

Gun show owner, police at odds over recommendations

Show owner says police advice heavy-handed.

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Published: 9:26 p.m. Tuesday, Jan. 19, 2010

An Austin police effort to curtail the illegal sales of firearms at a weekend gun show sparked an angry response from the event's organizer and raised concerns about whether the department overstepped its authority.

Several police recommendations about the operation of the show were intended to curtail crime there and should not have been viewed as requirements, authorities said Tuesday.

But the show organizer said he thought that law enforcement officials were instructing him to adopt rules that violated state and federal law, including a requirement that only licensed gun dealers be allowed to sell firearms. He said he begrudgingly enforced the recommendations.

The dispute, which began late last week, has since sparked a controversy that is playing out on Web sites and radio talk shows.

Darwin Boedeker, owner of Texas Gun Shows, said he is collecting petitions from people who support gun shows without such requirements and will present them to the Texas attorney general's office.

"All they are doing is keeping the honest man from being able to do what is afforded to him by the Constitution," Boedeker said. "We have a right to buy and sell firearms as citizens of America, as legal, law-abiding citizens. That right is being infringed on us."

According to state and federal law, the private sale of guns is not illegal unless the seller knows the buyer is prohibited from purchasing a weapon, which includes being a convicted felon or an undocumented immigrant.

Gun dealers must have a license.

Austin police said that last year, while assisting federal agents in combating the sale of guns to undocumented immigrants, they recorded a number of illegal transactions. The repeated offenses at the site — a former Sam's Club location on North Lamar Boulevard — prompted police to refer the location to the department's nuisance abatement unit, which works with owners to reduce the number of crimes on their properties.

Police officials said they met last week with representatives from H-E-B, which handles the lease of the property, and with Boedeker, during which they outlined recommendations for reducing crime at the site.

The suggestions included permitting only licensed gun dealers to sell firearms, providing private security to prevent parking lot gun sales and defining a process for people other than licensed dealers who want to sell a gun at the show.

"We merely gave suggestions to reduce the amount of criminal violations that were occurring at this property," Austin police spokesman Cpl. Scott Perry said.

Boedeker said H-E-B representatives told him to follow the recommendations during the two-day show, which featured about two dozen vendors Saturday and Sunday.

"What they did was strong-arm H-E-B into making me do what I did," he said. "The problem is that it is unconstitutional to say I can't sell my private firearm to another individual."

H-E-B spokeswoman Leslie Lockett said Tuesday that police told company officials Monday about a possible illegal gun sale during the weekend and have decided that gun shows should not be hosted at the site until the issue is resolved.

Boedeker said he will look for a new venue to host shows.

He said that in the past couple of days, he has received numerous calls from across the state and nation from people who want information about what happened.

"There are a lot of upset people who want to know the truth," he said.

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