

Harold Weisberg
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Dear ACLU,

When the gun-control law was passed, I think the ACLU took the position that it was a limitation on citizens' rights. If this is the case, my experience with it supports the view. There is no due process and there is the most capricious administration, with the formality of appeal so much a mockery the rejected applicant is not even informed what to appeal. So, I write to see if you would like to look into this case and, perhaps, to make an issue of it.

From what I have read in the papers, there can be no doubt that I meet the requirements of the law with regard to fear of existing danger. The State Police records, prior to enactment of the law, have to prove this. And, because my larger danger comes from loose-running dogs, the expert on the matter told me what he told the police investigator, and it is precisely in point, that it is unsafe to walk the highways here in the country because the dogs are many, vicious and beyond his control. He told them he'd be afraid to walk where I live.

I am 60. As a young man I was a writer and investigator, then I became a farmer and was used to a life of vigorous physical activity, and then I returned to writing, which is, of course, a more sedentary life. I have a number of minor orthopaedic problems, but although minor, they preclude most forms of exercise. My doctor wants me to walk vigorously to tiredness, at least once a day. It is the only form of exercise I can get for most of the year. The need includes exercise for the cardiovascular system.

On a number of occasions I was set upon by dogs. There are two categories of dogs in this area, wild dogs and those not restrained by their owners, as required by law. Killing is common, and this includes animals as large as cows. All is well-reported in the local press and is well-known to the police. The keeping of large, vicious dogs seems in some cases to be a manhood symbol, and in others for "protection" that in practise doesn't work out that way. Some of these dogs are so vicious they have seriously injured their owners.

When I was first attacked, I went to the local State Police barracks and was referred to the county dog warden. He asked me to go with him to each property from which I had been attacked or where I had seen a loose-running dog and in each place he left a printed notice of violation of the law. In no case was his notice heeded, where there was someone home he caught hell, and it continued impossible for me to walk in peace. I went back to the police and they counselled that I carry a pistol. I had one, I got a holster, and I carried the pistol openly as I walked, with, at least, some security and with the result that most of the dogs thereafter were restrained at the time of the day it was known I'd walk. In one case I was attacked by an irate owner indignant at the notion that he had to comply with a law he didn't like. This much younger and stronger man first threw a large rock that barely missed my head and was about to jump upon me when he saw the pistol. So, the record of attacks, of basis for fear and of fear is clear and was of official record prior to enactment of the law. Moreover, I have a record of carrying the pistol without endangering others. The fact is that carrying a weapon is repugnant to me but if I do not my health is jeopardized and, I feel, I am denied my rights.

Without the protection of the pistol the area in which I can walk is limited and it is not possible to get the exercise prescribed. I live in the mountains, I must walk uphill going out or I can't get back! This leaves but one direction in which I can walk. Besides, the dog problem is universal, and there is no enforcement, not even with arrest.

When my application was rejected, I was not told the basis for rejection. When my appeal was rejected, the same thing. Both were form letters. However, I feel that the misapprehended thrust of my writing is the cause. It is, in my view, the most thorough-

going exposure of the FBI yet made, and I am familiar with the books that have that purpose, as mine do not per se. I have thousands or pages of FBI reports and believe I am the first to have printed them extensively. I have done this in facsimile, which may well trouble the FBI even more. In addition, I have sued under the Freedom of Information law. In one case I got a summary judgement and proof of FBI perjury and lesser deviation from proper conduct and published what I got by this suit. There is now pending before the federal court of appeals for the District of Columbia another of my suits against the FBI which may well be precedent under the investigatory-files exemption of the law. The FBI is unhappy about what it regards as my temerity as it is about my exposures. I believe this is the unspecified real reason for rejecting my request for a gun permit. This and other of my work, where I have been helping the victims of its injustice, including several men in jail. Perhaps also because of the certainty that were it within my capabilities I'd be filing more FOI suits. I have, in fact, accused the FBI with improper conduct with regard to me when it was reported to me and I have not gotten even pro forma denial. They don't like being investigated and exposed.

If I do not alleged that it is relevant in this case, I have been the object of CIA surveillance in my public appearances. I have carbon copies of my remarks prepared for the CIA and other proofs that it was the CIA. I report this at the risk of sounding paranoid because I think that there is more involved than the improper refusal of a permit when I meet the requirements of the law. I think there may have been federal intervention, and I know the CIA surveillance included my remarks about the FBI. There are indication, if not proof, of other federal intrusions into my life and rights, and of damage to me from it.

The lengthy letters I have written to the appeals board and the governor have gotten meaningless responses.

One of the stranger aspects is that I have a clear record of not being anti-police and have worked with the FBI in the past and a local police force within Maryland more recently, giving it large quantities of information obtained from an informant inside one of the more militant of the dangerous extremist groups, the Minuteman and, ultimately, turning that informant over to the police. Thus stuff makes The Anarchists Cookbook look tame. I have also given the State police information on the drug scene when I got it, so there is no reasonable basis for believing I am anti-police, even if that would be irrelevant under the law. I also have a record of being for proper gun control and have always, voluntarily, registered the weapons I needed (I dislike the need very much) wherever I have lived. When my need for rifles ended, I disposed of the rifles, by the way. A farmer does need them.

Lawyers, I realize, may look at these things other than laymen do, but I think this may provide a good test case if you are interested, and I would like to be able to enjoy what I have always thought were my rights. I would also like a little real law-and-order from those who talk about it without practising it.

If you want any further information or any proof of what I've said, please ask.

Sincerely,

Harold Weisberg