



Washington State Senators Seek to Criminalize Gun Ownership

Not content to wait on their federal counterparts to all but outlaw personal gun ownership, state senators in Washington state have proposed a bill that would make even Senator Dianne Feinstein (D-Calif.) proud.

Senators Ed Murray (D), Jeanne Kohl-Welles (D), and Adam Kline (D) are the principal co-sponsors of a bill that some have described as a "[simple sales ban](#)" on weapons.



Their bill, [S.B. 5737](#), uses languages similar to Feinstein's federal gun grab, calling for a ban on the sale of "assault weapons."

Assault weapons are so broadly defined in the bill, that the criticism of absolute abolition of the Second Amendment is well-founded. The bill defines "assault weapons" as follows:

- (a) Any semiautomatic pistol or semiautomatic or pump-action rifle or shotgun that is capable of accepting a detachable magazine, with a capacity to accept more than ten rounds of ammunition and that also possesses any of the following:
 - (i) If the firearm is a rifle or shotgun, a pistol grip located rear of the trigger;
 - (ii) If the firearm is a rifle or shotgun, a stock in any configuration, including but not limited to a thumbhole stock, a folding stock or a telescoping stock, that allows the bearer of the firearm to grasp the firearm with the trigger hand such that the web of the trigger hand, between the thumb and forefinger, can be placed below the top of the external portion of the trigger during firing;
 - (iii) If the firearm is a pistol, a shoulder stock of any type or configuration, including but not limited to a folding stock or a telescoping stock;
 - (iv) A barrel shroud;
 - (v) A muzzle brake or muzzle compensator;
 - (vi) Any feature capable of functioning as a protruding grip that can be held by the hand that is not the trigger hand;
- (b) Any pistol that is capable of accepting a detachable magazine at any location outside of the pistol grip;
- (c) Any semiautomatic pistol, any semiautomatic, center-fire rifle, or any shotgun with a fixed magazine that has the capacity to accept more than ten rounds of ammunition;
- (d) Any firearm with a threaded barrel designed to accommodate a flash suppression or noise suppression device;
- (e) Any shotgun capable of accepting a detachable magazine;



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(f) Any shotgun with a revolving cylinder;

(g) Any conversion kit or other combination of parts from which an assault weapon can be assembled if the parts are in the possession or under the control of any person.

If a citizen of the Evergreen State wants to retain any weapon designated as an “assault weapon” in the proposed law, he must comply with the following restrictions:

Safely and securely store the assault weapon

and

Possess the assault weapon only on property owned or immediately controlled by the person, or while engaged in the legal use of the assault weapon at a duly licensed firing range, or while traveling to or from either of these locations for the purpose of engaging in the legal use of the assault weapon, provided that the assault weapon is stored unloaded and in a separate locked container during transport.

If a person inherits one of the proscribed guns, he must either get rid of the weapon or render it incapable of firing ammunition.

For all its specificity when it comes to describing forbidden firearms, the bill fails to offer even cursory guidelines for the “safe and secure” storage mandate.

There was a time that vagary of language was grounds for tossing out a law. Constitutional challenges on this provision alone should be sufficient to make the bill stillborn in committee.

Should the bill become law, there are a few Washingtonians that can keep their guns:

(a) Marshals, sheriffs, prison or jail wardens or their deputies, or other law enforcement officers of this or another state while acting within the scope of their duties;

(b) Members of the armed forces of the United States or of the national guard or organized services, when on duty;

(c) Officers or employees of the United States duly authorized to possess assault weapons;

(d) Any person engaged in the business of manufacturing, repairing, or dealing in assault weapons, or the representative or agent of the person who is properly licensed under federal or state laws to do so and who is acting within the usual and ordinary course of the business.

Senators Murray, Kohl-Welles, and Kline have assumed the authority not only to essentially repeal the Second Amendment, but to leave the population disarmed at the mercy of those whose responsibility it would be to make sure they stay that way.

[Senator Dianne Feinstein’s bill \(co-sponsored by 20 Democrats\)](#) would impose similar bans on privately owned weapons, weapons that with rare exception have never been used for unlawful means.

The Second Amendment and its guarantee of the right to keep and bear arms is under siege by local, state, federal, and [global governments](#).

Using the Newtown, Connecticut, shooting as a pretext (and children from the town as props), President Barack Obama announced his plan to issue more than a score of executive orders that would gut the Second Amendment. He has since followed through on this plan and has handed down [23 such edicts](#).



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Although some consider the president's gun control fiats benign, others recognize them for the threat to liberty they are.

An article by [Maureen Martin in Daily Caller explains](#):

The president doesn't explain what he is trying to accomplish and why these measures are needed. Maybe there is a good explanation, but he hasn't given one and the media hasn't demanded one. That's the problem.

The president also proposes banning magazines with more than 10 bullets. This is reminiscent of New York Gov. Andrew Cuomo, who said recently — or, rather, screamed — “No one needs 10 bullets to kill a deer. End the madness now!”

But this is hardly madness. Ask the Georgia mother whose home was invaded recently while her husband was at work. She hid but had a .38 caliber revolver to defend her nine-year-old twins. When the intruder broke into her hiding place, she shot him five times in the face and neck. Still standing even after those five shots, the intruder fled. If there had been two intruders, or three, that mother and her children could have been injured or killed, under the president's order, because she would have run out of ammunition with no time to reload.

As accurate as Martin's criticism of the president's orders is, it should be unnecessary to defend the right to keep and bear arms from federal constriction.

The Constitution explicitly protects this right and the Founders understood that this right is the right that ensures the free and perpetual enjoyment of the others protected by the Constitution, including the Bill of Rights.

The proposed Washington statute would make it a Class C felony to own any of the outlawed weapons. The Washington [criminal code sets the punishment](#) for conviction of violating the law at “confinement in a state correctional institution for five years, or by a fine in an amount fixed by the court of ten thousand dollars, or by both such confinement and fine.”

The Washington State Senate [Committee on Law and Justice](#) is scheduled to consider the weapons ban bill sometime later this week.

Photo: Washington state capitol

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