

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



**November
2002
Volume XXVII No. 11**

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TO KEEP AND
BEAR ARMS**

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CCRKBA BLASTS AWAY AT BALLISTIC FINGERPRINT- ING

Alan M. Gottlieb, CCRKBA Chairman, blasted away last month at proposals to mandate ballistic fingerprinting throughout the United States.

The proposals followed the series of horrific sniper slayings in the Washington, D.C. area.

Gottlieb wrote in USA Today, "proponents of Maryland's ballistic fingerprinting law, enacted two years ago as a new tool in the war against crime, have some explaining to do, considering a string of sniper shootings during the past few days in the Maryland suburbs just outside Washington, D.C.

"The Maryland law applies only to handguns, while the serial killer, or killers, used a rifle. But even if the law did include rifles, neither it nor a similar push for similar ballistic fingerprinting laws across the nation would provide a serious crime-fighting tool. Before looking to expand the use of ballistic fingerprinting, lawmakers should ask how successful the Maryland law has been so far."

The answer to that, Gottlieb declared, "is a no-brainer. Ballistic fingerprinting has not solved or prevented a single gun crime in Maryland. Chances are, it never will.

"For ballistic fingerprinting to work as intended, a shell casing and/or bullet must be recovered at a crime scene. Markings on the bullet or casing must match those from a gun in a database. That gun must be found in the possession of the criminal who used it. Since the majority of armed criminals use stolen guns, tracing a gun to its original owner accomplished nothing."

Supporters of ballistic fingerprinting, charged Gottlieb, "don't tell you that a criminal can easily confound the system by changing the gun barrel or the firing pin, or otherwise altering the firearm. Gun experts know this. Ballistic fingerprint proponents are not gun owners."

Another matter to consider, wrote Gottlieb, would be "the enormous cost of this program, estimated by the National Rifle Association to be about \$5,000 per shell casing. The computer system housing this information cost Maryland taxpayers \$1.1 million. By one estimate, it takes another \$750,000 annually to operate the system. At a time of shrinking state budgets, can Maryland taxpayers really afford this program?

"Maryland's ballistic fingerprinting law has accomplished only what its proponents predicted. It has bogged down legal firearms purchases and created a de facto gun registry, two consequences that penalize law-abiding citizens while doing nothing to prevent the recent sniper shootings in the

UNFINISHED AGENDA

It appears most likely as of this writing that Congress will in fact conduct a "lame duck" session following the November 5th elections in order to conduct unfinished legislative business.

Among the agenda items on the list of unfinished business matters are several measures dealing directly or indirectly with the right to keep and bear arms.

One of these items is the attempt on the part of the gun rights activists to prohibit third party lawsuits against firearms manufacturers and dealers.

These are lawsuits, brought by anti-gun interests, to hold gun makers and dealers liable for death or injury caused by users of the products they make or sell.

CCRKBA maintains that these actions are back-door attempts to undermine the right to keep and bear arms by so intimidating gun industry representatives that they cease doing business in guns and ammunition.

We believe also that the theory underlying these lawsuits, if allowed to stand and subsequently be applied to other areas of the economy, could lead to a general undermining of the entire American free-enterprise economic system.

The House of Representatives version of the reckless lawsuit preemption legislative proposal, H.R. 2037, has 231 cosponsors as of this writing, has been approved by both the House Judiciary Committee and the House Energy and Commerce Committee, and should be on the way to the House

floor for consideration there.

The Senate version, S.2268, has 43 cosponsors as of this writing.

CCRKBA urges Members and Supporters to contact their U.S. Representative and U.S. Senators, asking them to act positively on these bills before time runs out in the 107th Congress.

Another unfinished agenda item of paramount concern is the move to allow commercial airline pilots to be armed in the cockpit if they so desire. CCRKBA has been promoting this idea ever since the September 11, 2001 militant Islamist terrorist attacks on the United States.

Legislative proposals for guns in the cockpit have been approved, overwhelmingly, by both the House and the Senate. However, the Senate version was approved as an amendment to another bill, H.R. 5005, which would set up a Homeland Security Department. The Senate as of this writing has not acted on the underlying proposal. Consequently, it cannot be sent to the President's desk for approval unless and until the Senate acts directly and positively on the underlying bill.

CCRKBA urges Members and Supporters to write their federal legislators regarding the guns in the cockpit proposal.

Other items of great concern to CCRKBA and gun owners generally during the concluding weeks of the 107th Congress are S.890, the proposal by Sens. John McCain of Arizona and Joe Lieberman of Connecticut and others to shut down guns\ shows as we

know them, as well as number of proposals to mandate ballistic fingerprinting of guns sold in the United States.

CCRKBA urges Members and Supporters to make sure their Senators and Representatives know they oppose these legislative approaches as infringements of the individual Second Amendment Foundation civil right to keep and bear arms.



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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2% NICS REJECTION RATE SEEMS STABLE

The Department of Justice's Bureau of Justice Statistics (BJS) announced recently that nearly two percent of the eight million applications made by United States residents to purchase or transfer firearms were rejected in 2001.

The 2001 rejection rate for firearms purchases is similar to the rejection rate of prior years. From the beginning of the Brady Handgun Violence Prevention Act on March 1, 1994, through December 31, 2001, almost 38 million applications were made to federally licensed dealers, of which about 840,000 or about two percent, were rejected, according to a new BJS bulletin on firearms sales and transfers.

The Brady Law requires state or local agencies or the Federal Bureau of Investigation (FBI) to conduct background checks on the eligibility of applicants to buy or otherwise acquire handguns or rifles. Applicants may be rejected for having a criminal record or being otherwise ineligible under federal or state law.

The system of background checks established in the Brady Act was implemented by the FBI as the National Criminal Background Check System or NICS. The NICS is a partnership between the states and the FBI. About half the applications for a firearm purchase are submitted to a state or local agency as the point of contact to the NICS while the other half are submitted directly to the FBI for processing.

According to the BJS report,

3,666,000 applications were submitted to the state and local agencies during 2001. Of these 86,000, or 2.3 percent, were rejected.

There were 4,292,000 applications submitted to the FBI. Of these, 64,500, or 1.5 percent, were rejected.

Thus, in 2001 overall, there were 7,958,000 applications. There were 151,000 rejections, for an overall rejection rate of 1.9 percent.

About 58 percent of rejections in 2001 were due to applicants' felony convictions or indictments; 14 percent were rejected for a domestic violence misdemeanor conviction or restraining order. Other reasons for rejection included state or local law prohibitions (7.5 percent); fugitives (six percent); mental illness or disability (one percent); drug addiction (one percent); and the remainder for other reasons (12 percent) such as having a dishonorable discharge from the armed services or being an illegal alien.

Federal law prohibits the sale of firearms to any person who:

- is a juvenile;
- is a fugitive from justice;
- is under indictment for, or has been convicted of, a crime punishable by imprisonment for more than one year;
- is an unlawful user of a controlled substance;
- has been adjudicated as a mental defective or committed to a mental institution;
- is an alien unlawfully in the United States;
- was discharged from the armed services under dishonorable con-

ditions;

- has renounced U.S. citizenship;
- is subject to a court order restraining him or her from harassing, stalking or threatening an intimate partner or child; or
- is a person who has been convicted of domestic violence.

Persons prevented by a background check from receiving a firearm or a permit may be subject to arrest and prosecution if they are wanted in an outstanding warrant or have submitted false information on their applications. About 1,900 arrests were reported by seven states providing data in 2001. In addition, BATF reported 175 arrests in Fiscal 2001.

For Point Blank readers who are interested, the bulletin, "Background Checks for Firearms Transfers, 2001" (NCJ-195235), was written by BJS staff members Devon B. Adams and Matthew J. Hickman, and Michael Bowling and Gene Lauver, of the Regional Justice Information Service. Single copies, according to BJS, may be obtained by calling the BJS Clearinghouse at 1-800-732-3277.



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HUNDREDS OF GUN RIGHTS ACTIVISTS GATHER FOR

Several hundred gun rights activists from all across the country gathered in Phoenix, Arizona the last weekend in September to attend and participate in the 17th national annual Gun Rights Policy Conference (GRPC) co-sponsored by CCRKBA and the Second Amendment Foundation (SAF).

“Defending Freedom” was the theme of the event.

Keynoters included Alan M. Gottlieb, CCRKBA Chairman, Joseph P. Tartaro, SAF President, and Wayne LaPierre, Executive Vice President of the National Rifle Association of America.

“With the road ahead clogged by piles of potential anti-terrorist legislation and regulations,” noted Gottlieb, “it is not just the airline industry, the stock market and the economy that has been affected, but it has affected the whole debate over individual rights versus security...”

LaPierre pointed out that there has been a change in the tactics of the gun grabbers since the September 11, 2001 terrorist attacks. Anti-gun groups such as the Brady Campaign (formerly known as Handgun Control, Inc.) and the Violence Policy Center now invoke the threat of terrorism, the potential harm to children, and the image of big fierce-looking guns to sell their gun control agenda.

“Since the 9-11 attacks,” said LaPierre, “anti-gun notables have been making a pathetic, opportunistic attempt to put their failed agenda on the back of this national tragedy.”

“Gun control as crime control has pretty much been debunked,” said Sporting Arms & Ammunition Manufacturers Institute spokesman Jack Adkins in explaining part of the reason for the switch in gun control tactics. He added that “opponents of

firearms ownership have now hit on gun control as a so-called safety or child protection issue, reframing the issue from one of crime to one of we need more gun control for the sake of the children.”

Adkins appeared on a panel discussing federal affairs, which featured also presentations by John M. Snyder, CCRKBA Public Affairs Director and SAF Treasurer, Larry Pratt, Executive Director of Gun Owners of America, John Burt, Chairman of the Fifty Caliber Shooter Policy Institute, and Kenneth V.F. Blanchard, a Director of the Law Enforcement Alliance of America and author of “Black Man with a Gun, People Fear What They Do Not Understand.”

During his talk, Snyder noted that there were numerous pro-gun and anti-gun bills pending in Congress. He emphasized the significance of proposals to provide for the arming of commercial airline pilots as a deterrent to terrorist attacks. He underscored also the significance of measures that, if enacted into law, would curtail or eliminate lawsuits against firearm manufacturers and dealers whose products are used by third parties in the perpetration of violent criminals acts.

A briefing panel on state legislative affairs featured presentations by Hawaii State Sen. Sam Slom, a SAF Trustee, Joe Waldron, CCRKBA Executive Director and GRPC Coordinator, Landis Aden, Legislative Liaison of the Arizona State Rifle & Pistol Associations, Richard Pearson, President of the Illinois State Rifle Association, and Steven Mead, LCDR, USN (ret.), Vice President of the Rights Education Fund.

Among the several themes surfacing during GRPC was the belief that true homeland security during this age of terrorism comes from having

an armed citizenry.

Glen I. Voorhees, Jr., a SAF Trustee, said it’s actually the government, more than terrorists, that has a history of misusing firearms. Neither the terrorist attacks of 9-11 nor the 1993 World Trade Center bombing, nor the Oklahoma City bombing were accomplished with firearms, he said.

He noted, though, that the federal government did use firearms at Ruby Ridge and Waco in the 1990’s. “These are crimes against our people,” he said, “and these were crimes in which guns were used. This is the same government that wants to disarm us so that they can protect us from themselves. I would caution you to say – not in our lifetimes!”

Homeland security is “being sold as a proposition whereby if you give up a certain amount of your freedoms, they will provide more security,” added Randall N. Herrst, President of the Center for the Study of Crime.

Joe Tartaro and David Kopel, Senior Policy Analyst for the Independence and Cato Institutes and a correspondent for National Review Online, conducted a session analyzing attacks on gun ownership by some physicians and by some academic personnel.

A panel on the role of the courts in deciding gun rights issues featured presentations by Dave LaCourse, SAF Special Projects Coordinator, William Gustavson SAF counsel in state court cases, Evan Nappen, author of “Nappen II: New Jersey Gun, Knife and Weapons Law,” and Chuck Michel, counsel to the California Rifle & Pistol Association.

Two eminent scholars described the ways in which history validates the individual right to keep and bear arms. The two were Joyce Lee Malcolm of Bentley College, author of “To Keep and Bear Arms” and “Guns &

FOR 17TH ANNUAL GRPC COSPONSORED BY CCRKBA

Violence: The English Experience,” and David T. Hardy, author of “Origins and Development of the Second Amendment” and “This Is Not an Assault.”

Sandra Froman, NRA Second Vice President and President of the 4-H Foundation, Don Turner, Chief Rangemaster of the Ben Avery Shooting Facility outside Phoenix, and Scott Moore, Director of the Scholastic Shooting Sports Programs of the National Shooting Sports Foundation (NSSF), all discussed youth shooting programs and the next generation of activists.

Alan Gottlieb, Gary Mehalik, NSSF Vice President for Communications, and Neal Knox, Chairman of the Firearms Coalition, discussed the significance of this year’s elections.

Mehalik and Keeva Segal, webmaster of gunweek.com and womenandguns.com, outlined the role of the gun industry at the present time.

Blanchard and Massad Ayoob, author, firearms trainer, police officer and SAF Trustee, discussed the intricacies of enforcing the law in an age of terrorism.

Pearson, Maria Heil, national spokeswoman for Second Amendment Sisters, and Alan Korwin, author of “Gun Laws of America,” all spoke on innovative legislative strategies.

Julianne Versnel Gottlieb, publisher of Women & Guns, and Peggy Tartaro, a CCRKBA Director, served as moderators for GRPC.

CCRKBA presented a number of awards to individuals and organiza-

tions during GRPC. These included the Bill of Rights Awards to Bill Gustavson, the Grass Roots Activist of the Year Award to John Burt, the Lifetime Achievement Award to Jeff Cooper, Founder of the Gunsite Ranch in Paulden, Arizona, and Robert “Bob” Corbin, former Arizona Attorney General, the Gun Rights Defender of the Year Award to Richard Pearson, the Affiliate of the Year Award to The Arizona Rifle & Pistol Associations, the Grassroots Organization of the Year Award to Brassroots, Inc., the Law Enforcement Officer of the Year Award to Sheriff Richard Mack, the Scholar of the Year Award to Joyce Lee Malcolm, and the Journalist of the Year Award to Dave Kopel.

Next year’s conference will be in held in Houston, Texas.

CITIZEN ACTION PROJECT

The latest call for gun control is coming in the form of legislation requiring “ballistic fingerprinting,” a sample projectile (bullet) and fired case from all guns sold. “If only we required ballistic fingerprinting of all guns, we could solve this right away,” the line goes. Never mind the fact that these so-called fingerprints change with wear, or can be circumvented with a replacement barrel and judicious stoning of various parts of the firearm in question. Never mind, too, the fact that such a program wouldn’t prevent incident like this, but only potentially make it easier to solve, assuming the criminal was to stupid to take basic precautions against such a solution.

Of course, to be fully effective, ballistic fingerprinting would have to be followed by a gun registration and gun owner licensing law. That giant step forward in gun control already has been published in USA Today and The New York Times. The two laws go hand in hand.

The appropriation acts were not passed by mid-October, so Congress likely will have to return for a “lame duck” session in late November or early December. In many cases, these elected officials will not be returning for the 108th Congress in January, and thus will feel no restraint in passing more feel-good legislation.

Ballistic fingerprinting will jump to the head of the list in gun grabbers priorities. At least four bills already are filed in Congress (H.R. 408, H.R. 422, H.R. 3491 and S. 2581), sitting there waiting for a push to the floor for a vote.

Call or write your U.S. Representative and your U.S. Senators TODAY and tell them that ballistic fingerprinting, like “gun show loophole” bills and other gun control measures, are nothing more than meaningless, feel-good legislation. Ask them to OPPOSE any such legislation and focus on the appropriation bills that they returned to Washington to complete.

And while you’re at it, keep your eye on your state legislature. They may consider similar legislation when they return after the first of the year. Maryland and New York already have ballistic fingerprinting in place. Let’s limit it to those states.

The price of liberty is eternal vigilance.

OPTOMETRIST THE CCRKBA AWARDEE

Michael S. Brown, an optometric physician from Vancouver, Washington, is the designated recipient of the CCRKBA Gun Rights Defender of the Month Award for November.

In nominating Dr. Brown for the Award, John Michael Snyder, CCRKBA Public Affairs Director, pointed out that, "in the overall history of peoples, the periods and places during which political freedom has been accepted generally as normative have been few and far between. We Americans, of course, are fortunate to be living in such a period and place. To maintain that freedom, though, and especially its linchpin, the individual right to keep and bear arms, demands commitment from a number of people in various walks of life.

"One of the Americans who has come to realize this in recent years is Dr. Brown, who has taken time away from his medical practice to work and write in support of the right to keep and bear arms. It is going to take a number of people like Mike Brown working in support of our rights to maintain our freedom. As an exemplar of that spirit which we need to maintain our right to keep and bear arms, he is most deserving of this Award."

Brown, a member of Doctors for Sensible Gun Laws, describes himself as "a mild-mannered Optometrist who has never been politically active until recently. I am sorry to admit that I have always enjoyed the fruits of life in a free country, but until now I have done little to preserve our civil rights.

"One of the rights I take very seriously is the Second Amendment right to keep and bear arms. I feel that this one right, more than any other, represents the American belief in

personal responsibility and the value of the individual over the state."

Brown goes on to state that, "beginning a few years ago, the strident voices for gun control finally exceeded my tolerance. The hypocrisy, lies, racism, sexism and other tactics used by the gun haters and self-serving politicians became too much for me to bear in silence. This was compounded by the way in which the media supported the gun prohibition agenda without questioning the many false and misleading statements.

"My response has been to become politically active for the first time. I am contributing modest amounts of money to political campaigns and gun rights organizations. I am writing letters to my elected officials and op-ed articles for various media outlets."

In one of these op-ed articles, Dr. Brown outlines the effects of outrageously strict gun controls in England. There, he notes, "criminals are now certain that citizens have no effective means to resist an armed attack. The gun-armed criminal is thus a king free to rape and plunder at will. At least Britain deserves credit for thoroughness. In contrast with American practice, where the rich and famous are effectively exempt from gun laws, English gun controls are so tight that even celebrities are unarmed, leading to many reports of celebrity mansion burglaries and street assaults."

Dr. Brown compares the English approach to gun control with the futuristic novel by Ray Bradbury, "Fahrenheit 451." In the totalitarian future outlined by Bradbury, firemen have as part of their responsibility the duty to find and burn books. As Dr. Brown points out, England now

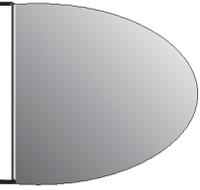
is taking the same approach to guns as the totalitarians take to books in "Fahrenheit 451."

Those who read Bradbury's book or saw the movie based on it starring Oskar Werner, or both, "know the way that subtle alterations of terminology and a slow erosion of common sense can pervert an entire society to the point that it destroys itself in the quest for perfection," states Brown. "In this case, the perfection they seek is a society without violence, but like all utopian experiments this one, too, is doomed to failure."

Mike Brown received his doctoral degree in 1978 from Pacific University in Oregon. He purchased his first firearm, a Government Model Colt, when he was 23 years old. He tells Point Blank that he is concentrating on enjoying the shooting sports, "especially by taking classes at the Firearms Academy of Seattle."

Dr. Brown operates a general optometry multi-disciplinary clinic in Vancouver. His sub-specialty is low-vision. This involves "helping partially-sighted persons to read with various types of magnification aids," he tells Point Blank.

"Americans have good reason to point at our English cousins and laugh as they laughed at us during the era of alcohol prohibition," states Brown, "but I suggest we thank them for conducting one of the great social experiments of our time. By showing the counterproductive nature of gun control, they are teaching us a powerful lesson. We can only hope they see the light before their society is too badly damaged.



Among the cases on the docket for hearing during the U.S. Supreme Court session which opened last month is one touching on federal gun control policy, *United States v. Bean*, No. 01-704. The question is whether federal judges have jurisdiction to lift the “firearms disability” that makes it unlawful for someone convicted of a felony to own or carry a gun.

In California, anti-gun Gov. Gray Davis signed a series of anti-gun measures in late September. These include bills to repeal the special immunity from liability suits granted to the firearms industry nearly 20 years ago; to give city attorneys access to federal firearms sale records; to authorize the Department of Justice to test handgun models each year to determine whether they meet state safety standards; to prohibit the sale of gun safety locks that are not approved in the state; and to require arms makers to obtain certification from the Department of Justice that the recipient is an authorized dealer.

CCRKBA Executive Director of Joe Waldron said California anti-gun laws created defenseless victims out of innocent, and unarmed, citizens as a man armed only with a knife was able in late September to attack a Greyhound bus driver, causing the bus to crash and two passengers to die. He said the attack in San Joaquin is an outrage that could have been prevented, or at least deterred, by an armed citizenry. “Anti-self defense

◆◆◆
A federal jury in Texas last month convicted Timothy Emerson of three counts of possessing a firearm. He was charged in 1998 after buying a pistol while under a restraining order during a divorce proceeding. U.S. District Judge Sam Cummings originally dismissed the charge against Emerson, ruling that the federal statute used to charge Emerson violated his Second Amendment right to bear arms. The Fifth U.S. Circuit Court of Appeals overturned Cummings’ ruling in October 2001.◆◆◆ It ruled that an individual has a right to bear arms but that the right could be restricted under some circumstances. The case went back to the district court after the U.S. Supreme Court said in June it would not hear the case.

“An important part of the solution to gun violence,” editorialized the *St. Louis Post-Dispatch* last month, “is a strict ban on private ownership of certain types of firearms, along with tough registration laws and crackdowns on gun shows where stolen weapons are sold and traded without restrictions. Short of supporting these actions, lawmakers owe it to the public to back incremental gun control measures.” One of the “incremental gun control measures” backed by the newspaper is a proposal to provide about \$750 over 3 years to let states -upgrade their records and “help avoid issuing permits to criminals, mentally unstable people and others who should not own guns.”

laws that disarm law-abiding citizen simply create opportunities for thugs, lunatics and terrorists,” he declared. “If Californians enjoyed that same right-to-carry protections as citizens in 32 other states, and if there were no regulations barring them from traveling armed, this kind of crime could be prevented. Whether it’s a slasher on a bus, a crazed gunman on a New York commuter train, or a terrorist on an airplane, the presence of a firearm in the hands of someone who knows how to use it could prevent a tragedy and preserve innocent lives.”

In Virginia, Gov. Mark R. Warner has decided to allow concealed firearms in state parks.◆◆◆ Following the advice of Attorney General Jerry Kilgore, Warner overturned a decades-old regulation that barred gun owners with permits from carrying handguns in Virginia’s 34 state-owned parks. “This is a big win for gun owners,” said Philip VanCleave, President of the Virginia Citizens Defense League. Warner directed the Department of Conservation and Recreation to stop enforcing the ban immediately and to rewrite the regulations so they’re consistent with Kilgore’s recommendation. Kilgore said concealed firearms could be regulated only by the General Assembly, not be a state agency.

