



Written by [Bob Adelman](#) on December 17, 2018

A Million New Jersey Gun Owners Ignore State's Magazine Ban

When New Jersey passed its ban on possession of magazines containing more than 10 rounds in June, it gave the state's million or so law-abiding gun owners 180 days to comply. The law provided five options: 1) modify the offending magazines so they could accept no more than 10 rounds; 2) "render the firearm [that accepts such magazines] inoperable"; 3) register firearms that cannot be "modified to accommodate 10 or less rounds"; 4) transfer the firearm or the magazine to "an individual or entity entitled to own or possess it"; or 5) surrender the firearm or the magazine to local law enforcement.



[The million or so law-abiding gun owners selected option No.6](#): ignore the law and defy its enforcement.

The 180-day period expired on December 11, and not a single magazine has been turned in to any local law-enforcement agencies, according to responses obtained from Ammoland's John Crump: "Ammoland reached out to several local police departments in New Jersey to see how they plan on enforcing the ban, and [to learn] what the turn-in numbers have been [as of December 14]. Like the New Jersey State Police, none of these departments have a concrete plan on how to proactively enforce the ban, and none had a single report of magazines being turned over."

The penalty for being found in possession of one of the newly offending magazines is stiff: It's a felony, with punishment consisting of up to 18 months in jail, and up to \$10,000 in fines, or both.

When gun-hating liberals in the Colorado enclave known to some as "the Peoples' Republic of Boulder" passed a law banning possession of "assault weapons," "high-capacity" magazines, and "bump stocks" last May, gun owners reacted similarly. [The New American covered the story](#) and estimated that law-abiding citizens living in Boulder owned approximately 150,000 now-offending firearms. They needed to be "certified" under the law's grandfather clause by December 27 or fines and jail time would be applied to those newly minted miscreants. As of December 1, the Boulder Police Department had certified just 85 of them.

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Lest law-biding gun owners reading this think that New Jersey or Colorado are a long way from where they live, and therefore they have nothing to worry about, they should consider the disheartening and threatening move by numerous states to inflict similar injury onto them through "red flag" laws. They should further consider what their response will be when law enforcement shows up at their front door, either with a demand to turn over offending magazines or relinquish their firearms under an ERPO — an "Extreme Risk Protection Order" — now the law in more than a dozen states with another dozen or so considering such laws.



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The New American has reported on the dangers of ERPOs [here](#) and [here](#). One individual, Gary Willis, a resident of Ferndale, Maryland, was confronted with such a situation at 5 a.m. in early November. He resisted and it cost him his life.

Local papers covered the incident. Willis was asleep early Monday morning, November 5 when two officers from Anne Arundel County knocked on his door. A law-abiding gun owner, Willis answered the door “with a gun in his hand,” according to a police department spokesman. They were there to serve him with an “extreme risk protective order” and remove his legally owned firearms.

According to a police department spokesman, Willis put his firearm down to read the ERPO but then, apparently recognizing that it wasn’t a legal search warrant issued by a judge in accordance with protections guaranteed to him by the Fourth Amendment to the U.S. Constitution but instead was issued by a local judge under Maryland’s newly minted “red flag” law, he retrieved his firearm.

The spokesman said that Willis “became irate.” In the melee that followed, one of the firearms carried either by one of the officers or by Willis went off. One of the officers then pulled his own sidearm and shot Willis dead.

FlexYourRights.com has a [38-minute video on YouTube](#) that helps gun owners who take the risk of such a confrontation seriously. For those interested in a lawyer’s take on how to respond, one could consider purchasing Tim Baldwin’s [“Police Contact: How to Respond”](#) in DVD format for \$20. Says Baldwin: “If a policeman believes you are guilty, being innocent may not be enough to keep you protected. There are many innocent people incarcerated in America’s prisons, or worse. Unfortunately, citizens themselves often help bring on improper conduct [by police] through their own ignorance of the law.”

This writer endorses Baldwin’s explanation, which is designed, as he says, to “keep you out of jail — or out of the morgue.”

Such presentations may still leave unanswered the question of how to respond when a law-enforcement official comes to the door with a warrant that clearly violates or ignores the strictures put in place by the Founders in the Fourth Amendment. How should he then respond? That question needs to be answered long before the doorbell rings.

According to Crump, New Jersey law-enforcement officials either have no plan to enforce the magazine law or aren’t willing to discuss it. Those departments he quizzed refused to answer, or responded with “We do not discuss law enforcement strategies.”

Image: gsagi via iStock / Getty Images Plus

An Ivy League graduate and former investment advisor, Bob is a regular contributor to The New American magazine and blogs frequently at [LightFromTheRight.com](#), primarily on economics and politics. He can be reached at badelman@thenewamerican.com.

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