



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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2008 Election-Gun Owners Eye Results-Many Confused on Candidate Positions

In what many foresee as a rough road ahead the outcome of the 2008 elections, nationally and within the state of Pennsylvania, has many gunowners and sportsmen deeply concerned.

The election of Barack Obama and his selection of members of his cabinet leave little room for doubt that gun owners will be squarely in the crosshairs of the new administration. In fact during the course of the campaign President elect Obama stated on NPR radio that he believes in a national ban on the carrying of concealed firearms for self-defense.

The following items appear to be on the short list for consideration within the next 100 days of the administration:

- "Making the expired federal [assault weapons ban](#) permanent." Perhaps no other firearm issue has been more dishonestly portrayed by gun prohibitionists. Notwithstanding their predictions that the ban's expiration in 2004 would bring about the end of civilization, for the last four years the nation's murder rate has been lower than anytime since the mid-1960s. Studies for Congress, the Congressional Research Service, the National Institute of Justice, the National Academy of Sciences, and the Centers for Disease Control and Prevention have found no evidence that gun prohibition or gun control reduces crime. Guns that were affected by the ban are used in only a tiny fraction of violent crime-about 35 times as many people are murdered without any sort of firearm (knives, bare hands, etc.), as with "assault weapons." Obama says that "assault weapons" are machine guns that "belong on foreign battlefields," but that is a lie; the guns are only semi-automatic, and they are not used by a military force anywhere on the planet.

- "Repeal the Tiahrt Amendment." [The amendment](#)--endorsed by the [Fraternal Order of Police](#)--prohibits the release of federal firearm tracing information to anyone other than a law enforcement agency conducting a bona fide criminal investigation. Anti-gun activists oppose the restriction, because it prevents them from obtaining tracing information and using it in frivolous lawsuits against law-abiding firearm manufacturers. Their lawsuits seek to obtain huge financial judgments against firearm manufacturers when a criminal uses a gun to inflict harm, even though the manufacturers have complied with all applicable laws.
- "Closing the gun show loophole." [There is no loophole.](#) Under federal law, a firearm dealer must conduct a background check on anyone to whom he sells a gun, regardless of where the sale takes place. A person who is not a dealer may sell a gun from his personal collection without conducting a check. Gun prohibitionists claim that many criminals obtain guns from gun shows, though the most recent federal survey of convicted felons put the figure at only 0.7 percent. They also claim that non-dealers should be required to conduct checks when selling guns at shows, but the legislation they support goes far beyond imposing that lone requirement. In fact, anti-gun members of Congress voted against that limited measure, holding out for a broader bill intended to drive shows out of business.
- "Making guns in this country childproof." "Childproof" is a codeword for a variety of schemes designed to prevent the sale of firearms by imposing [impossible or highly expensive design requirements](#), such as biometric shooter-identification systems. While no one opposes keeping children safe, the fact is that [accidental firearm-related deaths](#) among children have decreased 86 percent since 1975, even as the numbers of children and guns have risen dramatically. Today, the chances of a child being killed in a firearm accident are less than one in a million.

The items listed above in addition to the ban on concealed carry of firearms are ones most likely to be subject to early legislative efforts.

Congress:

Across the country a small but not insignificant number of pro-gun Congressman incumbents have lost their seats to dedicated anti-gun individuals. Here in Pennsylvania Congressman Phil English was unseated by a woman who is an avowed enemy of the Second Amendment.

Pennsylvania:

Gun owners and sportsmen lost a small number of pro-gun votes but did pick up several seats that would otherwise have gone against us in legislative areas. More will be coming out on these races but at this time the final results have not been determined and several campaigns are being challenged.

Local communities challenge the enforcement of Pennsylvania law

In what appears to be a coordinated effort a number of local communities are feeding off the anti-gun antics of the Philadelphia city Council and Mayor by introducing their own legislation mandating the reporting of lost or stolen firearms. This is being done in the shadow of the decision by Commonwealth court that there is no authority for any community to make these decisions.

The fact that they are prohibited from enacting these ordinances by Pennsylvania title 18 crimes code subsection 6120 but also the home rule charter seems to fall on deaf ears even though each community retains their own solicitor who was supposed to advise them on the legality of their efforts.

These efforts appear to be headed for a showdown in the Supreme Court and more will be coming out in the near future about additional efforts to confront these clearly illegal policies.

New study says gun shows not tied to homicides

by Dave Workman, Senior Editor

A joint study by the University of Michigan and University of Maryland that examined homicide and suicide rates in California and Texas has concluded that gun shows do not contribute to deaths associated with either cause.

The study, *The Effect of Gun Shows on Gun-Related Deaths: Evidence from California and Texas* by Mark Duggan and Randi Hjalmarsson from the University of Maryland and Brian A. Jacob at the University of Michigan, was released last month,

and the mainstream press virtually ignored it. Jacob and Duggan are also associated with the National Bureau of Economic Research.

Authors of the study, released by the University of Michigan, noted, "We find no evidence that gun shows lead to substantial increases in either gun homicides or suicides. In addition, tighter regulation of gun shows does not appear to reduce the number of fire arms-related deaths."

Gun control lobbyists were quick to discount the study's findings. Paul

Helmke, president of the Brady Campaign to Prevent Gun Violence, was quoted by *The Detroit News* noting, "My main concern about this study is what it appears to be measuring is pretty narrow."

Helmke said that he had spoken with authorities in California who are content with their gun show regulations. He alleged that guns flow into California from neighboring Nevada and Arizona. He said the study "answers an interesting question, just not the crucial question."

He did not elaborate about what that crucial question is.

Joe Waldron, legislative director for the Citizens Committee for the Right to Keep and Bear Arms, countered, "What else would they say about research that demolishes one of their most hysteria-driven platforms? The tide is turning on the gun rights issue, because research trumps rhetoric every time."

The study noted that gun control advocates who contend that a so-called "gun show loophole" contributes to crime "commonly cite selected extreme events" to support their agenda. Likewise, to defend their position, the study, alluding to a 2001 report, noted that gun rights activists "often cite a Bureau of Justice Statistics survey that finds that only 0.7% of state prison inmates who had ever owned a gun reported that they obtained it at a gun show."

However, they also acknowledged that a 2000 study done by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) "found that 14% of their criminal trafficking investigations between 1996 and 1998 involved guns purchased from gun shows" including about 46% that involved straw purchases and another 20% involving "unlicensed sellers," who are private citizens selling guns from their personal collections.

The ATF, they explained, "found that felons buying or selling firearms were involved in more than 46% of the investigations." The ATF study also "found that in more than a third of the gun show investigations reviewed, the firearms involved were known to have been used in subsequent crimes, including homicide, robbery, burglary, assault and drug offenses."

"It is not clear how to interpret these results, however," the researchers said, "since the (ATF) sample is constructed to only include shows that were under investigation." •

Eighteen states have passed legislation regulating private transfers at gun shows, the so-called "loophole," and according to the study, this really has shown no positive results.

"Despite this legislative activity," the researchers wrote, "there is little empirical evidence regarding the effect of gun shows."

The research trio looked at data on gun shows and deaths occurring in the two states over an 11-year period from 1994 through 2004. They explain that California and Texas were

selected for this study because they represent almost 20% of the total US population, and are home to a significant number of gun shows. The states are also at "opposite ends of the spectrum in terms of the degree of gun show regulation."

They looked at trends in the jurisdictions where gun shows occur, and at death statistics in the particular zip code of a gun show during the week of the show and for the following three weeks. They also examined the geographic areas that surround the place where gun shows occur.

The researchers acknowledge that there are "several limitations to the analysis," primarily that guns obtained at a gun show are at least sometimes transported elsewhere.

Gun Week looked for coverage of this study by the mainstream press and found only the story in The Detroit News. It appears that all other news agencies ignored the report.

"This research punches a gaping hole in the argument by gun control fanatics that a mythical 'gun show loophole' contributes to crime and suicide," Waldron stated. "Thanks to this study, the anti-gun rights lobby loses another cornerstone of its agenda. For years, no matter what the crime, gun banners have invariably reacted by suggesting that added restrictions on gun shows would somehow have prevented it." [The New GUN WEEK](#), November 1, 2008

SAF, NRA settle joint lawsuit over New Orleans gun seizures

by Dave Workman, Senior Editor

It took three years of perseverance, but the Second Amendment Foundation (SAF) and National Rifle Association (NRA) have finally settled their landmark federal lawsuit against the city of New Orleans over the post-Hurricane Katrina gun confiscations.

The September 2005 legal action has resulted in a permanent injunction against the city, prohibiting the confiscation of all lawfully-possessed firearms from all citizens. Attorney Dan Holliday of Baton Rouge, who represented the plaintiffs along with Virginia attorney Stephen Halbrook, told Gun Week that the agreement has eliminated a requirement that people whose guns were taken had to prove ownership by producing a sales receipt or provide a serial number of the gun.

Now, he said, gunowners need only provide a driver's license or some other form of identification, and the make, model and caliber of their firearm and sign an affidavit. If the gun had special identifying characteristics, that would also be provided. The claimant must then sign for the gun and go through a background check to confirm they can now legally own a gun.

"Proof of ownership by sales receipt or serial number is encouraged," the agreement states, "but neither the presentation of the serial number of the firearm nor the presentation of a sales receipt will be required in order for a claimant to obtain possession of his/her firearm."

The agreement gives the city 30 days to notify all gunowners they can identify, Via mail, to come and retrieve their property.

For months after the lawsuit was filed, the city denied having seized any guns. However, attorneys and investigators working for NRA and SAF uncovered ample evidence that such confiscations had occurred. At one point, a former city attorney met Halbrook and Holliday at the federal courthouse, acknowledged some guns had been taken, and then led the two

attorneys to a storage area where they estimated more than 1,000 firearms had been put inside trailers and containers.

Halbrook suggested that the city finally consented to the settlement because a trial date was looming and "it was time for them to face reality."

"They could no longer deny the undeniable," Halbrook observed. "It hit them that they were finally going to have to admit what they'd done."

SAF founder Alan Gottlieb told Gun Week that he was "delighted that this case is now settled," but he complained that the lawsuit "should never have been necessary."

He recalled that when he first got word of the confiscations, SAF was prepared to take legal action on its own, but that the group teamed up with NRA, which also was infuriated by the gun grab. It was a landmark action, with two national gun rights organizations marching into court together to quickly secure a temporary restraining order against the city and neighboring St. Tammany Parish. Officials in St. Tammany Parish quickly settled and returned guns their officers had seized.

Barely two months later, SAF and NRA teamed up again in a lawsuit that led to a victory over a handgun ban in San Francisco. That case was a virtual replay of a legal action SAF fought on its own more than 22 years ago when then-Mayor Dianne Feinstein had pushed through a gun ban in the city.

New Orleans, under Mayor Ray Nagin and Police Superintendent Warren Riley, seemed at first to ignore the lawsuit and then balk at it. Neither official has ever taken responsibility for issuing the order that all privately-held firearms would be confiscated and that "only police would be allowed to have guns."

"When a disaster strikes," Gottlieb said, "no government entity or official should arbitrarily decide that citizens must be disarmed and left defenseless, and that is what happened in New Orleans. These gun seizures were conducted without legal authority, under color of law and often at gunpoint, and that must never be allowed to happen again anywhere on American soil."

The NRA produced a video account of the Hurricane Katrina gun confiscation, and at least one book, *The Great New Orleans Gun Grab* by Gordon Hutchinson, has become something of a cult classic among outraged gunowners.

"What happened in the days after Hurricane Katrina was an outrage," Gottlieb said. "We hope this permanent injunction sends a signal to mayors and police chiefs everywhere that we live in a nation of laws, and those laws are not subject to their whims. You do not suspend Constitutional rights just because of a storm or earthquake or some other natural or man-made disaster."

Several states have adopted statutes that forbid gun confiscation in the wake of such a disaster.

"This is not simply a victory for SAF or NRA members in New Orleans, but for all American gunowners," Gottlieb said. [The New GUN WEEK](#), November 1, 2008

NY new-handgun database has yet to lead to prosecution

New York's 7-year-old database of handgun "fingerprints" has yet to lead to a criminal prosecution, and questions linger

about its effectiveness, according to KSL-TV and Associated Press.

Still, state police remain committed to the database, saying more time and a long-awaited link to a federal ballistics database could bring success, according to the reports.

Since March 2001, identifying information about more than 200,000 new pistols and revolvers sold in New York have been entered into the Combined Ballistic

Identification System (COBIS) database maintained by state police. New York and Maryland are the only two states that maintain statewide databases.

New guns are test fired, and the minute tool marks on the shell casings are recorded and entered into the digital database.

Proponents say the markings are as unique as fingerprints and can be compared against shell casings found at crime scenes. The results as of August: 209,239 casings entered into New York's database, 7,124 inquiries and two hits.

Both hits were several years ago and involve separate crimes in Rochester—a drive-by shooting that resulted in an injury and an incident involving shots fired—and neither resulted in a prosecution, according to state and Rochester city police.

Gun advocates, who have opposed the database from the get-go as unworkable, claim the lack of results is evidence of the system's failure. They contend that a gun's "fingerprints" can be changed easily by taking a file to the breech face. Tom King, president of the New York State Rifle & Pistol Association, told the reporters that the state would be better served by spending the money for the database—which police say costs about \$1 million a year—on more police.

"We don't have to be throwing millions of dollars into a program that doesn't work," he said. State police disagree.

Spokesman Sgt. Kern Swoboda noted that the typical time between the legal purchase of a gun and the time it's used in crimes is seven to 10 years. That would mean that the first guns logged in 2001 are just now becoming more likely to be used in crimes, and that matches could start coming in the next several years.

Police also have been trying for years to address limitations of the statewide database, but the only other state with a similar database is Maryland. State police there and Gov. Martin O'Malley's office did not return the reporters' calls seeking comment on the status of their state's database.

However, earlier reports indicated that some Maryland state police officials would prefer dropping the program and investing the money in more police personnel. [The New GUN WEEK](#), November 15, 2008

UK gun crime seen 60% higher than official figures

The true level of firearms crime in the gun-banning United Kingdom (UK) is far higher than the government admits in official statistics, The Sunday Telegraph revealed on Oct. 19.

The newspaper said figures that were to be published by the Home Office on Oct. 23 would massively understate the scale of the problem.

Data provided to The Sunday Telegraph by nearly every police force in England and Wales, under freedom of information laws, show that the number of firearms incidents

dealt with by officers annually is 60% higher than figures stated by the Home Office.

Last year 5,600 firearms offenses were excluded from the official figures. It means that, whereas the Home Office said there were only 9,800 offenses in the 2007-8 period, the real total was around 15,400. The latest quarterly figures that were due to be released, would again exclude a significant number of incidents, the newspaper said.

The explanation for the gulf is that the government figures only include cases where guns are fired, used to "pistol whip" victims, or brandished as a threat.

Thousands of offenses including gun- smuggling and illegal possession of a firearm—which normally carries a minimum five-year jail sentence—are omitted from the Home Office's headline count, raising questions about the reliability of government crime data.

Dominic Grieve, the shadow home secretary, said: "These alarming new figures not only highlight the appalling state of gun crime in this country, but also remind us just how poor the government's statistics actually are.

"Crime statistics must also be compiled and published independent of the Home Office, and crime mapping rolled out so that people can have confidence in what they are being told about the state of crime in this country."

In all, there were at least 5,612 offenses excluded from the Home Office's official gun crime total last year, according to figures supplied by police forces. The true total number of excluded offenses will have been even higher, because two of the 43 forces in England and Wales, Thames Valley and Leicestershire, failed to hand over their data when asked to do so under the Freedom of Information Act, and a large urban force, Greater Manchester, provided incomplete statistics. [The New GUN WEEK](#), November 15, 2008

British 'weapons specialist' shoots self, sues police

From the "Only One Qualified" file comes the story of a British police "weapons specialist" identified by the BBC as Peter Woods, who seems to have a problem accepting personal responsibility for shooting himself in the hand.

Woods has filed a lawsuit against the Police Service of Northern Ireland (PSNI) more than 19 months after the mishap, which happened in February 2007. The 50-year-old Woods reportedly had removed the magazine from a pistol but apparently failed to clear the chamber—one of the most basic safety rules—and started dismantling the gun when it went "bang!"

How's this for a legal argument? According to the BBC report, Woods' attorneys have claimed in court that "proper safety procedures were not in place, and ammunition may have been faulty."

Safety procedures were evidently not followed, either, and that ammunition seems to have worked just the way it was supposed to.

The legal beagles also claim that "a proper risk assessment was not carried out and a second person should have been present to reduce the accident risk," the BBC reported. Perhaps in the British Isles armed cops need babysitters. [The New GUN WEEK](#), November 1, 2008

Pennsylvania court throws out suit over Philadelphia gun laws

Philadelphia officials cannot enact gun laws tougher than Pennsylvania's law, a state appeals court ruled on Sept. 26 in throwing out city ordinances that would have limited gun purchases to one a month and banned so-called assault weapons, among other things.

Commonwealth Court dismissed a lawsuit against the state legislature filed by two members of Philadelphia's City Council, Darrell L. Clarke and Donna Reed Miller, according to Associated Press.

The court cited language in several gun ordinances the council passed last year that the measures cannot take effect unless the legislature were to let municipalities enact stricter laws. That has not happened.

President Judge Bonnie Brigance Leadbetter wrote in the court's ruling that the state Supreme Court previously upheld the state's exclusive right to enact gun laws in a 1996 ruling that overturned Philadelphia's effort to prohibit guns it called "assault weapons." A 1974 state law says that only the General Assembly can regulate guns.

In a separate opinion, Judge Doris A. Smith-Ribner said she agreed with dismissing the lawsuit, but disagreed with the court's finding that previous court rulings could be interpreted as a "clear ban" against the city's ordinances.

City officials have been pushing for tougher local ordinance in response to Philadelphia's high murder rate and its reputation for being a weapons source for criminals in New York and other states with stricter gun laws.

City Council passed another group of gun-control ordinances this year. The five ordinances passed April 10 and were signed into law by Mayor Michael Nutter.

A city judge blocked two of the ordinances, saying they were almost certainly illegal. Three other laws survived, including one that imposes fines on citizens who fail to report a lost or stolen firearm within 24 hours.

All five of the ordinances are the subject of a separate legal challenge by the National Rifle Association.

Meanwhile, the city keeps trying to enact even more local guns laws. [The New GUN WEEK](#), November 15, 2008

GA report finds gun deaths low among children

A report from the Georgia Child Fatality Review Panel on the causes of death among children age 17 and under says firearms account for the fewest number of those fatalities.

The report used data from 2005, the most recent year for which complete figures were available.

According to the report, there were 1,723 child deaths in 2005, which was down from the 1,760 in 2004 and 1,794 in 2003. Of those deaths, 1,187 were attributed to medical problems, amounting to 68.9% of all the youth fatalities. Motor vehicle accidents claimed 154 lives and Sudden Infant Death Syndrome accounted for another 125 deaths.

At the bottom of the list, which uses data based on death certificate information, were firearms.

The review covered 50 child homicides and 20 child suicides. It also revealed that 38 children drowned, 29 died from asphyxia,

another 30 died from unknown causes, and 13 were poisoned. Fourteen children died in fires.

The Georgia Child Fatality Review Panel was, according to its website, "created to prevent child fatalities that are preventable through the establishment of an effective review and standardized data collection system. This system ostensibly improves the understanding of why and how children die, and it is used to "influence legislation, policies, and programs that effect the health, safety, and protection of children."

The panel is based in Marietta. There are 17 members. The group is currently working on a report for 2006, which will be available at the end of this year. [The New GUN WEEK](#), November 1, 2008

Largest range in New England under legal attack by neighbors

Blue Trail Range and gun shop in Wallingford, CT, is currently in the fight of its life, under attack by individuals who have alleged that, even after over 60 years of operation, bullets from the range are improperly entering public and private property.

To date, Blue Trail Range has been served with two such frivolous lawsuits with claims ranging from trespass, nuisance, noise pollution, lead contamination, and even a claim against the town of Wallingford for allowing the range to continue to operate.

Blue Trail Range and its patrons have always taken firearms safety seriously. Yet certain individuals are accusing the range of allowing bullets to improperly enter public and private property. These same individuals have sued to obtain an injunction to stop the range from operating, even though Connecticut's Department of Environmental Protection has issued press releases heralding the safety of the range. It is apparent that the plaintiffs are dead set on closing the range for their own personal gain, hiding behind the cover of safety, noise and lead concerns.

Blue Trail Range consists of a 10-point 50-foot indoor range, 15-point 33-foot indoor air rifle range, 19-point 25 yard outdoor pistol range, 100-point 50-yard and 100-yard outdoor rifle range, a shotgun field, snack bar, and complete gun store. It is the largest commercial range open to the public in New England and is open 7 days a week, 9 a.m.-5 p.m., with extended Summer hours.

In addition to the public, Blue Trail Range has served the Connecticut law enforcement community since its opening in 1945, and has provided essential training facilities for the Connecticut State Police, the Connecticut Department of Environmental Protection agents, the Connecticut Governor's Foot Guard, and the Connecticut Governor's Horse Guard.

Additionally, it also serves the Marine Corps, Coast Guard, Navy, Army National Guard, and Securitas, the security agency for Connecticut's nuclear power plants. The ranges also provide training facilities for 15 Connecticut municipal police departments and the Connecticut CMP.

On the range, the Connecticut State Rifle & Revolver Association has hosted National Rifle Association (NRA) and USA Shooting registered smallbore, high power; and pistol shoulder-to-shoulder matches, state and regional championships for competitors throughout the United States and from England,

Scotland, Germany, Australia, and New Zealand, as well as the Olympic Team from India.

In an effort to get to the bottom of the litigation claims, this past summer Blue Trail Range voluntarily closed its outdoor ranges for about three months, while it evaluated its safety protocols and range designs to see if further improvements were necessary or practical. The results of these evaluations have indicated that lawsuits are without merit and are filed merely to try to close this time-honored shooting facility.

Nonetheless, during the temporary shutdown, Blue Trail Range took the opportunity to make some recommended safety enhancements to try and head off any claims in the future.

Save Blue Trail Range Inc. has been set up with the mission to raise funds to meet the necessary legal, environmental, public relations, and other costs associated with ensuring continued daily operation of Blue Trail Range. Expenses are already over a quarter million dollars. The continued litigation by these motivated plaintiffs will drive these costs even higher, possibly as high as \$1 million

If the Blue Trail Range facilities are permanently closed, the chances increase that a "domino" effect will threaten other ranges, both private and public. Anyone wishing to contribute should make checks payable to Save Blue Trail Range, Inc. (a 501(c)4 corporation) and mail it to the Treasurer, Buddy Niezgorski, at 58 Walnut Lane, Wallingford, CT 06492. Contributions can also be made online at: savebluetrailrange.org.

The range operators are also urging concerned individuals to write letters to the editors of Connecticut newspapers and the Office of the Attorney General in Connecticut. *The New GUN WEEK*, November 15, 2008

FBI says fatal self-defense shootings up

by Dave Workman, Senior Editor

The FBI says justifiable homicides by private citizens, as well as police officers, are on the rise according to 2007 data that shows more than 250 killings by armed citizens occurred that year.

It's the highest number in more than 10 years.

Alan Gottlieb, co-author of *America Fights Back: Armed Self-Defense in a Violent Age*, said the increase is not surprising. His book examined self-defense by armed citizens.

"American citizens have realized that they are on the front lines of the war on crime, and the police cannot be everywhere, all the time," he said. "Essentially, these citizens recognize they are responsible for their own safety, and the safety of their families, and they will not surrender without a fight."

According to FBI data, there were 351 justifiable homicides by police last year as well.

USA Today noted that the FBI considers a homicide justified if a private citizen kills someone during the commission of a felony. Several states have revised their self-

defense statutes in recent years, expanding the self-defense rights of private citizens.

Some criminologists have looked at the trend, according to USA Today, and suggest that the new laws have contributed to a greater willingness among armed citizens to shoot.

"Our society is returning to its self-reliant roots," Gottlieb stated.

"Armed citizens are the new 'first-responders' and since the 9/11 attack and Hurricane Katrina's aftermath, Americans are facing the new reality that government cannot protect you, whether it be from natural disasters or neighborhood thugs."

He suggested that Americans have grown weary of neighborhood crime, and realize that police are stretched thin. He said this report affirms the importance of last summer's

Supreme Court ruling in the Heller case that the right to keep and bear arms is an individual civil right, and that self-defense is really what the Second Amendment is all about.

"Now, perhaps more than ever," he observed, "Americans realize the importance of the Second Amendment and the individual civil right it has always protected. This is not a new right, as the Supreme Court confirmed earlier this year, but one that pre-dates our Constitution. What this new data reflects is a renewed willingness to exercise that right and to change course on how we deal with crime and personal safety." *The New GUN WEEK*, November 15, 2008

Florida father defends family, kills armed thug in store

From the "America Fights Back" file comes the story out of Palm Beach, FL where Yamen Abdelfattah, turned the tables on a callous gunman, killing the thug in the process.

According to The Palm Beach Post, a man identified as Robert C. Martin of Lake Worth walked into the AIA Discount Beverage store on the night of Sept. 14, aiming a gun at proprietor Noel Nagi and demanding money. Nagi, doing what police spokesmen always suggest—cooperate—was going to give up his cash and he simply asked the gunman, "Just don't do anything crazy. There's a baby."

Nagi was alluding to his 7-month-old grandson, his daughter and her husband, Abdelfattah, who were nearby.

That's when Martin made the last and worst mistake of his life. He told Nagi, "I don't give a f—!" And then he swung the gun muzzle toward the child.

At that point, the newspaper said a customer opened up the door to the shop, distracting Martin long enough for Abdelfattah, to move. Yamen handed his son to his wife, who ran for cover, as he drew his handgun, stepped around the corner of Nagi's counter, and cut loose.

The 29-year-old Abdelfattah fired several times. He packs a gun because he is in the check-cashing business, the newspaper indicated, and he clearly knew how to use it.

Martin, a suspect in another armed robbery in Lake Worth on Sept. 9, landed just inside the doorway, surrounded by shattered glass. That's as far as he got.

Nagi came to this country from Lebanon and opened his shop in 1992. Within months, the newspaper said, he suffered his first armed robbery, but he fought back, disarming the robber, who ran away. Cops later arrested that man and he did three years in prison.

Abdelfattah has also been robbed at his check-cashing business, twice. The newspaper said he bought his handgun last

year, and he spent time at the gun range that was evidently well-invested. [The New GUN WEEK](#), November 1, 2008

Feds to probe post-Katrina shootings by cops

Federal officials will investigate the New Orleans police officers involved in fatal shootings that happened on a city bridge after Hurricane Katrina, authorities said on Sept. 30, according to Associated Press.

The announcement comes a little more than a month after the dismissal of state charges against seven New Orleans police officers accused of gunning down several people on the Danziger Bridge in the chaotic aftermath of Katrina, killing two men.

"In the best spirit of law enforcement coordination, and at the request of the victims' families, the New Orleans District Attorney has referred the matter to the United States Department of Justice for review," US Attorney Jim Letten said in a statement.

Letten said his office, the Civil Rights Division of the Justice Department, and the FBI will take "as much time and resources as necessary" to determine if the officers will face federal criminal charges. [The New GUN WEEK](#), November 1, 2008

Tennessee authorities say youth killed 'in self-defense'

A trio of youthful home invaders in Chattanooga, TN was turned away with gunfire in early October, and later in the month, the man inside who pulled the trigger was found to have acted in self-defense, according to the Chattanooga newspaper.

Dead is Isaac Robinson, a student at Central High School, who died from a bullet fired by James Bryan Miller. The newspaper said Miller was one of four occupants in a trailer when he spotted Robinson and two other people, one of whom was identified as Michael Shadden, approaching. They were wearing hoodies and masks, and one was carrying a shotgun.

The newspaper said Miller, seated on a love seat with a woman identified as Jamie Schultz, grabbed a gun and when the three would-be home invaders rushed inside, he opened fire.

Miller had fled the scene after the Oct. 3 shooting, which put him under suspicion of a crime, the newspaper indicated. However, following an investigation, authorities determined he had fired in self-defense. He had been arrested in Whitfield County, GA.

When he shot Robinson, Miller also hit Shadden in the back. The third person was not hit and fled. When he was first interviewed by police, Shadden said he and Robinson had been shot by two black men in Brainerd.

This was a second time around for Shadden, who reportedly tried to pull the same crime at the same trailer on Sept. 20. He fared little better on that caper, when people inside the trailer jumped him and beat him.

The trailer is apparently a known drug house, the newspaper said. [The New GUN WEEK](#), November 15, 2008

Prospective buyer nabbed in Virginia on murder warrant

A man who filled out an application in October to buy a gun in Norfolk, VA, was arrested shortly afterward on warrants

charging him with a homicide in Maryland, Virginia state police told The Virginian-Pilot.

Barry Cleveland Roberts filled out the Form 4473 at Bob's Gun and Tackle Shop on Oct. 21, according to a state police news release. Employees at the shop told Roberts that the application would take about an hour to be approved by the State Police Firearms Transaction Center. Virginia is a point-of-contact state for background checks.

Roberts left his phone number and left the store, police wrote.

When the application check found the warrant in Baltimore, Virginia State Police sent troopers to the Norfolk shop, the release says.

The gun shop owner called Roberts to tell him his application was approved and that he could return to the store to buy a gun, police wrote in the release.

Troopers and a Norfolk police officer hid inside the store and waited for Roberts to return, state police wrote. He was arrested shortly after arriving at the store.

Roberts was being held in jail in Norfolk as this issue of Gun Week went to press and was awaiting extradition, police said. [The New GUN WEEK](#), November 15, 2008

GA man opens fire on would-be home invaders

From the "America Fights Back" file comes this story out of Moultrie, GA, where three boneheads who figured to "break into a home owned by Ivan Hightower are probably re-thinking their career choices.

According to WALB in Albany, GA, Hightower was climbing into the shower when he heard some noise, and being a prudent citizen, he picked up a gun and went to investigate. A victim of an earlier robbery, Hightower spotted three guys in dark clothing, packing guns, and he quickly concluded this bunch was not collecting for charity.

The television station reported that Hightower opened fire, striking 21-year-old Darnell Slaughter and another man identified as Calvin Suggs. The third suspect, identified as 18-year-old Apondrea Marshall, was apparently not hit, but he is in big trouble along with his shot-up buddies. Slaughter was treated at a hospital and released, right into the waiting handcuffs of the local authorities, and Suggs remained in the hospital, but when he got out, he also got a ride to the slammer.

The local district attorney was also looking to see whether Hightower would face charges. [The New GUN WEEK](#), November 15, 2008

Intended victim blasts burglar

Meet Shawn Lincoln, 22, of York, AL. According to The Tuscaloosa News, he allegedly strolled up to three people who were standing outside a home and asked if

any of them had drugs. Tuscaloosa Police Capt. Loyd Baker told the newspaper that the trio all said they were clean, so Lincoln pulled a pistol and forced them inside.

That was a mistake, because a 22-year-old resident inside the home had grabbed a gun and when Lincoln came through the door, the shooting started. Lincoln took bullets to the arm and chest, and then ran to a nearby residence, asking that the homeowner there call the police because he had been shot.

The bullet wounds were apparently not life-threatening, and as soon as Lincoln got out of the hospital, he got a free ride to the Tuscaloosa County Jail. [The New GUN WEEK](#), November 15, 2008

Grassroots ballot battle on Illinois CCW

by Dave Workman, Senior Editor

Fourteen advisory referendums from as many counties on the Nov. 4 Illinois ballot signal a shot of discontent across the bow of Prairie State lawmakers who are dominated by Chicago's anti-gun political machine.

Voters in those counties, mindful that their state is but one of two in the nation where law-abiding citizens remain legally disarmed because of the absence of a concealed carry statute, are preparing to send a message to the state capitol in Springfield: "Enough!"

The breadth of the campaign admittedly caught many people by surprise. Richard Pearson, executive director of the Illinois State Rifle Association (ISRA), told Gun Week that this movement actually began in Winnebago County, but the county board surprised everyone by soliciting participation from the rest of the state's 102 counties, and 14 joined in. ISRA was not part of that initial effort, he said. It was a Winnebago County initiative.

But ISRA quickly reacted, putting together an educational brochure that was recently mailed to tens of thousands of voters throughout the active counties. Also participating are the relative handful of activists belonging to Illinois Concealed Carry.

He also said that 2009 is going to see the beginning of a big push in Springfield for adoption of a concealed carry law, and this referendum campaign could give that effort considerable momentum.

Pearson said ISRA has been holding "as many community meetings in the various counties as possible," as the election loomed. He was hopeful that the measure would pass in at least some of the involved counties, and if complete ballot counts show it passing in all 14, he will be elated.

Whether state legislators will listen remains to be seen. Passage means a certain confrontation over the issue with the anti-gun "Chicago contingent" in the legislature.

Pro-rights activists in Crawford, Cumberland, Effingham, Franklin, Greene, Jasper, Jefferson, Kendall, McDonough, Ogle, Saline, Union, Winnebago and Woodford counties overcame a hurdle just getting the concealed carry referendum question on their respective ballots. Even if the measure passes in all 14 counties, that still constitutes a minority of state residences, less than 15%. This is not regional. Counties that placed the measure on their ballots are scattered north to south, east and west.

It is a start, Pearson suggested, and it would represent something of a cross section of the state's population. Surprisingly sparse attention has been paid to the issue by Illinois media, although Gun Week reported on it earlier. Short reports carried by the Associated Press in mid-October merely acknowledged that the measure was on the ballot in those specific counties. All published reports did explain that the ballots were advisory only in nature.

Anti-gunners are already turning thumbs down on concealed carry legislation, regardless of the ballot measures. Thom Mannard, executive director of the Illinois Council Against Hand

Gun Violence told The Beacon News that concealed carry advocates "just want to be cowboys, be judge, jury and executioner."

That same newspaper quoted members of the Kendall County Commission rejecting the idea.

Board member Jessie Hafenrichter stated, "I just feel it will make more guns available to children and people probably will want to be responsible for them, but they aren't always able to be responsible I think it will proliferate the gun situation."

State Rep. Brandon Phelps was quoted by The Harrisburg Daily Register lamenting that 68% of all Illinois state lawmakers come from the Chicago area.

Citizens living in the 14 counties, and who support the notion of concealed carry in Illinois, have contended it is not fair that all state political decisions be dominated by the whims of those living in Chicago. [The New GUN WEEK](#), November 1, 2008

NY gun charge dismissed under McClure-Volkmer

New York criminal defense law firm Tilem & Campbell announced on Sept. 25 that all charges were dismissed against a client charged with possessing a loaded firearm in Bronx County, NY. The firm relied on the federal travelers' defense which grants a defense to state gun charges for those traveling interstate with their firearms. The client was originally charged with a class "C" violent felony and was facing a mandatory minimum sentence of 3 1/2 years in state prison and up to 15 years in state prison if convicted; he was needless to say ecstatic with the outcome.

The Federal Travelers' Defense, part of the Firearm Owners Protection Act (Volkmer-McClure) permits a citizen who is not barred from possessing guns to legally transport one or more guns from one state where he legally possesses that gun to another state where he may lawfully possess that gun, without regard to the gun laws in every state he passes through on the trip. The defense is only available if the gun is unloaded, and if neither the gun nor ammunition is accessible from the passenger compartment of the vehicle.

In 2006, New York state amended its gun laws, increasing the penalties for possessing a loaded firearm outside a person's home or place of business. [The New GUN WEEK](#), November 15, 2008

One third recent Atlanta cop hires have crime records

More than one-third of recent Atlanta Police Academy graduates had previously been arrested or cited for a crime, according to a review of their job applications by The Atlanta Journal-Constitution.

The arrests ranged from minor offenses such as shoplifting to violent charges including assault. More than one-third of the officers had been rejected by other law enforcement agencies, and more than half of the recruits admitted using marijuana.

"On its face, it's troubling and disturbing," said Vincent Fort, a state senator from Atlanta. "It would be very troubling that people might be hitting the streets to serve and protect and they have histories that have made them unqualified to serve on other departments."

But Atlanta police say it's not so simple. Officials have been trying without success for more than a decade to grow the department to 2,000 officers, an effort hurt by this year's budget crisis. With competition for recruits intense among law enforcement agencies, Atlanta has had to make concessions. *The New GUN WEEK*, November 15, 2008

Another cop loses gun his gun

Adding more anecdotal evidence that the "only cops should have guns" philosophy is faulty at best, a story carried in The Chronicle-Telegram in Elyria, OH, proves that it is simply not possible.

Lorain Police Detective Ralph Gonzalez apparently had a gun stolen from his home by a burglar who came through the rear door of his house, grabbed the pistol, a holster and three bottles of liquor. The theft occurred on Oct. 3, the newspaper said.

The Lorain County Sheriff's Department is investigating. *The New GUN WEEK*, November 1, 2008

Hindsight

Obama and the attempt to destroy the Second Amendment

by David T. Hardy

Reprinted, with footnoted web link citations, from Pajamas Media, Oct. 6, 2008 <http://pajamasmedia.com/blog/obama-and-the-attempt-to-destroy-the-second-amendment/>

As a presidential candidate, Barack Obama must demonstrate executive experience, but he remains strangely silent about his eight years (1994-2002) as a director of the Joyce Foundation <<http://www.discoverthenetworks.org/funderprofile.asp?fndid..5310>>, a billion dollar tax-exempt organization. He has one obvious reason: during his time as director, Joyce Foundation spent millions creating and supporting anti-gun organizations: <http://campaignspot.nationalreview.com>.

There is another, less known, reason. During Obama's tenure, the Joyce Foundation board planned and implemented a program targeting the Supreme Court. The work began five years into Obama's directorship, when the Foundation had experience in turning its millions into anti-gun "grassroot" organizations, but none at converting cash into legal scholarship.

The plan's objective was bold: the judicial obliteration of the Second Amendment.

Joyce's directors found a vulnerable point. When judges cannot rely upon past decisions, they sometimes turn to law review articles. Law reviews are impartial, and famed for meticulous cite-checking. They are also produced on a shoestring. Authors of articles receive no compensation; editors are law students who work for a tiny stipend.

In 1999, midway through Obama's tenure, the Joyce board voted <http://www.joycefdn.org/pdf/9909_WIP.pdf> to grant the Chicago-Kent Law Review \$84,000, a staggering sum by law review standards. The Review promptly published an issue in which all articles attacked the individual right view of the Second Amendment.

In a breach of law review custom, Chicago-Kent let an "outsider" serve as editor; he was Carl Bogus, a faculty member

of a different law school. Bogus had a unique distinction <<http://law.rwu.edu/content/pdf/directory/faculty/CBogusCV.pdf>>: he had been a director of Handgun Control Inc. (today's Brady Campaign <<http://www.bradiycampaign.org/>>), and was on the advisory board of the Joyce-funded Violence Policy Center <<http://www.vpc.org/>>.

Bogus solicited only articles hostile to the individual right view of the Second Amendment, offering authors \$5,000 each. But word leaked out, and Prof. Randy Barnett of Boston University volunteered to write in defense of the individual right to arms. Bogus refused to allow him to write for the review, later explaining <http://armsandthelaw.com/archives/2005/04/carl_bogus_resp.php> that "sometimes a more balanced debate is best served by an unbalanced symposium." Prof. James Lindgren, a former Chicago-Kent faculty member, remembers <<http://www.hnn.us/readcomment.php?id=7241&bheaders.1>> that when Barnett sought an explanation he "was given conflicting reasons, but the opposition of the Joyce Foundation was one that surfaced at some time." Joyce had bought a veto power over the review's content.

Joyce Foundation apparently believed it held this power over the entire university. Glenn Reynolds later recalled <http://armsandthelaw.com/archives/2005/04/carl_bogus_resp.php> that when he and two other professors were scheduled to discuss the Second Amendment on campus, Joyce's staffers "objected strenuously" to their being allowed to speak, protesting that Joyce Foundation was being cheated by an "agenda of balance" that was inconsistent with the Symposium's purpose." Joyce next bought up an issue of Fordham Law Review <http://www.bookrags.com/wiki/Joyce_Foundation#Law_review_symposia>.

The plan worked smoothly. One court, in the course of ruling <[http://www.ca9.uscourts.gov/ca9/newopinions.nsf/C13340BA134E0B81688256CBB005A9417/\\$file/0115098.pdf?openement](http://www.ca9.uscourts.gov/ca9/newopinions.nsf/C13340BA134E0B81688256CBB005A9417/$file/0115098.pdf?openement)> that there was no individual right to arms, cited the Chicago-Kent

articles eight times. Then, in 2001, a federal Court of Appeals in Texas determined <http://en.wikipedia.org/wiki/United_States_v._Emerson> that the Second Amendment was an individual right.

The Joyce Foundation board (which still included Obama) responded by expanding its attack on the Second Amendment. Its next move came when Ohio State University announced it was establishing the "Second Amendment Research Center" as a think tank headed by anti-individual-right historian Saul Cornell. Joyce put up no less than \$400,000 to bankroll its creation. The grant was awarded at the board's December 2002 meeting, <http://www.joycefdn.org/pdf/2003_jan_WIP.pdf> Obama's last function as a Joyce director <http://www.joycefdn.org/pdf/2003_jan_WIP.pdf>. In reporting the grant, the OSU magazine Making

History made clear that the purpose was to influence a future Supreme Court case:

"The effort is timely: a series of test cases—based on a new wave of scholarship, a recent decision by a federal Court of Appeals in Texas, and a revised

Justice Department policy are working their way through the courts. The litigants challenge the courts' traditional reading of the Second Amendment as a protection of the states' right to organize militia, asserting that the Amendment confers a much broader right for individuals to own guns. The United States Supreme Court is likely to resolve the debate within the next three to five years." <<http://history.osu.edu/other/MH!Archive/MH2003.pdf>>; slow).

The Center proceeded to generate articles denying the individual right to arms. The OSU connection also gave Joyce an academic money laundry. When it decided to buy an issue of the Stanford Law and Policy Review, it had a cover. Joyce handed OSU \$125,000 <<http://www.joycefdn.org/pdf/2005-feb-WIP.pdf>> for that purpose; all the law review editors knew was that OSU's Foundation granted them that breathtaking sum, and a helpful Prof. Cornell volunteered to organize the issue. '(The review was later sufficiently embarrassed to publish an open letter <<http://www.stanford.edu/group/slpr/statement.pdf>> on the affair).

The Joyce directorate's plan almost succeeded. The individual rights view won out in the Heller Supreme Court appeal, but only by 5-4. The four dissenters were persuaded in part by Joyce-funded writings, down to relying on an article which misled <http://works.bepress.com/david_hardy/3/> them on critical historical documents.

Having lost that fight, Obama now claims he always held the individual rights view of the Second Amendment, and that he "respects the constitutional rights of Americans to bear arms." <http://www.barackobama.com/pdf/issues/additional/Obama_FactSheet_WesternSportsmen.pdf>

But as a Joyce director, Obama was involved in a wealthy foundation's attempt to manipulate the Supreme Court, buy legal scholarship, and obliterate the individual right to arms.

Voters who value the Constitution should ask whether someone who was party to that plan should be nominating future Supreme Court justices.

* David T. Hardy has practiced law since 1975. He has five books and thirteen law review articles in print, and blogs at Of Arms and the Law <<http://armsandthelaw.com/>>. He's also the producer of the documentary (video) "In Search of the Second Amendment" <<http://2ww.secoridamentdocurnentary.com/>>. *The New GUN WEEK, November 1, 2008*

****NEWS RELEASES**

Gun Owners of America E-Mail Alert
8001 Forbes Place, Suite 102, Springfield, VA 22151
Phone: 703-321-8585 / FAX: 703-321-8408
<http://www.gunowners.org>
Wednesday, November 5, 2008

Based on his voting record in the Illinois state senate and in the U.S. Senate, President-elect Barack Obama will be the most anti-Second Amendment president in the history of America.

In January, the new President will govern alongside congressional leadership, House Speaker Nancy Pelosi and Senate Majority Leader Harry Reid, who are also

extremely hostile to gun rights and who now enjoy greatly expanded majorities.

There can be little doubt about the direction in which gun rights are headed. The questions are how far will the anti-gunners go and how fast will they move?

Many comparisons have been made to the first two years of the first Clinton Administration, in which one party controlled both ends of Pennsylvania Avenue.

Almost all experts agree that it was Clinton's overreaching on issues like gun control that cost his party control of Congress. Barack Obama will start out governing with even larger majorities than did Clinton.

Obama ran a campaign high on rhetoric and short on specifics. The President-elect claims he will govern from the middle, but the question for gun owners is which Obama will show up at the White House -- the "centrist" from the campaign trail, or the radical anti-Second Amendment extremist who supports gun bans, waiting periods for firearm purchases, one gun a month restrictions, and more?

His party's large gains in the Congress give the incoming President more room to maneuver with a radical agenda.

An equally important question is the outlook for gun rights in the new Congress. That Obama will sign any anti-gun bill that gets to his desk is a certainty. But what can gun owners expect from the new Congress?

Hopes of Congressional restraint on gun issues dimmed with each election return as Pelosi's and Reid's majorities grew to historic proportions.

While there are many moderately pro-gun Democrats in Congress, they're not the ones calling the shots. The leadership is completely in the anti-gun camp, so expanding their majority would have a negative impact on gun rights regardless of who filled those seats.

Unfortunately, though, many seats that flipped parties also went from strong pro-gun to strong anti-gun. Gun owners suffered heavy losses in the Senate. Here's a look at five Senate seats that switched parties (all switches went from Republican to Democrat).

Colorado -- The retirement of A-rated Senator Wayne Allard set up a battle between anti-gun Rep. Mark Udall and pro-gun former Rep. Bob Schaffer. This is one of three senate seats that flipped from "A" to "F."

New Hampshire -- Pro-gun Senator John Sununu was defeated by F-rated former governor Jeanne Shaheen, another "A" to "F" shift.

New Mexico -- Long-time Senator Pete Domenici, who was D-rated and usually voted against gun owners, was replaced by F-rated Congressman Tom Udall. Udall defeated A-rated Representative Steve Pearce, making this a big loss for gun owners.

North Carolina -- Republican Sen. Elizabeth Dole ran as a pro-gun control candidate for president in 2000. Since being elected to the Senate from the Tar Heel state, however, Mrs. Dole compiled a good pro-gun record. Dole's defeat at the hands of F-rated anti-gunner Kay Hagan is a dramatic flip for gun rights.

Virginia -- F-rated Republican John Warner retired. Former governor Mark Warner (no relation) trounced "A" rated Jim Gilmore, also a former governor. Either of the candidates would have been an improvement over the retiring Senator, but Mark Warner refused to answer the GOA survey and has a mixed record on gun issues.

In the battle for the U.S. House of Representatives, gun owners also were hit hard.

Of the 18 incumbents who were defeated, 15 were pro-gun (only two were replaced by a pro-gunner). Of particular disappointment to gun owners were the losses of Republican representatives Marilyn Musgrave (CO-4), Tom Feeney (FL-24), Bill Sali (ID-1), and Tim Walberg (MI-7).

These representatives were among the most ardent Second Amendment supporters.

In the 32 open House seats, the results were mixed. Thirteen seats went to A-rated candidates, while six went to F-rated anti-gunners.

Nine new congressmen are "Not Rated," meaning they have no record and refused to fill out a GOA questionnaire. Four new members fall somewhere in the middle, leaning toward a pro-gun position but no guarantees. Note: a handful of close races across the country are obviously headed for recounts, but this is how things look at the moment.

The A-rated winners in open seat elections are: Tom McClintock (R-CA) (this race is still subject to change), Duncan Hunter (R-CA), Bill Posey (R-FL), Mike Coffman (R-CO), Debbie Halvorson (D-IL), Aaron Schock (R-IL), Brett Guthrie (R-KY), Erik Paulsen (R-MN), Blaine Luetkemeyer (R-MO), Christopher Lee (R-NY), Glenn Thompson (R-PA), Jason Chaffetz (R-UT), and Cynthia Lummis (R-WY). These representatives will have their work cut out for them, as the new Congress has moved decidedly in the anti-gun direction and many pro-gun leaders were defeated.

All in all, Nancy Pelosi and Harry Reid can't help but be emboldened by their gains and there can be no denying that gun control legislation is on their agenda.

So what can gun owners and sportsmen do to help prevent a gun control tidal wave? Get involved and stay engaged!

Gun Owners of America will continue its efforts as Capitol Hill's no-compromise gun lobby. But GOA's effectiveness depends on your activism. Please continue to

send the e-mails to your congressmen, and forward GOA Action Alerts to pro-gun friends.

NEWS BRIEFS:

Shotgun is great deterrent

Proving that some crooks are simply too dumb to be loose on the street, a report out of Tennessee about a would-be thief, his intended victim and the outlaw's foolishness is the kind of thing that belongs in a comedy sketch.

Enter a suspect identified as Corey Cortez Abernathy, who was caught allegedly in the act of prowling a car in a suburban Chattanooga carport. How do we know this fellow's name? Because he fled the scene but left his identification in the hands of his intended victim, Lewis Card.

According to The Chattanooga newspaper, Abernathy was in Card's auto when the homeowner heard the driveway alarm go off. He reached for a shotgun and went outside to investigate, finding the suspect standing outside of the vehicle.

Now, here's where the presence of a shotgun makes robbers rather docile. Card ordered Abernathy to lie down, and that's just what he did, explaining to Card that he was just looking for some pocket change. Abernathy reportedly also told Card that he "didn't want to go back to jail," revealing that our car prowler has seen the wrong side of the bars before.

Abernathy then reportedly begged Card to not call the police. He handed Card his Tennessee ID card and then ran. Card saw no reason to shoot the guy because with that identification in his hand, it's a safe bet the cops would know immediately where to find the guy. [The New GUN WEEK](#), November 15, 2008

Robbery career ends early

They have a saying in Texas—"He needed killin'"—and in the case of the late Anthony Wilson, 27, of Arlington, it appears to fit like a glove.

According to The Fort Worth Star Telegram, Wilson and another man, both reportedly armed with shotguns, made a fatal error in the victim selection process. They were unlucky enough to pick an intended victim who just happened to be packing his own gun, and obviously had other plans that did not include being robbed.

The newspaper said Wilson and his accomplice approached the unidentified man late on Oct. 16 in his front yard. They forced him to the ground, and then tried to figure out what to do next. That's when one of the robbers told the 35-year-old man to get up and go into his house, and that's when he pulled a concealed handgun and started blasting.

Wilson was hit several times and collapsed, according to a police account.

The other man ran away, but later showed up at the hospital, where he spoke to the cops about the incident. Now, here's a surprise: The second suspect was taken to Arlington police headquarters and arrested on an outstanding warrant for an earlier aggravated assault charge. [The New GUN WEEK](#), November 15, 2008

WA poachers get prison time

Washington state resident Micky Ray Gordon—head of a poaching ring that called themselves the "Kill 'Em All Boyz"—will not be in the field anytime soon, competing with honest hunters.

Gordon drew a 13-month prison sentence in Wahkiakum County Superior Court after pleading, guilty to charges of illegal hunting with hounds, second-degree criminal trespass, first-degree animal cruelty and third-degree malicious mischief. It is separate time from the 60-day stretch he drew in jail, and a \$1,086 fine, stemming from violations in Jefferson, Cowlitz and Lewis counties, according to the Washington Department of Fish & Wildlife, which considered getting Gordon and his cronies out of the woods a priority.

Also drawing jail time was Brian Hall, 20, who pleaded guilty to second-degree criminal trespass and hunting with dogs, and third-degree malicious mischief. He was sentenced to 30 days behind bars and fined \$1,500.

Joseph Dills, 23, pleaded guilty to several charges in Wahkiakum and Cowlitz counties and was sentenced to 65 days in jail and fined \$2,050. He faces more charges in Lewis County.

Adam Lee, 21, pleaded guilty in Lewis County Superior Court to hunting with a suspended license. He drew a 30-day jail sentence and was fined \$1,850. [The New GUN WEEK](#), November 15, 2008

Abuser abused by wife's brother

From the "Failure to Communicate" file comes the really oddball story of a Tennessee man identified as Donald Robert Tomlinson, who was found guilty of his third protective order violation on a Friday and indicted for a fourth violation the following Monday.

According to The Kingsport Times-News, the 29-year-old Tomlinson may have finally gotten the message that his estranged wife doesn't want him around, because during this latest encounter, her brother shot Tomlinson in the leg.

Tomlinson, of Lee County, was sentenced to a year in the pokey for the third violation. No telling, what he will pull for the fourth misadventure beyond that bullet wound. The actual incident occurred in June when his wife came home from an outing with family members, the newspaper said. She found Tomlinson waiting for her, and in short order, she was on the ground and he was choking her.

Her brother, who was not identified by the newspaper, had a gun and used it. Tomlinson took one in the leg, and after the cops carted him off for treatment, he was charged with assault and battery, and for the protective order violation.

Leap ahead to Sept. 5. Tomlinson gets the bad news that he will be a guest of the county for the next 12 months. That's probably good for the sheriff, who didn't have far to look when it came time to advise Tomlinson he was on the hook for the fourth violation.

Oh, yeah, the brother who pulled the trigger was not charged. [The New GUN WEEK](#), November 1, 2008

Positively shocking!

A line from an old James Bond film properly sums up the aftermath of one of the more unusual incidents reported out of Florida in recent memory.

At least, Gun Week hopes it is an unusual incident.

Seems an unidentified 40-year-old man was strolling down the street on the night of Sept. 12 with his dog when he got into a face-off with a local cop. Now, there's nothing wrong with walking a dog at night, unless you do it naked. That's right, all this guy was wearing was his birthday suit.

According to The Tallahassee Democrat, a patrol officer spotted our hero walking down a street and when he stopped to chat with the guy about his sharp-looking invisible duds, the man reportedly told him, "Allah told me to watch a Bruce Willis movie and walk the dog."

We can't speak for the actor, but it's probably safe to conclude that Willis prefers some other sort of publicity for his films.

The naked guy reportedly got so out of hand that the officer had to zap him with a Taser. It should come as no surprise but the guy was sent to a hospital for treatment and a mental health evaluation, the newspaper reported. Maybe someone will provide him with a few wardrobe items, too. [The New GUN WEEK](#), November 1, 2008

Son any mother would love

Two men in Vero Beach, FL, will likely never have to worry about being remembered by their mother at Christmas after an incident Septa 18 that left a home intruder, and possibly would-be killer, dead from a shotgun blast.

According to WPBF, a man identified as Thomas Thompson broke into a home owned by Francis Hornsby, armed with a knife. She screamed and that brought sons Robert, 20, and Austin, 19, running to the rescue.

Thompson had come through a window, and when the boys got there, he was standing in the mother's bedroom, holding that knife.

Remember what they tell us about bringing a knife to a gunfight. Thompson must have skipped that lesson, because Austin chased him out of mom's room and tackled Ciim, and then Robert fired. One simply has to love the matter-of-fact remark that Austin made to a television reporter about this.

"I chased him out, tackled him midway through the house," Austin explained. "My brother came out, shot him with a shotgun, end of story."

It certainly was for Thompson. [The New GUN WEEK](#), November 1, 2008

Volatile mix: booze guns, sex

Authorities say a Fort Myers, FL, man shot himself in the arm after his girlfriend refused to have sex with him.

According to Associated Press, the Lee County Sheriff's Office reported that 29-year-old Jonathon Guabello and his girlfriend returned home from a bar early the morning of Oct. 1. The girlfriend told deputies that Guabello had wanted to get intimate, but she wanted to go to sleep.

When Guabello became irate, authorities said, the girlfriend went to a spare bedroom, and several minutes later she heard two gunshots. She told deputies Guabello came into her room and threatened her. He then stumbled into the kitchen and knocked himself unconscious.

Guabello was charged with threatening violence and firing a weapon in an occupied dwelling. He was being held on \$100,000 bail. [The New GUN WEEK](#), November 1, 2008

Orange County, CA Sheriff revoking many CCW permits

Anti-rights Orange County, CA, Sheriff Sandra Hutchens has begun revoking concealed carry permits issued under former Sheriff Mike Corona, according to The Orange County Register.

It is a move that has gun rights activists alarmed. So far, the newspaper reported, at least 146 letters have been mailed to permit holders that their permits are being revoked. There are 1,024 carry permits now in the county.

All of the letters went out over the signature of Sheriff's Capt. Dave Nighswonger. The permit holders were given a month to offer "good cause information" to the department to retain their permits, the newspaper said.

California is a "may issue" state, meaning that concealed carry permits are handed out at the discretion of local law enforcement officials. There were allegations that under Corona, permits were issued to high-dollar campaign donors, Corona was indicted on federal corruption charges.

The newspaper reported that Corona had issued hundreds of permits since taking over as sheriff in 1998. Over the course of eight years, the number of permits in Orange County leaped from 38 to 1,400. Among those permit recipients, the newspaper said, were at least 95 campaign contributors.

According to the newspaper account, Huntington Beach firearms activist and instructor Greg Block said gunowners are very unhappy with this development.

The alarm is not simply limited to Orange County. When the report was posted on [KeepAndBearArms.com](#), one of the nation's most active gun rights news forums, activists who regularly post there were angry. Some suggested that the sheriff's action is particularly egregious in the wake of this summer's Supreme Court ruling that the Second Amendment protects an individual civil right to keep and bear arms. [The New GUN WEEK](#), November 15, 2008

News links

08/11/07 S.C. plans a tax-free period on guns

Some confusion still surrounds state legislation passed earlier this year, waiving the sales tax on handgun, rifles and shotguns during the 48 hours following the Thanksgiving holiday.

The bill passed in the General Assembly on June 4, was vetoed by the Governor on June 11 and was then overridden by the legislature later that month.

On Thursday, the Department of Revenue issued a press release announcing what they are calling the "Second Amendment" Sales Tax Holiday, but Sen. Greg Ryberg, R-Aiken said an unrelated portion of the bill that addressed ethanol blended fuel was found unconstitutional by the State Supreme Court and in-turn the sales tax holiday would not occur this year.

Other lawmakers, however have said only the portion dealing with the fuel was eliminated.

Ryberg spoke with a Department of Revenue attorney Thursday who he said he was looking into the matter further. The

senator said he hoped to have some clarification soon.

A spokesperson for the Department of Revenue who issued the Thursday press release said she was familiar with the legislative quagmire, but was assured the 48-hour tax break on firearm purchases would begin at 12:01 a.m. on Nov. 28 and continue through midnight Nov. 29.

The tax exemption also applies to any local sales and use tax.

It does not apply to ammunition, black powder, holsters, archery supplies and "similar items." It does not apply to antique or collectible handguns or handguns that do not fire a fixed cartridge.

The S.C. Department of Revenue has posted a list of exempt and nonexempt items and answers to some of the most frequently asked questions at [www.sctax.org](#).

<http://www.aikenstandard.com/local/1107TaxFreeGuns>

08/11/06 Where's Your Line?

(November 4, 2008) Last week in this space I painted with a broad brush and general terms on the topic of armed revolt. The trouble with speaking in broad, general terms is that the author's general intent and the reader's general perception can turn out to be pretty far apart – generally speaking. That causes unnecessary conflict and is just sloppy writing. I'll try to do better. In this installment I'd like to try to clear up a few things and hopefully get you thinking about what matters to you.

First, about last week's column: In no way did I intend to suggest that anyone who quotes Jefferson or wears a "MOLON LAVE" T-shirt is just guff and bluster. I quote Jefferson and wear a "MOLON LAVE" T-shirt and I'm absolutely serious about them. I know I'm not alone in that. I think that sending that message loud and clear to the powers that be is very important and useful.

My suggestion that 99.995% of the time the slogan will be removed before it is lived up to was intended as hyperbole, but when you consider the thousands of people whose gun rights are temporarily or permanently revoked each week by traffic cops, divorce courts, and criminal indictments, that figure might not really be that far off.

Finally, the three key points I was trying to make were:

1. The time for violent revolution is when all other avenues and options have been exhausted. We are not there yet.
2. With a small portion of the coordination and commitment (not to mention pain and heartbreak) that would be necessary to win a violent revolution, a political revolution could be waged and won.
3. Any act of violence against the government or politicians in the current environment will do nothing but hamper efforts to regain and restore the Second Amendment and the Constitution.

Writing about the subject of armed rebellion, and when and whether people would or would not participate, is complicated because different people draw their lines in different places. It is easy to say, "I will never give up my guns," but what does that really mean? Does it mean refusing to temporarily surrender a sidearm to a paranoid cop writing you a speeding ticket? Does it mean disobeying a court order stemming from a domestic restraining order (a routine move among some divorce lawyers)? Does it mean disobeying a law requiring registration of "assault weapons?" One man's inconvenience is another man's last straw.

The question then is, "Where do you draw the line?" "When do you fight?" Most of the people I have spoken with about this have an image in their head of government teams with 4473's and NICS reports going house to house searching for and confiscating all weapons they find. The scenario usually includes one or more Waco-style stand-offs leading to masses of gunowners rallying in defense of their fellows.

The problem with such scenarios is that the gun banners in Washington know how that story plays out too. While some are arrogant and stupid enough to push forward with a confrontation, cooler and smarter heads generally prevail. Incrementalism isn't just about only getting what they can when they can, it's part of the slow boil strategy to keep the frogs from jumping out of the pot.

Playing into the hands of those who gradually turn the heat up are those who would make deals to accept legislation that is "less bad" rather than standing firm for "all or nothing." Anytime someone speaking for the Gun Lobby signs off on a bad bill to avoid a worse bill, they are signing away the right to reasonably resist the resulting law. By conceding the principle, they also make the next turn of the ratchet that much harder to fight.

At some point in the incremental erosion of your rights each of us will have to make a choice regarding what we will and will not tolerate. The good thing – perhaps the only good thing – about incrementalism is that your first choice probably won't have to be one of life or death. It might be to refuse to register a firearm you already own.

The bad thing about incrementalism is that where a major step like confiscation would clearly cross the line for a lot of people and precipitate a broad response, some would see a little step as no big deal. It is difficult to rally opposition to "minor" changes. The key is to draw specific, realistic lines in advance. Consider the various gun control schemes that are likely to be put forward starting with those that would have the least impact on the fewest people and work your way up from there. For each scenario, decide what you think the public reaction will be and what your reaction will be, then move on to the next. It's an exercise in core values and taking care of this soul searching before you are placed under the stress of the moment will make it easier to make the right decision at the right time.

What are your core values? Where do you draw your lines?
<http://www.ohioccw.org/content/view/4107/53/>

08/11/06 CDC Study Shows No Health Risk Associated with Traditional Ammunition

A Centers for Disease Control and Prevention (CDC) study on human lead levels of hunters in North Dakota has confirmed what hunters throughout the world have known for hundreds of years, that consuming game harvested with traditional ammunition poses absolutely no health risk to people, including children, and that the call to ban lead ammunition was and remains a scare tactic being pushed by anti-hunting groups to forward their political agenda.

Today, additional information became available about the CDC study, originally released yesterday, that is important to disseminate to hunters, their families and the general public about the total and complete lack of any evidence of a human health risk from consuming game harvested using traditional

ammunition. For instance, in the study the average lead level of the hunters tested was lower than that of the average American.

In the CDC's study, children's lead levels had a mean of just 0.88 micrograms per deciliter, which is less than half the national average for children and an infinitesimally small fraction of the level that the CDC considers to be of concern for children (10 micrograms per deciliter). Yet, despite the total and complete lack of any evidence from this study of the existence of a human health risk, the Department of Health nevertheless urges that children under 6 and pregnant women not eat venison harvested using traditional ammunition. The North Dakota Department of Health's recommendation is based on a "zero tolerance" approach to the issue of blood lead levels that is not supported by science or the CDC's guidelines.

To further put in perspective the claims concerning the safety of game harvested using traditional ammunition, consider this statement from the Iowa Department of Public Health (IDPH) -- a state agency that has conducted an extensive panel of blood-lead testing for more than 15 years: "IDPH maintains that if lead in venison were a serious health risk, it would likely have surfaced within extensive blood-lead testing since 1992 with 500,000 youth under 6 and 25,000 adults having been screened." It has not. <http://www.nssf.org/BP2/SpecialBP.htm>

08/11/05 Hail Of Bullets Celebrates Obama Victory

BURLINGTON, Vt. -- A Burlington man was so happy at the news that Barack Obama will be the next president that he fired a gun inside his home some 18 times, sending a hail of bullets into neighboring homes, according to the Burlington Police Department.

James G. Dewalt, 34, faces three counts of reckless endangerment in connection with the Tuesday night shooting.

Police learned of the shooting at about 7 a.m. Wednesday when they responded to a report of bullet holes in a North Street apartment building. Officers quickly concluded the holes were in fact made by bullets and found the bullets had passed through a porch wall and window before being embedded inside the residence.

One round passed through a wall inside an apartment and was found lying on the floor, police said. Police also located a second residence that had a bullet lodged in a window casing.

Investigators said they determined the trajectory of the bullets and traced the source back to Dewalt's home.

After being questioned by police, Dewalt admitted that he was the person responsible for firing the rounds, police said.

Dewalt told police he fired a Russian-made .22 caliber rifle -- similar to the ones used in biathlon competitions -- in celebration of Obama's victory, police said.

Dewalt cooperated with police and turned the rifle and bullet casings over to authorities, police said.

No one was injured in the shooting.

<http://www.wptz.com/cnn-news/17898942/detail.html>

08/11/04 It was guns, not race, that affected Bradley

Nelson Rising, chairman of Tom Bradley's 1982 campaign for California governor, still remembers the phone call. Bradley called him shortly after 4 a.m. on a long Election Night, when it was clear Bradley had lost to Republican George Deukmejian.

"You were right," Bradley told Rising a bit wearily.

With those words, Bradley, the Democratic mayor of Los Angeles, acknowledged that a political mistake had cost him the governorship. And, despite all the theories that the election produced a "Bradley effect" that could hurt black candidates such as Bradley — and, a quarter-century later, Democratic presidential nominee Barack Obama — the mayor himself knew his loss had little to do with race or polls.

The main problem was guns. Against Rising's advice, Bradley had endorsed Proposition 15, a statewide ballot initiative that would have put a freeze on purchases of new guns. Bradley and Proposition 15 both had a lead in the polls when Bradley decided to back the initiative. But there was a huge backlash against Proposition 15 in inland, conservative California precincts. The resulting turnout was so overwhelming that it took down Bradley — just as Rising had predicted in a campaign meeting months earlier.

"I will never forget that meeting," Rising recalled. "I said, 'I don't own a gun. I don't intend to own a gun. If I could design a world without guns, I would. But Tom, if you support this, you can't win.'"

On Election Night, Deukmejian's team came to the same conclusion. "Without Tom Bradley endorsing Prop. 15," said Steve Merksamer, a former Deukmejian chief of staff, "we would have lost."

Over the past few weeks, I examined polling and news stories from the 1982 race and talked with dozens of major players in the Bradley and Deukmejian campaigns. There is no independent data or evidence that suggests that race decided the election, a fate many have suggested could befall Obama. And only two survivors of that campaign expressed any belief in the idea that the 1982 California governor's race saw a Bradley effect — a racist vote that was concealed from pollsters. And even those two campaign workers, former Bradley aides Phil Depoian and Bill Elkins, say that, without Proposition 15, Bradley almost certainly would have won anyway.

According to those who were there, the real lessons of the Bradley campaign involve the dangers posed by divisive issues and by a candidate's own allies. Bradley's campaign suffered three self-inflicted wounds it could not overcome.

The first: guns. Proposition 15 had been qualified for the ballot by men who were Bradley's friends; chief among them was John Phillips. Some Bradley aides say they tried to persuade Phillips to wait and qualify the measure for a later election, so as not to hurt the mayor's campaign. But Phillips, now an attorney in Washington, doesn't recall such appeals.

What Phillips does remember is having all eyes on him at the Election Night party at the Biltmore Hotel in downtown LA. "Everybody blamed me for the defeat of the first black governor of California — I know Bradley felt that himself," said Phillips. Some people in the campaign still do. Today, in one of life's little ironies, Phillips is raising money for Obama, and Phillips' wife, journalist Linda Douglass, serves as a top adviser and press aide to the Democratic nominee.

The second: absentee ballots. The 1982 election in California was the first under new laws that made it easier to vote absentee. Democrats had lobbied for the changes, but Bradley's campaign did little to take advantage. Republicans, led largely by people

involved in that year's U.S. Senate campaign of then-San Diego Mayor Pete Wilson, skillfully exploited the new rules, asking GOP voters to cast absentee ballots if possible.

"I think it was significant," said Wilson, who served eight years in the Senate and two terms as California governor. "We figured, 'We'll get a higher percentage of our registered voters to vote than the Democrats will get of their registered voters.'"

<http://dyn.politico.com/printstory.cfm?uuid=643A258B-18FE-70B2-A89549BC3CD155B2>

08/11/04 Votes vary on concealed weapons referendums

Voters in three central Illinois counties expressed mixed opinions on the potential for a law that would allow citizens to carry concealed firearms.

Those voters were asked in an advisory referendum whether lawmakers in Springfield should pass legislation that would allow people who complete required training and pass background checks to carry guns, as 48 other states have done.

With all precincts reporting, 54.8 percent of McDonough County voters rejected the referendum — 6,468 opposed the measure, while 5,334, or 45.2 percent, were in favor.

In Woodford County, the referendum passed with 54.4 percent of the vote — 9,655 in favor and 8,088, or 45.6 percent, opposed.

Voters in LaSalle County, meanwhile, also rejected the referendum, with 24,755 or 52.6 percent opposed and 22,299 or 47.4 percent in favor.

The referendum was advisory only, and was intended to send a message to legislators in Springfield.

The measure made it on to regional ballots at the behest of members of the Winnebago County Board, the first in the state to add the referendum to its ballot and sent letters to all other county boards asking they do the same. Only 13 of Illinois' 101 other counties obliged

http://www.pjstar.com/news_elections/x1588605699/Votes-vary-on-concealed-weapons-referendums

08/10/30 Area gun owners stocking up before election, shops say

A number of Armstrong County gun owners apparently agree with the The National Rifle Association's position: Barack Obama is "...the most anti-gun presidential candidate in American history." With that thought in mind, many gun owners are "stocking up" on guns and ammo in anticipation of gun bans should Obama win the presidential election next Tuesday.

Brian Balentine, and employee of Gone For a Day sporting goods and gun shop, Main Street, Elderton, said AR-15 rifles, a semi-automatic version of the military M-16, handguns and home defense shotguns are being bought by some customers.

"Many customers talk about it (an Obama presidency) more and more," Balentine said. "They are worried about the long-term effects if he (Obama) is elected. They are worried that there will be stricter gun laws or maybe a total gun ban."

Harvey Wingard of Harvey Wingard Guns, 200 Queen St., Kittinging, said that he noticed more women buying guns.

"From what a lot of people are saying that if they don't have what they want now, they won't be able to get it if Obama is elected," Wingard said. "Several women have bought guns and

some people are stocking up on ammunition. There are several first-time gun buyers who've said they are buying at least one gun now, usually a handgun, because they fear that if Obama wins the election handguns will be banned."

Wingard said that many people expressed their willingness to hide guns in the event of a nationwide registration or confiscation program. He said many people he knows believe that a gun confiscation program is in the offing if the Democrats win.

NRA brochures and advertisements say Obama has gone on record as favoring bans on hand guns, assault weapons, and concealed-carry permits for ordinary citizens. Armstrong County Friends of the NRA committee chairman Randy Atkinson said he thinks Obama seeks to ban all guns, including hunting and target firearms, by enacting legislation similar to that which is in effect in Great Britain. In that country, it is nearly impossible for ordinary citizens to own a firearm and there is a total ban on all handguns. Atkinson said he feels that Armstrong County gun owners are afraid of an Obama presidency.

"I can understand their fears," Atkinson said. "While an Illinois Senator, he pushed for a total confiscation of all handguns. He wanted a handgun ban for residents of public housing. When he didn't get a total handgun ban, he wanted handguns banned from certain neighborhoods, while allowing people in more affluent neighborhoods to own handguns. What we've been saying all along is that gun control is elitist, and he made our point. He's also gone on record as favoring increased excise taxes on guns and ammo, as much as 500 percent. Besides that, in my opinion the guy is a Marxist and his ideas would devastate our economy."

Larry Smail, local artist, writer, French and Indian War re-enactor and black powder weapons shooter said that if Obama becomes president, he will likely appoint one or more outspoken "...anti-gun liberals" as Supreme Court Justice.

"He has a lot to choose from," Smail said, "John Kerry, Jack Reed, Nancy Piluosi, Charles Schumer, and others. Additional gun-control measures would certainly be passed. But we have nearly 50,000 gun laws on the books now. Do we need more? The only course he can take is prohibition or confiscation of certain guns."

Although some police officers might like to see certain weapons banned, Kittanning Borough police chief Ed Cassesse said he believes in the right to bear arms as expressed in the U.S and Pennsylvania constitutions.

"The bad element is going to find a way to get guns regardless of any law," Cassesse said. "But we don't want to penalize legitimate gun owners who follow the rules. They are no problem for the police."

Armstrong County District Attorney Scott Andreassi said preserving gun rights must be a grass-roots effort.

"It's up to every gun owner, including myself, to campaign for our rights to firearms ownership," Andreassi said. "It's also up to organizations like the NRA to see that our gun rights are protected. But gun owners have a responsibility. They must learn and practice good gun safety.

"A lot of women are buying guns these days. Our sheriff, Larry Crawford, for the past several years has offered a women's handgun course. The idea is for the women, especially first-time

gun owners, to know their weapon and its capabilities, and know how to operate and use it safely. As long as people can be responsible gun owners, we have no problem with concealed carry permits. People have a right to defend themselves."

http://www.pittsburghlive.com/x/leadertimes/s_595951.html

08/10/30 Why I intend to carry a handgun

The weapon was light in my hands, not at all how I imagined a 9mm Glock would feel.

I had never fired a gun in my life. My instructor put both my hands around the frame and then signaled for me to squeeze the trigger.

Blam.

The bullet pierced my target, an 8.5-by-11-inch sheet of copy paper, near the center.

Then it hit me. This is how it is done. This is how you take a life. My target was fictional, but in my mind he was still a threat. I felt no sadness.

That's why soon I'll be the first person in my immediate family and circle of friends to get a concealed weapons permit.

I wanted training before purchasing a gun, so I enrolled in class at Shooting Sports of Tampa. When I arrived, my nerves calmed. Half of my class of 15 was female. And a quarter of us were black.

It's not just me, I thought to myself. Everyone is afraid these days.

At Shooting Sports, the building smelled as if it were on fire, and all 15 people in my class were herded into a tiny room off in the corner where our instructor put the fear of God in us before we even got into the gun range.

"Just because you have a gun does not mean you are capable of fighting with a gun," he cautioned. "No sane person in the world would ever want to be in a gunfight."

Though I was never around them, guns were a part of life where I grew up, Washington, D.C. But because of a handgun ban, the only folks who had them were cops and criminals, until the rule was reversed by the Supreme Court earlier this year.

Still, I never felt unsafe. Not until I moved to Florida alone. Now I'll take my chances on fighting for myself. I haven't had much luck with the kindness of strangers.

Since living on my own in Florida, I have not been able to name the person next door to me at any point. No one has come to introduce themselves. And the one time I tried to be cordial, the neighbor peered through the blinds and never opened the door. I am not confident that woman would have called the police if she ever heard me scream inside my apartment.

In my junior year of college at Florida A&M University in Tallahassee, I had a roommate who never spoke to me. Only by looking at her mail did I know her name. We never interacted.

I spent a lot of time in my room with the door locked. When I went home for Christmas break, I bought a storage unit for my valuables because I was afraid she'd rob me. When I returned, she was gone, and I was living alone for the first time ever. The summer before I moved in, the house next door was invaded, and a girl was killed.

I was terrified.

That was the first time getting a gun ever entered my mind. But I'd never even seen one in person and was sure that 20 was

not old enough to buy a gun. Twenty-year-olds aren't even allowed to drink beer, they couldn't possibly get hold of a firearm, right?

But in Florida, you can buy a handgun from a private person or a rifle or shotgun from a licensed dealer at 18. You have to be 21 to get a concealed weapons permit, and gun safety training is mandatory. "Permit holders are held to a different standard," my instructor said.

I had to buy 50 rounds in class to get through my target practice. Protective ear covers muffled the sounds of the controlled explosions at the end of my arm. Protective eyewear kept the little metal shavings from the side walls from flying into my eyes. A couple of hot shell casings flew out and landed on my hands, temporarily searing knuckles and making me wince with my finger still on the trigger.

I'd fired the gun — in class. But if my paper assailant was flesh and blood could I do the same thing? Could I defend my own life?

Then I thought about Nefertiti Williams.

A 20-year-old public relations student, she had leaned on me for help developing her story ideas because I was the editor of the school magazine at the time. She was bright, perceptive, had good instincts and asked the right questions. She called me Momma Robbyn at times, a nickname I didn't embrace well at 21. The Wednesday before Thanksgiving 2006, I got a call from my roommate and close friend telling me Nefertiti hadn't made it back to Bradenton. She had been murdered in her own home by a roommate after everyone else had left for the holiday.

He had shot her in the face — just under her cheekbone before shooting himself. Police later said he'd been experiencing depression because he was no longer enrolled in school and that it was unclear why he had shot her. It could have been a crime of passion or just a mistake that he felt he couldn't live with.

When we returned to school, there were candles and vigils and crying and sorrow. But there were no answers. Would this have been different if she had a gun in her bedroom or in one of many designer purses? I don't know. But the odds wouldn't have been so stacked against her.

Getting my footing was a challenge at the range. When my feet were far enough apart, my shoulders were too far back. When my shoulders were above my toes, my thumbs were behind the hammer. When my thumbs were crisscrossed, my feet were too close together. I was comfortable firing this gun, but not with following the instructions. What was wrong with me?

I do understand the power of guns.

My father was gunned down while he was leaving a convenience store. I was 2. He wasn't a criminal, and he had never owned a gun. He was in the Air Force. He knew how to use a gun. He learned it in basic training. He could have had one easily, but the law wasn't on his side.

Probably not coincidentally, Washington, D.C., was known as the murder capital for much of my childhood. The law is on my side here, and I intend to take advantage of the opportunity.

So I started researching the process of obtaining a concealed weapons permit and purchasing a gun. It's not hard, but it takes time. You have to really want it.

First you have to submit a form to get the application mailed to you, which can take two weeks. Then comes certification class.

Four hours of safety training. Proving competency with firing a weapon was difficult since it was first gun I had ever touched.

But I earned the certificate necessary for my application. Then I got a \$15 passport photo and my fingerprints taken digitally and put in the state database at the Tampa police station. That service was \$49. Then I took everything to a notary and had them seal my application, got a money order for \$75, paid postage and sent the application to Tallahassee. If I qualify, the Florida Department of Agriculture and Consumer Services will promptly issue me my permit — next year. I've been without a gun for 23 years, so I'll just wait a little longer now.

Is my mother supportive? No. She jokes about it with my brother and calls me little (Sarah) Palin but something tells me she's not sold on the idea.

"Why would you want a gun?" she said. "What if someone uses it on you?" "What if it goes off by accident?" "Do you even know how to use a gun?" "What if the other person has a gun too?"

Nothing I said could convince her that there may be an upside to being able to defend yourself. But she understands that I am an adult and my decisions are my own. Her nervousness was making me a bit uneasy with my decision. What if I really can't handle a gun? What if I'm forgetful with it like my wallet and someone uses it to commit a crime? What if someone steals my car? Or snatches the purse I picked out to carry it in?

In the end, I fight one type of paranoia and embrace the other. At least with a gun, I can level the playing field. I've picked out my Glock G19 at Shooting Sports and I plan to make my purchase the day after Thanksgiving. I'm planning to start by carrying my gun everywhere I'm allowed to on the weekend while attending ladies' night at the range on Mondays. After that, who knows? Maybe I'll carry every day. You can't know. And that's the point.

<http://www.tampabay.com/news/perspective/article883277.ece>

08/10/30 Lost-gun ordinances usually fire blanks

Lose a gun in Cleveland and fail to report it to police and you could face a \$250 fine and 30 days in jail. But in the 12 years that ordinance has been on Cleveland's books, only two people have been taken to court for failing to report a lost or stolen gun.

That experience, and those of other cities, suggests that Pittsburgh's proposed ordinance on reporting lost or stolen guns and others cropping up all over the state and nation warrant neither the fear they are engendering in foes, nor the hope they inspire in advocates.

The target for anti-violence advocates is the so-called straw purchaser -- someone with no criminal record who can therefore pass a background check and buy a gun, but then sell it or let it fall into the hands of someone who uses it for crime. When police trace that gun back to the original purchaser, that person often gets off the hook by claiming it was stolen or lost.

"Without a lost-and-stolen gun provision, [investigators] are kind of powerless when they trace the gun back to someone who says it was lost or stolen," said Jana Finder, Western Pennsylvania coordinator of Ceasefire PA, which is pushing the measures. She said they're "targeting the people who [sell guns to criminals] regularly."

Neither Ceasefire PA nor other anti-violence or gun control groups contacted could name a city that has aggressively enforced a lost or stolen gun reporting law.

"It doesn't work anywhere it has been tried," said Rachel Parsons, a Washington, D.C.-based spokeswoman for the National Rifle Association. The group objects to the reporting laws because, she said, those whose guns were stolen "were already victimized, but we are going to criminalize [them] anyway."

Still, the NRA could not point to anyone who was unfairly victimized by existing lost or stolen gun reporting laws.

Cleveland certainly hasn't gone overboard.

"We've had two documented instances in which people have been brought before the court for violating the ordinance," said Martin L. Flask, Cleveland's public safety director. One was in 1996, the other five years later. In four other cases, police charged someone with failing to report, but prosecutors dropped it.

He maintained that the ordinance is "well crafted" and "has value" for the message it sends.

"Most citizens who lose [a gun], or have a firearm stolen, report the loss to law enforcement," he said.

In Columbus, Ohio, it is a misdemeanor to "knowingly fail to report to law enforcement authorities forthwith the loss or theft of any firearm." Last revised in 1996, that provision and related rules "appear to be rarely if ever enforced," wrote Jeffrey S. Furbee, Columbus' assistant city attorney and police legal adviser, in response to questions. Neither he, nor the city prosecutor, could recall anyone being charged for failure to report under the city code, nor an identical Ohio law.

"The lack of enforcement is likely, at least in part, due to the difficulty in enforcing these sections," he wrote, noting the burden it puts on prosecutors to prove that the owner knew the gun was gone.

Several other cities with similar laws said they aren't tracking charges or prosecutions, if indeed they are occurring.

Last year, Hartford, Conn., tried a different approach: requiring owners to report the loss or theft of a gun within 72 hours, or, if the gun is later used in a felony, face a lawsuit from the city seeking to recover the costs of investigating and prosecuting the crime. Though the city has had that power since May 2007, it has yet to file such a lawsuit, according to police public information officer Nancy M. Mulroy.

Philadelphia City Council passed its ordinance the same month Hartford did, and it hasn't been used in part because it has been tied up in court.

Commonwealth Court ruled in September that Philadelphia's gun control ordinances ran afoul of a state ban on local rules that "regulate the lawful ownership, possession, transfer or transportation of firearms." The majority of judges agreed that a 1996 state Supreme Court decision confirmed that "the General Assembly, not city councils, is the proper forum" for writing gun rules.

One judge dissented, finding no legal reason to bar local rules on gun theft reporting. The case is headed for the state Supreme Court.

The case could decide the fate of lost or stolen gun rules passed in Allentown early this month, contemplated in Lancaster,

and moving through Pittsburgh City Council, where they will be the subject of a special meeting on Nov. 18 at 1 p.m., and a public hearing on Nov. 20 at 10 a.m., both in Council Chamber.

The local ordinances -- likely to be joined by promised proposals in five other Pennsylvania cities -- are a reaction to the state House's April vote against proposed lost or stolen gun reporting rules. The bill, authored by Rep. Dave Lefeld, D-Forward, fell 27 votes short.

Instead, the General Assembly later passed a measure making it illegal to lie to police about the loss or theft of a gun.

Under Pittsburgh's proposal, a gun owner would have to call police within 24 hours of learning of the loss or theft of a "firearm" -- that word may be changed to "handgun" -- or face a \$500 fine for the first gun, and \$1,000 plus 90 days in prison for a second failure to report.

Practically, it would be unlikely to be invoked unless a gun was used in a crime, recovered by police and traced back to an original owner.

The bill has seven co-sponsors on the nine-member council, making passage likely. But Mayor Luke Ravenstahl hasn't yet said whether he would veto it, or sign it and strenuously enforce it.

"I don't have a problem with the legislation or council's effort to deal with this very difficult issue," Mr. Ravenstahl said recently. "What I have a problem with is the false hope that it's going to give people, that it's somehow something that we can implement overnight. ... It's just a matter of whether it is a legal and enforceable piece of legislation, which I think now we would all agree that it's not."

"You have to have the political will to enforce a piece of legislation like this," said Councilman Bruce Kraus, a sponsor. "And you have to give it time. We're not going to see the positive effects of that for a year, or two or three."

<http://www.post-gazette.com/pg/08304/923965-52.stm>

08/10/28 Gun purchase glitch raises questions

Del.'s small-arms advocates shocked over DSP recordkeeping

Delaware State Police stopped Alvina Vansickle from purchasing a .22-caliber pistol for self-defense because she was too old and a woman, said Superintendent Col. Thomas MacLeish.

The outrage that followed led to the revelation that Delaware State Police had been keeping lists of gun buyers for years; state law requires them to destroy these records after 60 days.

Without so much as a traffic ticket, the 81-year-old Lewes resident should have sailed through the mandatory state police background check when she tried to buy a Taurus revolver from Charlie Steele's Lewes gun shop last August.

Problems started after Steele made the required phone call to state police for approval of the firearms transaction.

An employee in the state police Firearms Transaction Approval Program noticed Vansickle's age and gender, and brought the sale to an immediate halt.

Vansickle's application was then routed to Sgt. Benjamin Nefosky, who heads the firearms approval unit.

According to MacLeish, the transaction was halted over concerns "based upon age and gender."

"To be very honest with you, we have a legal obligation under the law to do approvals," MacLeish said. "We also have an obligation to make sure we're safe, and paying due diligence."

MacLeish said the initial call taker "was concerned this individual never purchased a weapon before. Age and gender caused her to take caution."

As to whether age and gender are included in the state statute as legitimate reasons to reject a firearms purchase, MacLeish stated, "No, they are not."

"I believe there was caution taken on behalf of the call taker," he said. "It was done without malice."

Vansickle's purchase was eventually approved -- 10 days after the initial application -- after she and the dealer were interviewed by police about the purchase. A normal delay is three days. The sale eventually went through.

Government tracking feared

Word of the delay rebounded around Delaware's small-firearms community, eventually making its way to Dave Lawson, a retired state police lieutenant and firearms instructor. Lawson spoke to his former colleague Nefosky about Vansickle's dilemma, Lawson said.

Lawson said what Nefosky told him revealed there was a much larger problem in the firearms approval unit than keeping a small-caliber revolver out of the hands of an 81-year-old woman.

Lawson said Nefosky told him he searched seven years of firearms transaction records to see if Vansickle had ever bought a gun before.

Some gun owners fear any government agency that tracks gun purchases or keeps lists of who has them. They worry these lists could someday aid in weapons confiscation, fall into the wrong hands and serve as a road map for burglars and thieves, or result in increased scrutiny by law enforcement.

"I was totally drop-jawed," Lawson said. "I asked him how far back the records went. He didn't know. He didn't care. He felt she was possibly a threat because of her age, a threat to herself or her family. That's what the implication was. He was concerned that never having bought a gun before, why would she want one now, at 81?"

Lawson served in the State Bureau of Identification as a lieutenant, which includes the firearms approval section and other specialty units. He knew the law. Nefosky's concern about Vansickle's age and sex, he said, should never have come into play.

Lawson also knew the gun records should have been destroyed.

MacLeish would not allow Nefosky to be interviewed.

In an interview with The News Journal, MacLeish claimed all paper firearms records are destroyed every 60 days.

The electronic records, however, are another story.

"Our review of our electronic records indicated we had a glitch in the system, back to August 2005," he said. "They have since been purged."

The electronic records never posed a threat, MacLeish said.

"The info was in an electronic file that no one did anything with," MacLeish said. "We've since purged that file in its entirety."

Enter the National Rifle Association.

Civil rights of gun buyer at risk

John Thompson is president of the Delaware State Sportsmen's Association, the local affiliate of the NRA.

Several people told him of Nefosky's delay, and expressed their outrage about the list of gun owners maintained by the Delaware State Police.

Thompson, an attorney, had worked with state lawmakers in the early 1990s to craft the state's background-check law.

Legally, he said, Vansickle's reasons for wanting a firearm are moot, and he knew the lists were a problem.

"This suggests two violations: one is denial without cause, and the other is keeping records of gun purchases," Thompson said. "Under statute, the Delaware State Police are required to destroy any purchase records that involve approvals. Now they're maintaining lists of gun owners, which we think is inappropriate. We did not create this system to allow this to happen."

Vansickle's civil rights were violated, he said.

"There is nothing in the Second Amendment or the Delaware Constitution that says the right to own firearms is limited to people of a certain age," Thompson said. "We don't have any problem with age restrictions regarding children, but we don't think someone ought to arbitrarily decide people are too old to own guns."

Retired Dover police captain John Sigler is president of the National Rifle Association, a position once held by legendary actor Charlton Heston.

"I was literally shocked that such an event would occur in the state of Delaware," he said. "I am very, very troubled that an individual -- based on her age -- was denied the ability to defend herself."

Both Sigler and Thompson pointed to the recent Supreme Court decision *District of Columbia v. Heller*, in which the court found that the Second Amendment protects an individual's right to possess firearms for personal use, such as self-defense.

While Sigler expressed "the highest respect" for the Delaware State Police and MacLeish, he found it intolerable that the agency "has been keeping records they're not supposed to have, for at least seven years."

"That means that for seven years that office has been violating Delaware state law and thumbing their nose at the state Legislature," he said. "I certainly hope it's not true, but it appears that it is."

Sigler brought the goings-on in his home state to the attention of Bob Dowlut, NRA general counsel.

In a letter to MacLeish sent Aug. 28, Dowlut and the NRA requested two separate investigations: one to focus on Nefosky's denial, "and all other transactions of similar scope and nature." According to the letter, the second investigation should focus on who's responsible for keeping lists of gun owners in the state.

"NRA respectfully requests to be notified about all actions taken to correct this situation," Dowlut wrote. "At this time, there are a number of people urging the filing of a lawsuit to remedy this matter, however, taking of corrective steps immediately would be preferable to litigation for all concerned."

MacLeish said two internal investigations "have been initiated by myself, by the division."

Dowlut copied his letter to Gov. Ruth Ann Minner, who declined to comment for this story.

Elderly woman's husband speaks out

Vansickle's husband, who has legally purchased several weapons over the past several years, spoke on her behalf about the delay.

"Apparently, they thought she might shoot herself with it," said J.R. Vansickle, 83. "She has a clean record. There was no reason to turn her down. I lost both legs through diabetes. I'm in a wheelchair. We're an elderly couple. She wanted the gun for self-defense in our home."

The state police firearms unit was established as a result of the Brady Law, which took effect in 1994.

Nefosky supervises four criminal-history employees, who take calls from gun dealers around the state, and approve or deny the purchases based on the buyer's criminal history.

According to state police, during 2006 and 2007, the unit processed 21,304 transactions, which have resulted in 711 denials.

Dowlet told the newspaper that for police departments, the types of problems the Vansickle case exposed are extremely rare.

"Most police departments, when they put someone in charge of a unit like that, they need to be completely familiar with the law," he said. "There's an anomaly here, someone in the Delaware State police who wasn't following the law. Most police departments -- especially in our litigious society -- if that's what the statute says, that's how they enforce it."

<http://www.delawareonline.com/article/20081028/NEWS01/810280392/0/NEWS>

08/10/27 Gun sales thriving in uncertain times

Americans have cut back on buying cars, furniture and clothes in a tough economy, but there's one consumer item that's still enjoying healthy sales: guns. Purchases of firearms and ammunition have risen 8 to 10 percent this year, according to state and federal data.

Several variables drive sales, but many dealers, buyers and experts attribute the increase in part to concerns about the economy and fears that if Sen. Barack Obama of Illinois wins the presidency, he will join with fellow Democrats in Congress to enact new gun controls. Obama has said he believes in an individual right to bear arms but that he also supports "common-sense safety measures."

"Even though (Obama) has a lot going for him, he's not very pro-gun," said Paul Pluff, a spokesman for Massachusetts-based Smith & Wesson, which has reported higher sales. Gun enthusiasts are "going to go out and get (firearms) while they still can."

Gun purchases have also been climbing because of the worsening economy, which fuels fears of crime and civil disorder, industry sources and specialists said.

"Generally, we know that hard economic times always result in firearm sales," said James M. Purtilo of Silver Spring, Md., who publishes the Tripwire Newsletter.

Gary Kleck, a researcher at Florida State University's College of Criminology and Criminal Justice whose work was cited in the District of Columbia's recent Supreme Court gun-control case, said that although there are no scientific studies linking gun sales and economic conditions, people often buy firearms during periods of uncertainty. People often buy weapons because of

concerns about personal safety or government actions to limit access to firearms, causing spikes in sales, Kleck said.

Industry experts and law enforcement officials point to several examples over the years. In 1994, there was a rush to buy guns when President Clinton pushed for a ban on military-style semiautomatic rifles. Handgun sales jumped last year after the massacre at Virginia Tech as some worried about personal protection and others feared sweeping restrictions on handguns, pushing applications for concealed gun permits in Virginia alone up 60 percent. People also rushed to buy guns after the 1992 riots in Los Angeles and the breakdown of order in New Orleans after Hurricane Katrina.

Bob Leyshion, who visited a gun shop in Manassas, Va., recently, said the economic crisis and Obama's lead in the polls were on his mind.

"People are preparing for catastrophe right now," said Leyshion, 55. "It's insurance. With the stock market crash and people out of work, and the illegal aliens in this area, the probability of civil disorder is very high."

Gun owners haven't been especially thrilled about the prospect of Sen. John McCain in the White House. They see the Arizona Republican as less of a threat than Obama, but they are still angry over McCain's support for certain gun-control measures in the past, such as requiring purchasers at gun shows to undergo background checks.

Gun owners said McCain's moose-hunting running mate, Alaska Gov. Sarah Palin, is far more likely to champion Second Amendment rights.

"The industry and sportsmen have not been in love with McCain, but the selection of Palin wiped that all away," said Anthony Aeschliman, a spokesman for the National Shooting Sports Foundation.

More than three dozen interviews with gun dealers and buyers in Virginia and Maryland and with experts nationwide indicated that the increase in gun sales appears to be driven predominantly by concerns about the presidential election and the economy.

Gun buyers were more likely to say they were responding to the political situation than to the economy, and all but three people said they feared that Obama would restrict gun rights. Two who indicated that they would support Obama anyway said their concerns about the economy and health care outweighed those about gun rights.

Most buyers who emphasized the economy said they thought the worsening situation could lead to an increase in crime and jeopardize their safety. A few said they were buying guns as an investment.

"Look at the political situation and the financial situation," said Fred Russell, owner of Russell's Gun Emporium in Hagerstown, Md. "It's common sense. People are scared."

Law enforcement and industry data and anecdotal reports show that guns are selling well this year. In 2008, there were 8.4 million background checks from Jan. 1 to Sept. 28, compared with 7.7 million in the same period last year, a 9 percent increase, according to the FBI's National Instant Criminal Background Check System.

The increase is also notable because it follows a heavy year for gun purchases, which industry officials and experts link to the

Virginia Tech shootings in April 2007 and a burgeoning housing market crisis. NICS checks show a 20 percent increase in April 2007, compared with the previous year.

This year's jump is a continuation of a trend that began in 2006, about the time the housing bubble popped in parts of the nation, and remained steady last year as the political season began to take shape and the housing crisis grew. It is also a bigger jump than the average annual increases of about 5 percent or less typical since instant background checks began in 1998.

Federal tax data also show that quarterly excise taxes collected on sales of firearms and ammunition have increased about 10 percent this year, compared with last year, according to the National Shooting Sports Foundation.

Gunmakers see the same trend. "We're ahead of last year," said Pluff, of Smith & Wesson. "There's a few things that drive the market, and one of them is political elections."

On a recent weekend, a crowd of lookers and buyers milled around in the Virginia Arms Co. in Manassas. Some were shopping for large-capacity magazines, or clips, that attach to firearms and hold additional rounds of ammo. Those were banned during the Clinton administration and became legal again when the ban expired.

"I'm looking for gun clips because I got the funny feeling that prices are going to rise, or they're going to be banned," said Wayne Heglar, 48, who builds custom motorcycles. Heglar said he also planned to stock up on ammo.

"When the Democrats are in office, it seems like anti-gunners come out of the woodwork," Heglar said. He said he expected Obama to use tax law to restrict gun ownership. "A bullet will be a luxury," he said.

At Clark Brothers Gun Shop in Warrenton, Va., a sign over the door says: "Experts Agree ... Gun Control Works!" Underneath are photos of Hitler, Stalin, Fidel Castro and Libyan leader Moammar Gaddafi. There are also posters that criticize Obama's record on guns.

Steve Clark, the shop's owner, said customers have been buying weapons they fear would be restricted and that have been before, such as Colt AR-15s, semiautomatic rifles that go for \$1,100.

"What I hear a lot is fear that Barack will win the election and tax everything to the point that you can't afford anything," said salesman Eugene Proko, 51.

<http://news.mobile.msn.com/en-us/articles.aspx?afid=1&aid=27393833>

08/10/27 Boy, 8, killed in Mass. gun show accident

WESTFIELD, Mass. – An 8-year-old boy died after accidentally shooting himself in the head while firing an Uzi submachine gun under adult supervision at a gun fair.

The boy lost control of the weapon while firing it Sunday at the Machine Gun Shoot and Firearms Expo at the Westfield Sportsman's Club, police Lt. Lawrence Vallierpratte said.

Police said the boy, Christopher Bizilj (Bah-SEAL) of Ashford, Conn., was with a certified instructor and called the death a "self-inflicted accidental shooting."

As the boy fired the Uzi, "the front end of the weapon went up with the backfire and he ended up receiving a round in his head," police Lt. Hipolito Nunez said. The boy died at a hospital.

The boy's father and older brother were also there at the time, a gun club member and school official said. Francis Mitchell, a longtime member and trustee of the club, said he was told the boy's father was supporting his son from behind when the shooting happened.

Although the death appeared to be an accident, officials were investigating.

It is legal in Massachusetts for children to fire a weapon if they have permission from a parent or legal guardian and are supervised by a properly certified and licensed instructor, Lt. Hipolito Nunez said. The name of the instructor helping the boy was not released.

The event ran in conjunction with C.O.P Firearms and Training "It's all legal & fun — No permits or licenses required!!!!" reads the ad, posted on the club's Web site.

Messages left on answering machines for the club and the C.O.P. group were not returned Monday.

http://news.yahoo.com/s/ap/20081027/ap_on_re_us/boy_shoots_himself_9

08/10/23 Home Office shrouds crimes figures in smoke and mirrors

UK - When is a 22 per cent increase in violent crime not a 22 per cent increase in violent crime? When it is a Home Office statistic. Once again, the department is playing smoke and mirrors with the crime figures. It says, as it has for several years, that overall crime is down. But, whoops, the police in 13 forces have not properly recorded certain crimes in the right category. So when, say, a year ago the Home Office told us that violent crime was down was that right or wrong? When people question the veracity of claims that violent crime has fallen (and it only depends on where your start; it has gone up since Labour took office whichever way you look at it) and Home Office ministers challenges their interpretation, whom should we believe?

Jacqui Smith has been on the TV trying to justify the latest crime figures that suggest police forces have under-recorded the most serious forms of violent crime. She insisted that it was not that they had not recorded or investigated the crimes, but that they had not properly counted them as serious crimes. In other words, the Government had made a rod for its own back by changing the counting rules so that it looked like serious crime had gone up, when it hadn't really. Got that?

This sort of jiggery-pokery has happened several times in recent years. When Labour came to power in 1997, after an especially bruising 18 years in opposition at the hands of the press, it was anxious to control the message even more than its predecessors had done. However, it soon realised that the best laid plans can be thrown into disarray by the release of official statistics; and this is especially the case with crime, where trends are often difficult to discern and are a constant source of political friction.

The message the Home Office wanted to go out was that crime had fallen, but the police figures did not always show this. So it introduced a new National Crime Recording Standard - a sort of statistical quality control - to ensure consistency in police figures.

But the consequence of this was that more offences were recorded and it therefore appeared that crime was rising, even if

it wasn't. So ministers began to emphasise instead the findings of the British Crime Survey, conducted annually among a pool of about 40,000 householders.

This showed a downward trend for most crimes, but was flawed because it excluded the under-16s, the homeless, all businesses, murder, manslaughter and so-called victimless crimes such as drug abuse.

The Home Office started routinely to issue the BCS figures alongside the police recorded statistics. Indeed, they are regularly cited in preference to the police figures.

Press releases would state categorically that crime had fallen by X per cent, but it was the BCS measure - often on a totally different calendar base - that was being highlighted. Journalists tended to latch on to anything that showed a rise; usually police recorded violent crime.

The Government then changed the way that violence appeared in the statistics, including within the definition anything reported as an assault, such as pushing and shoving. Now, whenever the media report that violence has gone up, ministers say that the new methodology means it cannot be compared with the violence of yore.

Now, the Home Office says it has changed the definition of serious violence the better to focus on the problem. But that is not the task of statistics, but of policing.

All they have managed to do is muddy the picture and make it difficult to believe any of the statistics. This was all meant to have stopped with the creation of the new independent Statistics Board, which has the power to give a rigorous going over to any ministers playing fast and loose with figures. However, it is responsible only for what are called 'national statistics' such as inflation figures and unemployment numbers, not crime data, which remain in the hands of the Home Office. Until all government statistics are compiled and published by a body independent of the department that sponsors them, we will never be able to trust them.

http://blogs.telegraph.co.uk/philip_johnston/blog/2008/10/23/home_office_shrouds_crime_figures_in_smoke_and_mirrors

08/10/23 Police 'don't visit 40 per cent of crime victims' because of red tape

A chief constable has admitted that 40 per cent of crime victims are not visited by a police officer

Leicestershire chief constable Matt Baggott, the country's most senior officer for neighbourhood policing, said the problem resulted from a "fog of over-supervision and administration."

He said: "We do not have the time to do our jobs properly. There are no excuses about money. This is about leadership.

Many police forces no longer attend minor crime scenes like theft or vandalism.

The incidents are instead investigated over the phone and the victims are given a crime number to give to their insurer.

But Mr Baggott said every victim should receive a police visit.

He told a conference in London: "At the moment we do not visit 40 per cent of crime victims. We are not dealing with the moment of misery in their life thoroughly."

He urged police to challenge excessive bureaucracy and persuade policy-makers to scrap it.

Mr Baggott also said all criminals should be met at prison gates and supervised in an attempt to dissuade them from reoffending.

Former Police Federation chairman Jan Berry, who now works as a red tape tsar for the Home Office, said: "We have got too many people complying with sets of rules that are doing nothing for neighbourhood safety."

Mr Baggott's comments follow a report by the Civitas thinktank warning that the middle classes have lost confidence in the police.

<http://www.telegraph.co.uk/news/newsttopics/politics/lawandorder/3246342/Police-dont-visit-40-per-cent-of-crime-victims-because-of-red-tape.html>

08/10/23 Plymouth Twp. Police Dog Killed In Line Of Duty

PLYMOUTH TOWNSHIP, Pa. (CBS 3) — A Plymouth Township K9 was accidentally shot and killed by another officer while investigating a robbery in Lower Gwynned Wednesday afternoon.

Police say Lower Gwynned Police requested assistance of Plymouth Township Police and other surrounding municipalities to aid in the search for robbery suspects who were wanted for holding up the Abington Bank on Bethlehem Pike.

Sources say during the search, Andy, the Plymouth Township K9, bit a member of the Montgomery Township Police Department who had his gun drawn on a suspect. The K9, trained to go after the suspect with the gun, was accidentally shot during the incident.

Andy's handler was also struck by the same bullet. The handler's bullet proof vest stopped the bullet from penetrating and the officer escaped serious injuries. The Montgomery Township Police Officer's injuries were non-life threatening.

Plymouth Township police say their K9 officer was doing his job and the circumstances surrounding the shooting are under investigation.

The three bank robbery suspects were arrested.
<http://cbs3.com/local/plymouth.township.police.2.846538.html>

08/10/22 Easton man accused of shooting woman in face

An Easton man shot a woman in the face in the bedroom of his parents' West Ward home about 4 a.m. Tuesday, city police said.

Andrew T. Freeman, 20, of 7 S. 11th St. drove Taccara Ward, who has no known address, to Easton Hospital after the shooting, police said. He initially lied when he was asked how Ward was shot, police said in court papers.

Freeman was arrested and charged in the shooting.

Police said he told them that he and Ward were near 11th and Northampton streets when a man tried to rob them and shot Ward after a struggle.

In a second interview, Freeman told police that Ward was shot inside his parents' home while he was checking to see if there was a round in the chamber of his 9 mm handgun.

Freeman told police he was holding the gun and pulled back the slide. The gun went off, hitting Ward in the face, he said.

Ward was sent to another hospital for surgery, police said. Friends outside 7 S. 11th said she was at St. Luke's-Fountain Hill.

Clyde Freeman, Andrew Freeman's father, stood outside his

house and watched the police process the crime scene. The elder Freeman said he was sleeping when Ward was shot.

"I didn't hear anything until the cops came in, screaming and hollering," he said. "I really don't know what happened."

As a precaution, Easton Area School District officials put Paxinosa and March elementary schools into a "limited lockdown," meaning all outside activities were prohibited.

Clyde Freeman said his son had never been in "real trouble" and had a good job, but he didn't know what line of work his son was in. He also said he didn't know who the woman is.

Inspector Matthew Gerould said Ward had "no fixed address" and lived in various places. Gerould said the shooting caused extensive damage to Ward's mouth.

Andrew Freeman was charged with aggravated assault, reckless endangerment, making false reports to law enforcement and having a firearm with obliterated serial numbers.

He was sent to Northampton County Prison under \$300,000 bail by District Judge Michael J. Koury Jr. of Wilso
http://www.mcall.com/news/local/all-b3_3shooting.6638540oct22.0.4401316.story

08/10/19 Shooting Along Parkway Under Investigation

PITTSBURGH (KDKA) — An investigation is underway after a shooting Saturday afternoon involving one driver who apparently cut-off another along I-279.

State police say it happened around 2:30 p.m. between the Ft. Duquesne Bridge and the Ft. Pitt Bridge.

According to authorities, a 24-year-old woman had just gotten onto I-279 after exiting Route 28 when she apparently cut-off a male driver.

Officials say the 59-year-old man then passed her on the road, got in front of her and stopped his vehicle.

Police say he then, "stopped his vehicle and begins to yell at her."

She drove around him, but investigators say the male driver was able to get in front of her again, they both stopped their vehicles and that's when he got out of his car. Officials say he, "went back to her vehicle and punched her in the face through her open window."

Investigators say the woman then allegedly pulled a gun and shot the victim. Officials report that the gun was licensed.

KDKA's Ross Guidotti talked with the woman following the incident. She did not want to be identified.

"He wasn't letting up. He was about to attack me again. "It's nothing that I planned on doing, I had no intentions of firing the firearm," the woman told KDKA. "I actually just took it out to scare him away from me."

The man, who was wounded in the stomach, was able to drive himself to a Best Western, while the woman drove to a Port Authority Police Department to report the incident, police say.

"My heart goes out to him, cause I never had any intentions of hurting him," she added. "There's not that much anger and rage on the road that you have to get out and strike a female."

Authorities have not identified either, but say the woman is from Pittsburgh and the man is from Ohio. He was taken to Allegheny General Hospital for treatment.

"A lot of times there are people who will start a road rage incident and don't know how to finish it," said Trooper Robin

Mungo, of the Pa. State Police.

The investigation continues and is pending review from the District Attorney's Office

<http://kdka.com/local/shooting.Route.28.2.844160.html>

If I'm not mistaken, this opens her up to some major civil liability, correct?

Yes, as well as criminal liability. If you shoot someone, it had better be on purpose, and because you were about to be killed or maimed yourself.

To say that you didn't plan to shoot, implies that you didn't perceive a need to shoot. She can spin it by clarifying that she didn't wake up that morning planning to shoot some guy from Ohio, but she's given the DA some ammo against her. He can make the case for criminal negligence, or even work it into an intentional shoot that she lied about.

It's a tough case to make that a woman in a working automobile needs to shoot an unarmed man on foot, because he's punching her. A man who fired under those circumstances is really throwing the dice. It may be better to use the car as a weapon, to slip into reverse and angle the wheel hard right, to swat the bastard away from your window as you flee the scene (remember, if you can safely get away instead of shooting, you have to go.) An angry man who's hit by a car while he's beating the driver is not a good prosecution case, but any unarmed man who's shot is a potential conviction.

The best strategy has been stated already: Keep your mouth shut after the shooting.

08/10/18 Rendell signs law raising gun penalties

Pennsylvania's gun laws got tougher Friday as Gov. Ed Rendell signed a bill increasing the mandatory sentence for anyone convicted of shooting a firearm at a police officer and for crimes committed with illegally purchased guns.

Rendell, flanked by family members of slain Philadelphia police officers, city and state officials and law enforcement, signed the wide-reaching bill at the Philadelphia Fraternal Order of Police lodge.

"It's a good day for Pennsylvania and a great day for law enforcement," said Philadelphia District Attorney Lynne Abraham, who pushed for the changes.

Rendell signed the legislation less than 10 days after it unanimously passed both houses in the state Legislature and less than a month after the shooting death of Philadelphia police Officer Patrick McDonald, who was killed by an illegally purchased gun.

"We're doing this in the name of every officer in the Commonwealth who has been shot at, who has been injured, and it is the very least that we can do," the governor said.

Rendell first focused on the portion of the bill that increased the sentence for anyone shooting a firearm at a police officer, which has been raised from 10 years to 20, with a maximum of 40 years.

"I do believe with all my heart Â... that mandatory sentences, if well publicized, will cause many criminals to decide to keep that gun in their pocket," Rendell said.

Spreading the word about the new law is key to the bill's effectiveness, said Rendell, who plans to have placards placed in stores and to advertise the increased penalties in television and

radio ads.

"If we deter one criminal in one city in Pennsylvania every year from taking that gun out of their pocket and shooting a police officer, this is great legislation," the governor said. "And I believe, if we do it right, we can deter more than one."

Guns have been pointed at Philadelphia police officers 263 times since 2003 and city police have been shot at 188 times and struck 22 times in the same period, according to FOP president John McNesby.

Five Philadelphia officers have been killed in the line of duty since 2003, four by a firearm.

Rendell pointed out that the bill will aid prosecutors on a number of firearm issues. It increases the statute of limitations for prosecuting straw purchases linked to gun crimes from two to five years. It prevents mentally ill individuals from buying guns, raises the penalties for lying when filing federal paperwork to buy a gun and for filing a false report of a stolen gun.

Abraham said an important part of the bill's success in the Legislature was that the National Rifle Association was on-board with the changes.

"Overall, the bill does a lot of great things and has some tools to go after the bad guys, with some protections in there for gun owners," said NRA lobbyist John Hohenwarter.

Rendell said the bill lacked an important element: the requirement to report a lost or stolen firearm.

"We need to make it a crime for failure to report a lost or stolen gun, no ifs, ands or buts," he said. "We need to go further."

Pennsylvania House of Representatives Speaker Dennis O'Brien agreed.

"We all acknowledge that this does not represent a complete body of work," said O'Brien, R-Philadelphia.

Philadelphia Mayor Michael Nutter challenged the Legislature to continue its push for gun law reform, especially on lost or stolen weapons.

"Our work is not done," Nutter said. "We know that we have not done everything we can do to make it safer out here, not only for police officers but for citizens of the city."

"This is a good thing. This is a great thing. But, it is not everything."

http://www.mcall.com/news/nationworld/state/all-a7_gunlaw.6635041oct18.0.2529603.story

08/10/17 Shop owner accused of selling air rifles to minors

A south Bethlehem shop owner has been charged after a two-year investigation by police who allege the owner sold realistic-looking pellet guns to middle school students.

Lihua Han, 62, who owns Han's Store at 735 E. Fourth St., is charged with three counts of the sale of air rifles to minors.

On Wednesday, police conducted an undercover buy at the store during which she sold a pellet handgun to a 12-year-old boy. According to state law, purchasers of such weapons must be at least 18.

Police said at least three students at nearby Broughal Middle School had purchased air guns from Hahn's Store and took them to school. Two of those students have been expelled, police said.

After the undercover buy Wednesday, police seized 84 pellet handguns and 17 air rifles from the store.

<http://www.mcall.com/news/local/all-pelletguns1017-cn.0.3252741.story>

08/10/17 PA Governor Rendell Signs Bill to Protect Police Officers, Keep Illegal Guns Out of Communities

PHILADELPHIA, Oct 17, 2008 /PRNewswire-USNewswire via COMTEX/ -- New Law Mandates Minimum 20-Year Prison Sentence for Anyone Shooting at a Member of Law Enforcement

Calling it an important measure that will better protect communities and the lives of law enforcement officers, Governor Edward G. Rendell today signed House Bill 1845, which mandates a minimum 20-year sentence for those who shoot, or shoot at, a law enforcement officer and imposes longer prison terms for other gun-related offenses. The Governor signed the bill at the Fraternal Order of Police Lodge #5 headquarters on Spring Garden Street.

Before signing the bill, Governor Rendell recalled recent tragedies that took the lives of Philadelphia police officers -- four of whom were killed with a firearm.

"As we stand here today, we are still shocked and still outraged by the senseless killing of Sgt. Patrick McDonald last month. And we still have not forgotten the brutal shooting deaths of Sgt. Stephen Liczbinski, Officer Chuck Cassidy and Officer Gary Skerski, as well as the death of Officer Isabel Nazario," said Governor Rendell.

"The members of our law enforcement have been under attack. From 2002 to 2007, the number of assaults of law enforcement officers with firearms in Pennsylvania increased by 82 percent. Nationally, that number was far less; just 13 percent.

"This legislation will help to stem the violence committed against our police by requiring that those who shoot at them be put behind bars for at least 20 years," the Governor said.

H.B. 1845 requires judges to impose a 20-year mandatory minimum sentence on anyone convicted of shooting or shooting at a police officer and closes a glaring loophole that allowed some mentally ill individuals to buy guns.

The new law also increases the criminal statute of limitations for prosecuting straw purchases linked to gun crimes from 2 years to 5 years. The Governor said this was particularly important because it often takes longer than 2 years for law enforcement to recover and trace a gun used in a crime. The extra time will allow prosecutors to bring additional cases against straw purchasers.

H.B. 1845 also increases a number of penalties for gun related crimes. Possessing a firearm with an altered serial number is now a 2nd degree felony -- up from a 1st degree misdemeanor previously -- and filing a false report when a gun is stolen will result in a 2nd degree misdemeanor penalty, up from a 3rd degree misdemeanor. Further, the new law bans anyone convicted of filing a false report from possessing firearms.

Persons found to have lied on the federal gun application may also be prosecuted now and face a 3rd degree felony charge.

"I want to acknowledge the leadership and outstanding efforts exhibited by Speaker Dennis O'Brien and Sen. Michael Stack in moving this bill through the legislature and ensuring it would have a positive impact," said the Governor. "This is a comprehensive bill that will make Pennsylvania safer by keeping illegal guns out of our communities."

"This legislation will help police get those who peddle illegal firearms, help prosecutors put those criminals in prison for a long time, and further keep guns out of the hands of the mentally ill. However, it would have been a far better bill if additional common-sense provisions to crack down on straw purchasers had been included.

"It makes no sense that the General Assembly refuses to listen to calls by law enforcement to require that lost and stolen handguns to be reported. This is a provision that would stop straw purchasers and make our communities safer. While we have made many positive steps with the bill I'm signing today, we still have a way to go."

The Rendell administration is committed to creating a first-rate public education system, protecting our most vulnerable citizens and continuing economic investment to support our communities and businesses. To find out more about Governor Rendell's initiatives and to sign up for his weekly newsletter, visit www.governor.state.pa.us.
<http://www.marketwatch.com/news/story/pa-governor-rendell-signs-bill/story.aspx?guid=%7B58846E4A-7968-4D4B-8366-9AF043D3EF3B%7D&dist=hppr>

08/10/17 Soccer parents wince at prospect of guns at games

CHRIS KNIGHT, The Patriot-NewsGun owner Meleanie Hain speaks to the media after her gun-permit hearing at the Lebanon County Courthouse in Lebanon on Tuesday.

Since then, dozens of readers have posted comments on PennLive.com either applauding or attacking the ruling and Hain's comments that she will likely continue to carry her gun at her children's soccer games. Comments on the PennLive forum use words such as "arrogant jerk," "idiot," "dufus," "cowards" and "sheepish."

Most of the comments on PennLive have come from people applauding the right to openly bear arms.

But a lot of the parents at soccer games feel differently, Gregg-Bolognese said.
"Come on, a 5-year-old's soccer game?" she said. "I mean, really. But if she was in my club and I told her she cannot carry, I would be sued."

Gregg-Bolognese said some clubs have approached her about hiring security guards. Some fathers have threatened to take a gun away from anyone who arrives at a game with one, an idea she tries to squelch. Referees have asked if they should carry guns.

She is trying to come up with a policy to deal with the situation, but it is not easy, she said.

Tom Dougherty, the president of the Eastern Pennsylvania Youth Soccer Association, said he has been consulting with lawyers, but he believes his hands are tied.

"We could put a rule in our books, but we can't enforce it," he said. "We're really kind of powerless."

Gregg-Bolognese suggests clubs check with their school districts and municipalities to see if there are fields where guns can be banned. Guns are generally not allowed on school district property, for instance.

She also tells them to abandon a game if they don't feel safe.

"We don't want kids at risk. Sometimes canceling the game is the only option," she said.

Many people were surprised to find that anybody who is allowed to own a gun -- which is anyone who has passed a criminal background check and is mentally stable -- can openly carry a firearm pretty much anywhere. Permits are required only for concealed weapons.

That includes grocery stores, streets and even the public areas of airports.

"The airport is a public facility like a park or any other public place," said Timothy Edwards, the executive director of Harrisburg International Airport. "You're not screened until you get to the security checkpoint."

Guns are prohibited in courtrooms, prisons and schools.

State regulations have traditionally prohibited guns in state parks, but the Legislature recently voted to overturn that rule. The change is awaiting Gov. Ed Rendell's signature.

Several municipal parks prohibit guns, among them those in Derry Twp., Lower Allen Twp. and Upper Allen Twp.

Derry Twp. administrative assistant Lisa Watford said the law has been on the books for at least 24 years, and she doesn't think guns have any place in parks.

According to Deborah Bitting, a spokeswoman for the Pennsylvania League of Cities and Municipalities, the constitutional right to bear arms would pre-empt any local gun control laws.

Greg Rotz of Pennsylvania Open Carry said there is even some question about whether guns can be prohibited in schools. The law banning them also says guns may be used "in conjunction with a lawful supervised school activity or course or if possessed for other lawful purpose."

Rotz said the more people openly carry guns, the safer society will be. He hopes the ruling in Lebanon County will encourage more people to carry guns.

When asked what parents should do if they want gun-free soccer games, he answered, "They don't have that right."

Gregg-Bolognese said many of the parents in the central Pennsylvania clubs will not feel safer if someone is carrying a gun at the games.

"There are so many parents who will freak out at this it's not funny," she said.

http://www.pennlive.com/midstate/index.ssf/2008/10/soccer_parents_wince_at_prospe.html

08/10/16 Lock and load: Council is right to insist on stolen-gun reports

Any legislation on guns is bound to be controversial and the effort by three Pittsburgh council members to insist that gun owners report lost or stolen weapons is certainly that. But it shouldn't be.

With every right comes a responsibility. You would think that every law-abiding gun owner would want to report a missing firearm as soon as the theft was discovered and would not object to a law on it for a sound public-safety reason -- deterrence of so-called "straw purchases" that criminals use to obtain guns.

That was the wishful thinking of state Rep. David Levdansky, D-Forward, who this year pushed an amendment in the Legislature with the same purpose. The failure of that sensible effort has returned the battle to cities like Pittsburgh, which is suffering an epidemic of gun violence.

Council President Doug Shields, who is pushing the ordinance along with colleagues William Peduto and Bill Kraus, admits that Harrisburg would be a more appropriate place to deal with this issue but is not content to let the state ignore a serious problem affecting Pittsburghers.

It's poetic justice, perhaps, that the proposal is tougher than Mr. Levdansky's. Although the state amendment called for a summary offense for the first time an owner failed to report a gun within three days of discovering it was lost or stolen, the city ordinance would impose a fine up to \$500 if an owner failed to report a gun within 24 hours of learning it was gone. Moreover, the state proposal covered only handguns; the city ordinance uses the more general term firearm.

But does the city have the authority to act? Courts will decide, but Mr. Shields thinks Pittsburgh can muster a good argument. He gives credit to Councilman Kraus for pointing out that state law limiting gun legislation by other jurisdictions uses the term "lawful" -- and a stolen gun is not.

It's worth a try. Council previously voted unanimously to support the Levdansky amendment. There's no philosophical reason why a city shouldn't be allowed to go further than the state in protecting its residents -- and it does not infringe on the constitutional rights of gun owners.

Mayor Luke Ravenstahl, who has stayed neutral, should show some leadership. A reasonable measure should not be controversial.

<http://www.post-gazette.com/pg/08290/920272-35.stm>

08/10/15 Solehi won't let security carry firearms or stun guns

Southern Lehigh School District leaders took steps Tuesday to prohibit security guards from carrying firearms, stun guns, pepper spray, batons or handcuffs.

School board directors on Tuesday voted unanimously to amend a contract with Patriot Security of Bethlehem to bar such weapons and devices.

The proposed contract originally contained a provision vaguely stating that security personnel must be licensed to carry such weapons. The contract did not prohibit or condone the carrying of weapons.

"It suggests that they're going to be carrying these things," district solicitor James Bartholomew said.

District Superintendent Joseph Liberati said Patriot Security was selected in August to provide security for athletic events and large gatherings, such as plays and band performances. The original contract could allow security to carry guns, stun guns, handcuffs, pepper spray or batons. That concerned Liberati.

"This is extreme from my perspective," he said.

Bartholomew said the security company is needed to "maintain a presence that will provide safety." Its personnel will direct traffic, provide crowd control and contact police in a major emergency.

"Our athletic events are so benign, Jim [the solicitor] and I could be security guards," school Director John Schubert said.

http://www.mcall.com/news/local/all-b6_5solehi.6630009oct15,0,439187.story

08/10/15 Man grabbed at cop's gun, city says

Gerald Hood, 19, of Harrisburg, is accused of trying to disarm a police officer during a traffic stop Sunday near Hall Manor, Mayor Stephen Reed said.

Hood, of the 1100 block of Market Street, was stopped about 8:45 p.m. for having a suspended registration, Reed said. When an officer noticed a handgun and tried to detain Hood and a passenger, Hood began acting disorderly and tried to take the officer's gun, Reed said.

Hood is charged with aggravated assault on a police officer, receiving stolen property, attempting to disarm a police officer and firearms violations. He was taken to Dauphin County Prison in lieu of bail.

Other arrests announced Tuesday include:

Steven Sibert, 20, of the first block of 12th Avenue, Paterson, N.J., was arrested Oct. 7 after officers investigating complaints of drug activity around North Sixth and Forrest streets accused him of illegally carrying a gun and having drug paraphernalia, Reed said.

Sibert was charged with carrying a firearm without a license, receiving stolen property, illegally possessing a firearm and drug violations. He was taken to the county prison in lieu of bail.

Danny Seng, 19, of the 1800 block of Regina Street, is accused of robbing a man and hitting him in the head with a gun Aug. 3 in the first block of North 18th Street, then firing a shot at the man's brother, Reed said. The man suffered a fractured skull, Reed said, adding that police believe others might have been involved.

Seng was charged with robbery, conspiracy to commit robbery, aggravated assault, conspiracy to commit aggravated assault, reckless endangerment, carrying a firearm without a license and illegally possessing a firearm. He was taken to the county prison in lieu of bail.

Patrick Benner, 23, of the first block of Glenn Circle, Hummelstown, is accused of robbing a man of his wallet and cell phone on Jan. 31 in the 100 block of Pine Street and using the stolen credit cards to buy alcohol at a nearby bar, Reed said.

Benner was charged with robbery, theft of services, access device fraud, receiving stolen property and conspiracy to commit receiving stolen property. He was taken to the county prison in lieu of bail.

Two boys, ages 17 and 15, are accused of trying to rob an undercover officer at gunpoint on Oct. 8. Each was charged with robbery, conspiracy to commit robbery and illegally possessing a firearm. The 17-year-old was taken to the county prison because a gun was involved, Reed said. The 15-year-old was taken to Schaffner Youth Center.

<http://www.pennlive.com/patriotnews/stories/index.ssf?/base/news/1224035721162210.xml&coll=1>

08/10/15 Soccer mom gets back gun permit

Conceal pistol at games or forgo it, judge urges

LEBANON - Meleanie Hain said she will probably continue to carry her gun openly at her children's soccer games, even after Lebanon County Judge Robert Eby asked her not to.

"I know he'll be disappointed," she said Tuesday after her successful appeal of a sheriff's decision to revoke her concealed gun permit. "But a gun-free zone says it's an easy target."

Eby lectured Hain about civility, even as he said she could have her concealed gun permit back.

"I have a fear ... manners are being replaced by insensitivity and rudeness," he said. "Right versus wrong is not the same as legal versus illegal."

In a case that had drawn national attention, Hain was appealing a decision by Lebanon County Sheriff Michael DeLeo to revoke her permit to carry a concealed weapon following complaints by parents at a children's soccer game Sept. 11 at Optimist Park in Lebanon.

DeLeo said Hain showed poor judgment in carrying the weapon.

About 60 gun-rights advocates attended Tuesday's hearing -- and at least 15 of them checked their guns at the entry to the courthouse, one of the few places that bans firearms, along with schools, casinos, day care centers and homes for the mentally retarded.

Greg Rotz of Pennsylvania Open Carry said parents don't have the right to gun-free soccer games unless they are held on private property. Optimist Park is owned by the city of Lebanon.

"When and how you carry is a personal choice," he said. Rich Banks, also a member of Pennsylvania Open Carry, said a gun is a safety device like a fire extinguisher.

Mark Brandt, the parent at the soccer game who complained about Hain to DeLeo, said Tuesday he did not want to comment.

But Charles Jones, who was coaching that game and asked Hain to move to the other side of the field, away from the children, said at the hearing he was worried that kids could get hold of the weapon, or that Hain was carrying it because somebody was out to get her.

"That made it even more scary," he said. "If you use that weapon in a crowded area with a lot of kids."

DeLeo said "spirits are high" at athletic events and he was concerned that parents were becoming irate because of the gun.

Hain said her gun was properly secured in its holster. She said she openly carries it to Wal-Mart and friends' homes, as well as games.

"I don't get overzealous about games," she said. "I'm not looking to shoot anybody over a goal."

She said she didn't conceal her gun because she can get it out faster if it's not concealed. She said her husband is in law enforcement, so that makes her feel like more of a target.

Eby was not impressed with her reasons for carrying the gun at the game.

"What is the purpose of an event where 5-year-olds are playing soccer?" he said. "To make other people afraid of you? Fear doesn't belong at a kids' soccer game. For protection? I absolutely hope we don't feel we need to be protected at a 5-year-old soccer game.

"... What if everyone came packing so you'd have a visibly armed force on both sides?" he said.

"I will apply the rule of law and restore your right to carry," Eby said, "but between you and me, if you still feel compelled, carry it concealed."

<http://www.pennlive.com/news/patriotnews/index.ssf?/base/news/1224034813147280.xml&coll=1>

08/10/15 City eyes crackdown on reporting lost guns

Legislation is aimed at 'straw purchasers' who sell handguns to criminals

Pittsburgh became a front line in the debate over firearms laws yesterday, as three city council members proposed legislation requiring that owners report lost or stolen handguns to police, and gun rights advocates cried that they were overstepping their bounds.

"Any law-abiding person has nothing to fear here," said City Council President Doug Shields, who along with colleagues William Peduto and Bruce Kraus unveiled the legislation aimed at shutting down "straw purchasers" who sell handguns to criminals.

They argued that their measure deals only with reporting handguns that have gone missing, not regulating their sale or possession, and therefore doesn't infringe on state supremacy over gun laws, or the U.S. Constitution's Second Amendment.

Gun-owner bulletin boards on the Internet lit up with criticism. "These people are incorrigible, and luckily for them, the Allegheny County D.A. won't arrest council for committing a crime," wrote one poster, identified as a county resident.

The ordinance would require that anyone whose handgun is lost or stolen in the city tell police within 24 hours, or potentially face a \$500 fine. Failure to report the loss of a second handgun would result in a \$1,000 fine with the possibility of 90 days in jail.

The penalty would kick in only if a handgun was used in a crime, recovered by police, and traced back to its original purchaser. "Once a handgun is separated from its owner, it becomes an illegal weapon," said Mr. Kraus.

The legislation mirrors an ordinance approved in Philadelphia in May 2007 that has been the subject of a court fight ever since. As a result, it hasn't produced a single prosecution or citation there, and the General Assembly rejected a statewide version in April. But the city of Allentown passed its own version early this month, and mayors of six other cities have vowed to try to get a version approved.

Mayor Luke Ravenstahl hasn't expressed a clear opinion on the matter and his administration provided no response to the legislation introduced yesterday.

District Attorney Stephen A. Zappala Jr. said straw purchasers are a problem, but council's legislation may not be a legal solution.

"A lot of times, somebody can't purchase a weapon, and these are bad people," he said. "And they get somebody to purchase a gun for them. ... It is a pipeline to get guns into the hands of bad people.

"I think [lost-and-stolen-gun legislation] is a tool that would help [Pittsburgh]," he said. "I just think the Legislature has to act on it."

Some legislators chided council for wading into an issue the General Assembly has declared to be a matter best dealt with in Harrisburg.

State Rep. Daryl Metcalfe, R-Cranberry, said that some local officials "instead of running for the Legislature, try to enact ordinances that can only be enacted in state policy." If council passes it, he said, "they will clearly just be wasting taxpayers' money. They will be overruled by the court."

The National Rifle Association is involved in the court fight against the Philadelphia ordinance.

"The proposed penalties do nothing more than victimize the victims" of gun thefts, said Washington, D.C.-based NRA spokeswoman Rachel Parsons.

The NRA last week criticized Pittsburgh zoning codes that restrict where guns can be sold. An attorney not affiliated with the NRA has challenged them in Common Pleas Court.

The measure comes before council as the city body count threatens to approach the record highs of 15 years ago.

Last year city police received 302 reports of lost or stolen guns, and they've gotten 202 such reports this year. They annually recover around half as many lost or stolen guns as are reported.

Overall, the city police investigated 890 guns involved in crimes in 2007, and 686 so far this year, according to Detective Brian Fleming of the Firearms Tracking Unit.

Eight states and seven cities have lost-and-stolen-handgun reporting laws, according to the Legal Community Against Violence.

Philadelphia's experience, though, suggests the difficulty of implementing such measures.

A lost-and-stolen-handgun reporting ordinance was among seven anti-gun measures pushed by Mayor Michael Nutter last year.

"We come upon people a lot," said Philadelphia police Lt. Frank Vanore, "and we find out through running [checks on] them that they bought five or six guns. We find two. Well, where are the other four? They say they lost them."

The Philadelphia lost-and-stolen-gun measure was one of three that survived an initial Common Pleas Court challenge, but late last month the Commonwealth Court knocked it down. The court ruled that the Legislature preempted local gun laws, but also noted that the Philadelphia measure required state approval - something that never happened.

Lt. Vanore said the city still has the ordinance "on the books as a city ordinance that we could invoke to issue a fine." But with the courts and the local district attorney against them, they don't have the power to put anyone in jail for violating it.

<http://www.post-gazette.com/pg/08289/919943-53.stm>

08/10/14 Man allegedly flashed gun, is charged with threats

A man flashed a handgun during an argument in the 1300 block of E. Sixth Street in Bethlehem around 1:50 p.m. Saturday, according to police.

Emmanuel Laureano-Gonzalez, 22, of 1346 E. Sixth pulled up his shirt to reveal the gun tucked in his waistband when a neighbor told him to move from where he was sitting, police said. Laureano-Gonzalez didn't remove the weapon and nobody was injured.

Laureano-Gonzalez was charged with disorderly conduct, harassment and making terroristic threats. He was arraigned before District Judge Michael J. Koury Jr. of Wilson and committed to Northampton County Prison under \$10,000 bail.

<http://www.mcall.com/news/local/police/all-4gun.6627821oct14,0,3185991.story>

08/10/14 Staring Down the Barrel: the Rise of Guns in China

In a Nation That Bans Guns and Celebrates Them, Armed Criminals and Hunters Pose New Problems

Shanghai -- China's weapons laws are among the world's toughest. Its blanket ban on private ownership of rifles, pistols and even gun replicas is a core tenet of social policy. Still, a gun culture is taking hold.

China Struggles to Enforce Gun Control

Even as official statistics show overall crime in China declining, a string of splashy gunfights and murders, along with a rash of gun-factory raids and smuggling busts, points to a change in how crime is committed. (Oct. 14)

China may be freer from gun crime than many nations, and official statistics show overall crime on a continuous down trend. Yet, these days, reports about gun crimes turn up as often as several times a week even in the tightly controlled state-run media. The reports are often brief, without much follow-up as cases progress. Still, the splashy gunfights, murders, gun-factory raids and smuggling busts that get reported contrast with China's zero-tolerance stance on guns, and point to changes in criminals' behavior.

But the trend is about more than crime. Guns are now fashionable in paintings and movies, while Chinese-language Web sites and glossy magazines cater to gun buffs. And legal shooting clubs in cities let customers fire away at targets for a fee. Bored with golfing, some affluent businessmen slip into the countryside for hunts.

Even as China's government seeks to keep guns off the street, and shields its massive gun-manufacturing business behind state-secrets laws, it helps stoke the public imagination about guns. Schoolchildren learn to salute the flag shouldering imitation rifles, while state media celebrate the heroism of military and athletic marksmanship.

"In the 1960s, shooting was for national defense," said Xie Xianqiao, a former amateur shooting coach. "These days, shooting is entertainment."

Weapons Trail

See a [timeline of major events](#) involving guns in China.

Erosion in China's gun controls reflects the Communist Party's slow retreat from most people's daily lives. Chinese increasingly spend their free time as they want. The Party also has less power to control the supply of guns at a time when the wealthy are looking for protection and recreation, and criminals are searching for an advantage.

The main source of guns appears to be lax control of gun factories and theft from arsenals. China is one of the world's largest gun manufacturers -- for the export market and for its security forces. Older guns are left from past wars and a time when hunting was common. The police have also busted workshops that forge guns and bullets by hand inside China. Meanwhile, people illegally import replicas -- exact-looking imitations of guns.

The government holds gun-surrender drives, appealing to citizens with posters in subways to turn in arms with no questions asked, or even for cash. A six-month campaign this year netted 79,000 guns, 1.8 million replica guns and 5.75 million bullets, the Ministry of Public Security said last month. A similar effort

in 2006 turned up 178,000 guns and 638,000 replicas in four months.

Associated Press

A particular frustration for Chinese authorities is the proliferation of fake weapons, such as the ones destroyed by Shanghai police last year.

Authorities report on gun seizures in order to demonstrate their ability to control the flow of weapons. But the effort backfired in July, when three journalists were injured after a gun misfired during a police news conference on illegal weapons in Nanchong, Sichuan.

Yet gun crimes continue to grab headlines. Early last year, a man in the northeast went on a rampage with a homemade pistol, killing five family members and neighbors. In September 2007, a young Guangzhou man was found guilty of using a replica gun to rob a bank customer of \$218,000, and drew a 19-year prison sentence. In December, a guard at a munitions dump machine-gunned a colleague over a chess match. Two days later, he was killed, too, in a shootout with police.

Guns have also been a factor in this year's unrest in China's remote Tibetan and Muslim regions. A policeman was hit six times in an April incident that authorities described as a "gun battle" that left him and a Tibetan insurgent dead.

The Ministry of Public Security says its police increasingly face armed and aggressive suspects. Most Chinese police aren't armed, and they sometimes are provided little more than a uniform to do their job. An emerging market for bulletproofing underscores the need. At a police-gear trade show in Beijing last April, bulletproof vests bearing Chinese police logos were on display, along with bulletproof BMWs and Jaguars. DuPont Co. showed the protective qualities of Kevlar.

Like other technologies, guns have a long history here. Chinese invented gunpowder more than a thousand years ago, and soon developed one of the first guns, called a "fire spear." Rifles were widely available by the late 19th century, when war and revolution began engulfing the country. In 1938, as the Communists battled the Japanese and the ruling Nationalists for control, Mao Zedong made his famous remark that "political power grows out of the barrel of a gun" -- foreshadowing strict gun laws the Communists later imposed.

Gun control was introduced in 1966, after children aiming a Spanish rifle at sparrows near Tiananmen Square shot out a window in the Great Hall of the People, according to an official history of the Ministry of Public Security. Authorities grew more vigilant after the violently suppressed pro-democracy demonstrations of 1989, and after rapid economic growth began to spur social tensions.

Newscom

Earlier this year, police checked illegally owned guns in China's Henan province.

The government imposed the current rules in 1996, forbidding the private manufacture, sale, transport, possession, import or export of bullets and guns, including replicas.

Possession of a single gun is grounds for a prison sentence of as long as three years, and the penalty for a gun crime often is execution. In July, a Shanghai man drew a prison sentence of 12

years, and his wife 11 years, for possessing three guns and 600,000 bullets, plus peddling weapons on the Internet. Chinese authorities say they dealt with 4,666 gun cases last year. Officials often respond to sensational gun crimes in the U.S. and elsewhere by affirming the need to maintain tough laws.

With guns often hard to buy, some criminals forge them instead. Late last year, Shanghai police responded to a call about a robbery in progress at a gritty scrap yard. According to a police spokesman, officers spotted a man fleeing the scene and yelled "freeze," but he pulled a crude homemade pistol from a bag.

Witnesses say the suspect was brought down after a gunfight that had shots echoing all around the neighborhood. A police spokesman said the suspect, identified as Tang Qingjie, was shot in the leg by an officer. He said Mr. Tang had never managed to fire his weapon, which in a police photo appeared to have been soldered together.

The handling of Mr. Tang's case also offers a possible indication of why gun crimes in China seem so rare. They sometimes aren't highlighted when criminal charges are made public. When Shanghai prosecutors formally arraigned Mr. Tang in September, they alleged he committed robbery -- a serious charge but not one that automatically suggests use of a weapon.

Speaking generally about Chinese law, a court spokesman said evidence of a gun can be introduced during a robbery trial. But criminal trials in China aren't always open to the public, and evidence can be suppressed.

The Communist Party lauds marksmanship enough to give freshmen college students basic training in it. Shooting produced a national hero for China in 1984, when Xu Haifeng became the country's first Olympic gold medalist by winning the 50-meter pistol event in Los Angeles. At this year's Beijing Games, China won five of its 51 gold medals in shooting events.

Beijing's support for the sport has helped spur a rise of hobby enthusiasts. The government has sanctioned businesses such as the Shanghai East Shooting Club, a former bomb shelter where customers can have a drink and fire a variety of weapons. Owner Zhang Jiewei says his clients are looking to relax.

But increasingly, gun fans are gaining access to guns -- and hunting illegally. In rural Anhui province last year, a group of wealthy businessmen, gun-club owners and former army officers organized wild-fowl shoots. Feasting on game cooked in a spicy brown sauce, one of them toasted, "Guns have brought us together."

Gun buffs can turn to Small Arms, a twice-monthly glossy magazine that claims 60,000 subscribers. The Beretta M9 semiautomatic pistol "is classic," said Zheng Zhoujian, an 18-year-old reader. "I envy people in other countries where guns are legal."

<http://online.wsj.com/article/SB122394012224530655.html>

Founding Fathers Intent:

"Our obligations to our country never cease but with our lives." —John Adams, letter to Benjamin Rush, April 18, 1808