

# The Gottlieb-Tartaro Report

THE INSIDERS GUIDE FOR GUN OWNERS

Issue 244

April, 2015

Dear Subscriber,

Gun control advocates lose another round with the **departure of Director B. TODD JONES from the Bureau of Alcohol, Tobacco, Firearms and Explosives** "to pursue other opportunities in the private sector," as the official announcement declared - reportedly to a newly-created senior position with the National Football League.

But the real reason **JONES'** tenure at the controversial ATF finally came to an end had to do with his attempt to ban bullets used in AR-15 rifles. **The Citizens Committee for the Right to Keep and Bear Arms** had called on **JONES** to step down or be fired in the wake of a "colossal blunder" by the agency in proposing to **re-classify the popular .223-caliber M855 ammunition as armor piercing.** **CCRKBA Chairman ALAN GOTTLIEB** said it was a clear victory for grassroots Second Amendment activism, no matter how short lived it may turn out to be.

**AT THE  
FEDERAL  
LEVEL**

The agency only said that it will **"further evaluate the issues raised therein, and provide additional open and transparent process before proceeding with any framework."**

As expected, the White house ammo ban is delayed but **OBAMA** is still threatening gun owners with unreasonable rules. White House spokesman **JOSH EARNEST** made clear that **President Obama is still committed to gun control** and is still pursuing avenues for more gun control laws. **EARNEST stressed OBAMA's desire** to put "common-sense rules" in place for guns. **Representative CAROLYN MALONEY (D-NY)** called gun owners' efforts to block the AR-15 ammo ban "shameful." **MALONEY said,** "The gun lobby successfully worked to block an effort that would keep our communities safer from the threat of gun violence," her usual extremist rhetoric.

However, **gun control groups distanced themselves from the Obama administration's failed attempt to ban ammunition** commonly used in AR-15 hunting rifles. The huge pushback by gun rights advocates clearly showed them it was a losing game.

Gun owners said **the bullet ban was a "backdoor" attempt to restrict AR-15 rifles** and accused the administration of **"pandering to billionaire MICHAEL BLOOMBERG and his gun control groups."**

The plot thickens as a congressman proposed a **center fire ammo ban.** Only a week after the ATF withdrew its plan to ban M855 as "armor-piercing ammunition," **U.S. Rep. STEVE ISRAEL (D-N.Y.)** announced that he intends to introduce legislation to **extend the definition of armor-piercing ammunition to include all bullets that can pierce body armor and be used in handguns.**

Gun control supporters have been pushing this idea for years. In the 1980s, after NBC-TV did an attack piece on bullets invented for law enforcement officers to shoot through walls and doors, **disingenuously calling them "Cop Killer Bullets,"** gun control supporters seized upon the term and proposed legislation to ban any bullet that could penetrate a soft protective vest.

Fighting back, **North Carolina Republican Rep. PATRICK MCHENRY** introduced gun legislation in the House that would stop the Obama administration from attempting to ban ammunition in the future. "The Ammunition and Firearms Protection Act would ensure this popular ammunition used by countless law-abiding American sportsmen remains available and not subject to any future ATF bans," **MCHENRY** said.

--Continued on Page 2

**Also in this issue:** ● Canadian gun registry can be destroyed ● Brady Center loses ammo lawsuit ● Open carry bill advances in Texas ● "Defending others is the right thing," in our Page 8 Parting Shot.

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Addressing the District of Columbia's harsh gun control laws, **U.S. Senator Marco Rubio (R-Fla.) and U.S. Representative Jim Jordan (R-Ohio)** introduced "The Second Amendment Enforcement Act of 2015" in the U.S. Senate and House respectively.

These bills would restore the fundamental individual right for law-abiding D.C. residents to Keep and Bear Arms to defend themselves in accordance with the law. This bill would also conform D.C. law to federal laws in regards to governing firearms commerce, while also allowing D.C. residents to purchase firearms from licensed dealers in VA and MD, without the current hassle of D.C.'s onerous firearm registration system.

The D.C. permitting system would also become streamlined, allowing for more law-abiding D.C. residents to legally obtain a permit and carry concealed firearms for self-defense.

The legislation would:

**Remove the authority of the D.C. Council** to enact persecutory gun control;

Conform D.C. law to federal law governing firearm commerce;

Enable D.C. residents to obtain firearms from licensed dealers in Maryland and Virginia;

**Repeal D.C.'s onerous firearm registration system;**

Create a "shall-issue" permitting system for concealed carry, including provisions pertaining to background checks and firearm training;

Create authority for private entities and secure public buildings to determine whether or to what degree firearms will be allowed on their premises.

**Former Rep. Gabrielle Giffords (D-Ariz.)** came back to visit Capitol Hill to urge Congress to expand gun control laws and require background checks for all commercial gun sales. "Now is the time to come together and be responsible. Democrats, Republicans, everyone," she said. "We must never stop fighting. Fight! Fight! Fight!"

Giffords and husband, astronaut Capt. Mark Kelly, **were on hand to back Rep. Mike Thompson (D-Calif.) and Rep. Robert Dold (R-Ill.)** in reintroduction of the so-called Public Safety and Second Amendment Rights Protection Act of 2015 to discourage private sales of firearms.

In another chapter in the battle against discrimination against the firearms industry, **a budget amendment was proposed by Sen. Mike Crapo (R-Idaho)** that would strip the Department of Justice's Operation Choke Point program of its funding. It was adopted by the Senate Budget Committee.

"The Department of Justice must not politicize its enforcement policies, and we must not let Operation Choke Point become an end run around the Second Amendment by threatening the financial security of gun and ammunition manufacturers," Crapo said in an article in The Daily Signal.

**U.S. Rep. Blaine Luetkemeyer has also focused on ending Operation Choke Point** through legislation and requests for investigations into the program by the DOJ and Federal Deposit Insurance Corporation.

The FDIC and DOJ, have reportedly **intimidated financial institutions to deny services to industries the government doesn't like** in an attempt to choke them off from our country's banking system. These include the nondepository lending industry, ammunition and firearms sales, fireworks sales, tobacco sales, coin dealers, debt collectors, pawnbrokers and pharmaceutical sales.

**AT THE  
FEDERAL  
LEVEL**

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

● **Ottawa, Canada:** Canada's high court struck a blow against gun control with a decision that clears the way for the federal government to destroy data on owners of rifles and shotguns. Ottawa ordered the database destroyed in 2012, but Quebec went to court to try to stop it, hoping to use the names of Quebecers on the list to build its own firearms registry. The Supreme Court's decision means that while Canadians must still obtain a license to own a gun, most will not have to disclose that they own a long gun.

● **Baltimore, Maryland:** Professor Stephen Teret at the Johns Hopkins Bloomberg School of Public Health has suggested that President Obama could "use his executive powers" to "promote gun safety" with a "lucrative" federal law enforcement order of such firearms serving as "a high profile endorsement" of the technology. The school was renamed in honor of billionaire former New York Mayor Michael Bloomberg who has donated \$1.1 billion to Johns Hopkins University. With no disrespect toward Prof. Teret, American gun owners may not be that keen on "smart guns" and reading that someone from a school financially supported by a wealthy gun prohibitionist such as Bloomberg - so much so that the school changed its name in his honor - makes them skeptical if not downright suspicious of any push to promote such guns.

● **Davenport, Iowa:** Eric Puryear with Puryear Law in Davenport, Iowa, has given his employees an extra \$50 a month if they get their permits and carry a gun. "Well, I really like gun rights. I think they're a basic human right. I think so many bad things wouldn't happen to people if they were armed for self-defense," said Puryear. In his office lobby is a sign welcoming guns. There is an gun club hat, as well as handgun and shotgun books, above his desk. "I think it's an important constitutional right. It's right up there with voting and free speech. I feel strongly about those, too. I don't think anybody disagrees with voting rights or free speech rights, and so I guess gun rights is an area where there's just more to be said," said Puryear.

● **Columbia, South Carolina:** President Obama is under fire from The Washington Post's fact-checker over a series of recent far-fetched gun claims, including the country's homicide rate is higher than that of other industrialized nations "by like a mile." According to the Organization for Economic Cooperation and Development, the average homicide rate among the 36 countries is 4.1 per 100,000 people. Brazil tops the list with a homicide rate of 25.5. The U.S. and Chile tie for fourth. The president also said that "it's easier for you to buy a handgun and clips than it is for you to buy a fresh vegetable." It's not true anywhere in the U.S., even where it's hard to find fresh vegetables.

● **New York City:** States United To Prevent Gun Violence opened a "gun store" in NYC as a hidden camera social experiment to debunk safety myths. They did this by only offering models of guns for sale that had been used in high-profile crimes. So when a first-time female buyer asked to see a gun that was easy to operate the clerk grabbed a .22 revolver and said, "[This] is the easiest gun we have to use. It's our most popular one... It's also a gun that 5-year-old found in his parents bedroom, went down and shot his 9-month-old baby brother with it." And so forth. All their "customers" walked out without buying a gun. The reports didn't say whether they went elsewhere and bought one.

● **Bishkek, Kyrgyzstan:** Kyrgyz President Almazbek Atambaev has endorsed amendments to the country's Criminal Code allowing individuals to use firearms in self-defense. The bill was initiated by lawmakers Feliks Kulov, Tatyana Levina, Eristina Kochkarova, Igor Gusarov, and Kanybek Osmonaliev from Ar-Namys (Dignity) party. They argued that the amendments were needed because of what they called "insufficient measures by the government to protect private property" in Kyrgyzstan. The presidential press service said the amendments give Kyrgyz individuals the right to use firearms to protect their lives, health, and property against intruders. Ownership of hunting guns with a police-issued permit has been allowed for years in Kyrgyzstan, but their use in self-defense had been forbidden until now.

**JUDGE ALLOWS GUN CONTROL GROUPS TO INTERVENE IN I-594 LAWSUIT**

U.S. District Court Judge Benjamin H. in Tacoma, who is handling the challenge to Initiative 594, has granted a motion by the Washington Alliance for Gun Responsibility and Everytown for Gun Safety Action Fund for I-594 to intervene as defendants in the lawsuit spearheaded by the Second Amendment Foundation. Washington State I-594 was an initiative to the legislature to impose NICS background checks on private sales, gun show transactions and online sales. The legislature rejected 594 and a Michael Bloomberg-financed gun control coalition gathered enough signatures to submit the initiative to the ballot in 2014, where it passed.

Judge Settle said in his order that the gun control groups "have substantial rights to defend." The groups sent out fundraising e-mails asserting that supporters of the measure "have the gun lobby running scared." Probably not.

An attorney involved in the case suggested this could be a signal that Judge Settle is going to allow the case to go forward. If he intends to dismiss the case, as the gun control defendants have requested, it would seem nonsensical to allow intervention by new defendants.

**IN THE  
COURTS**

The lawsuit was filed in December. The defendants responded with a motion to dismiss. A number of gun rights groups who opposed 594, to include the Second Amendment Foundation, the Northwest School of Safety and the Firearms Academy of Seattle, filed suit against state Attorney General Bob Ferguson and Washington State Patrol Chief John Batiste to defeat the amendment in court. And then there was the motion from WAGR and Everytown to intervene as defendants. Whether this delays the case remains to be seen. The case could drag on for several months.

**ST. LOUIS JUDGE TOSSES OUT GUN CASE, CITING NEWLY-ENACTED AMENDMENT 5**

St. Louis Circuit Judge Robert Dierker dismissed a firearm possession charge, ruling that a convicted felon was within his rights to be armed under a Missouri Constitutional amendment passed last year. Prosecutors said it was an outcome they feared, and Circuit Attorney Jennifer Joyce pledged an appeal.

Dierker ruled that the Missouri law prohibiting felons from possessing guns is unconstitutional as applied in the case of Raymond Robinson, in part because it fails to differentiate between violent and non-violent felons. The amendment declares the right to keep and bear arms "unalienable" and subjects laws restricting gun rights to "strict scrutiny."

Dierker limited his decision to the circumstances of Robinson's situation; it is not binding on other cases. It also has no effect on a federal law prohibiting felons from possession guns.

**\$19 GUN-SALE FEE IS CONSTITUTIONAL**

A \$19 fee on every gun sale in California to fund a firearm enforcement program run by the State Department of Justice is constitutional, a federal judge ruled. U.S. District Judge Lawrence O'Neill ruled Monday that the fee falls outside of the scope of the Second Amendment. Anyone who buys a gun from a federally licensed firearm vendor in California must pay the Dealer's Record of Sale (DROS) fee before they can receive the firearm.

The fees are the primary funding source for the Armed Prohibited Persons System (APPS), which cross-references five databases to find people who legally purchased handguns and assault weapons since 1996 and those prohibited from owning or possessing firearms.

**N.J. MAN'S FIGHT TO CARRY GUN FINANCED BY POWERFUL GUN-RIGHTS GROUP**

An Andover man is the latest New Jersey resident to wage a legal battle to carry a gun, and now has a powerful Second-Amendment group financing his fight. Israel Albert Almeida, a building manager who collects rents in Newark, said he has received death threats from a man he evicted for non-payment. Almeida is now undertaking a court challenge to get his permit to carry his .45-caliber Springfield pistol, he said. "As long as I live in the state of New Jersey, I'm not safe," Almeida said in an interview. "It's going to happen eventually." At least one gun-rights group is backing his play: the Washington-based Second Amendment Foundation is financially backing Almeida's challenge.

### MASSACHUSETTS HIGH COURT REJECTS CHALLENGES TO STATE GUN LICENSING LAW

The state's highest court has rejected challenges on several grounds to parts of the state's gun licensing law. Among other things, the Supreme Judicial Court ruled that the Worcester police chief did not overstep when he denied a license to carry a gun to a man who had been charged with domestic violence, but had not been convicted.

The court said the man's alleged conduct "in punching his wife in the face, dragging her out of his vehicle, and throwing her to the ground constitutes criminal conduct that would have disqualified him from licensure had he been convicted. The absence of a conviction does not prevent such conduct from the consideration by the chief."

The "acts of domestic violence provide precisely the kind and quality of evidence that rationally support a finding of unsuitability," the unanimous court found in a 34-page ruling written by Justice Francis X. Spina.

## **IN THE COURTS**

The case, Chief of Police of the City of Worcester v. Raymond J. Holden Jr., drew amicus briefs from gun rights advocates as well as gun violence prevention advocates.

Gun rights advocates were unsuccessful in their attempt to invoke a 2008 US Supreme Court ruling, Heller v. District of Columbia, to loosen regulations in Massachusetts.

### APPEALS COURT HEARS ARGUMENTS ON MARYLAND GUN-CONTROL LAW

Maryland's gun control law impermissibly bans firearms that people commonly keep in their homes for self-defense, a lawyer for gun-rights advocates told a Federal Appeals Court. John Parker Sweeney urged a three-judge panel of the 4th U.S. Circuit Court of Appeals to overturn two key provisions of the 2013 law: the ban on 45 assault weapons, and the 10-round limit on gun magazines. U.S. District Judge Catharine Blake upheld the provisions last year, ruling that they serve the government's interest in protecting public safety without infringing on individuals' Second Amendment rights.

Sweeney argued that Blake got it wrong by allowing the state to ban firearms that many Maryland residents keep in their homes for self-defense, target practice and even hunting. "If these firearms are typically possessed by law-abiding citizens for lawful purposes, then they are protected by the Second Amendment," Sweeney told the court.

### BRADY CENTER LOSES LAWSUIT TARGETING ONLINE AMMO SELLERS

Senior U.S. District Judge Richard P. Matsch ruled against the Plaintiffs in the case of Sandy Phillips, et al., v. Lucky Gunner, LLC., et al. Sandy and Lonnie Phillips are the parents of Jessica Ghawi, a victim of the Aurora movie theater shooting. The lawsuit was backed by the anti-gun Brady Center. The lawsuit accused "the four online suppliers of ammunition and military-grade equipment of failing to screen the gunman and making it too easy for him to buy ammunition."

"We're putting them on notice, we're coming after you," Lonnie Phillips was reported as saying. The case was dismissed for failure to overcome the industry protections in the Federal Protection of Lawful Commerce in Arms Act. The Plaintiffs' arguments were also found to collapse under a similar state law. Adding to the sting, the Court also held that "defendants Lucky Gunner and the Sportsman's Guide are entitled to an award of reasonable attorney fees and costs."

### APPEALS COURT TO RECONSIDER RULING AGAINST SAN DIEGO GUN-CONTROL RULE

The 9th U.S. Circuit Court of Appeals has agreed to reconsider a decision that made it easier to receive a permit to carry a concealed weapon. State Atty. Gen. Kamala Harris had appealed the 2-1 decision by a panel of the court that struck down a policy of the San Diego County Sheriff's Department. The panel did not strike down the law, only the way it was being interpreted by the Sheriff's Department. The department had required applicants to show "good cause" why they needed a concealed weapon permit. The 2-1 decision said the policy was overly restrictive. Rather than begin issuing permits under the rules as set out by the panel's decision, the Sheriff's Department opted to hold permit applications in abeyance until the issue is decided in the courts.

**ALABAMA HANDGUN REGISTRATION REPEAL LEGISLATION INTRODUCED**

Pro-gun legislation has been introduced in the Alabama Senate and House of Representatives. Senate Bill 262 was introduced by State Senator Arthur Orr (R-Decatur) and House Bill 328 was introduced by state Representative Ed Henry (R-Hartselle). These identical measures would repeal Alabama's duplicative and intrusive handgun registration process and would amend Alabama's restrictive minor possession of handguns law.

**PRO-GUN BILL HEADS TO ARKANSAS GOVERNOR'S DESK**

House Bill 1372 has passed in the Arkansas Senate by a 32-1 vote. HB 1372, introduced by State Representative David Meeks (R-70), would remove the prohibition on carrying a concealed firearm on school property for private K-12 schools and allow them to establish policies regarding the scope of who may carry a concealed firearm on school property. HB 1372 has been transmitted to Governor Asa Hutchinson (R) for his consideration and signature.

**ARIZONA SENATE PASSES GUN CONTROL NULLIFICATION 17-12**

The Arizona Senate passed Senator Kelli Ward's (R-Lake Havasu City) nullification bill by a vote of 17-12. Ward's bill, SB1330, prohibits the state or agents of the State from enforcing – "or even assisting in the enforcement of" – any new federal gun control laws. Now that SB1330 has passed its final reading on March 11, it is headed to the House for debate and a vote. Alaska, Kansas, and Idaho have enacted nullification laws, and legislators in Montana and Florida are pushing similar legislation.

**IN THE STATES**

**PRO-GUN BILL PASSES COLORADO SENATE, HEADS TO HOUSE**

Senate Bill 86 has passed in the Colorado Senate by an 18-17 vote. SB 86, introduced by State Senator Kent Lambert (R-9), would repeal the egregious legislation passed in 2013 that requires a background check for the private transfer of a firearm between law-abiding citizens. "Universal" background checks do nothing to reduce violent crime, and only affect law-abiding gun owners by imposing cumbersome mandates and restrictions on the lawful purchase and possession of firearms.

**EMERGENCY EVACUATION BILL PASSES THE FLORIDA SENATE**

SB-290, Firearms/Emergency Evacuation by Senator Jeff Brandes (R-St. Petersburg) was heard on the Senate Floor and passed by a vote of 29-10. All Republicans and three (3) Democrats voted for the bill. The 10 who voted against the bill were anti-gun Democrats. SB-290 is a bill to protect citizens from being disarmed and charged with a crime for carrying a weapon or firearm during a mandatory evacuation ordered by the Governor or local government during a state of emergency.

**PRO-GUN LEGISLATION PASSES INDIANA HOUSE, HEADING TO GOVERNOR'S DESK**

Senate Bill 433 passed the Indiana House of Representatives on an 85 to 14 vote. Now SB 433 is being prepared to be sent to the desk of Governor Mike Pence (R) for his consideration. SB 433, authored and introduced by State Senator Jim Tomes (R-49) and sponsored by state Representative Jim Lucas (R-69), would repeal the section of the Indiana statute that prohibits the possession, sale, receipt, or use of short-barreled rifles and shotguns.

**IMPORTANT PRO GUN LEGISLATION PASSES IDAHO HOUSE**

The Idaho House of Representatives passed House Bill 301 by an overwhelming 57 to 11 vote. HB 301 is important legislation that seeks to reform Idaho's confusing and unwieldy concealed weapons licensing statute to remove inherent ambiguities and provide explicit statutory guidance for citizens and law enforcement alike. HB 301 does not seek to present an alternative to "constitutional carry," which has been declared "dead" by legislative leadership.

**BILL WOULD LIFT IOWA'S BAN ON GUN SILENCERS OR SUPPRESSORS**

A bill that deals with a wide range of gun-related issues has easily cleared the Iowa House on a 75-24 vote. "We have before us here a bill that does many things to advance Second Amendment rights here in the State of Iowa," Representative Matt Windschitl, a Republican from Missouri Valley, said. The bill would allow Iowans to buy "silencers" that suppress the sound of a gunshot. It also would get rid of the restriction that forbids kids under the age of 14 from handling a pistol or handgun.

### KANSAS HOUSE PANEL PASSES BILL REPEALING CONCEALED-GUN PERMIT MANDATE

The House Federal and State Affairs Committee voted overwhelmingly to advance legislation allowing Kansans to legally carry concealed any lawfully obtained firearm without training or a permit. The bill sent to the full House authorizes Kansans over 21 years of age to carry hidden handguns or rifles in public places after July 1 without completing an eight-hour course or purchasing a \$132 State permit.

### KENTUCKY GOVERNOR BESHEAR SIGNS TWO PRO-GUN BILLS INTO LAW

Governor Steve Beshear (D) has signed Senate Bill 67 and House Bill 91 into law. Both of these training standards bills passed through their respective chambers with strong bipartisan support. SB 67 passed in the House of Representatives by a 89-5 vote after passing unanimously in the Senate. HB 91 passed in the Senate by a 33-3 vote after passing in the House on February 25 by a 70-21 vote.

## IN THE STATES

### GOVERNOR SNYDER SIGNS REFORM BILL OF MICHIGAN CONCEALED CARRY LAWS

Governor Rick Snyder has signed the concealed carry reform bills into law. Governor Snyder, who vetoed virtually the same bills only seven weeks ago, signed them without hesitation. Senate Bills 34 and 35 are now Public acts 3 and 4 of 2015. The bills had passed with strong, veto proof majorities in both the House and Senate. The bills eliminate county gun boards. Duties go to the Michigan State Police.

### BARRAGE OF GUN BILLS AIMING FOR PASSAGE IN MONTANA

From allowing firearms on Montana college campuses to getting rid of the requirement that a carrier of a concealed-weapon needs a permit, bills liberalizing state gun laws are marching through the 2015 Legislature. Whether they'll become law, however, may come down to Montana voters or the veto pen of Democratic Gov. Steve Bullock.

### PRO-GUN BILLS REPORTED OUT OF SOUTH CAROLINA HOUSE COMMITTEE

H. 3025 and H. 3116 were both reported favorably out of the House Judiciary Committee, although H. 3025 was debated at great length. H. 3025, introduced by state Representative Alan Clemmons (R-107), would replace the current conditional reciprocity system for recognizing Right to Carry (RTC) permits issued by other states with a straight recognition standard.

### EMPLOYEE PROTECTION LEGISLATION HEADS TO TENNESSEE GOVERNOR'S DESK

Senate Bill 1058 and its companion bill, House Bill 994, passed out of their respective chambers. SB 1058, sponsored by state Senator Mark Green (R-22) and HB 994, sponsored by state Representative Curry Todd (R-95), will provide a cause of action against an employer for a fired or harmed employee based solely on lawful transportation or storage of a firearm in his vehicle on an employer's parking lot.

### SENATE REPUBLICANS PASS OPEN CARRY BILL FOR HANDGUNS IN TEXAS

Licensed Texans would be allowed to openly carry handguns in a shoulder or belt holster - like the Old West - under legislation tentatively approved by the Senate after emotional debate that sharply divided Democrats and Republicans. The measure by Sen. Craig Estes, R-Wichita Falls, would join Texas with most other states in authorizing open carry of handguns - as long as the person has a state handgun license.

### TWO PRO-GUN BILLS SIGNED INTO VIRGINIA LAW

House Bill 1666, sponsored by Delegate Buddy Fowler (R-55), will allow former Virginia residents to petition to have their gun rights restored in the same manner as residents. It takes effect on July 1, 2015. Senate Bill 1191, sponsored by Senator Tommy Norment (R-3), will amend the felony charge for having a firearm on school property to require that the person must have knowingly possessed the firearm, so inadvertent violations do not result in a felony.

### WEST VIRGINIA GOVERNOR TOMBLIN VETOES PERMITLESS CARRY BILL

Governor Tomblin vetoed Senate Bill 347 after the Legislature showed bipartisan support for the bill. The House of Delegates passed the bill by a 71-29 vote after it was passed in the state Senate by a 32 to 2 vote. West Virginia already allows permitless open carry and Bill 347 would have allowed carrying while wearing a coat or carrying a firearm in a purse.

# Parting Shot

## DEFENDING OTHERS IS THE RIGHT THING

Disabled veteran Joshua Anderson, 29, had been out fishing until sunset at a beach pier in Port St. Lucie, located along Florida's Atlantic coast.

He saw a fight between two men in the parking area by the beach and gave them wide berth and called 911.

Then he saw one of the men, later identified as Brett Jowers, push the pregnant girlfriend of the second man, Zachery Sly, to the ground.

That wasn't tolerable. Anderson stepped in and went to the pregnant woman's aid, warning the men to back off.

He was ready to pull out his legally permitted concealed handgun if necessary.

Jowers and Sly threatened to jump on him, and he shot each of them in the torso as they came for him.

Responding cops had Jowers and Sly transported to a local hospital where they were both declared in critical condition with life threatening injuries.

Anderson will not be charged because he acted in self-defense, Martin County Sheriff William Snyder said at a news conference.

"He went to the aid of a woman in danger. In my opinion, I think he did the right thing," authorities said.

"You don't have an obligation to allow yourself to be attacked," the sheriff said.

The other two men could be charged in the incident.

A mother whose identity was not revealed was at home with her young child in Newport News, Virginia, when a stranger behaving erratically began trying to force his way into the home through a door.

Concerned for herself and her daughter's safety, the mother retrieved her legally permitted handgun and called police. The man eventually broke into the home through a window.

The mother warned the out-of-control intruder, and when he did not stop, she shot the man twice.

When police arrived the criminal was taken to a local hospital where he is expected to recover.

The mother told officials, "All I knew is I wanted to stop him from hurting me or hurting my daughter.

"It doesn't make it too much easier having shot someone, but it makes me feel more confident that I was able to do what I needed to do when I had to face my worst fear."

*Alan M. Gottlieb*

*Joseph D. Tartaro*

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