



Even Fake Firearms and BB Guns will lead to weapons charges if you act stupid

At least a couple of times a year I'm amazed at the stupidity of some people.

Okay, I'm amazed at the stupidity of people a lot more regularly than that, but right now I'm speaking specifically about stupidity regarding bb and/or pellet guns.

Here's the story from [CBC Winnipeg](http://www.cbc.ca/winnipeg):

A 28-year-old man is facing several weapons charges after police got a call about a man pointing a gun at several people from inside a vehicle Saturday night. Officers responded to the 2100 block of McPhillips Street at about 11 p.m. after reports of a man with a gun.

A police helicopter, the canine unit and dozens of tactical support team officers swarmed the area. The suspect was tracked from the police helicopter, which led officers to the 600 block of Sheppard Street. Police seized a BB gun and a paintball pistol.

A Winnipeg man is facing several charges including pointing a fire arm, possession of a weapon for dangerous purpose and possession of a firearm.

On one side of the fence are well-meaning firearm owners who cry "But it's not a real gun!"

On the other side of the fence are police who must, in mere milliseconds, determine whether the thing pointing at them is real or not. If I were a cop and someone pointed what looked like a firearm at me, I'd shoot them. It's not even a question. Nor should it be.

Like it or not we live in an age where governments and media use morons with guns to advance their political agendas. One look at the headlines following the recent Sandy Hook tragedy leave little doubt about that.

If someone is stupid enough to wave what looks like a handgun around on the city streets then they're going to be arrested.

While we responsible firearm owners are blamed for every action lunatics and morons, it is still incumbent on us all to make sure we aren't the ones making headlines.

[Text like this](#) is a link to online content.

These links are provided to give you easy access to the original news story or other relevant information.

It's only by proving we are responsible *daily* that we make inroads with our politicians and newspapers, as we've done successfully for the past 15 years.

Defending stupid people who have no common sense, like this young man in Winnipeg, doesn't aid our cause.

Yours in Liberty,

Christopher

Freedom of Speech

Canada's Supreme Court Is Never Wrong. Their Silence Tells Me So...

The Supreme Court of Canada decided Freedom of Speech is not important and nothing we “mere citizens” say about it makes any difference to those sitting in the overstuffed chairs of that venerated chamber.

The Whatcott decision is arguably one of the worst decisions on Freedom of Speech written since, perhaps, the Taylor decision a generation ago.

By holding up as “constitutionally correct” portions of the Saskatchewan Human Rights Code the Supreme Court of Canada made one thing very clear: hurt feelings are more important than Rights.

Bill Whatcott asked the Supreme Court to re-examine their decision but our grossly out-of-touch Supreme Court justices dislike anyone saying they're wrong. As a result they did what they always do when the facts get in the way of their ruling: they ignored Bill Whatcott's request.

Supreme Court refuses to re-open Saskatchewan anti-gay pamphlet case

A Saskatchewan anti-gay crusader has lost a bid to have the Supreme Court of Canada re-hear a case in which he was found to have violated human rights rules by distributing pamphlets denouncing homosexuals.

The court has rejected William Whatcott's application to re-open the matter, without giving any reasons for the decision.

In February, the court ruled 6-0 that two of the four flyers Whatcott distributed in 2000 and 2001 violated Saskatchewan's Human Rights Code.

Those flyers referred to gay men as sodomites and pedophiles.

But the court struck down some language in the provincial code, clearing Whatcott of any wrongdoing in connection with two other flyers.

The leaflets prompted complaints to the Saskatchewan Human Rights Commission, which found against him.

The Saskatchewan Court of Appeal overturned that ruling, leading to the Supreme Court.

The high court found that portions of the Saskatchewan rights charter went too far.

The justices said language in the code that defines hate literature as something that “ridicules, belittles or otherwise affronts the dignity of any person” is not a reasonable limit on freedom of expression and is unconstitutional.

“Those words are constitutionally invalid,” the decision said.



Freedom of Speech

[Bill C-304 Stalled in the Senate. How can we get our Senators to do their jobs?](#)

Many HumanRightsCommissions.ca readers are very familiar with [Bill C-304](#), the freedom-enhancing bill sponsored by Mr. Brian Storseth that seeks to repeal the censorship powers of the Canadian Human Rights Commission and Tribunal.

It passed through the House of Commons relatively easily and moved on to the Senate. That was (at time of this writing) 314 days ago. As we reported back in February, Bill C-304 is still languishing there in the Senate, stuck at the “second reading” stage.

So what’s going on?

As Connie Fournier at [Free Dominion](#) notes, unlike Bill C-304 controversial 400+ page omnibus budget bills sail through the Senate in 11 days! The gun registry bill passed in just 49 days.

What gives?

Why is a so-called “Conservative” dominated Senate holding up a free speech bill when 99% of the Conservative membership voted in favour of free speech at the latest policy convention?

Is it just a coincidence that under Harper’s so-called *Conservative* government, funding for the Canadian Human Rights Commission actually increased? Is there a link between this fact and the Senate’s failure to pass Bill C-304? We hope not.

Here are two things you can do:

1. Below is a sample letter for Senators that you can copy and paste into your email program.

We recommend that you edit the letter to make it as personal as possible.

Then select the Senators that are in your province (see the list below for B.C., Alberta, Manitoba and Ontario as well as a complete list of all Senators). Copy their email addresses into your “to” field.

Create your own subject line.

Send off the email.

Lastly, consider calling a few of them on the telephone and speak with them directly about this issue and why it matters to you!

2. Below the Senate letter is a sample letter for the Prime Minister. Send that email to the Prime Minister as well, but also (*and this is key!*) **follow up with a phone call afterwards.**

Just tell whoever answers the phone exactly what’s in the sample letter.

That’s it! You’ve just contributed to the preservation of Freedom of Speech in Canada!

Sample Senate letter:

Dear Honourable Senator,

I’ve just learned about Bill C-304, the free speech bill. The Bill seeks to ensure freedom of expression for all Canadians by repealing section 13 (the censorship provision) of the Canadian Human Rights Act. This Bill needs to pass through the Senate soon. I understand that it has been stuck in the Senate for over 300 days already!

Some people argue that section 13 is necessary to protect vulnerable groups. However, the evidence is quite the opposite. The section has been abused by a select few for their own purposes and financial gain. And real instances of hate speech are already prohibited in the Criminal Code, which has the proper legal safeguards for fair trials.

Honourable Senator, it is obvious to me that section 13 has to go and that Bill C-304 should pass. Please vote for it and ask all other Senators to do the same.

Thank you for your service to this country.

Sincerely yours,

Sample letter to Prime Minister Stephen Harper:

To the Right Honourable Stephen Harper,

Dear Prime Minister,

I'm sure you are familiar with Bill C-304, the free speech bill. You have consistently voted for it in the House of Commons. In fact, 99% of the membership of your Conservative Party also favour the bill.

This is why I am contacting you: I am very confused as to why your so-called "Conservative" Senate appointees are holding this bill up.

The anti-censorship bill has been stuck in the Senate for well over 300 days now.

Is there anything you can do to encourage them to get this necessary bill passed?

For the sake of freedom, please have the Senate pass this bill quickly, like they did for your omnibus bills.

Sincerely yours,

Contact information for Prime Minister Harper

Telephone: 613-992-4211

Email: stephen.harper@parl.gc.ca

Senators: BC

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Civil Asset Forfeiture

[Canadian Constitution Foundation Takes On Bruce Montague Case](#)

The Canadian Constitution Foundation (CCF) will take on Bruce & Donna Montague's case after Doug Christie's death left them without counsel to fight property forfeiture

The Canadian Constitution Foundation (<http://www.theccf.ca>) announced today that it would provide legal counsel to Bruce and Donna Montague of Dryden, Ontario in their ongoing legal battle against government efforts to seize virtually all of their assets.

Bruce Montague was a licensed gunsmith and firearms dealer who believed that Canada's gun licensure laws were unconstitutional. He deliberately allowed his firearms licences to expire in 2003 so that he would be charged with an offence and could challenge the constitutionality of the law in court. However, the Ontario courts rejected his constitutional arguments, and the Supreme Court of Canada declined to hear his appeal.

As a result, Bruce was convicted of 25 paperwork crimes involving his firearms. He was sentenced to 18 months in jail plus probation, and is now permanently prohibited from possessing firearms. He therefore cannot resume his career as a gunsmith. Donna Montague, Bruce's wife, likewise let her firearms licence expire and was convicted of a single offence.

The federal government has applied under the Criminal Code to force the Montagues to forfeit ownership of all the firearms they own, including Bruce's business inventory. The value of these assets exceeds \$100,000.

The Ontario government has also brought a civil action claiming forfeiture of the same firearms plus the Montagues' home, which contained Bruce's shop. Ontario alleges the properties are either "*proceeds of unlawful activity*" or "*instruments of unlawful activity*" as defined by the Civil Remedies Act of 2001. The Montagues were previously represented by lawyer Doug Christie, who died in March, 2013 of cancer.

"I have been concerned about the Civil Remedies Act here in Ontario ever since it was introduced as a bill in December, 2000. I welcome the opportunity to defend this couple against financial ruin by a rapacious, opportunistic government," said Karen Selick, litigation director for the CCF.

Selick wrote about the Montague case in the Calgary Herald last summer. Here's her article "[Just like Russia, Canada Persecutes Its Protesters](#)"

Selick has also written several newspaper articles opposing the Civil Remedies Act, including these:

- "[Ontario Wants to Put a Grab on Property Rights](#)"
- "[Go Ahead—Make Our Day](#)"
- "[Civil Asset Forfeiture Laws Punish the Innocent and Corrupt the State](#)"

Selick also appeared as a witness before the Ontario legislature's Standing Committee on Justice and Social Policy in 2001, opposing the passage of the Civil Remedies Act.

Here is a transcript of her remarks: http://www.karenselick.com/Spch010220_Ont_Bill_155.html

In September, 2012, Selick spoke about civil asset forfeiture at an Ottawa conference on property rights. Her talk, "[Property Forfeiture- the Trojan Horse of Law Enforcement](#)" can be seen on [YouTube](#).

Selick will be assisted in handling the Montague case by her associate Derek From, a lawyer in the Calgary office of the CCF. The CCF is a registered charity in Canada and the United States and it issues tax receipts for donations of \$25 or more.

Please [give generously to support the CCF](#) in its defence of Bruce and Donna Montague. [Click here to donate](#), then click "Yes" to designate your donation to a specific project and a drop-down menu will appear. Select "[Bruce & Donna Montague \(Property Forfeiture/Firearms\)](#)" and complete the donation form.

You can also mail your donation in support of this case payable to: Canadian Constitution Foundation, Suite 320, 110 North Front St., Bldg A3, Belleville, ON K8P 0A6. Write Montague Case on your check.

Search and Seizure

[US FCC Fines Two Companies for Operating “Illegal” Cell Phone Jammers](#)

On April 9, the FCC found two businesses -- The Supply Room in Oxford, Alabama and Taylor Oilfield Manufacturing in Broussard, Louisiana -- to have “apparently willfully and repeatedly violated Sections 301, 302(b), and 333 of the Communications Act of 1934, as amended, and [Sections 2.803\(g\)](#) and [15.1\(c\)](#) of the Commission’s rules by operating multiple cellular phone jammers.”

In addition, the FCC found that both businesses each imported five illegal signal jamming devices in violation of Section 302(b) of the Act and [Sections 2.1203 and 2.1204](#) of the Rules; Section 2 dictates the conditions under which radio frequency devices may be imported into the US.

The FCC issued a Notice of Apparent Liability for Forfeiture and Order (NAL) to each business: The Supply Room received an NAL in the amount of \$144,000 ([FCC No. 13-47](#) PDF), while Taylor Oilfield Manufacturing received an NAL in the amount of \$126,000 ([FCC No. 13-46](#) PDF).

The FCC received anonymous tips that cell phone jamming was occurring at both businesses.

By using direction finding techniques, FCC agents discovered “*strong wideband emissions in the cellular bands*” that they determined to be “*one or more signal jammers*” at each site.

Both The Supply Room and Taylor Oilfield Manufacturing admitted to the agents that they had each purchased five signal jammers off of the Internet from overseas sources.

While The Supply Room’s general manager admitted to the FCC agent that the jammers were in place “*to prevent its employees from using their cellular phones while working*” and they had been in operation for more than two years, the manager of Taylor Oilfield Manufacturing told the FCC agent that it “*utilized the jamming devices to prevent its employees from using their cellular phones while working, apparently following a near-miss industrial accident that allegedly was partially attributable to employee cell phone use,*” and that the jammers had only been in operation “*for a few months.*”

Both entities voluntarily surrendered their jammers to the FCC.

“*Signal jamming devices operate by transmitting powerful radio signals that overpower, jam or interfere with authorized communications,*” the FCC noted. “*While these devices have been marketed with increasing frequency over the Internet, with limited exception, they have no lawful use in the United States.*”

Jammers are not only designed to impede authorized communications and thereby interfere with the rights of legitimate spectrum users and the general public, but also are inherently unsafe. For example, jammers can be used to disrupt critical public safety communications, placing first responders like law enforcement and fire fighting personnel -- as well as the public they are charged with protecting -- at great risk.

Similarly, jammers can endanger life and property by preventing individuals from making 9-1-1 or other emergency calls. In order to protect the public and preserve unfettered access to emergency and other communications services, the [Communications] Act generally prohibits the importation, use, marketing, manufacture, and sale of jammers.

The Commission has issued several enforcement advisories and consumer alerts emphasizing the importance of strict compliance in this area and encouraging public participation through the Commission’s jammer tip line.”

The FCC directed both The Supply Room and Taylor Oilfield Manufacturing to submit payment in full by May 9, 2013, or file a written statement seeking reduction or cancellation of the proposed forfeiture.

Both entities were also directed to file a statement to be signed under penalty of perjury no later than May 9, 2013, that would provide information concerning the source(s) from which each business purchased or received the jamming devices.

The Firearms Act

Canada Border Services Agency Issues Bulletin on Firearm Import/Export

Memorandum D19-13-2

Importing and Exporting Firearms, Weapons and Devices ([Download PDF](#))

In Brief

1. This memorandum outlines how Tariff Item 9898.00.00 of the Customs Tariff, the Criminal Code, the Firearms Act, and the Export and Import Permits Act relate to the importing and exporting of firearms, firearm parts, weapons, devices, and certain types of ammunition.

2. This memorandum replaces Memorandum D19-13-2 dated June 23, 2009. The following changes were made:

- (a) The confirmation of the deactivation of a firearm has been amended to reflect the Registrar and not the Chief Firearms Officer
- (b) Clarification on detention and seizure procedures
- (c) Update to “Issuing Office” and program area
- (d) Amendments to the Firearms Act and Criminal Code to repeal the long gun registry.

The Government of Canada is committed to effective firearms and weapons control that targets criminals and at the same time maintain the highest standards of public safety. Firearms and weapons are high-risk commodities that can impact the safety, security and welfare of Canadians.

It is the policy of the Canada Border Services Agency (CBSA) to control the flow of firearms, weapons and other devices, in order to ensure compliance by all stakeholders with existing laws, regulations and orders and seek to interdict the illegal and unjustified crossing of firearms and weapons across the border; while also streamlining the process for low-risk and law-abiding persons travelling with legitimate purposes and with the required documentation.

