

**Microstamping continued . . .**

and nowhere near ready for implementation. But not here in California - we have a Governor who brags about signing this legislation as an accomplishment, even though he admits in his signing message that the technology does not work! Only in California...

Look for the politics of microstamping to get ugly in the next few months. Attorney General Jerry Brown will have to choose whether to proceed with a costly measure that is not ready for implementation (and greatly affects the Second Amendment rights of law-abiding citizens) and doing the right thing by halting any movement on the whole issue until the basic requirements of the statute are met. This, of course, will guarantee anger and outrage from the radical anti-gunners in the legislature that Jerry Brown needs in his camp as he runs for Governor.

The final truth of the matter is that firearms manufacturers will not be incorporating microstamping technology into their products under any circumstances. "I have no reason to believe there is any major manufacturer that is going to incur the millions of dollars in costs to implement microstamping for new models introduced in California," said Larry Keane, Senior Vice President of NSSF, a trade association that represents firearms manufacturers.

Better stay tuned because this one isn't over by a long-shot!

**Redistricting continued . . .**

- Contributed two thousand dollars (\$2,000) or more to any congressional, state, or local candidate for elective public office in any year.

According to the new law as stated by the State Auditor, the Citizens Redistricting Commission must draw the district lines in conformity with strict, nonpartisan rules designed to create districts of relatively equal population that will provide fair representation for all Californians.

Here is the Timeline for selecting members of the Commission:

- 60-day online application period: 12/15/09 – 2/12/10
- Initial screening of Applications.
- Qualified and disqualified applicants are notified.
- Qualified applicants submit 2nd application: 2/16/10 – 4/2/10
- Applicant Review Panel (ARP) reviews applicant qualifications and identifies 120 of the most qualified applicants: 4/7/10 – 7/19/10
- ARP interviews 120 of the most qualified applicants: 7/20/10 – 9/13/10
- ARP selects 60 of the most qualified applicants: 9/14/10 – 9/30/10
- ARP sends list of 60 applicants to Legislature who has up to 24 "strikes": 10/1/10 – 11/15/10

- The State Auditor randomly selects the first eight commissioners no later than 12/20/10

Following random selection of the first eight commissioners, the State Auditor's Office provides them with the names of remaining candidates. Those first eight commissioners select the remaining six to establish the 14-member commission.

This entire process must be conducted in public and Gun Owners of California will be watching this process intently.

GOC is asking any of our members who decide to apply to become a member of the Commission to let us know. Give us a call or send us an email so that we can do whatever we can to insure that your application is dealt with fairly. Our phone number is (916) 984-1400 or you can email us at [samp@gunownersca.com](mailto:samp@gunownersca.com).

We have always said that if we had fair districts in California, we would have a very good chance of electing a pro-gun legislature. Here is your opportunity to be a part of a process to bring fairness and honesty back to our legislature.

For more information or to apply to become a member of the Citizens Redistricting Commission go online to [www.wedrawthelines.ca.gov](http://www.wedrawthelines.ca.gov) and remember to let us know that you have applied.



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## Merry Christmas and Happy New Year

By Sam Paredes - Executive Director

As 2009 winds down and we begin our 35th year of continuous operation, we at Gun Owners of California want to wish all of our friends and supporters a very Merry Christmas and a Happy New Year.

Even though our country, and especially our state, is experiencing one of the largest economic and political downturns in recent history with rising unemployment, federal and state budgets that are spiraling out of control, and tough finances for all, we have been blessed with your continued support. We are still here because of the faithfulness and foresight of our friends. It is important to stay in the arena especially during these tough times because now is the time that the enemies of the Second Amendment will use to further their agenda.

Take AB 962 as an example. If it were not for the financial and structural disasters that are facing California today, it is conceivable that legislative anti-gunners would not have been successful in convincing Governor Arnold Schwarzenegger to sign a bill he had vetoed in the past in exchange for their support for his solutions to our state's problems. Nothing else makes sense.

AB 962, as it was amended and signed by the Governor, is nothing more than a total disregard for the rights of law-abiding citizens. It is a lie... a sham and nothing more. The bill that was signed is a total throw-back to a program that failed massively nationwide. It does not transmit information to law enforcement authorities, it does not prevent criminals from buying handgun ammo, there is no way to tell anything about who is buying anything unless law enforcement officials physically go to every

vendor in the state and actually copy the information from the paper log books that will be kept at the business for 5 years. That's because, if the Department of Justice were to check all of the handgun ammunition transactions, it would cost millions of dollars to develop the capability for them to acquire and process the data and fingerprints. Even now, there is no mechanism in place to do this. Firearms dealers, much less ammunition vendors like Wal-Mart and other "Mom and Pop" non-gun selling stores do not have digital thumbprint readers to make the information usable and transmittable.

The result of all of this is that starting January 1, 2010, ammo vendors will be harassed and inconvenienced, just like they were between 1968 and 1986, by being forced to do background checks on themselves and their employees who handle handgun ammo, not rifle or shotgun ammo, just handgun ammo. They will also have to make all handgun ammo unavailable to purchasers without the help of an employee. It matters not that there is no evidence that handgun ammo is being stolen from vendors anywhere in CA.

Next, beginning February 1, 2011, handgun ammo purchasers will be required to fill out a form with name, address, driver's license number, type and quantity of ammo purchased, give a thumbprint and the vendor who helped the purchaser will have to sign the form. The form is required to stay in the vendor's place of business for 5 years. Also, since all handgun ammo sales transactions must be conducted face-to-face, it will be impossible for shipping companies like UPS and FedEx to deliver

mail-order purchases to any residence, in essence, creating a ban on mail order purchases.

Governor Schwarzenegger and Assemblyman de Leon have done nothing more than deepen the recession in this once golden state by forcing law-abiding citizens who refuse to be treated like a criminal by giving their most precious form of personal identity, their thumbprint, every time they purchase handgun ammunition. It is guaranteed that thousands, if not tens of thousands, of law-abiding Californians will be buying their handgun ammo in Nevada, Arizona or Oregon thereby costing the state millions in lost sales tax revenue.

This issue is not over with; the bad news is that wannabe Speaker of the Assembly de Leon has plans to expand the mess he has created with AB 962 by going after the rest of his goals. He wants to create a statewide database of handgun ammo purchasers and most assuredly will ask for background checks and waiting periods. Long gun ammo will be next. The good news is that AB 962 is so poorly written that the Department of Justice is rumored to be passing the buck on writing implementing regulations on the bill and is leaving it up to each County Sheriff to figure out how "they" will be enforcing the law.

Finally, AB 962 is so clearly an infringement of the Second Amendment that a legal challenge is fully expected if the McDonald v. Chicago case incorporating the Heller decision to State and Local governments is successful.

The "Fat Lady" is still in her dressing room on this one. We will keep you informed.

**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.

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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.
- [www.gunownersca.com](http://www.gunownersca.com)

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Contributions and gifts to Gun Owners of California, Inc. are not deductible as charitable contributions for federal income tax purposes.

## GOC Legislative Update

By Gwen Friesen - GOC Staff Writer

The year 2010 promises to be another very challenging year. Rest assured that the radical anti-gunners in the legislature are not going to rest just because California continues to crash financially at a record pace, or because it is a mid-term (Presidentially speaking) that appears to be boding well for pro-gun Republicans throughout the country. In California, we can fully expect efforts to expand AB 962 even though it will not have gone into full effect. We can also expect that the anti-gun leadership will be trying to figure out ways to implement *microstamping* under any circumstances.

In lobbying on your behalf, our first job is to fight anti-gun bills in the legislature. Our Founder and Chairman, Senator H.L. Richardson, reminded us recently that one of the reasons former Governor, and now Attorney General Jerry Brown does not have an anti-gun record is because we never allowed anti-gun legislation to make it to his desk when he was Governor. Back in the 1970's and 80's, GOC and the pro-gun movement were strong enough to thwart anti-gun bills early, strong enough to defeat statewide initiatives like Proposition 15 (the handgun ban) and strong enough to defeat anti-gun legislative candidates and judges like CA Supreme Court Justice Rose Bird. We are working hard to regain that strength and will do so with the help of our dedicated friends and supporters.

Gun Owners of California will keep you fully informed as the old issues are revisited and new ones float to the surface. We will be there, in the halls of the legislature, fighting on your behalf to protect our Second Amendment rights.

The very least we will have to deal with all the bills that were put off until 2010 for action. The following is a list of the most notable of the bills. Some are good and some are very bad.

- SB 250**  
**Author:** Senator Dean Florez (D - Shafter)  
**Title:** Dogs and Cats: spaying and neutering  
**Status:** Assembly Inactive file!  
**GOC Position:** *Oppose*  
**Summary:** Nobody can own, or keep, or harbor

an unsterilized dog, nor a cat if the cat is allowed its freedom to roam. Mandatory sterilization. It applies to hunting dogs, is why we are concerned and took a stand of strong opposition. The bill is lodged in the Assembly inactive file.

- SB 697**  
**Author:** Senator Mark DeSaulnier (D – Concord)  
**Title:** Firearms: Smart guns  
**Status:** Held in Senate Public Safety  
**GOC Position:** *Oppose*  
**Summary:** Technology for guns to recognize owners is not yet developed.

- SB 746**  
**Author:** Senator Mark DeSaulnier (D – Concord)  
**Title:** Gun Safety Board  
**Status:** Held in Senate Rules Committee  
**GOC Position:** *Oppose*  
**Summary:** Bill would create another layer of anti-gun bureaucracy.

- SB 776**  
**Author:** Senator Loni Hancock (D – Berkeley)  
**Title:** Large Capacity Magazine Registration  
**Status:** Held in Senate Public Safety Committee  
**GOC Position:** *Oppose*  
**Summary:** Bill demands large-capacity magazines be registered with the DOJ.

- AB 357**  
**Author:** Assemblyman Steve Knight (R – Lancaster)  
**Title:** Firearms: CCW Freedoms  
**Status:** Held in Assembly Public Safety Committee  
**GOC Position:** *Support*  
**Summary:** Converts California into a “shall issue” state rather than a “may issue” as it is now.

- AB 1167**  
**Author:** Assemblyman Jim Nielsen (R – Biggs)  
**Title:** Firearms: CCW: reciprocity  
**Status:** Held in Assembly Public Safety Committee  
**GOC Position:** *Support*  
**Summary:** CCW permits from other states would be honored in California and the DOJ would enter into reciprocity agreements with other states.

## Microstamping Update

By Sam Paredes - Executive Director

As California continues to spiral down a financial abyss, do not be surprised to find Attorney General Jerry Brown and the California Department of Justice throwing more of your money down a rat-hole!

Rumor has it that the Assemblyman Mike Feuer (D-Los Angeles) has been bugging the AG and DOJ to go ahead and develop implementing regulations for AB 1471, a bill he sponsored and was signed by Governor Arnold Schwarzenegger in 2007, even though nothing is ready to go. Feuer's goal is to have the statute in operation beginning on January 1, 2010. The bill says that all new semiautomatic pistols sold after the bill goes into full effect will be required to leave micro stamped characters identifying make, model and serial numbers in two locations on every spent shell ejected by the pistol. The Department of Justice recently informed firearms manufacturers that they do intend on announcing proposed regulations and submitting them for public comment. This is where logic and common sense vaporize.

First, AB 1471 requires that the DOJ declare a few things before it can be implemented. It is required to confirm that the sole-sourced and patented technology be in the public domain free of any patent restrictions. Restrictions are things like patent owners requiring licenses or royalties from users of their technology and that begs the question, why have a patent if you can't control the use of the invention and make money on it? Also, the DOJ is required to certify that at least two companies are able to provide the microstamping service to semiautomatic pistol makers without any patent constraints. Nothing can be implemented until these two issues are resolved, so why is the DOJ agreeing to proceed with the expensive regulatory process before these things are accomplished first?

We do know that since the passage of AB 1471, although at least seven other states have considered laws requiring microstamping and they have all dropped their proposed bills when testimony showed that every peer-reviewed study including one from UC Davis (made at the Governor's request), national forensics experts, the National Academy of Sciences and virtually every major law enforcement organization in the country has stated that the technology is inconsistent

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## GOC Friend of the Court Brief – McDonald v. Chicago

By Sam Paredes - Executive Director

On Monday, November 23, 2009, Gun Owners of California, Gun Owners of America, and Gun Owners Foundation filed a friend-of-the-court brief in the United States Supreme Court in support of four Chicago residents who are seeking to invalidate a city ordinance prohibiting them from owning or possessing a handgun in their own home (McDonald v. Chicago).

The GOC/GOA/GOF brief argues that the privileges or immunities clause of the 14th Amendment is the correct basis for ruling that the Second Amendment protects the individual right of all Americans, not just those living in Washington, DC. This brief also points out the pitfalls of using the due process clause to reach this conclusion. The following is an excerpt of the brief:

### SUMMARY OF ARGUMENT

The ordinance challenged below banning handguns in Chicago is functionally identical to the District of Columbia handgun ban struck down last year in District of Columbia v. Heller, 554 U.S. \_\_\_, 128 S.Ct. 2783 (2008). In Heller, this Court determined that the Second Amendment's right to keep and bear arms protected an individual, not a collective, right, held by “the people.” Since the Second Amendment applied directly to the District

of Columbia, it could not be infringed by that jurisdiction. Heller also determined that the right to keep and bear arms was owned by “the people” — Americans, members of the national political community, citizens of the United States.

In the instant case, this Court is asked to determine whether the right to keep and bear arms is among the privileges or immunities of citizens of the United States. If it is, the handgun ban imposed by Chicago, a subdivision of the State of Illinois, must also be struck down as a state abridgement of those individual rights.

After this Court's decision in the Slaughter-House Cases, 83 U.S. (16 Wall.) 36 (1873), the Privileges or Immunities Clause has been rarely invoked, but it continues to protect important national rights of citizens of the United States from abridgement. The right to keep and bear arms is such a protected right of citizens of the United States.

Although petitioners have asked this Court to construe the Fourteenth Amendment as overturning Barron v. Baltimore, 32 U.S. (7 Pet.) 243 (1833), and have asked the Court to reverse Slaughter-House Cases and two other late nineteenth century cases, no such sweeping change would be required for this Court to find

the right to keep and bear arms to be a protected privilege or immunity of U.S. citizenship which the City of Chicago cannot abridge.

Lastly, these amici urge the Court not to resolve this case by incorporating the right to keep and bear arms into the Due Process Clause of the Fourteenth Amendment. The incorporation doctrine is nontextual, and would require the Court to violate basic principles of construction. Further, the Due Process Clause applies to all “persons,” while the Privileges or Immunities Clause protects only “citizens of the United States” — the Fourteenth Amendment's direct analog to “the people” protected by the Second Amendment. Moreover, due process incorporation would expose the right to keep and bear arms to erosion over time, as has already happened to the right to jury trial in criminal cases. And such an approach would temporize the right to keep and bear arms, making it vulnerable to reassessment based on changing trends in state law, as well as national and even international developments.

To read the complete brief go to our website [www.gunownersca.com](http://www.gunownersca.com) or go to <http://www.gunowners.com/GOF-McDonald-Amicus-Brief3.pdf>.

## Redistricting: Your Chance to Make a Difference!

By Sam Paredes - Executive Director

According to the U.S. and California Constitutions, every decade, after completion of the federal census, California is required to re-draw all of its Congressional, legislative and Board of Equalization district lines to reflect changes in the population or migration of people from one part of the state to another. In the past, the wolf has been in charge of the chicken coop – state legislators drew their own districts and those of all the other offices including Congressional districts, but when voters passed Proposition 11 (the Voters FIRST Act) in the November 2008 general election, that responsibility was taken

from the legislature and given to a new Citizens Redistricting Commission made up of common citizens.

Gun Owners of California encourages all of its members to apply with the California State Auditor's office to be a member of the Commission if they meet the qualifications.

If you or a member of your immediate family has done any of the following, then you are not qualified to be a member of the Commission:

- Been appointed to, been elected to, or

been a candidate for federal or state office.

- Served as an officer, employee, or paid consultant of a political party or of the campaign committee of a candidate for elective federal or state office.
- Served as an elected or appointed member of a political party central committee.
- Been a registered federal, state, or local lobbyist.
- Served as paid congressional, legislative, or Board of Equalization staff.

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