

10 YEARS AFTER : 101 California massacre victims

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- *From:* "CaliforniaLyme" <CaliforniaLyme@xxxxxx>
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My Uncle Joe knew everyone who was killed.

10 YEARS AFTER

101 California massacre victims helped toughen gun laws

Harriet Chiang, Chronicle Legal Affairs Writer

Tuesday, July 1, 2003

On a hot summer afternoon 10 years ago, a gunman armed with a small arsenal of assault weapons and a lingering grudge walked into 101 California and began shooting.

Panic erupted in the downtown high-rise. Terrified workers fled into offices. Ambulances and police cars screamed down Market Street. Within minutes, the gunman had killed eight people and had injured six others before committing suicide.

Gian Luigi Ferri's rampage at the law firm of Pettit & Martin on July 1, 1993, was the worst mass shooting in San Francisco's history.

It also proved to be a crucial turning point in the gun control movement. Within months, Congress passed historic gun reform legislation.

Today, on the 10th anniversary of the 101 California massacre, families that lost loved ones will light candles, say prayers and scatter flowers. Most have moved on. Widows and widowers have remarried. Toddlers who were learning to walk a decade ago now are playing baseball and competing on the swim team.

But the pain of losing those who were no more than a blur to a crazed gunman still lingers. Ferri was a loner with a seething resentment of lawyers who had represented him years before. Many of his victims were young and had families.

"Sometimes it seems like 100 years, and other times it seems like yesterday," said Carol Kingsley, 52, who lost her husband, Jack

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Berman, a lawyer who was shot while in a conference room at the law firm. Their son, Zachary Berman, is now 11. "But the sadness is there."

For Sen. Dianne Feinstein, D-Calif., who sponsored the landmark 1994 assault weapons ban, the shooting was a galvanizing moment. "I couldn't believe it," she said. "This happened in our own front yard. It really moved me that we had to do something."

Today, though, the mood in the nation's capital has dramatically shifted. Feinstein's federal assault weapons ban -- which applies to semiautomatic-style weapons, including AK-47s and Uzi submachine guns -- is due to expire in September 2004. Even though President Bush has pledged his support of the ban, backers fear that the Republican-controlled Congress will allow it to die.

Meanwhile, a bill backed by the powerful gun lobby is pending in the Senate.

It would give makers of firearms virtual immunity from lawsuits.

'UPHILL BATTLE'

"It's an uphill battle right now," said Feinstein, who has co-authored with Sen. Charles Schumer, D-N.Y., a measure to renew the controversial firearms ban, which barely passed in 1994.

"It's just a stark reminder that the battle is never over," said Michelle Scully Hobus, who was wounded in the 101 California shooting. Her husband, John Scully, was fatally shot while shielding her from the gunman and died in her arms.

One of the most striking aspects of the shooting was how it has transformed victims and family members into some of the nation's most avid gun control advocates.

Stephen Sposato, whose wife, Jody Jones-Sposato, was shot to death, has gained national prominence in his push for gun control laws. One of the most poignant images in the weeks after the shooting was of Sposato testifying before Congress while carrying his 10-month-old daughter, Meghan, in a pack on his back.

"It was a very, very dark time in my life," Sposato said. Five years ago, he married a "wonderful woman," and they now have two young daughters. Meghan, who looks like her mom, has the busy life of an 11-year-old, playing soccer, piano and being a protective older sister. "I look around now, and I am really blessed," said Sposato, who is now 46.

The Lafayette resident remains dedicated to stopping what he sees as the endless stream of military-style assault weapons. "I'm trying to

make her death not in vain," he said.

Sposato said one of the proudest moments of his life was when he stood beside President Bill Clinton as the president signed the 1994 assault weapons ban and dedicated it to Sposato's deceased wife. Sposato also was at Gov. Gray Davis' side in 1999 when Davis signed the nation's most sweeping assault weapons ban, which applies to so-called copycat assault weapons and forbids the manufacture of large-capacity ammunition magazines.

STATE HAS STRONGEST GUN LAWS

Gun control advocates say the massacre had the most profound impact on the state's gun laws. "The legacy of the 101 shooting is that California has enacted the strongest gun laws in the country," said Luis Tolley, director of state legislation for the Brady Campaign to Prevent Gun Violence. "It was a tenure of real activism and change."

Also since the massacre, state lawmakers have approved laws prohibiting large-ammunition magazines, improving child-safety locks, and establishing state handgun safety standards for the first time.

Just last fall, state lawmakers repealed an obscure law giving gunmakers special immunity from lawsuits. The action came after the state Supreme Court ruled that victims and relatives of those killed at 101 California couldn't sue the manufacturer of military-style assault weapons like the one used by the gunman.

Dennis Henigan, legal director of the Brady Center to Prevent Gun Violence in Washington, said that representing the victims in their lawsuit was a "labor of love."

"This was such an extraordinary group of individuals that bonded because of this tragedy," he said.

On another front, San Francisco joined 11 other cities and counties throughout the state in suing the firearms industry. The municipalities have appealed a San Diego judge's decision in March to dismiss the suit against the nation's gun manufacturers.

Representatives of the gun industry downplay the impact of 101 California, calling it just another misuse of guns by a criminal.

Chuck Michel, a spokesman for the California Rifle and Pistol Association, said the state's passage of "ill-conceived and counterproductive" gun control laws was the result of Democrats assuming control of the Legislature and the governor's office.

The one distinction of the 101 California shooting, he said, was that it had happened at a law firm. "The lawyers came out of the woodwork in response to that one," Michel said.

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Within months after the shooting, a group of lawyers formed the Legal Community Against Violence, which has become a national clearinghouse for research on gun control laws, helping hundreds of cities and counties draft firearms regulations. "Our story is an amazing story to come out of this horrible tragedy," said executive director Sue Ann Schiff.

Scully Hobus, 37, who is a lawyer, promised to continue to work for state and federal gun regulations. In the meantime, she said she couldn't be happier with her new life. She and her husband live in Hawaii in the same neighborhood where John Scully grew up — and a short walk from his favorite surfing spot where his ashes were strewn.

She said she plans to go there today and scatter flowers and remember. "Time heals in the sense that it gives you an opportunity to have new experiences," she said.

"I love being here, and I love my kids and my husband," she said. "But that loss will always be there."

FEDERAL, CALIFORNIA GUN CONTROL LAWS

The status of legislation in the wake of the 101 California shooting spree:

FEDERAL

— The Brady Bill: Signed by President Bill Clinton in 1993, it was named after President Ronald Reagan's press secretary, James Brady, who was injured during Reagan's assassination attempt. It imposes a five-day waiting period and requires a background check before a person can buy a pistol.

Assault weapons ban: Signed by Clinton in 1994, it was the most sweeping gun ban ever passed, prohibiting the sale and possession of 19 styles of assault weapons. The law expires in September 2004. Sens. Dianne Feinstein, D-Calif., and Charles Schumer, D-N.Y., have co-sponsored legislation to renew the ban.

Lawsuit immunity: The legislation, now pending in the Senate, would give gunmakers immunity from virtually all lawsuits.

STATE

— Assault weapons ban: The 1999 law was the nation's most sweeping assault weapons ban, restricting the manufacture and sale of any semiautomatic assault weapon with one or more military characteristics.

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Gun safety standards: The 1999 law requires handguns sold by gun dealers to meet basic safety standards.

Purchase restrictions: Enacted in 1999, the law prohibits anyone from buying more than one handgun a month.

Safety locks: This 1999 legislation requires child–safety locks on all guns.

Immunity repealed: Enacted in 2002, the legislation repeals special immunity protecting gunmakers from lawsuits.

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