

# POINT BLANK

**STRAIGHT TALK  
ABOUT WHAT YOU  
CAN DO TO  
PRESERVE YOUR  
RIGHT TO KEEP AND  
BEAR ARMS**



**September  
2007**  
Volume XXXII No. 9

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## **CITIZENS COMMITTEE FOR THE RIGHT TO KEEP AND BEAR ARMS**

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## **CCRKBA KEEPING EYE ON CONGRESS ACTION**

As members of both the Senate and House of Representatives come back into Washington, D.C., CCRKBA Members need to keep in mind some pertinent legislative matters associated with American gun rights.

One of these matters is the Tiahrt Amendment, which prevents anti-gun mayors from gaining access to confidential firearms trace data for use in harassing third-party civil lawsuits against the firearms industry, preserves the integrity of ongoing criminal investigations, and safeguards the lives of undercover law enforcement officers.

Prior to the recess, the House of Representatives voted 241-142 to pass the Fiscal Year 2008 Commerce, Justice and Science appropriations bill with the provisions of the Tiahrt Amendment included as part of that measure.

On the Senate side, the Appropriations Committee included a strengthened version of the Tiahrt Amendment in the appropriate FY08 measure it approved and hopefully, the full Senate will approve the measure.

The reason this is so important is that gun grabbers, led by New York City Mayor Michael Bloomberg, have been trying to eliminate the Tiahrt Amendment from the Commerce, Justice and Science Appropriations measure. Even though CCRKBA and others have been able to stop them so far, they are expected to continue their efforts.

We urge CCRKBA Members to continue informing their Representative and both of their Senators regarding the importance of maintaining the Tiahrt Amendment as integral to protecting the right to keep and bear arms.

Another issue of great importance is the so-called NICS improvement bill, which passed both the entire House of Representatives and the Senate Judiciary Committee without roll call votes but with the support of both the NRA and the gun control lobby. That measure goes to the full Senate.

Supposedly drawn up to update and strengthen the NICS data base, CCRKBA maintains that the proposal does not go far enough to protect the rights of American gun owners but apparently would make it easier to prevent mentally ill persons from legally buying guns at retail outlets.

CCRKBA thinks the proposal should fully restore the process through which citizens can get relief from disabilities that prevent them from owning and buying firearms. The government should automatically remove from the NICS data base the names of persons included for minor infractions that should not be disqualifiers to petition the states to have those entries removed.

CCRKBA also believes the proposal should cut off federal funding to schools that prohibit teachers and students from carrying guns on campus when these people have state issued permits to carry concealed firearms.

# GOTTLIEB SAYS ANTI-GUN CITY VOTE IS "LUDICROUS"

Following a late July vote by the San Francisco Board of Supervisors to adopt tough new anti-gun laws, a sponsor of the ordinances admitted that they probably won't quell violent crime, prompting CCRKBA Chairman Alan M. Gottlieb to call passage of these new ordinances an exercise in futility.

"Supervisor Ross Mirkarimi, in a remarkable fit of candor, admitted to the news media that these new gun ordinances won't stop violent crime," said Gottlieb. "Yet the Board of Supervisors has voted to tighten its chokehold on the self-defense rights of law-abiding citizens and the one retail gun dealer in the city. This is ludicrous. You don't stop criminals by punishing their victims."

Gottlieb recalled that the Second Amendment Foundation, which he founded, "sued the city more than 18 months ago over its 2005 gun ban initiative. By passing these new ordinances, which are only slightly less restrictive than a ban, it appears the city now admits they will ultimately lose that lawsuit in court."

The new ordinances will prohibit the civilian possession or sale of firearms on city property, and require that firearms in residences be in a locked container or have trigger locks.

Supervisor Aaron Peskin called the new laws "silly feel-good legislation with no teeth."

Gottlieb stated that, "Supervisor Peskin has the issue nailed solidly. Supervisor Sophie Maxwell admitted that these anti-gun issues are 'separate from' crime, and that explains a lot. Maxwell's statement acknowledges that they are impotent against dangerous thugs, so instead they

concentrate on citizens who don't commit crimes. First the criminals victimize these people, and then the city government further victimizes them. How stupid is that?

"This is the kind of anti-gun mentality against which we constantly have to battle. It is a pity there aren't more supervisors like Peskin, who understand the truth about these measures, and will renounce them publicly for the foolishness they represent."

Just before the Supervisors' anti-gun voting, the San Francisco violence that had been confined to more crime-plagued neighborhoods crossed into a major tourist area, with a shooting that left one person dead and put bullet holes through the front window of a popular restaurant.

The anti-gun Mayor's Office of Criminal Justice alleged that "gun-related" homicides, injuries from shootings, and "gun crimes" in and around schools are becoming increasingly common.

Nathan Ballard, spokesman for anti-gun Mayor Gavin Newsom, said right after the Board of Supervisors vote, "We're pleased that, as soon as the mayor signs this, San Francisco has the strongest anti-gun laws in the nation." The mayor sponsored the legislation along with both Supervisors Maxwell and Mirkarimi, and signed it into law after the Supervisors' vote.

Despite the new laws, however, Mirkarimi said he doubts they will quell the kind of violence that occurred just before the vote. Police reportedly suspect that violence may be tied to a feud between San Francisco area gangs.

That shooting happened at the corner of two San Francisco streets

across from a local Hilton Hotel and near a cable car turnaround.

"Nobody should be surprised about the migration and proliferation of gun violence in San Francisco," said Mirkarimi. "We've been saying this for over two years that the murders and gun violence that have been occurring in the more routine areas."

The new restrictions passed 8-3. Supervisors Chris Daly and Ed Jew joined Peskin in voting against them.



## POINT BLANK

*"Straight talk about what you can do to preserve your right to keep and bear arms."*

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**POINT BLANK** is published monthly by Citizens Committee for the Right to Keep and Bear Arms, Liberty Park, 12500 N.E. Tenth Place, Bellevue, Washington 98005.

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# CCRKBA NOTES GOVERNOR ADMITS GUN LAWS IMPROPERLY ENFORCED

"The Governor of Maryland, Martin O'Malley, made a most surprising admission recently when he admitted that the key to stopping violence with firearms across the region is not enacting new gun laws, but rather enforcing laws already on the books," CCRKBA Public Affairs Director John M. Snyder noted.

"What is truly ironic about this development," he continued, "is that the Baltimore, Maryland – Washington, D.C. corridor is an area in which some of the Nation's most adamant advocates of more and more restrictive gun controls hang their political hats. Indeed, when O'Malley himself was elected Governor, he ran as the so-called Free State's standard-bearer of the gun control intoxicated state Democrat Party. Hopefully, this recent news is some indication that at least some of these gun control prone politicians may be beginning to see at least part of the light.

"These politicians are a long way from recognizing the fact that it is the overly restrictive and even Draconian anti-gun laws themselves which at least contribute to if not in fact actually cause violent crime by putting criminals on notice that law-abiding citizens will be unable to resist personal criminality with armed force. Perhaps, though, this is at least a small step in the right direction."

In late July, O'Malley joined anti-gun D.C. Mayor Adrian Fenty, also a Democrat, at a press conference at 7<sup>th</sup> District Police Headquarters in Washington, D.C. in announcing creation of a D.C.-Maryland Gun Task Force. They said the joint effort, including sharing records and more inspections at gun shops and

auctions, will improve attempts to track the flow of illegal guns.

Officials of both areas, reported *The Washington Times*, said at the press conference that "the key to stopping gun violence across the region is enforcing gun laws, not creating new ones."

A report prepared by the Washington Metropolitan Police Department indicated that most of the guns seized last year in the District of Columbia were traced to Maryland and Virginia shops.

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According to the report, 250 were sold in Maryland and 248 were sold in Virginia. However, the report does not specify whether or not the dealers legally sold the guns.

The Commonwealth of Virginia is not part of the task force. Fenty, however, said he has "reached out" to Virginia Governor Tim Kaine, also a Democrat. Also, Washington, D.C. Chief of Police Cathy L. Lanier said she "has been talking with Virginia authorities."

Fenty said the task force's efforts will be particularly important in the city's 6<sup>th</sup> and 7<sup>th</sup> police districts because they border Prince George's County in Maryland, from where many of the guns come and because that is where most of the shootings occur.

The report showed that a District Heights, Maryland dealer was the

top seller of the guns seized last year. It sold 76 of them, three times more than the second-highest seller, in Upper Marlboro, Maryland.

Washington, D.C. Attorney General Linda Singer said the city will investigate whether the top seller in question is selling gun illegally. According to the *Times*, "the shop owner could not be reached for comment."

Prince George's County Executive Jack B. Johnson, another Democrat, also attended the press conference and said the county would take part in task force efforts.

The District of Columbia's 169 homicides last year was a 20-year low and 81 percent of them were committed with guns, according to Washington, D.C. police. As of late July, the department reported at least 104 homicides so far this year.

"A decade or so ago, it was drugs that really drove the crime," Fenty said. "Now it's the enormous growth of guns in the streets of the District," he alleged.

However, preliminary data show there had been roughly twice as many assaults and robberies without guns than with them as of late July.

The District of Columbia's 30-year ban on handguns was overturned in March by a federal appeals court in the *Parker v. District of Columbia* case as a violation of the individual Second Amendment right to keep and bear arms. However, the city successfully asked the court to keep the laws in force through the appeals process. Fenty said he plans to file a challenge to the appellate court ruling in the United States Supreme Court and had until the fifth of this month to do so after an extension to the 90-day deadline was granted.

# COLLEGE CO-ED HAILS GUNS IN SELF-DEFENSE

For men and women who have spent years defending the individual, traditional Second Amendment civil right of law-abiding American citizens to keep and bear arms for self-defense, it is most heart-warming to realize that there are in the United States young men and women who really get the message and who are willing to come out in public and relay the message, and are able to do so in a cogent manner.

Such a young person is Rosemary Scheetz, a young woman who writes: "I have to admit I am anxiously awaiting my 21<sup>st</sup> birthday, but not for the reason that most people cannot wait to turn twenty-one.

"For me, the day that I turn twenty-one is not the day to go out and drink alcohol; it is the day that I finally will be able to take a significant step in self-defense: I will be able to buy a handgun and apply for a concealed handgun permit."

Rosemary is a Junior at Christendom College in Front Royal, Virginia majoring in Theology.

It is perhaps of some significance that this young pro-gun rights spokeswoman is pursuing her academic program in the Commonwealth of Virginia. This is the same state in which the horrid murders earlier this year at Virginia Tech gave rise to so much public discussion regarding the right of students to be able to defend themselves against deranged murderers.

"I am an ordinary citizen who has no desire to harm anyone," Rosemary writes on GrasstopsUSA.com. "I do not do anything stupid like walk alone though dark alleys at night, but I want a gun so that I have a method of self-defense. As a woman, I acknowledge

the truth; I am not nearly as strong as the average man. Therefore, the likelihood of my being able to fight off an attacker is slim.

"You see, approximately 700,000 women are raped each year: 61 percent of these women are under 18, and 29 percent are 18-24 years old. If these women had guns they would better be able to defend themselves, and in fact, approximately 200,000 women use a gun every year to defend themselves against sexual abuse."

To illustrate this point, Rosemary noted "this certainly was the case for Maria Pittaras who awoke one morning to find a knife at her throat and a masked man on top of her. Fortunately, her father had given her a gun. She was able to grab her pistol and shoot her attacker."

Maria Pittaras, a 28-year old chemist who worked at Bausch and Lomb and lived in Land O'Lakes, Florida, was awakened at two o'clock in the morning of August 9, 2000 by Robert J. Metz, the 47-year-old mentally-ill construction worker who was lying on top of her and whom she shot in the neck twice with her .38-caliber handgun, killing him. "I gave her that gun for protection," said Spiros Pittaras of Palm Harbor, Florida, her father, shortly after the incident.

Rosemary Scheetz notes, though, that "98 percent of the time that a citizen brandishes a gun in self defense, the crime is diverted without a fight. Now, I have a problem with the fact that current laws prohibit any woman under the age of 21 from defending herself with the surest means of self-defense, a gun.

"Surveys reveal that felons are more worried about armed citizens than they are about the police. Why then,

I ask, am I forbidden from having a gun until I turn twenty-one? What is the logic behind this law? Do I need no defense prior to this age? Or does turning twenty-one magically make me a responsible individual who will use a gun wisely?"

In order to get a concealed weapons permit, writes Scheetz, "You are required to take certain classes and prove your ability to handle a gun. If I can pass the requirements before 'coming of age,' why can't I get a handgun? The government seems to forget that my life could be on the line. I do not like taking chances with my life.

"There should not be an age limit for buying guns, nor for carrying a concealed weapon. The requirements for being competent with gun handling and treating a gun with respect should be upheld. However, age should not be a prerequisite for purchasing or carrying a gun. Everyone has the right to self-defend; why do we make it illegal for those under the age of 21 to carry a gun for self-defense?"

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- [GunWeek.com](http://GunWeek.com)
- [WomenandGuns.com](http://WomenandGuns.com)

# UK HANDGUN CRIME UP DESPITE HANDGUN BAN

A new study suggests that the use of handguns in the perpetration of criminal acts in the United Kingdom rose by forty percent in the two years after the firearms were banned.

This is especially significant since so many gun control extremists in the USA cite the UK experience as one worth emulating.

The research, commissioned by the Countryside Alliance Campaign for Shooting, has concluded that existing laws are targeting legitimate users of firearms rather than criminals.

The ban on ownership of handguns was introduced in 1997 as a result of the Dunblane massacre, when Thomas Hamilton opened fire at a primary school leaving 16 children and their teacher dead.

However, the report suggests that despite the restrictions on ownership the use of handguns in crime is rising.

The Centre for Defence Studies at Kings College in London, which carried out the research, said the number of crimes in which a handgun was reported increased from 2,648 in 1997/98 to 3,685 in 1999/2000.

It also said there was no link between high levels of gun crime and areas where there were still high levels of lawful gun possession.

Of the 20 police areas with the lowest number of legally held firearms, 10 had an above average level of higher crime.

And of the 20 police areas with the highest levels of legally held guns

only two had armed crime levels above the average.

The campaign's director, David Bredin, said: "It is crystal clear from the research that the existing gun laws do not lead to crime reduction and a safer place.

"Policy makers have targeted the legitimate sporting and farming communities with ever-tighter laws but the research clearly demonstrates that it is illegal guns which are the real threat to public safety."

He said the rise was largely down to successful smuggling of illegal guns into the country.

Weapons even have been disguised as key rings no larger than a matchbox to get them in, he said.

## CITIZEN ACTION PROJECT

A new school year is opening across the country, and this is a good time to focus on school curriculums that include opportunities to promote the safe and proper use of firearms.

Promoting firearms safety is just as important as defending gun rights, and one might consider them one-and-the-same. It has been well-established that firearms safety training has contributed to a dramatic reduction in accidents, and that students involved in such activities as school-related rifle and shotgun are far more likely to handle firearms safely. Likewise, getting young people involved in the shooting sports is the most effective strategy for keeping them interested as adults, which will keep our tradition alive.

If your school district does not have some type of firearm safety and extra-curricular program, speak to your school administrators about starting one. Recently, reporter Phil H. Shook noted in an Associated Press report that "shooting clay targets with a shotgun is a growing sport at high schools and elementary schools across the country. More than 7,000 students from fifth through seventh grade now take part in trap, skeet and sporting clay activities and competitions in 35 states." Tell *that* to your school board and administrators.

Explain that youth opportunities abound, thanks to programs including Hunter Education, National 4-H Shooting, the Jaycees and Scouting. If you belong to a local gun club, or frequently visit an indoor shooting range in your community, get them involved in your effort to promote a genuine gun safety and extra-curricular shooting (as opposed to a hysteria-driven gun *fear*) program in your school district.

Become acquainted with your school administrators and board members on a first-name basis, and offer to be a sounding board for questions about firearm safety. Make sure they have your e-mail address and telephone number. You might even volunteer to serve on a committee, through the local PTA or with the school board, that explores opportunities and builds programs that promote safe and responsible firearm use.

Find out when the school board meets and ask to make a presentation. Put together a small packet of information that might include gun safety pamphlets, telephone numbers for a local 4-H Shooting Sports coordinator or volunteer hunter education instructor, and provide this to the school board or superintendent.

You might just get an "A+" for effort!

# LAW SCHOOL DEAN CCRKBA DEFENDER

Dean Daniel D. Polsby of George Mason University School of Law in Arlington, Virginia is the CCRKBA Gun Rights Defender of the Month for September.

In nominating Polsby for the Award, John M. Snyder, CCRKBA Public Affairs Director, pointed out that, "Throughout his career, Dan has written a number of scholarly articles and briefs supporting the individual Second Amendment civil right of law-abiding American citizens to keep and bear arms. As Dean of George Mason Law School, he has maintained and developed on faculty the most distinguished and high-powered group of law school Second Amendment scholars in the United States. Most recently he joined with a number of other legal scholars and several public interest groups, including CCRKBA, calling for the dismissal of a District of Columbia handgun ban in the *Parker v. District of Columbia* case.

Dan points out that the entire question about whether the Second Amendment refers to an individual or a collective right is a false one. He says there really is no such thing as a collective right, as right by definition protects the individual in some way from a collectivity of some sort. "Dan's incisive and succinct reasoning," comments Snyder, "shows up the 'collective' right theory for what it really is – an attempt by restrictive gun control advocates to overcome constitutional protections against their program."

Dan has been Foundation Professor of Law at George Mason since 1999. He became Acting Dean in 2004, and then Dean. During Dan's tenure at George Mason, it has been

the venue for the annual Firearms Law & Second Amendment Symposium hosted by Law Students for the Second Amendment along with the NRA Foundation and the NRA Civil Rights Defense Fund.

Polsby was Kirkland & Ellis Professor of Law at Northwestern University prior to joining the George Mason faculty. He has held visiting appointments in the law schools of the University of Southern California, University of Michigan, and Cornell University.

Dan has published dozens of articles on such diverse subjects as voting rights, family law, employment rights, and spectrum utilization. He is the author of "The False Promise of Gun Control," the cover essay of the March 1994 *Atlantic Monthly*, one of the most widely anthologized essays of recent years.

In that seminal article, Dan wrote that, "Gun control laws don't work. What is worse, they act perversely. While legitimate users of firearms encounter intense regulations, scrutiny, and bureaucratic control, illicit markets easily adapt to whatever difficulties a free society throws in their way. Also, efforts to curtail the supply of firearms inflict collateral damage on freedom and privacy interests that have long been considered central to American public life."

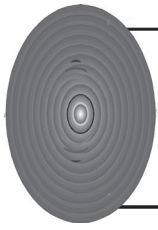
He also wrote, "Everyone knows that possessing a handgun makes it easier to intimidate, wound, or kill someone. But the implication of this point for social policy has not been so



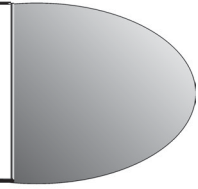
*Snyder nominated Polsby for the Award.*

well understood. It is easy to count the bodies of those who have been killed or wounded with guns, but not easy to count the people who have avoided harm because they had access to weapons. Think about uniformed police officers, who carry handguns in plain view not in order to kill people but simply to daunt potential attackers. And it works. Criminals do not generally single out police officers for opportunistic attack. Though officers can expect to draw their guns from time to time, few even in big-city departments will actually fire a shot (except in target practice) in the course of a year. This observation points to an important truth: people who are armed make comparatively unattractive victims. A criminal might not know if any one civilian is armed, but if it becomes known that a large number of civilians do carry weapons, criminals will become warier."

Dan received his B.A. from Oakland University and earned his J.D. magna cum laude from the University of Minnesota in 1971. Among the subjects he has taught are Family Law, Torts and Criminal Law.



# QUICK SHOTS



Former President George H.W. Bush got his World War Two service revolver back in August, 60 years after giving it to a Navy lieutenant aboard the submarine that rescued him when his plane was shot down over the Pacific Ocean, reported the Associated Press. Bush donated the revolver to the National Constitution Center the same day the son of Lt. J.G. Albert H. Brostrom returned the .38-caliber Smith & Wesson and its holster to him. Brostrom was the sonar man on the USS Finback, which rescued Bush, a Navy pilot, after he was shot down September 2, 1944 by Japanese aircraft fire. Brostrom brought the future president to the infirmary and later shared his bunk with him. Bush gave Brostrom the revolver in gratitude.



A former Bakersfield, California police officer turned armed pastor helped nab a man who allegedly stole a car from his church's parking lot, reported Fox News. James Kilgore, pastor at Taft Free Will Baptist Church, said he always keeps a gun and handcuffs in his fanny pack. They came in handy in late July when one of his elderly parishioners left Bible study to find his car had vanished. Kilgore and Walter Brenton, 72, drove around looking for Brenton's 1986 Ford Crown Victoria, and spotted the alleged thief driving it a few blocks away. The pastor followed the driver until he crashed, tackled him and then handcuffed him until police arrived on the scene. Ronald Lee Allen, 46, of Taft, was arrested on suspicion of grand theft auto

and being in possession of stolen property, said Kern County sheriff's Sgt. Martin Downs.



"Hopefully," wrote columnist Terrence P. Jeffrey in commenting on a Washington, D.C. plan to appeal an appellate court's decision striking down the D.C. handgun ban, "a majority of the Supreme Court will stand as firmly today in defense of the right to keep and bear arms as Americans once did at Concord Bridge."



BATFE no longer routinely checks addresses of some buyers at gun shows after being accused of chilling sales at one show in 2005, according to a July report from the U.S. Justice Department. However, Justice Department Inspector General Glenn A. Fine wrote in the 56-page report that the checks were part of BATFE gun show investigations that appear to have been warranted. "We found the BATFE's decisions to conduct investigative operations, including those in the Richmond, Virginia area, were based on significant law enforcement intelligence from a variety of sources indicating that illegal activity was occurring or was about to occur at a specific gun show," the report concluded. A BATFE spokesman reportedly agreed with the report's findings,

calling it "an objective assessment of BATFE's investigative operations at gun shows." The so-called blanket residency checks sought to verify addresses for gun show buyers living in certain targeted areas. BATFE abandoned the checks five months after dealers at an August 2005 gun show in Richmond said sales plummeted from buyers being intimidated by police showing up at their homes, and sparking congressional concern. A January 2006 memo from BATFE headquarters advised agents against conducting residence checks "without reasonable suspicion that criminal violations may exist," the report noted. The U.S. attorney's office in Alexandria, Virginia found the checks "were resource-intensive and rarely resulted in prosecutions for only providing a false address or other federal firearms transaction documents."



"All Swiss men must do military service, they all learn to shoot, and when they go home, they take their assault rifles and 50 rounds of ammunition with them," notes Deutsche Welle. "'For me, it's just routine,' said Philippe Schaub, heading home after his latest stint in the army. 'We all do military service. We're all given a gun to take home. I keep it in my cupboard just like the coats and the snowboard and the vacuum cleaner.'"

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**Check the enclosed flier for information about the Gun Rights Policy Conference October 5, 6 and 7, 2007 in Cincinnati, Ohio.**

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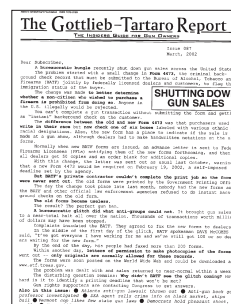
## The Journal of Firearms and Public Policy:

At last, an academic journal dedicated to scholarly discussion of firearms and public policy! The JOURNAL OF FIREARMS AND PUBLIC POLICY has published annually since 1989. Its mission: to encourage objective research on the right to keep and bear arms, and explore America's Constitutional heritage to privately own and possess firearms. Edited by David B. Kopel – Research Director at the Independence Institute and renowned gun-rights scholar – and contributors include Randy E. Barnett, Glenn Harlan Reynolds, John R. Lott, Joseph P. Tartaro, Gary Kleck, and others.

## The Gottlieb-Tartaro Report:

Here's a monthly newsletter that gives you inside gun-rights information from the desks of active principals in the battle for the right to keep and bear arms. The GOTTLIEB-TARTARO REPORT is headed by Alan M. Gottlieb – chairman of the Citizens Committee for the Right to Keep and Bear Arms – and Joseph P. Tartaro – editor of Gun Week and president of the Second Amendment Foundation. This monthly newsletter is full of inside gun rights news straight from the desks of the experts. Not available on newsstands. Regular subscription \$60 per year.

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