

POINT BLANK

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

ONE TOUGH LOSS, SEVERAL GAINS WITH ELECTIONS



**November
2014**
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Outside of the huge loss gun rights supporters suffered in Washington state with the passage of anti-gun Initiative 594 and subsequent failure of pro-gun alternative I-591 that was backed by the Citizens' Committee for the Right to Keep and Bear Arms, there were successes elsewhere that will likely mean good news for the Second Amendment on the federal level.

The U.S. Senate control has changed hands, with several Republican victories around the country. That could translate to the appointment of far more moderate judges to the federal bench.

Among those successes included one in Iowa, where Joni Ernst, a GOP candidate who had made her support of the right to keep and bear arms a key part of her campaign, outlasted Democratic challenger Bruce Braley and several other candidates for an open Senate seat.

There were also wins for pro-gun U.S. Senate candidates in Colorado, North Carolina, Kansas, Georgia and West Virginia, and there will be a runoff in Louisiana between incumbent Democrat Senator Mary Landrieu and Republican challenger Bill Cassidy. According to the New Orleans Times-Picayune, Cassidy used his victory speech, among other things, to call attention to the incumbent senator's anti-gun positions, so this will be another race for gun rights supporters to keep an eye on as the runoff approaches, which is expected Dec. 6, after this issue of Point Blank goes to press.

The change in power will also mean a change in leadership, with Kentucky Sen. Mitch McConnell (R) taking over as majority leader for anti-gun Democrat Harry Reid of Nevada.

Gun rights also likely was a key issue in a number of governors' races around the country, with at least one anti-gun Democrat losing his bid for re-election – Pat Quinn in Illinois - and in Maryland, outgoing anti-gun Democrat governor Martin O'Malley is set to be replaced by pro-gun Republican Larry Hogan.

And in Alabama, voters there gave strong approval to two pro-gun statewide ballot measures – one that would subject gun control regulations to strict scrutiny, and one that reinforces residents' rights to hunt and fish.

Washington's passage of I-594 did open the stage for two startling, but perhaps not surprising, developments. On the morning after the election, anti-gunners held a press conference in Seattle acknowledging that their measure was "just a start." That was coupled with what may have been an inadvertent acknowledgement by both the *Seattle Times* and on-line *Seattle P-I.com* that this was a gun control effort, not a gun safety measure as they had both been reporting for months.

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BLOOMBERG GUN CONTROL CANARDS BLASTED

Anti-gun billionaire Michael Bloomberg was the target for considerable criticism during the 29th annual Gun Rights Policy Conference, but he came under particularly heavy fire from economist and author John Lott, president of the Crime Prevention Research Center.

Lott, whose ground-breaking study on guns and crime, published as *More Guns = Less Crime*, is a perennial favorite at the conference, as he comes loaded with statistics.

He went after a Bloomberg-financed report that alleged there had been 75 public school shootings since the tragedy at Newtown in December 2012. Lott's research revealed that these incidents involved some legitimate self-defense cases on school property and at least one suicide on campus. There were also some incidents that apparently occurred away from school campuses, he added, but they

were still included in the report. The actual number of school-related incidents, after Lott went through the cases, came down to ten.

"Every single Bloomberg study that I've looked at has a huge number of errors," he asserted.

However, bringing that out in the open has been difficult because, Lott said, people involved in those studies "will not debate." He suggested do not really care to engage in face-to-face exchanges because they know their data will be challenged and errors will be revealed.

Lott also was critical of the FBI, President Barack Obama and other anti-gunners.

He suggested that claims regarding two million denials on firearms sales due to background checks are not accurate "because they were false positives."

Lott also zeroed in on transfer fees because they discriminate against the poor.

The FBI had recently issued a report on mass shootings, but Lott said it was "embarrassing how bad this is."

"Over 40 percent of their 160 cases involved either no one shot, wounded or killed," he said.

There were also some 33 cases that the FBI missed, and apparently did not include in the report, he added. Lott suggested there is some media bias in how such data is reported.

He urged the audience to go through these reports, read news stories and reach their own conclusions.

MN FLAP UNDERSCORES ANTI-GUN ANGST

A controversy flared up in Minnesota last month that involves both the First and Second Amendments, and how one anti-gunner called attention to what one parent was doing when he dropped off and picked up his children at school.

The flap erupted in Rochester where concerns were raised about student safety. But awareness about the right to keep and bear arms was also increased. The controversy pitted parent Matthew Halleck against a neighbor of his kids' elementary school.

According to the report, Halleck brings his youngsters to school each day and in doing so, has been packing

a firearm. The neighbor posted a sign in her front yard with his picture and noting that he carries his gun around while picking up and dropping off the children.

The police were called by both parties and they told both sides no laws were being broken. The school district, they refused comment on but did reiterate their commitment to student and staff safety.

This is far from being over; the neighbor plans on putting up more anti-gun signs, Halleck may take the matter to court. All in all, this debate will certainly continue on, and it will be one worth following for our members there in the state.



POINT BLANK

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

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AYOOB BLASTS 'GUN-FREE ZONES' AT GUN RIGHTS CONFAB

"Gun free zones have become hunting preserves for psychopathic murderers."

That was the assessment from nationally-recognized firearms and self-defense authority Massad Ayoob, speaking at the 2014 Gun Rights Policy Conference in Chicago, which was co-sponsored by the Citizens Committee for the Right to Keep and Bear Arms. His was among the most compelling presentations during the two-day event.

Ayoob criticized society for being "so focused on symbolism instead of substance" that anti-gunners have been "able to sell to legislators, able to sell to the public, the childish naïve concept that if a human being has chosen to violate the most rigidly enforced laws in the history of god and man and civilization that somehow putting up a sign that says 'No Guns' will keep anything from happening."

The author of the groundbreaking *In the Gravest Extreme*, Ayoob has earned a national reputation for his writing regarding self-defense and

firearms, and his ability to dissect self-defense shooting cases. He writes a regular column on the subject in the pages of *The American Handgunner*.

He also discussed shootings at so-called Gun Free Zones in Colorado, including the theater in Aurora which was the only one in the alleged gunman's neighborhood that was clearly marked as prohibiting firearms. But he also talked about two church shootings that happened at places where guns were not prohibited. The gunmen in both of those incidents were fatally shot by armed private citizens.

Ayoob was followed at the microphone by Dr. John Edeen, a pediatric surgeon from Texas. He bought his first gun following the Los Angeles riots. A native of northern New Jersey, he is now a Life Member of the Second Amendment Foundation, CCRKBA's sister organization, and he has joined several other gun rights groups.

Edeen began listening to pro-gun-rights broadcasts and podcasts,

attended shooting schools and then wondered what he could contribute to the Second Amendment cause. He met Ayoob, and Dr. Tim Wheeler with Doctors for Responsible Gun Ownership, and then decided to take some action regarding Gun Free Zones in Texas.

He eventually put together a course for physicians, and increased his activism. He presented a resolution to the county medical group to do away with such zones in hospitals. Edeen even noted that a doctor who had opposed the idea later showed up in one of his classes, "because his circumstances had changed" and he was being stalked.

Author Chris Bird wrapped up the panel by discussing how school districts in Texas. The small Argyle Independent School District in north Texas has posted its buildings with signs that say "Attention: Please be aware that the staff at Argyle ISD are armed and may use whatever force is necessary to protect our students."

He believes there are now about 40 Texas districts that arm their teachers.

PA LAWMAKER EXERCISES RKBA, FIGHTS BACK

Two Democrat state lawmakers in Pennsylvania got a real-world lesson on the value of having concealed firearms for protection recently.

According to the *Philadelphia Inquirer*, the two lawmakers, state Reps. Marty Flynn and Ryan Bizzarro, escaped injury Oct. 14 after the pair were allegedly accosted by a would-be-robber while on their way back to their residence near the state Capitol in Harrisburg. That encounter, according to officials,

resulted in a shootout between Rep. Flynn and the would-be crook. The Democrat lawmaker, according to the newspaper, has previous experience as a corrections officer.

Cops were called to the scene by the lawmakers, and four teens were arrested as a result of the incident.

By remarkable coincidence, all this incident occurred amidst debate on gun rights legislation in the statehouse. A pro-gun amendment passed the state's Senate as part

of a discussion on a bill Oct. 16. This amendment, according to the *Philadelphia Inquirer*, gives pro-gun groups, such as the Citizens' Committee for the Right to Keep and Bear Arms or its sister organization, the Second Amendment Foundation the ability to take legal action against cities in the state who pass their own gun restrictions.

The amendment was attached to a bill concerning the crime of metal theft, reported the newspaper.

ANTI-GUNNERS WANT TO REVERSE COURT RULINGS

Gun prohibitionists want to overturn important Supreme Court rulings on the Second Amendment, and they could actually accomplish that by way of electing anti-gunners to the U.S. Senate and the presidency.

That was the warning from Alan Gottlieb, chairman of the Citizens Committee for the Right to Keep and Bear Arms, during the opening session of this year's Gun Rights Policy Conference in Chicago. The 29th annual event was co-sponsored by CCRKBA's sister organization, the Second Amendment Foundation, which was responsible for one of those court victories, the 2010 case of *McDonald v. City of Chicago*.

Gottlieb couched his remarks in terms of what the mid-term elections could mean. A Democrat-controlled Senate could make it easier for President Obama to spend his final two years packing the federal courts, and perhaps even making another appointment to the Supreme Court. None of those appointees will likely be friendly toward the right to keep and bear arms, he suggested.

Currently, nine of the 13 federal district court circuits are in what Gottlieb called "enemy hands." This is due to Obama appointments, and those appointments are for life, he explained.

"They want to overturn decisions we've won," he said, referring to the 2008 Heller ruling and the McDonald victory. "Everything we've worked for will be gone."

If the balance shifted on the high court, with five or more liberal members, it could set back Second Amendment advances several years.

Gottlieb was not alone in his caution to the conference audience

that firearms rights always hang in the balance when Congress and the courts are dominated by anti-gunners. Both Heller and McDonald were narrow 5-4 rulings.

One highlight of the conference was a panel of six attorneys who discussed the latest legal activities on behalf of the Second Amendment.

Paloma Capanna, litigator and policy analyst for the Second Amendment Coalition Resource Center in New York, reminded the audience that "we have the right to assemble, we have the right to free speech and we do have the right to keep and bear arms."

Dan Schmutter, attorney for the Association of New Jersey Rifle & Pistol Clubs, reported on a ruling that a part-time resident of New York has a right to possess a handgun in the house. He practices law in both New York and New Jersey, and he is also involved in the case of Knife Rights v. Vance, against the "unconstitutional" law that has allowed people to be arrested for possessing a pocket knife that can be opened with a flick of the wrist.

Attorney David Jensen, who has represented the Second Amendment Foundation in several cases, noted that guns are a political issue. He warned the audience that when an attorney is arguing a case, there is "a good chance you are presenting an argument to someone who disagrees with you philosophically."

Because judges are appointed by politicians, they will likely be someone who agrees with that politician's outlook on issues. Because of that, the outcome of court cases becomes "a little unpredictable."

He said attorneys now involved in gun rights cases are "litigating not for right now but for the next 100 years."

Next up was Eric Friday, an attorney for the Florida Carry and SAF in a case in the Sunshine State. He discussed a case involving preemption and explained that the legislature passed a law that put some teeth in the preemption law. Immediately after the law took effect, a case came up involving a college student who shot an attacker at a campus parking lot.

The school threatened to expel him despite the law, and school authorities backed off the attempt and settled.

Illinois attorney David Sigale, who has also represented SAF, did a roundup of those cases, and the current situation in Chicago, where court rulings will require the city to allow firing ranges. He called the regulations "onerous," and the case is continuing. About 20 challenges that SAF has been making have been whittled down, he said.

However, zoning and other restrictions essentially will keep the case going. He also reported on how the concealed carry permit application process with secret review panels is being altered, allowing people to find out why they have been rejected.

SAF General Counsel Miko Tempski wrapped up the discussion with a report on SAF legal activities, including the Palmer case in the District of Columbia that struck down the city's ban on carrying firearms. He is confident that SAF will win that case, and he noted that in rulings he has read, the courts have been citing back earlier SAF cases, affirming the notion that the organization is winning firearms freedom one lawsuit at a time.

SURVEY SAYS 'NO' TO SEIZURE WITHOUT DUE PROCESS

A recent Rasmussen survey showing that 70 percent of Americans believe someone needs to be convicted of a crime before their property can be seized, got quick attention from the Citizens Committee for the Right to Keep and Bear Arms.

According to CCRKBA Chairman Alan Gottlieb, the survey underscored the urgency behind the Washington State initiative he crafted that was designed to prohibit gun confiscations without due process, a major tenet of Initiative 591.

I-591 was written to prevent the same kind of outrage that followed Hurricane Katrina in New Orleans, in which hundreds of firearms were seized from their owners.

"The Rasmussen survey results show overwhelming public opposition to any kind of property seizure without due process," Gottlieb said. "Firearms are valuable private property, and in an emergency they could make the difference between life and death. While the Rasmussen survey was not targeted specifically towards firearms confiscation, the results are certainly telling.

"What is alarming about the survey results," he continued, "is that 11 percent of the respondents actually believe that someone is guilty until proven innocent. These must be the same people who think that gun ownership should be regulated like a privilege rather than respected

as a constitutionally-protected, fundamental civil right."

The Rasmussen survey asked about civil forfeiture laws now in effect that allow the government to seize someone's property even if someone has not been charged or convicted of a crime.

"Gun prohibitionists would love for it to become law that a person's firearm could be confiscated, simply because of some declared emergency, or maybe because he bought it from an in-law or acquaintance, or inherited it from an old friend or mentor," Gottlieb observed. "

Civil forfeiture laws have been criticized for several years because of alleged abuses.

CITIZEN ACTION PROJECT

The 2014 mid-term elections brought a lot of good news and some that is not-so-welcome. It is critical that you are involved every day not just close to election time.

On the Federal level, the Republican Party which has a history of supporting the right to keep and bear arms has taken control of the Senate and expanded its control in the U.S. House of Representatives. It is crucial that we as supporters of this basic civil right remain vigilant in the upcoming period when the lame-duck Democrats in the Senate may attempt to push President Barack Obama's anti Second Amendment appointments. These include filling the positions of Attorney General, Surgeon General and the hundreds of vacant federal judgeships. Make sure you keep in touch with your U.S. Representative as well and let him/her know how important your Second Amendment rights are to you.

It is also equally important that Second Amendment supporters reach out to the newly-elected U.S. Senators and members of the House of Representatives and let them know that you are an invested and involved citizen.

There are numerous new governors that will take office in January as well. Contact them and let them know that your Second Amendment freedoms are something you take very seriously. There have been changes in numerous state houses and other state and local offices. Let these newly elected officials know that you are a pro-gun rights supporter.

You can find the name of your elected and newly-elected officials on the website of most states' Secretary of State or election official's home pages.

The anti-gunners have figured out another way to erode our rights. This time it is with the billionaire-funded citizens' initiative process. In Washington State, the pro-gun rights coalition made up of CCRKBA and major gun rights organizations in the state were outspent by \$19 to \$1. Similar ballot fights are already in progress in Nevada, Oregon, Maine and Arizona with others planned to coincide with the 2016 elections.

BROADCASTER LARS LARSON DEFENDS GUN RIGHTS

When tragedy struck a western Washington high school just days before a volatile gun control initiative battle was to be decided at the polls, nationally-syndicated talk host, and Oregon native, Lars Larson weighed in with a commentary that blistered gun control advocates who tried to exploit the incident to push Initiative 594, an onerous “universal background check” measure.

Larson’s commentary revealed that he voted against the gun control scheme, and he explained why.

“When a teenager went crazy and shot his friends at Pilchuck High School in Marysville, Washington,” Larson explained, “a number of you wrote to me and said it would fuel the support for 594. In fact, the opposite is true.

“Jaylen Fryberg shot five of his classmates before shooting and killing himself,” the veteran broadcaster



Larson

detailed. Police say Fryberg used a .40 caliber handgun belonging to his father. (Initiative) 594 would not have prevented Jaylen Fryberg from getting hold of that gun. Three months ago his parents gave him a hunting rifle for his birthday. Initiative 594 would not have prevented that because gifts among family members are exempt under 594. These so-called ‘expanded background checks’ are a favorite political hobby horse of folks who think rules will stop crimes.

“Fryberg broke one rule by bringing a pistol to school,” Larson concluded, “broke another by shooting it, broke more by murdering classmates, and even broke a law by killing himself. Rules didn’t stop him...and passing one more won’t make any difference

at all. A teacher stopped the shooting but might have stopped it sooner if armed with a gun.”

Larson, a native of Tillamook, Oregon, has been in broadcasting since he was a teenager. He attended the University of Oregon.

A staunch Second Amendment advocate, Larson has become a Northwest icon and he has remained in the Pacific Northwest, from whence he broadcasts his national show. Today, he is considered to be among the top radio talk hosts, and in 2011, he was the recipient of the Oregon Association of Broadcasters’ “Oregon Personality of the Year” award.

Although he broadcasts from a studio in Portland, Larson is a Washington resident, so he has “a dog in the fight” when it comes to gun control issues in the Evergreen State. He is an enthusiastic hunter and gun owner, and he has thousands of followers on Facebook and Twitter.

CCRKBA CHAIR WARNS OF NEW BRITISH GUN POLICY

A new policy announced by the British Home Office to allow unannounced searches of the homes of registered British gun owners should raise alarms among Americans who are threatened with increasingly restrictive gun laws, cautioned Alan Gottlieb, chairman of Citizens Committee for the Right to Keep and Bear Arms.

“This is an alarming development,” Gottlieb observed, “and it ought to serve as a warning to American gun owners and Constitutional activists concerned not only with their Second Amendment rights but also their Fourth Amendment rights.

According to Fox News, prior to enacting the new regulations, British gun owners were subject to visits by the authorities. However, these required prior notification. The new policy does not.

“British authorities argue that the new policy is necessary based on so-called ‘intelligence’ indicating a specific threat,” Gottlieb observed, “but there is considerable danger in this revision because such guidelines could be easily abused.”

Gottlieb noted that there is a new push for gun control, funded by the deep pockets of anti-gun billionaires including former New York Mayor

Michael Bloomberg, and Microsoft founders Bill Gates and Paul Allen, all of who bankrolled the campaign to pass Initiative 594 in Washington state.

“Let this be a warning to tens of millions of law-abiding American gun owners,” he said of Great Britain’s new gun regulations. “What’s happening now in the United Kingdom will be touted as the next ‘common sense’ step for gun control in the United States. Just because someone exercises their right to keep and bear arms should not be an excuse to nullify their right to privacy.”



QUICK SHOTS

Down in Alabama, there's a report that confirms one should never bring a stick to a gunfight.

It comes from the city of Sylacauga, where a would-be crook found himself in trouble after getting a little more than he bargained for from his intended victim.

According to AL.com, police arrested and charged a 40-year old man with first-degree robbery after the suspect tried to rob another man, while carrying a large stick as a weapon. The other man pulled out his legally-carried firearm and aimed it at the suspect, according to the website, which prompted him to flee. Police were contacted, and ultimately made the arrest.



Residents in one South Dakota county are certainly exercising their Second Amendment rights to a large degree, if recent concealed carry permit numbers for the county are any indication.

According to the *Custer County News*, state officials have, through September, issued a little over 300 state CCW licenses to residents of the county, located in the southwestern corner of the state at the south end of the Black Hills. Considering that nearly 600 permits were issued in all of 2013, sheriff's officials told the newspaper that while the exact number of residents with permits is not easy to pin down, they estimated based on an average number of 40 permits issued per month that around 2,000 people in the county are licensed to carry.

That is in a county where, according to the *News*, only 8,000 folks reside, so that would mean one out of four residents is legally carrying.



In Illinois, one major city has tossed out part of a gun control ordinance, and that is good news for the privacy rights of gun owners.

According to the Associated Press and the *Peoria-Journal Star*, the city council in Peoria eliminated a provision in the law that required firearms purchasers in the city to provide a thumbprint and their signature. The provision was repealed after state gun rights advocates threatened to go to court over it.

The elimination of those rules went into effect upon the vote being decided.



A former Bellevue, Wash., City councilwoman was looking at possible criminal charges for stealing campaign signs supporting Initiative 591, a measure backed by the Citizens Committee for the Right to Keep and Bear Arms, and other organizations, including two of the state's largest law enforcement groups.

Former councilwoman Margot Blacker was spotted removing an I-591 campaign sign by an attentive citizen, who called police. An officer contacted Blacker and recovered two signs, and according to the police report, she was planning to steal more than a dozen other signs.

CCRKBA Chairman Alan Gottlieb publicly asked the city attorney for

leniency, provided Blacker apologize to the I-591 campaign and make a financial contribution to a local domestic violence non-profit.



The next legislative session in Wisconsin could include talk about firearms carry on school property, if gun rights supporters there have their way.

According to Wisconsin Public Radio, activists in the state are likely to be back in Madison seeking legislation that would enable gun owners to carry their weapons on school campuses; there was a similar measure last session, but did not make it to the governor's desk.

It is currently illegal for guns to be carried on school grounds on the state, reports the radio station. The new session will begin early in 2015.



A new survey of residents in Florida asked people for their views on gun rights, amongst other issues, and it finds some mixed results.

According to the USFOracle website, the poll showed approximately 55% of respondents supported additional gun controls, while 34% indicated a desire to not seek additional firearms regulations. However, 41% supported the rights of citizens to exercise self-defense with a gun.

The issue was on the "Sunshine State Survey", conducted by Nielsen Holdings and the University of South Florida as the state continues to debate gun rights in the wake of the Trayvon Martin case.

