



# South Dakota Legislature

State Capitol, 500 East Capitol  
Pierre, South Dakota 57501-5070

August 12, 2019

The Honorable Donald J. Trump  
President of the United States of America  
Office of the President of the United States  
1600 Pennsylvania Avenue  
Washington, D.C. 20500

Dear President Trump,

Like you, we the undersigned are deeply concerned about random mass shootings of innocent people by mentally deranged persons intent on murder. While horrifying in every aspect, these malevolent actions do not represent any type of normalcy for our beloved USA. Thankfully, the opposite is true.

The reality is that Americans have been blessed with a steady decline in property and violent crime rates since 1993. Experts rightfully attribute this decline in our crime rates to the success of numerous "shall issue" conceal permit and constitutional carry laws enacted by many states allowing more and more law-abiding Americans to be armed and to be able to protect themselves.

Some of the mass murderers have cited their fear of encountering armed law-abiding Americans as the reason they chose to attack innocent people in "gun-free zones" when planning their horrific crimes.

The proof that armed, law-abiding Americans deter these crimes is further evident in the facts that the vast majority of these horrific mass shootings (close to 98%), occur in these unsafe "gun-free zones" where Americans are disarmed and made helpless. You yourself have publicly acknowledged these mass murderers' use of "gun-free zones" in past speeches to the public.

We are concerned that Congress is not concentrating on the confirmed problem of unsafe "gun-free zones," but are instead once again following the lead of liberal gun control activists and proposing more ineffective laws that subvert the constitutional rights of law-abiding Americans.

To make matters worse, some members of Congress are now even offering to expend taxpayer dollars to proliferate so called "red flag" laws which are being shown to be counterproductive measures that grossly violate the 2nd, 4th, 5th, and 6th Amendment rights of American citizens.

The reality is that in states like Maryland, Oregon, and California that have enacted these "red flag" laws, individuals accused under them are effectively guilty until they prove themselves innocent. Proving their innocence against such allegations often comes at a great personal expense in terms of time and money.

In some of these states, the accusers are not subject to cross-examination since they are not required to testify in court. Accusers are often allowed to make their accusations through an affidavit without personally appearing in front of a judge.

In every state that has adopted these laws, judges issue ex-parte gun confiscation orders without giving those accused a chance to defend themselves against the claims made against them.

The standards for such ex-parte orders are absurdly minimal, yet judges often err on the side of caution in granting them against accused persons. In many cases, the accused never receive advance notice of the allegations and orders against them until law enforcement personnel show up to confiscate their firearms.

This creates an innately volatile and hazardous situation for the accused, law enforcement, and the public. In cases involving extended proceedings, only Colorado provides legal counsel to accused persons not represented by counsel.

It is also concerning to us that "red flag" laws generally do not provide for falsely accused victims to sue their accusers for knowingly misrepresenting facts.

If history is any indicator, it appears that "red flag" laws have so far only exacerbated the problem of an overburdened court system with no real evidence that they have prevented any homicides or suicides.

The reality is that absent institutionalization of disturbed individuals, such persons presenting actual threats to society will remain a threat even after seizing their firearms, as they will still have the ability to use a knife, motor vehicle, or countless other potentially lethal items to commit mass murder.

While it remains nearly impossible to predict or prevent these random acts of evil by these deranged individuals, we do know that they overwhelmingly depend on "gun-free zones" in their mass murder efforts to ensure their victims are vulnerable and unable to defend themselves.

"Gun-free zones" not only do not work, they are in fact dangerous! Compared to all of the gun control proposals proposed as "solutions" to the horror of these random mass murders, the repeal of "gun-free zones" is the simplest, least expensive, most logical, and is morally imperative.

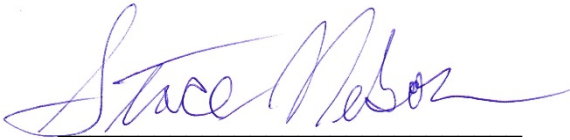
We respectfully ask that you oppose legislation being proposed to aid expansion of "red flag" laws and instead support Congressman Thomas Massie's H.R. 3200 "Safe Student Act" which at least proposes to mitigate the dangers of "gun-free zones."

We also ask you to encourage the passage and support of Senator John Thune's S. 69 "Constitutional Concealed Carry Reciprocity Act." Both of these bills incur minimal costs to American taxpayers, while empowering law-abiding Americans to protect themselves and depriving would-be murderers of "gun-free zones" where they can attack innocent disarmed Americans with impunity.

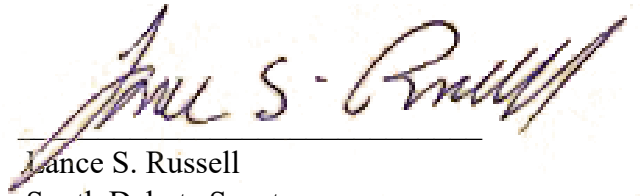
The passage of these bills would do immeasurably more to decrease violent crimes than these well-intentioned but dangerous "red flag" laws.

Instead of stripping law-abiding citizens of their constitutional rights and placing them in fear with proposed "red flag" laws, let's take this opportunity to do the right thing and make would-be mass murderers fear for their safety if they contemplate acts of violence against fellow Americans.

Sincerely,



Stace Nelson  
South Dakota Senator



Lance S. Russell  
South Dakota Senator



Drew Dennert  
South Dakota Representative



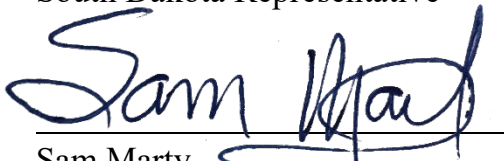
Tom Pischke  
South Dakota Representative



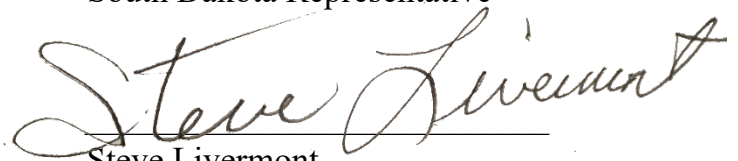
Tony Randolph  
South Dakota Representative



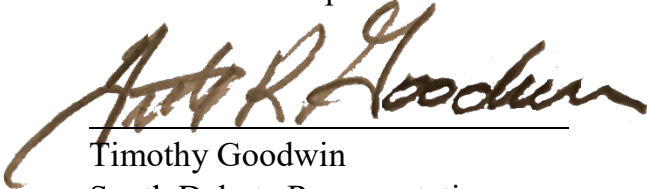
Julie Frye-Mueller  
South Dakota Representative



Sam Marty  
South Dakota Representative



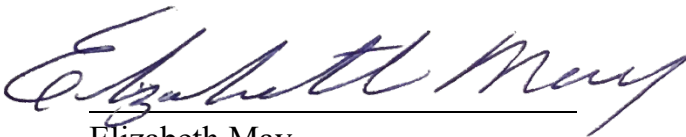
Steve Livermont  
South Dakota Representative



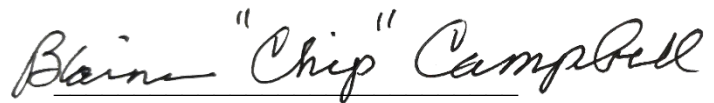
Timothy Goodwin  
South Dakota Representative



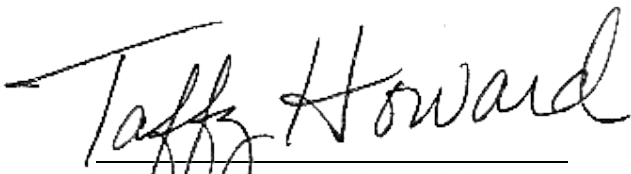
Daniel Kaiser  
Former South Dakota Representative



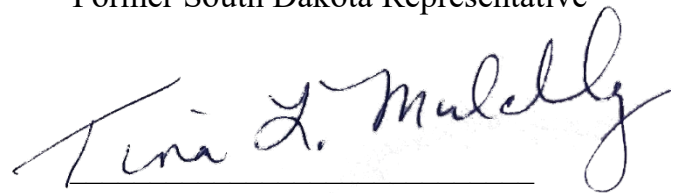
Elizabeth May  
Former South Dakota Representative



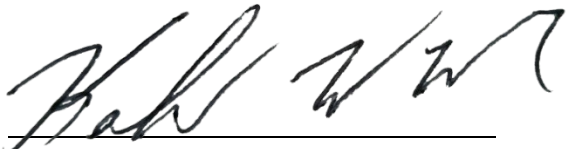
Blaine "Chip" Campbell  
Former South Dakota Representative



Taffy Howard  
South Dakota Representative



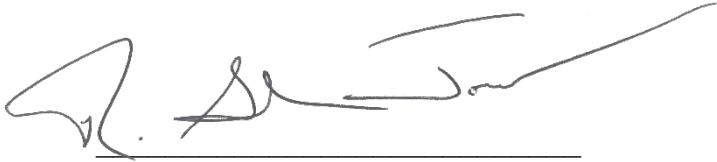
Tina L. Mullally  
South Dakota Representative



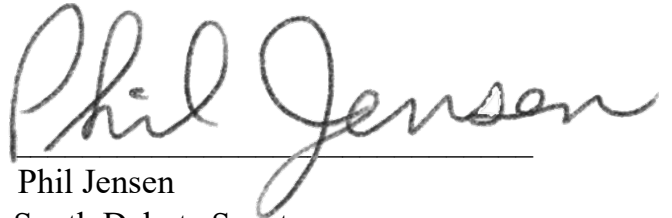
Kaleb Weis  
South Dakota Representative

/s/ Lyndi DiSanto

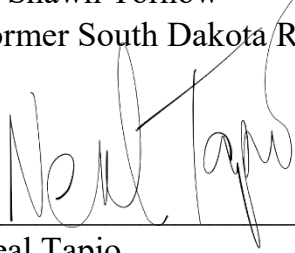
Lyndi DiSanto  
South Dakota Senator



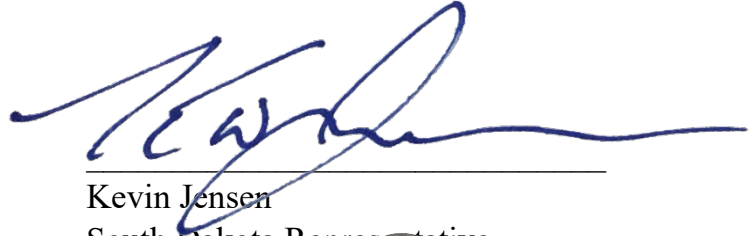
R. Shawn Tornow  
Former South Dakota Representative



Phil Jensen  
South Dakota Senator



Neal Tapio  
Former South Dakota Senator



Kevin Jensen  
South Dakota Representative



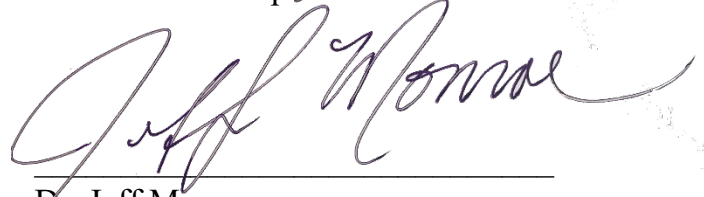
Thomas Brunner  
South Dakota Representative



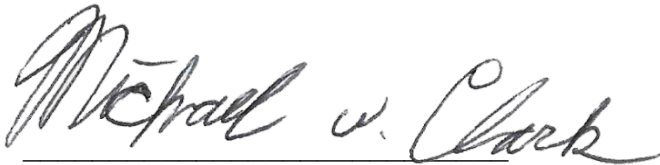
Chris Johnson  
South Dakota Representative



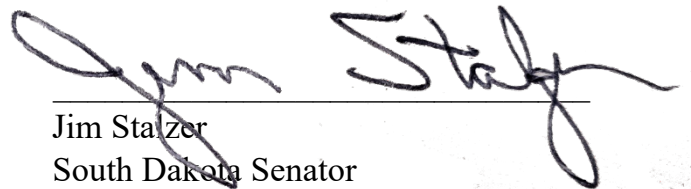
Lora Hubbel  
Former South Dakota Representative



Dr. Jeff Monroe  
South Dakota Senator



Michael Clark  
Former South Dakota Representative



Jim Stalzer  
South Dakota Senator