



## GUN OWNERS of California

### THE COURTS: GOC'S KEY STRATEGY

By Sam Paredes, Executive Director

Gun Owners of California has been knee deep in court cases for the past few years – and this is where we have achieved the majority of our wins. Given the political makeup at the Capitol in Sacramento, the courts are a vibrant and “target rich” environment for some solid 2A victories, and we expect some key decisions in 2024. The list below represents our current legal activity – whether as actual plaintiffs, filers of amicus (friends of the court) briefs or general support in the gathering of statistical data. And remember, out-of-state court cases can have a dramatic and positive impact on California law. Battling it out in the courts has become key in our strategy to defend the Second Amendment – and it takes a significant amount of financial resources. The following is a comprehensive list of priority cases; thank you for continuing to support us in these notable efforts!

#### US v Rahimi (Red Flag Laws)

An **amicus (friend of the court) brief** has been filed by GOC and CRPA that calls into question the constitutionality of Gun Violence Restraining Orders, or Red Flag Laws as they are commonly known. Notwithstanding the clear fact that plaintiff Zackey Rahimi is a less than model citizen, this does not excuse the government from violating any individual’s civil rights without the constitutional protection of due process. This case was argued before SCOTUS in early November, and a decision will be forthcoming in late Spring of 2024.

#### May v Bonta (Sensitive Places)

A lawsuit challenging Senate Bill 2 (SB2) was filed on September 12, 2023, just days after the bill was passed by the California legislature, which establishes the majority of the state as “sensitive places” and makes significant changes to Concealed Carry Weapons (CCW) procedures and increases the costs of obtaining a permit by law-abiding citizens. It is an apparent attempt to circumvent the ruling from the United States Supreme Court in *New York State Rifle and Pistol Association v Bruen*, which legally established California a “shall issue” state. The suit was filed by a robust contingent of 2A warriors as **plaintiffs** including YouTube sensations Reno May and Anthony Miranda (the Armed Scholar), and GOC/GOA/GOF, Second Amendment Foundation, Liberal Gun Owners Association and our trusted partners, the CRPA.

#### Maryland Shall Issue v Montgomery County Maryland (Sensitive Places)

On August 28, 2023, GOC/GOA/GOF joined CRPA, 2A Law Center, CCRKBA, and several other Second Amendment groups to file an **amicus brief** with the 4th Circuit Court of Appeals to challenge the establishment of sensitive places by Montgomery County, thereby rendering a concealed weapons permit as useless.

#### Wolford v Lopez (Sensitive Places)

On August 8, 2023, Federal Judge for the District of Hawaii, Judge Leslie E. Kobayashi, issued a Temporary Restraining Order (TRO) preventing the majority of Hawaii’s sensitive places law established by SB 1230, as unconstitutional based on the Bruen test of text, history and tradition. On September 7,

2023 the State of Hawaii appealed the ruling to the 9th Circuit Court of Appeals. GOC/GOA/GOF, CRPA, 2A Law Center, SAF, and the Hawaii Rifle Association wrote an **amicus brief** that was quoted by Judge Kobayashi in her ruling.

#### Delaware St. Sportsmen’s v DE Dept. of Homeland Security (Assault Weapons Ban)

On July 10, 2023, GOC/GOA/GOF teamed up with CRPA, 2A Law Center and a number of other pro-gun partners to file an **amicus brief** with the 3rd Circuit Court of Appeals to challenge Delaware’s so-called assault weapons ban.

#### NYSRPA v Bruen (Test for 2A Lawsuits)

On June 23, 2022, SCOTUS declared NY’s CCW system as unconstitutional and directed inferior courts – definitively - that two-step “balancing tests” can no longer be used by judges to decide gun control cases. The court ruled that only the text, history and tradition can be applied to evaluate cases. Bottom line, if the law or a similar law did not exist in 1791, it is unconstitutional. The cases of *Heller*, *McDonald*, *Caetano* and now *Bruen* must be used as a rock-solid basis to challenge ALL unconstitutional anti-Second Amendment laws across the country.

GOC/GOA/GOF filed an **amicus brief** on this landmark case.

#### Antonyuk v Negrelli/Hochol SCOTUS Challenge

On January 11, the Supreme Court de-

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## THE COURTS...CONT.

nied the emergency application filed in *Antonyuk v. Nigrelli* asking the Court to vacate the Second Circuit's stay of District Judge Suddaby's preliminary injunction decision striking down substantial portions of New York's post-Bruen gun law. Although the legal maneuverings are as complicated as they are confusing, this is a solid 2A win for us and demonstrates our **amicus** effectiveness.

### Junior Sports Magazine v Bonta (Firearms Marketing to Youth)

On July 8, 2022, CRPA, GOC and several other 2A partners challenged as **plaintiffs** California's violation of First Amendment rights of free speech, association and assembly by virtually banning all shooting and firearms related activities and marketing to youth. But on September 13, 2023, a 3-judge panel of the 9th Circuit Court of Appeals ruled that the State's ban was a clear violation of the 1st Amendment and enjoined the laws from going into effect. This is a clear victory for the 2nd Amendment via the 1st Amendment.

### Arnold v Brown (Permit Requirements)

This case brought by GOA and GOF as **plaintiffs** on the state constitutionality of Oregon's Measure 114, which was passed by a ballot initiative that requires a permit before a firearms purchase, training course mandates, fees as well as a ban on large capacity magazines. On December 7, 2022, a TRO was issued by Circuit Court Judge Robert Raschio and upheld by the State Supreme Court because the "danger of deprivation of fundamental constitutional rights for any period constitutes irreparable harm."

### Hughes v Lee (Carry Ban)

GOA and GOF are challenging in the state courts as **plaintiffs** in Tennessee's ban on carrying firearms for self-defense in ordinary places such as public

parks and public recreational venues.

### Texas (Paxton) v BATFE (Dettelbach) (Pistol Brace)

GOA and GOF are challenging as plaintiffs the Final Rule in the Federal District Court which was issued by the BATFE regarding the constitutionality of the agency's unlawful re-interpretation of the legality of pistol brace devices without congressional approval. Requesting a TRO. By necessity, this lawsuit also challenges the constitutionality of the "taxing" program known as the National Firearms Act of 1934.

### FFL of Illinois v Pritzker (Assault Weapons)

GOA and GOF as plaintiffs are challenging the State of Illinois Firearms Ban Act (so-called assault weapons ban.) On April 28, 2023, the Federal District Court issued an injunction preventing the law from going into effect. On May 1, 2023, the State appealed the ruling to the 7th Circuit Court of Appeals.

### South Bay Rod and Gun Club v Bonta (Legal Costs)

GOC is a plaintiff in this case that challenges California's AB 1327, a statute that makes it impossible for pro-2A lawsuits to be filed against the state. It would require pro-gun groups to reimburse the state for legal costs if any 2A plaintiffs do not win 100% in any case. In December of 2022, the Federal District Court issued an injunction preventing Newsom, Bonta or the state from enforcing AB 1327.

### Rhode v. Becerra (Ammo Sales)

Challenge to California's Ammunition Sales Laws and Regulations. After SCOTUS issued its ruling in *NYSRPA v Bruen*, the 9th Circuit remanded Rhode back to Judge Roger T. Benitez to reconsider under the mandated rule of text, history and tradition as the only guides to making a decision. The case now sits in Judge Roger Benitez' court, has been fully briefed and we are awaiting a decision very soon. GOC/GOA/GOC filed an amicus in this case.

## 2024 – WHAT'S ON THE GOC DOCKET?

*Yes, the 2024 Elections Are Upon Us*

2024 is just weeks away and GOC has been gearing up for what's ahead for months. It goes without saying that as an election year, there's a lot at stake and it's critical that the gun owner community is ARMED and INFORMED. You will notice that this year, there are some significant differences in how the election will be handled.

In 2017, Governor Jerry Brown (D) signed a bill that **moved our presidential primary from June to March**, a dramatic shift which was designed to increase the influence of high-population California in selecting presidential nominees. **The bill changed the presidential and statewide primary elections to the first Tuesday after the first Monday in March, on what is typically known as Super Tuesday, when many other states also hold nominating contests.** Because of this, GOC is under a super-tight deadline to bring our members information on those candidates who will appear on the March ballot. Thus, our first quarter newsletter will arrive earlier than normal and will include a thorough 2A candidate scorecard. This way, the gun owning community will have solid information on who supports the Second Amendment, *and who doesn't*. Watch your mailboxes in mid-February!

The other election change is that in 2021, **California made voting by mail permanent**, due to the supposed need to create an extended and more flexible voting process necessitated by COVID. The traditional focus on a single day of voting in-person has been thoroughly reformed, and although technically move convenient, this new process has opened the door to ballot harvesting and fraud.

The last day to register to vote for the March 5, 2024, Presidential Primary Election is February 20, 2024, and all

California active registered voters will receive a vote-by-mail ballot for the March 5, 2024, Presidential Primary Election.

We've said it before and we'll say it again: **telling an uninformed voter to vote is like giving a gun to someone who doesn't know how to shoot. It's dangerous.** But we need YOU - the informed - to register to vote and make sure your fellow 2nd Amendment supporters do as well. WHY? Because we have rock-solid proof that the gun community has made the difference between electing someone who is pro-gun and someone who is not.

Below is a QR code that will take you directly to the "Register to Vote" page on the Secretary of State's website. Just click - and if you aren't registered, please do so, and make sure that your friends and family follow suit. The 2024 GunVote is hugely important!



### THE TYRANNY OF EMERGENCY POWERS - IN CALIFORNIA AND ELSEWHERE

Earlier this Fall, the Governor of New Mexico stepped into some dangerous muck when she - through her executive powers - prohibited law-abiding gun owners in a significant portion of the state from bearing arms for 30 days. She has since extended this ban.

In the October 2, 2023 edition of the Washington Times, Gun Owners of America Executive Vice President John Velleco addressed this situation in an op-ed and asked - *and answered* - a crucial question that every freedom-loving American must heed:

*"If a governor can so blithely disregard the Constitution in New*

*Mexico today, where might this happen tomorrow? The answer is clear: Anywhere, unless we remain vigilant."*

Anywhere indeed. Those of us who live and breathe in California had an up-close and personal look at what can be done in the name of "emergency powers" and "public health." **It wasn't until February of this year - that's 2023 - a full 3 years since the COVID pandemic began - that Governor Newsom finally released his emergency powers chokehold on the state.** And for those who think it was a "one off" - think again - **1,091 days** is a pretty darn long "one off." (March 4, 2020 - February 28, 2023).

Make no mistake about this - Newsom readily admitted that he saw the coronavirus public health crisis as an **"opportunity"** to enact a political and ideological agenda. In an interview with Bloomberg News, when asked if he saw the potential for a **"new progressive era"** and an **"opportunity for additional progressive steps"** he said **'So yes, absolutely we see this as an opportunity to reshape the way we do business and how we govern.'**

Thus, Newsom used his emergency powers to unilaterally change over 200 California laws and issue a whopping 43 Executive Orders - many of which were for purposes outside the bounds of any public health threat.

In his piece for the Washington Times, Velleco brilliantly outlined why we must pay attention to such usurping of power. He wrote *"America's leftist leaders have long looked down on the 'right of the people to keep and bear arms.' Whether it's been former President Barack Obama mocking how Americans 'cling to guns' or President Biden letting loose his anti-gun attack dogs to lead the Bureau of Alcohol, Tobacco, Firearms and Explosives, we've seen this sneering before."*

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### CHRISTMAS WISHES FROM GOC



As each year comes to a close and the world around us seems to be in an ever-constant state of change, please know that our mission at GOC will remain constant and unwavering. The past few months have especially revealed a good many things about our nation and the world at large - the foremost being that the freedoms we enjoy as Americans are not as secure as they once were. Distressing as this may be, it galvanizes us to action and is why we will continue - without fear of reprisal or recriminations to fight in the trenches for the Second Amendment. The winds may shift, but we will never veer off course. **We remain steadfast and thankful for the great blessings we have as Americans** - no matter the slings and arrows that come our way. And, as always, we are deeply grateful for your support - for standing with us! It is our earnest hope that your Christmas and 2024 will bring a renewed sense of perseverance, thankfulness and peace.

*Hail the heav'n-born Prince of Peace!  
Hail the Son of Righteousness!  
Light and life to all He brings  
His'n with healing in His wings  
Mild He lays His glory by  
Born that man no more may die  
Born to raise the sons of earth  
Born to give them second birth  
Hark! The herald angels sing  
"Glory to the newborn King!"*



THE TYRANNY...CONT.

The concept of “public health”, however, has taken this issue of emergency powers to an entirely new level because there are those within both state and federal governments that would like nothing better than to disarm the lawful while “turning a blind eye to the criminals who ignore the law.” Velleco is right on the money that “Governor Lujan Grisham’s attempt to frame everything, including gun violence, as a ‘public health issue’ is a thinly veiled tactic to give more control over every American to the government.”

It’s abundantly clear that the Governor of New Mexico has taken a page out of Newsom’s **“Tyranny 101” playbook, which leads us back to Velleco’s question: “If a governor can so blithely disregard the Constitution in New Mexico today, where might this happen tomorrow?”**

To think this could not happen in our own backyard is beyond reckless. We cannot afford to stick our head in the sand and hope for the best that elected bureaucrats stay in their lane.

Velleco closes with the warning that

*“We must educate ourselves, participate in lawful civic action, and ensure that our voices are heard as loud as the cannons used against King George’s redcoats. Ms. Lujan Grisham’s ban serves as a cautionary tale: **There will always be those who seek to disarm the good while doing nothing to challenge the bad.**”*

MARK YOUR CALENDAR!

GOC is pleased to announce that we finished out a great year of events at our Vacaville dinner in late October – and what an event it was! After an unfortunate three-year hiatus (thank you, COVID), it was terrific to welcome such a great crowd to the Ulatis Center. The games were a lot of fun, the guns were incredible and the tri-tip and crab was over the top. The best part is that we heard over and over again that folks will be back next year. This is music to our ears, because our court cases are amping up big time, and our financial resources must be replenished.

And there’s no rest for the weary because plans are already underway for 2024 so mark your calendars now for GOC’s 2024 fundraising events: **The Great Gun Giveaway at Camanche on April 20th; the Sacramento Crab Feed**

**on May 3rd; and the Oroville Dinner on June 14th.**

**PLUS**, our work in new areas of the state is continuing to move forward, so if you want to join our team in helping with events in the Central Valley, San Jose, El Dorado County or Riverside County, please give us a call – the Second Amendment needs you and so does GOC!

GOING LIKE HOTCAKES!



Start 2024 off with a BANG and get your 52 Guns Raffle tickets! For just \$50, snag your chance to win - **EVERY WEEK for a YEAR we raffle off a brand new gun and** the odds are terrific since we only sell 1500. They make perfect holiday gifts, so call the office today at **(916) 984-1400** to get your ticket (or tickets!) before they are gone (state law prohibits us from selling them online).

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.

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

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