



Written by [Patrick Krey](#) on March 5, 2024

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Exercising the Right

New ATF Rule Might Ban Private Gun Sales

The *New York Post* reported on January 31 about a new threat from the Biden administration that has the potential to ban the private sale of handguns. Those are the claims emanating from the nonprofit watchdog Empower Oversight, which, according to its website, is focused on “oversight of government and corporate wrongdoing.”

Empower Oversight president Tristan Leavitt posted a series of messages on X about a proposed rule from the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) that might require background checks on almost all gun sales. Leavitt informed his followers that, based on information from “whistleblowers within ATF that at the direction of the White House, ATF has drafted a 1,300-page document to justify a rule effectively banning the private sale of firearms.... Such a sweeping rule with the effect of banning private sales would clearly violate the Second Amendment to the United States Constitution, which declares that ‘the right of the people to keep and bear Arms, shall not be infringed.’”

Gun-rights advocates are not taking this lying down, and Empower Oversight has already sent a Freedom of Information Act request to both the Justice Department and the ATF to obtain any information about the plan, including any communications between the White House and the ATF. Background checks are already mandated for sales by federally licensed firearms dealers, but the concern over this rule is how it might broaden who would be considered a firearms seller. Historically, the federal background-check requirement has applied only to firearms sellers who had “the principal objective of livelihood and profit,” but it is possible that the proposed rule will apply the requirement to gun transfers within a family, as well, which previously were excluded. If the regulation is adopted, it would most likely not survive challenges before the Supreme Court, whose current makeup has issued rulings favorable to the Second Amendment.

Domestic Disturbance Turned Deadly

NEAReport.com reported about a tragic story that began on February 11 in Monette, Arkansas. Steven Hunter Allen, known to his friends as “Hunter,” and his wife, Ryann Allen, attended a Super Bowl party with their children, and Hunter consumed multiple shots of “moonshine” and became very intoxicated. The couple left the party with their young children to return home, but after Hunter missed an exit on the ride home, Ryann told him he was too drunk to drive, which started an argument.

When they finally made it home, surveillance video captured the argument escalating. Hunter grabbed Ryann by her neck and shoved her to the ground in the driveway while he was holding their youngest child in his arms. Ryann told investigators that the two continued fighting in the house. She said she struck Hunter in the face multiple times, and Hunter shoved her again, which caused a laceration on her head.

Hunter left the home while still intoxicated and went to his mother’s house armed with a handgun, reportedly making suicidal statements. Ryann took the children to her mother’s house, and her brothers soon arrived to assist her with the situation. One of the brothers who came to her aid was Brett Williams, a police officer with the nearby Trumann Police Department who was off duty at the time.



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Hunter's sister texted Ryann to encourage her to contact Hunter because she was worried about him being in a drunken, suicidal state while armed. After Ryann and Hunter exchanged some texts, Ryann and Brett drove to Hunter's mother's house to try to peacefully resolve the situation. When they arrived there, Ryann took Hunter's gun from him and Brett unloaded it.

The situation seemed as if it had calmed down, but then Hunter suddenly struck Ryann in the face. Brett began trying to physically restrain Hunter and place him in handcuffs, but Hunter fought back, threw Brett out of the house, and locked the door. Hunter was now in the home with only his mother and Ryann. Brett called 911 to report the incident and Hunter exited the home and began fighting with Brett. Hunter repeatedly threw a steel chair and porch swing at Brett while making the violent threat "you better shoot me or I'm going to kill you!" At this point, Brett fired two shots from his handgun, which hit Hunter in the chest, fatally wounding him. Responding officers soon arrived on the scene and Brett cooperated with authorities.

After a thorough investigation, NEAReport.com reported on February 21, the local prosecutor, Sonia F. Hagood, sent a letter to the Craighead County Sheriff's Office explaining that Brett Williams would not be charged in the shooting death of Hunter Allen because his actions were justified in accordance with state law. "After careful review of your file, it appears the shooting was justified pursuant to A.C.A 5-2-607 Use of Deadly Physical Force in Defense of a Person. Evidence supports that Mr. Williams was lawfully present at the residence. Video evidence shows that Mr. Williams was attacked by Mr. Allen and made several attempts to subdue and calm Mr. Allen down. Mr. Williams attempted to retreat on at least two occasions and Mr. Allen continued the confrontation by physically fighting him and throwing an iron chair at him on at least two occasions. The witness statements also support that before Mr. Allen threw the iron chair at Mr. Williams for a third time, he stated 'you better shoot me or I'm going to kill you.' It was not until this point in the confrontation that Mr. Williams discharged his firearm and shot Mr. Allen two times in the chest. Based on these facts, among others in your file, Mr. Williams was reasonable in his belief that his life, and others at the residence, were in danger of serious physical harm or death when he fired his weapon," Hagood wrote in her letter.



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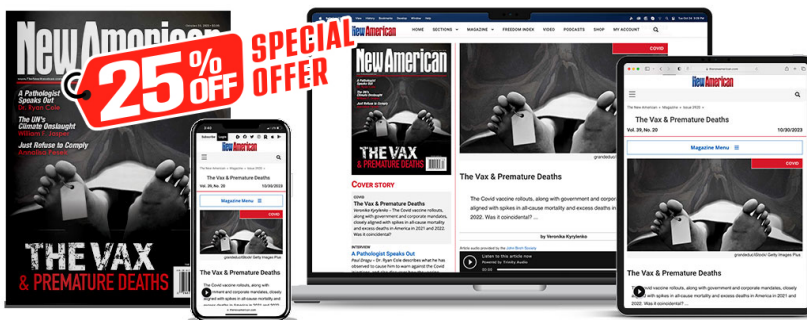
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