

The Gottlieb-Tartaro Report

THE INSIDERS GUIDE FOR GUN OWNERS

Issue 229

January, 2014

Dear Subscriber,

Expanded "green ammo" regulations issued by the **Environmental Protection Agency** have forced the closing as of Dec. 31 2013 of **the country's last bullet-producing lead smelter** – a facility operated by Doe Run Co. in Herculaneum, Missouri, that first opened its doors in 1892. As a result of the closure, 145 Doe Run employees and some 73 contractors **are losing their jobs.**

It's another way to attack the Second Amendment. Advocates of a **"gun-free America and a disarmed citizenry"** are taking a new approach after being stymied by numerous court defeats.

Now, **gun control groups are pushing with Big Green groups** to go after ammunition, **using crony contacts in the Obama administration** to create regulations that stifle domestic production and force the use of more expensive and supposedly "eco-friendly" substitutes. For gun owners, **lead-free ammunition means high ammo prices.**

**AT THE
FEDERAL
LEVEL**

The U.S. House has approved a **10-year extension of an existing federal law banning guns that can go undetected by metal detectors and X-ray machines.** The measure passed on an overwhelming bipartisan vote despite reservations from Democrats who would like to **expand the scope of the law to address concerns about 3-D printing technology,** which can produce solid objects out of digital models – **including firearms** – and did not exist commercially when the law was first enacted. Without significant opposition, the House did not record members' votes on the bill.

Rep. **ROB ANDREWS** (D-N.J.) acknowledged that **an effort by Senate Democrats to expand the restriction is unlikely to overcome GOP opposition.** "There's lots of things we'd do if majority ruled, and Democrats were the majority here, but we're going to have to practice the art of the possible and pass the best law we can."

Congressional Sportsmen's Caucus Co-Chair BOB LATTA (R-Ohio) has introduced a new bipartisan version of the **Sportsmen's Heritage and Recreational Enhancement (SHARE) Act.**

LATTA and CSC Co-Chair **BENNIE THOMPSON** (D-Miss.), joined by Vice-Chairs, U.S. Reps. **ROB WITTMAN** (R-Va.) and **TIM WALZ** (D-Minn.), previously introduced the SHARE Act as a package of **pro-sportsmen's legislation designed to safeguard and promote America's hunting and fishing traditions.** The legislation enjoys wide support from both sides of the political aisle.

The SHARE Act **protects use of lead ammunition and fishing tackle,** potentially increases Pittman-Robertson funds **for shooting ranges,** grants permanent authorization of **the electronic duck stamp,** and opens Bureau of Land Management and U.S. Forest Service lands and waters to sportsmen.

Rep. **DARRELL ISSA** (R-Cal.) is **remembering the death of Border Patrol Agent BRIAN TERRY** with a continued promise to seek justice in his investigation of the Justice Department's **Operation Fast and Furious.**

ISSA, the chairman of the House Committee on Oversight and Government Reform, said his committee and Sen. **CHUCK GRASSLEY** (R-Ia.), the ranking member of the Senate Judiciary Committee, **will never give up the fight for Operation Fast and Furious documents that Attorney General Eric Holder and President Barack Obama are withholding from the American people.**

Also in this issue: ● Polls support gun rights ● Record number of Second Amendment cases in the courts ● New Jersey's Christie didn't defend gun control on appeal ● Gun Rights Across America rallies ● One thug at a time in our Page 8 Parting Shot

2013 IN REVIEW: CNN POLL FINDS SUPPORT FOR STRICTER GUN CONTROL FADES

As memories fade from December 2012's horrific school shooting in Newtown, Connecticut, a new national poll indicates that support for stricter gun control laws appears to be fading, too.

According to a poll by CNN and ORC International, opposition to gun control has risen 23 percent since January 2013. It shows a majority of Americans no longer support gun control. The November 2013 poll found that 50 percent of Americans oppose more gun control. This is up from 27 percent in early 2013. 49 percent Americans still support gun control to one degree or another, but this number down from a high of 55 percent in January as well.

POLLS SUPPORT GUN RIGHTS

CNN Polling Director Keating Holland says the drop in gun control support is due to regional differences:

"Demographically speaking, the drop in support for stricter gun laws is mostly based on where people live, with a 10-point decline in the Midwest and a 15-point drop in urban areas having a lot to do with the overall decline nationally."

Holland said support for gun control continues in the Northeast and the West.

NEW YORK POLL HIGHLIGHTS STUDENT ATTITUDES ON GUN CONTROL, SCHOOL SAFETY

A national poll conducted by Hamilton College's Arthur Levitt Public Affairs Center found that nearly 60 percent of high school seniors are somewhat, fairly or very concerned about mass shootings, though over 90 percent of students polled felt relatively safe in their schools.

Hamilton Professor of Economics Stephen Wu and his students in a Behavioral Economics class collaborated with Knowledge Networks, an online panel whose members were chosen through a statistically valid sampling frame. Surveys were completed by 941 high school students nationwide. It revealed that 85 percent of students agree that there should be stricter laws concerning background checks for gun purchases, 36 percentage points more than an earlier poll by CNN/ORC that surveyed adults on the same question, according to the poll. Key findings:

- Only 47 percent of students believe that stricter gun control laws will actually decrease gun-related violence and 85 percent of respondents agreed or strongly agreed with the statement: "Guns don't kill people; people kill people."
- Of those with a gun in the house, 82 percent said they feel safer having the gun in their home, while 30 percent of those without a gun say they would feel safer with one in their home.

AMERICANS DON'T WANT MORE GUN CONTROL, SAYS NSSF POLL

According to a poll released by the National Sports Shooting Foundation, just 4 out of 10 Americans think there should be "universal background checks" for sales at gun shows. CBS News reported that the firearms industry trade association said it commissioned the poll to counter claims by gun control advocates that "9 out of 10 Americans" want some form of increased gun control.

Respondents were asked their opinion about closing the so-called gun show loophole after being told in the question that a "A vast majority of guns sold at gun shows are sold by licensed dealers who are required by federal law to conduct background checks before guns are sold. Do you believe additional federal laws like universal background checks are necessary for gun show sales?"

And 54 percent said background checks for transferring guns between friends and family members was not effective at all or not very effective in reducing violent crime.

The Gottlieb-Tartaro Report ® (ISSN 1079-6169) is published monthly by the Second Amendment Foundation, Liberty Park, 12500 N.E. 10th Place, Bellevue, WA 98005. Phone (425)454-7012. FAX (425)451-3959. Please call or write if you have a question regarding your subscription.

Publishers: Alan M. Gottlieb and Joseph P. Tartaro

Editor: Ron Arnold

Subscriptions: Jessica Brown

Published by:

Design: Northwoods Studio

Second Amendment Foundation

Subscriptions \$60 per year USA, \$70 elsewhere. Single issues \$5.00. Copyright © 2014 by Alan M. Gottlieb and Joseph P. Tartaro. Photocopying, reproduction or quotation strictly prohibited without written permission of the publishers. Bulk rates on request. Postage paid at Bellevue, WA.

POSTMASTER: send address changes to **The Gottlieb-Tartaro Report**, 12500 N.E. 10th Place, Bellevue, WA 98005.

Printed in the USA.

FEDERAL JUDGE UPHOLDS MOST NEW YORK GUN LIMITS

Judge William M. Skretny of Federal District Court in Buffalo, has ruled that New York's strict new gun laws, including an expanded ban on assault weapons, were constitutional, but struck down a provision forbidding gun owners to load more than seven rounds into a magazine. In a 54-page ruling, Judge Skretny said that the gun law "applies only to a subset of firearms with characteristics New York State has determined to be particularly dangerous and unnecessary for self-defense; it does not totally disarm New York's citizens; and it does not meaningfully jeopardize their right to self-defense."

SAF CHALLENGE TO CALIFORNIA HANDGUN BAN SCHEME GETS HEARING

The Second Amendment Foundation, Calguns Foundation and four California residents filed a lawsuit challenging a regulation that arbitrarily bans handguns based on a roster of "acceptable" handguns approved by the State of California.

RECORD NUMBER OF SECOND AMENDMENT CASES IN THE COURTS

United States District Court Judge Kimberly J. Mueller has heard oral arguments on motions by both sides for summary judgment. Arguing for SAF and the others at the hearing was attorney Alan Gura with assistance from Don Kilmer. California Department of Justice attorney Anthony Hakl argued for defendant Stephen Lindley, Firearms Bureau Chief for the DOJ. An opinion on the cross motions is expected in the next 90 to 180 days.

ILLINOIS CITY SUED OVER ASSAULT WEAPONS BAN

A Highland Park, Illinois, man's recent lawsuit against his town, challenging the constitutionality of its ban on assault weapons, has landed in federal court, according to court documents. Arie Friedman, a Highland Park pediatrician, along with the Illinois State Rifle Association, filed suit against Highland Park in response to the city's new ban on assault weapons. Highland Park was one of several Chicago suburbs that rushed to enact municipal ordinances regulating or banning assault weapons before state law pre-empted home-rule authority.

NEW YORK COURT DECIDES FOR ITRACE DATA DEFENDANTS, CITING TIAHRT AMENDMENT

Justice Frederick J. Marshall of the New York State Supreme Court, Erie County, has ruled that defendants in the Williams v. Beemiller, et al. case do not have to produce firearm trace data that plaintiffs sought as part of their "jurisdictional" discovery requests. The judge cited the Tiahrt Amendment in the ruling. Justice Marshall's ruling helps close the door on private individuals seeking trace data directly from FFLs and the admissibility of such information in litigation. Though trace data does not constitute business records, the case serves as a warning to FFLs that their private business records are discoverable.

COLORADO SUIT GOES AHEAD WITHOUT COUNTY SHERIFFS

A lawsuit seeking to overturn two new Colorado gun-control laws remains alive despite a judge's ruling that county sheriffs cannot participate. The lawsuit will move forward on behalf of other organizations that support gun rights, which had joined 55 of the state's 64 sheriffs as plaintiffs. Chief U.S. District Judge Marcia Krieger ruled that the sheriffs, in their official capacities, do not have standing to challenge the laws. The lawsuit seeks a decision from Krieger that the laws are unconstitutional. One of the laws bans magazines with capacities of more than 15 rounds. The other imposes fees and requires background checks for private transfers of firearms.

CALIFORNIA'S GUN-LAW JUSTIFICATIONS DON'T FLY IN COURT

California Attorney General Kamala Harris failed to persuade a federal judge that a law requiring gun buyers to wait 10 days to receive their firearms is a justified burden on Second Amendment rights. U.S. District Judge Anthony Ishii in Fresno said the evidence doesn't support the state's justifications. "[T]here is nothing before the court to suggest that the 10-day period is a 'reasonable fit' that is not substantially broader than necessary to determine if an individual is disqualified from owning a firearm," Ishii wrote. Plaintiff Second Amendment Foundation said that laws like California's waiting period will get proper court scrutiny.

TEXAS ATTORNEY GENERAL ABBOTT FILES AMICUS BRIEF SUPPORTING GUN RIGHTS

Texas Attorney General Greg Abbott joined a bipartisan coalition of attorneys general from 26 states in filing a U.S. Supreme Court amicus brief in defense of gun rights. The brief urges the high court to reverse a lower court ruling that criminalizes intrastate private firearm sales from one authorized individual to another. The case, *Abramski v. United States of America*, argues that it is not unlawful for an individual to legally purchase a firearm from a licensed dealer intending to sell it to another who may also legally own and purchase firearms. The Second Amendment Foundation joined the attorneys general in pressing the suit.

GATHERING STEAM AS STATES FIGHT ATF 'STRAW PURCHASE' LAW

Another leader in the *Abramski v. United States of America* amicus brief campaign, West Virginia's Attorney General Patrick Morrisey, announced that West Virginia has filed with the U.S. Supreme Court. "Our Office is proud to lead a bipartisan group of 27 states and territories in this brief to oppose the U.S. Department of Justice's attempt to unilaterally create a federal restriction on firearm sales between law-abiding citizens," Attorney General Morrisey said. "We believe every legal gun owner in this state and nation should be interested in this case."

**IN THE
COURTS**

GUN RIGHTS GROUP FILES INJUNCTION REQUEST OVER CITY'S GUN LAW

A West Virginia gun rights organization has requested an injunction in Kanawha County Circuit Court to try to force the city of Charleston to abandon a waiting period and limit on the purchase of handguns and allow the carry of firearms on city property. The West Virginia Citizens Defense League filed the injunction request Tuesday. Lawyers for the gun advocacy group want city officials to abide by a legislative decision stripping cities of their ability to regulate the sale and regulation of guns, said a local newspaper.

SEATTLE TO PAY SAF \$38,000 IN GUN BUYBACK RECORDS DISPUTE

Anti-gun Seattle Mayor Mike McGinn is out of office now, but before a new mayor took over, his administration agreed to pay the Second Amendment Foundation \$38,000 to settle a lawsuit over the city's failure to release all public records relating to January 2013's gun buyback fiasco. Some 700 guns were obtained and supposed to be melted down into "peace plaques" but instead ended up as rebar. SAF founder and Executive Vice President Alan Gottlieb said the money will help support his organization's continuing legal battles and educational efforts.

APPEALS COURT RULES FLORIDA UNIVERSITIES CAN'T REGULATE GUNS

State universities would be blocked from regulating guns on campus under a potentially far-reaching ruling handed by a Florida appeals court. The 1st District Court of Appeal – in a rare opinion decided by the entire appeals court – sided with a University of North Florida student and a gun rights group that challenged a university rule banning students on campus from storing guns in their cars. In a lengthy decision that prompted a strong dissent as well as multiple concurring opinions, the appeals court ruled that the Florida Legislature has pre-empted the regulation of guns by local governments and state agencies.

CALIFORNIA CITY'S GUN-CONTROL ORDINANCE TRIGGERS LAWSUIT

Sunnyvale's Measure C, approved by 67 percent of voters, requires notification of firearm loss, mandates home lock-up, makes ammunition sellers keep buyers' names for two years and prohibits magazines with more than 10 rounds. A Santa Clara County Superior Court lawsuit filed by U.S. Firearms, owner Eric Fisher, and the National Shooting Sports Foundation asserts that ammo rules are pre-empted by state law and loss reporting conflicts with state and federal laws.

SPORTS GROUP'S LAWSUIT FAILS TO STOP CONNECTICUT GUN CONTROL LAW

A federal lawsuit by the National Shooting Sports Foundation, seeking to overturn a gun control law Connecticut lawmakers passed in the aftermath of the Sandy Hook Elementary School shootings, has been dismissed. Chief U.S. District Judge Janet C. Hall ruled that the firearms trade group, based in Newtown, where a lone gunman killed 20 children and six adults at the school in 2012, lacked standing to challenge the law.

CHRISTIE LETS CONCEALED GUN LAW GO UNDEFENDED DURING APPEAL

New Jersey Governor Chris Christie's administration did not defend one of the state's stringent gun laws in a case where two retired arson investigators challenged rules over who can carry a concealed weapon, according to an appeals court decision. The attorney general who made that decision, Jeffrey Chiesa, notified the court that the state would not be appealing a trial court decision a month before the Newtown, Connecticut, school shooting last year that prompted a push for gun restrictions including a ban on high-caliber assault weapons in New Jersey.

INSTITUTE ASKS U.S. SUPREME COURT TO HEAR GUN RIGHTS CASE

The Washington, D.C.-based Rutherford Institute has asked the U.S. Supreme Court to hear *Quinn v. State of Texas*, the case of John Quinn, a Texas man shot by police during a no-knock, SWAT-team style forceful entry and raid based solely on the suspicion that there were legally-owned firearms in his household. Quinn thought that his home was being invaded by criminals. In asking the Supreme Court to hear the case, Institute attorneys argue that making lawful gun ownership grounds for police to evade the protections of the Fourth Amendment improperly limits Second Amendment rights.

IN THE COURTS

ARIZONA RANCH OWNER PREVAILS IN GUN RIGHTS DISPUTE

Brad DeSaye, owner of Headhunter Ranch LLC near Prescott, Arizona, received a Notice of Violation from the Yavapai County Development Services Department informing him that what appeared to be a gun range on his property violated county rules. The notice arose from complaints about shooting on his ranch. Yavapai County Hearing Officer Peter Van Harin ruled in DeSaye's favor, allowing him to shoot firearms on his property, overriding the objections of his neighbors and Yavapai County.

GUN OWNER'S SUIT AGAINST MILWAUKEE POLICE HEADED FOR TRIAL

A Milwaukee gun rights advocate has won an early round decision in his civil rights lawsuit against police officers he claims unlawfully stopped, searched and arrested him. A federal judge denied the officers' motions to dismiss Nazir Al-Mujaahid's lawsuit, though the judge did rule they are immune from his state law claims. The case is now headed for trial. Al-Mujaahid gained attention in January 2012 when he shot an armed robber in a crowded grocery store, becoming Wisconsin's first concealed carry permit holder to stop a crime. The robber survived and was convicted. Al-Mujaahid was not charged, but did sue to get his gun back from police.

DELAWARE HIGH COURT WEIGHS PUBLIC HOUSING GUN RESTRICTIONS

The Delaware Supreme Court is weighing whether a Wilmington Housing Authority policy restricting the ability of public housing residents to carry firearms violates the state constitution. The justices heard arguments after a federal appeals court asked for clarification on whether Delaware's constitution allows the housing authority to prohibit residents and guests from displaying or carrying firearms in common areas. Present policy unfairly restricts the gun ownership rights of housing authority residents, most of them minorities who can't afford their own homes.

MAN SUES CITY OF CLEVELAND TO GET HIS GUN BACK

A Cleveland gun owner got his gun back, along with a settlement of \$6,750, nine months after his gun was taken away and he was locked in jail for three days for reporting a shooting. Derrick Washington called to alert police about a shooting that he had no connection to. Washington, a concealed carry permit-holder, had a .38-caliber weapon in his car. Police arrived on the scene and arrested him on charges of illegally carrying a concealed weapon, which were ruled false.

PHOENIX VS. GUN-RIGHTS ACTIVIST OVER 'GUNS SAVE LIVES' BUS-STOP ADVERTISEMENTS

An Arizona appeals court is considering whether Phoenix violated a gun-rights activist's constitutional protections by removing his bus-stop ads saying "guns save lives." Alan Korwin's lawyers argue that the city trampled on his free-speech rights when it removed his ads on 50 bus-stop signs in 2010. The city says promoting political speech on the city bus system would inevitably create controversy, potentially incite protests, stir accusations of political favoritism and affect transit system revenue. Korwin is being represented in the case by the Goldwater Institute, a conservative government watchdog group based in Phoenix.

GUN NEWS TICKER - QUICK TAKES ON THE NEWS

● **New York City:** Mayors Against Illegal Guns, a gun control group founded and financed by New York Mayor Michael Bloomberg, announced it will merge with another gun control group, Moms Demand Action for Gun Sense in America. The mayors' group will unite its grassroots, policy and field forces with the mothers' group "to enact common-sense policies that respect the rights of gun owners while keeping firearms out of dangerous hands," the groups said in a statement.

● **New York City:** According to Advertising Age, the amount of money spent on gun control television advertisements since the tragedy occurred has surged, with gun control groups advertising spendings surpassing \$14 million. Gun-rights organizations, on the other hand, spent \$1.9 million on advertising throughout the previous year. The study also notes that Second Amendment rights groups spent \$6.2 million on lobbying politicians as opposed to advertising.

● **Tucson, Arizona:** Gun control advocates acknowledge that they are disappointed with 2013 efforts to tighten firearm laws across the country but vowed to continue their fight, including spending millions on their candidates in 2014's elections. Though the focus of America's gun debate appears to be shifting from weapons bans to keeping firearms away from criminals and the mentally ill, gun-rights advocates seem steadfast in their efforts to limit background checks and repeal laws that prevent people from defending themselves against attackers.

● **Columbia, South Carolina:** South Carolina Gov. Nikki Haley got just what she wanted for Christmas – a nice, new handgun. The Republican governor, who is a fierce advocate of the Second Amendment, revealed on her Facebook page that one of the gifts under her tree was a Beretta, according to South Carolina's The State.

● **Greeley, Colorado:** When Sheriff John Cooke of Weld County explains in speeches why he is not enforcing the state's new gun laws, he holds up two 30-round magazines. One, he says, he had before July 1, when the law banning the possession, sale or transfer of the large-capacity magazines went into effect. The other, he "maybe" obtained afterward. They look identical. The audience can't tell the difference. "How is a deputy or an officer supposed to know which is which?" he asks. They get the point.

● **Denver, Colorado:** In a related story, fully 55 of the 62 sheriffs that serve in Colorado have outright refused to enforce the state's new gun laws – the requirement for universal background checks and the ban on ammunition magazines that hold more than 15 rounds. Officially, the sheriffs are characterizing the new laws as "very low priority" for enforcement. The 55 were prevented from joining a lawsuit to strike down the law for lack of standing, but may yet join the suit as individuals rather than as sheriffs.

● **Auburn, Alabama:** "It's just been traditionally that Auburn University has not allowed anyone other than law enforcement to have weapons on campus up until recently, this year," said Lieutenant Keith Walton of the University's Department of Public Safety and Security. "The state legislature has passed a new gun law and it requires that you can have a weapon in your vehicle at all times, as long as you got a permit to carry the gun," Walton said. David Shamp, president of Auburn Students for Concealed Carry, wants to keep his weapon with him, but the reality is it's not going to happen soon.

● **Charlotte Amalie, U.S. Virgin Islands:** In spite of, or perhaps because of, the extremely restrictive firearms laws in the U.S. Virgin Islands, the homicide rate may have been the highest in the United States in 2010, exceeding that of New Orleans, Chicago or Washington, D.C., cities that often vie for the dubious distinction. In 2010, Washington, D.C. had a murder rate of about 38 per 100,000. New Orleans had a murder rate of 58 per 100,000. The U.S. Virgin Islands, with a population of only 110,000, had a murder rate of 60 per 100,000. The murder rate dropped in 2011, and rose again in 2012, averaging 45 per 100,000 for the three years. This is still one of the highest murder rates in the world. Because the U.S. Virgin Islands are not a state, and not a city, most statistical crime analysis miss it completely.

GUN NEWS TICKER - QUICK TAKES ON THE NEWS

● **Charlotte, West Virginia:** Attorney General Patrick Morrisey has announced that West Virginia now has full reciprocity with the State of Alabama, ensuring that citizens' concealed handgun licenses issued by either state will be recognized by the other. "This agreement marks the 30th state with which West Virginia has full reciprocity," Attorney General Morrisey said.

● **Austin, Texas:** Gun Rights Across America Announced 'Guns Across America 2' stand your ground rally will be held in January. This will be a 50-state event on the steps of all state capitols. In Texas, the event will begin at 12 p.m. in Austin at the capitol building. "Facts show that law abiding citizens are not the problem, criminals are. We the people hold all of the power and it is high time that our legislators realize that," said Eric Reed, president of GRAA.

● **Deadwood, South Dakota:** Firearms Welcome Stickers have gone viral with sales shooting through the roof. "We have been keeping pace, but right after the elections orders went through the roof!" said Michael Knight, 99CentStickers.com production assistant. The sticker says: "NOTICE - Firearms Welcome. Please keep all weapons holstered unless need arises. In such a case, judicious marksmanship is appreciated."

● **Sandpoint, Idaho:** Bonner County commissioners unanimously adopted a resolution calling on the governor and state lawmakers to enhance protections for the right to bear arms. The resolution is patterned after a resolution the Idaho Republican Party is urging all 44 counties to adopt, but omits language that would direct Bonner County Sheriff Daryl Wheeler to prevent federal action that would violate the Second Amendment. Commissioners Cary Kelly, Glen Bailey and Mike Nielsen count themselves as strong supporters of the Second Amendment.

● **Caracas, Venezuela:** Leaders boast, "We have the best gun control laws in the world, so violence is down." Not really. According to a report of the non-profit Venezuelan Violence Observatory, the year 2013 closed with at least 24,763 violent deaths in the country. They estimate that the rate is 79 deaths per hundred thousand inhabitants. Recently, gunmen killed four officers of the National Guard who were dressed in civilian clothes. The incident occurred in Junquito, near the capital, Caracas. The thugs took the personal weapons of the troops and fled.

● **Denver, Colorado:** The Republican leader in the Colorado House says his party will try to overturn or change the gun restrictions Democrats passed in 2013. Rep. Brian DelGrosso said Republicans plan to introduce a bill to repeal the 15-round limit on ammunition magazines. He says Republicans will likely also revisit expanded background checks, but did not provide specifics on possible legislation. The restrictions that took effect July 1, 2013 led to the recall ouster of two Democratic state senators.

● **Dover, Delaware:** Attorney General Beau Biden is lobbying the state Senate to reconsider a controversial gun-control bill that was defeated on the final days of the General Assembly in June, 2013, a victim partly of intense, conservative grass-roots opposition. Biden's bill, sponsored by Democratic Rep. Michael Barbieri in the House, establishes a process to ban Delawareans from owning a gun if a mental health professional suspects they present a danger to themselves or others. The legislation would require qualified mental health providers, from psychiatrists to school counselors, to call police if they believe a patient presents such a danger.

● **Olympia, Washington:** The biggest gun-control fight this year is shaping up as dueling ballot initiatives in the state of Washington. It's the only place in the nation where both sides are seeking to use the ballot box at once. It's one of a handful of areas where national activists will press for gun-control laws after a measure to expand background checks on firearms buyers failed in the U.S. Senate. The Citizens Committee for the Right to Keep and Bear Arms is leading the pro-gun rights push in Washington.

Parting Shot

DEALING WITH CRIMINALS, ONE THUG AT A TIME

Police in Cedar Hill, Texas, near Dallas, say a homeowner has shot and killed an intruder. Police spokesman Corky Brown says the intruder, identified as 31-year-old Joshua Slaven, was the stepson of Cedar Hill Mayor Rob Franke, who lives a couple of blocks away and Slaven had been involved in an altercation last month with the homeowner.

Court records show Slaven was arrested on a misdemeanor assault charge and an emergency protective order was issued. Chris Knox, attorney for the homeowner, said Slaven entered the home through a bedroom window just before midnight. Knox says the homeowner's deadly actions were justified and "completely protected under Texas law."

Police in East Point, Georgia, near Atlanta, say Natavaious Willingham, suspected of trying to break into a house, was fatally shot by the homeowner. Police spokesman Cliff Chandler says the would-be burglar was shot after using a shovel to break through a patio door of an occupied house, and was pronounced dead on the scene. Chandler says the shooting appears to have been self-defense.

A Kansas City homeowner grabbed his shotgun and fatally shot Christopher Robinson, 30, who burst into the family's garage while in the midst of a crime spree, police say. Robinson was a suspect in multiple car burglaries and a carjacking. He even broke into one home and stole a vehicle that he rammed through the garage door, police said.

A Pine County, Minnesota man in his seventies shot and killed an armed intruder breaking into his house. A second intruder fled on foot. The shooting happened at 2:30 a.m. at a home in rural Sandstone, 90 miles north of the Twin Cities. The Sheriff says the gunman who was killed has a long criminal history.

Rahim Shakur attempted to break into a Piedmont, South Carolina home and shot the 78-year-old homeowner in the abdomen and leg. The homeowner returned fire and struck Shakur, who was airlifted to Greenville Memorial Hospital, where he died. The homeowner went into surgery and is now listed in stable condition.

After being beaten and pistol whipped in his own home, a 24-year-old Cleveland, Ohio man got to his personal weapon and shot two robbery suspects. One intruder was pronounced dead at the scene, the other was arrested a few blocks away and was treated at MetroHealth Medical Center for a gunshot wound to the knee. The homeowner has a concealed carry permit. Police said the suspects were males in their 20s.

The homeowners are alive today because they defended themselves with a gun.

Alan M. Gottlieb

Joseph D. Tartaro

Yes, I want to stay informed! Send me the next twelve issues of The Gottlieb-Tartaro Report at half price!

Renewal New Subscription (Make out checks to: Second Amendment Foundation.)

Here's my \$30 (half price) for twelve information-packed issues of The Gottlieb-Tartaro Report!

VISA MasterCard Check Money Order

Card Number _____ Expires _____

Send my Gottlieb-Tartaro Report to:

Name _____

Street _____

City _____

State _____ Zip Code _____

Phone _____



You can telephone or FAX your order for the Gottlieb-Tartaro Report.
Telephone orders: 425-454-7012
FAX 425-451-3959