

ISSUE 1054, JUL/AUG 2021

CALIFORNIA FIRING LINE

OFFICIAL MAGAZINE OF THE CALIFORNIA RIFLE & PISTOL ASSOCIATION



DOJ SNAFU

GUN SEIZURE SYSTEM **FAILS**

**11 YEARS LATER—SCOTUS
TAKES A 2A CASE**

**WHAT DOES IT MEAN FOR
CALIFORNIA GUN OWNERS?**

**MASS
SHOOTINGS
WILL ANYTHING
STOP THEM?**

**LEGISLATIVE,
LITIGATION,
LOCAL
ADVOCACY
AND
PROGRAMS
REPORT
UPDATES**

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ON THE COVER: For years the California DOJ's Armed and Prohibited Persons System (APPS) gun seizure program has been touted by politicians (like Kamala Harris), but it is marked by failed audits, scandal, injustice, inefficiency, cost overruns and waste. (SHUTTERSTOCK)

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PRESIDENT'S MESSAGE

JUDGE BENITEZ RULES AGAIN

BY CHUCK MICHEL

CRPA PRESIDENT & GENERAL COUNSEL

U.S. District Court Judge Roger Benitez meant it when he took his oath to uphold the Constitution as he was sworn in as a federal judge in 2004.

Judge Benitez has seen tyranny up close and personal. His parents were arrested early in Fidel Castro's regime for being U.S. sympathizers. Judge Benitez fled to the United States with his brother at age 10 (insider.si.edu/2017/07/pedro-pan-childrens-exodus-cuba). Their mother followed later, became a schoolteacher and raised her children in rural Imperial County.

On June 4, 2021, the Judge issued a 94-page opinion in *Miller v. Bonta* that scrutinized the "evidence" the state offered in support of California's "assault weapon" ban, found it woefully inadequate and declared California's laws banning common "assault weapons" (like the AR-15) unconstitutional.

In his opening paragraph, Judge Benitez observes:

Like the Swiss Army Knife, the popular AR-15 rifle is a perfect combination of home defense weapon and homeland defense equipment. Good for both home



California's ban on such firearms "has had no effect" on shootings in the state and that "California's experiment is a failure."

Most significantly, the ruling in *Miller* has no immediate impact.

Judge Benitez's ruling includes an automatic 30-day stay to give the state time to appeal to the Ninth Circuit, which the Attorney General has already done. So don't go reconfiguring your rifle!

CRPA'S RUPP CASE CHALLENGING THE "ASSAULT WEAPON" LAW

In keeping with his oath, in recent years Judge Benitez has delivered bold and comprehensive pro-Second Amendment decisions in two CRPA-supported cases: *Duncan* (challenge to magazine capacity limits, michellawyers.com/duncan-v-becerra) and *Rhode* (challenge to ammunition sales bans and background checks, michellawyers.com/rhode-v-becerra). He found both laws unconstitutional. Both cases are now on appeal.

CRPA's efforts to overturn California's magazine ban in *Duncan* and ammunition laws in *Rhode* are just two fronts in CRPA's sophisticated legal campaign to defend the Second Amendment. Long before *Miller*, and long before CRPA was the

(CONTINUED ON PAGE 8)

and battle, the AR-15 is the kind of versatile gun that lies at the intersection of the kinds of firearms protected under *District of Columbia v. Heller*, 554 U.S. 570 (2008) and *United States v. Miller*, 307 U.S. 174 (1939). Yet, the State of California makes it a crime to have an AR-15 type rifle. Therefore, this Court declares the California statutes to be unconstitutional.

"The Second Amendment protects modern weapons." A few pages later, he adds, "Modern rifles are popular. Modern rifles are legal to build, buy, and own under federal law and the laws of 45 states." Perhaps most importantly, Benitez notes that Cal-



MEMBERS' VOICES

Clanton vs. Earp

In the January/February 2021 issue there is a statement in the Law and Politics section that needs to be addressed. Most of the article is fine, but at the end the claim that the O.K. Corral fight was caused by the failure of the Clantons to pay the Earps the latter's alleged cut of the former's rustling profits is not supported by any historical source I have ever seen or heard of. The source for this is allegedly Sheriff John Behan in an interview with the Washington Post. I conducted an extensive internet search and could not find any evidence of such an interview, and Behan's testimony at the inquest was utterly discredited.

I must have read a dozen accounts of the events leading up to what the people of Tombstone called the "Fight on Fremont Street." One of these is the very extensive account of the court inquest following the fight, which is posted on the wall of the former court house, now a museum, in Tombstone. Three others are one from the October

2001 issue of Wild West Magazine, Wikipedia and Smithsonian Magazine (February 5, 2018). Nothing in any of these mentions any corrupt connection between the Earps and the rustling gang known as the Cowboys. Dan Gifford's claim to have heard it from a distant relative who has otherwise escaped history's notice should be discarded on its face. It is the "I knew a guy who knew a guy" type of source. Besides, who knows if the person had it straight, if he or she did indeed exist?

Last, the idea that the ban on carrying guns in town was promulgated by one gang to provide an advantage over another gang doesn't hold water. It wasn't unusual for frontier towns to have such bans, given the prevalence of alcohol, gambling and a shortage of women, a guaranteed recipe for trouble.

Other than the above this was a good, insightful article. It just should have ended a page sooner.

-Charles Knapp, [Traverse City, MI]

Thanks for the comment. I'm not an expert, so can't say who is right. But I'm glad to see we are making folks think!

(PRESIDENT'S MESSAGE, CONT.)

first to discover Judge Benitez, CRPA launched a direct challenge to California's "assault weapon" ban that is already at the Ninth Circuit. That matter, *Rupp v. Becerra*, was filed in April 2017 and has been on appeal since August 2019.

The *Rupp* case is fully briefed and argued but is "stayed" at the Ninth Circuit pending resolution of CRPA's *Duncan* case. The Ninth Circuit panel of judges decided to essentially pause the *Rupp* case, because of the impact that the *Duncan en banc* rehearing (scheduled for June 22, 2021) may have on Second Amendment law in the Ninth Circuit.

Rupp is ahead of *Miller* in the Ninth Circuit, challenges the same laws, involves the same legal issues and the arguments Judge Benitez addressed in the *Miller* decision are the same arguments and evidence that CRPA presented in CRPA's *Rupp* case. *Rupp* is already fully briefed, argued and "under submission" in the Ninth Circuit. Although *Rupp* is already fully briefed and argued, the case has been stayed by the Ninth Circuit pending resolution of other important CRPA Second Amendment cases, discussed below.

So while it is heartening to read another brilliant evisceration of California's gun control regime penned by Judge Benitez, the *Miller* case itself will likely have little impact and will be caught up behind the logjam of cases already pending at the Ninth Circuit.

THE NINTH CIRCUIT 2A CASES LOGJAM

The State filed its appeal of the *Miller* decision on June 10 and held a big politicians' press conference to insult and belittle Judge Benitez and accuse him of being in the gun lobby's pocket. Sounds like something

Fidel Castro would do! Remember when the Supreme Court issued its decision on gay marriage? Newsom condemned people who disagreed with that ruling as bigots. What does that make him now?

The *Miller* appeal will almost certainly be stayed at the Ninth Circuit pending rulings in the other important CRPA Second Amendment cases that are already on appeal at the Ninth Circuit. In fact, Second Amendment law in the Ninth Circuit is facing a logjam right now due to the extraordinary success of the CRPA's *Duncan* case. *Duncan* won at the district court level (in Judge Benitez's courtroom) and then won again before a three-judge panel at the Ninth Circuit. In line with the Ninth Circuit's hostility toward the Second Amendment, an 11-judge *en banc* panel will rehear *Duncan* on June 22. Because *Duncan* could have a tremendous impact on Second Amendment law in the Ninth Circuit, other Second Amendment cases at the appeal stage have been "stayed" or "held in abeyance" pending the resolution of the *Duncan en banc* rehearing. That is the situation with *Rupp*, *Rhode*, and *Miller*.

WHAT WILL THE SUPREME COURT DO?

The Supreme Court will soon hear *New York State Rifle & Pistol Association, Inc. v. Corlett*, which will very likely reset the legal test that courts apply to Second Amendment questions. The current composition of the court makes a pro-Second Amendment decision look very possible.

Because the Ninth Circuit is just as aware of this as we are, there is a good chance that the Ninth Circuit will stay *Duncan*, citing *Corlett* as the reason, after it conducts the *en banc* oral argument in *Duncan*. If that happens, then all the cases that are being stayed pending *Duncan* will essentially remain stayed as well until the Supreme Court issues its *Corlett* decision—including this most recent ruling in *Miller*.

So, for now, we have room to be cautiously optimistic that the hard work the CRPA has done in California's courts will have a meaningful chance to truly change the scope of gun rights in the state. We are planning the march to the Supreme Court now and you can help! Please donate to the CRPA's Litigation Victory Fund today at crpa.org.

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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CAN MASS

SHOOTINGS

BE PREVENTED?

**PREVENTION IS NOT A
MATTER OF CONTROLLING
OUR GUNS, BUT OF
CONTROLLING OURSELVES**

BY DAN GIFFORD

Amid all the specious rhetoric about banning AR-15s and other “weapons of war” from civilian hands that have often been used in the highly-publicized mass murder of strangers or casual acquaintances (the basic definition of a “mass shooting”), there’s a cogent question that’s never asked: Why didn’t we have such mass murders when war zone souvenir weapons were stashed in homes around the country and machine guns could be purchased by mail from magazine ads with almost no questions asked?





► **Boulder, Colorado - USA - 03 27 2021:** Fence with flowers and signs after the mass shooting in King Soopers. (UWE LUBJUHN / SHUTTERSTOCK.COM)

The answer, according to a joint op-ed published in *The Philadelphia Inquirer* by University of Pennsylvania law professor, Amy Wax, and University of California, San Diego law prof, Larry Alexander, is that American society had a solid foundation of strong bourgeois Judeo-Christian cultural values that proscribed such acts and held people, not things, responsible for their actions. Both profs are now the recipients of scathing “woke culture” hate speech rhetoric as “white supremacists” for also pointing out another rational truth: All cultures are not of equal value compared to the bourgeois values which have been an intrinsic strength of western society long before America existed.

That culture laid out the script we all were supposed to follow: Get

married before you have children and strive to stay married for their sake. Get the education you need for gainful employment, work hard, and avoid idleness. Go the extra mile for your employer or client. Be a patriot, ready to serve the country. Be neighborly, civic-minded, and charitable. Avoid coarse language in public. Be respectful of authority. Eschew substance abuse and crime.

Both profs point out: “These basic cultural precepts reigned from the late 1940s to the mid-1960s. They could be followed by people of all backgrounds and abilities, especially when backed up by almost universal endorsement. Adherence was a major contributor to the productivity, educational gains, and social coherence of that period.”

In the memory of most reading this, pop culture reinforced those rules of behavior in movies and TV shows like *I Love Lucy*, *Leave it to Beaver*, *The Life of Riley* and the 17-year run of *The Adventures of Ozzie and Harriet*. Older readers will recall their radio and film predecessors spread the same values. That is not to say mass murders or killings did not happen during that or previous periods or that they didn’t involve firearm misuse. America and all other societies have experienced mass murders throughout their histories.

Governments have murdered millions on millions while criminals and family members have added to that tally—and not necessarily with a gun. James Scales Purrington killed all eight members of his family with

an axe in 1806 while Abel Clemmons used the same weapon to murder his eight children and wife a year earlier. But the sort of “active shooter” mass killing, as we now define the term, didn’t start until years later.

According to the Investigative Assistance for Violent Crimes Act of 2012 (IAVCA), a “mass killing” does not include the killing of criminals by other criminals like 1929’s St. Valentine’s Day massacre, the mass killings of robbery victims like the infamous *In Cold Blood* murders of the Clutter family in their 1950s Kansas home that writer Truman Capote made infamous or James Urban Ruppert’s 1975 killing of eleven family members in his mother’s Hamilton, OH home. To qualify as a mass killing under the IAVCA, there must be three or more people killed in a public place.

The earliest mass killing of that sort on record in America was done by Howard Unruh in 1949. Unruh went insane and killed 13 as he walked around his Camden, NJ neighborhood, shooting people at random with a war souvenir German Luger he’d brought back from Europe after WWII.

That was the last mass shooting until 17 years later, in 1966, when a former Marine expert marksman with a brain tumor named Charles Whitman shot and killed 13 people from the top of the University of

America and all other societies have experienced mass murders throughout their histories.

Texas administration tower. 1982 was next, when former prison guard George Emil Banks killed 13 in Wilkes-Barre, PA in what was described as a thrill killing. After those, the shooting pace quickened.

Mother Jones listed seven mass shootings in public places that killed four or more in 2015. Meanwhile, Michael Bloomberg’s gun violence prevention group, Everytown for Gun Safety, identified 110 mass shootings (defined as shootings in which at least four people were murdered with a firearm) between January 2009 and July 2014. More than half

of those were related to domestic violence and always have been, making family violence the most common form of mass killing even though incidents didn’t necessarily get reported as such until the late 60s.

Wax and Alexander:

This cultural script began to break down in the late 1960s. A combination of factors — prosperity, the Pill, the expansion of higher education, and the doubts surrounding the Vietnam War — encouraged an anti-authoritarian, adolescent, wish-fulfillment ideal — sex, drugs, and rock-and-roll — that was unworthy of, and unworkable for, a mature, prosperous adult society. This era saw the beginnings of an identity politics that inverted the color-blind aspirations of civil rights leaders like the Rev. Dr. Martin Luther King Jr. into an obsession with race, ethnicity, gender, and now sexual preference.”

And those adults with influence over the culture, for a variety of reasons, abandoned their role as advocates for respectability, civility, and adult values. As a consequence, the counterculture made great headway, particularly among the chattering classes — academics, writers, artists, actors, and journalists — who relished liberation from conventional constraints and turned condemning America and reviewing its crimes into a class marker of



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virtue and sophistication.

All cultures are not equal. Or at least they are not equal in preparing people to be productive in an advanced economy. The culture of the Plains Indians was designed for nomadic hunters, but is not suited to a First World, 21st-century environment. Nor are the single-parent, antisocial habits, prevalent among some working-class whites; the anti-“acting white” rap culture of inner-city blacks; the anti-assimilation ideas gaining ground among some Hispanic immigrants. These cultural orientations are not only incompatible with what an advanced free-market economy and a viable democracy require, they are also destructive of a sense of solidarity and reciprocity among Americans. If the bourgeois

cultural script — which the upper-middle class still largely observes but now hesitates to preach — cannot be widely reinstated, things are likely to get worse for us all.

Would the re-embrace of bourgeois norms by the ordinary Americans who have abandoned them significantly reduce society's pathologies? There is every reason to believe so. Among those who currently follow the old precepts, regardless of their level of education or affluence, the homicide rate is tiny, opioid addiction is rare, and poverty rates are low. Those who live by the simple rules that most people used to accept may not end up rich or hold elite jobs, but their lives will go far better than they do now. All schools and neighborhoods would be

much safer and more pleasant. More students from all walks of life would be educated for constructive employment and democratic participation.

But restoring the hegemony of the bourgeois culture will require the arbiters of culture — the academics, media, and Hollywood — to relinquish multicultural grievance polemics and the preening pretense of defending the downtrodden. Instead of bashing the bourgeois culture, they should return to the 1950s posture of celebrating it. **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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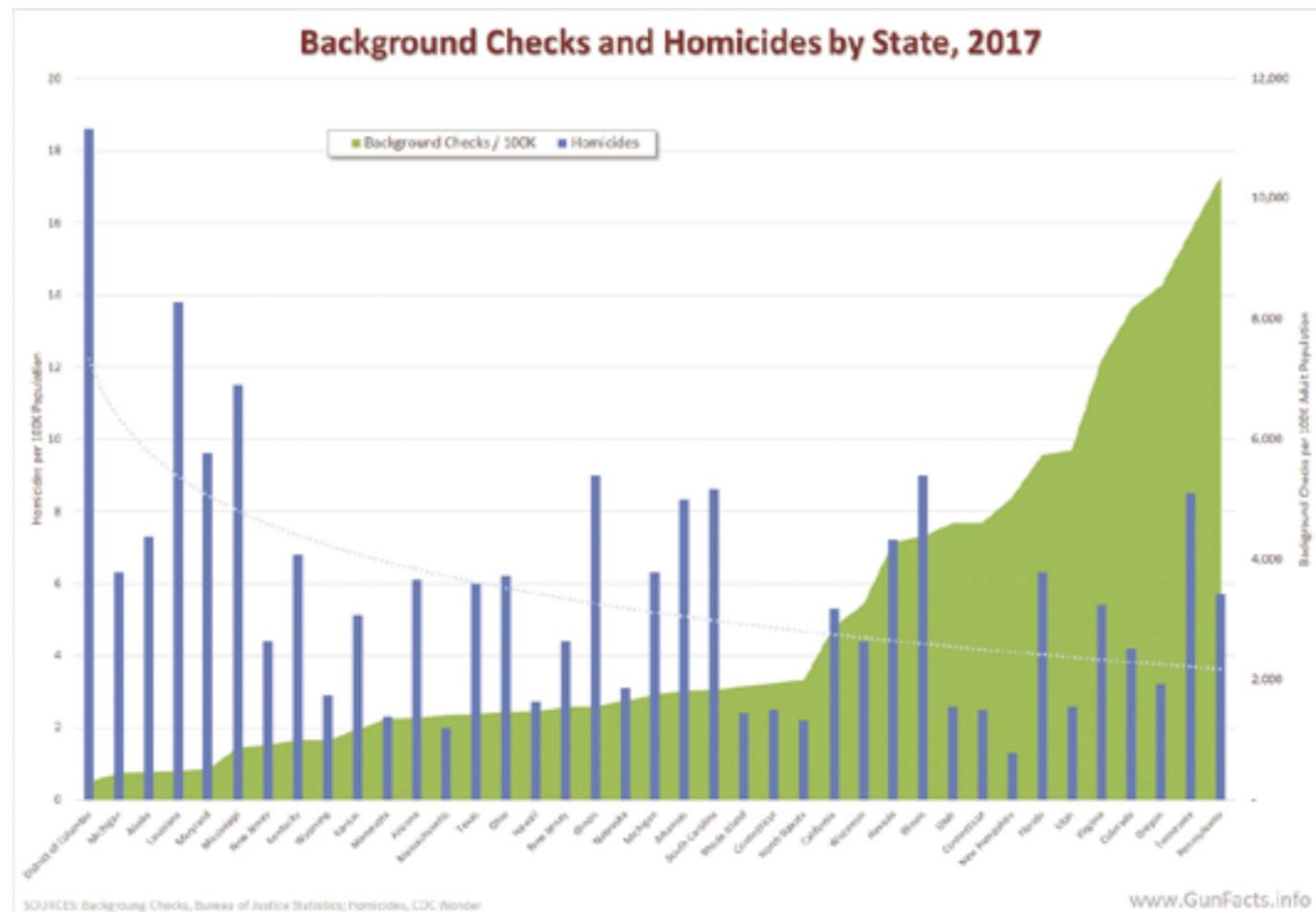
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BACKGROUND CHECKS AND HOMICIDES

BY GUY SMITH



Reprinted with permission. Edited from original article published on April 20, 2021 on gunfacts.info.

If retail gun purchase background checks are any indication, sales of guns may keep some crime down.

BACKGROUNDS CHECKED

The Bureau of Justice Statistics (BJS)

recently released a report¹ on background checks. Though not every state was covered, the 40 reported give an unexpected view into homicides and recent gun sales.

But before we dive in, here is the list of caveats:

- Only looks at 2016/7 data, so a snapshot in time.
- Gun sales may lag behind changes in local violence, so there is an unspecified lead/lag issue.

■ Since the BJS also tells us that a minimum of 40% of crime guns come from street sources (not subject to background checks), looking at retail checks and crime might produce weak results anyway.

UP, UP AND AWAY

Between 1999 and 2017, the U.S. population rose 16% while the number of background checks for gun purchases rose 99%. Clearly, America has been arming itself. Interestingly, all manner of crime—including violent crime—dropped during most of that period.

Also of interest is that the percent of rejected background checks has been declining. In 1999, 2.4% of background checks cancelled a sale, and by 2017 that was down to 1.4%, with a steady

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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.

CRPA | National Shooting Sports Foundation | American Foundation for Suicide Prevention

In other words, higher guns sales not only do not lead to higher crime, crime tends to decline.

stepwise decline in between.

As the Gun Facts project has noted before, there was a 3% shift of crime guns from retail outlets to street sources before and after the national background check system came to life. Attrition might be driving street sources to be the first choice among thugs.

1. *Background Checks for Firearm Transfers, 2016-2017*, February 2021

APPS was intended to “provide a way for law enforcement to find out which proven felons are still possessing weapons” and provide law enforcement “with a tool that will disarm these proven law-breakers before they can break the law again.”¹

But immediately following its implementation, problems began to emerge—particularly with funding and the growing backlog of individuals listed in APPS. This prompted the Legislature in 2013 (https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201320140SB140) to appropriate over \$24 million from funds generated by lawful firearm transactions. In other words, law-abiding gun owners were stuck paying the bill for general law enforcement activities regarding firearms.² Even so, that funding came with certain strings, including a required annual report to the Joint Legislative Budget Committee on DOJ’s progress reducing the backlog. Other items CA DOJ was mandated to report on include:

- The number of agents hired for enforcement of APPS
- The number of people cleared from APPS
- The number of people added to APPS
- The number of firearms recovered from enforcement of APPS
- Information regarding collaboration with local law enforcement on APPS

APPS is both ineffective and a waste of taxpayer resources.

In 2018, the CRPA published a detailed article concerning APPS and the various reports published by CA DOJ at the time. Notable is how, over the years since the reporting requirement took effect, CA DOJ repeatedly changed its reporting methods, no doubt for purposes of casting APPS in the most favorable light possible. This makes it extremely difficult to effectively analyze the program’s effectiveness, both from a financial and public policy point of view.

Such problems have been compounded by the passage of SB 94 in 2019 (https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB94) which, among other provisions, re-establishes the reporting requirement and

seeks more information regarding the terms CA DOJ used in its prior reports. Such terms include those individuals who are “unable to be located,” “unable to be cleared,” moved out-of-state, have federal prohibitions only, or are currently incarcerated.³ What’s more, DOJ must also report on the degree to which the backlog in APPS has been reduced or eliminated.

ABOUT CA DOJ’S AUTOMATED FIREARMS SYSTEM

To be listed in APPS, an individual must both be prohibited from owning or possessing firearms and simultaneously have an entry in CA DOJ’s Automated Firearms System (AFS). AFS is the system used by California law enforcement to query prior Dealer Record of Sale (DROS) transaction history for a particular individual.

In most states, licensed firearm dealers conduct a background check on a prospective purchaser by submitting the purchaser’s information through an online federal system known as the National Instant Criminal Background Check System (NICS). But in California, licensed dealers instead send a purchaser’s information to CA DOJ, who in turn sends that same information to NICS while also checking additional state databases. California licensed firearm dealers submit the required information using CA DOJ’s DROS Entry System (DES).⁴ Assuming the prospective purchaser is deemed eligible and

satisfies all other requirements, DROS information (which includes information about the firearm[s] being purchased) is then uploaded to AFS.

Many individuals—including California law enforcement—mistakenly view AFS as a registration system. A more accurate way of describing the system is a database containing firearm transaction records. CA DOJ officials have testified to this fact repeatedly, stating instead that all an AFS record reflects is that on a particular date and time, the person applied to purchase or transfer a firearm and a background check was conducted

in connection with that purchase or transfer. It **does not** indicate the person is in possession of the firearm.

Put bluntly, APPS relies on a database that doesn’t speak to a person’s possession of a firearm, and then uses that same system as a means of assuming the person is in possession of a firearm. It should therefore be no surprise why CA DOJ is often unable to clear persons listed in APPS. What’s more, this says nothing about the accuracy of AFS entries themselves, many of which are problematic for reasons unrelated to the fact that they don’t speak to actual possession.⁵

UNDERSTANDING DOJ’S SNEAKY DEFINITIONS

Before analyzing the 2020 report, it is important to understand the terms used throughout. Many readers will likely overlook how those definitions are being used to manipulate the data to cast a favorable light on APPS. For example, DOJ defines the term “backlog” to mean:

The number of cases for which the Department did not initiate an investigation within six months of the case being added to APPS or a case for which the Department has not completed investigatory work within



(SHUTTERSTOCK)

1. Senate Committee on Public Safety, April 24, 2001 hearing on SB 950.

2. CRPA challenged this unlawful use of DROS funds in the case of *Gentry v. Becerra*, (<http://michellawyers.com/gentry-v-harris/>), which in 2017 resulted in an important ruling (crpa.org/news/litigation/ruling-in-nra-crpa-lawsuit-reigns-in-dogs-misuse-of-dros-fees/) reigning in CA DOJ’s use of these funds. Litigation in that case is still ongoing.

3. The newly implemented reporting requirements have been codified in Penal Code section 30012.

4. A printout of the information being submitted is provided to the prospective purchaser by the dealer.

5. For example, AFS has been designed to treat any variation concerning a firearm’s description as a separate firearm. Should an individual later sell their firearm to another person and the dealer enters a description of the firearm that varies from the original record in terms of color, barrel length, or otherwise (despite the firearm’s serial number matching exactly), AFS will treat the transfer as involving a different firearm from the one originally purchased.

WHAT IS THE CRPA?

The 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.

six months of initiating an investigation.

Previously, DOJ simply defined the term "backlog" to mean those cases in APPS that had not been fully investigated. The most recent statistic available for this figure was from 2018, with DOJ reporting approximately 8,373 individuals in APPS had not been fully investigated. Following the change in the definition for the term "backlog," however, DOJ now states that its systems do "not have the technological capability of tracking the amount of time a case has been in the system." And as a result, DOJ is "unable to provide these statistics until upgrades are made to the APPS database." In other words, it is either too difficult now for DOJ to report this information, or worse, it doesn't want to.

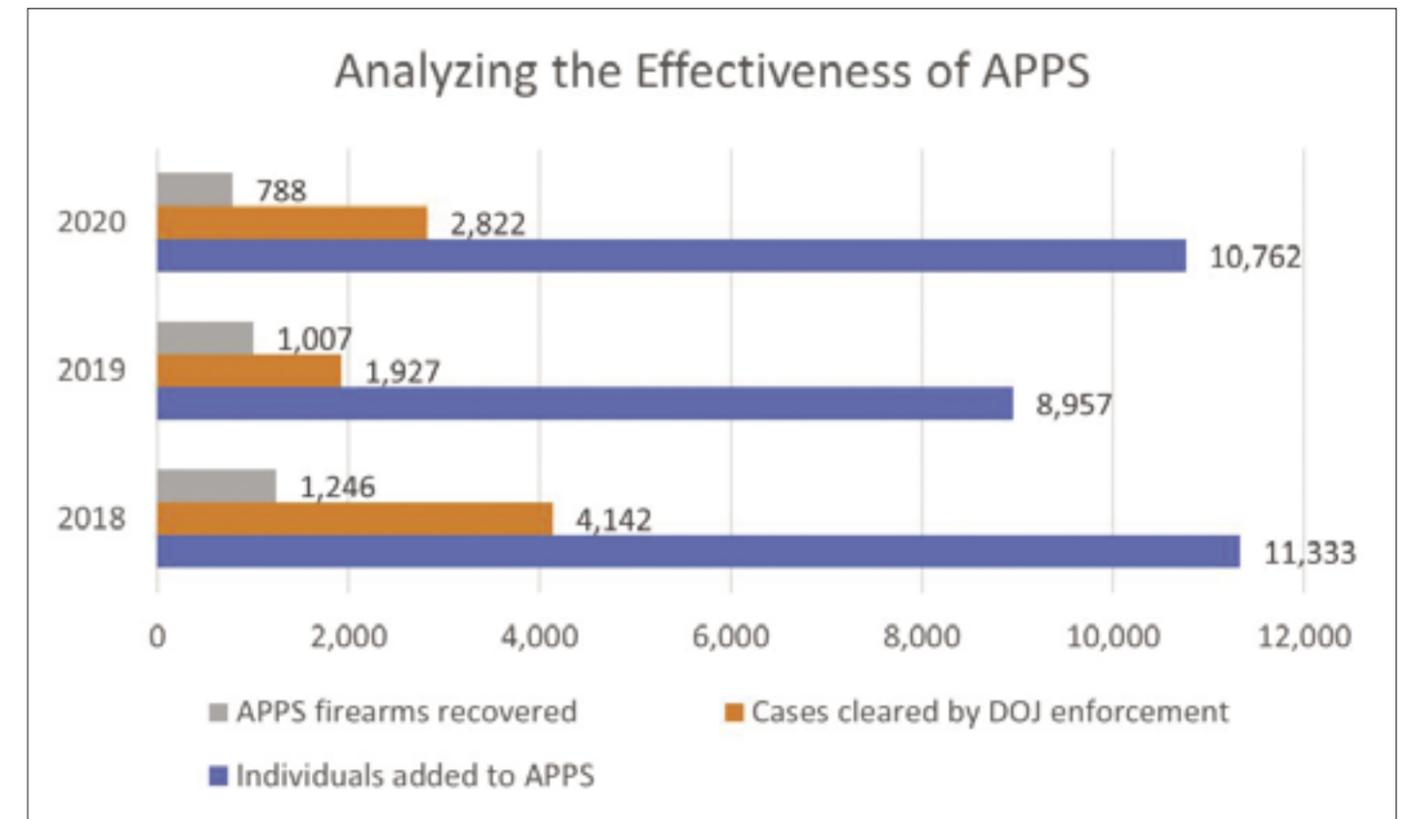
Other terms used throughout the report, such as "cleared," "closed" and "contacts" in relation to APPS case shed light on how the report misleads readers. A layman would think a "cleared" case is one where DOJ investigated the person and if found to be in possession of firearms confiscates them. But the definition as used by DOJ also includes cases where the individual died, their prohibition expired, or their prohibition was otherwise removed. In other words, a "cleared" case also includes those cases for which DOJ likely did nothing at all.

Likewise, a layman would believe a "closed" case is that which has been fully completed. Instead, DOJ defines the term to be those cases where DOJ fully investigated the person, but their case remains "pending." In other words, a "closed" case is one in which DOJ has simply given up on removing the person from APPS altogether.

But perhaps most blatant among such deceiving definitions is the term "contacts." Undoubtedly, a layman would likely think the term to mean an actual contact between DOJ and an individual. Instead, DOJ defines the term as mere *attempts* to locate an APPS individual. Nowhere in DOJ's report is it clearly stated how many actual contacts DOJ made with persons listed in APPS, physical or otherwise.

THE NUMBERS DON'T ADD UP

With a better understand of the terms used by CA DOJ, we can now look at the figures and statistics in the report and compare those to prior reporting periods. As a baseline to measure the effectiveness of the program, CA DOJ claims it "re-



moved 8,370 prohibited persons from the APPS database" in 2020 while also noting that "10,762 prohibited persons were added to the APPS database" over the same time period. What is grossly misleading here is that CA DOJ is suggesting its actions are responsible for the removal of 8,370 prohibited persons from APPS.

Buried much deeper in the report is the actual number of individuals who CA DOJ were able to verify as being disassociated from their firearms. **That number is only 2,822.** The rest either died (257 individuals) or had their prohibitions expire (5,291 individuals). In other words, nearly twice as many

people were removed from APPS for reasons outside CA DOJ's control. Which also means the number of individuals added to APPS in 2020 is about four times higher than the number of individuals CA DOJ was responsible for clearing.

A better comparison would be the number of firearms seized by CA DOJ agents. In 2020, DOJ claims to have recovered 788 firearms that were associated with an individual listed in APPS.⁶

What the report fails to address is how many of these firearms were associated with unique individuals. Many of the firearms seized were likely associated with the same person, as

it is common for individuals who own firearms to have more than one. Even if we are to assume every firearm seized was connected to a unique individual, this number suggests the number of individuals added to APPS each year outpaces those CA DOJ clears at a rate of nearly ten to one.

To be fair, CA DOJ did also seize an additional 465 firearms in 2020 labeled as "non-APPS firearms," meaning firearms which were not listed as being possessed by an APPS individual, but were nonetheless confiscated. We can at least be certain these firearms were seized during an APPS investigation. What is not clear from the report,

6. DOJ's report includes a breakdown of the types of firearms seized. The majority (464) were handguns. Only 37 were classified as "assault weapons," and another 35 were non-functioning firearms in a receiver/frame only configuration.

however, is the reason for their confiscation. Many of those firearms, for example, could have been confiscated from a spouse or roommate living with the prohibited person who is not actually listed in APPS.

That said, even if one were to account for the total number of firearms seized (1,243), that number is less than half of the total number of cases DOJ was able to clear from APPS due to their enforcement efforts. **More than half of DOJ's "successful" cases were the result of incorrect or outdated information in the AFS database.**

There is also the matter of the 14,515 individuals CA DOJ has placed into the "pending cases" category. The majority of these (6,955 individuals) consist of cases CA DOJ is "unable to clear" from APPS. CA DOJ describes such cases as those that have "been investigated and all leads exhausted but agents have been unable to disassociate the individual from all known firearms." **In other words, "unable to clear" cases likely mean the individual has an AFS record that DOJ is unable to locate the associated firearm for.** As noted previously, this is not surprising given AFS does not reflect whether a person is in possession of the firearm.

The remaining cases consist of individuals who have since moved out of state, CA DOJ is unable to locate, or consist of federal prohibitions only (meaning CA DOJ is unable to prosecute as the person's prohibited status is a matter of federal concern).

Of all the 14,515 individuals placed in the pending category, CA DOJ's report claims 5,322 were placed there due to enforcement efforts in 2020. The remaining 9,193 were thus placed in the pending category prior to 2020. CA DOJ did not begin reporting on the number of pending cases until 2018. And it wasn't until the 2019 report that CA DOJ gave more detailed informa-

More than half of DOJ's "successful" cases were the result of incorrect or outdated information in the AFS database.

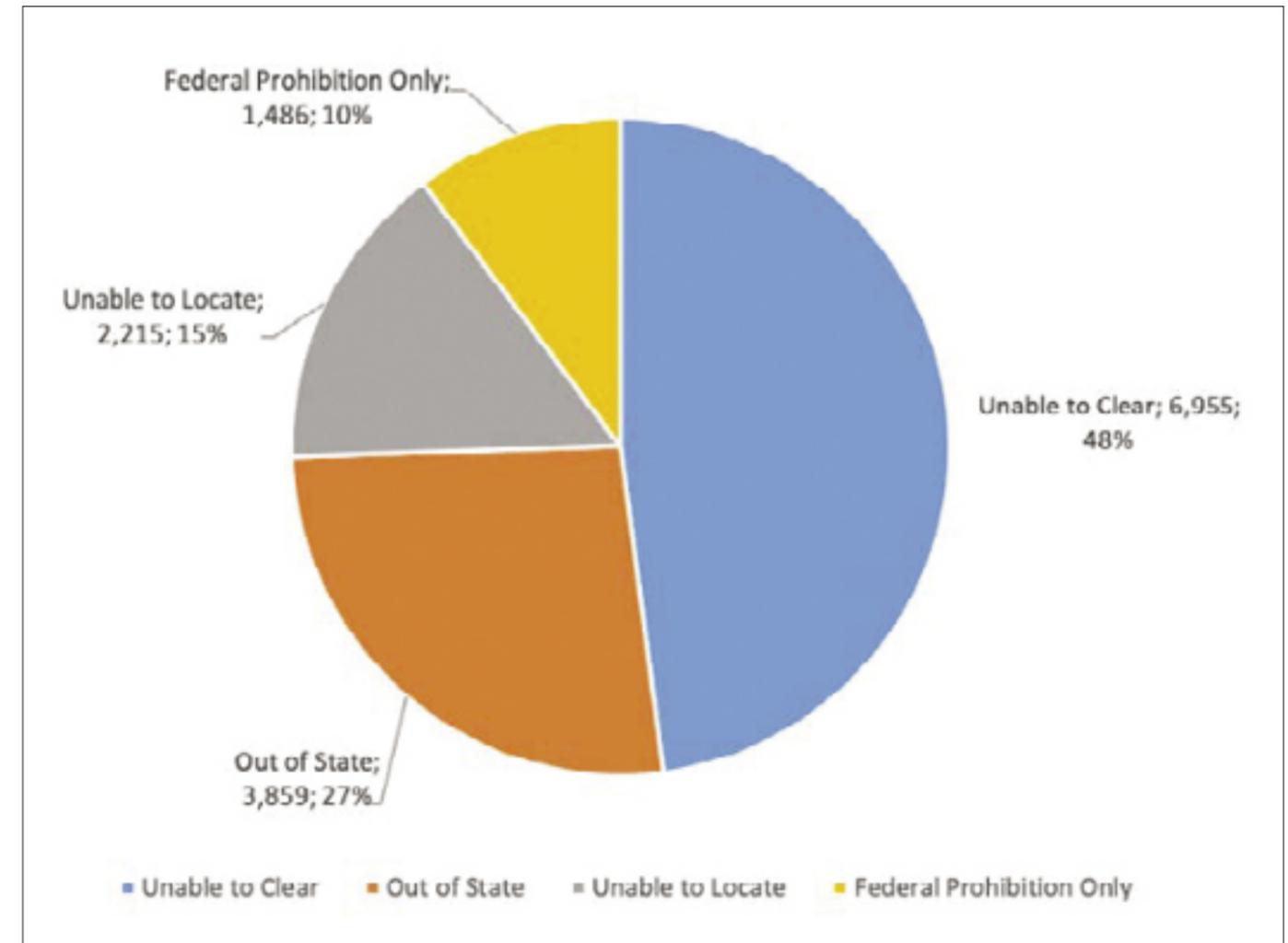


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► Breakdown of current "pending" cases as of January 1, 2021.

tion as to the exact reason an APPS case was listed as pending. That said, the exact number of pending cases has remained relatively constant since 2018, first reported at 13,818 and then 14,677 in 2019.

When we add the number of "unable to clear" cases to those cleared only because DOJ's AFS database was inaccurate or otherwise out-of-date, DOJ

effectively wasted their time and taxpayer resources on over 6,901 cases. That number is likely much higher because it assumes every single firearm seized was connected to a separate APPS case—which is certainly not the case.⁷

The above examples of declining efficiency can, of course, be explained to some degree should it be shown

the number of agents and employees working APPS cases is similarly declining. But that number has remained relatively constant. In 2020, CA DOJ increased the number of agents working on APPS to a small degree, with a total of 50 agents and trainees dedicated to APPS. Although the exact number of agents has fluctuated over the years, the APPS program has aver-

7. DOJ's own report provides several "case studies" in Appendix G. Such studies provide examples of how a single individual listed in APPS was found to be in possession of more than one firearm. The case studies include examples of 10 firearms, 12 firearms (11 of which had been given "to a friend for safekeeping"), 19 firearms, 4 firearms, 8 firearms and 1 (with another 7 unaccounted for), respectively.

aged around 55 dedicated agents and employees every year.

CONCLUSION

While CA DOJ's report attempts to cast the APPS program in a favorable light, a detailed analysis paints a different picture. CA DOJ has attempted to explain the drop in results for factors outside of its control, largely due to COVID-19. But the effectiveness of the APPS program has been declining since its inception—*well before the pandemic*. More importantly, none of the case examples provided by DOJ in the report suggest the individual was misusing their firearm(s) or had any violent intentions. Instead, their only crime appears to have been caught up in the myriad of gun-control laws labeling them a “prohibited person” by the state of California.

Perhaps California's limited law enforcement resources would be better spent addressing the actual criminal misuse of firearms, or even better, educating California gun owners on knowledge, skills and attitude necessary for the safe and legal use of firearms. **CRPA**

LINKS TO AVAILABLE APPS-RELATED REPORTS

California State Auditor Report Regarding DOJ APPS Program auditor.ca.gov/pdfs/reports/2013-103.pdf

2014 APPS Report (Report #1) oag.ca.gov/sites/all/files/agweb/pdfs/publications/armed-prohib-person-system.pdf

2015 APPS Report (Report #2) oag.ca.gov/sites/all/files/agweb/pdfs/publications/armed-prohib-person-system-2015.pdf

California State Auditor Follow-Up Report Regarding DOJ Delays in Fully Implementing Recommendations for APPS Program auditor.ca.gov/pdfs/reports/2015-504.pdf

2016 APPS Report (Report #3) oag.ca.gov/sites/all/files/agweb/pdfs/publications/armed-prohib-person-system-2016.pdf

January 1, 2016 SB 140 Supplemental Report of the 2015-16 Budget Package Regarding APPS oag.ca.gov/sites/all/files/agweb/pdfs/publications/sb-140-supp-budget-report.pdf

2017 APPS Report (Report #4) oag.ca.gov/sites/all/files/agweb/pdfs/publications/armed-prohib-person-system-2017.pdf

2018 APPS Report (Report #5) oag.ca.gov/sites/all/files/agweb/pdfs/publications/armed-prohib-person-system-2018.pdf

2019 APPS Report (Report #6) oag.ca.gov/sites/all/files/agweb/pdfs/publications/apps-2019.pdf

2020 APPS Report (Report #7) oag.ca.gov/system/files/attachments/press-docs/2020-apps-report.pdf

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.



THE PUSH FOR UNIVERSAL BACKGROUND CHECKS IS AN EXERCISE IN STUPIDITY

BY GUY SMITH

Reprinted with permission. Edited from original article published on March 14, 2021 on gunfacts.info. Original article title: “Pale Background.”

Universal background checks aren't universal.

But such things are being proposed in Congress. Ignoring how poorly the laws are drafted, we have to ask the basic question, “Will universal background checks do any good?”

The answer is that conceivably 2% of crime gun transfers might get diverted, but the more likely number is zero.

HIGH-LEVEL TAKEAWAYS

- 37% of crime guns fall into the realm of those that “universal” background checks would affect.

- Of those, 41% still come from sources that are not regulatable.

- Assuming “intimate” partners would not do background checks, at most 2% of crime gun transfers would receive background checks ... and that assumes *all* “friends and family” firearm transfers obey (huge assumption).

HOW THE BUREAU OF JUSTICE STATISTICS TIPPED US OFF

For many years, the Gun Facts project has been showing off this little graphic, compliments of the Bureau of Justice Statistics (BJS), an agency of the federal government and a band of number nuts that we admire. It reports the source for guns used in crimes. Here are the important points, using the 2004 data:

- A rock-bottom minimum of 40% of crime guns come from illegal sources.
- About 11% come from retail sources

es that perform background checks already (though 1.4% come from gun shows and flea markets, and they likely have more than a few non-checked transfers).

- 37% of crime guns are bought/borrowed/gifted between family and “friends” and this is where “universal” background checks might have some effect.

It is that last bucket that causes calculation headaches. Among the reasons this has been problematic include:

- **What is a “Friend”?** Is your fellow street gang member a “friend,” or your anarchist pal a “friend of a friend”? There is a big difference between your next-door neighbor (friend) and your “we once held up a liquor store together” friend.

- **Family:** The Gambino Family is different than the Partridge Family. Background checks between members of the former would be quite rare.

- **Intimate People:** Husbands, girlfriends, casual sex partners ... a pretty wide swath of people who might be open to providing a gun on the sly.

Intent and compliance are unmeasurable variables here, and thus assigning a likelihood of compliance with background checks would be iffy. That being said, asking prisoners in state pens where they got their guns helps because the residents there tend to be criminally minded, and thus tend to find ways of breaking laws, which shows “intent.”

THE BIG AND UGLY DATASET

Back in 2016, a survey of prison inmates¹ was conducted and published by BJS. There are 24,848 data points in the survey which makes it rather robust ... except that not all inmates answered all the questions. For example, 3,902

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1. *Survey of Prison Inmates*, United States, 2016, Inter-university Consortium for Political and Social Research, 2016

told surveyors how they obtained guns (not all prisoners used guns) but only 2,803 told the statisticians from where they obtained them. Regardless, there is enough data to parse and estimate that mysterious “family and friends” bucket of 37% of crime guns.

A LOT OF ASSUMPTIONS NEED TO BE MADE

The problem with surveys in general, and surveys of felons in particular, is that the respondents are not required to answer all questions. For example, only 41 of the 3,902 explained why they used a third party to obtain a gun despite at least 1,000 of them doing so through family, friends or intimate partners. However, they were more talkative about all third-party transfers, so we'll run with that and make a few broad assumptions.

What we see is both interesting and a bit troubling. A full 85% of third-party crime gun transfers occurred between intimates (spouse, crack whore girlfriend ... quite a range). We have to incorporate this into the overall analysis since it is apparently the overwhelming source of third-party (and hence “friends and family”) transfers. We also have to make some broad assumptions

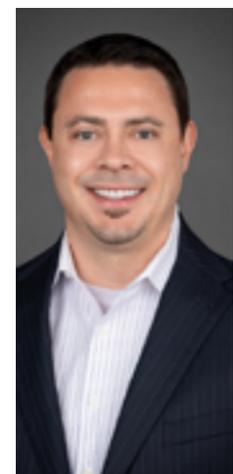
TABLE 14
Source of firearms possessed by state prison inmates at time of offense, 1997 and 2004

| Source of firearm | Percent of state prison inmates | |
|----------------------------------|---------------------------------|-------|
| | 1997 | 2004 |
| Total | 100% | 100% |
| Purchased or traded from— | 14.0% | 11.3% |
| Retail store | 8.2 | 7.3 |
| Pawnshop | 4.0 | 2.6 |
| Flea market | 1.0 | 0.6 |
| Gun show | 0.8 | 0.8 |
| Family or friend | 40.1% | 37.4% |
| Purchased or traded | 12.6 | 12.2 |
| Rented or borrowed | 18.9 | 14.1 |
| Other | 8.5 | 11.1 |
| Street/illegal source | 37.3% | 40.0% |
| Theft or burglary | 9.1 | 7.5 |
| Drug dealer/off street | 20.3 | 25.2 |
| Fence/black market | 8.0 | 7.4 |
| Other | 8.7% | 11.2% |

about which of these sources might comply with a background check.

Herein, we run into trouble. Would 100% of crime gun transfers between intimate partners skip background checks? No, but what is the ratio? Since

this survey was of prisoners and criminality is involved, among intimates the rate would likely be high. After all, the wife of an NRA member buying him the Colt he has wanted will unlikely result in him using it to rob you at the ATM. But



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checks are weak. At most, 5% of the friends/family/intimates cluster would conduct background checks under a “universal” background check law, and when applied to the 37% of crime guns in the BJS’ cluster that such background checks might affect, that means at most 2% of crime guns might be stopped.

THE REALLY BIG SHIFT

Refer again to the BJS TABLE 14, which we opened this discussion with. There is a hidden-in-plain-sight reality in the two columns of data.

The left column shows the crime gun sources *before* the National Instant Check System (NICS) was launched, and the right column shows *after* it became active. Notice that about 3% of gun acquisitions quit being made at retailers (where background checks occurred) and reappeared under “street” sources. In short, a number of people (likely prohibited) quit going to gun stores and instead scored their hardware from established black markets and other sources immune to background checks.

Because of this reality, even if the compliance rate for “universal” background checks were high, the 2% of crime guns that *might* be stopped via friends/family/intimate transfers would likely shift to black markets as well. If this holds true, then “universal” background checks could have zero effect.

POLICY VS. PROPAGANDA

Since it has been known for decades that a minimum of 40% of crime guns come from street sources, the entire push for “universal” background checks is an exercise in stupidity. It does not address the common, recurring, and majority source of crime guns. The effort is better diverted to fixing the street problem. **CRPA**

| Source | Background Checks | Full Share | Non-Intimate Share |
|--------------|---------------------|------------|--------------------|
| Gun Store | Currently Done | 3% | 17% |
| Pawn Shop | Currently Done | 1% | 9% |
| Family | Possible Compliance | 0% | 3% |
| Friend | Possible Compliance | 4% | 25% |
| Black market | Skipped | 2% | 10% |
| Street/Drug | Skipped | 4% | 29% |
| Burglary | Skipped | 0% | 1% |
| Internet | Possible Compliance | 0% | 3% |
| Other | Possible Compliance | 0% | 3% |
| Intimates | Skipped | 85% | |

| | Without Intimates | With Intimates |
|---------------------|-------------------|----------------|
| Currently Done | 26% | 4% |
| Possible Compliance | 33% | 5% |
| Skipped | 41% | 91% |
| Max Crime Guns | 12% | 2% |

the street thug’s transient and drug-addled girlfriend might be happy to run guns for him. For intimates then, we leaned toward assuming they would bypass background checks.

Other categories are less clear. You will see that 4% of the crime guns via third parties came from “friends.” In one scenario, Cousin Joey knows you are a felon hiding from the mob and gives you a gun for protection. That obviously bypasses a background

check. But if your Uncle Bill sells you, a non-felon, a gun (which you later commit a crime with) he might well obey a “universal” background check law. Hence, we assumed that there is “possible” compliance for friends and family (though not intimate partners), and we thus know that some subset of these will be transfers without background checks.

When distilled, we see a fallout that confirms that “universal” background

WHAT REALLY HAPPENED AT WACO IN 1993?

BY DAN GIFFORD

The ATF's armed raid on the Branch Davidians was a public relations stunt meant to scare the public into demanding more gun control laws. Instead, it became a defining example of government lawlessness which network specials like ABC's "Truth and Lies: Waco" have covered up with false narratives about both religious groups and gun owners.

Several network specials have aired about the 1993 attack by government forces against the Branch Davidian religious sect since my film, "Waco: The Rules of Engagement [WTRE]," told the real facts about that sorry episode. In recognition, "WTRE" received an Oscar nomination, the National Emmy for Outstanding Investigative Reporting, The International Documentary Association's highest award, among others, and led the world Human Rights Watch Film Festival.

The Human Rights Watch Film Festival recognition was particularly apt, given the massacre of civilians carried out by forces of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), FBI, U.S. Army and British SAS forces. Yes, U.S. Army and British commando soldiers were at Waco and

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may have killed Americans on American soil despite the claims of a political theater investigation by Senator John Danforth.

I avoided his subpoena because it was obvious the fix was in on the most sensitive topics, and his investigators said they could not stop the harassment I was receiving from Los Angeles Police Department and Washington, D.C., detectives who tried to place me in compromising positions or strangers who tried to intimidate me into naming my information sources with threats of federal prosecution for such crimes as obstructing justice and lying to a federal officer. Since all knew the content of my emails, phone calls and travels, it was obvious their mission was to silence those among government ranks who divulged the horror of what federal U.S. agents had done to the Branch Davidian religious sect and what they may do to any American in keeping with either their own beliefs or the political winds of the moment to assure their pensions. The FBI that will engineer a coup d'etat against a president or frame and prosecute people for crimes as local police commonly do will not hesitate to do the same to "law-abiding" gun owners. Second Amendment supporters who naively support "law enforcement" need to think hard about that.

If there was a way to characterize the government's actions against the Davidians as something other than pre-meditated mass murder that was covered up with rigged political inquiries, government biased experts, lackey judges, official lies and the intimidation of inquirers, we, the producers of "WTRE" could not find it.

What we did find was that the intent to kill was as plain as that of British Army Colonel Reginald Edward Harry Dyer, aka The Butcher of Amritsar, for ordering Gurkha troops to massacre

Was the ATF attack on the Davidians a public relations ploy to scare Congress into passing more gun control laws?

more than 1,000 Indian men, women and children (of these, at least 379 died). Dyer admitted his actions to Parliament. Our government's commanders have not and probably never will admit their actions, since Freedom of Information Requests about that and more have been stonewalled.

Despite the accolades received by "WTRE" for exposing the huge number of lies government officials told and continue to tell about its actions at Waco and the fact that previous productions borrowed from my film sans credit that I've seen, no producer on any previous network special has contacted me, the producer, director William Gazecki, lead researcher Michael McNulty (now deceased) or anyone else on the film production team for either information or com-

ment. None of the big name talk radio hosts who regularly defend Second Amendment rights contacted me—not Larry Elder, not Dennis Prager, not Rush Limbaugh. MSNBC's John Gibson and FOX's Bill O'Reilly had me on but only for the theater of sucking up to the FBI government narrative so they could rail against "WTRE's" "conspiracy theory."

That's important because of what has been missing in those past productions like ABC's 2018 "Truth and Lies: Waco" and what will also be missing from future specials in order to perpetuate the false government and pop culture narrative is a given.

That narrative holds that the Branch Davidians were a dangerous, drug dealing, religious cult armed with stockpiled illegal guns that was led

by an evil leader who started his own religion, raped underage girls, held the Davidians hostage during a 2-month FBI siege and then forced them to commit mass suicide in a fire he set. It's a very compelling story when referenced against the mass suicide of Jim Jones' Peoples Temple and then repeated ad infinitum by major media and government officials, but we found none of it to be true.

What was true was that constant

repetition by the implicit authority of media and officialdom had established perceptual truths in line with commonly held beliefs and biases that skilled psychological propagandists know to exploit in order to concoct effective "atrocious propaganda." Much of that was due to the intentional use of words that demonize or imply illegality or *malum in se*. For instance, the ABC trailer said a UPS driver discovered a box of grenades bound for the Davidi-

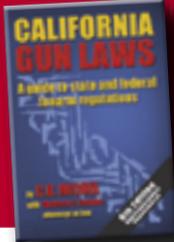
ans. That left the impression they were illegal explosives when, in fact, they were the same dummy grenade hulls found at many Army-Navy surplus stores. The Davidians used them to make flea market novelties such as those advertised online.

The trailer also shows ABC News anchor Peter Jennings using the term *fortified compound*, as did most other news organizations then, to describe the Davidian abode despite the fact it was not fortified and not a compound. That word, *compound*, is a military psychological warfare (PSYOPS) word police began using years ago during stand-offs to justify militarized attacks. How did a specialized military term like *compound* get injected into police and news lingo? Perhaps someone should press the Pentagon about why propaganda specialists from the U.S. Army's 4th Psychological Operations (PSYOPS) Group at Ft. Bragg have been assigned to work within police departments in addition to network newsrooms like those at CNN. Other pejorative PSYOPS words include *cult*, *cache*, *arsenal* and *stockpiling weapons*. Those words beg these questions:

■ What is the difference between a religious sect (the Branch Davidians originated in the 1930s as a branch or sect of the Seventh day Adventist Church) and the vilified word *cult* which was first used in a negative way to describe the Charles Manson gang simply because reporters did not have a term then for such a murderous group?

■ What is the difference between a gun collection or firearms inventory (which the Davidians legally acquired and legally sold for profit) and implied mendacity of "stockpiling weapons" or having an "arsenal" or "cache?"

In sum, "Waco: The Rules of Engagement" is about the same thing that director Barbara Trent was booed for



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saying when her film, "The Panama Deception," won the 1993 Best Documentary Feature Oscar: "This film is about one thing: Our government lied to us."

Government lies and those of others, we found, formed the atrocity propaganda that was concocted and used to vilify Davidian leader David Koresh and justify the murderous actions of federal agents at Waco.

Perhaps the most pernicious of those was the story told Congress on national TV by Kiri Jewell who claimed against all fact that she had been molested by David Koresh when 10 years old. Hers is the single story most still remember from those 1995 hearings, but there's far more to this bit of atrocity propaganda than most know.

In order to inflame the public against Davidian leader David Koresh, Democrat Congressman Tom Lantos put 14-year-old Kiri Jewell in the Congressional Hearing witness chair to read that molestation story which was written by her father, the man on her left.

Kiri's July 19, 1995, claim generated angry headlines around the country like this one in *The Oklahoman*: "Teen's Story Shocks Waco Hearings: Girl Describes Abuse by Koresh" and this one in *The Washington Post*:

"Teenager Tells Waco Panel of Koresh's Lust." It's a blood pressure boosting story, but according to Kiri's grandmother and others who knew, the story wasn't true.

Rather than an accurate account of a real event, I and my investigating team found her account was actually a fabricated allegation in a nasty child custody dispute between her father, Michigan disc jockey and former Davidian Richard Jewell, and his ex-wife who remained a Davidian. Kiri's story was one of several sexual accusations against Koresh I and my investigators

looked into that had the same untrue divorce custody origins. But even if they had been true, all were outside the federal jurisdiction of the ATF and had no business being mentioned in their warrant application. Waco Sheriff Jack Harwell confirmed that our findings matched those of his investigators.

During our investigation, Ruth Mosher, Kiri's grandmother whom Lantos

blocked from the hearings, told me and other "WTRE" researchers that Kiri's described molestation never happened. It never happened, she said, because Kiri was with her at the time. Former Davidian David Thibodeau, author of the book *Waco: A Survivor's Story*, corroborated Mosher's account from his own knowledge. No matter. I confirmed with some Lantos staffers that he knew all that. He knew, staffers

told me, because Kiri's grandmother had told them. Mosher also told the Lantos staffers that Richard Jewell was using appearances with Kiri to get himself TV face time for a show biz career he wanted to launch. Lantos knew all that but still had Kiri testify.

Kiri Jewell's false story wasn't the first Lantos had used to manipulate public opinion. Five years earlier during the national debate about whether to

go to war with Iraqi dictator Saddam Hussein, any reluctance was cast aside after testimony by Nayirah al-Sabah before the Congressional Human Rights Caucus on October 10, 1990.

She was presented by Caucus Co-Chairman Lantos as "Nurse Nayirah," a Kuwaiti nurse who had witnessed atrocities committed by Iraqi troops:

"I saw the Iraqi soldiers come into

the hospital with guns and go into the room where 15 babies were in incubators. They took the babies out of the incubators, took the incubators and left the babies on the cold floor to die."

Can you feel your viscera building to go to war and kill Saddam Hussein's murdering bastards? Good. That's the atrocity propaganda reaction President George H.W. Bush and the U.S. government "deep state" of CIA spooks and other members of the military industrial establishment wanted in order to push anti-war doubts about whether Hussein really did have "weapons of mass destruction" off the debate table.

But "Nurse Nayirah" was not a Kuwaiti nurse. She was actually the 15-year-old Kuwaiti ambassador's daughter, and her story was a scam concocted by the public relations firm of Hill & Knowlton, a powerful firm with well-known ties to the CIA and other powerful Washington and world interests. But Lantos' Nayirah ruse worked so well that Lantos later used Kiri Jewell's false story during congressional hearings into the government's actions against the Branch Davidians in order to unjustly vilify David Koresh and justify the premeditated mass murder by FBI and other government actors of over 70 men, women and children in Waco.

Government lies are one thing. That too many in our media blindly or not so blindly repeat them with demonizing intent is another. So here's a random partial checklist of what ABC's Waco effort and all others have left out:

■ The Branch Davidians faced a situation that most won't ever face when the ATF agents attacked them. That is, when the police lie to obtain a warrant, attack by surprise, immediately start shooting from air and ground and make it plain they intend to kill, does

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one have an obligation to be a good citizen and die or a right to fight back?

■ Half the Branch Davidians were black, and several angry ATF agents told me over whiskey at a Washington, D.C., bar that the white David Koresh was engaged in miscegenation with “n****rs” and had to be stopped.

■ None have shown the official photo of the 1992 ATF “Good Old Boys Roundup” at which some attendees said “n****r hunting licenses” were handed out.

■ Neither ABC nor any other network told us that Davidian trial jury forewoman Sarah Bain said, “The federal government was absolutely out of control there. We spoke in the jury room about the fact that the wrong people were on trial, that it should have been the ones that planned the raid and orchestrated it and insisted on carrying out this plan who should have been on trial.”

■ Prior network specials have not told us that ATF and FBI officials hid exculpatory evidence from both federal prosecutor Bill Johnston and the Davidian defense attorneys.

■ None were told that when Michael McNulty found that illegally withheld evidence, federal prosecutor Bill Johnston complained and the Department of Justice (DOJ) farcically then prosecuted him for obstruction of justice. Yes, the DOJ prosecuted its own prosecutor who prosecuted the Davidians for complaining that the DOJ withheld evidence that showed ATF and FBI agents committed perjury and that the Davidians did not break the many laws they were charged with breaking.

■ Our networks have not told us that the ATF attack on the Davidians was a public relations ploy to scare Congress into passing more gun control laws which, for the ATF, meant bigger budgets and more power.



■ As “WTRE” noted, the many gun charges alleged by the ATF against the Davidians were either not true or highly suspect and that ATF agents have bragged in my presence and others that they can easily fake a machine gun in order to arrest someone for its illegal possession.

■ The ATF lied about drug trafficking, illegal weapons and child abuse in order to obtain its warrant. ATF officials lied about Davidian drug dealing so they could get military equipment and operators for free. (Military gear for ordinary law enforcement requires the agency to reimburse the military; if

for the “war on drugs,” it’s free.)

■ All the talk about child abuse among the Branch Davidians like Attorney General Janet Reno’s claim that “babies were being beaten,” was used to inflame public opinion against Koresh even though such allegations were not only untrue, they were com-

pletely outside ATF jurisdiction. Waco Sheriff John Harwell stated, on camera, that a 2-year investigation showed there was no case to be made for child abuse or underage sex against Koresh or anyone else.

■ Neither the Davidians nor anyone else held anyone hostage.

■ FBI agents regularly mooned the Davidians and openly fondled their genitalia, leading Davidians to conclude the FBI was rife with demented perverts. Asks one Davidian: “You expect us to turn women and children over to people like that?”

■ Michael McNulty proved FBI

(FEDERAL BUREAU OF INVESTIGATION)

agents committed perjury before Congress and elsewhere when they said they had no munitions that could start a fire or that were designed to kill. It hasn't been pointed out except in "WTRE" that FBI agents had fragmentation grenades (whose only purpose is to kill) and explosive pyrotechnic grenades.

■ The spots where fires started were places where spent pyrotechnic grenades were found, and that fact was covered up.

■ FBI claims that no shots were fired by government forces of the FBI, ATF, U.S. Army or British SAS were lies. Damning analysis by Dr. Edward Allard, retired director of the Defense Department's Night Vision Laboratory, showed gunfire by government forces on its own video that kept the Davidians from escaping the burning building. Allard: "This is the most disgusting thing I've had to witness."

■ A CBS "60 Minutes II" special report did show confirmation of Allard's expert observation by British Army sniper location specialist Paul Beaver who identified the government muzzle flashes, but official Washington did not care. Beaver: "It's not a glitch in the camera. It's not the sun striking something. It's not swamp gas reflecting off the planet Venus. This is somebody [among government forces] shooting [into] the Davidian building."

■ The only analysis testimony allowed in court about the government's gunfire Allard and Beaver saw was made by those who were hired by the government or whose livelihoods depended on government contracts.

■ Harvard psychiatry professor Alan A. Stone, M.D., was retained by the government to assess whether the Davidians were crazy, but he instead found the FBI and other government people were the ones who needed their heads examined. For that, he was

What was true was that constant repetition by the implicit authority of media and officialdom had established perceptual truths in line with commonly held beliefs and biases.

told, "his services would never again be needed" by Washington.

■ Only "WTRE" has shown the clever way the FBI prepped the Davidian building to burn on a windy day, injected it with a substance that produces hydrogen cyanide when it burns and that many of the Davidian dead showed cyanide in levels far higher than those normally found in fire victims.

Again, I and the "WTRE" production team at first thought the government's entire story about illegal and even heinous activities by David Koresh and the Davidians was true.

Instead, we found that almost the entire official story was untrue and that those untruths presaged other government agency lies about tainted crime lab evidence, the withholding of exculpatory evidence, suspect framing and the blaming of legitimate gun dealers for the government's own plan to allow criminals to sell guns and hand grenades to Mexican drug gangs.

That and more indicate nothing has really changed since 1925 when H.L. Mencken observed in *The Baltimore Sun* that federal agents were too often simply "legalized murderers." **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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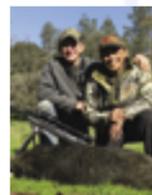
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LEGISLATIVE REPORT

YOUR GOVERNMENT STANDS TO PROTECT YOUR PERSONAL INFORMATION! WELL ... UNLESS YOU ARE A GUN OWNER.

Defund law enforcement, make their jobs impossible, roll back penalties on violent criminals, release criminals from jail early and take away firearms from law abiding citizens!?! Oh, and make it just about impossible to get ammunition for the firearms they missed!



BY ROY GRIFFITH
CRPA
LEGISLATIVE
LIAISON

Recipe for disaster? Nahhhhhhhh. For this update I will focus on two of the more threatening bills still alive this session, Assembly Bill 1237 (by Assembly Member Ting) and Assembly Bill 1223 (by Assembly Member Levine).

AB 1237

If passed, AB 1237 would name the center for research of firearm-related violence the California Firearm Violence Research Center at UC Davis. This bill

will require that all personal information for lawful California firearm owners be made available to researchers affiliated with the California Firearm Violence Research Center at UC Davis. It will be at the discretion of California Department of Justice (DOJ) what information would be made available to any other non-profit "bona fide" research institution or public agency concerned with the study and prevention of violence, for academic and policy research purposes.

Although the stated intent of AB 1237 may be to prevent violence, an idea we can all get behind is the bill would require DOJ to release the personal and confidential information of lawful firearm owners who legally purchase firearms, ammunition and "firearm precursor parts." AB 1237 would also require DOJ to retain this personal information and make it available for a period of not less than 25 years!

Requiring DOJ to maintain the personal information of someone who purchased ammunition or a firearm precursor part in a shared database for 25 years is not only a violation of privacy,

but also costly and useless. Ammunition is an expendable commodity; it is rarely, if ever, maintained in an individual's possession for more than two years. In addition, firearms are made of numerous parts, and often these parts are purchased to repair an existing firearm already in the database. As such, requiring DOJ to maintain information on individuals who purchase these parts would only create duplication and confusion.

The identities and confidential personal information of individuals should only be provided by DOJ or other state entities to law enforcement agencies when conducting an investigation that has a specific need for it. No other entity, not even research institutions, has sufficient justification to have access to an individual's private information. Research conducted by the California Firearm Violence Research Center and other institutions to prevent violence should not be about individuals and their personal information, but rather about a broad-based study about the prevention of violence where an individual's specific personal information is

We support crime prevention and victim support, but not funding it on the backs of law-abiding gun owners.

irrelevant.

At a minimum, AB 1237 should mandate that before an individual's confidential information is released by DOJ or other agency to any entity other than a law enforcement agency, that the individual first be contacted to obtain their prior written approval of use of the information.

UPDATE AT PRESS TIME: Great news, AB 1237 is dead for this session! Not sure what form of it we will see in 2022, but for now we can focus our energies on other bad bills. Our coalition hit this bill hard on all fronts and I want to believe together we made a difference!

AB 1223

The other big attack on California Gun owners this session is Assembly Bill 1223. AB 1223 seeks to impose an excise tax in the amount of 10% of the sales price of a handgun and 11% of the sales price of a long gun, rifle, firearm precursor part and ammunition as specified.

This bill will require the revenue generated by this tax be used to fund grants through the California Violence Intervention and Prevention Grant Program (CalVIP) program, which support local and community-based violence intervention and prevention efforts. This bill

was previously introduced in the 2019 session as AB 18. The author stated the annual cost estimates from gun violence in the United States reach \$229 billion each year. These costs are caused by criminals, not the individuals you seek to tax. We stand with law enforcement throughout California and put the safety of our communities and schools first, not the taxation of law-abiding citizens for the actions of criminals, who by their nature are not law-abiding gun owners and account for less than a fraction of one percent of the population.

Firearms and ammunition sales already bring millions of dollars of sales tax into California's state budget each year. Many communities throughout California already face over 10% in sales tax alone. Additionally, an average of \$40 million dollars are made available for conservation and education efforts in California each year from an 11% federal excise tax imposed on the sale of sporting arms and ammunition (Pittman-Robertson Act). Furthermore, the proposed tax, which clearly impedes constitutionally-protected activity, raises serious legal questions as to whether funds raised in this manner can be spent on this kind of policy.

Case law makes it clear that states may not impose a charge for the enjoy-

ment of a right granted by the federal Constitution and a person cannot be compelled to purchase, through a fee or tax, the privilege freely granted by the Constitution. This type of tax scheme has been repeatedly struck down in multiple jurisdictions. A marriage license tax being used to fund shelters for victims of domestic violence was recently struck down on similar grounds. In that case, the Court pointed out that a statute cannot violate the Constitution, no matter how desirable or beneficial the legislation may be.

Under the law, a state may only impose taxes in connection with the exercise of a Constitutional right when those fees are designed to recoup the costs incurred in administering a regulatory regime to which the taxpayer is subjected. This tax neither recoups the costs of legitimate firearm regulation nor does it fund efforts to benefit firearms consumers generally. The money is being used instead to fund the CalVIP. Again, we support crime prevention and victim support, but not funding it on the backs of law-abiding gun owners. It is therefore our view that these additional taxes are unjustified and unlawful.

I received this information as I was completing this article: the Governor's Budget included baseline funding of \$9 million ongoing General Fund for the CalVIP program! The May Revision includes an additional \$100 million one-time General Fund across the next three fiscal years for the Board of State and Community Corrections to expand this program. With all the "magic money" handed to California from Biden, does Governor Grewsome Newsom really need to tax law-abiding citizens further? This permanent funding of CalVIP really negates the need for AB 1223.

UPDATE AT PRESS TIME: This unlawful bill only got worse. In his May Budget revision, Governor Gruesome fully funded the Cal VIP program—now and

for years to come—with all the magic money Biden gave California. So the “need” for this tax and the author’s original opening line vaporized. You would think that would be sound reason to pull the bill?! No, the bill was amended heavily in Appropriations Committee and the language dedicating the funds raised to the Cal VIP program was removed! The funds are now just general fund monies! Amendments of this scope should require this bill to return to the Revenue & Taxation Committee, or at least give us an opportunity to testify ... no, not in California. We have filed a formal complaint on the matter and will keep you all posted.

ON AB 216 AND CONCEAL CARRY FOR OFF-DUTY LAW ENFORCEMENT

I am going to apologize up front to many of you for what’s about to follow, but I have to climb on my retired law enforcement soapbox for a few and address some feedback we received in the CRPA inbox regarding our support for AB 216. Since the bill is actually pro law enforcement, it has been held up in committee and likely already dead on arrival, however I was shocked by the comments of our members, especially in light of what is going on in our Nation. I am a big believer in us all having a right to our own opinion, however with the support of my incredible CRPA Board when it comes to legislation, “The Buck Stops Here” and I am responsible for positions presented to our board to support or oppose.

The CRPA will always have the back of our law enforcement officers. One such bill this session I told you about last article, Assembly Bill 216 by Assembly Member James Ramos of San Bernardino County. AB 216 clarifies rules for off-duty law enforcement officers, exempting them from prohibitions on carrying licensed concealed firearms into establishments open to the public.

In California, off-duty peace officers often find themselves in situations where an event or location open to the public, such as sporting events, concerts, amusement parks, carnivals and fairs, prohibits off-duty peace officers from carrying licensed concealed weapons into the venue. Sadly, we live in a different world and with crimes, civil unrest and active shooter incidents on the increase. proper in-the-moment response is vital to critical intervention and often the difference between life and death. Our law enforcement officers have the ability and are trained to respond to a serious situation that endangers life or property.

Honestly, I was shocked and set back by the feedback we received. Here is a sample of what some of our members think of us supporting AB 216:

“Screw that. Off duty and retired police should be subject to the exact same limitations as any other citizen. Stop the special treatment of police and maybe we will get their support against the infringements against the rest of the citizenry.”

“Why would CRPA support this when citizens are continually disenfranchised with their right to bear arms - and police are routinely exempt from these laws?”

“Stop arguing for exemptions for cops. If they aren’t on duty they are citizens like the rest of us. Make them help us fight for the rights all citizens should have and they might care more when our rights are infringed.”

“Is this CRPA’s official stance? Exceptions for some vs rights for all?”

“AB216 would give police rights and privilege’s that CCW holders would not have. When the police have rights and privilege’s that the citizen does not have, You Have a Police State. Rethink your support for this Bill.”

“EVERYONE SHOULD BE ABLE TO CARRY WITHOUT A LICENSE>.IT IS A RIGHT, NOT A PRIVILEGE”

“Is there a policy page describing why we think giving law enforcement special treatment favors individual rights for everyone? It’s an honest question. I haven’t thought through the strategy but it doesn’t seem straightforward at all.”

On face value, I agree with these folks—these are rights we should all have. However, do you really want to live in a state where the manager of a Starbucks can demand law enforcement officers leave because they are armed? Law enforcement officers receive years of training and require regular recertification and qualification. Our men and woman in law enforcement risk their lives every day to make our communities safer, take an oath to protect and serve ... so yes, society and the law have granted law enforcement officers rights “average citizens” do not have and no, that does not make us a police state! Anyone, as long as you are not a felon, can apply for and become a peace officer if you feel you are missing out on something!

I am proud to work for CRPA and as long as I am your Legislative Director, I will continue to bring pro law enforcement bills before our board and seek their formal support. Changes for the good of all are often made one step at a time. Big picture is, we have had great successes getting rights for law enforcement first, making our case, then in time getting those same rights extended to all. A great example of this is CRPA’s victories of concealed carry for archery hunters, which we first got approved only for law enforcement officers.

I do welcome and appreciate all feedback. For a complete list and up-to-date status of all the bills we are tracking, refer to our website at crpa.org! Thank you all for joining us in this fight and for your continued support! **CRPA**

LITIGATION REPORT

THE RIGHT TO CARRY

BY ALEX FRANK

Gun rights supporters and observers have eagerly anticipated a SCOTUS

certiorari grant in a Second Amendment case for quite some

time. Last year, the high court almost used *New York State Rifle & Pistol Association v. City of New York* to breathe some life back into Second Amendment law. But the City of New York’s 11th hour Hail Mary attempt to moot the controversy and evade SCOTUS review worked. The City of New York simply did not want to take the blame for teeing up a Second Amendment softball for the Court’s newly appointed conservative majority to knock out of the park, and the Court couldn’t get past the procedural technicalities to reach a substantive decision.

But now another case out of New York has come along: *New York State Rifle & Pistol Association v. Corlett* (No. 20-843). While the first *NYSRPA* matter involved New York City’s strange rules regulating transportation of firearms and where a gun owner was permitted to possess them, the issue in the new *Corlett* matter is significantly broader: whether New York State’s “proper cause” (i.e., special need) standard for issuing public carry

permits violates the Second Amendment.

Most states now have “shall issue” or even “constitutional carry” laws that allow any non-prohibited person to carry a concealed firearm for self-defense as a matter of right. But a handful of states have arbitrary and subjective laws that give the issuing authorities discretion to significantly restrict the issuance of public carry licenses. These “proper cause” or “good cause” standards essentially amount to corruption licenses for blue-state politicians and police to suppress the Second Amendment rights of ordinary citizens while granting special privileges to cronies and insiders. States like New York, California, Hawaii and others fall into this latter category.

Corlett is a challenge that could potentially result in the abolition of “proper” or “good” cause standards as unconstitutional infringements of the Second Amendment. If that happens, Californians who live in counties where carry permits are scarcely issued could find the long-illusory right to carry suddenly becomes available. This is exciting!

Given the current composition of the Court, there appears to be a solid five-Justice conservative voting block (Thomas, Barrett, Kavanaugh, Gorsuch and Alito) likely to find that “proper cause” violates the Second Amendment. However, the

specter that New York state could attempt to moot the case looms here, just as it did before with the previous *NYSRPA* case. The easiest way for New York to try to do that would be to issue permit to all the plaintiffs. John Roberts’ vote is not considered to be reliable at this time.

Another curious issue here is that the Court described the issue in the case as “whether the State’s denial of petitioners’ applications for concealed-carry licenses for self-defense violated the Second Amendment.” This is a slightly narrower formulation of the pro-gun petitioners’ formulation of the question. Whether this is significant remains to be seen, but some observers think it is odd and might indicate that the Court is going to try to limit the scope of its ultimate ruling. Only time will tell—the case will be argued next fall, with a decision likely issued in June 2022.

In other matters, *Duncan v. Becerra* is currently scheduled to be reheard by an *en banc* panel of 9th Circuit judges on June 22, 2021. *Duncan* is, of course, CRPA’s hard-won battle that brought us all Freedom Week in late March of 2019. Unfortunately, *en banc* panels have historically been very unkind to pro-gun legal victories in California. Regardless of the outcome of the *en banc* rehearing, this case is destined for a *certiorari* petition in the United States Supreme Court, or it might even be stayed pending the SCOTUS decision in the NY case. **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.

| 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 United States 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 Ninth Circuit later that day for a stay, which it granted, reinstating the status quo pending appeal of preliminary injunction. | This matter would likely have seen oral argument before the 9th Circuit sometime in the summer or early fall of 2021. However, due to the 9th Circuit's decision to rehear the <i>Duncan v. Becerra</i> matter en banc, this appeal was stayed on March 19, 2021 pending <i>Duncan's</i> resolution. |
| 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. | 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. On January 14, 2021, the Court of Appeal affirmed the decision upholding the validity of the regulations. |
| 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 Circuit rejected the State's petition to have the case heard initially by an 11-judge en banc panel along with the <i>Young v. Hawaii</i> lawsuit. However, instead of allowing the case to proceed, the 9th Circuit 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. |

| ISSUE | CASE NAME | CASE STATUS | WHAT'S NEXT |
|---|---|--|--|
| 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 was heard on October 8, 2020, in Pasadena. The matter is now submitted, and resolution is pending. | This case would likely have proceeded to oral argument later this summer or fall, but was essentially stayed pending the resolution of the <i>en banc</i> hearing in <i>Duncan v. Becerra</i> . |
| 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 ten 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 Ninth 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. On February 25, 2021, the 9th Circuit agreed to an <i>en banc</i> rehearing of the case. That rehearing is currently scheduled for June 22, 2021. |
| 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 of 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. | The California Court of Appeals affirmed judgment in the State's favor on March 26, 2021. |
| CHALLENGE TO UNDER 21 FIREARM PROHIBITION. | <i>Jones v. Becerra</i> | There have been 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. Briefing is still underway as of May 2021. |

| 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 granted Defendants' motion to dismiss on September 22, 2020. Plaintiffs appealed on November 19, 2020, and filed their brief in the 9th Circuit Court of Appeals on March 4, 2021. The court has not announced oral argument dates as of early May 2021. |
| 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." | As of early May 2021, Plaintiffs have appealed both their partial motion to dismiss loss and loss of their request for a preliminary injunction. |
| 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 (Martinez) 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. 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 and filed their opening brief on March 4, 2021. Defendants filed their answering brief on May 5, 2021. |

| ISSUE | CASE NAME | CASE STATUS | WHAT'S NEXT |
|---|------------------------------------|--|---|
| 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 initiated their appeal to the California Court of Appeals in January of 2021. |
| 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 of 2020. Shortly after that outcome, the Ninth 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. On March 24, 2021, the <i>en banc</i> panel issued its ruling upholding the dismissal. | The deadline to file a petition for certiorari in the United States Supreme Court is in June. |
| DOES HAWAII'S CONCEALED CARRY PERMIT REGIME VIOLATE THE 2ND AMENDMENT? | <i>Livingston v. Ballard</i> | Hawaii attorney general moved to stay the case pending Young, which the court granted on June 10, 2019. The case is effectively stalled pending further development in Young. | 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 of 2020. Briefing was complete at the end of September 2020. | On March 5, 2021, the Court administratively terminated the pending motion for summary judgment and stayed the case due to the 9th Circuit's announcement that <i>Duncan v. Becerra</i> would be reheard <i>en banc</i> . |
| 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. Judge Benitez held a bench trial on February 3, 2021. Parties submitted post trial briefing, and on February 26, 2021, Judge Benitez ordered the State to provide specific evidence about the circulation of specific firearm categories for 2020 and 2021. | The State provided the content that Judge Benitez requested in March of 2021. The matter will continue to proceed in the district court. |
| 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 and filed their opening brief on November 25, 2020. | Briefing is underway in the 9th Circuit Court of Appeals as of middle 2021. |
| DOES CALIFORNIA'S UNSAFE HANDGUN ACT (I.E. THE ROSTER) VIOLATE THE SECOND AMENDMENT? | <i>Renna v. Becerra</i> | Plaintiffs filed an amended complaint in January of 2021, which the state moved to dismiss. That motion will likely be heard in the summer of 2021. | It is unclear, but plaintiffs will likely seek an injunction or summary judgment ruling sometime in 2021. |

| ISSUE | CASE NAME | CASE STATUS | WHAT'S NEXT |
|--|-------------------------|---|---|
| DID CALIFORNIA'S MANAGEMENT OF THE ONLINE SYSTEM FOR "ASSAULT WEAPON" REGISTRATION VIOLATE THE RIGHTS OF POTENTIAL REGISTRANTS? | <i>Sharp v. Becerra</i> | Plaintiffs reached a stipulated settlement and consent decree with the State on March 29, 2021. The State will allow a limited class of persons another chance to register "bullet-button" assault weapons, pursuant to the consent decree. | Further logistical details regarding the process for registering pursuant to the consent decree will likely be produced sometime in 2021. |

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 |
|--|---|---|--|
| 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 heard oral argument on March 24, 2021. Expect a ruling later this year. |
| THE QUESTION PRESENTED IN THESE CASES IS WHETHER THE STATE MUST PROVE THAT A PERSON KNOWS THAT THEY ARE PROHIBITED PERSON 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 & 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. |
| CHALLENGE TO NEW YORK'S PISTOL PERMIT ISSUANCE STATUTES | <i>Libertarian Party of Erie County v. Cuomo</i> | Petition for certiorari filed on February 9, 2021. | The certiorari petition will remain pending on the Court's docket until the Court decides to hear it or reject it. |
| DOES NEW YORK STATE'S PUBLIC CARRY LICENSING FRAMEWORK VIOLATE THE SECOND AMENDMENT? | <i>New York State Rifle & Pistol Association v. Corlett</i> | The Supreme Court granted certiorari on April 26, 2021, framing the issue as "whether the State's denial of petitioners' applications for concealed-carry licenses for self-defense violated the Second Amendment." | The court will set further briefing deadlines. |

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LOCK 'EM UP, KIDS

BY TIFFANY D. CHEUVRONT

Asly little thing has been happening across the state of California that we have been tracking and fighting in cities, towns and fairgrounds.

The radical gun control lobby is trying desperately to take away your rights. Now, I know what you are thinking, "What else is new in California?" But this concerted effort is different. The gun control, cancel culture crowd is hoping that you are asleep and slow to react coming out of the lockdown and they are wasting zero time trying to advance their agenda. Representatives from Brady, Moms Demand Action and Never Again CA are showing up not only in their own backyards, but with the advent of electronic video meetings, they are pressuring cities and towns into passing more gun control in areas where they do not even live. We have seen activists from San Diego on calls in Northern California and vice versa. They are taking advantage of the situation in a big way.

We have seen activists from San Diego on calls in Northern California and vice versa. They are taking advantage of the situation in a big way.

Everything from mandatory lock storage ordinances (handwritten by some of these groups and given to the government officials) to trying to prohibit venues from allow certain lawful products to be sold because they believe that those products are

somehow "dangerous to the community." Basically, they are fearmongering up and down the coast. CRPA and our attorneys are tracking these groups and their attempts to normalize gun control while shunning those who would choose to exercise their consti-

They forget that many of their community members are gun owners. They forget because they only hear one voice.

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

CRPA's A-Team lawyers are looking for volunteer plaintiffs to be part of our planned future lawsuits challenging California's unconstitutional gun laws.

It's free! There is no obligation, all responses are kept strictly confidential, and there are no fees or costs for folks who volunteer.

MICHEL & ASSOCIATES, P.C.
Attorneys at Law

HELP US HELP YOU!

Email potentialplaintiffs@michellawyers.com for more information.

tutional rights. They forget that there are over 1 million new gun owners in California alone and a large part of the population does not agree with their agenda.

We cannot let up during this time. We must be vigilant in making sure that the voice of gun owners is not drowned out. We can and should be doing the same thing that the gun control groups are doing. We should be on the mailing list of all cities and counties that we can locate and we should attend and comment at their Zoom meetings. There is nothing that keeps gun owners from showing up big time. If you are worried about what to say, jot down some general points about why you are a Second Amendment supporter or, better yet, join a CRPA local chapter so you feel better informed and engaged with other gun owners in your area. All chapter information can be viewed on the CRPA website and if there is not one in your direct community now—it's coming soon.

We cannot afford to have these government officials fed the lies that "if locking up one gun saves a life, they are fine with limiting gun owner access to their firearms." Gun-control groups are lobbying government officials and leading them to believe that mandatory lock storage and other gun control (which the government has no way of enforcing) are actually doing something to protect the community. We know from many studies that gun control does not work and that many government officials are led astray in thinking that by doing something, it will make them look good to the community. They forget that many of their community members are gun owners. They forget because they only hear one voice.

Which leads me to a final ask of you. CRPA is actively searching for potential

plaintiffs to serve in lawsuits which will fight back against these poor government decisions to limit your rights. We need individuals that are being affected by these local ordinances to stand with CRPA as a named plaintiff. We cannot file the lawsuits that are ready and waiting unless we have plaintiffs. Please consider contacting us at potentialplaintiffs@michellawyers.com to submit your information. It is vitally important to protecting the

Second Amendment and we have been seeing big wins in courts lately that we hope will continue. It is through the strength of active and engaged CRPA members that we are able to continue defending your rights for generations to come. If you are already joining in on these types of meetings, thank you! Encourage others to join you. We all have a part to play in holding the line against constitutional infringement. **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.

| JURISDICTION & ISSUE | DESCRIPTION | LOP RESPONSE | STATUS |
|--|--|---|---|
| DEL MAR FAIRGROUNDS GUN SHOW ATTACKS CONTINUE | 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 2021. Assemblyman Gloria sponsored a bill to prohibit the selling of firearms and ammunition at the Del Mar Fairgrounds (a sneaky way to try to stop gun shows again). CRPA is once again preparing to bring litigation against this unconstitutional attempt at restricting your rights. More information will be available upon filing. |
| 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 Watch for information on our "RangeCon 2021" range conference and make sure to send your range staff and volunteers for amazing training and insight into running a range from some of the top experts. |

| JURISDICTION & ISSUE | DESCRIPTION | LOP RESPONSE | STATUS |
|---|--|--|---|
| 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 May 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/dublinc12012020.html |
| CITY OF WEST HOLLYWOOD | The City of West Hollywood is attempting to pass a mandatory locked storage ordinance similar to others that are promoted by gun control advocacy groups. | CRPA alerted members in the area, and we are prepared to file legal action if the ordinance passes. If you are interest in being a named plaintiff in that legal action please contact us at potentialplaintiffs@michellawyers.com . | Some of the public comments against the ordinance can be found on the City Council page and here: https://wehotimes.com/gay-republicans-to-speak-out-against-wehos-safe-gun-storage-ordinance/ https://weho.granicus.com/MetaViewer.php?view_id=22&clip_id=3610&meta_id=202522 https://weho.granicus.com/MetaViewer.php?view_id=22&clip_id=3610&meta_id=202523 https://weho.granicus.com/MetaViewer.php?view_id=22&clip_id=3610&meta_id=202848 The City Council instructed the City Attorney to draft the ordinance and bring it back to the Council at a later meeting. Make sure you follow CRPA on social media for all the latest news. |
| CITY OF MONTE SERENO | The City is attempting to pass a mandatory locked storage ordinance similar to others that are promoted by gun control advocacy groups. | CRPA alerted members in the area, and we are prepared to file legal action if the ordinance passes. CRPA legal team also drafted letters of opposition to the City Council which was quoted by a Council member that was opposed to the ordinance. | The ordinance passed the first reading even though the City Attorney gave bad advice on the likelihood of having to defend legal action and admitted that there have been no firearm-related crimes in the city. We will continue to monitor this situation. |
| CITY OF HERMOSA BEACH | The City is attempting to pass a mandatory locked storage ordinance similar to others that are promoted by gun control advocacy groups. | CRPA alerted members in the area, and we are prepared to file legal action if the ordinance passes. CRPA legal team also drafted letters of opposition to the City Council. | We are awaiting further action from the City at this time and will update our members when more information is available. |

CRPA PROGRAMS UPDATE

SUMMER IS HERE— YOU SHOULD BE, TOO!

BY TIFFANY D. CHEUVRONT

What is a better way to spend those long summer days than with CRPA learning a new skill, hanging out with other 2A supporters or just enjoying the great outdoors with gear that supports the fight in California? With the opening up of the state after a very long year, we know that members, and those who are not yet members (it is a great time to join), are just itching to get out and work on their skills. CRPA is the place to be this summer!

TRAINING

First, our classes are second to none, both in what you will learn and the professionalism with which those courses are taught. We have instructors with decades of experience ready to share that knowledge with you. When you think “safety,” you should think “CRPA.”

This summer we will be increasing

If you have ever considered being a volunteer for something you are passionate about—we need you!

our training options to make sure that everyone across the state has access to excellent training. CRPA will be offering training online, on location and, of course, in our state-of-the-art training center. Be on the lookout for lots of opportunities and check out the events section of the website, crpa.org, for the latest.

VOLUNTEERS—WE NEED YOU!

Our volunteers have been on the sidelines for too long and we are looking forward to getting them back out there! If you have ever considered being a volunteer for something you are passionate about—we need you!

This summer as events, gun shows and festivals come back on

the calendar, we could use your smiling faces and your knowledge about the Second Amendment.

Don't forget that you could get great free swag just for talking with other gun owners!

Volunteers, sharing your knowledge with the over 1 million new gun owners in the state is critical to protecting your rights. It is also fun to stand beside your brothers and sisters in defending those freedoms.

DID SOMEONE SAY CONFERENCE?

At CRPA, we are dedicated to protecting the ranges that promote the shooting sports for both the novice and the expert marksman. CRPA has been busy over the past year bringing all of those ranges together in the **CRPA Range Coalition**. The CRPA Range Coalition creates a stronger group to fight legislation

and protect ranges from government shutdown.

This September, we will bring those ranges together to share experiences with each other and learn how to protect their ranges. This will be invaluable to those volunteer boards that operate many of the ranges in California.

For more information, email msaglietto@crpa.org.

GROWING OUR CHAPTERS

CRPA Chapters are growing like never before. These local groups of CRPA members did not sit by and watch 2020 go by; they have been meeting, planning and are active. New members come in weekly and meetings are starting to move from Zoom meetings to in-person meetings each month.

New chapters are coming on

board and we expect to open up more across the state this summer so we can be ready for action at the local level. This is a great introduction to local issues for the gun owner if you are new and unsure. Chapters focus on educating members on local issues and how you can be effective in your own backyard. **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.



SEE ALL OF CRPA'S PROGRAMS AT 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 RICHARD GALLARDO

Richard Gallardo served 21 years in the U.S. Navy. It was there that he was first introduced to a firearm—a .22 caliber revolver used during boot camp. He recalls clearly the 1990 U.S. Navy range safety brief.

Richard joined his local CRPA chapter in 2020 and began volunteering immediately. He is a retired military police officer, former firefighter and EMT and is currently the Political Action Committee Leader and Community Outreach Committee Leader of the Shasta County Gun Owners CRPA Chapter in Northern California. He would like the Shasta County community to know that the chapter is more than a 2A or gun group—it's a community organization.



**BY
CHRISTINA
GASTELO**
VOLUNTEER
COORDINATOR



► **August 11, 2020 in Redding, CA.** Membership drive table set up at the Shasta County Board of Supervisors meeting. (TRACI LONG)

What attracted you to the CRPA in particular?

RG: It is the largest state-level 2A organization.

What attracted you to the 2A cause?

RG: State and national continued re-

strictions on the 2A that are increasing rapidly.

What motivates you to stay involved?

RG: Sadly, with the state of affairs at local, state and county levels, being politically active has dominated my



► **March 13, 2021.** Rich Gallardo and Shasta County Gun Owners CRPA Chapter during Adopt A Highway litter cleanup. (HOMER YATES)

time the last few years. I have a young son who I must fight for so that he has more rights than I currently do when he reaches adulthood.

What is the most fulfilling/rewarding part of your volunteer experience?

RG: Helping educate others on political and legal matters regarding the

right to keep and bear arms.

Why is it important for you to give in that way?

RG: It is each person's moral responsibility to be a productive member of their society. We all have talents that can benefit our fellow man.

Would you encourage others to

volunteer with CRPA?

RG: Absolutely, without question. If one sits around and waits for others to "do the job" it likely will not get done.

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

RG: Everything I do is for my son.

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!**



► April 24, 2021. Traci Long, Jerry Tessarzik and Dick Wilkinson at Redding Sportsman's Expo. (HOMER YATES)

EVENTS & TRAINING

EVENTS

JULY
July 10-11
CODE OF THE WEST VALLEJO GUN SHOW
 Solano County Fairgrounds
 Vallejo, CA

July 17-21
CROSSROADS OF THE WEST ONTARIO GUN SHOW
 Ontario Convention Center
 Ontario, CA

AUGUST
August 20-22
THE BIG RENO SHOW
 Nugget Casino Resort
 Sparks, NV

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

SEPTEMBER
September 4-5
FRESNO GUN EXPO
 Fresno County Fairgrounds
 Fresno, CA

September 11-12
TURLOCK GUN SHOW
 Stanislaus County Fairgrounds
 Turlock, CA

September 11-12
VICTORVILLE GUN SHOW
 San Bernardino Fairgrounds
 Victorville, CA

September 18-19
SOLANO COUNTY HOME & GARDEN SHOW
 Solano County Fairgrounds
 Vallejo, CA

OCTOBER
October 29-30
WEST COAST HISTORICAL MILITARIA COLLECTORS SHOW
 Pomona Fairplex Expo Building #4
 Pomona, CA

TRAINING VIDEOS & INFO ARE AT [CRPA.ORG/ TRAINING-AND-EDUCATION](https://www.crpa.org/training-and-education)



► **April 25, 2021.** CRPA Volunteers at Redding Sportsman's Expo. *Left to right:* JC Carvajal, Traci Long, Jimmy Tatosian. (BYRAN DUNCAN)



► **April 25, 2021.** Jerry Tessarzik, Homer Yates, Robert Rossi and Traci Long at Redding Sportsman's Expo. (BYRAN DUNCAN)

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

TRAINING

JULY

July 10
BASIC PISTOL COURSE
Fullerton, CA

July 17
NRA PISTOL INSTRUCTOR COURSE
Fullerton, CA

July 24
BASIC RIFLE COURSE
Fullerton, CA

July 31
NRA SHOTGUN INSTRUCTOR COURSE
Fullerton, CA

AUGUST

August 7
BASIC PISTOL COURSE
Fullerton, CA

August 14
BASIC SHOTGUN COURSE
Fullerton, CA

August 21
BASIC RANGE SAFETY OFFICER COURSE
Fullerton, CA

August 28
BASIC PERSONAL PROTECTION IN THE HOME COURSE
Fullerton, CA

SEPTEMBER

September 12-13
BASIC METALLIC CARTRIDGE RELOADING COURSE
Fullerton, CA



► **April 24, 2021.** Donna Day (Stuck Pig Raffle winner) at Redding Sportsman's Expo. (TRACI LONG)

September 18
BASIC RIFLE COURSE
Fullerton, CA

September 25
BASIC PISTOL COURSE
Fullerton, CA

OCTOBER

October 2
BASIC SHOTGUN COURSE
Fullerton, CA

October 23
NRA PISTOL INSTRUCTOR COURSE
Fullerton, CA

LINCOLN RIFLE CLUB TEAM MEMBERS QUALIFY FOR USA SHOOTING NATIONAL JUNIOR OLYMPICS

BY RYAN WATTS

For the past 50+ years, the Lincoln Rifle Club has opened their doors to beginning shooters (what we coaches affectionately call our “Monday Night Shooters”).

Every Monday from September to May (minus holidays), we hold 6 relays with 9 shooters each, wherein the kids range from 8 or 9 years old up to 21. We teach them basic firearms safety and we help them on the line with coaching in the basics from how to aim the rifle all the way up to precision shooting. For years we have held Monday Nights in the indoor range and put out *many* quality competitors. We have proudly sent our kids to Tennessee State, University of Nevada, Reno, Ohio State and the Air Force Academy.

This year, things were a bit different. With the onset of COVID-19 we had to improvise, adapt and overcome. So we moved the Monday night training to the outdoor range, picked up our rifles and carried on. It's been great to see the young ones excited about getting back on the line and even better to see the awesome scores. Our Monday Night Shooters have historically been the life's blood of the Lincoln Rifle Club's Junior Precision Team; occasionally we get a walk on (like Aaron Hoversten and Malena Childers), but for the most part our kids start on Mondays and are invited to advance. Therefore, continuing with the Monday Night program is a must and if adapting is what keeps our program thriving, then adapt we will.

This year our advanced team has had more than the usual trials (COVID, practicing from home, wearing masks at the range and distancing



►The entire team with the 2020/2021 awards. (RYAN WATTS)

from teammates). Admittedly, the distancing from teammates has been the hardest for these kids, as their shooting team truly is family. When one shooter ages out, we are happy to see them grow up and very sad to see them leave us. This year we will be losing 5 of our shooters who are all off to bigger and greener pastures. Most notable is Carleton Liden,

who was accepted into the Air Force Academy on his own merits and then made it onto the Academy's Shooting Team—we look forward to seeing Carleton at future national competitions.

Moving on to the exciting stuff—our team's scores and enthusiasm have been off the charts. This year, 6 of our kids qualified for the USA

Shooting Junior Olympics for the Air Rifle Standing and 5 of those kids also qualified for Small Bore (the true sign of a contender). The Air Rifle qualifier is a 60 shot Offhand Match wherein we saw 4 of our kids shoot a personal best: Tori Watts (593), Morgan Vander Liden (585), Aaron Hoversten (580) and Dylan Tonel (575). This competition will be held from May 12th to

May 16th at Hillsdale College in Michigan. I have no doubt that our kids will get out there and hold their own against the Nation's best.

After Junior Olympics, the kids will start training for Nationals, which is the big Three-Position Air Rifle competition held at Camp Perry. The qualifying match for Nationals is held over two days, hosted by the Sutter Union

Rifle Team. The first day is the CMP Junior Olympic State Championship and the second day is the CRPA State Championships. The winner for the CMP match was Tori Watts with a 593-46x out of a possible 600-60x. But, Tori was closely followed by Sutter's Marissa Fedora with a 592-45x and Logan Michael with a 591-43x (which was a personal best)—here every point truly does matter. We had several other kids shoot personal bests as well: Dylan Tonel (588-43x), Aaron Hoversten (588-38x) and Alex Watts with a 581-31x (inching up to her sister). With the overall scores from the first day of shooting, the Lincoln Rifle Club will be sending 10 kids to Nationals. The second day of competition proved to be Logan Michael's day, where he shot a 589-40x, thus taking home the coveted CRPA Bear. The overall team scores were also barely enough to inch past Sutter's scores to take the top CRPA spot for 2021, thus proving once again that hard work, dedication and sometimes a little luck does pay off.

The kids of the Lincoln Rifle Club's Junior Precision Team are dedicated (they practice 3 nights per week), loving (each helping the other with



► **The A team** with their CRPA awards for 2021. (RYAN WATTS)

homework, shooting and life) and amazing athletes (shown by their performances). They compete in an Olympic sport, yet they can't talk about it in school. They excel in their sport and are not recognized at graduations, yet they continue to shine. These kids are *champions* on and off the range; they are amazing athletes and, frankly, they are the future of the shooting sports. **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.*



CRPA works with and supports the Civilian Marksmanship Program (CMP), a national organization created by federal law that provides citizens around the country with firearm training and learning opportunities, similar to the operations of CRPA.

The CMP's highest priority is serving youth through gun safety education and marksmanship events that encourage personal growth and life skill development. CRPA whole-heartedly joins in and supports these efforts.

CMP has also developed excellent match procedures at competitive and recreational shooting events that are being incorporated into CRPA's own event and match management processes. Individuals can keep informed about CMP affiliated matches by visiting the CMP's Competition Tracker page at <http://ct.thecmp.org>.

The CMP also sells select vintage military rifles to qualified U.S. citizens at a great price, along with competitive equipment and memorabilia! You can learn more about getting started on your own marksmanship journey through the CMP at <http://thecmp.org/get-started/>.

Visit us online at www.TheCMP.org

YREKA HIGH SCHOOL TAKES HONORS AT REDDING INVITATIONAL TRAP SHOOT

BY BYRAN DUNCAN

The Yreka High School "Miners" Trap Team was invited to compete in the Redding High School Invitational Trap Shoot.

The team was looking strong for the competition. Both seniors shot perfect 25 scores this past week. For Team Captain and senior, Nick Perrin, it was his third perfect score of the season (just not in succession for the perfect 50). Mike Cizen shot his second 25 of the season.

Senior Malachi Colson became the sixth athlete to shoot a perfect 25 score during this season. Malachi followed his perfect 25 score with almost a 50 straight, when the last clay bird was only dusted. ("Dusted" is when the clay bird does not break, but some of the bright coloring visibly comes off.) His total score was 49



► **Team Captain Nick Perrin watches** his fellow team members shooting and watching how the birds fly with the ever-changing breeze. Keegan Silvia and Jonathan Gonsalves are checking scores, while Evan McAdams just enjoys sitting in the shade before he shoots. Head Coach Barry Peters gives out some last-minute guidance to the shooters. Peyton Zanutto (*back to the camera*) is watching the other teams in trap houses #2 through #4. (BYRAN DUNCAN)

GOLDEN RULES OF GUN SAFETY



► **The Yreka High School Trap Team poses** with their sponsor banners just before the shoot begins. *Left to right:* Marc Perrin (Safety Officer), Berry Peters (Head Coach), Sandra Weston, Jackson Wood, Jacob Baxter, Nick Perrin (Marc's son), Jonathan Gonsalves, Mike Cizen, Evan McAdam, Clayton Stephens, Doug Duchart (Range Coach), Peyton Zannotto (Duchart's granddaughter), Doug Westbrook (Coach/Teacher) and Byran Duncan (Coach/Armorer). (BYRAN DUNCAN)

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.

THE CRPA VEHICLE DONATION PROGRAM

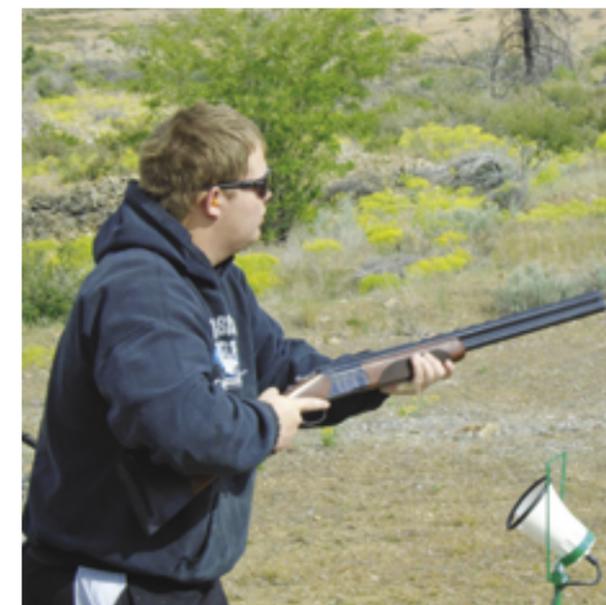
Donate your car, truck, RV or Boat to the CRPA Foundation to support our ongoing commitment to inform and educate all Californians and California gun owners of their constitutional rights. We'll make it easy for you to donate with your free scheduled pick-up, and you may even qualify for a tax deduction!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

WE ACCEPT ALL TYPES OF VEHICLES:



HOW IT WORKS

- 1 Call us at **833-200-CRPA** or **833-200-2772**.
- 2 We will tow your vehicle at no cost to you!
- 3 Get a tax deductible receipt and help our cause.



► **Malachi Colson became** the sixth athlete to shoot a perfect 25. (BYRAN DUNCAN)



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

of 50. Malachi was born and raised in Siskiyou County, loves hunting & fishing and hopes to continue in the area after graduation as a welder specializing in aluminum welding, once he completes a certification course.

On Sunday, five Northern California high school trap teams competed in the Redding High School Invitational Trap Shoot (sponsored by Foothill High School in Redding). The shoot was held at the Redding Gun Club range, which is "home turf" for three of the teams. Yreka went up against the following teams: Foothill High, Shasta High, University Prep and Orland. Interestingly, Orland does not have an official trap field and practices in a farmer's field. Redding Christian was unable to attend.

Yreka High School placed second overall with a 181 team score by Team Captain Nick Perrin, Mike Cizen, Sandra Weston and Peyton Zanutto. First place team was Foothill High, with a 187 team score—just a 6-point spread. Peyton went on to win first-place female shooter, after a tie break shoot-off with fellow sophomore Autumn Irvin from Orland High.

Yreka teammates Sandra Weston and Clayton Stephens both won bonus Sportsman's Warehouse gift cards for shooting the random off-color clay pigeon when it appeared on their turn. The trap shoot was using orange-colored clay pigeons with a few green clays dispersed through the stacks in the trap houses.

The team is now looking forward to the championships in Kingsburg in two weeks (at time of writing) and a chance to prevail over Foothill and be the first-place team. **CRPA**



► **The five teams pose** at the trap house. The athletes standing on the trap house, *left to right*: Autumn Irvin with Orland's 3rd place award, Oden Kirk with Foothill's 1st place award and Sandra Weston with Yreka's 2nd place award. Oden Kirk was the top male shooter for the tournament. (BYRAN DUNCAN)

JOIN & SUPPORT 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's ranges are encouraged to learn more about CRPA's Range Coalition by emailing CRPA at ranges@crpa.org.

JOIN ■ LEARN ■ TEACH ■ THRIVE

SAGEN MADDALENA EARNS SPOT ON U.S. OLYMPIC SHOOTING TEAM

The California Rifle & Pistol Association has a 146-year-old history of supporting individuals in achieving their shooting sports dreams.

Founding members were trained and supported in attending national competitions in 1875 and that tradition continues today with the newest addition to the U.S. Olympic Shooting Team,



BY RICK TRAVIS
DIRECTOR OF DEVELOPMENT

Sagen Maddalena. She made Team USA in Women's 50m Rifle Three Position and will compete in the 2021 Olympics.

Sagen grew up in Groveland, CA and began her competitive shooting dream while in 4-H shooting sports. Her hard work earned her a spot



(USA SHOOTING)

on the CRPA-supported California Grizzlies junior service rifle team. Through the hard work of her coach, Robert Taylor, and her dedication to the sport, she honed her skills in air gun and small bore. Upon the advice

of Taylor, she landed a spot on one of the premier collegiate teams in the country at the University of Alaska Fairbanks.

Her professionalism led her to world championships in 2014 and 2018. She made the final cut for Team USA at the trials held at Fort Benning, Georgia in the 50 Meter Smallbore Air Rifle competition. Sagen enlisted on active duty in the U.S. Army in March 2019 and is a member of the U.S. Army Marksman-ship Unit.

Upon securing her place on the Team she responded with, "Yeah. This is what I came here to do. So now I get to represent and keep training the way I'm training, keep moving forward."

The CRPA is proud of Sagen and is pulling for her to keep moving forward—all the way to Gold in Tokyo.

CRPA

WHY LEGAL HUNTING CAN ACTUALLY SAVE WILDLIFE —NOT HARM IT

CONSERVING WILDLIFE IS A NONPARTISAN ISSUE. DON'T MAKE IT DIVISIVE.

BY LAIRD HAMBERLIN AND BENJI BACKER

This Opinion piece was originally published in the Changing America section of The Hill. It reflects the view of the author(s) and does not reflect the views of Changing America or The Hill.

It is unfortunate that anti-hunters and many environmentalists have chosen to start 2021 with divisive rhetoric intended to paint hunters and Republicans as cruel and evil individuals.

Contrary to what they would have you believe, legal, regulated hunting is an inherently nonpartisan activity enjoyed by millions of Americans from every demographic.

Furthermore, hunters are ardent conservationists. Decades of wildlife science prove the symbiotic relationship between hunting and effective conservation.

The most evident example of this relationship is the billions of tax dollars granted to state wildlife agencies since Congress passed the Federal Aid in Wildlife Restoration Act in 1937, commonly known as the Pittman-Robertson Act. To this day, this law provides states with conservation dollars stemming from the 11 percent federal excise tax on sporting arms, ammunition and archery equipment, and the 10 percent excise tax on handguns.

These funds, apportioned by the Interior Department to states on a formulaic basis, have for decades been the primary source of funding for wildlife and habitat issues both Democrats and Republicans agree on.

Anti-hunters continue to bash sportsmen and -women by spreading the falsehood that no difference exists between hunters and poachers.

For example, previous Pittman-Robertson Act dollars helped restore whitetail deer and wild turkey populations, funded wildlife management areas and continually provide “technical guidance to landowners to meet their wildlife management objectives.”

Despite these contributions, anti-hunters continue to bash sportsmen and -women by spreading the falsehood that no difference exists between hunters and poachers. Poaching kills animals illegally without any form of regulation or limit and certainly has the potential to threaten an entire species. But poaching is not hunting.

Legal, regulated hunting is a key contributor to better managed, healthier and protected wildlife populations by ensuring species do not outgrow their habitat’s carrying capacity. Scientifically determined quotas as set by state and federal

KEEP CALIFORNIA HUNTING ALIVE!

- GET YOUR HUNTING LICENSE
- TAKE HUNTERS EDUCATION COURSES
- PRESERVE YOUR RIGHTS 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.



HUNTERS ARE THE TRUE CONSERVATIONISTS!



VISIT CRPA!

Memberships, Courses, License, & More

www.crupa.org • (714) 992-2772

271 E Imperial Hwy, Suite 620, Fullerton, CA 92835

wildlife biologists and requirements for hunting licenses and user fees are crucial rules for legal hunting as they draw a bright line of clear distinction between hunters and criminal poachers.

Hunters, rather than poachers, want to be a part of conservation efforts so that their children and grandchildren can participate in the sport they love so much. Anti-hunting activists specifically concerned with something like bear hunting, for example, must understand the immense amount of work hunters have done with groups like the Missouri Department of Conservation (MDC) to help fund black bear research. Safari Club International Foundation provided over \$100,000 to support the MDC in understanding the dynamics of the ongoing black bear recovery effort and to help them develop a black

Hunters, rather than poachers, want to be a part of conservation efforts so that their children and grandchildren can participate in the sport they love so much.

bear management plan.

In return, results showed that the black bear population is increasing by 9 percent each year, with a sitting population of 540-840 bears in Missouri alone. In 2020, Missouri finalized their Black Bear Management Plan (2020-2030), outlining the multi-goal approach to the management of black bears in their state. These goals include scientific methods to make careful management decisions, expand knowledge of the black bear population in Missouri and prioritize the minimization of human-bear conflicts.

Many self-proclaimed conservationists are also cherry-picking facts as it relates to state management of wolf populations in the Western U.S. The delisting of the gray wolf from the Endangered Species Act (ESA) in 2020 after the species' remarkable recov-

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!

HUNTING REVENUE REPORTED BY LICENSE YEAR

| | 2020 | 2021 |
|--|---------------------|--------------------|
| HUNTING LICENSES | \$12,718,620 | \$3,945,044 |
| DEER TAGS | \$6,536,096 | \$3,293,170 |
| ANTELOPE, BIGHORN SHEEP, ELK TAGS | \$163,761 | \$3,130 |
| BEAR TAGS | \$1,388,166 | \$484,778 |
| WILD PIG TAGS | \$1,064,010 | \$175,795 |
| GAME BIRD HUNTING | \$6,388,552 | \$843,687 |

ery in the lower 48 states is an iconic victory that speaks to the success of the ESA program and will ensure the continuation of the species after 45 years under threat of extinction. This informed decision was based on highly regarded scientific research, including recent and historical gray wolf population data in the United States.

A complete analysis by the U.S. Fish and Wildlife Service (USFWS) was conducted on the alleviation of threats to the species in their environment and expressly thanked hunters for their enthusiastic contribution to the rebound of the gray wolf species. Experts from the Service predict that the gray wolf will maintain a consistent average of roughly 1,000 wolves

in the Northern Rocky Mountains for many years to come, even when allowing a highly regulated number of wolves to be hunted.

The gray wolf recovery, its delisting, and the transfer of management to state officials is widely acknowledged as a wildlife success story, along with 13 other delistings of species since 2017. Aurelia Skipwith, the recently-retired director of the U.S. Fish and Wildlife Service, recently indicated that the last days of her term would be "focused on proactive measures, including partnerships with organizations, to ensure listed species flourish to the point of recovery." Hunters across America are now hoping this sentiment is shared by the agency's

incoming leadership under the Biden administration.

In order to make 2021 a year in which anti-hunting groups and America's hunters work together to help wildlife and their habitat thrive, it is important for anti-hunting activists first to acknowledge that America's hunting heritage should be here to stay and that it has an irreplaceable role in the conservation of our natural world. But, we suspect, hunters will instead continue to be subjected to gauzy emotional condemnations without any basis in fact. **CRPA**

Laird Hamberlin is the CEO of Safari Club International.

Benji Backer is the President and Founder of the American Conservation Coalition.

CALIFORNIA HUNTING & CONSERVATION COALITION UPDATE

Your California Hunting & Conservation Coalition (CHCC) is working

hard this session to protect and expand hunting opportunities and science-based management decisions throughout California.

The CRPA—along with California Waterfowl, Gaines & Associates, Kathy Lynch / Safari Club International, California Deer Association, National Wild Turkey Federation and many, many more—met again last week with



BY ROY GRIFFITH
CRPA
LEGISLATIVE
LIAISON

the California Department of Fish and Wildlife and the California Fish and Game Commission to identify common ground and work toward common goals.

One of the most important roles of the CHCC is providing a communication platform for the vast array of Conservation NGOs with each other and state agencies. This communication is key to us presenting a united front and having any chance to accomplish good things at the Capitol. By now, you are well aware it was by the strength of this united front that we defeated another attempt to end all

bear hunting in California (SB 252) and we will continue to fight efforts to run dog breeders out of our state (AB 702).

One of the biggest goals of the CHCC is to support positive legislation to enhance and expand habitat and recreational activities throughout California. Here is a list of bills supported by the CHCC this session:

■ **AB 614, Aguiar-Curry. Wildlife habitat: birds.**

Directs additional funds to the Nesting Bird Habitat Incentive Program, which authorizes the department to include direct payments or other incentives to encourage landowners to voluntarily cultivate or retain upland cover crops or other upland vegetation

CRPA IS A FOUNDING 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!



► Margie and Michael Oram with their first Toms, spring of 2021. (ROY GRIFFITH)

on idled lands to provide waterfowl, upland game bird, and other wildlife habitat cover for certain purposes, including encouraging the use of idled agricultural lands for wildlife habitat.

■ **AB 804, Dahle. Free hunting days.**

This bill would require the CDFW to establish 2 free hunting days per year, one in the fall and one in the spring, no later than July 1, 2022. Hunter mentor “try it before you buy it” programs have been very successful in other states to recruit new hunters. New hunters would still be required to take

and pass a state-approved Hunter Education Program.

■ **AB 817, Wood. Sport fishing licenses: electronic display: 12-consecutive-month licenses.**

This bill would require that the Department of Fish and Wildlife issue fishing licenses that are valid for 12 consecutive months from the date purchased.

■ **SB 470, Jones. Fishing and hunting: annual combined hunting and fishing licenses.**

This bill would create the annual combined hunting and fishing license

that would grant the holder of the license the same privileges as the annual hunting and fishing licenses and that would be valid for a term of one year from the date specified on the license. This has been a very successful tool in other states to recruit and retain hunters and anglers.

These efforts alone are not the “silver bullet” to ensuring we will have a next generation of California's Hunter Conservationist, but combined they are a huge step in the right direction. We must continue efforts to reduce barriers to new hunters and

recreational shooters in California. We need to all do our part to mentor and encourage the next generation of hunters and shooters. I challenge each and every one of you to join us in this effort. Make a goal for yourself to take out one first-time hunter this next season and share your passion. For those of you that do not hunt, I challenge you to do the same with shooting sports! Together, we can make a difference! Remember, our goal is not always to turn them into hunters or shooters—sometimes just making them an educated voter is a victory! **CRPA**



► **CRPA Director of Development, Mr. Rick Travis**, and his first Tom—proof that with proper mentoring you *can* teach an old dog new tricks! (ROY GRIFFITH)

CORE PRINCIPLES OF THE NORTH AMERICAN MODEL OF WILDLIFE CONSERVATION

Proper 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 and 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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RICK'S QUICK WILD BOAR PULLED PORK SANDWICH

The smell of barbeque is in the air as we celebrate the holidays from the 4th of July through Labor Day. Family and friends

are meeting up for the first time in months to share good food and good times. Weekends are a great time to have that slow cook with your favorite game meat (or, for those citified folks that have yet to BBQ game meat, we understand and even like a good old regular BBQ).

Many times during the summer there comes the impromptu get-together, midweek after-work meal or the dreaded knock at the door as you suddenly remember the guest's special day. None of these



BY RICK TRAVIS
DIRECTOR OF DEVELOPMENT

situations allow for the prep time required to create a truly memorable meal.

Some of you have told me in person that you do not have the space for BBQ equipment or the budget for a pellet grill. If you fall into any of these situations, this recipe is for you. You can even substitute a standard pork butt or shoulder for this recipe.

I have modified this recipe over the years and adapted it to an Instant Pot to make it as easy as possible for the college student in a dorm room or almost any situation. I have even seen this done at an off-road campout utilizing a Yeti Goal Zero Power Station to make the magic happen.

This recipe has no additional salt added, as I have found that so much salt has been added to many of the ingredients in this recipe already. Having said that, it's your pulled pork dish and you can salt to taste.



(RICK TRAVIS)

INGREDIENTS

1 4lb pork butt roast, boneless or bone-in

DRY RUB:

3 tablespoons light brown sugar
2 teaspoons salt
1 teaspoon ground mustard
1 teaspoon black pepper
1 teaspoon onion powder
1 teaspoon paprika
½ teaspoon garlic powder
¼ teaspoon cayenne pepper

2 tablespoons olive oil
1½ cups chicken broth
1 tablespoon Worcestershire sauce
1 teaspoon liquid smoke
½ to 1 cup of your favorite BBQ sauce

Step 1: Start by taking the 4lb pork butt roast and cutting it into 1lb pieces. Set aside for the next step.

Step 2: This recipe starts with a dry rub that sets the tone for this pulled pork. I lay out the dry rub ingredients on a plate (as seen in the picture) before mixing it on the plate. I then take the quarters of pork and coat the meat on all sides with the rub.

Step 3: Set the Instant Pot to "Sauté." Place the 2 tablespoons of olive oil in the Instant Pot and, once it registers hot, add 2 of the pork pieces to it. Sear the meat on all sides for 2-4 minutes in total time and then set the first two pieces on the side. Repeat the process on the remaining pieces.

Step 4: Once you have removed the pieces of pork from the Instant Pot, press "Cancel" on the Instant Pot. Add ½ cup of chicken broth (I use chicken bone broth or wild turkey bone broth to enhance the flavor) and scrape the bottom of the pot with a slotted wooden spoon as you deglaze it. Once the pot is deglazed, add the remaining cup of chicken broth, Worcester sauce and liquid smoke. Personally, I prefer to



► Lay out the dry rub ingredients on a plate before mixing. (RICK TRAVIS)

use the mesquite liquid smoke, as it flavors the meat like it was slow roasted over real mesquite.

Step 5: Place the pork pieces evenly in the pot and then follow the directions to seal it without venting. Set to "High" for 60 minutes and let the pressure drop for 20 minutes when it is done. You should see the pin drop at this point.

Step 6: Remove the pork and shred with bear claws, two forks or

gloved hands. I have seen it done many ways. The point is to shred the pork. This next part is tricky. Don't just pour any store-bought BBQ sauce on it and mix it. Taste the pork and pair it with a sauce that will connect the other parts of the meal. This, in my humble opinion, is what makes the difference between a good meal and a great one.

For this meal, I knew I was utilizing two different buns for the article. I used a standard onion roll and a sourdough hoagie roll. I placed Tillamook provolone cheese down and then went to work on the pulled pork. I chose for this presentation not to make my own sauce, but to let Jack Daniel's Old No. 7 Honey BBQ Sauce flavor the pork. I used half a bottle, as I am not making a sloppy joe, but a true pulled pork.

Layer the pulled pork on top of the cheese and then add your favorite coleslaw on top and finish with a pickle (sandwich-sliced). This makes for a beautiful presentation and a meal that takes 90 minutes or less, which allows you to be the hero in no time flat for your guests.

Bon appétit! **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.

■ **1-Year General Membership:** \$35 / Year (increases to \$55 on Sept. 1)

■ **5-Year General Membership:** \$150 (\$5 savings a year on annual membership) (increases to \$225 on Sept. 1)

■ **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 (increases to \$1,000 on Sept. 1)

■ **Senior Life Member (65 and older):** \$275 one-time payment, or four \$75 / quarterly payments (increases to \$550 on Sept. 1)

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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 Life Membership 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

- Custom Engraved Pistol (For First 50 Members)
- CRPA Patriot Life Member Hat
- CRPA Patriot Life Member Lapel Pin
- CRPA Custom Engraved 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

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|--------------------------------------|
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| City, County, State, Zip Code |
| Phone |
| Email Address |

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|--|-------------------|
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| <input type="checkbox"/> 5-Year Member | \$150 |
| <input type="checkbox"/> 2A Sustaining Member | \$17.91/month |
| <input type="checkbox"/> Life Member | \$500 |
| *Veterans take 10% off Annual, 5-year, Life | |
| <input type="checkbox"/> Senior Life Member | \$275 |
| <input type="checkbox"/> Defender Life Member | \$1000 + Life |
| <input type="checkbox"/> Activist Life Member | \$1500 + Defender |
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GUN TRUTHS: HOW GUN LAWS FAIL

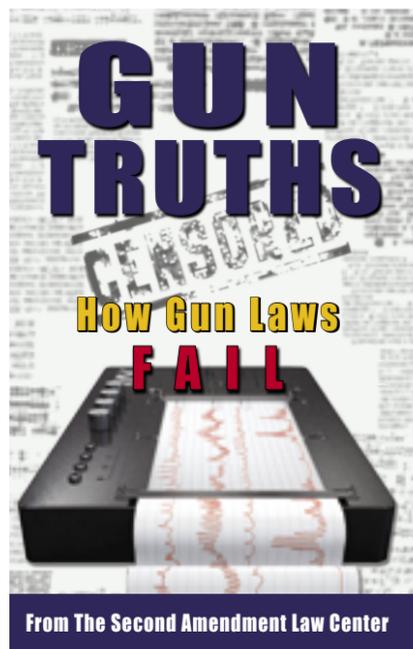
FROM THE SECOND AMENDMENT LAW CENTER

Gun Truths has compiled research and empirical evidence from multiple credible and high-quality independent sources to show how gun bans and gun control laws fail to reduce violent crime or make us any safer. It has assembled peer-reviewed studies, research and information from government databases acquired through the hard work of individuals who simply seek the truth. Its researchers have assessed the data and presented the most salient findings to let readers form their own objective

opinion about gun control.

The matter-of-fact presentation of facts and data in this book, free of manipulative gimmicks or emotional pleas, seeks to cut through the misconceptions created by the gun-control lobby. *Gun Truths* debunks common myths about firearms, self-defense and gun ownership. It serves as a reference guide for journalists, politicians, law enforcement and anyone interested in learning about the topics inflaming the debate on gun control. We believe that this debate will become more open, honest and efficient if both sides are more informed.

Gun Truths is divided into chapters based on gun control topics and categories. Each chapter lists common myths surrounding firearms and the individuals who possess them. Each myth is followed by several facts and sources that show the objective truth



based on unbiased, well-researched data. This should make it relatively easy to find the information you need in order to form an educated opinion about firearms policy. So when you hear a politician, celebrity or pundit repeat a sound bite about gun control, you can quickly find that myth in this book and decide what the truth is for yourself. **CRPA**

GUN CONTROL MYTHS

HOW POLITICIANS, THE MEDIA AND BOTCHED "STUDIES" HAVE TWISTED THE FACTS ON GUN CONTROL

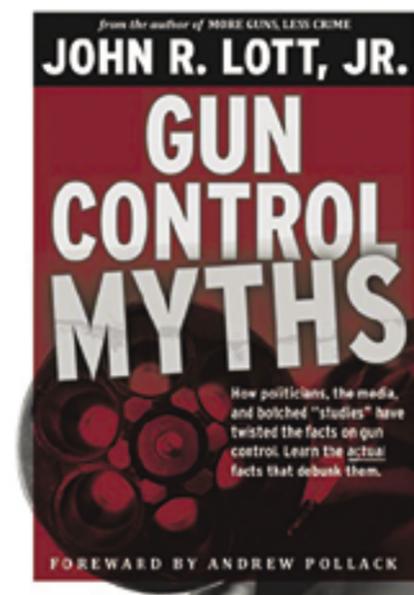
BY JOHN R. LOTT, JR.

Lott blows away one false myth about gun ownership after another. As Andrew Pollack's Foreword notes: "Learn the actual facts that debunk them." From myths about mass public shootings to suicides to gun ownership rates and crime, to gun-free zones, Lott addresses the claims you frequently hear in the media and explains what is wrong with those claims.

"John Lott shows that the media and many politicians are biased against guns. For example, many stories are written in the media about shooters but very few about defensive uses of guns. Similarly,

he shows that some gun control policies are actually counterproductive. Shooters seek out gun-free zones. If we banned 'assault' weapons, shooters might shift to larger hunting guns. The book is copiously footnoted. It is full of statistical and graphical analysis, so that his points are easily grasped and persuasive. Anyone who advocates gun control and does not seriously consider John's work is negligent. Any journalist who does not at least consider John's work is committing journalistic malpractice."

—Paul H. Rubin, Dobbs Professor of Economics Emeritus, Emory University



"We have John Lott to thank for once again providing factual and empirical-based research to counter the anti-gun movement's well-funded and organized campaign based on nothing more than slogans, myths and propaganda designed to demonize supporters of our cherished Second Amendment right to keep and bear arms."

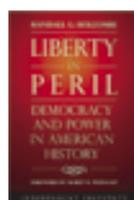
—David Clarke, Sheriff (RET) Milwaukee County **CRPA**

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.

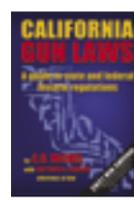
All books available on Amazon.



UPCOMING 8TH EDITION OF CALIFORNIA GUN LAWS: A Guide to State and Federal Firearm Regulations

BY C.D. MICHEL AND
MATTHEW D. CUBEIRO

California Gun Laws is said to be the definitive source for information on the subject. This tremendous resource is jam-packed with thousands of hours of legal research, transcribed into a format that is easy to read and comprehend.



GUNS AND SELF- DEFENSE: 23 Inspirational True Crime Stories of Survival With Firearms

BY ROBERT A. WATERS
AND SIM WATERS

In their book, Robert A. Waters and Sim Waters describe exciting true stories in which a cross-section of Americans used guns to fend off violent assailants. These are stories the mainstream media rarely reports.



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

BY GUY SMITH

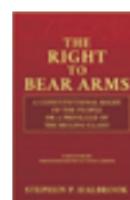
20 years of gun policy research distilled for the 2020 election cycle. This is a guide for your undecided friends, family and a solid briefing book for Second Amendment supporters.



THE RIGHT TO BEAR ARMS: A Constitutional Right Of The People Or A Privilege Of The Ruling Class?

BY STEPHEN P. HALLBROOK

Scholarly study of the history of the right to bear and carry arms outside of the home; it rebuts attempts by anti-gun advocates to rewrite history and "cancel" the Founding generation's lived experiences bearing firearms.



THE MILLENNIALS GUIDE PERSONAL DEFENSE—A Guide To The Gun, The Knife, The Open Hand, and Avoiding Trouble

BY R K CAMPBELL

Campbell's book is for the millions of new gun owners. It includes chapters on handguns, holsters, combat shooting and the continuum of force. Don't think this is just a gun book—the knife and open hand are included.



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

BY JOHN PAINE

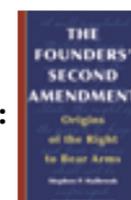
Do you want to know the real story of the Second Amendment? *The Second Amendment Manifesto* explains how the Second Amendment came to be, why it's worth protecting and what you can do to defend it right now.



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.





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