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### Scholarly Articles:

*The Second Amendment in the Living Constitution.* 2009 CARDOZO LAW REVIEW DE NOVO (2009, forthcoming).

*The Keystone of the Second Amendment: Quakers, the Pennsylvania Constitution, and the Questionable Scholarship of Nathan Kozuskanich,* 19 WIDENER LAW JOURNAL (2010, forthcoming). With Clayton Cramer.

*The Arms Trade Treaty: Zimbabwe, the Democratic Republic of the Congo, and the Prospects for Arms Embargoes on Human Rights Violators.* 114 PENN STATE LAW REVIEW (no. 3, 2010, forthcoming). With Paul Gallant & Joanne D. Eisen.

*Pretend "Gun-free" School Zones: A Deadly Legal Fiction.* 42 CONNECTICUT LAW REVIEW (no. 1, 2009, forthcoming).

*Unraveling Judicial Restraint: Guns, Abortion, and the Faux Conservatism of J. Harvie Wilkinson, III.* 25 JOURNAL OF LAW & POLITICS (University of Virginia) (forthcoming 2009). With Nelson Lund.

*Connecting Laypeople with the Law through Blogs.* DENVER UNIVERSITY LAW REVIEW *DUPROCESS*, Oct. 19, 2009. Part of the symposium Legal Scholarship in the Internet Age.

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*To Heller and Back.* 25 JOURNAL OF CONTEMPORARY CRIMINAL JUSTICE 106 (2009). Symposium issue.

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*Human Rights and Gun Confiscation*, 26 QUINNIPIAC LAW REVIEW 383 (2008).

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*Microdisarmament: The Consequences for Public Safety and Human Rights*, 73 *UMKC LAW REVIEW* 969 (2005). With Paul Gallant & Joanne D. Eisen. Symposium issue.

*Firearms Possession by “Non-State Actors”: the Question of Sovereignty*, 8 *TEXAS REVIEW OF LAW AND POLITICS* 373 (2004). With Paul Gallant & Joanne D. Eisen.

*The Torah and Self-Defense*, 109 *PENN STATE LAW REVIEW* 17 (2004).

*Gun Ownership and Human Rights*, 9 *BROWN JOURNAL OF WORLD AFFAIRS* 3 (Winter/Spring 2003, no. 2). With Paul Gallant & Joanne D. Eisen.

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*Global Deaths from Firearms: Searching for Plausible Estimates*, 8 *TEXAS REVIEW OF LAW AND POLITICS* 114 (2003). With Paul Gallant & Joanne D. Eisen. Symposium issue.

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*What State Constitutions Teach about the Second Amendment*, 29 *NORTHERN KENTUCKY LAW REVIEW* 845 (2002). Symposium issue.

*Smart Guns/Foolish Legislators*, 34 *CONNECTICUT LAW REVIEW* 157 (2001). With Cynthia Leonardatos and Paul Blackman.

*Lawyers, Guns, and Burglars*, 43 *ARIZONA LAW REVIEW* 345 (2001). Symposium issue.

*Miller versus Texas: Police Violence, Race Relations, Capital Punishment, and Gun-toting in Texas in the Nineteenth Century—and Today.* 9 *JOURNAL OF LAW AND POLICY* 737 (2001). With Cynthia Leonardatos and Stephen P. Halbrook.

*Treating Guns Like Consumer Products*, 148 *UNIVERSITY OF PENNSYLVANIA LAW REVIEW* 1701 (2000).

*The Self-Defense Cases: How the Supreme Court Confronted a Hanging Judge in the Nineteenth Century*, 27 AMERICAN JOURNAL OF CRIMINAL LAW 294 (2000).

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*Guns, Gangs, and Preschools: Moving Beyond Conventional Solutions to Confront Juvenile Violence*, 1 BARRY LAW REVIEW 63 (2000). Symposium issue on juvenile violence.

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*The Supreme Court's Thirty-five Other Second Amendment Cases*, 18 ST. LOUIS UNIVERSITY PUBLIC LAW REVIEW 99 (1999). Symposium issue.

*The Sounds of the Supremes: A Reply to Professor Yassky*, 18 ST. LOUIS UNIVERSITY PUBLIC LAW REVIEW 203 (1999).

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*All the Way Down the Slippery Slope: Gun Prohibition in England, and Some Lessons for America*, 22 HAMLINE LAW REVIEW 399 (1999). With Joseph Olson.

*The Brady Bill Comes Due: The Supreme Court Saves Federalism*, 9 GEORGE MASON CIVIL RIGHTS AND CIVIL LIBERTIES LAW JOURNAL 189 (1999).

*Clueless: The Misuse of BATF Firearms Tracing Data*, 1999 MICHIGAN STATE UNIVERSITY DETROIT COLLEGE OF LAW REVIEW 171.

*The Second Amendment in the Nineteenth Century*, 1998 BYU LAW REVIEW 1359.

*Taking Federalism Seriously: Lopez and the Partial-Birth Abortion Ban*, 30 CONNECTICUT LAW REVIEW 59 (1997). With Glenn Harlan Reynolds.

*Communitarians, Neorepublicans, and Guns: Assessing the Case for Firearms Prohibition*, 56 MARYLAND LAW REVIEW 438 (1997). With Chris Little.

*Can Soldiers be Peace Officers? The Waco Disaster and the Militarization of Law Enforcement*, 30 AKRON LAW REVIEW 619 (1997). With Paul Blackman.

*Preventing a Reign of Terror: Civil Liberties Implications of Terrorism Legislation*, 21 OKLAHOMA CITY LAW REVIEW 247 (1996). With Joseph Olson. Symposium memorial issue for the victims of the 1995 terrorist attack.

*The Unwarranted Warrant: The Waco Search Warrant and the Decline of the Fourth Amendment*, 18 HAMLINE JOURNAL OF PUBLIC LAW AND POLICY 1 (1996). With Paul Blackman.

*It isn't about Duck Hunting: The British Origins of the Right to Arms*, 96 MICHIGAN LAW REVIEW 1333 (1995)(book review).

*Guns, Germs, and Science: Public Health Approaches to Gun Control*, 84 JOURNAL OF THE MEDICAL ASSOCIATION OF GEORGIA 269 (June 1995).

*The Ideology of Guns and Gun Control in the United States*, 18 QUARTERLY JOURNAL OF IDEOLOGY 3 (1995).

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Book review of Aaron Zelman, et al., *Lethal Laws*, 15 NEW YORK LAW SCHOOL JOURNAL OF INTERNATIONAL AND COMPARATIVE LAW 355 (1995). Symposium issue.

*The Sullivan Principles: Protecting the Second Amendment from Civil Abuse*, 19 SETON HALL LEGISLATIVE JOURNAL 737 (1995). With Richard Gardiner. Symposium issue.

*Shall Issue: The New Wave of Concealed Handgun Laws*, 63 TENNESSEE LAW REVIEW 679 (1995). With Clayton Cramer. Symposium issue.

*A Tale of Three Cities: The Right to Bear Arms in State Courts*, 68 TEMPLE LAW REVIEW 1177 (1995). With Clayton Cramer and Scott Hatstrup. Symposium issue on state supreme courts.

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*Canadian Gun Control: Should America Look North for a Solution to its Firearms Problem?* 5 TEMPLE JOURNAL OF INTERNATIONAL AND COMPARATIVE LAW 1 (1991).

### **Books:**

AIMING FOR LIBERTY: THE PAST, PRESENT AND FUTURE OF FREEDOM AND SELF-DEFENSE (Merril Press, 2009, forthcoming).

THE HELLER CASE: GUN RIGHTS AFFIRMED (Bloomfield Press, 2008). With Alan Korwin

SUPREME COURT GUN CASES (Bloomfield Press, 2003). With Alan Korwin and Stephen Halbrook.

GUN CONTROL AND GUN RIGHTS: A READER AND GUIDE (New York University Press, 2002). With Andrew McClurg and Brannon Denning. Law school textbook on firearms law and policy.

ANTITRUST AFTER MICROSOFT. (Chicago: Heartland Institute, 2001).

IO SPARO CHE ME LA CAVO: QUANDO ESSERE ARMATI È UN DIRITTO. With Carlo Stagnaro. (2000)(ebook edition 2007).

RCRA DEMYSTIFIED: THE PROFESSIONAL'S GUIDE TO HAZARDOUS WASTE LAW (Washington: Environmental Law Institute, 1996). With Linda Rockwood and Kimberly Temple.

NO MORE WACOS: WHAT'S WRONG WITH FEDERAL LAW ENFORCEMENT, AND HOW TO FIX IT (Buffalo: Prometheus Books, 1997). With Paul Blackman. The book was named the winner of the 1997 Thomas S. Szasz Award for Outstanding Contributions to the Cause of Civil Liberties, presented by the Center for Independent Thought.

GUNS: WHO SHOULD HAVE THEM? (Buffalo: Prometheus Books, 1995).

THE SAMURAI, THE MOUNTIE, AND THE COWBOY: SHOULD AMERICA ADOPT THE GUN CONTROLS OF OTHER DEMOCRACIES? (Buffalo: Prometheus Books, 1992). Named 1992 Book of the Year by the American Society of Criminology, Division of International Criminology.

GUN CONTROL IN GREAT BRITAIN: SAVING LIVES OR CONSTRICTING LIBERTY? (Chicago: University of Illinois at Chicago, Office of International Criminal Justice, 1992).

THE Highbrow in American Politics: Arthur M. Schlesinger Jr. and the Role of the Intellectual in Politics. Honors Thesis in History, Brown University, May 1982. Awarded Highest Honors, and National Geographic Society Prize.

### **Encyclopedias and Dictionaries:**

Entries on “National Firearms Act” and “Pittman-Robertson Act” in THE THIRTIES IN AMERICA (Salem Press, forthcoming 2010).

Entry on “Murphy, Audie,” in THE FORTIES IN AMERICA (Salem Press, forthcoming 2010).

Entries on “Samuel Colt”, “Richard Gatling” and “Hudson Maxim” in GREAT LIVES FROM HISTORY: INVENTORS AND INVENTIONS (Salem Press, forthcoming 2009).

Entries on “Ballistic Fingerprinting”, “Bureau of Alcohol, Tobacco and Firearms”, “Gunshot Wounds” & “Silencers, gun” in FORENSIC SCIENCE (Salem Press, 2008).

Entries on “Hennard, George”, “Lépine, Marc”, and “Huberty, James Oliver,” in NOTORIOUS LIVES FROM HISTORY (Salem Press, 2007).

Entries on: “Branch Davidians, raid on”, “Bureau of Alcohol, Tobacco and Firearms”, “Right to Bear Arms”, “Vigilantism”, and “Firearms, Legal and Illegal” in CRIMINAL JUSTICE (Salem Press, 2007).

Entry on “Gun Control”, in DICTIONARY OF AMERICAN HISTORY (Charles Scribner’s Sons, revised edition, 2003).

Editorial Board and author of 41 entries for GUNS IN AMERICAN SOCIETY: AN ENCYCLOPEDIA OF HISTORY, POLITICS, CULTURE, AND THE LAW (ABC/CLIO: 2002). Named an “Editors Choice,” as one of the best new reference books of 2003 by *Booklist*, the magazine of the American Library Association.

“Police Violence” in ENCYCLOPEDIA OF VIOLENCE IN THE UNITED STATES (Charles Scribner’s Sons, 1999).

### **Chapters/Entries in Books:**

*Poisoned Milk and the Poisoning of Democracy: Some Cautions about China Trade and Taiwan Sovereignty*, in GLOBALIZATION OF TRADE AND HUMAN RIGHTS (Hyderabad, India: Amicus Books, forthcoming). Originally presented at the symposium “Taiwan’s New Approach: Opportunities and Challenges for President Ma Ying-jeou’s Government.” International House, University of Chicago, October 24, 2008.

*Gun Control and the Right to Arms after 9/11*, in THE IMPACT OF 9/11 AND THE NEW LEGAL LANDSCAPE. Editor, Matthew J. Morgan, (Palgrave MacMillan, 2009). With Paul Gallant & Joanne D. Eisen.

*Restoring the Right to Bear Arms* in the CATO HANDBOOK FOR POLICYMAKERS (2008). With Robert A. Levy.

MICHAEL MOORE IS A BIG FAT STUPID WHITE MAN, by David Hardy & Jason Clarke. The paperback edition contains a chapter by Kopel, an examination of Michael Moore’s deceptions in “Fahrenheit 9/11.”

*A Foreign Policy Disaster*, in THE NEW PROHIBITION: VOICES OF DISSENT CHALLENGE THE DRUG WAR (Accurate Press, 2004). With Mike Krause.

Comment on Cook & Ludwig, “Guns and Burglary,” in EVALUATING GUN POLICY: EFFECTS ON CRIME AND VIOLENCE (Brookings Institution, 2003).

*Guns and Burglars* in GUNS, CRIME, AND PUNISHMENT IN AMERICA (NYU Press, 2003).

*Smash-up Policing: When Law Enforcement Goes Military* in BUSTED: STONE COWBOYS, NARCO-LORDS AND WASHINGTON’S WAR ON DRUGS (Thunder’s Mouth Press/Nation Books, 2002).

*The Expanding Federal Police Power and Gun Control*, in CATO HANDBOOK FOR CONGRESS—107<sup>TH</sup> CONGRESS (2001).

*Law Enforcement Militarization: The Drug War’s Deadly Fruit*, in AFTER PROHIBITION: AN ADULT APPROACH TO DRUG POLICIES IN THE 21ST CENTURY (Cato Institute, 2000).

*America’s Only Realistic Option: Promoting Responsible Gun Ownership*, in GUNS IN AMERICA: A READER (New York University Press, 1999).

*The Brady Litigation: The Supreme Court Saves Federalism*, in COMMENTARIES ON LAW AND PUBLIC POLICY: 1997 YEARBOOK (Dumont Institute: 1999).

*The Expanding Federal Police Power* in CATO HANDBOOK FOR CONGRESS—106TH CONGRESS (1999).

*The Federal Government Should Set a Better Example*, in TERRORISM IN THE UNITED STATES (H.W. Wilson Co., 1997). Part of the “Reference Shelf” series.

Two articles on concealed carry and one on foreign gun control in Marjolijn Bijlefeld, THE GUN CONTROL DEBATE: A DOCUMENTARY HISTORY (Greenwood Press, 1997).

*Government Practice* chapter in FULL DISCLOSURE: DO YOU REALLY WANT TO BE A LAWYER? (Peterson’s Guides & the American Bar Association, 1989 and 1992).

*Media Bias in Coverage of Gun Control: The Press Evaluates the Popular Culture*, in THE GUN CULTURE AND ITS ENEMIES (Merril Press, 1990).

### **Monographs:**

“The Arms Trade Treaty: Zimbabwe, the Democratic Republic of the Congo, and the Prospects for Arms Embargoes on Human Rights Violators. With Paul Gallant & Joanne D. Eisen. Presented at the annual meeting of the Research Committee on Sociology of Law, Antigua Universidad del Pais Vasco, Oñati, Gipuzkoa, Spain.

“Unofficial English translation of Mexican Federal Laws on Firearms and Explosives.” Feb. 2009.

“Poisoned Milk and the Poisoning of Democracy: Some Cautions about China Trade and Taiwan Sovereignty.” Paper presented at the symposium “Taiwan’s New Approach: Opportunities and Challenges for President Ma Ying-jeou’s Government.” International House, University of Chicago, October 24, 2008. The program’s sponsors were the University of Chicago’s Center for East Asian Studies and the Taipei Economic and Cultural Office in Chicago.

“Taiwan’s Presidential Elections: An Analysis of What Happened, and What May Happen Next.” Independence Institute Issue Paper. April 2008.

“Media Errors in Coverage of Boulder High School: Falsehoods, Distortions, and Omissions by Bill O’Reilly and ‘Caplis & Silverman’.” Independence Institute Issue Paper 3-2007. June 13, 2007.

“Human Rights Atrocities: The Consequences of United Nations Gun Confiscation in East Africa.” With Paul Gallant & Joanne D. Eisen. Independence Institute Issue Backgrounder no. 2006-F. June 2006.

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“Fifty-nine Deceits in Fahrenheit 9/11.” Independence Institute. 2004.

“Ballistic Imaging: Not Ready for Prime Time.” National Center for Policy Analysis. Policy backgrounder. April 30, 2003. With Sterling Burnett.

“Limited Preemption of Firearms Laws: A Good Step for Civil Rights.” Independence Institute Issue Backgrounder no. 03-B. Mar. 11, 2003.

“Denver’s New Welfare Hotel: Why the Convention Center Hotel is a Mistake.” Independence Institute Issue Paper no. 2-2003. Jan. 15, 2003.

“Hate Crime Laws: Dangerous and Divisive.” Independence Institute Issue Paper no. 1-2003. Jan. 13, 2003.

“Asset Forfeiture Reform is Overdue.” Independence Institute Issue Backgrounder no 2002-D. Apr. 18, 2002.

“Should Gun Shows Be Outlawed? McCain Bill Does Much More than Impose Background Checks.” Independence Institute, Issue Paper no. 1-2002. Jan. 23, 2002. With Alan Korwin.

“Access to the Internet: Regulation or Markets?” Heartland Policy Study No. 92. Heartland Institute. Sept. 1, 1999.

“Firearms Deaths in Colorado.” With Diane Nicholl. Independence Institute Issue Backgrounder 2001-D. February 20, 2001.

“Strengthening Due Process and Accountability, by Limiting Public Contingent Fee Arrangements.” Independence Institute Issue Backgrounder 2000-N, April 19, 2000.

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“How Strict are U.S., Colorado, and Local Gun Control Laws?” Independence Institute Issue Paper no. 12-1999. Aug. 20, 1999.

“Unfair and Unconstitutional: The New Federal Gun Control and Juvenile Crime Proposals.” Independence Institute Issue Paper no. 3-99. June 3, 1999. With James Winchester.

“Visiting Nurse Programs: A Good Idea but not with Tobacco Loot.” Independence Institute Issue Backgrounder no. 1999-D. Feb. 10, 1999.

“Agenda for a Better Colorado: The ABC Guide for Colorado Candidates.” Independence Institute Issue Paper no. 8-1998. Oct. 1, 1998. With John Andrews.

“Privileged Polluters: The Case against Exempting Municipalities from Superfund.” Competitive Enterprise Institute. Mar. 1998.

“Refining Colorado's Criminal Code.” Independence Institute Issue Paper no. 10-1997. Dec. 12, 1997.

“Unneeded Laws 1997.” Independence Institute, Issue Paper 2-1997. Jan. 14, 1997. With Jerry Kopel.

“Prison Blues: How America's Foolish Sentencing Policies Endanger Public Safety.” Cato Institute, Policy Analysis, April 1994. Cited in *United States v. Vargas*, 885 F. Supp. 504, 505 n. 1 (S.D.N.Y. 1995), Vincent Broderick, District Judge.

“Squirt Gun Bans Won't Stop Violent Crime: Denver's 'Mr. Wilson laws' are Empty Shells.” Independence Institute Issue Paper no. 25-1993. Nov. 1993.

“Children and Guns: Sensible Solutions.” Independence Institute Issue Paper no. 11-93, Apr. 25, 1993.

“Extreme Drug Law Tramples Bill of Rights: Flaws Seen in Uniform Controlled Substances Act.” Independence Institute, Issue Paper no. 1-1992. January 22, 1992.

“Marijuana Jail Terms: Costly and Hasty.” Independence Institute Issue Paper no. 5-1991. April 24, 1991.

“Drug Testing: Shaky Science May Nullify Good Intentions.” Independence Institute, Issue Paper 4-1990. Apr. 3, 1990.

“Trust the People: The Case Against Gun Control.” Cato Institute Policy Analysis no. 109. July 11, 1988.

### **Excerpts in Secondary School and College Books:**

“Uganda: We're from the Government and We're Here to Help You” in *THE ARMS TRADE*. Current Controversies series. Noel Marino editor (Cengage Learning, Gale, forthcoming 2009).

“Virtue in Equivocation” in *INQUIRY ARGUMENT AND CHANGE: A RHETORIC WITH READINGS*. By Barbara Jo Krieger (Kendall/Hunt Pub., forthcoming 2009).

“Anti-Gun Lobbyists Take the Supreme Court’s Decision Out of Context” (analysis of *Presser v. Illinois*) in *ISSUES ON TRIAL: GUN CONTROL* (Greenhaven Press, Thomson Gale, 2007).

“Florida’s New Self-defense Law,” in *GUN CONTROL. Opposing Viewpoints*. (Greenhaven Press, Thomson Gale, 2007).

“Gun Bans and Genocide: The Disarming Facts,” in *GENOCIDE. Opposing Viewpoints* (Thomson Gale, 2007).

Testimony on the Brady Bill. U.S. Senate Subcommittee on the Constitution, Aug. 2, 1988. Reprinted in *HISTORY OF ISSUES: GUN CONTROL* (Gale, 2006).

“Owning Guns is Rooted in America’s Cultural Past,” in *IS GUN OWNERSHIP A RIGHT? At Issue* (Greenhaven Pr., 2005).

“Facial Recognition Technology Threatens Individual Privacy,” in *HOMELAND SECURITY. At Issue* (Greenhaven Pr., 2004).

“Strong Gun Control Laws Will Not Reduce Crime,” in *GUNS AND CRIME. At Issue* (Greenhaven Pr., 2004).

“Welfare Causes an Increase in Out-of-Wedlock Births,” in *WELFARE. Opposing Viewpoints* (Greenhaven Pr., 2003). With Michael Tanner.

“Guns have been Wrongly Blamed for School Shootings,” in *SCHOOL SHOOTINGS. At Issue* (Greenhaven Pr., 2002). With Ari Armstrong.

“Benefits of Handguns,” in Jerry Cederblom & David W. Paulson, *CRITICAL REASONING* (Wadsworth, 2001).

“Guns in Right Hands Make Society Safer,” in *GUN CONTROL AND CRIME. At Issue* (Greenhaven Pr., 1999).

“Why Good People Own Guns: Better Safe than Sorry,” in John Ramage and John Bean, eds., *WRITING ARGUMENTS* (Allyn & Bacon, 4th ed. 1997).

“Children are not at Risk from Handgun Violence” & “Legalizing Concealed Weapons Makes Society Safer”, in *GUN CONTROL. Opposing Viewpoints* (Greenhaven Pr., 1997).

“Militias, White Supremacy and Violence,” in *THE MILITIA MOVEMENT AND HATE GROUPS IN AMERICA. Ideas in Conflict* (GEM Publications, 1996)

“Privately Owned Guns Increase Security,” in *CRIME AND CRIMINALS. Opposing Viewpoints* (Greenhaven Pr., 1995).

“Japanese Gun Laws Are Oppressive” in *GUN CONTROL* (San Diego: Greenhaven Press, 1992).

“Guns are Necessary for Self-Defense”, in *CRIME AND CRIMINALS. Opposing Viewpoints* (Greenhaven Pr. 1989).

Note: The chapter titles in the above series are written by the editors, and almost never are the original title of the reprinted article. In some cases, the editor-written title may not express the precise meaning of the chapter.

**Honors and Awards:**

Who’s Who in the World; Who’s Who in America; Who’s Who in American Law; Who’s Who in the West; Who’s Who in Emerging Leaders in America.

Thomas S. Szasz Award for Outstanding Contributions to the Cause of Civil Liberties, 1997, conferred by the Center for Independent Thought, for the book *No More Wacos*.

Book of the Year, 1992, American Society of Criminology, Division of International Criminology, for the book *The Samurai, the Mountie, and the Cowboy*.

**Background:**

Bar admissions: United States Supreme Court. State of Colorado. State of New York. Circuit Courts of Appeal: District of Columbia, Second, Fourth, Fifth, Seventh, Eighth, Tenth.

Associate Policy Analyst, Cato Institute, 1988-present.

Columnist, *Rocky Mountain News/Denver Post*. 2001-2009.

Editor-in-Chief, *Journal on Firearms & Public Policy*, 1993-2009.

Peer Reviewer, *Criminal Justice Policy Review*.

Adjunct Professor of Law, New York University, 1998-99.

Assistant Attorney General, State of Colorado. Hazardous and solid waste enforcement. 1988-1992.

University of Michigan Law School, J.D. magna cum laude. Contributing Editor, *Michigan Law Review*.

Brown University, B.A. in History with Highest Honors. National Geographic Society Prize for best History thesis.