

SPINNING

YOUR RIGHTS AWAY

BY CRPA PRESIDENT & GENERAL COUNSEL C.D. MICHEL

Marketing experts preach that re-defining a market is the best way to win it over.

This is why gun control politicians have made an effort to change their messages, targets and tactics. You saw that new messaging playing out in real time in the Hillary Clinton campaign.

Although it may not seem that way to besieged Californians, over the last twenty years or so, gun control advocates have lost a lot. They lost the ultimate constitutional argument. They lost the criminological debate. They lost the support of most of the general public. My hope was that they would continue doing exactly what they have been doing, because they would continue their losing streak and might eventually become a historical footnote.

But they got an influx of cash from elitist billionaires, and they got shrewder, as evidenced by their publication *Preventing Gun Violence Through Effective Messaging*, (herein “the book”). It’s a 70+ page book that my marketing pal reviewed and called “a classic market redefinition and repositioning strategy.”

The book is a field guide for gun control activists, intended to coach them on how to change the political tide by redefining the terms of the debate. I assume some gun control activist money – namely from the Joyce Foundation, Barack Obama’s old haunt and a frequent advocate in the gun-control debate – was scrapped together and invested in having Greenberg Quinlan Rosner Research work in the book. Indeed the name “Joyce Foundation” litters the GQRR web site and Joyce reciprocates. Some of the suspect cash was also likely tossed to KNP Communications, a K Street communications company that divines how best to pitch political concepts. They were also involved in the book.

In other words, the book is propaganda by professional spin masters designed to craft their public message to fool people and manipulate public opinion.

Though the scope of its distribution is unknown, the words, phrases and con-

cepts in this publication have been dripping off the lips of anti-gun politicians. No doubt circulated through the left side of Capital Hill, the same points of persuasion are now in the skulls of every staffer and copywriter and reporter paid by statist politicians and “progressive” think tanks.

THE GOALS OF THE NOT-GUN-CONTROL PUBLICATION

Preventing Gun Violence Through Effective Messaging is a frank admission of the past failure of gun control as a political movement – so much so that in its introductory pages the book acknowledges that at the time of its printing, “The gun violence prevention movement is dormant in the public imagination.” In fact, gun control’s marketers instruct their readers to “DO talk about *preventing gun violence*” but “DON’T talk about *gun control*.” Even the term *gun control* now has such a negative public connotation that the gun control movement no longer uses the phrase. The book even admits that the NRA, the gun control movement’s perpetual bogymen, is considered by the public as “a mainstream organization that protects our Second Amendment rights and provides information about gun safety.”

When your core position has eroded, and despite concerted efforts at demonizing your opposition it still has high positive marks from the public, then you have no choice but to change the game. And that is what the book and its campaign is designed to accomplish. The gun control movement has disposed of their old memes, their old tactics, even their name. It is now readdressing voters with new language designed to:

- Make the gun control movement appear to have greater moral authority
 - Appeal to people’s emotions over their reason
 - Drive wedges between undecided voters by exploiting police
 - Drive a wedge between NRA members and NRA leadership
- Sound familiar? If you think you’ve

seen some of this in action already, you’re right.

Here are the main tactical areas that the book instructs gun control advocates to take.

CLAIM MORAL AUTHORITY & THE MANTLE OF FREEDOM

The perceived moral superiority of a messenger reflects on the perceived morality of their message. If you don’t believe that, try questioning the beliefs of a preacher or rabbi. Odds are you won’t have the stomach for it.

The book notes that gun rights forces have held the moral high ground by basing their position on freedom – the freedom to choose to own a gun and to use it for self-defense. The book seeks to commandeer the freedom-focus to ... well ... deny people the freedom to own the guns they prefer to (so I guess they are not pro-choice after all). My marketing buddy says that attacking a competitor’s strength is better than attacking their weakness. But I suspect the gun ban lobby is now recognizing that attacking freedom is a bad strategy. So instead gun control marketers are attempting to gain the same strength by hijacking the mantle of freedom to their cause.

ALWAYS FOCUS ON EMOTIONAL & VALUE-DRIVEN ARGUMENTS ABOUT GUN VIOLENCE

Marketing experts and trial lawyers, know that emotional pitches work better than logical ones. I know this first hand from training in how to influence juries. In the gun control debate, logic has never helped the other side. Despite their efforts to generate and manipulate them, statistics have never been Sarah Brady’s friend ... or acquaintance. So the gun control movement benefits greatly by manipulating emotions rather than relying on facts because it is a better marketing strategy and it avoids entering into rational arguments that they will lose ... again.

The ugly bit of their strategy is the follow-through. Once a person’s emotions are heightened and the politicians who raised them appear to have moral authority, humans tend to accept any sympathetic fiction as a fact. So the book advises that, “Compelling facts should be used to back up that emotional narrative.” But the ‘facts’ that are strewn throughout the book

LANGUAGE DOS & DON'TS

are often not facts, or are so cherry-picked and obfuscatory that the real danger is in the one-two punch. Their game plan is to first open hearts by telling stories with emotions, images and feelings, then lob their non-facts to a softened up receptive and uncritical public.

CHALLENGE THE NRA ON YOUR TERMS

The gun control movement now recognizes what we have known for years – that voters know presumably somebody who is an NRA member, and thus don't think badly of the NRA. So gun control marketers are now trying to drive a wedge between the NRA membership and the NRA's leadership.

"It's effective to emphasize that the vast majority of NRA members are law-abiding gun owners," the book starts "who agree with common sense laws to keep dangerous weapons out of the hands of dangerous people — the NRA's officials and lobbyists are the problem." The gun control spin book goes on to describe NRA policies as "exposing people to needless violence." The goal is then not to demonize the NRA, which has been a losing proposition, but to demonize NRA leadership and thus cast doubt in the minds of members and swing voters.

This part is already in play. A relative of mine recently echoed some MSNBC agitprop that, in effect, tried to force me to denounce the policy of the "NRA's boss." It combined the tactics of division and fake moral authority. It didn't work on me, but it will on somebody, somewhere. Sadly, you can, at a minimum, fool some of the people some of the time.

AUDIENCE VARIATIONS

Marketers segment their markets. This means they divide the populace into groups, and then communicate to these groups differently. A breakfast cereal company communicates the same product differently to your 5 year old than it does to you.

The book's propagandists do the same. They note difference between "our base" (e.g., people on the political left and pre-disposed gun control advocates), genders, age groups and minorities. Their core market messages remain the same, but the books' authors instruct their minions to either conceal some me-

DO talk about
"Preventing Gun Violence."

DON'T talk about
"Gun Control."

mes or amplify others, depending on the audience (part of your job is to be in each audience and disrupt their flow). They particularly plan on:

- Appealing to minorities, since minorities are more often victimized by thugs (who occasionally use guns)
- Appealing to women who are receptive to reducing gun *violence* whereas men are more responsive to reducing gun *crime*
- Using linguistic judo when confronted by a gun rights advocate to create affinity, swipe the freedom mantle, then pimp for gun bans

CURIOUS CONUNDRUM

"This guide," the book begins, "is intended to help organizations and individuals choose effective arguments and language when communicating with the public on behalf of stronger public policies to prevent gun violence." But tellingly, the book only discusses guns, never violence. It doesn't discuss gang warfare, where most gun homicides occur. It doesn't expose that 60% of the "gun violence deaths" it seeks to prevent are actually suicides (an entirely different discussion) or how banning a "high capacity" magazine would slow the suicide process (one bullet is usually enough). It doesn't relate how the freedom to own guns deters and prevents violence, though it harps endlessly on how people have the "freedom to be safe in our homes and neighborhoods." (Not true as a matter of law and sound contract.)

But never a word about violence as it is practiced. That is an odd outcome from a "violence prevention" playbook.

A lie effectively told becomes the truth. Perception is reality, you can fool all of the people all of the time – with the right marketing. That is the published strategy of the gun control non-movement.

Preventing Gun Violence Through Effective Messaging is the new gun control play book. It details their strategy to reframe the gun control debates (step

one, quit calling it *gun control*), their tactics (appeal to emotions, then insert false facts) and then say things they want people to believe (guns and the NRA's leadership are evil).

Part of what the book revealed was a tactical plan for altering the perception of key voter groups by first appealing to emotional triggers (moms, kids, scary looking rifles) and, upon establishing an emotional connection, present "back of the envelope" facts. Indeed, the book's author bluntly said "alarming facts [an emotional trigger] open the door to action" and "always focus on emotional and value-driven arguments ... not ... wonky statistics." It is an old ploy, one where you first create a personal connection, then take advantage of the victim. Used car salesmen always approach you saying "Nice day today, isn't it?" to get you to agree about something. This makes them seem more trustworthy and puts you in a state of agreement and personal connection. Television comedians like Jon Stewart make us laugh, softens us up, then present pure propaganda in order to get similar emotive buy-in.

Let's review some of the "facts" that the book provided to gun control statists and why those talking points are bunk:

"More than 120,000 people will be killed by guns during the next presidential term of office."

About 30,000 people are shot in America each year. But 60% of those are suicides. Another 4% are accidents, justifiable shootings, and a few deaths from unknown reasons. The gun control playbook inflates by 64% the level of "gun violence" as the public perceives that phrase.

Along this line of misinformation, the new gun control playbook also says "Between 1955 and 1975, the Vietnam War killed over 58,000 American soldiers – less than the number of civilians killed with guns in the U.S. in an average two-year period." Same statistical misdirection, but it leaves an interesting point. Most homicides (and gun homicides) occur in gang-infested inner cities. Gangs

treat street turf as war zones. In all battle fields the goal is to kill, so the problem to solve is ending the war, not the weapons used to fight wars.

“40% of Americans have themselves or personally know someone who has been a victim of gun violence.”

Curious that this statistic has not been published. The playbook’s footnotes say of this stat that comes from a survey conducted by the book’s authors, “Greenberg Quinlan Rosner Research for the New Venture Fund (Aug. 2011). Note this is not publicly available data.” In other words, a left-leaning political research firm allegedly conducts a survey, does not publish the results, and then claims it to be a fact. Should we take their word for it? Objection, no foundation. Almost as bad is when the new gun control playbook states “As numerous polls in recent years have shown, there is often a stunning gap between the extreme positions taken by NRA officials and the opinions of rank-and-file NRA members.” Knowing a lot of rank-and-file members, and some NRA officials, this came as news to me. Only NRA knows who its members are. And the NRA didn’t poll them. The gun control playbook did not list these “numerous polls” – they only cited a survey conducted by Mayors Against Illegal Guns, NY Mayor Michael Bloomberg’s bought and paid for gun control group. Not only do the published survey results as cited by the gun control playbook not state this, we must be instantly suspicious of the source of any Mayors Against Illegal Guns survey, as Gun Facts author Guy Smith showed when he deconstructed one such MAIG survey.

Likewise, when the new gun control playbook claims “86% of Americans and 82% of gun owners support requiring all gun buyers to pass a background check, no matter where they buy the gun and no matter who they buy it from” the Mayor’s surveys are again the source. Not independent policy polling organizations, just suspect sources surveyed to populate a poll by America’s foremost gun control organization.

“The United States has 5% of the world’s population and 50% of the world’s guns.”

One of the most effective ways to lie to withhold perspective. Aside from the statistic being wrong (if one considers police and military firearms as well as civilian) it ignores violence, which

the gun control playbook tells their minions is their new position, as advocates of violence prevention. Despite having a lot of freedom, including gun ownership freedom, Americans have a relatively low firearm homicide rate. In fact, it is about 40% lower than the rest of the world.

Likewise, the new gun control playbook states “The U.S. has the highest rate of firearm deaths among 25 high-income nations.” This is a two-for-one special. First, American suicide rates are a little higher than world-wide averages, which skews the numbers a bit. More importantly though, the “fact” ignores that guns prevent violent crime, so much so that in a first of a kind study the Dutch Ministry of Justice noted that among industrialized nations, the United States ranked near the bottom in contact violence (rapes, assaults, homicides, etc.). Criminologist have estimated Americans prevent about 400,000 violent encounters each year using guns. It is odd then that an organization committed to reducing violence ignores that it is already being done by gun owners. Guns, in the right hands deter violence.

“The overall firearm-related death rate among U.S. children under the age of 15 is nearly 12 times higher than that among children in 25 other industrialized nations combined.”

The Center for Disease Control (CDC) tells us that only 274 children were killed with firearms in the last re-

porting year. Sad as this is, this accounts for less than a child a day for the entire nation and 0.0005% of the children in America. When numbers are small and statistically minute, you have to create irrational comparisons, as gun control propagandists have. Indeed, the numbers involved in child gun deaths are so tiny that the cross-national comparisons are statistically void. Pools, fires, iron pills; all much more dangerous.

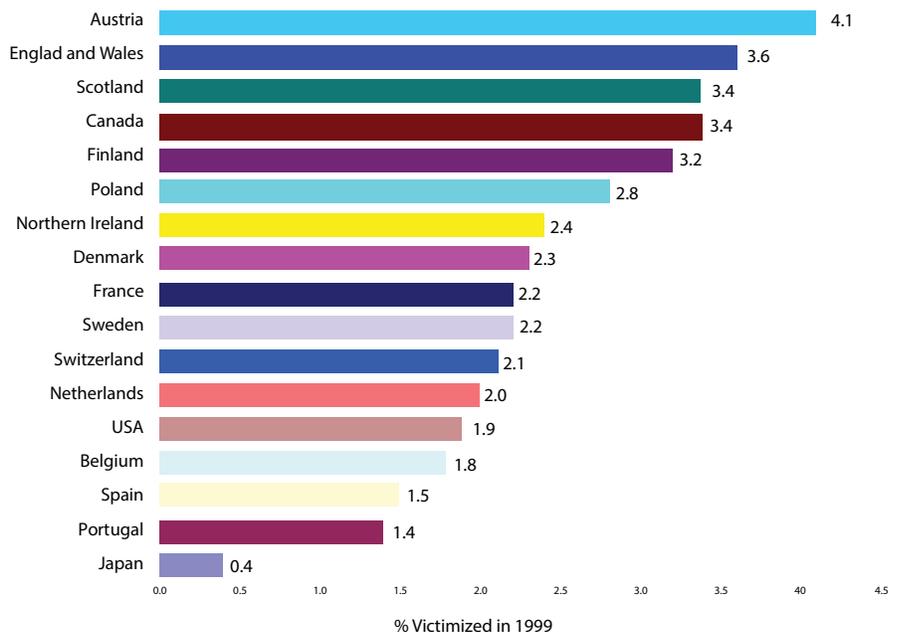
“There are virtually no restrictions on the type of weapons available for purchase in America ...”

Wow, that’s a whopper. They must not have visited California lately. Or New York, or Chicago, or Maryland or other jurisdictions around the country where abusive gun control laws stubbornly remain. Yet to an uninformed ear, this sounds troubling. Voters who don’t know about our falling violent crime rates (which occurred in an era of falling gun ownership restrictions) might flinch in fear, which is the intent of this new gun control playbook.

“Police and law enforcement officers are more at risk, due to the availability and power of new weapons.”

In various places of the gun control messaging manual, they openly tell supporters to play-up the alleged threat to police, knowing that most Americans trust police and rely on them for basic protection. Hence, any perceived threat to police is an indirect threat to the voter.

Contact Crime Victimization Rates



The question that low-information voters won't know to ask is "Who is shooting at police, and what guns do they use?" Naturally, *Preventing Gun Violence Through Effective Messaging* isn't going to tell voters that the typical crime gun used by street thugs is either a common revolver or pistol, just like the one in your night stand. These are not new, and are no more powerful than what many grandmothers keep in their homes.

In the same style, the new gun control playbook says "[Assault] weapons are not your grandfather's hunting rifle." If your grandfather enjoys hog hunting, varmint hunting or other small game hunting, then it likely is his hunting rifle of choice. Being light weight, durable and accurate at small game ranges, these firearms are a common choice for ranchers and hunters (but not for street gang members since concealing one under a jacket is problematic). They also claim "there is no conceivable sporting or civilian purpose to these [assault] weapons." Somebody should take the staff of Greenberg Quinlan Rosner Research to a three-gun match someday, so they can see sporting purposes in action. Better still, grab news video of the Rodney King riots in L.A. when shop keepers showed "civilian purposes" by sitting on roof tops with AR-15s and AK-47s to keep successfully roaming mobs from burning their stores to the ground.

"Two out of every five guns sold in America change hands without a background check."

If you count criminal gangs and black market street dealers, maybe. The Bureau of Justice Statistics told us in their recent *Firearm Violence* report that 40% of crime guns come from purely illegal street transactions. Two out of five (2/5 = 4/10) is 40%. Now in all fairness, another 38% are acquired through friends and families, though the definition of "friend" or "family" may well include other criminals, people unlikely to perform background checks. A mere 1.4% of crime guns came originally from gun shows and flea markets.

It is odd then that the new gun control playbook tells fellow statist to "Focus on ... Eliminating loopholes and requiring a background check for every gun sold in America." Someone should tell the Crips, the Bloods, MS-13, Gangster Disciples, Hells Angels, Latin Kings, Nortenos, Surenos and Vice Lords!

They aren't playing by the rules. And they never will.

When they ran out of talking points, the new gun control playbook added old and obfuscated info by saying "All four guns used in the Columbine school massacre were bought at gun shows without background checks." What they didn't say is that all the guns (though not the bombs) used at Columbine were straw-purchased or that the owners knowing were illegally selling guns to minors. Willing adult intermediaries who knew they were committing criminal acts gave/sold them to the Columbine assassins. The Columbine killers made a video where they laughed at gun control laws. Such folks are unlikely to obey background checks since they know the transaction is illegal.

"Corrupt licensed dealers are a huge threat to public safety ... one percent of federally licensed firearms dealers are responsible for selling almost 60 percent of the guns that are found at crime scenes and traced to dealers."

Now this is another whopper! When I dug-up the ATF report in question, two staggering real facts emerged. First, the cited numbers were prefaced with "Crime gun traces do not necessarily indicate illegal activity by licensed dealers or their employees. Guns purchased from FFLs may have been unknowingly sold by the FFL to straw purchasers, resold by an innocent purchaser or by an illegal unlicensed dealer, otherwise distributed by traffickers in firearms, bought or stolen from FFLs or residences, or simply stolen from its legal owner."

Stated differently, "just because we traced a gun doesn't mean the retailer is a 'corrupt licensed dealer.'" Interestingly the reported traces (that ugly 60% number) showed that a lot of time had passed from the original retailing of the gun to the ATF's investigation. Only 0.5% of the traces were for original purchase three years or less before the trace was conducted, which may or may not have been for a crime! And even all these traces accounted for less than 500 guns total in the 1998 report. In other words, these dealers were not "corrupt" as 99.5% of their sales that were eventually traced had left their control for more than three years beforehand (the average "time-to-crime" for traced firearms is about six years).

"An ATF study of firearms investigations found that 46% of its investigations involved straw purchasers."

Actually the 46% number is for "Firearms trafficked by straw purchaser or straw purchasing ring." That last part is instructive because there are criminal organizations that orchestrate illegal activities including illegally acquiring guns. More to the point though, these ATF 'investigations' were launched by field reports. Specifically, 27% came from state or federal agencies, another 23% from confidential informants, 19% occurred after trace analysis of recovered firearms showed something interesting, and 13% were when multiple sales forms (i.e., someone buying a lot of guns at once). Looked at from the correct end of the microscope, this means that law enforcement understood that straw purchases occur, had put in place means for identifying them, and took action. In other words, people working with cops to identify criminals (e.g., law enforcement) works.

But here is a tidbit that the new gun control playbook doesn't provide. Nearly 30% of these investigations were not recommended for prosecution. Either there was no crime or the evidence was weak. Combined, their 46% number is hyper inflated, completely misleading and ignores that this is successful police work, something the public endorses.

"Concealed carry permit holders have killed over 460 people – including 14 law enforcement officers – since 2007."

One gun control organization citing the research of another gun control organization would seem comical to anyone outside of KNP Communications, the messaging consultant for the new gun control playbook. For this oddball sound bite, they cite the Violence Policy Center (another Joyce Foundation beneficiary) and their silly "study" titled *Concealed Carry Killers*.

Let's do the basic math first. This six-year period shows that there are 76 fatal shootings by CCW holders a year, compared to approximately 11,000 firearm homicides, or about .7% of all homicides. But the VPC report is a case study in obfuscation. They don't include justifiable (self-defense) shootings, putting in a tiny footnote "Lawful self-defense shootings are not included in the data." Similarly, the crime for which CCW holders are convicted is not listed (it might not be homicide or other crime of violence). Now here is the silly part. According to a 2011 Government Accounting Office

review, there were more than 11,000,000 concealed carry licensees in America, and this doesn't include people in states where licenses are not required (a.k.a. Constitutional Carry States). Even if the VPCs numbers reflected reality (which they don't), then only 0.004% of all CCW holders are trouble makers. You couldn't find numbers that low in Congress.

Bottom line: Having a license to carry does not make one a criminal and not having one doesn't make someone a law-abiding citizen.

“In District of Columbia v. Heller, the Court ruled, for the first time, that the Second Amendment guarantees an individual right to possess a handgun in the home for self-defense.”

Actually, The Supremes have said a lot about private gun ownership through the years. In the infamous Dred Scott case, they listed the right to own guns as fundamental. In the 1876 Cruikshank case, they concluded it was an individual right (though at the time they only held Congress in restraint). To make such a blanket and completely incorrect statement marks the authors as either rank amateurs or unholy propagandists ... or both.

Yet they could not leave bad enough alone. “Since Heller, courts across the nation have found a wide range of firearms laws constitutional,” and they substantiate this claim by citing research by another Joyce Foundation funded gun control group (see a pattern here?) called the Law Center to Prevent Gun Violence (LCPGV). What isn't said is that after Heller, gun control laws are falling fast and the ones that have been upheld in lower courts are being challenged. Given their long losing streak in the courts, I doubt the LCPGV could convince the courts to keep you from owning a bazooka.

RANDOM BUNK

As important as bad facts are, bad concepts that uneducated voters might mistake for facts are as troublesome. “Current laws allow easy access to guns for criminals,” stands alone without citation, statistics or even compelling argument. Given that a full 40% of crime guns are acquired from illegal street vendors, “current laws” or those currently proposed by gun control groups have little bearing on the matter.

“Shoot First [stand your ground] statutes that encourage gun-toting vigilantism,” is a rather slimy way of painting

The right to self-defense doesn't end at someone's front door.

CCW holders (you know, the folks with only 0.004% of problem members) as evil when they have demonstrated in 42 states and over 11,000,000 times that they are anything but.

They claim that NRA leadership opposes “common sense laws to keep dangerous weapons out of the hands of dangerous people.” Yet all the laws being proposed by the gun control movement have nothing to do with criminal access. The NRA is wise to oppose ineffective laws that burden you and your neighbor and do nothing to burden street gang members.

“Every American should have the freedom to be safe in our homes and neighborhoods,” shows that gun control

propagandists have an odd definition of the word freedom, which they openly admit they intend to hijack as part of their remessaging. Freedom means a lack of control, which in the political context means a lack of control by the government. But in the context of being “free from violence” it also means having the choice to acquire means of self-defense to deter attacks, which the gun control play book apparently opposes.

However, one statement stands out from all the rest in this 70+ page remarketing manual. “We know how to protect people from gun violence.” If that were the case, gun control would have worked in the 1970s and 1980s. But it didn't and voters rejected it.

We're defending the Constitution, which protects our rights to bear arms.

Maybe they missed the Declaration of Independence, which defends life, liberty, and the pursuit of happiness.

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