

# POINT BLANK

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



**April  
2010  
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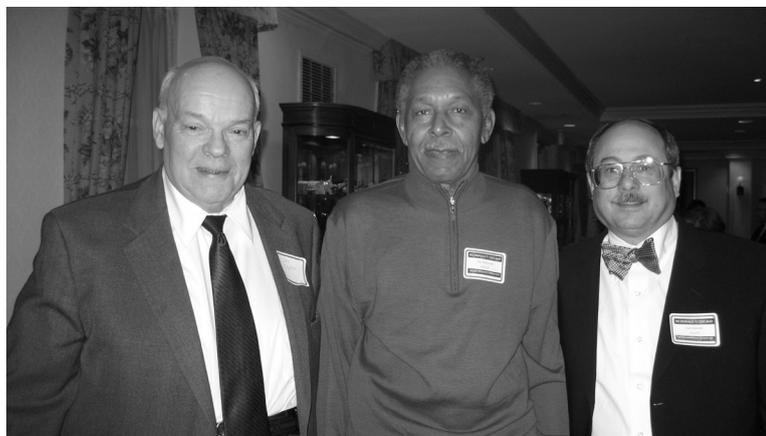
## **CITIZENS COMMITTEE FOR THE RIGHT TO KEEP AND BEAR ARMS**

*(a non-profit corporation)*

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## **CCRKBA AT SUPREME COURT**



*Otis McDonald of Chicago was flanked by CCRKBA Directors John M. Snyder, Public Affairs Director, and Alan M. Gottlieb, Chairman, in Washington, D.C. after hearing oral arguments before the Supreme Court in the case of McDonald v. City of Chicago. (Photo by Ling Woo.)*

McDonald is the lead plaintiff in the case challenging the constitutionality of Chicago's handgun ban.

McDonald, Gottlieb and Snyder want the high court to incorporate the individual Second Amendment civil right to keep and bear arms through the 14th Amendment to states and rule that local handgun bans are contrary to the United States Constitution.

If the Supreme Court so rules, this would extend the court's 2008 decision in District of Columbia v. Heller beyond the Nation's Capital, a federal enclave.

According to a survey released last month by Rasmussen Reports, 69 percent of Americans agree that city governments do not have the right to prevent citizens from owning guns. The release also indicated that 70 percent of all adults believe the U.S. Constitution guarantees the right of an average citizen to own a gun.

If the Supreme Court rules that gun possession is fundamental to American freedom, federal judges would be empowered to strike down state and local gun laws for infringing on Second Amendment rights.

A decision from the Supreme Court will come by June 2010.

# NO KIDDING, BATFE TARGETS TOY GUNS

It's no joke, but the federal Bureau of Alcohol, Tobacco, Firearms and Explosives (BATFE) is targeting toy guns.

In an apparent example of over-zealous law enforcement activity, BATFE is taking make-believe firearms out of circulation and storing them in government facilities.

Just ask Brad Martin, owner of Airsoft Outlet NW. He's been trying unsuccessfully to convince federal officials to return over \$17,000 worth of airsoft guns seized on their way to his store from Taiwan.

"Federal customs officers propped open a crate of 30 Wei Tech gas-powered replicas of the U.S. military's M-4 automatic carbine," reported *The Forest Grove News Times*.

"The firearms, generally categorized as toys," the newspaper report continued, "fire tiny plastic pellets that do little more damage than a pea shooter.

"But the federal Bureau of Alcohol, Tobacco, Firearms and Explosives determined that the guns could be retrofitted to fire live ammunition. That, according to federal law, makes them firearms not toys, and subject to all the federal rules that apply to real guns."

Martin apparently thinks the BATFE characterization is off the wall. He said the idea that someone would dismantle a \$400 toy to make a facsimile of a fully-automatic firearm is preposterous.

He said that, "Somebody would have to take this expensive toy and try to machine it and make modifications to it."

The less expensive route "would be to buy the real item, an AR-15,

the civilian version of the military's M-16 and M-4.

"We have seen the AR-15 for \$500 to \$600," he said.

Martin said the Airsoft guns, especially the Wei Tech rifles, are popular with a number of people, including war game enthusiasts, and law enforcement and military personnel.

Airsoft guns, because of their realistic appearance, usually are affixed with the same blaze orange cap that's on the end of the barrel of other toy guns. Exporters in Taiwan forgot to paint the barrels of the toy rifles in question orange.

Martin said that in the past he'd get a call when customs officials would come across a shipment of airsoft guns that didn't have an orange tip.

This time, the toy guns were shipped to the BATFE's Firearms Technology Branch in Martinsburg, West Virginia. There, BATFE technicians determined that the toy rifles' lower receiver could be used with original M-16 parts to form fully-functioning "assault weapons."

"These rifles could have had far-reaching and potentially devastating ramifications if they had gotten into the hands of individuals who wanted to do harm in the American population," said Rolando Suliveras, Jr., Customs and Border Protection Area Port Director. "This was a good interception by our officers."

Martin said that since the seizure of the toy rifles more shipments to his store have wound up with BATFE, including crates of toy plastic revolvers.

Cheryl Bishop, a special agent and public information officer for the BATFE, said she could not say whether BATFE has ruled on the Wei

Tech rifle in general.

"The report speaks only to a rifle from that particular shipment," she said.

Martin said that since the information got around about his shipments being held up by BATFE, he's received an outpouring of support from airsoft enthusiasts.

However, he's getting bills for the storage of his seized property.

"We feel we've been wronged," Martin said. "That's the bottom line."



## POINT BLANK

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

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## CCRKBA TO BRADY: SWITCH TO DECAF!!

CCRKBA officials are advising the anti-gun Brady Campaign to Prevent Gun Violence to switch to decaf in its campaign to force Starbucks to adopt an anti-gun policy.

CCRKBA Chairman Alan M. Gottlieb and Dave Workman, CCRKBA Communications Director, report that the Brady bunch “has launched a campaign to force Starbucks to close its doors to legally-armed citizens exercising their constitutionally protected civil right to keep and bear arms.

“The Brady Campaign has tried to ridicule and deny assertions that it is conducting a campaign of social bigotry against gun owners, but that’s what this is. It is an effort steeped in demagoguery and fueled by hysteria, designed to reverse the anti-gun movement’s noticeable slide toward irrelevancy in recent years that also has threatened its pocketbook. Simply put, the Brady Campaign needed an issue, so they invented this one.”

The Brady Campaign argues that Starbucks has the right to refuse service to anyone carrying a firearm. The CCRKBA duo notes “the Brady Campaign conveniently overlooks the fact that Starbucks also has the right to provide service to anybody with cash in hand who wants to buy a cup of coffee. In recent years, to battle the expansion of concealed carry laws around the country, this organization and its affiliates have labored to convince or coerce private businesses to post their premises off limits to legally armed citizens.

“They succeeded recently in California, alarming one restaurant chain into prohibiting personal protection proponents who open carry from

entering their establishments. But Starbucks is the proverbial brick wall, because the company has explained simply that it has security measures in place and that it adheres to federal, state and local laws relating to firearms.”

Gottlieb and Workman write that, “The alarmist rhetoric from the Brady camp is something to behold.”

They point out that in one missive, Brady Campaign President Paul Helmke gasped that, “The practice of packing heat in places like Starbucks is intimidating and could be potentially dangerous to our families and communities – and it must be stopped. It’s everyone’s right to sit in a restaurant or coffee shop with their families without intimidation or fear of guns, either concealed or openly carried.”

Gottlieb and Workman retort that “it is particularly intimidating to thugs and other criminals, who might try to rob such places and harm customers, as we point out in our book, ‘America Fights Back: Armed Self-Defense in a Violent Age.’

“Helmke would have the whole country sharing his irrational fear and hatred of firearms and people who own them. He would require Starbucks and other business establishments to close their doors to a growing number of responsible people who have broken no laws and harmed nobody; people acting within existing law to exercise a civil right, and who just might, in an emergency, provide a first level of response when police are a phone call and several minutes away.”

The two CCRKBA officials report that, “Elsewhere, Helmke lamented that ‘Starbucks is refusing to pro-

hibit open carry in its stores, despite protests from loyal customers.’ He intimates that overwhelming public sentiment is on his side, when one glance at reader feedback sections in newspapers reporting this story clearly shows otherwise. His rhetoric suggests that armed customers are somehow less loyal, and perhaps less worthy to enjoy a latte or mocha.

“Helmke and his cohorts can sneer and ridicule all they want, but at the end of the day, what they are pushing is blatant prejudice against American gun owners. They intimidate with the threat of bad publicity and questionable on-line petitions, or by spreading their own hysteria to others. Indeed, they are doing what they have accused the so-called ‘gun lobby’ of doing. While imitation often is the highest form of flattery, in this case it smacks of world-class hypocrisy.”

The Brady Campaign is wrong, according to Gottlieb and Workman. “It is just that Starbucks is courageously refusing to allow Helmke and his ilk to dictate how and with whom it will conduct business.”

In an article headlined, “Starbucks Makes the Right Call on Gun Rights,” Jonathan Berr reported in Daily Finance early last month that “gun rights advocates are holding meetings at Starbucks locations throughout the San Francisco area with their weapons in plain sight...”

“Starbucks, or any other private property owner can ban customers from carrying weapons onto their premises. The company, though, decided to leave the open-carry customers alone. And for that it deserves praise for taking the correct stand on a very controversial issue.”

# CCRKBA SEES GUNS AS A MODERN NECESSITY

"Firearms are a necessity of modern American life," says John M. Snyder, CCRKBA Public Affairs Director.

"For years," he continues, "opponents of gun rights have been arguing that the private possession of firearms is an anachronism which may have had relevance in the 18th and 19th centuries but has little or no significance in the contemporary era. Some gun grabbers even have intimated or charged that private gun ownership is silly or even inherently dangerous.

"For quite some time now, we have been battling these ridiculous assertions. We need the maximum possible support from CCRKBA Members and Supporters to continue this among other battles in support of the individual Second Amendment civil right to keep and bear arms."

Snyder recalled there are numerous reports each year of individual armed American citizens using firearms for legitimate self-defense purposes of for halting crimes or interrupting crimes in process. Scholars such as criminologist Gary Kleck of Florida State University have estimated there are as many as two million legitimate defensive gun uses each year in the United States.

"Guns are at least as American as apple pie," says Snyder. "Guns save lives. About 100 million Americans own about 200 million rifles, shotguns and handguns. There are more gun owners than there ever have been voters for a winning presidential candidate. Law-abiding individuals buy 10 million guns a year.

"The importance of firearms in American life has been noted in economic terms, even in developmental economic terms. Arms developers even have been fashioning terminology to convey the significance of modern firearms in civilian American life. One noted publication, *Business Week*, reported recently that the 'Modern Sporting Rifle' is a 'hot seller.'"

In the magazine article, Paul Barrett noted that, "As heavily armed U.S. troops deployed in the Middle East remain in the news, the military-style semiautomatic rifle has become a hot seller in the civilian market back home. Most major manufacturers have launched new models.

"Sturm Ruger (RGR), one of the largest American gunmakers, introduced the SR-556 last May. It retails for about \$2,000 and features a flash-suppressor, telescoping stock, pistol grip, and three 30-round magazines."

One of the elements which gun grabbers try to use in their diatribes about this and some of the other modern arms is that, as Barrett writes, "It looks like the weapons that U.S. soldiers use to shoot Taliban insurgents."

However, Ruger spokesman Ken Jorgensen says, "This is the one the younger generation wants. It's not their dad's gun or their grandfather's gun." Barrett reports Jorgensen's

statement sums up "the sales pitch" but is "a source of controversy.

"Even within the ranks of hunters and other gun enthusiasts, some protest the pursuit of deer with a modified form of the basic U.S. military weapon. The touchstone for this debate remains a February 2007 blog post by legendary hunter Jim Zumbo. 'Maybe I'm a traditionalist, but I see no place for these weapons among our hunting fraternity,' Zumbo wrote on the *Outdoor Life* web site. Gun owners erupted. *Outdoor Life* excised his online comments and parted company with the columnist."

Barrett stated that, "Though digitally expunged, Zumbo's objection persists. The National Shooting Sports Foundation, a trade group, devoted an entire press conference to it during the gun business' annual convention in Las Vegas in January. 'These rifles are there; they are not going away,' Stephen Sanetti, the NSSF's chief executive, told reporters. 'We just want to make sure the hunting community hangs together.'

"The solution, Sanetti says, is to rebrand the weapons as 'modern sporting rifles,' or MSRs. In an online campaign, his organization points out that MSRs are durable, reliable, and use ammunition similar to that used by more traditional rifles... Americans spend about \$2.5 billion a year on guns; precise figures aren't available on semiauto rifles."

Zumbo predicts the MSR designation will mollify old timers. He says he's now used to other hunters carrying what he still calls "black guns."

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# FORMER PRISON OFFICIAL SUPPORTS RIGHT TO CARRY

Bill Henderson, a retired associate warden of the Federal Bureau of Prisons, has come out in favor of the right to carry concealed firearms.

What brought about this development was Henderson's frustration with anti-gun sentiments of *The Roanoke Times* of Roanoke, Virginia.

In a column, Henderson wrote, "I can only say shame on you for using the freedom of the press to unjustly mock the citizens who have taken on the serious responsibility of their own protection. Recent articles went too far in describing citizens with concealed permits as irresponsible and dangerous Wild West gunslingers if given the right to carry firearms in places serving alcohol.

"*The Roanoke Times* staff does not have the right to keep up this campaign against Second Amendment supporters using their own rights guaranteed in the Constitution. Of

the 27 Amendments to the Constitution, the Second Amendment, which enumerates the right to keep and bear arms, was one of the original 10 proposed and ratified."

Henderson criticized the newspaper for an anti-gun bias in its selection of interviewees on the question of legislation expanding Virginians' gun rights.

"Why can you accommodate a majority of liberal university professors and national columnists print space to write opposition pieces on this one amendment," asked Henderson. "Doesn't *The Times* look for an opinion from Second Amendment supporters in these professions?"

"My firearm is like my home's smoke detectors; I hope they will never be needed, but they can and do save lives when used as intended. The rules are already written—you cannot consume alcohol and carry a concealed weapon

or you risk losing that right and face possible criminal charges. It is that simple. Concealed carry permits are a privilege that is not easy to acquire. Permit holders are held to strict training and compliance."

In backing up his argument, Henderson pointed out that, "Chicago and Washington, D.C., where gun ownership has been banned for residents for years now, have higher gun-related robberies and murders than any other similarly populated city in America. Those statistics speak volumes in regard to gun control laws.

Henderson scolded the newspaper for its biased anti-gun stance. "The Times would well serve itself by providing its readers with fair and unbiased reporting—giving the same amount of time and space to all views on any particular subject," he wrote. "You utterly fail your readers by not doing so."

## CITIZEN ACTION PROJECT

Voter discontent with Obama/Pelosi/Reid fiscal policies is manifesting itself in grassroots activity called the Tea Party movement. Unlike the Reform Party of the 1990s, the Tea Party movement is almost purely grassroots, with several independent chapters springing up across the country.

With Republicans, independents and even some Democrats joining together, the principal focus is fiscal conservatism. Given the spending excesses of the current "leadership", this is entirely understandable! Whether the Tea Party movement will evolve into a third party, much less a viable third party, remains to be seen. At this point, we are essentially a two-party system. Third parties tend to survive only when one of the two major parties is on a serious decline.

One thing to watch out for is Democrat exploitation of the Tea Party movement, in an attempt to siphon votes away from more conservative candidates.

Many gun owners are participating in these Tea Party events, with Second Amendment-themed signs observed at many rallies. The active involvement of gun owners with the Tea Party movement is a plus for us. It ensures that our concerns, and our knowledge of the issues, are made known and available to Tea Party planners as the movement continues to evolve.

Take a close look at Tea Party activity where you live. Consider getting involved, and ensure that developing Tea Party leaders are aware of your presence and active participation, and that your expertise on the rights of firearm owners is a resource that is available to them.

# OTIS McDONALD NAMED CCRKBA GUN DEFENDER

CCRKBA for April is naming Otis McDonald of Chicago the CCRKBA Gun Rights Defender of the Month.

McDonald is the lead plaintiff in the *McDonald v. City of Chicago* case challenging the constitutionality of the Windy City's handgun ban. The United States Supreme Court heard oral arguments in the case on March 2. Observers expect a decision within months.

In nominating McDonald for the Award, John M. Snyder, CCRKBA Public Affairs Director, noted that "Otis has been sticking up for our principles in a most articulate and straight forward manner in the face of much criticism for doing so. He's gutsy as well as principled, and quite gentlemanly besides. He certainly deserves a CCRKBA Gun Rights Defender of the Month Award."

In 2008, in its landmark *District of Columbia v. Heller* decision, the Supreme Court ruled that the Second Amendment recognizes an individual right to keep and bear arms and that the Washington, D.C. ban on the private possession of handguns was unconstitutional.

Since the District of Columbia is a federal city, the decision left open the question of whether or not the Second Amendment prevents states and localities from denying gun rights to individuals.

McDonald and his co-plaintiffs, including the Second Amendment Foundation and the Illinois State Rifle Association, want the Supreme Court to incorporate the Second Amendment through the Fourteenth Amendment as a

guarantee to individuals against state and local governments, and therefore declare the Chicago ban null.

Otis' other co-plaintiffs include Adam Orlov, David Lawson, and Colleen Lawson.

Otis is becoming a "public face of gun rights," according to the *Chicago Tribune*.

The Midwestern daily newspaper wrote that, "from behind the wheel of his hulking GMC Suburban, 76-year-old Otis McDonald leads a crime-themed tour of his Morgan Park Neighborhood. He points to the yellow brick bungalow he says is a haven for drug dealers. Down the street is the alley where five years ago he saw a teenager pull out a gun and take aim at a passing car.

"Around the corner, he gestures to the weed-bitten roadside where he says three thugs once threatened his life. 'I know every day that I come out in the streets, the youngsters will shoot me as quick as they will a policeman,' says McDonald, a trim man with a neat mustache and closely cropped gray hair. 'They'll shoot a policeman as quick as they will any of their young gangbangers.'"

Otis, who keeps two shotguns at home, says he needs a handgun to defend himself.

In April 2008, Otis, who is a retired maintenance engineer, agreed to serve as lead plaintiff in a lawsuit challenging Chicago's handgun ban of nearly three decades. He walked into the Chicago Police Department and applied for permission to obtain a .22-caliber Beretta pistol. That was an initial step setting the lawsuit in motion.

McDonald is a Democrat, longtime

hunter, and African-American. He believes that being allowed to carry a pistol would eliminate what he says is the advantage bad guys have had over him for too long.

"I am a man of my convictions," he proclaims. "My mother was like that."

Otis grew up near Fort Necessity, Louisiana, which he says was a very small town, just "two stores and a cotton gin."

He was one of 12 children born to sharecropper parents and says he liked to hike into the backwoods and hunt with his Marlin single-shot rifle. "I wasn't but seven. Out there by myself, I'd get some rabbits, squirrels, 'coons, opossums."

When Otis was 17, his mother emptied her savings of \$18 and paid a stranger to drive Otis to Chicago so he might make a better life for himself. He worked first filleting fish at State Fishery and worked at other jobs before joining the U.S. Army, serving three years as an artillery officer.

After his Army service, Otis looked around for jobs and finally got steady work as a janitor at the University of Chicago nearly 50 years ago. He retired after 32 years.

Over the years, says McDonald, local punks broke into his modest frame house three times. He says they got away with TVs, electronic equipment, hunting rifles, and "anything they could sell for a quick buck."

Otis wants to be allowed to have a pistol in his house to protect his family if necessary. He lives with his wife of 52 years, Laura and his daughter and grandchildren are regular guests.



# QUICK SHOTS

In Washington, D.C., Rep. Jerrold Nadler (NY) introduced H.R. 4277, short-titled the Keep Kids Safe Act of 2010, to prohibit someone convicted of a misdemeanor sex crime against a minor from transferring, receiving or possessing firearms or ammunition. It was referred to the House Judiciary Committee. Cosponsors include Reps. Alcee L. Hastings and Debbie Wasserman-Schultz of Florida, Steve Israel, Nita M. Lowey, Carolyn McCarthy, Louise McIntosh Slaughter and Anthony P. Weiner of New York, Zoe Lofgren (CA) and Allyson Y. Schwartz (PA).

in the car with him. So, he really was trying to look out for them when he shot him," says Brandon Jones, who says the girls appeared to be younger than 10. "Yeah, they saw everything that happened. One of them was real shaken." Jones heard roughly six shots, and then saw the man on the ground with the butcher knife still in hand. Witnesses can't make sense of the attacker's motive, but they're certain the shooting was self-defense. "You've got to protect yourself," says Cook. "He had his two kids in the car and they were terrified."

In Memphis, Tennessee, a man with a knife chased customers at a Family Dollar store and was shot dead. Witnesses said the attacker picked the wrong victim. "He got what he deserved," said one woman. "It's as simple as that." Police say a man with a knife raced through the parking lot in mid-afternoon, reported WREG. Witnesses say the man chased a delivery driver and others, but was killed when he tried to lunge his knife at one driver leaving the parking lot. The driver pulled a gun and killed his attacker on the spot. "I just seen him shoot down. I thought he was just shooting in the ground. Obviously, he was shooting the gentleman with the knife," said Byron Cook, who along with his three-year-old grandson watched the ordeal from start to finish. Witnesses say two little girls were inside the car when the attacker lunged at the driver. "He had his two step-daughters

"What about President Obama's stated respect for gun rights," asks Anthony W. Hager, author of [therightslant.com](http://therightslant.com), on American Thinker. "Well," he writes, "politicians will say just about anything to get elected. Obama is still on the record as supporting a ban on 'assault' weapons. Furthermore, his administration is backing a U.N. treaty that would regulate the small arms trade worldwide. Don't scoff. The president can constitutionally enter such treaties under Article Two, Section Two. Said treaty would become law under Article Six, at least temporarily. Inaction on gun control doesn't make President Obama a Second Amendment loyalist. Inaction doesn't mean that politicians and bureaucrats hostile to firearms aren't at work. Gun owners will benefit from a dose of extra vigilance now, even while the gun control waters appear still."

In North Carolina, anti-gun State Senator R.C. Soles is generating a lot of controversy. "You see," wrote Roy Exun in the *Chattanooga* in January, "Soles has been a longtime advocate of gun control, an outspoken critic of a citizen's right to bear arms. So when he shot an ex-con who was trying to kick down his door at his home in tiny Tabor City on August 23 last year, eyebrows were raised across the state. The fact the staunch Democrat used a firearm himself to protect his property was absolutely delightful to those across the nation who stand on the other side of the firearms issue...The Columbus County Grand Jury returned a true bill stating that instead of defending himself, the senator should be charged with 'assault with a deadly weapon inflicting serious bodily injury,' which carries a possible sentence of 15 to 31 months."

Joel Fulton, co-owner of the Southside Sportsman Club in Battle Creek, Michigan, says he tells people who ask him what he does that "I own a gun shop and that we do the training for the concealed weapons classes for those who choose to carry a firearm and carry it on their person for self-defense...We focus on handguns because that's typical for what people use for self-defense."

# 4

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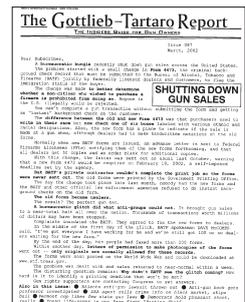
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