



Christie Commutes Aitken's Gun Possession Sentence

On Monday, Governor Chris Christie of New Jersey signed an order commuting Brian Aitken's sentence from seven years to time served. Aitken was convicted in early 2009 in New Jersey for illegally possessing two handguns, a "high capacity magazine," and hollow point ammunition, all of which he purchased legally from a Bass Pro Shop outlet in Colorado.



A recent article by *The New American's* James Heiser accurately assesses the circumstances that led to Aitken's arrest:

What doomed Brian Aitken were differences between the Colorado and New Jersey state law, and the Garden State's anachronistic retention of gun laws similar to some of the more absurd tenets of the Brady Law.

The events that culminated in Mr. Aitken's astonishing arrest were outlined by the *Philadelphia Daily News* and quoted in Mr. Heiser's article:

When Mount Laurel police arrived at the Aitkens' home on Jan. 2, 2009, they called Brian — who was driving to Hoboken — and asked him to return to his parents' home because they were worried. When he arrived, the cops checked his Honda Civic and, inside the trunk, in a box stuffed into a duffel bag with clothes, they found two handguns, both locked and unloaded as New Jersey law requires.

Aitken had passed an FBI background check to buy them in Colorado when he lived there, his father said, and had contacted New Jersey State Police and discussed the proper way to transport them.

'He bought them at Bass Pro Shops, for God's sake, not [from] some guy named Tony on the street corner,' his father said.

New Jersey and Colorado are on opposite ends of the gun-control spectrum. In Colorado, all he needed was the background check to own the guns.

In the Garden State, Aitken was required to have a purchaser's permit from New Jersey to own the guns and a carry permit to have them in his car.

He also was charged with having 'large capacity' magazines and hollow-point bullets, which one state gun-control advocate found troubling.

'What little I can glean about the transportation issue leaves me puzzled, but a person with common sense would not be moving illegal products from one place to another by car,' said Bryan Miller, executive director of CeaseFire NJ, an organization devoted to reducing gun violence.

'If Mr. Aitken did the research he said he did, he would not have hollow-point bullets and large-capacity



Written by [Joe Wolverton, II, J.D.](#) on December 21, 2010

magazines in the vehicle,' Miller said. 'They are illegal, period.'"

Aitken appealed his conviction as soon as sentence was imposed in August. His family and supporters likewise recurred to Governor Christie for relief in this most controversial and confounding case of conflict of laws. In fact, a Facebook page to "Free Brian Aitken" was launched in an effort to encourage the reconsideration and commutation of Aitken's sentence.

In a statement released concurrent with the executive order commuting Aitken's sentence, the governor's office announced that Mr. Aitken would be released from prison "as soon as administratively possible," which would indicate that Aitken's family will have particular reason to rejoice and celebrate this holiday season as their son will be home for Christmas.

Photo: New Jersey Gov. Chris Christie stands near a large Christmas tree in his office as he answers a question on Dec. 16, 2010, in Trenton, N.J.

AP Images



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