



# Allegheny County Sportsmen's League Legislative Committee Report

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ALLEGHENY COUNTY SPORTSMEN LEAGUE ON THE INTERNET <http://www.acslpa.org>

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## Governor Rendell and Legislative Black Caucus (Phila.) Declare WAR on PA Gun Owners!!!!

The setbacks suffered by Ed Rendell before the Judiciary Committee on November 20 has done little to derail the gun-control juggernaut he continues to advance to the legislature and the media in his misguided attempts to undermine the freedoms of law-abiding Pennsylvanians to cover up for the failure of his administration to adequately deal with violent crime.

On December 5<sup>th</sup> 16 members of the general assembly's Black Caucus walked off the House floor before a vote on a new open records Bill was to be taken as a protest of the legislature's lack of action on gun control bills. They have threatened to boycott anything else until they get their petulant childish viewpoints addressed in what can only be described as an act of bullying or political terrorism. We should also not be naïve in understanding that our governor, Ed Rendell, is playing a substantial part in the drama that is unfolding in Harrisburg.

This coming Monday, December 10, Ed Rendell once again upped the ante on the gun control debate by organizing a demonstration of support from anti-gun mayors from a small group of cities who are experiencing an upsurge in violent crime.

Surprisingly, he is coordinating this with a number of anti-gun groups throughout Pennsylvania most notably Cease-Fire PA. Cease-Fire PA is an organization that has never been afraid of twisting or torturing the truth to support their agenda. In addition they, along with all their other organizations, have never contributed anything substantial or worthwhile to the violent crime debate other than to demand the suspension or restriction of freedoms of law-abiding citizens.

It's clear that gun owners of Pennsylvania will face many more challenges before we can put this episode of gun control stupidity behind us. The failure of city fathers, local leaders, and the justice system to address the real and pertinent issues involved in violent crime will only continue to provide political opportunities for the unscrupulous elected official to misdirect public attention into the unfounded and empty agenda we are now facing.

We have made every effort to keep gun owners aware of the developments as they occur and to provide them with the means

with which to get involved and to contact legislators. We will continue this effort as well as our support for legislators who respect our freedoms and our heritage.

How ironic it is that we are suffering this kind of onerous assault just as the United States Supreme Court has agreed to hear arguments on the Washington, DC gun ban and whether or not it violates the second amendment of the United States Constitution. Is this part of a larger effort to sway the opinion of the Supreme Court? Stranger things have happened!

Please stay tuned as this is certainly only the beginning of one of our darkest hours in history!

**Gun Ban Truths:** Philadelphia, Daily News columnist John Baer, on gun control measures in general and the Washington, D.C., handgun ban in particular: "It is illegal to have a handgun there. In '76, the district's homicide rate was 26.8 per 100,000 residents. Today it's 29.1 per 100,000." Adds Mr. Baer: "The truth is that the violence is a product of social decay," including fatherless families, and "a drug culture grown beyond reason." 'Nuff said. (*Tribune Review*, Nov. 29, 2007)

## Flawed Philadelphia Formula: Arrest, Release, Repeat

But before the incident completely fades away, the story of how Whitaker came to be armed, dangerous and on the streets that day is worth unraveling as a case study of how Philadelphia's justice system works.

It also illustrates the legal headaches prosecutors and police will face as Mayor-elect Michael Nutter pushes them to pursue a stop-and-frisk strategy to cut violence.

Convicted of killing a 6-year-old girl in a 1994 shooting, Whitaker was released after serving 11 years.

Several weeks before his Center City rampage, narcotics cops had locked up Whitaker again, this time when he was found with prescription drugs after a search on the street. But he walked after prosecutors dropped the case.

"Obviously, this is a situation where the DA's office is highly embarrassed," said Will Spade, a former city prosecutor who is now a defense lawyer.

"It's every judge and prosecutor's nightmare - the guy turned around a few weeks later and almost killed a cop."

The District Attorney's office insists the pinch was a "weak arrest," without legal justification. Police vigorously disagree. "It's a good arrest from the Police Department perspective," said Police Lt. Francis T. Healy, one of the force's top lawyers. But he was unwilling to criticize prosecutors.

"There are a bazillion reasons people don't get prosecuted," Healy said.

As Santiago recuperates, he says he was not surprised that Whitaker beat the narcotics rap.

But he said it shook him when he realized that Whitaker was a convicted killer.

"Why was he on the street?" the officer said. "He killed that little girl."

[http://www.philly.com/philly/news/homepage/20071203\\_Revolver\\_door\\_legal\\_tug-of-war.html](http://www.philly.com/philly/news/homepage/20071203_Revolver_door_legal_tug-of-war.html)

## Castle Doctrine Legislation Stopped in PA House Judiciary Committee – December 11<sup>th</sup>!!!

The "Castle Doctrine" legislation, [House Bill 641](#), introduced by Rep. Cappelli (R-83<sup>rd</sup> District), was to be heard this week in the House Judiciary Committee on Tuesday, December 11<sup>th</sup>.

Unfortunately the pleas of tens of thousands of PA citizens fell on the deaf ears of Democratic Judiciary Committee Chairman Tom Caltagirone and the Legislative Black Caucus. The Legislative Black Caucus, chaired by Rep. Dwight Evans, is reported to have threatened political repercussions IF this legislation was voted on and out of committee. Rep. Caltagirone caved into this bullying tactic leaving gun owners and Rep. Cappelli to seek other methods (amending to other bills) to bring this crucial measure to the floor.

The session is still going strong and it is possible to have this acted on and the ACSL Legislative Committee is working to see this through.

### **\*Federal Legislative Update:**

#### **H.R. 1022 Gun Owners Nightmare**

H.R. 1022 was recently introduced in Congress by rabid anti-gunners Rep. Carolyn McCarthy (D-N.Y) and Rep. Patrick Kennedy (D-RI) to "Reauthorize the assault weapons ban, and for other purposes."

This bill is a wish-list of anti-gun, anti-Second Amendment proposals...AND IT NOW HAS FIFTY-NINE CO-SPONSORS IN THE U.S. HOUSE OF REPRESENTATIVES!

It is not about self-defense. It is not about stopping criminals or reducing crime. **H.R. 1022 has only one purpose - Eliminate the availability of entire classes of popular, legal firearms.**

The gun ban extremists are promoting this bill as a popular, needed measure that their "polls" show even law-abiding gun owners support...

The debate over this bill is growing more intense every day. The original Clinton assault weapons ban expired in September 2004, just two months before the Presidential and Congressional elections!

Now in a non-Presidential election year, it's clear that the anti-gun extremists will do or say anything to turn H.R. 1022 and the fight over reauthorization and expansion of the Clinton assault weapons ban into a major legislative issue.

So get ready for a non-stop barrage of anti-gun activists, the politicians who support their cause and biased media elite, loudly beating the drum for passage of H.R. 1022!

H.R. 1022 is not just a reauthorization of the 1994 Clinton/Gore ban on a handful of so-called assault weapons and large capacity gun magazines.

- **H.R. 1022 creates a new, permanent gun ban and it includes a huge increase in the number and types of firearms banned.**
- **It bans 65 named guns** (the Clinton law banned 19) and hundreds of other similar guns that use "A frame or receiver that is identical to, or based substantially on the frame of receiver of a firearm described..." according to Section. 3(a)(30)(J) of the bill.
- **H.R. 1022 will permanently ban sales of ALL semi-automatic shotguns used all across the country by law-abiding citizens for hunting, skeet, sporting clays and self defense.**
- This terrible legislation would also **ban sales of three centerfire rifles most commonly used in target shooting competitions, the AR-15, the Springfield M1A and the M1 "Garand."**
- **And H.R. 1022 bans any semi-automatic shotgun or rifle** a sitting Attorney General would arbitrarily find to be "not particularly suitable for sporting purposes."

These are just a few of the provisions of H.R. 1022 that would destroy the Second Amendment rights of millions of law-abiding gun owners today, while effectively wiping out the rights of future generations as it causes firearms to become less and less available and affordable.

If you would like to read the entire bill for yourself, go to [www.thomas.loc.gov](http://www.thomas.loc.gov) on the Internet and type in "H.R. 1022" as the bill number to search for. We think you will be shocked by the scope of this gun grab proposal.

Passage of H.R. 1022 would certainly be the beginning of the end of your Second Amendment rights - and a huge step towards a total ban of all firearms!

**Remember** - There are people working, organizing, raising money, lobbying politicians and writing legislation at the state and federal level with the single intent of banning your guns and making you part of the last generation of American gun owners.

### ***Rendell's Full Court Press Falls Short in PA Committee***

by Joseph P. Tartaro Executive Editor

Pennsylvania's House Judiciary Committee on Nov. 20 handily defeated two key guncontrol bills despite an unusual and dramatic appearance by Democrat Gov. Ed Rendell, who implored the committee to pass tougher gun laws to curb violence, especially in crime-marred cities such as Philadelphia. Rendell's 40-minute appearance, in which he sought to refute gun-lobby arguments

about weak enforcement of current laws and drive home polls indicating that most Pennsylvanians favor some forms of gun control, appeared to change few minds, *The Philadelphia Inquirer* reported.

Six Democrats, mostly from gun-rights strongholds in the southwest, crossed party lines to defeat the two bills. Two Republicans from the Philadelphia suburbs-Rep. Bernard O'Neill from Bucks County, and Rep. Kate Harper from Montgomery County-broke from their party to support the bill that would have limited handgun purchases to one a month.

National Rifle Association lobbyist John Hohenwater said the votes clearly showed committee members had no appetite to restrict gun rights in an attempt to solve Philadelphia's crime problem.

"I think that members of the committee and the legislature as a whole do not want to move in the direction of placing restriction on firearms to address crime in Philadelphia," he said. "Pennsylvania has the tools available to go after criminals."

But Rendell, with a dozen uniformed police officers from Philadelphia and other Pennsylvania cities seated behind him, told the committee that increases in crimes committed with handguns were a statewide problem.

"Those who argue that violence is a Philadelphia problem caused by judges, police and prosecutors who do not enforce the laws on the books are dead wrong," he said.

"It's time for us to stand up and say, 'Enough,'" the governor added, pounding his fist on the table.

Line Holds

But the line against gun control held firm. With no debate, the Democrat-controlled committee defeated HB-22, a bill to limit most handgun purchases to one per month, 12-17, and HB-18, a bill to empower local governments to enact guncontrol laws, 10-19.

The committee tabled HB-29, a bill that would have required owners to report lost or stolen guns promptly, for possible future amendments, by a vote of 17-12. Harry Schneider, chairman of the Pennsylvania Sportsmen's Association (PSA), and Kim Stolfer, chairman of the Legislative Committee, of the Allegheny County Sportsmen's League, reported that Rendell's failure to move the committee despite much advance promotion was a triumph of the unified grassroots opposition to his legislative package.

The ACSL/PSA has issued an alert on Nov. 15 that included the list of organizations opposed and the email addresses of all committee members. The following morning, one committee member reported that in just over an hour he received more than 400 emails encouraging the defeat of the three bills. Another said that he got so many email addresses that his blackberry sounded like a machinegun.

"We are very grateful for the cooperation of every person who took part in this event," said Schneider and Stolfer. "We only ask for help when legislative leaders ignore us and decide to move bad legislation over our objections. The fact that so many individuals quickly acted upon the information that we provided, proved to legislators that they are concerned and will act. Even Committee Chairman (Thomas) Caltagirone (D) commented on the professional demeanor of the gunowners who were present during the hearing.

"We are also very grateful to the majority of the members of the Judiciary Committee who voted for freedom," said Schneider and Stolfer.

GOP Pleased Republican Party of Pennsylvania Chairman Robert A. Gleason Jr. announced his delight that the House Judiciary Committee voted against Rendell's measure.

"To borrow the governor's word, Rendell's anti-gun bills got 'schlumped,'" said Gleason. "Gov. Rendell's proposed gun restrictions did nothing to address the real issues facing the city," Gleason continued.

"If the governor was really concerned with curbing violence in the city of Philadelphia, why isn't he fighting for a comprehensive solution to fight crime? How many police officers could have been hired with the \$17.1 million in grants, loans, and incentives Rendell gave Comcast to build a shiny new skyscraper in downtown Philadelphia? Pennsylvanians do not need stricter gun laws; we need to enforce the laws we already have in place and more aggressive initiatives to stop the root causes of crime." [The New GUN WEEK](#), December 15, 2007

## **Registration of Firearms UPDATE!** **More than 540 firearms seized in statewide crackdown, AG says**

ASSOCIATED PRESS/10:42 a.m. December 10, 2007

LOS ANGELES – California Attorney General Jerry Brown says authorities have seized more than 540 guns in recent months as part of a statewide crackdown on convicted felons and others banned from owning firearms.

Brown announced Monday that sweeps conducted by state and local law enforcement since June targeted about 1,000 illegal gun owners.

He says the owners had purchased the guns legally. But they were later barred from owning guns because they were convicted of various felony and misdemeanor crimes or found to be mentally ill.

Everything from handguns to assault rifles were seized around the state.

The owners were identified through a state database that matches criminal histories with gun ownership registries.

Authorities plan to investigate about 9,000 others.

## **Media Coverage of Mall Shooting Fails to Reveal Mall's Gun-Free-Zone Status**

Thursday, December 06, 2007

By John R. Lott, Jr.

The horrible [tragedy](#) at the Westroads Mall in Omaha, Neb. received a lot of attention Wednesday and Thursday. It should have. Eight people were killed, and five were wounded.

A Google news search using the phrase "Omaha Mall Shooting" finds an incredible 2,794 news stories worldwide for the last day. From India and Taiwan to Britain and Austria, there are probably few people in the world who haven't heard about this tragedy.

But despite the massive news coverage, none of the media coverage, at least by 10 a.m. Thursday, mentioned this central fact: Yet another attack occurred in a gun-free zone.

Surely, with all the reporters who appear at these crime scenes and seemingly interview virtually everyone there, why didn't one simply mention the signs that ban guns from the premises?

Nebraska allows people to carry permitted concealed handguns, but it allows property owners, such as the [Westroads Mall](#), to post signs banning permit holders from legally carrying guns on their property.

The same was true for the attack at the Trolley Square Mall in Utah in February (a copy of the sign at the mall can be seen here). But again the media coverage ignored this fact. Possibly the ban there was even more noteworthy because the off-duty police officer who stopped the attack fortunately violated the ban by taking his gun in with him when he went shopping.

Yet even then, [the officer](#) "was at the opposite end and on a different floor of the convoluted Trolley Square complex when the shooting began. By the time he became aware of the shooting and managed to track down and confront Talovic [the killer], three minutes had elapsed."

There are plenty of cases every year where permit holders stop what would have been multiple victim shootings every year, but they rarely receive any news coverage. Take a case this year in Memphis, where WBIR-TV reported a gunman [started](#) "firing a pistol beside a busy city street" and was stopped by two permit holders before anyone was harmed.

When will part of the media coverage on these multiple-victim public shootings be whether guns were banned where the attack occurred? While the media has begun to cover whether teachers can have guns at school or the [almost 8,000](#) college students across the country who protested gun-free zones on their campuses, the media haven't started checking what are the rules where these attacks occur.

Surely, the news stories carry detailed information on the weapon used (in this case, a rifle) and the number of ammunition clips (apparently, two). But if these aspects of the story are deemed important for understanding what happened, why isn't it also important that the attack occurred where guns were banned? Isn't it important to know why all the victims were disarmed?

Few know that Dylan Klebold, one of the two Columbine killers, closely was following Colorado legislation that would have allowed citizens to carry a concealed handgun. Klebold strongly [opposed](#) the legislation and openly talked about it.

No wonder, as the bill being debated would have allowed permitted guns to be carried on school property. It is quite a coincidence that he attacked the Columbine High School the very day the legislature was scheduled to vote on the bill.

Despite the lack of news coverage, people are beginning to notice what [research](#) has shown for years: Multiple-victim public shootings keep occurring in places where guns already are banned. Forty states have broad right-to-carry laws, but even

within these states it is the "gun-free zones," not other public places, where the attacks happen.

People know the list: Virginia Tech saw 32 murdered earlier this year; the Columbine High School shooting left 13 murdered in 1999; Luby's Cafeteria in Killeen, Texas, had 23 who were fatally shot by a deranged man in 1991; and a McDonald's in Southern California had 21 people shot dead by an unemployed security guard in 1984.

All these attacks — indeed, all attacks involving more than a small number of people being killed — happened in gun-free zones.

In recent years, similar attacks have occurred across the world, including in Australia, France, Germany and Britain. Do all these countries lack enough gun-control laws? Hardly. The reverse is more accurate.

The law-abiding, not criminals, are obeying the rules. Disarming the victims simply means that the killers have less to fear. As Wednesday's attack demonstrated yet again, police are important, but they almost always arrive at the crime scene after the crime has occurred.

The longer it takes for someone to arrive on the scene with a gun, the more people who will be harmed by such an attack.

Most people understand that guns deter criminals. If a killer were stalking your family, would you feel safer putting a sign out front announcing, "This Home Is a Gun-Free Zone"? But that is what the Westroads Mall did.

*John Lott is the author of [Freedomnomics](#), upon which this piece draws, and a senior research scholar at the University of Maryland.*

## SCOTUS Set To Decide Pure Gun Right Case

by **Dave Workman** Senior Editor

Within minutes of the announcement by the Supreme Court on Nov. 20 that it will hear the appeal in the case of *District of Columbia v. Heller*—the case that could provide a landmark ruling that defines the Second Amendment as an individual right—the Brady Campaign to Prevent Gun Violence sent out an urgent appeal for \$50,000 in contributions.

The money, said the Brady Campaign, would go directly to the Brady Gun Law Defense Fund, "to protect America's gun laws."

"If the Supreme Court does not reverse the federal appeals court decision," the appeal lamented, "gun laws everywhere could be at risk."

The collective ho-hum reaction from the firearms civil rights community to the alarmist appeal was pretty much, "So, what's your point?"

Gun rights leaders at the National Rifle Association (NRA) and Second Amendment Foundation (SAP) are encouraged that the Heller case—renamed from *Parker v. District of Columbia* when only one of the original plaintiffs, Dick Heller, was given standing by the court—will provide a watershed decision in the middle of the 2008 presidential and congressional campaign season. It will put gun rights at center stage and make the right to keep and bear arms perhaps the critical issue as the nation elects a new president and new Congress.

Both sides are nervous, but NRA Executive Vice' President Wayne LaPierre and SAF founder Alan Gottlieb are, perhaps, considerably more confident of a favorable outcome than the gun control lobby.

LaPierre told *Gun Week* that he believes the high court ruling, due out next June after a scheduled March hearing and oral arguments, "will put the entire ruling political class in this country on the spot."

"The American public will not be denied this freedom," he stated. "Forty-four states have an individual right written into their state constitutions. If the Supreme Court, by some torturous measure, delivers some government right interpretation, we would immediately look to the states to call a constitutional convention.

"The Second Amendment is self-evident," LaPierre continued. "The American public knows it's about human worth, self-destiny and freedom."

He acknowledged that an affirmative ruling that upholds the individual right to keep and bear arms will not put the gun control lobby out of business, but added, "They certainly won't be able to argue that it's not an individual right under constitution anymore."

Gottlieb was equally confident of the eventual outcome.

"We are confident that the high court will rule that the Second Amendment affirms and protects an individual civil right to keep and bear arms," Gottlieb said. "Previous Supreme Court rulings dating back more than a century have consistently referred to the Second Amendment as protective of an individual right, but the case of *District of Columbia v. Heller* focuses on that issue, and we expect the court to settle the issue once and for all."

Gottlieb suggested that the *Heller* ruling might be very narrow in its scope, only holding that the Washington, DC, gun ban is unconstitutional because it does not allow someone to have a working handgun in their home. Still, he said, such a ruling would be a "building block" upon which other gun rights cases can be mounted.

"An affirmative ruling by the Supreme Court will probably not be the death knell for the extremist citizen disarmament movement," Gottlieb said, "but it will properly cripple their campaign to destroy an important civil right, the one that protects all of our other rights. The insidious effort to strip American citizens of their firearms rights, while at the same time permanently harming public safety must end.

"The Washington, DC, gun ban has been a monumental failure and the crime statistics prove that," he observed. "For almost 70 years, gun banners have deliberately misinterpreted and misrepresented the high court's language in the *US v. Miller* ruling in 1939. It is long past the time that this important issue be put to rest, and the *Heller* case will provide the court with that opportunity."

Attorney Alan Gura, one of the trio of lawyers representing the plaintiff, confirmed to *Gun Week* that he will present the arguments before the high court. It will be his first appearance before the nine-member panel, and he is looking forward to presenting his case.

"We're going to establish once and for all that the Second Amendment means what

it says," Gura stated. "It is the beginning of the end for the collectivist nonsense." He was alluding to the argument that the Second Amendment only protects a so-called "collectivist right" of the states to form militias. This interpretation has become popular with gun control activists who base their beliefs on the 1939 Supreme Court ruling in *US v. Miller*.

Gottlieb's prediction about a narrow ruling could be well-founded, considering the narrow scope of the question the court agreed to consider. In announcing that it would accept the appeal, the court said:

"The petition for a writ of certiorari is granted limited to the following question: Whether the following provisions, D.C. Code §§ 7-2502.02(a)(4), 22-4504(a), and 7-2507.02, violate the Second Amendment rights of individuals who are not affiliated with any state-regulated militia, but who wish to keep handguns and other firearms for private use in their homes?"

However, experts and armchair analysts immediately began trying to determine whether the court already sent a signal of sorts how it will decide this case because this carefully-worded question appears to suggest that the court already considers the Second Amendment protective of an individual right. The question the justices will consider suggests further that they will only look at whether the District's handgun ban violates this individual right if someone is not part of a militia.

The March federal appeals court ruling that led to this constitutional confrontation was written by District of Columbia Appeals Court Senior Judge Laurence Silberman. In his ruling, which holds that

the Amendment protects an individual right beyond service in a militia, Silberman noted that the right to keep and bear arms is subject to "reasonable" regulation. That might include licensing and/or registration, but could not include a ban.

But upholding an individual right interpretation is really what the gun rights community is looking for, as it would provide a launching pad for striking down similar bans in Chicago, IL, and several surrounding communities.

Gura has previously suggested to *Gun Week* that this would be the likely scenario if the District gun ban is struck down. It marks the first case in history in which a gun law has been declared unconstitutional on Second Amendment grounds by a federal court. The Silberman ruling sent a shock wave through the gun control lobby, causing something of a crisis for gun control activists who, while having long contended that they support private gun ownership, suddenly began loudly arguing that Silberman's ruling tried to undo the historic precedent established by the *Miller* ruling.

Gottlieb, LaPierre and others have consistently contended that the anti-gun lobby has deliberately misrepresented the 1939 *Miller* ruling for many years.

Perhaps the best summation on that subject came from Lawrence G. Keane, senior vice president and general counsel for the National Shooting Sports Foundation.

"The firearms industry looks forward to the Supreme Court putting to rest the specious argument that the Second Amendment is not an individual right," said Keane. "This intellectually bankrupt and feeble argument has been used by gun control advocates to justify laws and regulations that deny Americans their civil right to own and lawfully use firearms for protection,

hunting, sports shooting and other lawful purposes." [The New GUN WEEK](#), December 15, 2007

## South Carolina Court Hands Bloomberg Another Setback

After picking a legal fight with gun dealers down South, New York Mayor Michael Bloomberg could soon come under fire in courtrooms in South Carolina and Georgia, according to The New York Sun.

Two recent court rulings—the latest from South Carolina on Nov. 19—“suggest that Bloomberg may want to reserve a few days on his calendar next year in case he is called to face a jury over allegations that he defamed two gun dealers by speaking ill of them in the press,” The Sun observed.

“He’s going to get a reception that’s very different than the one he gets from his handpicked audiences across the country,” said Bob Barr, a former congressman who is one of two attorneys suing Bloomberg on behalf of a gun dealer in Smyrna, GA. “Jurors here are not likely to believe in gun control or appreciate some outsider coming into their jurisdiction and telling their businesses how to operate.”

The two gun dealers filed suits after the mayor sued them and several other gun dealers in five states who, he claimed, had sold many of the firearms that police officers were recovering from crimes in New York. The suits accused the dealers of selling firearms to people whom they knew were likely to quickly resell them to criminals. In an attempt to prove this, the city hired private investigators to make purchases while behaving suspiciously.

Two of the accused shops—Mickalis Pawn Shop in Summerville, SC, and Bar’s client, Adventure Outdoors in Smyrna—countersued, saying the mayor had defamed them at press conferences or in statements in press releases. Among other things, the mayor has called the dealers whom the city sued “the worst of the worst,” and said they “have New Yorkers’ blood on their hands.”

Earlier, a Georgia judge had denied a motion by Bloomberg’s attorneys to allow Adventure Outdoors’ suit to be moved to New York courts. Next, on Nov. 19, a state judge in Charleston, SC, said the owner of the South Carolina pawn shop, Larry Mickahs, should get an opportunity to show that Bloomberg made the statements out of malice. The ruling rejected arguments by the mayor’s lawyers, who sought to have the suit tossed out. The judge also ordered that Bloomberg sit for a deposition in New York.

The decision paves the way for a trial. If the case does go to a jury, as Mickalis’s attorney, Sonaly Hendricks, said would happen, a fraction of the mayor’s personal fortune and city dollars will be on the line, The Sun reported. The latest ruling, by Judge Roger Young of the state’s circuit court in Charleston, allows Bloomberg to be sued in his private capacity. The judge explained this unusual move by saying that the sting operation Bloomberg ordered up against the shops went beyond the duties of a New York mayor.

“Defendants cite no statutes or case law giving a mayor from the state of New York the power or authority to administer, regulate, or enforce federal law with respect to federal firearms

licensees located in South Carolina or to investigate compliance with those laws outside of his own borders,” Young wrote.

“Reasonable minds could differ as to whether Defendants’ conduct reaches the threshold requirement of extreme and outrageous behavior necessary to support the Plaintiff’s claim,” the judge wrote.

Neither the South Carolina nor the Georgia ruling guarantees that there will be a trial. Nor is it clear that Bloomberg would be required to appear even if there was one. [The New GUN WEEK](#), December 15, 2007

## Anti-Gunners Exploit Finnish School Shooting

by Joseph P. Tartaro, Gun Week Executive Editor

Finland’s gun laws are attracting criticism around the world after an 18-year-old student shot and killed six other students, a school nurse and the headmistress, and wounded several others with a .22-caliber pistol Nov. 7 at Jokela High School in Tuusula, Finland, about 30 miles north of Helsinki.

The student, identified as Pekka-Eric Auvinen, reloaded many times and also reportedly tried to set a fire on the second floor of the school before shooting himself in the head. He later died in a hospital.

There were almost immediate calls for Finland to conform to existing European Union laws on firearms owners hip and the London-based International Action Network on Small Arms (IANSA), a prime sponsor of United Nation’s (UN) gun control schemes, helped publicize the event worldwide.

Finland is a member of the UN’s arms trade treaty (ATT) group of government experts (GGE) which is working its way toward finalizing a binding global treaty on small arms, including civilian rifles, shotguns and handguns. The new pressure on Finland is seen as connected to the UN treaty work.

Earlier, the Finnish government had resisted calls for it to amend its gun laws to conform to those adopted by the European Union (EU) saying because of the county’s high proportion of hunters and low crime rate, there was little need for harsher gun regulations. However, following the school shooting, Prime Minister Matti Vanhanen said that perception might change.

About 56 of every 100 Finns own a gun, according to a study by the Geneva based Graduate Institute of International Studies this year, putting the rate of firearm ownership in Finland third after the United States and Yemen.

The EU’s arms legislation forbids the sale of firearms to those under 18 except for hunting or target shooting under parental/guardian supervision. Earlier this year, the EU proposed raising the legal age for all gun possession to 18, a measure that drew protests from Finland. How any new age limit of 18 would have prevented the shootings by Auvinen, 18, was not explained.

According to Reuters news service, there were 300,000 hunters and about 650,000 gun licensees among the 5.2 million inhabitants of Finland in 2006, with some 38,000 of the hunters were under the age of 20.

Currently in Finland, anyone aged 15 and over can apply for a gun license with local police if they are able to offer a valid reason. The easiest way to obtain a license is by joining a shooting or hunting club. If underage, a Finn needs to have his or her legal guardian’s ap-

proval to apply. In addition all applicants are checked for a clean criminal record and whether they have any disability that could impact their gun use.

According to a local police official, Chief Matti Tohkanen, Auvinen belonged to a gun club and got a license for the pistol Oct. 19. He had no previous criminal record.

Newspapers from North America to Southeast Asia Almost immediately began reporting that a "chilling homemade video showing a young man staring out of a bloodred screen, pointing a gun and declaring: "I, as a natural selector, will eliminate all who I see unfit." Many of them began referring to the troubled youth as the "YouTube killer."

As he posed online with his murder weapon, the killer struck an eerie echo of Cho Seung Hui, who made recordings of himself that he posted to the NBC American television network before killing 32 students at Virginia Tech last April.

Set to a pounding heavy metal song called "Stray Bullet," recorded by KMFDM, the clip showed a still photo of a low building that appeared to be Jokela High School: The song has macabre connections-its lyrics were posted on a website maintained by Eric Harris, one of the gunmen in the 1999 Columbine High School massacre.

The YouTube video continued with images of a young man practicing with a firearm in forests similar to those that surround the 5,300-strong community of Tuusula, 30 miles north of the capital Helsinki. The screen then colored red and the gunman was shown pointing his weapon at the camera. [The New GUN WEEK](#), December 1, 2007

## Cops Nab Miami TV Reporter Who Happened to be Packing

By Dave Workman, Gun Week Senior Editor

The arrest of a Miami, FL, television news reporter outside of a high school while he was covering a story on school violence took a bizarre turn when it was revealed that the newsman was packing a gun.

WPLG investigative reporter Jeffrey Weinsier is licensed to carry a handgun in the Sunshine State, and has apparently been doing so since his life was threatened over an earlier story about restaurant cleanliness. But Weinsier's gun was not the issue at the time he was arrested, as video of the incident clearly shows. He was handcuffed by police on a public sidewalk outside of Miami Central High School on Oct. 23 for refusing to go across the street on orders from the officer who ultimately took him into custody.

The incident was caught on video by WPLG cameraman Frank Debesa, including one moment when the arresting officer tried to block Debesa's lens.

The incident drew a sharp reaction from Alan Gottlieb, founder of the Second Amendment Foundation. He quickly jumped to Weinsier's defense, observing that, "This is the United States, not a police state, and our Constitution protects press freedom to the same degree that it protects an individual right to keep and bear arms.

"The Bill of Rights is an all-or-nothing package," he continued, "and we either defend every part of the document, or the entire thing is worthless."

Weinsier was at the school covering a story on school violence. Gottlieb, in a statement to the press, seemed to understand that better than some other reporters who commented on the incident.

"Weinsier's arrest has far less to do with his Second Amendment rights than it does his First Amendment rights, and we think school authorities and the officers involved know it," Gottlieb said. "He appears to have remained on a public sidewalk, where he had a right to be as a citizen, and a responsibility to be as a reporter doing his job."

Florida statute does not appear to prohibit carrying concealed handguns outside of schools on public sidewalks, and violations appear to require that a gun be exhibited. At no time on the video did Weinsier display the gun, or even acknowledge that he had it. It is not clear whether Florida law considers a sidewalk outside of a school to be part of school property.

At one point, with several officers looking on, the arresting officer-prior to actually placing Weinsier into custody asked the reporter to "kindly go across the street." Weinsier refused, and he was arrested and led away.

Calls to the station were not returned to Gun Week.

Gottlieb was hopeful that station management would stand behind Weinsier, contending that "The only threat he seems to have posed to anyone might have been his already-proven ability to flesh out a story that perhaps school authorities would rather not see on the evening news." [The New GUN WEEK](#), December 15, 2007

## Study Finds Knives, Not Guns, Weapons of Choice in Schools

More than 3% of 17 million crimes reported from 2000 through 2004 occurred at schools, colleges and universities, with knives being the most commonly used weapon, according to an FBI study released on Nov. 1 and reported by The Washington Post.

The Crime in Schools and Colleges study, which gathered data from about a third of the nation's law enforcement agencies, showed that the most commonly used weapon in more than 558,000 campus-related crimes over the five-year span was a knife-not counting fists and feet (sometimes defined as "personal weapons"), which accounted for most of the incidents.

Almost 11,000 incidents included a blade, and more than 3,400 included a firearm. "I didn't realize how significant that discrepancy was" between knives and guns, said Dave Resch, the FBI's unit chief of behavior analysis, according to The Post. He said that finding surprised him the most. "These kids aren't building these knives in shop class.... These knives are coming from somewhere."

The bureau's first study of crime at schools offers a rough portrait of threats facing the country's education staff and students, from those in elementary school to those in college. About 96% of the crimes in which an arrest was made were assaults (simple or aggravated) or acts of intimidation.

The largest group arrested for crimes at school for which age was known was 13 to 15-year-olds, accounting for 38% of those arrested. More than 76%, or 313,556, of those arrested were males. Year after year, October was the month in which the most crimes occurred.

More than half of all campus crimes involved acquaintances. About 7.5% involved an attack by a stranger. There were reports of 3,700 such random assaults in 2004, up from 2,301 in 2000.

FBI officials cautioned against drawing conclusions about trends. Although the study shows the number and type of crimes that occurred annually over a five-year period, officials said that the number of law enforcement agencies that participated fluctuated from year to year. The agencies that gave data reflect about 22% of the country's population, officials said. Still, Resch said that attacks by strangers-such as the shooting rampage at Virginia Tech in April-are alarming, in part because schools are growing more crowded each year, which can easily fuel tension.

"You get bumped in the hallway 20 years ago, and you kind of know the guy," Resch said. "Now, schools are so much bigger than they used to be." [The New GUN WEEK, December 15, 2007](#)

## WA Teens Pick Wrong Targets For Pellet Attack

Everybody knows that teens can occasionally be dumb, sometimes mean and cruel, often incredibly foolish, and every now and then, they approach malicious craziness, which brings us around the four students at Mount Si High School in Snoqualmie, WA.

They seem to have had all the bases covered when, on the afternoon of Oct. 16, they decided to take potshots at two female classmates getting off a school bus near their homes in North Bend a few miles from the school, using pellet guns to sting the pair. Under any circumstances, this is a bonehead enterprise, but in this particular case, this quartet landed in the "Attempted Suicide by Stupidity" file.

One of the girls they shot is the daughter of a Washington State Patrol trooper who also happens to be an ex-Navy SEAL. He happened to be home at the time, and when his daughter and her friend came running and screaming to the front door, it took all of a nanosecond for the trooper to jump into his patrol car and give pursuit. The four miscreants fled in a Ford Explorer with the trooper hot on their trail.

About five miles later, near the rural Cedar Falls neighborhood southeast of North Bend, the lawman cornered his daughter's attackers, and his gun was real.

Gun Week learned from school authorities that the two 15-year-old girls are okay. The four stooges who thought plinking at people with pellets would be fun, probably have a different view of the world these days. According to The Seattle Post-Intelligencer and Seattle Times, one of these miscreants had been recently expelled for bringing an unidentified "weapon" to the high school.

[The New GUN WEEK, December 15, 2007](#)

## NEWS RELEASES:

### Senate Close To Confirming A Ted Kennedy-style Liberal To BATFE-- Contact your Senator immediately

[Gun Owners of America](#)    **\*\*E-Mail Alert**  
8001 Forbes Place, Suite 102,

Springfield, VA 22151

Phone: 703-321-8585 / FAX: 703-321-8408

<http://www.gunowners.org>

Tuesday, December 4, 2007

"We'll miss him in Massachusetts, but he'll be a strong leader at ATF, and I look forward to working with him on key issues on gun control." -- **Senator Ted Kennedy**

The above quote highlights all you need to know about Michael Sullivan, the acting director of the Bureau of Alcohol, Tobacco, Firearms and Explosives.

Sullivan was, unfortunately, nominated by President Bush to permanently take over ATF this year. Right before Thanksgiving, the Senate "hotlined" his name for unanimous consent approval.

(Hotlining is a parliamentary maneuver which allows non-controversial bills or nominations to be unanimously approved by the Senate without debate or a vote.)

GOA immediately sent a letter to each Senator's office, urging them to oppose the Sullivan nomination. Thankfully, one senator subsequently objected to Sullivan's approval, and his nomination was put on hold. However, that legislator is now coming under fire from other senators, who are asking him to withdraw his "hold."

That's why it's important for gun owners to contact their two Senators. Under Sullivan's leadership, the ATF has gone berserk.

Sure, the problems at ATF didn't originate with him, but Sullivan has certainly done nothing to put out the fire.

While discussing the agency's 2008 appropriations bill, the House Commerce & Justice committee issued a stinging rebuke for the ATF:

"The committee has heard reports that ATF has pursued license revocations and denials against firearms dealers based on violations that consist largely of recordkeeping errors of various types that are unlikely to impede tracing investigations or prosecution of individuals who use firearms in crime. The Committee encourages ATF to consider lesser gradation of sanctions for recordkeeping errors."

[House Committee report on HR 3093.]

The strategy, that was begun long before Sullivan arrived, has continued unabated under his tutelage. ATF inspectors try to find any violation they can, usually focusing on clerical mistakes.

A family gun business that had been in operation for years in Baltimore, Maryland was attacked because of the "wanton, repeated crime" of abbreviating Baltimore as "Blto" on the teeny, tiny spaces on the 4473 forms.

Now, the agency has turned their collective guns on Red's Trading Post in Idaho, among others. Even though one ATF agent told the manager that Red's was "one of the best small gun shops" he'd ever seen, the ATF has continued its assault on this gun shop (which has been in business for decades) for minor clerical mistakes and failing to put up a poster.

According to WorldNetDaily, one judge who is familiar with the Red's Trading Post case found "the ATF speaks of violations found during the inspections of 2000 and 2005, but fails to reveal that additional investigations in 2001 and 2007 revealed no violations or problems."

The judge also noted the ATF was exaggerating the situation by "double counting" some violations.

The agency holds a continuing animus against gun owners and dealers.

Inspectors have no handbook under which to operate, and the absence of such written procedures allows them to be arbitrary and capricious.

Americans don't need an anti-gun cop from Massachusetts as the Director of the federal gun police.

**CONTACT:** Please ask your Senators to oppose anti-gunner Michael Sullivan as the Director of the BATFE. You can use the pre-written message below and send it as an e-mail by visiting the GOA Legislative Action Center at <http://www.gunowners.org/activism.htm>

(where phone and fax numbers are also available).

## **CCRKBA: More Blood On Hands Of 'Gun Free Zones' Extremists At Omaha Mall, Says CCRKBA**

BELLEVUE, WA (12/6/2007) – Eight more innocent Americans have been sacrificed on the altar of political correctness at Omaha's Westroads Mall this week, and the Citizens Committee for the Right to Keep and Bear Arms said today that the real outrage of this crime is that it happened in a "gun free zone" where law-abiding private citizens are disarmed by mall rules and state statute.

"In the wake of this horrible crime," said CCRKBA Chairman Alan Gottlieb, "gun control extremists are already demanding more useless gun control legislation. A prohibition on firearms at Westroads Mall did not stop Robert Hawkins, but it did give him a risk-free environment in which to unleash his rampage."

Gottlieb, co-author of the recently released *America Fights Back: Armed Self-defense In A Violent Age*, said the common link between virtually every mass shooting in recent history in this country is that they all happened in so-called "gun-free zones" such as shopping malls and college campuses. He and co-author Dave Workman detail the colossal failure of this "Gun Free Folly" in their new book.

"What happened at the Westroads Mall can happen anywhere that political hysteria results in victim disarmament," Gottlieb stated. "Blaming firearms for this crime is like blaming cars for drunk driving. The argument doesn't wash. Published reports all suggest that Hawkins was troubled and had emotional problems, and he reportedly had a felony drug conviction on his record which prohibited him from owning firearms. This proves that restrictive gun laws do not prevent determined perpetrators from getting their hands on guns, but they do prevent law-abiding citizens from having the tools to defend themselves.

"Remember that a similar shooting at Salt Lake City's Trolley Square earlier this year was interrupted by an armed, off-duty police officer from another city," Gottlieb said. "In essence, that man was an armed private citizen. In Tacoma, Washington two years ago, an armed citizen confronted a gunman at the Tacoma Mall and although he was seriously wounded, his intervention brought the shooting to a halt.

"Gun owners, the gun industry, nor our constitutionally-protected individual right to keep and bear arms are at fault for the Westroads outrage," he said, "and the gun control lobby knows it. Restrictive laws that disarm honest citizens and provide risk-free environments for criminals and lunatics are at fault, and so are the people responsible for passing such laws and enforcing such prohibitions.

-END-

## **News Briefs:** **NY County Eyes Gun Tips Rewards**

### ***{Gun Bounty Program}***

Information about illegal guns may soon be worth \$1,000 in Westchester County, NY, according to WNBC in New York City.

County Executive Andrew Spano and District Attorney Janet DiFiore are considering a 90-day effort to reward any resident who provides a tip that leads to the seizure of an illegal gun and the person who possesses it.

They also want to reward people up to \$500 for information leading to the arrest of anyone who has an outstanding warrant for a felony, or \$250 for anyone who is wanted on misdemeanor charges. *The New GUN WEEK*, December 15, 2007

**[Ed. Note: Just what 'is' an illegal firearm and who pays for a mistaken report??]**

## **FL Crook Makes Fatal Choice**

From the "Fatal Choices in the Victim Selection Process" file comes the tale out of Miami, FL, involving the recently-departed Nathaniel Mars, who added a new dimension to the term "stupid in public."

According to *The Miami Herald's* recent excellent portrayal of this and other self-defense shootings in late October and early November, we get to see one of the more bizarre exits of a thug in recent memory.

Early on the morning of Nov. 1, Mars approached a car parked in a vacant lot, in which a man identified as Eliou Figueroa, 24, and his girlfriend, were seated. The newspaper said Mars was "dressed in black with a dark shirt wrapped around his head." Yep, that was enough to send a signal to Figueroa, a supermarket security guard, that Mars may have been, er, slightly out of orbit.

Proof positive came when Mars not only banged on the car window, demanding money, but he also wanted to see Figueroa's companion strip naked. Mars had a gun. What he didn't know until it was too late was that Figueroa also was armed. There was an exchange of gunfire. Guess who missed, and who didn't?

The newspaper said Mars managed to run about 100 feet, despite the fact that he had a mortal head wound. *The New GUN WEEK*, December 15, 2007

## **Brit Law Bashes Homeowner**

From the "This is Why We Kicked out the Redcoats" file comes this story out of *The Sun* newspaper in London about homeowner Mark Goldberg, an employee at the Ministry of

Defense, who got arrested in November for—are you sitting down?—grabbing a drunk teen who was trying to break into his house.

Goldberg is a chef with children aged 5 and 15, who live at home. He heard a noise on Nov. 3 around 10:30 p.m. so he went to investigate. Opening up the curtains, the newspaper explained, he saw an unidentified teen "teetering on the window ledge." To get there, the newspaper theorized, the kid would have had to jump over railings and climb a drainpipe.

Goldberg went out and asked the teen what he was doing and the kid said he was "looking for someone."

That's when the would-be burglar jumped and ran, but Goldberg gave chase and finally apprehended him. When he brought the kid back to the cops, who had arrived by then, the police put the cuffs on him, for investigation of assault.

*The Sun* reported that the kid had "a fat lip." Goldberg reportedly acknowledged "tussling" with the teen, and for that bit of honesty, he spent 15 hours in the slammer. He is scheduled to return to the police station Dec. 6.

The newspaper said Goldberg was "the latest in a string of householders to be arrested trying to protect their homes and property." And they think the United States is messed up because citizens here own firearms. [The New GUN WEEK](#), December 15, 2007

## Texan's Fire Thwarts Snatcher

From the "America Fights Back" file comes this story out of Houston, TX, where a would-be purse snatcher discovered just how bad an idea can get when he grabbed a woman's purse and her husband opened fire with a shotgun.

According to KTRK News in Houston, Norman and Sandra Hulse were at the Home Depot when the unidentified bad guy walked up and started pulling on Sandra's purse. There was quite a tussle but Sandra kept hanging on.

Well, bad luck for the bandit, Norman had his truck door opened, and inside the truck was his shotgun. He just reached inside, hauled out the smoothbore and cranked off a round. Suddenly the purse snatcher became a track star, beating hasty feet for the nearest escape route.

Hot on his heels was a witness to the incident, identified as Freddy Butler. He chased the bad guy and watched as the wannabe thief ran up to a Houston police officer to ask for help, demanding to be let into the police car because "they are shooting at me."

Houston's finest were only too willing to oblige, but they quickly handed over this ruffian to the Harris County Sheriff's Department. [The New GUN WEEK](#), December 15, 2007

## NY Cop in Road Rage Attack

From the "Only Cops Should Have Guns" file comes the report out of New York City, where Officer Sean Sawyer, 34, strolled up to a patrol car near Central Park at about 1 a.m. on Oct. 22, and told the on-duty cops that he thought he had been involved in a shooting in East Harlem.

Several hours earlier, according to *The New York Times*, there had been a fatal shooting in a road rage incident.

Sawyer, who was suffering from chest pains when he surrendered to fellow officers, apparently was mixed up in a wild incident early on the morning of Oct. 21 that started with a traffic problem at a highway off ramp, escalating with an exchange of

words, and culminating in a chase spanning several city blocks. When the driver of the other car, identified as Jayson Tirado, 25, raised a finger and pointed it at Sawyer—and said something about "Mr. Ruger"—the off-duty cop allegedly pulled his 9mm Glock pistol and opened fire. Tirado was hit once, and after driving a couple of blocks, he stopped and paramedics were called. He made it to the Harlem Hospital Center, and died.

Sawyer is an undercover cop working in the narcotics division in Queens, *The Times* said. He was immediately suspended without pay, stripped of his badge and gun.

But here's how *The Times* described his troubles: "He could face charges related to the shooting itself, and he may face departmental discipline, possibly for leaving the scene." [The New GUN WEEK](#), December 1, 2007

## Drawing Brings Suspension

A Dennis Township, NJ, second-grader's drawing of a stick figure shooting a gun earned him a one-day school suspension, according to Associated Press.

Kyle Walker, 7, was suspended in mid-October for violating Dennis Township Primary School's zero-tolerance policy on guns, the boy's mother, Shirley McDevitt, told *The Press* of Atlantic City.

Kyle gave the picture to another child on the school -bus, and that child's parents complained about it to school officials, McDevitt said. Her son told her the drawing was of a water gun, she said.

A photocopy of the picture provided by McDevitt showed two stick figures with one pointing a crude-looking gun at the other, the newspaper said. [The New GUN WEEK](#), December 1, 2007

## 'Vigilante' Arrested

Loveland, CO, resident Gerald Oliveri is in a peck of trouble for allegedly doing what a lot of people only think about: Meting out a little street-side justice against a car prowler.

According to *The Denver Post*, Oliveri, 28, allegedly caught Shane Kramer and another guy, identified as Mark Springer, breaking into cars on Oct. 20. Apparently their big mistake came when they broke into a car belonging to Oliveri's girlfriend, Jessica Summa.

Oliveri chased Kramer down on foot and beat the stuffing out of him. In fact, the newspaper said, Kramer was beaten to such a pulp that responding cops thought he had been run over by a car. He was bleeding badly and had injuries to his head and torso.

Summa called the police, but reportedly didn't tell them up front that Oliveri had left one of them in a crumpled mess in the street. Loveland police found Oliveri at his mother's house, across the street from Summa's place. They also reportedly figured out that Kramer and Springer had allegedly broken into other vehicles, the newspaper said. [The New GUN WEEK](#), December 1, 2007

## Send a Cop Who Won't Sue

Casselberry, FL, Police Sergeant Andrea Eichhorn has twisted the police motto to "Protect and Serve—and Sue," according to *The Orlando Sentinel*.

Eichhorn entered a house in January, responding to a drowning call. There was water on the floor because the mother somehow

forgot to towel off her unconscious baby after dragging him out of the pool.

Rescue workers had safely navigated the puddles. But Eichhorn went down, busting her knee. She missed time at work, but that was covered by her benefits. So were her medical bills. But she claims needless and endless pain and suffering for which she is entitled compensation. And so she is suing the mother and her parents, who own the house. The lawsuit claims that the family failed "to maintain their property in a safe manner and/or to provide warning of the dangerous condition." [The New GUN WEEK](#), December 1, 2007

## ‘After Them, You Fools!’

The headline for this story is classic dialogue from a host of action movies, but you wouldn't want to say it too loudly in Seminole County, FL. Sheriff's deputies there blew out the tires of two cars on Oct. 25 while trying to stop a vehicle they thought was stolen. Neither, however, was the vehicle they were targeting, according to *The Orlando Sentinel*. Deputies were trying to stop a silver Ford Mustang that had roared away from a traffic stop about 1:30 a.m.. Instead, about a half-hour later, they nailed a silver Dodge Charger and a dark-blue Honda. The driver of the Charger was cuffed when it was discovered he had a handgun, but released when the deputies saw his carry license. No one was hurt in the 2 a.m. incident, although both cars were driving at highway speed on State Road 417 near Aloma Avenue when they hit spiked sticks that deputies had placed on the pavement. The Mustang? It got away. [The New GUN WEEK](#), December 1, 2007

## LAST WORD:

### Hindsight

## *A Policeman's Lot Is Not A Happy-or Easy-One*

by Joseph P. Tartaro, *Gun Week Executive Editor*

There seems to be no easy way to deal with problems that arise in law enforcement administration.

When problems arise, the public feels abused. But so do members of the law enforcement community, especially if ordered to do things that are not by the book. Try as they might to understand the circumstances that led to a particularly unwelcome incident report, the good guys on a police force have to deal with both an unhappy public and incompetent or over-aggressive fellow officers and/or bullying administrators.

Let's look at some recent news reports. With complaints on the rise in recent months about alleged police brutality in the city of Newburgh, NY, the department will be the first in the country to deploy a new-age digital device, according to an Oct. 30 Mid-Hudson News Network report.

Called the Pistol-Cam, it was developed by Legend Technologies of Keesville, NY, and is likely to be added to the equipment of officers in other cities soon.

The device will be affixed to a firearm—be it a handgun or long gun—and it will snap into action whenever that gun is deployed, said Pistol-Cam CEO Terry Gordon, who was in Newburgh to demonstrate the device.

"When a law enforcement officer draws their weapon, it automatically begins to take an MPEG4 digital video with sound," he said. It is also equipped with an illuminator and a laser sight.

Newburgh Police Chief Eric Paolilli first said the new device, which would be funded through a state grant "will enable us to better our cooperation and interaction with the city of Newburgh community."

Later reports indicate that Newburgh might not be able to afford the device, although other communities might adopt it.

## Missing NFA Weapons

Just a little way up the Hudson River from Newburgh, the Albany Police Department is wracked with a scandal over an arsenal of full auto firearms illegally purchased by dozens of officers in the mid-1990s.

According to *The Albany Times Union*, city police officials wrote a letter to the federal government four years ago saying the department had lost 12 machineguns that were purchased for the personal use of officers contrary to federal law.

The letter, which was sent to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) in Washington, DC, was signed by then-Police Chief Robert Wolfgang.

That letter confirmed that top city police officials knew how many of the Na

tional Firearms Act (NFA) weapons had been secretly obtained through the department, and how many were gone. It also raised questions about why current Chief James W. Tuffey has made inconsistent statements about the issue at two recent City Council committee meetings.

But they didn't resolve the problem or assure the city fathers that all of the NFA guns had been accounted for. The Times Union cited earlier police reports that claimed some 42 full autos had been destroyed in noting that no one could really pin down the number of so-called assault weapons purchased for personal use by police officers.

The story spans the tenures of three police chiefs, and there are indications that at some point, a chief or two may have also purchased and owned such guns.

This is an ongoing story about which more is likely to be revealed later. In the meanwhile, it must have individual culprits sweating and fellow officers embarrassed as all get out.

## Troopers Kill Dog

Pennsylvania State Police shot a family's fenced-in dog to death on Nov. 13, according to NBC 10 News.

Troopers later admitted they weren't supposed to be in that yard in the first place. State troopers were in the neighborhood, trying to serve a warrant on someone. They sent a couple of extra troopers around to guard the back door. Those officers, however, cut through a neighbor's yard, and that's when they came across Sheeba, a very protective family dog, NBC 10's Tim Furlong reported.

A trooper said the dog bit him, which led to the shooting. Later, a state police lieutenant admitted to the TV station that the trooper shouldn't have cut through the yard in the first place. He said the troopers never saw or heard the dog in the yard but that, either way, troopers are not supposed to cut through private property to serve out a warrant at another house.

State police said they do apologize and will compensate the family for their loss. Raids on the wrong premises are not all that uncommon, usually the result of poor intelligence and supervision of the officers given the assignment. In some cases the mistakes are costly.

In a recent example, an elderly Hawaiian couple were baby-sitting their grandchildren when police mistook their home for a drug dealer's residence; what followed led to a \$325,000 settlement, according to *The Garden Island* newspaper in Kauai, HI.

Police had been tracking a package that allegedly contained 11 pounds of marijuana that had been picked up at the Koloa post office by a man who was driving a

Toyota truck on Mar. 15, 2005, according to court documents.

Though police followed the truck first on a major highway and then onto a private road with seven houses, when the transmitter inside the box went off indicating the package had been opened, police had lost visual contact with the vehicle.

That's when, without a warrant authorizing entrance into the home of William and Sharon McCulley, but rather with an "anticipatory search warrant" that authorized them to search any property where the marijuana was transported, police entered their home.

Though the Toyota truck and the transported box weren't at the McCulley's home, police then threw Sharon McCulley on the ground next to her grandchild and handcuffed her. Her husband, William, who has a severe nerve disorder and uses a walker and leg brace, was also ordered to lie on the ground. Unable to do so quickly because of his disability, he was thrown to the floor by an officer, and his implanted electronic shocking device to alleviate pain malfunctioned causing him to convulse.

In addition, their suit alleged that police not only failed to ensure they were entering the right home authorized by the warrant, but also committed assault and battery, trespassing, and negligently inflicted serious emotional distress.

According to court records, the box that was picked up at the Koloa post office by David Hibbitt, who drove away in a Toyota truck, was in a home about two houses down from the residence inhabited by the McCulleys. The three residents of that home, including Hibbitt were eventually arrested on drug-related charges in the case.

## Hoboken PD's Problems

From back on the East Coast comes the story of the recently-disbanded Hoboken, NJ, police Special Weapons and Tactics (SWAT) unit, which was broken up after higher authorities got hold of some questionable photographs showing the cops having a hoot with Hooters waitresses in Louisiana and Alabama following Hurricane Katrina.

The SWAT team had gone there in the hurricane's aftermath to help restore order, but wound up in a bit of disorder themselves, according to *The Jersey Journal*. They reportedly allowed the Hooters waitresses to hold their weapons during the photo activity.

While the SWAT unit was disbanded, the newspaper said, the cops are still on the job, continuing their "normal duties," whatever that means. It probably does not include business checks at any Garden State Hooters restaurants!

The revelations about the SWAT team's Hooters escapade surfaced as a result of a lawsuit filed by four Latino Hoboken cops who accused their former SWAT team commander of ordering them to perform manual labor at his house or the home of the police chief. The four officers have been subpoenaed to appear before a grand jury on Dec. 18.

Meanwhile, Garden State newspapers keep tracking the story—and the Hooters pictures. [The New GUN WEEK](#), December 15, 2007

## News Links:

### **07/12/11 Praise the Lord & Pass the Ammo**

Security Guard Who Confronted Gunman in Colorado Megachurch Part of a Growing Trend

Volunteer security guards like the woman who confronted the gunman at the New Life Church in Colorado Springs, Colo., this weekend are part of a growing trend at houses of worship around the country.

More of the country's 1,200 megachurches — places that attract more than 2,000 parishioners per week — are hiring guards or assigning armed parishioners to patrol, according to insurance executives and church officials.

"We urge every church to form a security and safety team," said Eric Spacek, the senior church risk manager at the GuideOne Center for Risk Management, which advises houses of worship on security procedures.

"Some churches have their own volunteers doing security, some contract it out to a security company, others hire their own guards like off-duty cops. We see controlled access, keyless entry doors, video surveillance and other measures taken by congregations."

Yet, violence remains a small part of claims made to the firm, according to Spacek. Five percent of church claims are crime-related and of those 80 percent are for theft and burglary with less than 1 percent related to violence on church property.

Jeanne Assam, a former cop in Minnesota, killed Matthew Murray, 24, in the hallway of the New Life Church, Sunday. The 42-year-old parishioner was hailed as a hero by the church's senior pastor, the Rev. Brady Boyd. "She probably saved over a hundred lives," Boyd said, adding that Assam had used her personal weapon.

<http://www.abcnews.go.com/US/story?id=3983024&page=1>

### **07/12/10 Attacks Force Churches to Boost Security**

COLORADO SPRINGS, Colo. (AP) — When a black-clad gunman walked into New Life Church on Sunday and started shooting, he was met with the church's first line of defense: a congregant with a concealed weapons permit and a law enforcement background. The woman, an armed volunteer, shot and killed the gunman. New Life's pastor credited her with saving 100 lives.

Churches want to present an open and welcoming image, but in an era of mass-casualty shootings and terrorism threats, the violence at New Life highlights a new emphasis on security. Some of the nation's estimated 1,200 megachurches — places where more than 2,000 worshippers gather each week — have been quietly beefing up security in recent years, even using armed guards to protect the faithful.

<http://ap.google.com/article/ALeqM5jeL1eqhelWeete0Tben9XKVyXbbOD8TESH300>

#### 07/12/10 Local mayors join call for gun control

Two Lehigh Valley mayors joined with police officers, advocates and politicians from across the state this morning to call on state lawmakers to pass new gun-control legislation that they say is key to stopping the violence on the streets of their communities.

Democrats John Callahan of Bethlehem and Ed Pawlowski of Allentown reiterated arguments that the plague of gun violence in the state's largest cities has crossed municipal borders and infiltrated smaller communities.

"It's an issue affecting all of us," Pawlowski said. "We have to take action and hopefully, the Legislature will pay attention." This morning's rally in the Capitol's East Rotunda was sponsored by the pro-gun control group CeaseFire PA. The Philadelphia-based organization has been pushing for a trio of bills now before lawmakers. They include legislation imposing a 20-year mandatory sentence on anyone who shoots at a policeman; another requiring someone to report a lost or stolen handgun within 24 hours of its disappearance, and a third limiting Pennsylvanians to one handgun purchase a month.

The rally also comes amid an increased political and legislative focus on gun-control.

Gov. Ed Rendell testified before a House panel last month, where he called on lawmakers to send the bills to the full chamber for a vote. Last week, members of the House's Legislative Black Caucus staged a walkout to call attention to the legislation and to remind their colleagues not to take their votes on other bills for granted.

<http://www.mcall.com/news/local/all-gunrally1210-cn.0.799076.story>

#### 07/12/09 Cook County Board Poised to Shut Down Cabela's Superstore

Just weeks after its gala grand opening, the Cabela's superstore in Hoffman Estates, IL is facing closure by the Cook County (IL) Board. This impending action stems from a pair of proposed county ordinances prohibiting the retail sale of firearms at a location 15 miles or less from any other federally licensed firearm dealer. The proposals further prohibit retail sale of firearms within one mile of any school, church, place of worship, nursing home, homeless shelter, public housing, or military installation. With respect to these restrictions, Cabela's Hoffman Estates store loses on all counts - as does every other federally-licensed gun dealer in Cook County.

"Cabela's Hoffman Estates store employs hundreds of Cook County residents and brings in millions of sales tax dollars for the County," continued Pearson. "If Cabela's cannot sell firearms, then there is no Cabela's. If there is no Cabela's, then those retail dollars flee to DuPage, Kane or Will counties. The cash-strapped Cook County treasury really can't afford such a huge hit just because Larry Suffredin doesn't like people who own guns."

"From a practical standpoint, Suffredin's proposal is a non-starter," commented Pearson. **"It bears repeating that the Chicago Police Department has determined that 88% of**

**murderers have previous criminal records as do 76% of murder victims.** Federally-licensed firearm dealers are not the problem - career criminals are."

<http://www.prnewswire.com/cgi-bin/stories.pl?ACCT=104&STORY=/www/story/12-09-2007/0004719336&EDATE=>

#### 07/12/09 Woman Brings Hand Gun to Magic Kingdom

63 year old woman from Pennsylvania was arrested on Sunday after attempting to enter Walt Disney World with a loaded handgun. Walt Disney World security personnel discovered a silver color, Beretta .32 caliber semi-automatic handgun during a routine safety check as the woman was attempting to enter the park with other family members.

The woman, identified as Mary Ann Richardson of Nickelson, Pennsylvania, stated that she traveled with the handgun and had forgotten she was carrying it in her purse. Walt Disney World Security notified The Orange County Sheriff's Office which sent deputies to recover the gun. It was in was loaded with seven live rounds in the magazine; the chamber however was empty.

<http://www.myfoxorlando.com/myfox/pages/Home/Detail?contentId=5167640&version=3&locale=EN-US&layoutCode=TSTY&pageId=1.1.1>

#### 07/12/08 New ban on .22 ammunition - Anti-lead rules designed to protect condors

SACRAMENTO — California hunting regulators Friday broadened a prohibition on lead bullets scheduled to take effect July 1, adding .22-caliber ammunition to the ban.

The new rules will apply only in those areas where the endangered California condor roams — generally, the coastal mountains from Monterey south to Ventura County and in the southern Sierra.

The action by the Fish and Game Commission follows enactment of a landmark law signed by Gov. Arnold Schwarzenegger this fall that bans the use of lead ammunition by deer hunters in the affected areas.

Lead poisoning is the leading cause of sickness and death among condors in the wild, and condor researchers say bullet fragments in the carcasses of fallen animals are the principal source of the poisoning.

Conservationists praised the regulations, adopted on a 3-1 vote.

"This is another victory for the California condor," said Graham Chisolm of Audubon California. "The commission took the right steps to ensure that the new law is implemented in a way that makes the most sense for both the condor and hunters."

<http://www.venturacountystar.com/news/2007/dec/08/new-ban-on-22-ammunition/>

#### 07/12/06 Media Coverage of Mall Shooting Fails to Reveal Mall's Gun-Free-Zone Status By John R. Lott, Jr.

The horrible tragedy at the Westroads Mall in Omaha, Neb. received a lot of attention Wednesday and Thursday. It should have. Eight people were killed, and five were wounded.

A Google news search using the phrase "Omaha Mall Shooting" finds an incredible 2,794 news stories worldwide for

the last day. From India and Taiwan to Britain and Austria, there are probably few people in the world who haven't heard about this tragedy.

But despite the massive news coverage, none of the media coverage, at least by 10 a.m. Thursday, mentioned this central fact: Yet another attack occurred in a gun-free zone.

Surely, with all the reporters who appear at these crime scenes and seemingly interview virtually everyone there, why didn't one simply mention the signs that ban guns from the premises?

Nebraska allows people to carry permitted concealed handguns, but it allows property owners, such as the Westroads Mall, to post signs banning permit holders from legally carrying guns on their property.

<http://www.foxnews.com/story/0,2933,315563,00.html>

### 07/12/06 Our Second Amendment: The Founders' Intent

Soon the U.S. Supreme Court will consider whether the District of Columbia's bans on possession of handguns, even in the home, and on having long guns functional for self defense violate the Constitution. As the Court sees it in *D.C. v. Heller*, the issue is whether those bans "violate the Second Amendment rights of individuals who are not affiliated with any state-regulated militia, but who wish to keep handguns and other firearms for private use in their homes." The federal appeals court for D.C. held that it did.

After ignoring the Amendment since its ambiguous *U.S. v. Miller* decision in 1939, the Court will decide whether the phrase "the right of the people" in the Second Amendment refers to the same "people" as in the First and Fourth Amendments, or only to government-selected militiamen. It will also consider whether a "right" in the Bill of Rights refers to a real liberty or is only rhetoric. Is the right to keep and bear arms on a par with the rights peaceably to assemble or against unreasonable search and seizure? Or is it void where prohibited by law?

For America's Founders, the answer was obvious. In 1768, when Redcoats landed to occupy the town, the *Boston Gazette* warned of British plans "more grievous" than anything before: "the Inhabitants of this Province are to be disarmed"; martial law would be declared; and patriots would be "seized and sent to Great-Britain." Through the periods of the Boston Massacre and the Tea Party the screws were tightened, until finally British attempts to seize colonists' arms at Lexington and Concord in 1775 led to the shot heard 'round the world.

Just after the American victory, General Gage, commander of the King's troops, ordered the inhabitants of Boston to surrender their firearms, supposedly for temporary safekeeping. It is recorded that Gage confiscated "1,778 fire-arms [long guns], 634 pistols, 973 bayonets, and 38 blunderbusses." The Continental Congress cited this act of perfidy in its Declaration of Causes of Taking Up Arms.

After Independence was won, delegates from the states in 1787 framed our Constitution. Antifederalists protested that it included no declaration of rights and would allow deprivation of rights like free speech and keeping arms. James Madison responded in *The Federalist* that a declaration was unnecessary, in part because of "the advantage of being armed, which the

Americans possess over the people of almost every other nation," in contrast with the European monarchies, where "the governments are afraid to trust the people with arms."

A great compromise was reached: the Constitution would be ratified and then a bill of rights would be debated. When the first Congress met in 1789, Madison proposed what became the Bill of Rights. Federalist writer Tench Coxe explained the Second Amendment thus: "As civil rulers, not having their duty to the people duly before them, may attempt to tyrannize, and as the military forces which must be occasionally raised to defend our country, might pervert their power to the injury of their fellow-citizens, the people are confirmed...in their right to keep and bear their private arms."

The Amendment reads: "A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed." For almost two centuries, the understanding was that law-abiding individuals had a right to possess rifles, pistols, and shotguns. This would promote a militia of all able-bodied citizens, which, unlike a standing army, was seen as securing a free country.

The agenda to pass firearms prohibitions led to the invention of the "collective rights" view by the 1960s. Under this view, the Amendment protects only the power of states to have militias. A variation asserts that it guarantees a right to bear arms in the militia, nothing more. These attempts to deconstruct ignore that "the people" means you and me, not the states, and that no "right" exists to do anything in a military force—a militiaman does what is commanded.

In 1976, the District of Columbia banned pistols. It also required registered rifles and shotguns to be rendered non-functional when kept at home (but not at a business). D.C. residents were thereby rendered into second-class citizens—they had no Second Amendment rights and were not trusted to defend themselves in their own homes. The crime rate only continued to rise in what became the Murder Capital of the U.S.

The validity of the D.C. ban is now before the Supreme Court. Besides arguing that no one has any rights under the Second Amendment, D.C. alternatively contends that it can ban handguns as long as it does not ban all rifles and shotguns. One can imagine what the Bostonians who surrendered all of their firearms to the Crown in 1775 would have thought of such an argument. Hopefully the Justices will be mindful of the Founders' intent and will recognize that the Second Amendment is every bit a part of the Bill of Rights as is the First.

<http://independent.org/newsroom/article.asp?id=2084>

### 07/12/05 The French and their gun laws

There is no Second Amendment in Europe. Even European politicians from the so-called "right," like Mr. Sarkozy, are horrified at the suggestion that citizens should be allowed to protect themselves against criminals. Last year, Mr. Sarkozy told French radio: "Security is the responsibility of the state. I am against the private ownership of firearms. If you are assaulted by an armed burglar, he will use his weapon more effectively than you anyway, so you are risking your life." The result is that in France only the criminals are armed, while decent citizens, even those as brave as Anne-Lorraine, perish.

<http://www.washingtontimes.com/apps/pbcs.dll/article?AID=/20071205/EDITORIAL/112050015>

**07/12/03 Flawed Phila. formula: Arrest, release, repeat**

But before the incident completely fades away, the story of how Whitaker came to be armed, dangerous and on the streets that day is worth unraveling as a case study of how Philadelphia's justice system works.

It also illustrates the legal headaches prosecutors and police will face as Mayor-elect Michael Nutter pushes them to pursue a stop-and-frisk strategy to cut violence.

Convicted of killing a 6-year-old girl in a 1994 shooting, Whitaker was released after serving 11 years.

Several weeks before his Center City rampage, narcotics cops had locked up Whitaker again, this time when he was found with prescription drugs after a search on the street. But he walked after prosecutors dropped the case.

"Obviously, this is a situation where the DA's office is highly embarrassed," said Will Spade, a former city prosecutor who is now a defense lawyer.

"It's every judge and prosecutor's nightmare - the guy turned around a few weeks later and almost killed a cop."

The District Attorney's office insists the pinch was a "weak arrest," without legal justification. Police vigorously disagree. "It's a good arrest from the Police Department perspective," said Police Lt. Francis T. Healy, one of the force's top lawyers. But he was unwilling to criticize prosecutors.

"There are a bazillion reasons people don't get prosecuted," Healy said.

As Santiago recuperates, he says he was not surprised that Whitaker beat the narcotics rap.

But he said it shook him when he realized that Whitaker was a convicted killer.

"Why was he on the street?" the officer said. "He killed that little girl."

[http://www.philly.com/philly/news/homepage/20071203\\_Revolving\\_door\\_legal\\_tug-of-war.html](http://www.philly.com/philly/news/homepage/20071203_Revolving_door_legal_tug-of-war.html)

**07/12/03 Ramsey sees crime emergency**

Expect Michael Nutter's new police commissioner to start out of the gate next month at a sprint.

Charles H. Ramsey, Nutter's choice to replace Sylvester M. Johnson, fully agrees with the incoming mayor's promise to declare a crime emergency in some parts of the city on his first day in office, Jan. 7.

"Declaring a state of emergency is fine with me," Ramsey, the former Washington police chief, said in an interview Friday. "Crime is at an unacceptable level. . . . It's certainly something we have to get a handle on real quick."

<http://www.philly.com/philly/news/homepage/12065647.html>

**07/12/03 UK Hunting ban 'lies in tatters' unenforceable**

The ban on hunting has been left in tatters after a judge suggested it was virtually impossible to bring a conviction against those accused of breaking the law.

Legislation introduced in 2005 to outlaw hunting with dogs is too difficult "to interpret or apply" said Judge Graham Cottle, as

he upheld an appeal from the first huntsman to be convicted of breaching the Act.

The pro-hunt lobby claims that the verdict has set a significant precedent that proves that the law is unenforceable.

"The hunting lobby are trying to frustrate what is the will of the public in wanting to see this gratuitously cruel activity outlawed"

<http://www.telegraph.co.uk/news/main.jhtml?xml=/news/2007/12/02/nhunt102.xml>

**07/12/02 After attack at florist shop, victim becomes 'the victor' by getting a permit to carry** She was beaten, kicked in the face, gagged, tied to a chair and locked in a closet.

After escaping that nightmare, Beth Ferguson needed nearly two weeks to garner the courage to step out of her home. Her first trip was to church, her safe haven.

She went on a Saturday night, hoping fewer people would be there as opposed to the heavily attended Sunday morning service. But it was packed.

"It's odd, because when you're a victim of something like this, you almost begin to act like a victim. I got real overwhelmed and nervous. I was scared half to death, and I didn't know why," Beth said. "Have you ever seen a scary movie and been scared afterward? That's what it's like."

She endured the glances from curious church members, who couldn't help but see the bruises and cuts on her face. After that night, Beth decided she needed to return to a normal life. But she still felt violated, unsafe. She was living in fear.

Her second trip out of the house: a gun shop on Cross County Road in North Charleston.

"I'm going back to work one day," Beth said. "And when I do, I'll have a gun."

The attack; the recovery

[http://www.charleston.net/news/2007/dec/02/beths\\_got\\_gun23826/](http://www.charleston.net/news/2007/dec/02/beths_got_gun23826/)

**07/12/02 Adults pass on love of hunting**

Disregard political affiliations and stereotypes of the two major political parties on issues such as gun control.

Also put aside all anti-Pennsylvania Game Commission bias, including — and especially — the need for an increase in the cost of hunting licenses and deer management

In the spirit of the Holiday Season, bask in the glow of light — be it from a star or a menorah — that has made Pennsylvania a beacon in promoting youth hunting opportunities. And, with a week remaining the firearms deer season, there is no better time to take advantage of those opportunities.

In recent years, Pennsylvania has been at the forefront when it comes to creating and expanding hunting and shooting sports opportunities for youth and promoting them as family activities. Last year, that position received national attention when Gov. Ed Rendell demonstrated his support by holding a public signing ceremony that made Pennsylvania the first state to adopt Families Afield legislation.

At this point, allow the interjection of a bit of "political incorrectness" to all this talk about what these programs do for youth. Here's the real secret: the biggest winner in all of this are the adult mentors.

That's right. We can leave no greater legacy or achieve greater satisfaction than by passing on the hunting experience to a wide-eyed, impressionable youngster.

Sure, let a youngster think the day is about them and have enough self control to suppress any whoops of joy if they successfully fill their tag. In fact, a more acceptable reaction would be to encourage the youngster to give a few silent words of thanks for their efforts being rewarded by taking a game animal.

At times such as these, let the youngster enjoy their time in the spotlight. There is no need for them to know about the eternal flame they lit in the heart of their mentor.

[http://www.republicanherald.com/site/news.cfm?newsid=19077037&BRD=2626&PAG=461&dept\\_id=529073&rft=6](http://www.republicanherald.com/site/news.cfm?newsid=19077037&BRD=2626&PAG=461&dept_id=529073&rft=6)

### **07/11/30 Pulling the Trigger -The Second Amendment is an anachronism in need of repeal**

Written in an age in which minutemen rose to dress and fight at a moment's notice, the Second Amendment was no doubt motivated by a young nation's concern for its own safety and stability. But now, when the United States is protected by the most powerful security forces on the globe, the Second Amendment is neither relevant nor useful. Rather, it has become an impediment to vital public policy, and it should be repealed and replaced with nuanced federal legislation.

Despite the controversy surrounding the Second Amendment, arguments about its relevancy have not surfaced in the Supreme Court since 1939, when the justices merely touched upon the issue in *United States v. Miller*. But early this month, the Supreme Court agreed to take on the case of *District of Columbia v. Heller*, in which the central consideration is the right of an individual to own a firearm as protected under the Second Amendment. The case specifically addresses private handgun ownership in the District of Columbia. But while legalistic arguments—the phrasing of the amendment itself and the framers' intent—will be at the center of the debate, no matter what the justices ultimately decide, we believe that a constitutional protection of an individual right to bear arms is detrimental to the country. Instead, the Second Amendment should be replaced with federal statutes designed to tightly regulate gun ownership.

The high level of violence in the United States as compared to other developed countries, if not directly related to the culture of gun ownership and distribution, is at least a strong argument that the Second Amendment is preventing aggressive federal gun regulation. According to the Centers for Disease Control, in 2005, 68 percent of the 14,860 homicides in the United States were gun-related. Given the pervasiveness of gun violence that occurs in this country every year, this sort of uneven gun control is unacceptable, especially when it comes to handguns. Unlike rifles and shotguns, a handgun has little use in hunting: It is a military and police weapon, built expressly to kill another human being. Yet little is done to prevent its distribution: In Virginia, any person over the age of 18 can buy a handgun, and if a handgun is purchased at a gun show, there is no background check required.

Supporters of a constitutionally enshrined individual right to bear arms argue that state gun control laws have “reinterpreted” the right to gun ownership. These limitations on gun ownership, they say, demonstrate that gun ownership itself is not linked to increased violence. But in the wake of the expiration of the Federal Assault Weapon Ban in 2004, gun control remains relatively lax in many states, especially when it comes to handguns, which are responsible for many, if not most, gun-related murders. Gun advocates claim the need for handguns in self-defense, but such considerations are moot when weighed against the number of lives that might be saved by making the weapons illegal.

In the context of today's society, the Second Amendment is outdated. Constitutional debates over its interpretation stand in the way of the implementation of pressing public policy. Instead of wasting time attempting to fix this anachronism, we should repeal this amendment and focus our efforts on legislation that will actually protect the “security of a free state”—a charge explicit in the Second Amendment.

<http://www.thecrimson.com/article.aspx?ref=521013>

### **07/11/30 More women pack heat**

Safety fears spark jump in concealed weapons permits  
CANTON TOWNSHIP -- These days, Kirby Bunch packs more than credit cards in her purse. Bunch carries a gun. In an age of increased awareness about violence, it makes her feel powerful.

"The first time I shot a gun was in February. I was a practicing at a firing range and I felt empowered when I held it in my hand and fired," said Bunch, 24, of Canton Township, who added her father was a military man so she was always familiar with guns.

"In that instant, I knew carrying a gun was something I wanted to do. I decided to get a personal weapon because of all the craziness going on today. My mother has been armed for many years and because of the times, it's more of a necessity."

Bunch has plenty of company who are locked, loaded and ready to fire. Fueled by crime fears and fading stereotypes about gun owners, she and other women increasingly are opting to carry concealed weapons six years after Michigan reformed laws making it easier to do so.

<http://www.detnews.com/apps/pbcs.dll/article?AID=2007711300384>

### **07/11/29 4 officers disciplined over pistol not found**

Bethlehem suspensions ordered because police missed suspect's gun.

Four Bethlehem police officers will be suspended without pay for a "lack of judgment" after they failed to discover a homicide suspect had a loaded pistol hidden in her pants while inside headquarters, police commanders said. Deputy Commissioner Stuart Bedics announced the suspensions Wednesday but did not identify the officers who will be disciplined.

The department launched an internal investigation after Trillble El, during questioning in a holding cell, told police she had a .25-caliber pistol in her underwear, Bedics said. El had been charged with shooting a Bethlehem man to death.

El is charged with homicide, arson, reckless endangerment, causing a catastrophe, giving false identification to police, possessing instruments of crime, carrying a firearm without a license and possession of drug paraphernalia.

[http://www.mcall.com/news/local/all-b1\\_4gun-3r.6160825nov29,0,1224409.story](http://www.mcall.com/news/local/all-b1_4gun-3r.6160825nov29,0,1224409.story)

#### **07/11/29 EU legislators push tougher gun controls**

Against the backdrop of deadly school shootings in Finland and Germany, European Union legislators Thursday overwhelmingly backed tough new gun control rules they said they hoped would prevent Europe from becoming a gun-friendly culture like the United States.

Under the new rules, hammered out in 18 months of negotiations between the European Parliament, national governments and gun advocates, individuals aged 18 and over will be able to buy and own a firearm, provided they are not deemed a threat to public safety. Individuals under 18 will only be able to obtain a gun for hunting or target shooting under the supervision of a licensed adult.

To plug holes in the current system, in which the registration of guns is not consistent across the 27-member bloc, each member state will be obliged to set up a computerized data base of firearms, including details about their model, caliber, serial number and the names and addresses of both the seller and the buyer. The data must be kept by authorities for at least 20 years.

European legislators of all political stripes said the new rules were essential to prevent Europe from embracing the gun culture of the United States, where the right to bear arms is written in the Constitution.

"We in Europe have a different culture than in the United States and we do not consider the freedom to buy weapons a human right," said Gisela Kallenbach, a German member of the European Parliament from the Green group, who helped draft the proposed law. "All European cows are registered Europe-wide, so why not guns, if it can save lives? Civil liberties can be sacrificed if we can prevent people from being killed."

[http://www.iht.com/articles/2007/11/29/europe/union.php#end\\_main](http://www.iht.com/articles/2007/11/29/europe/union.php#end_main)

**07/11/28 MEPs to debate tightening gun laws** - European Parliament MEPs Wednesday debate proposals aimed at making it harder to acquire guns in the European Union. Control on internet sales, targeting converted guns and giving greater weight to the European Firearms Pass are among the proposals. The report, drafted by German Green MEP Gisela Kallenbach follows Commission proposals to update rules agreed in 1991. It would bring EU rules into line with a UN protocol on weapons and takes into account the size of the EU.

[http://www.europarl.europa.eu/news/public/story\\_page/019-13645-332-11-48-902-20071126STO13628-2007-28-11-2007/default\\_en.htm](http://www.europarl.europa.eu/news/public/story_page/019-13645-332-11-48-902-20071126STO13628-2007-28-11-2007/default_en.htm)

#### **07/11/26 Hunting means big bucks in Pennsylvania**

Deer season starts today and hunters are expected to spend hundreds of millions in Pennsylvania. Today is the opening day of deer hunting season in Pennsylvania.

And that means the state will echo with the pop-pop of guns and

ka-ching -- as in the sound a cash register makes.

Hunting is big business in Pennsylvania, the only state in the country with more hunters than anglers. Nearly one of every 10 residents of the state participates in the sport. All told, hunters spent \$1.4 billion last year on related gear and travel expenses, according to a recent report by the U.S. Fish and Wildlife Service.

#### **HUNTING NUMBERS**

Number of hunters in Pennsylvania in 2006: 1.03 million\*

Percent of state's population that hunts: 9 percent

Amount spent on hunting in the state last year:

On equipment, \$882 million On food and lodging, \$123 million

On transportation, \$122 million On other items, \$297 million

**TOTAL: \$1.4 BILLION**

\* Includes residents and non-residents

Source: U.S. Fish and Wildlife Service

[http://www.mcall.com/news/local/all-1\\_5hunting.6154776nov26,0,910649.story](http://www.mcall.com/news/local/all-1_5hunting.6154776nov26,0,910649.story)

#### **07/11/26 Prosecutor: T.I. Broke Gun Law Before**

T.I., who faces federal weapons charges, has previously violated the law by possessing firearms and a silencer while a convicted felon, a federal prosecutor said in a document filed Monday.

The 27-year-old rapper was arrested Oct. 13, just blocks away and hours before he was to headline the BET Hip-Hop Awards in Atlanta. T.I., whose real name is Clifford Harris, was allegedly trying to buy unregistered machine guns and silencers.

Harris is charged with possession of unregistered machine guns and silencers and possession of firearms by a convicted felon. He was released on bond, but is under house arrest.

In a notice filed in U.S. District Court in Atlanta, the U.S. Attorney's office said Monday it plans to introduce evidence of three occasions when Harris unlawfully possessed guns, ammunition and a silencer, "all after having been convicted of a felony offense."

The first was Dec. 22, 2001, in Atlanta. Harris allegedly gave the name Douglas Morgan and was carrying a concealed 9 mm pistol. The arrest didn't result in a criminal conviction. He was arrested Nov. 1, 2002, in Henry County and later convicted of carrying a 10 mm pistol, the document said.

The third arrest was the result of a search warrant executed at his home in Fulton County on Dec. 18, 2004. Officers said they found a firearm with an attached silencer, large amounts of ammunition and photos of Harris holding weapons. The incident didn't result in a criminal conviction.

Harris was arrested on charges of selling crack in northwest Atlanta when he was 17. He was sentenced to seven years' probation, which he violated, and was sent to jail.

[http://www.blueridgenow.com/article/20071126/APE/711260709/Prosecutor\\_T\\_I\\_Broke\\_Gun\\_Law\\_Before](http://www.blueridgenow.com/article/20071126/APE/711260709/Prosecutor_T_I_Broke_Gun_Law_Before)

#### **07/11/25 Black rifles, just a gun?**

I had wanted for some time to carry what is commonly called a "black rifle" while deer hunting -- particularly since the brouhaha that arose in January over comments made about these weapons by longtime outdoors writer and broadcaster Jim Zumbo, who lives in Wyoming.

"I call them 'assault' rifles," Zumbo wrote on his Outdoor Life blog, "which may upset some people. Excuse me, maybe I'm a traditionalist, but I see no place for these weapons among our hunting fraternity. I'll go so far as to call them 'terrorist' rifles. They tell me that some companies are producing assault rifles that are 'tack drivers.' "

The reaction was swift. Outdoor Life, the National Rifle Association and others who employed him as a writer or supported his TV show headed for the exits. Many gun owners, particularly those familiar with AR-style weapons (a.k.a. "black" rifles or "assault" rifles), were no more forgiving. They blistered Zumbo, forcing a nearly immediate apology and retraction, and quickly undoing more than 30 years of career-building.

All over a gun that mechanically is no different than any other weapon with a semiautomatic action, of which there are millions owned and used by North American hunters everywhere.

So, what are "black rifles," and are they often used by hunters? The answer to the second question is yes.

<http://www.startribune.com/outdoors/story/1569989.html>

#### **07/11/21 'Politically Incorrect Guide to Hunting' shows sport's benefits**

In an interview with Bill Stiegerwald of the Pittsburgh Tribune-Review, Frank Minter, author of "The Politically Incorrect Guide to Hunting," points out one of the benefits of hunting often overlooked by advocates: Hunting saves lives by managing deer numbers. Two-hundred people are killed and 25,000 injured in deer-auto collisions each year, and you're five times as likely to hit deer in urban America, he says, "because you just cannot control deer populations [through hunting] in those areas."

<http://www.news-press.com/apps/pbcs.dll/article?AID=2007711210303>

#### **07/11/19 'Going against the crowd' - The plight of being a young, female hunter**

Each year, Andrea Grandstrand pits herself into a fierce competition for at least one of two unlikely trophies hats that read "Big Buck" or "Big Doe." Grandstrand, a senior at Heritage Christian School in Karlstad, Minn., has been taking part in a pastime that generally is associated with men hunting. Since she was quite young, Grandstrand loved to help with the "hunt" in any way she could. So, when her 12th birthday came around, she earned her gun safety certificate and became an officially licensed hunter. Grandstrand hunts with family members and friends on some land near her home in Minnesota.

<https://secure.forumcomm.com/grandforks/articles/index.cfm?page=purchase&id=57759&CFID=68316782&CFTOKEN=17689951&jsessionid=883073589f44587f7f71>

#### **07/11/19 PA GOP: Rendell Seeks To Limit Our 2nd Amendment Rights**

Rather than seeking ways to punish violent offenders, Gov. Rendell is pushing bills that punish law-abiding gun owners  
HARRISBURG — Republican Party of Pennsylvania Chairman Robert A. Gleason, Jr. was disappointed by the lengths

that Pennsylvania Gov. Ed Rendell will go to undermine Pennsylvanians' right to buy and retain a firearm.

"Gov. Ed Rendell and House Democrats continue to try to impose more restrictions and regulations on Pennsylvania's law-abiding gun owners," said Gleason. "I understand that Mayor Street and Philadelphia Democrats have allowed the city of Philadelphia's murder problem to spiral out of control, however, I believe that Pennsylvania's problems can best be corrected by punishing criminals, not law-abiding citizens."

According to a recent article in the Philadelphia Inquirer, Gov. Ed Rendell has decided to take the unusual step of addressing the House Judiciary Committee in an attempt to influence House members' votes. Tomorrow, after Rendell's visit, the Committee will vote on a package of bills that have been stuck in committee for almost a year. The proposed bills would enact a number of measures that would deter people from owning guns. Here are the proposals that are included in the bills:

- Limit handgun purchases
- Allow municipalities to pass their own gun law restrictions
- Punish the victims of a robbery, not the thief, by making it a crime to fail to report the loss or theft of a firearm to police within 24 hours of discovering the firearm missing.

"In addition to limiting the right of Pennsylvanians to purchase and own a gun, these bills fail to attack the root of the problems Philadelphia is facing," Gleason continued. "Before we limit handgun purchases to one-a-month for law-abiding citizens, shouldn't we have to ask ourselves if that is really going to curb violence? People need to take personal responsibility for their actions, and that will begin when we enforce the laws that are already in place. The Republican Party of Pennsylvania supports our 2nd Amendment rights and wholeheartedly stand behind all citizens' right to own a gun."

<http://www.pagop.org/news/Read.aspx?ID=476>

#### **07/11/18 Wildlife: Hunters important part of thinning out deer population**

Sustaining populations subjected to hunting pressure requires species capable of rapid and consistent reproduction. Deer qualify.

Over the last century, studies of deer biology and its response to hunting pressure have resulted in thousands of research papers, books, symposia and countless graduate degrees in wildlife biology.

Two classic cases, familiar to every wildlife biologist, stand out as the foundation of deer management in North America.

From 1906 through 1923, government hunters and trappers removed predators from the Kaibab Plateau along the north rim of Arizona's Grand Canyon. During that period, agents removed 781 mountain lions, 30 gray wolves, 4,889 coyotes and 354 bobcats.

The Kaibab mule deer population responded in spectacular fashion. When predator control began, the mule deer population

was estimated to be 4,000. Under greatly reduced predator pressure, the deer herd exploded to more than 100,000 in less than 20 years. During the winter of 1924-1925, the population crashed. Ever since, wildlife biologists consider "Kaibab Plateau" to be synonymous with the dangers of predator control as a way to protect game populations.

<http://www.post-gazette.com/pg/07322/834605-140.stm>

#### **07/11/18 Utahns exercise right to openly carry firearms**

More citizens pack heat in plain view; legality remains a murky area

LAYTON - Among the things that make Utah a special place are its gun laws. Love 'em or hate 'em, they often make living, working and even dining in the state a visceral experience, harking back to the heady days of Deadwood and Dodge City.

Most Utahns are aware their state issues an easily obtained concealed-weapon permit. By passing a background check and basic course in gun safety, anyone over 21 can qualify to carry an undercover gun.

But in how many places, outside parts of Africa and the Middle East, can you legally stroll down the street with a semi-automatic carbine slung over your shoulder, let alone a handgun on your hip?

[http://www.sltrib.com/ci\\_7496036](http://www.sltrib.com/ci_7496036)

#### **07/11/18 Miss. Castle doctrine lauded by gun advocates** JACKSON --

Kathy Adkins moved from target to target, using a .38 revolver and a 9 mm semiautomatic pistol with deadly efficiency, putting holes in the dead centers of paper targets meant to look like people.

Adkins, 48, owns a real estate firm in Jackson and has been taking firearms training since March. Instructor Cliff Cargill said he has had many new students since the Legislature passed a bill last year giving residents expanded legal rights to protect themselves in their homes, cars or businesses.

The "castle doctrine" law removes the requirement that residents must first seek a safe retreat from an intruder before using deadly force. Similar laws have passed in 20 states in just two years

<http://www.sunherald.com/218/story/191090.html>

#### **07/11/17 Boston cops seek invites to search homes**

BOSTON — Boston police will ask parents in high-crime areas to let detectives search their children's bedrooms for guns without warrants in a new anti-crime program.

Police believe parents are so worried their teenagers will be caught up in gun violence that they'll be willing to allow police into their homes. If the parents say no, the police will leave.

"They don't know what to do when faced with the problem of dealing with a teenage boy in possession of a firearm," police Commissioner Edward Davis said of parents. We're giving them an option in that case."

Davis announced the program Friday in a meeting with community leaders.

During the next two weeks, teams of three plainclothes officers assigned to schools will go to homes where they believe

teens have guns and ask their parents or legal guardians for permission to search.

The program, called Safe Homes, has raised questions about civil liberties.

Thomas Nolan, a former Boston police lieutenant who teaches criminology at Boston University, called it "an end run around the Constitution."

"The police have restrictions on their authority and ability to conduct searches," he said. "The Constitution was written with a very specific intent, and that was to keep the law out of private homes unless there is a written document signed by a judge and based on probable cause. Here, you don't have that."

<http://www.centredaily.com/news/nation/story/264368.html>

#### **07/11/17 Hunting as therapy**

##### **Injured soldiers find outdoors beneficial to rehabilitation**

MORAN -- Josh Pappas, 21, looks like any other hunter in Shackelford County around this time of year. He wears a three-dimensional camouflage suit covered in waving leaf-like strips of fabric as he walks into an open field Saturday with rifle in hand to stalk deer.

Pappas, a Marine corporal, suffered second- and third-degree burns to his face and arms in Iraq when a bomb went off near him last December.

While his body has recovered, he is still seeing doctors for post-traumatic stress disorder.

This hunt is in disguise as well. It is not ordinary excursion. Instead, it is a weekend event arranged by a Moran family and the Armed Forces Foundation that is meant to calm troops injured in Iraq and Afghanistan.

<http://www.reporternews.com/news/2007/nov/17/hunting-as-therapy/>

**07/11/16 Victim: ID theft caused false arrest** Officials say they don't know why the mistake occurred.

WARREN — A city woman arrested by Howland Township police on a warrant last month — and kept in Trumbull County Jail four days in error — says she believes she's been the ultimate victim of identity theft.

Renee A. White, 35, of Parkman Road, says that when Howland Patrolman Richard Mahan pulled over the car she was riding in with Michael R. Thomas, 18, about 2:19 a.m. Oct. 12, Mahan asked her about three false names that came up on the computerized law enforcement identification in connection with her name.

White says she told the officer during the traffic stop that she's never used an alias.

Specifically, the officer asked her about the name Tammy L. Johnson, who was wanted on an arrest warrant out of Liberty Township on two counts of forgery in the use of stolen checks. "I'm like, 'No, I'm Renee White, and I've always been Renee White,'" she said.

Mahan then pulled up a picture of White on the computer in the police car.

"I said, 'That's my picture and yes that's my Social [Security number], but I'm not Tammy Lynn Johnson.' He's like, 'Well, you're under arrest for fraud,'" she said.

Four days later, she was taken across the street to the Trumbull County Courthouse to be arraigned by Judge Andrew Logan of Common Pleas Court.

"We got her out of there as soon as we knew what happened," Becker said, adding, "It's a real sad case of how far identify theft can go."

[http://www.vindy.com/content/local\\_regional/310339952884775.php](http://www.vindy.com/content/local_regional/310339952884775.php)

### **07/11/15 Wave of Home Invasions Puts the Wealthy on Alert**

#### **Lax Security Often Opens Door To Increasingly Brazen Crimes;**

The Buffetts' Uninvited Guest

In the past year, billionaire investors Warren Buffett and Ernest Rady, socialite Anne Bass and professional basketball players Eddy Curry and Antoine Walker all have joined a group to which they would rather not belong: victims of home invasion.

In affluent enclaves across the country, from Beverly Hills, Calif., to Scarsdale, N.Y., these high-profile cases and others -- many of them unsolved -- have set nerves on edge amid what law-enforcement officials and security experts say is becoming an alarming trend. One particularly gruesome case in July underscored the dangers for many, when a home invasion in Cheshire, Conn., ended in the deaths of a doctor's wife and his two daughters. Two men have been arrested and charged in the case.

In home-invasion robberies -- unlike burglaries -- thieves hope to confront the occupants, often intending to force victims to open a safe or divulge bank-card PIN numbers. Home invasions aren't separately tallied by the Federal Bureau of Investigation or by most state and local police. According to the most recent FBI data, residential robberies, which include home invasions, rose nearly 13% in 2006 from 2002, even as violent crime overall decreased 0.4%. Last year, 64,000 residential robberies were reported.

Security experts emphasize that preventive steps can be taken without resorting to extreme measures, such as obtaining firearms without proper licensing and training. Such actions can raise legal problems for people wanting to protect their homes and families, as with Harry Maxwell Rady, the son of banker Ernest Rady.

The younger Mr. Rady, 40, pleaded guilty to illegally receiving AK-47s and other semi-automatic firearms after the robbery to defend his family from potential kidnappers, his attorney, Mr. Grimes, says. Mr. Rady was sentenced on Nov. 2 to 10 months of home confinement and three years' probation. He also was fined \$75,000 for violating federal gun laws.

<http://online.wsj.com/article/SB119508694182293480.html>

### **07/11/15 Big Gun: SWAT expert takes long shots with .50 caliber**

Brad Trelstad is one bad dude.

He is a former police chief, a counterterrorism expert who trains SWAT teams, and a Bible-thumping preacher. And he carries a big, big gun — and knows how to use it.

The 50-year-old Cripple Creek resident won fifth place at this

year's Fifty Caliber World Championships, a long-range shooting competition that uses bullets with cartridges the size of Magic Markers.

He is now sponsored as a professional shooter by Barnes Bullets — the latest twist in an intriguing life.

He grew up in California and became a police officer in 1978. He climbed the ranks, moving around the country, until he became the chief of police in Cuba City, Wis., a town of 2,000 in the southwest corner of the state.

While he was a cop, Trelstad studied tactical operations, including SWAT (Special Weapons and Tactics) operations and hostage situations, and he taught what he learned to police departments around the world.

[http://www.gazette.com/articles/caliber\\_29654\\_article.html/trelstad\\_shooting.html](http://www.gazette.com/articles/caliber_29654_article.html/trelstad_shooting.html)

### **07/11/15 Gun fires as woman fights off carjackers in suburban Philly**

Police in suburban Philadelphia are investigating a carjacking in which the victim grabbed an attacker's gun and it fired.

Haverford Township police say the 37-year-old woman was approached by two armed teenagers on Wednesday. Police say the woman pleaded with them to let her get her daughter out first.

During the carjacking, the woman grabbed a gun out of the lap of one of her attackers and a struggle ensued. The gun discharged during the struggle. The attackers got away with the woman's sport utility vehicle but the woman and her daughter were physically unharmed.

[http://www.pittsburghlive.com/x/pittsburghtrib/news/breaking/s\\_538099.html](http://www.pittsburghlive.com/x/pittsburghtrib/news/breaking/s_538099.html)

### **07/11/14 Teen Charged with Shooting Cops**

A 16-year-old is under arrest after a pair of Philadelphia police officers were shot in Frankford. Police say he fired a stolen .357 Magnum on officers who were trying to serve a warrant.

The teen faces 9 counts of attempted murder charges, because that's how many officers were involved in the operation. Investigators recovered a handgun at the scene.

<http://abclocal.go.com/wpvi/story?section=local&id=5751540>

### **07/11/13 Hopes for reverse of hunting ban**

HOPES for a repeal of the controversial ban on hunting have been raised by two reports that claim the practice is justified as the best management for wildlife.

The Veterinary Association for Wildlife Management and the all-party parliamentary Middle Way Group have issued a joint statement claiming that Parliament and the public were deceived about the science that supposedly justified the Hunting Act.

A report titled The Use, Misuse and Abuse of Science in support of the Hunting Act concludes that there never were grounds for banning hunting on the grounds of cruelty. It has been sent to all MPs.

And a second report The Natural Chase, to be published in the New Year, highlights the key role played by predators in maintaining a balance in the countryside and traces the evolution

of hunting, recognising the practice as the natural form of control.

<http://icwales.icnetwork.co.uk/countryside-farming-news/country-pursuits/2007/11/13/hopes-for-reverse-of-hunting-ban-91466-20098424/>

### **07/11/13 Student Faces Expulsion For Rifle Incident**

A high school senior could be kicked out of school for leaving a rifle in his truck. There are strict rules about bringing weapons onto school property, but there is some leeway built into Missouri law. But the family of 18-year-old Steven Weeks is worried he won't get any.

Weeks is an avid hunter. On Nov. 1, he went into the woods after school.

"I decided I was going to go hunting before the football game, so I came home grabbed my .22 and an extra box of shells," Weeks told KMBC's Dan Weinbaum.

After hunting, Weeks came home, ate and then went to the football game at Smithville High School. He said he forgot he had an unloaded rifle on the passenger seat of his truck.

"I made the mistake of locking my keys in there, and that's when everything started getting bad," Weeks said.

Someone told police about the rifle and Weeks was arrested.

"It was very scary," Weeks said.

"As a parent, his punishment was that night in jail," said Angela Wilmes, Steven's mother.

<http://www.kmbc.com/news/14589729/detail.html>

### **07/11/13 Country's great heroes were hunters**

VETERANS DAY IS the time to remember and honor the men and women who have served this country in all of our wars and also peacetime.

This fall I thought it would be appropriate to note that two of this country's greatest military heroes were both hunters and remarkable marksmen.

Audie Murphy grew up on a small, impoverished farm in northeast Texas. And in his autobiography, "To Hell and Back," Murphy related how he helped feed his family by shooting rabbits and squirrels with a beat-up old .22-caliber rifle.

Those shooting skills he honed as a young boy were brought to fruition in World War II, where he became the most decorated soldier in American military history. Murphy's phenomenal eyesight and the great accuracy of the 30-06-caliber M-1 Garand rifle allowed him to drop enemy soldiers at ranges where others in his outfit wouldn't even fire at them.

And before Murphy, there was Sergeant York.

A 2005 issue of the National Rifle Association's American Rifleman magazine told the cover story of Alvin C. York, "American Rifleman, American Hero."

The lengthy article was captivating, and it related a lot of things about that unusual man that I did not know. His story, of course, was told in the movie "Sergeant York," starring Gary Cooper. I have seen that wonderful old black and white film many times, and it was gratifying to read that for a Hollywood epic, it was darn well done.

York went to Hollywood and served as an adviser on the film. He even told family members and friends in following years that he was very proud of the movie, since it was an extremely

accurate rendition of his life before the war -- and especially because of the climactic battle sequence where he earned the Medal of Honor.

And in the Tennessee mountains where he grew up, York was already something of a local legend long before the war, due to his uncanny prowess with both handguns and the muzzleloading rifles with which he hunted a variety of game.

When America entered World War I, York originally filed for exemption as a conscientious objector, but the appeal was denied. He was drafted and assigned to Company G, 328th Infantry Regiment, 82nd "All-American" Division.

York's shooting skills with the U.S. Model 1903 Springfield rifle in 30-06 enabled him, and a handful of fellow doughboys, to capture 132 German prisoners along with about 35 machine guns. Before the capture, York single-handedly killed 25 of the enemy. And as the film accurately relates, he dropped several of the Germans charging him, drawing his Model 1911 Colt .45-caliber automatic pistol, "ticking them off back to front, just the way he hunted ducks back in Tennessee."

A slight discrepancy there, for the movie depicted him using a German Luger, as no blank cartridges were available for the .45 handgun.

After that historic deed, several generals interviewed York, and asked him how he had managed that feat. In his dry Tennessee wit, York replied, "I surrounded 'em."

His shooting days were far from over after the war though, and the article relates how he continued to be an avid hunter. One of his favorite guns was a Remington Model 11 semi-automatic 12-gauge shotgun, with which he hunted ducks.

But his son Andrew even remembered how his Daddy loved dove hunting. And he shot those birds on the wing -- with a Winchester Model 74 .22-caliber autoloading rifle!

Thank you veterans, both famous and unsung, for what you have done for us all.

[http://www.tulsaworld.com/sports/article.aspx?articleID=071113\\_2\\_B2\\_spanc15888](http://www.tulsaworld.com/sports/article.aspx?articleID=071113_2_B2_spanc15888)

### **07/11/13 2 Philadelphia Police Officers Shot**

PHILADELPHIA -- Hours after two Philadelphia police officers were shot while serving a warrant Tuesday night in the city's Frankford section, police said a person is in custody who might be the shooter.

Johnson said of this latest shooting, "This shows officers just doing their jobs. They serve numerous warrants throughout the year, every single week, every single month. ... One of the sure things you know when you serve a narcotics warrant is there's going to be a weapon in there."

Johnson added that, on narcotics raids, you work quickly in case the persons inside try to get rid of the drugs.

The police commissioner said the availability of guns is "out of hand here in the City of Philadelphia," going on to call the gun laws "the softest ... in the entire nation."

"The officers, again, when they leave home, there's no guarantee they will come home," Johnson said.

Street said officials in Washington, D.C., and Harrisburg "resisting reasonable efforts to curtail the flow of guns out into the community need to take notice of all this."

"It's very difficult to imagine how these officers are going to be able to continue to do their jobs under the circumstances where there are just so many illegal guns floating around the streets," the mayor said.

<http://www.nbc10.com/news/14587650/detail.html>

### **07/11/13 Fleeing Robbery Suspect Eaten By Alligator**

MIAMI -- A Florida man police said was breaking into cars at Miccosukee Resort and Gaming was attacked and killed by a 9-foot alligator while trying to run from police.

Investigators said officers responded to reports of car break-ins at a Miccosukee Indian Reservation parking lot located at 500 S.W. 177th Ave. in Miami

One of the men was quickly captured by officers during the incident last week but the other robbery suspect tried to elude officer by jumping into a large pond behind the facility, according to a WJXT-TV report.

During the swim, police said, an alligator attacked and killed the man. He was apparently bitten on the head several times.

The victim's body was recovered at the bottom of the pond about a day after the reported break-ins.

<http://www.local6.com/news/14580616/detail.html>

### **07/11/12 Homeowner: No time to think, only time to shoot**

Horace Garland didn't have time to think when two men claiming to be police officers tried to force their way into his South Knoxville home.

He didn't have time to consider why cops would be screaming and yelling on his front porch about midnight Sunday. He didn't have time to be scared. The 63-year-old man only had time to react with the .38-caliber Police Special he kept at his bedside.

Garland, a Vietnam veteran, said he started shooting at "anything I could hit."

"I'm glad he did," said Garland's live-in girlfriend, Kay Cupp. "I believe those guys would have killed us in bed if they could have gotten in."

<http://www.knoxnews.com/news/2007/nov/12/kcso-south-knoxville-man-wards-burglars-shoots-one/>

### **07/11/12 MSU to build \$3.5M sports shooting center**

Michigan State University's archery team currently practices in a converted hallway in the basement of the IM West building. The Air Rifle Club hones their skills in the ballroom of Demonstration Hall.

But starting in spring 2009, they'll be practicing in what MSU is saying will be one of the best shooting sports facilities in North America and one of the largest indoor facilities in the Midwest.

Plans for the John and Marnie Demmer Shooting Sports, Education and Training Center, approved last month by MSU's Board of Trustees, call for a 23,000-square-foot building with indoor archery and small-bore rifle ranges and three outdoor archery ranges.

The center also will also have spectator viewing areas, classrooms and locker rooms.

The facility, which will be built on the southeast corner of Jolly and College roads, will cost an estimated \$3.5 million, all of which has been raised through donations. It will be open to the public.

[http://www.wzzm13.com/news/news\\_article.aspx?storyid=83550](http://www.wzzm13.com/news/news_article.aspx?storyid=83550)

### **07/11/12 John Browning Day**

For the record, I am opposed to Martin Luther King, Jr. Day as a national holiday in the month of January or, for that matter, any other month. It isn't that I oppose a national holiday celebrating the legacy of America's greatest civil rights leader. I just don't believe that King was our greatest civil rights leader. I believe that distinction belongs to John Browning.

Since John Moses Browning was born on January 23rd, 1855, it will be easy to make the transition from a Martin King to a John Browning national holiday. And it will be educational, too. Many gun owners are unaware that Browning sold 44 guns to Winchester including the Model 94 level action repeater. Guns based on the Model 94 design and chambered in 30-30 have probably killed more deer in North America than any other model before or since.

Today's "civil rights" movement has become a disgrace largely because it is based on the idea that people are entitled to things they did not earn through the fruits of their own labor. Instead, people are given things on the basis of what their ancestors suffered – all coming from those who did nothing wrong on the basis of what their ancestors did wrong.

But John Browning was a different kind of man. He refused to take anything he did not earn. He even refused an honorary degree from a university on the basis of that principle. Al Sharpton and Jesse Jackson could learn a lot from a man who practices what he preaches.

[http://www.townhall.com/columnists/MikeSAdams/2007/11/12/john\\_browning\\_day&Comments=true](http://www.townhall.com/columnists/MikeSAdams/2007/11/12/john_browning_day&Comments=true)

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### **07/11/11 Hunting: Despite overall decline in license sales, more women are taking up hunting.**

When Brianne Stewart, 12, of West Newton, shot her first deer this fall she joined a sorority of hunters who are bucking a nationwide trend.

She is one 304,000 girls -- 19 percent of all hunters ages 6 to 15 -- who took to the woods last year, almost doubling the number of girls that hunted in 1996. According to the just-released 2006 U.S. Fish and Wildlife Service five-year census, four times as many boys hunt, but their numbers have remained unchanged.

Stewart also is part of a Pennsylvania hunting surge, the survey says, in which hunting by adult males increased 7.6 percent and female participation jumped almost 10 percent, while numbers dropped 10 percent nationally in all but 20 states.

A 2005 five-year survey by the National Sporting Goods Association painted a rosier picture of female hunting participation, claiming a 72 percent increase nationwide.

"We can explain decreases in men," said Mark Duda of Responsive Management, a Virginia firm that tracks and interprets outdoors trends. "Male hunters live in rural areas and

they're aging. As to why female participation is increasing, that's more of a mystery, since it appears to span various age groups, incomes and levels of education.

"Something is happening with women and hunting."

<http://www.post-gazette.com/pg/07315/832774-358.stm>

#### **07/11/11 PA Police Range draws noise complaint**

WEST GOSHEN RESIDENTS SAY INCREASING NOISE FROM SHOOTING RANGE DISTURBS QUALITY OF LIFE

WEST GOSHEN — Residents living near a shooting range on South Concord Road say the noise from the range is growing louder, more frequent and disturbing their quality of life.

During a meeting Thursday at the residence of Hank and Tracy Whalen, on Normandy Court, residents expressed frustration with the noise levels caused from the weapons, township notification about the range and the signage and enclosure at the property.

But township officials said the range is needed by West Goshen police and other police departments because it is one of the only ranges they can use in the county.

The training is also necessary to protect the safety of residents, officials said, and hours have been limited over time to address concerns.

[http://www.dailylocal.com/WebApp/appmanager/JRC/Daily;jsessionid=MGySH4mX1ghH9yb9dDRnQHVjhpM9PNP4zN7Cj3NCf8svkp8cTOn1!732527842?nfpb=true&pageLabel=pg\\_article&r21.pgpath=%2FIDLN%2FHome&r21.content=%2FIDLN%2FHome%2FTopStoryList\\_Story\\_1089386](http://www.dailylocal.com/WebApp/appmanager/JRC/Daily;jsessionid=MGySH4mX1ghH9yb9dDRnQHVjhpM9PNP4zN7Cj3NCf8svkp8cTOn1!732527842?nfpb=true&pageLabel=pg_article&r21.pgpath=%2FIDLN%2FHome&r21.content=%2FIDLN%2FHome%2FTopStoryList_Story_1089386)

#### **07/11/11 Teacher not allowed gun in school**

A US judge ruled today that school officials can forbid a teacher from carrying a gun on school grounds.

Shirley Katz sued the Medford School District in Oregon, arguing that its policy against firearms violates a state law that allows people with concealed weapons permits to carry guns into public buildings.

The high school English teacher said she had a right to carry a handgun, as a defense against intruders or her former husband.

But Circuit Court Judge Philip Arnold ruled that the Legislature has forbidden local governments from passing ordinances - local laws - to regulate firearms. He says an ordinance is different from a school employment policy, so state law does not prohibit the district's policy.

<http://www.smh.com.au/news/world/teacher-not-allowed-gun-in-school/2007/11/10/1194329571734.html>

#### **07/11/09 As Deer Think of Wooing, Maine Thinks of Deer**

AS a sport, hunting suffers from something of an image problem. To many nonhunters, the idea of shooting an animal is barbaric, associated with rich men collecting trophies or beer-guzzling brutes in pickup trucks.

And hunters tend to have an equally dim view of their critics: naïve hypocrites who don't understand where their dinner comes from.

But in rural Maine on the opening day of deer season — an event anticipated like a national holiday in some parts of the country — it is obvious that the gap separating hunters and

nonhunters isn't necessarily about guns, or even animals. In places like Jackman, it has more to do with the growing distance between those who live in America's concrete communities and the dwindling population whose lives, and livelihoods, are more closely tied to the woods.

Jackman is one of those small towns where life revolves around deer hunting every autumn. Although bow-hunting season began in September, opening day for firearms, Oct. 27, is the big date on the calendar.

"For Maine residents, deer hunting is something they look forward to for the whole year," said Paul Jacques, deputy commissioner of the state's Department of Inland Fisheries and Wildlife. "For the next month, the first thing you say when you see someone in a restaurant is, 'How you doin' — did you get your deer yet?'"

Jackman is about 160 miles northwest of Portland and 16 miles southeast of the Canadian border. It has a population of about 700, a couple of gas stations, a general store and a few bars and restaurants, the kind where a waitress greets you by name when you walk in, or conversation stops and heads turn to survey the stranger in town.

The local economy relies mostly on timber and tourism, which cycles seasonally through snowmobiling, whitewater rafting, fishing and hunting. But for many businesses, it's hunting season that keeps them afloat.

"We have a fair business the rest of the year — we get by," said Travis Rogers, manager of Bait, Bolts & Bullets in Solon. "But this is when we make our money."

[http://www.nytimes.com/2007/11/09/travel/escapes/09hunting.html?\\_r=2&adxnll=1&oref=slogin&adxnllx=1194613291-Willp5i2509WH415OYClYWQ&oref=slogin](http://www.nytimes.com/2007/11/09/travel/escapes/09hunting.html?_r=2&adxnll=1&oref=slogin&adxnllx=1194613291-Willp5i2509WH415OYClYWQ&oref=slogin)

#### **07/11/09 Cleveland Offers \$100 Gas Cards for Guns**

Armed residents can give up their guns and get gasoline cards worth \$100 at the pump. The first 450 people who show up at Cleveland's convention center Saturday and surrender a working handgun will receive a card.

Police, who will be at the center to ensure the guns are turned in safely, asked for the weapons to be brought in unloaded and in a clear plastic bag.

The city has recorded 119 homicides so far this year — the same number for all of 2006.

Gasoline prices have surged in recent weeks, with the statewide average for a gallon of regular gas at \$3.07 last weekend, 25 cents more than Oct. 22.

[http://www.gisentinel.com/featr/content/shared-gan/ap/Feature\\_Stories/ODD\\_Guns\\_Gas\\_Cards.html](http://www.gisentinel.com/featr/content/shared-gan/ap/Feature_Stories/ODD_Guns_Gas_Cards.html)

#### **07/11/08 Hunting is pretty safe and getting safer**

- Star-Tribune

Despite impressions you might receive from the media, hunting is a safe pastime, or sport, and getting safer.

According to the National Safety Council, people who bike and play baseball -- among many other mom-and-pop sports -- are far more likely to be injured than those who hunt.

And 15 times as many people -- roughly 1,500 compared with 100 -- are likely to die in the United States each year while swimming than they are while hunting.

<http://www.startribune.com/531/story/1538448.html>

### 07/11/08 Don't mess with the sportsmen

A hard lesson was learned on election day in New Jersey's 12th legislative district, when incumbent State Senator Ellen Karcher (D-12) and incumbent Assemblyman Mike Panter (D-12) were retired from public service despite the infusion of millions of campaign dollars to save their seats.

That lesson can be summed up this way: **don't mess with the sportsmen.**

There is one reason and one reason only that these otherwise popular politicians lost their jobs: they went too far in assailing the rights and traditions of law-abiding New Jersey sportsmen and sportswomen.

There are well over a million hunters, anglers, and responsible gun owners in New Jersey. For the most part, they keep to themselves, content to exercise their rights, freedoms and chosen activities without interference. But when aroused to action by over-the-top legislation that threatens to interfere, they can become a force of nature at the polls.

And that's exactly what happened in the 12th district on November 6. Fed up with overzealous legislative attacks, sportsmen and sportswomen turned out in force to register their disapproval with the flip of a voting lever. And register their disapproval they did...

Karcher and Panter were primary sponsors of legislation that would set the stage to end hunting and fishing by removing farmers, biologists, and sportsmen from the Fish & Game Council, and allow the appointment of animal rights extremists in their place. Panter also supported legislation to ban common hunting firearms and to ration guns to law-abiding citizens pre-certified as non-criminals after passing a thorough background investigation.

In the weeks leading up to the election, New Jersey sportsmen mobilized visibly and vocally, with many hundreds showing up at rallies in the 12th district and protesting the Fish & Wildlife bill. This prompted one astute Assemblywoman, Linda Greenstein (D-14), to withdraw her name as a co-sponsor of the bill just prior to the election. Unlike her counterparts in the 12th district, who defended the legislation, Greenstein was re-elected.

New Jersey faces serious problems, including fiscal woes, the mass exodus of businesses and individuals, astronomical housing costs, and excessive taxation. Attacking the rights and traditions of law-abiding sportsmen - who do not cause New Jersey's problems - will not solve any of them.

[http://blog.nj.com/njv\\_scott\\_bach/2007/11/dont\\_mess\\_with\\_the\\_sportsmen.html](http://blog.nj.com/njv_scott_bach/2007/11/dont_mess_with_the_sportsmen.html)

### 07/11/08 A huge haul of weapons has been taken from a house in Upper Darby.

Police spent hours taking weapon after weapon out the home. Investigators said the homeowner built a shooting range in the basement. The two men who live here are facing very serious charges.

One investigator called the home on South State Road a ticking time bomb.

Upper Darby police said they seized dozens of loaded guns and weapons, including a machine gun, bow and arrows, and homemade cannons capable of firing.

"We found empty grenades, probably a dozen or so. We found some artillery shells. We found some cocaine," said Michael Chitwood of Upper Darby police.

Around noon, firefighters were called to the home after a neighbor reported smoke coming from the garage. A resident was operating a wood burning stove.

Township inspectors arrived and allegedly were denied access to the house, so they got a search warrant.

"We've had to call in the bomb squad. Alcohol Tobacco and Firearms is now involved, taking some of the items out," said Chitwood.

<http://abclocal.go.com/wpvi/story?section=local&id=5751087>

### 07/11/06 Cops find themselves in arms race with criminals

WEST PALM BEACH, Florida (CNN) -- The war on the streets is escalating. As gangs and other criminals pack more firepower, police departments say they find themselves in an arms race.

The officers say they need to level the playing field to survive. And so, on a bright October day about a dozen Palm Beach County sheriff's deputies brought out their big guns at the local firing range.

Rifles crackled. Shell casings flew. Bullets sailed at 3,200 feet per second through paper targets set up a football field's length away.

The sharpshooters weren't training for a SWAT team. These were the deputies who patrol the streets and roads from the glittery Gold Coast to the swamps of the Everglades.

"It's not nice we have to arm ourselves like the soldiers in Iraq," said Sgt. Laurie Pfeil, who supervises a sheriff's road patrol in Palm Beach County and is now certified to carry a semiautomatic AR-15 rifle on the job. It's the civilian version of the military's M-16 used by U.S. soldiers in Iraq.

"We are like soldiers. It is a war," says Sgt Pfeil.

<http://www.cnn.com/2007/US/11/05/cops.guns/index.html>

## **Founding Fathers Intent:**

"I consider the foundation of the Constitution as laid on this ground that 'all powers not delegated to the United States, by the Constitution, nor prohibited by it to the states, are reserved to the states or to the people.' To take a single step beyond the boundaries thus specially drawn around the powers of Congress, is to take possession of a boundless field of power, not longer susceptible of any definition."

-- *Thomas Jefferson (Opinion on the Constitutionality of a National Bank, 15 February 1791) Reference: The Papers of Thomas Jefferson, Boyd, ed., vol. 19 (276)*