

The Gottlieb-Tartaro Report

THE INSIDERS GUIDE FOR GUN OWNERS

Issue 161
May, 2008

Dear Subscriber,

In a **major victory for gun owners**, a federal appeals court has **dismissed New York Mayor MICHAEL BLOOMBERG's lawsuit** against the firearms industry.

BLOOMBERG's lawsuit claimed that manufacturers and wholesalers in states including **Ohio, Georgia, Pennsylvania, South Carolina and Virginia**, were to blame for the flow of guns used by New York City criminals.

In a 2-1 decision, the 2nd Circuit U.S. Court of Appeals said that **the city's suit against gun manufacturers was precluded by a federal law, the Protection of Lawful Commerce in Arms Act**, that went into effect in 2005 and protects firearm manufacturers and distributors from being sued for the misuse of a firearm.

**ON THE
LEGAL
FRONT**

The decision **overturns a lower court ruling** by anti-gun activist federal **Judge JACK WEINSTEIN**, who ruled that courts had jurisdiction to hear the lawsuit because the city had shown gun dealers were "responsible for funneling large quantities of handguns used by local criminals."

Appeals court **Judges ROGER MINER and JOSE CABRANES were in the majority**. Judge **ROBERT KATZMANN** dissented, writing that a lawsuit brought under New York's "criminal nuisance" statute might be allowed under an exception to the federal law.

Judge MINER said, "We think **Congress clearly intended to protect from vicarious liability members of the firearms industry** who engage in the lawful design, manufacture, marketing, distribution, importation, or sale of firearms."

The Second Amendment Foundation (SAF) said in a news release that the dismissal "should send a clear message that **courthouse demagoguery and harassment of law-abiding business is not the responsible way to fight crime.**"

The dismissal, said SAF, should also send a message to anti-gun extremist groups like the Brady Campaign to Prevent Gun Violence that "bankrolling frivolous junk lawsuits in an attempt to bankrupt a heavily-regulated, lawful industry must cease."

In addition to the manufacturers, **BLOOMBERG is suing several out-of-state gun stores and pawn shops** that the city claims are responsible for selling a disproportionate number of the firearms recovered in crimes in New York City. The first of those trials is scheduled to begin this month.

Philadelphia's five new gun control ordinances have been **temporarily blocked** by Common Pleas Court Judge **JANE CUTLER GREENSPAN**, who granted the order in a legal action by pro-gun attorney **C. SCOTT SHIELDS** on behalf of the NRA, the National Shooting Sports Foundation, the Pennsylvania Association of Firearms Retailers, Colosimo's and Firing Line Inc., two city gun shops, and several individuals.

The judge said she had **misgivings about the organizations' standing to sue**. Generally, organizations cannot file a constitutional challenge without showing how their members are **directly harmed by the law in question**.

Shields argued that the **two city gun dealers and the individuals would all be harmed** if the gun laws were enforced. Lawyers are now discussing whether the city will challenge the standing issue.

The ordinances included: a ban on "assault weapon" sales, a requirement that owners report lost or stolen guns within 24 hours, and one-gun-a-month limits.
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BARAK OBAMA: ONCE DIRECTOR OF HUGE ANTI-GUN MONEY MACHINE

The Chicago-based Joyce Foundation is one of the most arrogant and aggressive funders of gun control groups in America. And Barak Obama's linked to it.

Over the years, the Joyce Foundation fought gun rights in clever and insidious ways. It has organized other foundations into a gun control "affinity group" to leverage their influence on gun policy, it supported scholars who pushed the theory that the Second Amendment does not protect individual gun owners' rights, it helped create new gun control groups, it paid for a book titled "Every Handgun is Aimed at You," and has annually doled out gun control grants in the millions of dollars.

In 2006 - the most recent year for which IRS Form-990 records are available - the Joyce Foundation had assets of \$975,275,587 and gave gun control groups \$3,227,134.

Barak Obama, Democrat candidate for President of the United States, was a director of the Joyce Foundation for eight years, from 1994 to 2002.

The man who has said that he believes the Constitution protects the rights of Americans and that he doesn't want to take away their guns spent years approving millions intended to do just that.

Yet his campaign spokesman, Ben LaBolt, says that Obama's eight years on the board of the Joyce Foundation do not in any way conflict with his campaign-trail claims of support for the rights of gun owners.

That's hard to believe, given Obama's role during those eight years, which remain the least scrutinized part of his career - now that the previously ignored anti-American remarks of Obama's pastor, Rev. Jeremiah A. Wright Jr., have become headline news.

What about Obama's time with the Joyce Foundation and its relentlessly anti-gun agenda?

Obama began his Joyce Foundation directorship while still an up-and-coming 32-year-old attorney who had not yet run for public office.

Two years later he won a seat in the Illinois state Senate, where he served six years while remaining on the foundation's board. During that time, Obama has acknowledged, he was so committed to the agenda of the Joyce Foundation that he considered leaving politics to become its full-time president.

The money was attractive: its current president, Ellen Alberding, gets a salary of \$309,594, with a benefit package of \$34,626. But Joyce's money wasn't decisive: it was the agenda, which can teach us a great deal about what President Barak Obama might mean for America.

The Joyce Foundation has no record of supporting the right of self-defense with a handgun. Neither does Barak Obama.

A white paper on Obama's web site states, "As a former constitutional law professor, Barak Obama greatly respects the constitutional rights of Americans to bear arms," as well as "the passion that hunters and anglers have for their sport."

It says, "He will protect the rights of hunters and other law-abiding Americans to purchase, own, transport and use guns for the purposes of hunting and target shooting."

What's missing from that list? Self-defense.

And what about Obama's actual voting record? He supported a ban on semiautomatic weapons and concealed weapons, and a limit on handgun purchases to one a month. He blames his staff for answering a 1996 state Senate questionnaire that he supports banning handguns. However, Obama's handwriting is on the questionnaire.



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CAMPUS GROUP FOR CONCEALED CARRY HOLDS EMPTY HOLSTER PROTEST

Students for Concealed Carry on Campus (SCCC) is a national organization with over 30,000 members from all 50 states and the District of Columbia.

Created after the April, 2007 classroom shootings at Virginia Polytechnic Institute, where deranged student Seung-Hui Cho killed 32 people and wounded 25 more before committing suicide, the group has fought to legalize concealed carry on all college campuses in America.

SCCC's website contends it is now abundantly clear that "gun free zones" serve to disarm only those law-abiding citizens who might be able to mitigate such tragedies.

SPECIAL REPORT: CONCEALED CARRY ON CAMPUS

To aid its lobbying efforts, the group's signature activism has been the "Empty Holster Protest," in which college students wear an empty holster on campus to protest their university's "gun free zone" policy and hand out flyers to educate the public and dispel myths about concealed

carry and guns in general.

Late last month, SCCC held its second Empty Holster Protest, with about 3,800 participants wearing their empty gun holsters to classes on 600 campuses across the nation.

Protesters make sure there's nothing in the holsters - not even a cell phone - that might frighten fellow students, faculty or campus police. Protesters are not aggressive or argumentative when handing out literature.

At Texas A&M Corpus Christi campus, Police Chief Alan Gutierrez, who was armed, did not have a problem with the protest, but he expressed concern. Gutierrez said, "Any time you see a holster that always indicates that there is probably a weapon close by so yeah, it can be scary."

No firearms were involved in the week-long protest at any location.

Ken Miller is a junior in construction engineering at Virginia Tech, the site of Cho's shootings. Miller told a reporter, "Those of us who carry concealed - we pay tuition so that we cannot have the same rights as everyone else," Miller said. "Because I pay tuition and am a member of this school, I have fewer rights than visitors to the Tech campus who aren't students. They can carry concealed."

At North Carolina's Appalachia State University, John C. Morrison, senior management major and member of SCCC, said during the protest, "Ultimately, we would like to see the school's policy changed. We're looking for notoriety."

SCCC's primary objective is to push state legislatures and school administrations to grant concealed handgun license holders the same right - the right to carry concealed handguns - on college campuses that these license holders currently enjoy at most other places (office buildings, movie theaters, grocery stores, shopping malls, restaurants, churches, banks, etc.).

Since 2006, all nine public colleges in Utah allow licensed individuals to carry concealed handguns on campus.

Because SCCC fully supports states' rights, they have pushed for change at the state level, rather than at the federal level. The first step, according to SCCC leaders, is to see "colleges" removed from the lists of places listed as "off limits" by the concealed carry laws in many states.

The next step is to see other states follow Utah's lead in prohibiting state (tax subsidized) colleges from enacting their own bans on concealed carry.

Though SCCC supports concealed carry on the campuses of both public and private colleges, they strongly support the rights of private property owners. Their web site says, "We believe that the issue of concealed carry at private colleges must be handled through negotiations with school administrators, rather than through state legislation. However, SCCC supports state laws that grant private schools and other businesses immunity from liability for the actions of concealed handgun license holders."

Gun owners everywhere are rooting for them.

CALIFORNIA GUN OWNERS FACE TWIN DISASTERS

Two bills before the state Assembly could virtually erase California's protections for the individual right to keep and bear arms: AB 2566 would remove the state pre-emption law and allow any community to ban handguns at will; SB2062 would impose a permit system for buying handgun ammunition that makes private transfers of handgun ammunition severely burdensome.

A San Francisco non-profit called the Legal Community Against Violence - funded by half a million dollars from the Barak Obama-linked Joyce Foundation - drafted the AB2566 pre-emption repeal bill, calling it "domestic disarmament."

IN THE STATES

AB2062 will be heard this month by the Assembly Appropriations Committee. It would require that applicants for a "permit to purchase" submit to a background check, pay a \$35 fee, and wait as long as 30 days to get the permit. It would be unlawful to privately transfer more than 50 rounds of ammunition per month unless you are registered as a "handgun ammunition vendor."

FLORIDA GETS LAW ALLOWING GUNS LOCKED IN VEHICLES AT WORK

Gov. Charlie Crist has signed into law a bill that allows Florida's 500,000 residents with weapons permits to keep guns locked in their vehicles at work or businesses they may visit.

The new law states that businesses cannot prohibit employees or customers from keeping a legally owned gun locked inside their cars, as long as the gun owner has a permit to carry a concealed weapon.

The bill passed the Florida Senate by a vote of 26-13 last month.

The measure exempts workplace parking lots including nuclear power plants, prisons, schools and companies whose business involves homeland security.

BILL ALLOWS GEORGIA GUNS IN MORE PLACES

Georgians with firearms permits will be able to carry guns in far more places under a bill that has passed both chambers and awaits the signature of Gov. Sonny Perdue. An amended version of House Bill 89 allows holders of concealed weapons permits to carry guns into restaurants, state parks, and on urban transit trains and other public transportation. The legislation also allows employees to leave weapons in parking lots as long as it's okay with the company.

ILLINOIS HOUSE REJECTS LIMIT ON HANDGUN PURCHASES

House Bill 4393, which would have limited handgun purchases in Illinois to one per month, has carried only 53 of the 60 votes it needed to pass the Illinois House. Democrat Gov. Rod Blagojevich was furious and urged lawmakers to call the legislation for another vote, and to press colleagues as hard as possible to back it. But Rep. Mike Bost (R-Murphysboro) said the measure wouldn't stop crime. "All you've done with this bill is told law-abiding citizens 'We don't want you to do it,' If they're a criminal, they're going to do it, anyway."

KANSAS GOVERNOR SIGNS BILL ALLOWING MACHINE GUNS

Gov. Kathleen Sebelius has signed a bill to legalize possession of machine guns, other fully automatic weapons, sawed-off shotguns and silencers starting July 1. The change was necessary because legal questions threaten to keep dealers from delivering weapons to law enforcement agencies. No great rush of buyers is expected since machine guns typically cost at least \$20,000.

MICHIGAN BILLS TO LESSEN RESTRICTIONS PASS HOUSE

Michigan House Bills 4490 and 4491, which would remove pistol inspection certificate requirements, have passed by overwhelming majorities - 4490 by 93-15, and 4491 by 92-16. 4491 eliminated the requirement that gun owners obtain pistol inspections and 4490 required law enforcement agencies to destroy all existing inspection certificates within one year. The two bills now go to the Senate for consideration, where they are expected to pass.

MISSOURI HOUSE OKAYS GUNS IN CARS AT PARKING LOTS

Missouri's House of Representatives has given approval to a bill blocking store owners from barring guns in their customers' parked cars. The bill clarifies a law allowing Missourians to carry concealed weapons. It allows businesses to ban guns from their premises, but has sometimes been interpreted to include parking lots. It's possible for Missourians to be barred from taking their gun into a store, but prohibited from leaving it in a vehicle while they shop. Employers could still prevent employees from having a gun in their company-owned vehicles.

IN THE STATES

OHIO SENATE PASSES "CASTLE DOCTRINE" BILL

Senate Bill 184, a "castle doctrine" bill, has passed the Ohio Senate by a unanimous vote. The bill presumes that a resident acted in self-defense when using force against someone who unlawfully enters the person's home or occupied vehicle. The bill prevents a person from filing a civil lawsuit because of something that occurred while the person was committing a crime. It also allows for multiple firearm specifications if a person kills multiple victims in a gang attack that leads the resident to use several firearms to repel intruders.

PENNSYLVANIA GUN-CONTROL ADVOCATES LOSE ANOTHER ONE

Extremist group Cease Fire Pennsylvania put on a brave face after suffering defeat in the state legislature - for the third time in six months. Last November, the House Judiciary Committee easily defeated two key bills cracking down on gun owners. Another measure to allow cities such as Philadelphia to make their own gun laws was defeated. Most recently, the legislature defeated a bill to limit the number of handguns a person could buy to one a month. Yet Cease Fire PA's executive director, Joe Grace, says, "Our coalition is very energized." The energy doesn't seem to be making a difference yet.

SOUTH CAROLINA LOWERS GUN BUYER AGE

Gov. Mark Sanford has signed a bill into law to lower the minimum age to buy and own handguns in South Carolina from 21 to 18. Sanford spokesman Joel Sawyer said, "People who are old enough to fight and die in the military should be able to purchase handguns, and the bill will put our laws more in line with those of other states." The law went into effect immediately. Bill sponsor Rep. Mike Pitts (R-Laurens) filed it to fix a problem with gun shops where employees younger than 21 were filling orders over the phone. State Attorney General Henry McMaster said in a legal opinion that it was not allowed because of their age. Gun dealers still must comply with state and federal firearms laws.

TENNESSEE LAWMAKERS KILL TWO GUN BILLS

A bill to allow people with gun-carry permits to take their firearms into places that serve alcohol was deferred to 2009 by its sponsor, Rep. Joe McCord (R-Maryville). Such deferrals, which request subcommittees to study the measure and return with recommendations in the next session, usually signal that the bill was headed for defeat. Another bill, which would close public access to the identities of Tennessee's 191,208 gun-carry permit holders, was deferred until 2012 on a subcommittee vote of 5-4.

VIRGINIA CRIME COMMISSION TO STUDY GUN SHOW SALES

The Virginia State Crime Commission has agreed to study firearm sales at gun shows, along with other issues on their agenda for this year. They will study the applicable state and federal firearms laws so that General Assembly members will have a clear understanding of the law in any future legislative debates. Gun control advocates call it the "gun show loophole" because firearms sales between private parties at gun shows are not required to conduct criminal background checks on buyers, a law that affects only licensed firearms dealers. Gun control advocates want to impose the requirement on private parties.

SELF-DEFENSE IN VIOLENT TIMES

Tom Walker is 74 years old. Erick Bjorntwedt is 22. They ran into each other after Walker heard somebody smash in the side window of his Pasadena, California home at 4 a.m. There were security bars on the window, so Walker was more annoyed than worried. Then he heard his rear sliding door being smashed. That's when he got his pistol, took it to his garage in his long johns, and met the young man going through his wife's car.

News report gave Walker's account like this: "He came in. I put the pistol toward his head. I said 'Get down on the floor.' I said, 'No, get down with your face on the floor.'" He called police and held the burglar at gunpoint until they arrived.

Bjorntwedt was charged with four counts of burglary and destruction of property.

In Hyattsville, Maryland, Salomon Noubissie, 64, knocked Cheryl Stamp down on the kitchen floor, then straddled and choked her. Stamp's 12-year-old son was playing a video game when he heard his mother scream and went to help. He yelled "Stop!" at Noubissie many times, but the man didn't stop. The boy grabbed a kitchen knife and stabbed Noubissie, who faltered but was still combative with officers when police arrived. Noubissie died at a hospital. The boy will probably not be charged, but Maryland prosecutors are studying the case.

Peter Quang Dan, 50, was minding the Colony Express Market in the South Loop East area of Houston, Texas when two men tried to rob his business. One of the men pistol-whipped Dan and demanded money, then forced him to lie on the floor of the store. As the two fled, Dan grabbed a pistol he keeps in the store and fired, hitting one of the robbers in the head, killing him instantly. The other man fled and is still at large. A grand jury will decide whether Dan was justified in fatally shooting the robber.

A homeowner in Moore, Oklahoma found a burglar inside his home and shot him in the buttocks. The homeowner held the burglar at gunpoint until police arrived. Neighbors said a second burglar was seen getting away. Police said the shot burglar's injuries were not life threatening.

A homeowner in Victor Township, Minnesota, awoke about 6 a.m. to find two thieves in his house. He grabbed his gun and fired as he chased one of them down the stairs and into the yard. The burglar escaped in a stolen Chevy Tahoe. The other burglar fled out a window, and the homeowner noticed several items missing. The next afternoon deputies found the stolen Tahoe with a bullet hole in it, and later got a call about a car prowler in the town of Cokato. They found and arrested a 20-year-old man from Blaine on outstanding warrants. He ratted on the other burglar, and police arrested an 18-year-old Coon Rapids man in his apartment, where they found items from the home invasion. The men are also suspects in two bank robberies in Cokato. Charges are pending.

An early-morning break-in in Mesa, Arizona awakened the homeowner, his wife, and another person. The wife ran to a closet to call 911 while her husband confronted the armed intruder. The husband struggled with the intruder, grabbed the burglar's gun and shot him with his own weapon. Police pronounced the burglar dead at the scene. Police arrested a second would-be intruder waiting outside the home.

At about 10 p.m., a 22-year-old man walked into Ed's Liquors in Oakland, California and pointed a gun at the store owner. The owner pulled out a gun of his own, but the robber shot him first in the leg. The store owner then fired back, hitting the robber at least three times. The robber fled, but collapsed outside the store. Police took both store owner and robber to a local hospital. The store owner is expected to recover, but the robber was in critical condition.

A man and his girlfriend were returning to their Middle Village apartment in Queens, New York City, where they were confronted by three men who forced them into their apartment and tied them up while proceeding to rob the place. The man got loose and grabbed a gun from one of the burglars and shot him in the head, killing him. The other two fled. Police are investigating.

**GUNS SAVE
LIVES**

GUN NEWS TICKER - QUICK TAKES ON THE NEWS

● **Zebulon, North Carolina:** Robert Lumley, a 17-year-old senior at East Wake High School, led the school's 16-member marksmanship team, which had practiced months for a shooting tournament. At the last minute before the North Carolina Wildlife Resources Commission competition, one of East Wake's principals stopped the team from participating. Their reason: ammo and students don't mix. East Wake officials had suddenly decided to extend their no-guns-in-school rule to no-guns-on-school-trips. School officials waited until the day before the event to tell the team. Lumley said, "If we had more time, we could have done something about it."

● **Bellevue, Washington:** The Citizens Committee for the Right to Keep and Bear Arms has blasted anti-gun Chicago Mayor Richard Daley for taking "one more step toward turning his city into a police state by planning to give police fully automatic M4 carbines, while still fighting to block the gun rights of citizens not only in Chicago but throughout Illinois." Daley plan would turn his police into a paramilitary force doing battle against street gangs and other criminals with military weapons. Daley, one of America's most anti-gun mayors, has denied the people who elected him their right to self-defense through a harsh handgun ban.

● **Elizabeth, West Virginia:** James D. Hoover was fired from his job as a Wirt County Middle School principal when he left two hunting rifles in a vehicle parked on school property. The county school board voted 3-2 to dismiss Hoover, who had originally been charged with two counts of unlawfully and feloniously possessing deadly weapons on educational facilities. But Wirt County Circuit Court Judge Robert Waters dismissed the charges, saying the case fell under an exception in state law involving unloaded weapons in locked vehicles. Division of Natural Resources officials found that Hoover had retrieved the rifles from the woods for safe keeping at the request of a friend who was involved in a hunting accident.

● **Tempe, Arizona:** US Airways will fire a veteran pilot whose handgun fired accidentally in the cockpit as he was stowing it in preparation for landing in Charlotte, North Carolina. The bullet penetrated the jet's fuselage, but did not hit any wiring or instrumentation and did not endanger the flight. A flight officer's group, the Federal Flight Deck Officers Association said it will fight the termination of Capt. James Langenhahn because the shot was accidental, not intentional. It was the first incident of its kind in the history of the Federal Flight Deck Officer program, which has trained thousands of pilots to carry weapons in an effort to improve aviation safety in the wake of the 9-11 Al-Qaeda attack on the United States.

● **Fayetteville, Arkansas:** Wal-Mart, the nation's largest seller of firearms, has announced that it will toughen rules for gun sales, from storing video of purchases to creating an internal log of which guns they sell that are later used in crimes. About 1,100 Wal-Mart stores selling guns will: 1) Create a record and alert system to record when a gun sold at Wal-Mart is later used in a crime. If the purchaser of that gun later tries to buy another gun at Wal-Mart, the system would alert the sales clerk of the prior buy and could refuse to make the sale; 2) Retain the recorded images of gun sales in case law enforcement wants to view them later as part of an investigation; 3) expand background checks of employees who handle guns and 4) expand inventory controls. Wal-Mart sells only rifles and shot-guns in its U.S. stores, except for Alaska, which also sells handguns. The move looks suspiciously like a publicity stunt to curry favor with politicians.

● **Melbourne, Australia:** Cabinet Ministers believed that some military-style firearms are being "detuned" abroad to beat import laws, then converted back on arrival in Australia. Police Chief Commissioner Christine Nixon has been given the power by the Parliament of the state of Victoria to declare such guns as allowable for use by the military and police only. The move is intended to stop military-style firearms from being used by licensed civilians. Australia has oppressively restrictive gun laws, but crime rates have, as common sense predicts, not gone down, but are up across the entire nation.

Parting Shot

INTRUDER? CALL 911 - AND DIE

Gun ban extremists and police are fond of telling the public that when you are in danger, the best thing to do is call 911 and let the police take care of it.

Deborah Kirk of Franklin County, Ohio followed the advice and died waiting for the cops. She called 911, screamed for help, the 911 dispatcher heard her cries and the phone being ripped from the wall, then called a responding officer, but neglected to explain the seriousness of the domestic violence call.

The cop went to Kirk's apartment, knocked on the door, heard no answer - her estranged boyfriend was holding her down with his hand over her mouth - and left when no one answered. Her body was discovered inside the apartment several days later. She had been strangled to death.

When Kirk's mother tried to sue the cop and dispatcher, Common Pleas Court Judge Steven L. McIntosh eliminated them from the lawsuit.

County prosecutors defending the case said only the boyfriend was to blame.

Then there was Lisa, who lives in Memphis, Tennessee and called 911 after she was robbed at gunpoint earlier in the evening and now heard someone trying to break into her home.

Lisa tried to explain to the dispatcher what was going on, but got no response. The dispatcher was silent for 15 seconds, 30 seconds, 45 seconds, one minute.

"Are you there?" Lisa asked. A groggy voice replied, "Yes ma'am. What is the, um, let's see, what's your address?"

Lisa works for another 911 agency herself, and realized that the dispatcher had fallen asleep while taking her call. She hung up and called another 911 agency, which sent help considerably later.

Then there are the people who don't have time to call 911, like Pizza Hut delivery driver James William Spiers III, 38, of Des Moines, Iowa. When he got a pizza to an apartment in less than 30 minutes, Kenneth Jimmerson, 19, put a gun to his head and demanded money. Spiers had a valid handgun permit and used it. He shot Jimmerson three times, none of them fatal. Jimmerson was arrested later when he called for medical help.

Pizza Hut fired Spiers. They have a no-guns policy for drivers. The public cheered Spiers and booed Pizza Hut.

Spiers still hasn't found a job, but he is now known by throngs of admiring fans as the Pizza Hut Deliverator.

Next time you need 911, maybe Pizza Hut would be a better bet.

Alan M. Gottlieb

Joseph D. Tartaro

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Barak Obama, Democrat candidate for President of the United States, was a director of the Joyce Foundation for eight years, from 1994 to 2002.

The man who has said that he believes the Constitution protects the rights of Americans and that he doesn't want to take away their guns spent years approving millions intended to do just that.

Yet his campaign spokesman, Ben LaBolt, says that Obama's eight years on the board of the Joyce Foundation do not in any way conflict with his campaign-trail claims of support for the rights of gun owners.

That's hard to believe, given Obama's role during those eight years, which remain the least scrutinized part of his career - now that the previously ignored anti-American remarks of Obama's pastor, Rev. Jeremiah A. Wright Jr., have become headline news.

What about Obama's time with the Joyce Foundation and its relentlessly anti-gun agenda?

Obama began his Joyce Foundation directorship while still an up-and-coming 32-year-old attorney who had not yet run for public office.

Two years later he won a seat in the Illinois state Senate, where he served six years while remaining on the foundation's board. During that time, Obama has acknowledged, he was so committed to the agenda of the Joyce Foundation that he considered leaving politics to become its full-time president.

The money was attractive: its current president, Ellen Alberding, gets a salary of \$309,594, with a benefit package of \$34,626. But Joyce's money wasn't decisive: it was the agenda, which can teach us a great deal about what President Barak Obama might mean for America.

The Joyce Foundation has no record of supporting the right of self-defense with a handgun. Neither does Barak Obama.

A white paper on Obama's web site states, "As a former constitutional law professor, Barak Obama greatly respects the constitutional rights of Americans to bear arms," as well as "the passion that hunters and anglers have for their sport."

It says, "He will protect the rights of hunters and other law-abiding Americans to purchase, own, transport and use guns for the purposes of hunting and target shooting."

What's missing from that list? Self-defense.

And what about Obama's actual voting record? He supported a ban on semiautomatic weapons and concealed weapons, and a limit on handgun purchases to one a month. He blames his staff for answering a 1996 state Senate questionnaire that he supports banning handguns. However, Obama's handwriting is on the questionnaire.



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CAMPUS GROUP FOR CONCEALED CARRY HOLDS EMPTY HOLSTER PROTEST

Students for Concealed Carry on Campus (SCCC) is a national organization with over 30,000 members from all 50 states and the District of Columbia.

Created after the April, 2007 classroom shootings at Virginia Polytechnic Institute, where deranged student Seung-Hui Cho killed 32 people and wounded 25 more before committing suicide, the group has fought to legalize concealed carry on all college campuses in America.

SCCC's website contends it is now abundantly clear that "gun free zones" serve to disarm only those law-abiding citizens who might be able to mitigate such tragedies.

SPECIAL REPORT: CONCEALED CARRY ON CAMPUS

To aid its lobbying efforts, the group's signature activism has been the "Empty Holster Protest," in which college students wear an empty holster on campus to protest their university's "gun free zone" policy and hand out flyers to educate the public and dispel myths about concealed

carry and guns in general.

Late last month, SCCC held its second Empty Holster Protest, with about 3,800 participants wearing their empty gun holsters to classes on 600 campuses across the nation.

Protesters make sure there's nothing in the holsters - not even a cell phone - that might frighten fellow students, faculty or campus police. Protesters are not aggressive or argumentative when handing out literature.

At Texas A&M Corpus Christi campus, Police Chief Alan Gutierrez, who was armed, did not have a problem with the protest, but he expressed concern. Gutierrez said, "Any time you see a holster that always indicates that there is probably a weapon close by so yeah, it can be scary."

No firearms were involved in the week-long protest at any location.

Ken Miller is a junior in construction engineering at Virginia Tech, the site of Cho's shootings. Miller told a reporter, "Those of us who carry concealed - we pay tuition so that we cannot have the same rights as everyone else," Miller said. "Because I pay tuition and am a member of this school, I have fewer rights than visitors to the Tech campus who aren't students. They can carry concealed."

At North Carolina's Appalachia State University, John C. Morrison, senior management major and member of SCCC, said during the protest, "Ultimately, we would like to see the school's policy changed. We're looking for notoriety."

SCCC's primary objective is to push state legislatures and school administrations to grant concealed handgun license holders the same right - the right to carry concealed handguns - on college campuses that these license holders currently enjoy at most other places (office buildings, movie theaters, grocery stores, shopping malls, restaurants, churches, banks, etc.).

Since 2006, all nine public colleges in Utah allow licensed individuals to carry concealed handguns on campus.

Because SCCC fully supports states' rights, they have pushed for change at the state level, rather than at the federal level. The first step, according to SCCC leaders, is to see "colleges" removed from the lists of places listed as "off limits" by the concealed carry laws in many states.

The next step is to see other states follow Utah's lead in prohibiting state (tax subsidized) colleges from enacting their own bans on concealed carry.

Though SCCC supports concealed carry on the campuses of both public and private colleges, they strongly support the rights of private property owners. Their web site says, "We believe that the issue of concealed carry at private colleges must be handled through negotiations with school administrators, rather than through state legislation. However, SCCC supports state laws that grant private schools and other businesses immunity from liability for the actions of concealed handgun license holders."

Gun owners everywhere are rooting for them.

CALIFORNIA GUN OWNERS FACE TWIN DISASTERS

Two bills before the state Assembly could virtually erase California's protections for the individual right to keep and bear arms: AB 2566 would remove the state pre-emption law and allow any community to ban handguns at will; SB2062 would impose a permit system for buying handgun ammunition that makes private transfers of handgun ammunition severely burdensome.

A San Francisco non-profit called the Legal Community Against Violence - funded by half a million dollars from the Barak Obama-linked Joyce Foundation - drafted the AB2566 pre-emption repeal bill, calling it "domestic disarmament."

IN THE STATES

AB2062 will be heard this month by the Assembly Appropriations Committee. It would require that applicants for a "permit to purchase" submit to a background check, pay a \$35 fee, and wait as long as 30 days to get the permit. It would be unlawful to privately transfer more than 50 rounds of ammunition per month unless you are registered as a "handgun ammunition vendor."

FLORIDA GETS LAW ALLOWING GUNS LOCKED IN VEHICLES AT WORK

Gov. Charlie Crist has signed into law a bill that allows Florida's 500,000 residents with weapons permits to keep guns locked in their vehicles at work or businesses they may visit.

The new law states that businesses cannot prohibit employees or customers from keeping a legally owned gun locked inside their cars, as long as the gun owner has a permit to carry a concealed weapon.

The bill passed the Florida Senate by a vote of 26-13 last month.

The measure exempts workplace parking lots including nuclear power plants, prisons, schools and companies whose business involves homeland security.

BILL ALLOWS GEORGIA GUNS IN MORE PLACES

Georgians with firearms permits will be able to carry guns in far more places under a bill that has passed both chambers and awaits the signature of Gov. Sonny Perdue. An amended version of House Bill 89 allows holders of concealed weapons permits to carry guns into restaurants, state parks, and on urban transit trains and other public transportation. The legislation also allows employees to leave weapons in parking lots as long as it's okay with the company.

ILLINOIS HOUSE REJECTS LIMIT ON HANDGUN PURCHASES

House Bill 4393, which would have limited handgun purchases in Illinois to one per month, has carried only 53 of the 60 votes it needed to pass the Illinois House. Democrat Gov. Rod Blagojevich was furious and urged lawmakers to call the legislation for another vote, and to press colleagues as hard as possible to back it. But Rep. Mike Bost (R-Murphysboro) said the measure wouldn't stop crime. "All you've done with this bill is told law-abiding citizens 'We don't want you to do it,' If they're a criminal, they're going to do it, anyway."

KANSAS GOVERNOR SIGNS BILL ALLOWING MACHINE GUNS

Gov. Kathleen Sebelius has signed a bill to legalize possession of machine guns, other fully automatic weapons, sawed-off shotguns and silencers starting July 1. The change was necessary because legal questions threaten to keep dealers from delivering weapons to law enforcement agencies. No great rush of buyers is expected since machine guns typically cost at least \$20,000.

MICHIGAN BILLS TO LESSEN RESTRICTIONS PASS HOUSE

Michigan House Bills 4490 and 4491, which would remove pistol inspection certificate requirements, have passed by overwhelming majorities - 4490 by 93-15, and 4491 by 92-16. 4491 eliminated the requirement that gun owners obtain pistol inspections and 4490 required law enforcement agencies to destroy all existing inspection certificates within one year. The two bills now go to the Senate for consideration, where they are expected to pass.

MISSOURI HOUSE OKAYS GUNS IN CARS AT PARKING LOTS

Missouri's House of Representatives has given approval to a bill blocking store owners from barring guns in their customers' parked cars. The bill clarifies a law allowing Missourians to carry concealed weapons. It allows businesses to ban guns from their premises, but has sometimes been interpreted to include parking lots. It's possible for Missourians to be barred from taking their gun into a store, but prohibited from leaving it in a vehicle while they shop. Employers could still prevent employees from having a gun in their company-owned vehicles.

IN THE STATES

OHIO SENATE PASSES "CASTLE DOCTRINE" BILL

Senate Bill 184, a "castle doctrine" bill, has passed the Ohio Senate by a unanimous vote. The bill presumes that a resident acted in self-defense when using force against someone who unlawfully enters the person's home or occupied vehicle. The bill prevents a person from filing a civil lawsuit because of something that occurred while the person was committing a crime. It also allows for multiple firearm specifications if a person kills multiple victims in a gang attack that leads the resident to use several firearms to repel intruders.

PENNSYLVANIA GUN-CONTROL ADVOCATES LOSE ANOTHER ONE

Extremist group Cease Fire Pennsylvania put on a brave face after suffering defeat in the state legislature - for the third time in six months. Last November, the House Judiciary Committee easily defeated two key bills cracking down on gun owners. Another measure to allow cities such as Philadelphia to make their own gun laws was defeated. Most recently, the legislature defeated a bill to limit the number of handguns a person could buy to one a month. Yet Cease Fire PA's executive director, Joe Grace, says, "Our coalition is very energized." The energy doesn't seem to be making a difference yet.

SOUTH CAROLINA LOWERS GUN BUYER AGE

Gov. Mark Sanford has signed a bill into law to lower the minimum age to buy and own handguns in South Carolina from 21 to 18. Sanford spokesman Joel Sawyer said, "People who are old enough to fight and die in the military should be able to purchase handguns, and the bill will put our laws more in line with those of other states." The law went into effect immediately. Bill sponsor Rep. Mike Pitts (R-Laurens) filed it to fix a problem with gun shops where employees younger than 21 were filling orders over the phone. State Attorney General Henry McMaster said in a legal opinion that it was not allowed because of their age. Gun dealers still must comply with state and federal firearms laws.

TENNESSEE LAWMAKERS KILL TWO GUN BILLS

A bill to allow people with gun-carry permits to take their firearms into places that serve alcohol was deferred to 2009 by its sponsor, Rep. Joe McCord (R-Maryville). Such deferrals, which request subcommittees to study the measure and return with recommendations in the next session, usually signal that the bill was headed for defeat. Another bill, which would close public access to the identities of Tennessee's 191,208 gun-carry permit holders, was deferred until 2012 on a subcommittee vote of 5-4.

VIRGINIA CRIME COMMISSION TO STUDY GUN SHOW SALES

The Virginia State Crime Commission has agreed to study firearm sales at gun shows, along with other issues on their agenda for this year. They will study the applicable state and federal firearms laws so that General Assembly members will have a clear understanding of the law in any future legislative debates. Gun control advocates call it the "gun show loophole" because firearms sales between private parties at gun shows are not required to conduct criminal background checks on buyers, a law that affects only licensed firearms dealers. Gun control advocates want to impose the requirement on private parties.

SELF-DEFENSE IN VIOLENT TIMES

Tom Walker is 74 years old. Erick Bjorntwedt is 22. They ran into each other after Walker heard somebody smash in the side window of his Pasadena, California home at 4 a.m. There were security bars on the window, so Walker was more annoyed than worried. Then he heard his rear sliding door being smashed. That's when he got his pistol, took it to his garage in his long johns, and met the young man going through his wife's car.

News report gave Walker's account like this: "He came in. I put the pistol toward his head. I said 'Get down on the floor.' I said, 'No, get down with your face on the floor.'" He called police and held the burglar at gunpoint until they arrived.

Bjorntwedt was charged with four counts of burglary and destruction of property.

In Hyattsville, Maryland, Salomon Noubissie, 64, knocked Cheryl Stamp down on the kitchen floor, then straddled and choked her. Stamp's 12-year-old son was playing a video game when he heard his mother scream and went to help. He yelled "Stop!" at Noubissie many times, but the man didn't stop. The boy grabbed a kitchen knife and stabbed Noubissie, who faltered but was still combative with officers when police arrived. Noubissie died at a hospital. The boy will probably not be charged, but Maryland prosecutors are studying the case.

Peter Quang Dan, 50, was minding the Colony Express Market in the South Loop East area of Houston, Texas when two men tried to rob his business. One of the men pistol-whipped Dan and demanded money, then forced him to lie on the floor of the store. As the two fled, Dan grabbed a pistol he keeps in the store and fired, hitting one of the robbers in the head, killing him instantly. The other man fled and is still at large. A grand jury will decide whether Dan was justified in fatally shooting the robber.

A homeowner in Moore, Oklahoma found a burglar inside his home and shot him in the buttocks. The homeowner held the burglar at gunpoint until police arrived. Neighbors said a second burglar was seen getting away. Police said the shot burglar's injuries were not life threatening.

A homeowner in Victor Township, Minnesota, awoke about 6 a.m. to find two thieves in his house. He grabbed his gun and fired as he chased one of them down the stairs and into the yard. The burglar escaped in a stolen Chevy Tahoe. The other burglar fled out a window, and the homeowner noticed several items missing. The next afternoon deputies found the stolen Tahoe with a bullet hole in it, and later got a call about a car prowler in the town of Cokato. They found and arrested a 20-year-old man from Blaine on outstanding warrants. He ratted on the other burglar, and police arrested an 18-year-old Coon Rapids man in his apartment, where they found items from the home invasion. The men are also suspects in two bank robberies in Cokato. Charges are pending.

An early-morning break-in in Mesa, Arizona awakened the homeowner, his wife, and another person. The wife ran to a closet to call 911 while her husband confronted the armed intruder. The husband struggled with the intruder, grabbed the burglar's gun and shot him with his own weapon. Police pronounced the burglar dead at the scene. Police arrested a second would-be intruder waiting outside the home.

At about 10 p.m., a 22-year-old man walked into Ed's Liquors in Oakland, California and pointed a gun at the store owner. The owner pulled out a gun of his own, but the robber shot him first in the leg. The store owner then fired back, hitting the robber at least three times. The robber fled, but collapsed outside the store. Police took both store owner and robber to a local hospital. The store owner is expected to recover, but the robber was in critical condition.

A man and his girlfriend were returning to their Middle Village apartment in Queens, New York City, where they were confronted by three men who forced them into their apartment and tied them up while proceeding to rob the place. The man got loose and grabbed a gun from one of the burglars and shot him in the head, killing him. The other two fled. Police are investigating.

**GUNS SAVE
LIVES**

GUN NEWS TICKER - QUICK TAKES ON THE NEWS

● **Zebulon, North Carolina:** Robert Lumley, a 17-year-old senior at East Wake High School, led the school's 16-member marksmanship team, which had practiced months for a shooting tournament. At the last minute before the North Carolina Wildlife Resources Commission competition, one of East Wake's principals stopped the team from participating. Their reason: ammo and students don't mix. East Wake officials had suddenly decided to extend their no-guns-in-school rule to no-guns-on-school-trips. School officials waited until the day before the event to tell the team. Lumley said, "If we had more time, we could have done something about it."

● **Bellevue, Washington:** The Citizens Committee for the Right to Keep and Bear Arms has blasted anti-gun Chicago Mayor Richard Daley for taking "one more step toward turning his city into a police state by planning to give police fully automatic M4 carbines, while still fighting to block the gun rights of citizens not only in Chicago but throughout Illinois." Daley plan would turn his police into a paramilitary force doing battle against street gangs and other criminals with military weapons. Daley, one of America's most anti-gun mayors, has denied the people who elected him their right to self-defense through a harsh handgun ban.

● **Elizabeth, West Virginia:** James D. Hoover was fired from his job as a Wirt County Middle School principal when he left two hunting rifles in a vehicle parked on school property. The county school board voted 3-2 to dismiss Hoover, who had originally been charged with two counts of unlawfully and feloniously possessing deadly weapons on educational facilities. But Wirt County Circuit Court Judge Robert Waters dismissed the charges, saying the case fell under an exception in state law involving unloaded weapons in locked vehicles. Division of Natural Resources officials found that Hoover had retrieved the rifles from the woods for safe keeping at the request of a friend who was involved in a hunting accident.

● **Tempe, Arizona:** US Airways will fire a veteran pilot whose handgun fired accidentally in the cockpit as he was stowing it in preparation for landing in Charlotte, North Carolina. The bullet penetrated the jet's fuselage, but did not hit any wiring or instrumentation and did not endanger the flight. A flight officer's group, the Federal Flight Deck Officers Association said it will fight the termination of Capt. James Langenhahn because the shot was accidental, not intentional. It was the first incident of its kind in the history of the Federal Flight Deck Officer program, which has trained thousands of pilots to carry weapons in an effort to improve aviation safety in the wake of the 9-11 Al-Qaeda attack on the United States.

● **Fayetteville, Arkansas:** Wal-Mart, the nation's largest seller of firearms, has announced that it will toughen rules for gun sales, from storing video of purchases to creating an internal log of which guns they sell that are later used in crimes. About 1,100 Wal-Mart stores selling guns will: 1) Create a record and alert system to record when a gun sold at Wal-Mart is later used in a crime. If the purchaser of that gun later tries to buy another gun at Wal-Mart, the system would alert the sales clerk of the prior buy and could refuse to make the sale; 2) Retain the recorded images of gun sales in case law enforcement wants to view them later as part of an investigation; 3) expand background checks of employees who handle guns and 4) expand inventory controls. Wal-Mart sells only rifles and shot-guns in its U.S. stores, except for Alaska, which also sells handguns. The move looks suspiciously like a publicity stunt to curry favor with politicians.

● **Melbourne, Australia:** Cabinet Ministers believed that some military-style firearms are being "detuned" abroad to beat import laws, then converted back on arrival in Australia. Police Chief Commissioner Christine Nixon has been given the power by the Parliament of the state of Victoria to declare such guns as allowable for use by the military and police only. The move is intended to stop military-style firearms from being used by licensed civilians. Australia has oppressively restrictive gun laws, but crime rates have, as common sense predicts, not gone down, but are up across the entire nation.

Parting Shot

INTRUDER? CALL 911 - AND DIE

Gun ban extremists and police are fond of telling the public that when you are in danger, the best thing to do is call 911 and let the police take care of it.

Deborah Kirk of Franklin County, Ohio followed the advice and died waiting for the cops. She called 911, screamed for help, the 911 dispatcher heard her cries and the phone being ripped from the wall, then called a responding officer, but neglected to explain the seriousness of the domestic violence call.

The cop went to Kirk's apartment, knocked on the door, heard no answer - her estranged boyfriend was holding her down with his hand over her mouth - and left when no one answered. Her body was discovered inside the apartment several days later. She had been strangled to death.

When Kirk's mother tried to sue the cop and dispatcher, Common Pleas Court Judge Steven L. McIntosh eliminated them from the lawsuit.

County prosecutors defending the case said only the boyfriend was to blame.

Then there was Lisa, who lives in Memphis, Tennessee and called 911 after she was robbed at gunpoint earlier in the evening and now heard someone trying to break into her home.

Lisa tried to explain to the dispatcher what was going on, but got no response. The dispatcher was silent for 15 seconds, 30 seconds, 45 seconds, one minute.

"Are you there?" Lisa asked. A groggy voice replied, "Yes ma'am. What is the, um, let's see, what's your address?"

Lisa works for another 911 agency herself, and realized that the dispatcher had fallen asleep while taking her call. She hung up and called another 911 agency, which sent help considerably later.

Then there are the people who don't have time to call 911, like Pizza Hut delivery driver James William Spiers III, 38, of Des Moines, Iowa. When he got a pizza to an apartment in less than 30 minutes, Kenneth Jimmerson, 19, put a gun to his head and demanded money. Spiers had a valid handgun permit and used it. He shot Jimmerson three times, none of them fatal. Jimmerson was arrested later when he called for medical help.

Pizza Hut fired Spiers. They have a no-guns policy for drivers. The public cheered Spiers and booed Pizza Hut.

Spiers still hasn't found a job, but he is now known by throngs of admiring fans as the Pizza Hut Deliverator.

Next time you need 911, maybe Pizza Hut would be a better bet.

Alan M. Gottlieb

Joseph D. Tartaro

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