

# The Gottlieb-Tartaro Report

THE INSIDERS GUIDE FOR GUN OWNERS

Issue 129

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Dear Subscriber,

The United Nations is once again causing concern about **international attempts to infringe on American Second Amendment rights.**

At its July meeting on international gun running, the United Nations released **an alarmist report** estimating that "500,000 people have died over the past decade from injuries caused by small weapons or guns used in crimes or military attacks."

As usual, **the blame is put on guns, not the criminals** who do the shooting.

And the cure is worse than the disease: gun manufacturers would be required to **make each firearm identifiable by technology that does not yet exist**, and **elaborate paperwork would be required** to track the "chain of custody" of each firearm, that is, proof that each person who handled the gun from maker to final user had signed a custody document.

However, Sen. DAVID VITTER (R-LA) has introduced legislation that would **bar U.S. financing for the U.N. should it try to impair the rights of American gun owners.**

Sen. VITTER's bill, The Second Amendment Protection Act of 2005, provides that **the United States would be barred from providing financing to the United Nations** unless the president of the United States certifies that the United Nations "has not taken action to restrict, attempt to restrict or otherwise adversely infringe upon the rights of individuals in the United States to possess a firearm or ammunition."

REBECCA PETERS, director of the London-based **International Action Network on Small Arms** claimed that United Nations delegates to the July meeting **did not want Americans to register their guns**, although news releases by many delegates say otherwise.

WENDY CUKIER, president of Canada's **Coalition to End Gun Violence**, claimed that 80 percent of gun crimes committed in Mexico and 50 percent in Canada **involve guns from America**. Thus, she said, "lax laws in the United States" are undermining strong gun control laws in Mexico and Canada. *See top story, Page 4.*

JOE WALDRON, executive director of the Bellevue, Washington-based Citizens Committee for the Right to Keep and Bear Arms, said, "**Sen. VITTER is right to be concerned about what the United Nations intends to do in the name of reducing gun running.** The goal only sounds noble: it's really a mask to incrementally shrink American gun rights one step at a time **until nothing is left and America has gun laws like Canada or Mexico.**"

In other congressional news, three Senators have introduced a bill to give **a tax credit for buyers of a home gun safe.**

The bill, titled the Child Protection and Home Safety Act of 2005, is intended **to prevent youth suicide, unintentional injuries and deaths, and homicides with stolen firearms.**

It was introduced by Sens. ORRIN G. HATCH (R-UT), CHARLES E. SCHUMER (D-NY) and LARRY CRAIG (R-ID).

It is not clear how useful a "safely stored" firearm would be **in an emergency requiring self defense.**

A House version of the bill, H.R. 947, was introduced last February, and referred to the House Ways and Means Committee for further discussion.

**Also in this issue:** ● *Alabama expands self defense* ● *Wisconsin tries CCW bill - again* ● *U.N. gun control plans* ● *UK gun ban cripples Olympic team* ● *Illinois judge orders gun be given to felon* ● *Common sense and a gun in our Page Eight "Parting Shot"*

**AT THE  
FEDERAL  
LEVEL**

### **ALABAMA BILL WOULD EXPAND SELF DEFENSE RIGHTS**

Rep. Albert Hall (D-22) and Sen. Jeff Enfinger (D-7) are sponsoring a bill that would give the citizens of Alabama a right to protect their home from intruders and themselves from possible subsequent litigation.

Pre-filed for the upcoming 2006 regular session of the legislature, the bill would legally presume that a person is justified in using deadly force against an aggressor and would not require a person to retreat from an aggressor intruding into a dwelling, residence or vehicle.

The bill would also provide immunity from criminal prosecution and civil action for persons justified in using defensive force against an aggressor and would allow the court to award fees and expenses to persons immune from civil action if they were sued.

**IN THE STATES**

### **ARIZONA IMPROVES CCW LAW**

HB 2325 has gone into effect, improving the Arizona concealed weapons law that was first passed in 1994.

The new law reduces the number of training hours required of first-time CCW permit applicants from 16 to 8 hours, which has proven adequate in other CCW states. Also, the training required of permit renewal applicants is reduced from four hours to two hours.

Permit holders will no longer be required to submit fingerprints after their first application. Permits are now valid for five years instead of four years.

### **CALIFORNIA ANTI-GUN BILL SHELVED, OTHERS STILL MAY PASS**

SB 357, the bizarre gun-control bill that would have required manufacturers to stamp microscopic serial numbers on all handgun ammunition sold in California, has been shelved for the time being.

Sen Joe Dunn (D-Garden Grove), who was carrying the legislation for Attorney General Bill Lockyer, said he needed more time to resolve the heated debate over how much the tracking system would cost and who would pay for it.

However, AB 352, which would require gun makers to equip semiautomatic handguns to leave an identifying code on spent shell casings. That bill has passed the Assembly and is awaiting a close vote on the Senate floor.

The Los Angeles Police Department is vigorously enforcing laws that prohibit giving or selling a gun to someone without a legal background check, especially if the gun turns up at a crime scene.

### **COOK COUNTY COMMISSIONER BACKS OFF GUN BAN**

In a startling turnaround, Cook County Commissioner Joan Murphy (D-Crestwood) is no longer supporting a bill similar to the federal "assault weapons" ban that expired last year, and would set a minimum standard for all cities and villages in Cook County, the largest being Chicago.

Murphy was a co-sponsor when the bill was introduced July 12 by Commissioner Larry Suffredin (D-Evanston). She said she's pulling her support and may vote against it "because of the number of calls I've received from people I respect, many of them people who have had guns since World War II."

Suffredin said he's not sure how important Murphy's vote will be to get the legislation passed. South Side Commissioner John Daley (D-Chicago) said he still backs the bill, and Commissioner Mike Quigley (D-Chicago) said he will ask to join as a co-sponsor.

Murphy said, "Why don't we just enforce the laws we have?"

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### **NEW ILLINOIS GUN SHOW LAW GOES INTO EFFECT**

St. Louis, Missouri is just across the Mississippi River from Belleville, Illinois, where a new gun show law is bringing changes in how private gun owners sell guns to each other.

Late last month at the Belle Clair Fairgrounds in Belleville, Illinois' new gun show background check law made its debut. There, individuals selling guns to individuals, handguns or long guns, are required to request background checks on buyers from the Illinois State Police. If the police approve the buyer, the sale may take place within 30 days.

**IN THE STATES**

Many attendees said they brought guns to sell, but would not sell under the new Illinois law, and would sell at Missouri gun shows instead, where background checks are not required.

### **MICHIGAN TOWNS HAVE GUN ISSUES**

Waterford Township's library board worked with a city attorney for two months to adopt a regulation prohibiting guns from the public facility.

But board members quickly found out their proposal is in direct conflict with state law, which allows valid CCW permit holders to carry a firearm in municipal facilities.

Meanwhile, the Kalamazoo City Commission is planning a ban on displaying a "facsimile firearm" in a threatening manner. The ban is only proposed for "professionally made guns intended to look very realistic," said Assistant City Attorney Michael Miller, who wrote the measure.

Department of Public Safety Chief San Weston said, "we're not talking about your standard squirt guns."

### **NORTH CAROLINA BOOSTS GUN ACCESS FOR DOMESTIC VIOLENCE VICTIMS**

North Carolina lawmakers have overwhelmingly approved a measure to give battered spouses information on how to get a temporary concealed weapons permit.

The measure, approved by a vote of 43-4 in the Senate, also adds protective orders to the evidence a sheriff can consider when determining whether to issue a 90-day permit to carry a concealed weapon.

The bill has been signed into law by Governor Mike Easley.

Victims' advocates complained that the law could end up causing more problems by bringing guns into already volatile relationships.

Paul Valone, president of Grass Roots North Carolina, said the law is about helping victims help themselves.

"We're not interested in victims shooting their abusers," said Valone. "We're interested in delivering a message: When police can't protect these people, they are capable of protecting themselves."

### **WISCONSIN CONCEALED CARRY BILL TO TRY AGAIN**

A concealed weapons bill that passed Wisconsin's legislature was vetoed about a year and a half ago by Democrat Governor Jim Doyle. Now a new version is working its way through the state's House of Representatives.

But reports have aired on Green Bay's WBAY-TV that police chiefs are campaigning against anyone having guns except themselves.

Joe Waldron, executive director of the Citizens Committee for the Right to Keep and Bear Arms, challenged those lawmen to explain why Wisconsin residents are less trustworthy than residents in 46 other states where concealed carry is legal.

The bill has become a partisan issue. Deputy Attorney General Dan Bach said legislators must release a draft of the bill because gun rights advocates outside the Legislature had a hand in writing it.

But Rep. Scott Gunderson (R-Waterford), one of the bill's authors, refused, saying that only an early draft had been seen by anyone outside the Legislature, and the current draft is different and confidential.

The Senate overrode Doyle's 2003 veto, but the Assembly fell one vote short.

### **GUN CONTROL FROM THE UNITED NATIONS**

Wendy Cukier, president of Canada's Coalition for Gun Control, has issued an outrageous press release blasting the United States for being "set again to block international efforts to fight the illegal trade in guns."

The release is part of a global push for a treaty to ban handguns in the guise of stopping gun trafficking. At the United Nations World Summit this month, world leaders will produce an "outcome document" which includes gun control provisions that violate the U.S. Constitution's Second Amendment. The U.S. is set to amend them.

Cukier's news release is an astonishing display of hatred towards the United States, filled with allegations that America undermines strong gun control laws elsewhere. She asserts that "US guns are killing people worldwide," not mentioning the shooters.

**AROUND THE WORLD**

Cukier moans that "Almost one third of all guns in the world - at least 220 million - are in the hands of Americans."

To her that's a bad thing. The United Nations is Cukier's vehicle of choice to take those guns away from their owners

No other nation has such strong protection for the right of its citizens to keep and bear arms as ours. Cukier and her allies are trying to bring those rights down to their level.

### **SAAMI GETS A SEAT AT THE U.N. TABLE**

The Sporting Arms and Ammunition Manufacturers Institute (SAAMI), a gun industry trade group, has been granted official "consultative status" to the United Nations.

The status gives SAAMI the right to attend U.N. sessions and speak up in deliberations that affect treaties and model regulations, like the "small arms" gun control treaty now in preparation.

SAAMI Managing Director Rick Patterson said, "SAMMI now has an official opportunity to provide input in the creation of model regulations. We can't prevent politicians from deliberately making bad decisions, but we can make sure they don't unintentionally make bad decisions from a lack of knowledge."

### **TASMANIAN GUN GROUP BACKS STORAGE INSPECTIONS**

Tasmanian Firearm Owners Association (TFOA) vice-president John Green has announced the gun rights group's support for a police crackdown on gun storage.

Tasmania Police said it would adopt an Auditor-General recommendation that police should broaden random inspections to encourage compliance with Australia's gun storage laws.

Green said he welcomed more random inspections of gun owners' safes, which would hopefully encourage more people to keep their guns locked away.

Green was concerned that people leaving firearms in easy-to-find places makes them easy targets for thieves or poses risks for children.

TFOA has also called for a certificate to be issued to firearm owners once their safe had been inspected and approved to avoid multiple inspections.

### **BRAZIL SELF-DEFENSE GROUP FIGHTS GUN BAN**

Two warring factions of Brazil's Parliament are now debating the upcoming referendum on totally banning handguns in Brazil.

The Parliamentary Front for a Brazil without Firearms, a group of legislators in favor of the ban, is now confronted with the Parliamentary Front for the Right to Self-Defense, legislators who oppose the ban.

The president of the new Front for the Right to Self-Defense, Federal Deputy Alberto Fraga, said, "the weapons that feed organized crime are sold illegally - while the referendum addresses the population on the matter of legal sales of firearms. So why punish well-meaning citizens? What is the government's true intention? That's what we want to discuss."

### **ANOTHER CANADIAN AMERICA-BASHER**

Toronto Police Chief Bill Blair recently claimed that Canada is being flooded with guns smuggled from the United States. "My officers have seized more than 2,000 guns so far in 2005," he said.

Oops. Civilians in Blair's statistics department said it's only 1,151.

But the Canada Border Services Agency reported only 318 guns so far in 2005, below the more than 1,000 seized annually during the past 5 years. Who's right?

### **SCOTLAND WRESTLES WITH AIR GUN LAW**

## **AROUND THE WORLD**

After the air gun murder of young Andrew Morton, politicians have been mired in plans to license air guns.

Police worry that licensing air guns in Scotland could sink their officers with a bureaucratic burden.

Kenny MacAskill, Scottish National Party, wants a new Scottish Firearms Agency for all firearms licensing, saying, "It would free police to tackle crime."

### **UNITED KINGDOM GUN BAN CRIPPLES OLYMPIC SHOOTING TEAM**

The British government is steadfastly refusing to relax gun laws which make it illegal for the nation's top pistol shooters to train for the 2012 Olympics in England, Scotland and Wales.

Team members currently spend about 20 to 30 days a year training in Switzerland, and receive no funding because their events are illegal in the UK.

### **GREECE TRIES TO FIND UNREGISTERED GUNS**

The Public Order Ministry of Greece is working on a draft bill to flush unlawful weapons out of the system. Authorities will give gun owners a final chance to declare their firearms by the end of the year or face financial penalties.

### **MEXICAN GUN CONTROL CREATING BLACK MARKET FOR GUNS**

Like water, guns will find a way around obstacles. Mexico's heavy-handed gun control laws are contributing to an illegal gun market, according to U.S. law enforcement officials.

Mexican law requires an expensive application to the Secretary of National Defense (SEDENA) for a gun permit, with a background check and references. It can take up to a year. Concealed carry is illegal everywhere in the country.

With only two licensed gun manufacturers in Mexico, prices for legal guns are higher than for smuggled guns, so the black market thrives.

To compound the problem, Mexican culture has no citizen tradition or education on how to use guns properly, only a past of banditry and armed revolutionaries.

### **NEW ZEALAND PARTY PROMOTES RIGHT TO SELF DEFENSE, COPS OPPOSE IT**

The ACT Party has come out for the right to self defense, and New Zealand's Police Minister condemned them for it, saying it "promoted vigilante action."

ACT spokesman Stephen Franks announced the policy by presenting a medal to Auckland man Michael Vaimauga, who was arrested for assault after he stopped a burglar breaking into a shop. The would-be burglar was never charged.

Vaimauga went through five court hearings before being cleared.

Franks said the law should make criminals afraid, not their victims.

### **RUSSIA WANTS RIGHTS TO AK-47**

Russia is asking the United Nations to help protect its intellectual property rights to designed-in-Russia firearms, including its best-selling Kalashnikov assault rifle.

Pyotr Litavin of the Foreign Ministry said, "We are against countries making small arms that were designed in Russia without our permission."

Russia has lost its leadership in the \$4 billion annual small arms market, selling only about \$60 million worth per year.

The UN's illicit small arms program could push a treaty to license rights.

### **MINNESOTA CHURCHES FILE ANTI-GUN LAWSUIT**

Two Twin Cities churches have filed a new lawsuit claiming that the state's gun law, which prevents churches from prohibiting guns on their property, violates religious freedom contrary to the U.S. Constitution.

Edina Community Lutheran Church and Unity Church of St. Paul had sued over an earlier version of the law, which was struck down by a Ramsey County district judge last year, but replaced by a new gun law.

Allowing guns on church property, the churches argue, is inconsistent with sincerely held beliefs.

Minneapolis attorneys David Lillehaug and Marshall Tanick, who represent the churches, said they would seek an injunction from Hennepin County District Judge LaJune Lange to keep the law from being enforced against the churches.

**ON THE  
LEGAL  
FRONT**

### **NEW JERSEY APPEALS COURT OVERTURNS GUN PERMIT FOR SEA CAPTAIN**

A state Superior Court Judge awarded Captain Salvatore Atanasio Jr. the right to carry a concealed gun while guiding cruise ships along New Jersey's coast, but a state appeals panel overturned the judge's decision and took the right away.

Superior Court Judge John Pursel in Warren County cited Atanasio's extensive background as a ship's master and noted that large sea vessels could be vulnerable to attacks by terrorists.

The permit was termed a maritime equivalent of airline pilots arming themselves to protect their cockpits, but the Appellate Division of Superior Court found "no justifiable need" for Captain Atanasio to arm himself.

### **COMPANIES WON'T CHALLENGE OKLAHOMA GUN LAW**

Williams Cos. Inc. has joined Whirlpool Corp. and The State Chamber in opting out of a federal lawsuit that challenges a new Oklahoma law that allows employees to keep firearms in their cars at work, leaving ConocoPhillips as the primary plaintiff.

The law has been blocked pending the lawsuit. U.S. District Judge Terence Kern is considering a request for a permanent injunction against the new law.

### **INNOCENT MAN STILL IN TENNESSEE PRISON BECAUSE HE STOPPED A BREAK-IN**

Michael A. Neal has been sitting behind bars in a West Tennessee prison for three months after a Knox County judge ruled he was innocent of two murder charges for killing gang members who broke into his home.

The state Board of Probation and Parole accuses Neal of possessing for a matter of minutes the gun he wrested from the two intruders who broke into his East Knoxville home and tried to kill him.

The parole officer won't dismiss the possession charge.

### **ILLINOIS JUDGE ISSUES ILLEGAL ORDER**

Associate Judge Ellar Duff ordered Elizabeth Ritchie, 30, of Alton, Illinois, to return a handgun to her ex-husband, a convicted felon.

It is a felony in Illinois for a felon to possess a firearm, and for anyone to transfer a gun to a felon, so Ritchie rightfully refused.

Judge Duff sent her to the Madison County jail, where she remained for four hours until the judge learned that Ritchie's ex-husband was a convicted felon.

The jail then released Ritchie on Judge Duff's order.

### **OHIO COURT TOSSES CHALLENGE TO COLUMBUS "ASSAULT WEAPON" BAN**

Franklin County Probate Judge Lawrence Belskis has dismissed the first court challenge to Columbus' new assault weapon ban.

It was filed by probate lawyer Phil Harmon on the narrow grounds that it would interfere with administration of estates in Franklin County.

Gun rights advocates hope a statewide preemption bill will remove the ban.

**GUN NEWS TICKER - QUICK TAKES ON THE NEWS**

● **Idabell, Oklahoma:** National Rifle Association Executive Vice President Wayne LaPierre vowed to a packed house at the Kiamichi Technical Center to make ConocoPhillips "an example of what happens when a corporation takes away your Second Amendment rights." ConocoPhillips is the major plaintiff left standing in a court bid to stop an Oklahoma law allowing workers to keep guns in their locked cars on company property. The NRA will run a billboard campaign saying "Conoco/Phillips is no friend of the Second Amendment."

● **Cincinnati:** Ohio's Republican Senior Senator Mike DeWine is under fire in his own party for his bad record on gun rights. Two pro-gun Republican candidates have emerged to challenge him in the primaries: John Mitchell, who has already declared his candidacy, and John Hritz, who has an exploratory committee seriously examining the chances to unseat the incumbent. The Ohio Republican Party, however, supports DeWine, expressing confidence he will win reelection next year.

● **St. Louis, Missouri:** The National Rifle Association has pulled out of anti-gun Columbus, Ohio for its 2007 annual convention, and booked in St. Louis. The NRA rescinded its Columbus decision after the city passed a ban on certain kinds of so-called "assault weapons," which include numerous semiautomatic hunting rifles. The convention is expected to draw around 60,000 people, who will spend between \$15 million and \$30 million in the local economy.

● **Washington, D.C.:** American Enterprise Institute Resident Scholar John Lott has charged the Clinton-dominated Democratic Leadership Council (DLC) with setting up fake pro-gun organizations to make it appear that hunters and trap shooters favor "assault weapon" bans and other anti-gun policies. The DLC, says Lott, worked through a PR firm called DCS-Internet Advocacy Group, to create a bogus outfit by the name of The American Hunters and Shooters Association (AHSAs) to lead anti-gun campaigns designed to fool the public and policy makers. Watch for AHSAs as the 2008 presidential campaign heats up.

● **New York:** Forbes magazine's website, Forbes.com, has completed a survey of readers and a panel of experts to rank the 20 most important tools of all time, in terms of their impact on human civilization. The rifle ranked as the 7th most important, ahead of the scythe (No. 8) and behind the knife (No. 1). In praise of the rifle, Forbes.com wrote: "Our ancestors made spears, slings and bows and mastered their use in hunting and warfare. But the rifle put all those tools to shame, boasting unprecedented accuracy, power, reliability, and range. Rifles have won wars, tamed continents and overturned empires."

● **Hollywood:** Well, not really. "Michael & Me," is a pro-gun movie send-up of left-wing filmmaker Michael Moore (*Fahrenheit 9/11*, *Bowling for Columbine*, *Roger & Me*), produced, directed and written by talk show host Larry Elder. It was self-financed, independent, and debuted on Amazon.com in DVD format, but not on a lot of movie screens. What it lacks in film savvy "Michael & Me" more than makes up for in zeal hammering the pro-gun message home and beating up the anti-gun crowd. Gun rights advocates will love it.

● **Springfield, Massachusetts:** Smith and Wesson says its fourth-quarter profit grew about 13 percent on stronger sales of firearms and pistols. Revenue increased about 10 percent, and net income grew to \$1.8 million, from \$1.6 million the year before. Full year sales rose to \$124 million, up five percent from last year.

● **Oklahoma City:** The Oklahoma Rifle Association has named State Senator Jay Paul Gumm (D-6th District) 2005 "Legislator of the Year" for his "staunch and steadfast defense of the Second Amendment." Gumm said he was honored. "Standing up for the constitutional right to keep and bear arms is part of my duty as senator," he said. Gumm was elected in 2002 to represent all of Bryan, Johnston and Marshall counties, most of Coal County and a portion of Atoka County. Gumm has been honored as one of 10 rising stars in Oklahoma politics.

# Parting Shot

## ALL HE HAD WAS COMMON SENSE - AND A GUN

Chuck Estes goes to work early. One morning he left his home in Lacey, Washington, a little before 4:00 a.m. and, walking down the driveway to his car, noticed someone had sliced into his wife's convertible and stole her stereo and speakers.

He didn't think he had time to deal with it right away and decided he'd call in a police report when he got to work.

But as he drove down the street, he saw two young males climbing into a Volkswagen Rabbit that was loaded with electronic and other equipment.

Given the time of morning, that looked suspicious.

Estes stopped. One of the young men ran as fast as he could.

The other was still in the passenger's seat.

Holding his flashlight in one hand and his .44 Magnum revolver in the other, Estes approached the driver's side window and ordered the suspect to put his hands on the dashboard.

The .44 Magnum showed plainly in the suspect's line of vision.

Estes made it very clear that the young man was to stay in the car, and that he was not at risk and that the man with the gun was not a threat.

The young man complied.

Estes saw his wife's stereo and speakers in the back seat and retrieved them, then dialed 9-1-1, holstered his revolver, and waited for police.

Deputies arrived and arrested Ryan W. Gill, 16, of Olympia, who was booked into Thurston County Juvenile Detention Center of charges of first- and second-degree theft. Estes' heart sank when he heard the age of the boy.

He has two teenage boys of his own.

"I love kids, and they make mistakes," he told a reporter. "What was he doing out at this hour? I hope this young man might see the light."

Inside the car, police found a laptop computer, a hand-held global positioning system and numerous other car prowl items that solved many crimes.

Deputies found a driver's license that led to the other suspect, Matthew A. Borcherding, 21, of Olympia. He was arrested and booked into Thurston County Jail on suspicion of first-degree theft.

Chief Criminal Deputy Dan Kimball said, "Our standard response is call police and let them handle it. In all honesty, if Mr. Estes hadn't taken some action, we'd have no idea who did it. He handled things skillfully with common sense."

And a gun.

*Alan M. Gottlieb*

*Joseph A. Tartaro*

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