

It is a good day for Liberty.

I saw an eagle near the Kansas City airport, also near the gunshow venue. Another reason to visit.

There is a recent appellate case upholding a conviction because the defendant did not adequately ask for a lawyer. He initially asked for a specific lawyer, but that was in the context of a request to search his home. He later said that he should get a lawyer; a lawyer was something he should ask for. The court said that the statement "maybe I should talk to a lawyer" was not enough. The request for a lawyer must be clear and unequivocal. And these statements were just too vague in a society in which the right to a lawyer is recited in police shows every hour of every day. In another case, the statement "I should get a lawyer dog" has been ruled to be entirely too vague. The term "dog" is a familiar street term of address. This is known to police and even people who watch police shows. The appellate court pretended to believe that the police could not possibly understand that the subject wanted an attorney and not some kind of a canine. The US Supreme Court has ruled that to invoke the right to remain silent, one must speak. To get a lawyer, one must already have a lawyer to tell you how. For our members say this; "I invoke my right to remain silent. I want a lawyer." Say nothing more. Saying anything afterwards may be taken as a revocation of the rights.

I have read Gerry Spence's *Police State*. Gerry Spence is a famous lawyer and he recounts some of his cases in which he believes the powerful abused their power. Two of the cases involve families who rejected the outside world as satanic and believed that God had revealed to them how to live. This interfered with the powerful when they wanted Randy Weaver to inform on the Aryan Nations and Randy did not want to. Another family insisted on teaching their children at home. The powerful considered their efforts to be inadequate. The family refused to cooperate stating that even talking to the powerful would negate everything they had done. In both cases the refusal went fatally wrong. People toss off comments about rising up against government abuses. I wonder what would make me as sure as these two families. They did have supporters, fanatics of one sort or another. They were sure, they were very sure. They defied the government and lost. No one rose up with them. In the Founding Father's time many people were sure. People of all classes and location. Not everyone. Not even a majority. But they were very sure. They were sure because the powers that be would not even listen to their complaints. The families in Spence's book would not speak to the powers that be, even when they offered a compromise. The day when power does not listen and will not compromise, that might be the time to start talking.

I saw *Casablanca* recently. I noted the scene in which the nazis filled Rick's café with nazi songs. The resistance leader responds by leading the café in the French national anthem, *La Marseilles* and they sing the nazis down. We need songs or old songs with new words promoting the Second Amendment. If you get the translation of *La Marseilles* you can see that it is a really violent anthem. The Star Spangled Banner is about a battle but the *Marseilles* calls citizens to arms, form your battalions, there are tyrants over there, let's go get them! It sounds classy in French.

California has legalized marijuana. This does not make it legal in Missouri. I've had some clients who thought that if they bought marijuana in a state where it is legal they could then transport it home. No. Some Missouri cities have decriminalized possession of small amounts. This does not make it legal. It still goes on your records as a drug offense. It is illegal under federal law for a user of marijuana to possess guns. The statute says user, not addict. There is no exception for medical use. A trivial conviction for marijuana possession could be used to deny your right to own guns.

The local paper had an editorial in favor of "gun buy backs." These are not buybacks because the buyer never owned the guns, they are buy ups. The premise is that removing guns from the city would reduce "gun violence" which is seemingly the only kind that interests the usual suspects. They are a waste of money. Even Kansas City Mayor Sly James does not support the idea. The money used could be better used to process rape kits to see if there is a common offender or an offender whose DNA is already in the system. It could pay for body cameras for police. It could get police decent socks. On the positive side, a buy up gives the usual suspects an all-day sucker to make them believe they have accomplished something. They are then less likely to meddle with our rights.

The book *Island of Vice* recounts Teddy Roosevelt's career as a reform police commissioner in New York. The political machine before him had many laws against vice, seemingly to create a market for bribes. The reformers decided to enforce all laws and rules of police conduct. This sounds like a reasonable reform program. The trouble was the even reformers did not want *all* the laws enforced. Enforcing all laws meant closing bars on Sunday, in those days the only day off for working men. Roosevelt quarreled with machine politician and in the heat of the moment agreed to a duel. This was also against the law. When enforcement of the law reached wealthy private clubs and private parties featuring Little Egypt's risqué dance enough was enough. Roosevelt was encouraged to become the Secretary of the Navy. This is the problem of over-regulated societies; they promote corruption and are a nuisance to reform.

There has been another unusual election in Virginia. An election for the state house of representatives turned out to be a dead tie. The tie was resolved by the parties drawing the winning card from a bowl. The republican won and the result may be marginally better for our side. It could have been marginally worse. The next time someone tells you that his single vote would not make a difference, tell him this story.

Jose Ines Garcia Zarate, a multiple illegal immigrant and convicted felon, was acquitted of murdering Kate Steinle in San Francisco. He was found guilty of being a felon in possession of a firearm under California law. He was sentenced to time served. The gun in question had been stolen from a law enforcement officer. The defendant claims to have found the gun and fired it by accident. This is possible. The bullet was flattened as if it ricocheted off the pavement. Felons seem to have a high rate of negligent discharges. He is now being prosecuted under federal law for being a felon in possession and an illegal immigrant in possession. It is not considered double jeopardy for the feds to prosecute someone on the same charge as the state. They are considered different sovereigns and that makes all the difference.

Facebook suggested that I be friends with Mr. Judge, the creator of insulting anti-gun owner cartoons for the Star. I thought it was a joke so clicked on it and he accepted me as a friend. Facebook then suggested that I befriend a number of his virulently anti-gun owner friends. I didn't know that Facebook had a sense of humor. I've clicked on these persons and the joke continues.

Due to some argument over internet games a man in California spoofed a SWAT team in Wichita. He convinced them an innocent Wichita man had killed one of several hostages. When told to come out and raise his hands he raised and lowered them several times. One of the team, pumped with adrenaline and expecting to see a weapon and encounter resistance, killed him. The usual suspects encourage people to call the police whenever they see a person with a gun. When the police say "hands up" obey; we can argue in court where it is safe.

We shall overcome.