

# The Gottlieb-Tartaro Report

THE INSIDERS GUIDE FOR GUN OWNERS

Issue 168

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Dear Subscriber,

**President-Elect BARACK OBAMA is bad news for gun owners.** The Brady Campaign crowed that his victory and the Democrat domination of Congress "signals stronger support for sensible gun laws" - adding that **the political environment is better than it's been in years for "progress on gun violence prevention."**

"Progress" for Brady means **danger for gun owners.** It's just another code word for OBAMA-style gun control.

**We can see it already.** OBAMA's nomination of **ERIC HOLDER for the post of attorney general of the United States** sends an alarming signal to gun owners about how his administration views individual gun rights.

Here's a quick profile of **ERIC HOLDER**: He signed an amicus brief in the Heller case that **supported the District of Columbia's handgun ban**, and also argued that **the Second Amendment does not protect an individual right.**

He has supported national handgun licensing and mandatory trigger locks. As deputy attorney general under JANET RENO, **he lobbied Congress to pass legislation that would have curtailed legitimate gun shows.**

HOLDER's nomination, like the appointment of anti-gun Illinois Congressman RAHM EMANUEL as White House Chief of Staff, tells American gun owners that **OBAMA's campaign claim that he supports the Second Amendment was empty rhetoric.** EMANUEL served as "point man" on gun ban efforts for the Clinton Administration.

Gun rights defender DAVID KOPEL has documented OBAMA's acknowledged **opposition to concealed carry rights**, and his support for **a ban on handgun ownership** when he was running for the Illinois state senate.

Mr. OBAMA, whose history on gun rights is abysmal, appears to be considering his party's **most extremist gun control advocates for key positions** in his administration.

The Bellevue, Washington-based Citizens Committee for the Right to Keep and Bear Arms, said, **"That is not a sign of goodwill toward gun owners or their rights.** It's a red flare warning of high winds and rough weather looming on the political horizon."

**Mr. OBAMA will have a Congress with an anti-gun Democrat majority leadership to push his gun control agenda.**

The Second Amendment Foundation issued a news release stating that "America's 85 million gun owners have ample reason to be pessimistic about how their civil rights will fare under the Obama administration."

**"Our nation is in serious trouble,"** the release said, "and we all need to be working together to solve our fiscal crisis and our energy problems. The fastest way to alienate tens of millions of productive, loyal and hard-working American citizens is to attack one of their most cherished constitutionally-protected civil rights."

**The G-T Report wishes our new president smooth sailing in his new ship of state - we're all along for the ride.** Democrats can prove they respect the Second Amendment or that they're the party of extremist gun control. Which will it be?

**Mr. OBAMA, every American gun owner is watching.**

**Also in this issue:** ● *Returning rapist faces shotgun* ● *Brief filed in Atlanta airport lawsuit* ● *The Big Story: Obama the gun salesman* ● *St. Louis gun buyback nixed* ● *China's absolute gun control isn't working* ● *Be Wary of Obama in our Page Eight "Parting Shot"*

**OBAMA  
ELECTION  
FALLOUT**

### **MISSOURI WOMAN STOPS MAN FROM RAPING HER A SECOND TIME**

The 57-year-old Cape Girardeau woman saw Ronnie W. Preyer, 47, a registered sex offender, breaking through her locked basement window two days after he had raped her by breaking into the same basement window.

The victim reported the first crime and her landlord repaired the broken window. She was home alone when Preyer broke in again about 2:15 a.m.

When Preyer came crashing through her basement door, she was ready.

She shot him once in the chest with a shotgun.

Police found him later stumbling away from the house.

He was taken to St. Francis Medical Center, where he died several hours later.

**GUNS SAVE  
LIVES**

### **OKLAHOMA MAN DEFENDS FAMILY**

A drunken teenager, Stephen Richardson, 19, broke into the backdoor of firefighter Curtis Freeman's home in Broken Bow late one recent night.

"The suspect threw a rock through the glass portion of the door, then reached through the window, unlocked the door, and entered the residence," a report said.

Richardson advanced through the master bedroom and into a hallway.

Freeman's wife, Catherine, and their son, were taking cover behind Freeman when the young man advanced against them yelling incoherently.

Freeman shot Richardson several times with a .40-caliber handgun before the teen fell. Police took the intruder by helicopter to St. Francis Hospital in Tulsa, where police Maj. Carole Newell said he will be jailed after he is released from the hospital. Officers attempted to interview Richardson, but he was too drunk to be coherent.

### **NEW YORK CITY STORE OWNER CRITICALLY WOUNDED, BUT KILLS TWO ROBBERS**

The owner of a New York City variety store shot and killed two armed thugs who tried to rob him.

The Brooklyn store owner, known only as "Africa," was wounded in a night gun battle and is hospitalized in critical condition. Neighbors said he had three children, two of them newborn twins.

Police say they found one of the dead men inside the store and the other on the street nearby. They haven't released the men's identities.

Neighborhood residents and customers say they heard many shots at the store, which sells clothing and household items.

Those who know the owner say he opened the store a decade ago and is always friendly.

### **TEXAS CARJACKER SHOT BY HIS TARGET**

Alejandro Salinas had just filled up his Chevrolet Z-71 pickup truck at the Aziz Convenience Store in Edinburg, Texas, about 11 a.m. He hopped back into his truck, but before he could close the door, 18-year-old Hector Severo Ramos was holding a .25-caliber pistol at his neck, said Hidalgo County Sheriff Lupe Treviño.

"Ramos says 'Get out of the truck. I'm going to take it and I'm going to kill you,'" Treviño said. Instead, Salinas pushed Ramos' gun aside, pulled his own 9-mm pistol, and shot Ramos twice in the chest.

Ramos was taken to McAllen Medical Center, where he died upon arrival.

Salinas will not be charged, said the sheriff.

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## **GEORGIA GUN GROUP FILES BRIEF IN AIRPORT LAWSUIT**

GeorgiaCarry.Org (GCO) has filed its brief in support of its appeal in the Atlanta Airport gun case. GCO sued Atlanta in federal district court because it threatened to arrest people lawfully carrying firearms in the Atlanta Airport.

The district court granted Atlanta's motion for judgment on the pleadings, finding that GCO had not introduced sufficient evidence that HB 89 (which decriminalized carrying firearms "on public transportation" for permit holders) applies to airports (overlooking the fact that a party is neither permitted nor required to introduce evidence in opposition to a motion for judgment on the pleadings).

GCO has appealed the case to the U.S. Court of Appeals for the 11th Circuit.

## **IN THE COURTS**

### **LAWSUIT AIMS TO TEST IOWA GUN LAW**

Paul Dorr, 52, of Ocheyedan, has filed a federal class-action lawsuit in U.S. District Court in Sioux City, which challenges the constitutionality of an Iowa law that requires individuals to obtain a permit to carry a concealed weapon.

Dorr filed the lawsuit against Osceola County Sheriff Douglas Weber and Osceola County because Weber turned down the permit applications of both Dorr and his son in 2007.

Dorr alleges that the sheriff denied his Second Amendment right to bear arms and 14th Amendment right to due process. "He just denied my permit to carry without foundation," said Dorr, a consultant for taxpayer and political groups. "That denial just brought to mind the lack of objective process that Iowa code allows for sheriffs."

Dorr is bringing the lawsuit on behalf of anyone who has been denied a permit to carry in Iowa.

### **GUN RIGHTS GROUPS SUE WASHINGTON STATE TO PROTECT ALIEN RESIDENTS**

The Second Amendment Foundation, joined by the National Rifle Association, has filed a lawsuit in federal court against the State of Washington, seeking to overturn a state law that discriminates against legal resident aliens who own firearms by violating their Second Amendment rights under the equal protections affirmed by the 14th Amendment.

The SAF/NRA suit is joined by three legal resident aliens who face loss of jobs and firearms collections, and possible prosecution for owning a gun for self-defense when their current Alien Firearms Licenses (AFL) expire. Under a statute unique to Washington State, aliens must possess an AFL to legally possess firearms.

"Forty-nine other states feel no compulsion to require such alien licenses," a SAF news release stated. "Washington State should be no different. This discriminatory law must not be allowed to stand."

### **SUPREME COURT TAKES ON FLAWED GUN BAN LAW**

Randy Hayes pleaded guilty in 1994 to misdemeanor battery of his then-wife. Ten years later, police responded to a domestic violence call from his home and learned he had owned or sold several guns.

He was convicted of illegal gun possession under a 1996 law introduced by Sen. Frank R. Lautenberg (D-N.J.), that took away gun rights for those with a "misdemeanor crime of domestic violence" on their records.

Hayes entered his guilty plea in 1994 with no idea it would later take away his gun rights. Aside from the outrage of losing his gun rights for a *misdemeanor*, there was no informed consent in Hayes' plea. The 1996 law trapped him anyway.

Last year, the U.S. 4th Circuit Court of Appeals in Virginia decided the federal gun ban covered only misdemeanor convictions under a *state's* domestic violence law. But about two-thirds of the states have no such law.

Hayes' case has gone to the U.S. Supreme Court.

His fate will not turn on the 2nd Amendment, but on how the justices read the words of the 1996 law, which Justice Anthony M. Kennedy called "a mess" during recent oral arguments. And that "informed consent" issue will be key.

**MEDIA OVERWHELMED BY GUN BUYERS STOCKING UP BEFORE OBAMA TAKEOVER**

The Gottlieb-Tartaro Report routinely receives dozens of notes and news clips from readers letting us know what's going on in their neck of the woods (one reason why we provide the best coverage of any gun rights newsletter).

But since Barack Obama became President-Elect, we've been literally deluged with personal stories, newspaper and television reports and even YouTube videos about the huge stampede to buy firearms and ammunition before Obama and the Democrat-controlled Congress take power in January. We have a few samples for you.

Bottom line? Even if it's only temporary, Barack Obama is now America's best gun salesman.

**THE BIG STORY**  
**OBAMA THE**  
**GUN SALESMAN**

**DAYTONA BEACH NEWS-JOURNAL: BUCK'S GUN RACK BOOMING**

FLORIDA: "Sales have gone through the roof," owner Forrest Buckwald said, attributing the boost to a belief that Obama would support gun control measures. His business was up by as much as 400 percent after the election, exceeding records that followed Sept. 11 and preceded the Y2K scare of 2000.

**DETROIT FREE PRESS: CONCEALED CARRY PERMIT APPLICATION AVALANCHE**

MICHIGAN: Mark Cortis, who conducts concealed weapons license training and sits on the Oakland County gun board, said, "I think there are probably a lot of my customers who voted for Obama, who support his economic policies, but not his stance on the Second Amendment."

Oakland County Undersheriff Michael McCabe said the demand for concealed weapons permits has more than doubled, with 769 applications submitted in October compared with 328 last year. The Macomb County gun board reported 314 applications in October 2007 and 564 applications last month. In Wayne County, applications increased from 653 in October 2007 to 998 last month.

**MILWAUKEE JOURNAL SENTINEL: BACKGROUND CHECKS TRIGGERED**

WISCONSIN: Handgun purchases in Wisconsin skyrocketed 82% in the days before and after Barack Obama's election as president compared with the same 13 days last year. Most of the background checks took place after the presidential election, a sign that gun owners anticipate new restrictions with Democrats taking control of the federal government.

Calls for background checks to buy handguns have flooded the state agency. In the first 13 days of November, 2,642 checks were requested, while the same 13 days last year saw 1,453, state Justice Department spokesman Bill Cosh said.

**NATIONAL SHOOTING SPORTS FOUNDATION (NSSF): OBAMA AN ENEMY OF GUN RIGHTS**

CONNECTICUT: As firearm sales increase this year at a rate of 10 percent over last year and 15 percent in October alone, NSSF says gun-owner concerns about an Obama Administration are the reason for the boom. President-elect Obama's Web site said he would make permanent the expired "assault weapons" ban of 1994, which did nothing to reduce crime while in place - among other anti-gun promises.

"The increase in firearms sales was predictable," said NSSF Senior Vice President and General Counsel Lawrence G. Keane. "It's clear from President-elect Obama's voting record, and the promises that he continues to make, that gun control will be coming back to the White House.

**CMN: THE GUN BUSINESS HAS NEVER BEEN SO GOOD**

WASHINGTON: Bernie Conaster, owner of a gun shop in the Washington suburb of Manassas, Virginia, said sales have doubled or tripled since this time last year.

Buyers and sellers attribute the surge to worries that Barack Obama and the Democratic-controlled Congress will move to restrict firearm ownership, despite the insistence of campaign aides that the president-elect supports gun rights and considers the issue a low priority.

**LOS ANGELES TIMES: FEAR OF CIVIL UNREST**

CALIFORNIA: A week after the election of the nation's first black president, gun buyers across the country are flocking to gun stores to stock up on so-called "assault rifles," handguns and ammunition. Gun dealers in red and blue states alike say they've never seen anything like the run on weaponry they've been experiencing since election day.

**THE BIG STORY**  
**OBAMA THE**  
**GUN SALESMAN**

"People are terrified of losing their right to protect themselves," said DeWayne Irwin, owner of a large gun store in Fort Worth. "With the economy the way it is, people are worried about instability, They are scared of civil unrest." Some say they are preparing to protect themselves in the event of a race war.

Obama "says he's in favor of common sense gun laws," Irwin said. "Well, what people up north think is common sense is something different from us down here in Texas. The criminals have all this illegal stuff. I don't want to fight them with a handgun if I can get an AK. I'm entitled to that. I should be able to defend my home."

**AGENCE FRANCE-PRESSE: U.S. IN TURMOIL OVER OBAMA AND DEMOCRATS**

PARIS: Sales of guns in the US are on the rise as gun enthusiasts fear that president-elect Barack Obama and his Democratic allies in Congress will impose new restrictions on firearms.

"The philosophy behind this is that people are legitimately concerned that under the Obama administration with a majority of Democrats in both the House and the Senate, there will be an attempt to ban certain types of firearms," including semi-automatic rifles, said Dave Workman, senior editor of Gun Week.

**THE GUARDIAN, UNITED KINGDOM: OBAMA AND THE SURGE IN U.S. GUN SALES**

LONDON: Barack Obama said he would improve the U.S. economy. Turns out he already has, at least in one retail niche: gun sales. Gun shops have been mobbed by buyers who fear that Obama and a larger Democratic majority in Congress will restrict firearm sales.

Many purchases appear to be panic buying, said Trey Pugh, a North Carolina gun shop owner. Between the election, fears that the sour economy will spur more crime, hunting season and Christmas sales, the next couple of months will likely be wild for firearms dealers, he said.

**SALT LAKE TRIBUNE: OBAMA TRIGGERS UPSURE IN MILITARY-LIKE FIREARM SALES**

UTAH: Since the election of Barack Obama, scores of Utahns have flocked to gun stores. Obama has supported renewing the expired federal Assault Weapons Ban, which stops the manufacture of several semiautomatic guns with large magazines. "Such weapons belong on foreign battlefields and not on our streets," Obama's Web site states.

Local gun dealers quickly are running out of magazines for Colt AR-15s and AK models and many have seen a sharp increase in the sales of those guns. James Bunten of Fuzzy Bunny Movie Guns said, "I've seen a wider demographic of customers. There are more and more professionals. I see doctors getting assault weapons instead of just their hunting rifles."

**DENVER POST: OBAMA'S RECORD ON GUNS CREATES RUN ON GUNS IN STATE**

COLORADO: John Faulkner and his wife, Brenda, thought it was a good day to buy a handgun. "I'm 37 years old, and this is the first time in my life that I am really scared for our future," said Faulkner, an oil field worker, as he perused the guns in A Pawn Shop in Grand Junction.

George Horne, owner of The Gun Room in Lakewood, said, "It's gone completely mad. Everyone is buying everything I've got on the shelves."

At Aurora's Firing Line gun shop, Steve Wickham was buying several guns. "I'm here because of Obama," "I think he's misinterpreted the Second Amendment. It's not about the right to hunt. It's about the right to defend yourself."

### **ILLINOIS COUNTIES PASS CONCEALED CARRY REFERENDUM**

Referendums asking the state of Illinois to pass a concealed carry law were supported by voters in most counties on election day. An advisory referendum asking if people supported citizens being allowed to carry concealed weapons passed in 10 of the 14 counties where it was on the ballot.

It failed in Winnebago, Kendall, LaSalle and McDonough counties.

It passed in Ogle, Crawford, Effingham, Franklin, Greene, Jasper, Jefferson, Saline, Union and Woodford counties.

The *Peoria Journal Star* published a misleading story, citing outcomes in only three of the 14 voting counties, two of which were opposed to concealed carry. The impression left was that voters had rejected concealed carry two to one, when in fact they approved it 10 to 4.

**IN THE STATES**

### **GEORGIA COUNTY ANTI-GUN ORDINANCE VOTED DOWN**

Madison County commissioners have voted 4-1 not to enact an ordinance that would have prohibited residents from firing a weapon within 300 feet of a home in the unincorporated areas of the county.

At least 100 county residents, many of them wearing anti-gun-control stickers, attended the meeting to protest the ordinance. The crowd forced commissioners to move the meeting to the county's courtroom, which still did not accommodate everyone.

Residents said commissioners would violate not only the Second Amendment, but also the rights of property owners if they approved the firearms ordinance.

### **MISSOURI POLICE BOARD NIXES GUN BUYBACK**

The St. Louis Board of Police Commissioners shot down Chief Daniel Isom's request to fund a repeat of last year's gun buyback that took more than 500 firearms off the street. Mayor Francis Slay, who supported the buyback, left the meeting before the vote, which required a majority.

In an unusual turn, the remaining members then deadlocked 2-2 on whether to set aside \$57,500 in seized drug money to pay people to hand over guns anonymously and with no questions asked. Board President Chris Goodson said he was against the idea because last year's buyback didn't prevent this year's rising murder rate.

### **PENNSYLVANIA TOWN PASSES STOLEN GUN ORDINANCE**

The city council of Pottsville (population 15,500) passed a new ordinance giving gun owners 24 hours to report a missing weapon, under penalty of a \$500 fine. Second-time offenders face a \$1,000 fine and up to 90 days in jail.

"Unfortunately, sometimes you have to pass rules to make stupid people make the right decisions," Councilman Dave Eckert said. Scott Thomas, who serves on the Republican State Committee of Pennsylvania believes it's unconstitutional for Pottsville to pass any gun law because the state has a preemption law.

### **SOUTH CAROLINA BUYERS LOAD UP ON TAX-FREE GUNS**

South Carolina's Second Amendment Sales Tax Holiday went off with a bang over the Thanksgiving weekend, said gun retailers. John Phillips, owner of Grady's Great Outdoors in Anderson, said business at the store during the state's first-ever tax-free gun weekend has been staggering. "We had over 100 people waiting when we opened Friday morning. Of those 100, 60 were here to buy guns."

### **SEATTLE MAYOR SET TO BAN GUNS ON CITY PROPERTY**

Mayor Greg Nichols has announced that he is proceeding with a public hearing on his proposed gun ban, making anyone entering city property with a gun guilty of criminal trespass. Nichols ignored a state attorney general's office opinion that he could not legally pre-empt state law with the handgun ban. Washington State law specifically reserves the "entire field of firearms regulation" to the state.

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

● **Washington, D.C.:** Losing Rep. John Dingell (D-MI) as the chairman of the Energy and Commerce Committee does not bode well for American gun owners. Dingell was a steadfast pro-Second Amendment voice during his long tenure in the House, where he helped defeat several gun control laws proposed by his more liberal colleagues. He coined the term "jack-booted thugs" about abusive agents of the BATF. Some years ago, Dingell, as Chairman of the committee concerned with promoting commerce, was instrumental in squashing gun control measures designed to close the mythical "gun show loophole." His job, he said, was to protect the individual's right to engage in lawful commerce of a legal product free from harassment by federal government agents.

● **Cleveland, Ohio:** The Buckeye Firearms Association has warned gun owners that extremist animal "rights" group, the Humane Society of the United States (HSUS), is back to its old tricks. The vehemently anti-hunting and anti-gun group once again called for a nationwide ban on lead ammunition, saying that studies by the Center for Disease Control (CDC) and the North Dakota Department of Health prove that game shot with lead ammunition poses a health threat to those who eat it. They lied. The CDC study of 736 North Dakota residents who ate wild game meat year round, some for over 10 years, actually shows they had lower lead levels in their blood than the American average.

● **Tel Aviv, Israel:** Former British Prime Minister Tony Blair's bodyguard caused a major security scare at Ben Gurion International Airport when his gun went off by mistake. The police special protection officer was unloading his gun prior to boarding a plane to London with Mr Blair when he accidentally fired into the ground. Israeli security guards and police rushed to the scene and detained him. According to Scotland Yard, the matter has been referred to the Directorate of Public Standards. A spokesman added: "As is routine, the officer concerned has been removed from operational firearms duties."

● **Chicago:** The CBS television affiliate in Chicago has found that their city is more dangerous than an Iraqi battlefield. In May, the station began tracking city shootings and posting them on Google maps. Information compiled from their reporters, wire service reports and the Chicago Police Major Incidents log found that 125 people were shot and killed throughout the city between the start of Memorial Day weekend on May 26, and the end of Labor Day on Sept. 1. That's nearly double the number of U.S. soldiers killed in Iraq over the same time period. Why? With the city's handgun ban, nobody's shooting back at the criminals.

● **Asbury Park, New Jersey:** Rasmussen Reports did a national telephone survey just before election day and found that nearly two-thirds of U.S. voters (63%) said Barack Obama was more likely than John McCain to restrict an individual's right to own a gun. Just 16% believed McCain was more likely to do so, and 22% were undecided. Sixty-three percent (63%) of Democrats said America needs stricter gun control, but 65% of Republicans took the opposite view. Unaffiliated voters by an eight-point margin did not see a need for stricter laws.

● **United Nations, New York:** The U.N. General Assembly has overwhelmingly endorsed the idea of an unprecedented treaty regulating the global arms trade, despite opposition from the United States. Of the U.N.'s 192 member nations, 147 voted in favor of drafting the treaty. Only the U.S. and Zimbabwe voted against it, with the other nations absent or abstaining. It would apply only to arms sales among nations, not commercial sales to individuals.

● **Beijing, China:** China's weapons laws are among the world's toughest. Its blanket ban on private ownership of rifles, pistols and even gun replicas is a core tenet of social policy. Still, a gun culture is taking hold. China may be freer from gun crime than many nations, and official statistics show overall crime on a down trend. Yet, reports about gun crimes turn up as often as several times a week even in the tightly controlled state-run media. The reports are often brief, without much follow-up as cases progress. Even communist gun control doesn't work.

# Parting Shot

## BE WARY OF THE OBAMA ADMINISTRATION

From the prospect of an incoming president and vice president with decidedly anti-gun-rights voting records, American gun owners have good reason to doubt the sincerity of liberal Democrats who claim to support firearm civil rights.

Far too many red flags are being waved for gun owners to take a benign posture just six months after a landmark Supreme Court ruling confirmed what they had known all along: that the Second Amendment affirms and protects a fundamental individual civil right to keep and bear arms.

President-elect Barack Obama is on record supporting gun registration, permanent renewal of the ban on so-called "assault weapons," slapping an exorbitant increase on the federal excise tax on firearms and ammunition, and banning handguns outright. His vice president-elect, Delaware's Joe Biden, is a veteran gun control advocate who authored the original "assault weapons" legislation.

Recently, it was revealed that prospective Obama Administration employees were being asked this invasive question: "Do you or any members of your immediate family own a gun? If so, provide complete ownership and registration information. Has the registration ever lapsed? Please also describe how and by whom it is used and whether it has been the cause of any personal injuries or property damage."

Aside from demonstrating a serious ignorance of gun laws - only five states require some level of gun registration - this question suggests that gun owners, or kin of gun owners, will face anti-gun discrimination in their job search. Call it guilt by association, either with firearms or with a relative who owns one.

If this is the kind of "change" we can expect under the Obama administration, gun owners have reason to worry. The more Democrats "change" the more they stay the same. American citizens flocked to gun shops after the election. Many of those people, ironically, voted for the Chicago Democrat. Obama reinforced gun owner apprehension by appointing Rahm Emanuel - point man for the Clinton administration on gun control issues - as his chief of staff. Eric Holder, his nominee for Attorney General, signed an amicus brief in support of the Washington DC gun ban, while arguing that the Second Amendment does not protect an individual right to keep and bear arms, positions soundly rejected by the Supreme Court.

Both houses of Congress are controlled by Obama's Democratic Party. Leadership positions are occupied by devoted anti-gunners. They excel in pro-Second Amendment rhetoric, but labor to reduce that right to a highly-regulated privilege. Do both Congress and a Democrat president presume to ignore the Constitution?

*Alan M. Gottlieb*

*Joseph D. Tartaro*

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