

# Not taking gun lobby's 'no' for an answer

Marty Trillhaase/Lewiston Tribune

The gun lobby doesn't like universal background checks.

It won't consider a limit on high-capacity magazines.

Don't even bring up renewing the military assault weapon ban.

Keeping guns out of the hands of suspected terrorists?

Not if it means attacking their Second Amendment rights.

How about unshackling the Centers for Disease Control and Prevention as more than a dozen attorneys general have proposed - empowering the agency to research how best to effectively counter gun violence, especially suicides?

Can't do it.

Ask some members of the lobby and they'll tell you the CDC answers to an anti-gun rights leadership. Whatever research it produces would be tainted.

Why not at least invest in smart-gun technology? Consider it equivalent to seat belts and air bags in cars.

Nothing doing.

The last gun manufacturer who even talked about smart guns was pilloried in the industry.

OK. We get it.

As National Rifle Association Executive Vice President Wayne LaPierre famously put it after the shootings at Sandy Hook Elementary: "The only thing that stops a bad guy with a gun is a good guy with a gun."

In other words, arm every citizen with a concealed weapon.

But what if you could keep the gun out of the reach of a bad guy - or just a guy who's deeply troubled? The kind of person friends and family are worried may be either a danger to himself or to others?

Three states - California, Connecticut and Indiana - extend an option to those friends and relatives.

They can take their concerns to a judge.

Whether it's mental illness or a history of domestic violence, if they clear the burden of proof, the judge can issue a temporary restraining order, separating the individual from his firearms - and preventing him from purchasing any more.

This is not about abrogating anybody's Second Amendment right to keep and bear arms. This merely balances that right against someone else's 14th Amendment guarantee of due process.

Washington is poised to become state No. 4.

Wednesday, Initiative 1491 was certified for the Nov. 8 ballot. Backers collected more than 330,000 signatures - or almost 90,000 more than required.

Under its terms, a judge could impose a one-year temporary restraining order after reviewing an affidavit filed by relatives, household members or police.

Washington voters already have demonstrated their willingness to stand up to the gun lobby. Two years ago, they voted by a 60 percent margin to pass Initiative 594, which closed the loopholes on gun show purchases under the

federal background check laws - something Congress refused to do on a national level even in the wake of Sandy Hook.

Of course, passage of I-1491 is no panacea. No law is. But Marilyn Balcerak of Auburn knows what happens today when a distraught mother asks the cops to keep guns away from her suicidal son: nothing.

"I did everything I could to keep him from getting a gun, and even went to the police, but was twice turned down," she told the Associated Press.

Her son killed his step-sister before turning the gun on himself.

If all this measure does is give Marilyn Balcerak and others like her some recourse in a court of law, why not pursue it?

In fact, this seems so reasonable, you might hope the gun lobby would support it.

But don't hold your breath. - M.T.