

The Gottlieb-Tartaro Report

THE INSIDERS GUIDE FOR GUN OWNERS

Issue 217

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Dear Subscriber,

THE 2013 DEMOCRAT WAR ON GUNS has begun. The first salvo came from **California Democrat Senator DIANNE FEINSTEIN**, who introduced a bill proposing an extreme ban on so-called "assault weapons" and **New York Rep. CAROLYN McCARTHY** introduced a bill banning high-capacity ammunition feeding devices.

The bills were introduced **just before the 113th Congress was officially gaveled in** - the same day that children from Sandy Hook Elementary School returned to classes for the first time since **a lone gunman stormed into the school and fatally shot 26 people**. The shooter, a 20-year-old who reportedly had **a history of mental illness**, fatally shot himself as the police moved in.

The *New York Times* reported that FEINSTEIN's new legislation, in response to the Sandy Hook shootings, imposes a **much more dangerous lock on assault weapons** than the original Federal Assault Weapons ban of 1994. **It's aimed directly at gun rights.**

Feinstein's bill proposes to **ban the sale, transfer, importation or manufacturing of 120 specifically named firearms,** and other guns with "military" characteristics. **Military is not yet defined.**

FEINSTEIN's bill says it **protects the rights of existing gun owners by grandfathering in weapons legally possessed on the date of enactment,** but then **requires registration of grandfathered weapons under the National Firearms Act, which necessitates a background check, registration of type and serial number, positive identification, certification that registered guns are legal under state or local law.**

Gun registration is seen by most gun rights advocates as **the door to gun confiscation**. A number of other clauses in the bill appeared on FEINSTEIN's website.

The High Capacity Ammunition Feeding Device Act, which was introduced by **CAROLYN McCARTHY of New York** and is co-sponsored by **DIANA DeGETTE of Colorado**, would ban the sale or transfer of ammunition magazines holding more than 10 rounds. That standard was the federal mandate between 1994 and 2004 under the "assault weapons" ban, which expired in 2004.

"These assault magazines help put the 'mass' in 'mass shooting' and anything we can do to stop their proliferation will save lives in America," said McCARTHY in a statement.

President OBAMA, in a recorded message posted on the White House website, has vowed to do **"everything in my power" to advance gun control**, endorsing an assault-weapons ban, a ban on high-capacity magazines, and other measures.

The president gave an exclusive interview to "Meet the Press" during which he said that he will **put his full weight behind the gun ban effort**, and that he would like to accomplish this ban during the first year of his second term, **meaning sometime in 2013.**

The Citizens Committee for the Right to Keep and Bear Arms said President OBAMA was absolutely correct when he told "Meet the Press" that **there will be resistance** to his extremist proposal to ban the most commonly-owned and popular rifles in America. **We will be on the front lines of that resistance,** vowed CCRKBA Chairman Alan Gottlieb.

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Also in this issue: ● *SAF wins huge Illinois carry victory* ● *Arizona tries guns in schools* ● *A barrage of new opinion polls* ● *NFL murder-suicide not about guns, but people* ● *Media becoming gun criminals? in Page 8 Parting Shot*

**ON THE
FEDERAL
LEVEL**

Continued from Page 1

New York State Attorney General Eric Schneiderman, with nine other state attorneys general, sent a letter to the U.S. Senate asking lawmakers to reject two federal bills that would require them to "recognize concealed carry permits issued by any other states."

"The National Right-to-Carry Reciprocity Act" (S.2188) and the "Respecting States Rights and Concealed Reciprocity Act" (S.2213) would allow anyone to cross state lines with their concealed handgun and not adhere to the gun laws of the state they enter. Precautions such as a criminal background check and mental health review for carrying permits are not applied in all states."

Not true. First, a visitor with a permit from any state will have had at least some background check. Second, the laws from other states would not apply in New York. Third, permit holders have an overall conviction rate lower than police and are less likely to shoot an innocent person than police.

GET BATF GUNS BACK FROM MEXICO BEFORE BANNING AMERICANS' GUNS

"Before asking Congress to ban our firearms, President Obama should order his Justice Department to get back all the guns his administration allowed to be walked into Mexico under Operation Fast and Furious," the Citizens Committee for the Right to Keep and Bear Arms said.

CCRKBA Chairman Alan Gottlieb notes that some 2,000 guns were allowed to fall into criminal hands by the Bureau of Alcohol, Tobacco, Firearms and Explosives. Those guns are still showing up at crime scenes including, as CBS News reported, the attack that killed Mexican beauty queen Maria Susana Flores Gomez.

Sen. Charles Grassley is asking Inspector General Michael Horwitz to investigate how a firearm apparently purchased by a BATF special agent in Phoenix more than two years ago was recently recovered at a Mexican crime scene.

ANTI-GUN POLITICIAN DEMANDS RENEWING BAN ON NON-EXISTENT GUN

Rep. Steve Israel, D-N.Y., has called for renewal of "the federal ban on plastic guns after members of the 'Wiki Weapon' project tested a 3D-printed gun part in a live-fire test. Congress passed a law banning plastic guns for two decades, when they were just a movie fantasy," Israel said.

"With the advent of 3-D printers these guns are suddenly a real possibility, but the law Congress passed is set to expire next year." The "Undetectable Firearms Act" was passed as an overreaction to manufactured anti-gun fears. Non-metal (polymer) lower receivers are commercially available, and not illegal.

Rep. Israel's agenda? To further close off technology to all but an approved class, with all the opportunities for failure and corruption that implies.

SENATE DEMOCRATS KEEP BUREAUCRATIC POWER TO STRIP PTSD VETS OF GUNS

The Senate passed the 2013 National Defense Authorization Act by a vote of 98-0, but not before Sen. Tom Coburn, R.-Okla., submitted an amendment to give veterans who have been deemed "mentally incompetent" the right to have their cases adjudicated by a judge before a bureaucrat can remove their gun rights.

New York Democrat Sen. Charles E. Schumer was furious and equated military veterans with Post Traumatic Stress Disorder with convicted criminals. he said, "If you are mentally ill, whether you're a veteran or not, just like if you're a felon, if you're a veteran or not, and you have been judged to be mentally infirm, you should not have a gun." Under pressure, Coburn had to back off.

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SAF WINS HUGE VICTORY FOR CARRY IN ILLINOIS

The Second Amendment Foundation has won a huge victory for the right to bear arms outside the home, with a ruling in the Seventh Circuit Court of Appeals that declares the right to self-defense is "broader than the right to have a gun in one's home."

The case of Moore v. Madigan, with Judge Richard Posner writing for the majority, gives the Illinois legislature 180 days to "craft a new gun law that will impose reasonable limitations, consistent with the public safety and the Second Amendment...on the carrying of guns in public."

"We are very happy with Judge Posner's majority opinion," said SAF founder and Executive Vice President Alan M. Gottlieb. "This is a victory for Illinois citizens who have been long denied a right recognized in the other 49 states; to have the means necessary for self-defense outside the home."

Judge Posner wrote of the Second Amendment's wording, "The right to 'bear' as distinct from the right to 'keep' arms is unlikely to refer to the home. To speak of 'bearing' arms within one's home would at all times have been an awkward usage. A right to bear arms thus implies a right to carry a loaded gun outside the home."

IN THE COURTS

HAWAII COURT DISMISSES LAWSUIT CHALLENGING STATE'S CONCEALED CARRY LAW

A federal judge in Hawaii has dismissed a lawsuit in the case Young v. State of Hawaii, in which Young was denied a concealed carry permit and alleged numerous violations, but the court upheld Hawaii's concealed carry laws as Constitutional.

The Brady Center Legal Action Project boasted, "This decision is the latest in a series of similar victories, upholding reasonable restrictions on carrying guns in public in New York, New Jersey, California, and elsewhere," said Brady Center Legal Action Project Director Jonathan Lowy.

The boast is essentially puff. The case of George K. Young, Jr. against the State of Hawaii, the County of Hawaii and state, county and City of Hilo officials was fatally flawed from the beginning - it was Young's third lawsuit on essentially the same issue.

Young's basic problem was that Hawaii's concealed carry law is a "may issue" rather than a "shall issue" law, of a type that has been upheld in numerous state courts, even though it gives law enforcement officials the power to deny concealed carry permits for arbitrary judgments, for example, in Hawaii an applicant must "appear to be a suitable person to be so licensed," whatever that means. Young was denied a permit, and lost three lawsuits one after another, on similar grounds.

A more skillfully presented case may be able to enlarge gun rights in Hawaii.

BRADY CAMPAIGN LAWSUIT AGAINST ARMSLIST.COM 6 PREEMPTED BY FEDERAL LAW?

The Brady Campaign has filed a lawsuit against ArmsList.com. On April 13, 2011, Jitka Vesel, a 36-year-old immigrant from the Czech Republic was shot and killed by Demetry Smirnov, a Russian immigrant residing in Canada who had met Jitka online a few years earlier. Smirnov stalked her to her workplace parking lot where he shot her 11-12 times with a .40-caliber handgun. Law Professor Eugene Volokh commented on his blog, "The Brady lawsuit is a civil claim, not a criminal prosecution; it asserts that, under Illinois law, ArmsList.com's operation is negligent, because its facilitation of private seller gun transactions creates an unreasonable risk of harm. The main thrust of the argument seems to be that "Armslist breached [the] duty [of reasonable care] by designing its website to encourage its users to circumvent existing gun laws, which prohibit private sellers from selling firearms to residents of another state or country, by easily enabling prospective purchasers to search for and find gun sellers in any and all states."

The lawsuit probably isn't preempted by the Protection of Lawful Commerce in Arms Act. It applies only to lawsuits against gun manufacturers, gun sellers, and trade associations; ArmsList isn't covered. Volokh thinks it's preempted by 47 U.S.C. § 230, which generally bars lawsuits against Internet service or content providers based on speech posted by other parties. Stay tuned.

ARIZONA A.G. TO OFFER MARKSMANSHIP TRAINING TO ONE STAFFER AT EACH SCHOOL

Arizona's attorney general is proposing making one school staffer with exceptionally good aim the heat-packing point person for emergency school security. A.G. Tom Horne said on CNN that he believes blanket proposals to let teachers bring guns to school "would create more dangers than it would solve. My proposal is to designate one person, the principal or someone he designates and then give him training in marksmanship, in judgment, when to shoot, when not to shoot, how to secure the gun in a locked, safe place, to give intensive training," Horne said.

\$50/YEAR FEE 30-DAY WAITING PERIOD TO BUY AMMUNITION OR GOING TARGET-SHOOTING?

That's what California Senator Kevin De Leon, chair of the California Senate Democratic Caucus, is proposing in California. To buy ammunition, you'd need to submit an application with a fee (which will be up to \$50), and wait up to 30 days while the state conducts a background check. And the permit would need to be renewed each year; each renewal appears to require a new fee.

Sen. De Leon's proposal would make it harder for people to learn the basics about guns. And while it would burden the law-abiding, it would have basically no impact on would-be criminals, either career criminals or mass shooters. That's true of many proposed gun restrictions; and it's true of this one, says Eugene Volokh.

IN THE STATES

FOUR GUN CONTROL MEASURES LIKELY TO SURFACE IN COLORADO'S 2013 LEGISLATIVE SESSION

Expected measures include a ban on assault weapons, a ban on high-capacity magazines purchased online, a concealed carry ban on college campuses, and tougher background check laws that aim to do a better job identifying the mentally ill.

Local gun control organizations, Colorado Ceasefire and Sane Alternatives to the Firearms Epidemic (SAFE Colorado), but New York City Mayor Michael Bloomberg and his national coalition, Mayors Against Illegal Guns, is also behind this push for tougher gun laws in the Centennial State.

Concerning the ban on assault weapons, Rep. Rhonda Fields (D-Aurora) told reporters she's having trouble determining what exactly an "assault rifle" is.

ILLINOIS HOUSE VOTES TO REJECT GOVERNOR QUINN'S BAN ON FIREARMS

The Illinois House of Representatives rejected Governor Quinn's amendatory veto which included a ban on certain types of firearms. Illinois State Representative Dwight Kay (R-Glen Carbon) voted to reject Governor Quinn's firearm ban. "Today's vote to override Governor Quinn's firearm ban was a vote against Chicago's anti-gun policies while preserving our Second Amendment rights," he said. "Today's override will give Illinois ammunition retailers the ability to compete with out of state businesses by shipping their products throughout Illinois."

LOADED GUNS IN CARS LEGALIZED IN TOPEKA

Now that the city of Topeka has approved the 2012 Uniform Public Offense Code, openly transporting a loaded firearm in your car will be legal. The new ordinance took effect December 10, 2012 according to City spokeswoman Suzie Gilbert.

"Shawnee County allows the open transportation of loaded weapons, but the city of Topeka had up to now, prohibited that,"

Topeka Police Chief Ron Miller said. In most of the state, you can transport a firearm, in cars loaded."

WESTCHESTER, NEW YORK BOARD DEMOCRATS SAY THEY'LL PUSH FOR STRICTER GUN LAWS

Democrats on the Westchester County Board of Legislators vowed to push for stricter gun laws, including a permanent ban on county gun shows and an effort to push federal officials to enact an assault weapons ban.

In a statement released by leaders of the board's Democratic majority, Chairman Ken Jenkins said there was "no reason" to allow gun shows on county-owned property like the Westchester County Center in Greenburgh. "It is county property, and we control what activities are permitted there," said Jenkins, of Yonkers.

LAS VEGAS RELAXES GUN BAN IN PARKS

Some years back, the Nevada Legislature updated NRS 268.418 to limit the powers of local jurisdictions to enact gun laws more restrictive than those imposed by the state. "No city may infringe upon those rights and powers," the law states, except that cities may "proscribe by ordinance or regulation the unsafe discharge of firearms." The Las Vegas City Council has updated the ordinance, adding an exemption to their ban on guns in parks for those who have concealed-carry permits.

OHIO'S CONCEALED CARRY AND FIREARMS LAWS CONTINUE TO BE IMPROVED

Republican Governor John Kasich signed amended House Bill 495, sponsored by Rep. Terry Johnson (R), into law.

It makes three changes: Eliminates the "demonstrated competency" requirement for second and future CHL renewals, making CHL training similar to a hunting license. Fixes the definition of a "loaded gun" to match the commonly accepted definition. Allows law-abiding gun owners to have their firearms stored in their cars in the state-owned parking garages such as the one under the Statehouse.

"This represents a dramatic improvement to the law," said Jim Irvine, Buckeye Firearms Association Chairman.

IN THE STATES

OKLAHOMA WILL CONSIDER LAW ALLOWING TEACHERS TO BRING GUNS TO SCHOOL

Teachers and principals may soon be packing heat in the classroom, if Oklahoma State Rep. Mark McCullough (R) has his way. According to a report by The Oklahoman, the lawmaker "pledged to introduce legislation in the upcoming session to allow principals and teachers who go through training to be able to carry firearms on school property." McCullough made the now-familiar argument that people intent on mass shootings are unlikely to follow the law: "This sacrosanct notion that we cannot do anything but have gun-free zones is just a fallacy. What we're dealing with here is people who don't care. They've erased their moral compass. They don't care about the law, and they are intent on horrific acts."

ANTI-GUN STATE SENATOR PUNISHES LAW-ABIDING OREGONIANS FOR CLACKAMAS SHOOTING

In the aftermath of a shooting at Clackamas Town Center, where a criminal with a stolen gun opened fire on holiday shoppers in a reported "No Guns" zone, State Senator Ginny Burdick has introduced a bill to keep law-abiding Oregon gun owners from possessing standard capacity ammunition magazines for semi-automatic firearms, Oregon Firearms Federation reported in a membership alert. OFF Executive Director Kevin Starrett informed Beaver State gun owners. "The first one by Ginny Burdick bans the 'transfer' of magazines that can hold over 10 rounds."

PROPOSED BILL WOULD ALLOW GUNS ON COLLEGE CAMPUSES

College students could soon be able to carry guns on public campuses in Indiana. Republican Sen. Jim Banks of Columbia City has introduced legislation that would allow licensed gun owners to have firearms on campus. The law has the potential to empower hundreds of thousands of students and staff at public universities, including Indiana University, Purdue University, Indiana University-Purdue University Indianapolis, Ivy Tech, Indiana State University, Ball State University, Vincennes University and the University of Southern Indiana, but not private universities.

FULL-COURT PRESS BY SEATTLE LIBERALS TO GUT STATE GUN LAWS

Seattle liberals are joining the nationwide full-court press, led by anti-gun New York Mayor Michael Bloomberg, to gut American gun laws, undermine Second Amendment rights and push their prohibitionist agenda by exploiting the tragedy in Newtown, Conn. Former Seattle councilwoman Tina Podlodowski and Councilmen Tim Burgess and Bruce Harrell, called for a "special committee to explore the option of filing a statewide initiative" that would essentially gut Washington's long-standing model preemption law.

GUN NEWS TICKER - QUICK TAKES ON THE NEWS

● **Washington, D.C.: A BARRAGE OF NEW POLLS: ASSAULT WEAPONS:** A majority of Americans oppose a ban on so-called "assault weapons," but do support stricter gun laws, according to the results of a new USA Today/Gallup poll. According to USA Today, 51 percent of the respondents are against such a ban while 44 percent say they favor a ban. Fifty-eight percent support stricter gun laws, the newspaper reported, but also noted that 46 percent support enforcement of existing gun laws while 47 percent support passing new laws.

● **A BARRAGE OF NEW POLLS: NRA VS. THE MEDIA:** No wonder the media hates the NRA so much. They're jealous of their popularity. Fifty-four percent of Americans have a favorable opinion of the National Rifle Association, while 38% have an unfavorable opinion. The public's ratings of the NRA have fluctuated since first measured by Gallup in 1993 - from a low of 42% favorable in 1995 to a high of 60% in 2005. By contrast, Americans' distrust in the media hit a new high this year, with 60% saying they have little or no trust in the mass media to report the news fully, accurately, and fairly. Distrust is up from the past few years, when Americans were already more negative about the media than they had been in years prior to 2004.

● **A BARRAGE OF NEW POLLS: GUNS IN SCHOOLS OR GUN BANS?:** Americans are most likely to say that an increased police presence at schools, increased government spending on mental health screening and treatment, and decreased depiction of gun violence in entertainment venues would be effective in preventing mass shootings at schools. Americans rate the potential effectiveness of a ban on assault and semi-automatic guns as fourth on a list of six actions Gallup asked about.

● **A BARRAGE OF NEW POLLS: MOST IMPORTANT FREEDOMS?:** Ask voters about some of their basic freedoms enshrined in the Bill of Rights of the U.S. Constitution, and they rate freedom of speech as most important and the right to bear arms as the least. A new Rasmussen Reports national telephone survey finds that 85% of Likely U.S. Voters consider freedom of speech Very Important. Another 14% consider it somewhat important while just one percent (1%) think it's not very important. Freedoms of Speech and Religion were the top, and Freedoms of the Press and the Right to Keep and Bear Arms ranked lowest.

● **United Nations, New York:** The U.N. General Assembly voted overwhelmingly to restart negotiations on a draft international treaty to regulate the \$70 billion global trade in conventional arms, a pact the powerful U.S. National Rifle Association has been lobbying hard against. After President Obama's re-election, his administration joined other members of a U.N. committee in supporting the resumption of negotiations on the treaty. That move was set in stone when the 193-nation U.N. General Assembly voted to hold a final round of negotiations on March 18-28.

● **London, United Kingdom:** Britain's violent crime record is worse than any other country in the European union, it has been revealed. Official crime figures show the UK also has a worse rate for all types of violence than the U.S. and even South Africa - widely considered one of the world's most dangerous countries. The figures comes on the day new Home Secretary Alan Johnson makes his first major speech on crime, promising to be tough on loutish behaviour. The figures, compiled from reports released by the European Commission and United Nations, also show: The UK has the second highest overall crime rate in the EU. It has a higher homicide rate than most of our western European neighbours, including France, Germany, Italy and Spain. The UK has the fifth highest robbery rate in the EU. It has the fourth highest burglary rate and the highest absolute number of burglaries in the EU, with double the number of offences than recorded in Germany and France.

● **North Tonawanda, New York:** Mayor Robert G. Ortt has disputed and disavowed an advocacy group's inclusion of his name among a group of mayors signing a letter to President Obama and Congressional leaders urging new gun control laws. Ortt discovered his name was listed among signers of the letter, sent Dec. 19 by Mayors Against Illegal Guns, a gun control group founded by New York City Mayor Michael Bloomberg. Ortt said he knew nothing about the letter and did not sign it.

GUN NEWS TICKER - QUICK TAKES ON THE NEWS

● **Phoenix, Arizona:** Arizona sheriffs and the state's attorney general are allowing school officials and volunteers to carry guns in the wake of the shootings at a Connecticut school that left 20 children dead. The latest proposal comes from Sheriff Joe Arpaio, the self-described toughest sheriff in America, who wants to station his "posse" of volunteers outside of about 50 schools in Maricopa County. Arpaio's volunteers number about 3,000, with 300 to 400 carrying weapons. They log about 100 hours of training and undergo background checks, just like deputies.

● **New York City:** The NY Daily News has launched an online petition drive to ban assault weapons and institute comprehensive gun control. The advertisement promoting the petition includes a recent front page of the paper with a full color photograph of the United States Capital Building dripping with blood and the headline "Blood On Your Hands." Instead of examining the issues and proposing realistic solutions, the News just looked for a soft target and chose the Congress and anyone who advocates for the Second Amendment. It is easier to blame the NRA.

● **Montezuma, Iowa:** Brownells, the world's largest supplier of firearms, has reportedly sold three-and-a-half years worth of magazines in just seventy-two hours. Brownells CEO said: "I wanted to take a minute to shed some insight on the magazine situation if I can. "It really has been unprecedented in the last 5 days. During a roughly 72 hour period...we sold the 'average demand' equivalent of about 3.5 years worth of PMAGS, and an even greater amount of our Brownells magazines." A blog on Military Times had a similar report: "AR magazines are disappearing." The post read: "I just did a quick survey of a few of my favorite online retailers and found ZERO AR magazines were in stock. Brownells, Midway, Cabelas, Rainier Arms... All are out of 30 round AR magazines. In fact, it looks like they have run dry on nearly every variant of AR magazine."

● **Atlanta, Georgia:** TNT NBA analyst Charles Barkley, saying he feels safer carrying a gun, says the issue in the wake of the Kansas City Chiefs linebacker Jovan Belcher murder-suicide is domestic violence, not gun control. "There's never a reason to hit a woman, touch a woman, or obviously kill a woman," Barkley tells USA TODAY Sports. Pittsburgh Steelers linebacker James Harrison is a go-to gun authority. "They want to say it's guns. It's ridiculous. He did it. And he alone is responsible for it. It has nothing to do with the guns. Belcher killed his girlfriend, Kasandra Perkins, then drove to the Chiefs facility and committed suicide -- it isn't a gun issue, but a people issue."

● **Tysons Corner, Virginia:** NFL players say carrying guns is not only a right but, in their world, a necessity. Numerous players told USA TODAY Sports that roughly three-quarters of NFL players owned guns, compared with 40% to 45% of the general population. Former NFL running back Thomas Jones told USA TODAY Sports, "Most guys in the league realize they need protection. Because money brings a lot of positive things. But most of the time, it brings more negative things. People will go to any length to take what you have or harm you in some way just because they don't have what you have. If you don't have a firearm to protect you from situations and God forbid something happens to you, you wish you would have a firearm."

● **Washington, D.C.:** In November 2012, National Instant Check System background checks exceeded 2 million for the first time. November and December are usually the peak months, but December 2012 was absolutely unprecedented: up over 900,000 guns over December 2011's checks (which, you may recall, was a record that stood for nearly a year: 1,862,327). The new record: 2,783,765.

● **College Station, Texas:** Currently Texas A&M University allows people with concealed handgun licenses to carry on campus, and a recent 38-19 vote in the Student Senate favored concealed carry inside buildings as well. Student Body President John Claybrook, however, decided to veto the bill. "In the past two referendums in 2009 and 2011 students voted both times against having concealed carry on campus," Claybrook said. The Student Senate disagreed though and voted to overturn Claybrook's veto.

Parting Shot

ARE THE MEDIA BECOMING GUN CRIMINALS?

Warner Todd Huston broke the story on the breitbart.com blog. While attacking National Rifle Association President Wayne La Pierre on NBC's *Meet the Press*, host David Gregory actually violated gun laws in the city where he broadcasts.

Washington D.C. Police Chief Cathy Lanier has confirmed that the department is looking into allegations that Gregory violated D.C.'s gun laws during a recent taping of *Meet the Press*.

In a discussion about gun control, host Gregory brandished a 30-round magazine purportedly for an AR-15 or similar "assault rifle."

The discussion took place on December 23, during the broadcast of NBC's Sunday morning political talk show.

Police have had time to look at the law and think about David Gregory.

Washington D.C.'s gun laws state that even possessing such a device is a violation. *Meet the Press* is filmed at NBC's D.C. studios. The law in question is titled: DC High Capacity Ammunition Magazines - D.C. Official Code 7-2506.01, and reads (b) No person in the District shall possess, sell, or transfer any large capacity ammunition feeding device regardless of whether the device is attached to a firearm. For the purposes of this subsection, the term large capacity ammunition feeding device means a magazine, belt, drum, feed strip, or similar device that has a capacity of, or that can be readily restored or converted to accept, more than 10 rounds of ammunition.

Some political and media types weren't impressed by the David Gregory headlines, but a police spokesman did confirm to Capitol Hill newspaper *POLITICO* that improperly displaying even an empty magazine was illegal.

CNN's Don Lemon may have also broken the law when he purchased an AR15. He claims that he bought it in the state of Colorado. If he still lives in Atlanta, Georgia, where his bio says he's based, then he violated Colorado gun law, which allows out-of-state gun purchasers only from the states "sharing a common border" with Colorado. Georgia doesn't qualify.

Even if Lemon had just moved to Colorado, he would have to reside in the state for 90 days to have residency (unless you own or operate a business or are employed in Colorado, which doesn't apply if you live and work in Georgia).

What should law enforcement do about these alleged gun "criminals"?

Most bloggers said throw the book at Lemon as they should with David Gregory.

Alan M. Gottlieb

Joseph D. Tartaro

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