

The Gottlieb-Tartaro Report

THE INSIDERS GUIDE FOR GUN OWNERS

Issue 115
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Dear Subscriber,

The *San Francisco Chronicle's* headline tells it all: **Gun lobby clout is outgunning FEINSTEIN - Assault weapons ban renewal in doubt.**

Sen. DIANNE FEINSTEIN (D-CA) is growing desperate as she tries to win a **last-minute renewal of her 10-year-old ban on so-called assault weapons** before it expires September 13.

She nearly screams, "If my law lapses, you can expect the market to be **flooded with AK-47s and Uzis**. I really believe passionately in this."

She joined her colleague Sen. BARBARA BOXER (D-CA) and San Francisco Mayor GAVIN NEWSOM in marking **the 11th anniversary of 101 California Street** shootings that killed 8 people and left 6 others wounded with TEC-9 semiautomatic weapons.

FEINSTEIN **used the shootings** to persuade Congress to pass the "assault weapons" ban a decade ago.

Despite the near certainty **the ban will not be renewed**, FEINSTEIN said, "I'm not going to give up on this."

She is searching for a piece of legislation **to serve as a vehicle for an amendment renewing the ban**. In March she succeeded in getting a Senate vote of 52-47 to attach the renewal as an amendment to the bill giving immunity from frivolous lawsuits to the gun industry. Second Amendment advocates quickly lobbied to **pull the bill** if FEINSTEIN's amendment was attached, and **it died in committee**.

FEINSTEIN is searching for another piece of legislation to serve as a vehicle for her ban, but very few legislative days remain in Congress before September 13.

In another big federal issue, Rep. TODD TIAHRT (R-KS) sponsored a measure to **bar the disclosure of personally identifying data about the nation's gun owners for use in civil lawsuits**.

His measure, an amendment to the 2005 Commerce-Justice-State appropriations Bill, was approved by a bipartisan 42-19 margin, providing that **data could only be released to prosecutors and for criminal investigations**.

The information, multiple handgun purchase data and firearm trace data, is compiled by the Bureau of Alcohol, Tobacco, Firearms and Explosives.

TIAHRT said his measure was **sparked by a recent court ruling** in a Brooklyn, New York civil lawsuit against 40 gun manufacturers and distributors, in which Magistrate Judge CHERYL POLLAK ruled that **New York City may access the records**.

New York Mayor MICHAEL BLOOMBERG called the amendment "an outrage," saying **it would scuttle the city's anti-gun suit**. The City has sought the information to make its case that gun manufacturers use marketing and distribution practices that allow criminals to get firearms, creating a public nuisance.

The Brady Campaign chimed in with attacks on TIAHRT, voicing their own "outrage" that the private information in the records will not be made publicly available.

The TIAHRT amendment bars the information from civil suits, but **still allows it to be made available to law enforcement and prosecutors**, and for bona fide criminal investigations.

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Also in this issue: ● *Violent cities get federal teams* ● *Thai gunshops give teacher discounts* ● *Right to hunt on Louisiana ballot* ● *Detroit gun dealer not liable for straw purchase* ● *Gun artistically engraved for Bush gift* ● *21 gun salute for Ronald Reagan, Hero in our Page Eight Parting Shot*

**ON THE
FEDERAL
LEVEL**

continued from Page 1

The House Judiciary committee has passed a bill that allows **active-duty and retired law-enforcement officers to carry concealed weapons anywhere in the nation.**

H.R. 218, the Law Enforcement Officers Safety Act passed out of the House floor on June 23rd on a voice-vote. It now goes to the Senate, where a similar bill passed as an amendment in March by a 91-8 vote.

The bill, introduced by Rep. RANDY "DUKE" CUNNINGHAM (R-CA), permits **qualified law-enforcement officers** – retired, off duty and outside their jurisdiction – **to carry a concealed weapon in any state** regardless of the state's law. It passed on a 23-9 vote, but not without opposition.

Committee chairman Rep. F. JAMES SENSENBRENNER Jr (R-WI) felt the it undermines the authority of the states and was the only Republican who did not support the bill.

SENSENBRENNER also amended the legislation, requiring officers to have an **official badge, photographic identification and valid state certification** when carrying a concealed weapon.

Rep. ROBERT C. SCOTT (D-VA) also attached an amendment that prohibits officers from being under the influence of alcohol or narcotics while carrying a gun.

Attorney General JOHN ASHCROFT said **the Justice Department is dispatching teams of federal agents to 15 high crime cities**, including Washington, D.C., despite a U.S. violent crime rate at a 30-year low nationwide.

The effort is targeted at "the hottest zones of criminal activity," said ASHCROFT. The initiative is also aimed at **reducing the recurrent summer increase in murder and violent crime**, he said.

Teams of agents from BATF, U.S. Marshals Service, FBI, and the Drug Enforcement Agency will be assigned to each of the 15 cities for 6 months. A Justice Department prosecutor will handle cases of those charged.

Investigators will focus on prosecuting people for **firearms violations**, which Ashcroft said often accompany gang activity, illegal drug organizations and organized crime groups. The 15 Violent Crime Impact Teams will use high-tech surveillance and other techniques to identify the worst offenders.

JOHN KERRY, whose record of words and misdeeds on firearms rights has earned him **a key place among the most solid iFî candidates** ever rated by the National Rifle Association's Political Victory Fund, is now **posing as a self-styled ilifelong hunter and gun ownerî** who **îbelieves in the Second Amendment.î**

Contradicting these assertions, **KERRY has added a link on his website to the gun-grabbing Brady Campaign's website!**

For his long history of anti-gun rights votes and positions, he consistently receives **a 100-percent rating** from the Brady Campaign (formerly Handgun Control, Inc.), the American Bar Association's Special Committee on Gun Violence, and from the Coalition to Stop Gun Violence (formerly the National Coalition to Ban Handguns).

All of these pro-KERRY groups deny the existence of an individual right to keep and bear arms, and some are actively using the courts in an attempt to destroy American's Second Amendment freedoms.

According to the NRA's Institute for Legislative Action, KERRY has voted 51 times against gun rights on the Senate floor. In March, KERRY also worked to sabotage legislation to stop predatory lawsuits aimed at bankrupting the law-abiding firearms industry.

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CANADIAN NEW DEMOCRATIC PARTY WOULD LOBBY IN U.S. FOR GUN CONTROL

Jack Layton, leader of Canada's New Democratic Party, recently told reporters on a campaign swing through Manitoba that, if elected to power, an NPD government would "lobby the Americans for more gun control south of the border to improve things in this country."

However, in the province of Alberta, a Conservative Party Member of Parliament, Gerry Ritz, told reporters, "We've committed to scrapping gun control."

AROUND THE WORLD

SOUTH AFRICAN GUN OWNERS OPPOSE NEW LAW

Firearm owners in Johannesburg have sought a court interdict to stop the government from enacting legislation to control the ownership of guns. South African Gun Owners Association spokesperson Martin Hood said the Firearms Control Act was a threat to the country's security and its citizens.

The association's efforts to engage the government on how the law will be executed failed, and the only option was the courts.

THAI GUN SHOPS OFFER DISCOUNTS TO TEACHERS

Gun shops in Bangkok are offering discounts to teachers in Thailand's troubled Muslim south where a spate of almost daily attacks remain uncontrolled by the government.

Islamic violence that erupted in January has made schools a common target for arson and gun attacks, leading to teachers being given permission to apply for firearms licenses for self-defense.

KLM AIRLINES WILL ALLOW SKY MARSHALS TO USE GUNS

The Dutch company, KLM - Royal Dutch Airlines, has deployed armed military police guards on international "risk" flights, with instructions to fire their service pistol, a Glock 26, if necessary to stop hijackings.

Anti-gun government officials are still raising questions about the program, but the Justice Ministry has obtained approval of the Defense Ministry for deployment of military police.

ISRAELI-MADE BULLETS NOT TO BE USED BY U.S. TROOPS AGAINST MUSLIMS

The propaganda cost of the U.S. Army shooting Muslims with bullets made in Israel has resulted in congressional orders to U.S. Army general "by no means, under any circumstances should a round from Israel be utilized," said Rep. Neil Abercrombie (D-Hawaii).

Israel Military Industries Ltd. won a \$70 million contract for small-caliber ammunition. The Israeli firm was one of only two firms in the world able to meet the technical and deadline requirements of the U.S. Army.

The ammunition will be used only for training, said Army officials.

PISTOL PACKING PADRE IN MEXICO WINS BIG FOLLOWING

Alfredo Gallegos Lara is a 6-foot-4 parish priest in Chucandiro, in the Mexican state of Michoacan. He sings country music, ministers to drug addicts and the sick in dangerous places, and keeps a 9mm pistol tucked into his belt.

Known as "Padre Pistolas," Father Gallegos, 52, knows Mexico has strict laws forbidding private citizens to carry guns, but, he says, he has always informed police about them and the police haven't complained. After all, his pistols are why the unorthodox priest has the high-profile name Padre Pistolas. And that has brought him a growing following in Mexico and the United States.

Making frequent fundraising trips to the U.S., where he sings to standing-room-only crowds, Father Gallegos has built schools, churches, even 40 miles of road and bridges, for his parish of 24 years at Jaral del Refugio in Guanajuato.

Padre Pistolas was removed from Jaral in May to silence him, but it has only made him more famous, and more able to help the poverty-stricken town where he was sent in Michoacan. He already has plans to make it a popular tourist attraction.

CALIFORNIA SENATE COMMITTEE PASSES .50-CALIBER BAN

The California Senate Committee on Public Safety has passed AB-50, the ban on .50-caliber rifles introduced by Assemblyman Paul Koretz (D-Hollywood). The committee took no testimony and made last minute amendments before the vote.

The bill now goes to the full Senate. Michael Marks, president of the Fifty Caliber Institute, attempted to present testimony opposing the bill to the committee, but was not allowed. Marks said his organization will continue its opposition.

**AT THE
STATE
LEVEL**

FLORIDA LAW BANS ELECTRONIC RECORDS OF GUNS

Florida Gov. Jeb Bush has signed H. 155, a bill barring law enforcement agencies from compiling or keeping electronic records of guns or their owners, although paper records are still allowed.

More than 248,000 electronic records compiled since 1987 were destroyed in compliance with the law, which provides for fines of \$250,000 to \$5 million against knowing and willful violations.

LOUISIANA GOVERNOR PUTS RIGHT TO HUNT ON NOVEMBER BALLOT

Louisiana moved one step closer to amending the state's Constitution to preserve its citizen's rights to hunt, fish and trap when Governor Kathleen Blanco signed legislation on June 9 placing the issue on the November 2 ballot.

The legislation, SB 2, was introduced by Louisiana Legislative Sportsmen's Caucus co-chair, Senator Joe McPherson. It was a top priority for the Caucus, which was created this past April.

Fellow Caucus member Representative Jack Smith spearheaded the effort in the House and the initiative passed both chambers without a nay vote.

MARYLAND SENATOR STARTS GROUP TO REGISTER GUN OWNERS TO VOTE

Maryland state Senator Alex X. Mooney (R-Frederick) has helped form the Second Amendment Coalition, a pro-gun organization nicknamed the 2AM coalition, that aims to register gun owners to vote.

Mooney said the group is needed because many gun owners distance themselves from politicians, and want little to do with government.

Bob Culver, an engineer from Montgomery County, is co-founder of the 2AM group. He says Second Amendment rights in Maryland are being eroded "bit by bit, cut by cut, piece by piece. It is the ancient Chinese death by a thousand cuts."

MASSACHUSETTS HOUSE VOTES TO EXTEND STATE ASSAULT WEAPONS BAN

Without debate, the Massachusetts House has voted to extend the state's ban on the sale or import of military style semi-automatic weapons.

Supporters have said the bill is needed to guarantee the state prohibition will remain in effect even if Congress fails to renew a similar federal ban set to expire in September. Under current law, the state ban is tied to the federal ban and would automatically expire if Congress did not renew it.

The bill must receive one more round of approval from the House and Senate before going to the governor's desk.

FIRST NEW MEXICO GUN OWNERS GET CONCEALED CARRY LICENSES

The New Mexico concealed carry law that went into effect January 1 has rewarded nearly 1,000 New Mexicans with licenses to carry a handgun without displaying it.

The New Mexico Department of Public Safety reported last month that 942 people have a license to carry a concealed weapon.

Pete Olsen, with the DPS, said that a total of 700 others "will be licensed when their background checks are completed."

Applicants are required to take a 15-hour gun safety course before applying for the permit. The classes must be taught by a certified instructor approved by DPS.

NEW YORK BALLISTIC DATABASE FIRING BLANKS

A database designed to match handguns in New York state to crime scene evidence has not solved a crime more than three years after its debut.

**AT THE
STATE
LEVEL**

The problem is embarrassing for the administration of Gov. George Pataki (R). Officials blame difficulties local police face in getting crime scene evidence to Albany, where the database is housed. They hope to fix it by piggybacking on a federal ballistic network.

Since March 2001, identifying information about each new pistol and revolver sold in New York has been entered into the Combined Ballistic Identification System database. Under the system, called CoBIS for short, new guns are fired, casings are collected and the minute markings are cataloged by a computer.

Law enforcement officials say the unique markings are like gun "fingerprints" and that bullet casings recovered from crime scenes can potentially be matched with the more than 53,000 guns entered into New York's database, which has so far produced no hits from 203 queries from investigators.

NORTH CAROLINA SENATE COMMITTEE PASSES GUN PERMIT BILL

The North Carolina Senate Judiciary Committee has cleared legislation that would allow people with concealed handgun permits to purchase a handgun without requiring additional consent.

The bill would allow the concealed weapons permit to be used in lieu of requiring the buyer to get a handgun permit. A person who gets a concealed handgun permit already goes through a background check and examination by a local sheriff.

The measure now goes to the Senate Finance Committee.

OHIO NEWSPAPER PUBLISHES CONCEALED CARRY PERSONAL INFORMATION

Ohioans for Concealed Carry (OCC) and the Citizens Committee for the Right to Keep and Bear Arms (CCRKBA) have called for state and local investigations into the publication of names and addresses of concealed carry permit holders released by Shelby County Sheriff Kevin O'Leary and printed in the Sidney Daily News.

CCRKBA has called for Ohio Attorney General Jim Petro to investigate the release, complaining that there is no provision in the law to release street addresses of licensees.

Sheriff O'Leary told the newspaper the wording of the concealed carry law was vague and confusing. It states that a sheriff must disclose to requesting journalists "the county of residence of permit holders."

O'Leary claimed the word "residence" in the clause might mean street address, although OCC ridiculed the notion, pointing out that a large number of Ohio laws use the phrase without administrators interpreting it to mean street addresses.

Daily News Executive Editor Jeffrey Billiel stood by "publication of the names of permit holders as a matter of public interest."

Shelby County Prosecuting Attorney Jim Stevenson said he was conducting an inquiry to determine exactly what happened. "It's a brand new statute," he said. "Right now the focus should be on what can and cannot be done."

WASHINGTON STATE IN RECIPROCITY WITH NORTH CAROLINA

North Carolina and Washington state officials have signed an agreement for reciprocal recognition of concealed carry licenses.

State Sen. Val Stevens (R-Arlington), who authored the law establishing reciprocity, said she was finally pleased with the officials who signed the agreement after much foot-dragging.

Joe Waldron, executive director of the Citizens Committee for the Right to Keep and Bear Arms (CCRKBA), welcomed the move, saying, "The right of self-defense does not and should not stop at the state border."

CCRKBA, based in Bellevue, Washington, has 650,000 members, including 18,000 in Washington.

SUIT CHALLENGES COUNTY .50-CALIBER BAN

California's Contra Costa County is being sued by a coalition of gun advocates, publishers, manufacturers and retailers to strike down its new ban on the sale of .50-caliber rifles in unincorporated areas.

ON THE LEGAL FRONT

Plaintiffs argue that the ordinance bans advertisements in magazines, a violation of First Amendment rights, as well as violating California's pre-emption law that gives gun regulation powers to the state government only.

ILLINOIS COUNTY PAYS FOR HANDGUN ARREST

DuPage County has settled a federal lawsuit filed by a man whose arrest on weapons charges two years ago brought the defendant high-profile support from gun rights defenders, Concealed Carry, Inc. (CCI).

John Horstman, 43, of Schaumburg, Illinois picked up a check for \$50,000 at the state's attorney's office, ending the lawsuit over his 2002 arrest for carrying a registered unloaded handgun in his backpack as he bicycled along the Illinois Prairie Path.

CCI came to Horstman's defense, citing state law that allowed everything he was doing when arrested. Sheriff's police charged Horstman with aggravated unlawful use of a weapon, but DuPage County State's Attorney Joseph Birkett dropped the charges for lack of evidence. The County admitted no liability in the settlement.

MISSOURI APPEALS COURT EXAMINES GUN LAWSUIT

The three-judge Missouri Court of Appeals panel is determining whether an anti-gun lawsuit brought by the City of St. Louis should be dismissed, upholding a St. Louis County judge's ruling last October, or should go to trial.

Lawrence Greenwald, attorney representing Beretta USA poses the question: "Should the city, which is not a person who got shot, collect from gumankers, who didn't do the shooting?"

DETROIT GUN DEALER NOT LIABLE FOR ALLEGED STRAW BUY

Detroit gun dealer General Laney should not face a misdemeanor charge for selling a firearm to an undercover officer who indicated it was for an underage person who didn't have a license, the Michigan Supreme Court has decided.

The court said the gun dealer didn't violate federal or state laws that allow licensed 18-year-olds to get a pistol from a private party, but not a gun dealer.

GUN STORE SETTLES LAWSUIT FOR \$1 MILLION

A Charleston, West Virginia judge approved a disastrous \$1 million settlement between two New Jersey police officers, David Lemongello and Kenneth McGuire, and the Will Co., which operated Will's Jewelry and Loan, the dealer that sold a handgun to a "straw man" who gave it to attacker Shuntez Everett who used it to shoot the officers. The Brady Center provided lawyers for the policemen in this bad precedent.

COLORADO GUN ACTIVIST CONVICTED ON 2 FELONY COUNTS

Gun activist Rick Stanley has been found guilty by an Adams County jury on two felony counts of attempting to influence two judges by sending them a "notice of order" demanding that they reverse his conviction for a weapons violation or face arrest by the Mutual Defense Pact Militia, which Stanley organized, and a trial for treason. Stanley will appeal.

OHIO SUPREME COURT WILL HEAR LAWSUIT AGAINST SHERIFF

The Ohio Supreme Court, on a 6-1 note, has declined Franklin County Sheriff Jim Karnes' request to have a lawsuit against him thrown out.

The lawsuit was brought by Josphine Lee because Karnes did not grant her a temporary emergency license to carry a concealed handgun or a standard concealed handgun license within time limits set by law.

GUN NEWS TICKER - QUICK TAKES ON THE NEWS

● **Fairfax, Virginia:** The National Rifle Association's NRANews program has been thumped by the *New York Times* as a "direct challenge to federal limits on political advocacy." As a media organization, the daily radio program is not restricted by federal campaign finance law. It may continue broadcasting later this election year when federal law requires political advocacy groups to stop running ads. "There is no government licensing of journalists. Tom Paine was free to pamphlet. So are we," NRA Executive vice President Wayne LaPierre told the *Times*.

● **Los Angeles:** IFC Films, co-distributor of Michael Moore's "Fahrenheit 9/11," is set to produce a large-scale anti-gun movie, tentatively titled, "American Gun." Forest Whitaker will star. In negotiations to join Whitaker are Donald Sutherland ("Cold Mountain"), Linda Cardellini ("Scooby-Doo 2") and Garcelle Beauvais-Nilon ("Barbershop 2").

● **West Palm Beach, Florida:** NewsMax Magazine recently published a biography of Ronald Reagan revealing his reaction to intimidation for his criticism of communism in 1950s Hollywood. A threat to splash him with acid, ruining the big screen face he depended upon for income, got a swift response from Reagan. "He began packing a .32 Smith & Wesson pistol," said the bio, "holstering the gun on every morning for months and wearing it until he stepped into bed at night."

● **Bloomington, Ohio:** Brian Powley, engraver, just completed 230 hours embellishing an automatic pistol for presentation to President George W. Bush at his ranch in Crawford, Texas this fall. Powley volunteered for the job when he read that the American Pistolsmiths Guild was looking for an engraver.

● **Willits, California:** Brandon Maxfield, a 17-year-old paralyzed by a gun misfire 10 years ago, has failed in his campaign to buy bankrupt Bryco Arms and melt down 50,000 unassembled guns. "Bryco made the gun that paralyzed me," said Maxfield. The high-school student's Internet campaign to raise \$200,000 flopped. He said would keep trying so no other child gets crippled or killed.

● **Washington, D.C.:** The Brady Center has accused Sen. Larry Craig (R-ID) of acting with a conflict of interests for his support of the failed Protection of Lawful Commerce in Arms Act, which would have immunized the gun industry from frivolous lawsuits. The Center claimed that Craig's membership on the Board of Directors for the National Rifle Association created the conflict. Lawrence Keane, general counsel for the National Sports Shooting Foundation, wrote the Senate's Select Committee on Ethics that the industry is represented by his NSSF, not by the NRA, so the charge is meaningless. The Select Committee agreed that the Brady complaint lacks merit.

● **Denver:** The first-degree murder investigation in the death of Anthony Wallace, who was shot 4 times and his body mangled when run over by his assailant, has become a self-defense case. The shooter, Tyrone Williams, 27, was found to be acting lawfully when he shot Wallace, who was armed with a knife and made threats when he entered the home where Williams was staying with Wallace's ex-girlfriend.

● **Winslow, Arkansas:** Homeowner Randy Grizzle, 55, was not arrested or charged after the told police that he had shot former neighbor Carl Worden, who broke into the converted barn where Grizzle lives, and was trying to flee when shot. The case tests Arkansas' self-defense law, which allows the use of deadly force even if the intruder is outside the home. Prosecutors said that considering the police response time for a remote rural area, the shooting was justified.

● **Anderson, South Carolina:** Prosecutors say they will not charge Lance Myers, who shot and killed Ernest Leroy Miles, 41, who intruded in his bedroom wielding an axe.

● **Alexandria, Louisiana:** A convenience store clerk, Tamer Abdulwahab, 20, shot and killed would-be robber Samuel Parker, 25, who entered the store with a gun, demanded money and fired shots. Police said it was justifiable homicide.

Parting Shot

TWENTY-ONE GUN SALUTE: RONALD REAGAN, HERO TO IOWA WOMAN

Former President Ronald Reagan is remembered as the Great Communicator, but one Iowa woman will always remember him as her personal hero.

Her name is Melba King.

In 1933, she was a 22-year-old nursing student in Des Moines. One autumn night she was walking home when a mugger came up behind her with a gun.

He demanded her money.

Frightened out of her wits, she prepared to surrender all of her meager cash.

By complete coincidence, Ronald Reagan - who was a Des Moines radio sportscaster at the time - passed by the open window of his second-floor rented room and glimpsed the robbery in progress.

He realized what was happening and dashed to his nightstand. He pulled open the drawer and grabbed his .45-caliber revolver.

He leaped to the window and leaned out with his gun pointed squarely at the mugger.

In his most convincing radio voice, he said, "Leave her alone or I'll shoot you right between the shoulders."

The thug took one look at the handgun in Reagan's hand and fled.

Seeing that he had scared the man off, Reagan ran downstairs and calmed Melba King's nerves.

The future president said he would walk King home.

King didn't see Reagan again until 1984, when Iowa Gov. Terry Branstad heard her story and invited her to an Iowa caucus campaign event.

She was called to the stage where Reagan gave her a big hug, then laughed.

He said to King, "This is the first time I've had a chance to tell you the gun was empty. I didn't have any cartridges. If he hadn't run when I told him to, I was going to have to throw it at him."

King's rescue became a national news story.

"The phone rang constantly," King said.

All the media attention caused Reagan and King to stay in touch.

The two families exchanged cards on birthdays, holidays, and during times of sickness and grief.

The Reagans helped King when she lost her husband Harold in 1987.

Not long ago Melba King helped Nancy Reagan with a sympathy note.

Alan M. Gottlieb

Joseph D. Tartaro

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