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Section: EDITORIAL

PUBLIC FORUM Needed: **Truth** about the **Second Amendment**

In his Sept. 23 Daily News guest column, Michael W. Sharpley presents a particularly hysterical version of the myth that the Second Amendment to the Constitution is a barrier to strong gun laws. Sharpley accuses the state of California, the federal government and, by implication, [Center to Prevent Handgun Violence](#) chairman Pete Shields of "nothing short of treason" in their interpretations of the Second Amendment.

If California, the federal government and Shields are traitors, they are in very good company. Indeed, they are joined by every federal court that has considered the impact of the Second Amendment on laws affecting privately owned firearms.

Just last month, a federal judge dismissed the National Rifle Association's Second Amendment challenge to California's landmark law banning military-style assault weapons.

The Second Amendment reads: "A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed." In *United States vs. Miller*, the U.S. Supreme Court wrote that the "obvious purpose" of the amendment was "to assure the continuation and render possible the effectiveness" of state militias and that "it must be interpreted and applied with that end in view."

The meaning of *Miller* is that the Constitution does not guarantee a right to be armed for a private purpose unrelated to the state militia. Sharpley's idea that *Miller* grants constitutional protection to any weapon with a military use, which presumably would apply to machine guns, bazookas, Stinger missiles and nuclear warheads, regardless of who may be bearing it and for what purpose, doesn't give the Supreme Court much credit for common sense. Every court that has considered this argument has concluded that *Miller* says nothing of the kind.

Finally, the words Sharpley attributes to Chief Justice William Rehnquist's opinion in *United States vs. Verdugo-Urquidez* - that the Second Amendment is "a

protection of an individual right to keep and bear arms'' - appear nowhere in his opinion. Rehnquist's opinion does not support, or even address, the idea that the Second Amendment guarantees the people a right to bear arms for private, non-militia purposes.

It's time for the gun lobby and its friends like Sharpley to start telling the **truth** about the **Second Amendment**.

- Dennis A. Henigan

Director, Legal Action Project

Center to Prevent Handgun Violence

Washington, D.C.

Too much debt

A preview of the November ballot and the many money issues it contains makes me think we don't have legislators in Sacramento but rather a bunch of drunken sailors.

The combined bond issues total more than \$5 billion for general-obligation bonds. This is sure to lower California's credit ratings and plunge us further into debt.

Posturing, the Assembly and state Senate have come up with a passel of propositions to throw money at.

They tell us we need money for correctional facilities. What happened to the bond money for jails that has been repeatedly voted?

We're also told we need money for the earthquake-safety fund and more for schools. They want more money for youth centers and shelters, construction of water-treatment works, for historic and museum purposes, and for child-care facilities.

Of the last nine money issues added to the ballot, six came from Democrats and three from Republicans.

There has to be a way to stop this piling on of more and more state debt. The interest alone on these bonds would be staggering.

- Robert Garrick

Pasadena

This week, I read my official sample ballot for the Nov. 6 election and was astounded at the array of initiatives on the ballot. In reading the initiatives, I

was further amazed at the number of them that entail bond measures or other voter indebtedness at sometimes staggering amounts. If all the initiatives pass, Californians will incur an indebtedness of over \$8 billion plus interest, as well as increasing state and county sales taxes by a total of 1.5 percent.

In all the discussion and media attention given to 'Big Green' (Proposition 128), no one seems to be paying attention to the Long Green that the hard-working people of this state are going to have to part with, now and long into the future, to fund all these trendy environmental issues the celebrities seem to love. I urge the voters of this state to vote a resounding 'no' on all the bond initiatives and to continue doing so until we can get some responsible leadership from those we send to Sacramento to deal with the problems that face our state. Don't be swayed by movie stars; vote for fiscal responsibility.

- Brian Baker

Saugus

Vote them all out

Only one-third of us vote, so you can be darn sure that the ones who vote are mainly the government workers whose jobs depend on keeping their bosses in office.

Have the rest of you ever stopped to think that you could control the election if you would only get out there and vote?

If you have stayed home because you are disgusted with all politicians, there is a far better way to show your disgust: Vote against every incumbent regardless of party.

Don't be swayed by the politicians who respond to such a suggestion by saying, 'But then you would have nothing but inexperienced guys taking care of our country.' Hey, are these experienced guys taking care of our country? No, they spend every working minute protecting their jobs and raising money for their next election campaign.

The whole reason these politicians get re-elected every time is because so many of you stay home and all of their vested interests go out and vote. Please, come Nov. 6, come out and help those of us who still think this country can be saved. Vote for limiting the terms of offices, and vote against every incumbent.

- V.L. Charlton

Glendale

No right to a raise

A pay raise for the Los Angeles City Board of Education? How can this be? When I first read about the proposed pay raise in the Daily News on Sept. 18, I thought this was a joke. But on Oct. 9, another article was written about the proposed pay raise for the board members as they continued to pursue this goal.

School board president Jackie Goldberg states that board members should receive the same pay as that of the highest-paid teacher, which is more than \$50,000 a year.

Well, I think if the board members would like to go back to teaching (if they ever had been teachers) as a full-time job, they should receive the pay benefits of full-time teachers.

I wonder what credentials these board members have? What benefits do the board members have, aside from their salaries? Are they required to be at 450 N. Grand Ave. five days a week, eight hours a day? Are the board members entitled to secretaries who relay messages to them at their residences? I do not feel that the board members should receive a pay raise. When this school board mismanages state funds as well as it does, what right do they have to ask for a raise?

- Marie Doud

Northridge

Don't take lazy way out

Debra Saunders' Oct. 8 column backing term limits for California elected representatives, "'How to exercise your will unbridled,'" perpetuates the same insulting theory, although it may be a true one: Californians are too dumb to vote incompetents out of office.

The problem with that attitude is that it refutes the entire democratic process. If the only way to get rid of Assembly Speaker Willie Brown is to take away the voters' right to elect him, why let them vote at all? Why not have a poll test ensuring that a prospective voter agrees with columnists Pat Buchanan or Debra Saunders or William Safire?

Why on earth would people who won't vote against a dishonest or gullible incumbent vote to oust all of them, the good and the bad? My guess would be laziness. It's certainly easier to get rid of the whole kit and kaboodle than to find out who are the crooks and fools.

I'm not going to give up on the democratic process this late in life. I'll vote against both Propositions 131 and 140 and hope that the voters will throw out the bath water and keep the baby. That's naive, perhaps, but better naivete than total disenchantment with the best method of government we've found thus far.

- Diane Silver

Arleta

They fooled you

Men and women in the Mideast, you got snookered. 'Be all that you can be in the Army.' Yes, all the benefits sounded good. But war in the Mideast? A gaping wound full of sand. Then stateside in a Veterans Administration hospital? God forbid.

Insist we use every weapon at our command including nukes if combat starts.

President Bush, you got us into this. Now get us out without lives lost.

- Leroy E. Gillingham

LETTERS TO THE EDITOR

---- INDEX REFERENCES ----

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