

## Savage Ignorance

Part II

Larry "Lorenzo" Swickard

Unreasonably warm temperatures (55° on 13, December) spawn tourist outbreaks along woodland trails. How does one differentiate tourists from regular hikers and mountain bikers? Voices as loud as their clothes, hands crammed with devices and radios, unleashed trail-poopers (dogs), and packs of even louder chubby fast-food wrapper spewing hotdog fingered kids for whom being chained to a hamster wheel for six months...without food, would be beneficial. People attend movies to laugh, cry, and escape reality if but for a short time. Conversations, seat-kickers, and cell phone glow can spoil the experience. In like fashion, nature is spoiled when rude civilization intrudes. Didn't the Bush Administration argue the fight against Tourists was international? Didn't they coin the term "GWOT" for "Global War On Tourism?" I considered reporting a herd of Tourists that day to Homeland Security. None appeared menacing, not even their dogs and some seemed friendly enough. But isn't that what people say upon discovering a neighbor ran over pedestrians with a truck or blew themselves up at the train station killing many people? I'm keeping an eye on them.

In Part I, I began exposing Michael Savage's campaign to ban private ownership of certain firearms and magazines, in which he employed arguments perfectly useful...to *Confiscationists*. If I don't like Savage, why listen to him? I don't. I used to enjoy his wit and irreverent humor but his undisguised jealousy of conservative radio-talk show hosts and promotion of a *Buddha-ized* version of Christianity wore thin. His claim to be the only true radio conservative on the one hand, and assertion FDR's socialist New Deal solved the Great Depression on the other, was the final straw. Anyone with a modicum of understanding with respect to economics, history, and the Constitution knows this is false. I listen when necessary because 2<sup>nd</sup> Amendment supporters must be prepared to answer its enemies. Las Vegas was the impetus for Savage's first salvo against the right to keep and bear arms as the second was the Sutherland, Texas church shooting.

On 6 November, 2017 Savage resurrected with a vengeance his anti-2<sup>nd</sup> Amendment rant from the previous month yelling into the microphone; "Don't tell me if everyone had a gun in that church they could have stopped the killer! You John Wayne types." With a sneer he added, "And please don't play John Wayne with me on this show. I'm going to hang up on you if you call and say if all those church-goers had had a gun, this wouldn't have happened. Yeah, you John Wayne types. You'd freeze up, drop the gun, and shoot yourself in the foot if evil came into your church with an 'assault rifle' (sic). He asked how the "shooter,"<sup>1</sup> a nut, got a gun. "Why? Because gun laws are too weak" Savage continued. "Gun shows are wide open ranges and anyone can buy a gun there." He mocked conservatives arguing more guns are the answer and pastors saying God is with us even in the midst of such tragedies. Savage insisted every "nut"<sup>2</sup> in the nation can buy an AR15 because of "lax gun laws" and the killer, Devin Kelley, was allowed to buy an "automatic rifle." Although Savage conceded Kelley was ultimately stopped by a man with a gun, "That was only after he had killed everyone" he said and then trotted out an argument near and dear to the hearts of liberals with respect to the 2<sup>nd</sup> Amendment; "People have a constitutional right to drive," Savage argued, which comes with all sorts of regulations, licensing requirements, training, and tests to enjoy this "right" (sic). People have to "demonstrate" knowledge of how to operate the car and that they can

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*...dedicated to the restoration of the inalienable right to keep and bear arms as guaranteed by the 2nd Amendment*

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 Annual Gun Rights Rally**

**April 11, 2018**  
 10:00 AM to 1:00 PM  
 Capitol Rotunda  
 Jefferson City, MO

• • •

**WMSA  
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**March 27, 2018**

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SAVAGE (Continued from page 1)

drive before getting behind the wheel. Why isn't this true with guns? Then he shouted; "Why is the right to own firearms one hundred percent free from licensing, but not the right to drive? All you tough guys who want 'assault weapons' (sic) say, 'well that government will come down and get us. Let's roll armed and go out like the militia.' Yeah, all the tough guys on conservative radio are going to lead you. Onward Christian soldiers with their 'assault weapons' (sic). They'll run so fast you wouldn't be able to say Mickey Mouse." Wow. During this diatribe Savage let out he has a concealed carry permit. How does one obtain a permit in the radical Left-wing *People's Republic of Marin County* of California's Bay Area? You can't unless you're a rich celebrity or well-connected. But, Savage confessed, he'd be too scared to use his firearm so he has two body-guards. Are they armed? When it comes to self-defense, how long must Americans endure being preached down to by upper-crust gated community, goon-protected self-styled aristocrats? It reminds me of the unquenchable hypocrisy flowing from ultra-rich super-liberal Senator Ed Kennedy raging about the plight of the poor in America. Savage continued railing against conservatives claiming the "knee-jerk" reaction from "right-wingers" is; "You can't touch guns. But we must touch guns!" He yelled becoming unhinged. "Tell me I'm wrong that every nut-job in the world shouldn't be able to get 'assault-weapons' (sic). You're wrong! Too many nuts have their hands on too many guns!" He accused conservatives of arguing "nuts" should be allowed to have guns adding that those who claim they "need assault-weapons" (sic) for home defense "would poop in their pants instead. People armed is not the answer!" He shouted.<sup>3</sup>

On the following day, Savage claimed "right-wingers" oppose any and all restrictions on who can have a gun and the number of rounds held by a "clip" adding; "I have no idea why anyone in this country 'needs' a thirty-round clip (sic). Who really needs an assault-rifle? What, to hunt elephants? Don't they use single-shot rifles, in .30-06 to hunt elephants? A single round from that caliber would drop an elephant. So what in the hell do we need a thirty-round 'clip' (sic) for? I know, you're going to stand up like Paul Revere and you're going to say Charge! You won't say charge. You'll drop your gun, you'll drop your shorts, and you'll run like everyone else. Stop pretending that you're a big hero!" He then called for banning "assault weapons" (Meaning ARs, AKs, and similar function rifles) and "multiple round 'clips'" claiming this would limit the number of guns in circulation hence limiting criminal access. The Texas killer was able to kill so many people because "He had a machine gun in his hands!" Savage shouted. But, with an "assault-weapons" (sic) ban, he continued, the killer would have been forced to use a single-shot rifle which would have allowed the men in the church to have subdued him by beating Kelley over the head with a chair. To this insanity Savage added; "One in five police officers is killed by an assault-rifle" and then he screamed; "I no longer believe Americans need to run around with thirty-round 'clips' (sic) and assault rifles!. When the hell did the 2<sup>nd</sup> Amendment ever say you had the right to own an 'assault-weapon?' (sic) What am I going to do with one, wait for the day the government comes to get me? I'm going to hold off a platoon of government agents? You people are living in a dream world!" He then asserted, as before, AR15s were useless for home defense. The best weapon, he said, is a shotgun but they "are complicated to use" and "their mechanisms are complex, not for amateurs." Savage again claimed an AR15 round will go through house walls but shotgun pellets would not. A pistol round might go through a wall but this was unlikely, he claimed, because they had 15 to 20 round "clips" (sic) as opposed to the thirty-round capacity of "assault-weapons" (sic). Finally Savage claimed because there are restrictions on the 1<sup>st</sup> Amendment, you can't yell "fire" in a crowded movie theater or threaten the president, banning "assault-weapons" and thirty-round "clips" didn't violate the 2<sup>nd</sup> Amendment. "There's a difference between the right to bear arms and the right to bear machine-guns" he said.<sup>4</sup>

It would be beyond charitable to describe what Savage said as either abysmally ignorant or intentionally deceptive. His persistence in calling magazines "clips" and conflation of the terms "assault-weapon" (no such animal), assault-rifle, and machine gun with semiautomatic rifles

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demonstrates his knowledge of firearms is limited, at best, and promotion of an agenda supersedes honesty.

Conceding the Texas killer was stopped by an armed man but this would have failed inside the church because, Barney Fife-like, fear-stricken and trembling men would have dropped their guns shooting themselves is illogical. It is stupid. It also ignores the many, more than capable, women who carry and could have stopped the killer. It makes no sense unless Savage, shamed there are real men out there, beyond the Bay Area, in places like Texas, is projecting his own timorous nature onto others. During any mass shooting event, in the time it takes to call the police, for them to respond, set up a command post, assess the situation, identify the good from the bad guy(s), and formulate a counter-response, the massacre is usually over. Contrary to the lies told by Savage, when a “good-guy” with a gun is on the scene, casualties are “dramatically lower” and is often the deciding factor in limiting the “body count.” In nine mass shootings in which victims had to wait for police arrive, from Luby’s Cafeteria, Killeen, Texas (16 October, 1991) to Pulse Night Club, Orlando, Florida (12 June, 2016) 220 people died. In eight similar shootings in which an armed good-guy was on the scene, from Pearl High School, Pearl, Mississippi (1 October, 1997) to the Curtis Culwell Center, Garland, Texas (3 May 2015), 37 people died.<sup>5</sup> Savage’s attack on men and women willing to shoulder the responsibility for the safety of others, putting their own lives on the line, is indefensible.

Why do liberals seem to go after the rights of law-abiding Americans as opposed to violent criminals (Chicago)? Why do they mock and ridicule notions of personal responsibility with respect to self-defense? Are the spines of liberal men removed in-vitro or do they dissolve naturally as they progress toward puberty? Savage’s allegation; conservatives want every “nut” to have guns, is a malicious lie and ignores the fact that, under “federal” law, they are already prohibited from so doing. By law, information on anyone institutionalized and or adjudicated “mentally defective” by mental health officials and judges is forwarded to the FBI where it is entered into their massive data base known as NICS (National Instant Criminal Background System). If anyone so classified attempts to purchase a firearm, once the FFL (Federal Firearm License) holder calls and submits the individual’s name as required by law, they will be rejected. Further, as to Savage’s assertion armed law-abiding citizens are not the “answer,” approximately 2.5 million people per year employ a firearm to prevent violent criminal attack. In 98% of those cases, displaying the firearm is enough to stop the attack.<sup>6</sup> Instead of reducing violent crime, Savage’s solution, disarming intended victims, always the first on the scene by virtue of their status as targets of criminals, would lead to even more murders and mass shootings.

Savage’s analogy between the “right” to drive and to keep and bear arms is slick sleight of hand and terminally flawed. There is no constitutional right to drive and it is untrue that the manufacture, sale, and possession of firearms is completely unregulated, unrestricted, and unlicensed. All manner of legal restrictions, including age, legal status as a citizen, mental health, criminal record, and so forth apply to obtaining a firearm. Savage ignores the fact that each year more than 37,000 Americans are killed by other drivers in automobile accidents, essentially negligent homicides, with an additional 2.35 million injured, maimed, and crippled. Automobile accidents are the single greatest cause of death in the United States.<sup>7</sup> Speaking as a passionate car lover and former police traffic in-

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investigator, Americans in general are careless, cavalier in attitude, irresponsible, and exert little effort to perfect driving skills. And yet once started, they and their automobiles pose a grave hazard to everyone in their path. By contrast, more than 124 million Americans own close to 300 million guns but there were only 505 deaths by gun accident in 2013 and of 2,596,993 deaths from all causes the same year, only 1% were firearm related and most of were suicides.<sup>8</sup> Comparing drivers to people who own guns makes for a very poor argument. One wonders to which constitution he refers.

As demonstrated in Part I, the right to keep and bear arms is not subject to a utilitarian “needs” test. It’s no one’s business how many neckties, cars, horses, guns, or pairs of shoes anyone owns. People have a God-given right to their property and to accumulate however much of it they desire. But, for the non-gun owning public swayed by such arguments, let me ask you this; how many guns, rounds (not bullets) of ammunition, and magazines will you need when the power goes out, it isn’t coming back on for a long time, and when called, the cops aren’t coming either. Remember the riots in Los Angeles (1992), Ferguson, Missouri (August 2014), and Baltimore (April 2015) with all the attendant looting, robbery, destruction of private property, and even assaults including murder? Where were the cops? Where was the *National* (sic) Guard? Natural disasters like Hurricanes *Andrew* (August 1992), *Katrina* (August 2005), and *Harvey* (sic) (August 2017) all resulted in attempted looting, rape, robbery, and destruction of property. Again, where were the police? In each case it was armed citizens, or lack thereof, who prevented crime or fell to predatory animals called looters.

Savage’s attempt to delegitimize semiautomatic rifles by tying them to elephant hunting is pathetic. No one hunts elephants with so-called “assault rifles,” nor a .30-06 single shot rifle. It is illegal to hunt elephants (as is the case with buffalo, Rhinos, and lions) with a caliber smaller than the .375 H&H. Most professional and experienced hunters use either the .404 Jeffrey, .416 Rigby, .416 Remington, .458 Winchester, or the .470 Nitro Express in bolt action repeating rifles.<sup>9</sup> The point is not to argue the efficacy of one caliber compared to another but to demonstrate Savage hasn’t a clue what he’s talking about. These are all strawman arguments. Savage also seems ignorant of the fact that it was the American citizen soldier; the farmer, mechanic, tradesman, shopkeeper, and laborer, trained to arms, who were the backbone of the resistance to Britain’s armies in the War of Independence possessing modern equivalents of the “assault rifles” of their time.

In Federalist Paper #28, Alexander Hamilton declared the people held an “original right of self-defense” to take up arms, resist, and defeat even their own government should it betray and usurp their liberties.<sup>10</sup> In Federalist #29, Hamilton added the “best possible security” against a standing army was the whole body of the people, who are armed and “stand ready to defend their own rights.”<sup>11</sup> In the Federalist Papers and writings of many other Founding Fathers it becomes clear the main purpose of an armed populace, not a military or *National* (sic) Guard was to serve as a bulwark against infringement of their liberties by their own government.

Savage’s claim one in five police officers is killed in the line of duty by “assault-rifles” is false. It comes, from Senator Dianne Feinstein (Democrat, California), who appeared on *Face the Nation* making this claim. She took this “statistic” from the Violence Policy Center, a virulently anti-2<sup>nd</sup> Amendment Leftist organization. Here’s the trick. California classifies all semiautomatic firearms, including pistols, rifles, and shotguns, as “assault-weapons” (sic) a classification rejected by the FBI. Feinstein and Savage conflate California’s broad and ambiguous “assault-weapons” category with semiautomatic rifles meaning ARs, but this is a lie. Roughly 1% of officers shot and killed in the line of duty are killed by semiautomatic rifles.<sup>12</sup> Using lies spun by ultra-liberal Senator Feinstein and an extremist anti-2<sup>nd</sup> Amendment group? Does Savage attack conservatives so viciously, while claiming to be one himself because, well, he’s not really one after all?

More demonstrations of ignorance can be found in Savage’s claim that shotguns are complicated and complex to use. This is absurd. A shotgun is typically one of the first guns kids learn to

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SAVAGE (Continued from page 5)

shoot because its operation is so simple. His claim AR15 rounds will, but shotgun pellets won't penetrate sheetrock walls is wrong to the point of being dangerous. They all will. Finally, his use of the hackneyed "you can't yell fire in a crowded theater" cliché is another liberal shibboleth. Pay attention Michael; the 1<sup>st</sup> Amendment is a prohibition against government interfering with free political speech. For it to be free, one must rightly possess or control the platform from which one speaks. Yelling "fire" in a crowded theater is not political speech nor does its shouter own the platform from which they yell. At the least, it's a property rights violation of the theater owner, the sole determiner of what will or will not be said on his platform. The same holds true for threats against the president. These are fallacious if not atrocious analogues.

Savage's straw man arguments and discreditable analogies demonstrate ignorance of the fact America's Declaration of Independence proclaimed all rights God-given, inalienable, and among them is life. They are off limits to a majority vote of one's neighbors or act of government. Inherent in the right to life is the right to protect it which also presupposes the means to do so. It is an illegal and unconstitutional act by man or his governments to alter, modify, regulate, infringe upon, or in any way denature a God-given right. It is not possible to square calls for "reasonable gun laws," which by their nature must violate the 2<sup>nd</sup> Amendment, with equal claims to support the 2<sup>nd</sup> Amendment.

<sup>1</sup> Typically I employ terms like: Killer, murderer, dirt bag, scum bag, and so forth. A shooter is someone engaged in target practice and competition at the range. Never let your foes and the ignorant shape the narrative through misuse, intentional or not, of vocabulary.

<sup>2</sup> Unless someone clearly defines what they mean by "nut," you should not presume you share the same understanding. For example, to me the term applies to an individual clinically diagnosed as schizophrenic. A person suffering an emotional meltdown, depression, or PTSD, for example, is not necessarily insane, often far from it. Savage lumps them, including soldiers returning from war who have difficulty adjusting to civilian life with the same broad brush as the insane. Cops who have seen too great a loss of life, in tragic ways, too many times and are having trouble dealing with it, could, under Savage's broad brush, be characterized as nuts as well. They are not.

<sup>3</sup> Michael Savage, The Savage Nation, broadcast 6 November 2017.

<sup>4</sup> Michael Savage, The Savage Nation, broadcast 7 November, 2017.

<sup>5</sup> Caleb, "Fact: Armed Citizens Do Stop Mass Active Killers," 16 June, 2016, at <http://www.preparedgunowners.com>.

<sup>6</sup> Gary Kleck and Marc Gertz, "Armed Resistance to Crime," at <http://scholarcommons.law.northwestern.edu/jclc/vol186/iss1/8/1995>. See also John R. Lott, Jr., *More Gun's Less Crime* (Chicago, Illinois, The University of Chicago Press, 1998)

<sup>7</sup> Association For Safe International Travel at <http://asirt.org/initiatives/informing-road-users/road-safety-facts/road-crash-statistics.html>.

<sup>8</sup> Atlanta Center For Disease Control at [http://www.cdc.gov/nchs/data/nvsr/invsr64/nvsr64\\_02pdf](http://www.cdc.gov/nchs/data/nvsr/invsr64/nvsr64_02pdf).

<sup>9</sup> Cameron Hopkins, "African Big Game Hunting Rifles," *American Hunter* (July 9 2010).

<sup>10</sup> Alexander Hamilton, John Jay, James Madison, Clinton Rossiter, Editor, *The Federalist Papers* (New York, N.Y., A Mentor Book, New American Library, 1961), 178-181.

<sup>11</sup> IBID. 182-187.

<sup>12</sup> Gun Facts and Myths at <http://www.gunfacts.info/gun-control-myths/html>.

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## LIBERTY NOTES

*By Kevin L. Jamison*

It is a good day for Liberty.

I heard of a lady whose son took two of her guns without permission. He made some general threatening remarks. The ATF seized the guns from him. The lady asked that the guns be returned. She provided records that the guns were hers and told the ATF that he did not have permission to have the guns. The ATF replied that there were different kinds of gun owners. He was the “beneficial” owner because the guns were in his possession. She was only the actual owner so she did not get them back. This is absurd. This is my world. This is our world. We need to fight it. We need to fix it.

The Kansas City Star reprinted an editorial demanding that the NRA disclose its “Russian Connection.” The usual suspects cannot prove that the Trump Campaign had a Russian connection, and thus “reason” that the NRA must be guilty. The editorial was from “Bloomberg Press” which is owned by the former NY governor and used as an anti-gun propaganda organ. You will not see this admitted by the Star which re-printed the editorial as if it was from a legitimate source.

In a “Two and a Half Men” episode the men interview a new maid who has several guns. The men react with terror. It is much like an “Amos & Andy” episode in which they find a gun and behave according to stereotype. The Amos and Andy episode would not be played today as it is racist. Make the two men white and it is typical propaganda.

The usual suspects claim there have been 18 school shootings so far this year; in six weeks. This is true only if they include suicides, criminal incidents on school grounds after school, drive by shootings and accidental discharges (criminals seem to have a high rate of safety violations). There is a reason that “How to Lie with Statistics” has been in print for over half a century.

We are in GREAT need of a Gun Show Coordinator. The job involves calling members to man the gun show table, arrange to have the gun show materials set up at the gun shows and boss people around, shouting “off with his head” as you deem necessary. I would be very grateful to any volunteer. Gun shows are our major outreach to the shooting community. This is a very important job. It requires a few hours work a month but that work is critical.

Rally Day is 11 April, 2018 in the Capital Building in Jefferson City. We will have a bus going down there if there is enough interest. Otherwise we will meet at the Bass Pro Parking lot and convoy down there. Given the recent hysteria to “do something” there is a danger that we will be punished for crimes committed by others.

District 14 State Rep Kevin Corlew has introduced HB 2219 to criminalize SWATing. This involves calling the police and claiming that someone has a gun and is threatening people. Some anti-gun web sites advocate calling the police whenever a gun is seen under any circumstances. They advocating lying to the police and claiming the person is threatening people. The police come in hot and heavy, pumped with adrenaline and innocent people have been killed. It is difficult to prosecute SWATing cases according to prosecutors. On Rally Day stop by his office and state your support.

Since the Texas Church murders the military has added 4,000 dishonorable discharges to the NICS system. The killer had a dishonorable discharge for abusing his wife. The conviction did not go into the NICS system as required by law. These are not bad conduct or general discharges; they are the military’s equivalent of a felony.

The main difference between the Texas Church murders and the Florida school murders is that in Texas a nearby resident had an AR 15. Of course, it was in a safe and he had to stop and load a magazine, but the bad guy got no further.

The North Korean dictator’s sister has been the media darling of the Winter Olympics. She is the minister of propaganda of a murderous regime and perhaps involved in darker pursuits. She does not appear to be charming. She does not appear to be eloquent. She is pretty. That is enough. We should remember this when we try to win friends and influence people. We need pretty. Looking around our Board, I do not see pretty. Support your local Association, go out and recruit some pretty.

Countess Elizabeth Bathary was also reputed to be very pretty. She was tried in 1610 for the torture, mutilation and murder of 650 virgin girls. She was convicted of 80 murders. She was later reputed to have bathed in the blood of virgins in order to keep her good looks. I think about her when I see the North Korean dictator’s sister.

Some of Countess Bathary’s defenders insist that she did not bath in virgin blood; that the claim is an evil lie. They say she only tortured, mutilated and murdered a number of girls. Other monsters have been defended by the usual suspects. Idi Amin was said to have murdered 300,000 people. One of the victims was said to have had her arms and legs cut off and sown back where they did not belong. Idi Amin’s defenders say that this is a lie, he only killed her and after all Amin was an anti-imperialist. I believe these people miss the point.

Since the Florida school murders the usual suspects have sent a children’s crusade to campaign against our rights. Theirs is an emotional appeal to “do something.” The point is not to do “something” the point is to do the right thing. We have gone along with background check schemes, licensing and registration programs which have produced reams of paper, a plodding bureaucracy, incredibly high numbers of false connections to crimes; but no results. There are demands that people cannot buy long guns until they are 21 years old. There are demands to ban semi-automatic guns. If the usual suspects achieve their immediate goals will things be any better?

Other than the Oklahoma City bombing the worst mass murders in the United States have been arson attacks. We have more arson attacks than other countries as well. The record was a 1958 school arson in Detroit which killed 92 children and three nuns. Eighty years ago a farmer was upset by new taxes for the school, so he blew it up, with the children in it. In Norway, where even the police are not routinely armed a lunatic shot to death 69 children and adults on an

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island retreat. He had the only guns on the island. He killed another eight with a bomb. A Toronto killer went through a women's school with a Mini-14. At that time only five round magazines were generally available for the Mini-14, but he had the only rifle in the building. A killer at the Navy Yard used a pump-action shotgun. The "Texas Tower" killer of 53 years ago used a bolt-action hunting rifle to murder people in the streets below.

We must demand that the usual suspects tell us what guns they will absolutely never ban, that if someone else tries to ban them will they stand with us to protect them, and –most importantly- *why should we believe them?*

We shall overcome.

## PRESIDENT'S CORNER

### NEW JURY INSTRUCTIONS

*K. L. Jamison*

New self-defense jury instructions have been approved by the Missouri Supreme Court. In the last few years we have greatly improved Missouri's self-defense laws. This effort does no good unless the jury knows what these laws are. At the end of every trial the judge reads the appropriate jury instruction to the jury to explain the law that they must consider. They are warned not to consider any other authority. There is such a thing as jury nullification in which the jury decides that the law is unfair under the circumstances. This is mostly because there is no penalty for juries which disregard their instructions. Nullification is extremely rare and should be. We do not want to nullify these jury instructions.

There is a basic self-defense instruction and specific instructions for defense of home or vehicle, of third parties and for private parties making an arrest. The instructions allow for multiple self-defense instructions if they fit the facts. This is good. I had a case in which my client was attacked on a city street by a dog with a reputation for being vicious. He killed the dog and was prosecuted for cruelty to animals. Everyone projected their love for animals on the vicious cur. Every time I mentioned self-defense they replied that he didn't have to be there.

I submitted the general self-defense instruction and the instruction of self-defense against animals. The judge said that I could not have the general instruction. I always thought that is how he would decide and I gave him something to rule against me; something that did not matter. It would make it easier for him to rule for me later. With these instructions I am entitled to both. That would be good too.

My client retreated from the dog before shooting. We prepared very specifically on this point because it was required. Retreat also provokes a predator to attack, be it a dog or a "dawg." The new instructions specifically state that retreat is not required. I was concerned about this. Last year an article by a law professor appeared in the Bar Journal. It argued that prosecutors can point out that the defendant did not retreat and that the jury should consider that in determining if the act was self-defense. I thought the article poorly researched and poorly reasoned. I was concerned that it was aimed at influencing the jury instruction committee. If that was the intent, it did not work.

The dog had a reputation for being vicious. If known to the defendant such a reputation has always been relevant. The new instructions allow an opponent's reputation for assault *even if not known by the defendant*. It is allowed **only** on the issue of who started the fight. This is something.

The instructions are specific that a person who commits a "forcible felony" cannot claim self-defense even if he flees the felony. We have heard that one of the defendants in the "She's a Pistol" shootout and murder claims to have withdrawn from the fight and thus regained the right of self-defense. The judge ruled against him on the facts after reviewing the security tapes of the incident. That was in Kansas. Under the Missouri instructions it seems that the defendant could not raise the defense at all. I am never happy to see a defense go away. There is another paragraph of the instruction which states that withdrawing from a fight and communicating that withdrawal restores the right of self-defense. This would seem to be in conflict with the other paragraph of the instruction. This will make for interesting instruction conferences in the judge's chambers.

The defendant must raise the issue of self-defense. This requires very little evidence and the evidence may come entirely from the defendant. The Missouri Supreme Court recently ruled that a

## HELP NEEDED!

WMSA is again without a gun show coordinator. Ideally two people show share this responsibility.

Please consider helping WMSA fill this critical position.

Duties:

Keep and maintain gun show supplies  
 Call RK Shows and reserve table  
 Schedule volunteers to work table at RK Shows  
 Set up Gun Show table on Friday preceding shows  
 Pack up gun show supplies on Sunday afternoon (previous coordinator worked Sunday afternoon at show)  
 Schedule table dates at Bass Pro  
 Schedule volunteers to work table at Bass Pro (very easy)  
 Meet with WMSA Treasurer to turn over cash after gun show (usually within a week)  
 Is an ex-officio board member and is invited to attend monthly Board meeting (not required to attend)

About one half of our funding comes from these shows so this is critical to the success of our organization..

Please contact me if you are interested or two or more people could work together to handle these tasks.

If you have questions please call: [816-628-3844](tel:816-628-3844) or email: [bob.wmsa@gmail.com](mailto:bob.wmsa@gmail.com)

"Republicans enacted a tax cut in December and any day now, most of the country will find out about it. ... To paraphrase an old advertising slogan, an educated voter could be the Democrats' worst customer this fall."

—James Freeman

defendant was not entitled to a self-defense instruction because of abundant evidence that he went to the victim's location in order to commit violence. There was some evidence that the defendant retreated and even that he attempted to withdraw from the confrontation before firing. It is arguable that he changed his mind once confronted with the man he came to shoot. The argument was ineffective. These matters often balance on a razor's edge of facts. This is why I have a job.

It is the prosecutor's burden to prove beyond a reasonable doubt that the defendant did not act in self-defense. Once the defense has raised the issue, the prosecution must disprove it beyond a reasonable doubt; the highest standard known to the law.

This is a cursory evaluation of the new instructions. I believe that they reflect our intent. It will be a year before we see them in action. It will take that long for cases to go to trial. In the meantime they will affect the willingness of prosecutors to file on marginal cases. They are not perfect. I represented a man who was attacked by an armed robber who had a criminal record. My client prevailed. The attacker's surviving partner backed up my client's version of events. Two and a half years later the prosecutor's office decided not to prosecute and his guns were returned. Only one of the guns was involved in the shooting. In the meantime he had lost his job as a security guard. He will not get those two and a half years back.

I thank-you for the honor of being your president.

"Since when have we Americans been expected to bow submissively to authority and speak with awe and reverence to those who represent us?"

—Justice William O. Douglas

### NEW CONSTRUCTION AND REPAIR

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# “Stand Up For Your Constitutional Rights!”

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# GUN RIGHTS RALLY DAY



In the **CAPITOL BUILDING**  
in **JEFFERSON CITY**  
Wednesday, April 11th, 2018  
10:00 am to 1:00 pm

**Business Rights**  
**Hunter's Rights**  
**Worker's Rights**  
**Gun Rights**  
**Civil Rights**

*Celebrating 14 years of Missouri Concealed Carry.  
Tell our legislators that your Rights are important.  
Make plans to be there. Bring your family and friends!*

*For all other information about the Rally call:*  
**GCLA at (314) 385-GUNS (4867)**  
or Email GCLA at [questions@gclastl.org](mailto:questions@gclastl.org)

Rally sponsored by:  
MPS (Missourians for Personal Safety),  
GCLA (Gateway Civil Liberties Alliance),  
WMSA (Western Missouri Shooters Alliance),  
MSSA (Missouri Sport Shooting Association)  
and other Pro-Freedom Groups

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# MEMBERSHIP APPLICATION

## WESTERN MISSOURI SHOOTERS ALLIANCE

The Alliance is a regionally-based, grass-roots organization that seeks to;

- 1) Counter the designs of malicious legislators.
- 2) Confront the media's twisted portrayals of gun rights issues.
- 3) Politicize and activate gun owners in defense of their rights.
- 4) Acquaint the public with the true nature of the Second Amendment.
- 5) Network with other pro-gun groups to coordinate local, state and national strategies.
- 6) Train people in basic firearm safety and handgun defense.
- 7) Sponsor and support pro-gun legislation.
- 8) Make politicians aware that gun owners are awakening from their accustomed apathy and  
**WILL TOLERATE NO FURTHER EROSION OF THEIR FREEDOMS!**

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State: \_\_\_\_\_ Zip: \_\_\_\_\_

Occupation: \_\_\_\_\_

Mail to:  
**Western Missouri Shooters Alliance**  
**P.O. Box 11144**  
**Kansas City, MO 64119**

Hotline (877) 333-WMSA  
[www.wmsa.net](http://www.wmsa.net)  
 County: \_\_\_\_\_

Home Phone: (\_\_\_\_) \_\_\_\_ - \_\_\_\_\_

Cell Phone: (\_\_\_\_) \_\_\_\_ - \_\_\_\_\_

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Check membership type:

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\_\_\_\_ Senior (65+)  
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\_\_\_\_ Associate  
\$15 (spouse, no newsletter)

\_\_\_\_ 3 Year Annual  
\$87

\_\_\_\_ 3 Year Senior  
(65+)  
\$57

\_\_\_\_ 3 Year Associate  
(spouse, no newsletter)  
\$42

\_\_\_\_ Sponsor  
\$100 (4 business card  
ads per year.)

\_\_\_\_ Sponsor  
\$250 (12 business card  
ads per year.)

*Dedicated to the restoration of the inalienable right to keep and bear arms as guaranteed by the Second Amendment*



**Western Missouri Shooters Alliance**  
**P O Box 11144**  
**Kansas City, MO 64119**

*...dedicated to the restoration of the inalienable right to  
 keep and bear arms as guaranteed by the 2nd Amendment*

**\*REMINDER\*** *Next General Meeting is scheduled for Tuesday, March 27, 2018 at 7:00 PM  
 Meeting located at Bass Pro Conservation Room, Independence, MO*

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## CONTACT INFORMATION - *Let them know what you think!*

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Jason Holsman—D -Dist 7  
 201 W Capitol Ave., Rm. 421  
 Jefferson City, Missouri 65101  
 (573) 751-6607

Will Kraus—R -Dist 8  
 201 W Capitol Ave., Rm. 320  
 Jefferson City, Missouri 65101  
 (573) 751-1464

S. Kiki Curls—D -Dist 9  
 201 W Capitol Ave., Rm. 434  
 Jefferson City, Missouri 65101  
 (573) 751-3158

John Rizzo—D—Dist 11  
 201 W Capitol Ave., Rm. 425  
 Jefferson City, Missouri 65101  
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Dan Hegeman—R -Dist 12  
 201 W Capitol Ave., Rm. 332  
 Jefferson City, Missouri 65101  
 (573) 751-1415

Ryan Silvey—R - Dist 17  
 201 W Capitol Ave., Rm. 331A  
 Jefferson City, Missouri 65101  
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Denny Hoskins—R—Dist 21  
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 (573) 751-4302

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 201 W Capitol Ave., Rm. 420  
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Rob SchAAF—R—Dist 34  
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### Missouri House

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 201 West Capitol Ave Rm. 411-2  
 Jefferson City, Missouri 65101  
 (573) 751-3643

Kenneth Wilson—R -Dist 12  
 201 West Capitol Ave Rm. 206A  
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 (573) 751-9760

Nick Marshall—R— Dist 13  
 201 West Capitol Ave Rm. 134  
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Kevin Corlew—R. Dist 14  
 201 West Capitol Ave Rm. 201BA  
 Jefferson City, Missouri 65101  
 (573) 751-3618

Jon Carpenter— D - Dist 15  
 201 West Capitol Ave Rm. 103-BC  
 Jefferson City, Missouri 65101  
 (573) 751-4787

Noell J Shull - R. Dist 16  
 201 West Capitol Ave Rm. 412 C  
 Jefferson City, Missouri 65101  
 (573) 751-9458

Mark Ellebracht - R Dist 17  
 201 West Capitol Ave Rm. 135-BA  
 Jefferson City, Missouri 65101  
 (573) 751-1218

Lauren Arthur - D Dist 18  
 201 West Capitol Ave Rm. 101 D  
 Jefferson City, Missouri 65101  
 (573) 751-2199

Mike Clerpiot—R Dist 30  
 201 West Capitol Ave Rm. 302A  
 Jefferson City, Missouri 65101  
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Dan Stacy - R - Dist 31  
 201 West Capitol Ave Rm. 116-3  
 Jefferson City, Missouri 65101  
 (573) 751-8636

Jeanie Lauer— R Dist 32  
 201 West Capitol Ave Rm. 413B  
 Jefferson City, Missouri 65101  
 (573) 751-1487

Donna Pfautsch - R Dist 33  
 201 West Capitol Ave Rm. 404-B  
 Jefferson City, Missouri 65101  
 (573) 751-9766

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 201 West Capitol Ave Rm. 102  
 BA  
 Jefferson City, Missouri 65101  
 (573) 751-1456

Gary L. Cross - R Dist 35  
 201 West Capitol Ave Rm. 112  
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 (573) 751-1459

T. J. Berry - R Dist 38  
 201 West Capitol Ave Rm. 205  
 Jefferson City, Missouri 65101  
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 201 West Capitol Ave Rm. 305 B  
 Jefferson City, Missouri 65101  
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 201 West Capitol Ave Rm. 415A  
 Jefferson City, Missouri 65101  
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Nathan Beard— R - Dist 52  
 201 West Capitol Ave Rm. 402  
 Jefferson City, Missouri 65101  
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Glen Kolkmeier - R Dist 53  
 201 West Capitol Ave Rm. 400CA  
 Jefferson City, Missouri 65101  
 (573) 751-1462

Dan Houx - R - Dist 54  
 201 West Capitol Ave Rm. 116-A1  
 Jefferson City, Missouri 65101  
 (573) 751-3580

Rick Brattin— R - Dist 55  
 201 West Capitol Ave Rm. 114C  
 Jefferson City, Missouri 65101  
 (573) 751-3783

Jack Bondon - R - Dist 56  
 201 West Capitol Ave Rm. 201F  
 Jefferson City, Missouri 65101  
 (573) 751-2175

Wanda Brown - R - Dist 57  
 201 West Capitol Ave Rm. 315  
 Jefferson City, Missouri 65101  
 (573) 751-3971

## WEB ADDRESSES - *Get educated!*

Gun Owners of America  
[www.gunowners.org](http://www.gunowners.org)  
 703-321-8585

Jews for the Preservation of Firearms Ownership  
[www.JPFO.org](http://www.JPFO.org)  
 262- 673-9745

The National Rifle Association  
[www.nra.org](http://www.nra.org)  
 800-672-3888

The Second Amendment Foundation  
[www.saf.org](http://www.saf.org)  
 425- 454-7012

Gateway Civil Liberties Alliance  
<http://www.gclastl.org/>  
 866 385-GUNS (4867)

Missouri Sport Shooting Association  
[www.missourisportshooting.org/](http://www.missourisportshooting.org/)

Western Missouri Shooters Alliance  
[www.wmsa.net](http://www.wmsa.net)

Missouri Carry  
 Online Forum  
[www.missouricarry.com](http://www.missouricarry.com)

Arming Women Against Rape and Endangerment  
[www.aware.org](http://www.aware.org)  
 877-672-9273

Women Against Gun Control  
[www.wage.com](http://www.wage.com)  
 801-328-9660

NewsMax.com  
[www.newsmax.com](http://www.newsmax.com)

The Washington Times  
[www.washtimes.com](http://www.washtimes.com)

The London Telegraph  
[www.telegraph.co.uk](http://www.telegraph.co.uk)

The Drudge Report  
[www.drudgereport.com](http://www.drudgereport.com)