

Perspectives from Thirty Years of *Gun Talk Radio*

An Interview with Tom Gresham

by Gila Hayes

In the ongoing fight to win back self-defense rights and block new incursions into these basic freedoms, it is easy to think restrictions have never been as extreme as they are today. The eagerness of states, bureaucracies, judges, and others to push through unconstitutional laws is overwhelming. When tempted to give up, it helps to reflect on the history of bad laws reversed, court cases won, and the people who led ordinary citizens in those fights.

Earlier this month, I enjoyed a conversation with Tom Gresham, host and creator of Gun Talk Radio, about 30 years of history of defending the right to own and use firearms. His optimism and commitment are contagious, so let's switch now to interview format and share his views and experiences in his own words. Enjoy a chatty, longer version of our visit at <https://www.youtube.com/watch?v=eMQqkwVkc7s>.

eJournal: Before I met you, Tom, yours was a common byline in gun magazines. Then attacks on gun rights in 1994 propelled you into the bully pulpit that is *Gun Talk Radio* and you've dominated talk radio for armed citizens on AM and FM radio ever since. While you keep us updated on what we really love – guns and shooting – I would be remiss if I didn't acknowledge the way you inspire rank and file, everyday men and women to fight for liberty. What led to your foray into broadcasting?

Gresham: I'd been writing for 20 years and doing TV. I was co-hosting a show on ESPN with my dad, Grits Gresham, called *Chevy Trucks Shooting Sports America*. It was on ESPN, not ESPN 2, and was the first gun show on general media. I found that I liked doing broadcast. Then the opportunity popped up to do radio. I thought, "Well, you know, talk radio is coming along. This fellow Rush Limbaugh is doing not too badly." I figured it would last six, 10, 12 weeks. Now we just hit 30 years; it's amazing.

I remember the time – we didn't have much in the way of Internet, we certainly did not have podcasts and it was even before Fox News. The general media was very much the same as it is right now. We had no mass media way to get out a positive message about guns, gun owners, or the Second Amendment.

A year before we started the radio show in 1995, the Clinton gun ban passed, the so-called assault weapons ban and ban



on standard capacity magazines. Think about all these phrases! You cannot let them define the language. The gun banners have been very good at defining the language. They created "Saturday Night Special," and "assault weapon" and "ghost gun" and "high-capacity magazine." We are fools if we use those terms because the general public hears "assault weapon" and that sounds like a machine gun. They hear "high capacity," well, that sounds like more than you need. We have to be careful how we describe things, because they are very good at controlling the language.

1994 was a low time. Gun control laws were passing left and right. Honestly, are people today thinking now is tough? No, this is glorious time. We've seen tougher times when, even as optimistic as I am, I thought, "This is only going to get worse and will never get better. We are going to eventually lose our gun rights." That's what it felt like 30 years ago.

Now we're winning in the courts. My heavens, we have Donald Trump's second term as president. Who would have imagined that? I don't know what that's going to mean for the Department of Justice and the ATF. We'll see what Pam Bondi really is going to do. We'll see.

This is a long-term, constant fight that will be going for the rest of our lives. There will be ups and downs and there will be disappointments. We're going to get some supreme court decisions that we hate, and we'll think, "My God, how can we recover from this?" But if we have a 10-year or 20-year or 50-year plan, it really helps. You can say, "We took our lumps on this one. What's the next thing we have to do?"

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eJournal: Before getting lost in politics, I'd like to highlight my very favorite thing you do: the Truth Squad. I loved the Truth Squad so much! I wonder if there's a version of it we could put to work again in our pro-liberty grassroots efforts today. What was the Truth Squad? What did it accomplish?

Gresham: Let me back up because there's a part of the story that you don't know. Before we had *Gun Talk* online, I wanted gun owners to get messages to legislators. I was trying to figure out how to get out messages to gun owners. All we had was mail or putting it into a magazine, and magazines had a three-month lead time.

My dad and I came up with this weird idea I call the mayonnaise jar method. I seeded it with \$500 to print prepaid, pre-stamped postcards about particular gun bills that we put on the counters at gun stores. The cards were free; you just filled it out with your congressman's name and wrote, "I oppose this bill. I want you to oppose this bill." It was already stamped, so you just signed your name, and the gun store would mail it. Oh, yeah, that mayonnaise jar? That was for contributions. If you want, drop a buck or \$5 or \$20 in it to help us pay for this. It was as crude as you could imagine, but we got a lot of postcards sent to legislators and we made a difference.

Then along came the radio show and I had this idea to get people to counter the media's anti-gun lies. I've actually caught CNN making up quotes. I found and called the person at the ATF they quoted as having said that assault weapons are used in the majority of crimes and murders. I knew it wasn't true.

He said, "I didn't say that. Not only that, but I've also never talked to anybody at CNN." They made up the interview, all the quotes, everything. The person at the ATF said, "If they had talked to me, I would have told them the exact opposite, that these rifles are rarely used in crime."

I wondered how can we counter that? Before the Internet really got going, we really had no way to do outreach. All we could do was write letters to newspaper editors. I wanted to find two volunteers in each state – a hundred volunteers who would respond to the media's lies. Well, we ended up with 20,000 people who said, "Yeah, count me in. I will do this." We called them the Truth Squad.

Today we're well beyond sending letters to the newspaper editor, but I like your idea that it's time to resurrect the Truth Squad and do something else with it. Today, you can counter media lies even more easily with responses online. We now have [Community Notes on X](#), formerly Twitter. When somebody lies about something, we have the ability to comment, "No, the things that you're saying are simply untrue."

Be disciplined about the way you respond. I remind people that an online conversation is like shouting at each other. You're not

trying to convince the person you're talking to; you're actually using them as a way to speak to all the onlookers.

The more reasonable you appear, the crazier the person who's arguing with you will get; it works like jujitsu. You come back with very reasonable, reasoned things. You don't call them names and they get madder and madder and to onlookers, they look like the crazy person, and you look like the reasonable, rational person. You're the gun owner who's simply saying, "Well, these are actually the stats, and this is actually the information." Let the other side look crazy.

For our Truth Squad now, we could do well just to have our side understand that a reasonable, rational, not mad, not crazy response is the secret sauce. That really is what works.

eJournal: Well put! To your point about providing real statistics, sometimes I freeze up before engaging in arguments, unsure that I know the facts. Am I going to get called out if I mistakenly say it was the Gun Control Act of 1958 instead of 1968? If I make a factual error, am I'm going to look like an idiot? Can I win the argument without a level of specificity that opens me up to making errors?

Gresham: You can, but the information is very much available. It's not hidden. It's easy to find these days. Do a Google search, a search on DuckDuckGo, whatever you use. Go on X formerly Twitter and ask me. I am [@Guntalk](#) on X, so ask me, "Look, somebody said this, what would be the right response?" and I'll say, "Well, look, this is the information."

When somebody says something outrageous, you can start, for instance, by saying, "I can understand how you might believe that, because it's been repeated so often, but the reality is..." and then you do something you'll see the politicians do a lot. I call it the "bump and run." They'll say, "Well, that's a very important point, but..." then switch subjects. We say, "They never actually answered the question." Really, they weren't there to answer the question; they were there to make their point.

Don't get distracted by things like, "If you like guns, you want to see children being murdered." Don't take that bait! Just say, "That's ridiculous, of course. Gun owners are obviously one of the most responsible and law-abiding groups of people out there. People who have concealed carry permits, for instance, commit crimes at a rate of roughly 1 percent of the general population. That's from the Department of Law Enforcement in Florida, where they did the studies. In every state where they pass concealed carry laws, people who get the permits rarely commit violent crimes. It's almost unheard of."

You point out the information, but you start off with, "Well, I can understand how you might feel that way, because that's

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been reported erroneously, unfortunately. Here's the actual information."

eJournal: Great coaching! Going back in time, I'd like to get a sense of the political atmosphere that preceded the launch of *Gun Talk*. The Brady law passed in 1993 and then the Clinton weapon ban in 1994, but the phrase "the assault weapon ban" is repeated so often that it creates the notion that it was the first big incursion. I disagree. Trade-offs to get the Firearms Owner Protection Act put a high cost on private citizens owning silencers and on machine guns in private citizens' hands.

Gresham: Yes, but there are always trade-offs. Politics is about trade-offs. You never get everything you want. Often people say, "The NRA didn't do this; the NRA didn't do that."

I have several responses, "Well, then what did you do? What? Why are you counting on somebody else to do it? Did you contact your congressman, your senator? Did you call them? Did you write letters? Did you go see them when they came to town halls?"

"Well, no, I'm busy." Typical response: "I'm busy. I have a job." Guess what? Everybody's busy. Everybody has a job, and everybody has exactly 24 hours in a day. If you don't show up, you're telling people it's not important. I'm sorry, it is as simple as that. *If you don't show up, you're telling people it's not important.* The world belongs to those who show up.

eJournal: You're a master of behind-the-scenes work with lawmakers. What happens behind the scenes that doesn't make the headlines?

Gresham: You know the saying about watching sausage being made? I watched some experts at the state legislature, and it was educational. In this instance, we had a committee meeting, and the members of the committee were fairly evenly split on how they were going to vote. Our side knew several who were going to vote against us on the gun issue had completely unrelated votes coming up on their own bills. We made sure to have this hearing when the committee on the other bill was going to vote. They had to excuse themselves for five minutes to go to the other room to vote and the moment they left the room, we called the question, and we got our bill passed. That's how the sausage gets made. You can show up at hearings and shout and rant and rave, but the real work has been done before we walk into the room. The decisions have been made.

Who's doing that work? Your state gun rights organization does that work. This gets to the heart of the matter: everybody must belong to and donate to their state gun rights organization. That's where the rubber meets the road. Often, the state gun rights organization can stop bills from coming up at all. They also get the right bills introduced, and get them introduced into

the right committee, because they know how that happens. These are things that I don't know, because I'm not working there all the time, but the people in your state gun rights group knows. That's what they do.

People will say, "I belong to Gun Owners of America or Second Amendment Foundation." That's good; we need to do that, but you've got to take care of your state group, as well.

People will say, "I live in Montana. We don't have that problem." Yes, you do. Trust me. The gun ban lobby is handing bills to legislators in your state to try to get them introduced every single year, and you've got to be vigilant in fighting them. The other thing your state group will do for you is let you know what's going on because none of us can actually know what the politicians are doing all the time.

People will say, "Well, we'll always have the Second Amendment." No, you won't. No, you won't! If you lose public opinion badly enough, you will lose the Second Amendment. I think maybe some people don't fully understand or appreciate that.

eJournal: That suggests not getting fixated on federal laws. At the state level we get red flag laws, magazine capacity restrictions, outright bans on certain kinds of guns, and what's this new Colorado law requiring a training certificate before you can buy a semi-auto? Folks will say, "That's blatantly unconstitutional. That will be overturned," and maybe they're right, but do we labor under that unconstitutional restriction for three, five, 10 years before the supreme court grants certiorari?

Gresham: A lot of the battles have moved to the state level because the gun banners can't get gun control laws through Congress. They used to be able to pass laws in Congress. They can't get those done anymore, so now they're moving into states to get them passed there, state by state by state. They are getting it done! They're actually being successful.

We'd like to say, "The supreme court's going to rule and make all those go away." Maybe they will, maybe they won't. We don't know. We've been trying to get cert granted on the *Snope* case about the ban on semi-automatics and we're trying to get the supreme court to take on *Ocean State Tactical*, too. That's the ban on standard capacity magazines. Seven times in one case, eight times in the other, they have decided to shove it down the road, when they did not grant cert to take the case but did not deny it either. It's in limbo.

We still have to fight the state battles. If they pass bans in the states, and we start challenging them in the courts, it can be seven, eight, nine years, and we don't know what the makeup of the supreme court's going to be then, do we?

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eJournal: No, no, we don't. There's something else we don't know. Imagine a heavy-handed background check requiring long waits to get permission to possess a gun. We don't know who's going to need a gun who won't have that means of defense. Lives are lost under these restrictions. That's really the bottom line.

Gresham: Lives are lost while women in particular are waiting to get the okay. They've decided to buy a gun because their lives are in danger and somebody says, you have to wait 10 days. The woman says, "No, he's coming back tonight to kill me." That's the reality.

eJournal: It's disturbing. You mentioned Trump's return to the presidency. The first Trump election caused a collective sigh of relief and a chance to retrench. This time around, I am not sure that I'm feeling such a profound sense of reprieve. I'm anxious. I'm curious about your take on gun rights for the foreseeable future. Where are the fights going to be?

Gresham: Everywhere. Everywhere is the answer. The fights are going to be everywhere: local, state, and federal. They're going to be in Congress. They're going to be in the courts. They're going to be in the appellate courts. Most certainly, we're going to have more cases going to the supreme court.

I'm feeling cautiously optimistic. We're 50 days into the second Trump presidency right now. He is a different person. I am, weirdly enough, very glad that he did not win re-election the first time because he was not ready for the presidency then. He is much tougher now, much more determined. He now fully understands how much the deep state, including Republicans, stabbed him in the back. The bureaucrats said, we're here to help you and then did everything they could do to sabotage him.

We have a real problem with the media carrying the water for the Democrats. But, you know, now WE are the media – you are the media, I am the media. Every person out there now has a voice. Now, maybe you have three people following you on Facebook or Twitter, but you have three people. You can talk to people. Each of us has a megaphone, some are just larger than others. We have to be smart about how we use those megaphones because when we, the gun-owning public, say things that are stupid, outrageous or frighten the public, we harm our cause. Simple as that.

A lot of times the folks on our side who are saying outrageous things just want somebody to pay attention to them. Don't pay attention to them; don't feed them or give them a platform. Just ignore them. That robs them of their outreach, or if you just can't help yourself and you've got to respond, just give them a very heartfelt, "Well, bless your heart." Then bump and run and move on to make a good point.

You know what we could do more that we don't do enough? Telling the public more about self-defense gun uses. It's a message that doesn't get out. The media doesn't cover it, so the public doesn't know about it and thinks people never use guns to save their own lives or save other people. We now have access to this information much more than we ever did before. We can find the stories, publicize them, put them on Facebook, Twitter, Instagram, and all the others. You can share those stories.

You can set up a [Google Alert](#) to search for self-defense gun uses, then send you links to the stories of people who actually saved themselves and other people. So many people are using guns to save lives, real people, good people, people like you and me. You can start sharing that and the public goes, "Wow, I didn't realize that."

eJournal: That puts a human face on the issue. If you were to write a blueprint, a planning document on how to advance Second Amendment rights, what would it look like?

Gresham: I would like to form a university, an outreach training program for our people to do better media, because our people are not very good at it. This is like someone saying, I'm not a good shot. I'd say, "Okay, in a day, we can make you a good shot," because we know how to teach shooting. There are certain techniques that you can learn.

There are also people who know how to teach you to be good at media, to be good at public speaking, to be good at being interviewed. For instance, the bump and run is a great technique. Somebody's going to ask you a question – typically they'll say, "Well, how do you feel about children getting access to guns?"

It's a gotcha question, right? But if you're prepared for it, you go, "All of us are concerned about that, and it's one of the reasons that we have been working so hard and so successfully to tackle that issue." Boom, go to where you want to go.

All right, here's another technique. You're being interviewed, somebody asks a question, you start answering, and you realize, "I have talked myself into a corner, I need to stop and get out of this." Don't keep pushing forward. Stop in the middle of the sentence. Just stop talking and say, "I'm sorry, I lost my thought. Could you ask me that question again?" Take another swing at it. Make them throw you the pitch again and they'll throw it to you again, and now you'll do a better job the second time. It's a technique like if I'm teaching grip, sights, and trigger. I can teach you how to do all that. I can teach you how to do interviews well, too.

I'm thinking about outreach. Look, the reality is if the needle is straight up on public opinion, if we can move it about two ticks, we win.

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eJournal: Is the margin that tight?

Gresham: It is that tight. The public has a terrible misunderstanding about guns. One of the problems is people on our side don't understand or believe that for millions of people, guns mean crime. Period. For many people, guns mean crime. They think that's the only thing that guns are ever used for because it's the only thing they've ever heard of.

There are smart ways to push back; it is a media play and would take a lot of money, but I would love for us to be able to hire really good advertising agencies and really good PR agencies and perfect our messaging really well. Before the people who were in charge took the money, the NRA could do some of that. Now membership and donations are down by half. As good as Second Amendment Foundation and Firearms Policy Coalition and Gun Owners of America are, none of them are nearly as large or as impressive or effective as the NRA was and can be again.

We need a good, strong NRA, and I think it's coming back. It's going to be up to each person to figure out when to go back. To be kind about this, I'd say, "I'm PO'd, okay?" but at a certain point you've got to get over yourself and your righteous indignation. You've got to say, "How do we win?"

Some of the gun groups – I don't have to name them – love to go, "F-U, F-U, F-U!" and that is not persuasive to the general public, other than convincing them that we are crazy and uncouth people they don't want to have guns. It is effective at getting money but doesn't actually persuade the public. That's the battle to win. When you get public opinion on your side, you win.

eJournal: I'd love to see you as college dean of Media University.

Gresham: Trust me, we would not have on-campus riots. You could complain about the score you got at the match last week, but that's about it.

eJournal: That's a great dream! Meanwhile, let's get active commenting online and using that megaphone to get our message published. That was a great point. What's the bottom line for getting this done?

Gresham: If you're serious about this, if this is an important part of your life, each person has to get up every day and ask, "What am I going to do today?" Not, "What's the NRA going to do or what's Tom going to do or what's Gila going to do." Ask, "What am I going to do today?"

Do just one thing today to help the Second Amendment, to further gun rights, to make people safer with their

guns. Become a firearms instructor, take people shooting, introduce people to the shooting sports. I call it vaccinating people.

If somebody has been to the range and shot and said, "Man, that was fun, I had a good time. Those people are really having fun and they were actually very kind and welcoming and helpful to me," then no one can ever convince that person afterwards that gun owners are evil and fascist and mean and all the other things we get called. They'll say, "Well, that was not my experience."

Several people from the LBGT community have told me in a whisper, "I was told not to hang around with gun people because you know how they are. Then I went to the range, and everybody said, come on out, let's go shooting. Of course, we've known for years you were gay. We don't care. We just don't care. Are you safe with guns? Are you having fun? End of story. Let's go shoot."

The more welcoming we are, the more people we introduce to shooting, the better off we are. That's our secret weapon. Honestly, we forget that shooting is fun. You take somebody out shooting and they hit a target the first time, and they turn around say, "Can I do it some more?" And you go, "Yes, you keep shooting, I'll keep loading. You can shoot all of the ammo I brought. If you're having fun, we're going to make this happen for you." It's great. You have won that person over.

Back to your question, what else can we each do? Make phone calls. I make it a point that when I call my senator's office, they know my voice, so they'll say, "Hi Tom," without me introducing myself, and I'll say, "Hi, just wanted to make sure the senator knows that we got this bill coming up and I would really appreciate it if she would vote against that." I'm always friendly, always appreciative, and always respectful of their time.

There's another thing we can do that's kind of fun if you go about it the right way. We gun owners tend to want to be left alone, we don't join groups, and we don't want to tell people

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what to do. Instead, how about getting together with your shooting buddies and going to city council meetings? Sit in the back and don't say anything. The first time they won't notice, the second time they're going to wonder who you are. It will make them nervous. The third time they're going to ask, "Who are those people back when that your?" and now they know we're watching them. The same goes for school board meetings.

Simply put, the only thing that's truly important to you is what you will spend time on. We all have different amounts of money, but all have the same amount of time. If you won't put in time on it, it's not important to you and you're just blowing smoke. It really is as simple as that. Do we really need to watch more reruns of *Beverly Hillbillies*? I mean, come on, think about it. The most valuable thing is our time. On what will I spend that valuable resource?

eJournal: You inspire me! That's why I listen to *Gun Talk Radio*. I'm rarely near a radio when your show is broadcast, so the podcast really helps. For Network members to share this experience, how do they find out about you?

Gresham: It's really easy. I'm glad you mentioned that because it is a radio show that runs on 270 radio stations around the country and is mostly live, but it then becomes a podcast you can listen to anytime you want. *[grinning]* You can go back and listen to years and years and years' worth. Just look for *Gun Talk* – it's on Spotify and YouTube and iTunes and all the other podcasting platforms. If you don't do podcasts, go to YouTube where we have not only my show, but we also have several others from our studios down in Louisiana with Ryan and KJ and Chris Cerino and all the people there who do a fabulous job.

One thing, you don't get to call in to a podcast. *Gun Talk* is live during the show on Sunday afternoons. If you have a question, a comment, or if you think I'm full of it, that's fine we'll have that conversation. I'll give you the floor, you tell me why and support your argument. Find a station at <https://www.guntalk.com/gun-talk-radio>, tune in, and call us. Tom Talk Gun is the number; it's pretty easy to remember. Tom Talk Gun.

eJournal: What fun! I'm so grateful for 30 years of *Gun Talk*. It's a great mix of topics for gun collectors, shooting from training to plinking and hunting and pro-gun politics. On last weekend's show, you stressed how hunters shouldn't wait to get every-

thing perfect; just take the shot when the cross hairs are on the animal.

Know what? I'm going to hear your voice at some point. Your voice is going to be in my head. I'm going to think, Tom said, just shoot it.

Gresham: How many times have you taught somebody to ignore the wobble on the sights and just keep pressing the trigger. If you try to make it perfect and line everything up and snatch the trigger, you're going to pull it off target. You've taught that to so many people. It's the exact same thing. The enemy of good is an attempt at perfect.

eJournal: A life lesson that applies across the board! Am I going to wait to comment on a fractious issue until I've got the perfect response? No, I'd better just say, "Well, no, in my opinion and my experience, so on and so forth." Defeating hesitation is a great, great life skill.

Gresham: Right! Take the shot is actually a pretty good phrase to use for an awful lot of the things we do in life. Don't put it off, don't procrastinate, make the call, write the letter, get it done. If you didn't do it great today, learn from it, and go do it better tomorrow.

eJournal: So very true. Tom, you inspire me. Thank you so much.

Gresham: It's a pleasure. I so value your friendship and your counsel through all the years.

eJournal: You've definitely given more than you've taken over all these years.

About our guest speaker: Tom Gresham created Gun Talk, the first national radio talk show about guns and gun rights in 1995, and it has grown 270 radio stations and four million downloads of the show annually. Before Gun Talk, Tom became the editor of several outdoor magazines, and eventually joined his father Grits Gresham as co-host of ESPN's Shooting Sports America. From that, Tom began hosting and creating several television series, including the first TV show about self defense with firearms. Learn more at <https://www.guntalk.com/>.



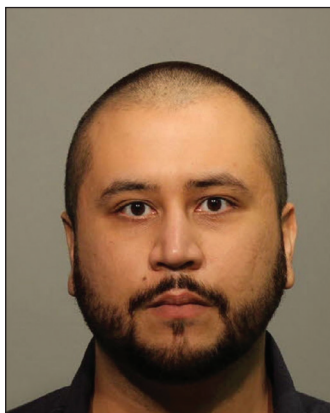
President's Message

by Marty Hayes, J.D.

Have you heard the name George Zimmerman? Of course you have, and I have some news from him to share with you. Over the years, George has attempted to get his story out in print, but no publishers have been willing to take on the project. Shortly after his 2013 acquittal, we became friends when

he came to the Pacific Northwest to give a talk at a legal conference at which I was also speaking. We have stayed in touch ever since.

George has decided to tell his story himself, although he is not a professional writer. Since the mainstream publishing world will not touch the project, he will be publishing the book himself when it is completed. That suggests to me that he is looking at six months



to get the job done. I, for one, am much looking forward to reading his recounting of the story. Furthermore, because I want to see him succeed, I have donated to his fundraiser and I am asking for your assistance, too. This story, from George's own perspective, needs to be spread far and wide to educate our gun owning and carrying community about the REAL world of malicious prosecutions.

For me, there is also a personal side to the project. That a guy like George, who was only defending himself, was both excoriated by the mainstream media and politically prosecuted by the Florida Office of Attorney General is hellish. The man needs to hear that armed citizens all across the country support him. Would you take a few minutes and click Support George M. Zimmerman's Memoir at <https://www.gofundme.com/f/support-george-m-zimmermans-memoir> , read his request for assistance and put in a few bucks? Fundraiser by George Zimmerman: Support George M. Zimmerman's Memoir is

at <https://www.gofundme.com/f/support-george-m-zimmermans-memoir> .

It's NRA Time!

April will be busy, as first I will be traveling to San Antonio for a few days to assist Massad Ayoob in teaching a Deadly Force Instructor course (<https://massadayoobgroup.com/event/deadly-force-instructor-san-antonio-texas/>). If, when I first started teaching 37 years ago, I had been told that I would be working with the pre-eminent authority on armed citizens using firearms in self-defense legally, I never would have believed it. It is a funny way how things turn out in a person's life.

Anyway, that is a glimpse of the first part of my upcoming month. Then, a couple of weeks after I get back, Gila and I, along with Network staff William and Amie, head to Atlanta GA where we will represent the Network in our booth at the 2025 NRA annual convention. It should be a very lively and well attended show, as the meeting after a successful presidential election always is positive and up-beat. To entice you to drop by the booth and say hi, we are bringing a large number of our embroidered logo caps to give away to our members who stop by and say hi. Rumor has it there may even be a few coffee mugs to give away! Please stop by booth #3930. We look forward to visiting with you.



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Attorney Question of the Month

Recently, a Florida sheriff's officer wounded a man during a traffic stop while pulling a legally carried .45 caliber Glock from the man's inside the waistband holster. Florida law imposes no duty to inform law enforcement about weapons one has during police contact, but the motorist had volunteered the detail. <https://www.news4jax.com/news/local/2024/12/14/gun-unexpectedly-fires-while-jso-officer-tries-to-remove-it-from-mans-waist-during-traffic-stop-police-say/>

The episode raised concern, both for residents of states that impose a duty to inform, as well as armed citizens who live where there is no statutory requirement to inform police you are armed. We appreciated the many responses our Affiliated Attorneys sent in, sharing their knowledge and insights on the following questions –

- 1. Does your state law require citizens to tell police they are armed if contacted by law enforcement? What is the penalty for failing to disclose that information?**
- 2. Is that requirement applicable to any in-person contact or is it specific to traffic stops? In cars, does it apply to passengers, as well as drivers?**
- 3. If a citizen is specifically asked by law enforcement if they are armed, is lying a crime in itself? How is this typically punished?**

This is the second installment of this question, owing to the number of responses our Affiliated Attorneys provided.

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For North Carolina and South Carolina (plus federal):

1. North Carolina:

Yes, you must inform law enforcement if you're carrying a concealed firearm. This applies to any in-person interaction with law enforcement, not just traffic stops, and failure to disclose this information is a Class 2 misdemeanor (N.C. Gen. Stat. § 14-415.11(a)). North Carolina allows open carry, so if you're openly carrying, the disclosure requirement does not apply.

In either case, you should not hide or lie about carrying a

firearm, both for safety reasons (as the example scenario highlights) and because providing false information to a law enforcement officer is a Class 2 misdemeanor (N.C. Gen. Stat. § 14-225).

It is prudent for anyone interacting with law enforcement while carrying a firearm (open or concealed) to remain calm, keep the firearm holstered or place it in a visible, safe location (e.g., dashboard), and inform the officer: "I'm carrying a firearm in my [waistband, ankle, etc.]. Would you like me to remove it from the holster?" Avoid any sudden movements or reaching for the firearm until the officer instructs you.

2. South Carolina:

This would have been the same until the Constitutional Carry Law went into effect in March 2024 (HB 3594). Now, individuals aged 18 and older who are not otherwise prohibited from possessing a firearm can carry both openly and concealed without a permit. The previous requirement to notify law enforcement during traffic stops or other interactions has been removed.

However, it remains a crime to lie to a law enforcement officer (S.C. Code Ann. § 16-9-350), and the same prudent approach applies: inform the officer if you're carrying and avoid sudden movements, as outlined above for North Carolina.

3. Federal:

Given the numerous military installations and National Park Service-managed sites across the Carolinas, it's worth noting federal requirements. If a federal law enforcement officer (e.g., FBI, ATF, DEA) stops you, there is no specific requirement to inform them that you're carrying a firearm. However, lying is a federal crime under 18 U.S.C. § 1001, punishable by fines and up to five (5) years in prison. Again, remaining calm and avoiding sudden movements is advised.

For civilians entering military installations, firearms are prohibited under 18 U.S.C. § 930, and military police (MPs) will typically require you to surrender the firearm at the gate or leave it off base. It's best to check base-specific policies in advance or leave your firearm at home if possible, as carrying on base without authorization can lead to federal charges.

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California law does not require gun owners to tell police they are armed during a traffic stop or any other encounter. While the state has a "no duty to inform" policy, some local jurisdictions may have their own rules regarding informing officers about

[Continued next page]

firearms. If an officer asks, and you are carrying a concealed firearm with a valid CCW permit, you must show it. There is no penalty for choosing not to disclose a legally carried firearm unless specifically asked. But if you're carrying a concealed gun without a permit, that's illegal under Penal Code 25400, which can result in misdemeanor or felony charges. This applies to both drivers and passengers in a vehicle.

Lying to law enforcement about having a firearm is a crime. Under Penal Code 148(a)(1), providing false information to an officer is a misdemeanor, punishable by up to one year in jail and a \$1,000 fine. If the firearm is unlawfully possessed, additional charges could follow, including felonies. While California doesn't require voluntary disclosure, being truthful when asked is crucial to avoid unnecessary legal trouble.

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Not required in Oregon for drivers or passengers, but would be well-advised to do so to avoid any confusion which could result in serious injury. Better to be cautious than in the mortuary.

Lying about possession is not a crime to local or state law enforcement, but may be a crime to lie to a federal agent depending on the circumstances. It can be unclear in some circumstances if a local or state law enforcement agent is cross deputized with a federal task force. It is generally inadvisable to lie, but better to remain silent and invoke the right to counsel.

As every situation is context specific, this message is for informational purposes only and it is best practice to invoke the right to silence and counsel, remain silent, and then speak with a lawyer.

- 1. Does your state law require citizens to tell police they are armed if contacted by law enforcement? What is the penalty for failing to disclose that information?**
- 2. Is that requirement applicable to any in-person contact or is it specific to traffic stops? In cars, does it apply to passengers, as well as drivers?**
- 3. If a citizen is specifically asked by law enforcement if they are armed, is lying a crime in itself? How is this typically punished?**

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Does your state law require citizens to tell police they are armed if contacted by law enforcement? What is the penalty for failing to disclose that information?

Only in a traffic stop, investigative detention or arrest of a person who does NOT have a concealed handgun permit. Penalty is a civil violation – max. 100 dollar fine. See 25 MRSA 2003-A. Permit holders must have and display a permit upon request of a law enforcement officer.

Is that requirement applicable to any in-person contact or is it specific to traffic stops? In cars, does it apply to passengers, as well as drivers?

See above – the implication is “yes,” though not expressly stated. “When an individual who is carrying a concealed handgun pursuant to the authority of this chapter and who does not have a valid permit to carry a concealed handgun that has been issued as provided in this chapter first comes into contact with any law enforcement officer of this State or its political subdivisions or a federal law enforcement officer during the course of any arrest, detainment or routine traffic stop, that individual shall immediately inform that law enforcement officer of the fact that the individual is carrying a concealed handgun.”

If a citizen is specifically asked by law enforcement if they are armed, is lying a crime in itself? How is this typically punished?

In Maine, lying to the police is not a separate crime. Lying in a permit application is a misdemeanor.

Thank you, affiliated attorneys, for sharing your experience and knowledge. Members, please return next month when we have a new question for discussion by our affiliated attorneys.

Book Review

Surviving Survival:

The Art and Science of Resilience

By Laurence Gonzales
Paperback – October 14, 2013
W. W. Norton & Co., ISBN 978-0393346633
\$15.25 272 pages paperback; eBook \$9.99

Reviewed by Gila Hayes

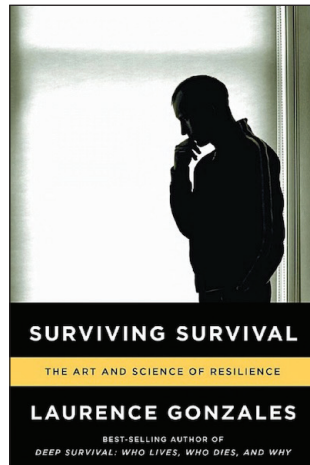
From the time about 15 years ago that I read Laurence Gonzales' book *Deep Survival*, I have been a fan of this author. This month, I read his book *Surviving Survival* about the psychological aftereffects of a nearly life-ending event. One element of his writing that I have always appreciated is the stories of incredible feats of survival based on that author's interviews with those involved. This book continued that engaging style, but does not fall short in the instructional component, either.

Toward the end of *Surviving Survival*, Gonzales observes that his previous book, *Deep Survival*, told the stories of brief periods in people's lives in which they "had to muster all their resources to live through a specific, isolated event." This book, written over a decade later, caused him to view "journeys through survival, like moving through the swell of waves, some towering, some small. There is no resting place. Things are not settled until death. There is only the question of whether we will have the depth and poise, the grace, to sail through the next storm."

Gonzalez learned from the survivors he wrote about that just holding on to life was not enough. Some were emotionally incapacitated to the extent that they were unable to return to the lives they led before their near-death experience. He profiled a sailor named Debbie who survived five days cast drift at sea after a boating accident. That work led Gonzalez to "began to wonder what determined who did well after survival and why. I wanted to know what natural systems in our brains could make us respond the way Debbie had and what we could do to get on with our lives. Some people are innately more resilient than others in the wake of catastrophe. But we can also take steps to help ourselves," he writes.

Gonzales observes, "If the bad news is that most people will experience trauma, the good news is that the majority are able to go on with their lives." He quotes Richard Tedeschi, a professor of psychology at the University of North Carolina, who found, "that most people return to normal within two years after trauma. James Pennebaker, a social psychologist at the University of Texas," he continues, "called this fact 'one of the best-kept secrets in the mental health world.' But the quality of life during those two years can be drastically different if you employ sound strategies for moving forward," he adds.

Surviving Survival combines attributed scientific findings like the experts quoted in the foregoing paragraph, interviews, letters, and stories told by survivors themselves, and Gonzales' own conclusions. The cases studied range from World War II survivors, survivors of current wars, outdoor sports gone wrong, domestic violence survivors, a parent whose child died



and others. Men and women of all ages are profiled, as are the experts who study what happens in the brain that makes it so difficult to go on after the physical injuries have healed.

From their experiences he outlines the brain function that helps humans survive deadly dangers, but also that creates extreme anxiety, intrusive memories, and inability to function after a traumatic event. The chapters are too complex to detail in this short review, and, in fact, *Surviving Survival* consumed most of my reading time during the month of March. It was time well spent.

I was drawn into Gonzales chapters about activities that calmed the survivors' anxiety attacks and reorganized their view of the world. The many points he makes in the book are too numerous to fully review here, but I was particularly fascinated by his description how repetitive or patterned behaviors, ranging from long walks, to knitting, to learning a new language, gardening, drumming, or rituals helped survivors conquer overwhelming grief, whether for loss of a loved one or the loss of their former selves as a result of the trauma. He suggests that recovery is ongoing, and likely never entirely complete.

A repeating theme throughout *Surviving Survival* is the value to the recovering victim of helping others. Leon Weliczker Wells, a survivor of the Holocaust exemplifies "one of the primary tasks of the survivor: He made himself useful," Gonzales writes. The lives of many Nazi concentration camp survivors were "marked by an active compassion for others," he quotes. He describes not being destroyed by memories of unthinkable evil as "writing over those memories in bolder script."

People are naturally resilient, Gonzalez concludes, quoting Boston psychiatrist George Vaillant who warns against "immature defenses" including blaming others, passive aggression, dissociation, also known as denial, acting out like drinking, fighting, or compulsive gambling, taking leave of reality by focusing on a fantasy escape, and hypochondriasis as a way to avoid dealing with life.

On the positive side, he identified primary coping mechanisms, including something common to World War II survivors who turned nearly obsessively to hard work – today we might call them workaholics – to forget the terrible memories from the war. Gonzales tells the stories of several survivors from that generation. Other characteristics common to survivors that he profiles include regaining the belief that they control what happens to them, rechanneling their energy and anxiety into calming and healing activities, practicing gratitude, determination, and other behaviors the men and women he studied learned and put to work in their recovery.

Few of us, we hope, will suffer the cataclysmic tragedies the subjects of *Surviving Survival* did, but trauma from smaller hurts like deaths of loved ones and, as Gonzales terms it, other "blows life can hand out" are also alleviated by the coping mechanisms he writes about. These engage portions of the human brain that solve problems and so help the sufferer to overcome the reactions to trauma. "Planning and doing engender seeking and safety pathways in the brain and can help prevent the anxiety disorders of the rage pathway from overwhelming you," he urges.



Editor's Notebook

Back to the NRA?

by Gila Hayes

We love meeting and chatting with our members! As a result, even through the darkest years, the Network has rented exhibit space and attended the National Rifle Association Annual Meetings and Exhibits. With the tremendous amount

of energy that's been put into electing a reform-focused board of directors, we will again this year be part of the Annual Meeting this spring.

Please plan to come by and visit with us at the Georgia World Congress Center in Atlanta on April 25, 26 and 27. Marty, William, Amie and I will be in Booth 3930 in Hall B, right behind the Glock booth. For more details, see <https://www.nraam.org/events/>. We are optimistic that the Atlanta meeting will be better attended than last year's in Dallas, when absences to protest against the leadership of the NRA reduced participation to a mere trickle. What's different this year? What's different is the great need for armed citizenry to coalesce back into a powerful force to teach gun safety and protect the right to have guns for self defense.

In this month's lead interview Tom Gresham stressed the need for a strong, functional NRA to stand up to attacks against self-defense rights and gun restrictions. His comments are timely, for several reasons.

In just a few days, April 6, voting for the new slate of directors of the National Rifle Association closes. Reform candidates have dubbed what they envision as a resurrected NRA as NRA 2.0. NRA life members or armed citizens who have continuously maintained membership in the NRA despite the ugliness of the preceding years are eligible to vote. The power to claw back control of what was once the strongest gun lobby to ever influence American politics, to say nothing of nationally-recognized NRA firearms training classes and other benefits with which Americans were previously blessed, rests on the remaining members.

That money and time were wasted over the past decade is indisputable. The question now is how to move forward. The NRA Annual Meeting and Exhibits we attended in Dallas in

mid-May of 2024 was sparsely attended, despite the first step toward change, the ousting of the old Executive Vice President and CEO four months earlier. Recovery is never immediate.

The NRA's recovery is essential, as expressed by Gresham in our longer interview. Since we discussed so many other topics let me excerpt his comments for your consideration, as you ask yourself, is it time to go back to the National Rifle Association? Yes, he says, if nothing else for the power to do professional media influencing – like the anti-freedom, anti-gun groups do. They are a powerful influence due in large part to their media presence.

Click the photo below or browse to <https://www.youtube.com/watch?v=kWz88C4H0gY&t=8s> to listen to this excerpt from his longer interview and consider Tom's reasoning. Those sentiments are best expressed in his own voice, but for those without video streaming access, we'll also transcribe his vision of how to counter Bloomberg/Everytown, Giffords, et al, which, in his words, "hire really good advertising agencies and really good PR agencies and perfect the messaging really well. I would



love for us to be able to do that.

"You know, it used to be the NRA could do some of that. The organization simply got raped by the people who were in charge and took the money and membership is down by half and the donations are down by half. That's got to come back because look, as good as Second Amendment Foundation and Firearms Policy Coalition and Gun Owners

of America and these groups are, none of them are nearly as large or as impressive or effective as the NRA has been and can be again.

"We all need a good, strong NRA, and I think it's coming back. It's going to be up to each person to figure out when he or she says, 'Okay, I'll come back in now. You guys really irritated me.'

"I'm going to be kind about this. I'm PO'd, okay? But at a certain point you got to go, 'Okay, I'm going to get over myself and my righteous indignation.' It makes me feel good to be angry. By the way, it does. People love to feel angry about things, but at certain point you got to say, 'How do we win?'"

Is it time to go back to the NRA? We think it is. Will you join us there?

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In addition, material presented in our opinion columns is entirely the opinion of the bylined author and is intended to provoke thought and discussion among readers.

To submit letters and comments about content in the eJournal, please contact editor Gila Hayes by e-mail sent to editor@armedcitizensnetwork.org.

The Armed Citizens' Legal Defense Network, Inc. receives its direction from these corporate officers:

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