



# New York State Firearms Association

## 2024 NYSFA State Legislative Candidate Survey

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#### Question 1

37 states have Stand-Your-Ground law on the books. But here in New York State, if an armed criminal attacks a law-abiding citizen (even in their own home,) they are expected to retreat an indeterminant distance before being able to defend themselves. This has resulted in otherwise law-abiding gun owners being prosecuted for the 'crime' of defending themselves by leftist DAs like Alvin Bragg. More, not having Stand-Your-Ground law means there are no civil protections for gun owners. So the same criminal who attacked you on the street could attack you again, in civil court! Stand-Your-Ground law has been filed regularly in Albany.

If elected, would you SUPPORT and VOTE YES on Stand-Your-Ground law, which would allow law-abiding gun owners to defend themselves without having to first retreat or face spurious criminal and civil charges afterwards?

#### Question 1 Answer

Co-Sponsor

#### Question 2

The 'SAFE ACT' legislation that passed in 2013 has been proven to be utterly useless at stopping violent crime. In fact, since it's enactment, rapes in New York State have gone up a stunning 250%. US District court rulings have negated major sections of the law that deal with magazine capacity. And FOIL requests prove that compliance with the registration provision of the law are somewhere in the 5% range. At the same time, with violent crime surging to record number, the idea that New Yorkers are not allowed to own AR-15s and the magazines that run them is absurd.

If elected, would you SUPPORT and VOTE YES on legislation that would completely repeal the 2013 'SAFE ACT,' recognizing that it's done nothing to stop violent crime, but has been very effective at limiting the self-defense options of every law-abiding gun owner in New York State?

#### Question 2 Answer

- Co-Sponsor

#### Question 3

In 2022, the United States Supreme Court handed down their Bruen decision, striking down major elements of New York State's abusive pistol permit application process. Rather than comply with this, Kathy Hochul rammed the 'Concealed Carry Improvement Act' into law. The CCIA expanded the list of places gun owners can not carry, said that all business were off limits to gun owners unless they have signage allowing concealed carry, required social media account history when applying for a permit, and more. While this law is undergoing a years' long court challenge, law abiding New Yorkers are being harmed by it.

If elected, would you SUPPORT and VOTE YES on legislation that would completely repeal 2022's CCIA, recognizing that it's a violation of the Bruen decision and the Second Amendment?

### Question 3 Answer

- Co-Sponsor

### Question 4

Last year, new legislation took effect here in New York State that makes it a crime to buy unregistered ammunition. Now all ammunition sales are run through a background check via the State Police. And gun owners are also required to pay for this. This system gives the State of New York a list of every round of ammunition you own. This law is currently the subject of a federal lawsuit since it is a clear violation of the Bruen decision which requires a 'historical precedent' for any gun control law to be deemed constitutional.

If elected, would you SUPPORT and VOTE YES on legislation that would completely repeal New York State's unconstitutional ammunition law, recognizing that it's a violation of the Bruen decision and the Second Amendment, and gives the State of New York a list of every round of ammunition that a New Yorker buys?

### Question 4 Answer

Co-Sponsor

### Question 5

Last year, legislation was filed in Albany (S. 4126/A. 07874) that would require New Yorkers to undergo a state-sanctioned mental health examination as a condition of applying for a pistol permit. This bill would give Governor Hochul the ability to deny New Yorkers a pistol permit for any reason whatsoever. This is a throwback to the types of tactics used by dictators like Russia's Stalin, Khrushchev, and Brezhnev who said that anyone who disagreed with their political agenda was mentally handicapped. These people were sent to labor farms, prison farms, or executed.

If elected, would you OPPOSE and VOTE NO on legislation that would call for a completely unconstitutional mental health examination as a condition for applying for a pistol permit, recognizing that this is a tool that has been used by dictators and depots for hundreds of years?

### Question 5 Answer

Yes

### Question 6

Last year, legislation was filed in Albany (A. 04261) that would mandate a 10-day waiting period on all firearms sales. So even while violent criminals have sent New York State's crime rate soaring, the politicians in Albany want to make it even harder for law abiding citizens to defend themselves! The only people who would benefit from a law like this are the murderers, rapists, and thieves victimizing New York State.

If elected, would you OPPOSE and VOTE NO on legislation that would mandate a waiting periods on gun sales in New York state, recognizing that the only people who would follow such an unconstitutional law are law abiding New Yorkers, not violent criminals?

### Question 6 Answer

- Yes

### Question 7

Last year, legislation was filed in Albany (S. 6033/A. 09288) that would force law abiding New Yorkers to carry civil liability insurance as a condition of applying for a pistol permit. This is unconstitutional, a violation of the Bruen decision, and

would never stop a violent criminal. What's more, this insurance is not available in New York after former Governor Cuomo deemed it 'murder insurance' and ran the companies that sold it out of the state.

If elected, would you OPPOSE and VOTE NO on legislation that would force New Yorkers to carry unavailable and unconstitutional civil liability insurance as a condition of applying for a pistol permit, recognizing that this law would only impact law abiding gun owners, not criminals?

**Question 7 Answer**

Yes

**Question 8**

Last year, legislation was filed in Albany (S. 5763/A. 3855) that would require gun owners to submit to a drug test, like a sex offender out on parole, as a condition of applying for a pistol permit. Besides being insulting to law abiding gun owners, it's a blatant violation of the Constitution and the Bruen decision. Worse, it will do absolutely nothing to stop violent criminals here in New York State.

If elected, would you OPPOSE and VOTE NO on legislation that would force New Yorkers to submit to a drug test as a condition of applying for a pistol permit, recognizing that this is a blatantly unconstitutional action that would only benefit violent criminals?

**Question 8 Answer**

Yes

**Name (As it will appear on the ballot)**

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**District Number**

3

**Chamber**

New York State Assembly

**Party Affiliation**

Republican

**E-Signature**

✓ I have truthfully answered the questions above and they accurately reflect my positions on the Second Amendment

**Date**

07/02/2024

**Signature**

*Joseph DeStefano*