

No. 18-280

In the
Supreme Court of the United States

NEW YORK STATE RIFLE & PISTOL ASSOCIATION,
INC., ROMOLO COLANTONE, EFRAIN ALVAREZ, and
JOSE ANTHONY IRIZARRY,

Petitioners,

v.

THE CITY OF NEW YORK and THE NEW YORK CITY
POLICE DEPARTMENT-LICENSE DIVISION,

Respondents.

**On Writ of Certiorari to the
United States Court of Appeals for the
Second Circuit**

JOINT APPENDIX

RICHARD DEARING

Counsel of Record

NEW YORK CITY

LAW DEPARTMENT

100 Church Street

New York, NY 10007

(212) 356-2500

rdearing@law.nyc.gov

Counsel for Respondents

May 7, 2019

PAUL D. CLEMENT

Counsel of Record

ERIN E. MURPHY

MATTHEW D. ROWEN

KIRKLAND & ELLIS LLP

1301 Pennsylvania Ave., NW

Washington, DC 20004

(202) 389-5000

paul.clement@kirkland.com

Counsel for Petitioners

Petition for Writ of Certiorari Filed September 4, 2018
Petition for Writ of Certiorari Granted January 22, 2019

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JA 1

**UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT**

No. 15-638

NEW YORK STATE RIFLE & PISTOL ASSOCIATION, INC.,
ROMOLO COLANTONE, EFRAIN ALVAREZ, and
JOSE ANTHONY IRIZARRY,

Plaintiffs-Appellants,

v.

THE CITY OF NEW YORK and THE NEW YORK CITY
POLICE DEPARTMENT - LICENSE DIVISION,

Defendants-Appellees.

RELEVANT DOCKET ENTRIES

Date Filed	#	Docket Text
03/03/2015	1	NOTICE OF CIVIL APPEAL, with district court docket, on behalf of Appellant Efrain Alvarez, Romolo Colantone, Jose Anthony Irizarry and New York State Rifle & Pistol Association, Inc., FILED. [1451780] [15-638] [Entered: 03/04/2015 09:59 AM]
03/03/2015	2	DISTRICT COURT OPINION, dated 02/05/2015, RECEIVED.[1451791] [15-638] [Entered: 03/04/2015 10:04 AM]

JA 2

Date Filed	#	Docket Text
03/03/2015	3	DISTRICT COURT JUDGMENT, dated 02/09/2015, RECEIVED. [1451794] [15-638] [Entered: 03/04/2015 10:04 AM]
* * *		
04/06/2015	22	LR 31.2 SCHEDULING NOTIFICATION, on behalf of Appellant Efrain Alvarez, Romolo Colantone, Jose Anthony Irizarry and New York State Rifle & Pistol Association, Inc., informing Court of proposed due date 06/16/2015, RECEIVED. Service date 04/06/2015 by CM/ECF.[1477633] [15-638] [Entered: 04/06/2015 01:33 PM]
* * *		
04/10/2015	26	SO-ORDERED SCHEDULING NOTIFICATION, setting Appellant Efrain Alvarez, Romolo Colantone, Jose Anthony Irizarry and New York State Rifle & Pistol Association, Inc. Brief due date as 06/16/2015;. Joint Appendix due date as 06/16/2015, FILED.[1481759] [15-638] [Entered: 04/10/2015 10:54 AM]
* * *		
06/16/2015	34	BRIEF, on behalf of Appellant Efrain Alvarez, Romolo

Date Filed	#	Docket Text
		Colantone, Jose Anthony Irizarry and New York State Rifle & Pistol Association, Inc., FILED. Service date 06/16/2015 by CM/ECF.[1534012] [15-638] [Entered: 06/16/2015 05:52 PM]
06/16/2015	35	JOINT APPENDIX, volume 1 of 1, (pp. 1-218), on behalf of Appellant Efrain Alvarez, Romolo Colantone, Jose Anthony Irizarry and New York State Rifle & Pistol Association, Inc., FILED. Service date 06/16/2015 by CM/ECF.[1534013] [15-638] [Entered: 06/16/2015 05:55 PM]
06/17/2015	36	LR 31.2 SCHEDULING NOTIFICATION, on behalf of Appellee City of New York and New York City Police Department, informing Court of proposed due date 09/15/2015, RECEIVED. Service date 06/17/2015 by CM/ECF.[1534110] [15-638] [Entered: 06/17/2015 09:12 AM]
06/19/2015	39	DEFECTIVE DOCUMENT, Brief, Joint Appendix [34], [35], on behalf of Appellant Efrain Alvarez, Romolo Colantone, Jose Anthony Irizarry and New York State Rifle & Pistol

JA 4

Date Filed	#	Docket Text
		Association, Inc., FILED.[1536628] [15-638] [Entered: 06/19/2015 02:59 PM]
06/19/2015	40	SO-ORDERED SCHEDULING NOTIFICATION, setting Appellee City of New York and New York City Police Department Brief due date as 09/15/2015, FILED. [1536636] [15-638] [Entered: 06/19/2015 03:04 PM]
06/22/2015	41	BRIEF, on behalf of Appellant Efrain Alvarez, Romolo Colantone, Jose Anthony Irizarry and New York State Rifle & Pistol Association, Inc., FILED. Service date 06/22/2015 by CM/ECF.[1537115] [15-638] [Entered: 06/22/2015 09:59 AM]
06/22/2015	42	JOINT APPENDIX, volume 1 of 1, (pp. 1-218), on behalf of Appellant Efrain Alvarez, Romolo Colantone, Jose Anthony Irizarry and New York State Rifle & Pistol Association, Inc., FILED. Service date 06/22/2015 by CM/ECF.[1537127] [15-638] [Entered: 06/22/2015 10:02 AM]
* * *		

Date Filed	#	Docket Text
06/23/2015	46	CURED DEFECTIVE BRIEF & JOINT APPENDIX [41], [42], on behalf of Appellant Efrain Alvarez, Romolo Colantone, Jose Anthony Irizarry and New York State Rifle & Pistol Association, Inc., FILED.[1538649] [15-638] [Entered: 06/23/2015 03:00 PM]
06/23/2015	51	AMICUS BRIEF, on behalf of National Rifle Association of America, Inc., FILED. Service date 06/23/2015 by CM/ECF. [1538964] [15-638]--[Edited 06/25/2015 by AM] [Entered: 06/23/2015 04:56 PM]
* * *		
06/23/2015	54	AMICUS BRIEF, on behalf of Western States Sheriffs' Association, Law Enforcement Legal Defense Fund, Law Enforcement Action Network, CRPA Foundation, Law Enforcement Alliance of America, International Law Enforcement Educators and Trainers Association, FILED. Service date 06/23/2015 by CM/ECF. [1539013] [15- 638]--[Edited 06/25/2015 by AM] [Entered: 06/23/2015 10:36 PM]
* * *		

Date Filed	#	Docket Text
09/15/2015	62	BRIEF, on behalf of Appellee City of New York and New York City Police Department, FILED. Service date 09/15/2015 by CM/ECF. [1599143] [15-638] [Entered: 09/15/2015 05:55 PM]
* * *		
09/28/2015	66	ORAL ARGUMENT STATEMENT LR 34.1 (a), on behalf of filer Attorney Ms. Susan Paulson for Appellee City of New York and New York City Police Department, FILED. Service date 09/28/2015 by CM/ECF. [1607451] [15-638] [Entered: 09/28/2015 09:16 AM]
09/29/2015	67	ORAL ARGUMENT STATEMENT LR 34.1 (a), on behalf of filer Attorney Paul D. Clement, Esq. for Appellant Efrain Alvarez, Romolo Colantone, Jose Anthony Irizarry and New York State Rifle & Pistol Association, Inc., FILED. Service date 09/29/2015 by CM/ECF. [1609135] [15-638] [Entered: 09/29/2015 04:20 PM]
09/29/2015	68	REPLY BRIEF, on behalf of Appellant Efrain Alvarez, Romolo Colantone, Jose Anthony Irizarry and New York State Rifle & Pistol Association,

Date Filed	#	Docket Text
		Inc., FILED. Service date 09/29/2015 by CM/ECF. [1609250] [15-638] [Entered: 09/29/2015 05:52 PM]
10/22/2015	71	CASE CALENDARING, for the week of 01/11/2016, B, PROPOSED.[1625017] [15-638] [Entered: 10/22/2015 09:09 AM]
10/27/2015	72	ORAL ARGUMENT STATEMENT LR 34.1 (a), on behalf of filer Attorney Paul D. Clement, Esq. for Appellant Efrain Alvarez, Romolo Colantone, Jose Anthony Irizarry and New York State Rifle & Pistol Association, Inc., FILED. Service date 10/27/2015 by CM/ECF. [1628348] [15-638] [Entered: 10/27/2015 09:55 AM]
10/27/2015	75	FRAP 28(j) LETTER, dated 10/27/2015, on behalf of Appellee City of New York and New York City Police Department, RECEIVED. Service date 10/27/2015 by CM/ECF. [1629205] [15-638] [Entered: 10/27/2015 05:06 PM]
11/06/2015	77	FRAP 28(j) LETTER, dated 11/06/2015, on behalf of Appellant Efrain Alvarez,

Date Filed	#	Docket Text
		Romolo Colantone, Jose Anthony Irizarry and New York State Rifle & Pistol Association, Inc., RECEIVED. Service date 11/06/2015 by CM/ECF.[1636706] [15- 638] [Entered: 11/06/2015 11:27 AM]
* * *		
03/24/2016	96	CASE CALENDARING, for the week of 06/20/2016, PROPOSED.[1735158] [15-638] [Entered: 03/24/2016 10:20 AM]
* * *		
05/23/2016	104	CASE CALENDARING, for the week of 08/15/2016, PROPOSED.[1777761] [15-638] [Entered: 05/23/2016 01:14 PM]
* * *		
06/24/2016	109	CASE CALENDARING, for argument on 08/17/2016, SET.[1801584] [15-638] [Entered: 06/24/2016 11:27 AM]
07/12/2016	110	ARGUMENT NOTICE, to attorneys/parties, TRANSMITTED.[1813654] [15-638] [Entered: 07/12/2016 04:14 PM]
07/15/2016	111	NOTICE OF HEARING DATE ACKNOWLEDGMENT, on behalf of Appellee City of New York and New York City Police

Date Filed	#	Docket Text
		Department, FILED. Service date 07/15/2016 by CM/ECF. [1817194] [15-638] [Entered: 07/15/2016 03:52 PM]
08/09/2016	112	NOTICE OF HEARING DATE ACKNOWLEDGMENT, on behalf of Appellant New York State Rifle & Pistol Association, Inc., Romolo Colantone, Efrain Alvarez and Jose Anthony Irizarry, FILED. Service date 08/09/2016 by CM/ECF. [1837073] [15- 638] [Entered: 08/09/2016 06:02 PM]
08/17/2016	113	CASE, before RSP, GEL, SLC, C.JJ., HEARD.[1842974] [15-638] [Entered: 08/17/2016 12:36 PM]
* * *		
02/23/2018	118	OPINION, affirming the district court judgment, by RSP, GEL, SLC, C.JJ., FILED. [2242111] [15-638] [Entered: 02/23/2018 09:43 AM]
02/23/2018	121	CAPTION, per opinion filed 02/23/2018, AMENDED. [2242138] [15-638] [Entered: 02/23/2018 09:52 AM]
02/23/2018	123	JUDGMENT, FILED.[2242295] [15-638] [Entered: 02/23/2018 10:47 AM]

Date Filed	#	Docket Text
03/09/2018	124	PETITION FOR REHEARING/REHEARING EN BANC, on behalf of Appellant Efrain Alvarez, Romolo Colantone, Jose Anthony Irizarry and New York State Rifle & Pistol Association, Inc., FILED. Service date 03/09/2018 by CM/ECF.[2253916] [15-638] [Entered: 03/09/2018 05:18 PM]
04/05/2018	127	ORDER, petition for rehearing en banc denied, FILED.[2273150] [15-638] [Entered: 04/05/2018 04:42 PM]
04/13/2018	128	JUDGMENT MANDATE, ISSUED.[2279323] [15-638] [Entered: 04/13/2018 04:26 PM]
06/28/2018	129	U.S. SUPREME COURT NOTICE, granting Appellant New York State Rifle & Pistol Association, Inc. extension to file Writ of Certiorari, FILED.[2336021] [15-638] [Entered: 06/29/2018 03:18 PM]
07/27/2018	130	U.S. SUPREME COURT NOTICE, granting Appellant New York State Rifle & Pistol Association, Inc. extension to file Writ of Certiorari,

JA 11

Date Filed	#	Docket Text
		FILED.[2354313] [15-638] [Entered: 07/27/2018 11:13 AM]
09/10/2018	131	U.S. SUPREME COURT NOTICE of writ of certiorari filing, dated 09/06/2018, U.S. Supreme Court docket # 18-280, RECEIVED.[2385272] [15-638] [Entered: 09/10/2018 12:21 PM]
01/22/2019	132	U.S. SUPREME COURT NOTICE, dated 01/22/2019, U.S. Supreme Court docket # 18-280, stating the petition for writ of certiorari is granted, RECEIVED.[2479644] [15- 638] [Entered: 01/22/2019 04:11 PM]

JA 12

**UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK**

No. 13-cv-02115-RWS

NEW YORK STATE RIFLE & PISTOL ASSOCIATION, INC.
ROMOLO COLANTONE, EFRAIN ALVAREZ, and
JOSE ANTHONY IRIZARRY,

Plaintiffs-Appellants,

v.

THE CITY OF NEW YORK and THE NEW YORK CITY
POLICE DEPARTMENT - LICENSE DIVISION,

Defendants,

RELEVANT DOCKET ENTRIES

Date Filed	#	Docket Text
03/29/2013	1	COMPLAINT against The City of New York, The New York City Police Department. (Filing Fee \$ 350.00, Receipt Number 465407005544)Document filed by The New York State Rifle & Pistol Association, Inc., Jose Anthony Irizarry, Efrain Alvarez, Romolo Colantone.(jd) (Entered: 04/01/2013)
* * *		
04/23/2013	3	ANSWER to 1 Compliant,. Document filed by The City of New York, The New York City

Date Filed	#	Docket Text
		Police Department.(Goldberg-Cahn, Michelle) (Entered: 04/23/2013)
* * *		
05/01/2013	7	AMENDED COMPLAINT amending 1 Complaint, against The City of New York, The New York City Police Department.Document filed by The New York State Rifle & Pistol Association, Inc., Jose Anthony Irizarry, Efrain Alvarez, Romolo Colantone. Related document: 1 Complaint, filed by Jose Anthony Irizarry, Romolo Colantone, The New York State Rifle & Pistol Association, Inc., Efrain Alvarez.(mro) (Entered: 05/03/2013)
* * *		
05/07/2013	9	MOTION for Preliminary Injunction. Document filed by Efrain Alvarez, Romolo Colantone, Jose Anthony Irizarry, The New York State Rifle & Pistol Association, Inc..(Stapleton, Brian) (Entered: 05/07/2013)
05/07/2013	10	MEMORANDUM OF LAW in Support re: 9 MOTION for Preliminary Injunction..

Date Filed	#	Docket Text
		Document filed by Efrain Alvarez, Romolo Colantone, Jose Anthony Irizarry, The New York State Rifle & Pistol Association, Inc.. (Attachments: # 1 Exhibit A: Affidavit of Romolo Colantone, # 2 Exhibit B: Affidavit of Jose Irrizarry, # 3 Exhibit C: Affidavit of Efrain Alvarez) (Stapleton, Brian) (Entered: 05/07/2013)
* * *		
05/21/2013		Minute Entry for proceedings held before Judge Robert W. Sweet: Interim Pretrial Conference held on 5/21/2013. (Defendant did not show) (js) (Entered: 05/23/2013)
05/23/2013	12	ORDER: On the assumption that no factual dispute exists between the parties, Plaintiffs' motion for a preliminary injunction will be heard on submission on a date to be determined by counsel. In the event that either party believes that a hearing is necessitated due to the existence of a factual dispute exists, that party should notify the Court. In addition, Defendants' request that their time to answer the amended

Date Filed	#	Docket Text
		complaint be stayed until such time that the Court has issued a determination on Plaintiffs' motion for a preliminary injunction is granted. This scheduling order supersedes the previous scheduling order with respect to the argument, but otherwise leaves in place the briefing schedule previously set forth. (Signed by Judge Robert W. Sweet on 5/22/2013) (cd) (Entered: 05/23/2013)
* * *		
06/11/2013	14	DECLARATION of Michelle Goldberg-Cahn in Opposition re: 9 MOTION for Preliminary Injunction.. Document filed by The City of New York, The New York City Police Department. (Attachments: # 1 Exhibit A and B) (Goldberg-Cahn, Michelle) (Entered: 06/11/2013)
06/11/2013	15	DECLARATION of License Division Commanding Officer Andrew Lunetta in Opposition re: 9 MOTION for Preliminary Injunction.. Document filed by The City of New York, The New York City Police Department. (Attachments: # 1 Exhibit A - D, # 2 Exhibit E - K)(Goldberg-

JA 16

Date Filed	#	Docket Text
		Cahn, Michelle) (Entered: 06/11/2013)
06/11/2013	16	MEMORANDUM OF LAW in Opposition re: 9 MOTION for Preliminary Injunction. <i>Defendants' Memo of Law in Opposition to Prelim Injunction Motion.</i> Document filed by The City of New York, The New York City Police Department (Goldberg-Cahn, Michelle) (Entered: 06/11/2013)
* * *		
07/02/2013	20	REPLY MEMORANDUM OF LAW in Support re: 9 MOTION for Preliminary Injunction.. Document filed by Efrain Alvarez, Romolo Colantone, Jose Anthony Irizarry, The New York State Rifle & Pistol Association, Inc.. (Attachments: # 1 Exhibit A: Declaration of Christopher Shkreli)(Stapleton, Brian) (Entered: 07/02/2013)
* * *		
09/20/2013	22	OPINION: re: #103601 9 MOTION for Preliminary Injunction filed by Jose Anthony Irizarry, Romolo Colantone, The New York State Rifle & Pistol Association, Inc., Efrain Alvarez. Based on the

Date Filed	#	Docket Text
		conclusions set forth above, Plaintiffs' motion for a preliminary injunction is stayed pending the Court of Appeals' decision in Osterweil. (Signed by Judge Robert W. Sweet on 9/18/2013) (cd) Modified on 9/23/2013 (sdi). (Entered: 09/20/2013)
09/24/2013	24	INTERNET CITATION NOTE: Material from decision with Internet citation re: 22 Memorandum & Opinion. (sj) (Entered: 11/07/2013)
10/28/2013	23	ORDER: In view of Osterweil v. Bartlett, No. 167, 2013 WL 5610272 (N. Y. Oct. 15, 2013), the stay in this action is hereby vacated. (Signed by Judge Robert W. Sweet on 10/28/2013) (cd) (Entered: 10/28/2013)
* * *		
02/18/2014	26	ORDER: The stay having been vacated via order on October 28, 2013 (ECF No. 23), and no further action been taken by the parties, the motion for preliminary junction is marked withdrawn without prejudice for renewal. IT IS SO ORDERED. (Signed by Judge

JA 18

Date Filed	#	Docket Text
		Robert W. Sweet on 2/12/2014) (ama) (Entered: 02/18/2014)
* * *		
02/25/2014	28	LETTER addressed to Judge Robert W. Sweet from Brian T. Stapleton dated February 24, 2014 re: Request That Plaintiffs Motion for Preliminary Injunction Be Renewed. Document filed by Efrain Alvarez, Romolo Colantone, Jose Anthony Irizarry, The New York State Rifle & Pistol Association, Inc.. (Stapleton, Brian) (Entered: 02/25/2014)
03/04/2014	29	MEMO ENDORSEMENT on re: 28 LETTER addressed to Judge Robert W. Sweet from Brian T. Stapleton dated February 24, 2014 re: Request That Plaintiff's Motion for Preliminary Injunction Be Renewed. Document filed by Efrain Alvarez, Romolo Colantone, Jose Anthony Irizarry, The New York State Rifle & Pistol Association, Inc. ENDORSEMENT: So ordered. (Signed by Judge Robert W. Sweet on 2/28/2014) (rjm) (Entered: 03/05/2014)
* * *		

Date Filed	#	Docket Text
03/19/2014		Minute Entry for proceedings held before Judge Robert W. Sweet: Interim Pretrial Conference held on 3/19/2014. Motion returnable 9/17/14 at 12:00 p.m. (Argument) (Chan, Tsz) (Entered: 03/20/2014)
* * *		
06/05/2014	33	CROSS MOTION for Summary Judgment . Document filed by The City of New York, The New York City Police Department. Responses due by 7/31/2014 Return Date set for 9/17/2014 at 12:00 PM.(Goldberg-Cahn, Michelle) (Entered: 06/05/2014)
06/05/2014	34	DECLARATION of Michelle Goldberg-Cahn in Support re: 33 CROSS MOTION for Summary Judgment .. Document filed by The City of New York, The New York City Police Department. (Attachments: # 1 Exhibit A through C)(Goldberg-Cahn, Michelle) (Entered: 06/05/2014)
06/05/2014	35	DECLARATION of NYPD Inspector Andrew Lunetta in Support re: 33 CROSS MOTION for Summary Judgment .. Document filed by The City of New York, The New York City

Date Filed	#	Docket Text
		Police Department. (Attachments: # 1 Exhibit A and B, # 2 Exhibit C through I)(Goldberg-Cahn, Michelle) (Entered: 06/05/2014)
06/05/2014	36	MEMORANDUM OF LAW in Support re: 33 CROSS MOTION for Summary Judgment . <i>and in Opposition to Plaintiffs' Motion for Preliminary Injunction.</i> Document filed by The City of New York, The New York City Police Department. (Goldberg-Cahn, Michelle) (Entered: 06/05/2014)
06/05/2014	37	RULE 56.1 STATEMENT. Document filed by The City of New York, The New York City Police Department. (Goldberg-Cahn, Michelle) (Entered: 06/05/2014)
06/05/2014	38	SECOND MEMORANDUM OF LAW in Opposition re: 9 MOTION for Preliminary Injunction. . Document filed by The City of New York, The New York City Police Department. (Goldberg-Cahn, Michelle) (Entered: 06/05/2014)
* * *		

Date Filed	#	Docket Text
07/16/2014	43	CROSS MOTION for Summary Judgment (<i>Re-Filed</i>). Document filed by Efrain Alvarez, Romolo Colantone, Jose Anthony Irizarry, The New York State Rifle & Pistol Association, Inc.. Responses due by 8/8/2014 Return Date set for 9/17/2014 at 12:00 PM.(Bopst, Christopher) (Entered: 07/16/2014)
07/16/2014	44	MEMORANDUM OF LAW in Support re: 42 MOTION for Summary Judgment ., 43 CROSS MOTION for Summary Judgment (Re-Filed). Document filed by Efrain Alvarez, Romolo Colantone, Jose Anthony Irizarry, The New York State Rifle & Pistol Association, Inc.. (Bopst, Christopher) (Entered: 07/16/2014)
07/16/2014	45	RULE 56.1 STATEMENT. Document filed by Efrain Alvarez, Romolo Colantone, Jose Anthony Irizarry, The New York State Rifle & Pistol Association, Inc.. (Bopst, Christopher) (Entered: 07/16/2014)
07/16/2014	46	RESPONSE to <i>Defendants' Rule 56.1 Statement</i> . Document filed

Date Filed	#	Docket Text
		by Efrain Alvarez, Romolo Colantone, Jose Anthony Irizarry, The New York State Rifle & Pistol Association, Inc.. (Bopst, Christopher) (Entered: 07/16/2014)
* * *		
08/15/2014	51	MEMORANDUM OF LAW in Opposition re: 33 CROSS MOTION for Summary Judgment ., 43 CROSS MOTION for Summary Judgment <i>(Re-Filed)</i> . <i>Opposition to Plaintiffs Cross Motion and Preliminary Injunction Motion and Reply in Further Support of Defendants' Cross Motion for Summary Judgment</i> . Document filed by The City of New York, The New York City Police Department. (Goldberg-Cahn, Michelle) (Entered: 08/15/2014)
08/15/2014	52	COUNTER STATEMENT TO 45 Rule 56.1 Statement. Document filed by The City of New York, The New York City Police Department. (Goldberg-Cahn, Michelle) (Entered: 08/15/2014)
08/29/2014	53	REPLY MEMORANDUM OF LAW in Support re: 43 CROSS

JA 23

Date Filed	#	Docket Text
		<p>MOTION for Summary Judgment (Re-Filed). Document filed by Efrain Alvarez, Romolo Colantone, Jose Anthony Irizarry, The New York State Rifle & Pistol Association, Inc.. (Attachments: # 1 Certificate of Service)(Bopst, Christopher) (Entered: 08/29/2014)</p>
<p>* * *</p>		
10/08/2014		<p>Minute Entry for proceedings held before Judge Robert W. Sweet: Oral Argument held on 10/8/2014 re: 33 CROSS MOTION for Summary Judgment . filed by The City of New York, The New York City Police Department, 43 CROSS MOTION for Summary Judgment (Re-Filed). filed by Jose Anthony Irizarry, Romolo Colantone, The New York State Rifle & Pistol Association, Inc., Efrain Alvarez. (sc) (Entered: 10/14/2014)</p>
02/05/2015	56	<p>OPINION #105204 re: 9 MOTION for Preliminary Injunction. filed by Jose Anthony Irizarry, Romolo Colantone, The New York State Rifle & Pistol Association, Inc.,</p>

Date Filed	#	Docket Text
		<p>Efrain Alvarez, 33 CROSS MOTION for Summary Judgment . filed by The City of New York, The New York City Police Department, 43 CROSS MOTION for Summary Judgment (<i>Re-Filed</i>). filed by Jose Anthony Irizarry, Romolo Colantone, The New York State Rifle & Pistol Association, Inc., Efrain Alvarez. Based on the conclusions set forth above, the Plaintiffs' motions for summary judgment and preliminary injunction are denied and the Defendants' cross motions for summary judgment dismissing the Amended Complaint is granted. It is so ordered. (See Order.) (Signed by Judge Robert W. Sweet on 2/4/2015) (ajs) Modified on 2/10/2015 (soh). (Entered: 02/05/2015)</p>
* * *		
02/09/2015	57	<p>CLERK'S JUDGMENT: That for the reasons stated in the Court's Opinion dated February 4, 2015, Plaintiffs' motion for summary judgment and preliminary injunction are denied and the Defendants' cross-motion for summary</p>

JA 25

Date Filed	#	Docket Text
		<p>judgment dismissing the Amended Complaint is granted. (Signed by Clerk of Court Ruby Krajick on 2/9/2015) (Attachments: # 1 Notice of Right to Appeal, # 2 Notice of Right to Appeal)(dt) (Entered: 02/09/2015)</p>
03/03/2015	58	<p>NOTICE OF APPEAL from 57 Clerk's Judgment, 56 Memorandum & Opinion,,, Document filed by Efrain Alvarez, Romolo Colantone, Jose Anthony Irizarry, The New York State Rifle & Pistol Association, Inc.. Form C and Form D are due within 14 days to the Court of Appeals, Second Circuit. (Lerner, Matthew) (Entered: 03/03/2015)</p>
* * *		

Amended Complaint (S.D.N.Y. May 1, 2013)

COME NOW the Plaintiffs, THE NEW YORK STATE RIFLE & PISTOL ASSOCIATION, ROMOLO COLANTONE, EFRAIN ALVAREZ and JOSE ANTHONY IRIZARRY, by and through their undersigned counsel, and complain of the Defendants as follows:

THE PARTIES

1. Plaintiff Romolo Colantone is a natural person and a citizen of the United States residing in Staten Island, New York. Mr. Colantone is the holder of a Premises Residence firearms license issued by the City of New York.

2. Plaintiff Efrain Alvarez is a natural person and a citizen of the United States residing in Bronx County, New York. Mr. Alvarez is the holder of a Premises Residence firearms license issued by the City of New York. Mr. Alvarez also holds non-resident firearm permits issued by the states of New Hampshire, Connecticut, Florida, Virginia, and Utah.

3. Plaintiff Jose Anthony (“Tony”) Irizarry is a natural person and a citizen of the United States residing in Bronx County, New York. Mr. Irizarry is the holder of a Premises Residence firearms license issued by the City of New York. Mr. Irizarry also holds non-resident firearm permits issued by the states of Pennsylvania and Utah.

4. Plaintiff THE NEW YORK STATE RIFLE AND PISTOL ASSOCIATION (“NYSRPA”) is a New York not-for-profit corporation having its primary place of business at 90 South Swan Street in Albany, NY. The NYSRPA is New York state’s largest and the nation’s

oldest firearms advocacy organization. Since 1871 the NYSRPA has been dedicated to the preservation of Second Amendment rights, promotion of firearm safety, education and training, and the shooting sports. Members of the NYSRPA participate in numerous rifle and pistol matches within and without the City of New York on an annual basis. The NYSRPA brings this action on behalf of itself and its members.

5. Defendant CITY OF NEW YORK is a municipal entity organized under the Constitution and laws of the State of New York.

6. Defendant NEW YORK CITY POLICE DEPARTMENT LICENSE DIVISION is a sub-division of the CITY OF NEW YORK.

JURISDICTION AND VENUE

7. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331, 1343, 2201, 2202, and 42 U.S.C. § 1983.

8. Venue lies in this Court pursuant to 28 U.S.C. § 1391.

STATEMENT OF FACTS

About the NYC Permit Restriction

9. Under New York law, lawful possession of a firearm within one's home or place of business requires a permit. Penal Law §§ 265.01, 265.20(a)(3), 400. In the absence of a permit, possession of a firearm within one's home or place of business is a Class A Misdemeanor punishable by up to one (1) year in prison, a \$1,000 fine, or both. Penal Law §§ 265.01, 60.01(30), 70.15.

10. New York City (“NYC”) residents who wish to possess a firearm must first obtain a license from the New York City Police Department (“NYCPD”). There are several different types of licenses that can be obtained in NYC: premises (residence or business), carry business, limited carry business, carry guard/gun custodian, and special carry (special carry business and special carry guard/gun custodian). Applicants for any of these licenses must complete a detailed application form and undergo an interview with a licensing officer. NYC firearms licenses must be periodically renewed and are subject to revocation for various reasons (including violations of the terms of the license itself). It is the responsibility of the NYCPD’s License Division to issue, renew, monitor, and revoke firearm permits for New York City residents.

About the Plaintiffs

11. Plaintiff Romolo Colantone applied for and received a NYC firearms license approximately thirty three (33) years ago, in the year 1979. At that time, the license was known as a “target” license. Mr. Colantone’s license was regularly renewed, and is now known as a Premises Residence license.

12. Mr. Colantone regularly traveled outside of both New York City and New York State to attend regional indoor and outdoor competitive shooting events, such as the NRA Sectional Championships (paper target) in Roslyn, New York and Old Bridge, New Jersey, and the Steel Challenge Championships (steel target) in Old Bridge, New Jersey.

13. Mr. Colantone’s family has owned land in the Catskills region of New York for thirty two (32) years.

Eight (8) years ago, Mr. Colantone built a second family home in Hancock, New York. Mr. Colantone and his family visit their land and second home several times each year. They enjoy hunting and fishing during in-season, and also spend summer vacations on the property. The Colantone's Hancock house is located in a remote area, and as such presents a threat to the safety of Mr. Colantone and his family while there.

14. Mr. Alvarez applied for and received a NYC firearms license approximately twenty five (25) years ago. At that time, the license was known as a "target" license. Mr. Alvarez's license was regularly renewed, and is now known as a Premises Residence license.

15. Mr. Alvarez regularly traveled outside of both New York City and New York State to attend regional indoor and outdoor competitive shooting events such as the NRA Sectional Championships (paper target) in Roslyn, New York and Old Bridge, New Jersey, the Steel Challenge Championships (steel target) in Old Bridge, New Jersey.

16. Mr. Irizarry applied for and received a NYC Premises Residence firearms license in the year 2004.

17. Mr. Irizarry regularly traveled outside of both New York City and New York State to attend regional indoor and outdoor competitive shooting events, such as the NRA Sectional Championships (paper target) in Roslyn, New York and Old Bridge, New Jersey, the Steel Challenge Championships (steel target) in Old Bridge, New Jersey.

About 38 RCNY § 5-23

18. On or about May 31st, 2001, Title 38 of the Rules of the City of New York was amended to read in pertinent part as follows:

§5-23 Types of Handgun Licenses.

*(a) **Premises License-Residence or Business.** This is a restricted handgun license, issued for the protection of a business or residence premises.*

(1) The handguns listed on this license may not be removed from the address specified on the license except as otherwise provided in this chapter.

(2) The possession of the handgun for protection is restricted to the inside of the premises which address is specified on the license.

(3) To maintain proficiency in the use of the handgun, the licensee may transport her/his handgun(s) directly to and from an authorized small arms range/shooting club, unloaded, and in a locked container, the ammunition to be carried separately.

(4) A licensee may transport his/her handgun(s) directly to and from an authorized area designated by the New York State Fish and Wildlife Law and in compliance with all pertinent hunting regulations, unloaded, in a locked container, the ammunition to be carried separately, after the licensee has requested and received a "Police Department - City of New York

Hunting Authorization” Amendment attached to her/his license.

19. On May 8th, 2012 plaintiff Romolo Colantone wrote to Deputy Inspector Andrew Lunetta of the NYCPD License Division and inquired of his ability under the terms of his NYC Premises Residence license to participate in the 2012 World Class Steel Northeast Regional Championship, to be held at the Old Bridge Rifle & Pistol Club in Old Bridge, New Jersey on June 1st, 2012. (A copy of Mr. Colantone’s 05/08/12 letter is attached hereto as Exhibit A).

20. In a letter dated May 15th, 2012, Deputy Inspector Lunetta advised Mr. Colantone that:

The Rules of the City of New York contemplate that an authorized small arms range/shooting club is one authorized by the Police Commissioner. Therefore the only permissible ranges for target practice or competitive shooting matches by NYC Premises Residence License Holders are those located in New York City.

Premises license holders who have obtained the Hunting Authorization from the License Division may transport their handgun to those areas outside of City of New York designated by the New York State Fish and Wildlife Law for the purpose of hunting: no areas outside of New York State are permissible for this purpose.

These rules do not apply to New York City issued long gun permits. Long guns owned and registered under a NYC Rifle and Shotgun permit can be transported out of the

City and back to the permit holder's residence if they are unloaded, in a locked non-transparent case, with ammunition carried separately.

(A copy of Deputy Inspector Lunetta's 05/15/12 letter is attached hereto as Exhibit B).

About the Impact of the Licensing Restriction on the Plaintiffs and the Public

21. As mentioned above, it was Mr. Colantone's intention to attend the Steel Challenge regional shooting competition in Old Bridge, NJ on June 1st, 2012. However, in direct response to Deputy Inspector Lunetta's May 15th, 2012 letter, Mr. Colantone did not attend the Old Bridge competition. Mr. Colantone has refrained from attending any shooting events with his handgun that take place outside the City of New York since May 15th, 2012, for fear of the revocation of his Premises Residence license, and also for fear of arrest, criminal prosecution and imprisonment.

22. For these same reasons, Mr. Colantone has also refrained from taking his handgun to his Hancock home for protection since receiving Deputy Inspector Lunetta's May 15th, 2012 letter.

23 Efrain Alvarez intended to attend the Steel Challenge regional shooting competition on Old Bridge, NJ on June 1st, 2012, as well as the IDPA Postal Matches hosted by the Metacon Gun Club in Simsbury, CT. However, Mr. Alvarez was advised by the hosts of the Old Bridge competition that he was not allowed to attend at and compete at future Old Bridge competitions because the enforcement of 38 RCNY § 5-23 by the New York City Police Department made his attendance illegal.

24. Tony Irizarry intended to attend the Steel Challenge regional shooting competition on Old Bridge, NJ on June 1st, 2012. However, Mr. Irizarry was advised by the hosts of the Old Bridge competition that he was not allowed to attend at and compete at future Old Bridge competitions because the enforcement of 38 RCNY § 5-23 by the New York City Police Department made his attendance illegal.

25. As a direct and proximate result, Efrain Alvarez and Tony Irizarry did not attend the Old Bridge or Simsbury competitions. Mr. Alvarez and Mr. Irizarry have refrained from attending any shooting events that take place outside the City of New York since June of 2012, for fear of the revocation of their Premises Residence licenses, and also for fear of arrest, criminal prosecution, and imprisonment.

About the Benefits of Shooting Sports & the Frequency of Shooting Competitions

26. Familiarity with firearms, and proficiency in their use, are a pre-requisite to the safe and responsible use of firearms for private and public self-defense, and the defense of one's home.

27. Proficiency with firearms promotes public safety. Gun owners trained in and familiar with the operations of their guns are less likely to be involved in accidental shootings, and more likely to successfully use their firearms in self-defense in case of need.

28. Recreational and competitive sport shooting are traditional uses of firearms in the United States. Recreational and competitive sport shooting events promote, foster and further individual proficiency in and familiarity with the safe and responsible use of firearms.

29. The promotion of civilian marksmanship has been a priority of the federal government throughout American history, beginning with the Second Militia Act of 1792 and continuing through today with the modern implementation of the Civilian Marksmanship Program through the federally-chartered Corporation for the Promotion of Rifle Practice and Firearms Safety, 36 U.S.C. § 4701, et seq.

30. Target shooting builds understanding and respect for firearms, and teaches patience, discipline, and hand-eye coordination skills. Shooting sports and hunting are rated among the safest forms of recreation. Some 40 million people of all ages safely participate in these activities across the United States each year.

31. Gun ranges, and recreational and competitive shooting events open to the public exist in every American state.

32. The sport of competitive target shooting is defined in large part by travel. It is the nature and tradition of shooting competitions for a match or championship to be “hosted” by a range or gun club, and to be attended by numerous competitors from within the region.

33. There are hundreds of indoor and outdoor competitive shooting events held across the United States each year. In the Northeast, some of these include the Crossman Northeast Field Target Championships (held in Bloomfield, NY); the Schutzenfest Sporting Clays and Top Shot Competition (held each year in North Tonawanda, NY); the SCTP Mid-Atlantic Regional Olympic Trap Championships (held each year in Dalmatia, PA); and

the World Class Steel Regional Championships (held each year in either Roslyn, NY or Old Bridge, NJ).

34. Defendant City of New York recognizes the value of firearms training and proficiency, as evidenced by 38 RCNY § 5-23(a)(3)'s stated purpose of maintaining "proficiency with the handgun." In addition, 38 RCNY § 5-22(14) (captioned "licensee responsibilities") states that "the licensee should endeavor to engage in periodic handgun practice at an authorized small arms range/shooting club." *Id.*

35. Despite the fundamental importance of training and practice as a pre-requisite to the safe and responsible use of a firearm, only one (1) shooting range that is open to the public exists within the borders of New York City: the West Side Pistol & Rifle Range ("WSPRR") located at 20 West 20th Street in Manhattan. New visitors to the WSPRR are required to schedule appointments at least five (5) days in advance of visiting the range, and must undergo a separate criminal background check prior to gaining entry to the facility.

36. The WSPRR does not hold any form of competitive shooting matches on a regular basis.

37. New York City residents who wish to abide by 38 RCNY § 5-23, but who are not able to obtain practice time at the WSPRR are faced with the choice of either not practicing safe handgun skills under any circumstances, or otherwise applying for membership in a private gun club located within New York City's borders. Membership in such clubs is a privilege, not a right, and is in no way guaranteed. In addition, obtaining membership in such club entails the paying

of application fees, membership fees, and regular dues to the club.

38. In this manner, 38 RCNY § 5-23 imposes a financial burden on the exercise of a fundamental constitutional right, and forces New York City residents to associate with certain groups of individuals solely for the purposes of exercising a fundamental constitutional right.

COUNT I

**RIGHT TO KEEP AND BEAR ARMS U.S.
CONSTITUTION, AMENDMENTS II AND XIV
42 U.S.C. § 1983**

39. Paragraphs 1 through 38 are hereby incorporated as if fully repeated herein.

40. The Second Amendment, which applies against the City of New York and the NYCPD License Division by operation of the Fourteenth Amendment, secures the plaintiffs' individual and fundamental "core" right to possess and carry a firearm for the purposes of public and private defense, and the defense of hearth and home.

41. The safe, responsible and meaningful exercise of the Second Amendment right by an individual requires unrestricted access to gun ranges and shooting events in order to practice and perfect safe gun handling skills. The Second Amendment secures the right to operate firearms at a range for the purposes of learning about firearms, gaining proficiency with firearms, and obtaining any and all training required as a condition of firearms ownership, recreation, and competition.

42. 38 RCNY § 5-23 impermissibly restricts a New York City resident's exercise of the Second Amendment right by completely prohibiting that resident from practicing safe gun handling at a target range or shooting event that is located beyond the borders of NYC.

43. By limiting New York City residents to attending shooting events within New York City borders, when in reality no shooting events take place within New York City borders, 38 RCNY § 5-23 effectuates a total ban on a New York City resident's ability to attend shooting events.

44. By prohibiting attendance at shooting events, and by limiting New York City residents such as Romolo Colantone, Efrain Alvarez, and Tony Irizarry to practicing at the single gun range open to the public within the City of New York, 38 RCNY § 5-23 defeats their ability to practice, hone and perfect safe gun handling skills.

45. 38 RCNY § 5-23 impedes gun ownership itself and frustrates its own stated goal of obtaining "proficiency with the handgun" by unreasonably limiting, and effectively barring, the plaintiffs' access to the useful information and experience inherently necessary to the exercise of Second Amendment rights.

46. By prohibiting New York City residents like Romolo Colantone from transporting duly licensed and lawfully possessed firearms to second homes for purposes of the defense of person, home and property, 38 RCNY § 5-23 violates the plaintiffs' fundamental and "core" Second Amendment right to possess handguns for the defense of hearth and home.

47. The defendants have no compelling interest in prohibiting New York City residents from practicing at shooting ranges or recreational or competitive shooting events located outside the borders of New York City, or from possessing handguns to defend their homes, persons and property. Even assuming, *arguendo*, that such a compelling interest exists, 38 RCNY § 5-23 is not the least restrictive means of achieving that interest.

48. The defendants do not have an important or substantial governmental interest in prohibiting New York City residents from practicing at shooting ranges or recreational or competitive shooting events located outside the borders of New York City, or from possessing handguns to defend their homes, persons and property. Even assuming, *arguendo*, that such a compelling interest exists, 38 RCNY § 5-23 is not the least restrictive means of achieving that interest.

49. In the foregoing ways, and for the foregoing reasons, 38 RCNY § 5-23 is unreasonably and unconstitutionally restrictive, and improperly infringes upon the exercise of the plaintiffs' "core" Second Amendment right.

50. By enacting and enforcing 38 RCNY § 5-23 in violation of the plaintiffs' constitutional rights under the Second Amendment, the defendants have caused the plaintiffs irreparable harm.

51. By enacting and enforcing 38 RCNY § 5-23 the defendants, acting under the color of law, have deprived New York City residents, including the plaintiffs, of their right to keep and bear arms, in violation of the Second and Fourteenth Amendments

to the U.S. Constitution. Plaintiffs are thereby damaged in violation of 42 U.S.C. § 1983.

52. Plaintiffs are therefore entitled to declaratory and preliminary and permanent injunctive relief against the continued enforcement and maintenance of the defendants' unconstitutional customs, policies and practices.

COUNT II
RIGHT TO INTERSTATE AND
INTRASTATE TRAVEL
U.S. CONSTITUTION, ARTICLE IV, § 2
and AMENDMENT XIV 18 U.S.C. § 926A,
42 U.S.C. § 1983

53. Paragraphs 1 through 52 are hereby incorporated as if fully repeated herein.

54. The U.S. Constitution protects a citizen's fundamental right to travel within the United States. This fundamental constitutional right has, at times, been called "the right to free movement."

55. The fundamental constitutional right to free movement finds its origin in both the Privileges and Immunities Clause of Article IV, § 2 of the U.S. Constitution, and the Privileges and Immunities and Equal Protection clauses of the Fourteenth Amendment to the U.S. Constitution.

56. U.S. citizens also possess a fundamental constitutional right to travel freely within one's own state.

57. Individuals who lawfully possess firearms have a federal statutory right to travel both interstate and intrastate with those firearms under 18 U.S.C. § 926A ("the Firearms Owners Protections Act").

58. By prohibiting New York City residents such as the plaintiffs from attending at shooting ranges or shooting events located beyond the borders of New York City, 38 RCNY § 5-23 violates the plaintiffs' fundamental constitutional rights to interstate and intrastate travel, and also their federal statutory rights to lawfully travel with firearms under the Firearms Owners Protections Act.

59. The defendants have no compelling interest in prohibiting New York City residents from exercising their fundamental rights to intrastate travel or interstate travel, or in prohibiting New York City residents from lawfully traveling with their firearms beyond the borders of New York City. Even assuming, *arguendo*, that such a compelling interest exists, 38 RCNY § 5-23 is not the least restrictive means of achieving such interest.

60. The defendants do not have an important or substantial governmental interest in prohibiting New York City residents from exercising their fundamental rights to intrastate travel or interstate travel, or in prohibiting New York City residents from lawfully traveling with their firearms beyond the borders of New York City. Even assuming, *arguendo*, that such an important or substantial governmental interest exists, 38 RCNY § 5-23 is not substantially related to achieving this interest.

61. In the foregoing ways, and for the foregoing reasons, 38 RCNY § 5-23 is unreasonably and unconstitutionally restrictive, and improperly infringes upon the plaintiffs' exercise of the constitutional right to interstate travel and intrastate

travel, and the plaintiffs' statutory right to travel with legally possessed firearms.

62. By enacting and enforcing 38 RCNY § 5-23 in violation of the plaintiffs' rights constitutional right to interstate travel and intrastate travel, and the plaintiffs' statutory right to travel with legally possessed firearms, the defendants have caused the plaintiffs irreparable harm.

63. By enacting and enforcing 38 RCNY § 5-23 the defendants, acting under the color of law, have deprived New York City residents, including the plaintiffs, of their constitutional right to interstate travel and intrastate travel in violation of the Privileges and Immunities Clause of Article IV, § 2 of the U.S. Constitution, and the Privileges and Immunities and Equal Protection clauses of the Fourteenth Amendment to the U.S. Constitution, and their statutory right to travel with legally possessed firearms under the Firearms Owners Protections Act. Plaintiffs are thereby damaged in violation of 42 U.S.C. § 1983.

64. Plaintiffs are therefore entitled to declaratory and preliminary and permanent injunctive relief against the continued enforcement and maintenance of the defendants' unconstitutional customs, policies and practices.

COUNT III
FREE SPEECH
U.S. CONSTITUTION,
AMENDMENTS I and XIV
42 U.S.C. § 1983

65. Paragraphs 1 through 64 are hereby incorporated as if fully repeated herein.

66. The First Amendment, which applies against the defendant City of New York and New York City Police Department by operation of the Fourteenth Amendment, secures the plaintiffs' fundamental right to freedom of association, and also the right to receive education and instruction in the use of firearms, including the right to receive the training recognized by the defendants as a prerequisite to owning firearms.

67. By enacting and enforcing a rule that prohibits the plaintiffs' right to travel to and attend at shooting ranges and shooting competitions outside the City of New York, and by forcing New York City residents to join private gun clubs (and incur the fees and expenses related to such private memberships) in order to exercise a fundamental constitutional right, the defendants have violated the plaintiffs' right to free speech and freedom of association in violation of the First Amendment to the U.S. Constitution.

68. The defendants have no compelling interest in prohibiting New York City residents from traveling to extra-territorial gun ranges, from participating in extra-territorial competitive shooting events, and forcing New York City residents to join private gun clubs (and incur the fees and expenses related to such

private memberships) in order to exercise a fundamental constitutional right. Even assuming, *arguendo*, that such a compelling interest exists, 38 RCNY § 5-23 is not the least restrictive means of achieving such interest.

69. The defendants do not have an important or substantial governmental interest in prohibiting New York City residents from traveling to extra-territorial gun ranges, in prohibiting New York City residents from participating in extra-territorial competitive shooting events, and in forcing New York City residents to join private gun clubs (and incur the fees and expenses related to such private memberships) in order to exercise a fundamental constitutional right. Even assuming, *arguendo*, that such an important or substantial interest exists, 38 RCNY § 5-23 is not substantially related to achieving such interest.

70. In the foregoing ways, and for the foregoing reasons, 38 RCNY § 5-23 is unreasonably and unconstitutionally restrictive, and improperly infringes upon the plaintiffs' exercise of the constitutional right to free speech and freedom of association.

71. By enacting and enforcing 38 RCNY § 5-23 in violation of the plaintiffs' right to free speech and freedom of association in violation of the First Amendment to the U.S. Constitution, the defendants have caused the plaintiffs irreparable harm.

72. By enacting and enforcing 38 RCNY § 5-23 the defendants, acting under the color of law, have deprived New York City residents, including the plaintiffs, of their constitutional right to free speech and freedom of association in violation of the First

Amendment to the U.S. Constitution. Plaintiffs are thereby damaged in violation of 42 U.S.C. § 1983.

73. Plaintiffs are therefore entitled to declaratory and preliminary and permanent injunctive relief against the continued enforcement and maintenance of the defendants' unconstitutional customs, policies and practices.

COUNT IV
COMMERCE CLAUSE
U.S. CONSTITUTION,
ARTICLE I, § 8, CLAUSE 3
42 U.S.C. § 1983

74. Paragraphs 1 through 73 are hereby incorporated as if fully repeated herein.

75. The Commerce Clause provides that “the Congress shall have Power ... to regulate Commerce ... among the several States.” Art. I, § 8, cl. 3. Though phrased as a grant of regulatory power to Congress, the Clause has long been understood to have a “negative” aspect that denies the States the power unjustifiably to discriminate against or burden the interstate flow of articles of commerce.

76. The Framers granted Congress plenary authority over interstate commerce in order to avoid economic Balkanization amongst the States. The constitutional principle that drives resistance to economic protectionism is that the economic unit in the United States is the nation itself. It is the nation alone has the gamut of powers necessary to control of the economy. A corollary to this principle is that the states are not separable economic units.

77. Restricting NYC residents to using only those firing ranges that exist within NYC borders does nothing to promote proficiency in the use of firearms, enhance awareness of firearms safety principles, or encourage the safe and responsible use of firearms.

78. The defendants have no evidence showing that the physical facilities of the gun ranges within NYC borders firearms are safer than the facilities of gun ranges that exist outside of NYC borders. Similarly, the defendants lack any proof that the safety training principles utilized by NYC gun ranges are so advanced and/or unique that (when compared to those utilized by non-NYC ranges) requiring a NYC resident to practice firearms safety at a NYC gun range produces greater firearms proficiency and/or greater awareness of firearms safety in NYC residents. The defendants have no proof that requiring NYC residents to use only NYC gun ranges has reduced (or even impacted) the incidence of intentional or accidental gun violence within NYC borders. Enacting and enforcing 38 RCNY § 5-23 therefore produces no putative local benefits to NYC residents and serves no legitimate local public interest.

79. In enacting and enforcing 38 RCNY § 5-23 the defendants seek to regulate and control an activity that takes place wholly outside of the borders of New York City and New York State: attendance at non-NYC approved gun ranges and participation in competitive sport shooting events beyond NYC's borders. The Commerce Clause prohibits the application of a statute or regulation to commerce that occurs wholly beyond a municipality's or state's borders.

80. Gun ranges that operate beyond NYC borders welcome NYC residents who are lawfully licensed to carry firearms. The sponsors of competitive shooting events that occur in other states do the same. The issues of whether a NYS resident who is legally permitted to carry a firearm in NYC can practice target shooting at, e.g., a Yonkers gun range, or can attend a competitive shooting event in, e.g., Old Bridge, NJ are properly resolved by the local legislatures of Yonkers or Old Bridge, or the state legislature of New Jersey. The City of New York has no say in such matters. As such, the enactment and enforcement of 38 RCNY § 5-23 exceeds the inherent limits of the defendants' authority and is invalid regardless of whether § 5-23's extraterritorial reach was intended by the City of New York.

81. To the extent that the legislative bodies of municipalities and states beyond the borders of NYC or NYS have decided that NYS residents who legally possess firearms *are* welcome to attend local gun ranges and shooting events, the enactment and enforcement of 38 RCNY § 5-23 by the defendants impermissibly interferes with these legitimate local legislative decisions. This interference violates the Commerce Clause.

82. The defendants have no compelling interest in prohibiting New York City residents from traveling to extra-territorial gun ranges and prohibiting them from participating in extraterritorial competitive shooting events. Even assuming, *arguendo*, that such a compelling interest exists, 38 RCNY § 5-23 is not the least restrictive means of achieving such interest.

83. The defendants do not have an important or substantial governmental interest in prohibiting New York City residents from traveling to extra-territorial gun ranges, or in prohibiting New York City residents from participating in extra-territorial competitive shooting events. Even assuming, *arguendo*, that such an important or substantial interest exists, 38 RCNY § 5-23 is not substantially related to achieving such interest.

84. By enacting and enforcing a rule that prohibits the plaintiffs' right to travel to and attend at shooting ranges and shooting competitions outside the City of New York and the State of New York, the defendants have violated the plaintiffs' constitutional rights under the Commerce Clause and have caused the plaintiffs irreparable harm.

85. By enacting and enforcing 38 RCNY § 5-23 the defendants, acting under the color of law, have deprived New York City residents, including the plaintiffs, of their rights under the Commerce Clause in violation of Article I, § 8, clause 3 of the U.S. Constitution. Plaintiffs are thereby damaged in violation of 42 U.S.C. § 1983.

86. Plaintiffs are therefore entitled to declaratory and preliminary and permanent injunctive relief against the continued enforcement and maintenance of the defendants' unconstitutional customs, policies and practices.

PRAYER FOR RELIEF

Plaintiffs request that judgment be entered in their favor and against the Defendants as follows:

1. An order preliminarily and permanently enjoining the Defendants, their officers, agents, servants, employees, and all persons in active concert or participation with them who receive actual notice of the injunction, from enforcing 38 RCNY § 5-23's prohibition from traveling beyond the borders of the City of New York to attend at a gun range, shooting competition, or to use a lawfully possessed and licensed firearm for the purposes of defending one's home, person, and/or property;

2. Attorney's fees and costs pursuant to 42 U.S.C. § 1988;

3. Declaratory relief consistent with the injunction;

4. Costs of suit; and

5. Any other such further relief as the Court deems just and proper.

Dated: New York, New York

May 1, 2013

GOLDBERG SEGALLA LLP

By: [handwritten: signature]
Brian T. Stapleton, Esq.

Exhibit A to Amended Complaint

The City of New York Police Department

[Logo]

* * *

May 15, 2012

Mr. Romolo Colantone

* * *

Dear Mr. Colantone,

This is in response to your question about whether participation in a handgun competition in New Jersey would be in compliance with the terms and conditions of your New York City Premise Residence license. With the exception noted below, New York City Premises Residence licenses are only valid in the City of New York.

The following sections from the Rules of the City of New York regarding Premise Residence licenses related to your question:

38 RCNY § 5-23(a)(3) To maintain proficiency in the use of the handgun, the licensee may transport her/his handgun(s) directly to and from an authorized small arms range/shooting club, unloaded, in a locked container, the ammunition to be carried separately.

38 RCNY § 5-23(a)(4) A licensee may transport her/his handgun(s) directly to and from an authorized area designated by the New York State Fish and Wildlife Law and in compliance with all pertinent hunting regulations, unloaded, in a locked container,

the ammunition to be carried separately, after the licensee has requested and received a "Police Department -- City of New York Hunting Authorization" Amendment attached to her/his license.

The Rules of the City of New York contemplate that an authorized small arms range/shooting club is one authorized by the Police Commissioner. Therefore the only permissible ranges for target practice or competitive shooting matches by NYC Premises Residence license holders are those located in New York City.

Premise license holders who have obtained the Hunting Authorization from the License Division may transport their handgun to those areas outside of the City of New York designated by the New York State Fish and Wildlife Law for the purpose of hunting; no areas outside of New York State are permissible for this purpose.

These rules do not apply to New York City issued long gun permits. Long guns owned and registered under a NYC Rifle and Shotgun permit can be transported out of the City and back to the permit holder's residence if they are unloaded, in a locked non-transparent case, with ammunition carried separately.

I hope that this information is helpful to you.

Very truly yours,

[handwritten: signature]

Andrew Lunetta

Deputy Inspector

**Affidavit of Romolo Colantone
(S.D.N.Y. May 7, 2013)**

ROMOLO COLANTONE being duly sworn, hereby states the following pursuant to penalties of perjury:

1. I am over the age of eighteen (18) and believe in the nature of an oath.

2. I am a natural person and a citizen of the United States, residing in Richmond County, New York.

3. I am a holder of a Premises Residence firearms license issued by the City of New York, I applied for this license approximately thirty-three (33) years ago, in the year 1979. At that time, the license was known as a “target” license. My license was regularly renewed, and is now known as a Premises Residence license. I also hold a non-resident firearm permits issued by the state of Utah.

4. There are numerous shooting competitions outside of both New York City and New York State. These are regularly-held regional indoor and outdoor competitive shooting events, such as the NRA Sectional Championships (paper target) in Roslyn, New York and Old Bridge, New Jersey and the Steel Challenge Championships (steel target) in Old Bridge, New Jersey. There are no shooting competitions that are held within the city limits of New York City on a regular basis.

5. These competitions provide me with an important way to practice shooting my handgun and become more proficient with it.

6. Last year, I intended to attend the 2012 World Class Steel Northeast Regional Championship, to be held at the Old Bridge Rifle & Pistol Club in Old Bridge, New Jersey on June 1, 2012 (“The Old Bridge Competition”). However, the hosts of the Old Bridge competition advised me beforehand that I was not allowed to attend and compete at the Old Bridge competition because the enforcement of 38 RCNY § 5-23 by the New York City Police Department (“NYCPD”) made attendance with my handgun “illegal.”

7. In order to obtain greater clarification, on May 8, 2012 I wrote to the NYCPD License Division and inquired of my ability under the terms of my NYC Premises Residence license to participate in the Old Bridge competition. (A copy of my 05/08/12 letter is attached hereto as Exhibit A).

8. In a letter dated May 15, 2012, Deputy Inspector Andrew Lunetta of the NYCPD Licensing Division advised me that:

The Rules of the City of New York contemplate that an authorized small arms range/shooting club is one authorized by the Police Commissioner. Therefore the only permissible ranges for target practice or competitive shooting matches by NYC Premises Residence License Holders are those located in New York City.

Premises license holders who have obtained the Hunting Authorization from the License Division may transport their handgun to those areas outside of City of New York designated by the New York State Fish and

Wildlife Law for the purpose of hunting: no areas outside of New York State are permissible for this purpose.

These rules do not apply to New York City issued long gun permits. Long guns owned and registered under a NYC Rifle and Shotgun permit can be transported out of the City and back to the permit holder's residence if they are unloaded, in a locked non-transparent case, with ammunition carried separately.

(A copy of Deputy Inspector Lunetta's 05/15/12 letter is attached hereto as Exhibit B).

9. In direct response to Deputy Inspector Lunetta's May 15, 2012 letter, I did not attend the Old Bridge competition with my handgun.

10. I have refrained from attending any shooting events with my handgun that take place outside of the City of New York since June 2012. I fear that my Premises Residence license will be revoked or I will be arrested, criminally prosecuted, and imprisoned if I attend any such events with my handgun outside of the City of New York.

11. In addition, my family has owned land in the Catskills region of New York for thirty two (32) years. Eight (8) years ago, I built a second family home in Hancock, New York. My family and I visit this land and second home several times each year. We enjoy hunting and fishing during in-season, and also spend summer vacations on the property. The Colantone Hancock house is located in a remote area, and as such presents a threat to the safety of myself and my family while there.

12. In direct response to Deputy Inspector Lunetta's May 15, 2012 letter. I have refrained from taking my handgun to my Hancock home for protection since May 15th, 2012.

13. But for the license revocation and possibility of criminal penalties under the enforcement of 38 RCNY § 5-23, I would continue to participate in shooting competitions with my handgun outside the boundaries of New York City, such as the NRA Sectional Championships (paper target) in Roslyn, New York and Old Bridge, New Jersey and the Steel Challenge regional shooting competition in Old Bridge, New Jersey.

14. But for the license revocation and possibility of criminal penalties under the enforcement of 38 RCNY § 5-23, I would take my handgun to my Hancock home for the protection of my person, loved ones and property.

15. I have reviewed the foregoing statements and believe them to be true and accurate, based upon my own information and belief.

[handwritten: signature]
/s/ ROMOLO COLANTONE

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Exhibit A to R. Colantone Affidavit
Letter from Romolo Colantone to Andrew
Lunetta Re: Participation in Handgun
Competitions Outside New York City
(May 8, 2012)

Dear Deputy Inspector Lunetta:

For most of my life I have participated in various shooting competitions and events. I have always ensured my compliance with all laws and requirements pertaining to the ownership, transport, and use of firearms. When I was issued my NYPD Handgun License it specifically listed "Target" use. Since the renewing my License around 2001 it is a Residence Premises License. It has been my understanding that the Premises License still permitted my use of handgun at any range providing the firearms were transported in accordance with New York City and other laws and regulations.

I am registered to participate on June 1, 2012 in the 2012 World Class Steel Northeast Regional Championship (brochure attached). This event will be held at the Old Bridge Rifle & Pistol Club in Old Bridge New Jersey. The state of New Jersey permits participation of licensed non-resident gun owners in such matches. Can you please clarify if my participation in this event will be in compliance with terms/restrictions of my NYPD Premise License.

Thank you.

Sincerely,
Romolo Colantone

**Affidavit of Jose Anthony Irizarry
(S.D.N.Y. May 7, 2013)**

JOSE ANTHONY IRIZARRY being duly sworn, hereby states the following pursuant to penalties of perjury:

1. I am over the age of eighteen (18) and believe in the nature of an oath.

2. I am a natural person and a citizen of the United States, residing in Bronx County, New York.

3. I am a holder of a Premises Residence firearms license issued by the City of New York. I applied for and received this license in the year 2004.

4. I also hold a non-resident firearm permits issued by the states of Pennsylvania and Utah.

5. There are numerous shooting competitions outside of both New York City and New York State. These are regularly-held regional indoor and outdoor competitive shooting events, such as the NRA Sectional Championships (paper target) in Roslyn, New York and Old Bridge, New Jersey and the Steel Challenge Championships (steel target) in Old Bridge, New Jersey. There are no shooting competitions that are held within the city limits of New York City on a regular basis.

6. These competitions provide me with an important way to practice shooting my handgun and become more proficient with it.

7. Last year, I intended to attend the 2012 World Class Steel Northeast Regional Championship, to be held at the Old Bridge Rifle & Pistol Club in Old Bridge, New Jersey on June 1, 2012. ("The Old Bridge Competition"). However, the hosts of the Old Bridge

Competition advised beforehand that NYC residents were not allowed to attend at and compete at future Old Bridge Competitions because the enforcement of 38 RCNY § 5-23 by the New York City Police Department (“NYC PD”) made their attendance at this event with handguns illegal.

8. I understand that the NYCPD is now telling firearm license holders that they can no longer travel outside of the borders of New York City with their handguns to attend competitive shooting matches like the Old Bridge Competition, and that the only competitions firearm license holders may attend with their handguns are those that are held in New York City.

9. In direct response to the aforementioned NYC PD communication, I have refrained from attending any shooting events with my handgun that take place outside of the City of New York since June 2012. I fear that my Premises Residence license will be revoked or I will be arrested, criminally prosecuted, and imprisoned if I attend any such events with my handgun outside of the City of New York.

10. But for the license revocation and possibility of criminal penalties under the enforcement of 38 RCNY § 5-23, I would participate in shooting competitions with my handgun outside the boundaries of New York City, such as the NRA Sectional Championships (paper target) in Roslyn, New York and Old Bridge, New Jersey and the Steel Challenge regional shooting competition in Old Bridge, New Jersey.

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11. I have reviewed the foregoing statements and believe them to be true and accurate, based upon my own information and belief.

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/s/ JOSE ANTHONY IRIZARRY

**Affidavit of Efrain Alvarez
(S.D.N.Y. May 7, 2013)**

EFRAIN ALVAREZ being duly sworn, hereby states the following pursuant to penalties of perjury:

1. I am over the age of eighteen (18) and believe in the nature of an oath.

2. I am a natural person and a citizen of the United States, residing in Bronx County, New York.

3. I am a holder of a Premises Residence firearms license issued by the City of New York. I applied for and received this license approximately twenty five (25) years ago. At that time, the license was known as a “target” license. My license was regularly renewed, and is now known as a Premises Residence license.

4. I also hold a non-resident firearm permits issued by the states of New Hampshire, Connecticut, Florida, Virginia, and Utah.

5. There are numerous shooting competitions outside of both New York City and New York State. These are regularly-held regional indoor and outdoor competitive shooting events, such as the NRA Sectional Championships (paper target) in Roslyn, New York and Old Bridge, New Jersey and the Steel Challenge Championships (steel target) in Old Bridge, New Jersey. There are no shooting competitions that are held within the city limits of New York City on a regular basis.

6. These competitions provide me with an important way to practice shooting my handgun and become more proficient with it.

7. Last year, I intended to attend the 2012 World Class Steel Northeast Regional Championship, to be

held at the Old Bridge Rifle & Pistol Club in Old Bridge, New Jersey on June 1st, 2012. ("The Old Bridge Competition"). However, the hosts of the Old Bridge Competition advised beforehand that NYC residents were not allowed to attend at and compete at future Old Bridge Competitions because the enforcement of 38 RCNY § 5-23 by the New York City Police Department ("NYC PD") made their attendance at this event with handguns illegal.

8. I then wrote to the NYC PD to inquire about my ability to travel outside of the New York City limits. On July 31st, 2012, I received a letter from NYC PD Deputy Inspector Anderw Lunetta indicating that I could no longer travel outside of the borders of New York City with my handguns to attend competitive shooting matches, and that the only competitions firearm license I could attend with were those that are held in New York City. (A copy of this letter is attached as Exhibit A).

9. In direct response to the aforementioned NYC PD communication, I have refrained from attending any shooting events with my handgun that take place outside of the City of New York since June 2012. I fear that my Premises Residence license will be revoked or I will be arrested, criminally prosecuted, and imprisoned if I attend any such events with my handgun outside of the City of New York.

10. But for the license revocation and possibility of criminal penalties under the enforcement of 38 RCNY § 5-23, I would participate in shooting competitions with my handgun outside the boundaries of New York City, such as the NRA Sectional Championships (paper target) in Roslyn, New York

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and Old Bridge, New Jersey and the Steel Challenge regional shooting competition in Old Bridge, New Jersey.

11. I have reviewed the foregoing statements and believe them to be true and accurate, based upon my own information and belief.

[handwritten: signature]

/s/ EFRAIN ALVAREZ

Exhibit A to E. Alvarez Affidavit
Letter from Andrew Lunetta to Efrain Alvarez
(July 31, 2012)

Dear Mr. Alvarez:

This is in response to your question regarding the ability of a holder of a New York City Premise Residence license to travel to and from a competitive sanctioned shooting match on Long Island or in a neighboring state. The answer is that the holder of a Premise Residence license cannot do so with a handgun listed on that license.

The Penal Law crime of Criminal Possession of a Weapon contains an exemption (as cited in your letter NYS PL § 265.20 (13)) for out of state residents to participate in an organized competitive pistol match or league competition subject to certain conditions. There is no such exemption for New York State residents. NYC licenses are governed by the Rules of the City of New York, and there is no provision allowing Premise Residence license holders to travel with their handgun-out of the City. Additionally, the Federal transportation rules only apply to licenses that authorize carrying the firearm in both states, and case law has confirmed that holders of a NYC Premise Residence license are not covered by the Federal transportation statute.

The following sections from the Rules of the City of New York regarding Premise Residence licenses relate to your question:

38 RCNY § 5-23 (a) (3) To maintain proficiency in the use of the handgun, the licensee may transport her/his handgun(s)

directly to and from an authorized small arms range/shooting club, unloaded, in a locked container, the ammunition to be carried separately.

38 RCNY § 5-23 (a) (4) A licensee may transport her/his handgun(s) directly to and from an authorized area designated by the New York State Fish and Wildlife Law and in compliance with all pertinent hunting regulations, unloaded, in a locked container, the ammunition to be carried separately, after the licensee has requested and received a "Police Department -- City of New York Hunting Authorization" Amendment attached to her/his license.

The Rules of the City of New York contemplate that an authorized small arms range/shooting club is one authorized by the Police Commissioner. Therefore the only permissible ranges for target practice or competitive shooting matches by NYC Premises Residence license holders are those located in New York City.

Premise license holders who have obtained the Hunting Authorization from the License Division may transport their handgun to those areas outside of the City of New York designated by the New York State Fish and Wildlife Law for the purpose of hunting; no areas outside of New York State are permissible for this purpose.

These rules do not apply to New York City issued long gun permits. Long guns owned and registered under a NYC Rifle and Shotgun permit can be transported out of the City and back to the permit

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holder's residence if they are unloaded, in a locked nontransparent case, with ammunition carried separately.

I hope that this information is helpful to you.

Very truly yours,

[handwritten: signature]

Andrew Lunetta

Deputy Inspector

**Declaration of Michelle Goldberg-Cahn
(S.D.N.Y. June 5, 2014)**

MICHELLE GOLDBERG-CAHN, declares under the penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct:

1. I am an Assistant Corporation Counsel in the office of MICHAEL A. CARDOZO, Corporation Counsel of the City of New York, attorney for defendants the City of New York and the New York City Police Department License Division (“License Division”). I submit this declaration in opposition to plaintiffs’ motion for a preliminary injunction, and to place certain documents on the record of this motion.

2. Annexed for this Court’s consideration are the following documents:

- A copy of Title 38 of the Rules of the City of New York (“RCNY”), chapter 5, section 23 (38 RCNY § 5-23) printed from the LEXIS legal publishing company is annexed hereto as Exhibit “A.” The historical note under the rule reflects that § 5-23(a) was amended by publication in the *City Record* on May 31, 2001. Exhibit “A.”
- A copy of the relevant page from the May 31, 2001 City Record reflecting the Statement of Basis and Purpose of the rule changes promulgated by the License Division, is annexed hereto as Exhibit “B.”

Dated: New York, New York

June 5, 2014

[handwritten: signature]
MICHELLE GOLDBERG-CAHN

**Exhibit B to Declaration of
Michelle Goldberg-Cahn**

STATEMENT OF BASIS AND PURPOSE

The Police Commissioner is responsible for the licensing and regulation of handguns, rifles, shotguns and other weapons in New York City, including activities such as possessing, carrying, selling, manufacturing, transporting or repairing such weapons. In addition, the Police Commissioner is authorized to designate individuals as “Special Patrolmen” pursuant to Section 14-105 of the New York City Administrative Code. The administrative arm of the Police Department which fulfills these functions at his direction is the New York City Police Department’s License Division.

Since early 1997, the operation of the License Division has undergone extensive review and analysis. This continuous effort to improve the quality and timeliness of the application and renewal process, the investigation of incidents, the determination of fitness, and the safe transport of weapons through New York City has resulted in significant policy changes and organizational improvements under the present rules and practices. However, it became clear that in the interest of consistency, fairness, and efficiency, a close examination and restructuring of Chapters 1, 2, 3, 4, 5, 13, 15 (Subchapter B), and 16 of Title 38 of the Rules of the City of New York was equally necessary.

Chapters 1 through 5, regarding licensing and possession of handguns and rifles/shotguns, as well as the licensing of dealers in weapons (including air pistols and air rifles), have been amended to be

internally consistent in application, renewal, and suspension/revocation procedures. The amendments incorporate recent changes to the law, such as federal and state law prohibitions against possession of firearms by perpetrators of domestic violence, as well as local laws regarding the possession and use of safety locking devices and the establishment of domestic partnership registration in New York City. The amendments clarify and streamline the application and review process, clarify the conditions of the issuance of a license including the obligation to observe applicable laws and rules, and set forth consistent procedures for the appeal of revocation or suspension of a license or permit. Specifically with respect to handgun licensing, the amendments eliminate as a separate category the “Target” handgun license, clarify the requirements for particular categories of handgun licenses, and require inspection of all handguns with each renewal of the license.

Chapter 13 “Special Patrolman” has been similarly amended to streamline and clarify application, renewal, and suspension/revocation procedures, including criteria to be considered when evaluating whether employers demonstrate sufficient need for the appointment of special patrolmen.

Subchapter B of Chapter 15, governing hearings conducted by the License Division, has been amended to conform the hearing process to the License Division rules as amended herein, as well as to clarify and streamline the hearing and disposition process.

Chapter 16 is amended to strengthen the already existing rules regarding the transport of weapons in New York City. The amendments clarify the

definitions of applicable terms, strengthen notification requirements and security requirements when weapons are transported in and through New York City, and provide an appropriate procedure when a weapons shipment destined for location outside of New York City is unexpectedly delayed in New York City. The chapter is also amended to exempt weapons shipments of five or fewer between licensed dealers within New York City from the operation of these rules.

In response to public comment on the proposed rule amendments and additional review by members of the Police Department, modifications have been made to rules contained in Chapters 1, 2, 3, 4, 5, 15, and 16, which include: addition of the provision requiring license or permit applicants to notify the License Division in the event that their circumstances change during the pendency of the application; restoration of the thirty-day period within which to request a hearing following suspension or revocation of a license or permit, rather than the ten-day period originally provided; addition of a provision requiring that a licensee or permittee whose license was suspended or revoked due to their becoming the subject of an order of protection must wait until the order of protection is expired or voided in order to request a hearing; and modification of a requirement in Chapter 5 providing that licensees may, rather than shall, be required to produce all handguns possessed for inspection upon renewal of a handgun license.

Consistent with the intent of the New York State Penal Law and the New York City Administrative Code, and pursuant to the powers of the Commissioner

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under sections 434(b) and 1043 of the New York City Charter, Title 16 of the New York City Administrative Code, and Articles 265 and 400 of the New York State Penal Law, the Police Department is now acting to amend its rules to create a comprehensive and reasonable regulatory scheme for the licensing and regulation of deadly weapons in New York City, and for the appropriate designation of Special Patrolmen.

**Exhibit C to Declaration of
Michelle Goldberg-Cahn
Opinion re Motion for a Preliminary Injunction
(S.D.N.Y. Sept. 20, 2013)**

Sweet, D.J.

Plaintiffs New York State Rifle & Pistol Association (“NYSRPA”), Romola Colantone (“Colantone”), Efain Alvarez (“Alvarez”) and Jose Anthony Irizarry (“Irizarry” and, collectively, “Plaintiffs”) have moved for a preliminary injunction enjoining the enforcement of 38 RCNY § 5-23(a) (“§5-23”), a regulation promulgated by defendant the City of New York that governs the use of handguns by individuals who have been granted a handgun license by defendant the New York City Police Department - License Division (the “NYPD License Division”).

For the reasons set forth below, the motion is stayed pending a decision by the New York Court of Appeals in *Osterweil v. Bartlett*, see 20 N.Y.3d 1058 (2013).

The Motion Is Stayed

Section 5-23(a) provides that with respect to the type of handgun license known as a “premises license”

(3) To maintain proficiency in the use of the handgun, the licensee may transport his/her handgun(s) directly to and from an authorized small arms range/shooting club, unloaded, in a locked container, the ammunition to be carried separately.

(4) A licensee may transport his/her handgun(s) directly to and from an authorized area designated by the New York

State Fish and Wildlife Law and in compliance with all pertinent hunting regulations, unloaded, in a locked container, the ammunition to be carried separately, after the licensee has requested and received a “Police Department - City of New York Hunting Authorization” Amendment attached to her/his license.

38 RCNY § 5-23(a) (3) & (4). This language has been construed by the NYPD License Division to mean that the holder of a premises license who possesses a handgun located in his New York City residence is prohibited by law from transporting that handgun outside the borders of New York City except for the purpose of hunting. *See* Affidavit of Romolo Colantone (“Colantone Aff.”) ¶¶ 8, 11-12 & Exs. A & B.

Plaintiffs have contended that §5-23 violates their right to bear arms under the Second Amendment because, *inter alia*, it effectively precludes them from using a handgun to protect themselves and their families if and when they reside at a secondary residence that is located outside of New York City. *See* Memorandum in Support of Plaintiffs’ Motion for a Preliminary Injunction (“Pl. Mem.”) at 10-12. According to Plaintiffs, because §5-23 prohibits them from transporting a handgun outside of New York City for any reason other than hunting, the regulation makes it illegal for a duly licensed New York City resident to transport his handgun from his primary residence in New York City to a second home that is located outside of New York City.

The strength of Plaintiffs’ argument is dependent in large part upon the construction of New York Penal

Law § 400.00 (“§400.00”), which is the New York State law governing firearm licenses. Subsection (a) (3) of §400.00 provides that an application for a license to carry a firearm

shall be made and renewed, in the case of a license to carry or possess a pistol or revolver, *to the licensing officer in the city or county, as the case may be, where the applicant resides,* is principally employed or has his principal place of business as merchant or storekeeper.

N.Y. Penal L. § 400.00(a)(3) (emphasis added). If the underlined language—and particularly the word “resides”—is understood literally, and therefore read as permitting an individual to apply for a handgun license with the licensing officer of the city or county in which he has a residence, the cogency of Plaintiffs’ second-home argument suffers considerably, as their complaint could be met with a rejoinder to simply acquire a handgun license from the county in which the second home is located, and keep a gun in that home for use when it is being used as a residence. *See Memorandum in Reply and Further Support of Plaintiffs’ Motion for a Preliminary Injunction (“Pl. Reply”)* at 6 & n. 6.

However, if the underlined language above is understood as creating a domicile requirement—*i.e.*, mandating that an individual may only apply for a handgun license in the city or county in which his *primary* residence is located—the combined effect of §400.00(a) (3) and §5-23 would be to preclude an individual whose primary residence is in New York City from applying for a handgun license from any licensing authority other than the NYPD License

Division, which as noted above only grants licenses that are subject to the restrictions set forth in §5-23, including the prohibition on transporting a handgun outside of the city limits for reasons other than hunting. Accordingly, reading a domicile requirement into §400.00(a) (3) would essentially render it impossible for a resident of New York City to lawfully exercise what the Supreme Court has held to be the “core” right protected by the Second Amendment—“the right to self-defense in the home.” *Osterweil v. Bartlett*, 706 F.3d 139, 141 (2d Cir. 2013) (citing *District of Columbia v. Heller*, 554 U.S. 570 (2008)). Under this statutory rubric, the regulation at issue in this case would demand a far more rigorous level of judicial scrutiny than would be employed if the requirement were merely residential in nature.

The question of whether §400.00(a) (3) implicates an individual’s domicile or residence has been certified by the Second Circuit to the New York Court of Appeals,¹ *see Osterweil*, 706 F.3d at 140-45, and the

¹ The precise question that has been certified to the Court of Appeals is as follows:

Is an applicant who owns a part-time residence in New York but makes his permanent domicile elsewhere eligible for a New York handgun license in the city or county where his part-time residence is located?

Osterweil, 706 F.3d at 145. While the circumstances in *Osterweil* that gave rise to this question are different than those present in the instant case, as the plaintiff there is domiciled in another state, *see id.* at 140, rather than (as here) in a different licensing jurisdiction, it appears likely that the Court of Appeals’ response to the question will entail a determination of the question that is relevant to the instant case, namely whether or not §400.00(a) (3) permits an individual to apply for a handgun license in the city

New York Court of Appeals has accepted the certified question, see *Osterweil v. Bartlett*, 20 N.Y.3d 1058 (2013), and the matter is scheduled for oral argument on September 12, 2013.²

Since the Court of Appeals' determination of this question is likely to have a material effect upon the analysis of the instant motion, and since argument on the question is scheduled for the near future, it is appropriate to stay the motion pending a decision from the Court of Appeals in *Osterweil*. See *Cobalt Multifamily Investors I, LLC v. Shapiro*, 857 F. Supp. 2d 419, 423-24 (S.D.N.Y. 2012) (finding that grounds for a stay existed where the Second Circuit certified a series of questions to the New York Court of Appeals in an unrelated case, and the answers to those questions "would impact adjudication of the claims pending in this litigation"); *Salcedo v. Phillips*, No. 04 Civ. 7964 (PAC) (GWG), 2007 WL 3097208, at *1 (S.D.N.Y. Oct. 22, 2007) (same); cf. *In re CBI Holding Co., Inc.*, No. 01 Civ. 0131 (KMW), 2010 WL 2287013, at **5-6 (denying motion to stay despite pending question to the Court of Appeals since it was unclear that the Court of Appeals' determination would in fact impact the case, and additionally "[t]he Court cannot determine when the New York Court of Appeals is likely to rule on the Certified Questions).

or county where he merely has a residence, even if he is not domiciled in that licensing jurisdiction.

² See Court of Appeals, State of New York - Certified Questions (500.27), <http://www.nycourts.gov/ctapps/certquest.htm> (last visited August 19, 2013).

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Conclusion

Based on the conclusions set forth above, Plaintiffs' motion for a preliminary injunction is stayed pending the Court of Appeals' decision in *Osterweil*.

It is so ordered.

New York, NY

[handwritten: September 18], 2013

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Robert W. Sweet

U.S.D.J.

**Declaration of Andrew Lunetta
(S.D.N.Y. June 5, 2014)**

ANDREW LUNETTA, declares under the penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct:

1. I am the Commanding Officer of the New York City Police Department License Division (“License Division”), at 1 Police Plaza, New York, New York. I hold the rank of Inspector. I am also an attorney licensed to practice law in New York. I am in my 28th year as a uniformed member of the NYPD where I have worked in various legal, investigative, and enforcement assignments. I have been the Commanding Officer of the License Division for more than six years. I submit this declaration in opposition to plaintiffs’ motion for a preliminary injunction and in support of defendants’ cross-motion for summary judgment. I submit this declaration to describe how the specific restriction at issue in this case, set forth in Title 38 of the Rules of the City of New York (“RCNY”) § 5-23(a)(3), relates to the obligation of the New York City Police Department (“NYPD”) to monitor all active handgun license holders in the City of New York (over 40,000) and to explain how the specific restriction is necessary to address the public safety concerns that inherently arise when a handgun is removed from a premise and taken onto public streets. I also submit this declaration to explain the procedures employed by the License Division for applications for Premises Residence and Carry Business handgun licenses and investigations of both applicants and active licensees, to explain the procedures employed by the License Division for the

review and determination of applications for approved firearms ranges in New York City, and to put in specific facts about authorized firearm ranges in New York City. This declaration is based on my personal knowledge, my review of the city's records and conversations with employees, officers, and agents of the City.

**Enforcing the Restriction on Premises
Residence Licenses**

2. My experience with incident investigations in the License Division and all patrol and criminal investigations as a uniformed member of the NYPD has shown me that license holders in a public setting are just as susceptible as anyone else to stressful situations, including ones where it would be better to not have the presence of a firearm included. These include, driving situations that sometimes lead to or have the potential to lead to road rage incidents, the stress and injury of traffic accidents, crowd situations, demonstrations, family disputes, all other types of disputes between individuals, being a victim of a crime or harassment, and any other stress-inducing circumstance outside of the home. Premise license holders have not demonstrated proper cause to carry a concealed handgun in public. Clearly, there is less public danger if Premises Residence license holders do not bring their firearms into the public domain.

3. Experience has also revealed that license holders with restricted licenses do not always transport their firearms in a locked box carrying ammunition separately, as required by NYPD rules. There is no requirement that the locked box be in the trunk of the vehicle or other inaccessible

compartment. There is a real danger that the firearm will only be placed in a locked box when police interaction becomes imminent to avoid detecting the violation of the rules governing the transportation of firearms. In addition, a worse danger exists that the firearm will be readily accessible when a travelling holder of a restricted premises license becomes involved in certain stress-inducing circumstances.

4. Premises license holders have not demonstrated proper cause to carry a concealed firearm in public. There is less risk to public safety if premises license holders bring their firearms into the public domain less frequently and the restriction may be more effectively monitored and enforced.

5. The general government interest in this case is public safety.¹ The interest is maintained by limiting handgun access in public places. The holder of a premise or other restricted handgun license who possesses their handgun in public is exempt from certain crimes related to that possession. *See* Penal Law § 265.20(a)(3). Also, misdemeanor charges under Penal Law § 400.00 are typically not pursued by prosecutors as the result of case law.² Thus, only

¹ The government interest of public safety relating to limiting handgun access in public places was also at issue in *Kachalsky v. County of Westchester*, 701 F.3d 81 (2d Cir. N.Y. 2012).

² For example, in *People v. Thompson*, 92 N.Y.2d 957; 705 N.E.2d 1200; 683 N.Y.S.2d 159 (1998), the Court of Appeals affirmed that no crime took place when the holder of a restricted license drove a vehicle with his firearm and ammunition in an unlocked and unlockable pouch placed on the passenger seat. The Court concluded that the appropriate remedy for this clear violation of provisions governing his license was an administrative remedy within the regulatory framework.

regulatory measures proscribe the carrying of a handgun in public in violation of a restricted license. Unless these rules can be effectively monitored and enforced, and are not easily ignored or susceptible to being violated, public safety will be compromised. Moreover, should New York City Premises Residence license holders be allowed to transport their firearms anywhere outside of the City for target practice or shooting competition, it would circumvent the proper cause requirement for issuance of a carry license and make it too easy for them to possess a licensed firearm while traveling in public, and then if discovered create an explanation about traveling for target practice or shooting competition.

6. If ranges anywhere in the State were authorized by New York City, then the perception that this simple deception could be effective would be reasonable. This perception, coupled with a desire to possess guns outside the home, would make it more likely that Premises Residence licensees would travel with their firearms where not authorized. The point is not only that an officer in another jurisdiction would be less able to uncover the lie because it could relate to any range in the State, but that the lie would more likely be made in the first instance. Expanding authorized ranges to anywhere in the state would make it difficult, if not impossible, to monitor and enforce the restriction on guns outside the home.

7. When target practice and shooting competitions are limited to locations in New York City the ability to create such a fiction is limited. An NYPD officer on patrol can more easily determine whether the person is transporting the handgun *directly* to or from an

authorized range within the City as well as compliance with the other provisions of 38 RCNY § 5-23(a)(3). This affects the perception about the likelihood of the lie being effective, and makes it less likely to be attempted. The License Division can investigate the credibility of assertions made after the fact more effectively for incidents in New York City. This would not be the case if ranges outside the New York City were authorized. Law enforcement officers outside the City would not be in a position to determine if the person were transporting the handgun directly to or from any range outside the City because the license holder could pick from any number of distant ranges and make assertions about his/her chosen route. Nor would the reporting back from out-of-City law enforcement to the License Division be effective in this context for monitoring the activity and enforcing the general restriction on a Premises Residence license.

8. Because hunting is a highly regulated activity requiring specific authorizations, law enforcement can easily identify those operating outside these specific regulations. A hunting authorization is not carte blanche permission to premises license holders to travel about New York State wherever and whenever they feel like it with their firearms. Law enforcement officers throughout the State are sensitive to the many precise hunting rules and requirements. The Premises Residence license holder must have a valid hunting license to get the hunting authorization as an amendment to their license. The hunting authorization is only effective to allow transport and carry for hunting that is authorized pursuant to the New York State Fish and Wildlife Law (as stated on

the authorization card). Law enforcement officers anywhere in the State could require the license holder to produce the New York City premise license, the separate hunting authorization card, a valid hunting license for the present season and area at issue, and knowledge of and compliance with many other rules that are specific to the game and area, such as weapon types, ammunition restrictions, game gender and size restrictions, time and day restrictions, dress restrictions, etc. Thus, there is no credible risk of creating a perception that the Premises Residence license holder can carry his/her guns and then just claim they were going hunting if stopped. An officer anywhere in the State could ask about game tags or myriad other specifics to test the credibility of the assertion. Furthermore, an assertion about hunting designed to justify possession of a handgun on a New York City license that is found to lack credibility is likely to be reported back to the NYPD License Division.

9. The temptation and inclination to carry a handgun in public in violation of the restriction on a premise license is a real concern. Since the elimination of the Target license in 2001, investigations have revealed a large volume and pattern of premises license holders who are found in possession of their handguns in violation of the restrictions on their license. Given the volume and nature of these incidents, it is reasonable to conclude that many additional instances of carrying firearms by licensees with restricted licenses in violation of the restrictions do not come to the attention of the License Division. Public safety compels that these restrictions be

effectively monitored and enforced, and that the perception of effective monitoring be supported.

10. The existing regulation fully allows Premises Residence license holders to protect their premises, practice and compete in New York City, and is closely tied to the government interest in enhancing public safety by limiting handgun possession in the public arena to those who have demonstrated “proper cause” to qualify for a carry license.

The License Division

11. The Police Commissioner delegated his authority to the License Division to oversee the issuance and suspension of firearms licenses and permits. Currently there are over 40,000 active licenses that have been issued by the NYPD License Division for the possession of handguns in New York City; and over 20,000 active permits for the possession of rifles and shotguns.

12. The License Division currently processes an average of 3200 new applications and 9000 renewal applications for handgun licenses per year. The Rifle and Shotgun Section processes an average of 850 new applications and 5000 renewal applications for rifle and shotgun permits per year.

13. The License Division is divided into several different sections and units, and is overseen by a five member Executive Staff, that includes a director, inspector (myself, as commanding officer), a deputy inspector (as executive officer), and two lieutenants.

14. The License Division has sections of staff established for various tasks. For example, there is an Intake Section, New Applications Section, Carry

Guard Section, Retired Law Enforcement Section, Rifle/Shotgun Section, Issuing Section, Incident Section, Cancellation Section, Renewal Section, and Administrative Hearing Section. On average, the License Division's Incident Section has investigated 600 incidents of its handgun licensees per year and the Rifle/Shotgun Section another 150 incidents of rifle and shotgun permit holders.

Applications for Premises Residence Handgun Licenses

15. As with all handgun licenses processed by the License Division, when applicants apply for a Premises Residence license, they complete an application form that they submit to the License Division with photograph identification, and are fingerprinted. A copy of the Handgun License Application and Instruction Packet is annexed hereto as Exhibit "A."

16. The License Division's Handgun License Application Packet includes instructions on the handgun license application, a listing of the types of licenses for handguns issued by the License Division, an affidavit of familiarity with the handgun licensing laws to be signed by the applicant, an acknowledgement of the person agreeing to safeguard firearms, a prelicense exemption form, a list of persons prohibited from possessing firearms, copies of certain local law provisions, and an affidavit of co-habitants. See Exhibit "A."

17. In order to process an application for a Premises Residence license, each application is assigned for investigation. As is evident from the application itself, each applicant is asked questions

about the applicant's citizenship, name change history, arrest and criminal conviction history, outstanding warrants, domestic violence history, the history of the issuance of Orders of Protection by or against the applicant, history of mental illness and related treatment, military service history, residence history including proof of current residence, driving history, licensing history, history of lost or stolen firearms, as well as any medical conditions that may affect an applicant's ability to safely possess or use a handgun. *See Exhibit "A."*

18. License Division staff investigate each applicant and review applications for completeness and accuracy, as well as to determine many state eligibility requirements, such as verifying that all statements in an application are true, that the applicant possesses "good moral character," and that "no good cause exists for denial." Follow up may include reaching out to various federal, state, and city agencies for information about the applicant's history, making requests for additional documentation to support statements made in the application, reviewing the New York State Division of Criminal Justice System ("DCJS") fingerprint response, mental health checks, and requesting further information regarding any arrests or convictions reported therein, and interviewing the applicant. Third parties may be interviewed to obtain relevant information.

19. When an investigator completes the investigation, the recommendation is forwarded to the unit supervisor who reviews the findings, and if complete, forwards the recommendation to the Commanding Officer of the License Division, or the

Executive Officer on his behalf. The Commanding Officer then issues a decision with respect to the issuance of all handgun license applications. Disapprovals are subject to administrative appeal, which includes a written appeal to the supervisory head of the License Division (currently, the Director of the License Division), which results in a final agency determination.

20. Licenses are valid for a three year period, and expire on the licensee's birthday. Prior to the conclusion of that period, a licensee seeking to renew a Premises Residence handgun license (and all other handgun licenses) must submit a renewal application to the License Division. The License Division then conducts an investigation into the information contained in the renewal application; and investigates whether there were any incidents that occurred during the license period that may affect the applicant's license renewal.

Application for a Carry Business License

21. Applicants for a Carry Business license use the same application form as that used by persons applying for the Premises Residence license. However, unlike the Premises Residence license, New York State Penal Law section 400.00(2)(f) requires applicants for the Carry Business license to demonstrate that "proper cause" exists to justify the issuance of a concealed carry license. In order to establish the existence of proper cause, the applicant must show that he/she has a need to carry a concealed firearm which is distinguishable from that of the general public, for example, the applicant carries large sums of cash or valuables on a regular basis or is

exposed to extraordinary personal danger in daily life. Applicants who qualify for a New York City Carry Business license are authorized by the Penal Law to have and carry concealed firearms (with limited exceptions) anywhere in the State of New York.

22. The plaintiffs in this action seek to enlarge the statutory time and place restrictions imposed on Premises Residence licenses by the New York State Penal Law in order to allow them to transport their firearms to any small arms range outside the City of New York for target shooting. Such an extension would greatly expand the restrictions imposed by the Penal Law and in so doing would have a negative impact on public safety.

Incident Investigations of Active License Holders

23. All licensees are required by 38 RCNY § 5-30 to report incidents which may affect their license, including all arrests wherever it occurred. The License Division's Incident Section reviews the facts and circumstances regarding all incidents and makes recommendations as to whether to suspend or revoke a particular license. The License Division also receives reports from DCJS regarding all arrests made within the State of New York for which an arrestee is fingerprinted.

24. No formal report is forwarded to the License Division for summonses and other arrests and incidents for which a detainee is not fingerprinted. With respect to arrests made outside the State of New York or by the federal government, the License Division may be, but is not always, notified of an arrest by the arresting jurisdiction.

25. The NYPD Department Manual (Patrol Guide Procedure 212-118) includes a procedure for NYPD personnel to investigate and report incidents involving holders of handgun licenses and rifle/shotgun permits to the License Division Incident Section. Among other things, the procedure directs that if the holder has a Premises Residence license, the investigating supervisor must ascertain whether the handgun was possessed at the premise listed on the license at the time of the incident. If the licensee claims to have been traveling to or from an authorized range, the investigating supervisor must ascertain whether the handgun was unloaded in a locked container with ammunition carried separately, and whether the licensee was traveling directly to or from the range. A copy of Patrol Guide Procedure No. 212-118, is annexed hereto as Exhibit "B."

26. The procedure also includes a list of the type of incidents involving holders of a handgun license or rifle/shotgun permit that require an investigation be conducted and reporting to the License Division Incident Section. The list, which is contained in the "Additional Data" section, includes the following: "Violating terms, conditions, or rules relating to the license/permit (including but not limited to carrying a firearm in public with a Premises Residence license, transporting a firearm on a Premises Residence license for use at an authorized range that is not unloaded in a locked box, and exceeding time or place restrictions on a Limited Carry license)." Exhibit "B."

History and Elimination of the New York City Target License

27. Although not specifically authorized by New York State Penal Law § 400.00, up until 2001, the License Division had issued a class of licenses called the “target license” to New York City residents. The Target License was eliminated for various reasons, including harmonizing the classifications of licensure in New York City with those specifically authorized by the Penal Law. The Target License was a category of firearm licenses issued only by the Police Department (under the theory that it was a conditional “carry license”) and permitted the transport of a registered firearm, unloaded, to and from an authorized shooting range or club for regular recreational target shooting purposes.

28. One of the chief reasons that the Target License was eliminated in 2001 was the history of incidents experienced by the License Division of non-compliance with the limitations of the Target License. Over many years, myriad examples were reported to the License Division of licensees bearing Target Licenses travelling with their firearms when it was clear that they were not on the way to or from an authorized range. Examples included, licensees travelling with loaded firearms, licensees found with firearms nowhere near the vicinity of an authorized range, licensees taking their firearms on airplanes, and licensees travelling with their firearms during hours where no authorized range was open.

29. The License Division revoked many pistol licenses with target endorsement, such as that of Rafael Lugo, who was found to have violated 38 RCNY

§ 5-01(b) when his briefcase containing the pistol was reported stolen during a street robbery and there was no evidence to support Mr. Lugo's testimony that he was on his way to an authorized range. *See Matter of Lugo v. Safir*, 272 A.D.2d 216 (1st Dep't 2000). A copy of this decision is annexed hereto as Exhibit "C."

30. Over the years, there were several reported cases where licensees who held only Target licenses, or Premises Residence licenses with target endorsement, were charged with criminal possession of a weapon when found with their firearms while not en route to a range. However, Courts struggled to precisely define the restrictions associated with the target licenses. Although the Courts found that the defendants were engaged in activity in violation of the terms and conditions of their licenses, the Courts concluded that it was unclear if the defendants could be charged with criminal possession of a weapon without a license. *See, e.g., People v. Thompson*, 92 N.Y.2d 957 (1998); *People v. Ocasio*, 108 Misc.2d 211 (2d Dep't 1981); *People v. Lap*, 150 Misc.2d 724 (N.Y. Crim. Ct., N.Y. County 1991); *People v. Schumann*, 133 Misc.2d 499 (N.Y. Crim. Ct., Bronx County 1986). Copies of these cases are collectively annexed hereto as Exhibit "D."

31. The Police Commissioner through the License Division is best situated to evaluate the safety concerns with respect to different kinds of licenses. The abuses of the Target License led the Police Commissioner to promulgate rules that eliminated that license and converted existing Target Licenses into Premises Residence licenses, which allow for the same benefit, the transport of a firearm (locked and

unloaded) to an authorized range.³ See 38 RCNY § 5-23(a)(3).

**Obtaining Approval as a New York City
Authorized Range**

32. In accordance with Administrative Code § 10.131(c), it is unlawful for anyone to discharge firearms in New York City anywhere other than places specifically designated by the New York City Police Commissioner. As such, the New York City Police Department (“NYPD”) has established a procedure for individuals or organizations to apply to the NYPD for a special designation to operate a small arms range in New York City.

33. Persons/entities interested in obtaining a designation by the Police Commissioner to operate an authorized small arms range, must submit an application to the NYPD for designation as an approved Small Arms Range in New York City. A copy of the application form, along with the detailed requirements all approved Small Arms Ranges must follow in New York City set forth on the back of the application form, is annexed hereto as Exhibit “E.”

34. On the application, the applicant must provide a name and residence for the applicant, a location for the proposed range, information about whether the proposed range is for an outdoor or indoor range and if indoor, where within a building the range would be located, information about any clubs or organizations

³ The rule also eliminated Special Target licenses. These were target licenses issued to persons who resided in other New York counties outside of New York City to target shoot in New York City. Those licenses were not replaced.

the range is associated with, the type of weapons for which authorization is being sought, and other information. *See* Exhibit “E.”

35. A background check is conducted for each applicant, and all persons/officers associated with any organizational or corporate entity applicant. In addition, for each application, the NYPD consults with the New York City Department of Buildings (“DOB”) for a complete review of the zoning, property and land use designations for the proposed site. For a full description of the process governing applicants for designation as Small Arms Ranges, a copy of NYPD Administrative Guide Procedure No. 321-09, issued June 1, 2005, is annexed hereto as Exhibit “F.”

36. Each application goes through a several step review and approval process, starting with the Commanding Officer of the local police precinct, to the License Division, the Borough Commander, the Commanding Officer of the Firearms and Tactics Section of the NYPD Police Academy, the Chief of the Department, the Deputy Commissioner, Legal Matters, and finally, designated by the Police Commissioner. As with all licenses issued by the NYPD public safety is the primary concern during the review. *See* Exhibit “F.”

37. The NYPD has specific requirements in place governing authorized Small Arms Ranges, including requirements that indoor facilities have appropriate sound absorbent materials in place to contain the noise, and specifics on how targets and firing booths must be set up to ensure the safety of patrons and employees of the authorized range. *See* Exhibit “E.” In addition, the Administrative Guide sets forth specific

requirements governing operators of authorized Small Arms Ranges, that are to be explicitly listed in their approval letter, including: all ranges must keep a roster of the names and addresses of all persons using the range with the date and time noted, all ranges must follow all federal and New York City Fire Department laws pertaining to the storage and possession of ammunition and power, all ranges must allow only those with valid licenses to discharge weapons at their ranges, all ranges must keep their record, books, and membership rosters available for immediate inspection by NYPD officials, and all ranges must prominently display their designation letters. *See Exhibit "F."*

38. Once an individual or entity has received a designation as an approved Small Arms Range in New York City, their designation may be suspended or revoked at any time for failure to comply with the terms of the designation, violation of any laws or rules, or any incidents which occur at the authorized range.

Authorized Ranges in New York City

39. Currently, there are eight NYPD approved Small Arms Ranges in New York City (not including police or military ranges). In April 2014, I directed police officers assigned to the License Division to make inquiries to the ranges in New York City about their policies. A listing of all designated New York City ranges is annexed hereto as Exhibit "G."

40. Currently, seven of the eight ranges are available to anyone possessing a valid license or permit. Six public ranges ask for membership, but are fully available for any member of the public to join, if they pay the membership fee (much like a

membership in a health club/gym). They are: (1) Westside Rifle & Pistol Range on West 20th Street in Manhattan; (2) Woodhaven Rifle & Pistol Range in Woodhaven, Queens; (3) Seneca Sporting Range, Inc. located in Ridgewood, Queens; (4) Bay Ridge Road & Gun Club, Inc., located in Bay Ridge, Brooklyn, (5) Colonial Rifle & Pistol Club, located in Staten Island; and (6) the Richmond Borough Gun Club, located in Staten Island. Olinville Arms, located in the Bronx is available to the public for shooting (for a fee), and does not require membership.⁴

41. It should be noted that each of the NYPD-approved Small Arms Ranges are commercial enterprises that are free to make their own determinations about how they will accept payment for their services, and to change the method at any time according to their business judgment. By analogy, commercial gym facilities are available for anyone to join, and each gym typically makes a business judgment as to whether to require membership.

42. I understand that plaintiffs allege that no authorized New York City Small Arms Range hold any competitive shooting events. However, we are aware that at least some New York City designated ranges do hold regular shooting competitions and other events. Specifically, the Richmond Borough Gun Club, located at 4775 Arthur Kill Road in Staten Island (of which plaintiff Romolo Colantone was President, at

⁴ Olinville Arms, Inc. had been temporarily closed due to a fire, however, it has recently reopened and is available to the public. See printout from Olinville Arms' website, annexed hereto as Exhibit "H."

least as of the time plaintiffs' filed this action) notes on its website that it has weekly shooting events. Copies of printouts from relevant pages of the Richmond Borough Gun Club's website (www.richmondborogc.org) are collectively annexed hereto as Exhibit "I." In particular the website states that: "[v]arious rifle and pistol matches are held each week" at the range. *Id.* The website refers to regular steel challenge plate matches and bullseye matches, which are pistol and rifle shooting competitions (some of which are governed by rules of the National Rifle Association). *Id.* In addition, the website states that non-members of the gun club may access the range at certain times and to compete in certain competitions. *Id.*

Dated: New York, New York

May 29, 2014

[handwritten: signature]
ANDREW LUNETTA

**Exhibit A to Andrew Lunetta's Declaration
Handgun License Application and
Instruction Packet**

**INSTRUCTIONS TO HANDGUN LICENSE
APPLICANTS**

The attached application **MUST** be typewritten and signed. Only the original application will be accepted. **DO NOT SUBMIT A PHOTOCOPY.** The application must be completely filled out and presented by you personally to the License Division.

At the time you submit your application, you must furnish the items listed below that are applicable to you. You must submit original copies of certificates, licenses, etc. In addition, a legible photocopy of each item submitted must accompany the original or certified copy. (A copy certified by the issuing agency as true and complete is also acceptable in lieu of the original.) Your application will not be accepted without producing the required documents.

1. **Fees.** Two (2) separate fees are required. These are payable by certified check, bank check, money order or credit card. All fees are non-refundable.
 - \$340.00 - Made payable to New York City Police Department
 - \$91.50 - Made payable to New York City Police Department
2. **Photographs.** Two (2) recent color photographs of yourself. They should measure 1 1/2 x 1 1/2 inches and show you from the chest up. Do not wear any article of clothing or adornment that obscures your facial features.

3. **Birth Certificate.** In lieu of your birth certificate, some other proof of your birth date, e.g., a military record, U.S. passport or baptismal certificate, must be submitted.
4. **Proof of Citizenship/Alien Registration.** If you were born outside the United States, you must submit your naturalization papers or evidence of citizenship if derived from your parents. All other applicants born outside the United States must submit their Alien Registration Card. If you have lived in this country less than 7 years you must submit a good conduct certificate from your country of origin.
5. **Military Discharge.** If you served in the armed forces of the United States, you must submit your separation papers (DD 214) and your discharge.
6. **Proof of Residence.** You must submit proof of your present address. Proof may consist of, but is not limited to, a real estate tax bill, ownership shares in a cooperative or condominium, or a lease. You may also be requested to supply further documentation, i.e., a **New York State** Driver's License, a **New York State** Income Tax Return, a Utility Bill, etc.
7. A.) **Arrest Information:** If you were ever arrested, "indicted or summonsed (other than parking violations) for any reason you must answer Yes to question-23 and submit a certificate of disposition showing the offense and the disposition. Also, you must submit a detailed statement describing the circumstances surrounding each arrest. **YOU MUST DO THIS EVEN IF:** the case was dismissed, the record sealed or the case nullified by

operation of law. The New York State Division of Criminal Justice Services will report to us every Instance involving the arrest of an applicant. **DO NOT** rely on anyone's representation that you need not list a previous arrest because it was sealed. If you were ever convicted or pleaded guilty to a felony, or a serious offense as defined in Penal Law Section 265.00(17), an original Certificate of Relief from Disabilities must be submitted.

B.) Summons Information: If you have received a summons for other than a parking violation you must answer Yes to question-23. You must list the violation and disposition for each summons received.

C.) Order of Protection: If you have ever had an Order of Protection or Restraining Order issued against you, or issued on your behalf against anyone, you must list the following information: Court of Issuance; Complainant's or Respondent/Defendant's name, including address and phone number; Complainant's or Respondent/Defendant's relationship to you; Reason for issuance of Order of Protection or Restraining Order.

8. **Proof of Business Ownership.** If you are making application for a License in connection with a business, you must submit proof of ownership for that business. Such proof must clearly state the names of the owner(s), or, if a corporation, the names of the corporate officers. A corporation must submit its corporate book including filing receipt, certificate of incorporation and minutes of the corporate meeting reflecting current corporate officers; others must provide their business

certificate or partnership agreement, whichever is applicable. If the business requires a license or permit from any government agency, e.g. alcohol or firearms sales, gunsmith, private investigation and guard agencies, you must submit the license or permit or a certified copy thereof. You must submit proof of address for the business. Proof may consist of a utility bill, not more than 60 days old, In the name of the business or a lease In the name of the business.

9. **Letter of Necessity.** All applicants for a carry license and those seeking a premise license for use in connection with their employment **MUST** complete the Letter of Necessity found on page 3 of the application. **NO SUBSTITUTES WILL BE ACCEPTED.**
10. You must bring your original social security card when you apply.

If you have any questions concerning your application, please call (646) 610-5551. Applications must be submitted in person at the License Division, One Police Plaza Room 110, New York, NY or the Rifle/Shotgun Section, 120-55 Queens Blvd. Rm. B 11, Kew Gardens, NY. The License Division's hours of operation are: Monday between the hours of 8:30 a.m. to 8:00 p.m. or Tuesday thru Friday between the hours of 8:30 a.m. to 4:00 p.m. Applicants must arrive early enough for processing to be completed by the close of business.

HANDGUN LICENSE APPLICATION

* * *

SECTION A

TO BE ANSWERED BY ALL APPLICANTS

- Carry Business Carry Guard/Security
 Retired Police Office Limited Carry
 Gun Custodian Premises (indicate Residence
 Business) Special (out of city validation.) Carry

LICENSE NUMBER (Renewal Applicant)		YEAR		Do you possess any other NYC Handgun Lic.? If YES			
				TYPE LIC. NO.			
1. Last Name First Name MI			Maiden Name/Alias				
2. Legal Address (Street No.)		Apt. No.	City or Town	State	Zip Code		
3. <input type="checkbox"/> Citizen <input type="checkbox"/> Alien	Alien Registration Number		Social Security Number	Res. Pct.	OCC Code	Total Guns Code	
Home Phone No.		Cell Phone No.		Email Address			
4. Place of Birth - City, State, Country	Age	Date of Birth	Hgt. (inches)	Wgt.	Sex	Color of Hair	Color of Eyes

EMPLOYMENT INFORMATION

5. Name of Business		Type of Business		Bus. Pct.	
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6. Business Address (Street No.)	City or Town	State	Zip Code
7. Bus. Telephone No./Day	Occupation (Owner-Employee- Gun Custodian)	How many other persons in this business have N.Y.C. Handgun Licenses?	
8. If applicable, list name, job title and license number of company gun custodian			

VALIDATION OF OUT OF CITY LICENSE
(Special Handgun License ONLY)

9. Basic License Number	Issued By	County	Date Issued	Expiration Date
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**LIST HANDGUNS FOR THIS
APPLICATION ONLY**

(ORIGINAL APPLICANT LEAVE BLANK)

10.				TYPE	OWNER	
		Gun Serial Number	Caliber	R Revolver A Automatic	E Employer S Self	Make Code
001						
002						

* * *

SECTION B

Applicants must answer questions 10 through 24. Additionally questions 29 through 31 must be answered chronologically and in detail. If you have answered YES to question(s) 10 through 28 you MUST use the HANDGUN LICENSE APPLICATION ADDENDUM (PD 643-041A) to explain such answer(s) in complete detail. A FALSE STATEMENT SHALL BE GROUNDS FOR DENIAL OF A N.Y.C. HANDGUN LICENSE

HAVE YOU EVER...

- 10. Had or ever applied for a Handgun License issued by any Licensing Authority in N.Y.S.? Yes No
- 11. Been discharged from any employment?..... Yes No
- 12. Used narcotics or tranquilizers? List doctor's name, address, telephone number, in explanation..... Yes No
- 13. Been subpoenaed to, or testified at, a hearing or inquiry conducted by any executive, legislative or judicial body? Yes No
- 14. Been denied appointment in a civil service system, Federal, State, Local? Yes No
- 15. Served in the armed forces of this or any other country?..... Yes No
- 16. Received a discharge other than honorable?..... Yes No
- 17. Been rejected for military service? Yes No
- 18. Are you presently engaged in any other employment, business or profession where a need for a firearm exists? Yes No

19. Had or applied for any type of license or permit issued to you by any City, State or Federal agency? Yes No
20. Has any corporation or partnership of which you are an officer, director, or partner, ever applied for or been issued a license or permit issued by the Police Dept? Give type, year, license number, in explanation. Yes No
- 20a. Has any officer, director or partner ever applied for or been issued a license or permit issued by the Police Department? Give type, year license number, in explanation Yes No
21. Suffered from mental illness, or due to mental illness received treatment, been admitted to a hospital or institution, or taken medication? List Doctor's/Institutions, Name, Address, Phone #, in explanation..... Yes No
22. Have you ever suffered from any disability or condition that may affect your ability to safely possess or use a handgun? List Doctor's Name, Address, Phone #, in explanation Yes No
- NOTE: The following conditions must be listed: Epilepsy, Diabetes, Fainting Spells, Blackouts, Temporary Loss of Memory or any Nervous Disorder.

Before answering questions number 23 thru 26, read paragraph 7 of the instructions completely.

23. Been arrested, indicted, or summonsed for ANY offense other than Parking Violations,

in ANY jurisdiction, federal, state, local or foreign? You must include cases that were dismissed and/or the record sealed. List the following: date, time, charge(s), disposition, court and police agency. (False Statements are grounds for disapproval)..... Yes No

- 24. Have you ever, or do you now have an Order of Protection issued against you? Yes No
- 25. Have you ever, or do you now have an Order of Protection issued by you against a member of your household, or any family member?..... Yes No
- 26. Have you ever, or do you now have an Order of Protection issued by you against a person other than a member of your household or family?..... Yes No

If you have answered yes to questions 24-26, you must indicate the following information:

- a. Court of Issuance
 - b. Date of Issuance
 - c. Complainant's Name, Address and Telephone Number
 - d. Complainant's relationship to you
 - e. Reason for issuance of Order of Protection
- 27. Have the Police ever responded to a domestic incident in which you were involved? Yes No
 - 28. Used any variation in spelling of your name or any other name used? (Alias), explain..... Yes No

LIST ALL PLACES OF RESIDENCE FOR PAST FIVE (5) YEARS

FROM (MONTH AND YEAR)	TO	RESIDENCE (include State, County, Zip Code and Apt. No.)	Precinct
29.	PRESENT		

LIST ALL PLACES OF EMPLOYMENT FOR PAST FIVE (5) YEARS

FROM (MONTH AND YEAR)	TO	BUSINESS NAME AND ADDRESS (include State, County, Zip Code and Apt. No.)	OCCUPATION	Precinct
	PRESENT			

30. How and where will handgun(s) be safeguarded when not in use? (Location outside of N.Y. State is unacceptable).

31. Give name, address, relation and telephone number of person who will safeguard handgun(s) in case of applicant's death or disability. Must be a N.Y. State resident.

The undersigned affirms that the statements made and answers given herein are accurate and complete,

and hereby authorizes the New York City Police Department, License Division to make appropriate inquiries in connection with processing this application. **False written statements in this document are punishable** under Section 210.45 of the New York Penal Law (making a punishable false written statement) and also will be sufficient cause for denial of an application, license or permit by the New York City Police Department, License Division.

Date_____ Signature_____

Investigating Officer's Signature	Date	Tax Registry No.	<input type="checkbox"/> Approval <input type="checkbox"/> Disapproval and Reason
Supervisor's Signature	Date	Tax Registry No.	<input type="checkbox"/> Approval <input type="checkbox"/> Disapproval and Reason
C.O. Invest. Section Signature	Date	Tax Registry No.	<input type="checkbox"/> Approval <input type="checkbox"/> Disapproval and Reason
C.O. License Division Signature	Date	Tax Registry No.	<input type="checkbox"/> Approval <input type="checkbox"/> Disapproval and Reason

**ADDITIONAL INSTRUCTIONS FOR CARRY
LICENSE APPLICATIONS
LETTER OF NECESSITY**

All applicants for a carry license for use in connection with a business or profession must answer the following questions in the space provided. If additional space is necessary continue your letter on reverse side. In ALL CASES the form provided must be used.

1. A detailed description of the applicant's employment and an explanation of why the employment requires the carrying of a concealed handgun.

2. A statement acknowledging that the handgun may only be carried during the course of and strictly in connection with the applicant's job, business or occupational requirements, as described herein.

3. A statement explaining the manner in which the gun will be safeguarded by the employer and/or applicant when not being used.

4. A statement indicating that the applicant has been trained or will receive training in the use and safety of a handgun.

5. A statement acknowledging that the applicant's employer, or, if self employed, the applicant, is aware of its or his or her responsibility to properly dispose of the handgun and return the license to the License Division upon the termination of the applicant's employment or the cessation of business.

6. A statement indicating that the applicant, and if other than self employed, a corporate officer, general partner, or proprietor, has read and is familiar with

the provisions of Penal Law Articles 35 (use of deadly force), 265 (criminal possession and use of a firearm) and 400 (responsibilities of a handgun licensee).

The Letter of Necessity is part of the application. Any false statement is an offense punishable as a Class A Misdemeanor pursuant to to Section 210.45 of the New York State Penal Law.

The undersigned affirms that the statements made and answers given herein are accurate and complete, and hereby authorizes the New York City Police Department, License Division to make appropriate inquiries in connection with processing this application. **False written statements in this document are punishable** under Section 210.45 of the New York Penal Law (making a punishable false written statement) and also will be sufficient cause for denial of an application, license or permit by the New York City Police Department, License Division.

Date _____ Signature_____

**ADDITIONAL DOCUMENTATION TO BE
PRESENTED AT PERSONAL INTERVIEW**

At the time of your interview, you must also furnish the following documents as they apply to you:

1. The two (2) most recent copies of the business's sale tax report (ST 100) submitted to the State of New York and Federal Tax Return submitted for the previous year. If the business is solely a wholesale operation, a copy of the Federal tax return submitted for the previous tax year must be submitted. All tax forms must bear notarized signatures.
2. When requested by your investigator, your personal income tax return for the previous tax year.
3. Daily bank deposit slips and corresponding bank statements for the six months preceding the date of your interview. (Photocopies will not be accepted.)
4. A statement from your bank setting forth the total amount of your payroll and the total amount of payroll checks cashed during the three months immediately preceding the date of your interview.
5. If you were the victim of a crime which occurred during the course of your business or professional activities during the previous two years, you must provide the complaint report number, date and the precinct of occurrence.

At the time of your interview, your investigating officer will advise you if any additional forms or documents are required.

NOTICE TO ALL APPLICANTS:

While the application is pending, the applicant shall make an immediate report to the License Division, Applicant Section at (646) 610-5551, of any of the following occurrences:

1. Arrest, indictment, or conviction in any jurisdiction; summons other than traffic infraction; suspension or ineligibility order issued pursuant to section 530.14 of the New York State Criminal Procedure Law or Section 842-a of the New York State Family Court Act.
2. Change of business or residence address.
3. Change of business, occupation or employment.
4. Any change in the circumstances cited by the applicant in their application.
5. Receipt of psychiatric treatment or treatment for alcoholism or drug abuse, or the presence or occurrence of any disability or condition that may affect the ability to safely possess or use a handgun.
6. Applicant is or becomes the subject or recipient of an Order of Protection or a Temporary Order of Protection.

The applicant may be required to provide additional documentation for any of the above occurrences to License Division personnel.

* * *

TYPES OF LICENSES

PREMISES LICENSE: ISSUED FOR YOUR RESIDENCE OR BUSINESS, THIS IS A RESTRICTED TYPE OF LICENSE. The Licensee may possess a handgun at the specific location indicated on the front of the license. This license permits the transporting of an unloaded handgun directly to and from an authorized small arms range/shooting club, secured unloaded in a locked container. Ammunition must be carried separately.

CARRY BUSINESS LICENSE: IS VALID FOR THE BUSINESS NAME, ADDRESS, AND FIREARM(S), LISTED ON THE FRONT OF THE LICENSE. IT IS NOT TRANSFERABLE TO ANY OTHER PERSON, BUSINESS, OCCUPATION, OR ADDRESS, WITHOUT THE WRITTEN APPROVAL OF THE COMMANDING OFFICER, LICENSE DIVISION.

LIMITED CARRY BUSINESS LICENSE: IS A RESTRICTED LICENSE. THE LICENSEE MAY ONLY CARRY THE FIREARM INDICATED ON THE LICENSE IN ACCORDANCE WITH THE SPECIFIC LIMITATIONS LISTED THEREON. AT ALL OTHER TIMES THE WEAPON MAY BE POSSESSED ONLY WITHIN THE CONFINES OF THE BUSINESS ADDRESS LISTED ON THE FRONT OF THE LICENSE.

SPECIAL CARRY LICENSE: IS VALID FOR THE BUSINESS NAME, ADDRESS AND FIREARMS(S) LISTED ON THE FRONT OF THIS LICENSE ONLY WHILE THE LICENSEE HAS IN HIS POSSESSION HIS VALID BASIC COUNTY LICENSE ISSUED ACCORDING TO THE PROVISIONS OF ARTICLE 400 OF THE N.Y.S. PENAL LAW. UPON THE

REVOCAION, SUSPENSION, OR CANCELLATION OF THE BASIC LICENSE, THE SPECIAL LICENSE IS RENDERED VOID AND MUST BE IMMEDIATELY RETURNED TO THE LICENSE DIVISION.

RESTRICTED CARRY LICENSE (SECURITY GUARDS, ETC.): APPLICATIONS FOR THIS TYPE OF LICENSE MUST BE MADE WITH THE DOCUMENTATION PROVIDED BY THE COMPANY'S "GUN CUSTODIAN". IT IS ISSUED ONLY FOR THE FIREARM LISTED ON THE LICENSE. THE FIREARM MAY BE CARRIED ONLY WHILE THE LICENSEE IS ACTIVELY ENGAGED IN EMPLOYMENT. AT ALL OTHER TIMES THE FIREARM MUST BE STORED UNLOADED IN A LOCKED CONTAINER AT EITHER THE ADDRESS ON THE LICENSE OR AT THE EMPLOYEE'S LEGAL RESIDENCE (WITHIN THE STATE OF NEW YORK).

**PERSONS PROHIBITED FROM POSSESSING
FIREARMS**

TITLE 18, UNITED STATES CODE,
SECTION 922g

- ANYONE UNDER INDICTMENT FOR A CRIME FOR WHICH THEY COULD BE IMPRISONED FOR MORE THAN ONE YEAR.
- ANYONE CONVICTED OF A CRIME FOR WHICH THEY COULD HAVE BEEN IMPRISONED FOR MORE THAN ONE YEAR.
- ANYONE WHO IS AN UNLAWFUL USER OF MARIJUANA, NARCOTICS OR ANY CONTROLLED SUBSTANCE.
- ANYONE WHO HAS BEEN ADJUDICATED MENTALLY DEFECTIVE OR INVOLUNTARILY COMMITTED TO A MENTAL INSTITUTION.
- ANYONE DISHONORABLY DISCHARGED FROM THE ARMED FORCES.
- ANYONE IN THE UNITED STATES ILLEGALLY.
- ANYONE SUBJECT TO A COURT ORDER RESTRAINING THEM FROM HARASSING, STALKING OR THREATENING AN INTIMATE PARTNER OR CHILD OF A PARTNER.
- ANYONE CONVICTED OF A *MISDEMEANOR* CRIME OF DOMESTIC VIOLENCE.

**A PROHIBITED PERSON CANNOT RECEIVE
OR POSSESS A FIREARM.**

A LICENSE DEALER MAY NOT TRANSFER A FIREARM TO ANYONE THEY HAVE CAUSE TO BELIEVE IS PROHIBITED.

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THESE ARE VIOLATIONS OF FEDERAL LAW AND
MAY RESULT IN FINES OR IMPRISONMENT OF
UP TO 10 YEARS.

**Exhibit B to Andrew Lunetta's Declaration
Patrol Guide—Incidents Involving Holders of
Handgun License or Rifle/Shotgun Permits
(Procedure No. 212-118)**

Date Issued: Aug. 1, 2013

Date Effective: Aug. 1, 2013

- | | |
|---------------------------------|---|
| Purpose | To report incidents involving holders of handgun licenses or rifle/shotgun permits. |
| Procedure | When a holder of a handgun license or rifle/shotgun permit is involved in an incident coming to the attention of the Department: |
| Commanding Officer/Duty Captain | 1. Assign supervisor to conduct investigation and ascertain facts when a holder of a handgun license or rifle/shotgun permit is involved in an incident (see " <i>ADDITIONAL DATA</i> " statement for incidents that require an investigation). |
| Desk Officer | 2. Make an immediate telephone notification in ALL incidents involving holders of handgun licenses or rifle/shotgun permits to License Division, Incident Section.
a. Make notification directly to a License Division, Incident Section member or License Division supervisor, Monday |

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through Friday 0630 x 1700 hours.

- b. All other hours, leave a detailed message on the License Division, Incident Section voicemail and include:
 - (1) Type of incident, date, time, location of incident and identity of handgun licensee or rifle/shotgun permit holder
 - (2) Name and rank of investigating supervisor and/or reporting officer
 - (3) Identify the Department reports prepared to document the incident and include relevant Department report numbers, if available.
3. Ensure all appropriate reports are prepared to document the incident, including but not limited to:
 - a. **PROPERTY CLERK INVOICE (PD521-141)**
 - b. **COMPLAINT REPORT (PD313-152)**
 - c. **ON LINE BOOKING SYSTEM ARREST WORKSHEET (PD244-159)**

- d. *New York State Domestic Incident Report (DCJS 3221)*
- e. **UNUSUAL OCCURRENCE REPORT (PD370-152)**
- f. **Other Typed Letterhead**, as appropriate.

- 4. Direct holder of handgun license or rifle/shotgun permit reporting loss of a license/permit to report to the License Division for a new license/permit.
 - a. Direct the preparation of a **COMPLAINT REPORT**.

- 5. Direct the handgun licensee or rifle/shotgun permit holder to contact the License Division, Incident Section, when involved in any incident.

INVESTIGA-
TING
SUPERIOR
ASSIGNED

- 6. Investigate the circumstances surrounding the incident and ascertain the following information to be included in the Department report(s) prepared:
 - a. If the licensee has a Carry Guard license, ascertain whether the handgun was possessed while actually engaged in the security related employment that corresponds with the address listed on the license, or if possessed when traveling directly between

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that place of employment and residence

- b. If the licensee has a Carry Business or Special Carry license, ascertain whether the licensee is employed by, or operating a business that corresponds with the address listed on the license at the time of incident
- c. If the licensee has a Premise Residence or Premise Business license, ascertain whether the handgun was possessed at the premise listed on the license; or if licensee claims to have been traveling to or from an authorized range, ascertain whether the handgun was unloaded in a locked container with ammunition carried separately, and whether the licensee was traveling directly to and from the range
- d. If a licensee has a Limited Carry license, ascertain whether the handgun was possessed at the address listed on the license, or if carried elsewhere, whether the licensee was in compliance with time, day of week, and

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place restrictions listed on rear of the license

- e. If a firearm is reported lost or stolen, or for any other incident, ascertain whether or not the firearm was properly safeguarded. Include statement as to whether any unauthorized person(s) had access to the handgun
 - f. If an allegation exists that the licensee made threatening statements, improperly displayed a firearm, was involved in a firearms discharge or for any ongoing disputes, ascertain whether all relevant parties/witnesses have been identified and interviewed.
7. Seize handgun license or rifle/shotgun permit and all firearms listed if:
- a. The licensee/permit holder is arrested, regardless of charge
 - b. An Order of Protection exists against the licensee/permit holder
 - c. The incident involves physical force or the threat of physical force

- d. Circumstances lead to the belief that continued presence of a firearm would create an unjustifiable risk of unlawful use or possession of the firearm, or injury to licensee/permit holder or another person
- e. Further investigation by the License Division is needed to determine whether the actions of the licensee/permit holder affect their qualifications for the license or permit
- f. Any further situation that may affect public safety.
 - (1) Members are reminded that public safety is the overriding concern when considering the removal of a licensed firearm.

8. Invoice firearms *only* on **PROPERTY CLERK INVOICE.**

- a. Include the following statement in the "Remarks" section of the **PROPERTY CLERK INVOICE** "Firearms shall not be released without written authorization of the

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Commanding Officer, License
Division.”

9. Prepare a **Typed Letterhead** to the Commanding Officer, License Division for all incidents *unless* a **COMPLIANT REPORT, ON LINE BOOKING SYSTEM ARREST WORKSHEET, New York State Domestic Incident Report, UNUSUAL OCCURRENCE REPORT**, or other **Typed Letterhead** was prepared detailed an explanation of the licensee’s/permit holder’s actions and includes the information ascertained from the investigation of the incident.
10. Prepare a **Typed Letterhead** to Commanding Officer, License Division upon a voluntary surrender of a firearm, *unless* the reason for the surrender is explained in either the “Remarks” section of the **PROPERTY CLERK INVOICE** or on another report, as appropriate.
11. Forward the following to the License Division, Incident Section:
 - a. Copy of all Department reports prepared in relation to incident

- b. Any seized license(s)/permit(s), if applicable
- c. **Typed Letterhead**, if applicable.

ADDITION-
AL DATA

INCIDENTS INVOLVING A
HOLDER OF A HANDGUN
LICENSE OR RIFLE/SHOTGUN
PERMIT THAT REQUIRE AN
INVESTIGATION TO BE
CONDUCTED:

Incidents involving a holder of a handgun license or rifle/shotgun permit that require an investigation to be conducted include:

- a. *Lost firearms*
- b. *Stolen firearms (burglary or larceny)*
- c. *Voluntary surrender of firearms*
- d. *Allegations of improper display of firearm*
- e. *Violating terms, conditions, or rules relating to the license/permit (including but not limited to carrying a firearm in public with a premise license, transporting a firearm on a premise license for use at an authorized range that is not unloaded in locked*

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box, and exceeding time or place restrictions on a Limited Carry license)

- f. *All domestic incidents coming to the attention of the Department*
- g. *An Order of Protection in existence or being sought by or against the license/permit holder*
- h. *Ongoing or recurring disputes that have potential for violence or allegations of threatening statements*
- i. *Co-habiting with a known criminal or other dangerous person*
- j. *Eviction or damage to premise (such as fire) that affects ability to safeguard firearm at approved premise*
- k. *Suicide or other devastating incidents in the home*
- l. *Mental health issues*
- m. *Any firearm discharge (except target practice at an authorized range)*
- n. *Any arrest or criminal court summons*

- o. *Other incident or allegation that requires a follow-up investigation by the License Division.*

REMOVAL OF FIREARMS FROM LICENSEE/PERMIT HOLDER

The Department has broad authority to remove firearms and temporarily suspend a license/permit during the investigation of an incident as outlined above. Proper conferral with the License Division, Incident Section is not required in order to remove firearms and a license/permit from a licensee or permit holder. Members are reminded that public safety is the overriding concern with considering the removal of a licensed firearm.

If the firearm cannot be readily obtained at the time the decision to remove firearm is made, the licensee or permit holder shall be advised that he or she must surrender said firearm(s) pursuant to License Division regulations, and shall be given an opportunity to surrender them voluntarily. In the case of an arrest, or an Order of Protection, or any assessment of imminent danger, if the firearm(s) cannot be obtained by consent, and there is probable cause to believe that they are in a

particular location, a search warrant will be obtained prior to seizure of the firearm(s), unless exigent circumstances justify an immediate seizure. The supervisor assigned will make every effort to obtain the firearm(s) either by consent or with a search warrant.

In all cases, the investigating supervisor and reporting officer(s) must be made available upon request of the License Division investigators to discuss the incident and provide assistance during follow-up investigations and possible hearings at the License Division.

A check of the Automated License Permit System (ALPS) can be conducted to determine whether a person (or any person at a given address) has an active handgun license or rifle/shotgun permit. Members of the service can access the system through the Department's Intranet site under "NYPD Applications."

RELATED
PROCEDU-
RES

Complaint Reporting System (P.G. 207-01)

Arrest-General Search Guidelines (P.G. 208-05)

Processing Firearms and Firearm-Related Evidence (P.G. 218-23)

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FORMS
AND
REPORTS

COMPLAINT REPORT (PD313-152)

***PROPERTY CLERK INVOICE
(PD521-141)***

ON LINE BOOKING SYSTEM

ARREST WORKSHEET (PD244-159)

***UNUSUAL OCCURRENCE
REPORT(PD370-152)***

Typed Letterhead

***New York State Domestic
Incident Report (DCJS 3221)***

**Exhibit E to Andrew Lunetta's Declaration
APPLICATION FOR SMALL ARMS RANGE**

Check one: DATE PRECINCT DIVISION

Outdoor

Indoor

APPLICANT

1. Name _____
Insert name of individual, firm, club, association,
organization, etc., to be designated to conduct
range
2. Residence of individual, or address of firm, club,
association, organization, etc. _____
3. Is applicant a firm, club, association,
organization, etc.? _____
4. If either When was it For what
 { organized? _____ purpose? _____
 { Is it
 incorporated? ___ If so, when? _____
5. Reputation of individual, firm, club, association,
organization, etc., to be designated _____

PREMISES

6. Location of premises to be designated _____
7. Kind of building, if indoor range _____
8. In what part of building is range located? _____
9. General reputation of premises to be
designated _____
10. Necessity for range _____
11. Kind of weapons and largest calibre to be used
thereat _____

Penalty for Falsification:
 Falsification of any
 statement made herein
 is an offense punishable
 by a fine or
 imprisonment or both
 (N.Y.C. Administrative
 Code Section 982-9.0).

Signed _____
 (if a firm, club,
 association, organization,
 etc., to be signed by an
 officer of such)

FIRST ENDORSEMENT	SECOND ENDORSEMENT
Recommend {APPROVAL DISAPPROVAL} If disapproved, state reasons briefly. _____ _____	Recommend {APPROVAL DISAPPROVAL} If recommendation differs from that of C.O. of Precinct, state reasons briefly. _____ _____
_____ Date	_____ Date
_____ Precinct Commander	_____ Date
_____ Precinct	_____ Borough Commander
	_____ Boro

THIRD ENDORSEMENT

Recommend {APPROVAL DISAPPROVAL} If
disapproved, state reasons briefly.

Date Commanding Officer, Police Academy

<p>FOURTH ENDORSEMENT</p> <p>Recommend {APPROVAL DISAPPROVAL</p> <p>_____ Date Chief of Department</p>	<p>FIFTH ENDORSEMENT</p> <p>APPROVED DISAPPROVED</p> <p>_____ Date Police Commissioner</p>
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NOTES – particular conditions to be observed in determining suitability of range, due consideration being given to the type of range inspected, to writ

Outdoor or indoor range; type and caliber of weapon to be used,

INDOOR RANGE (PISTOL-REVOLVERS-RIFLES)

1. Indoor Range to be constructed with sound absorbing material or located in that part of the building where the noise of firing would not disturb other persons nearby.

2. A metal backstop or bullet catcher to be behind the target, so placed that bullets or fragments thereof cannot ricochet toward firing point.

3. **BOOTHS**- If there is to be more than one firing point-that is: more than one person firing at any one time, the following specifications relative to partitions will be complied with:

a. **Small Arms - (Pistol, Revolvers and Rifles)-**

All firing points to be separated by metal partitions not less than 3/16 of an inch in thickness and covered with wood at least 2 inches in thickness on side or sides between firing points, or brick partitions covered with wood at least two inches in thickness,

Minimum width of booth: 2 feet, 6 inches.

Maximum width of booth: 3 feet, 6 inches.

Minimum height of booth: 5 feet.

Minimum depth (length): 3 feet, 6 inches.

All booths to be provided with a shelf at least 12 inches in width, extending from partition to partition, between firing points, at least three feet from the floor and allowing at least three feet from the rear edge of the separating partition.

- b. **Rifles** - Premises wherein rifles are discharged exclusively and having more than one firing point, the following specifications shall be complied with:

All firing points to be separated by metal partitions not less than 3/16 of an inch in thickness and covered with wood at least 2 inches in thickness on side or sides between firing points, or brick partition covered with wood at least two inches in thickness.

Booths - Minimum width of booth: 6 feet.

Minimum height of booth: 6 feet.

Minimum depth of booth: 6 feet.

GENERAL:

4. Material in the ranges to be such as to reduce fire hazard. Electric wiring and fixtures to be protected from stray bullets.
5. Ranges to be so constructed that no person can walk across or into the line of fire between firing point and the target.
6. Careful consideration to be given to each range relative to proximity to buildings and dwellings and the likelihood of stray shots causing personal injury or property damage outside of the range.

7. A sign designating the largest calibre weapon to be discharged at the range to be conspicuously displayed thereat.

8. When firing is being conducted the firing fine shall be in charge of a capable range officer.

9. **OUTDOOR SMALL ARMS RANGE** - (Rifle-Pistol-Revolver) - Applications for outdoor small arms ranges located within the city of New York will not be considered unless the proposed site is a sufficient distance from buildings and dwellings that the likelihood of stray shots causing personal injury or property damage outside of the range is eliminated.

10. **OUTDOOR SMALL ARMS RANGE** - (Shotgun) - "Trap" Shooting:

- a. Must be located in area on outskirts of city, or so located that the likelihood of stray pellets causing personal injury or property damage outside of the range be eliminated.
- b. A sketch of the proposed field must be submitted with the U.F. 121.
- c. Property must be leased or owned by applicant.
- d. Property must be fenced in with a wire fence at least six feet high.
- e. Property to be posed with no trespassing signs, marked:

"No trespassing, Private Property, Trap Shooting"

- f. Firing points shall be so constructed that area in rear of firer is protected from accidental discharges.

- g. If manual traps are to be used the operator thereof shall be behind the firing line.
- h. No shotgun larger than 12 gauge to be used and shells used shall be restricted to the regular trap load, no heavier than 3 drams of powder behind 1 1/8 oz. 7 1/2 or 8 shot.
- i. When firing is being conducted the firing line shall be in charge of capable range officer.

11. OUTDOOR SMALL ARMS RANGE - (Shotgun "Skeet" Shooting) - Provisions for outdoor skeet field shall be governed by provisions as set forth in Paragraph 10, except:

- a. Shall be located in suburban sections of the city.
- b. If traps are to be manually operated the trap house will be so constructed to assure the maximum amount of safety to the operator.
- c. Shells to be used shall not be heavier than the regular skeet load, which is 3 drams of power behind 1 1/8 oz. of No. 9 shot.

12. SUB-CALIBRE SKEET - .22 calibre - **INDOORS and OUTDOOR** - May be used on any range complying with the specifications as set forth above.

**Exhibit F to Andrew Lunetta's Declaration
Administrative Guide - Licenses and Permits
(Procedure No. 321-09)**

Date Issued: June 1, 2005

Date Effective: June 1, 2005

Purpose	To process an application for designation as small arms range.
Procedure	When an application is made for a small arms range designation:
Precinct Commanding Officer	<ol style="list-style-type: none">1. Have applicant prepare APPLICATION FOR SMALL ARMS RANGE DESIGNATION (PD655-041).2. Fingerprint applicant and/or officers of the applicant's organization3. Direct applicant to submit postal money order for \$75.00, made out to New York State Division of Criminal Justice Services.4. Have fingerprints, money order and copy of APPLICATION forwarded to Commanding Officer, License Division.
License Division	<ol style="list-style-type: none">5. Have fingerprints and money order forwarded to New York State Division of Criminal Justice Services.6. Conduct investigation of APPLICATION, including:<ol style="list-style-type: none">a. Records check of applicant and/or officers.

- b. Conferral with Department of Buildings regarding zoning and usage.

7. Forward a report on **Typed Letterhead** with recommendation regarding approval/disapproval to commanding officer of precinct concerned.

Precinct
Commanding
Officer

8. Investigate reputation of applicant and/or officers of applicant's organization, premises concerned and those associated with premises.

- a. **APPLICATION** will not be approved unless applicant and/or officers of applicant's organization and premises are of good reputation.

9. Indicate recommendation by endorsement and forward to borough commander.

Borough
Commander

10. Conduct similar investigation of **APPLICATION** and indicate recommendation by endorsement.

- a. Have approved **APPLICATION** forwarded to Commanding Officer, Police Academy.

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- | | |
|------------------------------------|--|
| Commanding Officer, Police Academy | 11. Assign member of Firearms and Tactics Section to investigate suitability and safety of premises for use as a range. |
| | 12. Endorse APPLICATION with recommendation after the premises have been inspected.
a. Have APPLICATION forwarded to Chief of Department. |
| Chief of Department | 13. Review APPLICATION , enter recommendation by endorsement and forward to Police Commissioner. |
| Police Commissioner | 14. Review APPLICATION and indicate approval or disapproval by endorsement.
a. Have APPLICATION forwarded to Deputy Commissioner, Legal Matters, if approved. |
| Deputy Commissioner; Legal Matters | 15. Cause list of designated premises to be filed with City Clerk and published in City Record. |
| | 16. Prepare and forward report to commanding officer, precinct concerned, indicating Police Commissioner's approval of APPLICATION . |
| Precinct Commanding Officer | 17. Prepare OFFICIAL LETTERHEAD (PDI58-151) addressed to applicant, granting |

approval and listing the following regulations:

- a. A complete list of names and addresses of all persons who have access to and use the range must be maintained at the range, showing date and hour each individual person used the range to discharge small arms.
- b. Designees must comply with all laws and regulations of the Federal Government and the Fire Department relating to storage and possession of ammunition and power.
- c. No person will be permitted to discharge a pistol or revolver in a designated small arms range unless they possess a handgun license.
- d. Records, books and a roster or membership will be available for inspection by authorized members of the Police Department during hours when range is open.
- e. The designation will be prominently displayed within range when range is open.
- f. Any violation of these regulations will be cause for

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suspension or revocation of
designation.

*Forms and
Reports*

18. *Application for small arms range
designation (PD655-041) official
letterhead (PD158-151)*

**Exhibit G to Andrew Lunetta's Declaration
 AUTHORIZED RANGES IN NEW YORK CITY
 (NOT INCLUDING POLICE OR MILITARY
 RANGES)**

As of May 2014

Bay Ridge Rod & Gun Club, Inc. 6716 Fort Hamilton Parkway Brooklyn, NY 11213 718-745-1067	Tiro A Segno of NY, Inc. 77 MacDougal Street New York, NY 10012 212-254-2500
Olinville Arms Inc. 3356 White Plains Road Bronx, NY 10467 718-231-3000	Woodhaven Rifle & Pistol Range 76-16 Jamaica Avenue Woodhaven, NY 11421 718-296-8888
Seneca Sporting Range Inc. 1716 Weirfield Street Ridgewood, NY 11385 917-414-2186	Colonial Rifle & Pistol Club 4484 Arthur Kill Road Staten Island, NY (718) 948-9531
Westside Rifle & Pistol Range Inc. 20 West 20th Street New York, NY 10011 212-243-9448	Richmond Borough Gun Club 4775 Arthur Kill Road Staten Island, NY (718) 966-4306

Exhibit I to Andrew Lunetta's Declaration
Richmond Boro Gun Club

Richmond Boro Gun Club is a private organization for shooting sports and firearms and sportsman associated education. Located just north of the Outerbridge Crossing in Staten Island, the 14 acre Richmond Boro facility includes a recently renovated meeting room and indoor space, outdoor 100-yard rifle range with 30 covered and enclosed stations for Benchrest, Prone, and Bench shooting outdoor 24 station 50-yard pistol range with covered and enclosed shooting bench with turning targets at 25 yards, outdoor 65-yard archery range with raised shooting platform & pole for self climbing tree stands, and 2011 50-yard outdoor steel plate range for Steel Challenge/Static Steel matches and practice with covered and enclosed shooting area.

Various rifle and pistol matches are held each week all year. Members have full access to the range facilities from sunrise to sunset year round with the exception of scheduled matches and during facility maintenance. The range facilities are available to non-members for scheduled registered matches, for hunter sighting in days, and for education programs.

Firearm Sports

Firearms command a greater respect than most things encountered in our daily lives. Nearly all things have the ability to be misused and the potential to harm. Yet as with most of those things, with respect and proper use firearms are tools in many internationally participated sports. Attention to safety, maturity, understanding of applied physics, and one's physical condition and control of muscle,

breathing, heart rate, and mental focus are all elements critical to basic marksmanship and firearms safety and awareness. As challenging as mastering the basic elements of marksmanship are, shooting sports can be a fun opportunity for participants of all ages for learning, focus, and comradery. Shooting sports are of the very few sports where age, gender, and physical ability are not factors in success and where great diversity often compete on the same line.

New York City has some of the most stringent firearms ownership and usage requirements in the nation. Legal and legitimate firearms use should not be confused or compared with illegal firearms ownership and use in criminal activity. Furthermore, firearms education and participation in sanctioned competitions at bonafide ranges fosters safety, maturity, and respect not depicted in movies and video games.

Marksmanship skills have been supported by numerous organizations for over one hundred years in America. There are many shooting disciplines that are fun and exciting and are all based in firearms safety, respect, and focus. We encourage anyone interested in firearms use to get involved with a range, get as much education as you can, and participate in formal matches and competitions.

Welcome

Welcome to the new Richmond Boro Gun Club website! A place to learn about the club, become a member, and reviewing the matches, and other details.

Members - please send me your name and member number so I can create a user ID for you.

Please send any suggestions for content, including other links to sites of interest and I will add them!
Check out the member forum, a place to trade gear, ideas, and general questions.

* * *

NYPD Rules Interpretation

In 2001 NYPD no longer issued Target Handgun Licenses. Until recently the NYPD Premise License was valid within the address on the license and at any bonafide range for practice and competition including the NYS Empire State Games, the National Matches at Camp Perry, the Olympics, Civilian Marksmanship and NRA matches, and other sanctioned competitions, etc. It is the determination of the NYPD License Division that the NYPD Premise Licenses are valid only at the address on the license and at the ranges within New York City.

Leaving the City boundaries with handguns, except for hunting (with the proper endorsements) within New York State is considered a violation of the conditions of the NYPD License and could result in revocation of your NYPD License. We are hopeful that NYPD will offer some authorization to permit travel to participate in bonafide competitions but at this time that is not an option. Please lobby for and educate your elected officials regarding legal participation in legitimate and legal firearms sports.

Firearms education and participation in sanctioned firearms competitions fosters maturity and respect that promotes firearms safety and legal and safe use of firearms that is not depicted in movies and video games. Participation in longstanding sports

such as Bullseye/NRA Conventional Pistol, Steel Challenge, USPSA, Sporter Rifle, Benchrest, Sporting Clays, Trap & Skeet, etc. are completely different and opposed to illegal firearms possession and use on the streets and need to be considered as such. As is any other illegal/improper use of any other item. Regardless of appearance or origin of a firearm's design, considering that all modern firearms have their foundations in military submission and support, and that advancements in military design and function also benefit sporting use and more humane hunting practicality, there is an acceptable and legitimate use for minimizing the inherent risk should the focus of all of us, as challenging as that is.

This is the official response regarding NYPD Premises validity outside NYC.

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Richmond Boro Gun Club

Richmond Boro Gun Club is a private organization for shooting sports and firearms and sportsman associated education. Located just north of the Outerbridge Crossing in Staten Island, the 14 acre Richmond Boro facility includes a recently renovated meeting room and indoor space, outdoor 100-yard rifle range with 30 covered and enclosed stations for Benchrest, Prone, and Bench shooting, outdoor 24 station 50-yard pistol range with covered and enclosed shooting bench with turning targets at 25 yards, outdoor 65-yard archery range with raised shooting platform & pole for self climbing tree stands, and 2011 50-yard outdoor steel plate range with Steel Challenge/Static Steel matches and practice with covered and enclosed shooting area.

JA 143

Various rifle and pistol matches are held each week all year. Members have full access to the range facilities from sunrise to sunset year round with the exception of scheduled matches and during facility maintenance. The range facilities are available to non-members for scheduled registered matches, for hunter sighting in days, and for education programs.

**Richmond Boro Gun Club
2014 Shooting Schedule**

Jan 1	Wed			Happy New Year to All
Jan 2	Thur	SR-1	7:30 PM	Sporter Rifle Standing, 30 rounds, 50 feet, .22 cal. Note: Sporter Rifle will be held every Thursday all year but subject to cancellation due to weather or other conflicts.
Jan 5	Sun	LAC-1	9:00 AM	Lever Action Cowboy Standing 20 rounds, 50 yards Animal Targets
		HBR-1	10:00 AM	Hunter Benchrest Five 5-shot targets for score
		PI-1	10:00 AM	Pistol .22 cal. 600 - 60 rounds @25 yards
Jan 8	Wed		8:00PM	REMINDER - Regular Monthly Meeting Tonight

JA 145

Jan 9	Thur	SR-2	7:30 PM	Sporter Rifle Standing, 30 rounds, 50 feet, .22 cal.
Jan 11	Sat	WP	8:00 AM	Work Party - All Ranges Closed
Jan 15	Wed	PI-2	7:00 PM	Pistol .22 cal. 600 - 60 rounds @50 feet
Jan 16	Thur	SR-3	7:30 PM	Sporter Rifle Standing, 30 rounds, 50 feet, .22 cal.
Jan 18	Sat	SC-1	9:00 AM	Steel Challenge 3 courses of fire, 5 targets each
Jan 19	Sun	ARA-1	9:00 AM	Benchrest .22 cal. 25-shots @ARA Target (Two Targets)
		BRB-1	10:00 AM	Benchrest .22 cal. 25-shots @IBS Rimfire Target
		BRG-1	11:00 AM	Benchrest .22 cal. 5-shot groups @USGSA Target
		PI-3	10:00 AM	Pistol Centerfire 900 - 90 rounds @ 25 yards

JA 146

Jan 22	Wed	PR-1	7:30PM	Plinker Rifle Standing, 20- rounds @50-feet
Jan 23	Thur	SR-4	7:30 PM	Sporter Rifle Standing, 30 rounds, 50 feet, .22 cal.
Jan 25	Sat	PI-4	9:00AM	Revolver 600 - Centerfire, 60 Rounds @ 25 yards, iron sights
Jan 26	Sun	PR-2	9:00 AM	Plinker Rifle Standing, 20 rds., 50 yards at 100 yard A33 Target
		LR-1	10:00 AM	Light Rifle Standing, 40 rounds, 50 yards @31X Target
		PI-5	9:00 AM	Pistol 1200 - .22 cal. AND Centerfire 60 rounds each @25 yards
Jan 29	Wed	PI-6	7:00 PM	Pistol .22 cal. 600 - 60 rounds @50 feet
Jan 30	Thur	SR-5	7:30 PM	Sporter Rifle Standing, 30

JA 147

				rounds, 50 feet, .22 cal.
Feb 1	Sat	RT-1	9:00 AM	Running Target Pistol or Pistol Caliber Carbine/ S.C. Range
Feb 2	Sun	LA-1	9:00AM	Leuer Action (ANY) Offhand 20 rounds @ 100 yards Lg Animal Target
		HB-1	10:30 AM	Heavy Benchrest Five S-shot groups @ 100 yards
		PI-7	10:00 AM	Pistol .45cal. 900 - 90 rounds @25 yards NRA Approved Short course
Feb 5	Wed		8:00 PM	REMINDER - Regular Monthly Meeting Tonight
Feb 6	Thur	SR-6	7:30 PM	Sporter Rifle Standing, 30 rounds, 50 feet, .22 cal.
Feb 8	Sat	WP	8:00 AM	Work Party - All Ranges Closed

JA 148

Feb 9	Sun	MS-1	9:00 AM	Metallic Silhouette .22 cal., 20 rounds, 25 and 50 yards
		MG-1	10:30 AM	Moving Plate Gallery & Metal Targets - Rifle Range Rifle or Pistol, .22 cal., 30 shots, 25 yards (Rifle on Swinging Plates)
		PI-8	10:00 AM	Pistol .22 cal. 900 - 90 rounds @25 yards
Feb 12	Wed	PI-9	7:00 PM	Pistol .22 cal. 600 - 60 rounds @ 50 feet
Feb 13	Thur	SR-7	7:30 PM	Sporter Rifle Standing, 30 rounds, 50 feet, .22 cal.
Feb 15	Sat	SC-2	9:00 AM	Steel Challenge 3 courses of fire, 5 targets each
Feb 16	Sun	BRR-1	9:00 AM	Benchrest .22 cal, 25-shots @Rimfire BR Target

JA 149

		BRU-1	10:00 AM	Benchrest .22 cal, 25-shots @USBR Target
		BRI-1	11:00 AM	Benchrest .22 cal 25-shots @USRA IR-50/50R Target
		PI-11	10:00 AM	Pistol Centerfire 900 - 90 rounds @25 yards
Feb 19	Wed	PR-3	7:30 PM	Plinker Rifle Standing, 20-rounds @ 50-feet
Feb 20	Thur	SR-8	7:30 PM	Sporter Rifle Standing, 30 rounds, 50 feet, .22 cal.
Feb 22	Sat	PI-12	9:00 AM	Revolver 600 - Centerfire, 60 rounds @25 yards, iron sights
Feb 23	Sun	HBR-2	9:00 AM	Hunter
		WB-1	10:30 AM	Benchrest Five 5-shot targets for score
		PI-13	9:00 AM	Woodchuck Benchrest Five 5-shot for score @ 100 yards Pistol 1200 - .22 cal. AND

JA 150

				Centerfire 60 rounds each @25 yards
Feb 26	Wed	PI-14	7:00 PM	Pistol .22 cal. 600 - 60 rounds @50 feet
Feb 27	Thur	SR-9	7:30 PM	Sporter Rifle Standing, 30 rounds, 50 feet, .22 cal,
Mar 1	Sat	RT-2	9:00AM	Running Target Pistol or Pistol Caliber Carbine/ S.C. Range
Mar 2	Sun	HA-1	9:00 AM	Hi-Power (ANY) Bi-Pod, Prone, 20 rounds @ 100 yards
		LA-2	10:00AM	Laver Action (ANY) offhand 20 rounds @50 yards A33 Target
		PI-15	10:00 AM	Pistol .45 cal. 900 - 90 rounds @25 yards NRA Approved Short Course

JA 151

Mar 5	Wed		8:00 PM	REMINDER - Regular Monthly Meeting Tonight
Mar 6	Thur	SR-10	7:30 PM	Sporter Rifle Standing, 30 rounds, 50 feet, .22 cal.
Mar 8	Sat	WP	8:00 AM	Work Party - All Ranges Closed
Mar 9	Sun	HA-2	9:00 AM	Hi-Power (223) Prone bi-pod, 40 rounds, 100 yards @A-31 Target
		SR-11	10:00 AM	Sporter Rifle Standing, 30 rds. @50 ft.
		LR-2	11:00 AM	Light Rifle Standing, 50 yards @Animal Targets
		PI-16	10:00 AM	Pistol .22 cal. 900 - 90 rounds @25 yards NRA Approved Short Course
Mar 12	Wed	PI-17	7:00 PM	Pistol .22 cal. 600 - 60 rounds @50 feet

JA 152

Mar 13	Thur	SR-12	7:30 PM	Sporter Rifle Standing, 30 rounds, 50 feet, .22 cal. LAST SPORTER RIFLE LEAGUE MATCH UNTIL SEPT 5, 2013 Note: Sporter Rifle will continue every Thursday all year but subject to cancellation due to weather or other conflicts.
Mar 15	Sat	SC-3	9:00 AM	Steel Challenge 3 courses of fire, 5 targets each
Mar 16	Sun	PR-4	9:00 AM	Plinker Rifle Standing, 20 rds., 50 yards @Animal Targets
		LR-3	10:00 AM	Light Rifle Standing, 50 yards @3IX Target

JA 153

		PI-18	10:00 AM	Pistol Centerfire 900 - 90 rounds @ 25 yards
Mar 19	Wed	PR-5	7:30PM	Plinker Rifle Standing, 20- rounds @50-feet
Mar 20	Thur	SR-13	7:30 PM	Sporter Rifle Standing, 30 rounds, 50 feet, .22 cal.
Mar 22	Sat	PI-7	9:00 AM	Revolver 600 - Centerfire, 60 Rounds @25 yards, iron sights
Mar 23	Sun	PR-6	9:00AM	Plinker Rifle Standing, 20 rds., 50 yards @SB Targets
		HBR-3	10:00 AM	Hunter Benchrest Five 5-shot targets for score
		HA-3	11:00 AM	Hi-Power (ANY) Bi-Pod, Prone, 20 rounds @ 100 yards
		PI-20	9:00 AM	Pistol 1200 - .22 cal. AND Centefire 60 rounds each @25 yards

JA 154

Mar 26	Wed	PI-21	7:00 PM	Pistol .22 cal. 600 - 60 rounds @ 50 feet
Mar 27	Thur	SR-14	7:30 PM	Sporter Rifle Standing, 30 rounds, 50 feet, .22 cal.
Mar 29	Sat	MG-2	9:00AM	Moving Plate Gallery (Rifle Range) Rifle or Pistol, .22 cal., 30 shots, 25 yards
Mar 30	Sun	ARA-2	9:00AM	Benchrest .22 cal. 25-shots @ARA Target (Two Targets)
		BRB-2	10:00 AM	Benchrest .22 cal. 25-shots @IBS Rimfire Target
		BRG-2	11:00 AM	Benchrest .22 cal. 5-Five 5-shot groups @USGSA Target
		PI-22	10:00 AM	Pistol .22 cal. 900 - 90 rounds @25 yards
Apr 2	Wed		8:00 PM	REMINDER - Regular

JA 155

				Monthly Meeting Tonight
Apr 3	Thur	SR-15	7:30 PM	Sporter Rifle Standing, 30 rounds, 50 feet, .22 cal.
Apr 5	Sat	WP	8:00 AM	Work Party - All Ranges Closed
Apr 6	Sun	LA-2	9:00 AM	Lever Action
		HA-4	10:00 AM	Cowboy Offhand
		M1-1	11:00AM	20 rounds @50 yards - A33
		PI-23	10:00 AM	Target
				M-1 Carbine Standing 30 rds @SR-1 target
				Hi-Power (308) Bi-Pod, Prone, 20 rounds @ 100 yards
				Pistol .22 cal. 900 - 90 rounds @25 yards
Apr 9	Wed	PI-24	7:00 PM	Pistol .22 cal. 600 - 60 rounds @50 feet
Apr 10	Thur	SR-16	7:30 PM	Sporter Rifle Standing, 30 rounds, 50 feet, .22 cal,

JA 156

Apr 12	Sat	SC-4	9:00 AM	Steel Challenge 3 courses of fire, 5 targets each
Apr 13	Sun	HA-5	9:00 AM	Hi-Power (ANY) Bi-Pod, Prone, 20 rounds @ 100 yards
		LA-3	10:00 AM	Lever Action (ANY) - Buffalo Match Standing, 20 rounds, 50 Yds @Buffalo Target
		PI-25	9:00 AM	Pistol 1800 - Joe Diliberti Memorial Match 2 gun; .45 cal. followed by .22 cal. 90 rounds each, 50 yards Slow Fire/25 yards Timed & Rapid NRA Approved Match Be on the line by 8:30 to set up your own targets
Apr 16	Wed	PR-7	7:30PM	Plinker Rifle Standing, 20- rounds @50-feet

JA 157

Apr 17	Thur	SR-17	7:30 PM	Sporter Rifle Standing, 30 rounds, 50 feet, .22 cal.
Apr 20	Sun			HAPPY EASTER - No Matches
Apr 23	Wed	PI-26	7:00 PM	Pistol .22 cal. 600 - 60 rounds @ 50 feet
Apr 24	Thur	SR-18	7:30 PM	Sporter Rifle Standing, 30 rounds, 50 feet, .22 cal.
Apr 26	Sat	PI-27	9:00 AM	Revolver 600 - Centerfire, 60 rounds @25 yards, iron sights
Apr 27	Sun	BRR-2	9:00 AM	Benchrest .22 cal, 25-shots @Rimfire BR Target
		BRU-2	10:00 AM	Benchrest .22 cal, 25-shots @ USBR Target
		BRI-2	11:00 AM	Benchrest .22 cal, 25-shots @USRA IR-50/ 50R Target
		PI-28	9:00 AM	Pistol 1200 - .22 cal. AND

JA 158

				Centerfire 60 rounds each @25 yards
Apr 30	Wed	PR-8	7:30PM	Plinker Rifle Standing, 20- rounds @ 50-feet
May 1	Thur	SR-19	7:30 PM	Sporter Rifle Standing, 30 rounds, 50 feet, .22 cal.
May 3	Sat	RT-3	9:00AM	Running Target Pistol or Pistol Caliber Carbine/ S.C. Range
May 4	Sun	LR-4	9:00 AM	Light Rifle 40 rounds @Animal Target
		MS-2	10:00 AM	Metallic Silhouette .22 cal., 20 rounds, 25 and 50 yards
		PR-9	11:00AM	Plinker Rifle Standing, 20 rds., 50 yards @SB Targets
		PI-29	8:00 AM	Pistol 2700 3 gun; .22, Centerfire, AND .45 cal. 90 rounds each 50 yards Slow

JA 159

				Fire/25 yards Timed & Rapid NRA Approved Match
May 7	Wed		8:00PM	REMINDER - Regular Monthly Meeting Tonight
May 8	Thur	SR-20	7:30 PM	Sporter Rifle Standing, 30 rounds, 50 feet, .22 cal.
May 10	Sat	WP	8:00 AM	Work Party - All Ranges Closed
May 11	Sun			MOTHER'S DAY
		MG-3	9:00AM	Moving Plate Swinging (Metal Targets on Rifle Range/rifle only)
		M1-2	10:00AM	M-1 Carbine Standing 30 rds @ SR-1 target
May 14	Wed	PI-30	7:00 PM	Pistol .22 cal. 600 - 60 rounds @50 feet
May 15	Thur	SR-21	7:30 PM	Sporter Rifle Standing, 30 rounds, 50 feet, .22 cal.

JA 160

May 17	Sat	SC-5	9:00 AM	Steel Challenge 3 courses of fire, 5 targets each
May 18	Sun	PR-10	9:00 AM	Plinker Rifle Standing, 20 rds., 50 yards @A33 Targets
		LR-5	10:00 AM	Light Rifle Standing, 40 rounds, 50 yards @31X Target
		PI-31	10:00 AM	Pistol .22 cal. 900 - 90 rounds @25 yards
May 21	Wed	PR-11	7:30PM	Plinker Rifle Standing, 20- rounds @ 50-feet
May 22	Thur	SR-22	7:30 PM	Sporter Rifle Standing, 30 rounds, 50 feet, .22 cal.
May 24	Sat	PI-32	9:00 AM	Revolver 600 - Centerfire, 60 rounds @25 yards, iron sights
May 25	Sun	BR-50- 1	8:00AM	Benchrest .22 cal. @ 50 yards, 20 rounds @ Small Animal Targets

JA 161

		HA-6	9:00 AM	Hi-Power (ANY) Prone bi-pod, 40 rounds, 100 yards @A-31 Target Heavy
		HB-2	10:30 AM	Benchrest Five 5-shot groups @100 yards
		PI-33	10:00 AM	Pistol Centerfire 900 - 90 rounds @25 yards
May 26	Mon			MEMORIAL DAY
May 28	Wed	PI-34	7:00 PM	Pistol .22 cal. 600 - 60 rounds @50 feet
May 29	Thur	SR-23	7:30 PM	Sporter Rifle Standing, 30 rounds, 50 feet, .22 cal.
May 31	Sat	MG-4	9:00AM	Moving Plate Gallery - Rifle Range Rifle or Pistol, .22 cal., 30 shots, 25 yards
Jun 1	Sun	BR50- 2	9:00 AM	Benchrest .22 cal. @ 50 yards, 20 rounds @

JA 162

				Small Animal Targets
		PR-12	10:00 AM	Plinker Rifle Standing, 20 rds., 50 yards @SB Targets
		LBM-1	11:00AM	Lead. Bullet Match Bench, 20 rds., 100 yards of SR- 21 Targets Plus two shots at Steel Plates off Hand for Extra points.
		PI-35	9:00 AM	Pistol 1200 - .22 cal. AND Centerfire 60 rounds each @25 yards
Jun 4	Wed		8:00 PM	REMINDER - Regular Monthly Meeting Tonight
Jun 5	Thur	SR-24	7:30 PM	Sporter rifle Standing, 30 rounds, 50 feet, .22 cal.
Jun 7	Sat	WP	8:00 AM	Work Party - All Ranges Closed

JA 163

Jun 8	Sun	MS-3	9:00 AM	Metallic Silhouette .22 cal., 20 rounds, 25 and 50 yards
		MG-5	10:30 AM	Moving Plate Gallery - Rifle Range Rifle or Pistol, .22 cal., 30 shots, 25 yards
		PI-36	9:00 AM	Pistol .45 cal. 900 90 rounds 50 yards Slow Fire/ 25 yards Timed & Rapid
Jun 11	Wed	PR-13	7:30PM	Plinker Rifle Standing, 20- rounds @50-feet
Jun 12	Thur	SR-25	7:30 PM	Sporter Rifle Standing, 30 rounds, 50 feet, .22 cal.
Jun 14	Sat	SC-6	9:00 AM	Steel Challenge 3 courses of fire, 5 targets each
Jun 15	Sun			HAPPY FATHER'S DAY
		ARA-3	9:00 AM	Benchrest .22 cal. 25-shots

JA 164

				@ARA Targets (Two Targets)
		BRB-3	10:00 AM	Benchrest .22 cal. 25-shots @IBS Rimfire Target
		BRG-3	11:00 AM	Benchrest .22 cal. 5-Five 5-shot groups @USGSA Target
		PI-37	10:00 AM	Pistol .22 cal. 900 - 90 rounds @25 yards
Jun 18	Wed	PI-38	7:00 PM	Pistol .22 cal. 600 - 60 rounds @50 feet
Jun 19	Thur	SR-26	7:30 PM	Spotter Rifle Standing, 30 rounds, 50 feet, .22 cal
Jun 21	Sat	PI-39	9:00AM	Revolver 600 - Centerfire, 60 rounds @25 yards, iron sights
Jun 22	Sun	HBR-4	9:00 AM	Hunter Benchrest Five S-shot targets for score
		WB-2	10:30 AM	Woodchuck Benchrest Five

JA 165

				5-shot groups @ 100 yards
		PI-40	10:00 AM	Pistol Centerfire 900 - 90 rounds @25 yards
Jun 25	Wed	PR-14	7:30PM	Plinker Rifle Standing, 20- rounds @50-feet
Jun 26	Thur	SR-27	7:30 PM	Sporter Rifle Standing, 30 rounds, 50 feet .22 cal.
Jun 28	Sat	RT-4	9:00 AM	Running Target Pistol or Pistol Caliber Carbin/ S.C. Range
Jun 29	Sun	HA-7	9:00 AM	Hi-Power (308) Bi-Pod, Prone, 40 rounds @ 100 yards
		LA-4	10:00 AM	Lever Action (ANY) 20 Rounds @50 Yds A33 Target
		PI-41	10:00 AM	Pistol .22 cal. 900 - 90 rounds @25 yards
Jul 2	Wed		8:00 PM	REMINDER - Regular Monthly Meeting Tonight

JA 166

Jul 4	Fri			FOURTH OF JULY - Happy Birthday America
Jul 5	Sat	WP	8:00 AM	Work Party - All Ranges Closed
Jul 6	Sun	BRR-3	8:00 AM	Benchrest .22 cal. ,25-shots @Rimfire BR Target
		BRU-3	9:00 AM	Benchrest .22 cal, 25-shots @USBR Target
		BRI-3	10:00 AM	Benchrest .22 cal, 25-shots @USRA IR-50/ 50R Target
		LBM-2	11:00AM	Lead Bullet Match Bench, 20 rds., 100 yards at SR- 21 Targets Plus two shots at Steel Plates off Hand for Extra points.
		PI-42	9:00 AM	Pistol 1200 - .22 cal. AND Centerfire 60 rounds each @25 yards

JA 167

Jul 9	Wed	PI-43	7:00PM	Pistol .22 cal. 600 - 60 rounds @50 feet
Jul 10	Thur	SR-28	7:30 PM	Sporter Rifle Standing, 30 rounds, 50 feet, .22 cal.
Jul 12	Sat	SC-7	9:00AM	Steel Challenge 3 courses of fire, 5 targets each
Jul 13	Sun	PR-15	8:00 AM	Plinker Rifle Standing, 20 rds., 50 yards @A33 Targets
		LR-6	9:00 AM	Light Rifle Standing, 40 rounds, 50-yards @3IX Target
		SR-29	10:00 AM	Sporter Rifle Standing, .22 cal., 30 rounds @50 feet
		PI-44	10:00 AM	Pistol .22 cal. 900 90 rounds 50 yards Slow Fire/ 25 yards Timed & Rapid NRA Approved Match

JA 168

Jul 16	Wed	PR-16	7:30PM	Plinker Rifle Standing, 20- rounds @ 50-feet
Jul 17	Thur	SR-30	7:30 PM	Sporter Rifle Standing, 30 rounds, 50 feet, .22 cal.
Jul 19	Sat	PI-45	9:00AM	Revolver 600 - Centerfire, 60 rounds @25 yards, iron sights
Jul 20	Sun	LAC-3	9:00 AM	Lever Action Cowboy - Buffalo Match Standing, 20 rounds @50 Yds Buffalo Target Heavy
		HB-3	10:00 AM	Benchrest 5-5 shot groups @ 100 yds
		PI-46	10:00 AM	Pistol .22 cal. 900 - 90 rounds @25 yards
Jul 23	Wed	PI-48	7:00 PM	Pistol .22 cal. 600 - 60 rounds @50 feet
Jul 24	Thur	SR-31	7:30 PM	Sporter Rifle Standing, 30

JA 169

				rounds, 50 feet, .22 cal.
Jul 26	Sat	RT-5	9:00 AM	Running Target Pistol or Pistol Caliber Carbine/ S.C. Range
Jul 27	Sun	ARA-4	9:00 AM	Benchrest .22 cal. 25-shots @ARA Targets (Two Targets)
		BRB-4	10:00 AM	Benchrest .22 cal. 25-shots @IBS Rimfire Target
		BRG-4	11:00 AM	Benchrest .22 cal. S-Five 5 shot groups @ USGSA Target
		PI-47	10:00 AM	Pistol Centerfire 900 - 90 rounds @25 yards
Jul 30	Wed	PR-17	7:30 PM	Plinker Rifle Standing, 20- rounds @50-feet
Jul 31	Thur	SR-32	7:30 PM	Sporter Rifle Standing, 30 rounds, 50 feet, .22 cal.
Aug 2	Sat		9:00AM	HOLD - Possible Club Event?

JA 170

Aug 3	Sun	MS-4	9:00AM	Metallic Silhouette .22 cal., 20 rounds, 25 and 50 yards
		MG-6	10:30 AM	Moving Plate Gallery - Rifle Range Rifle or Pistol, .22 cal., 30 shots, 25 yards
		PI-49	9:00 AM	Pistol 1200 -.22 cal. AND Centerfire 60 rounds each @25 yards
Jul 31	Thur	SR-33	7:30 PM	Sporter Rifle Standing, 30 rounds, 50 feet, .22 cal.
Aug 6	Wed		7:00 AM	Scheduling Meeting for Chairpersons (No regular meeting)
Aug 7	Thur	SR-34	7:30 PM	Sporter Rifle Standing, 30 rounds, 50 feet, .22 cal.
Aug 9	Sat			Work Party - All Ranges Closed
Aug 10	Sun	PR-18	9:00 AM	Plinker Rifle Standing, 20

JA 171

				rds., 50 yards @ 100 yard SB Target
		BR-4	10:00 AM	Benchrest .22 cal. @50 yards, 20 rounds @Small Animal Target
		PI-50	10:00 AM	Pistol .22 cal. 900 - 90 rounds @25 yards NRA Approved Match - NRA Short Course
Aug 13	Wed	PI-51	7:00 PM	Pistol 22 cal. 600 - 60 rounds @50 feet
Aug 14	Thur	SR-35	7:30 PM	Sporter Rifle Standing, 30 rounds, 50 feet, .22 cal.
Aug 16	Sat	SC-8	9:00 AM	Steel Challenge 3 courses of fire, 5 targets each
Aug 17	Sun	LA-5	9:00 AM	Lever Action (ANY) Offhand 20 rounds, 50 yds @A33 Target
		BR-50-	10:00 AM	Benchrest .22 cal @50 yds 20 2

JA 172

				rounds @Small Animal Targets
		PI-52	10:00 AM	Pistol Centerfire 900 - 90 rounds @25 yards
Aug 20	Wed	PR-19	7:30 PM	Plinker Rifle Standing, 20- rounds @ 50-feet
Aug 21	Thur	SR-36	7:30 PM	Sporter Rifle Standing, 30 rounds, 50 feet, .22 cal.
Aug 23	Sat	PI-53	9:00 AM	Revolver 600 - Centerfire, 60 rounds @25 yards, iron sights
Aug 24	Sun	HA-8	8:00AM	Hi-Power (223) Bi-Pod, Prone, 20 rounds @ 100 yards
		LA-6	9:00 AM	Lever Action (ANY) 20 rounds @ 50 yds Animal Targets
		M1-3	10:00 AM	M1 Carbine Match Standing, 30 rounds, 50 yards @ SR-1 Target
		PI-54	9:00 AM	Pistol 1200 - .22 cal. AND

JA 173

				Centerfire 60 rounds each @25 yards
Aug 27	Wed	PI-55	7:00 PM	Pistol 22 cal. 600 - 60 rounds @50 feet
Aug 28	Thur	SR-37	7:30 PM	Sporter Rifle Standing, 30 rounds, 50 feet, .22 cal.
Aug 30	Sat	RT-6	9:00 AM	Running Target Pistol or Pistol Caliber Carbine/ S.C. Range
Aug 31	Sun	BRU-4	8:00 AM	Benchrest .22 cal, 25-shots @ USBR Target
		BRR-4	9:00 AM	Benchrest .22 cal., 25-shots @Rimfire BR Target
		BRI-4	10:00 AM	Benchrest .22 cal., 25-shots @USRA IR-50/ 5OR Target
		PI-56	9:00 AM	Pistol 1200 - .22 cal. AND Centerfire 60 rounds each 25 yards
Sept 1	Mon			LABOR DAY

JA 174

Sept 3	Wed		8:00 PM	REMINDER - Regular Monthly Meeting Tonight
Sept 4	Thur	SR-38	7:30 PM	Sporter Rifle Standing, 30 rounds, 50 feet, .22 cal. League Matches Thursday Evenings through March 6, 2014 Note: These matches subject to cancelation due to weather etc.
Sept 6	Sat	WP	8:00 AM	Work party - All Ranges Closed
Sept 7	Sun	HA-9	9:00 AM	Hi-Power (ANY) 20 rounds, prone bi-pod @100 yds
		PR-20	10:00AM	Plinker Rifle Standing, 20 rounds, 50 yards @SB1 Target
		PI-57	9:00 AM	Pistol Championship Match 1200 - .22 cal. AND Centerfire

JA 175

				60 rounds each @25 yards
Sept 10	Wed	PI-58	7:00 PM	Pistol .22 cal. 600 - 60 rounds @50 feet
Sept 11	Thur	SR-39	7:30 PM	Sporter Rifle Standing, 30 rounds, 50 feet, .22 cal.
Sept 13	Sat	SC-9	9:00 AM	Steel Challenge Championship Match 5 courses of fire, 5 targets each
Sept 14	Sun	MS-5	9:00AM	Metallic Silhouette .22 cal., 20 rounds 25 and 50 yards
		MG-7	10:00 AM	Moving Plate Gallery - Rifle Range Rifle and Pistol, .22 cal., 30 shots, 25 yards
		PI-59	10:00 AM	Pistol .22 col. 900 - 90 rounds @25 yards
Sept 17	Wed	PR-21	7:30PM	Plinker Rifle Standing, 20- rounds @ 50-feet

JA 176

Sept 18	Thur	SR-40	7:30 PM	Sporter Rifle Standing, 30 rounds, 50 feet, .22 cal.
Sept 20	Sat	PI-60	9:00AM	Revolver 600 - Centerfire, 60 rounds @25 yards, iron sights
Sept 21	Sun	ARA-5	9:00 AM	Benchrest .22 cal. 25-shots @ARA Targets (Two Targets)
		BRB-5	10:00AM	Benchrest Championship Match .22 cal. 25-shots @IBS Rímfire Target
		BRG-5	11:00AM	Benchrest Championship Match .22 cal. 5-Five 5- shot groups @ USGSA Target
		PI-61	10:00 AM	Pistol Centerfire 900 - 90 rounds @25 yards
Sept 24	Wed	PI-62	7:00 PM	Pistol .22 cal. 60 rounds 50 feet

JA 177

Sept 25	Thur	SR-41	7:30 PM	Sporter Rifle Standing, 30 rounds, 50 feet, .22 cal.
Sept 27	Sat	ARA-6	9:30AM	ARA Benchrest Championship Match .22 cal. 25-shots @ARA Targets (Five Targets)
		RT-8	9:00AM	Running Target Pistol or Pistol Caliber Carbine SC Range
Sept 28	Sun		9:00AM	Archery 3-D Targets
		PR-22	9:00 AM	Plinker Rifle Championship
		LR-7	10:00 AM	Match
		PI-63	9:00 AM	Standing, 20 rounds, 50 yards @SB Target Light Rifle Championship Match Offhand 40 rounds, 50 yards @3IX Target Pistol 1200 - .22 cal. AND Centerfire 60

JA 178

				rounds each @25 yards
Oct 1	Wed		8:00 PM	Reminder - Regular Monthly Meeting Tonight
Oct 2	Thur	SR-42	7:30 PM	Sporter Rifle Standing, 30 rounds, 50 feet, .22 cal.
Oct 4	Sat	WP	8:00 AM	Work Party - All Ranges Closed
Oct 5	Sun	HA-10	8:30AM	Hi-Power (ANY) Championship Match Bi-Pod, Prone, 60 rounds @ 100 yards
		BR-50- 3	10:30 AM	Benchrest .22 cal @ 50 yds 20 rounds @Small Animal Targets
		LBM-3	11:00AM	Lead Bullet Match Bench, 20 rds., 100 yards at SR- 21 Targets Plus two shots at Steel Plates off Hand for Extra points.

JA 179

		PI-64	10:00 AM	Pistol .45 cal. 900 90 rounds, 50 yards Slow Fire/ 25 yards Timed & Rapid NRA Approved Match
Oct 8	Wed	PI-65	7:00 PM	Pistol .22 cal. 600 - 60 rounds @50 feet
Oct 9	Thur	SR-43	7:30 PM	Sporter Rifle Standing, 30 rounds, 50 feet, .22 cal.
Oct 11	Sat	PI-66	9:00 AM	Revolver 600 - Centerfire, 60 rounds @25 yards, iron sights
Oct 12	Sun	MS-6	9:00 AM	Metallic Silhouette Championship Match .22 cal., 20 rounds, 25 and 50 yards
		MG-8	10:00 AM	Moving Plate Gallery Championship

JA 180

				Match - Rifle Range
				Rifle and Pistol .22 cal., 30 shots, 25 yards
		PI-67	10:00 AM	Pistol .22 900 - 90 rounds @25 yards
Oct 13	Mon			COLUMBUS DAY
Oct 15	Wed	PR-23	7:30 PM	Plinker Rifle Standing, 20- rounds @50-feet
Oct 16	Thur	SR-44	7:30 PM	Sporter Rifle Standing, 30 rounds, 50 feet, .22 cal.
Oct 18	Sat	SID-1	9 AM- 2 PM	***Saturday- Sighting-In Day*** **Rifle Range Open to the Public - Fee For Use** Members Are not Permitted Shoot Rifle During this Period
Oct 19	Sun	LA-7	9:00 AM	Lever Action (ANY)

JA 181

				Championship Match
				20 rounds, 50 yds @A33 Target
		LAC-4	10:00 AM	Lever Action Cowboy Championship Match
				Standing 20 rds., 50 yards - 100 yard. A33 Target
		PI-68	9:00 AM	Pistol Centerfire 900 - 90 rounds @ 25 yards
Oct 22	Wed	PI-69	7:00 PM	Pistol .22 cal. 600 - 60 rounds @50 feet
Oct 23	Thur	SR-45	7:30 PM	Sporter Rifle Standing, 30 rounds, 50 feet, .22 cal.
Oct 26	Sun	BRR-5	9:00 AM	Benchrest Championship Match
				.22 cal, 25-shots @Rimfire BR Target
		BRU-5	10:00 AM	Benchrest Championship Match

JA 182

				.22 cal., 25-shots @USBR Target
		BRI-5	11:00 AM	Benchrest Championship Match
				.22 cal., 25-shots @ USRA IR-50/ 50R Target
		PI-70	9:00 AM	Pistol 1200 - .22 cal. AND Centerfire 60 rounds each @25 yards
Oct 29	Wed	PR-24	7:30PM	Plinker Rifle Standing, 20- rounds @ 50-feet
Oct 30	Thur	SR-46	7:30 PM	Sporter Rifle Standing, 30 rounds, 50 feet, .22 cal.
Nov 1	Sun	SID-2	10AM-	Pre-Hunting
		PI-71	2PM	Season Sighting-In Days for Club Members
				No Rifle Matches
				Pistol .45 cal.
			10:00 AM	900-90 rounds @ 25 yards

JA 183

Nov 5	Wed		8:00 PM	REMINDER - Regular Monthly Meeting Tonight
Nov 6	Thur	SR-47	7:30 PM	Sporter Rifle Standing, 30 rounds, 50 feet, .22 cal.
Nov 8	Sat	WP	8:00 AM	Work Party - All Ranges Closed
Nov 9	Sun	SID-3	10AM- 2PM	Pre-Hunting Season Sighting-In Days for Club Members No Rifle Matches Pistol .22 cal.
		PI-72	10:00 AM	900 - 90 rounds @25 yards.
Nov 12	Wed	PI-73	7:00 PM	Pistol .22 cal. 600 - 60 rounds @50 feet
Nov 13	Thur	SR-48	7:30 PM	Sporter Rifle Standing, 30 rounds, 50 feet, .22 cal,
Nov 15	Sat	PI-74	9:00 AM	Revolver 600 - Centerfire, 60 Rounds @25

JA 184

					yards, iron sights
Nov 16	Sun	LAC-5	9:00 AM	Lever Action Cowboy - Buffalo Match	Standing, 20 rounds, 50 yards @Buffalo Targets
		WB-3	10:00 AM	Woodchuck Benchrest Championship Match	Five 5-shot groups @ 100 yards
		PI-75	10:00 AM	Pistol Centerfire 900 - 90 rounds @ 25 yards	
Nov 19	Wed	PR-25	7:30PM	Plinker Rifle Standing, 20- rounds @50-feet	
Nov 20	Thur	SR-49	7:30 PM	Sporter Rifle Standing, 30 rounds, 50 feet, .22 cal.	
Nov 23	Sun	LAC-6	9:00 AM	Lever Action Cowboy 20 rounds , 50 yds @Animal Target	

JA 185

		HBR-5	10:00 AM	Hunter Benchrest Championship Match Five 5-shot targets for score
		PI-76	9:00 AM	Pistol 1200 - .22 cal. AND Centerfire 60 rounds each @25 yards
Nov 27	Thur			THANKS- GIVING DAY - No Matches
Nov 30	Sun	MI-4	10:00 AM	M1 Carbine Standing, 30 rounds, 50 yards @SRI Target
		PI-77	10:00 AM	Pistol .22 cal. 900 - 90 rounds @25 yards
Dec 3	Wed		8:00 PM	REMINDER - Regular Monthly Meeting Tonight
Dec 4	Thur	SR-50	7:30 PM	Sporter Rifle Standing, 30 rounds, 50 feet, .22 cal.
Dec 6	Sat	WP	8:00 AM	Work Party - All Ranges Closed

JA 186

Dec 7	Sun	ARA-7	9:00 AM	Benchrest .22 cal. 25-shots @ARA Targets (Two Targets)
		BRB-6	10:00 AM	Benchrest .22 cal. 25-shots @IBS Rimfire Target
		BRG-6	11:00 AM	Benchrest .22 cal. 5-Five 5-shot groups @USGSA Target
		PI-78	10:00 AM	Pistol Centerfire 900 - 90 rounds @25 yards
Dec 10	Wed	PI-79	7:00 PM	Pistol .22 cal. 600 - 60 rounds @50 feet
Dec 11	Thur	SR-51	7:30 PM	Sporter Rifle Standing, 30 rounds, 50 feet, .22 cal.
Dec 13	Sat	PI-80	9:00 AM	Revolver 600 - Centerfire, 60 rounds @25 yards, iron sights
Dec 14	Sun	HB-4	10:30 AM	Heavy Benchrest Championship Match

JA 187

				Five 5-shot groups @ 100 yards
		PI-81	9:00 AM	Pistol 1200 - .22 cal. AND Centerfire 60 rounds each @25 yards
Dec 17	Wed	PR-26	7:30 PM	Plinker Rifle Standing, 20- rounds @50-feet
Dec 18	Thur	SR-52	7:30 PM	Sporter Rifle Standing, 30 rounds, 50 feet, .22 cal.
Dec 21	Sun	BRU-6	9:00 AM	Benchrest .22 cal, 25-shots @ USBR Target
		BRR-6	10:00 AM	Benchrest .22 cal. 25-shots @Rimfire BR Target
		BRI-6	11:00 AM	Benchrest .22 cal. 25-shots @USRA IR-50/ 50R Target
		PI-82	10:00 AM	Pistol .45 cal. 900 - 90 rounds @25 yards

JA 188

Dec 25	Thur			CHRISTMAS DAY - No Matches
Dec 28	Sun	PR-6	9:00 AM	Plinker Rifle 20 rounds, 50 yds @A33 Targets
		BR50- 4	10:00 AM	Benchrest .22 cal. @50 yards 20 rounds @ Small Animal Targets
		PI-83	10:00 AM	Pistol .22 cal. 900 - 90 rounds @25 yards
Jan 1	Thur			NEW YEARS DAY - No Matches