



# 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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## **Gun Control Takes Center Stage** **March 17th Once Again!**

House Bill 1845 has come out of Appropriations Committee and is scheduled for a floor vote this coming Monday, March 17. The original language in the bill dealt with increasing the punishment for possessing a firearm with altered or obliterated marks of identification.

By March 12, this past Wednesday, five amendments have been added to this legislation for consideration on the floor by the full House of Representatives. Two of the amendments deal with pro-gun pieces of legislation. Specifically the language from House bill 1029 that requires that the government given exemption for individuals who possess a concealed carry license when they purchase a firearm from going through the instant check. The other pro-gun amendment is the entire text from house Bill 641, which is known as the Castle doctrine.

The real problem comes from the language in the amendments submitted by Representative Levdansky who is seeking to pass the concept of mandatory reporting of lost or stolen guns. This amendment offers language that will not only introduce onerous consequences for unintended violations of this law by law-abiding citizens but it will place unnecessary and costly burdens on firearms dealers throughout the Commonwealth.

More to come on this legislation as developments are unfolding virtually every hour as we close in on the Monday deadline for deliberations on this legislation.

### **Former teacher to take on Pennsylvania gun law** **By Jane Smith**

03/12/08— An unusual gun-rights case that has the potential of overturning state law appears to be headed for a hearing in the Crawford County Court of Common Pleas.

A Guys Mills-area man has appealed a decision by the county sheriff to revoke his permit to carry a concealed firearm.

Not only does Gary A. Young of 27837 Plank Road claim that Sheriff Nick Hoke misapplied the law when he revoked Young's permit to carry a concealed firearm, Young also is also challenging the constitutionality of Pennsylvania's Firearms Act.

Young, a former Crawford Central School District teacher and U.S. Marine Corps veteran, turned in his conceal carry permit in February. In his letter revoking Young's permit, Hoke quoted a passage from the state law that lays out one of the circumstances under which a sheriff can revoke a concealed carry permit. Hoke wrote that he believes Young's "character and reputation is such that you would be likely to act in a manner dangerous to the public."

In his appeal, Young denies that characterization of him.

He claims that had Hoke conducted an investigation — as required by law — Hoke would have concluded that Young wouldn't be likely to act in such a manner.

In addition, Young said the law requires that the notice of revocation must state a specific reason for the action and Hoke's did not.

Furthermore, Young said the law provides in part that a license to carry a concealed firearm may be revoked for "good cause." Young said Hoke failed to state the facts for a good cause to revoke his license.

In his appeal, Young said his permit to carry a concealed firearm can't be taken based only on the sheriff's opinion, and he claims Hoke's action was "arbitrary and capricious." The appeal further said the state's Firearms Act is in violation of the state and federal constitutions with respect to due process of law.

Hoke said Tuesday he has 20 days from last Thursday to file a response to the appeal and his response is being handled by the county's attorney.

Young said he was asked by his attorney not to comment on the case and referred questions to him, Michael McCormick of Verona. McCormick didn't respond to a call for comment.

No date has been set yet for a court hearing on the appeal.

In a previous interview, Young said he didn't know why Hoke would have revoked his permit.

The stipulation in state law about character and reputation hasn't been invoked in Crawford County to revoke a concealed carry permit for the last 16 years, if ever.

Since taking office in January, Hoke hasn't revoked any permits.

Bob Stevens, who served as Crawford County's sheriff for 16 years before Hoke, said he never invoked the clause.

[http://www.meadvilletribune.com/local/local\\_story\\_071221626.html](http://www.meadvilletribune.com/local/local_story_071221626.html)

## Showdown in Supreme Court set for March 18<sup>th</sup>

by Dave Workman, Senior Editor

It may become the longest 90 minutes in American history: the amount of time scheduled Mar. 18 for the Supreme Court to hear oral arguments in the case of District of Columbia v. Heller, in which the meaning and intent of the Second Amendment is on the line.

Attorneys representing plaintiff Dick Heller and the District of Columbia (DC), and Solicitor General Paul Clement will each get 30 minutes before the nine justices to present their arguments. A ruling is expected in June, and attorney Alan Gura, who will argue the gun rights case for Heller, told Gun Week that this is probably the biggest case before the high court this year, and as a result, the ruling may not be issued until the court's final day this session.

"The big ones, they wait until the end," Gura said. "They want to have plenty of time to consider the case."

It was the same way several years ago when the Supreme Court waited until its final day to hand down the ruling that found part of the Brady Gun Control Law unconstitutional.

It is likely the arguments will be presented before a packed audience, but only the attorneys will be permitted to speak. During the 30-minute presentation by each attorney, justices will ask questions about key points, Gura said.

Attorney Walter Dellinger will argue DC's case, which seeks to uphold a 32-year-old handgun ban in the city, and also contends that the Second Amendment does not affirm an individual right, but only a collective right of the states to organize militias. That has also been the position of gun control organizations including the Brady Campaign to Prevent Gun Violence.

Gun rights organizations, including the Second Amendment Foundation, National Rifle Association, Citizens Committee for the Right to Keep and Bear Arms, and Gun Owners of America have filed amicus curiae briefs in the case. Additionally, 55 US senators, including presidential candidate John McCain, as well as Vice President Dick Cheney and 250 representatives, have signed onto an amicus brief supporting the individual rights interpretation.

Attorneys general in 31 states, including Texas, Washington, Florida, Montana, Idaho, Utah, Colorado, Wyoming, Michigan, throughout the South and along the Great Lakes and Ohio River valley agree that the handgun

ban should be struck down, while attorneys general in New York, Hawaii, Massachusetts, New Jersey and Maryland support the handgun ban.'

Attorneys general in Wisconsin, Illinois, California, Oregon, Iowa, Arizona, Nevada and a few other states have remained silent.

Clements' brief on behalf of the Bush Administration contends that the Second Amendment protects an individual right, but also argues that laws regulating firearms should be subject to a lower degree of scrutiny. The Clement brief wants the court to remand the case back to the appeals court, and also wants to protect all existing federal gun statutes.

The arguments come less than a month after USA Today published the results of a Gallup poll that found 73% of adult Americans believe the Second Amendment affirms an individual civil right, and that 91% of American gunowners insist that it is an individual right. The poll further showed that 63% of non-gunowners also believe it is an individual right. The survey was conducted Feb. 8-10 and contacted 1,016 adults with a 3% margin of error.

Dellinger will lead off the oral arguments, saving some of his 30 minutes for rebuttal. It is not yet clear who will follow, either Gura or Clement, but they will have a solid 30 minutes to present their arguments and answer questions from the justices.

The landmark case has been under constant debate for months, essentially because it has the potential to alter if not upend the political and judicial landscape regarding private gun ownership in the United States. Gun control lobbying groups are vocally fearful of an individual rights ruling, arguing that it could jeopardize scores of restrictive gun laws, including the handgun ban in Chicago and New York's Sullivan Law.

Conversely, gun rights advocates are hopeful for a ruling that upholds the individual right interpretation, as it will provide momentum to challenge those same restrictive gun laws.

An individual rights ruling will reverse judicial attitudes about the right to keep and bear arms at the appellate level. Federal appeals courts, including the 9th Circuit in San Francisco, have adopted the "collective right" position when ruling on Second Amendment cases.

Gura told Gun Week that he has good feelings about his chances before the high court.

"I think it's a great case," he said, "and I think we're in great shape. I'm glad I don't have to be arguing the other side of it."

The ruling will come down at the height of the presidential campaign season as parties prepare for their nominating conventions this summer. It will bring the issue of gun rights to the fore in a campaign in which both

sides have been doing everything possible to avoid the gun rights issue.

In recent months, Sens. Barack Obama and Hillary Clinton have both considerably shifted earlier positions on gun rights, with both now insisting they support the Second Amendment as an individual right, but with "reasonable restrictions." Both Clinton and Obama have long records supporting restrictive gun control.

Ironically, the case has also caused the Bush Administration to soften its hardcore stand on the Second Amendment from the days when former Attorney General John Ashcroft made it the official Justice Department position that the amendment protects an individual right. With the Clements brief, the Administration now has taken the position that there is an individual right, but it is subject to "reasonable" regulation. [\*The New GUN WEEK\*](#), March 15, 2008

\*\*\*\*\*Mark your calendars Now: April 7, 2008\*\*\*\*\*

## **Gunowners Help Needed To Stop Harrisburg Gun Control Juggernaut**

Throughout the Rendell administration gun owners have been the misdirected focus of efforts to control and stop crime. With the willing help of the Philadelphia legislative Caucus, they've been able to block our legislation and introduce a myriad of bills (35 anti-gun bills in the House and 18 in the Senate) that represent the cream of the crop of gun control as advanced by Sarah Brady, Josh Sugarman and their teams. Up to this point we have been able to stop most of the gun control as represented in the committee of the whole in 2006 and the virtual daily attacks on us that occurred in the Judiciary Committee in 2007. This was achieved by the direct involvement of gun owners working together throughout the state.

Now we ask your help again as it is ONCE AGAIN TIME for gun owners to step up and let your voices be heard in the halls of power in the Harrisburg capital building!

**On Monday, April 7, 2008 the Second Amendment-Second to None Rally in Harrisburg starts at 10AM in the rotunda** (plan on being there at 9:00am) to celebrate our constitutional right to bear arms and to advance our mutual interests in freedom and legislation we have asked to be introduced that would achieve those goals. We cannot get there without your help! Up until now we've managed to show an increasing interest in the direct involvement of gun owners with each prior rally building upon the last. What we are looking for this time is a dramatic example of the desire of citizens to protect the freedoms that are an inseparable part of our heritage. We would like to see thousands of gun owners devote one day of their time in an election year to coming to Harrisburg and joining with us in making a statement that will be heard nationwide.

This is an opportunity for all of us to be able to say to those in Harrisburg who would limit or take from us the right to bear arms-NO MORE! This is a statement that will be heard not only in the halls of Harrisburg but in every election race for the Pennsylvania House of Representatives, the Pennsylvania Senate, Congress and indeed even President. It is also an opportunity for you to express through the media and your attendance at this rally to the United States Supreme Court that they should support what the founding fathers have bequeathed all of us and overturn the insane gun control laws in Washington, DC and reaffirm that we have an individual right to bear arms and protection of ourselves and our nation.

In the end it is all up to you as to whether or not you believe this right is important enough to turn off the TV or push away from the keyboard and learn how to really fix politics because at this rally each one of you will have the opportunity to join in the team that goes around and personally makes a political statement to each legislative office in the capital. This is a grassroots rally! It is meant to be your presence that is important and that is why we are going to show you how Pennsylvania gunowners practice politics. While you will obviously see many politicians at this rally as well as, hopefully, representatives from every national gun rights organization, in reality the real focus of this rally is to bring you to Harrisburg so that you can involve yourself in this process and learn what it takes to defend freedom. We will teach you how to wield REAL political power effectively, in Harrisburg to engage the legislators directly, ask questions, and explain why these flawed concepts won't work. We will be there right with you shoulder to shoulder and we will show you what has made us the most important state in the nation in stopping these attacks on our freedom, but in the end it is all up to you and we hope you make the right choice.

Right now we have a slim majority in the legislature who will act appropriately when gun control is brought before them and the key leaders within this majority have worked tirelessly to set up this rally and to advance and promote legislation that will achieve those goals. This is a pivotal moment in Pennsylvania history and with your help we will make it a defining moment for not only the second amendment but the Pennsylvania constitutional right to bear arms, article 1 section 21 wherein it states "the right of the citizen to bear arms in defense of themselves and the state shall not be questioned". It is important to remember that the Constitution is really a piece of paper. What gives it true power is the citizens belief in it and willingness to stand by it at critical moments and this is one of those moments!

***Please join with us on April 7 and we look forward to working with all of you!***

**\*\*Here is how the events will unfold on April 7<sup>th</sup>:**

**9:00AM** Sign up, get your second amendment badges, and organize into groups under team leadership. *Getting gun owners organized is a lot like herding cats or stacking marbles on a moving ship in the ocean.*

**10:00AM** Press Conference with legislators and second amendment leaders (lasting approximately about 1 hour).

**11:00AM** After the press conference everyone will break up into smaller groups under team leadership. Your team leader will take you to specifically assigned state reps so that all 203 of them will hear from gun owners all across the state. Once these assigned legislators are visited then each team will float to other Representatives in the Senate and House including the personal representative of each attendee. The biggest issue is that ALL 203 Reps and 50 Senators hear from gun owners, especially the anti-gun legislators that introduce these bills intended to strip your rights away. Your team leader will break around lunch time, after lunch meet up with your team leader to finish up. We plan these legislative lobbying events to run between 9am and 3pm.

**You can help even further by doing the following:**

[Download the flier](#), print lots of copies, take it to your gun clubs and post it, take it your local gun stores have them post it as well, email all of your gun owning friends and relatives, let the word go far and wide across PA -- shout it loudly so that everyone knows the Second Amendment Is Second to None. [Also visit the ACSL & PFSC websites and view the list of proposed firearm laws pending in Harrisburg.](#) (Courtesy of [ACSL Legislative Committee](#))

## CONSERVATIVES FOR OBAMA

By Dennis Pavlik  
February 28, 2008  
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The fictional Sherlock Holmes once said: “When you eliminate the impossible, whatever is left must be the truth no matter how improbable.” In this year’s presidential race all of the conservatives have been eliminated. I would recommend Mike Huckabee, as an acceptable alternative to the remaining field but fear it is too late for him to be elected. This leaves three candidates: John McCain, Hillary Clinton, and Barack Obama, one of whom will be president: As a conservative, I pick Obama.

When I pick a president I evaluate three criteria: What are their policies on issues important to me; How will they lead the debate and other elected officials; And their effectiveness in implementing their policies.

Consider John McCain. He introduced and spearheaded McCain/Feingold – The bill to silence grassroots activists and put the process in the hands of the political elite, big donors, and liberal media. He indicated a favorable leaning toward reintroducing the “Fairness Doctrine” which would eliminate the conservative voices from the airwaves. He worked diligently for Amnesty to

Illegal Aliens and against border security. He is supporting “Hillary Light” socialized medicine. He was against the Bush tax cuts and simply doesn’t understand that you can lower tax rates and increase revenue simultaneously. **GOA rates him as unacceptable giving him an overall D on gun issues** supporting many antigun measures ( <http://www.gunowners.org/mccaintb.htm> ). I believe that like Bush, his Whitehouse attorneys would argue for the DC Gun Ban. He would support UN treaties to take over our economy like the Law of the Sea, and Global Warming. Some pundits say he gets the war on terror. Does he really? – I believe McCain would continue the war of attrition; killing our soldiers, and destroying the dollar. The terrorists know they can not win militarily. Their intent is to collapse the dollar as we are borrowing heavily and no longer produce the essentials of military weaponry. This is just death by slow bleed. McCain’s actions tell me he is a Globalist at heart. I haven’t heard him repudiate any of his stands. His campaign slogan should be **“VOTE FOR ME I’M LESS BAD THAN THE OTHER TWO.”** He mocks conservatives and refuses to call out either Obama or Hillary on the issues. I don’t believe there are any significant philosophical differences between McCain, Obama, and Hillary.

For you conservative Pennsylvanians – McCain is to the USA as Ridge was to Pennsylvania. Under Ridge we got more gun control in 4 years than in the last forty. He gave unprecedented power to the liberals in the Education System to politicize the academic agenda. He successfully neutered the conservatives in the Party. If you liked Ridge, you’ll love McCain.

McCain will be effective in getting his agenda through Congress. He knows how to use power and punish those that threaten. I believe a McCain presidency will destroy the conservative movement. His election would establish a low bar for the Republican Party – Simply put: All you gotta be is a little to the right of the leftists and they have to vote for you. The Republicans in Congress will have to support their president, so coupled with the Liberal Democrats he will be able to get his Globalist agenda passed. McCain is the slow boat to a Socialist America.

Now look at Hillary. Her policies are right out of the Socialist playbook. She is a jet plane to socialism. Like McCain she promotes socialized medicine, global warming, control of the economy, and banning your right to self-defense. She supports open borders and Amnesty to Illegals. She is for a faster surrender to the terrorists than McCain. Hillary’s masquerade as a middle of the roader would allow her to be a very effective president and advance her agenda. She demonstrated this to my satisfaction in her role as fixer in her husband’s administration. I believe she would use the full power of the government – like the IRS and FBI to destroy her

political enemies. The Democrats will back her as the Republicans would back McCain.

This leaves Obama – He is the rocket ship or “Star-gate” to the Socialist takeover of America. I not only believe He would surrender to the terrorists; I believe he would put them in charge. And this is his greatest weakness. Because he is not a member of the club and is so far to the left the Conservatives in both parties could mount an effective challenge to his legislative agenda. This would be the best chance of conservatives to retake the Republican Party and establish a beachhead amongst the Democrats.

In 1996 I was at a World Federalist Association Dinner. The speaker told the audience the presidential election was over, they won. Stop any efforts on that race and concentrate on the Congressional Races and continue establishing their agenda in the social fabric (schools, media, social organizations). I commented that it appears they had written off Dole and were confident of a Clinton Victory. The speaker said they hadn’t written off Dole, it’s that he is a Globalist as well as Clinton, just a slow boat compared to a jet plane, both are going to the same port.

Sun Tzu said if you present the enemy with only bad choices so he is forced to choose the lesser of defeats, you will have ultimate victory. This is what our enemies understand. This is the dilemma we are in. Unfortunately the presidential race is over. We have only evil to choose from. This is why we must write off our losses, choose the lesser of the evils, Obama. And concentrate on battles we can win.

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*(The above article represents the private personal views of Dennis Pavlik and does not represent any official position of FOAC regarding the upcoming Presidential race. The material presented herein is submitted to all gun owners for informational purposes and to educate gun owners on the wildly varied views that currently exists regarding these candidates in the public domain. As always it is our position that we respect the right of each citizen to decide on a candidate based on their own values and beliefs!)*

## **Obama, Clinton say they support lawful gun use, but with limits**

by Dave Workman, Senior Editor

Democrat juggernaut Barack Obama, the less-than-one-term senator from Illinois who, when he served in that state's legislature supported stiff gun laws and a handgun ban, now insists he supports the Second Amendment right

to keep and bear arms... "for the purposes of hunting and target shooting."

It's right there near the top of his [BarackObama.com](http://BarackObama.com) campaign website, where he insists that if he is elected president, he will "will provide state game and fish agencies with additional resources and encouragement to reach out to young men and women to educate them about hunting and fishing opportunities, hunter safety, and the basic principles of fish and wildlife management.

Obama, who admits that he "did not grow up hunting and fishing, but he recognizes the great conservation legacy of America's hunters and anglers and has great respect for the passion that hunters and anglers have for their sport," has reportedly backed off—at least for the duration of the campaign— positions he took as an Illinois state senator in which he supported a ban on the sale or transfer of "all forms of semiautomatic weapons" and legislation that would "increase state restrictions on the purchase and possession of firearms."

He did not favor "allowing citizens to carry concealed firearms" and he would "require manufacturers to provide child- safety locks with firearms." This information was gathered by a Project Vote Smart questionnaire.

While Obama has largely avoided the gun issue, as has Sen. Hillary Clinton, during the campaign, that may change abruptly when the Supreme Court rules later this year on the case of District of Columbia v. Heller, the challenge to the Washington, DC, handgun ban that will clarify the meaning of the Second Amendment.

Obama's campaign website insists that if he becomes president, he will work to expand access to places to hunt and fish. He supports the Open Fields Incentives legislation that "provides incentives to farmers and ranchers who voluntarily open their land to hunting, fishing and other wildlife-related activities."

Serious questions remain in the gun rights community about Obama's sincerity on gun rights and hunting issues, considering his lengthy track record and previous positions on firearms ownership. According to a Dec. 22, 2007 story in USA Today, Obama, who hails from the Chicago area, said matter-of-factly in response to a 1996 questionnaire that he supported banning the manufacture, sale and possession of handguns in Illinois. Now, however, he has acknowledged that "a complete ban on handguns is not politically practicable."

However, he insists that "reasonable restrictions" on the possession of handguns are feasible, and he has maintained that the handgun ban in Washington, DC, is a "reasonable" law.

When he served in the Illinois legislature, according to the USA Today story, he supported legislation to limit handgun purchases to one a month, but not an outright ban.

On his website there is a statement about Obama's "respect" for the Second Amendment.

"Millions of hunters own and use guns each year," his statement reads. "Millions more participate in a variety of shooting sports such as sporting clays, skeet, target and trap shooting that may not necessarily involve hunting. As a former constitutional law professor, Barack Obama understands and believes in the constitutional right of Americans to bear arms. He will protect the rights of hunters and other law-abiding Americans to purchase, own, transport, and use guns for the purposes of hunting and target shooting."

There is not a word about self-defense, or the right to protect one's property, or right-to-carry laws.

Meanwhile, The Washington Bureau Mouth of the Potomac reported that Clinton has come up with another new wrinkle• she wants a presidential summit on gun control.

That came up in the Q-and-A session after a woman asked about dealing with shootings such as the NIU shooting

Clinton started with a line about recognizing that there is "no conflict" between letting lawful gunowners have weapons and keeping guns out of the hands of bad guys and the mentally ill.

She went on to propose:

"I believe we really should have a summit where everybody comes together on all sides of this issue," Clinton said. "Let's figure out how we can be consistent with the Second Amendment, which I wholeheartedly support, and do more to keep people safe." [\*The New GUN WEEK\*](#), March 15, 2008

## **Ammo registration proposed in 10 states (PA—HB 2228)**

by Dave Workman, Senior Editor

Controversial ammunition coding legislation introduced in at least 10 states that gun rights activists believe will lead to creation of de facto state handgun registries can be traced to a consulting firm in Washington state that lists as one of its clients a Seattle company with a patent pending on the coding technology.

Four anti-gun Democrat lawmakers in the Ever- green State are backing legislation that would require all pistol ammunition sold there to be coded beginning on Jan. 1, 2010.

Virtually identical legislation has been introduced by five anti-gun Democrats in the Arizona legislature, and the Washington state-based consulting firm Gordon Thomas Honeywell is offering "model language" for this legislation. The technology is being promoted as "a modern crime fighting tool." A note at the bottom of the

draft legislation states, "Gordon Thomas Honeywell Governmental Affairs can also provide drafting guidance."

Gun Week contacted Briahna Taylor, a governmental affairs consultant with Gordon Thomas Honeywell, but she referred us to Steve Mace, president of Ammunition Coding System (ACS), the Seattle-based firm that now has a patent pending on this bullet coding technology. Ultimately, we were contacted by Russ Ford, ACS vice president for research and development.

The Gordon Thomas Honeywell Governmental Affairs website lists ACS as one of its clients.

The same model bill language used in Washington and Arizona has also been used as the basis for legislation introduced in New York, Illinois, California, Hawaii, Tennessee, Maryland, Pennsylvania and Mississippi. Pushing this legislation nationwide is a group calling itself Ammunition Accountability, not to be confused with ACS.

Ford said he and his partners developed the original language for the sample statute, working "closely with some legislators and a lobbyist, a retired deputy sheriff in California."

"The basic premise of the bill came out of California," he said, adding that Gordon Thomas Honeywell had polished the language.

Taylor noted that ammunition coding is not the same thing as "gun microstamping," which requires etching of a unique code on the firing pin and inside the chamber of a semi-automatic pistol. "Microstamping" legislation has been enacted in California and will be a requirement for new hand- guns beginning in January 2010.

Anti-gun Sen. Edward M. Kennedy (D-MA) and Rep. Xavier Becerra (D-CA) recently introduced "The National Crime Gun Identification Act," which would mandate gun microstamping in all 50 states.

Coding and microstamping, Taylor said in a brief mail, "are very different technologies."

ACS acknowledges on its website that "The implementation of the ACS technology will require legislation to establish an ammunition sale database. In those states that have already developed and implemented bar-coding systems that include driver's licenses and other forms of identification, the integration of a database system to record ammunition sales will be relatively simple and inexpensive to implement."

Ford told Gun Week that his motivation for pushing this technology is to separate responsible firearms owners from people who are misusing guns.

He also acknowledged that "our ultimate goal is to license the technology" to ammunition companies. Both he and Mace have other jobs, and the ammunition coding venture actually involves four friends, including him and Mace, who attended high school together. All are gunowners, Ford said.

He claimed that tests conducted a couple of years ago showed that laser etching can be done very fast, so that it would not slow down ammunition assembly lines.

In a "Q&A" link on the ACS website, the company insists that ammunition coding does not violate the Second Amendment, nor does it amount to a "backdoor gun registration scheme."

The ACS website explains that, "State and federal legislative proposals to implement ACS would be based upon the existing firearm dealer licensing and gun tracing statutes enacted by Congress in 1968. The United States Supreme Court has, on numerous occasions, affirmed the constitutionality of the licensing and tracing provisions of the current federal law.

"Moreover, even the National Rifle Association supports the privacy protections contained in federal gun tracing regulations," ACS stated.

However, that does not mean the NRA supports cartridge etching. The NRA and Citizens Committee for the Right to Keep and Bear Arms, both oppose cartridge coding legislation.

"Legislation could be carefully drafted to insure that any information acquired under an ACS program could not be used to single out gunowners or function as a gun registration scheme. When a bullet or cartridge case is recovered at a crime scene, only duly authorized law enforcement agencies would have access to ACS bullet coding information. The ACS 'trace' would be completed using the same proven methods used by federal, state and local law enforcement agencies today in conducting crime gun traces. Only minimal personal identifying information is necessary to make ACS technology work (less personal information than is disclosed under normal circumstances by a person making a purchase by credit card or check)."

#### ***Activists Disagree***

Many gun rights activists don't see it that way, however. Heated discussions about the legislation have erupted on both [TheHighRoad.org](http://TheHighRoad.org) and [KeepAndBearArms.com](http://KeepAndBearArms.com) Internet gun rights forums.

Some directed their wrath at Democrats, whose party has traditionally pushed gun control schemes while New Jersey gun rights activist Michael Everall suggested that all of these bills are being promoted "by a single vendor as a commercial enterprise; in effect using (state legislators) as their sales force (without paying them)."

Ford acknowledged that "We are decidedly in favor of recouping our investment in this. We are a for-profit enterprise... and we would like to turn a profit someday."

He said that Taylor, the consultant, had screened some nasty reactions from angry gunowners who have left threatening and/or obscene messages for ACS.

Ford insisted that the registration of ammunition purchases into a data base would not threaten anyone's gun

rights. He scoffed at the notion that anti-gun politicians might one day introduce legislation holding gunowners responsible if ammunition they purchased that was later stolen, might subsequently be used in a crime. Similar laws have been pushed to hold gunowners responsible if their firearms were stolen and misused.

He said criminals steal cars, often out of rental lots, to later be used in crimes, and nobody holds the rental companies responsible for that.

"What ammunition coding technology does and only does is provide a possible lead for law enforcement to follow," Ford stated.

Besides, he asserted, "Gun registration already exists in this country, you know it, I know it."

Sponsoring HB-3359 in Washington state are Reps. Al O'Brien, Jamie Pedersen, Dennis Flannigan and Brendan Williams.

Under provisions of their bill, the State Department of Licensing would establish and maintain a central ammunition database containing a registry of all pistol ammunition retailers who sell, offer for sale, loan, distribute or otherwise transfer pistol ammunition within the Evergreen State. Pistol ammunition retailers would be required to register with the Department of Licensing, and they would be required to report all pistol ammunition sales to that agency.

#### ***Coded Ammunition***

Every round of handgun ammunition sold in the state would have to be coded with an alphanumeric code etched to the inside of the cartridge case and the base of the bullet. The same number would be printed on the cartridge box, and every buyer of pistol ammunition would have to provide a driver's license or other identification, which would be recorded by the seller. The buyer's date of birth would also be recorded, along with the date of the transaction.

Sellers who do not comply with the procedures or who sell non-coded ammunition would be guilty of a misdemeanor.

Meanwhile, in the Grand Canyon State, anti-gun Democrat Reps. Maria Garcia (13th Dist.) and Cloves C. Campbell (16th Dist.) both of Phoenix have been joined by Tucson Reps. Linda Lopez (29th Dist.) and David Bradley (28th Dist.), and Manuel Alvarez (25th Dist.) of Elfrida in sponsoring HB-2833, with nearly identical requirements to the Washington measure.

If passed, the law would take effect Jan. 1, 2009.

It would require that a unique serial number be etched or stamped on the bullet and inside each cartridge case of all calibers of handgun ammunition and cartridges for so-called assault weapons. Under this bill, the Arizona Department of Public Safety would maintain the ammunition records, and gunowners in the state would

have until Jan. 1, 2011 to dispose of all current ammunition without the stamps.

In order for the Arizona measure to pass, it must be affirmed by at least two-thirds of the members of the legislature. In Washington state, it only takes a majority vote in the Democrat- controlled legislature.

Funding to pay for the creation of state databases would come from a half-, cent "user fee" on each cartridge, which gun activists swiftly identified as an ammunition use tax.

"I understand people's frustrations with legislation," Ford admitted.

But he added that, "We, as firearms owners, everyday open up the newspaper, listen to radio, watch television and get news flashes about overwhelming misuse of firearms by people who are not going to attend legislative hearings and not vote on the issues and not be part of the process....As responsible gun owners we need to stand up and say 'it isn't us.'"

Continuing to stress that law-abiding gunowners have nothing, to fear from coded ammunition mandates, Ford offered a challenge to his critics: "Where in America would you fire a shot and not claim responsibility for it?"

"Coded ammunition puts me in the pond of people that will never be considered a suspect," he said. "That's all this really does."

Through the interview, Ford continued to acknowledge that profit is also a motivating factor.

"Certainly, we're a non-profit organization and we'd really like to have that changed," he said. [\*The New GUN WEEK\*, March 1, 2008](#)

## **NIU shooting renews focus on campus CCW**

Following the tragic St. Valentine's Day shooting on the campus of Northern Illinois University (NIU), the Brady Campaign to Prevent Gun Violence launched a campaign demanding "strong gun laws," evidently ignoring the fact that the shooting occurred in a gun-free campus zone, in a state with some of the toughest gun laws in the nation.

Just as quickly, the Citizens Committee for the Right to Keep and Bear Arms (CCRKBA), issued a blistering statement to the press, calling gun-free zones a "giant loophole in public safety (that) is becoming a national disgrace."

"It is time to dramatically change our perspective on self-defense in this country," said CCRKBA Chairman Alan M Gottlieb.

Gunman Steve Kazmierczak, 27, reportedly off his medication, purchased two of the four guns he carried onto the NIU campus just six days before the shooting,

passing the mandatory Brady background check, and was in possession of a mandatory Illinois Firearms Owners Identification (FOID) card.

Perhaps most important, he had no criminal record or recorded history of mental illness that would have prohibited him from legally purchasing firearms.

Kazmierczak, whose mother died in 2006 and whose father lives in Florida, was a former undergraduate student and "award-winning graduate student" at NIU, according to a report from ABC News.

It appeared that the gunman walked onto a stage in a lecture hall and fired at least 54 rounds, including 6 from a shotgun and 48 rounds from at least one or two of the handguns. He did stop to reload at least once, according to various published reports.

In all, 6 people were killed, including the gunman, who committed suicide.

After erroneous early reports, Kazmierczak used guns that were ultimately identified by Kevin Cronin, an agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) as a Glock and Sig Sauer, both chambered in 9mm, and a Hi-Point, chambered in .380 ACP, along with a Remington Model 870 pump shotgun.

Cronin also had this to say: "The shooter was not prohibited in any way from purchasing firearms and as far as we know it was a lawful purchase."

ABC, quoting unidentified law enforcement sources, indicated that Illinois authorities believe the gunman had been planning his attack for at least five days. Kazmierczak reportedly had stopped taking medication for some unidentified problem prior to the shooting.

Gottlieb took a far different approach to the shooting, focusing on the "gun-free zone" aspect of the shooting and on the fact that Illinois does not allow private citizens to carry handguns for personal protection.

"Gun-free zones have given us nothing but body counts," he said. "Illinois lawmakers and anti-gun rights extremists should start explaining right now why they have consistently and systematically resisted progressive, sensible changes in state gun laws that would give people a fighting chance against this kind of outrage."

Gottlieb said it is time "for Illinois citizens to demand that lawmakers in Springfield either change the laws right now, or resign from office." He accused Illinois legislators of malfeasance because "They have failed miserably in their responsibility to public safety." [\*The New GUN WEEK\*, March 1, 2008](#)

## **Paul Gun Bills Would Abolish 'Gun Free Zones'**

Congressman Ron Paul (R-TX) has sent a "Dear Colleague" letter to all members of the House of Representatives asking them to support three gun rights bills he is championing.

Paul urged his fellow representatives to back his bills, which he said "address the dangers created by federal gun free zones."

"When lives are in danger, people must often defend themselves and their loved ones. Unfortunately, the federal government has created gun free zones that impede our ability to defend ourselves and the ones we love," Paul wrote. "I invite you to cosponsor three bills that address the dangers created by federal gun free zones."

The three bills Paul is sponsoring are HR-2424, the Citizens Protection Act, that provides for the repeal of provisions of the federal criminal code that prohibit the possession of a firearm in a school zone; HR-1897, the National Park Second Amendment Restoration and Personal Protection Act that prohibits any federal regulation from restricting any individual from possessing or carrying a firearm if that restriction is based upon the fact that the individual is in a unit of the National Park System, and HR- 3305, the Anti-Terrorism Act, that provides that no federal agency shall prohibit an airline pilot, copilot, navigator, or law enforcement person specifically detailed for protection of an aircraft, from carrying a firearm.

In addition to currently running for reelection to his 14th District congressional seat in the Lone Star State, Paul is also an announced candidate for the Republican nomination for president. [The New GUN WEEK](#), March 15, 2008

## **‘Castle doctrine’ bill passes, sent to WV governor**

Senate Bill 145, West Virginia's "Castle Doctrine" legislation sponsored by Sen. Shirley Love (D- Fayette), passed in the state House of Representatives on Feb. 28 by an overwhelming margin of 96-1 and was sent to Gov. Joe Manchin.

SB-145 would permit law-abiding citizens to use force, including deadly force, against an attacker in their homes and any places outside of their home where they have a legal right to be. It is clearly stated that there is no duty to retreat from an attacker, allowing law-abiding citizens to stand their ground to protect themselves and their family.

SB-145 also protects individuals from civil lawsuits by the attacker or the attacker's family when force is used. [The New GUN WEEK](#), March 15, 2008

## **Boston police jump the gun with ‘Safe Homes’ voluntary searches**

by Bob Barr

Most police officers with whom I have worked over the years—whether as a United States attorney, a lawyer in private practice, or a member of the US House Judiciary Committee—are men and women of integrity and commitment to the communities they serve. The vast majority of those officers have a sincere respect for the constitutional rights of the citizenry. But then again, I've not worked with the Boston Police Department.

The police department in that Massachusetts city has just launched an initiative that exhibits a cynical disregard for the rights of the citizenry, even as it cleverly cloaks the program in language pretending to protect the people toward whom it is directed. I refer to the "Safe Homes Initiative," with its slick brochures and smooth rhetoric.

On the surface—as with virtually all government actions diminishing liberty—the initiative appears benign. The program is "designed" to help parents who have so little control over their children that they cannot—or do not want to—search their rooms to discover if their young charges are hiding firearms in their homes. Boston's police chief, Edward Davis, graciously has agreed to fill this parental void by sending teams of officers to the homes of parents with children the police or other "community members" believe might be harboring hidden firearms. The "search teams" would then ask the parent or "other responsible adult" (whomever that might be) at the home for consent to search for guns.

The program is problematic on several levels. First, of course, is the fact that three police officers showing up on your doorstep makes it very difficult for a parent or "other responsible adult" to say no when asked to consent to a search. This works a serious injustice to the notion that a person's home is and should remain free from government searches absent a warrant based on probable cause that a crime has been committed. While true, voluntary "consent" can validate an otherwise unlawful, warrantless search, consent born of the sort of police presence contemplated in this Boston initiative would not appear to constitute such grounds.

While the police in Boston promise that any firearm found during such searches will not lead to criminal charges based solely on the possession of that firearm, they cleverly leave open the possibility that if the firearm was used in a crime, charges may be brought.

Interestingly also, literature describing the initiative states that while the searching officers will do their dead level best not to damage property or create an "unnecessary mess" in the searches, there is no guarantee against that. Moreover, if other illegal items are found or seen during the search, this may lead to a resident's arrest. And while the police in Boston promise they will not "automatically notify schools or public housing" authorities if firearms have been found, they will not rule out notifying them. This could lead to families being evicted from public housing (even if the firearm was in the home for personal protection) or to children being expelled from school— both results hardly designed to improve the quality of life or education of persons living in the poorer neighborhoods targeted by this initiative.

The bottom line is, if the police in Boston or any other city have probable cause to believe illegal firearms or other evidence of unlawful activity is located in a home, they ought to investigate and—if armed with a warrant based on probable cause—search that home. But to go through this charade of searching without securing warrants, under the guise of obtaining "consent" of persons who may or may not be the parents of a child, under the transparently false premise that nothing will happen to them if they refuse or if something unlawful is found, is unfair and constitutionally deficient.

There's a reason such programs have not been instituted in other cities (a similar program was launched in St. Louis in the 1990s, with very mixed results before it was terminated). Boston's program is at best disingenuous and clearly corrupting of the Fourth Amendment's guarantees against warrantless searches. Let's hope Atlanta's police department relies on

measures more constitutionally sound than those being instituted by their colleagues in Boston.

This column first appeared in *The Atlanta Journal-Constitution*, Feb. 27, 2008. Former congressman and US Attorney Bob Barr practices law in Atlanta, GA. His commentaries on current issues appear on his website: [www.bobbarr.org](http://www.bobbarr.org). *The New GUN WEEK*, March 15, 2008

## Press exploits NIU shooting; campus CCW debate erupts

by Dave Workman, Senior Editor

The debate still lingers over the safety of college and university campuses across the country following the February attack at Northern Illinois University at Dekalb, with anti-gun editorials gracing the pages of several newspapers, including campus publications, and pro-gunners firing back.

In a Feb. 19 attack, *The Tuscaloosa (AL) News* editorialized that, "Most college campuses in the state ban firearms. It would be a mistake if pressure from the National Rifle Association, a personal love of hunting or even a sincere interest in protecting college students and teachers influences Alabama lawmakers to lift that ban."

This was a somewhat odd remark, since the NRA remained pretty quiet following the shooting, though a spokesman did chide Chicago Mayor Richard Daley for showing "poor form" by pressing his anti-gun agenda following the shooting (see related story).

The Tuscaloosa newspaper lamented that Alabama state Sen. Hank Erwin (R, Montevallo) would be pushing, possibly with some success, his proposal to allow college professors and legally-licensed students to carry guns on campuses in that state.

"He sees the legislation as a deterrent," the newspaper stated. "But there is no evidence that suggests these bills would curb a murderously suicidal gunman."

"Meanwhile," the newspaper concluded, "the new safety concern that his legislation poses is considerable. More guns won't solve campus security problems."

The New Hampshire, the student newspaper at the University of New Hampshire, tracked down a deputy police chief named Paul H. Dean, and eagerly quoted him stating that he did not think "a college campus is the proper environment" for concealed carry.

Dean, described as an avid hunter who supports the NRA, told the newspaper that "simply having a gun does not make you proficient with that firearm...a firearm in the hands of an untrained person just creates more of a risk."

### 'No Guarantee'

Editor Helen Hocknell then wrote, "I am tired of hearing that Virginia Tech and the recent shooting at NIU would never have happened if only students were allowed to have guns on campus. Even if firearms were permitted in dorms and academic buildings, it's no guarantee that those choosing to carry a gun would a) be trained in how to use it, b) know how to react in such a stressful situation, and c) happen to have brought it with them at that particular time.

"As college students," she continued, "we are statistically more likely to binge drink and suffer from depression or other

mental illnesses than many other age demographics. I see bar fights turning into fatal shootouts, and a distressed student making a rash and irreversible decision to end their life—this is not a crowd of people I want to see armed."

Yet another example of the anti-gun attitude that erupted on newspaper editorial pages surfaced in *The Rapid City (SD) Journal*. Editorializing against a measure before that state's legislature that would allow students and faculty to carry on campus, the newspaper stated, "While we sympathize with the desire for safety and security that Rep. Thin Brunner of Nisland and Sen. Dennis Schmidt of Rapid City, sponsors of HB-1261, think they are providing for college students, we contend that HB-1261 would make college campuses less safe, not more."

Subsequently, the editorial launched into rhetoric traditionally heard from opponents of concealed carry measures: "In dormitories, more guns will undoubtedly mean more gun-related accidents, more suicides and more senseless tragedies brought about by immaturity, lack of judgment, impulsivity, alcohol consumption or mental illness."

But from the other side came voices like that of Alan Gottlieb, chairman of the Citizens Committee for the Right to Keep and Bear Arms (CCRKBA), and columnist John Longnecker. It was the latter who suggested Feb. 16 that students denied their right to defend themselves because of campus gun bans should sue the schools and their administrators,

"This would include suing for administration interference with self-defense by way of policy in cases of both gun and non-gun killings such as knifitigs, beatings and missing persons," Longnecker noted.

### Sue Colleges?

Longnecker lauded Fox News for looking at concealed carry on campus legitimately when other news organizations did not.

"What if students carried their handguns, were then disciplined, and sued the college," he asked. "With all the activity about concealed carry on campus, you can't say campuses weren't on notice that they could be interfering."

"Administrations have ignored and vexed citizen authority and its role," Longnecker wrote.

"The best way to handle the campus," he added, 'workplace, airport, public buildings or anywhere threat is not to profile shooters nor to arm the faculty, but to lift all gun bans from students, employees, parents and visitors. Citizen authority trumps stubborn tortious interference by trustees. They don't want you to know your own authority. So much for Education."

And Gottlieb, in an opinion piece that was circulated to newspapers around the country, said:

"The anti-self-defense extremists at the Brady Campaign—who have consistently battled common sense concealed carry laws that put law-abiding citizens on a level playing field with criminals and crazies—are real proud of themselves," Gottlieb wrote. "They should be begging forgiveness for the horrific crimes that occur in shopping malls, on college and university campuses and anywhere else that their hysteria and political demagoguery have prevented sensible right-to-carry statutes from being enacted.

"Gun-free zones are nothing more than government-enforced killing fields," he added, "all of them supported and defended by the gun control lobby...."

Capping things off was an editorial from The Daily Telegram in Adrian, MI, headlined "Gun bans only assist 'gun-free zone' killers." The newspaper noted that the NIU murders "were tragic and it is entirely possible that no realistic measures would have saved any of the victims. That is not stopping the Brady group and others, though, from demanding more laws that restrict the law-abiding and make crime easier for the criminal."

The editorial concluded with a viewpoint that gun rights activists would likely find refreshing from a daily newspaper: "Firearms are a constitutionally protected part of American life. With an estimated 250 million guns in America, they will always be accessible to criminals. Knee-jerk bans in response to massacres ensure only one thing — more unarmed victims for the next mass murderer in a 'gun-free zone'." [The New GUN WEEK](#), March 15, 2008

## Mayor Richard Daley exploits NIU shooting to push agenda

Claiming on one hand that he did not want the tragedy of Northern Illinois University (NIU) to give momentum to a gun control scheme, while The Chicago Sun-Times noted that he was "moved by the shooting deaths of five students," anti-gun Chicago Mayor Richard Daley launched what has become an annual attack on gun rights in Illinois.

Days after the campus shooting that rocked the region, Daley unveiled a gun control agenda similar to his wish list from years past. He wants to ban .50 BMG caliber rifles and so-called assault weapons, limit handgun purchases to one per month, prohibit private firearms transactions without a background check and limit the capacity of ammunition magazines.

The Sun-Times noted, however, that state Sen. John Cullerton (D-Chicago) "acknowledged that none of the bills would have prevented Steve Kazmierczak from opening fire on Valentine's Day afternoon in a crowded NIU lecture hall."

Daley failed to explain how a ban on .50-caliber long-range target rifles or semi-automatic sport-utility rifles—neither of which were used by the campus killer—might prevent such crimes in the future.

John Burt with the Fifty Caliber Institute told Gun Week that the big bore rifles are not used in crimes. Indeed, so rarely are these guns linked to crimes that Burt could only identify two incidents in which one of the rifles was involved. One of those incidents was an armored car robbery involving an off-duty Georgia lawman, and the other was a bizarre bulldozer rampage by a Colorado man in which there are serious doubts the gun was ever fired.

Burt said arguments by anti-gunners that these firearms "could" be used by terrorists and criminals is just rhetoric with no basis in fact.

Daley also wants to mandate trigger locks on firearms in homes where guns might be accessible to anyone under age 18, and he would also like to see microstamping required for semi-auto pistols.

Andrew Arulanandam, a spokesman for the National Rifle Association, disdained Daley's effort.

But Alan Gottlieb, chairman of the Citizens Committee for the Right to Keep and Bear Arms, was ready to throw down the

gauntlet. Noting that Daley's agenda hasn't really changed in the past several years, Gottlieb accused the mayor of "dancing in the blood" of the slain university students just to revive his gun control shopping list.

And Gottlieb said Daley knows none of his proposals would have prevented the NIU attack.

Gottlieb insisted that voters and even rural Democrats outside of Daley's "sphere of influence" in upstate Illinois have grown weary of his anti-gun rhetoric. He said the belief that gun free zones protect people and prevent violent crimes is a symptom of "an epidemic of stupidity."

"The time has come for a new strategy," Gottlieb observed. "Americans want change, and they want it now. Lawmakers should pass a progressive concealed carry law in Illinois, with sensible provisions that allow legally-licensed students and teachers to carry on university campuses. Mayor Daley's way is the old way, and it has given us nothing but grief and homicide victims." [The New GUN WEEK](#), March 15, 2008

## Massachusetts purse snatcher picks wrong victim to visit

One of three purse snatching suspects in Rochester, MA, picked the wrong house in which to hide from the cops Feb. 24, because the homeowner was savvy enough to not only check the guy's story a bit, but also arm himself

According to The Daily Evening Standard in New Bedford, homeowner Brad Correia was upstairs tucking his children into bed when there was a knock at the front door and his wife went downstairs to see who might be there at 10:30 p.m. It turned out the visitor was 18-year-old Steven Grover, the newspaper explained, a local teen who claimed his car had broken down on a nearby highway.

When Correia went downstairs, he grabbed a .45-caliber pistol and tucked it into the rear of his pants.

Grover, according to the newspaper account, was kind of a mess, with wet clothes, one shoe missing, and he was bleeding from an injury that apparently happened when he broke through the ice. Correia allowed the youth into his home to call for help, but became suspicious when Grover kept changing his story. The alert homeowner called police.

That's when Grover's luck took a sharp turn southward. Indeed, the police were looking for this guy and two others. When Grover reportedly jumped up from his chair, the homeowner pulled his pistol and told his guest to sit right back down there because the posse was coming.

Moments later, the news report said, eight patrol cars and a dozen lawmen arrived to cart Grover off. [The New GUN WEEK](#), March 15, 2008

## Did wife of anti-gun Conyers threaten colleague...with gun?

by Dave Workman, Senior Editor

Detroit police were investigating allegations that Detroit, MI, City Councilwoman Monica Conyers, wife of anti-gun Congressman John Conyers, made threats against DeDan Milton, an aide to Mayor Kwame Kilpatrick, during a meeting of the city

of Detroit's pension board, on which both Milton and Conyers serve.

According to published reports in both The Detroit News and Detroit Free Press, Conyers allegedly threatened Milton with a gun, or at least threatened to get a gun and shoot him. No gun was displayed. Kilpatrick's press secretary James Canning could not tell Gun Week whether Mrs. Conyers has a Michigan concealed carry permit.

Accounts of the mid-February altercation differ but Milton issued a statement—a copy of which was obtained by Gun Week—asserting that Conyers had to be restrained "by members of her staff and others in the room."

"The matter is currently under investigation by the Detroit Police Department," Milton said, "and I think it is important to let that process play out."

Rep. Conyers, a perennial anti-gunner, had not issued a statement and will not be, according to a press aide who spoke briefly with Gun Week. Calls to other Detroit officials were not returned.

The altercation broke out Feb. 13 during the pension board meeting. Canning said Milton was appointed to the board, and so was Mrs. Conyers, who serves as president pro tern of the council.

Apparently, no disciplinary action will be taken against Conyers by the pension board, because that board, which was established in 1938, does not have official rules governing behavior of its members. Milton did file a police report after the incident, alleging that Conyers had threatened him with a gun. Hours later, according to The Free Press, Conyers also filed a report about the incident, contending that she and Milton had apologized to one another.

A week later, at the Feb. 20 pension board meeting, Chairman David Clark told his colleagues that Milton and Conyers should be present when the board discussed the altercation. Clark was quoted by The Detroit News following the incident when he stated, "She ran at him. She told him she would get a gun if she had to and that she has four brothers and they would whup his a—if she asked them."

Conyers' Chief of Staff Sam Riddle offered a different account, blaming the incident on Milton and portraying him as the instigator. He claimed, according to The Detroit News, that Conyers had told Milton that "she has as big of a political gun as he does," and claimed she was the victim of Milton's verbal abuse.

The Detroit News reported that Conyers was once accused of striking a woman during what was described as a "bar brawl" in 2006 but a Wayne County prosecutor found that Conyers had acted in self-defense. In another incident reported by that newspaper, Conyers' friend Valecia Moore had reportedly sought a personal protection order against Conyers in 2005, claiming that Conyers had "threatened to kill her" The order was denied by the court, the newspaper said.

The incident is weighted with irony, since Conyers' husband has been an ardent gun control proponent during his congressional career. He currently chairs the powerful House Judiciary Committee and is rated with an "F" grade by the National Rifle Association.

Conyers voted against legislation to protect firearms manufacturers and retailers from harassment lawsuits, he was co-sponsor of legislation to renew and expand the ban on so-called "assault weapons," and he at one time proposed a ban on handguns. He reportedly has since moderated that position, vowing that he would not pass handgun ban legislation out of his committee.

Conyers did oppose the nomination of former Sen. John Ashcroft as attorney general during the first administration of President George W. Bush. At the time, Conyers issued a statement that "Senator Ashcroft's past wholehearted embrace of an extreme view of the Second Amendment; his active support for legislation in Missouri that would allow individuals to carry concealed weapons; and his unwillingness to commit to relinquish his membership in the NRA, disqualify him as the person best charged with enforcing our gun laws." [\*The New GUN WEEK\*, March 15, 2008](#)

### **Anti-gunners line up against legal carry in national parks**

Anti-gunners appear fearful that a movement to allow licensed concealed carry for personal protection inside national parks is gaining momentum and recently sent an e-mail urging people to contact members of Congress in protest to the proposal.

The US Senate is currently considering S-2483, sponsored by Republican Sen. Tom Coburn of Oklahoma. If approved, the measure would allow park visitors to pack pistols for personal protection. But an e-mail alert from the Brady Campaign to Prevent Gun Violence was loaded with alarmist rhetoric, including references to "loaded, hidden handguns" and a claim that current restrictions on firearms in national parks are "reasonable." The Brady Campaign message calls Coburn "an ally of the gun lobby."

But Coburn has plenty of company: over half the senators have now written to Interior Secretary Dirk Kempthorne, the former governor of Idaho, encouraging him to change the rules on firearms in national parks. The latest to express their support with a letter to Kempthorne were Sens. Kit Bond (R-MO), Russ Feingold (D-WI), Arlen Specter (R-PA) and Roger Wicker (R-MS).

The Brady message asserts that Coburn's amendment would put "hikers, campers and families at risk" by allowing licensed concealed carry in national parks.

The Brady Campaign has allies in opposition to the bill which could be voted on soon in the Senate.

Environmental News Service reported that on Feb. 1—the Association of National Park Rangers, the Coalition of National Park, Service Retirees, and the US Park Rangers Lodge of the Fraternal Order of Police wrote a joint letter to US senators urging them to reject the Coburn amendment.

Coburn's amendment to the "National Forests, Parks, Public Land, and Reclamation Projects Authorization Act," forbids the Interior Secretary from enforcing "any regulation that prohibits an individual from possessing a firearm in any unit of the National Park System or the National Wildlife Refuge System..."

The National Rifle Association's Institute for Legislative Action (NRAILA) has made the adoption of new rules to allow law-abiding gunowners with permits to carry their firearms for self-defense while traveling in our national parks a top priority for nearly five years.

Concealed carry in national parks has been promoted by various state and regional gun rights groups for some time. In recent years, the Virginia Citizens Defense League (VCDL) has been spearheading a movement to pressure Congress to change the law governing firearms in national parks, citing increased crime. [The New GUN WEEK, March 1, 2008](#)

## 11 Senate Dems File New Gun Show Measure

by Joseph P. Tartaro, Executive Editor

Eleven Senate Democrats have filed new legislation that threatens private sales of firearms at gun shows and other events by requiring registration of all gun show organizers and background checks by federal firearms licensees (FFLs) for all private transactions.

The bill, S-2577, was filed on Jan. 30 with Sens. Frank Lautenberg (D-NJ) and Jack Reed (D-RI) as the lead sponsors. Co-sponsors include: Robert Menendez (D-NJ); Dianne Feinstein (D-CA); Edward Kennedy and John Kerry (both D-MA); Charles Schumer (D-NY); Sheldon Whitehouse (D-RI); Daniel Inouye (D-HI); Carl Levin (D-MI), and Barbara Boxer (D-CA).

The measure, dubbed by sponsors as the "gun show loophole bill," defines gun shows as any event at which 50 or more firearms are offered for sale; and a least 20% of the exhibitors display firearms, or there are not fewer than 10 firearm exhibitors; or 50 or more firearms are offered for sale, transfer or exchange. While this certainly includes shows of 100 to 1,000 tables sponsored by nonprofit collector organizations and for-profit gun show promoting companies and individuals, it could also include some club meetings and even state association meetings.

The bill defines a "gun show promoter" as anyone who organizes, plans, promotes or operates a gun show, which could mean the board members of an association of gun collectors, and requires "promoters" to register with the Attorney General.

Gun show promoters would be required to verify the identity of every vendor (anyone who has a firearm, essentially) and maintain a record of all vendors. The promoter would also be charged with notifying all attendees at the show or event of the regulations.

S-2577 defines "gun show vendor" as any person who exhibits, sells, offers for sale, transfers or exchanges one or more firearms at a gun show, whether or not the person operates from a fixed location at the show, thus classifying anyone who brings one or more guns to a show or other event with the intent to sell or trade as a vendor.

The Lautenberg-Reed bill requires all firearm transfers at the gun show to be processed by an FFL, who would be required to maintain a separate bound record of all firearms transferred at the request of a non-licensee (non-FFL). The FFL also would be required to complete a separate form as prescribed by the

Attorney General and submit a report of sales to the AG within 10 days.

The measure is only slightly different from the so-called gun show loophole bill co-sponsored by Sens. John McCain (R-AZ), the current front-runner for the Republican presidential nomination, and Joseph Lieberman (D-CT) in 2001, which failed at passage.

S-2577 has been referred to the Judiciary Committee but whether the bill would move in an election year is open to conjecture. [The New GUN WEEK, March 1, 2008](#)

## NBA, NFL Anti-Gun Policies May Not Be Protecting Players

According to a Jan. 8 article by Chris Sprow in Reason Magazine, officials in the National Football League (NFL) and the National Basketball Association (NBA) increasingly take a paternalistic attitude toward their athletes.

For years, the NFL and the NBA have attempted to distance players from firearms. Some would argue these policies are aimed at a culture that celebrates the criminal use of violent weapons, but the effect is pretty clear: The leagues would rather their players put themselves at risk than protect themselves with guns.

The NFL asks not just that players avoid guns in general, but that they avoid having them even at home. Ex-NFL honcho Paul Tagliabue instituted an official league gun policy back in 1994 that discouraged even legally obtained weapons. "Any weapon, particularly a firearm, is dangerous," the policy states, "especially so when it is in a vehicle or within reach of children and others not properly trained in its use."

Roger Goodell, who replaced Tagliabue in the NFL commissioner's office just last year, has already dish4 out gun-related penalties. When foler Chicago Bears tackle Tank Johnson' was cited for illegal firearm possession at his suburban Chicago home last year, Goodell didn't wait for the criminal justice system to determine Johnson's ,guilt. Goodell opted to ban Johnson from the league for half a season.

Johnson, by the standards of the law of the state of Illinois, served only 30 days in jail. This for his third gun-related offense. By NFL standards, he served the equivalent of a half a year.

The NBA takes a similarly hard line. Commissioner David Stern, a New York native who joined the league's legal department in the 70s and has been commissioner since 1984, told media in a pre-season conference call, "It's a pretty, I think, widely accepted statistic that if you carry a gun, your chances of being shot by one increase dramatically. We think this is an alarming subject. Although you'll read players saying how they feel safer with guns, in fact those guns actually make them less safe. . . ."

Stern is wrong, though well-versed in anti-gun rhetoric. Unfortunately, his players may be paying for his errors.

Pro athletes are targets. They are young, wealthy, famous, and many opt not to abandon the communities where they grew up. They face a different threat and a different reality than halls traversed by the likes of Stern and Goodell.

Last year, Washington Redskins safety Sean Taylor got out of bed during the night upon hearing intruders entering his home. To protect himself, his girlfriend, and child, Taylor grabbed a machete and crept to his bedroom door.

The intruder shot and killed Taylor, but many wonder, "What if it had been a gun?" Certainly, the outcome may have been different. [The New GUN WEEK, March 1, 2008](#)

## FL cops fumble murder-suicide

Police in Deland, FL, have taken some heat in the wake of a murder-suicide in which the victim, a 17-year-old girl, had been told to stop calling police about her ex-boyfriend or she would face arrest.

But on Friday, Feb. 15, Clay Coffner showed up at the home of Natasha Hall and shot her in the head. He then shot himself fatally.

According to WKMG news in Orlando, Hall's mother said her daughter had called the local police because of concerns about Coffner. However, after repeatedly contacting the authorities about the ex-boyfriend, she was reportedly told on Jan. 15 that if she continued to call she would be arrested.

"The police officer said if you call us one more time on him," Hall's mother, Sherry, told the station, "I'm going to arrest you both. So, the day she died, she knew she couldn't talk to police so she handled it herself."

A friend of the dead girl described Coffner as "psycho, jealous and abusive." Only the police, the friend said, did not recognize the warning signs when everyone else did. [The New GUN WEEK, March 15, 2008](#)

## Cop-killer slain in prison

From the "Let me see if I have this straight" file comes the story of Larry Davis, the 41-year-old convict who was doing time for a murder conviction, and who had previously been jailed for shooting six New York cops.

If you never met Davis, you've missed your chance, because he's dead. Davis was stabbed fatally during a "recreational break" at Shawangunk Correction Facility in New York's Ulster County.

What isn't clear here is how Davis was out long enough to get involved in, and convicted of, murder in 1991, for which he was serving 25-to-life. He had been sent to prison originally for the 1986 shootout in which he wounded six cops, subsequently hiding out for more than two weeks while police all over the country looked for him. And what led to that gun battle? The police had gone to Davis' apartment to arrest him in connection with the murders of five drug dealers.

Davis finally was tracked down to a housing project and after a standoff, he finally surrendered, only to be acquitted of attempted murder and aggravated assault, and convicted only on gun charges. That time, the judge sent him up for a stretch of between 5 and 15 years.

So, he was out in 1991 long enough to murder—you guessed it—another drug dealer in the Bronx. While one might be tempted to suggest that the cops and courts should have just turned this guy loose on drug dealers, even in New York they

have some semblance of law and order (and a television show to prove it!) so it was up the river for Davis.

He must have made someone awfully mad in the joint, because when prison guards found him, Davis had suffered stab wounds in the chest, upper thigh, arms, back and head. According to Associated Press, the weapon was identified as a 12-inch homemade knife. [The New GUN WEEK, March 15, 2008](#)

## Deputy discharges gun in john

From the "Only Cops Should Have Guns" file comes the story out of Fargo, ND, about Cass County Sheriff's Deputy Dean Wawers.

He was making a pit stop during his lunch hour in a courthouse restroom when he hung his service pistol by the trigger guard on a hook in the stall. According to the Associated Press, when he went to retrieve the handgun, it discharged. The bullet put a hole in the ceiling.

Wawers was suspended without pay for eight days and received a written reprimand. [The New GUN WEEK, March 15, 2008](#)

## MA Pike toll workers disarmed

Toll collectors on the Massachusetts Turnpike will no longer be allowed to carry their 38 caliber handguns for protection as they transport the cash from the toll booths, according to WBZ in Boston.

The turnpike's executive director Alan LeBovidge says he ordered 16 employees to turn in their weapons because there was no proof they had the proper state police firearms training. [The New GUN WEEK, March 15, 2008](#)

## Off-duty Georgia cops face off

From the "Only Cops Should Have Guns" file comes this story out of Georgia that certainly qualifies as one of those things you don't hear about every day.

According to wire services and The Seattle Times, Duluth, GA, police Officer Jay Daily and Fulton County Officer Paul Phillips slapped leather on Feb. 1 while standing in the middle of a road in an Atlanta suburb. While this may be one of those "gunfight in the street" scenarios that anti-gunners predicted when Georgia lawmakers passed the state's concealed carry law, this caper had nothing to do with armed private citizens.

Published reports said that Phillips was driving home from work in his clearly-marked patrol vehicle, and in full uniform, when he was flagged down by a citizen who reportedly had seen Daily in a physical confrontation with an unidentified woman. Phillips apparently had no idea he would soon be confronting a fellow cop.

Daily was dressed in casual clothing but was reportedly wearing soft body armor.

The afternoon confrontation suddenly erupted and several shots were exchanged, with Phillips taken to Gwinnett Medical Center for emergency surgery. Daily was also wounded, but neither suffered life-threatening wounds. Daily was arrested for aggravated assault.

The unidentified woman was also treated at the hospital for injuries she suffered prior to the shootout. [The New GUN WEEK, March 1, 2008](#)

## Driver killed over stick-shift car

Here's a story that combines criminal frustration with criminal stupidity.

An attempted Orlando, FL, carjacking turned deadly the night of Jan. 27 when car thieves shot the owner as he unloaded groceries.

Kendel Williams, 38, later died at Orlando Regional Medical Center, according to The Orlando Sentinel.

Williams had just arrived at his home when two men came up to him and demanded the car, said Lt. Jim Marchione. Neither of the men knew how to drive the car because it had a stick shift and instead shot the man, Marchione said. [The New GUN WEEK, March 1, 2008](#)

## Man learns shoplifting's dangers

A Michigan man who hid hunting knives in his pants to try to steal them from a store tripped while fleeing and stabbed himself in the abdomen, police said, according to Associated Press.

The suspect was hospitalized after his Jan. 7 attempted theft from a Meijer Inc. superstore in Grand Rapids and is expected to face a misdemeanor shoplifting charge, police say.

The wounds did not appear to be life-threatening, The Grand Rapids Press reported.

The man had put about \$300 worth of hunting knives in his waistband, police told WZZM-TV. Police say he tried to leave the store, but Meijer employees confronted him and a scuffle followed.

Police said the suspect has a record of retail fraud. [The New GUN WEEK, March 1, 2008](#)

## TX robbery attempt goes bad

Say a belated goodbye to a Texas man identified as Calvin Earl Taylor, 23, who made a fatal error in the victim selection process, according to The Houston Chronicle.

The newspaper reported that Taylor was in the company of another man, identified as Omani Duana Stephens, when the pair picked 36-year-old Keenan Proctor as their next robbery victim. Proctor was strolling through the Gulfgate Center Mall parking lot on the evening of Feb. 6 when he was approached by the pair of would-be robbers.

Proctor was in no mood to be robbed, and he pulled his legally-concealed handgun and shot Taylor. Stephens wound up in custody and was booked into the Harris County Jail.

The case was referred to a Harris County grand jury. [The New GUN WEEK, March 1, 2008](#)

## Forgetful ATF agent now a target

A female agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives found herself in Dutch with the Transportation Safety Administration (TSA) and a legion of gun rights activists after she left her pistol in a restroom inside a secure area of the Milwaukee, WI, airport.

According to [WorldNetDaily.com](#) (WND), the unidentified agent's gun could have been picked up by anyone who found it, allegedly because the finder would have been a "prohibited person." However, it was not clear why, inside a secure TSA zone, such a gun finder would be a "prohibited person."

The agent had used the restroom and then left the airport. Only later did she realize her pistol was missing. The gun was recovered by local authorities or a private citizen, according to the WND article.

An Associated Press report of the incident said the agent was "embarrassed." [The New GUN WEEK, March 1, 2008](#)

## NEWS RELEASES

### CCRKBA SAYS PRESS PURPOSELY DOWNPLAYS KEY ROLE OF ARMED STUDENT IN JERUSALEM 03/07/2008 BELLEVUE, WA

An armed student at Jerusalem's Mercaz Haray seminary played a crucial role in stopping a gun-wielding terrorist Thursday, but the American press is downplaying his heroism because it proves that armed students can stop campus gunmen, the Citizens Committee for the Right to Keep and Bear Arms said today.

Yitzhak Dadon, 40, was described as "a private citizen who had a gun license and was able to shoot the gunman with his pistol" by reporter Etgar Lefkovitz with the Jerusalem Post. However, many news agencies in the United States are downplaying Dadon's decisive role in the incident.

"Yitzhak Dadon is a hero," said CCRKBA Chairman Alan Gottlieb, "and he is living proof that armed students have a place on college campuses. Thankfully, his quick action was reported by the international press, including Mr. Lefkovitz, so unlike incidents here in the United States where the press was able to completely ignore the actions of armed students or teachers, the truth about this incident will not be suppressed.

"Mr. Dadon is not going to become a victim of this conspiracy of silence," Gottlieb continued. "Elitist American college administrators, the national press, nor anti-gun politicians can sweep this incident under their rug."

Internationally published reports say Dadon studies at the yeshiva, and had his pistol when the shooting erupted. When the gunman emerged from a library, Dadon reportedly shot him twice in the head. The gunman was subsequently shot by the off-duty soldier.

"Yitzhak Dadon's apparently well-placed bullets interrupted a rampage," Gottlieb said. "What a pity that someone like Mr. Dadon was not in class last April at Virginia Tech. What a tragedy that anti-gun extremism would keep him from attending class at Northern Illinois University. He would never be allowed to teach at Columbine High School, hold a job at Trolley Square in Salt Lake City, or go shopping at Omaha's Westroads Mall.

"America's acquiescence to anti-gun hysteria has led to one tragedy after another," Gottlieb stated. "This disastrous policy has given us nothing but broken hearts and body counts, and it's got to end. The heroism of an armed Israeli seminary student halfway across the world sends a message that we needn't submit to murder in victim disarmament zones. That's why his actions are getting such short shrift from America's press. It's a story

they are loathe to report because it affirms a philosophy of self-reliance that they despise.”

**-END-**

### **Gun Owners of America E-Mail Alerts**

8001 Forbes Place, Suite 102, Springfield, VA 22151

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

<http://www.gunowners.org>

**Wednesday, February 27, 2008**

### **Great news!**

Legislation designed to ban the confiscation of guns and ammunition in the aftermath of a natural disaster is advancing in the state General Assembly.

The Pennsylvania Senate unanimously passed the Emergency Protection Act earlier this month, and the bill is now in the House of Representatives.

In essence, SB 1172 will prevent a repeat of what happened in New Orleans in September 2005, when police officials stole the firearms of law-abiding residents. (You can view footage of this disgusting activity at <http://www.gunowners.org/notb.htm> on the GOA website.)

The bill now moves to the House, which must pass the measure before it can go to the governor for his signature. More than a dozen states have passed similar Emergency Protection laws to prevent a future Katrina-style confiscation from ever occurring inside their jurisdiction. SB 1172 will prevent police from confiscating firearms or ammunition from anyone who is lawfully possessing or carrying their weapons.

**ACTION:** Please contact your state representative and ask him or her to support SB 1172, introduced by Sen. Robert Robbins (R-Dist. 50). You can identify your representative by going to <http://www.legis.state.pa.us> (there's a zipcode box in the upper right corner of the page).

Once you plug in your zipcode, the results page will include a link to contact your representative.

Simply urge your representative to support SB 1172 in the space provided.

**-END-**

### **GOA Blasts Michael Sullivan As "Unfit for Office" -- Acting BATFE Chief shows himself to be as anti-gun as Ted Kennedy**

**Thursday, February 21, 2008**

Gun Owners of America today hammered BATFE nominee Michael Sullivan as "unfit for office" -- characterizing him as a Massachusetts liberal who is cut from the same cloth as Ted Kennedy.

In its press release today, GOA called for Sullivan's defeat and praised Senator David Vitter (R-LA) for holding Sullivan's feet to the fire.

GOA members should have recently received a letter in the mail from GOA Executive Director Larry Pratt, asking them to send postcards to their two Senators and to President Bush in opposition to Michael Sullivan as BATFE Director.

**ACTION:** Please make sure that you send in your postcards (provided in the GOA mailing) to your two U.S. Senators and to the President.

The postcards ask your Senators to **OPPOSE** the nomination of Acting Director Michael Sullivan, and urge President Bush to **WITHDRAW** his support for the Sullivan nomination.

Not receiving legislative postcards from GOA? Or, the Gun Owner newsletter? Joining GOA online at <http://www.ordergoamem.htm> will ensure you receive these and other timely mailings.

#### **The full text of today's GOA press release is as follows:**

\*\*\*\*\*

Gun Owners of America's Executive Director, Larry Pratt, today blasted BATFE nominee Michael Sullivan as "unfit for office" -- characterizing him as being "as anti-gun as Ted Kennedy."

In a series of answers to interrogatories submitted by Louisiana Republican Senator David Vitter, Sullivan revealed that:

- \* He would not rescind BATFE's policy of revoking federal licenses for simple paperwork violations not involving "criminal intent;"

- \* He would not back down on BATFE's illegal and abusive policies of harassing gun show attendees;

- \* He supports anti-gun legislation by New York Democrat Chuck Schumer, but opposes pro-gun legislation dealing with interstate transfers sponsored by conservative Republicans;

- \* He defends revoking a license of a dealer with a 99.96% accuracy rate -- a rate which is far better than BATFE's.

In fact, in dozens of responses to questions posed by Vitter, Sullivan refused to even feign a conciliatory tone.

"I didn't expect pro-gun conservatism from Sullivan," said Pratt.

"But you would have thought he would have been less obvious in his efforts to repeatedly poke Vitter in the eye."

**GOA commended Vitter's** intention to continue to "hold" Sullivan's nomination. "If Republicans expect the Second Amendment community to support their presidential candidate in November," said Pratt, "they may want to reconsider packing a GOP administration with anti-gun zealots."

**-END-**

### **02/13/2008 CCRKBA BACKS COBURN EFFORT TO LEGALIZE CCW IN NATIONAL PARKS**

BELLEVUE, WA – The Citizens Committee for the Right to Keep and Bear Arms today is urging gun owners to back legislation sponsored by Senator Tom Coburn (R-OK) that would enable private citizens to carry defensive sidearms in national parks.

"This is responsible, sensible legislation," said CCRKBA Chairman Alan M. Gottlieb, "and it is a genuine shame that the Public Employees for Environmental Responsibility (PEER) has mounted a campaign to derail this important effort.

"PEER issued an alarmist press release that mirrors hysteria currently being pandered by the Brady Campaign to Prevent Gun Violence about Coburn's S. 2483," Gottlieb noted. "Their

specious argument is that allowing legally-licensed private citizens to carry concealed, defensive firearms inside national parks would contribute to poaching and open the door to sport hunting. That is a pretty flimsy sham to cover their real objection, which is against American citizens exercising their right of self-defense in an emergency on national park property.”

Gottlieb, co-author of *America Fights Back: Armed Self-Defense in a Violent Age*, noted that an entire chapter of that book is devoted to rising criminal activity in national parks and on national forest lands.

“PEER and their soulmates at the Brady Campaign want to continue operating national parks as victim disarmament zones,” Gottlieb observed. “American citizens do not leave their right of self-defense, not to mention their constitutional right to keep and bear arms, at the gates of a national park, but under current regulations, one-tenth of the Bill of Rights is suspended on national park property, and that cannot be allowed to continue.

“This has nothing to do with hunting or poaching,” he added, “and officials at PEER who issued a public statement against the Coburn amendment, knows it. Rhetoric about poaching and hunting amounts to a red herring designed to divert attention away from the real issue of public safety in national parks.

“For too many years, the National Park Service has been allowed to suspend the Second Amendment on lands it manages,” Gottlieb concluded. “But those lands are public lands, and they belong to all of us, not just some anti-gun park service bureaucrats, PEER gun control advocates or the Brady Campaign. It’s time for the Coburn Amendment to become law.”

With more than 650,000 members and supporters nationwide, the Citizens Committee for the Right to Keep and Bear Arms ([www.ccrkba.org](http://www.ccrkba.org)) is one of the nation's premier gun rights organizations. As a non-profit organization, the Citizens Committee is dedicated to preserving firearms freedoms through active lobbying of elected officials and facilitating grass-roots organization of gun rights activists in local communities throughout the United States.

**-END-**

## **News Briefs:**

### **08/03/06 Gun debate draws nation**

The District's interim attorney general yesterday said the city's Supreme Court fight to maintain its 30-year-old ban on handguns has prompted hundreds of organizations and individuals to throw in their two cents.

The case has gained national notice as more than 300 members of Congress, 46 states, two former U.S. attorneys general and two former U.S. solicitors general have filed more than 70 briefs against or in support of the ban.

“Our team read and reread over 50 briefs that were filed both on behalf of the respondents and on behalf of [the District] from around the country,” interim D.C. Attorney General Peter J. Nickles said. “This is a case that has drawn national — international — attention.”

The District yesterday filed its last brief in the case — a three-pronged argument that says the Second Amendment of the U.S. Constitution applies to militias and not individuals.

The brief also argues that the gun ban does not infringe on the Second Amendment because states are allowed to enact

firearm regulations, and that the ban is a reasonable restriction permitted under the Constitution

<http://www.washingtontimes.com/apps/pbcs.dll/article?AID=/20080306/METRO/81605572/1004>

### **08/03/06 Working in the best interests of Texans**

Last week, columnist Linda Campbell assailed Texas Attorney Greg Abbott for leading 31 states before the U.S. Supreme Court in defense of the Second Amendment. If we stand accused of vigorously protecting the constitutional right to keep and bear arms, we readily plead guilty as charged.

Nonetheless, the Feb. 28 column was wrong on multiple fronts:

As a legal matter, the text of the Second Amendment protects "the right of the people to keep and bear arms." Those words have meaning, and any effort to read them out of the Constitution is profoundly wrong.

The attorney general did not act unilaterally. To the contrary, Abbott assembled a bipartisan coalition of 31 state attorneys general, all of whom agreed that the District of Columbia's draconian laws -- which criminalize the possession of any operable firearm in residents' private homes -- cannot be reconciled with basic constitutional rights.

Campbell seems to believe that the states' only interest in constitutional litigation should be in shifting power from the federal government to the states. Although state control is often preferable to expanded federal authority, she ignores a third option. What about more power for the citizenry? After all, the entire purpose of the Bill of Rights is to protect the citizens against government, whether state or federal.

Campbell describes states' defending fundamental constitutional rights as a waste of "taxpayer expense." She explains that, in her judgment, doing so is not in the interests of any state. But 31 attorneys general -- Democrats and Republicans, all chosen to represent the interests of their states and their residents -- disagree.

Every lawyer in Texas, and every governmental official, swears an oath to preserve, protect and defend the Constitution. Thus, as both a state official and a lawyer, the attorney general is faithfully fulfilling his sworn obligation to protect and defend fundamental constitutional rights.

Campbell rather oddly mischaracterizes her conversation with me, asserting that I told her this case's impact on Texans would be "none whatsoever." Nothing could be further from the truth.

I did tell her that no Texas laws would be likely invalidated by the Supreme Court's decision. And I told her I thought there was no chance that the Texas Legislature, at least as currently constituted, would ever vote to adopt a blanket gun ban such as that in Washington, D.C.

But neither statement means that the case doesn't affect Texans.

Every Texan, and every American, has an individual right to keep and bear arms under the plain text and the original understanding of the Constitution. If the Supreme Court reads that right out of the Constitution -- and that is exactly what D.C. wants the high court to do -- every Texan and every American would lose that fundamental right.

Campbell's response was that state legislatures might choose not to violate those rights. Perhaps. But constitutional rights do not exist simply as a hope for leniency from government.

To illustrate the point, I asked Campbell what she would think if her arguments were applied to the First Amendment. Both the First and the Second Amendments appear together at the outset of the Bill of Rights, and both, by their terms, protect the "right of the people." If the First Amendment were read to merely protect "collective" rights -- if every American were unable to assert any individual rights under the First Amendment -- would Campbell happily trust the legislatures to respect the freedoms of speech and the press?

Not surprisingly, she didn't like that idea. I wonder why.

And I also wonder which position best serves the residents of Tarrant County: that of Campbell, who argues that Texas has no business defending the right to bear arms, or that of Abbott, who is leading the fight to protect every Texan's constitutional rights? <http://www.star-telegram.com/245/story/514392.html>

#### **08/03/06 At Least 60 Car Windows Shot Out With BBs**

Police Investigating Rash Of Criminal Mischief Cases In Delaware

New Castle County police said they are investigating a series of criminal mischief complaints that have occurred over a five-day span.

Police said they believe they are all related and have a warning for the culprits.

"This is more than just a nuisance. The truth is if we encounter individuals armed with BB guns we are going to treat it like a real weapon," Navarro said.

Even residents whose cars were not hit are feeling uptight. They said their sense of safety has been broken. Some are even talking about taking security into their own hands.

<http://www.nbc10.com/news/15514014/detail.html>

#### **08/03/05 Border Patrol pilot won't face criminal charges in shooting**

TUCSON- A Customs and Border Protection pilot who shot a contract worker in the abdomen won't be facing criminal charges, a Tucson police report said.

The internal investigation by the Border Patrol into whether the pilot followed agency procedure had not been completed Tuesday, Border Patrol spokesman Agent Mike Scioli said.

The pilot has not been identified and won't be before the investigation is complete. The criminal investigation revealed that the pilot was showing a new personal gun, a Colt .45-caliber pistol, to a co-worker when it discharged Feb. 18 at the headquarters of Customs and Border Protection's Air and Marine branch near Davis-Monthan Air Force Base, Tucson police said.

The pilot, in his account to police, said he pulled back the slide to check the chamber but didn't see a round inside. "He didn't remove the magazine before checking the chamber," the police report said.

The pilot said he let the action go forward, then depressed the trigger to decock the pistol, according to the report. The hammer slipped and the gun went off, sending a bullet through a map stuck to the pilot's cubicle, through the west wall of the open

work area and into the building's briefing room, the report said.

The pilot heard screaming and immediately called 911, according to the report.

The wounded man was identified as Rick Dorsey, 51, a contract worker from Virginia who was in Tucson developing training scenarios for the agency, the report said.

Dorsey was working on training files when the bullet smashed through the wall and struck him, it said.

Dorsey was taken to University Medical Center and discharged the same day.

<http://www.azcentral.com/news/articles/0305az-borderpilot05-on.html>

#### **08/03/05 Victim describes robbery try at home**

The alleged victim of a botched robbery at his South Scranton home in December took the stand at a preliminary hearing Tuesday and said he heard a gunshot just before his door was kicked in.

Danny Gonzales, 35, of Rear 419 Gallagher Court, said he was watching television Dec. 11 after 11 p.m. when he heard a knock at the door. He looked out the window and saw a man with short hair standing at the door.

When he asked who was at the door, Mr. Gonzales said he was told, "You know who it is. Open the door."

"I said 'I don't know you. Have a good night, '??'" he said. "Then I walked upstairs."

**After his door was kicked in, Mr. Gonzales said he ran down the stairs and followed the intruder outside, firing his .45-caliber handgun.**

Five people — Tiffanie Dominech, 26, of 103 Belvedere Ave.; Jeffrey Sampson, 22, of 4360 William Penn Highway, Easton; James T. Blake, 17, of 100 Belvedere Drive; Malik McDonald, 23, of 419 S. Webster Ave.; and Gregory J. Bell, 30, of 108 Belvedere Drive — were charged with plotting the robbery after an alleged argument between Mr. Gonzales and Ms. Dominech over Mr. McDonald.

All but Ms. Dominech, who waived her preliminary hearing in December, began preliminary hearings Tuesday.

Investigators say Mr. McDonald, Mr. Blake and Mr. Sampson, who was armed with a 9-mm handgun, actually committed the robbery at Mr. Gonzales' home. **But Mr. Gonzales, who is facing a reckless endangerment charge because he admitted firing several shots at the would-be robbers,** said Tuesday he had no idea who was at his door, or if there was one man or two.

Defense attorneys argued there wasn't enough evidence to prove the case.

Scranton police Detective Michael Schultz ended up stepping down from the stand after defense attorneys raised objections regarding his testimony about who was called in for questioning about the robbery.

"There's been no evidence presented connecting these people to any crime," attorney Joseph Toczydlowski said.

The hearing was halted after Deputy District Attorney Margaret Bisignani called Ms. Dominech to the stand. After admitting she knew the men who were charged, Ms. Dominech said she didn't want to testify about anything else without her attorney present.

The hearing will continue later this month. Mr. Sampson and

Mr. McDonald are being held in Lackawanna County Prison in lieu of \$100,000 bail. The other defendants remain free on bail.

[http://www.thetimes-tribune.com/site/news.cfm?newsid=19359824&BRD=2185&PAGE=461&dept\\_id=416046&rfti=6](http://www.thetimes-tribune.com/site/news.cfm?newsid=19359824&BRD=2185&PAGE=461&dept_id=416046&rfti=6)

#### **08/03/04 Wendy's Shooting: "Random Act Of Violence"**

WEST PALM BEACH (CBS4) — Police in Palm Beach County are still no closer for a motive why a man they say walked out of a bathroom at a Palm Beach County Wendy's, dressed in suit and tie, and opened fire on the people eating lunch. One man died and 4 more were hurt before the gunman killed himself.

The Palm Beach County Sheriff's Office identified the gunman as 60-year-old Alburn Blake, who lived in a modest apartment in West Palm Beach and whom neighbors said did maintenance work.

Investigators have searched his car and his apartment, but have learned little that would help them to understand why he opened fire on unsuspecting diners in the Palm Beach Gardens Wendy's around noon Monday.

CBS4 talked to one of Blake's neighbors who said she was shocked to know he was the killer. "He'd come home from work, go into house. He had Christmas light decorations. I mean, he seemed okay."

The Palm Beach Sheriff's Office said Blake, dressed in a shirt & tie and wearing a baseball cap walked into the restaurant in the 13-hundred block of Military Trail and went into the restroom. Moments later he came out with a 9mm gun and began shooting.

Among those inside was Palm Beach Fire Rescue Lieutenant Rafael Vazquez, who had brought his wife and son to the restaurant for lunch. He shouldn't have been inside the restaurant when Blake opened fire, but he went inside to ask about a toy missing from his child's meal.

Investigators are still looking for the source and reason of Blake's rage. Neighbors say when they searched his apartment, deputies took out several vials of prescription drugs from his rooms.

<http://cbs4.com/local/wendys.shooting.west.2.667894.html>

#### **08/03/03 Man fatally shot outside Airport Road club**

Allentown man is charged with homicide after argument in bar.

Gulledge told police that he shot Anderson after Anderson came "about an arm's length" from him near his car and made threats, according to the papers. He said Anderson followed him outside after threatening him inside the bar at 3400 Airport Road, police said.

According to the affidavit:

Gulledge said Anderson approached him inside the bar and threatened to assault him. Gulledge said he tried to avoid a confrontation but Anderson kept making threats.

Gulledge said he took the pistol from the car console and tried to scare Anderson.

Gulledge told police he fired a shot into the ground, then started back to his car. He said he shot Anderson after Anderson came close, making threats.

Gulledge was arraigned Saturday before District Judge Robert Halal, who committed him to Lehigh County Prison without bail.

[http://www.mcall.com/news/local/all-b1\\_5homicide.6295729mar02.0.7115857.story](http://www.mcall.com/news/local/all-b1_5homicide.6295729mar02.0.7115857.story)

#### **08/03/01 Would Christ Carry a Concealed Weapon?**

I was on a talk show the other day defending the Second Amendment and discussing with my host the stupid, unconstitutional and woefully inadequate D.C. gun ban. I made it clear that I am a Christian who is extremely cool (to the point of being giddy) with our right to keep and bear arms.

After we trounced the anti-gun lobby for their goofy, doe-eyed, John Lennon-like "Imagine" solutions to violent crime, we opened up the phone lines for folks to weigh in with their two cents. The first caller was a woman who asked if I thought Jesus would carry a weapon if He were here today, to which I quickly replied, yes, of course He would—especially if He lived in Miami and was driving down I-95 at four o'clock in the morning.

[http://www.townhall.com/Columnists/DougGiles/2008/03/01/would\\_christ\\_carry\\_a\\_concealed\\_weapon](http://www.townhall.com/Columnists/DougGiles/2008/03/01/would_christ_carry_a_concealed_weapon)

#### **08/02/26 Landowner charged with gun threat on boy, dad**

A Washington Township man is accused of brandishing a shotgun at a 12-year-old boy and his father Friday evening after he became angry that the pair were using his property for winter recreation, police said Monday.

State police at Belfast charged Glenn William Nehoda, 53, of 1031 Jacktown Road with aggravated assault, terroristic threats and recklessly endangering a minor.

Nehoda became angry when he saw the father and son riding a snowmobile and all-terrain vehicle on his property at about 7 p.m. Friday, state police said.

Nehoda, who has a license to carry a concealed weapon, allegedly confronted the pair, pointed a shotgun at the 12-year-old and told him to shut off the vehicle.

The father called 911, but the dispatcher was only able to get partial information before the call was disconnected. The dispatcher called back several times, but no one answered, police said.

State police were able to track down the location of the call, but the father and son had already left. Nehoda told troopers about the incident, saying that "he will protect his property," police said.

The father later contacted the state police and filed a formal complaint, which led to the charges.

Nehoda was arraigned before District Justice Adrienne Masut of Wind Gap Saturday

<http://www.mcall.com/news/local/police/all-3shotgun.6288061feb26.0.269161.story>

**08/02/22 Obama shooting himself in the foot with anti-gun stance** As she clawed for survival against Barack Obama in Wisconsin's Democratic primary this past weekend, Hillary Clinton lamely asserted her Second Amendment bona fides over that of her rival by claiming that she once shot a duck in Arkansas.

[http://www.pajamasmedia.com/2008/02/obama\\_shooting\\_himself\\_in\\_the.php](http://www.pajamasmedia.com/2008/02/obama_shooting_himself_in_the.php)

**08/02/22 Cornell University Republicans Call for New Gun Policy** Yesterday, the Cornell College Republicans placed about 20 signs on the Arts Quad that publicized their stance on the increasingly polarizing issue of the concealed carry of weapons. They have joined the approximately 12,000 students nationwide who are part of a grassroots effort that is advocating for concealed weapons license holders to be able to carry their weapons on campuses. <http://cornellsun.com/node/28000>

**08/02/21 University of Nebraska-Lincoln Bans Toy Guns After Classroom Scare**

A long University of Nebraska-Lincoln tradition came to an abrupt end this week after a student brought a Nerf gun into a classroom. <http://www.ketv.com/news/15370940/detail.html>

**08/02/21 Would-Be Robber Shot**

A suspected robber is in the hospital after police say he was shot by his intended victim. It happened around 9:00 Wednesday night on North Graham Street in Charlotte. Police say the gunman tried to rob a worker in the parking lot of Floyd's Restaurant.

<http://www.wbtv.com/news/topstories/15834497.html>

**08/02/20 Daley gun control plan has new twists** Chicago Sun-Times

Citing the NIU shootings, Anti-gun Mayor Daley unveiled his annual Package of gun control legislation, even as a state senate sponsor acknowledged that none of the bills could have prevented the tragedy. Once again, Daley Wants to ban semiautomatic assault weapons and .50-caliber military-grade Rifles ,use the State Police to license gun dealers and limit handgun purchases to one a month per person <http://www.suntimes.com/news/metro/801681.021908daley.article>

**08/02/19 Five Questions about Shootings at Universities**

**Question 1:** Why are murderers always counted in the victims tally? The day after the mass murder of students at Northern Illinois University (NIU), the headline in the closest major newspaper, the Chicago Tribune, was: "6 Dead in NIU Shooting."

"6 dead" included the murderer. Why wasn't the headline "5 killed at NIU"? It is nothing less than moronic that the media routinely lump murderers and their victims in the same tally.

This is something entirely new. Until the morally confused took over the universities and the news media, murderers were never counted along with their victims. To give a military analogy, can one imagine a headline like this in an American newspaper after the Japanese attack on Pearl Harbor: "2,464 Dead in Pearl Harbor Attack"? After all, 55 Japanese airmen and nine Japanese crewmen also died in the attack.

One can only assume that this mode of reporting murders is part of the larger movement toward non-judgmentalism and egalitarianism. To many Americans in academia, the media, and elsewhere, all the dead constitute a tragedy. Suggesting that some dead are more important than other dead is forbidden.

At the San Francisco Zoo, after a young man was mauled to death by a tiger that had escaped its confines, the administrators of the zoo even lumped a killed animal with its

human victim: the Zoo set up a memorial to both the man and the tiger. And, unsurprisingly, given the egalitarianism that now also lumps human beings with animals, the tiger received more condolence messages than the human it killed.

**Question 2:** Which of these three options is more likely to prevent further murderous rampages: a) making universities closed campuses and increasing the police presence on campus (as the president of NIU has promised to do); b) making guns much harder to obtain; or c) enabling specially trained students and faculty to carry concealed weapons on campus?

Because political correctness has replaced wisdom at nearly all universities, colleges are considering options a and b. But the only thing the first option will accomplish is to reduce the quality of university life and render the campus a larger version of the contemporary airport. And the second option will have no effect whatsoever since whoever wishes to commit murder will be able to obtain guns illegally.

But if would-be murderers know that anywhere they go to kill students, there is a real likelihood that one or two students will shoot them first, and if in fact some would-be murderer is killed before he can murder any, or at least many, students, we will see far fewer such attempts made. Even though many of these murderers end up killing themselves, they don't want to die until they have first murdered as many students and teachers as possible.

Of course, there is virtually no chance that the uniformly left-thinking individuals who run our universities will ever consider this option. To do so would mean abandoning what is essentially a religious-like conviction that guns are immoral rather than the people who use them immorally.

**Question 3:** Why are "shooter" and "gunman" used instead of "killer" or "murderer"?

If a murderer used a knife to murder five students, no news headlines would read, "Knifeman Kills Five." So why always "shooter" and "gunman"? The most obvious explanation is that by focusing on the weapon used by the murderer, the media can further their anti-gun agenda.

**Question 4:** Why is "murder" never used to describe homicides involved in these university massacres? And why is "murderer" never used to describe these murderers? Why has "kill" become the only word allowed for deliberate homicide?

Some will say that this is because "murder" is a legal term, and until one is convicted of murder in a court of law, the word should not be used.

I find this unpersuasive. If these murderers can be described as having killed students, then they have in fact committed murder. I believe the major reason for the death of the words "murder" and "murderer" has to do, again, with an unwillingness to make moral judgments, and "murderer" is far more judgmental than "shooter."

**Question 5:** Would the press note killers' religiosity if they were all Christian?

Imagine for a moment that all the mass murderers at our universities were active Christians. Do you think that the press would at the very least note this? Of course it would, and it would be right to do so.

Yet, to the best of my knowledge, all the recent university mass murderers were secular. Is this worth noting? And if not,

why not? Of course, the answer is that few, if any, in the mainstream media would find such a thing worth noting and would likely bristle at its mention. To nearly everyone in the media, the secularism of all the murderers is a non-sequitur. But if they were all active Christians, the same media people would hardly view that fact as insignificant and unrelated.

The fact is that nearly everyone in the mainstream media is secular and therefore cannot imagine associating secularism with anything negative. Secularism is presumed to be all good. But in truth, secularism, a blessing in government, is not a blessing in the lives of most individuals. Now, one can no more blame these college murders on secularism than one could blame Christianity if all the murderers were Christian. But in neither case would it be insignificant.

[http://www.townhall.com/columnists/DennisPrager/2008/02/19/five\\_questions\\_about\\_shootings\\_at\\_universities](http://www.townhall.com/columnists/DennisPrager/2008/02/19/five_questions_about_shootings_at_universities)

### **08/02/19 Vulnerable schools need protection**

Guns, training for teachers may be answer

Thirty-nine students attend my American literature seminar this semester. Our classroom is the first one you see on the left, as you enter the unlocked humanities building.

If a psychotic gunman were searching for a tight cluster of multiple bodies -- an easy target for seeking revenge, casting out demons, achieving immortality or whatever else his perverse purpose happens to be -- he would find my classroom door wide open. He could assume a position straddling the threshold and blocking the exit, so that he could fire at the trapped students at will, reload his weapon and fire once again. We would be sitting ducks in yet another American schoolhouse tragedy.

But if I were packing a loaded automatic pistol in a shoulder holster beneath my jacket, we might have half a chance.

I am no Rambo. I am a middle-age English professor with no military background. But as an outdoorsman, I have a passing acquaintance with the use of firearms, experience which could be refined to a skill of safety and competence, with adequate training.

Years in classroom management in urban high schools, colleges and universities makes me attuned and alert to every individual, and their comings and goings in my classroom.

And because of the responsibility I feel toward my students, I would do whatever I could to protect their lives, even without a weapon. So why not arm me and give them a reasonable chance?  
<http://www.chicagotribune.com/news/chi-oped0219proffeb19.0.4089576.story>

### **08/02/19 Brighton neighbor runs to women's aid, shoots and kills attacker**

A Brighton man shot and killed a 44-year-old registered sex offender who attacked two women in their home early this morning, officials said.

According to Dist. Atty. Gen. Mike Dunavant, David Fleming charged into the home of two women at about 3 a.m. Fleming bound the women but one escaped and ran to a nearby home. Dunavant said Fleming, who lived in Munford, intended to rape the women.

<http://www.commercialappeal.com/news/2008/feb/19/e19attackweb/>

### **08/02/18 Why DC's Gun Law Is Unconstitutional**

Historical arguments about American bills of rights are major points of discussion in the District of Columbia vs Heller case currently before the U.S. Supreme Court. At issue is exactly what the Second Amendment to the U.S. Constitution means and whether it was proper for the U.S. Court of Appeals for the District of Columbia to overturn Washington D.C.'s handgun ban for violating the Second Amendment. An amicus brief in support of Washington D.C.'s handgun ban dealing with the historical issues in the case was filed by fifteen professional academic historians. One would expect such a brief to be historically accurate, address the Second Amendment in its proper Bill of Rights related context, and include the most relevant figures, statements, and actions for understanding any historical issues in the dispute. However, any such expectation is left largely unfulfilled in the historians' brief.

The historians' Heller amicus brief begins with a look at the English Bill of Rights, which limited only the king, not the legislative branch of government. James Madison indicated during his speech to Congress introducing the Bill of Rights provisions that the comparison was inapplicable. The reason was because their purposes were different. England's Bill of Rights did not limit the legislative branch at all, while the fundamental rights protections in American bills of rights were understood as limiting all branches of government.

The historians' brief bizarrely claims that only two states, Massachusetts and Pennsylvania, actually made their declarations of rights a part of their state constitutions. This statement is factually incorrect. On the contrary, two other states, Vermont and North Carolina, copied verbatim the Pennsylvania Constitution's language making their declaration of rights a part of their state constitution. Also, George Mason specifically stated in the Virginia Ratifying Convention that the 1776 Virginia Bill of Rights, which he was the author of, was part of Virginia's Constitution. Mason's statement was made to illustrate the need for a federal bill of rights based upon the state bills of rights because the proposed U.S. Constitution allowed Congress to violate the rights of the citizens that were protected in the state bills of rights. Other historical materials exist that directly contradict the historians in this matter as well.

In further pursuit of their clearly mistaken view, it is asserted in the historians' amicus that fundamental rights protections, which they recognize are listed within the original states' declarations of rights, were not understood as legally binding commands. This statement is directly contradicted by the original constitutions of Pennsylvania, Vermont, and North Carolina, all of which indicate that their bill of rights ought never to be violated on any pretense whatever. Also contrary to the historians' claim, George Mason indicated in the 1788 Virginia Ratifying Convention that the protections in Virginia's Bill of Rights were paramount to the power of the state legislature. Mason's talking points under discussion at that moment were six specific provisions of Virginia's Bill of Rights, including its Second Amendment predecessor, all of which Mason himself wrote in 1776. In addition, James Madison's directly contrary view that the American state bills of rights were limits on the state legislatures was stated at least twice in his Bill of Rights introduction speech to Congress.

Next, the historians' amicus addresses the Second Amendment-related language within the existing state bills of rights, which they have just mistakenly claimed were not understood as limits on the state governments or part of the state constitutions. These provisions, upon which the Second Amendment's language was directly based, are treated exactly as the Second Amendment's language itself. The historians assert, for example, that Pennsylvania's language--"the people have a right to bear arms for the defence of themselves and the state"--does not refer to a private right. On the contrary, this language cannot relate to anything else. Prior to the formation of this bill of rights language, which was the very first of its kind in a bill of rights context, there had never been any requirement to possess or bear arms for military purposes under the control of government in Pennsylvania during its entire prior colonial history. All organized defense within colonial Pennsylvania had been accomplished solely by armed individuals capable of self-defense associating together for mutual organized defense or, in some cases, the hiring of willing volunteers as troops. Because of the foregoing fact, the 1776 Pennsylvania Constitution contains a provision specifically giving the new state government authority over the men of the state for compulsory military service, but that provision is not in the Bill of Rights. The historians' interpretation that "the people have a right to bear arms" language within the Bill of Rights relates only to compulsory militia matters under state control and not a private right is preposterous. The fact that this provision was written solely as a result of Pennsylvanians taking up their own arms with which they could defend themselves and forming defensive associations to protect their rights against the British is completely lost on the historians.

These fifteen professional academic historians have overlooked something of fundamental importance for understanding the Second Amendment by so quickly dismissing the related provisions that are found in every period state bill of rights, all of which are Revolutionary Era documents. This is largely the result of failure to examine them historically, to trace back their development, to discover their earliest author and normal period usage, or to compare them closely. George Mason was the first American state bill of rights author, as well as the first to place a well-regulated militia reference in such a bill of rights context. Over a year prior to writing the 1776 Virginia Bill of Rights, Mason was using the well-regulated militia language to describe a self-embodying defensive association of all the freemen in Fairfax County, Virginia. Associating for defense depended upon the men having their own arms and, of necessity, had to bypass government control in order to protect the people against unconstitutional actions by government forces and officers. This is how Americans defended themselves while taking all authority away from the existing governments. These defensive actions were taken in many areas long before the advent of hostilities. Mason's well-regulated militia was exactly like the defensive associations often self-embodyed among the Pennsylvanians.

George Mason prepared a three-part structure with leading Second Amendment-related language for the Virginia Bill of Rights that was copied into every Revolutionary Era state bill of rights. The historians are well aware of the statements within

these "Mason Triad" structures; but they do not notice the universally used three-part structure itself, do not make the obvious connection between the three parts, nor do they identify them as a fundamental proclamation upon which American liberty and free governments are based. They misinterpret bill of rights-related Mason Triads as being all about government control of the militia, even when the militia is not mentioned. These provisions were intended to limit the government, something the historians conveniently though mistakenly denied before examining these provisions. As noted above, in the view of its bill of rights originator, well-regulated militia related to the people being able to self-embody with their own arms for defense against unconstitutional actions of government implemented by force. These universally present state bill of rights Mason Triads always consisted of a leading armed civilian population reference (either well-regulated militia or right to bear arms), followed by a condemnation of standing military forces, with a trailing statement that the military will be under the control of the civil power, the armed civilian population.

After separating all Second Amendment-related language from any possible relationship to private rights, the historians then completely depart from any Bill of Rights history and context to a militia history and context that is inappropriate for a Bill of Rights provision. In virtually every following comment, the historians treat the Second Amendment as entirely related to militia matters under complete state government control. Since when did the Federalists become champions of state powers over the militia? It would be pointless to address all of these professional historians' irrelevant examples, especially since they lead only further and further away from the relevant historical sources clarifying the Second Amendment's actual history and intent.

The historians next address the development in the Federal Convention of the congressional power over the militia because, in their slanted view, that is the spark that ignites all desire for the Second Amendment. What the historians ignore from within the Federal Convention is the very origin and purpose of the struggle to add a bill of rights to the Constitution, just as they ignore the subsequent long political struggle extending until the Bill of Rights provisions seem to miraculously appear out of nowhere in Madison's hands within Congress. What is missing from the historians' account is any mention of the Antifederalist struggle for, development of, or statement of purpose regarding the Bill of Rights provisions that James Madison promised to support in the Virginia Ratifying Convention and later actually took to Congress as the foundation of the U.S. Bill of Rights.

Toward the close of the Federal Convention, George Mason made an attempt to obtain a bill of rights committee. His concern was that the laws of Congress were to be paramount to the states' bills of rights, thus, leaving the individual rights already protected against the states open to violation by laws of the new Congress. The Convention voted down a bill of rights committee. Mason, incensed, refused to sign the Constitution. He became the leading Antifederalist fighting against ratification and for a federal bill of rights throughout the Ratification Period. Mason's bill of rights objections to the Constitution and refusal to sign were widely known and very persuasive. The Federalists

argued against the need of any bill of rights consistently throughout the Ratification Period and they opposed bill of rights proposals except where politically forced to accept them. Thus, the historians' amicus brief use of Ratification Era Federalist writings as explanations for bill of rights provisions developed by their Antifederalist opponents are particularly off base. It was the Antifederalists who supported, developed, proposed, and explained the purpose of a bill of rights during ratification, not the Federalists. That the historians do not delve into the bill of rights struggle at all is most revealing. It proves that they do not recognize the bill of rights struggle as the source from which the Second Amendment, a typical Bill of Rights provision, developed.

George Mason, later chairman of an informal Antifederalist committee in the Virginia Ratifying Convention, prepared a complete Bill of Rights to be proposed for the Constitution. His Bill of Rights provisions were all based directly on the Virginia State Bill of Rights with added provisions from those of the other states. Mason's Bill of Rights, including the two-clause version of the Second Amendment he developed, was the model that all four of the last ratifying conventions relied on in developing their bills of rights. It was the provisions of Mason's Bill of Rights, understood by Madison as protecting the great and essential rights, which Madison specifically promised to support and actually took to Congress as the foundation of the first eight amendments to the U.S. Constitution.

This more relevant historical information, completely ignored by the professional historians in their amicus brief, indicates that the Second Amendment became part of the Constitution, not in relation to any specific concern about militia powers as the historians persistently and mistakenly claim, but rather as part of a complete Bill of Rights taken from the pre-existing state bills of rights. Backing up this clear historical evidence, Mason himself wrote that he and his Antifederalist committee had not yet even considered any amendments of the militia powers in the letter he sent with the completed Bill of Rights (including its Second Amendment provision) to the Antifederalist leaders of New York to be used as the model for their proposed Declaration of Rights. The historians' constant claims in the amicus linking the Second Amendment specifically to militia powers arguments are, once again, directly at odds with the most relevant historical facts and the understanding of the most involved Framers.

The Antifederalists' concerns over the militia powers being given to Congress are viewed by the historians as proving that all Second Amendment-related discussion from the period was about state control of the militia. They misinterpret and largely ignore the repeated Antifederalist Mantra that the people or militia would be disarmed. In fact, the only time George Mason, the actual developer of the U.S. Bill of Rights' provisions, is ever mentioned in their brief is to bolster their view that "disarm" means the government failing to arm militia forces under its control. To the historians, all the period arguments about the people being disarmed are unrelated to the private arms of the people being taken away from them or denied to them by the government. The historians treat the common countervailing Federalist Mantra, that the people are armed and can prevent tyranny, in exactly the same way. To them, this only

means that the states will control the militia and arm the militia if the states decide it is necessary. Just like an astonishing amount of other relevant historical information, a considerable number of Antifederalist and Federalist Mantra statements are ignored in the historians' amicus that could not possibly fit into the historians' narrow, militia-centric view of the Second Amendment.

The big picture of what occurred in Congress is buried in the historians' legalistic, militia-centric nitpicking about dropping and adding clauses to Madison's Second Amendment proposal. Lost in this fine legal argument is Madison's own understanding of what he was doing, what occurred in Congress, and what Congress produced. Madison noted several times that not many changes had been made to his original propositions for the Bill of Rights as they passed through the House of Representatives. After the Bill of Rights provisions emerged from Congress, Madison understood them to be so similar to Mason's Virginia Convention originals that he was surprised Virginia delayed their adoption. In other words, Madison did not see any significant difference between what he proposed for the first eight amendments, what Congress adopted, and what the Mason led Antifederalists proposed that he had agreed to support, all of which were based on existing restrictions of state government authority. Also, while the Virginia legislature had reservations about the wording of the eventual First Amendment, it did not see any difference between Virginia's desired Second Amendment predecessor and the Second Amendment language that Congress passed. Thus, it is clear that the Second Amendment fulfilled the Antifederalists' desire to guard against tyranny by protecting the private rights to arms.

When the relevant historical information regarding the primary authors, statements, and actions related to the U.S. Bill of Rights are taken into account rather than ignored, the Second Amendment loses all of its confusing and controversial aspects. The Second Amendment becomes one of the plain Bill of Rights provisions in the first eight amendments protecting rights of the people against violation by the Federal Government. It was taken from the plain Revolutionary Era bill of rights provisions protecting rights of the people against violation by the state governments. It does not require a Ph.D. in history to figure this out.

It is not that the amicus historians fail to mention numerous historical facts. The problem is they often miss the significance of such facts in their rush to separate the Second Amendment from its actual private-rights-protecting nature. The professional academic historians' always-slanted interpretations are far from helpful for a clear understanding of a subject that they have helped make much more complex. It becomes evident at the very beginning of the historians' brief that their personally-held views are directly contradicted by the actual views of the two Founders, Mason and Madison, who were most closely associated with development of the provisions within the U.S. Bill of Rights. Some readers may uncritically accept the off-track presentation of these fifteen professional academic historians about the Second Amendment and the related provisions of the original state bills of rights. Those more interested in a clear understanding of the Second Amendment, one that is not in direct conflict with the views of the Founders and historical facts,

would do better by relying directly on the period sources that are actually relevant for understanding the development of the U.S. Bill of Rights. <http://hnn.us/articles/47238.html>

#### 08/02/18 CLINTON WANTS A GUN SUMMIT

Another new wrinkle from Hillary Clinton today: she wants a presidential summit on gun control

"I believe we really should have a summit where everybody comes together on all sides of this issue," Clinton said. "Let's figure out how we can be consistent with the Second Amendment, which I wholeheartedly support, and do more to keep people safe.

<http://www.nydailynews.com/blogs/dc/2008/02/clinton-wants-a-gun-summit.html>

#### 08/02/18 Man says shooting was self defense

A man is claiming self defense after police say he shot and killed a Montgomery County man. Police say 27-year-old Mike Dunn fatally shot 46-year-old Greg Rudd on Sunday. Dunn tells WKYT in Lexington that he had no choice but to shoot Rudd. Dunn says Rudd pointed a gun at him and threatened to kill him before he fired. He says he went to find out why Rudd and another man were on his property without his permission. And when he approached the men, he says they began arguing.

<http://www.kentucky.com/471/story/321655.html>

#### 08/02/16 Dispute over whether to allow loaded guns in national parks threatens vote on lands bill

An election-year dispute over whether to allow loaded guns in national parks is holding up a vote on a massive bill affecting public lands from coast to coast.

Democrats accuse Republicans of trying to score political points by injecting a "wedge" issue like gun rights into a noncontroversial bill.

Republicans counter that Senate Majority Leader Harry Reid is trying to protect the two leading Democratic candidates for president by shielding them from a politically difficult vote on an issue that many rural voters consider crucial

<http://www.startribune.com/nation/15697867.html>

#### 08/02/15 Liquor store owner shoots robbery suspect -- Suspect fires rifle, man replies with his pistol

It took seven shots from Bernis Martin's Smith & Wesson M&P 9 mm pistol before the Wilmington merchant hit his target. And he felt vindicated afterward.

"I had one robbery attempt before, but he wasn't able to get anything," Martin said Thursday night, standing inside his BGM Liquor Store at 11th and Lombard streets. "This time I have some vengeance because he did get hit."

<http://www.delawareonline.com/apps/pbcs.dll/article?AID=/20080215/NEWS/802150343/1006/NEWS>

#### 08/02/14 Pistols, Crime, and Public Safety in Early America

There is currently a rather vigorous debate under way about the meaning of the Second Amendment. What arms does it protect? The District of Columbia, in its attempt to defend its 1976 gun control law, has argued that the widespread possession

of handguns represent an especially serious public safety hazard, and that even if arguendo, the Second Amendment protects an individual right, it would not extend to handguns, which it characterizes as uniquely dangerous weapons that present unique dangers to innocent persons. This paper examines what the history of pistols in early America tells us about what was likely the Framers original intent in protecting the right of the people to keep and bear arms with no apparent limitations concerning handguns and concludes that, unlike radio or nuclear power, repeating firearms (of some sort) were not only foreseeable but eagerly expected.

[http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1081403](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1081403)

#### 08/02/14 Growth spurt projected for nation's prisons

Three-strikes-you're-out, truth-in-sentencing policies to boost numbers

WASHINGTON - Get-tough policies that lock up offenders for longer sentences are propelling a projected increase of nearly 200,000 in the nation's prison population in the next five years, according to a private study released Wednesday.

The increase — projected by the Pew Charitable Trusts study to be three times faster than overall population growth in the U.S. — is expected to cost states more than \$27 billion

<http://www.msnbc.msn.com/id/15012103/>

#### 08/02/14 Sullivan ATF confirmation blocked

The confirmation of US Attorney Michael J. Sullivan as head of the Bureau of Alcohol, Tobacco, Firearms, and Explosives was thrown into further doubt yesterday, when a Republican senator who is blocking the nomination renewed complaints that Sullivan has refused to loosen licensing rules for guns

[http://www.boston.com/news/local/articles/2008/02/14/sullivan\\_atf\\_confirmation\\_blocked/](http://www.boston.com/news/local/articles/2008/02/14/sullivan_atf_confirmation_blocked/)

#### 08/02/14 Space Station Crew Can Access Gun

CAPE CANAVERAL, Fla. -- Astronauts aboard the International Space Station apparently have access to a gun.

Russian Cosmonauts carry a gun on their Soyuz space capsule, which is attached to the space station. Every spacecraft carries survival gear for crash landings, and the Russian Soyuz has a kit that includes the gun. A photo of a space tourist using one version of the weapon is posted on his Web site. But although the gun has been there for as long as the space station has been in orbit, its existence is kept quiet. NASA and Russian officials won't talk publicly about it.

Former NASA engineer Jim Oberg, who is an author and journalist, wrote about the gun on his Web site. He said the gun has no place in an environment where people are under such high stress. "There have been cases of severe psychological strain on people in space, strain that they have taken out -- that their shipmates worried about the ultimate actions," Oberg said. Experts said the idea of an astronaut losing control was unthinkable until one year ago, when Lisa Nowak shattered the myth.

Her own attorney said she was insane when arrested for hunting down another woman, and prosecutors said she was heavily armed. Nowak had flown in space just seven months earlier. Oberg knows an astronaut bent on orbital manslaughter

could simply throw any number of switches to do the job, but he said the crews would be safer if the gun was locked up or left on Earth. The gun is located in a survival kit between some seats aboard the Soyuz spacecraft. All the crewmembers know about it, and U.S. astronauts who fly aboard the Soyuz are trained to use it. <http://www.wesh.com/news/15298911/detail.html>

### 08/02/13 India Shaken by School Violence

2 Deaths Since December Spur Calls for Broader Gun Control

NEW DELHI, Feb. 12 -- Two fatal shootings and a stabbing in Indian schools have rattled parents and teachers here, forcing India to confront an issue it had previously known mainly through TV news footage from the United States.

While school violence remains rare in India, three attacks since December have led to calls for increased security in schools and for broader control of the more than 32 million guns in civilian hands in India. Television images of terrified children crying in hallways after bloody student-on-student attacks have helped drive the concern.

The most recent attack occurred Monday, when an eighth-grader stabbed an 11th-grader in the shoulder and chest at Central School No. 1, a government school in New Delhi, police said

<http://www.washingtonpost.com/wp-dyn/content/article/2008/02/12/AR2008021202694.html>

### 08/02/09 Cheney breaks with Bush on 2nd Amendment

Acting in his role of President of the United States Senate, not as Vice President, Dick Cheney has signed an amicus brief from Congress urging the Supreme Court to strike down Washington, DC's firearms ban as an unconstitutional breach of the Second Amendment.

Cheney joined 55 senators and 250 House members in asking the court to find that the Second Amendment protects an individual's right to possess firearms and to uphold a lower court's ruling that the D.C. ban violates that right. That position is at odds with the one put forward by the administration, which angered gun rights advocates when it suggested that the justices return the case to lower courts for further review.

Lawyers said it may be unprecedented for a vice president to take a position in a case before the high court that is at odds with one the Justice Department puts forward as the administration's official position.

[http://www.americanthinker.com/blog/2008/02/cheney\\_break\\_s\\_with\\_bush\\_on\\_2nd.html](http://www.americanthinker.com/blog/2008/02/cheney_break_s_with_bush_on_2nd.html)

### 08/02/09 Boston: Police set to search for guns at homes

As Boston police prepare to go into some of the city's most dangerous neighborhoods, knock on doors of private houses, and ask if they can search for illegal guns without a warrant, officials are trying to pitch the idea of the plan as friendly cooperation to residents who still see it as a threatening intrusion

[http://www.boston.com/news/local/articles/2008/02/09/police\\_set\\_to\\_search\\_for\\_guns\\_at\\_homes/?page=1](http://www.boston.com/news/local/articles/2008/02/09/police_set_to_search_for_guns_at_homes/?page=1)

08/02/09 The victim of an accidental shooting in a sporting goods store Saturday morning was in serious condition

Saturday night after afternoon surgery at St. Mary's Hospital, according to Sheriff's Department spokeswoman Heather Benjamin.

Kenny Franklin, who works at Jerry's Outdoor Sports at 507 Road 30 in Grand Junction, was shot in the abdomen, according to family and friends at the scene.

The Mesa County Sheriff's Department said the wound was caused by a .243-caliber rifle. A customer brought the rifle into the store, and it was being examined by an employee and the customer when it discharged, Mesa County Sheriff's Department spokeswoman Heather Benjamin said.

"There was a bullet in the chamber he forgot about," Benjamin said. "An employee walked past the counter at the moment he dislodged the bullet. He took a bullet to the abdomen. I don't know that they knew there was a bullet in the chamber until it actually went off."

Deputies took one man in for questioning and were interviewing six people inside the store after the incident, Benjamin said.

Family members of the wounded employee were embracing outside the store an hour after the incident. They said they did not want to comment to the media.

Store co-owner Jerry Stehman said the store's policy is "every gun should be checked before it's worked on, and it is checked." Jerry's Outdoor Sports has been in business for 22 1/2 years, he said.

"This is truly an accident," Stehman said. "There is absolutely no bad intentions or malice intended. I've just been through so many emotions; it's just been devastating to me that it happened."

Stehman said he expects Franklin, who is in his 50s, will make a full recovery.

<http://www.gjsentinel.com/news/conte...ing.html?imw=Y>

Former Delta County police chief named as weekend accidental shooter

The Mesa County Sheriff's Department has released a few more details about the accidental shooting that happened over the weekend at Jerry's Outdoor Sports store in Grand Junction, and a former area police chief and police officer was named as the accidental shooter.

[http://www.gjsentinel.com/blogs/cont...olice\\_chi.html](http://www.gjsentinel.com/blogs/cont...olice_chi.html)

### 08/02/08 Who Should Own Guns in America?

Legal scholar Eugene Volokh says such critics hold that the Second Amendment has nothing to do with individual rights. "Those who take a states' rights view argue that it is the right of the people as a collective entity acting through their states and state militias. So they focus on the first clause of the amendment, which is 'a well regulated Militia being necessary to the security of a free state'," says Volokh. "The individual rights view is that the purpose of the individual right is to maintain the armed citizenry as a means of protecting freedom against despotism. But the way that purpose is accomplished is by securing to individual people the right to keep and bear arms."

"If it is a collective right, then the issue goes away. Then any state can regulate individual firearms ownership as it sees fit," says Wittes. "But if it is an individual right, then you have this second level question, which is: What kind of an individual

right is it? Does that mean the state can still regulate, but it can't ban? Does it mean the state has to respect your right to own it absolutely?"

<http://www.voanews.com/english/NewsAnalysis/2008-02-08-voa2.cfm>

**08/02/08 Juneau, Alaska – Governor Sarah Palin** announced the State of Alaska will join the multi-state amicus brief authored by the State of Texas in support of the Second Amendment right of individual Americans to bear arms.

"I am proud to join the State of Texas in support of the Second Amendment," Governor Palin said. "We need to send a strong message that law-abiding citizens have a right to own firearms, for personal protection, for hunting and for any other lawful purpose."

<http://www.gov.state.ak.us/news.php?id=874>

**08/02/08 TX: Armed Shopper Thwarts Mall Parking Lot Robbery** Authorities have identified a man who was fatally shot while allegedly attempting to rob a man in a southeast Houston parking lot

<http://www.chron.com/disp/story.mpl/metropolitan/5527081.html>

**08/02/07 Feds seize 410 guns from Butler man - ,**  
*Pittsburgh Post-Gazette*

Federal agents this morning seized 410 guns, ranging from assault weapons to pistols, from the home of a man in Butler following a month-long undercover investigation.

Police and agents from the U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives executed a search warrant in the 400 block of North Sixth Avenue and arrested Curt P. Radovich, 39.

He is charged in U.S. District Court with dealing weapons without a license, knowingly selling guns to a felon and possession of guns by a felon. Mr. Radovich has a felony conviction for aggravated assault in Butler County.

He was released on bond after appearing in court this afternoon and will have a preliminary hearing on Tuesday. As part of the terms of his release, he was ordered not to have contact with anyone else involved in the case. Agents are investigating other felons who may have bought weapons from Mr. Radovich in the city of Pittsburgh and throughout Western Pennsylvania.

According to an ATF affidavit, Mr. Radovich repeatedly sold guns to a confidential informant and two undercover officers at a Greensburg hotel despite being told that the informant was a felon.

During one meeting on Jan. 17, he told the officers, "I got more at home" and said he had 100 or more weapons in his house. On another occasion on Jan. 31, according to the affidavit, Mr. Radovich said he also had an SKS assault rifle at his house. <http://www.post-gazette.com/pg/08038/855599-100.stm>

**08/02/05 Churches win another round on '05 gun law exemptions**

A court ruling says firearms can be banned from church-owned property, and signs don't have to comply with language mandated by the state

Forcing churches to allow guns in their parking lots and use state-mandated language for signs forbidding firearms is an unconstitutional infringement on religious freedom, the state Court of Appeals ruled Tuesday.

The decision, which upheld a Hennepin County District Court ruling, means the Edina Community Lutheran Church can continue to legally ban guns with signs saying: "Blessed are the peacemakers. Firearms are prohibited in this place of sanctuary." Other churches may choose their own wording.

Parking lots, day-care centers and other charitable, educational and nonprofit facilities owned by churches also may continue to ban firearms under the ruling.

The Minnesota law permitting people to carry concealed firearms was passed in 2003 and amended in 2005. It required that any organization, business or institution wanting to ban guns use specific language stating that the building operator "bans guns in these premises."

<http://www.startribune.com/local/15314881.html>

**08/02/02 Panel OKs optional school hunting program**

CHARLESTON — Students in West Virginia schools are a step closer to learning how to call in a turkey or drop a trophy buck with a bow and arrow or a .243 rifle.

Without dissent Tuesday, the Senate Education Committee endorsed a long-attempted effort by Senate Majority Whip Billy Wayne Bailey, D-Wyoming, to add hunting to the curriculum.

"We're teaching them a sport," Bailey said after a panelist asked if guns and live ammo would be introduced on school campuses.

"What we're trying to teach them is a sport that will be with them for the rest of their lives."

[http://www.register-herald.com/local/local\\_story\\_036203122.html](http://www.register-herald.com/local/local_story_036203122.html)

**08/01/28 Gun School for Arizona Teachers In response to Arizona Senate Bill 1214**, which would exempt concealed-carry permit holders from a state law that bars individuals from knowingly carrying deadly weapons onto school property, Dr. Ignatius Piazza has committed to provide every Arizona School teacher with a \$2,000, Four Day Defensive Handgun Course, free of charge if Arizona lawmakers will pass the Senate Bill 1214.

<http://www.prnewswire.com/cgi-bin/stories.pl?ACCT=104&STORY=/www/story/01-28-2008/0004744030&EDATE=>

### **Founding Fathers Intent:**

"The constitutions of most of our States assert that all power is inherent in the people; that . . . it is their right and duty to be at all times armed. . . ." *Letter from Thomas Jefferson to Justice John Cartwright* (June 5, 1824), 16 WRITINGS OF THOMAS JEFFERSON 45 (A.A. Lipscomb ed., 1907).