



Written by [Patrick Krey](#) on November 21, 2023

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Exercising the Right

New York vs. NRA

Anti-gun public officials have been on the warpath for a few years now trying to harass and intimidate gun owners and gun-rights advocacy groups, but such efforts in New York might backfire. Ian Millhiser, writing at Vox, reported on November 6 that the superintendent of the New York State Department of Financial Services (DFS), Maria Vullo, “did something incomprehensibly stupid” that might result in a massive loss for anti-gunners at the U.S. Supreme Court. Vox is notoriously anti-gun, and the fact that Millhiser is bemoaning the situation is a great indicator of how badly Vullo messed up.

Vullo began an investigation in 2017 into the NRA’s insurance program, “Carry Guard,” which provided liability coverage for people involved in a self-defense shooting. During the investigation, Vullo sent correspondence to insurance companies seemingly threatening them if they engaged in any business with the NRA or other gun-advocacy organizations. Vullo wrote that insurers should “continue evaluating and managing their risks, including reputational risks, that may arise from their dealings with the NRA or similar gun promotion organizations.”

As Millhiser explained, “To be clear, this guidance did not explicitly threaten to take any action against insurers who continued to do lawful business with the NRA. But that does not change the fact that DFS, an agency whose responsibilities include law enforcement, and that had recently brought a \$13 million enforcement action against insurance companies that did [allegedly] illegal business with the NRA, was now suggesting that those same companies might face consequences if they did other, legal business with the NRA.... This guidance, and similar ... communications between DFS and the insurance industry, do potentially violate the First Amendment. While the Constitution permits a government official to ask any company to stop doing business with the NRA, it does not typically permit the government to coerce private businesses into halting lawful business with an advocacy group. And DFS’s guidance, which was issued so soon after DFS opened its Carry Guard investigation, looks suspiciously like coercion.”

Millhiser added, “It’s not hard to read that guidance as a coercive attempt to punish the NRA because New York’s government disagrees with the NRA’s political advocacy in favor of looser gun laws.” The NRA sued, and now the case is before the Supreme Court. Court observers believe it’s likely the NRA will prevail.

This news comes on the heels of other bad news for anti-gunners. Fox News reported on October 2 that a “New York judge ordered [New York] state to pay nearly half a million dollars in legal fees to the National Rifle Association (NRA) after the gun rights group won a [different] major case at the Supreme Court.”

That lawsuit involved the state’s handgun permitting process, which required applicants to show an ill-defined “proper cause” before a permit could be issued. The Supreme Court struck down the law because, as Justice Clarence Thomas explained, “the Second and Fourteenth Amendments protect an individual’s right to carry a handgun for self-defense outside the home,” and the State of New York’s requirement to show a special need “violates the Constitution.”

Michael Jean, NRA’s director of the Office of Litigation Counsel, told Fox News that the “NRA regards the \$447K award in the *NYSRPA v. Bruen* case as a pivotal victory, a symbol that justice is definitively



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on our side.”

“Thank Goodness for the Good Samaritan”

This wild story out of Houston involved a drug deal gone wrong that escalated into a freeway shooting that came to an end because a good guy with a gun intervened. Fox26houston.com reported that the culprit in the shooting, 32-year-old Jonathan Aleman, was sentenced to 60 years in prison on November 1. Harris County District Attorney Kim Ogg applauded the sentencing and released a statement proclaiming, “There is no place in our community for this kind of extreme gun violence.... People can’t settle their disputes with a gun, and they certainly can’t start shooting on a freeway crowded with innocent commuters and kids.”

Aleman admitted to tracking his two victims after they stole from a friend of his over a botched drug deal. Aleman crashed his sedan into the victims’ Nissan Sentra, causing both vehicles to stop in the middle of the freeway. He then exited his vehicle and opened fire on the Nissan, fatally wounding both occupants. Aleman continued to shoot until a man who was described as a “good Samaritan” from a nearby vehicle opened fire on him, causing him to flee the scene.

Law enforcement was able to identify Aleman as the suspect and gather enough evidence to prosecute him for his crimes. Assistant District Attorney Karen Barney summarized the chaos that transpired by saying, “People on the East Freeway that day thought this was some type of mass shooting and everyone was terrified.... Thank goodness for the good Samaritan who forced the gunman back into his car and off the highway.”

Kamala Praises Gun Confiscation

Fox News reported on October 26 about how Vice President Kamala Harris was a bit too honest in some of her public remarks. Harris was speaking at a State Department luncheon with the Australian prime minister, and began complaining about “gun violence.” She stated, “Let us be clear, it does not have to be this way — as our friends in Australia have demonstrated.” The demonstration Harris was referring to was when Australia introduced the 1996 National Firearms Agreement, which banned many previously permitted firearms and implemented a mandatory “gun buyback” program that collected “nearly 700,000 privately-owned firearms,” as Fox News explained. Anti-gun activists love the term “mandatory gun buyback” because they think it sounds more palatable than “gun confiscation,” but those of us who are paying attention know what they really mean.



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