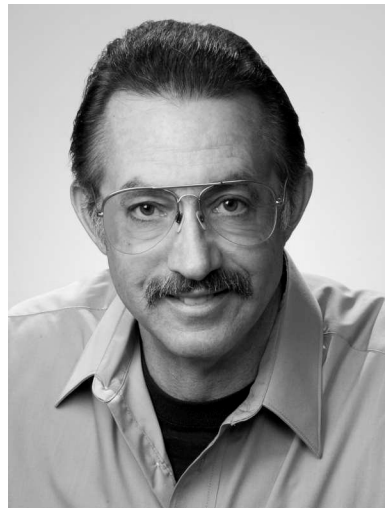


Expert witness
Legal consultant and trial consultant, civil and criminal

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Topics

Firearm safety
Use of lethal force
Self defense
Kids and guns
Montana gun laws
Concealed weapons and permits
Shooting ranges

Resume'
Gary S. Marbut
Missoula, Montana

History/Employment

Born: 1946

To 1966: Raised on a 5,000-acre cattle ranch in western Montana, using firearms from age eight. Attended schools in western Montana, including the University of Montana, and during a portion of high school, attended Shattuck Military Academy, Fairbault, Minnesota.

August 1966: Enlisted for three years in the U.S. Army, and was honorably discharged in August, 1969. While in the Army, qualified expert with every small arm fired, including M-14, M-14A2, 1911 - .45 auto, M-60 machine gun, and M-2 - .50 caliber machine gun. No rating but qualification and lots of experience and practice with LAW (Light Antitank Weapon - a shoulder-fired rocket), M-69 grenade launcher, and "Quad 50" a synchronous cluster of four, .50 caliber machine guns.

January, 1970: Assistant Sergeant-at-Arms, Montana House of Representatives

January, 1972: Employed as a firefighter and subsequently as an Advanced Life Support Paramedic by the Fairbanks, Alaska, Fire Department. While serving in that capacity, responded to and treated many gunshot victims. Obtained first-hand experience of the trauma and suffering caused by misuse or improper use of firearms.

1975, Tanana Valley chapter, American Red Cross, Vice Chairman for Safety Programs

1978: Certified by the American Heart Association as an Advanced Cardiac Life Support Instructor.

1974 to 1979: Instructor of Fire Science and Emergency Medicine part time, Tanana Valley Community College and University of Alaska.

1988 to present: Sole proprietor of Target Operator Systems, a business that manufactures and markets shooting range equipment for law enforcement agencies nationwide, federal, state and local.

2003 to present: Sole proprietor, Montana Firearms Academy

Memberships, Activities and Awards

Member, International Association of Law Enforcement Firearms Instructors - involved in training law enforcement, security and private investigators personnel in the safe use of firearms.

Honorary Life Member, president and Chairman of the Board of Directors of the Montana Shooting Sports Association, the principle organization asserting the rights and prerogatives of gun owners and hunters in Montana. MSSA is a statewide organization, is nearly two decades old, and is affiliated with the National Rifle Association and the Citizens Committee for the Right to Keep and Bear Arms and allied with Gun Owners of America. MSSA is a nonprofit Montana corporation. MSSA actively presses pro-gun legislation before the Montana Legislature. MSSA also delivers firearm safety programs to the public.

Certified by the Second Amendment Foundation to teach and to train and certify instructors to teach any gun safety curricula designed, adopted and fielded by MSSA.

Director and Secretary of the Western Montana Fish and Game Association, Montana's oldest and largest regional organization of sportsmen, founded in 1911, with over 1,000 local members. WMFGA is a nonprofit Montana corporation. WMFGA owns and operates one of the most extensive shooting ranges in the Pacific/Rocky Mountain northwest, the Deer Creek Shooting Center. Former Chairman of the Range Committee (past Range manager, including enforcement the safety rules for the Range), and Chairman of the Public Policy Committee of WMFGA.

Appointed by two governors to the Governor's Concealed Weapon Permit Advisory Council, pursuant to 45-8-329, M.C.A. The Council is made up of law enforcement personnel, legislators, representatives of pro-gun groups and MTDOJ, prosecutors, and others.

Past president of the Montana Rifle and Pistol Association, the organization administering the traditional NRA-sponsored shooting disciplines in Montana.

Past member of the Board of Directors of Gun Owners of America, a national pro-gun advocacy group.

Life Member of the National Rifle Association.

Member, United States Practical Shooting Association

Honorary Life Member of the Big Sky Practical Shooting Club.

Recipient of the nationally-awarded Saint Gabriel Possenti Medal for "Defenders of the Faith", awarded to one to three persons each year for exceptional contributions to gun

owners - selected and awarded by the Second Amendment Foundation at the national Gun Rights Policy Conference.

Active competitor in the sport of "practical pistol", a sport requiring speed and accuracy with handguns. The international governing body for this sport is the International Practical Shooting Confederation (the sport is often known by this acronym, IPSC [ip' sic]), and the national governing body is the United States Practical Shooting Association. Competitors in this sport shoot under the most strict set of safety rules of any shooting sport. Fire up to 10,000 rounds annually in practice and competition.

Devotee of the sport of "precision rifle", shooting small targets at long distances under practical, field conditions.

Handgun hunter of big game; elk with a .44 magnum revolver, and deer with a .45 autopistol.

Firearm Safety

Certified by the Second Amendment foundation to teach all gun safety programs, and to train and certify instructors to teach all gun safety programs.

Author of Gun Laws of Montana (Montana Publishing, 2003), a trade publication now the standard reference for this issue across Montana. GLM is used as a reference by gun owners, law enforcement personnel and agencies, attorneys, courts and the University of Montana Law School Library.

Author and curricula developer, Be Safe, a gun safety program for children, designed for children in first through third grades. The primary message of the Be Safe program is: "Don't touch! Do not handle firearms without adult supervision." The secondary message is: "If you ever see another kid playing with a real gun, leave the building and tell an adult." The Be Safe program has been distributed to every elementary school in Montana, and literally thousands of Montana schoolchildren have received the training. The Be Safe program is supported by a state law (20-7-132, M.C.A.) calling on schools to provide gun safety training as a part of their school curricula.

Author and curricula developer and primary instructor and instructor trainer, Introduction to Handguns for Women (IHW), designed to train women who have no experience with handguns. IHW teaches the three primary rules of gun safety, which are: 1) All guns are loaded. All guns must always be assumed to be loaded. It is the guns people think are unloaded which cause accidents; 2) Muzzle direction. Never point a firearm at anything you are not willing to destroy; 3) Finger out of the trigger guard. The gun handler must keep their finger out of the trigger guard (and along the frame) until they are ready to shoot. 768 western Montana women have graduated from IHW in the past eight years.

Author and curricula developer and primary instructor and instructor trainer, Gun Safety for Concealed Weapon Permits (GS-CWP). GS-CWP is a curriculum similar to IHW, but is an either-gender class. 341 persons from western Montana have graduated from GS-CWP in the past few years.

Certified by the State of Montana as a Firearms Instructor for initial training and requalification of state-licensed private security guards and private investigators.

Montana Public Policy and Firearms

Since 1985, heavily involved in the formulation of public policy concerning civilian ownership and use of firearms in Montana. Has testified before scores of legislative committees about firearms issues. Has drafted many successful pieces of legislation concerning use and ownership of firearms, shooting and hunting.

Writings

- < Gun Laws of Montana, a trade paperback book, 2003; revised/reprinted 2007, 2009
- < Be Safe, Gun Safety for Boys and Girls in Montana, 1996, 15th printing
- < Allowable Uses of Lethal Force, A Review of Montana Law for Gun Owners, 1994, 4th printing
- < Montana Concealed Weapon Permits, History, Law and the Application Process, 1994, 3rd printing
- < Introduction to Handguns for Women, Instructor's Guide, 1997
- < Gun Safety for Concealed Weapon Permits, Instructor's Guide, 1999
- < Standard Firearm Safety Check (for CWP applicants), Purpose, Methodology and Practice, 1995
- < MSSA, Successful Work for Gun Owners and Hunters of Montana, 1993 to 2009 updated
- < Hunting Elk By Handgun, a Primer for the Beginner, a Refresher for Others, unpublished book
- < Emergency Patient Care System for Interior Alaska, 1976 DHEW 1203 application, co-author
- < 87-1-304(1)(b), M.C.A. Special weapons hunting districts. 1987
- < 50-61-120, M.C.A. Sporting goods stores storage of smokeless powder and primers. 1989
- < 1-1-224, M.C.A. Observance of right to keep and bear arms, 1991.
- < 1-1-226, M.C.A.. Official observance of Montana's hunting heritage, 1991.
- < 45-8-315, et. seq., M.C.A. Mandatory Issue Concealed Weapon Permits. 1991
- < 27-1-721, M.C.A. Immunity of certain firearms safety instructors, 1995.
- < 70-17-101, M.C.A. Easements to use land adjacent to a shooting range as a safety zone, 1993.
- < 87-2-509, M.C.A. Game Lawfully Taken Becomes the Personal Property of the Hunter. 1993

< 87-3-143, M.C.A. Second Conviction of Hunter Harassment increased penalty. 1993
< 45-8-360, M.C.A. Montana exempted from the federal "gun-free school zones". 1995
< 45-8-329, M.C.A. CWP reciprocity. 1995
< 45-8-324, M.C.A. Appeal of CWP denial. 1995
< 45-8-330, M.C.A. Gun buys for CWP-holders under the Brady Law. 1995
< 76-9-101, M.C.A., et. seq., Montana Shooting Range Protection Act, 1991
< 27-1-709, M.C.A. Gun owner not liable for criminal acts committed with a stolen firearm. 1997
< SB427. Machine guns and silencers repeal. 1999
< 45-8-328, M.C.A. CWP prohibited places revision 1999
< 45-8-329, M.C.A. CWP reciprocity revision, 1999
< 87-1-276, M.C.A., et. seq. Montana Shooting Range Development Act, 1999
< 27-1-722, M.C.A. Defenders not civilly liable. 2001
< C-41/HB306. Montana Constitution, Right to Hunt and Fish. 2003
< 87-1-217, M.C.A. FWP large predator management. 2003
< 40-4-121(7)(a), M.C.A. Lautenberg warning. 2003
< 87-1-201, M.C.A. FWP game counts to be published. 2003
< 10-3-114. Confiscation of firearm by government prohibited, 2005
< SJ 15. Firearms safety training for school-age children in Montana, 1991
< SJ 16. Rimfire competition in secondary schools of Montana. 1991
< HJ5. Repeal the Brady Law. 1999
< HJ32. Wolf delisting. 2003
< HJ12. Terrorist Free America resolution. 2003
< HB 246. Montana Firearms Freedom Act, 2009
< HB 228. Montana Self Defense Act, 2009
< SB 185. College students hunting, 2009
< HJ 14. Self defense in National Parks, 2009
< Montana Statehood Contract in re Heller, 2008
<http://www.progunleaders.org/Heller/argument.html>
<Jury-rigging Federal Commerce Power
<http://www.marbut.com/commerce/>
<Making Sense of the Ninth Amendment and the Montana Firearms Freedom Act Interplay
<http://www.marbut.com/NinthAmendment/>
<"Dangerous and unusual" weapons
<http://www.progunleaders.org/Dangerous%20and%20Unusual/>
<The Montana University System and Firearms Authority, Policy, Discussion and Conclusions
<http://www.progunleaders.org/university/>
<Concepts within the Montana Constitution relating to the right to bear arms
<http://www.progunleaders.org/MT%20RKBA/>
<A Modest Proposal
<http://www.marbut.com/ModestProposal/>