

# The Gottlieb-Tartaro Report

THE INSIDERS GUIDE FOR GUN OWNERS

Issue 142

October, 2006

Dear Subscriber,

**Two important pro-gun House bills are before Congress**, one passed and sent to the Senate for consideration, the other reported out of committee but still awaiting floor action.

The first bill, H.R. 5092, which had 149 co-sponsors, would **protect gun retailers and their customers from abusive government investigations at gun shows** and provides **more flexible penalties for violators**.

H.R. 5092, the "Bureau of Alcohol, Tobacco, Firearms and Explosives (BATFE) Modernization and Reform Act of 2006" passed the House of Representatives with a **bi-partisan vote of 277-131**.

The bill was drafted in large part because of accusations that **ATF was targeting law abiding citizens at gun shows** in an effort to discourage participation in the events. ATF denied the allegations, but **congressional hearings uncovered more claims of federal wrongdoing**.

H.R. 5092 would **restrict ATF's gun show enforcement activities** in order to prevent similar actions in the future.

It would also allow **intermediate fines and license suspensions** against gun dealers who knowingly violate the law, instead of the current **all-or-nothing two-penalty rule** of either a warning notice or complete license revocation.

However, **the legislation does not force ATF to take action against dealers who make purely technical errors**, as many anti-gun groups have demanded.

The bill is expected to pass the Senate, but not before the elections.

The second key pro-gun bill is H.R. 5005, introduced by Rep. LAMAR SMITH (R-TX), the Firearms Corrections and Improvements Act. **It would prevent New York City Mayor MICHAEL BLOOMBERG and his Rogue Mayor Gang from getting ATF gun trace data from criminal investigations for use in civil lawsuits against the gun industry.**

Section 9 of H.R. 5005, "Trace Disclosure," provides that data from ATF's firearms trace system database **shall be released only to law enforcement agencies or prosecutors for criminal cases**, and only in the *requester's geographic jurisdiction*.

Section 9 also **forbids such data to be used in civil lawsuits**, such as those planned by the Bloomberg Idiots. It provides that **federal gun trace data:**

**"...shall be immune from legal process, shall not be subject to subpoena or other discovery, and shall not be admissible as evidence, and testimony or other evidence relying on the information shall not be admissible, in any civil action in a State or Federal court, or in any administrative proceeding other than a proceeding commenced by the Bureau of Alcohol, Tobacco, Firearms, and Explosives to enforce this chapter, or a review of such an action or proceeding."**

Notice the word "civil" in that prohibition. Federal trace data can still be used in criminal investigations and prosecutions, contrary to the lies being told by the anti-gun mob.

At press time, **the House Judiciary Committee had reported the bill out for floor consideration** by a vote of 21 - 11.

H.R. 5005 has 138 co-sponsors and is expected to pass the House.

**Also in this issue:** ● *Bloomberg lobbies Pennsylvania* ● *Wyoming files lawsuit against feds on gun rights* ● *Three anti-gun bills bite the dust in California* ● *Thailand teachers shoot back at Islamic insurgents* ● *Gun-Free Zone signs don't stop tragedies* ● *Wheelchair Granny in our Page Eight "Parting Shot"*

**ON THE  
FEDERAL LEVEL**

## ROGUE MAYOR BLOOMBERG LOBBYING GUN CONTROL

He's off on another jaunt to hurt law abiding gun owners while pretending to be tough on crime.

New York Mayor Michael Bloomberg (Republican, critics say In Name Only - a RINO) was guest lobbyist at the Pennsylvania State Legislature in Harrisburg, invited by Democrat Mayor John F. Street of Philadelphia to lobby for harsh state gun laws that only the honest will obey, leaving criminals free to shoot whoever they want because Philly cops can't control them.

Joining Bloomberg's Rogue Mayor Blooming Idiot Gang were Street, the mayors of other Pennsylvania cities, and the Mayor of Trenton, New Jersey.

Street was part of Bloomberg's Gracie Mansion "summit" in April that planned a storm of civil lawsuits against gun dealers to bankrupt the industry.

The Rogue Mayor Blooming Idiot Gang made a daylong effort to sway the Pennsylvania House of Representatives, meeting in an extraordinary nonbinding session to debate dozens of gun control measures, including limiting gun purchases to one every month.

The Republican-controlled General Assembly has resisted such measures. Democrat Governor Edward G. Rendell, who is seeking re-election, supports some of them.

Mayor Street said that Philadelphia is experiencing a surge in violent crime, and blamed it on the wide availability of guns. About half of the city's homicides last year, he said, began with arguments "that in the past might have resulted in a confrontation, but would not have resulted in a shooting or the loss of life."

Street said nothing of the Hip-Hop phenomenon and Gangsta Rap culture that glorify violence and add hugely to the body count of shootings in Philly.

Nor did he knock the Philadelphia Police Department for weak enforcement and protection of city residents.

Blame it all on guns, and not the criminals who use them - that was the Blooming Idiot message to the Pennsylvania House session.

Although Head Idiot Bloomberg called gun control a bipartisan issues, only the Democrats seemed to be happy with his presence. Rep. Chaka Fattah, a Democrat from Philadelphia, said Bloomberg had raised national awareness of "gun violence" (not criminal violence) "both in litigation and through political activism."

Some of that political activism is Bloomie's sting operation that targeted 15 out-of state gun dealers in a federal lawsuit in May, accusing them of negligent gun sales to "straw purchasers" who passed the guns to ineligible buyers.

Bloomberg touted the fact that five of the 15 have settled with the city, agreeing to monitoring and penalties.

But two have countersued and the others have yet to announce how they plan to proceed. Bloomberg thinks his sting-and-monitor scheme will stop crime.

The director of New York University's Center for Research in Crime and Justice, James Jacobs, said the settlements would not prevent guns from illegally entering the city.

The bulk of illegal guns coming into The Big Apple don't come from corrupt dealers, he said, but are stolen or sold second-hand.

The Blooming Idiots haven't figured out how to catch gun thieves. Neither has the NYPD. They can't catch the shooters. That's the Idiotic bottom line.

**BLOOMING  
IDIOT-WATCH  
PAGE**

**The Gottlieb-Tartaro Report** ® (ISSN 1079-6169) is published monthly by the Second Amendment Foundation, Liberty Park, 12500 N.E. 10th Place, Bellevue, WA 98005. Phone (425)454-7012. FAX (425)451-3959. Please call or write if you have a question regarding your subscription.

Publishers: Alan M. Gottlieb and Joseph P. Tartaro

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Design: Northwoods Studio

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Published by:

Second Amendment Foundation

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**POSTMASTER:** send address changes to **The Gottlieb-Tartaro Report**, 12500 N.E. 10th Place, Bellevue, WA 98005.

**Printed in the USA.**

### **UNIVERSITY OF UTAH DEFIES STATE SUPREME COURT ON LIFTING GUN BAN**

The Utah Supreme Court ruled in the middle of last month that the University of Utah's policy of banning guns on campus violated a 2004 state law prohibiting government entities from outlawing concealed firearms, but University President Michael Young refused to lift the ban.

The 44,000 students, faculty and staff on the Salt Lake City campus have been subject to the ban since the 1970s.

However, in response to Young's refusal, Utah Attorney General Mark Shurtleff said the policy could not be legally enforced and that violators would have a direct legal defense.

Young saw that continuing the ban was pointless and "temporarily suspended" it until a resolution can be reached with state lawmakers, who might provide a "legislative accommodation" on the gun law.

## **ON THE LEGAL FRONT**

### **WYOMING CHALLENGES THE FEDS ON GUN RIGHTS**

The State of Wyoming filed suit in May against the ATF claiming it exceeded its authority by rejected a state law that allows people convicted of misdemeanor domestic violence to expunge their convictions and

restore their gun rights.

Federal law prohibits people with such convictions from owning guns. ATF threatened to disallow the use of about 11,000 concealed weapons permits the state has issued as a substitute for federal background checks for firearms purchases.

The state sued to protect its states' rights, but ATF said it didn't challenge Wyoming's standing to expunge misdemeanor records, but that the particular law left a loophole saying that the expungement would be revoked if the person ever got in trouble with the law again, which leaves the conviction on the record.

### **NEW JERSEY JUDGE ENDS GUN-OFFENDER PROGRAM**

State Superior Court Assignment Judge Patricia Costello has scrapped a four-year-old program to crack down on chronic gun offenders in Newark, saying there was no evidence it did anything to curb crime.

The program, called Gun Strategy, flagged repeat gun offenders, gave them to a single prosecutor, assigned them to the same judge, and targeted them by notifying probation officers and social services providers. The program merely raised bails for the offenders, which didn't stop them from repeat offenses.

### **ARIZONA APPEALS COURT RULES SELF DEFENSE LAW IS RETROACTIVE**

Arizona's April passage of a "stand-your-ground" law has affected several cases now on appeal, including the murder conviction of Harold Arthur Fish of Tolleson, who was sentenced to 10 years.

A three-judge Tucson panel of the Arizona Court of Appeals has said defendants, including Fish, can cite the new law in trials or appeals, even though their alleged crime took place before the law was passed.

By making the law retroactive, the court forced prosecutors to prove that claims of self defense were unfounded by the strict standard of evidence of "beyond a reasonable doubt," instead the previous "more likely than not" standard.

It gives defendants a better chance at winning in self-defense cases.

### **OHIO APPEALS COURT RULES AGAINST STATE CONCEALED CARRY LAW**

Ohio's 6th District Court of Appeals has ruled in a 2-1 opinion that HB12, the state's concealed carry law, is not a general law of the State of Ohio.

The case involved Toledo's ban on concealed guns in parks, in which Bruce Beatty, a gun rights advocate, carried a gun in a park as a test case against the ban.

The dissenting opinion by Justice Dennis M. Parish called the ruling "an unwarranted judicial intervention" against elected representatives.

Ohioans for Concealed Carry may take it to the state Supreme Court.

**ARIZONA PUBLIC-BUILDINGS GUN LAW IMPROVED**

A new law requires governments to provide citizens a safe and convenient place to store weapons if guns are to be prohibited from public buildings.

Most government buildings open to the public have been gun-ban zones, but now if they want to stay that way, they must have secure gun storage so as not to inconvenience gun owners.

**IN THE STATES**

That's actually been the law since 2000, but many governments interpreted that to mean one gun locker was adequate. No longer. All gun owners must now be accommodated.

Arizona parks are covered by a gun ban unless the owner has a concealed carry permit.

**THREE DOWN IN CALIFORNIA**

California's "micro-stamping" and bullet serialization bill, AB 352, has been defeated. It would have mandated the use of unreliable, patented, sole-sourced technology to microstamp firearms and would have permitted the Attorney General to require bullet serialization of all ammunition sold in the state.

Gov. Arnold Schwarzenegger (R) has vetoed SB 59 and AB 2714, two anti-gun-owner bills.

SB 59 would have expanded the meaning of "firearm" to include the frame or receiver of the gun, and made it a crime not to report the theft or loss of a handgun within five working days or the discovery of the theft or loss.

AB 2714 would have required that no ammunition be sold unless the purchaser personally presented evidence of identity and age to the seller. It would also have severely undermined California's state preemption law.

Gov. Schwarzenegger deserves the thanks of gun owners everywhere, not just in California. His respect for the Second Amendment shows through in this veto.

**CONNECTICUT TOWN PULLS PROPOSED GUN ORDINANCE AFTER OUTCRY**

Last month, the Town of Montville considered an ordinance limiting the discharge of rifles, air guns, CO<sub>2</sub> guns arrows and even slingshots, banning the use of firearms within 500 feet of occupied homes, livestock, schools and public parks.

Citizens then raised such an outcry that Mayor Joseph Jaskiewicz recommended pulling the proposal and town councilors voted unanimously to strip it from their agenda. The proposal is gone.

"When people speak, you have to listen," Jaskiewicz said.

**IDAHO TOWN'S PROPOSED ORDINANCE TO REQUIRE GUNS IN EVERY HOME**

The town of Greenleaf, Idaho, population 860, is considering a Civil Emergencies Ordinance that would do a lot of things to help preparedness, but the part that requires every household to have a gun is getting the most attention.

The attention consists of a yawn. When Fox 12 News of Boise sent reporter Shayne Wells to Greenleaf, about 10 minute west of Caldwell, Idaho, she found that every home already had a gun.

Bonnie Cagle, a Greenleaf resident, said, "We being hunters have always had guns." The city council will decide in November whether to adopt the ordinance.

**CHICAGO ALDERMEN WANT GUN OFFENDER REGISTRY**

Two powerful Chicago aldermen, Ed Burke and Isaac Carothers, are proposing a gun offender registry so police can track people convicted of weapons violations.

The registry would require offenders to check in with police every six months. Unlike sex offender registries, the information would be available only to police and not to the public.

The registry would be similar to ones proposed earlier this year in New York and Boston. It would include people convicted of illegal possession of a loaded handgun, possession of three or more illegal handguns, possession of a so-called "assault weapon," possession of a handgun by a felon and possession of a disguised firearm.

### **INDIANA STATE PARKS LIFT HANDGUN RESTRICTIONS**

Gun owners can now bring handguns onto Indiana parkland after state officials lifted restrictions long opposed by gun rights advocates and hunters.

## **IN THE STATES**

Kyle Hupfer, director of the Indiana Department of Natural Resources, said the changes permit licensed firearm owners to carry licensed handguns on all DNR properties.

Governor Mitch Daniels (R) supported the DNR decision, saying, "The right of licensed and law abiding citizens that exists everywhere else, I don't think they should forfeit it when they come to a state park."

### **MARYLAND COPS CAUTIOUSLY USING STUN GUNS**

The limited use of stun guns in Maryland contrasts sharply with law enforcement practices in states such as Florida, where they are issued to officers along with their handguns. Stun guns can shoot shocking darts up to 21 feet.

Maryland State Police's SWAT team has used stun guns since the mid-1990s. They have been used fewer than 10 times, said spokesman 1st Sgt. Russell Newell.

The stun guns are commonly called Tasers, the brand most widely used in law enforcement. When shocked with the devices, targets lose control of their muscles and collapse, usually long enough for an officer to handcuff a suspect.

Baltimore has distributed two stun guns to each of the city's nine districts; 18 to the emergency services unit; and eight to the SWAT team.

### **NEW YORK ADVOCATES PUSH FOR SHALL-ISSUE GUN PERMIT SYSTEM**

The New York State Rifle and Pistol Association will be pushing for legislation that automatically obliges state authorities to grant licenses to all those who apply.

Thomas King, the association's president, said, "We will be pushing for that legislation. The exact specifics of the bill, we're still working on."

New York gun control activists claim concealed firearms are incompatible with New York culture, and have defeated "shall issue" bills for almost a dozen legislative sessions in Albany.

New York is one of only eight "may issue" states, where officials can decide whether a person should be given a permit to carry a concealed weapon.

### **PENNSYLVANIA HOUSE HOLDS FORUM ON ANTI-CRIME LEGISLATION**

Pennsylvania's House of Representatives has held a forum that began vetting more than 90 bills intended to fight crime - from restricting gun purchases to spending state money on local police officers - during an unusual "committee of the whole" session.

The House took informal votes on each bill to determine which proposals merit further consideration. Urban Democrats pushed for gun control measures, while controlling Republicans favored improved police enforcement and toughening penalties for weapons violations.

New York Mayor Michael Bloomberg and his Band of Blooming Idiots showed up to lobby, but didn't impress anyone except a few Democrat mayors who came with him, and had no measurable effect.

### **UTAH CONCEALED FIREARM PERMITS ARE VERY POPULAR**

Utah's concealed carry permit is one of the cheapest in the U.S., with its \$54 application fee and \$10 renewal every five years.

But that's not why it's so popular that nearly 58 percent of the applicants are people from out of state. It's because Utah's license is also recognized by an estimated 30 other states, the best in the nation.

It's recognized because it sets a high standard: applicants must be 21 or older, must submit to fingerprinting and be photographed, must undergo both state and federal criminal background checks, must have hands-on gun time, and must be taught by a certified instructor. Some states don't require all that.

The downside: the 16,000 expected applications this year strain the staff.

### **THAILAND TEACHERS LEARN TO SHOOT BACK AT ISLAMIC INSURGENTS**

School teachers have one of the deadliest jobs in southern Thailand, with 44 killed by the bombs and bullets of an Islamic insurgency since 2004.

So the teachers are learning how to shoot Islamic insurgents.

The Chulabhorn naval base on the Gulf of Thailand in Narathiwat province, opened its heavily guarded gates to a training course for 100 public school teachers, mostly Buddhist men and women who say bringing a gun to school has become essential.

At first Islamics targeted mainly civil servants, soldiers and police officers. Now teachers are the targets.

Islamics have killed more than 1,700 Buddhists across Yala, Pattani and Narathiwat, the only Muslim-majority provinces in this otherwise peaceful country.

Islamics want to send the message that only Islamic schools are safe.

**AROUND THE  
WORLD**

### **SWITZERLAND SPROUTS ANTI-GUN CAMPAIGN**

Guns are firmly embedded in Swiss culture. The Swiss Army conscripts all able-bodied men aged 20-30 for about three months and issues them a rifle, to be used only for alerts. Their weapons and ammunition are kept at home.

After boot camp, conscripts do three or four weeks of service every year until they have a total of 260 days or reach the age of 34.

A recent study in the American Journal of Public Health, however, says Switzerland and the United States have the world's highest suicide rate involving firearms.

Swiss Defense Minister Samuel Schmidt rejected calls for weapons to be kept in military storage to reduce the suicide rate. "A person who wants to kill himself or others will always find a way," he said.

Now a women's magazine called Annabelle has collected 17,400 signatures on a "No weapons at home" petition calling for a ban on all guns at home, for men not to be able to hold on to army guns after their service, and for a national weapons register.

Defense Minister Schmidt said soldiers need to mobilize rapidly, for example, to protect airports and railway stations quickly. He rejected Annabelle's demands.

### **INDIA'S GUN OWNERS ATTACKED BY OXFAM**

A global anti-gun group, Oxfam, has demanded that the government in New Delhi stamp out what it calls "a flourishing illegal trade in firearms" that fuels "a myriad of conflicts in India and the South Asian region."

It's part of the campaign for a global Arms Trade Treaty that would eradicate gun rights everywhere, including the U.S. Amnesty International and the International Action Network on Small Arms is colluding with Oxfam.

India has a rising proportion of licensed arms-holders who have acquired firearms for self defense, with one province, Uttar Pradesh, having 900,000 guns and 1,400 gun shops, which is what the activists really want to stop.

### **CANADA'S LAWMAKERS FIGHTING OVER FAILED GUN REGISTRY**

Prime Minister Stephen Harper has vowed to ditch the nation's costly and unpopular gun registry, accusing the previous Liberal government of not doing anything to prevent tragedies like the recent Dawson College shooting in Montreal.

"Today's laws did not protect us," said Harper, so his government will proceed with its plans to wind down the firearms registry of long guns.

The Liberals' acting leader, Bill Graham, said the party stands officially against any attempt to roll back the registry.

Harper said his Conservative Party had warned the Liberals for years that the registry would do nothing to prevent crime.

Clearly, it didn't do anything about the seriously troubled young man who killed a young woman and injured 19 others before killing himself.

**GUN NEWS TICKER - QUICK TAKES ON THE NEWS**

● **San Francisco:** California's attorney general has ordered Jimenez Arms, maker of inexpensive semiautomatic handguns, to stop making guns after several models repeatedly failed safety tests. It was the latest setback for the company previously known as Bryco Arms, bankrupted by a \$24 million court judgment after a teen was paralyzed by an accidental shooting. Paul Jimenez bought the company at a 2004 bankruptcy auction by outbidding Brandon Maxfield, the paralyzed teen who wanted to close the plant and melt the guns.

● **Washington, D.C.:** FBI data for 2005 showed the nation's total violent crime rate was 38% lower than in 1991, when violent crime hit an all-time high, even though there were 70 million more guns. Rates of the individual categories of violent crimes were also much lower in 2005 than in 1991. Murder was 43% lower, rape 25% lower, robbery 48% lower, and aggravated assault 33% lower. Another crime survey by the Bureau of Justice Statistics found that violent crime was lower in 2005 than anytime in the survey's 32-year history. Looks like all the concealed carry state laws are paying off.

● **Thomasville, Florida:** Prestige Nissan is giving away guns to buyers of used or new Nissan SUVs or trucks, with a choice of a Remington 11-87 shotgun or a 700 rifle. Dan Crumpler, general sales manager, said he gave away five or six guns in just one weekend after the TV and radio ads started. Of course, the car dealership can't physically deliver the guns, so customers get a coupon good at Kevin's Guns and Sporting Goods, where they go through all the local, state and federal requirements for purchasing a gun. There's no waiting period in Florida for long guns, so it only takes about an hour for the new Nissan owner to drive away from Kevin's with the gun.

● **Houston, Texas:** Gun shop owner and radio talk show host Jim Pruett started running a radio commercial for a local gun shop advising Houstonians to arm themselves against "Katricians," Hurricane Katrina evacuees who have been blamed for a rise in the city's crime rate. Pruett started running the ad after he heard a Katrina evacuee living in Houston tell a television interviewer that he would have to turn to crime if his free rent government assistance ran out. Pruett was quick to welcome other Katrina evacuees who had jobs and had become good citizens. "You are not supposed to threaten the place that took you in," Pruett said.

● **Baltimore, Maryland:** A 2001 study by the Johns Hopkins Center for Gun Policy and Research that showed one-gun-a-month laws to be ineffective in lowering crime has been confirmed by a new study in the journal Injury Prevention showing that the laws had no measurable impact. Only three states have such laws, California, Virginia and Maryland. All three had homicide rates above the national average last year, slightly above in California and Virginia, well above in Maryland.

● **Charlotte, North Carolina:** Major firearm rights groups met recently to unite in pursuit of future political and legislative objectives at the 21st annual national Gun Rights Policy Conference. The meet is co-sponsored by the Citizens Committee for the Right to Keep and Bear Arms and the Second Amendment Foundation. The conference emphasized that good gun rights legislation is the result of good gun rights supporters winning elections, so the grass roots need to be politically active.

● **Bailey, Colorado:** Platte Canyon High School, where a transient, 52-year-old Duane Morrison, wandered into the building unchallenged and held six female students hostage in their English class, then shot and killed 16-year-old Emily Keyes and then himself, was legally a "Gun Free School Zone." The signs said so. It demonstrates the fallacy of such laws, said the Citizens Committee for the Right to Keep & Bear Arms. Executive Director Joe Waldron said, "All they have done is create target-rich, no-risk environments for monsters who have no fear of encountering an armed teacher or administrator, or a legally-armed private citizen who might happen to be in the building." It's time to repeal such laws and take measures to defend schools with more than signs.

# Parting Shot

## GRANNY IN A WHEELCHAIR - EASY TARGET

Margaret Johnson, 56, was riding in her wheelchair from her home in New York City's Harlem neighborhood, when 45-year-old Deron Johnson (no relation) came up from behind the helpless woman, saw a gold chain around her neck and went for it. Easy target.

Granny felt herself being choked by Johnson, so she pulled out her licensed .357 pistol and shot him at point blank range.

Police took Deron Johnson to Harlem Hospital with a single bullet wound in the elbow - what the heck, how good a shot do you expect from someone in a wheelchair who's being attacked from behind?

Police took Granny Johnson to the hospital too, with minor injuries, and released her.

Deron Johnson faces a robbery charge - another robbery charge. He's been arrested nine times, most of them for robbery, and has served time in prison for selling illegal substances. How many other times was he never caught?

Well, that's Rogue Mayor Michael Bloomberg's New York City. His New York Police Department just can't seem to prevent crime any more than they can keep criminals off the street.

If Blooming Idiot Bloomberg had enforced New York City's gun control laws, it's Granny who would be in jail. Her license only allows her to carry a handgun that is unloaded and in a locked container to and from a firearms range.

How do you think the attack would have come out if Granny had followed that stupid law?

She's just lucky that she was on her way to a firearms range for some target practice when the thug tried to rob her. The cops and the prosecutors could look the other way and not file charges against her.

What kind of city government is Blooming Idiot Bloomberg running that you have to break the law in order to survive?

When gun rights advocates recently called for a concealed carry law for New York to help people like Granny Johnson, the Brady Campaign (formerly Handgun Control, Inc.) responded, "Oh yeah, that's going to happen - when hell freezes over."

Well, Granny, glad you're not in jail. And work on that bullseye, okay?

*Alan M. Gottlieb*

*Joseph D. Tartaro*

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