

MISC II - NRA

High Court Widens Gun Ban on Felons

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The Supreme Court made it clear yesterday that the federal law against some gun purchases by convicted felons reaches all the way to over-the-counter gun dealings at the local level.

By a 6-to-2 vote, the court said the 1968 federal Gun Control Act covers the local purchase of a weapon that has been shipped across a state line even if the buyer had nothing to do with the interstate shipment.

Lower courts had divided over the gun control issue.

The U.S. Court of Appeals in St. Louis said Congress intended to cover only gun purchases in which the convicted felon had something to do with the interstate shipment, as in mail-order transactions.

But Justice Harry A. Blackmun, writing for the majority, upheld the decision of the U.S. Court of Appeals in Cincinnati

that the federal gun regulation reaches down to the local dealer.

The case involved Pearl Barrett, a convicted burglar who was arrested near Booneville, Ky., on a traffic charge shortly after buying a .32-caliber revolver. The gun had been manufactured in Massachusetts and shipped through a North Carolina distributor — enough interstate activity to bring the federal law into play, the high court held.

The court of appeals upheld Barrett's conviction and three-year prison sentence, and the Supreme Court affirmed the conviction.

In dissent, Justice Potter Stewart and William H. Rehnquist argued that Congress had more limited coverage in mind, mainly because a 1943 Supreme Court decision had cast doubt on the constitutionality of such far-reaching regulation.

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