



SUMMER 1999

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GUNS AS A PLATFORM ISSUE

Guns should be registered (Clinton). Guns should be licensed (Gore). President Clinton said Americans should be required to register guns as they do cars, but the president said he is not proposing mandatory registration, because he believes Congress (read the NRA) won't accept it. He said most Americans would support such a move, "but they elected the Congress, and the Congress doesn't have that opinion."



Al Gore, on the campaign trail, proposed a nationwide licensing system that would require safety checks and photo ID's for all gun buyers. "Unless you obtain a license, pass a background check and pass a gun safety test, you could not buy a handgun. Not in a gun shop, not at a gun show, not on a street corner, not anywhere in America." Bill Bradley, Gore's competitor for the Democratic nomination has been a step ahead of Gore in putting out a broad gun control plan of his own. He proposed not only testing and licensing but also registering all of the nation's millions of handguns.

"Thirteen states — California is not one of them — now have some form of gun-permit or licensing system in place, although standards vary widely," said Handgun Control president Bob Walker. "It is virtually assured that whoever the Democratic nominee is, they'll be running on a strong gun-safety platform." In the coming election gun control is predicted to be one the major defining issues.

A SANTA BARBARA COALITION
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A project of the Nuclear Age Peace Foundation

Santa Barbara Women Against Gun Violence is a non-profit coalition united against gun violence and committed to creating a safer community for Santa Barbara residents.

SBWAGV Fifth Annual Dinner, Saturday Oct. 2nd

Santa Barbara Women Against Gun Violence invites our friends and supporters to mark 5 years of working toward a safer community at our 5th annual dinner on Saturday, October 2, 1999 at the Radisson Hotel, located at 1111 E. Cabrillo Blvd. The event will be held in the spacious Cabrillo Room with its beautiful ocean and mountain views. We are very proud to present as our featured speaker Jack Scott, the distinguished Assemblymember from the 44th Assembly District of California. He represents over 400,000 people in 10 communities in the Pasadena area north of Los Angeles. Dr. Scott will be introduced by our own Assemblymember, Hannah-Beth Jackson, who together with Scott and a few other courageous legislators, is providing leadership in our state for reasonable gun legislation.

Jack Scott is the Chair of the Assembly's Select Committee on Gun Violence. He is also chair of the influential Assembly Insurance Committee. Additionally, he serves on the Assembly Committees on Budget, Education, Higher Education and Transportation.



Jack Scott has been a champion of sensible gun legislation and has authored many important gun-control bills such as, child safety locks, increasing the penalty for carrying a concealed weapon to a felony, preventing gun dealers from opening establishments close to any type of school and instituting background checks on all employees of gun shops. In fact, Scott defeated his Republican opponent partially on a platform of "sensible controls on guns" and was the first Democrat to represent Pasadena since the city was incorporated in 1886. A family tragedy, the accidental gun-shot death of his son Adam, at age 27 has brought a personal

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Fifth Annual Dinner

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poignancy to his crusade for reasonable gun control. Adam's friend and host at a dinner party was showing off a new 12-gauge semiautomatic shotgun and fatally wounded Adam.

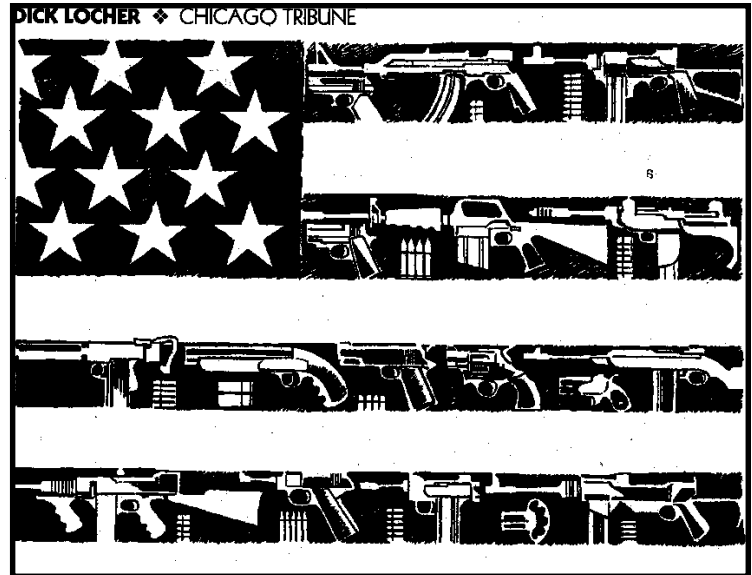
During his first term in the Assembly (1997-98) Scott enjoyed the highest legislative success rate with 25 measures signed into law. One of these measures was a landmark law bringing gun manufacturers under state regulation. Because of his legislative leadership he was named Legislator of the Year by the California Federation of Teachers, the Association of Independent Colleges and Universities, Association of California Community College Administrators and California State University.

Jack Scott hails from Sweetwater, Texas where his father served in the Texas House of Representatives. He holds a Master of Divinity degree from Yale University, as well as a Ph.D. in history from Claremont Graduate School. Scott has spent 34 years as teacher and administrator in higher education, first for 10 years at Pepperdine University, then at Orange Coast College and Cypress College. In 1987 Dr. Scott assumed the presidency of Pasadena City College. With 25,000 students, PCC is the third largest community college campus in the nation.

The 1990's brought hard times for many community colleges in California, but Pasadena City College was a shining exception to the rule. Although state funding declined, the college balanced its budget, laid off no members of its faculty or staff, and maintained an educational program of high quality. PCC had reserve funds of more than 6 million dollars when Dr. Scott retired in November, 1995.

Dr. Scott is an accomplished writer. His book on John Witherspoon, one of the signers of the Declaration of Independence (this was his doctoral thesis) was published by the University of Delaware Press in 1982. He has written articles for the *L.A. Times*, the *Pasadena Star-News* and national magazines. His wife, Lacreata Scott, has an M.A. in English and is a member of the English faculty at Cerritos College. Jack and Lacreata have four children and eight grandchildren.

We are looking forward to sharing our progress over the past five years with you. We anticipate a fascinating evening with Dr. Scott and Hannah-Beth Jackson, and we know you will want to join us. So mark your calendars now for this important event.



NAACP Files Class-Action Lawsuit Against Gun Makers

The NAACP has filed a class-action lawsuit in Brooklyn against gun makers declaring that companies producing firearms "must be as responsible as any other industry." President Kweisi Mfume has spoken to our nation, "Given this year's tragic events in Colorado, in Indiana, in Illinois, people in America are crying out for real change. The fact that illegal trafficking of firearms disproportionately affects minority communities in this country is indisputable. African American males between the ages of 15 and 24 are almost five times more likely to be injured by firearms than white males in the same age group. Black women in that category are almost four times more likely to be hurt by firearms than white women. Urban communities have sadly become so accustomed to the prevalence of firearms in their neighborhoods that they are no longer shocked at the sound of gunfire. The NAACP will not try to obtain monetary damages from gun manufacturers. Instead, the suit will seek injunctions to force the handgun makers to better monitor where weapons are distributed and limit people making multiple purchases.

Mfume also said, "We do not oppose the constitutional right to bear arms by lawful and responsible firearm owners." Again the 2nd Amendment, again the concerns about offending lawful and responsible gun owners. Mfume's statement and action begin well but end in a fizzle because of hesitancy to create real waves in the gun community.



AMERICA —LAND OF OPPORTUNITY FOR GUN MAKERS

Restrictive gun laws are being enacted in major industrialized countries around the globe and gun makers are flocking to the biggest and least regulated gun market in the world — the United States. According to a recent United Nations study on firearms regulations, as 29 countries in the past five years tightened rules on the civilian ownership of firearms, the United States has become more important in the international gun market.

Slightly more than half of the 1.7 million handguns made or imported to the United States came from foreign companies or were made by their U.S. subsidiaries, according to Bureau of Alcohol, Tobacco and Firearms (ATF) 1997 figures.

Taurus International Manufacturing Inc., subsidiary of Brazil's largest gun maker, produces guns in Miami and also imports them. Brazilian companies export about 90% of the guns made in that country. Taurus opened a plant in 1982 in Miami that makes tens of thousands of guns and is one of the biggest gun factories in the country.

Browning and Winchester, are affiliated companies owned by a Belgian government entity, Fabrique Nationale Group. Many of their guns are made in Japan, where it is virtually impossible for a private citizen to own a gun.

It is difficult to assemble a complete picture of the profit, revenue, or even market share of the global gun market. Only one U.S. gun manufacturer — Sturm, Ruger & Co. — is publicly owned and thus discloses financial information. Other companies are either privately held or are part of big corporations. The U.S. government keeps records only of how many guns each country exports, not by a particular company. The Commerce Department reports higher gun imports than the ATF. Some companies set up plants in the U.S. to make guns they couldn't import because Congress has set higher standards for imported guns than for guns made in this country.

Jim Pasco, executive director of the Fraternal Order of Police and a former ATF official says, "Europeans are so sanctimonious about their gun-control laws, but their shock at our rate of gun deaths doesn't keep them from making guns...It's ironic that the money goes back to those countries."

Selling to the U.S.

The largest number of U.S. imports of handguns in 1998 came from these four countries.

1. Austria ██████████ 170,240
2. Brazil ██████████ 133,270
3. Germany ██████████ 107,232
4. Italy ██████████ 41,071

SOURCE: U.S. Customs Service

Foreign Guns, Foreign Laws		
COMPANY	OWNERSHIP	GUN RESTRICTIONS IN COUNTRY OF OWNERSHIP
Smith & Wesson Springfield, Mass.	Owned by Tomkins, a publicly held company in Britain.	Handgun ownership is prohibited, and there are strict laws on licensing and registration. Police do not carry guns.
Taurus International Manufacturing Inc. in Miami	Owned by Forjas Taurus SA, a Brazilian company.	Rio de Janeiro recently banned the sale of guns, and a similar law for the whole country has been proposed.
Glock, in Smyrna, GA.	Owned by Glock in Austria.	Glock imports its gun parts from Austria, where you must be 21 to own a handgun and each person can buy only two guns.
Beretta U.S.A. Corp., in Accokeek, MD.	A subsidiary of the Italian company P. Beretta SpA	In Italy, hunters must show membership in a hunting club where they've been trained; to buy a handgun, individuals must prove they genuinely need the gun for self-defense.
Browning in Morgan, Utah, and Winchester CT	Affiliated companies owned by Fabrique Nationale Group in Belgium	Gun owners must be licensed, and all firearms must be registered. Some of the guns are made in Japan, which generally does not allow citizens to own guns.
Para-Ordnance, Scarborough, Ontario (exports guns to the U.S.)	Privately owned company	In Canada, owners must be licensed and all guns must be registered. Some automatic and semi-automatic assault weapons and about half of the types of handguns are banned.

SOURCE: Staff reports

THE WASHINGTON POST



LEGISLATION UPDATE

National

With all the politicking going on after Littleton, it was difficult to follow the meanderings of Congress.

The Senate passed a fairly decent juvenile justice bill. The tepid gun-control measure passed by the Senate in May would simply make it harder for felons and the mentally ill to buy guns at gun shows. The Senate also included a plan to tighten background checks on buyers at gun shows.

Major provisions of the Senate Crime Bill: Bans sales of semiautomatic weapons to juveniles; increases penalties for sales of guns to juveniles; requires trigger locks to be sold with all handguns; bans importation of certain large-caliber ammunition clips; mandatory 3-day background check on all gun-show sales; permanent prohibition on gun ownership for any juvenile convicted of a violent felony.

What had begun as a supposedly serious response in the House of Representatives to the spate of school shootings, ended in a cave-in to the gun lobby. A 1.5-million dollar lobbying effort by the NRA has produced a shameful result; a facade of a bill that would have left intact, and in some ways worsened the deadly problem of easy access to guns.

The House Republican leadership decided to present two bills, a harsh juvenile crime provision and a watered down gun-control bill, so deficient that House members who support gun-control could not support it. So the Republicans would "look" like they are passing gun-control legislation and the Democrats would be voting against it. Dismayed by this, the Democrats developed their own crime and gun-control bill, which of course lacked Republican support, so it failed to get the required number of votes. Gun-control advocates backed this bill sponsored by Rep. Carolyn McCarthy (D-NY), whose husband and son were victims of gun violence. The bill, supported by most House Democrats, would have required 3 business days for background checks at gun shows, which is the same time required at gun stores. McCarthy's measure was virtually identical to one the Senate passed. McCarthy said in an emotional floor speech, "I am trying to stop the criminals from being able to get guns. If we don't do it, shame on us, because I have to tell you, the American people will remember."

The GOP measure backed by the NRA, would in effect, apply the background check to all gun show vendors but reduce the screening period to 24 hours, which would not allow enough time to identify felons and persons with mental disorders attempting to buy guns.

The crime bill imposes mandatory sentences for young people in gun crimes. The motive behind this was to make it possible for pro-gun lawmakers to vote against strong gun controls in one bill and for juvenile crime measures in another bill. The house narrowly approved a provision sponsored by John Dingell, D-Mich. (a former NRA board member) to regulate sales and 24 hour checks at certain gun shows. Supported by 173 Republicans and 45 Democrats, it squeezed through 218 to 211. Among the California delegation, 26 of its 28 Democrats voted against the Dingell measure. (Capps voted against it and Gallegly voted for it.) Of the state's 24 Republican representatives, 15 voted for the Dingell measure. The NRA has been working for weeks to see that the House did not back the same regulations as the Senate. Stated Chambliss, R-GA, "The majority of amendments we're debating aren't about saving lives, they're about taking rights away from law-abiding citizens."

In a separate measure introduced by Robert Haderholt, R-Alabama, the House voted 248 to 180 to permit the display of the Ten Commandments in schools. Haderholt called its passage "an important step to promote morality and an end of children killing children."

As of July 29, 1999 (*Wall St. Journal*) a gun-control filibuster in the Senate came to an end with a 77 to 22 cloture vote clearing the way to begin long-delayed talks finalizing juvenile-justice and gun-control legislation. This ended resistance by a handful of GOP conservatives to talks with the House on reconciling the rival bills. As of this report, there is no certainty that Congress will come up with a final bill before a new school year begins in September. This is the reason meaningful gun-control measures must continue to move forward at the state and local levels.

Legislators need to be aware that: importantly, 40% of the nation's gun market is largely unregulated. 4.5 million used guns are sold annually in a secondary market at flea markets; outside gun shows, in parking lots and by "kitchen table dealers."



LEGISLATION UPDATE

State

Passed by the Legislature and signed into law by Governor Davis, a ban against assault weapons. SB 23 sponsored by Senator Don Perata (D-Alameda) passed the Assembly by a 46-23 vote and the Senate by 26-13 margin, largely along partisan lines. On July 20th Governor Davis signed this historic legislation, the nation's broadest gun control measure, into law. The bill bans semiautomatic rifles or pistols that hold more than 10 bullets or can be readily concealed and easily maneuvered while firing. It is now a crime for any person to manufacture, import, sell or give away in California any magazine that holds more than 10 rounds. Owners have one year to register their weapons with law enforcement or face a \$500 fine; second offenders could face felon charges.

Also signed into law by Governor Davis: AB 202 by Assemblymember Wally Knox (D-Los Angeles) limits sales of concealable handguns to one gun per month. It passed the Senate 21 to 14, the bare majority required, after clearing the Assembly 42 to 30, with one vote to spare. It exempts licensed collectors and legal private party transactions. A study by the ATF in 1997 found that of guns used in crimes, half could be traced to just 389 dealers. The California State Department of Justice says that 41,000 of about 183,000 handguns sold in California in 1998 were sold to persons who bought more than one gun at a time.

There are several more bills working their way through the legislature that will land on the governor's desk before summer's end. AB 106 and SB 130: Require child-safety locks on guns; and SB 15: Requires that handguns meet safety standards (SB 15 is the bill that would require safety standards which target the weapons often termed junk guns)

You can help by contacting Governor Davis urging him to sign these bills. (916) 445-1455 (Comment Line) (916) 445-4633 (Fax)

County

On May 18th the County Board of Supervisors voted 3 to 2 to review in the coming weeks a proposed ordinance to ban the sale of "junk guns" in the county, a ban to which they were favorably disposed. In consideration of their decision they are analyzing SB 15, the "Unsafe Gun Act". The board requested Sheriff Thomas to return with technical definitions of weap-

ons to be banned. He is looking at various sources and we are hopeful he will soon return with his technical recommendations. We would anticipate he would use as a basis for his recommendations the West Hollywood roster which 40 other cities and counties have adopted.

City

Santa Barbara City has voted and passed a ban on the sale of Saturday Night Specials on March 16, 1999. City officials are presently compiling a list of guns for the roster, preparatory to enforcement of a sales ban.

And in Brazil - A new (6-13-99)

state law prohibiting the sale of firearms in Rio de Janeiro has gone into effect. Over the outraged protests of a nascent gun lobby, (obviously without the clout of the NRA) President Fernando Cardoso wants to go even further. His government has introduced fast-track legislation that would completely ban the possession of arms throughout this nation of 165 million people. Brazilians are supposed to register guns, but estimates range over 20 million unregistered weapons, and in rural areas there is a strong hunting tradition.

However, in proportion to its population Brazil has the world's highest rate of homicides committed with guns, according to a U.N. study published in 1998. But recent shootings around the country (13 people a day in Sao Paulo) and the school massacre in Littleton Colorado have galvanized the Brazilian government into developing the most restrictive gun control system anywhere.

Despite these restrictions on their domestic gun sales, Brazilian gun manufacturers can still look abroad for sales. Brazil is the second largest exporter of guns to the U.S. (See article "America — Land of Opportunity for Gun Makers" on Page 3.)



2nd Amendment Update

Just when it appeared the 2nd Amendment issue was settled as far as the courts are concerned, in April 1999, a U.S. District Judge, Sam Cummings, in Lubbock, Texas struck down a law that made it a felony for people under domestic restraining orders to possess a firearm. The judge said there was inadequate proof that the husband, who had been indicted for threatening his estranged wife during a divorce, was indeed threatening and that the law had the further effect of “criminalizing a law-abiding citizen’s 2nd Amendment rights.”

The myth that the Constitution guarantees the right of citizens to own gun is kept alive by the NRA. Polls show that up to 80% of the public “believe” citizens have a constitutional right to own guns, although federal courts have, in the past, almost universally rejected the NRA version of the right to bear arms, saying it is a right reserved for state militias, not individuals.

The NRA and other gun groups have consciously steered away from 2nd Amendment arguments and have put money into research hoping to change the legal landscape — and eventually winning judicial respect for the right to bear arms. The approach appears to have born fruit. Two years ago Supreme Court Justice Clarence Thomas suggested it was time for the high court to take another look at the 2nd Amendment (a view shared by Justice Scalia). Both the Texas judge and Thomas cited the growing body of scholarly work that the NRA has helped fund, to put the NRA’s view of the the 2nd Amendment back on the map.

Because of their limited discussion on the matter, the intent of the founding fathers remains a subject of debate, but private ownership of firearms was generally accepted at the time and probably didn’t warrant much discussion. To gun control groups the right to bear arms is contingent upon serving in a state-ordered militia. Pro-gun groups say the militia was meant to be broadly defined as any group of able-bodied men, as opposed to an organized-armed force.

Richard Gardiner, a former NRA assistant general counsel who handles a number of gun challenges for the group, says there hasn’t been a need to invoke the 2nd Amendment in court because the NRA has been successful in Congress in preventing the most onerous gun-control laws. Mr. Gardiner says that there are better arguments than the right to bear arms:

1) 1997- it was successfully argued that the Brady Bill was an illegal federal mandate that violated 10th Amendment protection of states rights.

2) The NRA is protesting that the Justice Department’s policy of keeping records of gun purchases for 6 months violates gun owners’ privacy rights.

3) In other cases the NRA argues that a law doesn’t accurately describe the gun targeted by particular gun-control legislation. This argument is known as “void for vagueness,” and has been “the biggest winner so far” in attacking antigun laws.

4) David Hardy, a Tucson, Arizona lawyer and firearms specialist who is handing an NRA’suit in U.S. district court in Michigan challenging the 1994 federal law banning assault weapons, argues that it denies NRA members equal protection under the law. Although a fan of the NRA is interpretation of the 2nd Amendment, he says, “You’ve got a sizable uphill battle there,” using the 2nd Amendment in court. “It is something you hope to do eventually, but something you can rarely win in the here and now.”

What one may take away from all this is that the 2nd Amendment does not protect either side of this debate. Every gun control law and safeguard for society is going to be challenged by the NRA through the court. NRA lawyers are finding ways to get around the 2nd Amendment while they search for judges who can be “persuaded” that this nation needs to protect the rights of gun owners rather than save the lives of its citizens.

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Bell Campaign — Grass-roots Counterpoint to the NRA



SBWAGV supporting our supporters — at an inspiring evening — The Rape Crisis Center's biennial "Take Back the Night." (I to r Toni Wellen, Dale Tetelman, Carol Hershey, Ilene Pritikin, and Sissy Taran.)

Gun Show Runs Amok

California State Justice Department agents found illegal weapons so easy to buy at a Los Angeles County gun show that they ran out of the \$4000 allocated. They could only check a fraction of the 5,300 booths at the Great Western Gun Show. All sorts of illegal weapons (modified assault weapons, flame throwers, rocket launchers) were available without background checks, waiting periods or paperwork.

Poll Shows Majority Support for Gun Control

Two-thirds of the Public Backs Tough Gun Curbs. In a new poll taken May 12-16 by Pew Research reported May 21st in the *L.A. Times*, three out of four Republican women say increasing restrictions on guns is more important than protecting the rights of Americans to own them. This is about the same percentage as all women. Slightly more than half of all Republicans, 53% (up from 47% six years ago) said gun control is more important than protecting the rights of gun owners. Three-quarters of Democrats in the poll said gun control is more important than protecting the rights of gun owners, an increase from two-thirds six years ago. In the Pew poll, almost all-demographic groups showed increased support for giving priority to gun control.

May 25, 1999 — a new national organization aimed at preventing gun death and injury has made its debut. The Bell Campaign bills itself as a grass-roots counterpoint to the NRA with education and advocacy as its primary goals. Its founders are relatives of gunshot victims who chose as their symbol a bell, both to toll in the memory of those killed by guns and to peal as a call to action for those who would restrict the weapons. **Mary Leigh Blek and her husband Charles** will head the western regional office in Long Beach. Objectives include stringent licensing and registration of handguns, longer waiting periods, safety training, and a national ban on assault weapons and Saturday Night Specials. The Bell Campaign is funded by a three-year 4.3 million grant from the Richard and Rhoda Goldman Fund, a San Francisco-based philanthropy whose executive director is Andrew McGuire. McGuire's favorite cousin was killed by a gun when he was 12. McGuire was a founding member of MADD. Mary Blek had a ready retort to suggestions that the Bell Campaign blames guns for an overly violent society.

"We're not saying that guns cause the violence," she said, "What we are saying is that guns increase the lethality of the violence so out of proportion that yesterday's fistfight is today's gun death. We have to address the issue of the easy access and availability of guns in our society." She spoke of the passion of the families of gun victims, "Things are going to change; we have reached the critical mass, we love our kids more than the gun lobby loves their guns."

Public Campaign Wants Gun-Money Out of Politics

Public Campaign a national non-partisan, non-profit organization working on comprehensive campaign finance reform took out a full-page ad in *Roll Call* and the *New York Times* headlined, "Want guns out of our schools? [We need to] get gun money out of our politics", identifying some of the lawmakers who benefited most from gun money on Capitol Hill. The ad continued: All of these members have taken stands opposing gun safety laws. The add prominently features pictures of the top ten beneficiaries of gun lobby expenditures and the amount the gun lobby spent on their behalf. The ad can be found on Public Campaign's Web site at www.publiccampaign.org/guns.html.



Teacher's Suggestions for Reducing Gun Violence

In a "Where We Stand" public commentary, Sandra Feldman, President American Federation of Teachers suggested "Protective Measures We can Take As a Society" to keep children safe:

1. Pass state and federal gun control laws that do a better job of restricting children's access to guns. Mandatory child safety locks on all guns, and strict laws for licensing and monitoring those who sell guns.
2. Bring more counselors into schools, especially for adolescents. 1 to 500 is not adequate.
3. Explore further ways to discourage the marketing of products that glorify violence to kids.

SBWAGV welcomes two new coalition members: The Family Service Agency & Casa de la Raza

PARTNER ORGANIZATIONS • A GROWING COALITION

American Association of University Women, Goleta Valley • American Association of University Women, Santa Barbara
CALM (Child Abuse Listening Mediation) • Casa de la Raza • Community Mediation Program • Conflict Management Institute
Congregation B'nai B'rith Temple Sisterhood • Council on Alcoholism and Drug Abuse
Counseling Center for Children, Adolescents & Their Families • Democratic League • Democratic Women
The Family Service Agency • Green Party • Isla Vista Health Project • Jewish Community Relations Council
Junior League of Santa Barbara
League of Women Voters • NAACP, Santa Barbara Chapter • One Stop Immigration & Educational Center • Peace Education Project
Physicians for Social Responsibility • Hadassah, S.B. Chapter Santa Barbara Area Council of PTAs
Santa Barbara Jewish Community Relations Council • Santa Barbara Pro Youth Coalition
Santa Barbara Rape Crisis Center • Santa Barbara Women's Political Committee • Shelter Services for Women
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SANTA BARBARA WOMEN AGAINST GUN VIOLENCE
A Project of the Nuclear Age Peace Foundation

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This newsletter is published quarterly by Santa Barbara Women Against Gun Violence, a non-profit coalition (a project of the Nuclear Age Peace Foundation) united against gun violence and committed to creating a safer community for Santa Barbara residents. All members volunteer their time and all funds come from grants or donations from interested and dedicated individuals. Please address all correspondence to SBWAGV Newsletter, 1187 Coast Village Rd, Suite 121, Santa Barbara, CA 93108-2794. **Contributing writer:** Toni Wellen.

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