

Self-defense

A. Guns save more lives than they take; prevent more injuries than they inflict

* Law-abiding citizens use guns to defend themselves against criminals over 2.4 million times every year -- or 6,575 times a day. (1) This means that each year, firearms are used 60 times more often to protect the lives of honest citizens than to take lives. (2)

* Of the 2.4 million self-defense cases, more than 192,000 are by women defending themselves against sexual abuse. (3)

* Citizens shoot and kill at least twice as many criminals as police do every year (1527-606). (4)

* Of the 2.4 million times citizens use their guns to defend themselves every year, 92% merely brandish their gun or fire a warning shot to scare off their attackers. Less than 8% of the time, a citizen will kill or wound his/her attacker. (5)

* Handguns are the weapon of choice for self-defense. Citizens use handguns to protect themselves over 1.9 million times a year. (6) Many of these self-defense handguns could be labeled as "Saturday Night Specials."

B. Police cannot protect -- and are not required to protect -- every individual

* The courts have consistently ruled that the police do not have an obligation to protect individuals, only the public in general. For example, in *Warren v. D.C.* the court stated "courts have without exception concluded that when a municipality or other governmental entity undertakes to furnish police services, it assumes a duty only to the public at large and not to individual members of the community." (7)

* Former Florida Attorney General Jim Smith told Florida legislators that police responded to only about 200,000 of 700,000 calls for help to Dade County authorities. Smith was asked why so many citizens in Dade County were buying guns and he said, "They damn well better, they've got to protect themselves." (8)

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Written by Gun Owners

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* The Department of Justice found that in 1989, there were 168,881 crimes of violence which were not responded to by police within 1 hour. (9)

* Currently, there are about 150,000 police officers on duty at any one time to protect a population of more than 250 million Americans -- or almost 1,700 citizens per officer. (10)

Private guns deter crime

A. Concealed carry laws help reduce crime

* Florida. Since the passage of Florida's concealed carry law in 1987, over 258,000 people have received permits to carry firearms. The FBI reports show that the homicide rate in Florida has actually fallen 22% in the several years following the law's passage, while the national rate has risen 14% during the same period. (11)

* Furthermore, of the 258,000 citizens who have received permits to carry their guns concealed, only 18 people have used their gun to commit a crime according to the Florida Department of State. (12) That's a crime rate of .006 percent. A greater percentage of Americans die in cars every year.

* Concealed Carry v. Waiting Period Laws. In 1976, both Georgia and Wisconsin tried two different approaches to fighting crime. Georgia enacted legislation making it easier for citizens to carry guns for self-defense, while Wisconsin passed a law requiring a 48 hour waiting period before the purchase of a handgun. What resulted during the ensuing years? Georgia's law served as a deterrent to criminals and helped drop its homicide rate by 21 percent. Wisconsin's murder rate, however, rose 33 percent during the same period. (13)

B. Criminals avoid armed citizens

* Kennesaw, GA. In 1982, this suburb of Atlanta passed a law requiring heads of households to keep at least one weapon in the house. The residential burglary rate subsequently dropped 89% in Kennesaw, compared to the modest 10.4% drop in Georgia as a whole. (14)

* Ten years later (1991), the residential burglary rate in Kennesaw was still 72% lower than it had been in 1981, before the law was passed. (15)

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* Orlando, FL. In 1966-67, the media highly publicized a safety course which taught Orlando women how to use guns. The result: Orlando's rape rate dropped 88% in 1967, whereas the rape rate remained constant in the rest of Florida and the nation. (16)

Justice Department studies:

1. In 1979, the Carter Justice Department found that of more than 32,000 attempted rapes, 32% were actually committed. But when a woman was armed with a gun or knife, only 3% of the attempted rapes were actually successful. (17)

2. In 1985, the National Institute for Justice reported that:

* 3/5 of felons polled agreed that "a criminal is not going to mess around with a victim he knows is armed with a gun." (18)

* 74% of felons polled agreed that "one reason burglars avoid houses when people are at home is that they fear being shot during the crime." (19)

* 57% of felons polled agreed that "criminals are more worried about meeting an armed victim than they are about running into the police." (20)

Failure of Gun Control

A. Poor track record

* Washington, D.C. has the most restrictive gun control laws in the country, and yet it has one of the highest murder rates in the nation.

* Objection: Critics claim criminals merely get their guns in Virginia where the laws are more relaxed. This, they argue, is why the D.C. gun ban is not working.

* Answer: Perhaps criminals do get their guns in Virginia, but this overlooks one point: If the availability of guns in Virginia is the root of D.C.'s problems, why does Virginia not have the same murder and crime rate as the District? Virginia is awash in guns and yet the murder rate is much, much lower. This holds true even for Virginia's urban areas. The murder rates are:

City	1993 Murder rate
Washington, DC.	78.5 per 100,000 (21)
Arlington, VA	2.2 per 100,000 (22)
(Arlington is just across the river from D.C.)	
Total VA metropolitan area	8.6 per 100,000 (23)

* Guns are not the problem. On the contrary, lax criminal penalties and laws that disarm the law-abiding are responsible for giving criminals a safer working environment.

B. Criminologists turning from anti-gun position

* Dr. Gary Kleck. A criminologist at Florida State University, Kleck began his research as a firm believer in gun control. But in a speech delivered to the National Research Council, he said while he was once "a believer in the 'anti-gun' thesis," he has now moved "beyond even the skeptic position." Dr. Kleck now says the evidence "indicates that general gun availability does not measurably increase rates of homicide, suicide, robbery, assault, rape, or burglary in the U.S." (24)

* James Wright. Formerly a gun control advocate, Wright received a grant from President Carter's Justice Department to study the effectiveness of gun control laws. To his surprise, he found that waiting periods, background checks, and all other gun control laws were not effective in reducing violent crime. (25)

* Wright says at one time, "It seemed evident to me, we needed to mount a campaign to resolve the crisis of handgun proliferation." But he says, "I am now of the opinion that a compelling case for 'stricter gun control' cannot be made." (26)

Problems with waiting periods and background checks

A. Waiting periods threaten the safety of people in imminent danger

* Bonnie Elmasri -- She inquired about getting a gun to protect herself from a husband who had repeatedly threatened to kill her. She was told there was a 48 hour waiting period to buy a handgun. But unfortunately, Bonnie was never able to pick up a gun. She and her two sons were killed the next day by an abusive husband of whom the police were well aware. (27)

* Marine Cpl. Rayna Ross -- she bought a gun (in a non-waiting period state) and used it to kill an attacker in self-defense two days later.(28) Had a 5-day waiting period been in effect, Ms. Ross would have been defenseless against the man who was stalking her.

* Los Angeles riots -- USA Today reported that many of the people rushing to gun stores during the 1992 riots were "lifelong gun-control advocates, running to buy an item they thought they'd never need." Ironically, they were outraged to discover they had to wait 15 days to buy a gun for self-defense. (29)

B. Background checks do not disarm the violent criminal population

* A Justice Department survey of felons showed that 93% of handgun predators had obtained their most recent guns "off-the-record." (30)

* Press reports show that the few criminals who get their guns from retail outlets can easily get fake IDs or use surrogate buyers, known as "straw purchasers," to buy their guns. (31)

C. Prior restraints on rights are unconstitutional

1. Second Amendment protects an individual right

* Report by the U.S. Senate Subcommittee on the Constitution (1982)-- "The conclusion is thus inescapable that the history, concept, and wording of the second amendment to the Constitution of the United States, as well as its interpretation by every major commentator and court in the first half-century after its ratification, indicates that what is protected is an individual right of a private citizen to own and carry firearms in a peaceful manner." (32)

* Supreme Court admits "the people" in the Second Amendment are the same "people" as in the rest of the Bill of Rights -- In U.S. v. Verdugo- Urquidez the Court stated that "'the people' seems to have been a term of art employed in select parts of the Constitution. . . . [and] it suggests that 'the people' protected by the Fourth Amendment, and by the First and Second Amendments, and to whom rights and powers are reserved in the Ninth and Tenth Amendments, refers to a class of persons who are part of a national community or who have otherwise developed sufficient connection with this country to be considered part of that community." (33)

2. Courts agree that rights should be free from prior restraints

* Near v. Minnesota -- In this case, the Supreme Court stated that government officials should punish the abuse of a right and not place prior restraints on the exercise of the right. (34)

* What about yelling "Fire" in a crowded theater? -- The courts have stated that one cannot use his "freedom of speech" to yell "Fire" in a crowded theater. And yet, no one argues that officials should gag everyone who goes into the theater. The proper response is to punish the person who does yell "Fire." Likewise, citizens should not be "gagged" before exercising their Second Amendment rights, rather they should be punished if they abuse that right.

D. Background checks can lead to gun registration

* Justice Department report (1989) -- "Any system that requires a criminal history record check prior to purchase of a firearm creates the potential for the automated tracking of individuals who seek to purchase firearms." (35)

* California -- State officials have for years been using the state background check -- required during the waiting period -- to compile an illegal registry of handgun owners. These lists have been compiled without any statutory authority to do so. (36)

* Federal -- The BATF (Bureau of Alcohol, Tobacco and Firearms) has also been compiling an illegal gun owner list by going to dealers' stores and copying the 4473 forms which are kept there. (37) By copying these forms, which contain the name and addresses of gun buyers, the BATF is violating federal law.

Problems with gun registration and licensing

A. Licensing or registration can lead to confiscation of firearms

* Step One: Registration -- In the mid-1960's officials in New York City began registering long guns. They promised they would never use such lists to take away firearms from honest citizens. But in 1991, the city banned (and soon began confiscating) many of those very guns. (38)

* Step Two: Confiscation -- In 1992, a New York city paper reported that, "Police raided the home of a Staten Island man who refused to comply with the city's tough ban on assault weapons, and seized an arsenal of firearms. . . . Spot checks are planned [for other homes]." (39)

* Foreign Countries -- Gun registration has led to confiscation in several countries, including

Greece, Ireland, Jamaica and Bermuda. (40) And in an exhaustive study on this subject, Jews for the Preservation of Firearms Ownership has researched and translated several gun control laws from foreign countries. Their publication, Lethal Laws: "Gun Control" is the Key to Genocide documents how gun control (and confiscation) has preceded the slaughter and genocide of millions of people in Turkey, the Soviet Union, Germany, China, Cambodia and others. (41)

B. People in imminent danger can die waiting for a firearms license

* In 1983, Igor Hutorsky was murdered by two burglars who broke into his Brooklyn furniture store. The tragedy is that some time before the murder his business partner had applied for permission to keep a handgun at the store. Even four months after the murder, the former partner had still not heard from the police about the status of his gun permit. (42)

C. The power to license a right is the power to destroy a right

* Arbitrary Delays -- While New Jersey law requires applications to be responded to within thirty days, delays of ninety days are routine; sometimes, applications are delayed for several years for no readily apparent reason. (43)

* Arbitrary Denials -- Officials in New York City routinely deny gun permits for ordinary citizens and store owners because -- as the courts have ruled -- they have no greater need for protection than anyone else in the city. In fact, the authorities have even refused to issue permits when the courts have ordered them to do so. (44)

* Arbitrary Fee Increases -- In 1994, the Clinton administration pushed for a license fee increase of almost 1,000 percent on gun dealers. According to U.S. News & World Report, the administration was seeking the license fee increase "in hopes of driving many of America's 258,000 licensed gun dealers out of business." (45)

D. Officials cannot license or register a constitutional right

* The Supreme Court held in *Lamont v. Postmaster General* (1965) that the First Amendment prevents the government from registering purchasers of magazines and newspapers -- even if such material is "communist political propaganda." (46)

Assault weapons: fact or fiction?

A. "Assault rifles" no different than hunting rifles

* Officer William McGrath: "These [assault rifles] are little different than the semi-automatic hunting rifles that have been on the market since before World War II. The main difference between an assault rifle and a semi-automatic hunting rifle is that the assault rifle looks more 'military.'" (47)

* "The term 'assault' rifle is really a misnomer as a true assault rifle is a selective fire weapon capable of switching from fully automatic to semi automatic and back with the flip of a lever." (48)

* "The charge that the assault rifle holds more rounds than a 'legitimate' hunting rifle shows either a lack of knowledge or a deliberate twisting of the facts, as 10, 20 and 30 round magazines for 'legitimate' hunting rifles have been on the market for decades without the world coming to an end." (49)

B. So-called assault weapons have never been the "weapon of choice" for criminals
(All of the following figures pre-date the "assault weapons" ban passed by Congress in 1994)

* Police View: Over 100,000 police officers delivered a message to Congress in 1990 stating that only 2% to 3% of crimes are committed using a so-called "assault weapon." (50)

* New Jersey: The New York Times reported that, "Although New Jersey's pioneering ban on military-style assault rifles was sold to the state as a crime-fighting measure, its impact on violence in the state . . . has been negligible, both sides agree." (51) Moreover, New Jersey police statistics show that only .026 of 1 percent of all crimes involve "assault rifles." (52)

* Nationwide: The Bureau of Justice Statistics reported in 1993 that violent criminals only carry or use a "military-type gun" in about one percent of the crimes nationwide. (53)

* Knives more deadly: According to the FBI, people have a much greater chance of being killed by a knife or a blunt object than by any kind of rifle, including an "assault rifle." (54) In Chicago, the chance is 67 times greater. That is, a person is 67 times more likely to be stabbed or beaten

to death in Chicago than to be murdered by an "assault rifle." (55)

* Very few police deaths: So-called assault weapons are not menacing police officers nationwide. The FBI reports that no more than three officers will be killed in any one year by such guns. (56) And police officers are two to three times as likely to be killed by their own gun than by an "assault weapon." (57)

* It would seem one can't have it both ways. If one wants to ban weapons that are dangerous to police, then one should begin by pushing for a ban on police officers' own weapons -- since these guns kill far more often than "assault weapons." The same is true with knives and blunt objects. These instruments kill policemen about twice as often as semi-automatic "assault weapons." (58)

C. Semi-automatic "assault weapons" are excellent for self-defense

* Police Capt. Massad Ayoob: "The likelihood of multiple opponents who move fast, often wear body armor, know how to take cover, and tend to ingest chemicals that make them resistant to pain and shock, are all good reasons for carrying guns that throw a whole lot more bullets than six-shooters do." (59)

* "All four of these factors make it likely that more of the Good Guys' bullets will be expended before the Bad Guys are neutralized. All of these factors, therefore, militate for a higher capacity handgun in the hands of the lawful defenders." (60)

1. Drugs and alcohol can make criminals resistant to pain

* Arkansas: A drunk opened fire on an officer, who responded by firing 29 shots -- 15 of them striking the criminal. It was only the last bullet which finally killed the drunk and effectively stopped him from shooting. (61)

* Illinois: Police shot a drug-induced criminal 33 times before the junkie finally dropped and was unable to shoot any longer. (62)

2. Hi-capacity semi-autos can help decent people to defend themselves

* Los Angeles riots: Many of the guns targeted by so-called assault weapons bans are the very guns with which the Korean merchants used to defend themselves during the 1992 Los Angeles riots. (63) Those firearms proved to be extremely useful to the Koreans. Their stores were left standing while other stores around them were burned to the ground.

* The Korean merchants would probably agree with Capt. Massad Ayoob. When one is facing mob violence and the police are nowhere to be found, one needs a gun that shoots more than just six bullets. A ban on large capacity semi-automatic firearms will only harm one's ability to defend himself and his family.

D. The Second Amendment protects an individual's right to own military rifles and handguns

* Report by the U.S. Senate Subcommittee on the Constitution (1982) -- "In the Militia Act of 1792, the second Congress defined 'militia of the United States' to include almost every free adult male in the United States. These persons were obligated by law to possess a [military-style] firearm and a minimum supply of ammunition and military equipment. . . . There can be little doubt from this that when the Congress and the people spoke of the a 'militia,' they had reference to the traditional concept of the entire populace capable of bearing arms, and not to any formal group such as what is today called the National Guard." (64)

* The Supreme Court -- In U.S. v. Miller, the Court stated that, "The Militia comprised all males physically capable of acting in concert for the common defense . . . [and that] when called for service, these men were expected to appear bearing arms supplied by themselves and of the kind in common use at the time." (65)

Three Common Gun Control Myths

A. Myth #1: Gun Control has reduced the murder rates in other countries

1. England and Canada -- Their murder rates were ALREADY LOW BEFORE their gun control laws were passed. (66) Thus, their restrictive laws cannot be credited with lowering their crime rates. And the murder rates in England, Canada and Japan have risen tremendously since passing their gun control laws. (67)

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2. More hands and feet? -- United States' NON-GUN murder rate is higher than the TOTAL murder rates in England, Canada or Japan. (68) In other words, Americans kill each other more often with weapons other than guns -- such as with knives, fists and feet.

* It is absurd to claim that the U.S. has more murders because it has more guns. As already stated, the U.S. also has a higher murder rate with hands, feet and knives. Do Americans then have more hands and feet than British people do? Do they own more knives?

* The problem is not the type of weapons used, rather, the failure in America to keep violent criminals off the street. (69)

3. Violence by any other name is still violent -- Many countries with strict gun control laws have higher violence rates than the United States does. Consider the following rates:

High Gun Ownership Countries	Low Gun Ownership Countries
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Country Suicide Homicide Total* Country Suicide Homicide Total*

Finland	24.4	2.86	27.2	Romania	66.2	n.a.	66.2
Switzerland	24.45	1.13	25.58	France	21.8	4.36	26.16
U.S.	12.2	7.59	19.79	W.Grmny	20.37	1.48	21.85
Israel**	6	2	8	Japan	20.3	0.9	21.2

* The figures listed in the table are the rates per 100,000 people.

** Israel's total violence rate is lower than the total rates in England/Wales or Canada.

Source for table: Don B. Kates, Jr., Guns, Murders, and the Constitution: A Realistic Assessment of Gun Control, (1990):42.

B. Myth #2: If one has a gun in the home, one is three times more likely to be killed than if there

is no gun present

1. Dr. Edgar Suter has pointed out that studies which make such claims are flawed because they fail to consider the number of lives saved by guns. That is, such claims ignore the vast number of non-lethal defensive uses with firearms. (70)

2. Criminologists have found that citizens use firearms as often as 2.4 million times every year in self-defense. In over 90% of these defensive uses, citizens merely brandish their gun or fire a warning shot to scare off the attacker. (71)

C. Myth #3: Most homicides are committed by otherwise law-abiding people who end up killing a friend or relative

1. In fact, seventy percent of the murders are committed by criminals who have prior felonies. (72) This number does not include criminals who have plea-bargained their felonies down to lesser charges.

2. Sixty-five percent of murder victims themselves have prior felonies. (73)

3. The problem? The criminal justice system is a revolving door which continues to throw violent offenders back onto the street. For example, murderers serve an average of 7 years in jail. Rapists serve an average of 5 years. (74)

ENDNOTES

1. Dr. Gary Kleck, interview with J. Neil Schulman, "Q and A: Guns, crime and self-defense," The Orange County Register, 19 September 1993.

Dr. Kleck is a professor in the school of criminology and criminal justice at Florida State University in Tallahassee. He has researched extensively and published several essays on the gun control issue. His book, Point Blank: Guns and Violence in America, has become a widely cited source in the gun control debate. Readers of his materials may be interested to know that Kleck is a member of the ACLU, Amnesty International USA, and Common Cause. He is not and has never been a member of or contributor to any advocacy group on either side of the gun control debate.

In the interview with Schulman, Dr. Kleck reports on findings from a national survey which he and Dr. Marc Gertz conducted in Spring, 1993.

2. According to the National Safety Council, the total number of gun deaths (by accidents, suicides and homicides) account for less than 40,000 deaths per year. See Accident Facts, published yearly by the National Safety Council, Itasca, Illinois.

3. Kleck, interview with Schulman, op. cit.
4. Kleck, *Point Blank: Guns and Violence in America*, (New York: Aldine de Gruyter, 1991), pp. 111-116, 148.
5. Kleck, interview with Schulman, op. cit.
6. Ibid.
7. *Warren v. District of Columbia*, D.C. App., 444 A. 2d 1 (1981).
8. Statement of Representative Ron Johnson, "Handgun Violence Prevention Act of 1987," Hearing before the Subcommittee on the Constitution of the Committee on the Judiciary, United States Senate, (16 June 1987):33.
9. Bureau of Justice Statistics, *Sourcebook of Criminal Justice Statistics -- 1990*, (1991):257.
10. Kleck, op. cit. (*Point Blank*) p. 132.
11. Compare Federal Bureau of Investigation, "Crime in the United States," Uniform Crime Reports, 1988, pp. 7, 53; and FBI, 1994, pp. 58, 69.
12. Memo by Jim Smith, Secretary of State, Florida Department of State, *Concealed Weapons/Firearms License Statistical Report for Period 10/01/87 - 11/30/94*.
13. The comparison period between Georgia and Wisconsin is for the years 1976 to 1993. The enactment of the national Brady waiting period in 1994 ended the ability to extend, beyond 1993, any comparison of waiting periods and concealed carry laws in states such as Georgia and Wisconsin. Compare FBI, "Crime in the United States," 1977, pp. 45, 53; and FBI, 1994, pp. 70, 78.
14. Gary Kleck, "Crime Control Through the Private Use of Armed Force," *Social Problems* 35 (February 1988):15.
15. Compare Kleck, "Crime Control," p. 15 and Chief Dwaine L. Wilson, City of Kennesaw Police Department, "Month to Month Statistics: 1991." (Residential burglary rates from 1981-1991 are based on statistics for the months of March - October.)
16. Ibid, p. 13.
17. U.S. Department of Justice, Law Enforcement Assistance Administration, *Rape Victimization in 26 American Cities*, 1979, p. 31.
18. U.S., Department of Justice, National Institute of Justice, "The Armed Criminal in America: A Survey of Incarcerated Felons," Research Report, July 1985, p. 27.
19. Ibid.
20. Ibid.
21. FBI, "Crime in the United States," 1994, p. 69.
22. Ibid, p. 153.
23. Ibid, p. 77.
24. Gary Kleck, speech delivered to the National Research Council, quoted in Don B. Kates, Jr., "Scholars' ignorant bias causes anti-gun sentiments," *Handguns*, June 1991, pp. 12-13.
25. "Gun Critic Shifts His Position," *The Denver Post*, 28 November 1985.
26. James D. Wright, "Second Thoughts About Gun Control," *The Public Interest*, 91 (Spring 1988):23, 25.
27. *Congressional Record*, 8 May 1991, pp. H 2859, H 2862.
28. *Wall Street Journal*, 3 March 1994 at A10.
29. Jonathan T. Lovitt, "Survival for the armed," *USA Today*, 4 May 1992.
30. Department of Justice, "Survey of Incarcerated Felons," p. 36.
31. Pierre Thomas, "In the Line of Fire: The 'Straw Purchase' Scam," *The Washington Post*, 18 August 1991; and Thomas, "Va. Driver's License is Loophole for Guns: Fake Addresses Used in

No-Wait Sales," The Washington Post, 20 January 1992.

32. U.S. Senate, "The Right to Keep and Bear Arms," Report of the Subcommittee on the Constitution of the Committee on the Judiciary, (1982):12.

33. U.S. v. Verdugo-Urquidez, Sup. Ct. case No. 88-1353 (1990).

34. The court stated, "The fact that the liberty of the press may be abused by miscreant purveyors of scandal does not make any less necessary the immunity of the press from previous restraint in dealing with official misconduct. Subsequent punishment for such abuses as may exist is the appropriate remedy, consistent with constitutional privilege." Near v. Minnesota, 283 U.S. 697, 51 S. Ct. 625, 75 L. Ed. 1357 (1931).

35. Richard B. Abell, Assistant Attorney General, Task Force Chairman, Report to the Attorney General on Systems for Identifying Felons Who Attempt to Purchase Firearms, October 1989, p. 75.

36. David B. Kopel, Policy Review 63 (Winter 1993):6.

37. "NM Gun Shop Owners Upset Over BATF's Searches," The New Gun Week, 19 November 1993; "Suit takes shot at inspections -- Gun shop owner says copying weapons registration illegal," Cincinnati Enquirer, 7 December 1989.

38. On August 16, 1991, New York City Mayor David Dinkins signed Local Law 78 which banned the possession and sale of certain rifles and shotguns.

39. John Marzulli, "Weapons ban defied: S.I. man, arsenal seized," Daily News, 5 September 1992.

40. David Kopel, "Trust the People: The Case Against Gun Control," [Cato Institute] Policy Analysis 109 (July 11, 1988):25.

41. Jay Simkin, Aaron Zelman and Alan M. Rice, Lethal Laws: "Gun Control" is the Key to Genocide, (Milwaukee: Jews for the Preservation of Firearms Ownership, 1994).

42. Senate, "Handgun Violence," p. 107, citing Novae Russkae Slovo, Vol. LXXII, No. 26.291, Sunday, Nov. 6, 1983.

43. Kopel (Trust the People) op. cit. p. 26.

44. Ibid., pp. 25-26.

45. U.S. News & World Report, 17 January 1994, p. 8.

46. Lamont v. Postmaster General, 381 U.S. 301, 85 S. Ct. 1493, 14 L. Ed. 2d 398 (1965).

47. Officer William R. McGrath, "An Open Letter to American Politicians," The Police Marksman, May/June 1989, p. 19.

48. Ibid.

49. Ibid.

50. Congressional Record, 13 September 1990, p. E 2826, citing [Police Advertisement], Roll Call, 3 September 1990. Also, see Howard Schneider, "Gun Owners Take Shot at Schaefer Assault-Weapon Bill," The Washington Post, February 15, 1991.

51. Iver Peterson, "Both Sides Say Trenton's Ban on Assault Rifles Has Little Effect on Crime," The New York Times, 20 June 1993.

52. Ibid.

53. U.S. Department of Justice, Bureau of Justice Statistics, "Survey of State Prison Inmates, 1991," March 1993, p. 18.

54. FBI, "Crime in the United States," 1994, p. 18.

55. Matt L. Rodriguez, Superintendent of Police for the City of Chicago, 1993 Murder Analysis at 12, 13.

56. Compare FBI, "Law Enforcement Officers Killed and Assaulted," Uniform Crime Reports, for

the years 1989 (0 officers); 1990 (two officers), pp. 24, 36; 1991 (three officers), pp. 40, 41, 45; 1992 (two officers), p. 46.

57. Ibid, for 1989, pp. 4; 1990, pp. 4, 24, 36; 1991, pp. 4, 40, 41, 45; 1992, pp. 4, 46.

58. In the four years of 1989 to 1992, 14 officers were killed by knives and blunt objects. By contrast, only seven officers were killed by so-called "assault weapons." Compare FBI, "Officers Killed," for the years 1989, pp. 4, 13, 26; 1990, pp. 4, 12, 24, 36; and 1991, pp. 4, 40, 41, 45; 1992, pp. 4, 46.

59. Massad Ayoob, "Defending Firepower," *Combat Handguns*, October 1990, p. 71.

60. Ibid, p. 70.

61. Ibid, p. 25.

62. Ibid, p. 71.

63. "Koreans make armed stand to protect shops from looters," *Roanoke Times & World-News*, 3 May 1992.

64. U.S. Senate, "The Right to Keep and Bear Arms," Report of the Subcommittee on the Constitution of the Committee on the Judiciary, (1982):7.

65. *U.S. v. Miller*, 307 U.S. 174 (1939).

66. David Kopel, *The Samurai, the Mountie, and the Cowboy: Should America Adopt the Gun Controls of Other Democracies*, (1992):91, 154.

67. Compare Colin Greenwood, *Firearms Control: A Study of Armed Crime and Firearms Control in England and Wales*, (1972):31, with Greenwood, "Comparative Cross-Cultural Statistics," in Don B. Kates, ed., *Restricting Handguns: The Liberal Skeptics Speak Out*, (1979):44. See also Kevin Helliker, "As Gun Crimes Rise, Britain is Considering Cutting Legal Arsenal," *The Wall Street Journal*, 19 April 1994; Clyde H. Farnsworth, "Tough Gun Control Near Approval in Canada," *The New York Times*, 17 October 1991; John E. Woodruff, "A crime wave alarms Japan, once gun-free," *The Philadelphia Inquirer*, 11 July 1992.

68. Erik Eckholm, "A Basic Issue: Whose Hands Should Guns Be Kept Out of?" *The New York Times*, 3 April 1992; and Don B. Kates, Jr., *Guns, Murders, and the Constitution: A Realistic Assessment of Gun Control*, (1990):42.

69. The criminal justice system in the U.S. is a revolving door which continues to throw violent offenders back onto the street. For example, seventy percent of the murders are committed by criminals who have prior felonies. (Bureau of Justice Statistics, *National Update*, October 1991, p. 4.) This number does not include criminals who have plea-bargained their felonies down to lesser charges. Moreover, murderers serve an average of 7 years in jail. Rapists serve an average of 5 years. (LP Campbell, "A life sentence means anything but life in prison," *The Washington Times*, 29 August 1989.)

70. Dr. Edgar A. Suter, "Guns in the Medical Literature -- A Failure of Peer Review," *The Journal of the Medical Association of Georgia*, vol. 83, (March 1994):136.

71. Kleck quoted in Schulman, op. cit.

72. Bureau of Justice Statistics, *National Update*, October 1991, p. 4.

73. Matt L. Rodriguez, Superintendent of Police for the City of Chicago, 1992 Murder Analysis, p. 23.

74. LP Campbell, "A life sentence means anything but life in prison," *The Washington Times*, 29 August 1989.