

# POINT BLANK

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



**April  
2012**  
Volume XXXVII No. 4

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

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## **CCRKBA PROMOTES SEN. MORAN'S RKBA PROTECTION BILL**

When Kansas Senator Jerry Moran recently introduced legislation to protect Second Amendment rights from a proposed United Nations small arms treaty, the Citizens Committee for the Right to Keep and Bear Arms was already supporting the measure.

Sen. Moran's proposed Second Amendment Sovereignty Act, S. 2205 is similar to legislation introduced in the House by Illinois Congressman Joe Walsh in December 2011, which CCRKBA helped draft. Like the Walsh bill, Sen. Moran's measure would prohibit the Obama administration from attempting to influence Arms Trade Treaty negotiations that might restrict the Second Amendment rights of U.S. citizens. The U.N. is scheduled to take up the proposed treaty in July, so timing was critical.

"We're delighted that Sen. Moran has unveiled this bill," said CCRKBA Chairman Alan Gottlieb. "With the U.N. poised to move on its proposed treaty this summer, it is important for Congress to fulfill its responsibility to protect our Constitutional rights, rather than allow them to be eroded by international political correctness."

Gottlieb has actually been to the U.N. headquarters in New York to discuss the pending international treaty, and he was also instrumental in the formation of an international gun rights organization called IAPCAR, the International Association for the Protection of Civilian Arms Rights.

"In the fall of 2009," he recalled, "the Obama administration reversed long-standing opposition to U.S. participation in Arms Trade Treaty negotiations. While this treaty purportedly will concentrate on conventional military weapons, including tanks and missiles, there remains a genuine threat that its scope could be expanded during negotiations to include civilian small arms and ammunition."

But that doesn't mean U.N. negotiators won't try to change the scope of this treaty as it moves toward fruition, he cautioned. The legislation introduced by Sen. Moran and Congressman Walsh essentially puts Capitol Hill on notice that this proposed treaty will face intense scrutiny if it is sent to the U.S. Senate for ratification.

"Such a treaty could have a significant impact on hunters, target shooters and every other American citizen who exercises his or her Second Amendment right to keep and bear arms," Gottlieb stated. "The Citizens Committee will be watching these negotiations under a microscope, and in the meantime, we will encourage our members and every gun owner to contact their two senators and urge them to support Sen. Moran's legislation."

# WA STATE SHOOTING AFFIRMS CASTLE DOCTRINE

The silence was deafening from gun prohibitionists in Washington State following a self-defense shooting in the city of North Bend, the Citizens Committee for the Right to Keep and Bear Arms noted, because earlier in the month, Washington Ceasefire had launched a campaign to get guns out of the home.

At the time Ceasefire President Ralph Fascitelli told KOMO News in Seattle, "There's this concept that if you don't have a gun in your home, your home is unprotected."

"Well," Fascitelli said at the time, "get a baseball bat or a knife if you are really concerned about that."

But CCRKBA Chairman Alan Gottlieb looked at the shooting reports and said Ceasefire's position was "utter nonsense" and the North Bend case proved it.

The unidentified homeowner and his girlfriend were awakened by the sound of breaking glass when the suspect, a 30-year-old North Bend man who was described as heavily intoxicated threw a propane tank through the house's sliding glass doors, which were locked. Storming through the home, the suspect yelled threats to kill the people inside.

The homeowner armed himself with a semiautomatic pistol while his girlfriend called police. The entire incident was captured on audio.

In the 48 hours following the shooting, details about the dead man surfaced. He had been dropped off at a freeway exit about one mile from the shooting scene because he

was apparently violently drunk and threatening to "kill anybody who tries to stop me."

The man's first stop was at two gas stations, where he harassed customers and allegedly demanded money. Police were called but by the time they arrived, the suspect had vanished. Next, he showed up in a residential development about one mile away, banging on a house where a mother was home alone with her child. She also called police and by the time they arrived, the suspect had gone about two blocks to another home, where the shooting occurred.

"The case in North Bend underscores the absolute foolishness of homeowner disarmament," Gottlieb said. "Based on reports from the Sheriff's Department, while the homeowner's girlfriend was on the phone, he told the suspect repeatedly that he had a gun, and that the suspect should leave.

"Instead," he continued, "the man smashed through the bedroom door, and the homeowner fired, killing him. Sheriff's deputies were at the scene of the first attempted home invasion, proving that police cannot be everywhere at the same time, and that in an emergency, when seconds count, they could be minutes away."

Ironically, the Ceasefire advertising campaign had urged homeowners to "Think twice about having a gun in your home."

"After this," Gottlieb observed, "residents in North Bend won't have to think twice. While it is regrettable

that the homeowner had to fatally shoot the suspect, we are grateful that the homeowner and his girlfriend did not become statistics."

Sheriff's deputies, who were within a couple of blocks of the shooting scene, arrived a few minutes after the home invasion incident began.

"If the North Bend couple had taken Ceasefire's advice," Gottlieb noted, "they might now be dead. That might satisfy Ceasefire's habit of exploiting tragedies, but it doesn't square with responsible people who want to be safe in their own homes."



## POINT BLANK

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

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# 'GUN-FREE' ZONES A DEADLY MYTH, SAYS CCRKBA

The deadly shooting at a small, private university in California underscores the fallacy that there is such a thing as a "gun-free zone" and that such designated areas offer any semblance of true safety, the Citizens Committee for the Right to Keep and Bear Arms noted.

The April 2 incident left seven people dead and three others wounded.

CCRKBA has been supportive of the Students for Concealed Carry organization, and has made certain that representatives from that group have appeared at the annual Gun Rights Policy Conference, cosponsored by CCRKBA and the Second Amendment Foundation.

"Laws that prevent people from defending themselves in emergencies only make for safe working environments for criminals," noted CCRKBA Chairman Alan Gottlieb. "Look back at the history of such incidents and the single common denominator with all of them is that they each happened in a so-called 'gun-free zone'."

The suspect in this latest outrage, One L. Goh, did not take his own life like other campus killers. Instead, he surrendered to police about an hour after fleeing the crime scene. He was described as a 43-year-old former student at the small Christian university where the slayings occurred. He

apparently had been expelled from the school earlier this year, and his intended victim, a school administrator, was not present when the shooting occurred. Oikos University serves the Korean community in Oakland.

One account of the shooting suggested that the killer lined up his victims against a wall and methodically murdered them one-by-one. Another account had him opening fire as students began running. Either way, Gottlieb noted, the victims in this shooting were rendered defenseless.

"Gun-free zones leave innocent people to the mercy of killers who don't understand the concept of mercy," he observed.

## CCRKBA TELLS WA LAWMAKERS; 'NO MORE'

Following two tragic shooting fatalities involving children in Washington State, anti-gunners moved to exploit the incidents to push for additional gun laws, but when the prosecutor filed a felony charge against the mom in one case and her male friend who owned the gun, the Citizens Committee for the Right to Keep and Bear Arms moved fast.

CCRKBA Chairman Alan Gottlieb noted that criminal charges prove the state does not need some new gun law, only to enforce ones already on the books. By filing the charges, Pierce County Prosecutor Mark Lindquist may have headed off a legislative campaign.

"The Citizens Committee has maintained all along that the answer to this sort of tragedy is not to rush out and pass some restrictive new law," Gottlieb said. "Instead, Lindquist has acted with an existing statute,

and that should send a message to Olympia that we have ample laws already to hold people accountable for their negligent acts."

Lindquist charged gun owner Eric Vita, 23, and the boy's mother, Jahnisha McIntosh, 22, with second-degree manslaughter in the death of Julio Segura-McIntosh. Vita had placed his 9mm pistol under the seat when he stepped out to pump gas shortly after midnight. The youngster got hold of the pistol, but McIntosh took it away from him and subsequently put it under her seat and then got out and left the vehicle. The toddler got the pistol a second time and shot himself in the head.

There was a bizarre element to the story, as Gottlieb noted, because this shooting followed closely on the heels of another incident where an off-duty police officer left a loaded revolver in his van and the children

got hold of it. The officer's daughter was struck fatally by a bullet that apparently was fired by a sibling while the parents were out of the van.

"What these criminal charges signal," Gottlieb said, "is that anti-gun rights state lawmakers should refrain from rushing to exploit a tragedy in order to push their personal political agenda. Let prosecutors do their jobs, and let the existing law work."

In the past, anti-gunners have used such tragedies to push their gun control agendas and CCRKBA has always been there to stop them.

Manslaughter has been a charge used in the past to punish negligence, Gottlieb acknowledged, so this is not new legal ground.

"Naturally, it will be up to a judge and possibly a jury to determine whether the charge Lindquist filed is appropriate to the situation," he stated.

# CCRKBA DEFENDS 'STAND-YOUR-GROUND' LAW

In the wake of the shooting of 17-year-old Trayvon Martin in Sanford, FL by George Zimmerman, anti-gun and anti-self-defense advocates leaped on the tragedy to push their agenda in an effort to do away with the law – and the concept – while also looking to tighten down on concealed carry laws.

But the Citizens Committee for the Right to Keep and Bear Arms went to bat immediately for the Florida statute and similar laws. CCRKBA Chairman Alan Gottlieb, in interviews with MSNBC's Chris Matthews and various radio stations, reminded people that the law should not be on trial for the actions of a single individual.

The mainstream press turned the investigation into a circus of outrage, which attracted publicity hounds

including anti-gun Sen. Charles Schumer, along with Jesse Jackson, Al Sharpton and Louis Farrakhan. Schumer jumped into the spotlight by telling reporters that he would push for Capitol Hill hearings on Stand-Your-Ground laws.

A grand jury was to convene April 12 to probe the Martin shooting, but in the meantime, the media worked feverishly to indict the law that has allowed many citizens to act in justifiable self-defense when previously they would have been expected to seek any possible escape route, thus leaving them vulnerable to attack from behind. Under the old statutes, which mandated a "duty to retreat" the burden of proof always fell on the private citizen who acted in self-defense.

Under the stand-your-ground philosophy, it is up to the government

to prove someone guilty of a crime beyond a reasonable doubt. Such laws also protect private citizens from civil litigation filed by family members of criminals who might have been fatally shot by an intended victim.

More than 20 states enjoy some form of stand-your-ground legislation and at least one state – Washington – has a history of State Supreme Court rulings that have imbedded the concept into law without the necessity of legislation. As far back as 1917, Washington's Supreme Court has ruled on cases involving self-defense and upheld the principle that a person who is attacked in a place he or she has a right to be does not have to retreat. Instead, that citizen may stand his/her ground.

## GOTTLIEB SLAMS UN RIGHTS CHIEF CALL FOR TRAYVON MARTIN PROBE

UN rights chief Navi Pillay's call for an "immediate investigation" into the circumstances surrounding the death of an unarmed black US teen, shot by a neighborhood watchman drew harsh criticism from Citizens Committee for the Right to Keep and Bear Arms' chairman Alan Gottlieb.

"This is simply a bold face attempt to use this tragic incident to build support for the United Nation's upcoming Arms Trade Treaty that would destroy Second Amendment rights of Americans," said Gottlieb.

"As High Commissioner for Human Rights, I call for an immediate investigation," Pillay told reporters in Barbados.

"Justice must be done for the victim. It's not just this individual case. It calls into question the delivery of justice in all situations like this."

Neighborhood watch captain George Zimmerman, a Hispanic, fatally shot 17-year-old Martin inside a gated community in the Florida town of Sanford on February 26.

Zimmerman has said he acted in self-defense after Martin punched him in the nose, knocked him down and slammed his head into the ground.

Pillay expressed shock that Zimmerman was not arrested right away, and expressed concern about Florida's "Stand Your Ground" law, which allows the use of deadly force in situ-

ations where there is a belief of a threat.

"The law should operate equally in respect of all violations. I will be awaiting an investigation and prosecution and trial and of course reparations for the victims concerned," Pillay said.

"Reparations against gun owners are a central theme in the push for the UN Arms Trade Treaty," Gottlieb noted.

Gottlieb added, "There is a coordinated effort by the media, the Obama administration and world-wide gun banners to use this incident to push for restrictions on private gun ownership."

# BLOOMBERG: 'BEFORE YOU DISARM AMERICA, DISARM YOUR BAD COPS'

With the convictions of two former New York police officers, one a retired NYPD officer and the other an auxiliary sergeant, for drug offenses, the Citizens Committee for the Right to Keep and Bear Arms today suggested that anti-gun Mayor Michael Bloomberg has his sights set on the wrong people to disarm.

"Instead of disarming law-abiding Americans," said CCRKBA Chairman Alan Gottlieb, "perhaps Mayor Bloomberg should keep guns out of the hands of some cops on his public payroll."

Former police officer Alfredo Rivera was carrying his department-issue 9mm pistol when he and then-Sgt. Rafael Jimenez agreed to move 10 kilograms – about 20 pounds – of cocaine to a buyer in the Bronx at a meeting in January 2010. Two months

later, again armed with the same pistol, Rivera showed up at a Long Island warehouse picking up what appeared to be cocaine, and then transported it to the Bronx. Jimenez pulled a 127-month prison sentence and Rivera will be sentenced on May 18, according to an FBI press release.

"Bloomberg is running around the country, worrying about privately-owned firearms," Gottlieb observed, "while the city was issuing guns to dirty cops. The activities of Rivera and Jimenez are an insult to every honest and decent hard-working police officer in New York City. Bloomberg's national campaign against gun ownership is an insult to every law-abiding gun owner in the country; people who wouldn't dream of running drugs like this pair of city-armed rogue cops.

"Mayor Bloomberg likes to hold all gun owners responsible for crimes committed by people with guns," he continued. "He routinely smears the reputations of reputable gun dealers because a few have, perhaps inadvertently, violated some gun regulation. By the same logic, he should be held responsible for crimes committed by sworn officers, including an auxiliary sergeant, who engage in criminal activity under the cover of their badges and guns.

"If Michael Bloomberg wants to attack criminal activity by armed outlaws," Gottlieb concluded, "we suggest he stick to his own turf and concentrate on his own people rather than citizens in other states. He's not their mayor, he's not their president and he's not their king. He's just become a big pain in their necks."

## CITIZEN ACTION PROJECT

Last fall the U.S. House of Representatives passed H.R. 822, a bill that mandates all states that issue concealed carry licenses to its citizens also recognize the carry permits issued by all other states. H.R. 822 passed on a 272-154 bipartisan vote.

Recently two similar bills were introduced in the U.S. Senate. Like H.R. 822, S. 2188, by Senator Mark Begich (D-AK) would require states to recognize all concealed carry licenses issued by other states. Unfortunately, this leaves out residents from "Constitutional carry" states (Vermont, Alaska, Arizona, Wyoming and parts of Montana) who don't need a license to carry in their home state. Taking that into account, Senator John Thune (R-SD) introduced S. 2213, that would also force states to recognize the right to carry concealed by residents of those Constitutional Carry states. S. 2188 has two additional cosponsors, while S. 2213 has 28 cosponsors.

S.2213 has a much higher hurdle to clear as it would allow citizens to carry just on their state drivers licenses. While S. 2213 is a "purer" Second Amendment bill, S. 2188 stands a far better chance of passage. Both bills are a major step forward, and both are deserving of our support.

It's time once again to write, e-mail or telephone your two U.S. Senators and ask them to support both of these commonsense bills. And take a little extra time to contact Senate Majority Leader Harry Reid and Minority Leader Mitch McConnell with the same request. Contact information for your Senators is available at <http://www.ccrkba.org>. Scroll down the left margin to "Congressional Information" and "Contact your U.S. Senator."

# RHONDA EZELL – WARRIOR WITH A CAUSE

Chicago's Rhonda Ezell is a gallant lady with two missions in life: "Doing what I can do for the Second Amendment," and winning her very personal battle against a kidney ailment that has her waiting desperately for a transplant.

This 44-year-old Chicago native became the central figure in a gun rights victory against Chicago's gun control ordinance that banned shooting ranges inside the city limits, despite a requirement that people seeking a permit must take a training course that includes shooting on a range.

Ezell, a life member of the Illinois State Rifle Association and a victim of crime in her South Side neighborhood, took one look at Chicago's ordinance and concluded, "This is nonsense."

She recalls that when the city – in response to its Supreme Court loss in *McDonald v. Chicago* – first passed its new gun ordinance, she had just gotten out of the hospital. She contacted ISRA for details and just happened to encounter Pearson and the Lawsons at police headquarters. She told them about all the hoops she had jumped through in order to obtain a permit to keep a handgun in her home.

"They decided my rights had been violated," she commented.

So, too, did a federal appeals court in the case of *Ezell v. City of Chicago*, and it elevated Rhonda to the status of local celebrity in the gun rights movement, something she accepts with considerable modesty.

The lawsuit was a joint effort by CCRKBA's sister organization, the Second Amendment Foundation, plus ISRA and Action Target,

Inc., along with two other Chicago residents, William Hespen and Joseph Brown. Rejected by the lower court, it took a unanimous federal appeals court ruling to put the city in its place.

CCRKBA Chairman Alan Gottlieb noted: "The court is making it clear that cities cannot adopt firearms ordinances that are so deliberately restrictive that they make it impossible for citizens to exercise their rights under the Second Amendment."

The 3-0 ruling, written by Judge Diane S. Sykes, observed, "It's hard to imagine anyone suggesting that Chicago may prohibit the exercise of a free-speech or religious-liberty right within its borders on the rationale that those rights may be freely enjoyed in the suburbs. That sort of argument should be no less unimaginable in the Second Amendment context."

In a concurring opinion, Judge Ilana Diamond Rovner noted, "...the city may not condition gun ownership for self-defense in the home on a prerequisite that the City renders impossible to fulfill within the city limits."

It brought a big smile to Rhonda Ezell's face when she visited last year's Gun Rights Policy Conference in Chicago. She was especially complimentary of the work done by attorneys Alan Gura of Virginia and David Sigale of Chicago.

"I've actually owned a firearm for a while," Ezell told *Point Blank*. "I was an average shooter, and I joined ISRA several years ago just so I could be familiar with the rules and regulations for owning a firearm. You want to do it legally, for the protection of your home and life."

Very few people realized that while Ezell was fighting the good fight to

secure their Second Amendment rights in the Windy City, she was fighting a personal health battle as well. She suffers from kidney disease, but she refuses to let it get her down. She is on the waiting list at the University of Chicago Medical Center for a kidney transplant. She is hoping for a donor to contact Kathy Davis, the Living Donor coordinator at the medical center.

With her kidney troubles, she admits that there are times when she is fatigued and it sometimes comes down to wondering "whether you will wake up and have a good day or a bad day."

"It leaves me vulnerable," she acknowledged. "There are limitations. You accept the fact that you are no longer the person you used to be. That's hard on anyone."

She thinks the city is missing a huge opportunity to generate revenue and bring business to the city, because shooting ranges will bring plenty of traffic. She believes that if Illinois adopts a concealed carry permit system, it will be a boon.

"It is the last piece of the puzzle," Rhonda explained. "That's going to make it (shooting range development) more marketable. People are going to want to go to a gun range and practice because they have to comply with the ordinance."

"Being a part of that is such a big thing," she admits. "When they see your face and hear your name, you are proud to be part of it and do something positive."

For her strength of character, determination and devotion to the cause of firearm civil rights, CCRKBA is proud to recognize her as the Gun Rights Defender of the Month.



# QUICK SHOTS

On February 29, state House Democrats walked out in protest of the two bills, which were scheduled for debate on the House floor.

The two bills, one which expands self-defense rights for gun owners and another which adds constitutional gun rights protections to the state constitution, ultimately passed after the Democrats returned to debate.



New numbers from the state of Ohio show a sharp increase in the number of people holding concealed carry permits in the state.

According to the *Cleveland Plain-Dealer*, citing figures from the Ohio state attorney general's office, over 265,000 state residents hold an Ohio concealed carry permit; this includes nearly 50,000 who obtained one just last year.

In the last three years alone, nearly 154,000 people got a CCW license, more than doubling the number of permit holders.



The federal agency which governs aviation is weighing in on a proposed gun range in South Dakota.

According to the *Rapid City Journal*, the Federal Aviation Administration indicated at a March 13 meeting of local officials that it wouldn't oppose the location of the proposed range in Custer. The shooting facility is slated to go on

land near the local airport, causing concern amongst neighbors and airplane pilots who fly in and out of the airport.

The paper reports that the local land use and zoning codes permit a range to go in where it is currently proposed to go.



A major league baseball team will be allowed to celebrate its firearms heritage, and it all is thanks to the help of gun rights activists.

The Houston Astros are celebrating their 50th season in existence this season, and according to Fox News, the team had planned to play two games wearing uniforms of the original namesake of the team, the Colt 45's, and were slated to include an image of a firearm across the front, something which apparently drew opposition from MLB.

However, after protests, MLB relented, and allowed the team to proceed, meaning the jerseys will be worn by the Astros players for two April home games in Houston, against the Atlanta Braves and the Los Angeles Dodgers.



According to the *Associated Press*, Smith and Wesson announced that its revenue climbed 24% in the third quarter to nearly \$100 million, and that helped send its stock price up. This beat Wall Street's estimate of just over \$95

million. The Massachusetts-based company reported a net profit of \$4.4 million for the third quarter of the fiscal year, which ended Jan. 31. This amounted to seven cents per share of S&W stock.

The company also announced that it projected higher yearly revenues than had been previously forecast.



San Francisco prosecutors reached a deal in the case of county Sheriff Ross Mirkarimi, who was being tried in connection with allegations of domestic violence against his wife.

The sheriff plead guilty in a San Francisco courtroom to what was reported by the *San Francisco Chronicle* as a misdemeanor charge of false imprisonment over the alleged incident. According to the paper, prosecutors dropped several other charges as part of the agreement.

The *Chronicle* said that despite the plea agreement, Mirkarimi's trouble may not be over; San Francisco's mayor could seek a charge of official misconduct against the sheriff, which could result in his dismissal.



The 27th Annual Gun Rights Policy Conference will be held September 28, 29 and 30, 2012 at the Hyatt Regency at the Airport in Orlando, Florida.



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TODAY!**

**September 28, 29  
and 30, 2012**

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## **2012 Gun Rights Policy Conference**

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**Sponsored by the Citizens Committee for the Right to Keep and Bear Arms  
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Come meet national gun rights leaders and your fellow grassroots activists at the 27th Annual Gun Rights Policy Conference (GRPC 2012) in Orlando, Florida. This is your once a year chance to network, get an insider's look and plan pro-gun rights strategies for the coming year.

Past GRPCs have outlined victory plans and made public the latest firearms trends. They allow you a first-hand chance to hear movement leaders and make your voice heard.

This year we'll take a look at critical issues such as: city gun bans, "smart" guns, concealed carry, federal legislation, BATFE policies, gun show regulation, state and local activity. We'll preview the upcoming Presidential and Congressional races and analyze Right to Keep and Bear Arms court cases.

The full roster of GRPC 2012 speakers has not yet been set. Past speakers have included: Alan Gottlieb, Joseph Tartaro, Eugene Volokh, Wayne LaPierre, Michael Reagan, Larry Elder, Cong. Joe Walsh, John Lott, Sandy Froman, Massad Ayoob, Tom Gresham, Alan Gura, Bob Barr, G. Gordon Liddy, Larry Pratt and many others. Check our web sites - [www.saf.org](http://www.saf.org) or [www.ccrkba.org](http://www.ccrkba.org) for updates.

### **CONFERENCE and HUNDREDS OF DOLLARS WORTH OF MATERIALS ARE FREE!**

Books, monographs and other materials—enough to start a Second Amendment library are free, as are Saturday luncheon, and Friday and Saturday evening receptions. Other meals, travel and lodging are to be paid by attendee. Hotel rooms can be reserved at the Hyatt Regency Orlando, Florida Airport at a special rate later in the summer. Registration and other details will be confirmed by email.

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Yes, I want to attend. I understand that registration, conference materials and luncheon will be provided courtesy of CCRKBA and SAF. All other meals, lodging and airfare are to be paid by attendee.

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