

It is a Good Day for Liberty.

Have a Merry Christmas. I know where you live.

A sports reporter reported on the success of race car driver Brandon. He claimed that the crowd was shouting "Lets go Brandon!" They were actually shouting "F—you Biden!" And a new euphemism is born.

There is a report that the administration will pay \$450,000 to illegal immigrants. President Biden denounced the report as garbage news; as opposed to "fake news." Later reports showed that the administration was negotiating a settlement to the families of illegal aliens separated during the Trump administration. Not quite garbage. Not likely to discourage more illegal immigrants. As an immigration attorney I would be happy to see these people with enough money to pay their attorney fees. The unintended consequences will create more problems.

A trial in Georgia features two White men who tried to make a citizen's arrest of a Black man. They killed the man in the process. Their suspect tried to grab a shotgun from one of the pursuers who fired and killed an unarmed man. The case is being reported as racism. In support the Georgia citizen's arrest statute has been traced to 1863 during the Civil War and therefore racist. Actually, citizen's arrest statutes date to the "Hue and Cry" of Medieval England. Under this law every citizen made aware of a fleeing felon was required to drop everything and pursue the criminal with whatever weapons were at hand. Racism is such a handy argument. Doesn't even have to be true. From now on every self-defense case will have to overcome the racism charge. Pursuit of a man who may or may not have committed a crime is dangerous. Making contact with the man is more dangerous. The two pursuing men may have been guilty of bad judgement, I am not at all sure it was murder.

Kyle Rittenhouse is accused of provoking the persons who attacked him. He is denounced as a racist although the people he shot were all White. Simply by having a gun the prosecution argues that he provoked the mob who thought (the prosecution claims) he was a mass killer. No one claimed this before the very end of the case when jury instructions were submitted. In comments about him the same words keep coming up, vigilante, provocation and racist. It is as if the same talking points are circulated to the usual suspects. He has been found not guilty and the political left has gone insane. The Wisconsin governor sent in the National Guard to maintain order. If he had done so a year ago there would have been no Rittenhouse trial.

Kansas City Detective Eric DeValkenaere has been on trial for manslaughter. He responded with his partner to a report of a car chasing another car at speeds of 90 mph. He pursued the car into Cameron Lamb's back yard. The Detective says that he saw Mr. Lamb point a handgun at his partner. The detective fired, killing Mr. Lamb. A handgun was found on the ground beneath Mr. Lamb's hand, which dangled out of the driver's window. The prosecution claimed that the detective had no warrant so had no right to be there. The prosecution claimed that the gun was planted. The detective was convicted of negligent manslaughter. I was going to write a column about the case, but the decision came too late for me to do a decent job. It will have to wait for next month.

I received my covid booster on the same day that I received my flu shot. It turns out that it was a bad idea to take them at the same time. Both medicines careening through my system at the same time in search of disease to destroy put me out for most of a weekend. Of course, now it is scientifically impossible for me to fall ill.

Missouri held its bear-hunting season with some success. The usual suspects wail and moan about shooting their teddy bear's relatives. These are scientifically managed hunts to prevent the bears from overpopulating their range. Overpopulating their range leads to bear-human encounters and starving bears.

Glen Youngkin won the race for governor in Virginia. He defeated an anti-gun rights democrat. Towards the end of the race the democrats made a claim that Mr. Youngkin was supported by white supremacists. This was supported by a demonstration of alleged white supremacist demonstrators; one of whom was African American. They cannot even get a racist demonstration right.

Missourians for Personal Safety held its annual meeting to decide on our legislative priorities for the coming year. MPS is an umbrella group for the Missouri Grassroots groups. It was reinforced by a representative of the "DC Project." This is a female gun rights group. We have the same objectives. They will be of great assistance to the movement.

The gun rights case has been argued in front of the US Supreme Court. A decision is expected in June of 2022. The media is hysterical with fear about all the terrible things that will happen if the Court rules for the plaintiffs. This is nonsense. The issue in the case is if there is a Constitutional right to have a license to carry a gun in public. The Court's decision will be confined to this issue. It will not allow criminals to have guns. It will not allow guns in sensitive" places such as schools. There has been some concern that the

usual suspects will respond by declaring everywhere to be “sensitive.” They are not likely to get away with such a subterfuge. It may require another case to prove this. I hope that the Court will take this opportunity to declare a standard for evaluating gun laws. Standards range from a very low level that would be upheld if the reason for the law passes the laugh test. The highest legal standard is strict scrutiny; under which the government almost always loses. Courts have been using “intermediate scrutiny” which is a nebulous standard somewhere in between and undefined. The lack of definition allows courts to explain away gun rights. If the court decides that gun laws must pass strict scrutiny, then life will be good. This will not mean that we have won. It means that it will be easier to win.

People say that they have read the Second Amendment and so they know all they need to know about the law. The Second Amendment is how the law should be. I teach the law as it actually is. We have a long way to go before the law is as it should be.

Andrew Branca of [www.LawofSelfDefense.com](http://www.LawofSelfDefense.com) has suggested Kyle’s Law. Under this law in a self-defense case the jury will be asked to find if the prosecution has presented any evidence to disprove self-defense. If not, the prosecution must pay the defendant’s attorney fees. Named after Kyle Rittenhouse, the law would apply to his case and the Zimmerman case. It would apply to all politically oriented cases. It occurs to me that juries might be reluctant to find self-defense in such cases. This requires some thought.

In this Christmas season give a gift to your Great-Grandchildren. Send a gift to an organization fighting to preserve our rights for them. Write a will and provide in it for your Great-Grandchildren’s rights. I remember hearing a man protest that he did not have enough assets to justify a will. On reflection he recalled owning guns, life insurance and a bank account. The account may not be large but it must be transferred. He may die in a terrible accident and his heirs must be given authority to pursue the lawsuit and divide the proceeds. It is easy to consult with an attorney. I don’t do wills, but I know someone who does.

Have a Merry Christmas. Do as you are told.

In the words of two great time travelers, “Be excellent to each other!”

We shall overcome.