

2012

ANNUAL
REPORT



LAW CENTER TO
PREVENT GUN VIOLENCE

BECAUSE SMART GUN LAWS SAVE LIVES

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A Message From Our Executive Director and Board President

Year In Review

What a year 2012 has been! As an organization on the brink of marking two decades of advocating smart gun laws, we are proud to share our accomplishments in a year of expansive change and thoughtful growth. On behalf of our Board of Directors and staff, we extend our deepest appreciation for the immense support of our community. As a leader in the movement to prevent gun violence, we look forward to a bright future ahead as the nation recognizes that **smart gun laws can and do save lives.**

Sincerely,



Robyn Thomas
EXECUTIVE DIRECTOR



William I. Edlund
PRESIDENT,
BOARD OF DIRECTORS



2012 was a year of significant change. Our Board of Directors and staff brought two years of strategic evaluation to completion with the adoption of a comprehensive new communications plan and a new name: the Law Center to Prevent Gun Violence (formerly Legal Community Against Violence). These changes allowed us to provide our in-depth research and analysis on the epidemic of gun violence to a substantially larger audience through our new website and updated social media platforms.

These improvements couldn't have come at a better time.

As the number of high profile mass shootings continued to escalate throughout the year, we leveraged our new communications strategy to meet the growing demand by the media to connect the public with much needed information, research, and analysis on our nation's gun laws. At the same time, our legal team continued to focus on our core program areas: evaluating and drafting gun legislation, tracking Second Amendment litigation, and providing educational resources to the public. Over the course of 2012, the Law Center's staff became increasingly involved in drafting legislation and assisting in the defense of existing regulations in the courts at the state and local levels. This work and our newly established communications platform positioned us perfectly to broadcast our in-depth legal expertise when the media's attention turned to gun violence prevention, particularly after the tragedies in Aurora, Colorado and Newtown, Connecticut.

We are so excited to share these organizational changes and programmatic successes, and we are even more proud to see the successful implementation of policies to prevent gun violence which we helped create and wholeheartedly support.

TOP RIGHT: Board Member and Founder's Circle Member John R. Heisse.

RIGHT: Director of Development Cari Napoles and long-time supporter Helen Hilton Raiser at the 19th Anniversary Dinner.

LEFT: Executive Director Robyn Thomas with Board President William I. Edlund, Iris Edlund, and Ryder Thomas.



Evaluating & Drafting Gun Legislation

In 2012 our legal team continued to support the gun violence prevention movement through our work analyzing all state firearm-related legislation, tracking over 1,000 state-level bills, and responding to 66 requests for assistance from legislators and activists working in states across the country. We also supplied analysis and information to activists who helped defeat legislation that would have allowed gun possession on campus in 15 states, and to activists who helped defeat legislation that would have allowed for the carrying of concealed weapons without a permit in 10 states. From that work, only two states succeeded in actually adopting legislation that allows for guns on campus (Mississippi and Wisconsin) and only one enacted a no-permit law (Wyoming).

California continued to lead the country in adopting smart and effective gun regulations with the support of our legal team's expertise. We drafted and co-sponsored legislation to require the reporting of lost or stolen firearms, and provided expertise on bills to ban the open carry of long guns, to keep guns out of the hands of domestic abusers, and to strengthen our state's assault weapons ban. Staff attorneys testified in support of five bills, two of which were signed into law. Additionally, we helped defeat several bills that would have weakened the state's regulation of the concealed carry of handguns.

We also deepened our long-standing commitment to provide legal expertise and support to cities and counties, particularly in California. In 2012, we worked with many local jurisdictions in California, including Pinole, San Francisco, Sacramento, and Oakland, as they considered adopting new ordinances to reduce gun violence on their streets. The free support we provide—unavailable elsewhere—served as a valuable resource to these municipalities.



Tracking Second Amendment Litigation

The Law Center's Brief Bank Project, our innovative system for tracking Second Amendment litigation that provides government attorneys with resources to defend state and local gun law, entered its third year. In addition to tracking existing lawsuits, we followed the development of dozens of new cases filed across the country challenging existing gun regulations. Through 2012, we tracked and analyzed over 200 Second Amendment cases and provided our post-*Heller* litigation tracking summary regularly to city, county, and state attorneys.

We continued our vigorous support of jurisdictions defending common sense gun regulations from Second Amendment challenges, almost doubling the number of *amicus curiae* briefs we filed in 2011. We filed seven amicus briefs in actions across the country, including in cases pending before the U.S. Court of Appeals for the Ninth Circuit and the Illinois Supreme Court. We also filed an amicus brief, joined by the American Public Health Association and other public health groups, in support of an action challenging a Florida law prohibiting doctors from asking their patients about gun ownership and counseling them about gun safety.

In addition, the Law Center hosted our one-of-a-kind Second Amendment Litigation and Jurisprudence Conference for over sixty attorneys from across the country, bringing them together to discuss relevant pending cases and recent decisions.



LEFT: Supporters gather at the *Too Many Victims Vigil* in remembrance of the one year anniversary of the shooting in Tuscon, AZ.

CENTER: An attendee at the *19th Anniversary Dinner* reads our publication on the Second Amendment.

RIGHT: Families from around the Bay Area gathered to participate in the *Too Many Victims Vigil*.

Educating the Public on Solutions to Gun Violence

In July, we launched our new website, smartgunlaws.org. In an effort to target a broader audience and better educate the public, we introduced several new communications channels, including Facebook and Twitter, and shifted to more contemporary graphics for our email, online, and print communications. We also continued to share and introduce new publications to serve the media and the public, including:

- **THE SECOND AMENDMENT BATTLEGROUND: VICTORIES IN THE COURTS AND WHY THEY MATTER, AND**
- **GUN LAWS MATTER 2012: UNDERSTANDING THE LINK BETWEEN WEAK LAWS AND GUN VIOLENCE.**

Following the tragedy in Newtown, Connecticut, the Law Center also produced a package of fact sheets that described a variety of gun policies and why they matter. The fact sheets addressed particular policy issues, from universal background checks to relevant federal bills being considered for adoption, including the 2013 Assault Weapon Ban.

In addition to our publications and reports, we continued to educate the public by organizing free events and contributing to panels both locally and nationally. In October, we produced a panel discussion entitled *Truth Telling: The Media's Role in the Conversation on Guns*, bringing together journalists from a variety of national publications to discuss how gun violence is reported in the media. We also partnered with the Commonwealth Club of California by contributing to an educational seminar on gun violence and mental health, and participated in a panel with *The Oakland Tribune* and the Robert C. Maynard Institute for Journalism Education where we discussed how guns fall into the hands of criminals in urban communities.

Finally, our legal team vastly increased its response to requests from the media for fact-based information about America's gun laws. We responded to hundreds of requests from the media and were cited in over 300 news articles. Overall, these educational materials and events brought our information—research and analysis that is unavailable elsewhere—to the general public through a variety of contemporary avenues and helped promote legal solutions to gun violence in communities across the country.

The Law Center produced a series of fact sheets on major policy topics to help inform individuals and the media on the legal and social ramifications of gun violence and the importance of gun safety legislation. Below is a sampling of factual information from these resources.

WHY AMERICA NEEDS TO MAKE GUN TRAFFICKING A FEDERAL CRIME



Every year, tens of thousands of guns find their way into the hands of criminals through illegal trafficking channels. However, there is no clear and effective statute that makes gun trafficking a federal crime, making it extremely difficult for law enforcement to prosecute, shut down trafficking networks, and keep illegal guns off our streets. We can prevent guns from falling into the hands of criminals by giving law enforcement the tools they need to shut down gun trafficking networks with strong penalties for straw purchasers.

WHY LARGE CAPACITY AMMUNITION MAGAZINES DON'T BELONG IN OUR COMMUNITIES



During the federal assault weapons ban, the Virginia State Police saw a clear decline in the percentage of crime guns with large capacity magazines, reaching a low of 10% in 2004. After Congress failed to renew the ban that percentage steadily climbed; by 2010, nearly 22% of crime guns in Virginia had large capacity magazines. We can protect our public spaces from those intent upon committing mass murders by removing large capacity magazines from our communities.

WHY AMERICA NEEDS BACKGROUND CHECKS ON AMMUNITION SALES



While America's federal gun laws are weak, laws regulating the sale of ammunition are virtually non-existent. The absence of strong ammunition regulation means that online ammo purchases can be both unlimited in quantity and virtually anonymous. Today, ammo sellers don't have to be licensed and aren't required to maintain sales records. Purchasers aren't required to have a permit or pass a background check.

Success Stories

Throughout the year, courts and law makers across the country continually found that smart gun laws make our communities safer. Below are some of the major successes of 2012 due, in part, to our deep partnerships and collaborations.



JANUARY

NO GUNS PERMITTED IN UNIVERSITY OF IDAHO CAMPUS HOUSING

In *Tribble v. State Bd. of Educ.*, a law student at the University of Idaho sued the University and the State Board of Education arguing that a provision in his housing agreement that prohibited him from possessing a firearm in his dormitory was a violation of his Second Amendment rights. A state court ruled that the provision did not infringe upon the student's rights and judged that the University's "important interest of ensuring that the University campus remains a safe educational and learning environment" outweighed the student's interest in having a gun. While the gun lobby reacted by pushing legislation which would restrict universities from prohibiting guns on their campuses, the University of Idaho remained committed to maintaining a safe environment for their students, faculty, and staff.



JUNE

NEVADA'S HIGHEST COURT UPHELD STATE LAW PROHIBITING FELONS FROM POSSESSING GUNS

A convicted felon in Nevada argued that the state law that prohibited felons from possessing firearms violated the Second Amendment in *Pohlbel v. Nevada*. The Nevada Supreme Court upheld the constitutionality of the law, which explained convicted felons do not have Second Amendment rights and therefore the law prohibiting them from possessing firearms was not in violation of the right to bear arms.

SEPTEMBER

NEW CALIFORNIA LAW PROHIBITS OPEN CARRY OF FIREARMS AND PROTECTS DOMESTIC VIOLENCE VICTIMS

California Governor Jerry Brown signed two new measures to improve state laws to protect Californians from gun violence. He signed **AB 1527**, which prohibits the open carrying of unloaded rifles and shotguns in public, and **SB 1433** which helps to disarm domestic abusers.

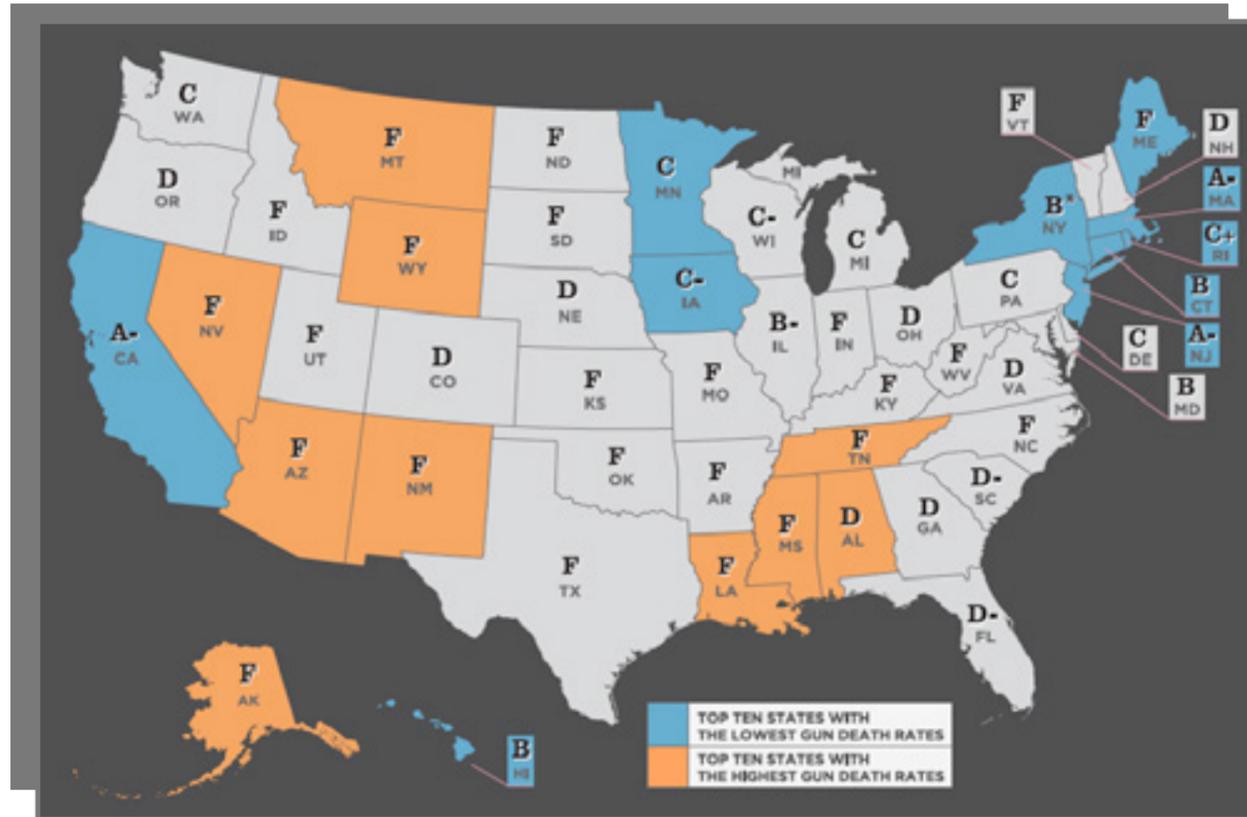


NOVEMBER

FEDERAL APPEALS COURT UPHELD NEW YORK'S CONCEALED HANDGUN LICENSING LAW

The U.S. Court of Appeals for the Second Circuit upheld a New York state law, which requires concealed carry applicants to show "a special need for protection" before a permit is granted. In *Kachalsky v. Cacace*, the court found that the law was consistent with gun regulation that has existed since the nation's founding, and showed that gun laws which aid crime prevention and public safety are not at odds with the Second Amendment.

We produced a series of in-depth resources to help inform the media and other gun violence prevention groups on our nation's gun laws. This research has remained crucial in building support for strengthening gun policy nationwide. In our 2012 edition of *Gun Laws Matter*, we found that strong gun laws are clearly associated with lower rates of gun violence.



GUN LAWS MATTER

Understanding the Link Between Weak Gun Laws and Gun Violence

In our 2012 edition of *Gun Laws Matter*, we ranked all 50 states based on 29 policy approaches to regulating firearms and ammunition. States received points for having smart laws in each policy area, with stronger laws receiving more points. For example, states were awarded points if they have laws that:

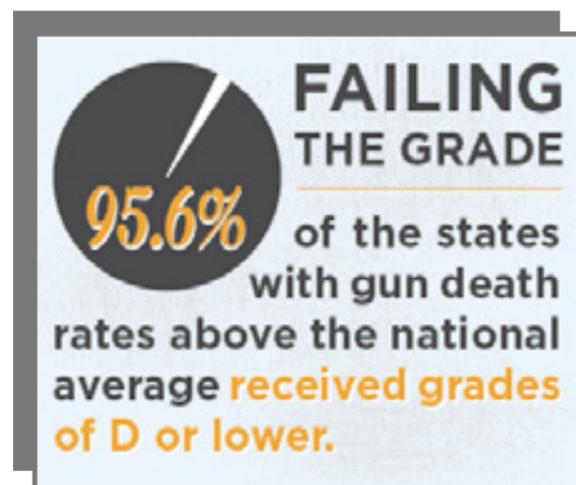
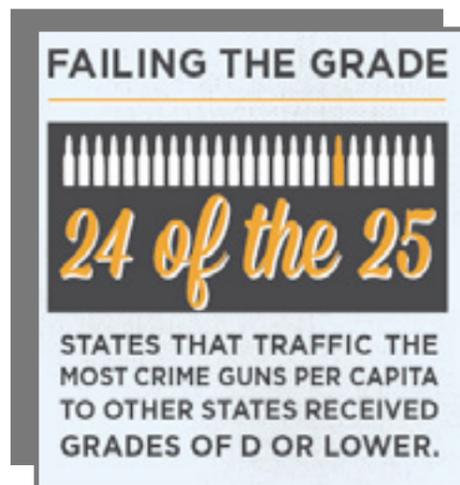
- **Require background checks on all firearm sales;**
- **Prohibit the sale of assault weapons and large capacity ammunition magazines; and,**
- **Require law enforcement to evaluate an applicant's alleged need before issuing a concealed handgun license.**

States lost points for having irresponsible measures that increase the likelihood of gun violence. These measures include:

- **“Shoot First” laws, because they can prevent law enforcement from prosecuting shooters in public places;**
- **“Firearms Freedom Act” laws which declare that federal gun laws do not apply to firearms manufactured and sold within state borders; and,**
- **Laws that prevent doctors from informing their patients about the health risks associated with firearm ownership.**

Ultimately every state was awarded a letter grade indicating the overall strength or weakness of its existing gun laws.

Our report concluded that *gun laws really do matter*. Many of the states with the strongest gun laws also have the lowest gun death rates nationwide. Conversely, many states with the weakest gun laws have the highest gun death rates. While more research is needed to determine the precise relationship between state gun laws and gun death rates, the data supports the common sense conclusion that gun laws are a significant factor in a state's rate of gun deaths.



Our 2012 report, *The Second Amendment Battleground*, provided essential information to the legal community, to the press, and to the public about the high-stakes legal battles taking place across the country. As the publication described, smart gun laws are not just constitutional, they are critical for reducing gun violence in our communities.



THE SECOND AMENDMENT BATTLEGROUND

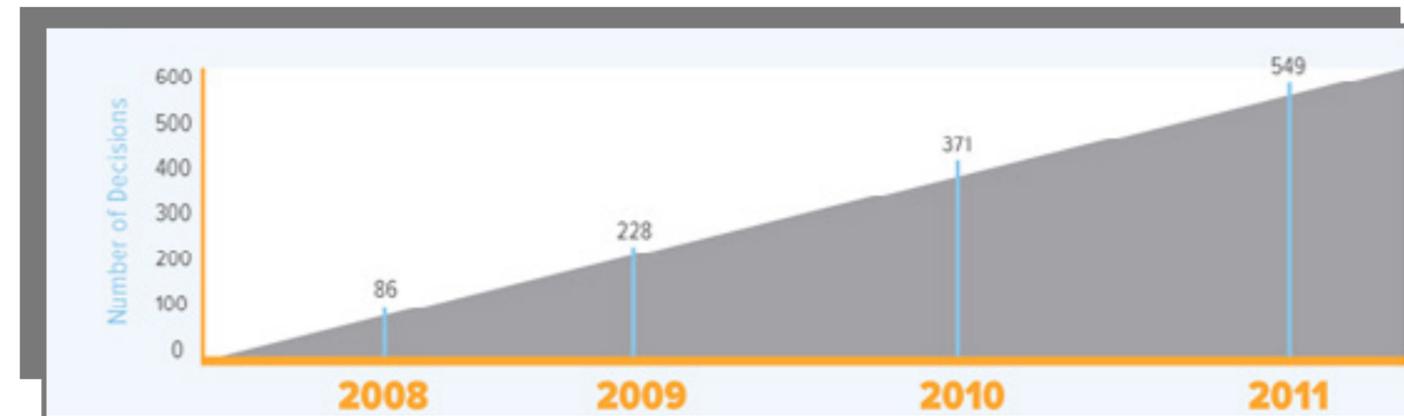
Victories in the Courts and Why They Matter

The Second Amendment Battleground: Victories in the Courts and Why They Matter summarized and analyzed the importance of gun-related court cases across the country. The Supreme Court's 2008 *Heller* decision may have opened the floodgates to Second Amendment litigation, but the majority's decision also made clear that the Amendment only protects a limited right. It's not surprising, then, that lower courts have almost uniformly rejected Second Amendment arguments in hundreds of decisions in federal and state courts over the past four years.

Courts have continually found that strong gun laws are constitutional and make our communities safer. For example, courts have upheld laws:

- Prohibiting possession of a firearm by anyone convicted of domestic abuse (*United States v. Skolen*);
- Barring consumer availability of military-style assault weapons and large capacity ammunition magazines (*District of Columbia v. Heller* [II]); and,
- Carrying a concealed weapon in public without any compelling legal reason to do so (*Piszczatoski v. Filko*).

If the gun lobby expected to get rid of smart gun laws through an aggressive Second Amendment litigation strategy, it seriously miscalculated. As four years of post-*Heller* decisions show, legislators and activists should feel confident that a variety of smart laws, supported by a significant majority of the public, are both constitutional and desperately needed.

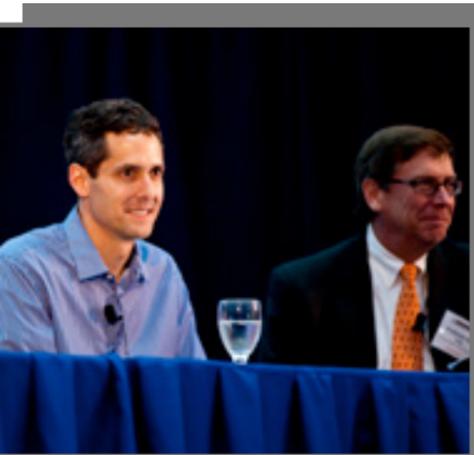


THE VOLUME OF SECOND AMENDMENT LITIGATION CLOGGING AMERICA'S COURTS

Since *Heller*, federal and state courts have issued over 600 decisions on Second Amendment challenges nationwide. This onslaught of litigation shows no sign of ending soon.

Educational Events

The Law Center's staff hosted several educational events in 2012 and contributed to a variety of panels which shed light on research and education on gun safety laws. One highlight was our event, *Truth Telling: The Media's Role in the Conversation on Guns*, a panel discussion on the media's role in covering gun violence and solutions to gun safety in our communities.



TRUTH TELLING: The Media's Role in the Conversation on Guns

On October 25th, a panel of journalists moderated by U.C. Hastings College of the Law professor Rory Little spoke about the work of reporting gun violence and gun laws. The journalists who made up the panel included Mark Follman of *Mother Jones*, Kris Hundey of the *Tampa Bay Times*, Bob Egelko of the *San Francisco Chronicle*, and Scott Johnson of the *Oakland Tribune*.

Amongst the topics discussed were the seemingly narrow scope the national media uses to cover gun issues, the political stalemate in our national and state law-making bodies, potential policies that both sides of the debate could agree upon, and the lack of accessible data on gun violence. The panelists agreed that reporters would be able to cover guns more thoroughly if there were more official studies on the topic. Although the journalists agreed that the lack of data was discouraging, Mark Follman reminded the audience that the lack of good data could be considered a "goldmine", and that it leaves "a lot of great journalism waiting to happen."



LEFT TOP: Mark Follman, Senior Editor at *Mother Jones*, fields a question during the *Truth Telling* event while Rory Little, U.C. Hastings law professor and moderator of the event, looks on.
CENTER: The panelists discuss the NRA's role in the weakening of our nation's gun laws.
LEFT BOTTOM: Graham Smith-Bernal of OPUS 2 International, lead sponsor of *Truth Telling*, addresses the crowd.
RIGHT: Guests of the event listen to the impressive round-up of panelists.

Looking to the Future

Our work changed dramatically following the December 14th tragedy at Sandy Hook Elementary School in Newtown, Connecticut. Almost immediately, we were inundated with requests for assistance, fielding over 200 direct requests from the media within the four weeks that followed and a significant number of requests from legislators and advocates interested in finding solutions to preventing future tragedies. We provided support to the Congressional Task Force on Gun Violence to study the epidemic of gun violence and recommended regulatory solutions. We worked with a number of other United States Senators and Congressional leaders looking at new legislative solutions and provided them with information and analysis through December and into 2013. We also responded to requests for our expertise from 24 different states, including New York, Connecticut, Delaware, Maryland, Oregon, Illinois, Colorado and others. We are proud of the successes that were achieved in 2013 connected with that work.

We remain committed to leveraging the momentum created after the fateful events in Newtown—and will use our in-depth research and our extensive partnerships to better serve our communities. The events of that day sparked the nation’s passion to end the epidemic of gun violence in our country, and we are proud to be able to serve as a trusted resource to keep our communities safe from violence by advocating for smart gun laws.



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LEFT: Zack Berman, Board Member Carol Kingsley, Alex Edwards, Garrett Okrasinski, Seana Minuth, Board Member Megin Scully, Reid Minuth, and Erin Minuth at the 19th Anniversary Dinner.

RIGHT: Founder's Circle Member Cam Baker and his wife Kate Baker enjoy the reception at the 19th Anniversary Dinner.

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LEFT: Long-time Law Center members Gil Murray and Laurie Kappe at the 19th Anniversary Dinner.
RIGHT: Participants of the *Too Many Victims Vigil* walk through the Martin Luther King Jr. Memorial at Yerba Buena Gardens, which served as the backdrop for the event.

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LEFT: Legal Director Juliet Leftwich and Congresswoman Carolyn McCarthy at the 19th Anniversary Dinner.
 CENTER: Pastor Michael McBride speaks at the Too Many Victims Vigil.
 RIGHT: Law Center materials at the 19th Anniversary Dinner.

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The Law Center is incredibly important to researchers like me, as a source of information on the multitude of laws in each state and also as a source for understanding what these laws really mean in practice.

WE ARE ALL INDEBTED TO THEIR GOOD WORK.

David Hemenway, Ph.D.
Professor of Health Policy - Harvard School of Public Health



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 H. Anton and Carolyn



TOP: Designer Aaron Stienstra and Associate Director of Communications Julie Henson enjoy themselves before the event *Truth Telling*.
 ABOVE: Amy Boxer, Andy Hitchings, and Board Member Doug Boxer at the *19th Anniversary Dinner*.



TOP: Board Member Randal Short and daughter Allison Moser at the *19th Anniversary Dinner*.
 ABOVE: Supporters hold signs and share moments of silence at the *Too Many Victims Vigil*.



TOP: Board Member William Kissinger and Jennifer Hendrick Kissinger at the 19th Anniversary Dinner.

ABOVE: Congresswoman Carolyn McCarthy speaks at 19th Anniversary Dinner.



Tucher
 William B. and Micki Turner
 Thomas V. and Deanne Urmy
 Adam Valdez
 Christine Van Aken
 Paul and Margaret
 Van Houten
 Tony and Leslie Vernon
 Virginia Von der Schmidt
 Brian Washington
 Gary and Suzanne
 Weatherford
 David E. Webste
 Gregory Weingart
 Ilene S. Weinreb
 Kathleen A. Whattam
 Holly White
 Tenly and Kevin Williams
 Richard H. and Sharron Wise
 Rita Wittwer
 Jenny Yasi
 Ana Maria Young
 Joan E. Zweben, Ph.D.

EX ANIMO

Charles Almeida
 Robert M and Joy L Appleman
 Michael and James Bannerman
 Janet Bargar
 Jean Barish
 Karen Lynne and Andy Barnett
 Judith A. Barrows
 Steve Begley
 Terry Benaryeh
 William and Beverlee Bentley
 Josh D. Berger
 Jeffrey H. Bergman
 Linda Beu
 Charlotte Biltekoff
 Ilana Blum
 Warren Braunig
 Rachel Brill
 Lauren Brock
 Donald Broder
 Jocelyn Brown
 Anne Brunelli

Frank W. Brunotts
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 Joy Buchanan
 Meara Butler
 Sally Buttshaw
 Lili Byers
 Lola Byron
 Dominick Calsolaro
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 Robert M. and Virginia L.
 Cole
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 Charlene and Paul Dahlquist
 Wendy Dan
 Noreen Davidson
 Clement Donahue, M.D.
 Elizabeth Dowd
 Kevin Dowling
 John Duggleby
 Kathryn Duke
 Jessica Spiegel and Thomas
 Egan
 Micki Esken-Meland
 Alison Farmer
 Richard Feder
 Stephen Flowers
 Rick Fogel
 Patricia Foley
 Vlasis and Kalliope Fousekis
 Teresa Friend
 Nancy Fuller
 Ken Gates
 Robert Gelman
 Suzanne Geraghty
 Kenneth Gibbs
 Robert Gillespie

Mary Jo Gilsdorf
 Matthew Goldberg
 Jan Goldenberg
 Brian Gonzalez
 Elaine Goss
 Matthew Gouaux
 Anthony Grumbach
 Geoffrey and Elizabeth Hazard
 Craig Heitkam
 Patrick D. and Ann H. Hughes
 Rebecca Hunt
 Mari Iki
 Claude Irmis
 Brett Jackson
 Marilyn Jasper
 Gareth Jensen
 Stephen Johnson Grove
 Ajay Kachwaha
 Clarissa Kalman
 Mark Kannett
 Daniel B. and Natalie Kapnick
 Mya Kapoi
 Kyra Kazantzis
 Lori Kime
 Andrew Kingsdale
 Al and Diane Knoll
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 Jo Lynn Lambert
 Susan Laughlin
 Sun Lee
 Scott and Susan LeRoy
 Dana Levens
 Terri Levich
 Rabbi Stan Levy
 Scott and Vanessa Lindlaw
 Sheila Lowe
 Michael Lyman
 Maia Marken
 Anne Marks
 Tom Mauser
 Anita D. Stearns and James
 Haskell Mayo
 Jane McClintock
 Gregory McHugh
 Maureen McNeill
 Julie Mercer-Ingram

Michael Miller
 Peter Sherfy Millington
 Sharon Mills
 Erin Minuth
 Catlin Moore
 Allison Moser
 Arthur and Patricia Napoles
 Cari Napoles
 Benjamin Nichols
 Barbara L. Nielsen
 Joanne Nilsson
 Jane Okrasinski
 Garrett Okrasinski Scully
 John Osing
 Alise Pagano
 Mike Palais
 Louis Palandrani
 Yvonne Parker
 Jude Penland
 April Prince
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 Nicholas Putnam
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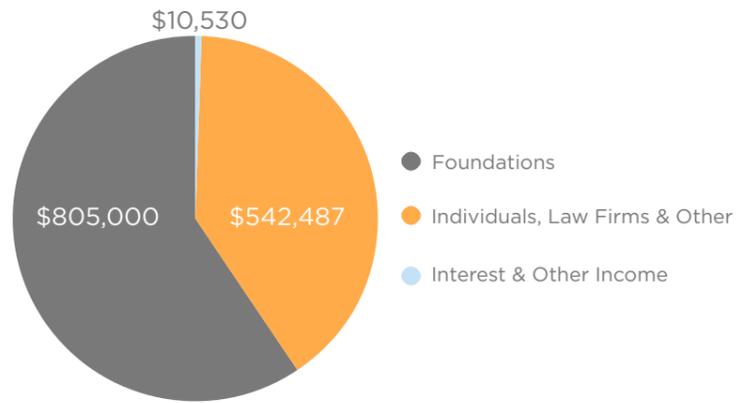
Jan Stensland, MS
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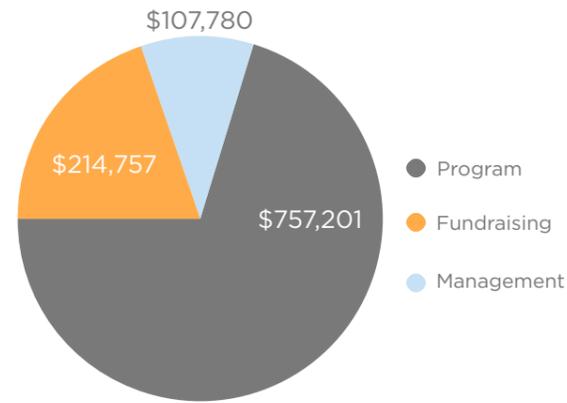
ABOVE: Director of Finance and Administration Ellen French and Managing Attorney Ben Van Houten.

Statement of Financial Position

2012 REVENUES



2012 EXPENSES



ASSETS

Current Assets

Petty Cash	260
Cash in Bank	425,414
Accounts Receivable	79,631
Promises to Give	8,750
Prepays	25,806
Grants Receivable	395,000
Deposits	5,000
Equipment (net)	9,548
Total Current Assets	\$949,409

Total Assets **\$949,409**

LIABILITIES AND NET ASSETS

Current Liabilities

Accounts Payable	5,697
Accrued Vacation	27,251
Total Current Liabilities	\$32,948

Net Assets

Unrestricted	296,461
Temporarily Restricted	620,000
Total Net Assets	\$916,461

Total Liabilities and Net Assets **\$949,409**

This statement of financial position is for the year ending December 31, 2012.



LEFT: Volunteers Rolayn Tauben and Judy Barrows at the 19th Anniversary Dinner.
RIGHT: Long-time supporter Helen Hilton Raiser at *Truth Telling*.



The Law Center to Prevent Gun Violence is the only national law center focused on providing comprehensive legal expertise in support of gun violence prevention and the promotion of smart gun laws that save lives. As a non-profit organization founded by attorneys, we remain dedicated to preventing the loss of lives caused by gun violence by providing trusted, in-depth legal expertise and information on America's gun laws.

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