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NO ONE WANTS EX-CONS TO HAVE GUNS

The New York Times affirms its liberal cred's. And falls into a rabbit hole.

By Julius (Jay) Wachtel. First, an admission. A copy of the *New York Times* print edition lands on your blogger's family driveway – or often, the front lawn – seven days a week. After all, before ideology hopelessly corrupted the news biz, the *Times* was America's daily of record. Still, what it deems "fit to print" matters. And when its talented scribes tackle a topic close to your writer's heart – bad guys (and girls) with guns – it *really* matters.

On May 7 the *Times* published an [article](#) that describes how the policies of Jeff Sessions, the new A.G., expanded the enforcement of Federal gun laws. Here's how it begins:

Bobby Amos stood outside of an Episcopal church in Alabama last spring, begging police to kill him. He had been suicidal earlier and held a gun to his head, his wife said, and she had hidden the weapon at the church, where he had followed her to retrieve it. There was little to indicate that Mr. Amos, 39, was a danger to anyone but himself that day. He was arrested unarmed outside the church, in need of treatment and counseling, according to his lawyer, Fred Tiemann. Police recovered the pistol from the building.

First, a bit of law. [Federal law](#) prohibits persons with a prior felony conviction, meaning a crime punishable by imprisonment exceeding one year, from possessing firearms. Ordinary offenders [can draw up to ten years](#), while those with three or more violent felony convictions are eligible for a [mandatory fifteen](#). States also regulate gun possession by felons. Their scope is often more narrow. For example, [Alabama's law](#) only applies to persons previously convicted of a crime of violence, while [Pennsylvania](#) also bars gun possession by those with multiple convictions for serious property crimes.

As your blogger, a retired ATF agent well knows, "one man, one gun" cases have never been popular with assistant U.S. attorneys, who tend to think of them as beneath their station. But as the *Times* pointed out, and as Attorney General Jeff Sessions has [proudly proclaimed](#), prosecuting gun-toting felons has become a key tool in the fight against violent crime. Since Sessions took over the Feds have been making far more use of what the *Times* considers the "relatively routine charge" of ex-con with a gun. One of the "beneficiaries" of the new policy was Mr. Amos:

Federal prosecutors, citing Mr. Amos's conviction of felony robbery as an adult at age 15, instead charged him with illegally possessing a firearm. He pleaded guilty in November and is serving a three-year sentence in federal prison.

Steven Gray was another. On New Year's Day 2017, officers in York, Pennsylvania reportedly caught him tossing a gun. Gray denied it was his, and his DNA apparently wasn't on the weapon. Even so, Gray *was* an ex-con, so the cops promptly handed him over to the Feds. Gray was ultimately convicted of Federal gun charges. What the *Times* article seems to lament is that even if Gray was technically guilty – and that's nowhere conceded – he clearly posed no great threat. So why did Session's minions butt in? Gray's lawyer had the answer: "Sometimes it appears they're just looking for numbers."

Having worked similar cases, your blogger knows that even the most convivial Assistant U.S. Attorney wants evidence that prospective gun defendants pose a real threat. Did Gray? Apparently the *Times* didn't think so. So we looked online. Bingo! A *York Dispatch* [article](#) describing the circumstances of Gray's arrest promptly popped up. According to police, Gray fired several shots (well, it *was* New Year's morning), officers saw him with a gun, he had to be chased, and he ditched the weapon as cops closed in. Still, Gray was in a way truthful. The gun *wasn't* his. You see, it had been stolen.

What's more, Gray's criminal past is considerably more extensive than the "felony drug charge" mentioned by the *Times*. According to the [Pennsylvania court portal](#) his record (click here for a partial printout) dates back to a 2010 felony drug arrest. That charge was apparently settled as a misdemeanor. Two years later Gray was back in trouble, accused of felony assault and harassment. Those were also reduced to misdemeanors, and Gray drew a year in jail and two years probation. His disabling "felony drug charge" (it should have read "charges") came in 2014. That's when he pled guilty to two counts of felony drug sales and got concurrent prison terms of one to two years.

Docket Number	Short Caption	Filing Date	County
 CP-67-CR-0000744-2017	Comm. v. Gray, Steven George	2/3/2017 11:06:00 AM	York
 CP-67-CR-0008146-2014	Comm. v. Gray, Steven G.	12/29/2014 9:36:00 AM	York
 CP-67-CR-0008155-2012	Comm. v. Gray, Steven George	11/28/2012 12:00:00 AM	York
 CP-67-CR-0007435-2010	Comm. v. Gray, Steven G.	12/22/2010 12:00:00 AM	York
 CP-67-CR-0006921-2010	Comm. v. Gray, Steven G.	12/1/2010 12:00:00 AM	York
 CP-67-CR-0004356-2010	Comm. v. Gray, Steven G.	7/29/2010 12:00:00 AM	York

Clearly, the man just couldn't stay straight. He's also no youngster, having recently turned forty-seven. Did he simply "go bad" in 2010, when he was thirty-nine? Or might he have a prior record elsewhere? Police and the Feds know. Maybe a curious reader will find out and clue us in.

So what about Bobby Amos? Might there be something about *him* that the *Times* didn't let on? Well, yes. To begin with, Amos was *not* convicted "of felony robbery." **He was convicted of four "robberies"**, each of the **first-degree**, meaning that they were committed with a weapon or caused injury. On June 15, 1995 Amos pled guilty to two in Marshall County, Alabama, and on November 13 he pled guilty to the other two in Etowah County, Alabama. Amos got hammered, drawing consecutive terms of twenty and twenty-five years. Incidentally, that information (it's been rearranged to fit this space) is **readily available online**. Just fill in his name. Even a reporter could quickly dig it up.

Incarceration Details:					
AMOS, BOBBY NEAL 00182462	SUF Admit Date	Total Term	Time Served	Min Release Date	Parole Consideration Date
BALDWIN COUNTY JAIL	06/15/1995	25Y 0M 0D	22Y 5M 30D	11/05/2020	02/01/2019
Case No.	Sentenced	Offense	Term	Type	Commit County
*CC1995-200102	06/15/1995	ROBBERY I	20Y 0M 0D	Consecutive	MARSHALL
*CC1995-000067	06/15/1995	ROBBERY I	20Y 0M 0D	Concurrent	MARSHALL
CC1995-891.01	11/13/1995	ROBBERY I	25Y 0M 0D	Concurrent	ETOWAH
CC1995-891.02	11/13/1995	ROBBERY I	25Y 0M 0D	Concurrent	ETOWAH

We ordered copies of Amos' Etowah County court records. (We didn't bother with

Marshall County.) Here is an extract from the first-degree robbery complaint, case WR 94 001874 00, issued by the court on November 30, 1994:

Before me the undersigned judge/clerk/magistrate of the district court of Etowah county, Alabama, personally appeared James Davis who...says that he/she...does believe that Bobby Neal Amos whose name is otherwise unknown to the complainant did on or about 11/17/94 in the course of committing a theft of \$2700.00 dollars of lawful U.S. currency and \$406.91 dollars of assorted checks the property of James Davis, did use force...while...armed with...a gun or pistol....

Two days later, Amos struck again. Victim Robert Lee McDowell signed complaint no. WR 94 001879 00, alleging that on 11/19/94 Amos and a gun-toting companion robbed him of his revolver and \$2500.

Amos and his associates targeted victims whom they knew had large sums of cash. That they did so repeatedly, and while armed, explains the stiff sentences. And not to quibble, but [court and jail records](#) give Amos' birthdate as July 2 or 12, 1978. He pled guilty to the Etowah charges on November 17, 1995. Those convictions came when Amos was *seventeen*; not, as the *Times* reported, *fifteen*.

Most folks would probably agree that discouraging felons from having guns is logical. Yet the *Times* piece seems deeply skeptical, and particularly about the value of Federal involvement:

Mr. Sessions' approach has touched off a debate about whether he is making the country safer from violent crime, as he and President Trump have repeatedly vowed to do, or devoting resources to low-level prosecutions that could instead be put toward pursuing bigger targets like gun suppliers.

Your blogger specialized in pursuing gun traffickers (more about that [here](#)). He fully agrees that putting them out of business is worthwhile. It can also be a lot like playing whack-a-mole. Meanwhile, the thug who'll shove a gun into your face, or mine, won't be a trafficker: it'll be someone like Bobby Amos. When they crafted the Gun Control Act of 1968, our nation's leaders agreed that incapacitating (fancy word for imprisoning) armed ex-cons was *everyone's* business. Victims Davis and McDowell would certainly agree.

And except for its anti-anything-that-Sessions-favors stance, so might the *Times*. Alas, [confirmation bias](#) reared its ugly head. Digging beyond the flimsy excuses offered by the defendants, their wives and lawyers would have undermined the ideologically predetermined conclusion. A superficial assessment was vital.

Of course, just because us *Times* aficionados trend “blue” doesn’t mean we’re *all* daft. Go online and click on the reader comments. Many support Federal involvement. Here’s the fourth one down:

As a liberal Democrat with little admiration for Sessions, I find it hard to disagree with him on this. If knowing that illegal carriage of a gun will be prosecuted keeps weapons off the streets, the law is doing its job. When that person with poor impulse control, no matter what color, reaches into his pocket, let him not find a gun.

And to that what can we add but, Amen!