



## GUN OWNERS of California

### NEWSOM'S TEXAS-SIZED ANGER

Governor Newsom has some Texas-sized anger and he's been taking a swipe at gun manufacturers in the process. His response to the Supreme Court ruling in December that allows a Texas abortion law to stand while legal challenges continue, is to push California legislation that would open the door to lawsuits against manufacturers or sellers of assault weapons and ghost gun parts. That bill is SB 1327 (Hertzberg/D).

Much has been written about Newsom's most recent aim at assault weapons, when he tweeted *"If [Texas] can ban abortion and endanger lives, [California] can ban deadly weapons of war and save lives."* That said, GOC certainly isn't going to give him a pass on such an outrageous threat.

Newsom also said, *"If the most efficient way to keep these devastating weapons off our streets is to add the threat of private lawsuits, we should do just that."*

**To use the Governor's reasoning, why then – in the name of all things "equitable" wouldn't it be appropriate for someone to sue an automobile manufacturer – or more to the point, Newsom's own winery – for a fatal drunk driving crime after imbibing there? The same logic would apply to the makers and sellers of eating utensils such as forks and spoons, because they lead to overeating and the possible deadly consequences of**

#### heart disease or diabetes.

Clearly, that would be an irrational undertaking, but so is Newsom's move to make legal gun manufacturers liable for the *illegal* act of another. Not only is it firmly unconstitutional – given that the 2nd Amendment is explicitly spelled out in the Bill of Rights, but it's also a clear violation of federal law. In 2005, Congress passed The Protection of Lawful Commerce in Arms Act specifically for this reason - to protect the firearm industry from lawsuits that target the actual gun rather than the person whose finger was on the trigger. The act does not protect anyone who commits a crime, only those involved in the legal commerce of a legal product.

#### **To add to the nonsense, there isn't a lick of evidence that such a scheme would put a chill on gun violence.**

Even a casual examination of the Department of Justice's 2020 Firearms Used in the Commission of Crimes Report indicates the number of occasions that a California defined assault weapon was used in the commission of a crime is miniscule. Thus, Newsom's idea is nothing more than a punitive strike against those who legally manufacture a product that other people don't like. It's as simple as that.

**It's unfortunate that the Governor has not taken into account that Californians – with each day that passes – are feeling increasingly more insecure about their personal safety.** Yet Newsom and the Legislature persist in their efforts to provide an out for the lawless – whether it's a reduction in penalties, elimination of bail or a dismissal of charges. The net results are

not surprising – there's a big green light to go forth and break the law. Never before has the term "slap on the wrist" been more accurate.

The Supreme Court's Texas abortion ruling stipulated it would not prevent a law from going into effect while a challenge continues through the legal process. If Governor Newsom takes that to mean that he has carte blanche to attack the Second Amendment, he has an uphill battle – both at home and in the courts.

### ACTION IN THE COURTS

*By Sam Paredes, Executive Director*

For years, GOC has worked hard to keep our members and supporters informed about our vigorous activities in the courts. In 2022, this is still the case.

On February 14th of this year, Gun Owners of California, funded a friend of the court brief in *Bianchi v. Frosh*. Filed in the Supreme Court by Gun Owners of California on behalf of law enforcement groups and other firearms rights organizations, the brief requests that the Court hear this case, which challenges Maryland's "assault weapon" ban. Thus far, two additional friend of the court briefs have been filed to request that the Court agree to review the case, one of which was filed by 25 states.

**Our summary says it all.**

*"The petition should be granted because Courts of Appeals that have upheld bans such as Maryland's have*

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## PENDING SUPREME COURT CASE...CONT.

***relied on provably false claims that make it seem as if AR-15s and other banned rifles (Modern Sporting Rifles, or MSRs) are somehow vastly different and more dangerous than ordinary semiautomatic rifles. They are not.***

The brief goes on to state ***“The AR-15 is the most commonly possessed arm in the country. The best government and industry data shows that there were at least 21 million MSRs in the national stock as of 2019. Because 40 million firearms were sold in 2020 and 2021, that number is likely much higher today.”***

The bottom line is that MSRs are not machine guns; AR-15s are ordinary semiautomatics. The Supreme Court has recognized that distinction as fundamental. Bans on AR-15s and similar semiautomatics were enacted only after a program deliberately designed to mislead legislatures and the public about so-called “assault weapons” began in the late 1980s.

GOC’s brief points out that “MSRs are not weapons of war...” nor are they “exceptionally lethal.

Hundreds of thousands of Americans understand that the modern sporting rifle is well-suited for home defense and it is also a favorite of law enforcement because they are relatively light, accurate, have low recoil, are maneuverable and ergonomic, and use bullets that tend not to over-penetrate walls.

What’s more, and contrary to claims by some courts, hard evidence shows that MSRs are very rarely used in crime and are not used in most mass shootings. They are also not used disproportionately in killings of law enforcement officers.”

While other briefs will be addressing

the pure Second Amendment aspects of this case, GOC felt it important that we ensure that the voice of law enforcement be heard that dispels the myths and lies that have been used to support semiautomatic firearm bans in courts across the country.

While we await SCOTUS’ decision on the case (NYSRPA v. Bruen) challenging the City of New York’s practices in issuing concealed weapons permits, Bianchi v. Frosh is a significant follow-up. Of course, our hope is that the Court saves itself a whole lot of trouble and time by directing all courts to only use the text, history and tradition of the meaning of the Second Amendment as criteria for deciding 2A cases. No matter how hard the Left wants to believe that the Constitution is a “living, breathing document” it is not, and the words as originally written should be the court’s only consideration. We will know more about this in the coming months. Until then, we will keep fighting to restore, defend and protect the Second Amendment.

AND REMEMBER: Even though both these cases were filed outside of California, it is important to note that these decisions could have an extraordinary bearing on a number of critical 2A issues here in our state and across the country – this is why GOC continues to weigh in.

### IT’S AN ELECTION YEAR – AGAIN!

2022 is just a few months old, yet the tumult that comes with an election year is well under way. Because GOC believes the Constitution and the rights therein are as valid today as when they were drafted, we are dedicated to vigorously defending the 2nd Amendment. Thus, we have been actively engaged in the political process for over 40 years.

Because of these core beliefs, each election cycle GOC compiles a score-

card based upon recorded legislative votes and whether the elected member has actively stood in defense of our rights. For non-incumbents, we send each candidate (certified by the Secretary of State) a questionnaire which, if answered thoroughly, provides GOC the ability to assess a candidate’s policy views on the Second Amendment. The questionnaires are analyzed and a grade is assigned (A – F), which is first made public to GOC members and then available on our website.

GOC strives to be a resource for those seeking office who may not have a Constitutional understanding of what the Second Amendment means; given that our questionnaire is detailed and some issues are more complex than others, GOC encourages candidates to communicate with us for clarification. Our door is always open to those who want to learn.

We believe it is imperative that California voters are ARMED & INFORMED – and know who is standing with us, and who is working against us.

### AND THE LEGISLATURE RETURNS

GOC is in the process of tracking over 30 bills in the Legislature – although a good number seem relatively innocuous at the time of introduction, we have them on our radar nonetheless. There are, however, ten bills that we oppose and will be pounding the halls in the Capitol making sure the voices of California’s gun owners are heard (check out our article on our legislative tracking tool, Fiscal Note).

One of the most significant proposals is SB 906 by anti-gun zealot Senator Anthony Portantino, which dramatically steps on the privacy rights of gun owners. In an attempt to address the problem of “mass casualty threats”, Portantino’s bill would mandate that **parents of**

**public school children disclose to the school if they have guns and the specifics of how they are stored.** All this is supposedly in the name of school safety, but this bill would actually treat every school age child as if they are potential shooters. This is an extraordinary overreach and is an absolute violation of the 4th Amendment. This is a lawsuit waiting to happen and GOC will oppose this most vociferously.

Governor Newsom continues his gun control roll with his push to allow private citizens to sue gun manufacturers. This legislation – **SB 1327 (Hertzberg/D)** – is reckless and wholly designed to bankrupt gun makers and we will be fighting this one tooth and nail.

**AB 311 – Ward/D** - Prohibits the sale of firearm precursor parts at the Del Mar Fairgrounds property – even though firearms and ammunition are already banned.

**AB 1621 – Gipson/D** – Makes certain “findings and declarations” and would express the intent of the Legislature to enact legislation relating to unserialized firearms. Additional language is sure to come; nothing positive can come from this.

**AB 1769 – Bennett/D** – Adds the Ventura County Fairgrounds to the list of county properties to ban gun shows.

**AB 1869 – Rodriguez/D** – Makes the possession of an unserialized firearm or possession of a firearm with an altered, removed, or obliterated serial number punishable as a felony.

**AB 2156 – Wicks/D** – Decreases the manufacturing threshold requiring a license to manufacture guns in California from 50 or more firearms in a calendar year to 4 or more firearms in a calendar year.

**AB 2551 – McCarty/D** – Establishes a host of new rules for gun shows, from

required certifications, notices and prohibitions of selling so-called “unfinished” firearms.

**SB 906 – Portantino/D** – Requires that parents disclose to their local school district whether they have guns and how they are stored.

**SB 915 – Min/D** – Bans gun shows on all state properties.

**SB 1327 – Hertzberg/D** – Permits a private right of action for individuals to sue gun manufacturers.

**SB 1384 – Min/D** – Mandates firearm dealer training and comprehensive video surveillance of premises.

**GOC is also pleased to support the following solid proposals:**

**AB 2033 – Smith/R** – Extends the validity of a license issued to carry a concealed firearm to five years.

**SB 1386 – Melendez/R** – Requires the sheriff or chief of police to issue a license to carry a concealed handgun if good cause exists for the issuance.

### 2022 EVENTS! WE ARE RARING TO GO!

GOC is moving full-steam ahead on our events for this year and tables and shooting teams are filling up FAST!

We are enormously excited that our Sacramento Crab Feed is back at one of our favorite venues, the Great Gun Giveaway is locked down at Camanche, our Oroville event is firmly on the calendar – and there’s more to come! We can’t tell you how excited people are to celebrate the 2nd Amendment together – and in grand fashion. Games, raffles, great food, terrific people and above all a ton of cool guns. JOIN US!

**Saturday, April 23, 2022:** The Great

Gun Giveaway Sporting Clay Shoot and Dinner at Camanche Hills Hunting Preserve in Lone.

**Friday, May 6, 2022:** Sacramento Crab Feed at the Citrus Heights Community Center.

**Friday, May 20, 2022:** Oroville Crab Feed at the Southside Oroville Community Center.

Soon, we will have firm dates for our crab feed in Vacaville. PLUS, dinner committees are currently being launched in San Joaquin/Stanislaus counties, Lake County AND Riverside/East San Diego counties, too! Anyone interested in stepping up and getting involved with GOC and these dynamic dinners, contact us TODAY! We want your help and we need your help!

### GOC UNVEILS NEW LEGISLATIVE TRACKING SERVICE

Staying on top of the issues that matter most to our members is critical – especially given that the Second Amendment is at the top of the Left’s kill list. We can’t afford to miss a beat. This means that we must be alerted to every update on every gun bill. Sometimes it’s like drinking from a firehose – but rest assured, we will continue to make sure we can keep you ARMED & INFORMED.

Things change in legislation and they change fast. From committee schedules and amendments, to introductions of new bills and comments on regulations, being able to reliably track what’s happening at the State Capitol is no easy task. This is why we are pleased to announce a brand new service that will assist GOC – and you – in being able to follow the crazy stuff that happens under the dome in Sacramento.

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LEGISLATIVE TRACKING...CONT.

Together with Gun Owners of America, we've joined a platform called Fiscal Note, which will permit anyone interested in Second Amendment legislative activity in California to have access to current bill language, committee hearings and GOC commentary. Plus, with this new tool, members will also be able to communicate directly with their representatives in the Senate and Assembly.

For a list of the bills GOC is currently tracking, select the LEGISLATION tab on our website home page. Once bills are set for hearing, the TAKE ACTION tab will be available for use. We are hopeful that this new feature will enable the 2A community to be better ARMED & INFORMED!

SENATOR PORTANTINO NEEDS A 4TH AMENDMENT LESSON

One of the most important principles of our U.S. Constitution is that we, as Americans, have a reasonable expectation of privacy. Evidently, that has little to no meaning to Senator Anthony Portantino, who has authored **SB 906** that

**mandates parents of public school children disclose to the school if they have guns and the specifics of how they are stored.**

**Enter the 4th Amendment:** it not only protects, but also promotes the expectation of privacy, ensuring that we, as Americans, have a right to be free from intrusion in our homes – whether it's a physical or electronic intrusion or from a stranger or the government.

The thought that an arm of the government – in other words your local school district – could be forced to question parents about what they have in the privacy of their homes – an item legal to own, no less – is shameful. **School districts have no more right to question parents about what guns they have than to ask how much beer is in their refrigerator.**

The very same absurd nexus that Portantino thinks there is between guns in the home and school shootings can also be made with alcohol: **why not compel parents to tell how much vodka is in the liquor cabinet, how much wine is in that pricey wine fridge, or how much beer is in that cooler on the patio?** Because let's be honest here – we all know that kids get the majority of

their booze for weekend parties from under their own roof.

Does this LA Democrat know that CDC data indicates that nearly one million high school teens drink alcohol and get behind the wheel every year, and that surveyed students aged 16 years and older said they had driven a vehicle **one or more times during the past 30 days when they had been drinking alcohol?** It might surprise the Senator that tragically, approximately **4,300 deaths** are attributed to underage drinking every year and of these, around 1,600 are due to motor vehicle crashes.

We highly doubt Senator Portantino – in the name of saving children – would introduce a bill mandating school districts to require parents inform them of what alcohol they have in their homes and how it is stored. To that end, treating anyone as if they are potential “mass casualty threats” with zero evidence is an extraordinary violation of rights – privacy or otherwise – and will have no impact on the actions of law breakers.

GUN OWNERS of California

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.

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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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