

# The Gottlieb-Tartaro Report

THE INSIDERS GUIDE FOR GUN OWNERS

Issue 255

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Dear Subscriber,

As Democrat HILLARY CLINTON testified before the tax-writing Senate Finance Committee on Sept. 30, 1993, she was asked by SEN. BILL BRADLEY (D-N.J.) if she supported the imposition of a new, 25 percent national sales tax on guns. CLINTON emphatically endorsed the tax, stating: "I am all for that."

Although her statement was reported by mainstream outlets at the time, it hasn't been reported by any media outlet for more than 20 years.

Americans For Tax Reform is reminding voters that 2016 anti-Second Amendment presidential hopeful CLINTON has a lot of explaining to do.

C-SPAN Washington Journal hosted ATR President GROVER NORQUIST to discuss a number of issues. NORQUIST focused in on Hillary Clinton's 1993 proposals, exposing her support of a 25 percent national sales tax on guns for those who were unaware of it.

Her approach is so old, NORQUIST said. "Underneath the still waters, the country has been changing. It's a different electorate than when HILLARY CLINTON started running. There is more gun ownership and more and more Americans have concealed carry permits."

The new electorate may not affect her Democratic Party nomination but it could have a substantial impact on the election.

President OBAMA has doubled down on his commitment to gun control in the 2017 budget proposal he sent to Congress.

The \$4.1 trillion budget request, which represents President OBAMA's wish list, was met with sharp Republican criticism. The proposal calls for funding increases at the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and the FBI "to fight gun violence."

The ATF budget request is \$1.3 billion, of which more than \$35 million will be spent hiring 200 additional agents "to reduce gun violence."

The FBI is also requesting more money to hire an additional 230 employees to speed up the process of background checks on gun sales.

The budget request also includes more funding for mental healthcare and gun safety technology, among other things.

The National Shooting Sports Foundation, the firearms industry trade association, has praised the passage by the U.S. House of Representatives of the bipartisan Sportsmen's Heritage and Recreational Enhancement (SHARE) Act.

LAWRENCE G. KEANE, NSSF Senior Vice President and General Counsel said, "The SHARE Act will help ensure that our nation's outdoor traditions are preserved, protected and promoted. This bipartisan legislation addresses many key priorities for American hunters and recreational shooters and its passage by the House represents a significant accomplishment for the sportsmen's community and for America."

The SHARE Act includes provisions that will protect the use of traditional ammunition and fishing tackle by hunters and anglers, as well as provide greater flexibility for states to use Pittman-Robertson funds to create and enhance public shooting ranges and give greater access to Federal lands and waters for hunting, recreational fishing and shooting.

The bill now goes to the Senate, where its fate is uncertain, but there is no likelihood that President OBAMA will sign it into law. --continued on Page 2  
Also in this issue: ● Mourning for Justice Antonin Scalia ● Israel wants more gun owners ● Supreme Court Justice Thomas breaks 10-year silence ● Who Protects The Police? in our Page 8 Parting Shot.

**AT THE  
FEDERAL  
LEVEL**

--continued from Page 1

Idaho Republican Senator **MIKE CRAPO** has introduced legislation with nine other cosponsors that would protect Social Security beneficiaries from being stripped of their **Second Amendment rights** because of determinations used by the Social Security Administration about the management and payment of an individual's benefits.

The legislation is cosponsored by Senators **STEVE DAINES** (R-MT), **MIKE ENZI** (R-WY), **JONI ERNST** (R-IA), **ORRIN HATCH** (R-UT), **DEAN HELLER** (R-NV), **JIM INHOFE** (R-OK), **JERRY MORAN** (R-KS), **PAT ROBERTS** (R-KS) and **DAN SULLIVAN** (R-AK).

In January 2013, **President OBAMA** issued a memorandum directing federal agencies - including the Social Security Administration - to gather and submit information to the **National Instant Criminal Background Check System (NICS)** on individuals who may be determined to be what NICS refers to as **mentally deficient**.

In order for an individual to be deemed **mentally deficient**, a court, board, or other lawful authority is required find that **the person is a danger to themselves or others, or is unable to contract or manage their own affairs**.

For **some beneficiaries**, the Social Security Administration will appoint someone to act as **representative payee** for a beneficiary who may need assistance to manage their benefits. This appointment is not made through a court of law and is not a determination of a beneficiary's mental capacity.

Under the President's memorandum, the Social Security Administration could be required to report individuals who have been appointed a representative payee to NICS.

**Crapo's bill would prevent Social Security beneficiaries from being reported and protect their Second Amendment rights.**

Crapo said, "It is **inappropriate for the Social Security Administration to make determinations** about an individual's ability to buy or possess a firearm. This bill would **protect the rights of Social Security beneficiaries** from having their **Constitutional rights arbitrarily revoked**."

**Gun owners across the nation fear the Second Amendment is in danger of being gutted** by the U.S. Supreme Court following the sudden death of Justice **ANTONIN SCALIA**.

In 2008, **SCALIA** was hailed by gun owners coast to coast when he wrote the Supreme Court's historic 5-4 majority opinion that the Second Amendment gives an individual right to own a firearm, striking down a local handgun ban in a case called **DISTRICT OF COLUMBIA v HELLER**.

Firearms advocates say that **decision now hangs by a thread with the nine-justice court down to eight with SCALIA's death** - evenly divided four to four on whether the Second Amendment is an individual or a collective right.

**DAVE KOPEL**, a lawyer and gun rights advocate involved in that case, told London's Guardian newspaper: "Based on the past, we can expect that [**PRESIDENT BARACK OBAMA**] will appoint someone who will pay lip service to the Second Amendment and then vote to overturn **HELLER**."

**ALAN GOTTLIEB**, founder of The Second Amendment Foundation, the nation's oldest legal action group focusing on the Constitutional right to privately own and possess firearms, said: "**The Court must not be allowed to swing away from supporting Second Amendment rights**."

**AWR HAWKINS** a Second Amendment columnist for Breitbart News said **SCALIA's death** "gives progressives on the Supreme Court an opportunity to **gut the Second Amendment by reinterpreting it as a 'collective' right rather than an individual right**."

**OBAMA won't do that**, say Senate Majority Leader **MITCH MCCONNELL** and Senate Judiciary Committee Chairman **CHUCK GRASSLEY** in a joint statement. Instead, "**The American people will be heard and the next Supreme Court justice will be determined once the elections are complete and the next President has been sworn into office**."

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

● **Bellevue, Washington:** The Second Amendment Foundation is mourning the loss of a giant on the U.S. Supreme Court with the death of Justice Antonin Scalia, the man who authored the landmark 2008 Heller ruling that recognized the Second Amendment as protective of an individual civil right to keep and bear arms. "Antonin Scalia was a brilliant legal scholar who not only understood the Constitution, he brought clarity to possibly the most important issue of our time," said SAF founder and Executive Vice President Alan Gottlieb. "I had the honor and privilege to have met Justice Scalia and found him to be a man of strong ethics and intellect, and great character."

● **Paris, France:** Eagles of Death Metal was giving the band's Nov. 13 performance at the Bataclan in Paris when Islamic extremists massacred 89 people. Now, frontman Jesse Hughes spoke out on gun control. "Did your French gun control stop a single [expletive] person from dying at the Bataclan? And if anyone can answer yes, I'd like to hear it, because I don't think so. I think the only thing that stopped it was some of the bravest men that I've ever seen in my life charging head-first into the face of death with their firearms." Hughes returned to Paris, saying he feels a "sacred" responsibility to finish the band's show that was interrupted by gunfire, and the Bataclan has been closed since then. Hughes added that the terror attacks haven't changed his positive view on gun rights.

● **Jerusalem, Israel:** A new Knesset Lobby has called to ease gun control regulations to combat terrorism. "The personal security of Israeli citizens is under attack," said lobby chairman MK Amir Ohana of the Likud party. "This attack didn't start five months ago; it started when the Jewish people returned to its land. We cannot accept a reality in which citizens defend themselves in the streets from terrorists using umbrellas and shopping carts. We should make a proportional, balanced, and reasonable increase in the number of gun permits granted to citizens without criminal or problematic medical backgrounds, who serve in the IDF reserve."

Public Security Minister Gilad Erdan voiced his support. "There are hundreds of thousands of potential terrorists who can simply go outside with a knife, screwdriver, or gun and carry out terror attacks," he said. "The police therefore cannot prevent every attack and we would like to see more skilled gun carriers in the streets to support them."

● **Las Vegas, Nevada:** Gun control groups are eyeing Mike Bloomberg for president. It shows in the push for the ballot initiative to expand background checks in Nevada, which has demonstrated the push is driven by out-of-state consulting and messaging firms – D.C. firms in particular – and an influx of Michael Bloomberg's money, albeit indirectly. According to the Las Vegas Review-Journal, Bloomberg-funded Everytown for Gun Safety "has handed over \$535,000 to Nevadans for Background Checks in addition to spending \$349,434 on the group's staff time, expenses and consultant services." If that doesn't work, the logical conclusion to anti-gun zealots is that President Bloomberg will. The former mayor of New York City has been exploring the possibility of running as an independent, but Bloomberg confidants say the odds are "almost zero."

● **Hollywood, California:** Celebrities were wearing gun control bracelets at the Oscars while surrounded by a massive increase in armed security. Patricia Arquette, Steve Carell, Bryan Cranston, and others, wore their gun control bracelets at the 2016 movieland bash, bringing gross hypocrisy to the table by wearing their gun control bracelets while benefiting from layer after layer of good guys with guns at the Oscars. Deadline Hollywood, the tinsel-town insider's news site, reported that the security at this year's Oscars was increased to such levels that it is being called "a military state." We saw a similar situation at the 73rd annual Golden Globe Awards in January, where gun control celebrities sat in comfort while good guys carrying semi-automatic handguns and AR-15s with "high capacity" magazines roamed the grounds to keep them safe. So it's okay to endanger the lives of ordinary Americans by banning their guns so they can't be protected as readily as the lives of celebrities?

### JUSTICE THOMAS POSES QUESTIONS, STUNS SUPREME COURT CROWD

Justice Clarence Thomas broke 10 years of silence and provoked audible gasps at the Supreme Court on Monday when he posed questions from the bench during an oral argument. In a case about a federal law that bans people convicted of domestic violence from owning guns, Thomas wanted to know of any other case where breaking a law suspends constitutional rights. And it wasn't just one question; it was a back-and-forth lasting a few minutes that stunned lawyers, reporters and others in the courtroom. Justice Department lawyer Ilana Eisenstein was about to sit down after asking the justices if there were no further questions. Thomas then caught her by surprise, asking whether a misdemeanor conviction of any other law "suspends a constitutional right." Thomas peppered Eisenstein with several questions about Second Amendment gun rights, a topic no other justice had asked about. He noted that the law allows someone convicted of a misdemeanor results in suspension of a constitutional right.

### CALIFORNIA FIGHTS FED COURT RULING AGAINST 10-DAY WAIT PERIOD

California gun owners who have already passed background checks should not have to endure a 10-day waiting period every time they buy another firearm, according to Second Amendment advocates who are fighting the state in federal court for a second time in two years. Blanket application of the Golden State's longstanding 10-day waiting period was ruled unconstitutional by a federal judge in August 2014, but Attorney General Kamala Harris has kept it in place while the state appeals the ruling. At issue in *Silvester v. Harris*, argued last week before the 9th Circuit Court of Appeals in San Francisco, is whether applying the waiting period to already-vetted gun owners serves a valid purpose. "There is no government public safety interest in a waiting period if you already own a gun and have gone through a background check," said Alan Gottlieb, founder of the Second Amendment Foundation.

**IN THE  
COURTS**

### JUDGE EXTENDS GUN BAN INVOLVING ST. LOUIS ZOO

A judge has extended a temporary order barring St. Louis Zoo visitors from entering the site with guns. St. Louis Circuit Judge Joan Moriarty filed an order barring a Cincinnati man or anyone acting with him from concealing or openly carrying guns inside the zoo for now. Moriarty's order continues a temporary ban issued last June after Ohio gun rights activist Jeffrey Smith announced plans to lead an armed group into the zoo to challenge its policy prohibiting guns. The day after the temporary order, Smith entered the zoo wearing an empty holster. Smith's lawyer says the legal fight isn't over, and that Moriarty's order applies only to the temporary injunction. The zoo wants to the gun ban to be made permanent.

### IOWA SUPREME COURT LABELS ALL STUN GUNS AS DANGEROUS WEAPONS

The Iowa Supreme Court says a stun gun, under Iowa law, is a dangerous weapon. The court made the conclusion as it affirmed the conviction of a woman charged with carrying a dangerous weapon after police found a stun gun in her purse in 2013 during an arrest for theft at a Waterloo Walmart. Taquala Howse, who is 25, appealed saying her small hand-held stun gun isn't dangerous. A district judge convicted Howse, finding the state had proven it was dangerous. The Iowa Court of Appeals last year concluded since the device didn't work when police tested it and it couldn't immobilize anyone, it wasn't dangerous. The Supreme Court reversed the decision saying stun guns fall under the Iowa code's definition of a dangerous weapon even if it's inoperable.

### GUN MAKER SEEKS DISMISSAL OF LAWSUIT OVER NEWTOWN SHOOTING

Lawyers for a gun maker and families of some Sandy Hook Elementary School massacre victims squared off in a Connecticut courtroom over whether a federal law prevents the families' wrongful death lawsuit targeting the AR-15 rifle used to kill 20 children and six adults in the 2012 shooting. The families of nine children and adults killed at the Newtown school and a teacher who survived the attack say the AR-15 is a highly lethal military weapon that should not be sold to the public. They're suing Freedom Group, the Madison, North Carolina, parent company of Bushmaster Firearms, which made the AR-15 used in the school shooting. Lawyers for Freedom Group said the company is protected by a 2005 federal law that shields gun manufacturers from most lawsuits over criminal use of their products.

## MISSOURI SUPREME COURT SAYS NON-VIOLENT FELONS NOT COVERED BY AMENDMENT

A state constitutional amendment on the right to bear firearms does not allow nonviolent felons to carry guns, the Missouri Supreme Court ruled in a set of opinions recently announced. The two 5-2 decisions, written by Judge Laura Denvir Stith, reversed lower court rulings from St. Louis that had thrown out the convictions of three men based on the Aug. 5, 2014, passage of Amendment 5. It declared the right to keep and bear arms "unalienable" and subjected laws restricting gun rights to "strict scrutiny." Validity of the prohibition on violent felons was never in dispute. But the lower court rulings had created fear among prosecutors that they would no longer be able to charge nonviolent felons for having guns. The high court ruling said the amendment does not put that law in jeopardy. "We are thrilled with the court's decision today," said Beth Orwick, chief trial assistant for St. Louis Circuit Attorney Jennifer Joyce.

## GUN-RIGHTS GROUPS APPEAL CONNECTICUT BAN TO SUPREME COURT

### **IN THE COURTS**

The leading opponents of Connecticut's sweeping, post-Newtown gun laws appealed the state's assault-weapons ban to the U.S. Supreme Court, arguing that semi-automatic weapons like the AR-15 are widely popular and well-suited to home defense. Connecticut's law "infringes upon rights guaranteed by both the federal and state Constitution," said Scott Wilson, president of the Connecticut Citizens' Defense League, the lead organization in the case. "Connecticut residents deserve to have these rights restored and protected by the Supreme Court." Justices of the nation's highest court will consider the petition and decide whether to hear the case. Petitioners may find the court unreceptive. In 2008, the court stated the Second Amendment does, in fact, confer the right of individuals to own firearms. But the opinion of Justice Antonin Scalia, the court's leading conservative, said that Second Amendment rights are "not unlimited."

## JUDGE RULES WISCONSIN GUN CLUB CAN REOPEN SHOOTING RANGES

A Waukesha County judge recently ruled that the city's prior actions to shut down the ranges at the Hartland Sportsman's Club are void, and that the club is entitled to return to shooting operations there. "My client is looking forward to getting the ranges up and running again," said Jeremy Levinson, attorney for the club. "They certainly don't need the city's permission, but want to reach out to them." Levinson said it was too soon to know just how soon the ranges might reopen. The gun club voluntarily shut down in 2010, after a .45-caliber bullet from one of its ranges grazed a pregnant woman who was dining outside at the Delafield Brewhaus about a quarter mile away.

## WEST VIRGINIA ATTORNEY GENERAL, 21 STATES WIN GUN RIGHTS VICTORY

West Virginia Attorney General Patrick Morrisey hailed a federal appeals court decision as a crucial victory in protecting the rights of gun owners across the state and beyond. The 4th U.S. Circuit Court of Appeals ruled that a district court must adopt a strict standard when it reconsiders the constitutionality of a Maryland weapons ban, which prohibits sale, transfer and possession of certain firearms. Attorney General Morrisey led 21 states in arguing for strict scrutiny. The appeals court adopted the states' position and further agreed that semiautomatic rifles and standard capacity magazines subject to Maryland's ban are protected by the Second Amendment. "Singling out these firearms is akin to banning certain categories of speech - both would be unconstitutional," Attorney General Morrisey said.

## APPEALS COURT RULES MARYLAND GUN CONTROL LAW INFRINGES ON 2ND AMENDMENT RIGHTS

A federal appeals court challenged the legality of Maryland's assault weapon and high-capacity magazine ban, saying the law infringes the Second Amendment's right to bear arms. The U.S. Court of Appeals for the 4th Circuit, in a 2-1 ruling, ordered the original district judge to use stricter constitutional standards in reconsidering an earlier decision that upheld the ban. The appeals court said that Maryland's law appears to be a ban on entire classifications of weapons. The court majority said laws that go that far must be subjected to the strictest scrutiny - which requires a law to be narrowly tailored and the least restrictive means to further a compelling government interest - something the lower court didn't do.

**ALABAMA BILL TO ALLOW LOADED GUNS IN CARS WITHOUT PERMIT ADVANCES**

Senate Bill 14, to remove the requirement of a concealed carry permit to have a loaded pistol in a vehicle, has passed out of the Senate Judiciary Committee.

The bill was the subject of a heated public hearing. Senator Vivian Figures, D-Mobile continued to be a vocal opponent. "How do we know they are law abiding citizens if they don't have to go in and get a permit," she asked the bill's sponsor, Sen. Gerald Allen. Figures asked what the bill will do for citizens that they can't already do. Sen. Gerald Allen said that it is a second amendment issue, and that law-abiding citizens are the ones who will benefit.

**ARIZONA BILL TO LIMIT CITIZEN GUN CONTROL GETS PRELIMINARY APPROVAL**

State lawmakers are moving to block Arizona activists from filing initiatives requiring background checks on private sales and gun shows. The legislation given preliminary House approval would have Arizona enter into an agreement with other states, with each prohibited from enacting any new regulations on the transfer of firearms beyond federal law. Rep. Bob Thorpe, R-Flagstaff, said HB 2524 is aimed at wealthy out-of-state anti-gun zealots pushing state gun control with millions for local activists to file and campaign for state gun control initiatives.



**SAN FRANCISCO REQUIRES PEOPLE TO LOCK UP GUNS IN VEHICLES**

The Board of Supervisors unanimously approved legislation requiring strict lock-up of firearms in vehicles parked in San Francisco. The ordinance came in response to a number of high-profile shootings in San Francisco last year, including the death of a young woman shot in July with a gun stolen from a federal agent's car. The killing of 32-year-old Kate Steinle sparked a national debate over immigration because the shooter was a Mexican national released from a city jail despite federal requests to detain him for deportation. In another case, homeless drifters stole a gun from a parked car and killed a backpacker and a yoga teacher.

**COLORADO CONCEALED CARRY BILL ADVANCES**

A Colorado State Senate Finance Committee hearing on a concealed carry permit bill mixed together discussion on budgetary implications, constitutional rights and even implied Biblical rights. Senate Bill 16-017 would change requirements for concealed carry in Colorado, allowing gun owners to carry a concealed handgun without a permit. The bill, co-sponsored by Sen. Tim Neville, R-Littleton, — who is vying for a seat in the U.S. Senate — and House Rep. Patrick Neville, R-Castle Rock, passed the finance committee on a 3-2 vote and will be sent to Senate Appropriations.

**FLORIDA GOV. SCOTT SIGNS PAIR OF GUN-RELATED BILLS INTO LAW**

Governor Rick Scott signed a bill into law making it a misdemeanor for anyone to discharge a firearm in residential areas. It was prompted by the growth of shooting ranges being erected. The Governor also signed a bill that changes Florida's 10-20-Life law by removing aggravated assault from the list of crimes that carry mandatory minimum sentences. A few cases resulted in people serving 20 years in prison for threatening to use force with a gun in self-defense.

"This will fix that, and everybody seems to agree," said the governor.

**GEORGIA STATE SENATE PASSES FIREARMS INDUSTRY PROTECTION BILL**

The Georgia Senate approved SB 282, the NSSF-backed Georgia Firearms Industry Nondiscrimination Act, by an overwhelming vote of 39-16. Sponsored by State Sen. Jesse Stone, the legislation would make it illegal for a financial services provider to refuse services to someone in a firearms-related business solely because it is involved in the lawful commerce of firearms or ammunition products. SB 282 has been transferred to the Georgia House of Representatives.

**FIVE PRO-GUN BILLS PASS IOWA HOUSE FLOOR VOTE**

Five pro-gun bills now go to the Senate. House File 2279, the Hearing Protection Act, would allow suppressors in Iowa. House File 2280, the Freedom Protection Act would prohibit seizing firearms in an emergency. House File 2283, the Recreational Carry Bill, would allow carrying a firearm on an ATV or snowmobile. House File 2281, the Youth Safety & Parental Rights Act, would allow those under 14 to use guns with parent's supervision. House File 2314, Concealed Carry Permit Reform & Personal Information Protection, would keep permit information confidential.

### MAINE GUN CONTROL PROPOSAL MEETS THRESHOLD FOR BALLOT

Maine election officials have cleared a firearm background check proposal for the November ballot. Secretary of State Matthew Dunlap said that the referendum supporters obtained 65,821 valid signatures, exceeding the minimum threshold by more than 4,500. The proposal would require a background check before a firearm sale or transfer between individuals. The parties would be required to meet at a licensed firearm dealer, who would conduct a background check on the gun recipient and complete the sale. There are exceptions, including transfers between family members. The proposal will go to voters unless Maine lawmakers approve it.

### MISSOURI HOUSE VOTES TO REBUKE OBAMA OVER GUNS

The Missouri House passed a resolution asking the U.S. Congress to reject President Barack Obama's recent executive actions calling for stronger background checks for gun purchases. "This is an overreach by the president, again," said Rep. Jered Taylor, R-Nixa, who sponsored the measure. The House voted 118 to 39 to approve the measure after numerous lawmakers on both sides of the aisle debated the executive actions and Second Amendment rights more generally. Obama's executive action orders a background check for guns purchased from dealers at gun shows.

## IN THE STATES

### NEW JERSEY SENATE OKS "SMART GUN" BILL

A bill meant to encourage the use of "smart gun" technology passed the state Senate by a 21-13 vote. Sponsored by Sen. Loretta Weinberg, D-Teaneck, the bill would require gun shops in New Jersey to display and sell "smart guns." Supporters say they are a safer kind of firearm that could prevent accidental deaths. A smart gun is designed to fire only when an authorized user is holding it, with fingerprint readers or special devices worn on the wrist to unlock the trigger. The technology has not yet been fully developed. Weinberg's bill says that smart guns must be offered three years after entering the market.

### NEW YORK BILLS ATTACK AMMUNITION PURCHASES

Now It's "Assault Ammunition!" Three bills, moving into Codes Committee at the New York Assembly, when taken together, appear to be moving towards a system of licensed and restricted ammunition purchases. A-9341 would require dealers to verify that a person is authorized to possess a particular firearm before selling ammunition to them. A-9340 would limit the quantity of ammunition owners of registered "assault weapons" could purchase. A-1747 would restrict the sale of ammunition to only those with a valid handgun license. Insiders say the bills will not get out of committee.

### GUN WAITING PERIOD BILL FACING DEATH IN OREGON SENATE

House Bill 4147 remains on hold in the Senate's rules committee after barely clearing the House on a 31-28 vote. The Senate is not likely to act. The bill would make Oregon gun-buyers wait 10 days to obtain a firearm if their background checks encounter complications. Now, sellers can proceed if a check takes longer than three days. That's in line with federal law. Oregon lawmakers could end this year's session without passing any gun-related legislation, which is making the gun control crowd whine.

### SOUTH CAROLINA HOUSE PANEL ADVANCES "STAND YOUR GROUND" BILL

A House panel has advanced a bill that transfers appeals of "stand your ground" hearings directly to the state Supreme Court, and requires prosecutors to prove a defendant's use of deadly force wasn't justified. The bill, which passed the House Judiciary Committee on a unanimous and bipartisan 20-0 vote, clarifies existing law by allowing for immediate appeals to the high court. It also would require prosecutors to prove the shooting was not justified. Current law requires that defendants must prove they shot in self-defense.

### WEST VIRGINIA SENATE OKS PERMITLESS CONCEALED GUN BILL

The Republican-led West Virginia Senate has approved a proposal to let people 21 years old and up carry concealed guns without permits or training. Senators passed the bill by a 24-9 margin. It requires at least one additional House vote. Currently, it's legal in West Virginia to carry a gun openly without a permit, like in a holster. The bill would let people cover up guns in public without a permit; like wearing a coat. People ages 18 through 20 would need a permit and training with live firing.

# Parting Shot

## WHO PROTECTS THE COPS? ARMED CITIZENS, OF COURSE

A police officer was attempting to break up two teen boys in a fight near a high school in the Philadelphia, Pennsylvania suburb of Upper Darby.

This is a police superintendent's account of the event:

As he breaks up the fight, our officer takes one kid and then the other jumps on him. Now he's fighting two of them and he calls for an assist officer while dealing with two attackers.

A crowd of 40 or 50 mean looking teens has gathered to watch the fight, and they all move in towards the officer ready for a violent attack of their own.

The mob was ready to take the officer down when a man walks out the front door of his home just down the street from the fight. The man is calm and walks right up to the mob. He advises the two violent teens and the others to get away from the cop.

The mob looks him over, an easy target, and finds nothing remarkable about him except the gun in his hand.

The man is not pointing it at anyone, just holding it firmly with his finger on the trigger. The two fighting kids ease off only slightly but the mob takes the man with the gun seriously and nervously back off from the police officer struggling with the violent duo.

An assist officer quickly responds to the backup request and finds the two boys still wanting a fight - one kicked the new officer hard in the leg, causing a major injury.

With difficulty, the two cops subdue and cuff the fighters, additional police arrive and the man with the gun stays as the mob leaves the scene.

Following the incident, Upper Darby Police Superintendent Michael Chitwood said the 35-year-old gun owner, who has a concealed-carry permit, did a good job of keeping the group of teens at bay until responding officers arrived. "He had the gun in his hand, but he didn't point it at the kids, he just told them to back off."

As for his solo first responder, "If it wasn't for the good Samaritan stepping forward, he'd have been dead meat... There's no doubt they would have attacked him."

The two juveniles in the fight each were charged with aggravated assault on police, riot, harassment, and related offenses. They were remanded to the Delaware County juvenile detention facility in Lima.

"Most of our kids are good," said Chitwood.

For the others, that police superintendent is thankful for armed citizens.

*Alan M. Gottlieb*

*Joseph D. Vukobratovic*

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