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Arizona Airport Censors Gun-Range Ad, Prompting Lawsuit Threat



Owner Rob Wilson behind the counter at Timberline Firearms and Training. (Goldwater Institute)

By **DAVID ZIMMERMANN**

November 7, 2023 2:05 PM

The owner of a shooting range and gun store in Flagstaff, Ariz., is challenging the advertising policy of the local airport after it censored his business's ad, contending that the city violated the Arizona constitution.



Rob Wilson, a Navy veteran who runs Timberline Firearms and Training with his wife, applied to place a silent, ten-second video above baggage claim at Flagstaff Pulliam Airport in May to capitalize on the summer tourist season. The ad was denied because it depicted “violence or antisocial behavior,” an objection he had not faced in the past.

Wilson ran his ad without a problem at the same airport in 2019, when the facility’s advertising was managed by a third-party vendor called Clear Channel. The airport’s advertising has since been taken over by Flagstaff itself, where the local government ignored Wilson’s request to appeal the decision and is now considering revising the policy to specifically enable its choice to reject the ad.

Under the current guidelines, any depiction of violence is not allowed. However, Timberline’s ad merely shows two still-frame images of guns and a clip of a young man safely firing at an indoor target with Wilson’s supervision.

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City gov't illegally violates a Navy veteran's freedom of speech!




Gov't claims shooting range owner's silent video promo showing responsible, recreational firearm use can't run at the municipal airport because it depicts "violence or antisocial behavior."

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Here's the SILENT advertisement:

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To make up for the policy’s vague restriction, city council staffers proposed an edit that targets the display of firearms; in particular, “advertising that promotes, solicits, depicts, or markets the sale, use, rental, distribution, or availability of firearms, ammunition, or related goods or services” could be considered grounds for removal. The city council heard the newly proposed policy on September 12 and will meet November 14 to discuss next steps on the matter.

Wilson opposes the policy update, arguing that the city is violating his constitutional rights to free speech and due process.

“We have elected representatives who are instead trying to dictate based on their own personal opinions rather than the law or the constitution,” he told NATIONAL REVIEW, saying the local officials are acting solely on their anti-gun views. “They’re violating their oath of office by restricting my right to free speech because of their own personal opinions or agenda.”

The owner of Timberline, which is the only indoor shooting range in Flagstaff, is exceedingly frustrated with the censorship of his business, partly because Arizona has a non-preemption law that prohibits cities and counties from enacting any firearms laws or rules.

If the city council still refuses to run the ad, the Flagstaff resident intends to pursue litigation with the help of the Goldwater Institute, a conservative-libertarian think tank based in Phoenix. Goldwater attorney John Thorpe, who represents Wilson in this case, notified city leaders of the organization’s intent late last month if the demand is not met in a reasonable amount of time.

“If the new policy targets Rob, as it appears to be designed to do, then we’ll pursue legal remedies,” Thorpe told NATIONAL REVIEW. “We hope the city does the right thing and revises the new policy so that it allows Rob to exercise his free-speech rights. But in the meantime, with every day that goes by, the city is effectively denying Rob’s rights by sitting on his request and doing nothing.”

City attorney Sterling Solomon did not respond to a request for comment from NATIONAL REVIEW.

When contacted, a spokesperson for the Flagstaff Airport stated: “Based on the information available, the advertisement in 2019 appears to be different from the video Mr. Wilson submitted this year. The City began discussing potential revisions to the 2023 submission with Mr. Wilson, but he indicated he was not willing to make revisions.”

The airport representative falsely claimed the 2019 ad showed only still images, but Wilson asserted that the 2023 ad was identical to the first one. NATIONAL REVIEW obtained the original ad and confirmed that the only difference between the ads was the presence of audio in the new ad, which Clear Channel muted when it accepted the ad. Wilson noted that he did not want to censor the short video to appease the city.

The proposed policy, which would also alter ad policies not related to firearms, originated after city staffers researched similar advertising policies at other airports in Arizona and across the U.S.

The airports cited in the city council’s agenda for September 12 included: Blue Grass in Kentucky, Charleston International in South Carolina, Phoenix-Mesa Gateway in Arizona, Phoenix Sky Harbor International in Arizona, Sonoma County in California, Tucson International in Arizona, and Waco Regional in Texas. At least three of the seven airports publicly stated that images of and promotional material for firearms are strictly


prohibited.

Whether Wilson and Goldwater pursue further action against Flagstaff depends in part on the actions taken by the city council at next week's meeting.

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william_palmer  Nov 7

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Period.

Then cities would think twice before attempting to tell their bosses what they are free to do.

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