

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**

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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
WINNING! DEL MAR FAIRGROUNDS MORATORIUM ON GUN SHOWS	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 michellawyers.com/b-l-productions-inc-et-al-v-22nd-district-agricultural-association-et-al	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.
CITY OF SAN JOSE	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.
CRPA COALITION WORK	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 Ranges@crpa.org
COW PALACE GUN SHOWS DALY CITY	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.
STATEWIDE PUBLIC RECORD REQUESTS	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.
CITY OF DUBLIN	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: pbtech.org/clients/dublin_cc/dublincc12012020.html