



GUN OWNERS of California

GUN OWNERS OF CALIFORNIA EMERGES AS AMICUS COORDINATOR

By Sam Paredes, Executive Director

It's no secret that given the present make-up of the government in California, Second Amendment victories are going to be hard in coming through the legislative process, which is why we are also focusing our efforts on two other solid options: **the elections and the courts.**

Gun Owners of California has been leading the battle to protect the Second Amendment since 1975. That's 42 years of walking the halls of the State Capitol. We have also worked non-stop in **every single election cycle since then** – in primaries, generals and numerous special elections across the state, supporting pro-gun candidates. That's a lot of experience and a lot of time invested in defense of our rights.

Now, GOC has emerged as the **premier organization in coordinating and funding friend of the court briefs** (technically known as *Amicus Curiae Briefs*) in support of the most significant lawsuits filed both here in California and across the nation. These briefs are critical as they bring the voice and perspective of law enforcement, subject matter experts and/or other state firearms associations together in support of those cases. They add supplementary insight, technical expertise, and

related crucial arguments to the issues considered by the judges when the cases go to trial. These briefs are filed in various Circuit Courts of Appeal and the all-important U.S. Supreme Court.

Although we are single-minded in our mission, we understand that we are not in this fight alone. We know it takes a team effort to win and we work closely with other pro-gun organizations toward the common goal to preserve, protect and restore the 2nd Amendment. Our rights do not, and should not end at the California border, which is why we have joined the California Rifle and Pistol Association, the National Rifle Association and other groups who serve as plaintiffs in many of the cases currently before both federal and state courts. **We will continue to support such cases by filing friend of the court briefs, thus providing GOC's legal expertise, as well as our constructive and historical knowledge of the 2nd Amendment.**



WHAT CALIFORNIA SHERIFFS ARE SAYING ABOUT GUN OWNERS OF CA!

"I stand with GOC because they stand with me in protecting our 2nd Amendment rights."

~ Sheriff John D'Agostini
El Dorado County

"Gun Owners of California is in the trenches fighting for our 2nd Amendment rights in the hostile and anti-gun California legislature."

~ Sheriff Tom Bosenko
Shasta County

"GOC gets it - they have a long history of fighting for our 2nd Amendment rights and for common sense to crime control, not gun control."

~ Sheriff Donny Youngblood
Kern County

"In San Bernardino County, I believe it's every citizen's right to lawfully carry a firearm to protect themselves and their families. I support Gun Owners of California for defending our 2nd Amendment Rights."

~ Sheriff John McMahon
San Bernardino

We are **PROUD** to stand with these law enforcement leaders in defending our rights!

THE FOLLOWING IS A LIST OF THOSE COURT CASES IN WHICH GOC HAS FILED AMICUS BRIEFS. FOR A FULL LIST OF PENDING GUN-RELATED LITIGATION, GO TO WWW.GUNOWNERSCA.COM UNDER "NEWS".

Peruta v. San Diego - California CCW "Good Cause" Requirement

In June 2015, the "en banc" panel of the 9th Circuit Court of Appeals ruled in favor of San Diego County, holding the government's denial of the only means of carrying a firearm under state law does **not** implicate the Second Amendment. This decision reverses an earlier three-judge panel decision and stands in conflict with the Supreme Court's decision in *Heller III v. District of Columbia*. The plaintiffs petitioned for a Full Court *En Banc* Rehearing by all sitting members of the 9th Circuit which was denied. **The case has been appealed to the Supreme Court.**

McKay v. Hutchens - Orange County Sheriff CCW Issuance Policies

In light of the Peruta ruling, awaiting action by the Supreme Court.

Fyock v. Sunnyvale

The passage of SB 1446 and Prop 63 prohibiting the possession of 10+ round magazines statewide now preempts the local ordinance and is moot. The case was dismissed without prejudice in December 2016. Separate litigation is being prepared to challenge the State's 10+ round magazine ban; if successful, the case will be refiled against Sunnyvale.

Jackson v. San Francisco - Requirement for Locked Storage of Firearms

On September 3, 2015, the Court *dismissed* the plaintiff's action against the city.

Silvester v. Harris - 10-Day Wait as Applied to Current Firearms Owners

In December 2016, the 9th Circuit upheld the 10-day wait as applied to current gun owners. Chief Judge Sydney Thomas further stated the restriction is "presumptively lawful" and falls "outside the scope of the Second Amendment." Plaintiffs will either request review by an 11-judge "en banc" panel or submit a petition for review to the United States Supreme Court.

Parker v. California - Challenge To "Handgun Ammunition" Sale Registration Requirement and Mail Order Ban (Senator de Leon's SB 962).

Due to the passage of Prop 63, in December 2016 the California Supreme Court *dismissed* its review of the Court of Appeals' opinion that upheld the trial court's order which struck down SB 962. Plaintiffs' motion for attorneys' fees will be heard sometime this year.

Woolard v. Gallagher - CCW Permits/ "Good Cause"

The Fourth Circuit Court of Appeals upheld Maryland's handgun licensing rules that limit the right to carry a concealed weapon to those who have proven a "good and substantial reason." The Supreme Court denied review on October 15, 2013.

Baker v. Lynch - Challenge to Firearm Prohibition for Misdemeanor Domestic Violence

The case was stayed pending the final resolution of *Peruta*. The timeline for this case is currently unknown.

Kolbe v. Hogan - Challenge to Maryland's Ban On "Assault Weapons" And 10+ Round Magazines

In February 2016, the 4th Circuit overturned the district court's approval of the ban under intermediate scrutiny, and ordered the district court to apply "strict scrutiny." The State appealed and the case was reheard by the full 4th Circuit sitting "en banc" on May 11, 2016. A decision from the 4th Circuit could come anytime.

Grace v. District of Columbia - Challenges Washington D.C.'s "Good Reason" Requirement for The Issuance of A CCW Permit

In May 2016, the Court granted Plaintiffs' request for an order blocking enforcement of the "good reason" requirement. The government appealed the decision to the D.C. Circuit Court of Appeals and the Court issued a stay of the lower court's order that prohibited D.C. from enforcing its "good reason" requirement. Oral arguments in the case were held in September 2016; a decision from the Court of Appeals is expected at any time.

Colorado Outfitters v. Hickenlooper - Challenges Colorado's Ban On 15+ Round Magazines

In March 2016, the 10th Circuit Court of Appeals ruled the Plaintiffs did not have standing to bring their claims and ruled against their appeal.

AMICUS BRIEFS...CONT.

Heller III v. DC

In September 2015, the D.C. Circuit issued an opinion striking down the majority of Washington D.C.'s firearm registration requirements as a violation of the 2nd Amendment. In October 2015, D.C. filed a petition for an "en banc" rehearing which was denied.

Henderson vs. U.S. - Felony Conviction/Transfer or Sale of Firearms

Oral arguments were heard in February 2015 before the US Supreme Court. In a 9-0 decision, the court-ordered transfer of a felon's lawfully owned guns from government custody to a third party is not barred by a law that prohibits felons from possessing guns if the court is satisfied the recipient will not give control over the firearms.

LEGISLATIVE "LOWLIGHTS"

GOC has a full-court press on each of these bad boy bills. Go to www.gunownersca.com for additional info and how to register your opposition with legislators.

AB 7 / Gipson / Passed the Assembly - In Senate Public Safety

Prohibits open-carrying of an unloaded long gun in unincorporated areas of the state.

AB 424 / McCarty / Passed the Assembly - In the Senate

Removes authority of school officials to authorize a CCW license holder to carry on school grounds.

AB 736 / Gipson / Before Full Assembly

Authorizes Dept. of Justice (DOJ)/local authorities to impose a civil fine for violation of firearms licensing requirements committed by a licensed firearms dealer.

AB 1525 / Baker / Passed the Assembly - In the Senate

Requires a statement on dangers of owning a gun to be printed on firearm packaging.

SB 464 / Hill / Passed the Senate - In the Assembly

Requires firearm dealers to install security measures such as concrete pillars in front of the store, and/or vaults that meet certain standards.

SB 497 / Portantino / Passed the Senate - In the Assembly

Limits sale of firearms to an individual to one gun a month for all firearm types.

SB 536 / Pan / Passed the Senate - In Assembly Public Safety

Requires the DOJ to provide information regarding gun violence restraining orders, etc. to the Firearm Violence Research Center; DOJ can cherry-pick who gets the data.

SB 620 / Bradford / Passed the Senate - In Assembly Public Safety

Gives courts the discretion to not issue mandatory sentencing provisions for the felony use of a firearm.



LAW ENFORCEMENT LEADER: SHERIFF SCOTT JONES

It's always a good thing to have law enforcement in your corner, and GOC is proud to have such a distinguished group of leaders who are willing to go to bat for the gun-owning citizens of our state.

One of the best around is **Sacramento County Sheriff Scott Jones**. He is one of those very unique elected officials who has kept a campaign promise: *he pledged to approve more concealed carry handgun permits than his predecessors.*

And boy, has he delivered, raising the total number of permits held in Sacramento County from about 350 in 2010 to a current number that totals roughly 8,000. This, however, has not been without controversy. He has been called irresponsible, and members of the legislature have gone so far as to say he dispenses CCW permits "like Halloween candy."

Last year, fellow Sacramentan Assemblyman Kevin McCarty introduced a bill to lift the cap on CCW fees because he alleged that "some authorities" (Sheriff Jones) were charging "inadequate fees" to cover the cost of issuing and overseeing the permits. Of course, this is pure baloney. Even anti-gun Governor Brown saw through McCarty's dishonesty and refused to sign the bill, calling it a "a local dispute in one county..."

McCarty has such a big axe to grind against Sheriff Jones that he then

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OVER PLEASE ...

**LAW ENFORCEMENT LEADER:
SHERIFF SCOTT JONES...CONT.**

convinced his fellow anti-gun colleagues to approve an audit request of Sacramento County. McCarty charged that some jurisdictions have a "shortfall" due to CCW permit procedures, yet this claim was bogus as well, because at the end of the **last fiscal year, Jones gave back \$500,000 to the general fund and came in under budget.**

It certainly is alarming that legislative bullying extends to the top dogs in law enforcement, but GOC has an enormous amount of respect for leaders like Scott Jones and others like him who have the intestinal fortitude to resist the push of political correctness. Thank you for standing with Gun Owners! We will never forget your dedication to our Constitution.



**JUDICIAL FRESH AIR WITH
GORSUCH ON COURT**

New life has been breathed into the bevy of court challenges the gun community has been forced to file in recent years, courtesy of hostile laws made by even more hostile politicians. With the Obama-era having come to a thankful end and the election of a pro-gun president, bringing cases before the Supreme Court is no longer a daunting legal task. After eight years of Constitutional hostility, it's as if an inspirational and refreshing breeze has blown some common sense from the American heartland straight into the grime of Washington D.C.

Pledging to be a **"faithful servant"** to the Constitution, President Trump's appointment of Justice Neil Gorsuch is a first-rate choice to fill the vacant seat of our 2nd Amendment lion, the late Antonin Scalia.

This is critical for us at GOC – and other 2nd Amendment loyalists, because there are several gun rights cases that are currently making their

way through the court system that could have a very real impact in California.

In Peruta v. California, Gun Owners of California and our national counterpart Gun Owners of America is challenging oppressive state laws that limit the right to carry concealed.

Our amicus brief challenges the state's restrictive "good cause" requirement for concealed carry licenses (as if defending yourself and family were not "good cause" enough). In doing so, we are arguing that California's laws clearly infringe the Second Amendment.

We are also arguing that the original challenge to the law interprets the Second Amendment too narrowly, attempting to appear reasonable to judges rather than relying on the robust constitutional text. GOC will remain steadfast in the legal trenches! See accompanying article on our other amicus cases.

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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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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