



Red's manager  
Ryan Horsley

## Gun Shops Under Siege BATFE Distortions Lead to Harassment

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### WEAPONS OF CHOICE

Gun shop: Complaint could have been ruse Blog confirmation of inspection raises agents' 'safety concern'

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A new court filing says **when inspectors** for the federal Bureau of Alcohol, Tobacco, Firearms and Explosives **complained about a "threat" from a gun shop manager, it could have been no more than an excuse to end their unsuccessful efforts to find any paperwork violations.**

The issue erupted recently between inspectors for the BATFE and Ryan Horsley, manager of Red's Trading Post of Twin Falls, Idaho. The gun shop and the BATFE have been **disputing for six years** already over the store's license to sell firearms, with **regulators using rules infractions such as a missing poster to attack Red's business operations.**

WND documented earlier how the store appears to be caught up in a new **campaign for gun control, focusing on the elimination of retail outlets through technical rules infractions.**

Then the agency went to court with a report that its inspectors "suspended" their work at the store recently because of the "threat to the inspectors' safety created by Ryan Horsley, the Manager of Red's." It appears he was posting a report of the inspectors' visit to his store on his webblog.

The two sides reportedly reached a tentative agreement to "neutralize" the complaint, but then the federal agency went forward with the filing anyway, according to Horsley's blog about the situation. But the formal response to the agency's complaint noted that there are other explanations that are equally likely.

"All of these facts undermine Respondent's claim that Petitioner was out to 'intimidate and harass' the inspectors," the filing said. "It is equally as **likely that Respondents decided to exaggerate innocuous circumstances to justify terminating an inspection that was not finding any regulatory violations or breaches of the Court's order.**"

Horsley, on his blog, noted he'd been pleased to announce the agreement with federal prosecutors over the harassment complaint. But then he got word U.S. Attorney Deborah Ferguson had reneged.

"It has now been two years since **the inspection that revealed .4 percent clerical errors that the ATF deemed 'willful' and decided to revoke our license after over 70 years.** This case has tied up our court system and cost taxpayers hundreds of thousands of dollars, not to mention what we have suffered personally which has been **nearly \$90,000 in legal fees and continuous attacks on our character,**" he said on his blog.

"We have documented our experiences in hopes of showing **what the ATF is doing to legitimate businesses and how they disregard our senators and congressman.** I try not to take it personal and have found solace in my faith but it is still difficult when **this agency has made every attempt to destroy what your family**

**worked so hard to build, what is even more concerning is how the ATF is single handedly destroying our Second Amendment."**

The filing in response to the harassment complaint noted that the concerns were based solely on the fact that Horsley posted on his blog the fact that the inspection was going on, and a 70-year-old man wearing a Hawaiian shirt came to the shop to take pictures of the inspection process.

"The described circumstances confronting the three inspectors at Petitioner's place of business on the morning of July 17 do not, in retrospect, seem terribly threatening. Surely, the inspectors knew that they are members of a public agency, working in a public place. Prior inspections had attracted local notoriety, but that had been easily dealt with and was never previously brought up by Respondent as a concern. The 'safety concern for the inspectors' that **triggered** the decision to terminate the inspection **was based solely on a public statement by Petitioner that the inspection was going on and the presence of a 70-year-old man with a camera.** The rest of the information provided by the Third Status Report concerns events that either long preceded the inspectors' arrival or happened hours after they left and could not have figured into that decision," the filing said.

The filing said the **federal inspectors' report "implies" that Horsley incited the local partisans to threaten the three inspectors.**

"However, the real point of this unverified and unsupported Third Status Report is to portray Petitioner to the Court in the worst possible light, and, not incidentally since the Third Status Report became a public record as soon as it was filed, to the public in general," the filing said.

Most importantly, the filing said, **the inspectors never voiced their concerns about anyone taking pictures to Horsley or other shop employees.** "They did not ask for a private room or nonpublic area in Petitioner's place of business to review the requested documents. The Third Status Report makes no mention of the inspectors asking local law enforcement authorities for any kind of assistance. The inspectors left without any explanation to Petitioner," it said.

And as for the concerns expressed over the disclosure of the names of the inspectors, which happened hours after they left, the government's court filing itself provided the same information, the filing said.

Larry Pratt of Gun Owners of America told WND that as recently as 15 or 20 years ago, there were 250,000 licensed gun dealers in the United States. The federal government confirms there are only about 108,000 now.

The saga with Red's began when the ATF inspection in 2000 discovered **various paperwork violations,** Horsley said, just shortly after he arrived to take over the store, mistakes **such as a customer failing to write down the county in which he lived.**

**In 2001, "they couldn't find any violations,"** he told WND. **A few other minor problems were found later, including a failure to put up a poster. "I wasn't alarmed because this agent ... had told us we were one of the best small gun shops he'd ever seen,"** Horsley told WND.

**Then early in 2006, "We get a letter that 'We're [ATF] revoking your license,'"** Horsley said. "I just came unglued. I couldn't believe it."

After an expensive appeal process within ATF, he ended up with the same result, and sought out a lawyer for the federal court challenge, a challenge which now is pending.