



GUN OWNERS of California

THE COURTS: THE SECOND AMENDMENT ON TRIAL

By Sam Paredes, GOC Executive Director

New York State Rifle and Pistol Association v City of New York

On December 2, 2019, the Supreme Court of the United States heard arguments in this significant case. Both sides argued whether the case was even viable to proceed (“mootness”) because New York had changed its initial law in order to force the court to drop the case, arguing that the plaintiffs were no longer injured given said changes.

Thus, the court considered arguments on the mootness issue for most of the hearing. The four “left leaning” judges all argued that since the city and state governments of New York “threw in the towel” and in essence, gave the plaintiffs what they had requested, the issue has been resolved and there is nothing left for the Court to decide. Chief Justice John Roberts asked questions that seemed to coincide with the leftist judges, but as we have learned over the years, there is no way to accurately determine what a judge is thinking based on their questions. If Justice Roberts does vote to support mootness, the story does not end there. We are still waiting to hear whether the court will decide to grant certiorari to Rogers & the Association of New Jersey State Rifle & Pistol Clubs v Grewal. Granting cert (accepting the

lawsuit) only takes 4 votes and this case, which pertains to similar issues is much stronger as the government of New Jersey will not have the time to change their laws as did New York. This battle is far from over.

In the Rogers case, Gun Owners of California has teamed up with the California Rifle and Pistol Association, plus numerous law enforcement groups and filed a strongly worded amicus curiae (friend of the court brief) reminding the court that lower courts have totally ignored the direction of the Supreme Court as to the level of scrutiny judges should use when hearing 2nd Amendment cases.

In both cases, SCOTUS is expected to issue their ruling sometime between April and June of 2020. We will continue to report any updates on this case in future newsletters and on our website.

Rhode v Becerra

Waiting is never fun but that’s what we have had to do with this case; at press time, we are still waiting to hear whether federal Judge Roger Benitez will find that California’s ammunition laws are an overwhelming violation of 2nd Amendment rights. If he issues an injunction, ammo purchasing laws will revert to those in place before the passage of Proposition 63 and the “Gunmagedon” bills of 2016. That means no ammo background checks, mail-order would be legal as would the importation from out of state. Keeping our fingers crossed...

Duncan v Becerra

This case challenges the constitutionality of SB 1446 and Proposition 63’s ban on the acquisition and possession of magazines that hold more than 10 rounds. This case resulted in “Freedom Week” when Judge Roger Benitez (who is also ruling on the Rhode case) enjoined the laws, finding them unconstitutional which legalized all the magazines in California regardless of capacity and opened the doors for the acquisition of new ones. AG Becerra has appealed the case to the 9th Circuit, but we believe the 9th is waiting to see what SCOTUS rules on NYSR&PA v NYC before taking any action.

Rupp v Becerra

This case challenges the constitutionality of California’s Assault Weapons ban. On July 22, 2019, the District court held in favor of the State. Plaintiffs have filed an appeal to the 9th Circuit. Plaintiff’s brief is due this month.

Villanueva v Becerra

This case challenges California’s new Assault Weapons registration regulation. The court ruled the regulations valid on May 30, 2019. Plaintiffs are appealing to California’s 5th District Court of Appeals.

Flanagan v Becerra

This case challenges both the State and City of Los Angeles’ ban on both open and concealed carry. This case is at the 9th Circuit and stayed the case awaiting a decision on Young v Hawaii.

LEGISLATIVE WRAP UP

WHAT THE GOVERNOR SIGNED
...and what's on tap for 2020

As reported in the 3rd Quarter Newsletter, a hefty number of bills made it to the Governor's desk for his signature, and given that the deadline for him to either sign or veto was past press time, we couldn't provide a list of what actually was signed into law. Ultimately, we were not surprised at Governor Newsom's actions. He signed the following:

AB 879 / Gipson [D]

Requires the sale of firearm precursor parts to be conducted by or processed through a licensed firearm precursor part vendor.

AB 893 / Gloria [D]

Prohibits the sale of firearms and ammunition at the Del Mar Fairgrounds.

AB 1297 / McCarty [D]

Requires the local licensing authority to charge CCW fees to be in an amount equal to the reasonable costs for processing the application, issuing and enforcing the license.

AB 1669 / Bonta [D]

Reduces DROS fee to \$1 but establishes another fee, the monies of which can be used for any firearms bureau purpose.

SB 61 / Portantino [D]

Prohibits the purchase of any gun to no more than one a month.

SB 172 / Portantino [D]

Prohibits an adult who is the legal occupant of a residence, while outside of that residence, from keeping a handgun inside the home unless it legally locked. Authorizes the temporary transfer of a firearm for safekeeping to prevent it from being used to attempt suicide.

SB 376 / Portantino [D]

Prohibits firearm transfers to less than six firearm transactions per calendar year (unless licensed as a dealer).

The second half of the 2019/2020 legislative session resumes in January, and we fully expect further crackdowns on semi-automatic firearms, but to what degree remains to be seen. Also, Assemblyman Levine will likely resurrect his stalled bill (AB 18) to impose an excise tax on the sale of any firearm and Senator Jackson may take another crack at pushing her SB 55. That bill seeks to greatly expand the list of misdemeanors that would prohibit someone from owning a firearm within 10 years of conviction, including misdemeanors involving alcohol intoxication or possession of controlled substances for sale.

Stay tuned – regardless of the openly hostile environment and the garbage policies being force-fed on gun-owning Californians, GOC will continue our work in defense of the 2nd Amendment.

THE DANGER OF RED FLAG LAWS: IF IT COULD HAPPEN TO HIM, IT COULD HAPPEN TO YOU.

Governor Gavin Newsom recently signed a slew of anti-gun bills – some of which expand red-flag laws in California. He was quoted as saying the new laws would “guarantee continued success” and that “This is another tool in the toolkit from those that know individuals the most. What's inevitable is you're going to see these expansions in other parts of the country, and I think this will also expand the debate in Congress.”

Unfortunately, to some degree he's right and to that we say, God help us. An 84-year old distinguished veteran of the Korean War recently experienced the red-flag hammer first hand and all he did wrong was make a comment

to a buddy with whom he was having breakfast. While refilling his coffee, an eavesdropping waitress heard him say the words “shooting” and “school” in the same sentence.

Before he knew what happened, the policed showed up at his elementary school crossing-guard job to escort him home so they can **seize his guns. And then he was fired from the job** he had secured because he was lonely after wife had died and besides – he loves children.

This is not some sensational TV drama folks – this is real life in the back-asswards age of red-flag laws.

What happened in response to completely innocent comments should make every gun owning citizen literally quake in our boots. Stephen Nichols simply mentioned his concerns about a school resource officer who was evidently prone to take frequent coffee breaks, leaving his post each morning. Troubled by a lack of law enforcement presence, Nichols said he was worried someone would come “shoot up the school.”

On the strength of those few words, a nosy waitress called the Tisbury Police about what she overheard, and the Police Chief Mark Saloio and another officer relieved the 84-year-old of his crossing guard duties while he was escorting kids across the street. They then drove to his home and removed his firearms license and guns. **Any paperwork provided for the seizure? Any due process? Nope.**

In an interview with the *Martha Vineyard Times*, Nichols said he's been legally licensed for firearms since 1958. He has “worked in auxiliary roles with the Tisbury Police for a staggering six decades and has also been a court officer and constable.” Plus, the school indicated that crossing guards are “hired, trained and scheduled entirely by the police depart-

ment.” But think on this: even if Nichols hadn't worked with such community distinction, the seizure of a law-abiding citizen's firearms – on the word of a complete stranger – is contemptible. Since when does voicing concern over the safety of innocent children translate to an unconstitutional cluster?

If it could happen to an 84-year-old school crossing guard because of some reckless waitress, it could happen to any one of us.

In his own heartfelt words, Nichols expressed deep concerns for the safety of Tisbury School: “When I was in the United States Army — and it wasn't just me, it's anybody who's in the United States service — if you are on guard duty for eight hours, you didn't leave that position. And I'm just so accustomed to that... [So] when I see someone who's supposed to be protecting kids leave the school unguarded — if you're on guard duty, you stay there.”

Wouldn't the world be a better place if more people had such a sincere dedication to **duty**?

Following the incident, the friend to whom he made the “reported” comment said Nichols was no threat of any kind and that the fallout was “absurd.” The public outcry was heavy and thankfully, the school relented and gave him his job back. But the fate of his guns remains unclear and the Tisbury Police are refusing to comment.

CAMPUS CARRY ACTIVIST
JOINS GOA AS NATIONAL
SPOKESPERSON

Our partner organization Gun Owners of America (GOA) has announced campus carry activist Antonia Okafor as the new Director of Outreach, who will serve as the group's national spokesperson.

Antonia has extensive experience in promoting the Second Amendment without compromise on college campuses. She is the founder of emPOWERed 2A, which trains and equips high school and college students to advocate for the right to keep and bear arms. Now, emPOWERed 2A will be backed by GOA.

“I was drawn to GOA by the no compromise approach to the Second Amendment,” Okafor said. “Combining GOA and emPOWERed 2A is a natural fit for students seeking to promote the right to keep and bear arms without compromise.”

Both GOC and GOA are respected nationally and widely considered the “no compromise” gun lobby. From state legislatures and city councils to the United States Congress and the White House, both GOC and GOA have represented the views of gun owners whenever their rights are threatened since 1975.

SPOTLIGHT ON:



GOC has had the pleasure of meeting a lot of terrific people in our 40 plus years of defending the 2nd Amendment, and we want to spotlight some special members who have gone above and beyond in standing with us. Shooter's Pro Shop in Roseville, California is well deserving of recognition.

Established in 2000, Shooter's Pro Shop opened their doors with one mission: to bring a real, high-quality firearm retailer to the Roseville area. They have a passion for excellence, which serves as their inspiration and drive almost 20 years later. They value the relationships they have developed with their customers, and GOC is especially grateful for their generous and consistent support

of us – the time and effort they spend in helping with our fundraising dinners is nothing short of phenomenal. Thank you to Jeff Jordan, his wonderful family and excellent team at the store. We are honored to stand shoulder-to-shoulder with you in defense of our Constitution. For more information on Shooter's Pro Shop, go to:

<https://www.spsroseville.com/>

THE 2020 ELECTION:
BELIEVE IT OR NOT, IT'S HERE

Whether we want to admit it or not, the 2020 election is not just around the corner: **IT'S HERE.**

Hold on to your hats because the primary election in California will not be in June but has been bumped up to **March 3** – a full three months earlier than normal. The switch was made so that California can be considered a player in deciding who is on the Presidential ticket. This has a lot of folks scrambling here in the Golden State, but GOC will be more than ready to let you know who supports the 2nd Amendment – and who does not. Our first quarter newsletter for 2020 will include our legislative election scorecard.

It goes without saying that politically correct garbage has polluted what Americans hear in the media, especially when it comes to guns. We will always salute those who are willing to stick their necks out for the Constitution but frankly, there just aren't very many out there. The gun community has really taken it on the chin, and it's tough not to be angry when those who proclaim to be ardent supporters of the 2nd Amendment refuse to speak up when the opportunity arises.

During the last election cycle, Gun Owners of California (GOC) decided it was time to play a little hardball – with

CONTINUED ON NEXT PAGE...

*GOC sends a hearty
Merry Christmas, and best
wishes for a happy and healthy
New Year in 2020!*

*Now to the Lord sing praises,
All you within this place,
And with true love and brotherhood,
Each other now embrace;
This holy tide of Christmas,
Doth bring redeeming grace.*

THE 2020 ELECTION...CONT.

our friends. We made a shift in how our legislative scorecard was calculated. Each election cycle, we field countless requests for endorsements from legislators and candidates who voice their fist-pumping, fiery commitment to the 2nd Amendment. But once elected, it seems much of the enthusiasm wanes – and while there are a decent number of legislators who have solid voting records, there are few willing to stand with us when the going gets tough – *and that's precisely when we need it most.*

Thus, no legislator was awarded an "A" unless they either introduced and moved pro-2nd Amendment legislation forward and/or vocally stood up for us – for you. Talking the talk wasn't going to be enough anymore. They should walk the walk. (One of the final straws was when one of the "leaders" tried to convince us that we needed to move the 2nd Amendment down the list of priorities and move global warming up. Let's just say that "leader" lost seats that election round and is no longer in office.)

Politicians who claim to support the 2nd Amendment should proudly defend the Constitution when presented with every opportunity - to do otherwise is like giving the Left a free pass to violate us.

Our new policy annoyed some of our friends – but we didn't care then and we won't care during this election cycle either. There is no room for the politically lukewarm and besides – **it worked!** Although we still have a long way to go, this year we had more legislators stand to defend your rights – and they made sure GOC was aware of every speech and bill introduced. They know that Gun Owners of California will never just **"go along to get along."**

52 GUNS IN 52 WEEKS

GET YOUR TICKETS BEFORE WE SELL OUT!

Don't forget to buy your ticket for our 2020 52 Gun Raffle before the first drawing on Saturday, January 4th! \$50 per Ticket Only 1,500 tickets sold For rules & to purchase tickets, visit:

gunownersca.com/news/2020-52-gun-affle

GOC'S CHRISTMAS GIFTS IDEAS

- GOC Annual Membership \$35
- 52 Gun Raffle Ticket \$50
- Men's KrypTek Button Up \$50
- Women's Girls with Guns Camo T-shirt \$17.99
- GOC Travel Coffee Cup \$12
- GOC Blaze Orange Beanie \$15
- GOC Browning Gun Sock \$10

Visit gunownersca.com/shop for more ideas!

TO: SENATOR H. L. RICHARDSON, (ret.)

YES! I want Gun Owners of California, Inc. to continue fighting for our 2nd Amendment rights. I understand the minimum donation of \$35.00 entitles me to full membership benefits.

\$100 \$75 \$50 \$35 Other \$ _____

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Gun Owners of California Membership Benefits

- Regular newsletters informing members of pending legislation and issues affecting gun rights.
- Information alerts through our website, email.
- Voting records of all California Legislators.
- Access to all Legislators through our website.

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