

POINT BLANK

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



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

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CCRKBA HONORS ACTIVISTS AT GUN RIGHTS CONFERENCE

Several individuals and organizations were honored by the Citizens Committee for the Right to Keep and Bear Arms during the 27th annual Gun Rights Policy Conference held Sept. 28-30. Recipients were announced during the annual awards luncheon, which is a highlight of the conference, this year held at the Hyatt Regency Orlando Airport Hotel.

This year's recipient of a Lifetime Achievement Award was Congressman Joe Barton (R-TX), who was also one of two keynote speakers at the event.

Barton represents Texas' 6th Congressional District, in the state's northeast region. He has served 14 terms on Capitol Hill, and has a strong history of supporting and protecting gun rights.

CCRKBA also recognized Doug Ritter, founder and chairman of KnifeRights.org, an organization that promotes the right to carry knives under the Second Amendment right to bear arms. In several areas, knives are severely regulated, and in New York City, people are charged with crimes for having pocket knives.

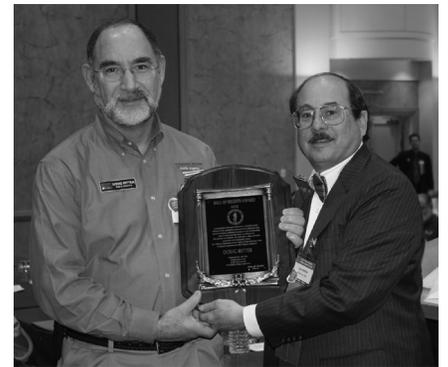
Jim Irvine, president of the Buckeye Firearms Association in Ohio, earned the Gun Rights Defender of the Year Award.

U.S. Senator Jerry Moran (R-KS), who could not attend this year's event, earned the Gun Rights Legislator of the Year Award. Moran worked with CCRKBA staff earlier this year to author of the Second Amendment Sovereignty Act, S. 2205. This legislation is aimed at preventing the administration from attempting to influence Arms Trade Treaty negotiations that might restrict the Second Amendment rights of U.S. citizens.

The 2012 Grassroots Activist of the Year Award went to Jose Barreras with Damas de la Segunda Enmienda in Puerto Rico.

The Grassroots Organization of the Year Award went to the Calguns Foundation. This California group has been instrumental in pushing legal actions and organizing against the gun control tidal wave in Sacramento.

This year's Affiliate of the Year recipient was the Illinois State Rifle Association, not only for its work in the legal arena but also for pushing the Illinois Legislature to adopt some sort of concealed carry legislation.



Ritter and Gottlieb

RETIRED JUSTICE'S COMMENTS SEND SIGNAL

When retired Supreme Court Justice John Paul Stevens addressed the Brady Campaign to Prevent Gun Violence gathering, his remarks underscored the importance of having a pro-gun president and a pro-gun majority in the U.S. Senate, noted Alan Gottlieb, chairman of the Citizens Committee for the Right to Keep and Bear Arms.

Stevens wrote dissenting opinions on both the 2008 *Heller* and 2010 *McDonald* rulings. Both of those high court decisions affirmed the Second Amendment's protection of an individual civil right to keep and bear arms that goes beyond mere service in a militia.

"In both of his dissents," Gottlieb noted, "Justice Stevens contended that the right to keep and bear arms was limited to state militia service. It was, and remains, an astonishing position on a fundamental civil right."

Demonstrating just how astonishing were his positions, when Justice Antonin Scalia wrote the majority opinion on *Heller*, he observed, "Justice Stevens relies on the drafting history of the Second Amendment—the various proposals in the state conventions and the debates in Congress. It is dubious to rely on such history to interpret a text that was widely understood to codify a pre-existing right, rather than to fashion a new one. But even assuming that this legislative history is relevant, Justice Stevens flatly misreads the historical record."

In another instance, the majority opinion stated, "Justice Stevens presses *Presser* into service to support his view that the right to bear arms is limited to service in the militia by joining *Presser's* brief discussion of

the Second Amendment with a later portion of the opinion making the seemingly relevant (to the Second Amendment) point that the plaintiff was not a member of the state militia. Unfortunately for Justice Stevens' argument, that later portion deals with the Fourteenth Amendment; it was the Fourteenth Amendment to which the plaintiff's non membership in the militia was relevant. Thus, Justice Stevens' statement that *Presser* suggested that... nothing in the Constitution protected the use of arms outside the context of a militia, post, at 40, is simply wrong..."

Virtually everyone in the anti-gun community erroneously read the infamous 1939 *Miller* decision: "Justice Stevens places overwhelming reliance upon this Court's decision in *United States v. Miller*, 307 U. S. 174 (1939). "[H]undreds of judges," we are told, "have relied on the view of the amendment we endorsed there," post, at 2, and "[e]ven if the textual and historical arguments on both sides of the issue were evenly balanced, respect for the well-settled views of all of our predecessors on this Court, and for the rule of law itself... would prevent most jurists from endorsing such a dramatic upheaval in the law," post, at 4. And what is, according to Justice Stevens, the holding of *Miller* that demands such obeisance? That the Second Amendment "protects the right to keep and bear arms for certain military purposes, but that it does not curtail the legislature's power to regulate the nonmilitary use and ownership of weapons."

"Nothing so clearly demonstrates the weakness of Justice Stevens' case. *Miller* did not hold that and cannot

possibly be read to have held that..."

"What Justice Stevens' dissents and his speech to the Brady Campaign clearly underscores," Gottlieb said, "is the critical importance of who is president, not just for the next four years, but whenever a vacancy occurs on the high court. Imagine if Justice Stevens' opinions had prevailed."

"A liberal, anti-gun majority could easily narrow the scope of our Second Amendment," he added. "That's why it is important for gun owners to have a pro-gun-rights president and pro-gun majority in the Senate, especially on the Judiciary Committee."



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

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CCRKBA SAYS ANTI-GUNNERS LOST DEBATE

Barack Obama wasn't the only loser in the first of three presidential debates with Mitt Romney.

So, too, was the Brady Campaign and other gun prohibitionists who unsuccessfully tried to prevail on moderator Jim Lehrer to ask the candidates how they would reduce so-called "gun violence."

Washington Times senior editor Emily Miller revealed that the Brady Campaign had "lined up relatives of

some of those killed in the Aurora, Colo., theater shooting to pen a letter that appealed to (Lehrer) to ask the candidates a loaded question."

Over the past few years, despite a number of high-profile shootings, gun control lobbying organizations have seen their influence wane. During the same period, gun ownership has continued to climb significantly, and more citizens are obtaining carry permits and licenses.

Anti-gunners were unable to derail concealed carry legislation in Wisconsin, and there are estimates that more than 8 million citizens are licensed to carry.

While Democrats inserted gun control in their party platform, it really did not become a campaign issue, which also reinforces the notion that the issue and its proponents do not have the political clout they enjoyed under Bill Clinton 20 years ago.

CCRKBA BLASTS COOK COUNTY 'GUN TAX' IDEA

A proposal to create a new tax on firearms and ammunition in Cook County, IL quickly drew harsh criticism from the Citizens' Committee for the Right to Keep and Bear Arms, which called the idea a "utopian panacea."

While many observers believe the idea was floated as a political trial balloon, gun owners across the country took it seriously, considering that the City of Chicago forms the nucleus of Cook County.

The proposal was initially suggested as a means of filling a budget deficit. Much of the county's budget is devoted to both the county's public health clinics and two hospitals along with the criminal justice system that includes the courts and jail, according to the *Chicago Sun-Times*.

"Law-abiding firearms owners in Cook County should not be shouldering the bills for criminals," CCRKBA chairman Alan Gottlieb said.

The proposal, introduced by Cook County Board President Toni Preck-

winkle, is intended to close what the *Sun-Times* said is a \$115 million deficit in their 2013 fiscal year budget.

"Under Preckwinkle's plan, honest citizens would be financially punished for the bad behavior of a criminal element that appears to be rampant and unchecked, considering the number of shootings and murders that have been tallied," Gottlieb said.

"This violent crime surge," he continued, "seems to correlate with the election of Rahm Emanuel as Chicago's mayor. Maybe President Preckwinkle should send the bill to Emanuel. Of course, he might have an empty wallet, considering the money he's spent fighting court battles to thwart gun rights in the city, not to mention the \$399,950 he had to finally pay to the Second Amendment Foundation this year for legal costs because the city lost the McDonald case."

The *Chicago Sun-Times* quoted a Preckwinkle aide who suggested

the tax would be "consistent with our commitment to pursuing violence reduction in the city and in the county." That drew an immediate rebuttal from Gottlieb.

"That's a pretty smug attitude," he asserted, "considering that in September, just in Chicago, there were 41 slayings. That doesn't reflect much of a commitment to reduce violence, but this tax idea certainly suggests that Preckwinkle—like so many other Chicago politicians—is trying to shift the blame to someone else."

The current homicide count in Chicago alone is above 400, and the year is not over. That does not include murders outside of the city but still in the county.

"Perhaps Preckwinkle should consider an alternative," Gottlieb suggested. "How about a tax on politicians for impairing the gun rights of law abiding citizens by preventing them from protecting themselves, their families and their homes from the county's violent criminals?"

BIG MEDIA TURNOUT AT

As the dust settles on another successful Gun Rights Policy Conference in Orlando, planning is already underway for the 2013 conference in Houston, Texas.

The Orlando event saw a large media turnout, primarily for a presentation on self-defense by attorney Mark O'Mara, who represents George Zimmerman, the man accused of murder in the slaying of teenager Trayvon Martin.

The conference also saw a record number of speakers, according to Alan Gottlieb, chairman of the Citizens Committee for the Right to Keep and Bear Arms. The GRPC was co-sponsored by CCRKBA and the Second Amendment Foundation.

O'Mara's appearance was the headliner, and with an audience consisting largely of Florida residents, his discussion about self-defense under that state's law was well-received. He quickly made it clear to the audience that he was not going to discuss the Zimmerman case, however.

In Florida, and in many other states, a person is allowed to use deadly force if they reasonably believe they are in imminent danger of grave bodily harm. O'Mara made it clear, though, that "in Florida, if you used a weapon...and you do so unreasonably, (you) get prosecuted." He reiterated that point a couple of times.

O'Mara acknowledged that he has been criticized for suggesting that Zimmerman's case is not about Stand Your Ground, while maintaining that it is a self-defense case. He said there will be an immunity hearing during which a judge will hear facts of the case and then make a determination whether Zimmerman may

be immune from prosecution under Florida's self-defense statute. O'Mara supports that process.

O'Mara also indicated that he supports the idea of compensation to citizens who are prosecuted but found not-guilty for having acted in self-defense.

"If a citizen is put to the task of proving that what they did was right," he commented, "they should be compensated for that."

GUN-FREE FOLLY

There was also a presentation by researcher John Lott, author of *More Guns = Less Crime*, regarding gun-free zones.

Professor Lott told the audience that there has been a lot of misrepresentation about Stand Your Ground laws, but then he quickly turned his attention to the Aurora, CO "Batman massacre."

"I don't think people realize this but out of the seven movie theaters playing the Batman movie within 20 minutes of the killer's address, only one had signs banning guns in the theater," he noted.

The vast majority of theaters, restaurants and other businesses allow customers to carry concealed handguns on their premises, he explained. His research included checking on-line for the location of nearby theaters in Aurora.

Lott noted that the press reports "kind of implied" that the Cinemark Theater was "near his apartment" and may have been the only such establishment close to him.

Lott said disarming law-abiding citizens but not criminals can lead to this kind of event.

He pointed to the Sikh Temple shooting in Wisconsin, mall shootings in Nebraska and elsewhere, and other

areas where a mass shooting has occurred in a gun-free zone.

"With only one exception very single one of these multiple victim shootings have occurred in places where permit-concealed carry is banned," he observed.

Global Gun Control

Retired Major General Allen Youngman executive director of the Defense Small Arms Advisory Council gave an overview of the gun control activities in Africa and other regions around the globe.

He explained what happened to the treaty earlier this year, noting that the US delegation stood up and said this country would not participate.

"It's not over and probably never will be," he said.

Sheldon Clare, president of the National Firearms Association of Canada, reported on activities north of the border. He said elections make a big difference in civil rights, noting that the last national election in Canada gave the conservatives a majority in Parliament.

MILLER TIME

One of the highlights of the conference was the appearance by *Washington Times Senior Editor* Emily Miller, explaining her transformation as a gun owner in the District of Columbia.

Miller's award-winning newspaper series "Emily Gets Her Gun" drew a huge following in the *Washington Times* and on-line for its revealing look at how the D.C. government deliberately crafted gun regulations that are designed to discourage law-abiding citizens from exercising their Second Amendment rights inside the city.

GRPC; HOUSTON IN '13

The District's 30-year handgun ban was struck down in 2008 by the U.S. Supreme Court in the landmark Heller ruling, but city officials have made it confusing and costly for citizens to exercise their rights.

Miller was taking care of a friend's dog when she came back to the house to discover a stranger coming out the door. It turned out he was part of a burglary team working the neighborhood.

This led Miller to the decision she needed a gun, launching a journey through what has become a regulatory labyrinth. From that emerged her award-winning series, earning the 2012 Clark Mollenhoff Award for Investigative Reporting from the Institute on Political Journalism.

Growing Networks

Advice on growing state gun rights networks – a CCRKBA specialty – came from a panel featuring Sean Caranna, co-executive director of Florida Carry; Gene Hoffman, chairman of the Calguns Foundation, and Brent Carlton, president of Commonwealth Second Amendment, Inc.

Caranna told the audience that in Florida, activists saw that the original preemption law “had no teeth,” so there was a push to give that statute some muscle, and they succeeded.

Caranna explained how Florida Carry has been networking with grassroots activists.

“Once you light a fire under certain people,” he said, “and tell them there's work to be done...and give them a little bit of direction...you're going to find that you have some people with some outstanding talent within your state.”

Carlton told the audience about strategic litigation in Massachusetts

to challenge local gun laws. He said local organizations are critically important to the overall gun rights movement. He also noted that if Massachusetts gun owners can create an activist organization, “You can do it too.”

The Bay State is a “target rich environment” for legal activities, he said. His group has gotten advice from attorneys Alan Gura and David Jensen. The value of local organizations is that they are familiar with local issues.

Hoffman said the place where this year's election results will be felt the most will be in the federal courts and the Supreme Court.

GROWING THE BASE

Growing the base of gun owners to engage in the “popular culture war” was the focus of a panel including author Alan Korwin, Madison Rising President Richard Mgrdechian, screenwriter Neil Schulman and *Women & Guns* editor Peggy Tartaro.

Tartaro said there are many ways for gun rights activists to connect with people, whether simply talking to friends or co-workers, inviting someone to the range or interacting with people at public meetings. She noted that many people watching the Olympics this year focused on archery events, thanks to the popularity of the film, *The Hunger Games*.

Likewise, the rise of “zombie shoots” is based on a television series called *The Walking Dead*.

Mgrdechian talked about the Madison Rising rock band that is pro-military, pro-America and pro-gun. The opening track on the band's album is “Right to Bear.”

The band was created to “fill a void in the music market, which is notori-

ously anti-American and anti-gun.” He said pop culture is the best form of communication and it reaches people at an emotional level, and it is easy leverage.

By listening to the album, he said, there is a good chance others will be listening too, and the message may reach them. He said it is subtle, in the background and it makes an impression in a subliminal fashion.

Schulman, who has written books and produced a film with a pro-gun message, told the audience that he has been “a hard-core activist since the 1980s.”

However, Schulman warned that “We've got an age gap problem.”

Appealing to a new generation requires a new approach. He is currently working on a new movie with a pro-rights theme. His first novel, *Alongside Night*, is the basis for that film, which deals with the economic collapse of government because of spending. He described it as a “pure, pro-liberty, pro-Second Amendment” film that takes place in the future in Las Vegas.

Korwin explained his approach with a band he calls *The Cartridge Family*. He discussed how different words and phrases can be used to change the dialogue and conversation.

“The people who hate guns think the correct position is to be against pro-gunners,” he observed.

He encouraged people to say they are pro-rights rather than pro-gun, because that places the opposition in the realm of “anti-rights.”

He suggested getting rid of the term “assault weapon,” by noting that “assault” is a type of behavior, not a type of firearm.

MICRO-STAMPING UNDER FIRE AGAIN

A recent suggestion that the Remington Arms Company might move its operation from Ilion, N.Y. to another state once again spotlighted the controversy over micro-stamping.

Microstamping, otherwise known as "ballistic imprinting", imprints tiny marks on the firing pin. In theory, this is supposed to help police track guns used in criminal activity back to their owners. It is this costly and not-yet-proven system that lies at the root of the apparent controversy, but there is another aspect of mandating this technology that nobody dares to discuss, until now.

"The unmentioned detail in this mandate," noted CCRKBA Chairman Alan Gottlieb, "is that this system would require nationwide gun registration in order to have the remote potential to succeed."

After a Fox News story surfaced about a suggested move, Gottlieb was compelled to weigh in.

Gottlieb was quick to note that gun registration is hardly universal in the United States. It is an issue that pro-rights activists have fought for generations.

Gottlieb wondered why states would consider such proposals when those

measures could drive out a fast-growing industry from their areas.

"Why should firearms manufacturers tolerate this sort of intrusive, feel-good legislation when they can easily relocate to states with more friendly business environments," he asked. "American gun makers have every right to simply walk away from such nonsense and take their revenue and jobs with them. New York's loss would be someone else's financial gain, and ultimately, the beneficiaries would be American consumers, whose privacy will not be penalized in the interest of utopian political correctness."

There is a more practical side of the argument, Gottlieb acknowledged.

"Not only would that be a smart business move," he observed, "but it would also affirm that Remington is run by people with common sense; people who know microstamping is a costly requirement that amounts to a bogus panacea to violent crime."

"For starters," he explained, "police have to recover shell casings at a crime scene, and that doesn't happen if a criminal uses a revolver. Secondly, it's easy to replace or deface a firing pin in most semi-automatics so the micro stamped part is removed or altered."

The controversy elicited some tongue-in-cheek traffic on several firearms rights discussion forums. Several people wanted the gun company to move to their state, whether Oklahoma, Missouri or Washington, for example. The move would provide jobs and also put a major firearms manufacturer in their neighborhood.

Meanwhile, there did not appear to be any genuine movement on the part of the gun maker to actually pull up stakes in New York to relocate.

CITIZEN ACTION PROJECT

By the time you read this, the 2012 general election will be history. We may have a new president -- or not. Congress may have shifted to single party control, or it may still be split between Republicans and Democrats.

One thing remains constant, however: the role of the individual citizen in influencing their elected officials.

"I am the gun lobby" isn't just an expression on a bumper sticker, it's true. The strength of the "gun lobby" isn't in the lobbyists we employ to state our case in Washington or in our state capitols, it's YOU, American gun owners who are willing to stand up and hold their elected officials responsible.

Just as you have a responsibility to vote for candidates you believe will best represent your interests, you have an equal responsibility to communicate your thoughts, your wishes, to these individuals. No one is an expert on everything, and nowhere is this more true than on the firearms rights issue. Ignorance and misinformation (frequently intentional) abound.

This is the time to write or e-mail your elected officials (save your telephone calls for time-sensitive, short items), introduce yourself if they're newly elected, and tell them what issues are most important to you.

Contact information for current office-holders can be found in the left margin of the CCRKBA web site (<http://www.ccrkba.org>) by clicking on "Congressional Information." New officials won't have web sites until after they assume office (usually in January). Use this opportunity to "break the ice" with them, so that when gun bills begin to be filed in January, they're looking for your input.



QUICK SHOTS

The *St. Paul Pioneer Press* reported that the Minnesota State High School Clay Target League has formed, with around 100 schools participating. An estimated 1,500 students have already signed on to field teams in the league. This is causing the Minnesota State High School League, the state high school sports governing body, to look into possibly sanctioning the clay target league's state tournament. The newspaper said a vote could come before the end of the year.

Reaction has been mixed, according to the *Pioneer Press*, with some administrators expressing concern, while clubs report support among peers and their parents.

According to the *Outer Banks Voice*, one commissioner in Dare County has proposed legislation which would allow their officials who are licensed to carry concealed firearms within the state to do so within their buildings. This proposal was the result of concerns which surfaced after the county's social services office was shot at early one morning back in September. This apparently would not apply to legally armed private citizens.

According to WPTY-TV, the Mississippi DeSoto County board of supervisors is considering a regulation which would only allow people with state concealed carry licenses to carry their guns within the local

parcs; such a rule would conflict with Mississippi state law, which the TV station reports allows for legal carrying of firearms without a permit.

According to MLive.com, two alleged Laketon Township burglars were confronted by a homeowner who was armed with a shotgun. The website reported the 63-year-old homeowner was suffering from advanced stage cancer, yet he still held the pair at gunpoint until police showed up and took the two away. Both men were later charged with first-degree home invasion, MLive reported, which added that if the two are convicted, they could be facing up to 20 years in state prison.

According to the *LaSalle News Tribune*, officials in Spring Valley have been approached by at least two individuals who have expressed interest in opening indoor gun ranges within the downtown area, something which is not currently allowed under existing regulations.

Economic development officials told the newspaper they have been researching other cities' regulations for ranges and would need to address noise and safety issues before signing off on such proposals, which the paper indicated would follow along a vision local officials have been advancing of the city being an outdoors-friendly one.

Little Rock, Arkansas's KARK-TV reports that Faulkner County officials spent \$12,000 to purchase a .50 caliber "sniper rifle", but that the rifle wasn't for the county's police; instead, according to the TV station, citing information in public documents obtained by them via the Freedom of Information Act, a county administrator admitted to federal officials that he asked local prosecutors four years ago to purchase the weapon for his own personal use.

This revelation comes amidst a separate investigation into this administrator; KARK reports he has been charged with theft over what local prosecutors allege was his taking of county-owned asphalt, once again for his personal use, a claim which he has denied.

In response to the recent shooting at a Milwaukee spa, The Associated Press reports a state senator and representative have begun campaigning for a bill, proposed by the senator, which would force people who have had restraining orders taken out against them to turn their guns in within 48 hours of the order being issued or be arrested.

The calls for new legislation came after a 45-year old man who had a restraining order against him from his estranged wife walked in to the Brookfield, WI, spa where she worked and opened fire Oct. 21, killing three, including the estranged wife, and injuring four. The suspect later was found dead.

