



Written by [Bob Adelman](#) on June 13, 2022

Ten RINOs Joining With Democrats in Pushing Red Flag Laws

Anti-Second Amendment Connecticut Democrat Senator Chris Murphy could hardly contain himself on Sunday. After lengthy discussions over the weekend with several Republican (In Name Only) senators, he [tweeted](#): “We have a deal,” adding:

Today a bipartisan group of 20 Senators (10 D and 10 R) is announcing a breakthrough agreement on gun violence - the first in 30 years - that will save lives.



Josiah S/iStock/Getty Images Plus

Murphy was no doubt referring to the dreadful infringement of Second Amendment rights that was passed in 1994, called the Clinton Gun Ban, which banned the manufacture, sale, or purchase of “semi-automatic” firearms. Ten years later, after discovering that the ban had absolutely no impact whatsoever on gun violence, the law was allowed to expire.

Murphy was also touting the “bipartisan” nature of the “breakthrough” agreement, suggesting that Democrats and Republicans had finally repaired their animosity over the issue of gun rights and had come together to infringe further on gun owners’ rights.

However, four of the five Republicans who joined with the Democrats have no fear of electoral retribution from their voters: they are retiring from the Senate this year. Further, none of the other six are up for reelection. So they can safely display their animosity towards the Second Amendment with impunity.

Another RINO, Senate Minority Leader Mitch McConnell, joined the 10 in celebrating the victory: “I appreciate their hard work on this important issue. The principles they announced today show the value of dialogue and cooperation.” He added:

I continue to hope their discussions yield a bipartisan product that makes significant headway on key issues like mental health and school safety, respects the Second Amendment, earns broad support in the Senate, and makes a difference in our country.

There is no written text reflecting the agreement. And the clock is ticking: Congress soon breaks for the Independence Day weekend, and any legislation must be written and passed before constituents back home have an opportunity to express their displeasure at their senators and representatives selling



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them out.

Gun rights groups like Gun Owners of America and the National Rifle Association are already ramping up pressure to keep that insidious legislation from passing.

Murphy admitted as much in his series of tweets touting the anti-gun, anti-Second Amendment (and anti-constitutional) provisions. Last week he told reporters that “we can’t come to agreement the last week we’re here. There are people in the Senate who are no doubt going to use every rule available to them to hold this up and slow it down.”

Those “people” are called “constitutionalists,” using procedural moves put in place precisely to limit a noisy, power-seeking minority from overriding the rights of the majority.

The 10 Republican sellouts are Senators John Cornyn of Texas, Thom Tillis and Richard Burr of North Carolina, Roy Blunt of Missouri, Bill Cassidy of Louisiana, Susan Collins of Maine, Lindsey Graham of South Carolina, Rob Portman of Ohio, Mitt Romney of Utah, and Pat Toomey of Pennsylvania.

Buried in the bill is the most pernicious attempt to disarm gun owners: pushing for red flag laws by giving federal tax money to states if they pass them. Nineteen states already have the onerous and unconstitutional laws in place, and the remaining 31 are the targets of the Senate’s financial generosity.

In the so-called agreement that Murphy celebrated on Sunday, the phrase “red flag laws” is never mentioned, for fear of raising a red flag over the proposal from those who understand and support the Constitution. Murphy’s “law” refers to “intervention orders” that would apply to “those who are adjudicated as mentally ill” so they cannot purchase or possess firearms.

The NRA urged its members to “take action,” reminding their representatives of their rights and warning them of retribution at the polls in November if they violate them. The bills already passed by the House and being pressed for passage in the Senate

create “red flag orders” that allow for the confiscation of firearms without due process of law. The legislation would directly empower federal judges to nullify Second Amendment rights on a case-by-case basis and issue orders to seize firearms from the named individuals.

It would also provide funding to encourage states and localities to pass and enforce laws allowing judges to issue orders to seize firearms.

[The House bill] would strip Second Amendment rights of individuals by confiscating firearms without constitutional due process by allowing courts to issue *ex parte* (meaning the accused is not present) firearm confiscation orders.

A person could be forcibly disarmed of otherwise lawfully-possessed firearms before he or she had so much as an opportunity to contest the accusations — this would represent a clear denial of constitutional due process protections.

The unconstitutional nature of red flag laws was made clear by Nikki Goesser, executive director of the Crime Prevention Research Center. In an article co-authored by a Republican congressman who hasn’t sold out his constituents, Kentucky’s Thomas Massie, Goesser said:

These laws allow judges to seize a person’s guns without a trial, based solely on a written complaint that the person might be a danger to themselves or others. All a judge needs is



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“reasonable suspicion.”

This contrasts with the provisions the Founders of our Republic put in place to prevent that sort of behavior. The Fourth Amendment requires the much higher standard of “probable cause” instead of the much weaker “reasonable suspicion”:

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

The Fifth Amendment requires “due process” against such illegal seizures:

No person shall ... be deprived of life, liberty, or property, without due process of law.

The vacuity of red flag laws is revealed by noting that there is little proof that they work. As left-leaning PolitiFact admitted: “It’s challenging for researchers to determine whether mass shootings are prevented by red flag laws.”

The real purpose of red flag laws is to do an “end run” around the Second Amendment. As Senator Murphy admitted in his series of tweets celebrating and expanding on his “victory”:

Will this bill do everything we need to end our nation’s gun violence epidemic? No. But it is real, meaningful progress. And it breaks a 30 year log jam....

Drafting this law and passing it through both chambers will not be easy. We have a long way before this gets to the President’s desk.

As the Senate is deadlocked 50-50, all 10 of those Republican Senators will have to join all 50 Democrats in order to pass the measure. If passed, it will next need to be ratified by the House, and then will be sent to the occupant of the White House for signing into law.



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