

ISSUE 1052, MAR/APR 2021

# CALIFORNIA FIRING LINE

OFFICIAL MAGAZINE OF THE CALIFORNIA RIFLE & PISTOL ASSOCIATION

## COULD MASS GUN CONFISCATION WORK?

### A COP BREAKS IT DOWN

## FACT OR FAKE?

WHY FACTS DON'T CHANGE  
MINDS ANY MORE

## BEAR HUNTING BAN STOPPED

'CAUSE THE GUN TIGER ROARED!

## NEW GUN LAWS, NEW LAWSUITS

LEGISLATIVE, LITIGATION  
& LOCAL ACTION UPDATES

TO BE  
SEIZED

# CANDIDATE BIOS



## GARY BRENNAN

Gary is a Life Member of CRPA and current Board member. He is a lifelong hunter, hunting in numerous states on both coasts and Hawaii. Gary retired from a 25-year naval officer career in California in 2002 and became a State Park Ranger working in the Santa Cruz Mountains until 2014 and then moved to SD County. He worked as a Bio Science Tech for USDA/APHIS-Wildlife Services eradicating feral pigs in SD County and now works as a firearms and seamanship instructor for a maritime training facility in San Diego. Gary has been a Master Hunter Ed Instructor for many years and has been teaching Hunter Ed for 20+ years. He is the President of the SD County Wildlife Federation and a member of the CA Hunting & Conservation Coalition. He has contributed stories to the *California Firing Line* magazine and is a contributing writer for the International Hunter Ed. Association's *IHEA Journal*. He is a plaintiff in the CRPA case *Rhode v. Becerra*.



## RYAN FELLOWS

Born and raised in California, Ryan took an analytical interest in firearms at an early age which eventually resulted in his family members becoming gun owners. He got involved with airsoft during high school and made his first of many gun purchases at age 18. After college, he began an entry level job working as an armorer for Franklin Armory in Morgan Hill. He has continued with the company, contributing to its significant growth. He is now a partner in Franklin Amory and the Senior Engineer in charge of Engineering and Development. He is also a partner in the acquisition of Bushmaster Firearms from Remington and sits on the Board of Directors of Arrowhead Machining, Inc. Ryan is an NRA-certified RSO and a Certified Firearms Specialist with the International Firearm Specialist Academy. He is a CCW holder, hunter and outdoorsman who enjoys hiking, camping and wildlife. He enjoys recreational shooting of all flavors. Ryan is passionate about defending the Second Amendment rights of future generations. A Life Member of

CRPA, Ryan would like to contribute his time, knowledge and creativity to CRPA in a meaningful way and believes he would be able to do that as a Board member. He feels he would be able to give informed input on the direction of litigation and resources and would like to steer the outreach of the association to a broader audience with a greater online presence.



## JIM WHITE

Jim is an Eagle Scout and California native. He has been an outdoor enthusiast since his youth, enjoying bicycling, hunting, fishing, hiking and kayaking. He is a current Board member and Life Member of CRPA and Benefactor Life Member of the NRA. He is a 27-year NRA-certified Rifle, Shotgun and Pistol Instructor, former Muzzleloader Rifle Instructor and RSO, originally to run a Boy Scout Shooting Sports program on Catalina Island for 3 years, continuing to volunteer for Boy Scout programs. After 15 years as President of Temple City Sportsmen (TCS), Jim accepted the club Secretary position and publishes *Bullet-In*, the monthly club newsletter. Jim works to increase and improve TCS shooting events, introducing monthly social shotgun and pistol shoots. Jim recruited and leads a team of eight Hunter Educators in the SGV and currently serves on multiple CRPA committees. He earned his Master's degree in English Literature, Rhetoric and Composition at Cal Poly Pomona. Jim looks forward to continuing to serve CRPA,

promoting gun safety, hunting, shooting, conservation, the Second Amendment and all other constitutionally guaranteed civil liberties.

# 2021 CRPA ELECTION BALLOT

Each adult dues-paying CRPA member (except as noted below) is entitled to vote for the candidates appearing on this election ballot. If elected, the candidate will serve on CRPA's Board of Directors for a term of 3 years if they are current Board members, and 1 year if they are new applicants.

The following membership classes are NOT eligible to vote: Junior, Temporary and VIP members. Club and Business members only receive one vote per Club or Business, notwithstanding any individual CRPA members within the Club or Business who may cast their ballots in their individual capacities.

## IMPORTANT VOTING INFORMATION:

- 1)** Ballots must be postmarked no later than **March 22, 2021**. Ballots may be mailed to 271 E. Imperial Highway, Suite 620, Fullerton, CA 92835.
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## POSITION OF DIRECTOR AT LARGE *(Choose up to 2)*

- ☐ Gary Brennan
- ☐ Ryan Fellows
- ☐ Jim White

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CRPA Member #: \_\_\_\_\_ Email Address: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

***Signed ballots must be returned no later than March 22, 2021.***



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ISSN 2689-0046 (print)  
ISSN 2689-0062 (online)

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**SUBSCRIPTION and CRPA MEMBERSHIP**

**INQUIRIES:** *California Firing Line* is sent to all CRPA members as a membership benefit. The magazine may also be purchased at the subscription rate of \$35 per year or \$8.95 for a single copy. Inquire at [contact@crpa.org](mailto:contact@crpa.org) or (714) 992-2772.

**ADVERTISING INQUIRIES:** Contact us at [CFL@chipotlepublishing.com](mailto:CFL@chipotlepublishing.com) / (702) 565-0746.

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**POSTMASTER:** Send address changes to *California Firing Line* c/o California Rifle & Pistol Association, Inc., 271 E. Imperial Highway, Suite #620, Fullerton, CA 92835 or email the CRPA at [contact@crpa.org](mailto:contact@crpa.org). Periodicals postage paid at Fullerton, CA and additional mailing offices.



California Rifle & Pistol Association, Inc.  
271 E. Imperial Highway, Suite 620  
Fullerton, CA 92835  
(714) 992-2772  
[CRPA.org](http://CRPA.org)

The California Rifle & Pistol Association, Inc. (CRPA) is a nonprofit association governed by an independent Board of Directors. CRPA's mission is to promote civilian marksmanship and qualifying state championship competitions; educate the public about firearms and the right to keep and bear arms; protect the right to choose to own a gun to hunt, for sport and to defend yourself and your family; and promote the shooting sports.

## CALIFORNIA FIRING LINE

OFFICIAL MAGAZINE OF THE CALIFORNIA RIFLE & PISTOL ASSOCIATION

Issue 1052, Mar/Apr 2021  
[CaliforniaFiringLine.org](http://CaliforniaFiringLine.org)

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### PRESIDENT'S MESSAGE

# HELP CRPA FIGHT THE ANTI-2A SWAMP CREATURES

BY CHUCK MICHEL

CRPA PRESIDENT & GENERAL COUNSEL

**G**avin Newsom is facing a serious recall that is gaining REAL momentum (Politico states he's "scrambling"

to save his career). Sign the petition! Watch for him to launch a "misdirection" campaign to distract and focus folks on something else. Second Amendment advocacy groups make a great "boogeyman" for attention-craving politicians, so this legislative session we will see lots of action.

The rigged California Legislature is back and up to its old anti-2A tricks. Rumors are swirling about new gun and ammo taxes, more red-tape laws and outright bans. One prediction is about a bill that would require the registration of all your 10-plus-round magazines! This would task the California Department of Justice (DOJ) with tracking millions of un-serialized magazines! They also want to take CCW issuance away from sheriffs and centralize it under the failing DOJ Firearms Bureau. But the California DOJ can't even manage the accurate registration of serialized firearms, track violent felons, process ammunition background check requests or maintain its criminal records and registration databases. Nothing fails as reliably as a government bureaucracy like the DOJ Firearms



Bureau! Naturally, the Sacramento politicians keep creating them.

It is not hopeless. CRPA is there in the Capital every day. We are not going anywhere. The politicians in Sacramento need to be reminded of who we are and what we stand for each and every day. We can stop and have stopped some bad bills that were aimed at your rights to purchase, possess and transport firearms. Those are wins, and we can do more if you help.

Meanwhile, we all knew that Joe

Biden would start attacking the Second Amendment as soon as he had the chance, and he's not wasting any time—in fact, as CRPA's sources in D.C. predicted, he's making moves to cancel your Second Amendment rights in every way he can through a flurry of Executive Orders.

CRPA is fighting back on two legislative fronts in Sacramento AND Washington, D.C., and battling on in the courts

(CONTINUED ON PAGE 9)





# MEMBERS' VOICES

## Scam Alert

First, I'd like to congratulate the *California Firing Line* for putting out a very professional and much-improved looking magazine. It's so much better now than when I first read it many years ago. It's a real pleasure to read!

Secondly, I want to warn all CRPA members who received an email alert last month from the CRPA regarding the CCW Application text scam that a similar scam is also being perpetrated online. I was on my Yahoo home page when I saw an ad which stated the exact same information as the text scam alert described. Since I had not read the warning from CRPA yet at the time, I went ahead and applied. Please be aware that it's basically trying to sell you a CCW issued by the Virginia State Police (\$85 to the scammer and another \$100 to the Virginia State Police) while being led to believe it can be used in California. Be sure to exercise caution if you see this ad.

Keep up the good work!

—Jim Bolton, Life Member, Solvang, CA

*Thanks for noticing the magazine! Anyone else like the changes? There seems to be more scammers preying on gun owners these days, and we ask our readers to let us know if they spot one, so we can put the word out broadly.*

## SHARE YOUR VOICE

We want CRPA members' voices to be heard! If you have something you would like to bring to the attention of our *California Firing Line* Executive Editor, please email [CFL@chipotlepublishing.com](mailto:CFL@chipotlepublishing.com) and be sure to specify that it is for Members' Voices (Letters to the Editor). We look forward to hearing from you!

### (PRESIDENT'S MESSAGE, CONT.)

with all its pro-2A lawsuits.

Funding is the ammunition in the fight for freedom. The NRA has been forced to declare bankruptcy and cut off almost all funding for California programs and lawsuits. The NRA has its hands full fighting in D.C. as well—your CRPA has stepped up to take the lead.

### CRPA'S COURTROOM 2A BATTLES RAGE ON

More and more, we look with hope to the new United States Supreme Court to give us a Second Amendment that means something. CRPA is actively litigating dozens of pro-2A lawsuits in California and even nationally. Many of these cases might go to the SCOTUS.

We are talking about CRPA lawsuits that deliver results—like the recent, glorious Ninth Circuit victory in *Duncan v. Becerra*, which held that the laws banning the possession or sale of 10-plus-round magazines violate the Second Amendment and are unconstitutional. We are fighting to hold on to that win and also the winning ruling from *Rhode v. Becerra*, the challenge to the laws restricting ammunition purchases.

There are a dozen other pro-Second

Amendment lawsuits already in play as well. Have a look at the litigation report in this issue for details and subscribe to [CRPA.org](http://CRPA.org) to be kept up-to-date.

### SITTING (OR KNEELING) ON THE SIDELINES IS NOT AN OPTION

If left unchallenged, the newly emboldened “progressive” politicians and the billionaires behind them will get away with ending the Second Amendment as we know it. We say: No, No, No.

CRPA will continue to fight for your rights in California, as it has for 145 years. The fact is we are winning some great victories; CRPA has stepped up to save multiple California shooting, conservation and safety programs. Now more than ever, you must get involved and stay involved! All these programs and 2A cases are on the line. Please do not be the person who finds out 3 years after a law passed that you now have to go through a background check just to buy ammo!

CRPA needs your support and involvement to continue these fights on all battlefronts so join CRPA's local chapters today! Together we can and will turn this tide and regain our rights!

— Chuck

## STATEMENT OF CRPA'S FINANCIAL PRACTICES

No other pro-2A association is more scrupulous about avoiding financial improprieties than CRPA and its sister, The CRPA Foundation. Donations and membership dues are closely monitored, budgeted, and reinvested into fighting for the rights of California gun owners. The CRPA has a Finance Committee that oversees bookkeeping and expenses, a fully informed Board of Directors, and accountants that scrutinize bookkeeping and expenses. CRPA also has a conflict of interest disclosure and review policy, a vendor fraud prevention policy, an expenses review and limitation policy and review process, and multiple other safeguards in place to make sure every donation is spent wisely and frugally. CRPA's volunteer President, Chuck Michel, is paid nothing for his many hours of work because he believes in the cause and donates all of that time. Any legal work for the CRPA or CRPA Foundation is done at significantly reduced, hourly, non-profit rates.

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# HOW WOULD MASS GUN CONFISCATION WORK?

## A COP BREAKS IT DOWN

(SHUTTERSTOCK)

BY KEITH GRAVES

Reprinted with permission. Edited from original article published on **2Acops.com**, December 21, 2020.

**W**ith the Democrats and gun-control groups upping their rhetoric about gun control, many gun owners are worried about gun confiscation.

Their concerns are valid, and they are steeped in a history of gun confiscation. There are tales of guns being confiscated by the New Orleans Police Department during Hurricane Katrina. Few guns were actually seized; however, in a 2006 interview with local radio station WWL, New Orleans Police Department Superintendent Warren Riley said, "During a circumstance like that, we cannot allow people to walk the street carrying guns ... as law enforcement officers we will confiscate the weapon if a person is walking down the street, and they may be arrested." There are law enforcement officials in power, like Warren Riley, who have no concept of constitutional rights.

But, as street cops, we believe that these are isolated incidents and to do it on a wide scale would be impossible. To prove our point, we will look at likely and unlikely scenarios for nationwide

**To do mass gun confiscation you'll need every cop in the street participating. That just won't happen.**

gun confiscation in the United States.

### UNDERSTANDING POLICE CULTURE

Before we get into the nitty gritty of gun confiscation, you have to understand police culture. *2A Cops* has done two polls on what cops think about gun rights: "What Cops Really Think About the 2nd Amendment," December 14, 2019, and "Poll Shows Police Won't Participate in Gun Confiscation," December 1, 2020 (both posted on **2Acops.com**). Cops are very pro 2A. Most cops own multiple guns. Some, like me, used their own guns for work because the department's issued gun was, in their view, substandard.

Most cops are also very conservative. To be blunt, they are somewhere

between conservative and libertarian. It's funny to think that a cop would be borderline libertarian, but every time politicians pass some inane law, they follow it up with something along the lines of, "Comply or be arrested/cited." Cops hate this. Most will ignore the inane law, even if they are told by a higher up that they need to enforce the inane law. A perfect example is the mask mandate for COVID-19 in the United States. Sure, there are a few cops out there ticketing people for not wearing a mask while sitting in a car in a church parking lot, but I have no doubt that the officer who did that got his ass reamed by his co-workers, and he won't do it again.

Just because a politician passes a law doesn't mean that the cops are eager to go enforce said law. I was a cop in the San Francisco Bay Area. That area is the land of stupid law making. Some examples of our out-of-control legislators include Dianne Feinstein, Nancy Pelosi, Eric Swalwell and Kamala Harris. Our legal update every January consisted of 4 hours of the latest laws. Most of the time, we literally laughed out loud about how stupid the law was, and there was the frequent outburst of a salty vet proclaiming they "won't be doing shit." It's not that the salty vet is being lazy. He knows that the law is dumb and that the public shouldn't be punished for it.

So, we have established in prior ar-



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ticles how cops do not like gun control and don't want any more laws passed. Simply put, to do mass gun confiscation you'll need every cop in the street participating. That just won't happen. We have shown in the polls listed that the cops have proclaimed they won't participate. But, let's say they did participate. What would it take to do mass gun confiscation? Let's look at the likely—and unlikely—scenarios.

#### ALL OUT GUN CONFISCATION

This is the *least* likely scenario, but let's dive into it so we can see if it is possible or not. Many gun owners and good Americans are worried about mass gun confiscation. This would involve the seizing of every rifle, pistol, shotgun and machine gun in the United States.

Currently, there are more guns in the United States than people. There are over 400,000,000 guns in circulation while there are only 330,000,000 people in the U.S. Now, some people don't have any guns and then there are people like me who own ... a lot.

To look at how this would work we will use an example of a city with a population of 100,000 people. We will call our made-up city for this exercise "River City." A city this size will have between 1.6 officers per 1,000-person population in Oregon to 4 officers per 1,000-person population in Louisiana. Let's say that River City has a ratio of 2.0 officers per 1,000-person population. That means that there are 200 officers in River City.

Remember, our ratio includes street cops and command officers. That means that River City will need at least 125 cops to patrol the streets and investigate crimes like rape, robbery and homicide. The other 75 cops will be command officers and adminis-

## It would take 76 years to complete [gun confiscation] in a city of 100,000.



(SHUTTERSTOCK)

trative officers who do things like book property and maintain firearms inventory. Additionally, officers will be away on vacation, out on injury leave or away at schools. That's going to leave about 10 cops at the most to go out and seize firearms. In a city of 100,000!

Why only 10? You still have to investigate those major crimes that won't stop because of gun confiscation. In fact, crime will more than likely go up. I worked in California with some of the strictest gun-control measures in the U.S. The 10 most dangerous cities in the U.S. always have a majority of California cities on the list.

Those 10 cops would need to find

out who owns guns. The easiest way would be to go to the gun shop and look for ATF Form 4473. ATF Form 4473 is the form you fill out to purchase a gun from a gun store. The dealer has to keep it on file and then give it to the ATF when they close up shop. It will be impossible to find guns that were made by the owner or purchased in a private party sale.

Some states, like California, require you to have only registered guns. An officer could run a name and look for guns that way, but again, you are doing that for a population of 100,000. That is going to take time.

After getting the information, you'll have to go to the door of the person to confiscate his or her firearm. Let's say that the officers ignore the requirement for a warrant and just kick the door to get the guns (this is far from likely). Some people won't be home, but the officers will have to search the house to find the guns. They then have to return to the station to book the guns into property. All of this takes time and space. Those guns will have to be stored somewhere, and most



police property rooms aren't equipped to handle a large inflow of firearms like that. Most property rooms have a secure vault within the property room to store firearms. There will be nowhere to store all of these guns.

Let's say that there are a few gun owners who won't give up their guns willingly. If they barricade themselves inside of their houses, the operation to seize that person's guns will take hours. Most barricaded suspect calls take hours upon hours to resolve. If the homeowner comes out shooting and there is an officer-involved shooting, the cops will be on admin leave, and the gun seizures will stop for that week.

Keeping all of the above in mind, you are looking at visiting 10 homes during a 5-day period. After all, those 10 cops will have to have regular days off, and

they can't work 24 hours a day. 10 people a week—that's it. It will take 1 year to seize guns from 520 people. If each household has 2.53 people in it (the average in 2020), then that means our city of 100,000 has almost 40,000 households. It will take 76 years to reach every home. This shows that mass gun confiscation with police involvement is never going to realistically happen.

#### **VOLUNTARILY GIVING UP YOUR GUNS**

What would make the mass gun confiscation scheme work is good, law-abiding gun owners voluntarily turning in their firearms. We would never ask you to violate the law. However, I can guarantee you that a majority of cops won't be turning in their guns. How do I know? I was a cop

in 1996 when California passed an assault weapons ban. I know a few who registered their guns like they were asked. However, a vast majority of my friends did not, and they didn't turn them in. I also know a lot of citizens who did the same. I know because I saw them with an unregistered "assault weapon" and chose to give them a warning like I do for not registering their car.

#### **STOP BLAMING THE COPS**

I've shown that mass gun confiscation won't work. It would take 76 years to complete that task in a city of 100,000. Now that we've established that, stop taking politicians' gun-grabbing out on the cops. They have done more to protect your civil liberties than you can ever imagine. **CRPA**

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# TAKING STOCK OF RECORD- SETTING 2020 FIREARM YEAR

BY JOE BARTOZZI

Reprinted with permission from the National Shooting Sports Foundation. Original article published on [nssf.org](https://nssf.org), January 7, 2021.

**T**wenty-one million. Let that number sink in for a moment.

That's a very big number. If I told you at SHOT Show® last year that the

industry would see 21 million background checks for the sale of a firearm in 2020, you would have thought I was crazy. One year later and with the benefit of hindsight, this was truly a remarkable year for the industry across the board.

The final figures for the National Instant Criminal Background Check System (NICS) put all of this year's hard work into perspective. Twenty-one mil-

lion background checks were conducted for the sale of a firearm over the past 12 months. That topped 2019's totals of 13.2 million by 60 percent. It also shattered the previous record from 2016, when 15.7 million background checks were conducted for the sale of firearms. This year's 21 million total surpassed 2016 by 5.3 million, or 34 percent.

Here's one more incredible number to witness. NSSF estimates that 8.4 million people bought a firearm for the first time in 2020. That's 40 percent of all purchases. This year's buyer is increasingly diverse too. Forty percent of 2020's buyers were women, and the biggest increase of any demographic category was among African Americans, who bought guns at a rate of 58 percent greater than in 2019.

## RESILIENCE

None of this was possible without the resilience and determination of the industry. Our own Government Relations teams—both in Federal and State Affairs—were quick to act to

keep the industry open. When the rest of America was shutting down, NSSF's team made sure gun manufacturers, distributors, retailers and ranges weren't forced to close their doors. It was apparent early that Americans in every state were choosing to exercise their Second Amendment rights in record numbers, and that's not possible unless manufacturers are turning raw metal into finished firearms and ammunition.

America's Second Amendment freedoms are literally designed, assembled and shipped from NSSF member manufacturers, distributors and retailers each day.

Even while the firearm industry was cranking production to record levels, they were also serving their communities. Brownells® offered computer server space to run modeling tests for vaccine research. Federal Premium®, SIG SAUER®, Radians, Smith & Wes-

son®, Versacarry®, KelTec® and Ruger® were among many of the firearm businesses that converted manufacturing space or donated supplies to help first responders. Bass Pro Shops' Johnny Morris donated one million masks to keep first responders safe.

## RESPONSE

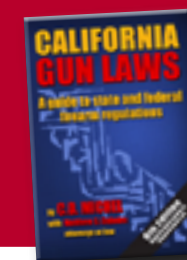
The amazing thing is that among the concerns surrounding the pandemic, the industry responded. Manufacturing and distribution facilities shifted personnel and made physical changes to accommodate social-distancing guidelines. Retailers and ranges adopted safety measures to keep customers and staff safe. This all happened even as the industry worked to keep up with the breathless pace of demand.

That demand is most clearly evident on the ammunition shelves. Most shelves are still bare, but that's not a result of anything but overwhelming demand. At 8.4 million new gun owners buying just two boxes of ammunition each, that translates to 850 million cartridges. Federal Premium's Jason Vanderbrink spoke directly to customers to set the record straight. Rumors of secret warehouses or reduced production capacity just aren't true. "We are doing our damndest to meet this demand," he said.

Jason Hornady of Hornady® Ammunition echoed the same notion in his own video.

"The stuff that goes out today was literally put in a box yesterday," he said. "We've made one-third more than last year. Unfortunately, we don't have an extra factory laying [sic] around ..."

This is true across the industry. It's what's made 2020 successful and what will set this industry up to meet demand across America in 2021. **CRPA**



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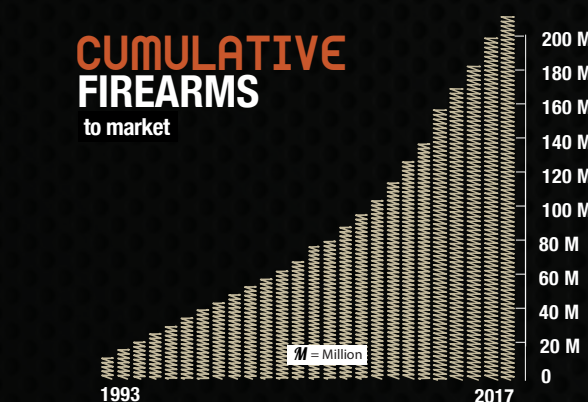
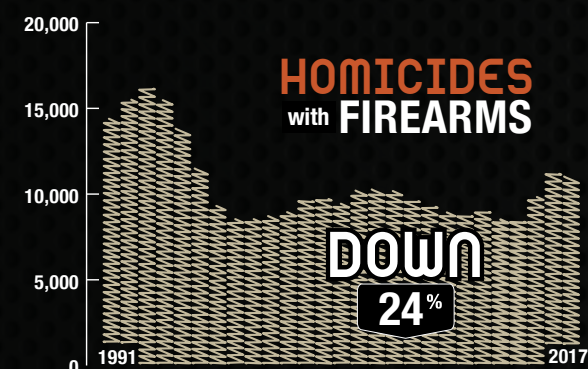
Do you know what California law requires gun owners to do in 2021? If you're not clear, as these laws change each year, you might become an accidental criminal. *California Gun Laws* explains the new bills and regulations, such as those:

- Classifying certain firearms not otherwise meeting the legal definition of a "rifle," "pistol," or "shotgun" as "assault weapons"
- Establishing a \$31.19 fee for all firearm transactions in California
- Modifying California's microstamping requirements for handguns to be listed on California's roster of handguns certified for sale in the state and deleting handguns from the existing roster as newer handguns are added
- Imposing additional civil penalties on firearm dealers who breach prohibitions or requirements subjecting their license to forfeiture
- Exempting several state law enforcement agencies from the roster requirement, but with certain restrictions as to handguns
- And so much more!

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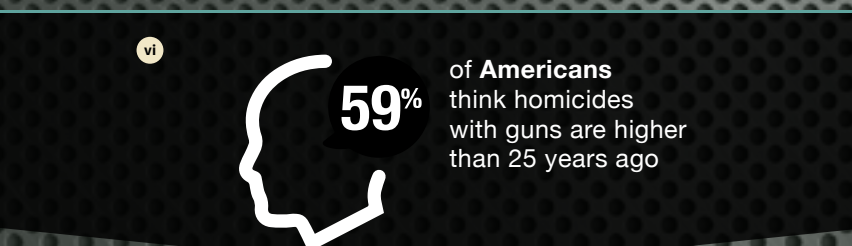
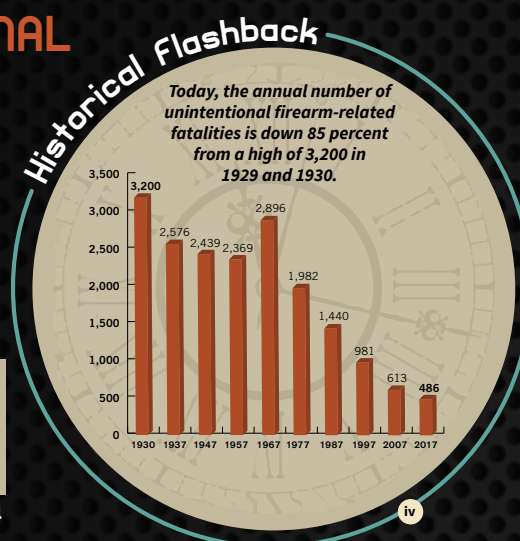
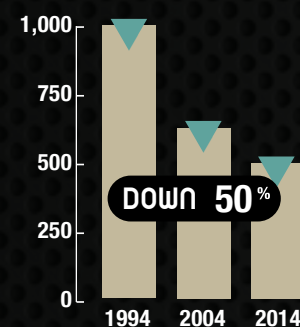


# gun crimes PLUMMET even as gunsales RISE



Since the early 1990s, homicides, other crimes, and accidents involving firearms have decreased dramatically -- a trend that a majority of Americans say they are unaware of.

## UNINTENTIONAL FIREARMS FATALITIES



### Sources:

i FBI UCR ii DOJ iii ATF, AFMER & USITC iv NATIONAL SAFETY COUNCIL  
v GALLUP vi NPR/PBS NewsHour/Marist Poll)

# GETTING A TAN

## WHILE TRYING TO BUY A GUN IN 2020

BY DIANE REICHENBACH

### THE FIRST GUN STORE

I'm a prospective first-time buyer and a female senior citizen. As I had been forewarned, I came prepared with magazines (the paper kind), snacks, water and cell phone charged. The line in front of the store stretched around the corner. They only let in one or two people at a time. I wanted to strike up a conversation with a woman in line, but everyone was so quiet and serious looking. It was early this California summer morning but already reaching 100 degrees. Fifty minutes and only one person was let in. I was burning up in the sun. My



► Packing up, getting ready for the first day at the range with my new gun. (RACHAEL THOMAS)





back became sore from sitting on the concrete, my food wilted, and I shouldn't have drunk all that water; so I left.

#### STORE NUMBER TWO

A week later, another store, and there were no cars parked out front. No people in line. So this store must be a dud and probably out of firearms. I walked right in. I'm lost. What do I say? There were rifles and gigantic guns lining all the walls. I had never been in a gun store before. I was looked at suspiciously. I found out that is the norm in all gun stores, or was it just my imagination? A woman clerk came to my rescue. She advised me what kind of firearm would be best for me, but they didn't have them and they couldn't order either. She didn't know when they would get inventory of anything, and that included ammo. She gave me a business card for a tactical trainer.

► "Oooh, I like that ... I have to have it!" (RACHAEL THOMAS)

#### THIRD WEEK—THIRD STORE

I went to a third store half hour before opening. The line looked twice as long because of social distancing. This was the longest half hour I can remember, because of being baked in the sun again. My face stung—I forgot the sunblock. When the doors opened, the herd was let in all at once. The glass counters were blocked by all the customers, but I did get a sales guy right away. I told him what I wanted. He said they didn't have anything like that. I saw a gun in the case that looked similar to what I wanted. I was desperate. I was flexible. I wanted a gun now.

"Can I see that one?" I pointed in the case. "When is the last time you shot a gun?" he asked, "This has a strong recoil." "I still want it."

He didn't take it out of the case. He



## [The clerk] didn't know when they would get inventory of anything, and that included ammo.

handed me a business card. "Call this guy. He is a professional trainer and can train you with different types of firearms."

I wanted to say, "Just sell me the darn gun," but I wasn't savvy enough in the fine art of negotiating for a gun so I just walked out. All this time I wasted in 3 weeks to finally get in a store to see a gun, and I got shot down (not literally, of course).

So on the way home I thought I would drive by the first gun shop I went to and see if there was a line. There was. I told myself I will wait in the sun 30 minutes max. One person was let in. My time was up. I never did see the inside of that shop—or maybe I got another trainer's business card to add to my collection?

#### FOURTH WEEK—FOURTH SHOP

This was my last attempt before giving up. I got to the fourth store, early again. No line! Turns out that's because the sign on the door states they are closed for several days—that's not what their website stated. I would come back the day it specified. This didn't count for my resolve of a last attempt.

#### LAST ATTEMPT AT FOURTH SHOP

I got in line about 40 minutes before they opened. The line was around the

building. No one smiled. We're still in a heat wave. I'm peeling. Someone was holding an umbrella—smart, but then humiliating. You don't hold a sissy umbrella in front of a gun store.

I finally reached the prison gate (security door). I'm in phase two. This was a shorter wait. As soon as one was let out, another entered. When the gate was buzzed opened, I had to weave my way in-between bodies and find counter space. No "women first" in this environment.

Luck! The clerk waved me over; I told him what I was looking for, but before he could answer, I saw it on the top shelf of the glass showcase. It was almost as if a Divine Light illuminated the lone gun among the otherwise empty display racks. When the clerk removed it from the case and handed it to me, he told me to test the trigger. (I already had a gun safety course.) I clicked it. "Good" he said, "it's easy for you to pull." (I guess all elderly are presumed to have arthritis.)

"I'll take it." "Did you take the written safety test yet?" he asked. "Whaaat?"

He told me he couldn't sell me a gun until I passed the written safety test. He explained the instructions. It cost \$25, non-refundable if I failed. He handed me a pen. First I had to sign something



# WHAT IS THE CRPA?

**T**he California Rifle & Pistol Association (CRPA), founded in 1875, is a nonprofit membership and donor-supported organization with tens of thousands of members throughout California. We need you!

CRPA's membership is comprised of a diverse cross-section of the general public including believers in the right to choose to own a gun to defend yourself and your family, competitive and recreational shooters, hunters, conservationists, gun safety experts, youth, women, police, prosecutors and defense attorneys, judges, firearm history and technology experts, coaches and trainers, families and loving parents.

CRPA works tirelessly and relentlessly to defend the civil and constitutional rights of individuals to choose to responsibly own and use firearms. Every dollar that CRPA receives from its members and donors stays and works in California to support your hunting and Second Amendment rights and the fight back against politicians, elitists and bureaucrats who would deprive individuals of those rights.

Through its Sacramento and local legal and political advocates, CRPA works in the state capital, in regulatory agencies and in city halls throughout California to promote laws that protect these rights and to oppose laws that infringe on these rights.

Through its legal team, CRPA fights in the courts to challenge unconstitutional and illegal gun bans and ill-conceived gun control laws and provides guidance to California gun owners regarding their legal rights and responsibilities.

CRPA works to preserve the traditional and historic role of the individual citizen to hunt and to conserve and preserve California's natural resources.

CRPA promotes the recreational shooting sports and hosts hundreds of "fun shoots" annually.

CRPA provides safety, education and skills training and makes gun safety information available.

CRPA organizes and sanctions competitive shooting matches for both adult and junior shooters, including Olympic training programs and state championships. CRPA sanctions state championship matches in many shooting disciplines. CRPA is proud to state that many CRPA competitors are among the best in the world.

**All this time I wasted in 3 weeks to finally get in a store to see a gun, and I got shot down.**

and fill out a very personal questionnaire—there were questions my husband or doctor wouldn't even ask me. I checked "white" when the question asked for race. The tester crossed out my checkmark. "You're not white." "I'm not? What am I?" "You're non-Hispanic." "Does that mean I'm also non-Asian, non-Afro-American, non- ... Can I just put a person of no color?"

He cleared the counter giving me 9 inches of space for the test. I was now aware of being shoulder-to-shoulder with strangers all fighting for the minimal air in the small store that was thick with drenched bodies and testosterone. It was hard to concentrate with the talking and constant clicking of firearms being tested all around me. I felt like I was being forced to take a written DMV test without having studied the booklet. While he was grading, I was subtly making little signs of the cross.

I passed!

I got shuffled to the cashier counter. I was asked whether I had my birth certificate, ID and another proof of address. I knew to bring those. I gave my thumb prints. It took a long time, but I was finally handed a proof of purchase. I could pick up my baby in 10 days.

"I need two boxes of ammo to go with this." "We're out."

I walked out of the "prison" a proud owner of a firearm—maybe. I had just been vetted. Ten days is a long time. What could go wrong? A clerical error? Death? At least I looked like I had been to the Bahamas. I spent some of the days taking another gun handling class and some tactical exercises, grateful for the business cards.

I already know what kind of gun I want next, but I will wait and see how 2021 goes—and go in the winter. **CRPA**

# MAGAZINE CAPACITY DOESN'T COUNT

BY GUY SMITH

Reprinted with permission. Edited from original article published on [gunfacts.info](https://gunfacts.info).

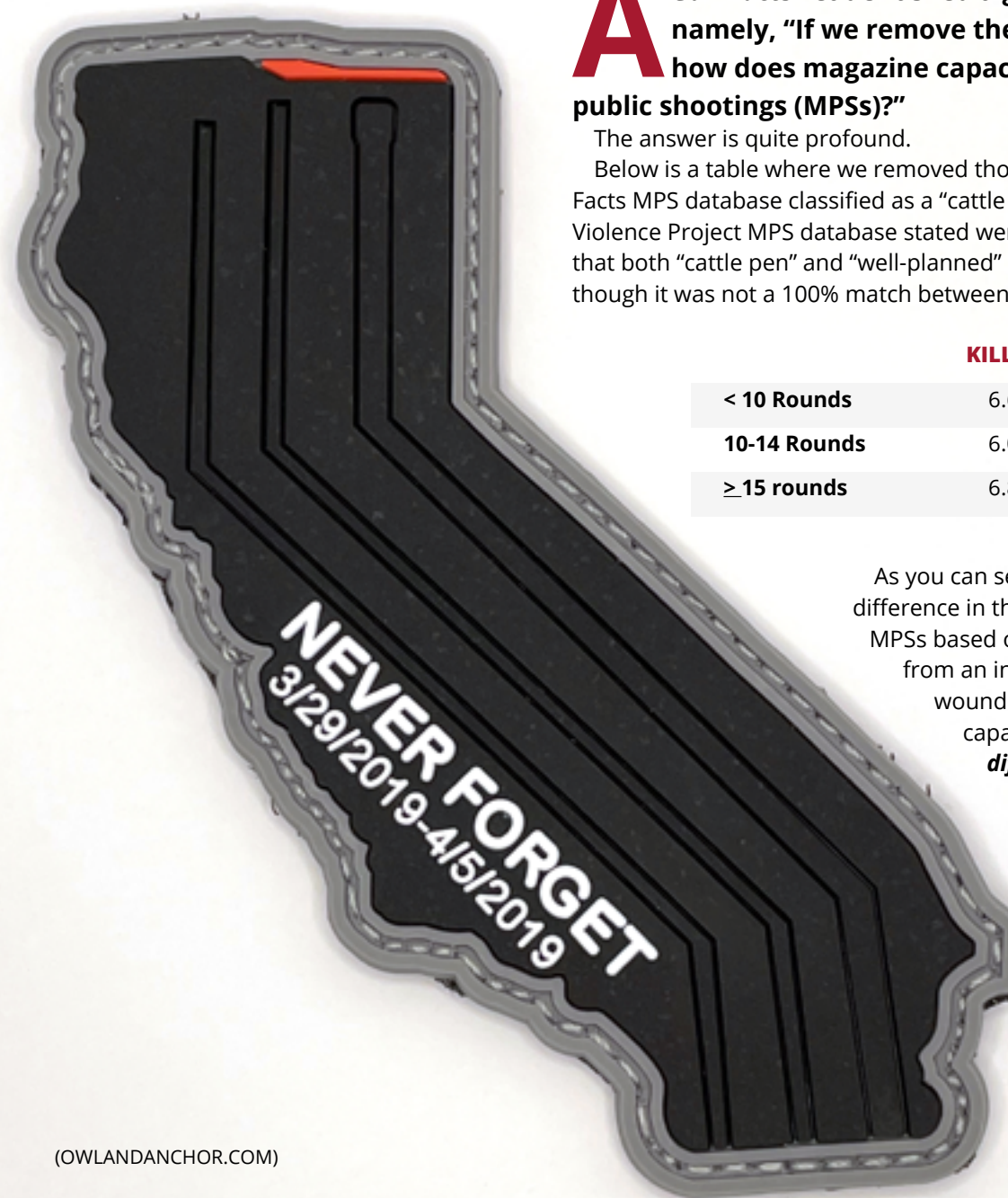
**A** Gun Facts reader asked a great question, namely, "If we remove the well-planned events, how does magazine capacity figure into mass public shootings (MPSs)?"

The answer is quite profound.

Below is a table where we removed those events that: (a) the Gun Facts MPS database classified as a "cattle pen scenario;" and (b) The Violence Project MPS database stated were well-planned (we'll note that both "cattle pen" and "well-planned" had 32 instances each, though it was not a 100% match between those factors).

	KILLED	WOUNDED
< 10 Rounds	6.6	4.7
10-14 Rounds	6.0	2.5
≥ 15 rounds	6.8	5.2

As you can see, there is no material difference in the number of people killed in MPSs based on magazine capacity. Aside from an inexplicable dip in the number wounded for mid-range magazine capacities, there is **no material difference** in the number of people wounded either. **CRPA**



(OWLANDANCHOR.COM)



# WHY FACTS DON'T CHANGE OUR MINDS

BY DAN GIFFORD



(SHUTTERSTOCK)

*New discoveries about the human mind show the limitations of reason. To wit: The vaunted human capacity for reason may have more to do with winning arguments than with thinking straight.*

**O**ne of the more common beliefs expressed by Second Amendment rights activists is that those who oppose those rights would change their minds if they were told “the real facts.”

It's at that point names like Florida State University Criminologist Gary Kleck, former University of Chicago Professor John Lott or academic fraud destroyer extraordinaire Clayton Cramer may be invoked as fact tellers. All have exposed much “unassailable” ivory tower research about firearms as academic fraud and or political narrative bunk, but as numerous studies have shown, “once formed, impressions are remarkably perseverant,” immune to any amount of fact that contradicts them.

**People believe they know way more than they actually do.**

One doesn't have to be a poker wiz to read that immunity on another's face.

For instance, I recently saw a picture of a woman's face while at an Oklahoma City Mom's Demand Action (a Michael Bloomberg-funded, anti-Second Amendment group) confrontation with elected officials where she and her group demanded more gun-control laws. Based on her expression, no rational person would seriously believe that she would be open to any amount of opposite factual reason!

Like Trofim Lysenko, the Soviet Director of Agronomy and Genetics who maintained that crops germinate according to Marxist principles, no amount of failed crops and or mass

starvation could convince ideologue Lysenko of the stupidity of that notion. He didn't have to alter his view, however, as he had around 3,000 Soviet scientists who disagreed with him shot.

The place that leaves us at the end of the trait development trail is with a principle that's rather simple even if the reasons for it may not be. Stanford studies have shown that even after the evidence “for their beliefs has been totally refuted, people fail to make appropriate revisions in those beliefs.” Those 1970s Stanford studies became famous for proving the contention that people too rarely think straight.

That reasonable-seeming people are often totally irrational was a stunner at the time of the experiments. Many other experiments have since confirmed and added to that finding. So how come? What causes that frame of mind? How did we come to be that way?

Stanford cognitive scientists Hugo Mercier and Dan Sperber had a go at determining the answer. Their studies found that reason is not innate but is an evolved trait from the earliest humans and that it must be grasped within that background.

Wading through the highfalutin,

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academic jargon jungle gets us to the evolutionary clearing that the researchers found. There wasn't much advantage to lucid reasoning within a hunter-gatherer society, but there was a whole lot to be gained from winning arguments that allowed the winner to control others.

Stripped of a lot of what might be called "cognitive-science-ese," Mercier and Sperber's argument is that the biggest advantage humans have over other species is our ability to cooperate. However, cooperation is difficult to establish and difficult to sustain. For any individual, freeloading is almost always the most attractive course of action. That meant early reason developed not to enable us to solve abstract, logical problems or even to help us draw conclusions from unfamiliar data but instead appears to have developed to resolve the leadership problems posed by living in collaborative groups.

"Reason is an adaptation to the hypersocial niche humans have evolved for themselves," said Mercier and Sperber. Habits of mind that seem weird, goofy or downright stupid from an "intellectualist" point of view prove shrewd when seen from a social "interactionist" perspective.

Confirmation bias is the chief trait of those.

It's the tendency people have to embrace information that supports their beliefs and reject information that contradicts them. A form of faulty thinking it is, but it's possibly the best catalogued. Much of that cataloging was done at Stanford as well.

Cutting to the chase, those taking part in the experiment not only rejected facts contrary to their beliefs, the facts made them even more resolute in their beliefs.

If reason is designed to generate sound judgments, then it's hard to conceive of a more serious design flaw

than confirmation bias in the face of false facts. Mercier and Sperber believe that flaw must have some adaptive function, and that function is related to our "hypersociability."

Mercier and Sperber prefer the term *myside* bias. Humans, they point out, aren't randomly credulous. Presented with someone else's argument, we're quite adept at spotting the weaknesses. Almost invariably, the positions we're blind about are our own. This lopsidedness, according to Mercier and Sperber,

reflects the task that reason evolved to perform, which is to prevent us from getting screwed by the other members of our group.

Living in small bands of hunter-gatherers, our ancestors were primarily concerned with their social standing and with making sure they weren't the ones risking their lives on the hunt while others loafed around in the cave. As mentioned before, there was little advantage to clear reasoning, while there was much to be gained from



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## Confirmation bias is the tendency people have to embrace information that supports their beliefs and reject information that contradicts them.

winning arguments.

It's no wonder, then, that today reason often seems to fail us. As Mercier and Sperber write, "This is one of many cases in which the environment changed too quickly for natural selection to catch up."

Steven Sloman, a professor at Brown, and Philip Fernbach, a professor at the University of Colorado Boulder, are also cognitive scientists. They, too, believe sociability is the key to how the human mind functions or, perhaps more pertinently, malfunctions. They begin their book, *The Knowledge Illusion: Why We Never Think Alone* (Riverhead Books, 2017), with a look at toilets.

In that study, graduate students were

asked to explain how a range of everyday devices like toilets actually work. The revelation was that not only did the students know far less than they thought, they would defend their own ignorance in order to protect their own self-esteem. Sloman and Fernbach called this the "illusion of explanatory depth." That is, people believe they know way more than they actually do. It's a trait with potentially deadly consequences explored in another book by Oxford psychiatrist Jack Gorman and his daughter, Sara. In their *Denying to the Grave: Why We Ignore the Facts That Will Save Us*, the authors reveal there's a gap between what science tells us and what we tell ourselves.

The Gormans' focus is with people's

beliefs that are not just provably false, according to their own beliefs, but also potentially deadly because the believer cannot bring himself or herself to replace his or her own bias. Why?

Adaptive reasons aside, the Gormans say their research shows people get a "rush" of pleasure from information that supports their views—especially when that information is supported or lauded by others. "It feels good to 'stick to our guns' even if we are wrong," they observe.

Even esteemed researchers are not immune from their own biases. Against all fact, the Gormans believe the long discredited "truth" that handguns are dangerous to those who own them and have sought to use their research to convince others who know better. The Gormans' findings contain more than a bit of irony in their conclusion: "The challenge that remains, is to figure out how to address the tendencies that lead to false scientific belief."

Indeed. **CRPA**

**Dan Gifford** is a national Emmy-winning, Oscar-nominated film producer and former reporter for CNN, The MacNeil Lehrer News Hour and ABC News.



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# SMITH & WESSON SUES NEW JERSEY OVER “ANTI-SECOND AMENDMENT AGENDA”

BY NICK RUMMELL

Reprinted with permission. Edited from original article published on December 15, 2020, on [courthousenews.com](https://www.courthousenews.com).

**A** leading firearms manufacturer alleges New Jersey is engaged in an “unconstitutional fishing expedition” to try to curtail gun rights by using a new tactic: false advertising claims.

In a recent federal lawsuit filed in New Jersey, Smith & Wesson claims New Jersey Attorney General Gurbir Grewal has tried everything in his power to stymie gun sales and that he is now sifting through decades of company advertisements and marketing materials in an extra legal attempt to restrict the right to bear arms.

In October, Grewal filed administrative subpoenas seeking evidence of fraudulent advertising from the gun manufacturer. The subpoenas request documentation related to advertisements that claim firearms make a home safer, an untrained homeowner could use a Smith & Wesson firearm safely

**State data show that more than 80% of the guns used in crimes in New Jersey came from outside of the state.**

and effectively to defend his home, and guns enhance one's lifestyle.

“The Subpoena [sic] presents no legitimate inquiry into any purported fraud, and instead targets mere opinions and other protected statements allegedly made by Smith & Wesson,” the company claims. It seeks a court order enjoining the subpoenas and declaring them unconstitutional.

Citing 248 million results in Google searches of “do guns make you safer” as proof that many Americans believe firearms make them safer, Smith & Wesson says New Jersey's false advertisement subpoenas should be a dead-end legal theory.

Smith & Wesson also says the subpoenas are politically motivated, noting

that Grewal has partnered with several anti-Second Amendment groups like Do Not Stand Idly By, to seek new methods to restrict gun ownership.

The complaint notes that at a conference at New York University earlier in December, participants allegedly observed how consumer protection and false advertising laws were fertile ground for new anti-gun initiatives.

The complaint also claims New Jersey's purported “name and shame” policy, in which the attorney general has tried to connect Smith & Wesson with “crime guns,” is an extra legal attempt to branch the company as a bad actor.

“Smith & Wesson is a good corporate citizen that is a leader on gun safety initiatives in the industry,” the lawsuit states. “What the Attorney General seeks to do through his actions is impermissible as long as the guarantees of free speech and the right to bear arms remain in the Constitution.”

Smith & Wesson firearms have been used in several high-profile mass shootings over the last decade, including the 2018 shooting at Marjory Stoneman Douglas High School in Florida, in which a 19-year-old killed 17 students and faculty, and the mass shooting in Aurora,

Colorado, that killed 12 people at a movie theater during a 2012 showing of “The Dark Knight Rises.”

In 2018, New Jersey Governor Phil Murphy announced that gun manufacturers would be listed in monthly reports showing the source for every “crime gun” recovered by police in the state.

Murphy said months after signing the executive order that he hoped “bringing light to this topic” would spur gun manufacturers to “act responsibly and work with us to stop weapons they make from ending up in the hands of dangerous criminals.”

State data show that more than 80% of the guns used in crimes in New Jersey came from outside of the state, with Smith & Wesson firearms among the heaviest-trafficked firearms into the state. According to the latest report, 48 Smith & Wesson-brand firearms were used in crimes in the state, the leader among all gun manufacturers.

Gun manufacturers have called the “name and shame” program unreasonable and purely agenda-driven, likening it to announcing which car was used in a drunk-driving fatality.

“The intentional overreach of the facially invalid Subpoena [sic] and punitive intent of the Attorney General's ‘name and shame’ initiative makes no sense as an exercise of prosecutorial authority, but they make perfect sense when seen for what they really are—the latest chapter in efforts by anti-Second Amendment Activists, hostile to the private ownership of firearms, to impose, through coercion,

a gun control agenda which they largely have been unable to impose through federal or state legislative process or through the courts,” the 57-page complaint alleges.

Smith & Wesson has clashed with politicians before. In 2000, the company signed an agreement with President Clinton—which Smith & Wesson claims nearly bankrupted the company due to a decline in sales—to accept gun control measures.

While the company is most well-known for its pistols and handguns, which stem back to the 1800s, it also manufactures semiautomatic rifles and shotguns.

Smith & Wesson is represented by Christopher Strongosky of DLA Piper. An email seeking comment from Grewal's office was not immediately returned.

**CRPA**





# WHEN THE MEDIA DEFENDED 2A RIGHTS THE ST. VALENTINE'S DAY MASSACRE

BY DAN GIFFORD

*Chicago's St. Valentine's Day Massacre created demands for unconstitutional Second Amendment curtailments.*

**It's hard to believe now, but there have been times when major media opinion makers pushed back against activist and government propagandists and their ginned-up howls for Second Amendment infringements as a crime cure.**

One such time was the 1920s and 1930s, when gangs fought each other for control of the prohibition booze

trade and other illegal activities.

Those gang battles occasionally involved machine guns which, at the time, could be purchased at any hardware store or by mail with few questions asked. Together with sensationalist news accounts and movie depictions, enough of the public became terrorized about machine guns, sawed-off shotguns, revolvers and other firearms dubbed "gangster guns" by public relations savvy activists for their terror to be exploited by politicians.

The most dramatic gang killing of that time was unquestionably the 1929 St. Valentine's Day Massacre in Chicago by Al Capone's Italian-American South Side Gang (the Chicago Outfit) of the Irish-American North Side Gang led by George "Bugs"

Moran. All seven men who were killed were hardened murderers or gang associates, not the school children or other innocents who today have been gunned down in double figures by crazies.

Those sorts of planned, mass thrill murders of innocents did not happen until the late 1960s, possibly because such a thing was so far beyond the pale of then dominant Judeo-Christian morals and cultural acceptance as to be an unthinkable evil, which is exactly how the St. Valentine's Day murders were seen. So much so that activist demands for bans on "gangster guns" by those who famous pundit H.L. Mencken called the "uplifters" and "do gooders" increased. Some newspapers agreed, but most like the *Chicago Tribune* did not:



(SHUTTERSTOCK)

"In the Revolutionary War the people were able to gain their liberties because when they tried for them possession of firearms was common, and many of the citizens knew how to use them. A disarmed population of people familiar with weapons would not have had much chance. In 1789 the weapons in general use would be long rifles, muskets and clumsy pistols. The people were entitled to have the best weapons they could make or purchase. Now the best weapons for individuals are machine guns and automatic rifles. Use which can be made

of these is indicated by law, but it is not the possession of which is properly an offense under the Constitution.

It is notorious that when restrictions are put upon the possession of firearms or any particular kind of weapon they never are effective against the criminal classes but only put the peaceable man at a disadvantage or in a false position before the law. The prohibition does not bother the enemy of society, but it makes a technical offender of the decent citizen. The man who would not misuse a weapon is the man who is injured.

The drive for public security is thus given the wrong direction" (*Chicago Tribune*, 1934).

Those 1934 *Tribune* editorial board members knew and understood the same thing almost every schoolboy did at the time that we today have forgotten. That is, the three reasons for the Second Amendment:

- 1) to assure an armed population to oppose a foreign invasion;
- 2) to assure an armed population to oppose usurpation of power by rulers; and
- 3) to assure individuals have the





► **Saint Valentine's Day Massacre.** Seven gangsters of Bugs Moran's gang were killed by Al Capone's in a garage in Chicago on Feb. 14, 1929. (EVERETT/SHUTTERSTOCK)

means of self-protection against criminals for whom the rights of due process often make it impossible to arrest or convict.

Those reasons are plainly stated in founding-era law books by the likes of Supreme Court Justice Joseph Story, Philadelphia District Attorney William Rawle and Michigan Supreme Court Justice Thomas Cooley, the leading living commentator on constitutional law until his death in 1898. It was Cooley who corrected much of the commonly spread misinformation about the Second Amendment only protecting those enrolled in their state's militia, which is not the same as a state's National Guard:

"If the right were limited to those

enrolled, the purpose of this guaranty might be defeated altogether by the action or neglect to act of the government it was meant to hold in check. The meaning of the provision undoubtedly is, that the people, from whom the militia must be taken, shall have the right to keep and bear arms; and they need no permission or regulation of law for the purpose" (*The General Principles of Constitutional Law in the United States of America*, by Thomas M. Cooley).

*Tribune* editorial writers also knew the difference between the National Guard and the militia mentioned in the Second Amendment. The former is a reserve component of the U.S. military on temporary loan to the

states which can be put under federal control at any time. The latter is the state defense force that each state has and maintains. Most don't know they exist, but the *Tribune* did. Its writers knew state militias or defense forces cannot be put under federal control and that members have traditionally been expected to supply their own military-grade "weapons of war" and ammunition.

The last time state defense forces or militias were put on battle footing occurred after the Japanese attacked Pearl Harbor, and the legitimate fear of a Japanese incursion on American soil was real enough to switch the 1942 Rose Bowl football game from California to North Carolina.

**[The *Chicago Tribune's*] writers knew state militias or defense forces cannot be put under federal control and that members have traditionally been expected to supply their own military-grade 'weapons of war' and ammunition.**

## FIREARMS AND SUICIDE PREVENTION

Firearms retailers and range owners are in a unique position to help prevent suicide given their ongoing contact with the firearms-owning community. Suicide prevention training for those who influence a specific community can reduce the suicide risk for that community. Learn more at [afsp.org/firearms](https://afsp.org/firearms).



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By that time, the National Firearms Act of 1934 (NFA) was in effect.

Only the NFA was not a ban but a \$200 (over \$2,000 in today's money) tax on any firearm dubbed a "gangster gun." It was a tax because FDR Attorney General Homer Cummings told Congress it had no authority to ban any firearm because the Second Amendment forbid it, but Cummings said a high tax was constitutional even though an equally high tax on books, protest march licenses and church attendance would most certainly not have been.

So Cummings' constitutional double standard went on the books where it remains to this day with one alteration. Until 1986, one could buy new machine guns and legally register them, but former New Jersey Democrat congressman William J. Hughes slipped in an amendment to the Firearms Owners Protection Act of 1986 that banned the sale of fully automatic firearms that were manufactured after the law's passage. I asked Hughes why he did that while covering a story he was involved in for CNN. All he would say was that he saw an opportunity to do it and did. It's the sneaky way much destructive legislation gets put on the books.

The NFA got its Supreme Court test after bootlegger Jack Miller was arrested for possession of an unregistered shotgun with a barrel less than 18 inches long. According to the NFA, that qualified the gun as a "gangster gun." So Miller was charged with tax evasion for not paying the required \$200 tax.

The Court's decision in *U.S. v. Miller* still has heads scratching for clarity: "In the absence of any evidence tending to show that possession or use of a 'shotgun having a barrel of less than eighteen inches in length' at this time has some reasonable relation-



ship to the preservation or efficiency of a well-regulated militia, we cannot say that the Second Amendment guarantees the right to keep and bear such an instrument. Certainly it is not within judicial notice that this weapon is any part of the ordinary military equipment or that its use could contribute to the common defense."

There was no judicial notice of a sawed-off shotgun being useful for militia service because Miller had been murdered, and his attorney did not show up to argue Miller's side of the issue. Knowing its NFA case was probably a slam-dunk win without opposition, the government refused to drop the case and argued without opposition. That side, had it been presented, would have shown that the U.S. military commonly used shotguns

## That would mean the Second Amendment protects an individual's right to possess and lawfully use weapons that are suitable for militia service while permitting their reasonable regulation.

in WWI for close combat and that some were known to have barrels less than 18 inches and still do.

Proof of that was available then and is now. In a letter to writer Benjamin

Sobieck from a Coast Guard member: "I carried a Remington Model 870 fairly extensively as my long gun. I preferred it over the M16 for tactical boardings and crowd control. I car-

ried the older 80s model, but the CG after 9/11 modified it by shortening the barrel and putting on a red dot."

However, the government in *U.S. v. Miller* didn't tell the Court about that evidence and so incorrectly ruled that since the military doesn't use sawed-off shotguns, civilians aren't allowed to have them unless the NFA tax has been paid. That is no small ruling, since it sanctioned government authority to regulate certain classes

of weapons, as Justice Scalia wrote in *District of Columbia v. Heller*:

"The Court's opinion should not be taken to cast doubt on longstanding prohibitions on the possession of firearms by felons and the mentally ill, or laws forbidding the carrying of firearms in sensitive places such as schools and government buildings, or laws imposing conditions and qualifications on the commercial sale of arms. *Miller's* holding that the sorts of

weapons protected are those 'in common use at the time' finds support in the historical tradition of prohibiting the carrying of dangerous and unusual weapons."

If law-abiding citizens had seen fit to stock up on Tommy guns back in the day, they might be legal now. But since they weren't in "common use," and therefore not the sort of weapon an average guy would regularly use or even have in his closet when the militia was called up, prohibitions against them are constitutional—even though sawed-off shotguns, the basis of *Miller*, were a common weapon among Confederate soldiers.

So what did *Miller* hold?

At a minimum, honest law professors like Alan Dershowitz, William Van Alstyne and Don B. Kates told me *Miller* held that the Second Amendment permits Congress to tax firearms that are not useful for military service. That would mean the Second Amendment protects an individual's right to possess and lawfully use weapons that are suitable for militia service while permitting their reasonable regulation. But what is "reasonable regulation?"—especially, as Justice Cooley observed, when that regulation is done by the very government the right was intended to hold in check?

It's not a question that gets asked in polite company, but given the riots of 2020 and the destructive manipulations by George-Soros-funded district attorneys who tear at the fabric of both common and constitutional law, we had better start asking.

**CRPA**

**Dan Gifford** is a national Emmy-winning, Oscar-nominated film producer and former reporter for CNN, *The MacNeil Lehrer News Hour* and ABC News.



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# THE TRUTH ABOUT NICS

BY STEPHEN P. HALBROOK

*Reprinted with permission. Edited from original article published on November 25, 2020, on [americas1stfreedom.org](http://americas1stfreedom.org).*

**When Project Veritas founder James O’Keefe went to buy a shotgun August 6, 2020, an FBI background check barred him from completing the purchase.**

O’Keefe came out swinging by quickly posting a video response that stirred up a lot of media attention. As he is the founder of Project Veritas, a nonprofit that uses undercover cameras and informants to uncover waste, fraud and illegal activity, he wondered if he had been blacklisted by the government as a punishment for his many video releases.

O’Keefe also filed a lawsuit against the FBI. According to the complaint, filed in U.S. District Court in the Southern District of New York,

O’Keefe alleged that the FBI falsely claimed he’d been convicted of a felony and “has subsequently repeatedly, wrongfully and without justification denied Mr. O’Keefe the ability to purchase a firearm.”

However, the thing about this denial is, it’s much more likely this was simply a bureaucratic hiccup from a cumbersome governmental system.

In 2010, O’Keefe and three of his associates were arrested for entering federal property under false pretenses. The group had dressed as

telephone repairmen to gain access to then-Senator Mary Landrieu’s (D-LA) office in a federal building in New Orleans. When they were nabbed, O’Keefe ended up pleading guilty to a low-level Class B misdemeanor. This misdemeanor doesn’t legally prevent O’Keefe from purchasing or owning a gun, but it’s likely that the initial charge raised a red flag in the system that stopped the sale.

The National Instant Criminal Background Check System (NICS) evidently found the correct record

and removed the flag on August 14. Someone from the gun store then called O’Keefe to tell him he could buy the gun after all. This delay could have been avoided had a NICS examiner quickly located the correct record on the Public Access to Court Electronic Records (PACER) database; but then, to be fair, NICS has been overwhelmed with background check requests this year.

There is, of course, nothing wrong with having a healthy mistrust of the system, but, as this was being writ-

ten, it seems clear that O’Keefe was more likely a victim of government ineptitude rather than intentional malfeasance. Whatever the case, this incident does tell us that more people need to understand NICS’ imperfections and its stated purpose.

## FIGHTING REGISTRATION

NICS is well known to gun owners as the FBI entity that gun dealers call to clear someone who wants to buy a firearm. Gun sales have soared this year due to the uncertainties caused



(SHUTTERSTOCK)



by the coronavirus, nationwide rioting and a then potential Biden presidency. Meanwhile, though NICS has never been a perfect system, 2020 has strained the system to its limits.

You know the routine. When you decide which gun to buy, you fill out the ATF Form 4473 certifying under penalty of perjury that you are not a felon or otherwise disqualified to receive a firearm. The dealer then contacts NICS, which may clear you in a few minutes or may wait no more than 3 days to research its records, after which you can buy the gun if no disqualifying record pops up. If you are denied based on incorrect records, you may appeal.

NICS is required to destroy all records about the sale, except for an identifying number and the date, within 24 hours of clearing the buyer. This requirement follows a long tradition of the rejection of gun registration in American history. In light of the experiences of Nazi Germany and Soviet Russia regarding gun confiscation and tyranny, Congress declared in the Property Requisition Act of 1941 that Second Amendment rights prohibit the registration of firearms. Legislators, when enacting the Gun Control Act of 1968, also rejected gun registration. Later, the Firearm Owners' Protection Act of 1986 also prohibited the Bureau of Alcohol, Tobacco and Firearms (now the Bureau of Alcohol, Tobacco, Firearms and Explosives), or ATF, from creating any system to register gun owners.

In the late 1980s, the Brady anti-gun lobby was promoting a national waiting period for handgun purchases. The early bills included no background check. The NRA advocated that Congress study the feasibility of a background check with no waiting period and with a requirement that the records would be destroyed.

## O'Keefe was more likely a victim of government ineptitude rather than intentional malfeasance.

Brady then copied the background check idea but would have allowed the government to keep the records.

In debate, Senator Orrin Hatch (R-UT) argued that "the Brady bill is a step towards gun registration." Senator Ted Stevens (R-AK) said, "We have all heard, my generation did, about Hitler and how, in country after country, he read the gun registration laws and took the guns away from those who had them." Police and the federal government, he feared, would "compile lists of handgun buyers," the goal of which was "national registration with the intent of confiscation of guns." Thus, Stevens offered an amendment that "will not permit the registration of either a gun or a gun owner; in fact, the amendment spe-

cifically prohibits keeping any records about lawful sales."

The bill that finally passed in late 1993 included a temporary provision with up to a 5-day waiting period mandating that state and local law enforcement conduct background checks on handgun buyers. It would be replaced by a permanent provision for an instant check by the federal government. Both versions prohibited any system of registration of firearms or firearm owners.

While the law, as signed by President Bill Clinton (D-AR), was named the "Brady Law," the requirement that the background check be instant and that the records be destroyed actually originated with the NRA.

The temporary provision had one fatal defect. State and local law enforcement officers don't work for the feds and don't take orders from the federal government. Sheriff Jay Printz from Montana and other sheriffs from around the country, who were busy stopping crimes in progress and solving murders, refused to take orders from Washington, D.C., to search for records on their fellow citizens who were buying handguns—they did this despite an ATF spokesman's threat that the sheriffs could be prosecuted for not doing so.

I was privileged to represent these sheriffs in several cases all the way to the U.S. Supreme Court, which ruled in *Printz v. U.S.* (1997), a 5–4 opinion written by Justice Antonin Scalia, that Congress may not compel the states to administer a federal regulatory program. The Tenth Amendment prohibits Congress from giving orders to local law enforcement officers to do its bidding.

In 1998, the permanent provision kicked in, under which the FBI would do the background checks themselves. The law provides that, if a

person may lawfully receive a firearm, NICS shall assign a unique number, provide the number to the dealer and "destroy all records of the system with respect to the call" (other than the number and the date) and "all records of the system relating to the person or the transfer." A no-brainer, right?

The bombshell hit when Janet Reno, Clinton's attorney general of Waco tragedy fame, announced that NICS

was ready to go operational. Instead of destroying the records on lawful gun purchasers, NICS would retain the full information on the firearm purchaser—name, address, race and date of birth—for 6 months. She called the list an "audit log" rather than gun-owner registration.

It did not matter that the law provided that no federal agency: (1) may "require that any record" generated by NICS "be recorded at or trans-

ferred to a facility owned, managed or controlled by the United States;" or (2) use NICS "to establish any system for the registration of firearms, firearm owners or firearm transactions," except of ineligible persons.

I was privileged to litigate the issue in *NICS v. Reno*. But in 2000, in a 2–1 opinion, the D.C. Circuit upheld Reno's regulation on the basis that it could not understand what the word *record* meant: "What is a 'record,' when has it been 'recorded,' and what kind of 'record' cannot be 'recorded?'" The law, of course, couldn't have been clearer. Further, the court said that registering gun owners for 6 months wasn't a system of registration of gun owners.

Joining in the court's decision was Judge Merrick Garland. You'll recall that he was President Barack Obama's nominee to the U.S. Supreme Court following Justice Scalia's death. Imagine how lopsided the Court would have become had that nomination succeeded.

In dissent, Judge David Sentelle wrote that "the Attorney General is not only making such an unauthorized power grab but is taking action expressly forbidden by Congress." Reno's excuse was that Congress didn't say when NICS had to destroy the records. Sentelle found that "reminiscent of a petulant child pulling her sister's hair;" her mother tells her to stop, but she does it again, with the defense: "Mama, you didn't say I had to stop right now."

Finally, Congress had to step in and mandate that the records of approved gun purchasers must be destroyed within 24 hours of NICS approval of the sale.

### ISSUES WITH THE DATA

In more recent years, the law governing NICS has been amended



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several times. Congress passed the NICS Improvement Amendments Act of 2007, which furnished states with financial assistance to encourage full reporting and to support the restoration of rights to persons who at some time had been committed to mental institutions but were fully recovered. (Before that, having a mental-health commitment meant a lifetime ban on gun ownership.)

In 2017, the Fix NICS Act was introduced to beef up the existing requirement that the agencies send the necessary reports to NICS. It seems incredible that heads of agencies had ignored the law and, instead of being fired, had to be threatened with losing bonus pay if they continued doing so. The bill also offered the states more grants to report records.

NICS also needed fixing in another regard. As I testified in a hearing in the U.S. Senate Judiciary Committee, sometimes NICS denies a gun purchase based on an incorrect record. If a person who is actually eligible to purchase a firearm appeals the denial, NICS puts the onus on that person to straighten out the record with the governmental unit that originated it. The person then might find that agency to be unresponsive and will be stuck in this bureaucratic limbo. NICS should thus be required to contact the originating agency directly in order to correct such records.

Unfortunately, the Fix NICS Act passed without such an amendment. Citizens should not be deprived of due process and Second Amendment rights because some government agency maintains incomplete and inaccurate records. The attorney general could promulgate a regulation to correct the problem.

In some cases, NICS has the ability to verify whether a record is inaccurate in a matter of minutes because

## More people need to understand NICS' imperfections and its stated purpose.

many court records are now online. If a rejected gun buyer claims that a federal conviction record in the NICS system is inaccurate, a NICS examiner can access the judgment of conviction, if any, with a few clicks on the computer via PACER.

Defendants are frequently overcharged with more serious crimes but are found not guilty or guilty of less serious crimes that do not disqualify such persons from purchasing a gun. I once handled a NICS appeal in which my client was originally charged with a felony but was found guilty of a misdemeanor. NICS only found the felony charge and denied the purchase. In our appeal, NICS instructed us to

have the U.S. Marshal in the relevant court certify the correct record, but that office wouldn't even answer our mail. I knew NICS counsel at the time, called her up, and she quickly found the correct record through PACER.

This is in no way intended to bash NICS, which generally runs smoothly and has many dedicated employees. This year, NICS has been working through the highest number of gun sales in American history (indeed, in world history). Sales began surging at the beginning of 2020 due to the war on gun owners advocated by the Democrat presidential contenders and carried out by new legislation, escalated because of the uncertainties of the coronavirus pandemic and skyrocketed even more in reaction to the riots, looting and arson throughout this summer.

Nonetheless, law-abiding gun owners must stay vigilant so the tool isn't corrupted by anti-gun actors in the future. NICS must never be allowed to keep records on approved buyers. Gun registration means gun confiscation. **CRPA**



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# LEGISLATIVE REPORT

## 2020 IS BEHIND US! HERE'S TO 2021 ... IT CAN ONLY GET BETTER, RIGHT?

**I am going to avoid the presidential election in this article.**

We all have our own opinions of what happened, and likely most of you know more on the topic than I do.

Besides the president-elect, many things have changed and are changing that will have an even more direct influence on the California Second Amendment front. Please understand that getting Xavier Becerra out of our Attorney General position and into the swamp can't hurt! It is just not possible for the governor to pick someone worse than AG Becerra for us! Or, will it be a "Better the devil you know than the devil you don't"



**BY ROY GRIFFITH**  
CRPA  
LEGISLATIVE  
LIAISON

situation? Only time will tell!

Normally by the first week of January, I'd have a better idea of what we may be looking at for our new session. It is not a surprise that this year I do not. The members are still scheduled to go into session January 11 at time of writing; however, word is they are likely to go into session on the 11th and then go back into "COVID hiding" for an undetermined amount of time. As always, we will keep you posted in real-time as much as possible at [crpa.org](http://crpa.org).

Unfortunately, what we have right now are just rumors; these rumors include a bill by Assemblymember Marc Levine requiring the registration of all your large-capacity magazines! Could you imagine that? Task the California Department of Justice with the registration and tracking of a magazine when it cannot even manage the registration of firearms

**It should be no surprise there is an onslaught of bills dealing with peace officers' training, qualification and use of force.**

or get violent felons off our streets and out of our neighborhoods?

The only confirmed bill on the firearms front that I am concerned about so far is Senate Bill 81 by Senator Skinner which deals with FFLs. Needless to say, we will be watching

**Rumors include a bill by Assemblymember Marc Levine requiring the registration of all your large-capacity magazines!**

## VOLUNTEER PLAINTIFFS NEEDED FOR PRO-2A LAWSUITS. STAND UP FOR YOUR RIGHTS!

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it closely. I don't know what the good senator is up to yet, but her involvement with the FFL process can't be a good thing!

It should be no surprise there is an onslaught of bills dealing with peace officers' training, qualification and use of force. Assembly Bill 89 by Assemblymember Reggie Jones-Sawyer goes after minimum qualifications for becoming peace officers. This bill would increase the minimum qualifying age from 18 to 25 years of age. It will permit an applicant under 25 years old, if the individual has a bachelor's or advanced degree from an accredited college or university. It is a great idea on the surface but shows just how out of touch our representatives are with the difficulty law enforcement agencies are already having in attracting qualified candidates!

I said it before, I'll say it again, I am thankful to be retired—retired from state service, *not retired from this fight!* I am here to fight with you as long as you will have me! I have many friends and associates who have left this state over the past few years. I do wish them all the best, but I am not going anywhere! This is the greatest state in the nation; I am staying here to vote and fight for what I believe in until my last breath!

THANK YOU all for your continued support and taking the time to read this article. Do NOT give up this fight, we need you by our side now more than ever! Keep the faith, stay involved and find a friend today who is not a CRPA member and bring him or her into the family. Together we *can* and *will* make a difference and certainly, at bare minimum, continue to be a pain in their back side! **CRPA**



# LITIGATION REPORT

## STAY FOCUSED ON WHAT 2021 MAY BRING

BY ALEX FRANK

**T**he Georgia Senate runoff elections are now decided, and the threat of federal-level gun control is greater than it has been in a very long time. Democrats now control the White House, as they have an 11-seat majority in the House of Representatives and have exactly half of the seats in the Senate. Because the vice president casts a vote in the event of a dead-even split in the Senate, that means Kamala Harris could be the ultimate decider on a lot of anti-gun laws.

Anyone who has been paying attention knows that this is a Second Amendment disaster waiting to happen.

It's a discouraging situation, but there are some moderate Democrats in the Senate who keen observers

**Anyone who has been paying attention knows that this is a Second Amendment disaster waiting to happen.**

predict might not support highly restrictive, federal-level gun control legislation. Those two hopefuls are Joe Manchin (WV) and Kyrsten Sinema (AZ). Of course, the notion that the fate of the gun rights of

millions of people can be trusted in the hands of two Democrat Senators is one that we should all take with a grain of salt. But, as we learned with California's former Democrat Governor Jerry Brown vetoing some gun control bills, sometimes moderate Democrats really do understand that gun-control laws miss the mark.

Under the circumstances, gun rights supporters must go on the offensive and support the cause with their time, dollars or however else they can contribute. As we've seen in these incredibly close elections, every person's efforts and vote make a difference.

Although gun rights now face the biggest threat they have seen in a generation, we are fortunate that former President Donald Trump was able to appoint over 200 federal judges and three Supreme Court Justices during his term. In the inevitable legal challenges to gun-control laws that will follow if Congress enacts them, these judges will likely be inclined to view them through the proper legal framework that was established in the *Heller* case ruling in 2008 that has since been largely ignored. Once a 2A case gets back to the Supreme Court, as there is now a stronger chance than ever before, the strong pro-2A voting block consisting of Justices Alito, Gorsuch,

**Under the circumstances, gun rights supporters must go on the offensive and support the cause with their time, dollars or however else they can contribute.**

Thomas, Kavanaugh and Barrett seems poised to issue a strong ruling that could truly breathe life back into the Second Amendment. This is what we have been working toward and hoping to see for a very long time.

However, there is an alarming threat to this scenario. During the campaign, a phrase not uttered since the Great Depression came roaring back into the spotlight: "packing the Court." During the Great Depression, FDR floated the idea of adding justices to the Supreme Court so that they would uphold the New Deal-era policies his administration wanted. Most people don't understand that FDR expanded the reach and powers

of the federal executive branch in ways that were very controversial for their time, and the Supreme Court rightly found some of them unconstitutional. FDR ended up backing off the idea under significant push back from establishment elites in law, journalism and the intellectual sphere.

But when journalists asked Joe Biden about the rumors that "Court packing" was receiving serious consideration in his camp, he flat out said the American people do not need to know whether he is or is not considering it. The full Court press that the leftist media and intellectual juggernaut has invested to legitimize

this repulsive idea has been nothing short of Orwellian. This is not good.

While the Constitution does allow Congress to determine the number of justices who sit on the Supreme Court, the notion that a president whose party has also captured Congress would attempt to nullify the Supreme Court's independence through addition of more justices loyal to him, and not to the Constitution, is infuriating. Especially so if the vote that it takes to do it in the Senate is his vice president's vote. The number of justices on the Supreme Court has stood at nine since 1869. To upset that balance over 150 years later, amidst the extraordinary turmoil, absence of social cohesion and distrust of government at this very moment in American history seems like the kind of miscalculation that could push the nation toward something that makes the drama of 2020 look like a picnic. If this sounds grave, that's because it is. We are in uncharted territory right now.

While we should absolutely stay laser-focused on what 2021 may bring us on the federal level, don't forget that groundbreaking and historical CRPA wins in the *Duncan v. Becerra* and *Rhode v. Becerra* matters continue progressing through the federal district and appellate courts. The *Duncan* case may be headed for a rehearing before an 11-judge *en banc* panel. At the time this is published, we do not know. *Rhode* remains in both the trial court and the appellate court, with developments likely to occur in 2021. Both of these cases could be headed to the United States Supreme Court.

If you support the Second Amendment, now is the time for you to put your money where your mouth is and help the fight that we are in for in 2021. **CRPA**



# CALIFORNIA AND 9TH CIRCUIT LITIGATION MATTERS

This report provides an overview of just some of the efforts being taken to protect the rights of California gun owners. Although litigation plays an extremely important role in the fight for the right to keep and bear arms, there are many other tremendous and equally important endeavors throughout California and across the nation.

Protecting the Second Amendment requires an enormous amount of resources and involvement in all levels of California’s government, including all 58 counties, all 482 municipalities and all state and local agencies tasked with enforcing the myriad of complex and ever-expanding gun laws.

The digital version of this report, complete with links to relevant documents and additional information, can be found on CRPA’s web page at [crpa.org](https://crpa.org).

ISSUE	CASE NAME	CASE STATUS	WHAT’S NEXT
CHALLENGE TO CALIFORNIA’S AMMUNITION SALES RESTRICTIONS	<i>Rhode v. Becerra</i>	The case was filed on April 26, 2018, in response to Proposition 63 and Senate Bill 1235’s restrictions regarding the sale and transfer of ammunition in California. The lawsuit challenges these restrictions as a violation of the Second Amendment, Commerce Clause and Equal Protection Clause of the U.S. Constitution, as well as a violation of the Firearm Owner’s Protection Act.	On April 23, 2020, the Honorable Roger Benitez granted plaintiffs’ request for a preliminary injunction. Consequently, the state was instantly legally barred from enforcing the ammunition laws at issue in this case. On April 24, 2020, Judge Benitez then denied the state’s request to stay his injunction. However, the state applied to the 9th Circuit later that day for a stay, which it granted, reinstating the status quo pending appeal of preliminary injunction. Oral argument before the 9th Circuit will likely be heard before summer of 2021.
CHALLENGE TO CALIFORNIA’S “ASSAULT WEAPON” RESTRICTIONS	<i>Rupp v. Becerra</i>	The case was filed on April 24, 2017, in response to SB 880 and AB 1135. It challenges California’s entire “assault weapon” ban as violating the Second Amendment and due process and takings clauses of the U.S. Constitution. Plaintiffs filed a preliminary injunction motion to prevent the State from requiring individuals to provide the date they acquired their firearms and the name and address of the person from whom they acquired them, as a condition of registration, but that motion was denied on May 9, 2018.	On July 22, 2019, the court granted the state’s motion for summary judgment, ending the case in the state’s favor. Plaintiffs appealed to the 9th Circuit on August 27, 2019. Plaintiffs filed their opening appeal brief on January 27, 2020. The state filed its brief May 26, 2020. Oral argument is scheduled for October 8, 2020, in Pasadena. The matter is now submitted, and resolution is pending.
CHALLENGE TO CALIFORNIA’S BAN ON STANDARD-CAPACITY MAGAZINES	<i>Duncan v. Becerra</i>	The case was filed in response to SB 1446 and Prop 63. It challenges California’s ban on the acquisition and possession of magazines over 10 rounds. On June 29, the district court granted plaintiffs’ motion for a preliminary injunction, halting enforcement of the newly enacted possession ban while the case is litigated. The state immediately appealed the injunction order. In July 2018, the 9th Circuit upheld the issuance of the injunction.	The federal district court, where Judge Benitez presides, granted plaintiffs’ summary judgment motion, which permanently enjoined Penal Code Sec. 32310 on March 29, 2019. This legalized the acquisition of standard-capacity magazines. However, the court entered a stay of the injunction, effective 5:00 p.m. on April 5, 2019. On August 14, 2020, the 9th Circuit affirmed plaintiffs’ win. On August 28, 2020, the state filed a petition for <i>en banc</i> review. The 9th Circuit will hopefully issue a ruling on that request in early 2021.
CHALLENGE TO DOJ’S RECENTLY ENACTED “ASSAULT WEAPON” REGISTRATION REGULATIONS	<i>Villanueva v. Becerra</i>	The case was filed on September 8, 2017, in response to California DOJ adopting regulations concerning newly classified “assault weapons” under SB 880 and AB 1135. It challenges the regulations under California’s Administrative Procedure Act because they were enacted without legislative authority and without any input from members of the public.	On May 30, 2018, the court issued an order upholding the regulations as valid. Plaintiffs appealed and filed their opening brief in California’s 5th District Court of Appeal in late March 2019. Parties have submitted their appeal briefs and are waiting for the court to schedule oral argument.

ISSUE	CASE NAME	CASE STATUS	WHAT’S NEXT
CHALLENGE TO VENTURA COUNTY’S ACTIONS PREVENTING PEOPLE FROM BUYING GUNS AND AMMUNITION DURING THE COVID-19 SITUATION, AND TO FORCED CLOSURES OF FIREARM AND AMMUNITION RETAILERS AND SHOOTING RANGES UNDER THREAT OF PROSECUTION	<i>McDougall v. County of Ventura</i>	Plaintiffs filed this case and a motion for preliminary injunction on April 14, 2020. Plaintiffs moved for a temporary restraining order on April 24, 2020. The court denied the motion. Plaintiffs filed again, but the court denied again.	The court will eventually rule on the pending motions. As of November 2020, the court was holding evidentiary hearings. Judge Benitez has set the case for a bench trial on January 21, 2021. The court granted defendants’ motion to dismiss on September 22, 2020. Plaintiffs appealed on November 19, 2020.
CHALLENGE TO LOS ANGELES COUNTY’S ACTIONS PREVENTING PEOPLE FROM BUYING GUNS AND AMMUNITION DURING THE COVID-19 SITUATION, AND TO FORCED CLOSURES OF FIREARM AND AMMUNITION RETAILERS AND SHOOTING RANGES UNDER THREAT OF PROSECUTION	<i>Brandy v. Villanueva</i>	Plaintiffs filed their complaint on March 27, 2020, and their request for both a temporary restraining order and preliminary injunction on March 30, 2020. On April 6, 2020, the court denied plaintiffs’ temporary restraining order.	The federal court in Los Angeles denied plaintiffs’ preliminary injunction motion on April 6, 2020. On July 8, 2020, plaintiffs dismissed the City of Los Angeles and Mayor Garcetti from the suit. On October 20, 2020, the court granted defendants’ motion for judgment on the pleadings and dismissed the case with prejudice. Plaintiffs appealed on November 19, 2020.
CHALLENGE TO SANTA CLARA’S (AND OTHER BAY AREA COUNTIES) ACTIONS PREVENTING PEOPLE FROM BUYING GUNS AND AMMUNITION DURING THE COVID-19 SITUATION, AND TO FORCED CLOSURES OF FIREARM AND AMMUNITION RETAILERS AND SHOOTING RANGES UNDER THREAT OF PROSECUTION	<i>Altman v. County of Santa Clara</i>	Plaintiffs filed their complaint on March 31, 2020, and a motion for temporary restraining order/preliminary injunction on April 10, 2020. The court denied the temporary restraining order and did not rule on the preliminary injunction.	Plaintiffs’ preliminary injunction was denied on June 3, 2020. By the time the court ruled on the motion, the only county remaining in the suit was Alameda County because the others permitted firearms stores to open as “essential businesses.” Plaintiffs are expected to file an amended complaint in January 2021.



ISSUE	CASE NAME	CASE STATUS	WHAT'S NEXT
CHALLENGE TO UNDER 21 FIREARM PROHIBITION	<i>Jones v. Becerra</i>	There have no significant case developments yet. The court denied plaintiffs' motion for preliminary injunction on November 3, 2020.	Parties will continue to adjudicate the case, and there will likely be motions for summary judgment. Plaintiffs appealed the loss of their preliminary injunction to the 9th Circuit on November 6, 2020.
CHALLENGE TO A CALIFORNIA ASSAULT WEAPONS STATUTE THAT PROHIBITS USING A LARGE-CAPACITY MAGAZINE IN A RIFLE CONFIGURED WITH A "FIXED MAGAZINE"	<i>Miller v. Becerra</i>	The state's motion to dismiss and plaintiffs' motion for preliminary injunction are still pending before Federal Judge Roger Benitez as of September 2020.	The court will eventually rule on the pending motions. As of November 2020, the court was holding evidentiary hearings. Judge Benitez has set the case for a bench trial on January 21, 2021.
CHALLENGE TO WASHINGTON STATE'S UNDER 21 BAN	<i>Mitchell v. Atkins</i>	The district court denied plaintiffs' motion for summary judgment and granted the state's motion for summary judgment on August 31, 2020.	Plaintiffs appealed to the 9th Circuit on September 21, 2020.
CHALLENGE TO FEDERAL BAN ON FELON POSSESSION OF FIREARMS	<i>U.S. v. Torres</i>	After losing in the 9th Circuit, plaintiff petitioned for certiorari in the U.S. Supreme Court on August 27, 2020.	The Court denied the petition for certiorari on December 14, 2020.
DOES CALIFORNIA'S UNSAFE HANDGUN ACT (I.E., THE ROSTER) VIOLATE THE SECOND AMENDMENT?	<i>Renna v. Becerra</i>	Plaintiffs are expected to file an amended complaint in January of 2021.	It is unclear, but plaintiffs will likely seek an injunction or summary judgment ruling sometime in 2021.

## CALIFORNIA AND 9TH CIR. AMICUS OR CONSULTING SUPPORT

CRPA also provides consulting advice and prepares *amicus curiae* or “friend of the court” briefs in firearm- and Second Amendment-related cases.

ISSUE	CASE NAME	CASE STATUS	WHAT'S NEXT
CHALLENGE TO SAN JOSE'S REFUSAL TO RETURN SEIZED FIREARMS	<i>Rodriguez v. City of San Jose</i>	Following the City of San Jose's refusal to return firearms seized by law enforcement, a lawsuit was filed alleging violations of the Second, Fourth, Fifth and Fourteenth Amendments. In September 2017, a federal district court upheld the City's refusal as constitutional. Plaintiff has appealed, with CRPA filing an important amicus brief on March 6, 2018.	The Supreme Court denied certiorari on October 13, 2020.

## NATIONAL CASES WITH CALIFORNIA INTEREST

CRPA also litigates and assists in critical Second Amendment cases across the country that could set precedent for future challenges to California gun laws.

ISSUE	CASE NAME	CASE STATUS	WHAT'S NEXT
DOES NEW JERSEY'S RESTRICTION ON LARGE-CAPACITY MAGAZINES VIOLATE THE SECOND AMENDMENT?	<i>Association of New Jersey Rifle &amp; Pistol Clubs, Inc. v. Attorney General of New Jersey</i>	On September 1, 2020, the 3rd Circuit Court of Appeals affirmed the ruling against plaintiffs, holding that large-capacity magazines are not protected under the Second Amendment.	On September 15, 2020, plaintiffs requested an <i>en banc</i> rehearing. The court has not made that determination as of early November 2020.
THIS IS A 4TH AMENDMENT CASE WITH A SECOND AMENDMENT INTERSECTION	<i>Caniglia v. Strom</i>	The Supreme Court granted the certiorari petition on November 20, 2020. CRPA has filed an amicus brief to bring the Second Amendment implications of the case into sharper focus.	The Court will set briefing deadlines for some time in 2021.
DOES A LIFETIME FIREARMS PROHIBITION BASED ON A NON-VIOLENT MISDEMEANOR CONVICTION (DUI) VIOLATE THE SECOND AMENDMENT?	<i>Holloway v. Barr (Rosen)</i>	The petitioners filed their certiorari petition on December 3, 2020.	A certiorari petition will remain pending on the court's docket until the court does what it wants to do with it.
WHETHER THE STATE MUST PROVE THAT PERSONS KNOW THAT THEY ARE PROHIBITED PERSONS DUE TO FELONY STATUS TO SUSTAIN A CONVICTION FOR VIOLATING 18 U.S.C. 922(g), WHICH PROHIBITS FELONS FROM POSSESSING FIREARMS	<i>U.S. v. Gary &amp; Greer v. U.S.</i>	The Supreme Court granted certiorari in these cases on February 8, 2020.	The Court will set a briefing and oral argument schedule for some time in 2021.



Alex Frank is a civil rights litigator at Michel & Associates, P.C., where he focuses on the Second Amendment and related constitutional issues.



ISSUE	CASE NAME	CASE STATUS	WHAT'S NEXT
CHALLENGE TO CA AND LOS ANGELES FIREARM CARRY RESTRICTIONS THAT PROHIBIT BOTH OPEN AND CONCEALED CARRY	<i>Flanagan v. Becerra</i>  (Formerly <i>Flanagan v. Harris</i> )	The case was filed on August 17, 2016, as a direct response to <i>Peruta</i> . It seeks to force the court to decide whether it is willing to uphold a complete prohibition on the right of law-abiding citizens to carry a firearm for self-defense. The parties filed cross-motions for summary judgment. In May 2018, the court issued a decision granting defendant's motion for summary judgment.	The 9th Cir. rejected the State's petition to have the case heard initially by an 11-judge <i>en banc</i> panel along with the <i>Young v. Hawaii</i> lawsuit.  However, instead of allowing the case to proceed, the 9th Cir. stayed the case on July 30, 2019, pending the outcome of <i>Young v. Hawaii</i> . Now that the stay in <i>Young</i> is lifted, this case will likely remain stayed unless something unusual occurs.
CHALLENGES DOJ'S USE OF DROS SURPLUS TO FUND APPS AS AN ILLEGAL TAX	<i>Gentry v. Becerra</i>  (Formerly <i>Gentry v. Harris</i> )	Plaintiffs filed an amended complaint alleging that the DROS fee is an invalid tax. On August 9, 2017, the district court issued a ruling granting plaintiffs' request to prohibit DOJ from using DROS fees to fund unrelated law enforcement efforts and requiring DOJ to perform its statutorily required review of the current \$19 fee to determine whether it is "no more than necessary to fund" DOJ's costs for processing DROS transactions.	Trial was held in January 2019. The court upheld the DROS fee as a legitimate regulatory fee. Plaintiffs argue that the court's finding contradicts established law regarding regulatory fees. As of November 2020, the matter is fully briefed. The court will likely schedule oral argument for spring of 2021.
DOES THE CITY OF MORGAN HILL'S 48- HOUR LOSS/THEFT REPORTING ORDINANCE FAIL DUE TO PROPOSITION 63 PREEMPTION?	<i>Kirk v. City of Morgan Hill</i>	The trial court granted Morgan Hill's motion for summary judgment and denied plaintiffs' motion for summary judgment on July 30, 2020.	Plaintiffs will appeal to the California Court of Appeals.
DOES HAWAII'S PERMIT SCHEME FOR GENERAL OPEN CARRY PROHIBITION VIOLATE THE SECOND AMENDMENT?	<i>Young v. Hawaii</i>	This case was on track for an <i>en banc</i> hearing but was stayed pending the outcome of <i>NYSRPA v. City of New York</i> , the gun case that the Supreme Court held moot in June 2020. Shortly after that outcome, the 9th Circuit rescheduled the <i>en banc</i> hearing for September 24, 2020.	The 9th Circuit <i>en banc</i> panel reheard the case on September 24, 2020. Expect a ruling before summer of 2021. Regardless of who wins, the matter will very likely be appealed to the U.S. Supreme Court.
DOES HAWAII'S CONCEALED CARRY PERMIT REGIME VIOLATE THE SECOND AMENDMENT?	<i>Livingston v. Ballard</i>	Hawaii attorney general moved to stay the case pending <i>Young</i> , which the court granted on June 10, 2019. The case is effectively stalled pending further development in <i>Young</i> .	This case will remain stayed pending the resolution of <i>Young</i> .
DOES CALIFORNIA'S FIREARM RIGHTS RESTORATION REGIME VIOLATE THE SECOND AMENDMENT?	<i>Linton v. Becerra</i>	Plaintiffs filed their motion for summary judgment in June 2020. Briefing was complete at the end of September 2020.	The court will set a hearing and rule on plaintiffs' motion for summary judgment sometime in early 2021.

FEATURED CASE

CRPA JOINS NEW 2A LAW CENTER & GOC

IN SUPREME COURT FIGHT TO STOP WARRANTLESS GUN SEIZURES

The United States Supreme Court will soon hear oral arguments in the case of *Caniglia v. Strom*, a lawsuit challenging the actions of the City of Cranston, Rhode Island, resulting in the seizure of firearms from a law-abiding citizen under the seldom-used Fourth Amendment “community caretaking” exception. Normally reserved for the seizure of property at the scene of a vehicular accident where, if left unchecked, items such as a firearm may pose a risk of being stolen or handled by unauthorized persons, the City of Cranston seeks to expand this limited exception to also apply to a person’s *own home*. To do so, as the Plaintiff’s attorney puts bluntly, would create a loophole to the Fourth Amendment “wide enough to drive a truck through.” CRPA, joining the newly formed Second Amendment Law Center and Gun Owners of California, has filed an amicus brief on behalf of its members in support of this important legal challenge.

CRPA’s amicus brief raises three

main arguments. First, the application of warrantless “community caretaking” seizures plainly implicates Second and Fourth Amendment rights. Second, the text, history and tradition of the Fourth Amendment preclude the vast expansion of the “community caretaking” exception as the City is now attempting to do. Third, applying the “community caretaking” exception in a manner proposed by the City will result in it being used as a pretext to conduct warrantless searches for firearms in a person’s home.

Briefing on the matter is expected to be completed by March 24 of this year, with oral arguments to be scheduled shortly thereafter. Thanks in part to the tremendous efforts of President Donald Trump, newly confirmed Justice Amy Coney Barret will be joining other Justices of the Supreme Court in hearing the case. Be sure to subscribe to CRPA email alerts to stay up-to-date on this important litigation.

CRPA’s amicus efforts such as this would not be possible without the support of its members and individual contributors. You can help with CRPA’s amicus and other litigation efforts by donating to the CRPA Foundation ([crpa.org](https://crpa.org)). **CRPA**

SECOND AMENDMENT LAW CENTER

The Second Amendment Law Center (2ALC) is a non-profit corporation organized under section 501(c)(3) of the Internal Revenue Code and headquartered in Henderson, Nevada. 2ALC is dedicated to promoting and defending the individual rights to keep and bear arms for hunting, sport, self-defense and other lawful purposes envisioned by the Founding Fathers. The purpose of 2ALC is to defend these rights in state and federal courts across the United States. 2ALC also seeks to educate the public about the social utility of private firearms ownership and to provide accurate and truthful historical, criminological and technical information about firearms to policy makers, judges, attorneys, police and the public.



# THE GUN BAN LOBBY VS. “GHOST GUNS” & GUN SHOWS

BY TIFFANY D. CHEUVRONT

Anti-gun groups are at it again—misrepresenting themselves in local fair board government meetings as “non-partisan” with the objective to “educate” fair board members on the evils of 80% precursor receivers (their latest scare tactic label is “ghost guns”) and gun shows. These groups are now making the circuit of board meetings and asking for time on the agenda to ask fair boards to put more limits on the lease contracts offered to promoters of gun shows. They want contractual restrictions imposed that would prohibit the sale by gun show exhibitors of legal precursor receivers and other parts because they claim that “ghost guns” are routinely misused by criminals.

It was just last year that the Del Mar Fair Board members attempted to put similar restrictions on the Del Mar show. They lost in a big way in federal court in *B & L Productions, Inc. et al. v. 22nd District Agricultural Association* (a CRPA-supported case). The judge scolded the fair board for attempting to limit and place restrictions on one group that they did not place on other groups. When the government does

this, it is considered a violation of the First Amendment based on content discrimination.

No matter how you try to spin it, the government does not get to decide what speech is “good” and what speech is “bad” based solely on the content of that speech. That’s right, the Del Mar Fair Board members learned that this was not the path of least resistance they thought it would be when they had to pay a hefty settlement, and gun owners stood up to protect their rights.

Interestingly, the same attorney for the Del Mar Fair Board is also the attorney for other fair boards where gun-owner-hating board members are constantly beating the drum to try to ban gun shows entirely. When that attorney was asked whether additional restrictions could be placed into contracts with gun show promoters that would infringe on the sale of lawful products, the attorney opined, “I think if the Board were to vote to prohibit Crossroads from allowing its vendors to sell these products that are entirely legal in California, as California law reads today, that would be legally problematic.” He went on to say that “I certainly would never recommend that the district single out any particular vendor unless there is a legitimate legal reason to do so.” The attorney also referred the board members to the ruling in *B & L* and cautioned them to not

discriminate against a particular group with no legal government purpose.

Even with COVID-mandated online meetings, the anti-gun groups have not let up in their war on the “gun culture.” Second Amendment advocates cannot afford to either. When meetings aren’t as public as they should be, the issues get harder to follow and weigh in on. We all can keep a watch on agendas, meetings and groups trying to influence politicians and bureaucrats. Sign up for notifications on when meetings are scheduled, attend the zoom video calls and speak out. The video calls actually make it easier. Anti-gun-owner groups feel emboldened by the new Biden Administration and are asking for more and more. Now, they don’t just want more laws to restrict your rights, they want those things that are lawful to be limited and prohibited. Anything goes in a “cancel culture,” censoring and falsely demonizing world—unless we stand together to defend it. **CRPA**

**Tiffany D. Cheuvront** leads the local ordinance project for Michel & Associates, P.C. With over 19 years’ experience in the non-profit and regulatory fields, she practices civil rights litigation and corporate governance law (five of those years working specifically in Second Amendment and CA policy). Tiffany has written and provided testimony on issues at the local, state and federal levels of government.



# LOCAL ADVOCACY REPORT

BY TIFFANY D. CHEUVRONT

The **Local Advocacy Project** actively monitors all of California’s 58 counties and 482 municipalities to support or oppose any proposed ordinance, law or policy likely to impact Second Amendment rights. Local efforts include developing and working with a network of professionals, citizens, local government officials and law enforcement professionals to effectively oppose local threats to California gun owners. These efforts also serve as the foundation for litigation efforts against municipalities that enact anti-gun-owner legislation. Please note that much activity has slowed with the COVID-19 restrictions, however we continue to monitor.

JURISDICTION & ISSUE	DESCRIPTION	LOP RESPONSE	STATUS
<b>WINNING! DEL MAR FAIRGROUNDS MORATORIUM ON GUN SHOWS</b>	For months the Del Mar gun show has been under siege from groups seeking to end the show. On September 11, 2018, the Del Mar Fair Board of Directors voted to institute an up to 1-year moratorium on gun shows beginning in 2019 while they “study the safety” of the gun show.	Additional legislation has been introduced at the state level that would prevent gun shows from occurring at the Del Mar Fairgrounds.  CRPA was a named plaintiff in a federal lawsuit against the fairgrounds in an effort to protect your right to come together with others in the gun culture and hold lawful and safe events on public property. More information on the lawsuit can be found at <a href="http://michellawyers.com/b-l-productions-inc-et-al-v-22nd-district-agricultural-association-et-al">michellawyers.com/b-l-productions-inc-et-al-v-22nd-district-agricultural-association-et-al</a>	For now, the federal courts have ordered that the gun shows may continue at the Del Mar Fairgrounds while the litigation progresses; the next gun shows will be in 2020.  The Fair Board settled rather than get a final ruling against them. Because of its blatant discrimination against gun owners and the gun culture, the fairgrounds had to pay our attorney fees, costs and damages.
<b>CITY OF SAN JOSE</b>	The Mayor for the City of San Jose wants to push mandatory insurance for all gun owners in the City as a way of paying for criminal violence that occurs in his City.	CRPA sent a letter previously on this same issue when the Mayor tried to make this a priority for the City.	The City is now waiting for research being done by the County on the feasibility of the issue. CRPA is monitoring the issue.
<b>CRPA COALITION WORK</b>	The CRPA has been working with other groups across the state for years to influence and advance pro-2A work in the state. We believe in leveraging our combined strength to get things done.	Coalitions are built from other non-profit groups with similar missions coming together. We work with local chapter leaders, elected officials and legislative teams to push support and protection of the Second Amendment.	Watch for joint letters from coalition groups to fight harmful legislation in the state and for work with other groups during this election cycle. To sign up for the Range Coalition, send an email to <a href="mailto:Ranges@crpa.org">Ranges@crpa.org</a>
<b>COW PALACE GUN SHOWS DALY CITY</b>	The California Legislature passed a bill in 2018 that would ban gun shows at the Cow Palace state venue as part of the concerted effort by opposition groups. This bill was vetoed by then Governor Brown. The pending legislation to stop gun shows and dismantle the Cow Palace authority was dropped; however, this came with the condition that the Cow Palace Board would stop holding gun shows in the future.	CRPA drafted a prelitigation letter to the Board of the Cow Palace to inform them of pending legal action should they persist with denying gun shows access to state property.  The Board has reopened its discussion regarding banning gun shows and is currently discussing the matter in committee. Please watch for further calls to action.	The Board voted in November to re-consider its stance against gun shows given the possible constitutional violations that have been outlined by the federal courts on this subject. CRPA will continue to monitor the situation.  As of January 2021, we are still waiting on a report from the Cow Palace Board as to what they plan to do with gun shows. COVID-19 has delayed holding meetings on these issues.
<b>STATEWIDE PUBLIC RECORD REQUESTS</b>	CRPA regularly seeks and obtains public records in connection with any anti-gun efforts in California. Such efforts include proposed anti-gun ordinances, gun buyback programs and other anti-gun regulatory enforcement issues.	Responses to these requests often yield valuable results, such as which members of a local government entity are working with anti-gun groups, sources of funding and other important information.	Ongoing. CRPA attorneys monitor and review thousands of pages of public records requests each month.
<b>CITY OF DUBLIN</b>	The City of Dublin has become the latest misled city in California to pass a mandatory lock storage ordinance. The City now requires firearms in a private home to be kept in a locked container or disabled with a trigger lock.	Note that this ordinance goes further than others in that it requires all firearms be locked or disabled and not just handguns.	The ordinance went into effect January 2021.  Watch video of the City’s reasoning here: <a href="http://pbtech.org/clients/dublin_cc/dublincc12012020.html">pbtech.org/clients/dublin_cc/dublincc12012020.html</a>



# CRPA PROGRAMS UPDATE

## SPOTLIGHT: LOCKDOWN LEARNING

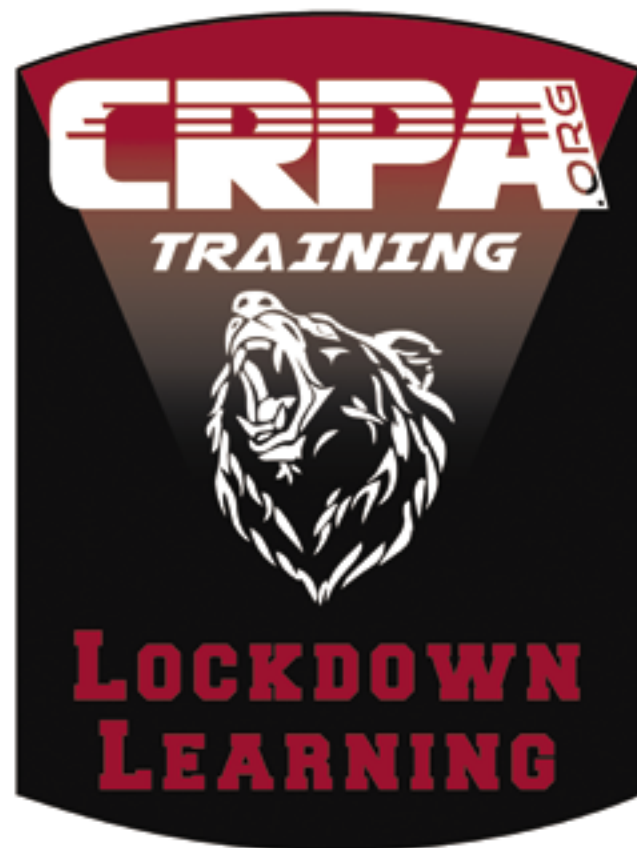
**"WE MAY BE LOCKED DOWN, BUT THAT WILL NOT STOP OUR LEARNING!"**

In December 2020, when the governor of California put most of the state (and our Southern California training center)

into a second lockdown, CRPA responded quickly.

With even outdoor training now limited, CRPA redirected its focus to a new, innovative program—Lockdown Learning. In order to keep firearm safety a top priority and make safety resources widely available as gun and ammunition sales increase (especially among first-time firearm purchasers), the CRPA Training Department went to fully virtual, interactive learning.

Check us out at [crpa.org/events/training-and-education](https://crpa.org/events/training-and-education)



**CRPA Training is able to connect participants with the most accurate, straightforward information on firearm safety.**

During the statewide government lockdowns, the CPRA began hosting free, online training classes that serve as a forum for frequently asked questions and the opportunity to have questions answered in real-time. Each installment will cover different topics regarding what you need to know before purchasing a firearm, how to safely and responsibly own

and operate your firearm and what to expect at the range. In addition to the fact that CRPA Training's Lockdown Learning program serves as a great, free, online educational resource, it is open to anyone who is interested, not just CRPA members. The first class was held January 13.

Do you know the best type of ammunition to use for your home-de-

fense shotgun? How do you improve your marksmanship skills? What is the best way to practice firearm safety? Do you know how to talk to your kids and spouse about firearm safety in the home? Do you know where to find more information on how to attain a CCW in your county of residence? These questions and more are answered, and CRPA Training is able to connect participants with the most accurate, straightforward information on firearm safety, education and training in California and to stand together to safeguard and preserve the Second Amendment for generations to come. There is much to consider both in preparation and in practice, and there is much power and security in being united and informed. More information is available at [crpa.org/events](https://crpa.org/events).

CRPA

### ALL OF OUR PROGRAMS @ CRPA.ORG

LEGISLATIVE ADVOCACY

SHOOTING PROGRAMS

2A LITIGATION PROGRAM

REGULATORY WATCH PROGRAM

RANGES & RETAILERS PROTECTION PROGRAMS

BUSINESS AFFILIATE PROGRAM

WOMEN'S PROGRAM

HUNTING & CONSERVATION

VOLUNTEERS & GRASSROOTS

FIREARM SAFETY PROGRAMS

LAW ENFORCEMENT INITIATIVE

CAMPAIGNS & ELECTIONS

HISTORICAL ARMS COLLECTING & EXHIBITIONS

LOCAL ADVOCACY & CRPA CHAPTERS

PUBLICATIONS



# SPOTLIGHT ON EARL DeVRIES

## A VOLUNTEER EXTRAORDINAIRE

**E**arl DeVries did not have an uncle who hunted, his parents did not shoot, and they did not even have a BB gun at home. Once Earl's children were in junior high, he and his wife Judy decided they should teach their children that guns are not toys. During that time, the only person in their family who owned a firearm was Earl's brother, a now-retired LA county sheriff. "So, I went to my brother for advice. We bought a gun safe, a couple of .22 rifles and a 12-gauge shotgun. My brother trained all of us on the safe handling and use of these firearms," said Earl.



**BY  
CHRISTINA  
PICO**  
VOLUNTEER  
COORDINATOR

In December 2019, Earl became a CRPA volunteer when he attended a Fun Shoot training class at Raahauge's shooting range. "When I get involved in helping someone or an organization, I get to learn about something new. These new experiences are useful to help others who may have questions about something or someplace I have volunteered. Also, you get to meet so many wonderful people that share similar interests," said Earl. Although Earl serves his community in many capacities, being appointed to the San Bernardino



► **Earl DeVries deer hunting** at Zeke's Evergreen Ranch in Utah. (STEVE GOMEZ)

County Fish and Game Commission by Supervisor Curt Hagman is an achievement of which he is proud.

Earl remains motivated to stay

involved to pass on his interest in the shooting sports to others. "I can count my hunts on one hand," Earl shared of his hunting experiences. His first



► **Earl DeVries** at Steve Gomez's property hunting and working. (STEVE GOMEZ)

hunt was over 10 years ago when he joined a co-worker for quail hunting. Earl has also accompanied CRPA Foundation Trustee Steve Gomez and members of Steve's Facebook group, Huntsville Hunt Club, to hunt mule deer at Steve's own personal ranch called "Zeke's Evergreen Ranch" in Utah. Earl shared, "I plan to go out next fall again. It has been fun going out where few people travel or walk." CRPA is grateful to have Earl DeVries as a volunteer.

### Why do you volunteer/donate?

**ED:** If I want to help educate or pass on my interest in the sport of shooting, I need to put my time and money in it.

### Where else do you volunteer?

**ED:**

■ San Bernardino County Fish and Game Commission Commissioner: 2015–present

■ Ontario CERT (Community Emergency Response Team) Volunteer: 2010–present

■ Inland Empire Conservative Republicans of CA President: 2007–present

■ West Valley Friends of the NRA Vice Chairman: 2005–present

■ Selective Service System Board #195 Member: 2002–present

■ Nativity on Euclid Landmark Committee Member: 1993–present

### Why is service so important to you?

**ED:** It is a great way to learn something new that is going on in my community. My service is giving to others out of thankfulness for the many blessings the Lord has given me.

### What is it about the 2A issue, specifically, that motivates you to volunteer?

**ED:** When I look at what our country's Founders willingly risked, there was a strong chance that their homes, crops and barns would be burned. They knew their families' lives were at risk, but they knew these risks were needed to gain the freedom they were looking for. If they did not have firearms, the outcome of the new country they founded would not have been possible. The right to bear arms is needed to protect our families even today.

### Does anyone in your life play a role in supporting your involvement or in providing inspiration?

**ED:** My friend Steve Gomez. He is the Chairman of the West Valley FNA fundraising committee that I have been proud to be a part of for the last 15 years.

### Do you have an anecdote about this cause/organization that really moved you?

**ED:** Education is the name of the game. **CRPA**



# VOLUNTEER REGISTRATION FORM

First Name	Middle Initial
Last Name	
Street Address	
City, County, State, Zip Code	
Cell Phone	
Email Address	

Check your areas of interest. This is not an exclusive list. You can always change your mind.

- ☐ Staff gun show & trade show info booths
- ☐ Help with fundraisers
- ☐ Work on political campaigns or elections
- ☐ Voter registration drives
- ☐ Assist with youth/women's events / RSO
- ☐ Assist with training events / RSO
- ☐ Assist with hunting events
- ☐ Be a CRPA membership recruiter (earn \$)
- ☐ Liaison with local authorities and council members
- ☐ Teach firearm safety and proficiency classes
- ☐ Monitor/promote social media
- ☐ Promote CRPA/RKBA messaging/PR campaigns
- ☐ I am down for whatever to help the cause
- ☐ Other:

## THANK YOU!

Return to the **California Rifle & Pistol Association**  
**Attn: Volunteers Program**  
271 E. Imperial Highway, Suite #620, Fullerton, CA 92835  
Phone: (800) 305-2772 | Email: volunteer@crpa.org

# VOLUNTEERS ARE CRPA'S MOST POWERFUL WEAPON!

CRPA is looking for men and women to join the fight for our rights as a CRPA volunteer or grassroots activist. You can feel good about being part of the solution, meet new friends, learn about guns and politics and get free CRPA swag! For more information, fill out and send in the volunteer form (page 56), email us at **volunteers@crpa.org** or call (714) 992-2772.

Because of CRPA's tremendous growth, and with the support of our members and like-minded organizations, CRPA is expanding its involvement in local campaigns and elections and sponsoring and participating in more events. CRPA has made a substantial investment in grassroots/volunteer coordinating, local election messaging technologies and added staff to manage volunteers and events.

CRPA Chapters and affiliated groups maintain their independence, but work with CRPA and get access to: (1) real-time legislative information from our legislative advocates in the Capital; (2) CRPA/NRA campaign finance and PAC lawyers; (3) CRPA/NRA firearms lawyers who answer questions, fight for local FFLs and ranges in your area, oppose local gun control ordinances and file lawsuits; and (4) regular communication among coalition partners and other local groups to learn from each other and build a stronger network of activists. CRPA needs volunteers to work as Chapter Leaders; Government Liaisons (i.e., candidate development and local issues and ordinances coverage); Retail/Ranges Liaisons; Volunteers and Events Liaisons; and CCW Liaisons, among other things.

CRPA invites individuals as well as local 2A groups, clubs, ranges and FFLs to be a part of the effort in your county. Join us! **Volunteer for CRPA!**



► Kevin Small discusses how CRPA chapters can help in the post-election landscape. (JACOB RAMIREZ, VIDEOGRAPHER)

# EVENTS & TRAINING

## EVENTS

### MARCH

March 6-7  
**CALIFORNIA GUN SHOWS**  
**ANTIOCH**  
Antioch, CA

March 13-14  
**BUCK STOP UKIAH GUN**  
**SHOW**  
Ukiah, CA

March 13-14  
**CALIFORNIA GUN SHOWS**  
**SANTA ROSA**  
Santa Rosa, CA

March 19-21  
**BIG RENO GUN SHOW**  
Sparks, NV

March 27-28  
**CALIFORNIA GUN SHOWS**  
**FRESNO**  
Fresno, CA

March 27-28  
**DIXON GUN SHOW**  
Dixon, CA

### APRIL

April 10-11  
**LANCASTER GUN SHOW**  
Lancaster, CA

- LOCATION KEY**
- NORTHERN CALIFORNIA
  - CENTRAL CALIFORNIA
  - SOUTHERN CALIFORNIA
  - OUT OF STATE





► Jerry Clark of CRPA leading a virtual Lockdown Learning session. (JACOB RAMIREZ)

# JERRY CLARK

CRPA TRAINING COORDINATOR





- NRA Chief Range Safety Officer
- NRA Instructor for Home Firearms Safety
- Metallic Cartridge Reloading
- Pistol, Rifle, Shotgun
- Personal Protection in the home
- Personal Protection outside the Home and Muzzle Loading
- USA Archery Level 1 Instructor
- California DOJ FSC Instructor and run a youth Shooting Sports Program for the Last 8 years.

► Students were able to participate on a variety of devices. (JACOB RAMIREZ)

## CRPA TRAINING COURSES

- Basic Rifle
- Basic Pistol
- Basic Shotgun
- Home Firearms Safety
- Basic Range Safety Officer
- Personal Protection in the Home
- Personal Protection Outside the Home
- Metallic Cartridge Reloading
- Hunters Education Traditional Course
- Hunters Education Follow-up Course
- Wild Game Cooking
- Wild Game Field Dressing
- First Aid/AED/CPR
- Wilderness First Aid
- Archery
- Basic Backpacking
- Leave No Trace
- Emergency Preparedness
- Photography
- Basic Map and Compass
- Trauma/ First Aid



# WATCH CRPATV

The CRPA TV Channel is your source for news and educational videos relating to the right to keep and bear arms and the right to choose to own a gun for sport, hunting and protecting yourself and your family in California. CRPA TV covers the latest state and local legislative developments, regulatory agency actions, Second Amendment lawsuits and litigation developments, hunting, shooting and training events and firearm safety programs.

**Subscribe to CRPA TV now** to learn more about the fight to restore our RKBA in California! CRPA TV is a CRPANEWS production. To join the fight and stay informed on developments, join CRPA and subscribe to CRPANEWS bulletins at **CRPA.org**.

## TRAINING

### MARCH

March 6  
**NRA PISTOL INSTRUCTOR COURSE**  
Fullerton, CA

March 13  
**BASIC RIFLE COURSE**  
Fullerton, CA

March 20  
**BASIC PISTOL COURSE**  
Fullerton, CA

March 27  
**NRA SHOTGUN INSTRUCTOR COURSE**  
Fullerton, CA

March 31  
**HOME FIREARMS SAFETY COURSE**  
Fullerton, CA

ALL TRAINING CAN BE FOUND  
AT **CRPA.ORG/**  
**TRAINING-AND-EDUCATION**

### APRIL

April 10  
**PERSONAL PROTECTION IN THE HOME COURSE**  
Fullerton, CA

April 17  
**BASIC SHOTGUN COURSE**  
Fullerton, CA

April 24  
**BASIC RIFLE COURSE**  
Fullerton, CA

### MAY

May 1  
**BASIC PISTOL COURSE**  
Fullerton, CA



# BRING IT ON

# 2021!

BY RYAN WATTS

**A**t this point I think it is safe to say that the Lincoln Rifle Club's Junior Advanced Precision Team is a force to be reckoned with! They started the 2020/2021 season strong and thus far have not slowed down. In November, the team competed in the Best in West 3-position State Championship (a 60-shot, 3-position match for a total of 600 points) and the CRPA Standing State Championship (a 60-shot Offhand match for a total of 600 points). For the Best in the West, we saw some amazing shooting. Malena Childers



► **Alex Watts** getting ready. (RYAN WATTS)

► **Opposite page, top row:** Malena Childers, Carelton Liden, Lily Polakovic. **Bottom row:** Logan Bonivert, Logan Michael, Will Brandt. (RYAN WATTS)







► **Above:** Dylan Tonel, Morgan Vander Linden, Aaron Hoversten. (RYAN WATTS)

shot a 586-36x, Logan Michael shot a 587-42x, Lily Polakovic shot a 593-42x, and Tori Watts shot an amazing 595-46x. In addition to these awesome scores, one of our newer shooters is starting to pave her own path—little Dylan Tonel, who barely makes a peep and always has a smile, shot a 581-31x, which is a personal best.

The second day of shooting at the CRPA Standing State Championship saw five more personal bests with Tori Watts shooting a 591-44x, Morgan Vander Linden shooting a 586-39x, Dylan Tonel with a 578-30x, Carleton Liden shooting a 571-26x and Will Brandt with a 538-15x. Tori's personal best proved to be enough, and she brought home the coveted Bear Trophy.

These kids never cease to amaze



► **Tori Watts' final score.** (RYAN WATTS)

me as they practice three nights per week, laughing, joking, sharing birthdays in the range and showing the rest of us what it means for your team to be your family. For Christmas this year we were unable to celebrate

together, but Alex Watts took it upon herself to make sure her team was loved and supported. She purchased themed socks for each team member and coach (Coach Eric's had rainbow unicorns). It's this type of love and leadership that helps make a team great, and the kids of the Lincoln Rifle Club's Advanced Precision Team are GREAT! **CRPA**

*Shooting and outdoor activities are **Ryan Watts'** passion. At the age of 20, he joined the Marine Corps, serving for 9 years as a Radio Operator. He has been a husband for 23 years, and his daughters are 19, 15 and 13. Two are Junior Olympians, and the 15-year-old holds a 2nd place CMP National Championship. In addition to hunting as a family, Ryan is a rifle coach and spends several nights per week with his family training on the line.*



# INTRODUCTION TO METALLIC CARTRIDGE RELOADING

BY MATT D. CUBEIRO

**When you think about a firearm in the context of its basic function, it is merely a bullet launching platform.**

Once the bullet leaves the muzzle, your control over where that bullet ultimately hits is out of your hands—*literally*. From that point forward, the bullet's muzzle velocity and aerodynamic properties, as well as wind and atmospheric measurements of the location, are what set the bullet on its path to its target. While the latter typically requires years of practice to fully comprehend and master, simply using high-quality ammunition can go a long way in putting rounds on a target.

We all know that finding high-quality ammunition these days is difficult; even more so if your firearm uses a unique cartridge. It is no wonder,

then, why so many gun owners have started reloading their own ammunition. With both study and practice, reloading your own ammunition can often yield similar and often better results than using factory-produced Match ammunition. How is that possible, you may ask? The answer is simple. Factory-produced ammunition is usually designed to work in any firearm chambered in the same cartridge; whereas reloading ammunition can be custom-tailored to *your* specific firearm.

**Beware of dangers caused by a combination of carelessness and lack of knowledge.** Such dangers can be avoided by strict adherence to the basic reloading safety rules, which include:

- Always wear appropriate eye protection while working with reloading components.
- Always follow exactly the reloading data published by the manufacturer.
- Never substitute smokeless

powder for black powder or black powder substitute.

■ Never mix powders or substitute one powder for another.

■ Only use reloading components which are clearly and unmistakably identified.

■ Avoid using components that are obsolete, damaged, deteriorated or of uncertain origin.

■ Understand the reloading process and why each step must be done in a specific way.

■ Establish a system of checks and inspections.

■ Only one brand and type of powder, one brand and type of primer, one brand and type of bullet and one brand and type of case should be on the reloading bench at one time.

In addition, while engaged in the act of reloading, one must always maintain an appropriate level of alertness, keep all equipment clean and in good condition and maintain proper hygiene.



## THE 5 STEPS OF RELOADING

The act of reloading itself can be broken down in the following five basic steps:

1. Case preparation;
2. Removing spent primers;
3. Priming the case;
4. Charging the case with powder; and
5. Seating a new bullet into the mouth of the charged case.

Each of these steps is outlined briefly on the following pages. **Note that this is not intended to be an all-inclusive guide or even a step-by-step guide for that matter; nothing substitutes training and practical experience.** If you are interested in learning more, I suggest you contact CRPA to sign up for the next Basic Reloading Course or your nearest certified instructor who offers such a course.

### CASE PREPARATION AND REMOVING SPENT PRIMERS

The first step in the reloading process, case preparation, is the most time consuming. Before using any new or fired cases to reload, the first thing you should do is inspect each case for signs of wear or damage. This can include splits, stretch marks and other defects in the brass that could cause serious safety issues. **Any such cases should be discarded.** For those that pass inspection, the next step should be to clean the cases, which can be accomplished several ways, the most common being a simple tumbler filled with media (such as corn cob or other material).

Once the cases have been cleaned, they can then be resized using a reloading press and an appropriate



► A common tumbler with polish and media. (MATT D. CUBEIRO)

## CRPA'S RANGE COALITION

**CRPA's Range Coalition members are businesses, clubs, private and public ranges throughout California.** Range Coalition members are united to protect range operations and expand opportunities for public participation in the shooting sports so that all Californians have convenient access to ranges and to marksmanship, self-defense, hunting, safety and other training.

The CRPA Range Coalition advocates for ranges in Sacramento and locally to protect ranges and ensure that any proposed legislation or regulatory policies promote proven and sound best management practices and recognize the value of access to ranges and training programs. Through webinars and Information Bulletins, CRPA provides critical information to coalition members and range operators about environmental, safety, insurance, corporate, legal, operational and other important issues of interest.

California ranges are encouraged to participate in CRPA's Range Coalition by emailing CRPA at [ranges@crpa.org](mailto:ranges@crpa.org).

**JOIN ■ LEARN ■ TEACH ■ THRIVE**

sizing die for the cartridge. For rifle cases, sizing dies are adjusted in the press until the case "shoulder" is pushed back to its desired length.

If the ammunition is ultimately being used in a semiautomatic firearm, it is usually best to resize the case to the universally accepted measurements to ensure proper feeding when firing. If used in single-shot firearms such as a bolt action and the cartridge was previously used in that firearm, however, it can be beneficial to perform minimal resizing—if any—as the case has now formed to the size of the particular firearm's chamber. Regardless of the ultimate method, many sizing dies also incorporate a decapping rod to remove the spent primer from the case at the same time the case is run through the die.

After sizing the case, it is important to ensure the overall length is trimmed as needed, deburr and chamfer the case mouth and, finally, clean the primer pocket. Once completed, you should then inspect each case for similar signs of wear or damage.



► Example of a resizing die with a decapping rod. (MATT D. CUBEIRO)

### PRIMING AND CHARGING THE CASE WITH POWDER

With fully prepped cases, you can now begin the process of seating a new primer into the case and then "charging" the case with powder. Seating the primer can usually be accomplished in the reloading press itself (most presses come with some method of doing so). Just be sure to select the appropriate type of primer for the cartridge.

At this point, you can then charge the case with the desired amount of powder. Choosing which powder to use, and how much, will depend on several factors, but if new to reloading, one should always stick to the starting loads called for in the appropriate reloading manual (more on that in just a bit). From there, you can slowly work your way up to more powder after successfully test firing cartridges in your firearm and checking for signs of overpressure.

## GOLDEN RULES OF GUN SAFETY

1. **ALWAYS** treat all guns as if they are loaded.
2. **ALWAYS** keep the gun pointed in a safe direction.
3. **ALWAYS** keep your finger off the trigger until you are ready to shoot.
4. **ALWAYS** keep the gun unloaded until ready to use.
5. **ALWAYS** know your target, its surroundings, and beyond.
6. **ALWAYS** know how to properly operate your gun.
7. **ALWAYS** be sure the gun is safe to operate.
8. **ALWAYS** use only the correct ammunition for your gun.
9. **ALWAYS** wear eye and ear protection.
10. **NEVER** use alcohol or over-the-counter, prescription, or other drugs before or while participating in shooting sports.



For more information and training, please contact the California Rifle & Pistol Association: (800) 305-2772 | [CRPA.org](http://CRPA.org)



## SEATING A NEW BULLET

The final step in the reloading process, seating a new bullet, will complete the cartridge. Unlike the other steps in the reloading process, one must generally choose which bullet will be seated into the cartridge before anything else. This is because the chosen bullet will determine what powder to use, how much powder to use and what primer may be necessary. This information can usually be found in the appropriate reloading manual or load data published by the bullet's manufacturer. Having more than one reloading manual as a reference for similar types of bullets is also helpful.

Seating a new bullet requires the use of an appropriate die. The position of the die body in the press will determine what amount of crimp, if any, to put on the bullet, whereas the setting on the die itself will determine how far into the case the bullet is seated. Determining what to do in each case will depend on the cartridge, bullet and other factors such as the firearm itself.



3 ► **Example** of a powder measure. (MATT D. CUBEIRO)



4 ► **Example** of a typical bullet seating die. (MATT D. CUBEIRO)



5

► **Reloaded ammunition** should be properly labeled, so it may be easily identified. (MATT D. CUBEIRO)

## FINAL INSPECTION AND PROPER IDENTIFICATION

After completing each step of the reloading process, inspect the reloaded cartridges for any flaws or damage that could have been caused during the reloading process. Any damaged or defective cartridges can be disposed of by using an inertia bullet puller to separate the base compo-

nents. Otherwise, all reloaded ammunition should be properly labeled, so it may be easily identified. At this point, it's off to the range for testing.

If your goal for reloading is to make the best ammunition possible for your firearm, then your top priority should be consistent muzzle velocity between

shots. The smaller the deviation, the easier it will be for you to hit targets, particularly at longer ranges. Obtaining little or no deviation in muzzle velocity takes a lot of fine-tuning, not to mention patience. The above information only begins to scratch the surface. **CRPA**



## VEHICLE DONATION PROGRAM

Donate your car, truck, RV or Boat to the CRPA Foundation to support our ongoing commitment to inform and educate all Californians and California gun owners of their constitutional rights. We'll make it easy for you to donate with your free scheduled pick-up, and you may even qualify for a tax deduction! Visit us online at [crpa-foundation.careasy.org/home.html](http://crpa-foundation.careasy.org/home.html).

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2

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3

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**Matt D. Cubeiro** is co-author of *California Gun Laws* and heads Michel & Associates' Firearm Law Regulatory Compliance and Legislative Affairs Division. Mr. Cubeiro regularly advises countless clients on state and federal firearm laws, including manufacturers, wholesalers, associations and individuals. Mr. Cubeiro also regularly appears as a commentator on radio and television programs while also teaching classes and webinars on federal, state and local firearm laws.



# HUNTER RECRUITMENT ARE WE DOING IT RIGHT?



(SHUTTERSTOCK)

**BY PAUL WAIT**  
SENIOR DIRECTOR OF  
COMMUNICATIONS, DELTA WATERFOWL

*Reprinted with permission. Edited from original article published on October 13, 2020, on [huntingwire.com](https://www.huntingwire.com).*

*As the hunting population ages, new approaches are needed to bolster our ranks.*

**“Take a kid hunting.”**  
It’s a slogan we’ve all heard countless times.

When we take an eager youngster along on a hunt, we’re doing our part to introduce a new potential hunter to the ducks, the calls, the decoys, the dogs and the blind. It makes us feel good, because we believe we’re helping to create “the next generation of hunters.”

For decades, nearly all hunter recruitment programs—whether for deer,

turkeys, upland birds or waterfowl—have focused on youth and are usually held on special days designated by the state or province as youth-only hunting seasons. The premise has been that if we get those youngsters hooked on hunting early, we’ll have them for life.

But is the youth-driven, “take a kid hunting” approach really working?

Strong evidence suggests it is not; or at least that it’s not working well enough to sustain the ranks of our hunting population in North America.

## DECLINING HUNTER NUMBERS

Despite what you might encounter on opening day or a Saturday morning at your local public hunting grounds, the number of hunters in North America is declining.

The 2016 National Survey of Fishing, Hunting and Wildlife-Associated Recreation shows that 11.5 million people aged 16 or over hunted at least once during the year. That’s down from 13.7

**Hunters are  
the lifeblood  
of funding for  
conservation.**

million people in the same survey in 2011. The survey has been conducted every 5 years since 1991 by the U.S. Fish and Wildlife Service.

Only 4.4% of adults in the United States hunted in 2016. In 1991, it was 7.3%.

“The level of hunting in 2016 is at its lowest level in at least the past 25 years,” the survey’s authors concluded.

## KEEP CA HUNTING ALIVE!

- GET YOUR HUNTING LICENSE
- TAKE HUNTERS EDUCATION COURSES
- PRESERVE YOUR RIGHT TO KEEP AND BEAR ARMS

CRPA works to preserve the traditional and historic role of the individual citizen to hunt, conserve, and preserve California’s resources. In addition, CRPA works relentlessly in California to defend your constitutional right to keep and bear arms.

Become a member today to help promote and support the fight for the second Amendment and hunting conservation.

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**CRPA** ORG  
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271 E Imperial Hwy, Suite 620, Fullerton, CA 92835



The number of waterfowl hunters has followed the same trend. After peaking in the 1970s at about 2.5 million, the number of active waterfowlers in North America dipped to 1.2 million in 2015.

Alarming, many people in the conservation community are worried we're headed for another huge drop in hunter numbers when the Baby Boomer generation ages out of hunting participation. Statistics show that as many as one-third of hunters in North America will be hanging up their shotguns and mothballing their decoys within the next decade or so.

Some people welcome a world with fewer hunters. "Less competition for hunting spots" and "more ducks for me" are the standard rationale offered up in support of the idea that fewer hunters afield is a good thing.

Why does it matter if we lose hunters?

Simply put, hunters are the lifeblood of funding for conservation. In the North American Model of Conservation, which is lauded worldwide for its amazing success at restoring and maintaining healthy populations of game and non-game animals, as well as for providing important environmental benefits, we, the hunters, are paying the bill.

Hunting generated \$26.2 billion in 2016, money that fuels public lands hunting, habitat restoration and the entire suite of wildlife conservation work across North America. It's a user-pay system, and because the sportsmen and sportswomen have been willing to buy licenses and stamps, and to voluntarily fund conservation work, we all get to enjoy the benefits of hunting.

But right now, an ominous cloud hangs over our future as the number of hunters continues to shrink across North America. The equation is simple:

Fewer hunters equals less ducks in the sky and fewer places to hunt them.

"If you care about the future of hunting, we need more hunters," said Joel Brice, vice president of waterfowl and hunter recruitment programs for Delta Waterfowl. "As the number of hunters drops, we're flirting with being irrelevant."

#### THE BROKEN CHAIN

Throughout history, hunting has been a tradition passed down from one generation to the next. Somewhere along the line, however, the chain of hunters was interrupted, or at least, altered. "The age composition of existing hunters shows a large cohort of people who have 5 to 15 years of hunting participation left," Brice said, pointing out that license sales data consistently shows most hunters quit at about 70 years old.

## HUNTERS' CODE OF ETHICS

- Follow the rules of firearm and hunting safety. Insist that fellow hunters do the same.

- Respect the environment and wildlife. Study the ecosystem. Tread lightly. Leave no trash behind.

- Do not waste game or fish. Make full use of any animal taken. Take only what you will use, even if it is under the legal limit.

- Use only fair and humane

methods of taking wildlife. Develop your hunting and shooting skills as necessary to ensure clean, sportsmanlike kills.

- Know your fitness, skill and equipment limitations. Hunt within those limits.

- Obey all hunting regulations. Hunt with the appropriate license and tags only in allowed areas during designated times and seasons. Obey bag and

possession limits. Use only legal hunting methods and equipment. Report game law violations immediately.

- Ask landowner for permission to hunt and respect the land. Close any gates you open. Say thank you.

- Be considerate of non-hunters' sensibilities. Strive to leave them with positive images of hunting and hunters.

- Don't flaunt your kill. Be as discreet as possible. Treat game carcasses

in an inoffensive manner, particularly during transport.

- Generally conduct yourself in a sportsmanlike manner. Hunt according to "fair chase." Require the same of your hunting partners.

- Support NAM wildlife conservation programs and urge policymakers to support strong NAM-based conservation initiatives.

- Teach others the skills, techniques, rules and ethics of hunting. Pass these ethical hunting practices along to younger hunters.



**HUNTERS ARE THE TRUE CONSERVATIONISTS**



(SHUTTERSTOCK)

At the same time, the other end of the hunter age spectrum shows that not enough teenagers are becoming hunters to replace those who are quitting. "If the older generation of hunters right now had replaced themselves one-for-one, we wouldn't be in this situation," Brice said.

So, what happened to the children of the Baby Boomers? Why haven't they joined their parents in duck blinds and goose pits? No one knows for certain, but most experts blame urban drift in society as a strong culprit, pointing out that today's youngsters are far more likely to grow up in a city or suburb than the kids of previous generations. Young people are less connected to landscapes where hunting occurs, and demands on their time for sports and other school activities are arguably stronger than ever, too.

#### TAKE A KID HUNTING

No one will argue that taking a kid hunting is a bad thing. Exposure to

hunting is a positive; however, we should not expect a young person to immediately become a self-sustaining hunter. That urban or suburban boy or girl who tagged along during the special youth-only season has huge hurdles to overcome to repeat the experience, even if they loved every moment of their first taste of hunting.

"A 12-year-old is dependent on parents for money, can't drive, doesn't have the necessary gear—including access to a shotgun—and probably doesn't have a place to hunt," Brice points out.

Most hunter mentorship programs are a one-and-done experience, and therein lies a problem. "The reason most groups or people do a one-and-done hunter recruitment event is because it's easy, it makes them (the adult mentors) feel good, and they believe it works," Brice said. "But in many cases, you might have created a hunter, but you're not retaining that hunter."

Clearly, the exception is a child

**Despite what you might encounter on opening day or a Saturday morning at your local public hunting grounds, the number of hunters in North America is declining.**



growing up in a hunting family who conceivably would have multiple opportunities to hunt again.

Another downfall of many hunter recruitment efforts is that often, the kids who sign up for the programs are children from hunting families. In effect, a lot of hunter recruitment programs are catering to young people who are already well along the pathway to becoming a hunter.

“The average participant is young, and a large percentage of them already have hunting experience,” Brice said. “They are going to become hunters anyway without the benefit of a hunter recruitment event. There is value in keeping a kid hunting, but we’re not adding a new hunter.”

#### TARGETING A DIFFERENT AGE

The application of the R3 model, which stands for “hunter recruitment, retention and reactivation” is changing. Government and non-government agencies relying on the critical revenue hunters provide are emphasizing a new target for recruitment: Young adults.

Non-hunters in their 20s to early 30s—particularly those who come from social groups with an open mindset toward hunting—are much better equipped to become waterfowlers. Young adults who are into eating “clean” foods, have peers who hunt or have some connection to outdoor activities such as canoeing, rock climbing, hiking or biking, and make good candidates to take up hunting.

“The rate of hunting adoption of a 20-something is much, much faster than that of a kid,” Brice said. “The young adult probably has a vehicle, has money to buy hunting gear and has the time to go hunting.”

While a kid who participates in a mentored hunt might have to



(SHUTTERSTOCK)

## By introducing hunting to a person with the means to repeat the experience, you truly are creating a new hunter for this season and for next season.

wait a full year or longer for another opportunity—and could easily lose interest—the young adult can likely go again the following weekend. By introducing hunting to a person with the means to repeat the experience, you truly are creating a new hunter for this season and for next season. “And when they have kids, they can recruit their own kids into hunting,” Brice added.

#### DELTA-STYLE HUNTER RECRUITMENT

Delta Waterfowl's First Hunt is the largest waterfowl hunter recruitment program in North America. Since 2003, Delta's chapters have introduced nearly 80,000 prospective new hunters to the ways of duck and goose hunting by conducting mentorship events using guidelines set forth by The Duck Hunters Organization.

Although First Hunt was originally focused on mentoring youth waterfowl hunters, it has expanded in scope to serve hunters of all ages. Chapters have hosted women's hunts, family hunts and university student hunts.

#### CRPA IS A LEADING MEMBER OF THE CALIFORNIA HUNTING & CONSERVATION COALITION

California Hunting and Conservation Coalition (Coalition) members include all the major hunting and natural resource conservation groups in California. Coalition members are united to ensure a strong future for wildlife conservation by protecting and expanding hunting and fishing opportunities throughout California and supporting wildlife management decisions based on the North American Model of Wildlife Conservation.

The Coalition works to make sure these decisions are based on the best available science and sound management strategies.

The Coalition's primary goal is to ensure that wildlife populations thrive in perpetuity and that our traditional hunting and fishing heritage will be guaranteed for all Californians, for generations to come.

Coalition efforts are badly needed in these times of great challenges to our hunting heritage but also in times of great opportunities.

#### HUNTERS ARE THE TRUE CONSERVATIONISTS





A few Delta chapters have developed year-long mentorship programs where each participant is immersed in several aspects of the waterfowl hunting lifestyle, including shooting clay targets, carving decoys, building and installing duck nest structures, fixing up duck blinds and going on waterfowl hunts.

Delta Waterfowl believes the key to increasing the number of waterfowl hunters in North America—and replacing the massive number of Baby Boomers who are aging out—is to recruit larger numbers of young adults.

Currently, about 36% of Delta's chapters host a First Hunt event. It's a number Brice would love to see at least double. Another statistic he hopes will rise is the average age of First Hunt participants. "I'm challenging our chapters," Brice said. "We need more chapters to host First Hunt events. We also want the average age of participants to go up. We want to focus on young adults and people who are interested in hunting but who do not already have hunting experience."

Instead of hanging a flyer announcing the event at the local sporting

goods store and taking people on a first-come, first-served basis, Brice suggested displaying the event announcement at a grocery store, CrossFit gym or local university. "Target places where outdoorsy people who don't hunt will frequent," he said. "If you're going to invest time in mentoring a new hunter, let's make sure that person has the means to continue hunting after the First Hunt event." **CRPA**

**Paul Wait** is senior director of communications for Delta Waterfowl ([deltawaterfowl.org](http://deltawaterfowl.org)).

## CORE PRINCIPLES OF THE NORTH AMERICAN MODEL OF WILDLIFE CONSERVATION

**P**roper ecological stewardship and natural resource management through hunting, trapping and strategic depredation efforts are critical components of maintaining ecological balance.

Hunters and anglers provide the vast majority of funding for natural resource conservation efforts through license fees and federal excise taxes paid.

The traditional science-based and experience-proven North American Model (NAM) of Wildlife Conservation approach to natural resource management has been used to successfully maintain balanced population levels of diverse wildlife species for many decades. Consistent with NAM, hunters and anglers obey conservation regulations, adopt safe practices and adhere to a code of ethics.

Animal rights extremist groups that oppose hunting (see [humanewatch.org](http://humanewatch.org) and [huntfortruth.org](http://huntfortruth.org)) advocate abandoning the NAM in favor of an unbalanced and unscientific approach to species management that would deliberately make hunting unsustainable. These groups promote a model that would encourage predator species populations to explode. These unchecked predator populations would decimate game species and endanger suburban neighborhoods.

Through education, mentorship and example, CRPA supports and promotes the NAM. CRPA opposes the ongoing duplicitous efforts of animal rights extremist groups and fights the unscientific and unbalanced approach they advocate at the Capital, the California Fish and Game Commission and in the courtrooms!

- Wildlife belongs to the people and is held in the public trust. It is managed in trust for the people by government agencies.
- It is illegal to sell the meat of any wild animal in North America.
- Laws developed by people and enforced by government agencies ensure the proper use and conservation of wildlife resources.
- Every law-abiding citizen has the right and privilege to hunt and fish and should have the opportunity.
- Humans can legally kill certain wildlife for legitimate purposes under strict guidelines for food and fur, in self-defense or property protection. Laws are in place to restrict casual killing, killing for commercial purposes, wasting of game and mistreating wildlife.
- Because wildlife and fish freely migrate across boundaries between states, provinces and countries, they are considered an international resource.
- The best science available will be used as a basis for informed decision-making on wildlife management.

## HUNTERS ARE THE TRUE CONSERVATIONISTS



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# THANKS TO MEATEATER & THE CHCC, LEGAL BEAR HUNTING SAVED!

**T**he California Rifle and Pistol Association would like to publicly thank Steven Rinella and his dedicated staff at The MeatEater ([themeateater.com](http://themeateater.com)) for joining California in saving our bear hunting!

The defeat of Senate Bill (SB) 252 clearly illustrates what we can all do when we work together! CRPA working with the California Hunters Conservation Coalition (CHCC) united agriculture interests, beekeepers, sportsmen and some of the best sheriffs in the state to oppose this effort! It took less than a week for 21,000 folks to sign a petition! They and many, many more wrote letters, called their

representatives and voiced their opinions on this bad legislation.

I am going to provide some background of just how close we came to the Humane Society of the U.S. and its minions taking the next big step to eliminate all hunting here in California. On January 25, 2021, Senator Scott Wiener of San Francisco introduced SB 252 which called to eliminate the hunting of bears in our state and change their designation to "non-game" animals.



**BY ROY GRIFFITH**  
CRPA  
LEGISLATIVE  
LIAISON

Beyond a direct assault on those of us who hunt, SB 252 was a threat to the authority of the California Fish and Game Commission (CFGC) which was established by Section 20 of Article IV of the California Constitution, which itself delegates the authority to regulate the taking or possession of wildlife in

**SB 252 was not based on science or sound wildlife-management principles.**

California based on scientific knowledge of the habitat conservation and ecosystem-based management needs of wildlife. Additionally legislation like this is an insult to the California Department of Fish & Wildlife (CDFW) whose responsibilities include providing the scientific knowledge to perpetuate the long-term

sustainability of wildlife and informing the CFGC regulatory process. In fact, it's the law that bear-management decisions be based on the best science available to CDFW professionals, not by misguided legislators, personal beliefs or emotions. Fish and Game Code Section 703.3 states in part:

*"It is the policy of the state that the department and commission use ecosystem-based management informed by credible science in all resource management decisions to the extent feasible."*

SB 252 would have placed an unnecessary direct financial burden on California. In 2020, CDFW records indicate

30,388 bear tags were sold; this alone represented an annual revenue loss of \$1,388,166 for the CDFW. This amount is the tag fee alone and does not account for revenue loss from hunting license sales or the loss of federal funding.

SB 252 was not based on science or sound wildlife-management principles,



The author, a convert to bear hunting, during a recent bear hunt in California's Sierra Nevada mountain range. (ROY GRIFFITH)



but rather on purely emotional considerations. Bears are abundant and found throughout most of California and have been expanding their ranges in California. Hunting, which is highly regulated and based on the best available science, has very little, if any, impact upon the species. In 1982, the CDFW estimated California’s black bear population to be between 10,000 and 15,000 bears. The department now conservatively estimates there to be between 30,000 and 40,000 bears in the state—roughly triple or quadruple the number from just 4 decades prior. The CDFW has on average been 500 bears per year short of its science-based harvest quota of 1,700 since 2013, when the use of dogs to hunt bears was made unlawful.

Because bears prey on a variety of species, and significantly impact deer fawn survival rates, wildlife managers need the flexibility to take them, if necessary, to manage predator and prey relationships in the fragmented and isolated habitats we have on our landscape today. The CDFW published studies indicating deer fawn predation rates by bears are as high as 70% in some areas. Legal hunting of bears is a critical management tool. Law-abiding hunters also often serve as the “eyes and ears” of field enforcement in helping to prevent the illegal take of bears and other species.

In addition to CDFW enforcement costs, SB 252 would have greatly burdened city and county public safety personnel responding to depredation issues throughout California. CDFW records indicate between 2006 and 2018, the CDFW issued an average of 429 depredation permits a year. Sadly, an average of 126 bears are killed a year via the bear depredation permit process. This already represents a horrible waste of an incredible healthy food source that could be made available to the hungry. With hunting no longer an option to

## THE CALIFORNIA HUNTING AND CONSERVATION COALITION



help keep bears in check with available habitats, these negative bear-human conflicts will only skyrocket.

It is critical we understand the truth, are prepared to tell our story and speak to voting non-hunters truthfully and accurately. Remember, we are never going to change the minds of the hard-core anti-hunters; do not waste your breath. Instead focus your energy and time on the 80% who don't hunt and don't care that we hunt as long as we do it legally, ethically and eat what we harvest. Those are the good folks we must keep in our camp. Share your story and share your harvest with neighbors, friends,

family and anyone who will listen. This is something our good friend in battle The MeatEater himself Steven Rinella calls “Venison Diplomacy.” I have found a little bit of this will go a long way!

We **cannot** take our hunting heritage in California, or anywhere in this nation, for granted any longer. If ridiculous legislation like SB 252 does not get your attention, I do not know what will. We can no longer be complacent—you must join us in this fight immediately! Join not just CRPA, but join and support your favorite CHCC hunting organization as well! **CRPA**

### CRPA MEMBERSHIP LEVELS & BENEFITS

**ALL NEW CRPA members of every level receive these benefits:**

- Subscription to CRPA's *California Firing Line* magazine
- CRPA membership card with Know Your Rights notice
- CRPA decal or sticker
- Legislative & litigation updates and information bulletins
- Exclusive access to timely and informative webinars, podcasts and other resources

**Upgraded members receive *additional* benefits as listed below. To sign up for membership, please visit [crpa.org](http://crpa.org).**

■ **1-Year General Membership:** \$35 / Year

■ **5-Year General Membership:** \$150 (\$5 savings a year on annual membership)

■ **2A Sustaining Membership:** \$17.91 / month

#### CRPA LIFE MEMBERSHIPS\*

- Life Member Hat
- Life Member Velcro Patch
- CRPA Life Member Decal or Sticker
- Pocket Constitution
- CRPA Challenge Coin
- A copy of the current year edition of *California Gun Laws: A Guide to State and Federal Firearm Regulations* by CRPA's President and General Counsel Chuck Michel
- \*Active military and veterans get a 10% discount on all Annual, 5-Year, & Life Memberships. Use Code USVET at checkout.**

■ **Life Member:** \$500 one-time payment, or 4 quarterly payments of \$135

■ **Senior Life Member (65 and older):** \$275 one-time payment, or four \$75 / quarterly payments

#### ENHANCED LIFE MEMBERSHIPS

CRPA's Enhanced Life Members are 2A supporters, hunters and shooters committed to the CRPA's mission and success. In addition to ALL the above-listed member benefits, CRPA Enhanced Life Members also receive:

■ **Defender Life Member:** \$1000 upgrade for CRPA Life Members

- CRPA Defender Life Member Hat
- CRPA Defender Life Member Lapel Pin
- CRPA Custom-Engraved Defender Life Member Buck Knife
- Annually updated copy of *California Gun Laws: A Guide to State and Federal Firearm Regulations* by CRPA's President and General Counsel Chuck Michel
- Defender Life Member Certificate
- Invitations to Exclusive VIP Events, Briefings and Tours
- Personal Recognition from CRPA President

■ **Activist Life Member (Silver/Patron):** \$1500 upgrade for CRPA Defender Life Members

- Activist Life Member Embroidered Patch
- Activist Life Member Outerwear / Jacket
- Activist Life Member Hat
- Activist Life Member Lapel Pin
- CRPA Custom-Engraved Activist Life Member Buck Knife
- Annually updated copy of *California Gun Laws: A Guide to State and Federal Firearm Regulations* by CRPA's President and General Counsel Chuck Michel
- Activist Life Member Certificate
- Invitations to Exclusive VIP Events, Briefings and Tours
- Personal Recognition from CRPA President

■ **Patriot Life Member (Gold/Benefactor):** \$1500 upgrade for CRPA Activist Life Members

- 9mm SIG SAUER P226 MK25 (For first 50 members)
- CRPA Patriot Life Member Hat
- CRPA Patriot Life Member Lapel Pin
- CRPA Custom-Engraved Patriot Life Member Buck Knife
- Annually updated copy of *California Gun Laws: A Guide to State and Federal Firearm Regulations* by CRPA's President and General Counsel Chuck Michel
- CRPA Patriot Life Member Challenge Coin
- Special Patriot Life Member Recognition Wall Plaque
- Patriot Life Member Certificate
- Invitations to Exclusive VIP Events, Briefings and Tours
- Personal Recognition from CRPA President
- Custom logo jacket

## CRPA MEMBERSHIP APPLICATION

Name
DOB
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City, County, State, Zip Code
Phone
Email Address

Membership Options	Price
<input type="checkbox"/> 1-Year Member	\$35
<input type="checkbox"/> 5-Year Member	\$150
<input type="checkbox"/> 2A Sustaining Member	\$17.91/month
<input type="checkbox"/> Life Member	\$500
<b>*Veterans take 10% off Annual, 5-year, Life</b>	
<input type="checkbox"/> Senior Life Member	\$275
<input type="checkbox"/> Defender Life Member	\$1000 + Life
<input type="checkbox"/> Activist Life Member	\$1500 + Defender
<input type="checkbox"/> Patriot Life Member	\$1500 + Activist

Check next to membership of choice

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*\*25% of CRPA membership dues are used for lobbying and political activities.*

#### California Rifle & Pistol Association

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Phone: (800)-305-2772 | Email: [membership@crpa.org](mailto:membership@crpa.org)

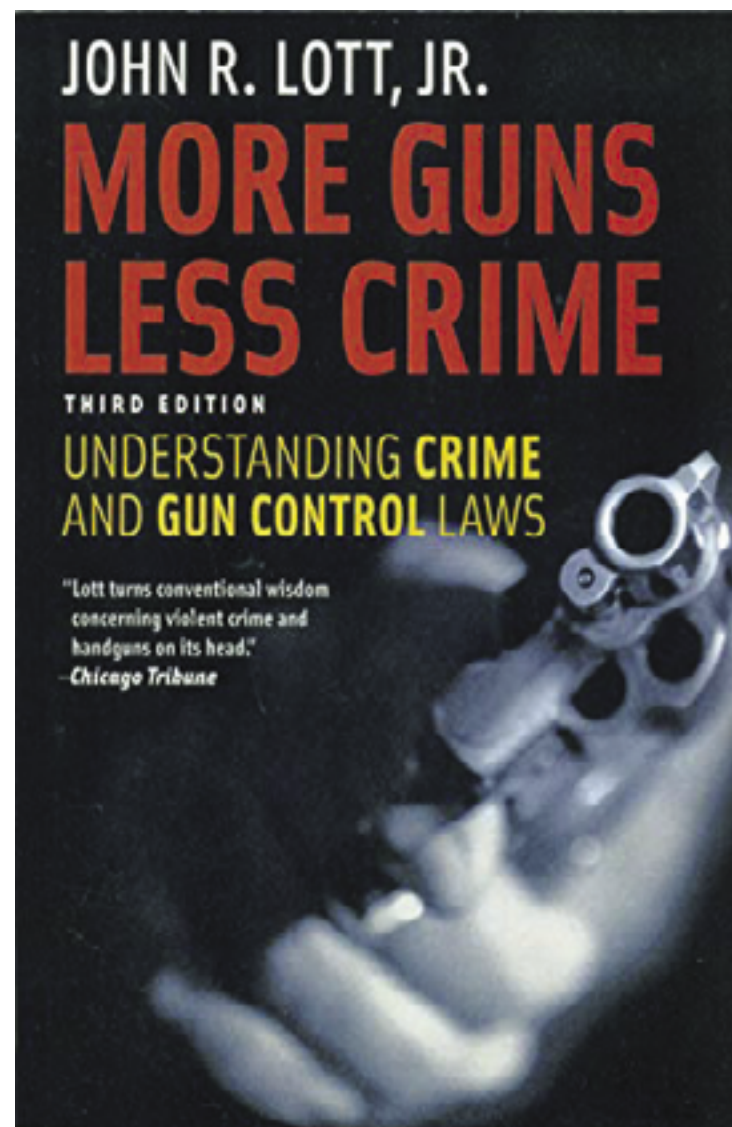


# MORE GUNS LESS CRIME UNDERSTANDING CRIME AND GUN CONTROL LAWS

BY JOHN R. LOTT, Ph.D.

On its initial publication in 1998, John R. Lott's *More Guns, Less Crime* drew both lavish praise and heated criticism. More than a decade later, it continues to play a key role in ongoing arguments over gun-control laws: Despite all the attacks by gun-control advocates, no one has ever been able to refute Lott's simple, startling conclusion that more guns mean less crime. Relying on the most rigorously

comprehensive data analysis ever conducted on crime statistics and right-to-carry laws, the book directly challenges common perceptions about the relationship of guns, crime and violence. For this **third edition**, Lott draws on an additional 10 years of data—including provocative analysis of the effects of gun bans in Chicago and Washington, D.C.—that brings the book fully up-to-date and further bolsters its central contention. **CRPA**



## THE WAR ON GUNS: Arming Yourself Against Gun Control Lies

BY JOHN R. LOTT  
JR., Ph.D.

In *The War on Guns*, Dr. John R. Lott, Jr., debunks well-funded, anti-gun studies and stories that perpetuate false statistics to frighten Americans into giving up their guns.

All books available on Amazon.



## GUNS AND CONTROL: A Nonpartisan Guide To Understanding Mass Public Shootings, Gun Accidents, Crime, Public Carry, Suicides, Defensive Use, and More

BY GUY SMITH

20 years of gun policy research distilled for the 2020 election cycle. This is a guide for your undecided friends, family and a solid briefing book for Second Amendment supporters.



## LIBERTY IN PERIL: Democracy and Power in American History

BY RANDALL G.  
HOLCOMBE

*Liberty in Peril* examines the fundamental principle of liberty in the newly created American government of 1776 and the gradual displacement of its ethics, which has, over time, systematically eroded individual rights.



## WHY MEADOW DIED

BY ANDREW  
POLLACK AND  
MAX EDEN

The Parkland school shooting was the most avoidable mass murder in American history. The policies that made it inevitable are being forced into public schools across America. *Why Meadow Died* is a father's quest for the truth.



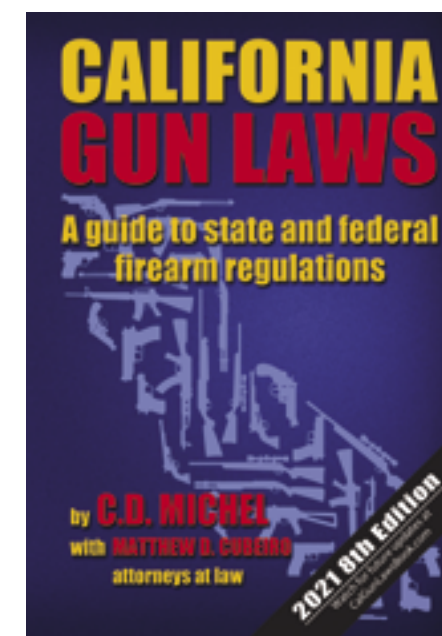
# CALIFORNIA GUN LAWS

## A GUIDE TO STATE AND FEDERAL FIREARM REGULATIONS

BY C.D. MICHEL  
& MATTHEW D. CUBEIRO

*California Gun Laws: A Guide to State and Federal Firearm Regulations* is said to be the bible and definitive source for information on the subject. This tremendous resource is jam-packed with thousands of hours of legal research, all of which has been transcribed into a format that is easy to read and comprehend. Chock-full of legal and practical insights drawn from decades of experience, this book is a must-have for any California gun owner.

The 2021 8th Edition will answer all of your questions regarding current state and federal firearm laws, including who can legally possess a firearm, where and when you can possess it, how to acquire a firearm in California, which firearms are prohibited and how to lawfully carry a firearm in public.



The 8th Edition also covers new and important legislative and regulatory changes to state and federal firearm laws following the release of the 7th Edition. Such changes include **Senate Bill No. 118**, which classifies certain firearms not otherwise meeting the legal definition of a rifle, pistol or shotgun as “assault weapons,” and **DOJ’s “emer-**

**gency” Dealer Record of Sale (DROS) fee regulations** establishing a \$31.19 fee for all firearm transactions in California. Other bills signed by the governor are addressed, including:

■ **Assembly Bill No. 2847**, which modifies California’s microstamping requirements for handguns to be listed on California’s roster of handguns certified for sale in the state and adds a provision deleting handguns from the existing roster as newer handguns equipped with microstamping are added.

■ **Assembly Bill No. 2699**, which adds several state law enforcement agencies to the list of those exempt from California’s roster requirement, while also placing additional requirements on certain officers who acquire handguns pursuant to these exceptions.

■ **Assembly Bill No. 2362**, which imposes civil penalties in addition to existing criminal penalties on California-licensed firearm dealers who breach any prohibition or requirement, subjecting their license to forfeiture.

And more! Now available at **CRPA.org**. **CRPA**

## THE FOUNDERS’ SECOND AMENDMENT: Origins Of The Right To Bear Arms

BY STEPHEN P.  
HALBROOK

Cited in the landmark *Heller* and *McDonald* Supreme Court rulings, *The Founders’ Second Amendment: Origins of the Right to Bear Arms* is the authoritative book on the Founders’ own statements on the Second Amendment.



## THE SECOND AMENDMENT MANIFESTO: What Every American Should Know About Their Constitutional Right To Own Guns

BY JOHN PAINE

Do you want to know the *real* story of the Second Amendment? *The Second Amendment Manifesto* explains *how* the Second Amendment came to be, *why* it’s worth protecting and *what* you can do to defend it right now.



## AMERICA, GUNS, AND FREEDOM

BY MIGUEL A.  
FARIA, JR., M.D.

*America, Guns, and Freedom* outlines why the Second Amendment and armed self-defense are still needed in modern society, while debunking arguments that the U.S. should follow the path of European social democracies by enforcing draconian gun control.



## THE MORALITY OF SELF- DEFENSE AND MILITARY ACTION: The Judeo- Christian Tradition

BY DAVID B. KOPEL

Shedding new light on a controversial and intriguing issue, this book reshapes the self-defense debate. Kopel takes a multidisciplinary approach, engaging with leading writers on both sides of the issue.







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