



GUN OWNERS of California

COVID-19 AND FUNDRAISING: HOW \$10 CAN SAVE THE SECOND AMENDMENT

When the limit was placed on large gatherings of people to prevent the spread of this dreaded virus, we immediately knew our fundraising would take a hit. And it has.

Our annual Sacramento Crab Feed brings in over 550 people on a regular basis, and it brings in a major portion of the funds that sustain the work we do throughout the year. Our Oroville banquet draws in over 300 people and our new event, the Great Gun Giveaway was expected to bring in a few hundred at the very least.

While we have postponed these events, instead of cancelling them, there is an ever-present question ... will we be able to have them at all? When the quarantine ends, will large groups be able to gather? Will people want to be around large crowds so soon? Will people have recovered enough financially to contribute like they would have before the coronavirus?

There are still so many unknowns, regarding the virus and its economic impact across the globe.

HOWEVER, we will continue to fight to protect the Second Amendment, NO MATTER WHAT. We will use every resource we have to defend your right to protect yourself and your family.

This time of uncertainty offers an opportunity for you to step in. Over the last few months, we have received more \$10 contributions than ever before. AND EACH \$10 CONTRIBUTION, added to the next \$10 contribution, adds up. BIG TIME.

In fact, if every single household receiving this mailer contributed just \$10 on top of their previous donations or membership, we would raise more money than all our annual fundraising banquets combined.

We understand how difficult these times are for everyone and we cannot thank you enough for all of your help. We could not do what we do without you!

Will you consider contributing just \$10 to help defend your Second Amendment rights? \$10 can and will make a significant impact and you can play a major role in protecting your rights.

JUDGE STRIKES DOWN CA AMMO LAW – AG TAKES IT TO THE 9TH

By GOC Staff

In a stunning rebuke of California's ammunition registration scheme, federal Judge Roger Benitez issued an opinion in late April ruling that it was overtly unconstitutional. In all practical terms, he suspended the entire law and in the process, enraged California Attorney General Xavier Becerra.

Becerra publicly demanded that Judge Benitez issue a stay on his judicial rul-

ing, and threatened that if a stay were not in place by a specific time, that he was taking the matter to the 9th Circuit Court of Appeals. Benitez emphatically refused, at which time a 3-judge panel of the 9th granted an emergency stay so they could review the Becerra appeal and the Benitez ruling.

According to GOC's Executive Director Sam Paredes, the Benitez decision was "a smackdown on steroids to the Attorney General. He did it with a one-two punch and the insight and clarity of this decision is mind-blowing."

Now the 9th must review Benitez' 120-page decision, where he dramatically pointed to what he called "onerous and convoluted" regulations that violate the constitutional right to bear arms. The Court could remove their stay (which seems unlikely even though Benitez very clearly spelled out all the constitutional violations) or keep the stay in place until the case (Rhode v. Becerra) is brought to trial in Benitez' court. How and when the 9th will rule on this is uncertain.

GOC has been involved in this process since the get-go. Once the Department of Justice began the registration process last July, Gun Owners of California has been working with other Second Amendment groups to gather statistical data from licensed ammunition vendors and customers on the system's many problems. **"We asked for horror stories, and boy did we get them"** said Paredes.

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JUDGE STRIKES DOWN...CONT.

“Criminals, tyrants, and terrorists don’t do background checks,” Benitez wrote. “The background check experiment defies common sense while unduly and severely burdening the Second Amendment rights of every responsible, gun-owning citizen desiring to lawfully buy ammunition.”

The lawsuit by California Rifle & Pistol Association was joined by out-of-state ammunition sellers and California residents, including 6-time Olympic gold medal winner Kim Rhode.

In other legal news, we are encouraged that courts across the nation are beginning to agree with conclusions made by Gun Owners Foundation and the late Supreme Court Justice Antonin Scalia that 2nd Amendment cases should only be decided using text, history and traditional analysis. This is an important distinction as cases are being heard that could positively impact gun owners in California.

GUNS, COVID-19 AND GOVERNMENT’S “EMERGENCY POWERS”

In one of the many COVID-19 “are you kidding me?” moments, California’s top law enforcement officer openly bragged that state officials have sweeping powers “to address emergencies” – which is code for “we can do whatever we want, when we want and to whom we want.” Not surprisingly, Xavier Becerra is using the coronavirus as a means to toss both federal and state Constitutions aside, permit the closure of gun stores, and becoming a tyrant in the process.

In a recent interview, Becerra said that both the U.S. and state constitution have provisions to address emergencies such as our current viral pandemic. He said **“...I don’t think there’s any doubt that for the protection of people’s not just their health but their lives, our government must take actions which protect our communities and the individuals in those communities.”**

Talk about giving the government an inch and them taking a mile. Any politician declaring that actions must be taken to “protect” people while upending the Constitution is flat-out wrong and is motivated by politics. Although dangerous on its face, it’s even worse when there is no evidence that closing gun stores will protect a single individual or community at large. Rather, it’s reckless and puts vulnerable populations at an even more perilous disadvantage.

US Attorney General Bill Barr concedes that the government does have some emergency power authority but cautioned *“... it still has the obligation to adapt to the circumstances. Whatever powers the government has, whether it be the president or the state governor, still is bounded by Constitutional rights of the individual. Our federal Constitutional rights don’t go away in an emergency. They constrain what the government can do. And in a circumstance like this, they put on the government the burden to make sure that whatever burdens it’s putting on our Constitutional liberties are strictly necessary to deal with the problem,”* he continued. *“They have to be targeted. They have to use less intrusive means if they are equally effective in dealing with the problem. And that’s the situation we’re in today. We’re moving into a period where we have to do a better job of targeting the measures we’re deploying to deal with this virus.”*

Howard Slugh, an attorney practicing in Washington, D.C. responded to the government’s emergency powers by saying *“No matter what gun-control advocates*

claim, public-health emergencies such as the COVID-19 pandemic do not give governments carte blanche to trample on the constitutional rights of their citizens. Mandating the closure of all firearm retailers across an entire state or locality would do just that. State and local governments have a duty to protect their citizens from public-health emergencies, but the Constitution requires them to do so in ways that are respectful of those citizens’ fundamental rights.”

Rest assured that GOC will continue to stand in the gap and fight any and all efforts to curtail our constitutional rights! Come election time, we will remember those who used this pandemic and their positions of authority to trample on our Constitutional rights when we needed them most.

LEGISLATIVE REPORT: EXPECT MAYHEM

There is good news and bad news. First, the good news. Since the “shelter at home” order was issued by Governor Newsom for all non-essential personnel, members of the Legislature have been absent from the Capitol...because they do not qualify as “essential”. We could have told you that.

Now for the bad news. Because of their absence, they have not been able to hold committee hearings on legislative bills since March 16, 2020. This was prior to most bills being scheduled for their first hearings. Given that the last day for committees to hear and pass (or kill) legislation is July 2, and the final day for the legislature to adjourn and send bills to the governor is August 31st, you can well imagine the train wreck that is sure to take place if they reconvene before July 2nd.

If this scenario comes into play, we fully expect that both the Senate and Assembly will waive every rule imaginable to make sure their pet bills are heard

– and passed. Gun control legislation will be a top priority because no Leftist has ever let a crisis (or pandemic) go to waste. All semblance of transparency and open government will go out the window...and they won't care! GOC will be watching this situation very carefully, and while the Legislature may not give notice – we surely will.

The following are those bills that are egregious and substantive, to date:

SB 281: Wiener/D: Bans Gun Shows at the Cow Palace.

Position: **Oppose**

Status: Transmitted to the Assembly

SB 914: Portantino/D: Firearms: hunting exemptions-defines valid hunting licenses.

POSITION: **Oppose**

Status: 02/03/20: Introduced

SB 1041: Hueso/D: Bans the use of dogs while deer hunting; allows Game Wardens to kill the dogs on the spot.

Position: **Oppose**

Status: 02/18/20: Introduced

SB 1175: Stern/D: Makes it illegal to import or possess Iconic African Species trophies.

Position: **Oppose**

Status: 02/20/20: Introduced

AB 2362: Muratsuchi/D: Allows DOJ to unjustly fine gun stores.

Position: **Oppose**

Status: 02/18/20: Introduced

AB 2847: Chiu/D: Changes Microstamping Laws to force manufacturers to use the technology.

Position: **Oppose**

Status: Amendments on microstamping language not yet in print.

AB 3058/D: Chu: Requires firearm storage in vehicle to use chains or cables that are welded to the frame of the vehicle.

POSITION: **Oppose**

Status: 02/21/20 Introduced

AB 3071: Mullin/D: Bans lead ammunition at all shooting ranges.

POSITION: **Oppose**

Status: 02/21/20: Introduced

SOME LEFTIST ANTI-GUNNERS COMING 'ROUND

There's a spanking new breed of gun owner in town and they are as far from conventional as one can get.

In a word, a lot of them are *liberals*.

The National Shooting Sports Foundation reports that nationwide, new customers represented an huge percentage of new sales even as retail stores are experiencing both low inventory and mandatory closures. In March alone, there were a phenomenal 2.3 million guns sold across the country.

What's most fascinating, though, is that an awful lot of folks had never considered buying a gun before now. **Even more stunning is how many people had bought into the myth that buying a gun is easier than buying a pack of cigarettes.** They are dumbfounded at what is required: *Waiting period? Background check? And a proficiency test? Are you kidding?*

One elected official who was eager to make a pandemic purchase in Florida – a state whose gun laws are relatively relaxed in comparison to California – complained loudly about having to go through a background check and whined that the law should provide certain exemptions. He actually said *"Don't you know who I am?"* Such is typical of a liberal elitist and this attitude is happening coast to coast.

Jeff Jordan, owner of Shooter's Pro Shop in Roseville, California echoes what has been reported across the country. He estimates that a whopping 85% of his store's sales have been from people who

have never owned a gun. **"A lot of people are nervous about stuff happening around them – many have said they never thought they would want a gun for protection" he said. "Most had no clue how hard the process is – the tests, the proof of residency, the background checks – all of it. Some are so frustrated that they cancelled orders before they even got the gun because they don't believe that the normal 10 day waiting period is taking longer because of the impact of COVID-19."**

Without question, the spike in gun ownership is due to the uncertainty that is plaguing the USA, and the consequences go far beyond the health tragedy – the general unease is palpable. People have deep concerns about their ability to protect their families and homes. Some states – California included – have amped up their early release programs citing concerns about the spread of the virus within prisons, plus some police departments have foolishly announced they would no longer enforce certain laws. Law enforcement resources are being stretched thin in many jurisdictions – some are even required to arrest social distancing violators such as soccer moms at public playgrounds and surfers trying to catch a wave.

Whatever the reason for the uptick in new gun owners, we need to welcome them into the pro-2nd Amendment community. Yes, many of them have been woefully ignorant and their apathy has led to the destruction of gun rights, but there's no time like the present to train them on responsible firearm ownership. As armed and informed gun owners, we have a unique opportunity to present the 2nd Amendment factually, rather than how the media depicts it. In recent weeks, GOC has been contacted by many of these new gun owners, seeking advice on how to navigate

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ANTI-GUNNERS...CONT.

all the rules and regulations. We are seizing the chance to assist, and telling them that being asleep politically is dangerous. Please take the time to forward GOC emails and newsletters to friends and family – especially to those who are new to gun ownership. They need our help and support. Be ready to give it.

WHY IS GOC INVOLVED IN OUT-OF-STATE COURT CASES?

In late April, SCOTUS returned the New York State Rifle and Pistol Association case to a lower court which challenged NYC’s lawful transportation of firearms outside the home. Although we are disappointed they punted this back to the 2nd Circuit, this still has some very important implications to those from other states.

Why is this significant to us in California? Because **how** federal courts make decisions can have a very direct and positive impact on what kind of legal challenges we can mount here.

The Constitution can be turned on its head when courts use “balancing tests” (which means to give opposing rights or interests a level of importance) **instead** of using the **Founder’s original intent in crafting the 2nd Amendment** (text, history and traditional analysis). Supreme Court Justices Alito, Thomas, Gorsuch and Kavanaugh have stated emphatically that 2nd Amendment cases should only be decided using this method, or what is known as the Heller-McDonald test. This is why it’s so critical for the Supreme Court to accept other 2nd Amendment cases and why we are so involved outside California. Decisions reached at the federal level can have a meaningful impact for us here.

In order for any of the 2nd Amendment cases currently before the Supreme Court to be heard, four judges must make the decision whether to accept them. The probability is that they could vote to accept one or more before their session ends this coming June. When SCOTUS next session begins in October of this year, they could set the case(s) for arguments with potential decisions due before June 2021. Stay tuned!

GUN OWNERS
of California

GOC ON THE FRONT LINES

For the first time ever, ALL Californians – no matter their political beliefs - are realizing that **THEY** are their **first line of defense**. Some jurisdictions are releasing prisoners to stem the spreading of COVID-19.

SO WHAT ARE WE DOING ABOUT THIS?

- Gun Owners of California (GOC) and Gun Owners of America (GOA) **successfully requested** that the Cybersecurity and Infrastructure Security Agency (CISA) **declare that the firearms industry and retail gun stores are “essential” businesses**.
- GOC has been pushing for Governor Newsom to amend his Executive Order in which he pledged to comply with CISA guidelines. He has not responded to our written request that he clarify gun stores should not be closed.
- GOC is working daily with attorneys to **identify where we must take legal action**.
- GOC is providing support for Sheriffs to stay strong against the push to close gun stores.
- GOC has been interviewed by the Washington Post, Gun Slinger radio and more.

HOW CAN YOU HELP? It’s simple, we need the financial resources to keep our doors open. Our success depends on it.

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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