

Shooting holes in gun violence remedies

Marty Trillhaase/Lewiston Tribune

If you think the answer to gun violence is as simple as more background checks and cracking down on the mentally ill, come to Lewiston.

This is where you'll learn just how far short that remedy would fall.

Case in point: A 70-year-old Lewiston man whose two stints in a psychological unit interrupted a string of episodes in which he threatened his family, police officers and the president of the United States.

The only thing that kept his hands off a semi-automatic handgun with a high-capacity magazine was a responsible gun dealer.

As outlined by the Tribune's Eric Barker and Kelcie Moseley, here's the sequence:

- March 24 - Law enforcement officers were dispatched because the 70-year-old man had been threatening his daughter and wife. Officers confiscated his weapons. After a brief psychiatric hold and evaluation at St. Joseph Regional Medical Center, he was released and his firearms were returned to him.
- March 26 - With the police evidence tape still on his revolver, the 70-year-old took it to Orchards Pawn Shop. There he suggested swapping it for the semi-automatic handgun. In response to salesman Eddie Wilson's questions, the gun owner referred to having been evaluated at St. Joe's. Then he became agitated, threatened police if they tried to arrest him and referred to President Barack Obama in a racist and threatening manner.

Wilson took the revolver as collateral on the trade and then later contacted Lewiston police.

"I just felt it was best he left the store without his gun," Wilson said.

- March 27 - With a loaded rifle and handgun, the man barricaded himself in a shop in the Orchards. Nez Perce County Sheriff Joe Rodriguez and Chief Deputy Scot Gleason calmed him down. The man was taken to St. Joe's. As of now, a psychological evaluation is continuing.

But that's hardly the end of it. Even conceding that doctors, cops, prosecutors and citizens quelled any immediate threat, you're stuck with a choice between two extremes:

Either this individual is judged mentally ill and stripped of his freedom and his ability to procure firearms.

Or he's released from custody and his Second Amendment rights are entirely intact.

In fact, a mental health adjudication is no simple matter. The process requires two separate designated examiners. Erratic behavior does not necessarily signal mental illness. If drugs, alcohol, dementia or even a brain tumor can explain his conduct, then it's not mental illness - and the law has no answer for that.

Even if he's judged mentally ill, that's no guarantee his name will end up on the FBI's watch list. At that, a background check comes into play only if he tries to purchase a gun or get a concealed weapons permit. A mental health adjudication may not force him to relinquish firearms already in his possession.

In a rational world, you'd find some middle step - something between stripping a man of his liberty and empowering him to obtain any firearm he wants.

Why not, for instance, suspend his right to possess firearms for 90 days while matters sort out?

Or require him to undergo a firearms safety course?

Even shift the burden of proof. Rather than asking the authorities to prove why he should not have access to guns, why not require such an individual to demonstrate to a judge that permitting him continued access to weapons poses no threat to others?

You know why.

This is Idaho.

A state where legislators tried to fine any local and state cop \$1,000 for even cooperating with federal law enforcement on gun laws.

The home of county sheriffs who proclaimed strenuously that they alone would decide which gun laws violate the Second Amendment and which do not.

The place whose officials respond to gun violence by proposing to arm college students and classroom teachers.

To even consider a rational middle step invites the wrath of the gun lobby and political retaliation against all who suggest it.

All of which means the next time someone goes unhinged in a gun store, your best - perhaps only - hope is the salesman's discretion.

But how many will be as careful as Eddie Wilson was last week? - M.T.