched set, E R Shaw custom rifle and numerous other items. The drawing was held for the Committee Raffle which was a Heritage Safe with three guns.

It was a great evening, everyone had a good time and we raised over \$36,000.00 for the shooting sports. And remember, 50% of that money stays right here in Delaware. If you would like to enjoy a fun evening, consider a night at the next Delaware Chesapeake Friends of NRA Dinner and Auction on October 9, 2014 at Wild Quail Golf & Country Club.

DUCKS UNLIMITED SHOOT

The Flightline Chapter of Ducks Unlimited held it's 10th Annual Shoot on May 24, 2014. In the past, each year the shoot has been held at Dover Air Force Base, however, due to the difficulty to get on base, this year the venue was changed to Schraders, LLC, 16090 Oakland Road, Henderson, MD. The

attendance doubled for this event. There was a Silent Auction and lots of prizes and cash given away. Everyone had a good time and next year's event is already scheduled for Schraders on May 23, 2015. Come join us for a day of fun and support the ducks.

NRA Opposes Administration's Plan to Broaden Reach of Mental Health-Related Gun Bans

Posted on April 11, 2014

On Monday, NRA filed formal comments in opposition to a plan by the Bureau of Alcohol, Tobacco, Firearms and Explosives (BATFE) to expand the categories of persons prohibited under federal law from acquiring or possessing firearms because of having been "adjudicated as a mental defective" or "committed to a mental institution." The proposal is commonly referred to by its BATFE docket number, 51P.

NRA shares the goal of keeping firearms out of dangerous hands. Its comment notes, however, that existing federal law on this issue casts a wide, undifferentiated net that snares masses of mostly harmless individuals with a much smaller group that may present an increased risk of violence. The comment cites numerous sources that express the nearly universal opinion of mental health professionals that mental illness is not highly correlated with, predictive of, or frequently causally related to violence. It also cites reports from mental health professionals, the FBI, and the Secret Service that acknowledge the futility of creating an accurate "profile" of persons who have no history of violence but present a risk of future harm.

NRA's comment additionally underscores the importance of the rights affected by these lifetime prohibitions, the wide range of state and federal procedures that potentially trigger them, and the difficulty (or outright impossibility) of prohibited persons achieving restoration of rights, even after full recovery. Under existing federal regulations, a person who experienced a temporary reaction to a traumatic event or who has trouble handling household finances may well be treated the same as a violent psychopath. Not only is this unjust and stigmatizing, it creates disincentives for those who need mental health treatment to seek it, increasing whatever risks are associated with untreated mental illness.

NRA's comment explains in detail how 51P would worsen these problems. The proposal, for example, conflicts with federal appellate court precedent, which interprets the antiquated term "mental defective" in a much narrower way than BATFE does. It also disregards cases that recognize the fundamental rights protected by the Second Amendment cannot be abridged without adequate due process. NRA's comment exposes the flaws in the justification BATFE provides for 51P, including the way it cherry picks case law and bits of legislative history that support a broad reading of the federal statute while ignoring other precedent that supports a narrow reading.

Recognizing that scientific knowledge of mental illness has progressed and now undermines the Gun Control Act's broad prohibitions on the mentally ill, NRA urges BATFE to defer action

on the rule and to wait for Congress to reexamine the issue in light of modern medical understanding of the link between mental illness and violence. The comment provides a number of guidelines for statutory reform, including provisions aimed at swifter, more accurate, and readily-accessible diagnosis and treatment of mental illness. It also suggests that individualized risk assessment may be a more effective means of protecting public safety than bans that affect large categories of people.

Finally, NRA's comment offers specific recommendations for regulatory reform under the current statutory scheme. It advocates for more specific due process protections and individualized findings of dangerousness, expanding opportunities for restoration of rights, and interpreting the statutory terms in light of what they meant to the Congress that passed them.

Law Enforcement Officer Safety Act: Off-limit Areas?

By James M. Baranowski, Esq. NRA-ILA

During a recent presentation on LEOSA at the International Law Enforcement Educators and Trainers Association Conference (ILEETA), I addressed the fact that individuals carrying under LEOSA do not qualify for the same exemptions some state permit holders benefit from in terms of carrying concealed firearms in Federal Parks and Gun Free School Zones (GFSZ). The surprised looks and concerns from the audience raised a giant red flag: if the experts out there don't know this, how many others may be unknowingly violating the law?

While LEOSA affords qualified active and retired law enforcement officers the privilege to carry a concealed firearm in all fifty states, the District of Columbia, Puerto Rico, and all other U.S. possessions (except the Canal Zone), it does contain some restrictions.

Explicitly written into the statute are several areas considered off-limits to those carrying under LEOSA, such as restrictions imposed by private persons or entities on their property and those imposed on state or local government property, installations, buildings and parks. What is not included in the statute is where problems may arise.

Per 18 U.S.C. § 930(a) an individual is prohibited from possessing or attempting to possess a firearm in a Federal facility, which is broadly defined in the statute to include "a building or part thereof owned or leased by the Federal Government, where Federal employees are regularly present for the purpose of performing their official duties".

While the ban on possession in Federal facilities appears to be well understood and recognized by those carrying under LEOSA, the exemptions which allow individuals with a state issued permit to carry concealed firearms in Federal park lands and through GFSZ's are not.

The exemptions for these areas (36 C.F.R. §§ 2.4(e) & (h), 18 U.S.C. § 922(q)) allow for individuals carrying concealed in accordance with the laws of the state in which the federal park or GFSZ is located to carry concealed in them*; however, an individual carrying under LEOSA is carrying under FEDERAL LAW

and not in accordance with the laws of the state they are in. What this means is that you are NOT exempted from carrying a concealed firearm in these areas UNLESS you are on official duty or possess a valid and qualifying state issued concealed carry permit.

Don't think this applies to you? Think again. Go check out your local Planning Department's website or take a quick look at San Francisco Planning Department's GFSZ map (www.sf-planning.org/index.aspx?page=2337). Most cities are so laden with GFSZ's that it is virtually impossible to travel anywhere without inadvertently passing through one of them.

So what does this mean for you? While there have been no known prosecutions of individuals violating these laws while carrying under LEOSA (one must assume that professional courtesy and the lack of knowledge on the issue has prevented this) you should always protect yourself by obtaining a state issued concealed carry permit in addition to your LEOSA credentials. Most states have reciprocity laws and agreements which allow for vast recognition of their permits throughout the country and some even allow you to apply as a non-resident.** Bottom line; always be aware of your surroundings, as ignorance is not a defense to the law.

FAQ on the amendments to the Law Enforcement Officers Safety Act

1. *Does the agency who qualifies me need to make a record of the make, model, caliber, or serial number of the firearm I qualify with?*

No. LEOSA does not require the agency to maintain this information. This is a frequent concern given the statute's use of the term "type of firearm." LEOSA authorizes the carrying of a "concealed firearm" of the same "type" the individual receives certification for. As there is no case law interpreting this wording, the word "type" should be read to conform with the dictionary definition; something distinguishable as a variety. Accordingly, "type" of firearm should be read to mean either long gun or hand gun, which would permit you to carry any type of legal long gun or hand gun based on your qualification and not one particular make, model, or caliber. As an action outside of LEOSA requirements, the creation and maintenance of a database may expose the agency to liability, as discussed below.

2. *The agency who qualifies me wants me to shoot their uniformed officer course of fire, rather than an off-duty or back-up course of fire. What does the law require?*

The law is not clear, and only requires an individual to meet the active duty standards for qualification. An individual exercising their rights under LEOSA is not provided with the authority to act as a law enforcement officer, and is simply authorized to carry a concealed firearm based on their status. Accordingly, it would be advisable for agencies to use the off-duty or back-up course of fire. Mandating the use of uniformed standards requires an individual to meet standards designed for law enforcement purposes, while an individual carrying a firearm under LEOSA is not acting as a law enforcement officer, as they are either retired, or out of their jurisdiction.

3. *Do I have to prove each year that I am still eligible to qualify by submitting to a background check, or is the identification card I was provided at separation sufficient?*

No. The identification card is sufficient. As addressed below, some departments are now requiring background checks before issuing identification cards. Such unwarranted over regulation exposes that department to liability. The statute does not require a background check, and when issuing an identification card the agency is only providing certification with regard to one's past employment status; a statement of fact. Any department that requires a background check is creating more than just a statement of one's employment status, which may expose the requesting agency to liability.

4. *Does the agency I retired from, or the agency that qualifies me, have any liability or concerns for qualifying me?*

No, LEOSA places the liability on the individual; however, many agencies are trying to impose unjustified requirements before issuing identification cards or training certification, such as background checks. Identification cards are simply a statement of fact by the agency that the individual is either an active duty or retired law enforcement officer. Requiring additional information to obtain an identification card makes it something more, and by doing so exposes the agency to liability. The same is true for agencies which perform the firearms qualification certification. Any additional procedures required by the agency other than simply meeting their active duty standards creates a situation where the agency is certifying more than the statute requires, and in some cases, the uniformed standards qualification course/test may be seen as providing training in the use of a firearm in a law enforcement role, which may expose them to liability. Remember, LEOSA is a program for CIVILIANS who used to be cops, or cops out of their jurisdiction. LEOSA should be administered like driver's licenses issued by your state; you are just certifying that a standard was met. Your state does the same with a driver's license, showing you met their standard. If you are in a wreck while driving, your state motor vehicle department isn't liable for your actions because you have their driver's license.

5. *The department I retired from will not give me retirement credentials, what can I do?*

This is a question we are encountering far too frequently, and regrettably there is no clear guidance that can be provided. LEOSA does not bestow either an explicit right to obtain the required identification or a federal remedy for a state agency's failure to issue one. Such refusal is foolish policy but it is a political issue, not a legal one.

6. *I am active duty or retired military/DoD police. Does LEOSA apply to me?*

Yes. On January 2nd, 2013 LEOSA was amended to specifically allow for active and "retired" (as defined by LEOSA) military and DoD police and law enforcement officers with UCMJ apprehension authority to qualify for the statute; however, the DoD has not amended its own policy on LEOSA, DODI 5525.12, resulting in an inability for many that are now able to qualify to obtain the requisite photographic identification card. A standard CAC or blue retiree card will not work for LEOSA purposes as the photographic ID must identify the individual as either being

actively or having once been employed as a police or law enforcement officer of the agency.

7. *I have a Concealed Carry Permit/License issued by my state. I am also active/retired law enforcement. Am I allowed to carry in all states?*

No. A state issued concealed carry permit or license is entirely different from the ability to carry a concealed weapon under LEOSA and has no relation to your service as a law enforcement officer. Your state's permit may qualify for reciprocity with other states, but it does not qualify you to carry in all states. Check with the State Police or the State's Attorney General's Office before carrying a concealed firearm in any state exercising reciprocity with the state of your permit/license, as laws change frequently and a state which previously recognized your permit may have changed its law.

8. *I left my agency after serving 11 years and did not retire. Do I qualify for LEOSA?*

Yes. LEOSA previously required retirement after an aggregate of 15 years service as a law enforcement officer. The October, 2010 amendments to the statute changed the requirement for a qualified law enforcement officer to an individual that separated (not necessarily retired) from service as a law enforcement officer after serving an aggregate of 10 years or more. For medical separation/retirement, see below.

9. *I completed my probationary period as a law enforcement officer, but was injured shortly thereafter and separated from the agency due to a service-connected disability. Do I qualify under LEOSA?*

Yes, if your agency determined that you had a service-connected disability and you were separated after completing any applicable probationary period. You must also meet the additional requirements contained in the statute.

10. *I served three years at one agency and seven at another before separating. Do I qualify under LEOSA?*

Yes. As long as your service at both agencies meets the requirements contained within the statute, you will have served an aggregate of 10 years and are considered a qualified retired law enforcement officer under the statute. The problem for you will be obtaining a retired identification card, as your current agency will likely require proof of service from your first agency which they may or may not recognize. See question 4 above regarding the issuance of identification.

11. *My agency will not provide me with the required firearm certification. What can I do?*

You do not need to obtain the certification from your agency. Often, it is far easier to obtain the certification from another agency in the state or a qualified firearms instructor. LEOSA requires that you have, not less than one year before the date you are carrying a concealed firearm, been tested or otherwise found by the state or a certified firearms instructor that is qualified to conduct a firearms qualification test for active duty officers within that state to have met the active duty standards for qualification in firearms training, as established by the state, to carry a firearm of the same type as the concealed firearm. If your state has not established standards, standards set by any law enforcement agency within your state to carry a firearm of the same type as the concealed firearm may be used. For "type," see question #1 above.

COMPETITION CORNER

As the NRA's State Affiliate in Delaware, DSSA serves as the "umbrella" organization for NRA's competitive shooting programs. Aside from sanctioning State Championship Tournaments along with NRA, DSSA does not actually conduct competitive shooting programs for NRA - our constituent clubs do that for us.

In the past, DSSA has attempted to provide a listing of competitive shooting opportunities on a bi-monthly basis. Due to the overwhelming number of competitive shooting events being conducted within the First State by our constituent NRA/DSSA affiliates, DSSA will no longer list those events.

You may, however, refer to the DSSA web site located at <http://dssa.us>, go to "links" and then click on each of the clubs shown, all of which offer NRA competitive shooting opportunities. Or go to the NRA Competitive Shooting digital publication Shooting Sports USA - this is a free on-line publication. Just go to <http://compete.nra.org> and follow the prompts.

- High Power Rifle, Bridgeville Rifle & Pistol Club 2014
- Wilmington Trap Association, 2014 Shooting Events
- Delaware Rifle & Pistol Club 2014 Events
- Brandywine Rod & Gun Events
- Owens Stations Events
- Nanticoke Sportsmen Club
- Delaware State Pistol Club
- Delmarva Sportman Associations Events (Includes SASS Eastern Roundup & Geezer Guns)
- Mid Atlantic – Conventional pistol matches (Bullseye)
 - NJ Pistol (covers NY, NJ, DE, MD, PA)
 - Bullseye Matches (covers VA, MD, PA, NC, SC, GA, OH)

Match Directors please let Dan Lindgergh (Nanadear@verizon.net) know the results of your championship matches so that he can prepare the trophy for the event. If the DSSA web site missed your competition please send the information to Hank Maier (Hank.DSSA@MaierAssociates.Com) for inclusion on the DSSA.US web site.

Delaware State Sportsmen's Association, Inc. Membership Application

Send to: Membership Secretary

Delaware State Sportsmen's Association

P.O. Box 94 Lincoln, DE 19960

Individual Membership (check one)

A. Life \$400 ___ B. Annual \$25 ___ C. Family \$ 40 ___ D. Junior \$ 10 ___ E. Email \$20 ___

Name: _____ NRA Member? _____

Street Address: _____ New DSSA member? _____

City: _____ State: _____ Zip: _____ DSSA Renewal? _____

Phone Number: (_____) _____ Occupation: _____

Email: _____ (PLEASE PRINT CLEARLY)

Family Memberships (Must be part of life or annual member's household.)

_____, _____
_____, _____

I certify that I am not now and never have been a member of any organization which has as any part of its program the attempt to overthrow the government of the United States by force or violence; that I have never been convicted of a crime of violence; that if admitted to membership in the Delaware State Sportsmen's Association, I will fulfill the obligations of good sportsmanship and uphold the Right to Keep and Bear Arms found in the Constitution of my State of Residence and of the United States of America.

**MEMBERSHIP FEES AND DONATIONS,
PLEASE TAKE NOTE:**

Our Organization exists and is sustained by the membership fees and donations we receive annually. Please note that we appreciate and need your support more than ever. Our membership has virtually doubled in the past few months and with this infusion of support DSSA can and plans to move forward in areas and ways we have not been able to do before. We ask that when making donations to DSSA or DFLA that you use a separate check for each organization. This will ensure that the monies will be used as you the member/donator would have us use it. To help in this area, DSSA has set out to allow online payments and registration for membership. As you read this, provisions are being made to facilitate credit card usage in a secure manner to make payments and to donate. THANK YOU

DSSA NEWS

The DSSA NEWS is a bi-monthly publication of the Delaware State Sportsmen's Association. It is distributed to each member as a benefit of membership. Additional copies are provided to elected officials and other NRA state associations. If you would like to contribute to the DSSA NEWS please submit your material to jeff.hague@dssa.us. Questions or concerns may be sent to the same address.

Mail Delivery Option

If you have paid dues at the full rate of \$25.00 per year you may elect to receive your newsletter through the USPS. To make a change please contact DSSA Membership Secretary, William D. Bell at: dabll@comcast.net or 302-245-4822.

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