

ISSUE 1057, JAN/FEB 2022

# CALIFORNIA FIRING LINE

OFFICIAL MAGAZINE OF THE CALIFORNIA RIFLE & PISTOL ASSOCIATION

## COUNTDOWN TO HOPE

WAITING ON SCOTUS RULING ON PUBLIC CARRY

**9TH CIRCUIT  
EN BANC  
REVERSES  
MAGAZINE  
BAN WIN  
SCOTUS BOUND!**

**GUN FACTS  
REPORT  
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ISSN 2689-0046 (print)  
ISSN 2689-0062 (online)

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

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

**ARTICLE SUBMISSIONS:** Articles and letters are welcome but should be germane to the topics of interest to the general readership of this publication. Submission of proposed articles and letters implies the right to edit and publish all or in part. Send article ideas, letters and editorial submissions to: [CFL@chipotlepublishing.com](mailto:CFL@chipotlepublishing.com). For a copy of the writer's guidelines, email [CFL@chipotlepublishing.com](mailto:CFL@chipotlepublishing.com).

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



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Fullerton, CA 92835  
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[CRPA.org](http://CRPA.org)

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



Issue 1057, Jan/Feb 2022  
[CaliforniaFiringLine.org](http://CaliforniaFiringLine.org)

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## PRESIDENT'S MESSAGE

# NINTH CIRCUIT EN BANC PANEL REVERSES HISTORIC GUN RIGHTS VICTORY IN CHALLENGE TO STATEWIDE BAN ON STANDARD CAPACITY MAGAZINES

BY CHUCK MICHEL  
CRPA PRESIDENT & GENERAL COUNSEL

**O**n November 30, 2021, the Ninth Circuit Court of Appeals, sitting *en banc*, released its long-awaited decision in *Duncan v. Bonta* (formerly *Duncan v. Becerra*).

The CRPA lawsuit, which challenges California's flat ban on magazines capable of holding more than 10 rounds of ammunition, was the first successful constitutional challenge to bans on so-called "large-capacity magazines" in the country. Sadly, but as expected given the composition of the *en banc* panel, the court reversed the historic wins in both the district court and before the three-judge Ninth Circuit panel. Given the political composition of the eleven-judge *en banc* panel, the result is unfortunate but not surprising.

The *Duncan* plaintiffs will now petition for certiorari in the United States Supreme Court.

*En banc* re-hearings usually only occur in cases with significant public policy implications and often yield concurring and dissenting opinions. That is exactly what happened here, with three concurrences and two noteworthy dissents from Judges Patrick Bumatay and Lawrence VanDyke, both Trump appointees, for a total of 167 pages of dense content. Judge Susan Graber—who has a record of offering astoundingly poor reasoning

in Ninth Circuit Second Amendment matters taken *en banc*—authored the majority opinion. She also authored a concurring opinion.

The *en banc* majority applied the well-known and much maligned two-step analytical framework, which virtually all the circuit courts have applied to Second Amendment challenges despite *Heller's* admonition not to apply "interest balancing" in such cases. The court assumed that the challenged magazine restrictions implicate the Second Amendment and determined that intermediate scrutiny applied.

The court reasoned that California's magazine laws only minimally interfere with the core right to self-defense, that there's no evidence that anyone has ever been unable to defend their home because they didn't have a magazine over 10 rounds, and that the restrictions promote public safety. The court expressly emphasized the role that so-called "large capacity magazines" play in mass shootings and the legitimacy of the state's interest in addressing public violence. The court then found that California's magazine laws do not affect an unconstitutional taking of property without compensation, nor do they offend due process.

To summarize, the Court's majority opinion essentially implemented the fake heightened scrutiny that has plagued Second Amendment cases in the Ninth Circuit and elsewhere to find that California's ban on magazines over

10 rounds is constitutional.

In her concurring opinion, Judge Graber made some fairly bold and unsubstantiated claims that show just how far the Ninth Circuit has drifted from reality. Judge Graber claimed that the seminal Second Amendment case, *District of Columbia v. Heller*, 554 U.S. 570 (2008), failed to provide a clear framework for Second Amendment analysis and endorsed applying intermediate scrutiny to essentially all Second Amendment questions. Likening Second Amendment restrictions to First Amendment time, place, and manner restrictions is perfectly constitutional and consistent with *Heller* in Judge Graber's view.

Judges Berzon, Thomas, Paez, Murgia, Watford, and Hurwitz wrote to address Judge Bumatay's sharp dissent. Judge Bumatay's dissent, joined by Judges Ikuta and Nelson, focused on the elephant in the room of Second Amendment jurisprudence—that courts have betrayed *Heller* and implemented a fake heightened scrutiny which functions as an eminently deferential rational basis test. Judge Bumatay highlighted the significance of key historical facts, such as the longstanding availability and circulation of magazines over 10 rounds, in arguing that faithful application of *Heller* necessitated an obvious conclusion to an uncomplicated question.

Judge Berzon's concurrence astonishingly claims that the two-step framework—which has been manufactured out of whole cloth by the circuit courts—



# MEMBERS' VOICES

## Gentlemen,

Let me say that I consider CRPA an honest advocate for gun rights, and I consider Chuck Michel and his staff heroes. Thank you for all you do to protect our Constitutional rights.

But the NRA has been, and continues to be, a flawed and tainted organization with Wayne La Pierre and his lackey board members in control. Under LaPierre the NRA has put themselves, and honest gun owners, in the shadow of corruption and in the crosshairs of Leftists like New York Attorney General Letitia James who would dissolve the NRA and label it's members as corrupt and dishonest as its directors.

Stephen Bozich, a lifetime NRA member, encouraged "new leadership" many months ago. Tim Harmsen, also a Lifetime NRA member and host of Military Arms Channel, concurred. Richard Feldman, an NRA lobbyist, was quoted "years of inaction jeopardized gun rights and invited someone like New York Attorney General Letitia James to step in." The NRA Director Rocky Marshall Affidavit has confirmed the NRA has been "hemorrhaging money for at least 5 years" and they talking about millions of dollars, "including a \$5

million wire transfer to the Brewer law firm" which the NRA Board never saw or reviewed. La Pierre and the Board have violated the NRA's Bylaws.

President Michel I do not want CRPA dissolved or slandered. Your work is indispensable for Californians gun rights. But it is time to call a spade a spade. Wayne La Pierre is a boat anchor and bringing us all down with him. Unless the NRA cleans house of La Pierre and his ilk I say CRPA should stop all association and funding. I am retired, a veteran and living on a very fixed income. I do not want one dime of my CRPA dues paying La Pierre's exorbitant salary or buying \$3,000 suits for Wayne La Pierre. I am very sorry to say this and I know how much unjustified criticism honest gun owners are subject to, but unless we cut ties with these opportunists they will take us down with them. Please keep up the good work, Chuck, and thank you for listening.

— Michael G.

*The NRA's situation is terribly unfortunate and sad, made more so by the fact that its financial and regulatory problems could have been avoided with better foresight*

*and oversight. But neither CRPA's fortunes nor finances are linked to NRA. Although CRPA is the official and only state association in California recognized by the NRA, that strategic partnership does not involve any financial contributions from NRA to CRPA. In fact, NRA had to discontinue funding most CRPA 2A litigation efforts and programs, and CRPA had to step up to finance the multiple programs and many critical lawsuits that the NRA used to finance. So please keep supporting CRPA, and pray for NRA to come through its challenges. We all need a strong, effective, and well-run NRA to fight for our rights, particularly in Washington D.C.*

## SHARE YOUR VOICE WITH CRPA

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

## (PRESIDENT'S MESSAGE, CONT.)

is somehow superior to the Supreme Court's "text, history, and tradition" approach because its less vulnerable to being polluted by judicial subjectivity. She argued that the "text, history, and tradition" test is poor because according to her, linguists, historians, and anthropologists have cast doubt that we can really obtain the truth about the text, the history, and the tradition. So instead, Judge Berzon would rather just implement de facto legislative deference that applies no actual scrutiny to gun laws unless they obliterate the core right to self-defense.

Judge VanDyke's dissent could fairly be described as one of the most blunt and impassioned opinions from an appellate jurist about the disrespect and political animus that have conspired to strip Second Amendment rights likely ever written. Indeed, his dissent is an SOS to the Supreme Court to step in and right the ship. Ordinarily, jurists take great care to observe notions of comity and restraint in their dissenting opinions. But Judge VanDyke's willingness to impugn the majority's reasoning as a product of the most thinly veiled partiality is something of a sight to behold.

But it's not hard to see why Judge VanDyke feels the way he does. With-

out a doubt, the most incredulous line in the entire 167 pages of opinions is Judge Graber's tacit admission that the Ninth Circuit fully understands what it is doing—and that it just doesn't care. Judge Graber stated, "Unless and until the Supreme Court tells us and the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Tenth, Eleventh, and D.C. Circuits that, for a decade or more, we all have fundamentally misunderstood the basic framework for assessing Second Amendment challenges, we reaffirm our two-step approach." In essence, this is the Ninth Circuit saying it doesn't care about the Second Amendment, and until the Supreme Court forces them to stop, it's going to continue nullify it.

Judge Graber is right about one thing though. At this point, only the Supreme court can force the Ninth Circuit to respect and uphold the United States Constitution. And that's exactly what the CRPA and 2ALC is going to help make happen. This fight is now in the home-stretch. CRPA needs your financial support to get this case into the endzone at the Supreme Court.

## 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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## DOJ SNAFU

## OF THE YEAR

REPEATED  
CORRECTIONS TO DES  
NOTICE REGARDING  
"OTHER" FIREARMS

BY MATT D. CUBEIRO

**H**ow are licensed dealers and law-abiding gun owners supposed to follow the law when those tasked with enforcing it don't know what the laws are?

And why is it that when it comes to firearm laws, often the only way to get clarification is to sue the agency responsible for enforcement? Those are the exact questions raised following the recent bulletins released to California licensed firearm dealers by the California Department of Justice (DOJ).

On September 27, 2021, DOJ posted a notice through the dealer record of sale (DROS) entry system (DES) to California licensed firearm dealers regarding the sale of "oth-

er" firearms (firearms which cannot legally be classified as either a rifle, pistol, or shotgun). This action was prompted by a CRPA-supported lawsuit challenging DOJ's intentional delay in fixing DES to accommodate the sale or transfer of such firearms. Upon close examination of DOJ's notice, however, several problems were apparent. Primary among those was DOJ's statement that prior to the sale, loan, or transfer of "other" type firearms, dealers must confirm both the firearm has a fixed magazine that accepts 10 rounds or fewer; and the firearm has an overall length of 30 inches or more. Should either requirement not be met, DOJ's notice states the sale, loan, or transfer of the firearm cannot proceed.

The problem? Lacking one or both requirements is **no indication** whether the firearm is an "assault weapon"

or otherwise prohibited for sale under California law. CRPA attorneys immediately pointed out this glaring problem to DOJ, as it would effectively bar the sale of firearms perfectly lawful to own and possess in California without any statutory justification for doing so. Just a few days later, DOJ begrudgingly amended their notice to remove the requirements entirely.

Despite the revisions, problems persisted. Having first misunderstood California laws regarding "assault weapons," DOJ's notice incorrectly addressed federal laws concerning the sale or transfer of "other" type firearms, or at the very least grossly mischaracterized federal law. Specifically, DOJ correctly quoted California laws regarding California dealers being restricted from selling or transferring a firearm to any person under 21 years of age, including fully assembled "other" firearms, unless an applicable exemption applies. But DOJ's notice then goes on to state that under federal law, "other" frames or receivers may not be sold, loaned or transferred to an individual under 21 years of age.

Even though DOJ's own notice quotes the directly applicable federal regulations, it somehow fails to mention that federal law **broadly prohibits** the sale of any firearm that is **not**

WHAT IS CONSIDERED AN "OTHER" FIREARM

An "Other" type firearm is a firearm that does not meet the definition of a rifle (Pen. Code, § 17090), shotgun (Pen. Code, § 17190), or pistol (Pen. Code, § 16350.) An "Other" can also be considered an assault weapon.

Note: Prior to the sale, loan, or transfer of an "Other" type firearm you must confirm:

1. That it has a fixed magazine that accepts 10 rounds or fewer.
2. That it has an overall length of 30 inches or more.

If the "Other" does not meet the criteria above or is considered an "Other" Assault Weapon pursuant to Penal Code 30900, **the "Other" may not be sold, loaned or transferred** in the DES.

► **DOJ's notice** unlawfully limiting the sale or transfer of certain "other" firearms

WHAT IS CONSIDERED AN "OTHER" FIREARM

An "Other" type firearm is a firearm that does not meet the definition of a rifle (Pen. Code, § 17090), shotgun (Pen. Code, § 17190), or pistol (Pen. Code, § 16350.) Firearms that might be eligible for DROS at this time would include serialized receivers, barreled actions (that lack a stock), "Buntline" type firearms with revolving cylinders, firearms that fire shotgun shells that also lack a stock (commonly known as Pistol Grip shotguns).

Note: Prior to the sale, loan, or transfer of a centerfire "Other" type firearm, you must confirm the "Other" does not meet the criteria of an "Other" Assault Weapon pursuant to Penal Code 30515.

► **DOJ's revised notice** discussing "other" firearms.

AGE RESTRICTION

Penal Code section 27510, subdivision (a), provides "A person licensed under sections 26700 to 26915, inclusive, shall not sell, supply, deliver, or give possession or control of a firearm to any person who is under 21 years of age." This restriction applies to a fully assembled "Other" firearm unless the purchaser is exempt under 27510, subdivision (b).

Under federal law, an "Other" frame or receiver may not be sold, loaned or transferred to an individual less than 21 years of age. [18 U.S.C. 921(a)(5) and (7) and 922(b)(1); 27 CFR 478.11 and 478.99(b)]

► **DOJ's notice** discussing age restrictions as applied to "other" firearms.

a rifle or shotgun to anyone under 21—not just the frame or receiver of such a firearm.<sup>1</sup> By failing to state this fact, and coupled with the statement that such sales are prohibited unless an exemption to California law applies, DOJ's own notice appears to suggest that the sale of "other" type firearms to individuals under 21 is lawful under applicable California exceptions. But it's not. In other words, DOJ's notice appears to advocate for the violation of federal firearm laws in certain circumstances. Thankfully, it only took DOJ over a month to correct the problem.

Third time is a charm, it seems.

DOJ is the state agency tasked with ensuring the laws of California are uniformly and adequately enforced. Yet it appears incapable of understanding both state and federal firearm laws absent assistance from

1. 27 C.F.R. § 478.99 (stating that dealers are prohibited from selling or transferring a firearm "if the firearm . . . is other than a shotgun or rifle . . . to any individual who the [dealer] knows or has reasonable cause to believe is less than 21 years of age.")

AGE RESTRICTION

Under federal law, a shotgun or rifle is the only firearm a licensed importer, licensed manufacturer, licensed dealer, or licensed collector may sell or deliver to a person the licensee knows, or has reasonable cause to believe, is less than twenty-one years of age.

Given the broad scope of this federal restriction (applicable to all persons under the age of twenty-one without exception), it is therefore also unlawful under federal law to sell or deliver any California "other" firearm, including frames and receivers, to a person the licensee knows, or has reasonable cause to believe, is less than twenty-one years of age. This federal age restriction applies regardless if the person would otherwise qualify for exemption under California Penal Code section 27510, subdivision (b). (18 USC 921(a)(5) and (7) and 922(b)(1); 27 CFR 478.11 and 478.99(b).)

► DOJ's third notice correctly discussing applicable federal laws.

CRPA attorneys and industry stakeholders. How then are law abiding gun owners and licensed dealers to follow California's arbitrary and complex firearm laws when the enforcers of such laws can't adequately and effectively understand them? And why is a lawsuit necessary to fix long-running issues with DES?

As CRPA attorneys have said before, it shouldn't take a law degree to comprehend wrongful criminal conduct. Everyone, including law-abiding gun owners, should be able to clearly

know the difference between right and wrong. Especially when simply exercising a constitutional right.

California licensed firearm dealers with additional questions concerning the recent changes to DES regarding the sale or transfer of "other" type firearms can reach out to CRPA attorneys direct at [helpdesk@michellawyers.com](mailto:helpdesk@michellawyers.com) or by calling (562) 216-4444. Sadly, CRPA cannot recommend contacting DOJ with questions as they generally refuse to provide guidance and, when they happen to

do so, that guidance is often wrong and/or misleading. **CRPA**

**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.



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# SECOND AMENDMENT LAW CENTER, CALIFORNIA RIFLE & PISTOL ASSOCIATION, ANNOUNCE SUPPORT OF LAWSUIT CHALLENGING RESTRAINING ORDER FIREARM PROHIBITION

Originally published at [2alc.org/news](http://2alc.org/news)

**Imagine living in the same house with your spouse for over 50 years.** Your front lawn has a sapling that, over the course of time, has grown into a beautifully tall tree. But the neighbor next door who moved in just a few years ago doesn't like the tree, so she conspires to falsely accuse you of assault and battery after you refuse to remove it. You get arrested as a result. She then seeks a restraining order against you based on her false allegations, files both a civil case and small claims case against you, and to top it all off, California law takes away your right to own or possess firearms in connection with the restraining order—before you even have a chance to respond.

**The court issued a three-year restraining order against them—despite no other findings of harassing behavior or that the Wallingfords are a danger to the public or to themselves.**

Think it can't happen? Well, that is exactly what happened to Richard and Miranda Wallingford. Only their story gets much, much worse.

As a result of their new neighbor's false allegations, the Wallingfords hired a home-security company to install cameras on their property. Their purpose was to prevent the neighbor from making additional false allegations in the future. Immediately after installation (but before a hearing on the restraining order petition was held), the cameras captured the neighbor making threatening gestures and attempting to damage the Wallingford's tree. These images were shown to the court at the restraining order hearing, which ultimately concluded that the Wallingfords did nothing wrong and dismissed the petition against them. The criminal

assault and battery investigation was dropped by the police, both the small claims case and civil case were dismissed, and the Wallingford's firearm rights were also reinstated.

This is where the Wallingford's horror story should have ended.

At the restraining order hearing, the Wallingfords went on record to state they simply wanted to put the matter behind them and ask the neighbor to cease and desist her hostile behavior. That of course did not happen. Late in the evening on the same day the neighbor's civil case was dismissed, the security cameras captured the neighbor coming onto the Wallingford's property and pouring bleach on the tree. The Wallingfords called the police, but the police took no action.

The neighbor's behavior continued to escalate. She was recorded yelling verbal threats of violence from her front yard and making several throat-slitting gestures directed at the Wallingford's cameras, at least one of which involved the use of a knife or similar cutting instrument. Now in fear for their personal safety, and seeing no other option at this point, the Wallingfords filed a petition seeking a restraining order against the neighbor.

Just one of several sets of images of the Wallingford's neighbor standing in her front yard making threatening gestures in full view of the public neighborhood.

But before a hearing on the Wallingford's petition is held, the neighbor again files a petition seeking a restraining order against the Wallingfords. This time, the neighbor claimed the Wallingford's security cameras constituted harassment while also raising the same allegations of assault that were previously



(SHUTTERSTOCK)

**As a result of the restraining order issued against them, California law prohibits the Wallingfords from owning or possessing firearms for its entire duration. All because the Wallingfords took the steps any reasonable person likely would have taken to protect themselves after being falsely accused and harassed by a vile and hostile neighbor.**

ruled on and dismissed.

Astoundingly, the court granted the neighbor a temporary restraining order, resulting in the Wallingford's once again losing their Second Amendment rights until a formal hearing could be held. Worse still, the court later recognized that it mistakenly read the neighbor's petition to include new allegations of assault—not the same allegations raised previously. Had it not made this mistake, it would not have issued a temporary restraining order. Nevertheless, the court refused to dissolve the temporary restraining order until a formal hearing could be held 60 days later.

Upon first learning of their neighbor's complaint about their security

**Worse still, the court later recognized that it mistakenly read the neighbor's petition to include new allegations of assault—not the same allegations raised previously. Had it not made this mistake, it would not have issued a temporary restraining order.**

cameras, the Wallingford's immediately repositioned the cameras to ensure only their property was in the cameras' field of view. They did so despite the areas of the neighbor's property also being captured were publicly visible from street.

Although the court ultimately granted the Wallingford's petition for a restraining order against the neighbor because it found "no legitimate purpose to making a throat-slashing gesture towards [the Wallingford's] security cameras, or to mooning the cameras, spraying the cameras with water, or other similar conduct," the court also found the Wallingford's security cameras constituted harassment. But the court also expressly noted the cameras "have since been repo-

The ATF and CA-DOJ haven't gone away. Neither have we.

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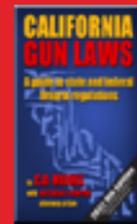
sitioned such that they point only at areas of the [neighbor's] residence in public view, which the court finds acceptable." Nevertheless, the court issued a three-year restraining order against them—despite no other findings of harassing behavior or that the Wallingfords are a danger to the public or to themselves. What's more, there was no evidence that the Wallingfords were directly involved in the installation of the cameras to begin with.

As a result of the restraining order issued against them, California law prohibits the Wallingfords from owning or possessing firearms for its entire duration. All because the Wallingfords took the steps any reasonable person likely would have taken to protect themselves after being falsely accused and harassed by a vile and hostile neighbor. And to this day, the Wallingford's neighbor continues to harass and intimidate the Wallingfords, with no action being taken by law enforcement against her, despite multiple 911 calls and the existence of a restraining order against the neighbor.

The Second Amendment Law Center and the California Rifle & Pistol Association are proud to support the Wallingfords in a new lawsuit challenging California's laws prohibiting them from owning or possessing firearms due to the restraining order issued against them. The Wallingfords, through their legal counsel, are seeking an injunction against the prohibition while the lawsuit is litigated. A hearing on the Wallingfords request for an injunction is currently scheduled for November 1, 2021.

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**To this day, the Wallingford's neighbor continues to harass and intimidate the Wallingfords, with no action being taken by law enforcement against her, despite multiple 911 calls and the existence of a restraining order against the neighbor.**



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# IS PERMITLESS CARRY A DANGER TO THE PUBLIC? STATE-LEVEL HOMICIDE DATA SAYS NO

BY KONSTADINOS T. MOROS

**O**n September 1st, Texas became the twenty-first state to allow some form of permit-less or constitutional carry.

That means that in Texas, if you are at least 21 years old and you are not prohibited from lawfully possessing a handgun under Texas or federal law, you can carry a handgun without a permit either openly or concealed. This was another tremendous victory for gun rights and continues the trend of expanding carry rights that has taken hold in recent decades.

Of course, not everyone was pleased that Texas chose to respect the right to keep and bear arms. This news was met with the expected “sky is falling” warnings of doom from the

usual antigun suspects. For example, Ari Frielich, state policy director for the Giffords Law Center to Prevent Gun Violence, said that permit-less carry could drastically endanger Texas residents and even law enforcement officials.

“The research is clear that flooding public spaces with more hidden loaded guns in more hands makes them less safe. It turns more arguments, road rage incidents, and fistfights into shootings, more injuries into burials, and it can create a civilian arms race in communities most impacted by violence”, Frielich said.

Frielich’s response is not original. Every time a state adopts permit-less carry, antigun groups as well as much of the media warn that every minor dispute will turn into a bloody shootout and the state’s homicide rate will therefore skyrocket. They

also claim that the “research is clear” in favor of their arguments. But is it really?

With 21 states now having enacted some form of permit-less carry, this is no longer a hypothetical question. While some states have only recently enacted these laws, most others have had them for several years. Liberal Vermont, which no layperson would consider any kind of gun rights paradise, has been a constitutional carry state since the 18th century. Given this large sample size, we can now look at the data and see whether or not permit-less carry states are actually more dangerous overall than the country as a whole. Below is a list of each of the states that have enacted some form of permit-less carry, along with their homicide rate per capita.

1. Alaska (12.8 per 100,000)

2. Arizona (5.9 per 100,000)  
3. Arkansas (9.4 per 100,000)  
4. Idaho (1.7 per 100,000)  
5. Iowa (2.7 per 100,000)  
6. Kansas (4.9 per 100,000)  
7. Kentucky (5.9 per 100,000)  
8. Maine (1.8 per 100,000)  
9. Mississippi (15.4 per 100,000)  
10. Missouri (10.8 per 100,000)  
11. Montana (3.7 per 100,000)  
12. New Hampshire (2.8 per 100,000)

13. North Dakota (3.1 per 100,000)  
14. Oklahoma (8.8 per 100,000)  
15. South Dakota (3.6 per 100,000)  
16. Tennessee (9.2 per 100,000)  
17. Texas (5.9 per 100,000)  
18. Utah (2.6 per 100,000)  
19. Vermont (1.7 per 100,000)  
20. West Virginia (5.7 per 100,000)  
21. Wyoming (4.4 per 100,000)  
Averaging this data together, we reach an overall homicide rate of roughly 5.8 per 100,000. So how does

this compare to homicide in the United States overall? Coincidentally, it is statistically identical, as according to the CDC the overall US homicide rate also comes out to roughly 5.8 per 100,000. In other words, states with permit-less carry laws are not any more dangerous than the country as a whole in terms of homicide rates. The CDC’s data also shows us that of the ten states with the lowest overall homicide rates in the country, six are permit-less carry states, including all of the top three safest states (Vermont, Idaho, and Maine).

There are certainly criticisms one could level at this analysis. For one, as we all know, correlation is not causation. Perhaps several of these states have independent reasons explaining why their homicide rates aren’t very high overall despite their permit-less carry laws, such as some of them being mostly rural. Or maybe one could argue the negative, that these states would have even lower homicide rates if it weren’t for such laws. Regardless, what has clearly *not* resulted is homicide rates rising dramatically relative to the country as a whole, as antigun groups predict each time a state adopts permit-less carry. Their argument that such laws are dangerous is simply not backed up by the available state-level data.

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**Konstadinos Moros** practices general civil litigation with Michel & Associates. He received his bachelor’s degree in political science from the University of California, San Diego in 2011.

In 2014, he earned his Juris Doctorate from California Western School of Law and has been practicing law since 2015. He is an activist and advocate for maximizing our constitutional and natural rights, especially the right to keep and bear arms.



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# GANG TRIANGULATION

BY GUY SMITH

**W**hen it comes to gun violence, it's tough to beat street gangs. They have made a sport of it. But the spooky question has been, "How much gun violence is gang violence?" Thanks to a little triangulation on our part, we think it is amply clear.

**MAJOR TAKE-AWAYS**

- Gangs likely constitute 85% of firearm homicides in the U.S.
- There is a close correlation between metropolitan gang-age homicides and estimates of gang populations by degrees of urbanization.

**THE DATA DEARTH**

For all the great scorekeeping the Federal Bureau of Investigation does, when it comes to murder, they have understandable gaps. Every year the FBI reports on the circumstances that led to a homicide in their Expanded Homicide tables. There are two rows of data that list what police were absolutely certain were gang related murders.

**...most of the homicides [in a major metropolitan area] are gang related in some fashion. They question remains, though – how many is that?**

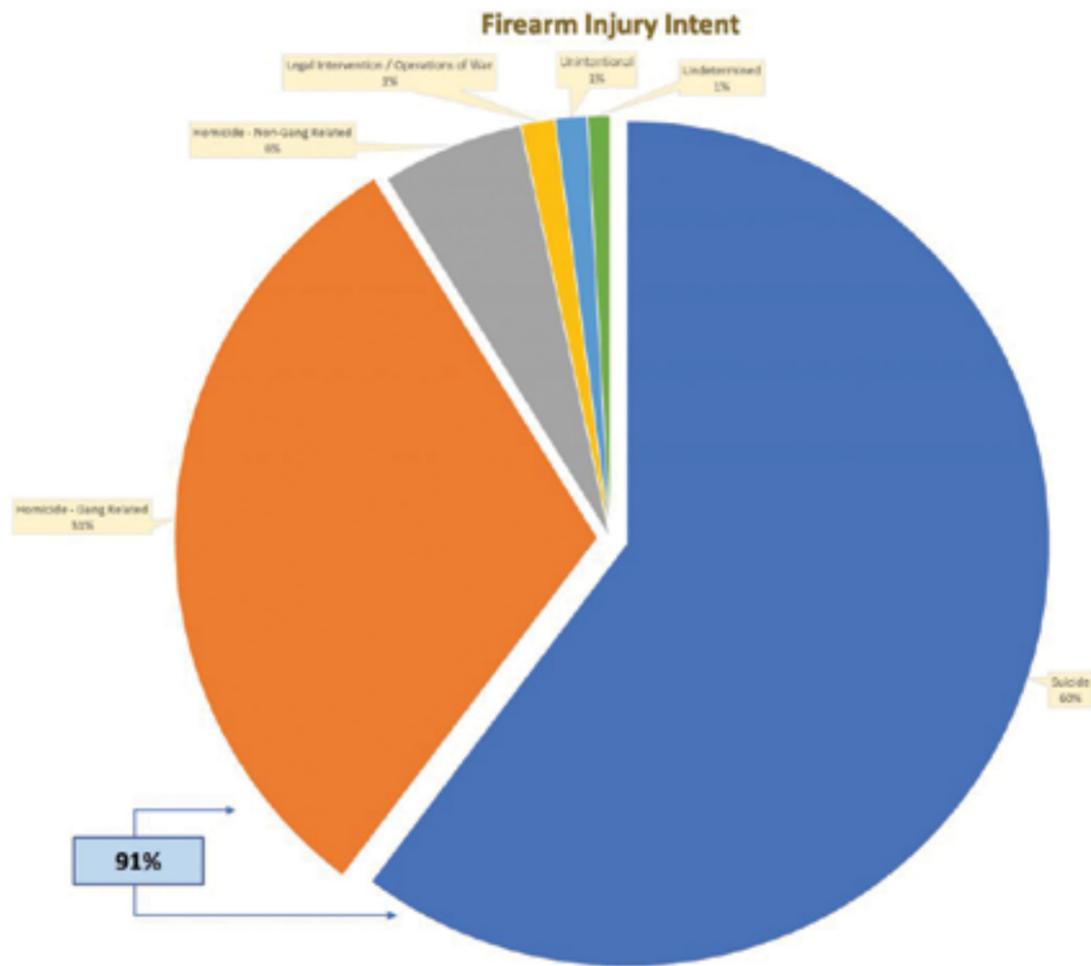
<b>4%</b>	Gangland and Juvenile Gang Killings
<b>24%</b>	Arguments (other)
<b>41%</b>	Unknown

Source: FBI Expanded Homicide Table 11, 2019

Combined, those two rows of definitive gang homicides account for a measly 4% of homicides. This is because police are only allowed to classify circumstances for which they are certain about the origins. This is why the category "unknown" is always the largest bucket for murders. Likewise, if people near the murder heard an argument before the gunshot, police can classify the circumstance as "argument," though it could have been an argument between gang members, over turf, over drug distribution territory, et cetera. The fact is that many of the argument and unknown circumstances are gang related. So, we tried to ballpark gang homicides by triangulation.

**CRIPS AND BLOODS**

A popular documentary details the historic feud between two street gangs, the Crips and the Bloods. The documentary asserts that in the 30-year war between these gangs, they have killed 15,000 of each other. For contrast's sake, there were "only" 2,401 U.S. military deaths in the 20-year Afghanistan war. That makes the Crips and the Bloods about four times as deadly on a year-in, year-out basis. We reached out to the documentary's director to learn the



SOURCES: CDC WONDER compressed mortality database, 2018. Gang firearms homicide rate triangulated using CDC and National Gang Center data.

www.GunFacts.info

## SUICIDES AND GANGS ACCOUNT FOR 91% OF "GUN DEATHS"

BY GUY SMITH

**V**arious groups love to talk about "gun deaths", but what is that composed of?

At the Gun Facts project, we routinely report the high-level causes of firearm fatalities. Year after year, suicides are

the top cause, ranging from 60-66% of firearm deaths depending on the year. But subscribers know we recently triangulated the portion of firearm homicides were gang related (see article on next page). That got us to wondering "what is the total number of firearm deaths from these two causes?" The answer is 91%.

From a policy standpoint, this is quite compelling. Imagine reducing over 31,000 deaths a year by intently focusing on two specific points -- mental health and street crime. Something you might want to mention to your congress critter. **CRPA**

*This article is reprinted with permission from [gunfacts.info](http://gunfacts.info).*

source of their estimate, but at the time of this writing they had not responded.

This brings home the point that any homicide detective in a major metropolitan area will make: most of the homicides there are gang related in some fashion. They question remains, though – how many is that?

**TRIANGULATIONS**

What we know from data is that:

- Street gangs are largely based in metropolitan areas.

- The primary age range for street gang activity is between 15 and 30.

**GANG PENETRATION RATES AND FIREARM HOMICIDE RATES**

Thanks to two data sources – the Center for Disease Control mortality databases and the National Youth Gang Survey – we can compare firearm homicide stats with gang penetration stats and see if they align.

They do, at a 96% correlation level.

This alignment is important to the rest of the analysis. If the degree of street gang membership did not agree with the degree of firearm homicides, then there would be no possible cause and effect (confounding variables, though, might apply). But such a strong covariance (0.96 using R2) indicates that the two are not divorced. In other words, if gangs were not a primary source of firearm homicides, then areas where street gangs were rare would also have higher firearm homicide rates, which they don't.<sup>1</sup>

**GANG MEMBERSHIP RATES TO DOCUMENTARY CLAIM**

In the year 2012, there were an estimated 850,000 street gang members

	Distribution of Gang Members	Distribution of Firearm Homicides (gang ages)	Difference
Rural Counties	2.70%	3.1%	0.4%
Suburban Counties	24.40%	22.2%	-2.2%
Smaller Cities	15.60%	25.0%	9.4%
Larger Cities	57.30%	69.0%	11.7%

Source: Center for Disease Control mortality databases, National Youth Gang Survey

**Let's say that the odds are high... as high as Snoop Dogg, who was a Crip... that most inflicted gunshot injuries are gang related.**

1. We had to recategorize the CDC's firearm homicide data from their urbanization categories – Large Central Metro, Large Fringe Metro, Medium Metro, Small Metro, Micropolitan (Nonmetro), NonCore (Nonmetro) – to those used by the National Youth Gang Survey.

2. "Measuring the Extent of Gang Problems," National Gang Center, 2012.



► Signs discouraging gang wars, South Central Los Angeles, California. (JOSEPH SOHM / SHUTTERSTOCK.COM)

in the United States.<sup>2</sup> The estimates fluctuate from year to year, but they were at the same level in 1996. Despite a growing population, street gang participation remained fairly constant.

Wikipedia reports that combined, the Crips and the Bloods have about 55,000 members, or about 6.5% of all American gang members. If the estimate provided by the documentary is anywhere near accurate, and assuming that the Crips and the Bloods are not staggeringly more homicidal than other street gangs, their share of gang homicides should be about the same as their share of gang memberships.

With 15,000 hits over 30 years, this equates to 500 homicides per year for these two gangs (just between them... no telling how many innocent people

or members of different gangs were victims). In the most recent year for which data was available, there were 9,063 firearm homicides. The Crips and Bloods count of 500 (average annual) is 5.5% of the firearm homicide rate, which is close to the estimated 6.5% membership rate among gangs.

Now, there are wild variables here. Not every gang member is a murderer, but some members make up for that deficit by killing repeatedly. We'll accept these variations since we are only trying to ballpark an estimate.

When we take this analysis and apply it to the members of gangs other than the Crips and Bloods, and assume they are roughly as homicidal, the math works out that roughly 85% of firearm homicides are gang related.

7,227	Murders by other gang members
7,727	Total gang murder estimate
85%	% of total firearm homicides

Source: FBI Expanded Homicide Table 11, 2019

It may or may not be fair to say that most gunshot wounds are gang related as well. Security camera footage of drive-by shootings where multiple people are injured would lead one to this belief. But, alas, there is no solid way we at the Gun Facts project have yet discovered to triangulate such, and the CDC's WISQARS

reporting system is not transparent on firearm injuries. But let's say that the odds are high... as high as Snoop Dogg, who was a Crip... that most inflicted gunshot injuries are gang related.

**WHAT ALL THESE NUMBING NUMBERS REALLY MEAN**

Even if this triangulation is fractionally off, it still shows that in terms of gun violence, the single largest contributing factor is street gangs. This is not news; criminologists have been noting it for years.

So why isn't this problem the priority for politicians? Because they only care about poor people of color at election time. The rest of their term, while they are hobnobbing with wealthy donors and powerful politicians, they are content to let otherwise good but poor people get caught in gang crossfire.

**UPDATE: WHAT IF THERE WERE NO GANG HOMICIDES**

One astute reader asked this basic question. Since America has a much higher gang participation rate than other countries, and our gangs (as demonstrated by the Crips and Bloods saga) are much more homicidal than gangs elsewhere, what would happen if America could magically eliminate gang homicides.

A lot. Using U.N. crime data (because it is normalized across countries, for 2016 (the same year as the most recent CDC data is available for comparison sake), we see the U.S. homicide rate fall to be in line with other first-world, western industrialized nations. **CRPA**

*This article was reprinted with permission. It was originally published at [gunfacts.info](http://gunfacts.info).*

<b>5.4</b>	US with gang homicides
<b>0.8</b>	US without gang homicides
<b>1.2</b>	UK
<b>0.9</b>	Australia
<b>1.4</b>	France
<b>1.2</b>	Germany

Source: UN Office on Drugs and Crime.

{SHUTTERSTOCK}



# AMMO BAN ACTIVISTS ATTACK NSSF WITH SELECTIVE EDITING, SHOOT THEMSELVES IN THE FOOT

BY LARRY KEANE

**S**ometimes the best thing to do when activists attack is to let their arguments fall under their own weight. That's what happened when Environmental Health News (EHN) published a series on traditional ammunition titled 'Mislead on Lead', available at [ehn.org](http://ehn.org).

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The activist news service that describes itself as, “a nonprofit, non-partisan organization dedicated to driving science into public discussion and policy on environmental health issues, including climate change,” attempted to smear NSSF by accusing the firearm and ammunition industry’s trade association of being “science deniers,” copycatting “Big Tobacco” to sell traditional ammunition and completely misrepresenting hunting’s role in wildlife management.

This is now a standard tactic of the political “left.” Attack anyone who challenges the orthodoxy as a “science denier.” At the end of the day, EHN’s breathless tirade against traditional ammunition and hunting exposes land-mine sized potholes that EHN refuses to acknowledge.

NSSF chose to answer questions from EHN’s reporter, Samantha Ttoni, despite her previous reports, such as ‘Lead in Hunted Meat: Who’s Telling Hunters and Their Families’ (Feb 25, 2020 ), targeting traditional ammunition. The firearm industry has nothing to hide in this debate. More information provides gun owners

**This is now a standard tactic of the political “left.” Attack anyone who challenges the orthodoxy as a “science denier.”**

educated choices.

The facts are clear. Traditional ammunition has been used for hunting in North America for over 400 years. The fact is there has never been one case of an individual suffering lead poisoning due to the consumption of wild game.

#### SELECTIVE EDITING

The fact there are no reported cases of individuals suffering lead poisoning due to harvested wild game consumption was offered to EHN’s Ttoni, but didn’t make the final edit. NSSF is agnostic when it comes to which types of ammunition hunters and recreational shooters should use. There are choices available in the market, including alternatives offered by traditional ammunition manufacturers. That choice should be left to the buyers, not dictated by agenda-driven publications seeking blanket public policy decisions.

Policy decisions regarding wildlife management must be driven by science. It is critical to ensure that agenda-driven policies don’t harm the incredibly success of the North

American wildlife model. That model brought back Rocky Mountain elk, whitetail deer, wild turkeys, pronghorn antelope and waterfowl from dangerously low levels to teeming populations.

This model relies on what’s termed a “user pays-public benefits” system. That includes firearm and ammuni-

tion manufacturers that pay the Pittman-Robertson excise tax that’s contributed over \$14 billion to wildlife conservation since 1937. The success of this program isn’t limited to game species, or those animals that are hunted. This program also contributed to the successful recovery of the American Bald Eagle, which has been

removed from the Endangered and Threatened Species Lists.

#### WEAPONIZING SCIENCE

Accusations of denying science fall flat when the firearm industry points to studies (see [nssf.org](https://nssf.org) factsheet ‘Eating Game Taken with Traditional Ammunition Does Not Pose a Health Risk’) conducted by the Centers for Disease Control and Prevention (CDC) in 2008 that found blood-lead levels in hunters consuming wild game harvested using traditional ammunition were actually lower than individuals in the same community that didn’t consume wild game.

The CDC study showed that no hunters using traditional ammunition had elevated blood-lead levels even approaching the threshold of concern.

None of this denies science. It relies on it. This seems to be more of a case of projecting what anti-hunting groups are actually doing themselves and attempting to tar firearm and ammunition makers.

That explains the accusations that ammunition makers are following the “big tobacco” playbook. The first and biggest problem with this argument is that the same ammunition makers producing traditional ammunition also produce alternatives.

The science of wildlife management is based on population models, not sick or injured animals. If the intent of wildlife management was to end injury to animals, that would eliminate hunting altogether. That goal, though, wouldn’t end with targeting hunters using traditional ammunition.

Environmentalists advocating for sustainable energy through wind-farms would be forced to tear down wind turbines, which are responsible



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**CRPA**   American Foundation for Suicide Prevention

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# WHAT IS THE CRPA?

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

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

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

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

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

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

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

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

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

for killing between 140,000 and 500,000 birds per year. That's predicted to rise to as many as 1.4 million birds a year from 200 separate species.

Vehicles would also be banned to end wild-life collision deaths and injuries. Even the lead used in car batteries would be banned, since the naturally-occurring element is a critical component for the batteries used in cars – especially in hybrid and all-electric vehicles.

The "Big Tobacco" smear ignores the fact that hunting and fishing is constitutionally protected in 23 states, and fishing is constitutionally protected in two more. Harvesting wild game is a right of the people. It's also been proven that initiatives to ban traditional ammunition — along with overreaching gun control — results in nose-diving statistics of hunters going into the fields, woods and marshes. Licenses sold to California hunters each year decreased approximately 70 percent, from over 750,000 in 1970 down to 225,000 in 2019.

That's created a public lands funding crisis in California, since hunting and fishing licenses, combined with the Pittman-Robertson funds distributed by the Wildlife Restoration Trust Fund, pays for conservation lands upon which wildlife depends to thrive.

## LEGITIMATE PURPOSE

Finally, EHN's misrepresentation of hunting's role in sustainable wildlife conservation must be addressed. EHN's report accused NSSF of not answering the question for their position on the U.S. Fish and Wildlife Services on one of the seven principles that states, "Wildlife can only be killed for a legitimate purpose."

NSSF did answer. "The U.S. Fish & Wildlife Service also lists hunting as a wildlife management tool and outdoor tradition," NSSF wrote in response to Toton's direct question on taking of wildlife. NSSF even provided the link [[fws.gov/hunting](https://www.fws.gov/hunting)] to where USFWS states this so she could see for herself that hunting is a crucial tool for sustainable wildlife management and conservation.

That was omitted. Some might call it cherry-picking data to drive an anti-hunting agenda.

**CRPA**

*This article was originally published on [nssf.org](https://nssf.org) and [thet-ruthaboutguns.com](https://thet-ruthaboutguns.com). It is reprinted with permission.*

# LAWS FOR THE LITTLE GUYS

BY THOMAS GIFT

**I**n a recent Research Letter in the Journal of the American Medical Association ("Knowledge of State Gun Laws Among U.S. Adults in Gun-Ownng Households") Ali Rowhani-Rahbar, M.D., et al. present data regarding knowledge of state firearms laws. Specifically, they assess the knowledge possessed by adults living in "gun-ownng households" as to these state laws.

They approach this from the perspective that many such laws are designed to prevent injuries and that following them would be useful for this reason. Using a self-selecting sample of subjects collected via the internet, they find that a significant number of individuals living in a gun-ownng household are not aware of laws in place, for example, to limit child access.

While there is no doubt considerable truth to the assertion that safety would be enhanced if individuals more carefully limited children's access to firearms, there's more to the story.

**While there is no doubt considerable truth to the assertion that safety would be enhanced if individuals more carefully limited children's access to firearms, there's more to the story.**

It's often said that the law is a blunt instrument, and this certainly is the case regarding children's access to firearms. Laws of this sort vary by state and locality, and one household can be very different than another. Some, for example, are never visited by children, and in other instances the "child" in the family may be 17-years-old, working to support the family and an accomplished hunter—does protecting this "child" by limiting access to firearms make sense?

The authors deserve credit for avoiding the politics so frequent these days in medical publications addressing Second Amendment issues. Concerning firearm harm prevention in general, they note "... for most gun laws, the evidence is either inconclusive or lacking." Not mentioned, of course, are possessors of illegal guns,

who seem unlikely to follow laws regarding firearms safety.

Not mentioned, either, is the complexity of some of these statutes. In Pennsylvania, for example, individuals are cautioned that they may actually need the services of an attorney to fill out the form to purchase a firearm legally. And that reflects just one section of this state's firearm laws.

The authors note that the sample of subjects they used is representative in many ways, such as age, but it is impossible to know if it is representative with regard to characteristics most important to the research questions. So, for example, individuals who are skeptical as to the conduct and possible benefits of research regarding firearms may choose not to participate. In fact, by the authors' report, over 33% of the individuals approached to participate declined to do so.

It seems possible also that the complexity of laws regarding firearms may have kept individuals from answering "yes" to their understanding a certain kind of law as being in place because they were aware that they didn't know the entirety of that law or other related ones.

Beyond the scope of the research are the motives of individuals advocating for laws to prevent harm from firearms. The situation is a bit like the Puritans' opposition to bear baiting. Their concern was not the suffering caused to the bears, but rather they were upset by the pleasure enjoyed by the spectators.

One may wonder to what degree laws passed to protect people from firearm-related injuries are, in fact, advanced with the thought that the right to keep and bear arms is odious and should be restricted. **CRPA**

Originally published at: <https://drgo.us/laws-for-the-little-guys/>

**... the "child" in the family may be 17-years-old, working to support the family and an accomplished hunter—does protecting this "child" by limiting access to firearms make sense?**

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# THE NINTH CIRCUIT VS. SECOND AMENDMENT



# THE REMATCH

BY DON KILMER

**The Ninth Circuit's Second Amendment jurisprudence sticks out like a sore thumb – a thumb that has been hammered repeatedly without once hitting the nail on the head.**

Fifty times, to be exact. Ouch! Judge VanDyke of the Ninth Circuit calculates the record of the Second Amendment at 0 wins and 50 losses. He reached this conclusion in his dissent from this Circuit's latest assault on the right to keep and bear arms in *Duncan v.*

*Bonta*, 2021 U.S. App. LEXIS 35256.

On November 30, 2021, the Ninth Circuit issued an opinion that once again empowers the state at the costs of its citizens' right of self-defense, including the right to determine the manner of that defense and the equipment necessary to exercise an individual right. If you've been paying attention, California has been single-minded in its effort to cripple this fundamental right.

But the enforcement of constitutional rights translated to a sports statistic does little to lend meaning to Second Amendment jurisprudence. To be sure, that was not the main thrust of

Judge VanDyke's dissent (or the other dissenting opinion authored by Judge Bumatay, joined by Judges Ikuta, and R. Nelson.)

California's ban on magazines that hold more than ten rounds of ammunition was the primary issue in the case. Since most firearms that use detachable magazines are designed to hold more than ten rounds (making 10-plus rounds standard capacity), and since this ban is being implemented after millions of such devices have been in private hands for decades, this ruling by the Ninth Circuit will require the forfeiture of personal property without compensation. Thus, *Duncan*

**After all, the Second Amendment does not say: the right of the people to keep and bear arms shall be subject to the policy preferences of a majority of unelected federal judges.**

trenches on the Fifth Amendment (“takings” clause) as well as substantive Second Amendment rights.

Most of the Ninth Circuit’s 50 “wins” arrive at their holding using a judicial interest balancing approach advocated by Justice Breyer, but rejected by the majority in *District of Columbia v. Heller*. Justice Scalia took great pains to make the point in *Heller*, that a constitutional right subject to a “balancing test” by judges is not much of a right. After all, the Second Amendment does not say: the right of the people to keep and bear arms shall be subject to the policy preferences of a majority of unelected federal judges.

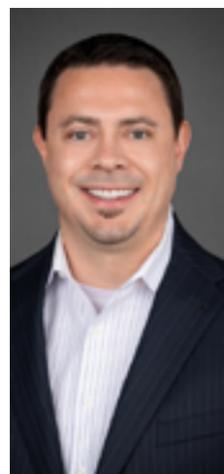
The Ninth Circuit’s “intermediate scrutiny” of California’s policies that infringe the Second Amendment looks

too much like an unaccountable court making policy decisions in lieu of interpreting the text, history, and tradition of the U.S. Constitution. Perhaps that is why four of the current justices of the Supreme Court (five if you include the deceased author of *Heller*) have issued dissents from certiorari denials over the past decade in cases that could have clarified the holding in *Heller*. Three of those admonitions arose from this circuit. *Jackson v. City & Cnty. of San Francisco* (2015); *Peruta v. California* (2017), and *Silvester v. Becerra* (2018).

It is this last observation that may provide a silver-lining for gun rights advocates trapped within the Ninth Circuit’s jurisdiction where the Second Amendment is a second-class right. What if this circuit’s case law is vulner-



(SHUTTERSTOCK)



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able to a future Supreme Court opinion that undercuts the Ninth Circuit’s methodology of judicial interest-balancing?

Justices appointed by conservative presidents now hold a 6-3 majority on the Supreme Court. *New York Rifle & Pistol Assoc., v. Bruen*, Case No.: 20-843, was argued on November 3, 2021. If that court issues an opinion favorable to the right to keep and bear arms, and decides that a decade of the circuit courts misinterpreting the Second Amendment is quite enough mischief, then those 50 wins by the Ninth Circuit might provide a road map for gun

rights advocates itching for a rematch.

After all, if the Ninth Circuit has been getting it wrong since 2008, how hard would it be to file the serial numbers off all those old cases, give them a fresh paint job, and send them back out on the track? And because the Ninth Circuit has taken such a hardline position on – what are surely -- erroneous positions on so many Second Amendment issues, it may have painted itself into a corner.

The fact is, the Ninth Circuit has become a place where conservative, reactionary opinions have stalled the development of Second Amendment

jurisprudence, while other rights (e.g., abortion, immigration, same-sex marriage) have enjoyed a robust and liberal interpretation. If the U.S. Supreme Court reanimates the Second Amendment in *New York Rifle & Pistol Assoc., v. Bruen*, it might also issue an instruction manual that even the Ninth Circuit can’t ignore.

If that happens, start planning your tailgate party for Ninth Circuit v. Second Amendment, the Rematch. **CRPA**

**Don Kilmer** is a civil rights litigator, law professor, and co-editor of a law school casebook on *Firearms Law and the Second Amendment*.

**NINTH CIRCUIT  
EN BANC PANEL**

**REVERSES  
HISTORIC  
GUN  
RIGHTS  
VICTORY**

**IN CRPA CHALLENGE  
TO STATEWIDE BAN ON  
STANDARD CAPACITY  
MAGAZINES**



(RACHEL HOEFING)

**T**oday, the Ninth Circuit Court of Appeals, sitting *en banc*, released its long-awaited decision in *Duncan v. Bonta* (formerly *Duncan v. Becerra*). The CRPA lawsuit, which challenges California's flat ban on magazines capable of holding more than 10 rounds of ammunition, was the first successful constitutional challenge to bans on so-called "large-capacity magazines" in the country. But sadly, the court reversed CRPA's historic wins in both the district court and before the three-judge Ninth Circuit panel that upheld the district court's ruling, thus pushing CRPA to take the case to the Supreme Court.

CRPA will act to preserve the status quo while requesting certiorari to the Supreme Court. For now, it appears that gun owners who possess magazines with capacities over 10 rounds may continue to possess them while the parties work to exhaust their avenues for rehearing and appeal. CRPA will release additional information on the status for individual gun owners as it becomes available.

As reported previously, a three-judge panel of the Ninth Circuit held in August 2020 that California's ban on standard—capacity magazines is unconstitutional—thus handing CRPA a big win. That decision struck down California's prohibitions on both possessing and acquiring such magazines and, in doing so, upheld a 2019

**As reported previously, a three-judge panel of the Ninth Circuit held in August 2020 that California's ban on standard—capacity magazines is unconstitutional—thus handing CRPA a big win.**

## 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.

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Email [potentialplaintiffs@michellawyers.com](mailto:potentialplaintiffs@michellawyers.com) for more information.

**Additionally, the court completely ignored the government "taking" argument and offered twisted reasoning that, because California allows a person to sell their property or modify their property, the standard for government taking is not met.**



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decision from the United States District Court in San Diego secured by CRPA and its attorneys at Michel & Associates, P.C. That decision sparked what we have all come to know as "Freedom Week," during which California gun owners lawfully purchased hundreds of thousands—if not millions—of standard-capacity magazines. The state of California appealed that ruling to the Ninth Circuit, which initially affirmed CRPA's victory through the 3-judge panel.

As was expected, the state then asked the court to rehear the case *en banc* by a larger panel of 11 judges. And, as it's come to be expected whenever gun rights advocates secure a victory in the Ninth Circuit, the court granted review.

Oral arguments were heard on June 22, 2021 before a largely unfriendly *en banc* panel—composed of seven judges appointed by Democrats and just four appointed by Republicans. Most observers correctly predicted that this panel would reverse CRPA's hard fought wins. The *en banc* panel applied intermediate scrutiny to the decision, finding that this level of scrutiny should be applied because "the ban imposed only a minimal burden on the core Second Amendment right to keep and bear arms."

Additionally, the court completely ignored the government "taking" argument and offered twisted reasoning that, because California allows a person to sell their property or modify their property, the standard for government taking is not met.

In response to today's decision, CRPA President Chuck Michel said, "We are truly disappointed that the Ninth Circuit *en banc* panel decided to go against the solid constitu-

tional reasoning of other judges to strike down this win for gun owners. We will be appealing to the Supreme Court for a final determination because gun owners deserve to have someone fighting for them and their rights. The Second Amendment is a fundamental right, and it is time that courts stop treating that right like a second-class gift from government.”

Now that the *en banc* ruling has come down, the *Duncan* plaintiffs will petition for certiorari in the Supreme Court—with CRPA’s full and focused support. The effort to persuade the Court to take the case will require as much support from California’s Second Amendment community as possible. And the timing could hardly be better because the Supreme Court recently heard *New York Rifle & Pistol Association v. Bruen* and is expected to release a pro-Second Amendment decision in Spring 2022. The iron is hot right now to take this case to the Supreme Court, but CRPA needs your help to strike it down. Remember that CRPA’s successes in the *Duncan* case were possible only because of the generosity and commitment of our members. CRPA needs that support today more than ever.

**CRPA will act promptly to preserve the status quo while requesting certiorari to the supreme court. For now, it appears that gun owners who possess magazines over 10 rounds may continue to possess them while the parties work to exhaust their avenues for rehearing and appeal. CRPA will release additional information on the status for individual gun owners as it becomes available. CRPA**

**“The Second Amendment is a fundamental right, and it is time that courts stop treating that right like a second-class gift from government.”**

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# LEGISLATIVE REPORT

## SAY GOODBYE TO THE 2021 LEGISLATIVE SESSION...

## WHAT MAY 2022 HOLD IN STORE FOR US?!?

**G**reetings, my CRPA Family. As 2021 comes to a close and we welcome in 2022, I wanted to wish you all the best as we enter the holidays and the new year. 2022 is our year to make a difference and turn this nation around. As I type this article, I'm on my way to Texas to check off a bucket list item for me... A Sandhill Crane hunt. I hope you all are doing what you enjoy, exercising your God given rights, and enjoying this magnificent country we call home.



BY ROY GRIFFITH  
CRPA LEGISLATIVE LIAISON

**In my last article I left off with our three remaining opposition bills sitting on the governor's desk. No surprise all three bills were signed by the governor!**

In my past articles, I have fully covered this session and the bills we faced. In my last article I left off with our three remaining opposition bills sitting on the governor's desk. No surprise all three bills were signed by the governor!

#### CRPA OPPOSITION BILLS SIGNED BY GOVERNOR NEWSOM:

**AB 173: Ting: 'Public Safety Budget bill'**

**SB 264: Min: Firearms: state property**

**SB 715: Portantino: Criminal law**

Three out of ten original opposition bills signed, one a last-minute dead-bill dump-into-a-budget-bill (AB 1237 to AB 173) and one just an extremely watered-down version of

**I will proudly say we, united with our coalition, did an amazing job this session. Let's not forget we defeated an attempt on a statewide ban on bear hunting early in this session. Our incredible legal team is already in the process of referring what legal action, if any, we will pursue on this misguided legislation.**

what the freshman Senator intended to do — SB 264 from a statewide ban, to just impacting Orange County. I will proudly say we, united with our coalition, did an amazing job this session. Let's not forget we defeated an attempt on a statewide ban on bear hunting early in this session. Our incredible legal team is already in the process of referring what legal action, if any, we will pursue on this misguided legislation. Please refer to the "Litigation Report" in this publication or CRPA.org

anytime for updates on this front.

Additionally, the governor signed three bills we support:

**AB 804: Dahle: Free Hunting Days**

**AB 817: Wood: Sport fishing licenses: electronic display: 12 consecutive month licenses**

**AB 614: Agular-Curry: Wildlife Habitat: Birds**

What can we expect to see in the 2022 session? What cans have we kicked down the road only to face again? We all know our opponents in the big white building do not

often come up with new or unique ideas. Assembly member Levine and his failed additional tax on firearms and ammunition lives on as a "two-year bill". I would expect a continued assault on FFLs and business involved in the lawful sale of firearms and ammunition. I don't think the woke left has "woke up" yet and I'd expect to see a continued attack on our peace officers and their rights and protections. I am hoping for at least a fair(er) playing field. To see our representatives come back to work and hold in person meetings and hearings. It's hard enough to have your voice heard when that have a super majority, even harder when they won't even meet with you! As always we are working with our friends in the building and seeking authors for legislation to enhance hunting opportunities and protect our Second Amendment rights.

Recent elections in our nation clearly demonstrate the power of folks who have had enough, caring enough, to get involved. The tide is turning! Get involved and share the truth with everyone who will listen. For a complete list and final status of all bills we faced in the 2021 session refer to our "Legislative Programs" link at CRPA.org. Thank you for your membership, support and standing with us in this battle. **CRPA**

**"A vote is like a rifle; its usefulness depends upon the character of the user."**

**Theodore Roosevelt**

# LITIGATION REPORT

## SCOTUS HEARS 2A ARGUMENTS

BY ALEX FRANK

**The big news in Second Amendment rights litigation is the Supreme Court's hearing of oral arguments in *New York State Rifle & Pistol Association v. Bruen* on November 3, 2021.** This case has the potential to truly open up concealed carry rights to citizens living in jurisdictions that are hostile to firearms rights – like California. While many California counties, thanks largely to CRPA, embrace a permit issuance system that honors the general right to self defense as “good cause,” the majority of California’s citizens living in its bluest counties are not able to get a CCW permit because those counties do not accept general self-defense as good cause. For these people, like the millions of folks living in Los Angeles County and San Francisco County, permits have historically been impossible to get... unless you’re a political insider. This case might finally put an end to that era.

Its not a secret that Justices Thomas, Alito, Kavanaugh, Gorsuch, and Barrett are pro Second Amendment jurists. They all, but for Gorsuch, have made that expressly clear in judicial opinions. Gorsuch

has a reputation as a strong civil libertarian, so it is safe to anticipate that he would vote with the justices whose Second Amendment bona fides are more established. Justice Roberts, on the other hand, is something of a wildcard. Although he is a Republican who was appointed by George W. Bush (who also appointed Judge Benitez), Roberts has been a statist-centrist during his tenure on the high court. It is understood on Capitol Hill that Roberts’ priority is avoiding unnecessary politicization and manicuring a legacy as a respectable steward of the court during tumultuous times.

Overall, the hearing went very well. The highly esteemed former solicitor general, Mr. Paul Clement, delivered a solid oral argument performance and fielded questions from the justices with the authoritative, yet conversational tone he is well known for. All the justices posed many questions to both Mr. Clement and the attorney representing New York (New York Solicitor General Barbara Underwood). The most surprising aspect of the hearing was Justice Roberts’ involvement. He asked several questions that seemed to suggest he is more poised to protect the Second Amendment than we thought. Justices Kavanaugh and Alito asked very incisive questions, and Alito even took the effort to point out that an authority that the state relied on

appeared to be misrepresented to the court. Justice Thomas asked questions, which is not surprising given the subject matter of the case, but is surprising given that he is well known for his reticence to ask questions during oral arguments. Justice Coney-Barret’s involvement was more moderate. Justice Gorsuch’s involvement was similarly moderate. He participated remotely, as he was home with a non-COVID19 illness.

In addition to the direct impact this case could have on carry rights, its resolution is important because it has caused something of a bottleneck for nearly all other firearms rights cases, not just in California, but throughout the nation. Court observers expect that in addition to changing the game for concealed carry rights, the Supreme Court is likely to address the widespread insubordination of, and disrespect for, its seminal 2008 *Heller* decision that courts inexplicably embraced. If the high court establishes a new standard of review for Second Amendment questions or announces that courts have simply got away with disrespecting *Heller* for too long, that will go a long way in resolving the bottleneck. For example, a stronger Second Amendment scrutiny will greatly impact CRPA supported cases like *Duncan*, *Rupp*, and *Rhode*, which are currently on appeal. It will also open up a new legal theater of

battle for shaping the scope of the Second Amendment; the way *Heller* was supposed to, but ultimately did not.

### LA COUNTY MOVING TOWARD SHALL-ISSUE?

As exciting as it may be that concealed carry rights in California might imminently look more like concealed carry rights in classically red states, 2021 also saw the surprising resurgence of permit issuance in Los Angeles County. While it is unclear exactly what shifted the political winds to make this happen, Los Angeles County Sheriff Alex Villaneuva oversaw the first large scale issuance of CCW permits to ordinary people in about as long as anyone can remember. Although the LASD’s new permit regime is not quite as close to honoring general self-defense as “good cause” as Orange County’s permitting

system historically has been, many people have nevertheless been issued permits who had no chance before 2021.

### BLACK RIFLE REGISTRATION REOPENS

Another stroke of luck in favor of California’s Second Amendment community relates to “assault weapons.” In 2018, California made all those in possession of semiautomatic, centerfire rifles equipped with “bullet-buttons” register them as assault weapons through the DOJ’s CFARS website. However, many people who wanted to do so were unable to because the CFARS website failed and could not handle the traffic. Due to a lawsuit filed against the DOJ, DOJ agreed to re-open the registration period to give people who wanted to register but could not due to technical issues with CFARS another chance. That registration period will open

in January and close in April of 2022.

### CHIPMAN OUT AS POTENTIAL ATF HEAD

And, thankfully, David Chipman’s nomination to become ATF director failed. Chipman was an unusually partisan choice to lead the ATF. After leaving the organization, he worked for prominent anti-Second Amendment advocacy groups and made his disdain for Second Amendment rights crystal clear. Although there is no guarantee that the next nominee will be any better, it is good that the Biden administration was not successful in appointing him to lead the agency. That would have had a significant impact on firearms rights litigation, given the power that the agency wields and the number of important issues looming at the moment. **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](http://crpa.org).

ISSUE	CASE NAME	CASE STATUS	WHAT'S NEXT
<b>CHALLENGE TO CALIFORNIA'S AMMUNITION SALES RESTRICTIONS</b>	<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.

ISSUE	CASE NAME	CASE STATUS	WHAT'S NEXT
<b>CHALLENGE TO CA AND LOS ANGELES FIREARM CARRY RESTRICTIONS THAT PROHIBIT BOTH OPEN AND CONCEALED CARRY</b>	<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> . <i>Young</i> is currently at the Supreme Court, with a pending certiorari petition.
<b>CHALLENGE TO CALIFORNIA'S "ASSAULT WEAPON" RESTRICTIONS</b>	<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> .
<b>DOES HAWAII'S PERMIT SCHEME FOR GENERAL OPEN CARRY PROHIBITION VIOLATE THE SECOND AMENDMENT?</b>	<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.	Mr. Young filed a petition for certiorari in the United States Supreme Court in May of 2021. The matter is set to be distributed for conference on September 27, 2021, which means the Justices are supposed to be actively considering whether to hear the case. However, conference dates often change.
<b>CHALLENGE TO CALIFORNIA'S BAN ON STANDARD-CAPACITY MAGAZINES</b>	<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, which occurred on June 22, 2021. Hopefully, the court will publish an opinion before 2022.

ISSUE	CASE NAME	CASE STATUS	WHAT'S NEXT
<b>CHALLENGES DOJ'S USE OF DROS SURPLUS TO FUND APPS AS AN ILLEGAL TAX.</b>	<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. Plaintiffs are pursuing an attorneys fee award in a trial court for the claims that were successful.
<b>CHALLENGE TO UNDER 21 FIREARM PROHIBITION.</b>	<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.
<b>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</b>	<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 heard oral argument on October 18, 2021.
<b>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</b>	<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 mid-July 2021, Plaintiffs have appealed both their partial motion to dismiss loss and loss of their request for a preliminary injunction.

ISSUE	CASE NAME	CASE STATUS	WHAT'S NEXT
<b>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</b>	<i>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. The court heard oral argument on October 18, 2021.
<b>DOES THE CITY OF MORGAN HILL'S 48-HOUR LOSS/THEFT REPORTING ORDINANCE FAIL DUE TO PROPOSITION 63 PREEMPTION?</b>	<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.
<b>DOES HAWAII'S CONCEALED CARRY PERMIT REGIME VIOLATE THE 2ND AMENDMENT?</b>	<i>Young v. Hawaii</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.	Mr. Young filed a petition for certiorari in the United States Supreme Court in May of 2021. The court has distributed it for conference but has not taken any definitive action.
<b>DOES CALIFORNIA'S FIREARM RIGHTS RESTORATION REGIME VIOLATE THE SECOND AMENDMENT?</b>	<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> .
<b>CHALLENGE TO A CALIFORNIA ASSAULT WEAPONS STATUTE THAT PROHIBITS USING A LARGE CAPACITY MAGAZINE IN A RIFLE CONFIGURED WITH A "FIXED MAGAZINE"</b>	<i>Miller v. Bonta</i>	On June 4, 2021 Judge Benitez issued a decision and judgment declaring the statutes that constitute California's assault weapons prohibition unconstitutional. However, he simultaneously stayed his order for 30 days to allow the state to appeal. The state has appealed and obtained an indefinite stay of Judge Benitez's ruling pending resolution of the appeal.	The case will very likely remain stayed for a while as the appeal progresses.

ISSUE	CASE NAME	CASE STATUS	WHAT'S NEXT
<b>CHALLENGE TO WASHINGTON STATE'S UNDER 21 BAN</b>	<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.
<b>DOES CALIFORNIA'S UNSAFE HANDGUN ACT (I.E. THE ROSTER) VIOLATE THE SECOND AMENDMENT?</b>	<i>Renna v. Bonta</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.
<b>DID CALIFORNIA'S MANAGEMENT OF THE ONLINE SYSTEM FOR "ASSAULT WEAPON" REGISTRATION VIOLATE THE RIGHTS OF POTENTIAL REGISTRANTS?</b>	<i>Sharp v. Bonta</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.	The new registration period will commence on January 13, 2022, at 9:00 AM and close April 12, 2022.

## 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
<b>THIS IS A 4TH AMENDMENT CASE WITH A SECOND AMENDMENT INTERSECTION</b>	<i>Caniglia v. Strom</i>	In a unanimous opinion delivered on May 17, 2021, the Supreme Court delivered a pro-civil liberties decision vacating the lower court's decision and remanding for limited purposes.	It is likely that there will be no significant developments in the lower court. The ruling is good for the Second Amendment and civil liberties in general.
<b>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.</b>	<i>U.S. v. Gary &amp; Greer v. U.S.</i>	The Supreme Court issued an opinion on June 14, 2021. The answer to the main question is yes, but failure to do so does not necessarily pose a problem in all circumstances.	No further developments.

ISSUE	CASE NAME	CASE STATUS	WHAT'S NEXT
<b>DOES NEW YORK STATE'S PUBLIC CARRY LICENSING FRAMEWORK VIOLATE THE SECOND AMENDMENT?</b>	<i>New York State Rifle &amp; Pistol Association v. Bruen (formerly 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 heard oral argument on November 3, 2021.
<b>DID THE ATF EXCEED ITS AUTHORITY TO ORDER A BAN ON "BUMP" STOCKS?</b>	<i>Aposhian v. Garland</i>	Petition for certiorari filed August 2, 2021.	The court will distribute it for conference later.
<b>DOES NEW JERSEY'S CARRY PERMIT GOOD CAUSE REQUIREMENT VIOLATE THE SECOND AMENDMENT?</b>	<i>Russell v. New Jersey</i>	Petition for writ of certiorari was filed April 21, 2021.	Petition denied on October 4, 2021.
<b>DOES NEW JERSEY'S BAN ON MAGAZINES OVER 10 ROUNDS VIOLATE THE SECOND AMENDMENT?</b>	<i>Association of New Jersey Rifle &amp; Pistol Clubs v. Grewal</i>	Petition for certiorari filed April 26, 2021.	Distributed for conference of September 27, 2021.
<b>DOES IT VIOLATE THE SECOND AMENDMENT TO PROHIBIT A NON-VIOLENT FELON FROM OWNING FIREARMS?</b>	<i>Roundtree v. Wisconsin</i>	Petition for certiorari filed June 4, 2021.	Petition denied on October 4, 2021.



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

# THE GAME OF DIRTY POLITICS

BY TIFFANY D. CHEUVRONT

**R**ecently the City of San Jose announced a meeting to discuss mandatory insurance for gun owners, or a tax on gun owners, to help them combat the costs of gun violence in the city. Yes, CRPA was watching for them to make another move because this is something CRPA has been fighting for the past two years — they say they want to impose the tax on lawful gun owners, CRPA tells them it is unconstitutional, and they'll be sued should they proceed, and then they back off until the next round. This is the same story in many jurisdictions across the state. Elected officials can't get away with just completely infringing on the rights, so they spend taxpayer dollars on hours of staff time and partner with gun-control groups to search for any work-around possible to accomplish their ultimate goal— which is making it more difficult for anyone to own a gun, including law abiding citizens.

These attempts to push their anti-Second Amendment agenda are supposed to be kept within the bounds of meeting notification requirements under the Brown Act. The Brown Act states that the public must be given notice of meetings, along with a clear idea of what will be discussed at those meetings, within a specific timeframe. It also stipulates that the public may be given the opportunity to comment on those agenda items. There also must be clarity in how they list items on the agenda so the public can easily determine what is being discussed. In other words, no hiding the ball behind some irrelevant title that has nothing to do with the topic.

Well, jurisdictions like San Jose play games with the notice and agenda

requirements and it's up to the people to call them out on it. In late 2021, the Solano County Fair Board attempted to violate the Brown Act by listing the discussion of whether to hold gun shows or not in the new year as something completely unrelated and that would not be voted on, then proceeded to vote in that meeting to ban gun shows. CRPA volunteers and attorneys jumped into action and called them out on the violations of the Brown Act. We received a letter from their attorney noting the violation and that they would hold another special meeting to consider the issues of gun shows. Many of you showed up for that meeting and our voice was heard, even by some who had voted against the gun shows in the previous meeting. Gun shows were saved. We had to jump through the hoops the Solano County Fair Board created, but in the end, they did what was right.

**It seems odd that the links for comments would function the evening before and then suddenly no longer work the next day on a meeting with a topic as contentious as this one.**

Now, in San Jose, more trickery. The City of San Jose has decided to hold more public comment sessions on whether they will implement the mandatory insurance requirement/tax on gun owners. The original announcement told people how to make comments on the matter before the meeting through a portal and had a specific time noted for an afternoon meeting. CRPA, once again, jumped into action and got the notice out to members that same evening. Many of you commented that night in opposition of the mandate. By the next morning,

some CRPA members were emailing the office stating that the links no longer worked. Turns out, the City of San Jose switched the links and the time of the meeting with no other notice going out to the general public. Now, this could have been an honest mistake by the city, but it seems odd that the links for comments would function the evening before and then suddenly no longer work the next day on a meeting with a topic as contentious as this one. If you have been watching California politics for even a hot minute, you know that these types of actions by jurisdictions are typical of the way they try to silence the large voice of gun owners. CRPA immediately sent out new links so members could continue voicing their opposition in this case.

These elected officials hope that you have fallen asleep at the wheel. They intend on wearing you out with countless meetings, then waiting months without any news on a topic and then scheduling another meeting out of the blue. This is why groups like CRPA with chapters and volunteers across the state are so important in monitoring the activities of these local politicians. The old adage "if you see something, say something" is very much a reality for getting the word out to members because it's our members, volunteers, and chapters that sound the alarm after months of watching issues across that state. We need you to continue helping in that area. We also need you to respond to the calls to action that come out even if the highlighted issue isn't in your back yard. There are gun control people who show up on calls and video meetings all over the state and they live hours away. They are committed to push their agenda. We must be even more committed to keeping our rights. I encourage you to show up, speak out, and make a difference — especially when the political tricksters play their games. **CRPA**

CRPA

# 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
<b>VENTURA COUNTY FAIRGROUNDS</b>	For years, the Ventura County Fairgrounds has been debating over whether to hold gun shows or stop them at the requests of gun control activists.	The first week of January 2022 a group of gun control activists attempted to stop the gun shows again by attempting an emergency meeting and barely notifying anyone in the community. One of our members in the area got that notice and sent it to CRPA right away.  CRPA grassroots, chapters, and volunteers rushed to action and attended the online meeting.	After a very long meeting behind closed doors with legal counsel, the Ventura Fair Board reluctantly voted 4-3 to keep the gun shows in 2022.  This is a big win for CRPA and all of our members. One of the biggest catalysts in their decision is our win in Del Mar in 2020 that kept the gun shows open and our ongoing litigation in other fair jurisdictions that are proving very costly for the state fair boards who already have strapped coffers.  Thank you to all who joined in the meeting last minute and showed what local advocacy is all about. CRPA continues to fight for members across the state through volunteer work, legal action, and donations from supporters and members.
<b>DEL MAR FAIRGROUNDS GUN SHOW ATTACKS CONTINUE</b>	For months the Del Mar gun show has been under siege from groups seeking to end the show. On September 11, 2018, the Del Mar Fair Board of Directors voted to institute an up to 1-year moratorium on gun shows beginning in 2019 while they "study the safety" of the gun show.	Additional legislation has been introduced at the state level that would prevent gun shows from occurring at the Del Mar Fairgrounds.  CRPA was a named plaintiff in a federal lawsuit against the fairgrounds in an effort to protect your right to come together with others in the gun culture and hold lawful and safe events on public property. More information on the lawsuit can be found at <a href="http://michellawyers.com/b-l-productions-inc-et-al-v-22nd-district-agricultural-association-et-al">michellawyers.com/b-l-productions-inc-et-al-v-22nd-district-agricultural-association-et-al</a>	For now, the federal courts have ordered that the gun shows may continue at the Del Mar Fairgrounds while the litigation progresses; the next gun shows will be in 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.  CRPA is also fighting SB 264 (Minn) that seeks to stop gun shows at Orange County Fairgrounds. We are prepared to fight this legislation as well, should it pass. Senator Minn has threatened legal action against the fair board if they attempt to approve any additional gun show contracts. CRPA has sent a letter outlining that Minn has no authority to threaten a sitting board.
<b>ORANGE COUNTY FAIRGROUNDS GUN SHOWS</b>	For months Senator Min has been trying to ban gun shows at all state facilities. Unable to get the support needed for this bill, Minn revised his SB 264 to only apply to gun shows at the Orange County Fairgrounds.	CRPA is also fighting SB 264 (Minn) that seeks to stop gun shows at Orange County Fairgrounds. We are prepared to fight this legislation as well, should it pass. Senator Minn has threatened legal action against the fair board if they attempt to approve any additional gun show contracts. CRPA has sent a letter outlining that Minn has no authority to threaten a sitting board.	We are awaiting the governor's decision to either sign the bill or not. This will happen by October 10th. Should the Governor sign SB 264 into law, CRPA will bring litigation to stop their attempts to once again stop lawful gun shows.

JURISDICTION & ISSUE	DESCRIPTION	LOP RESPONSE	STATUS
<b>COW PALACE GUN SHOWS DALY CITY</b>	The California Legislature passed a bill in 2018 that would ban gun shows at the Cow Palace state venue as part of the concerted effort by opposition groups. This bill was vetoed by then Governor Brown. The pending legislation to stop gun shows and dismantle the Cow Palace authority was dropped; however, this came with the condition that the Cow Palace Board would stop holding gun shows in the future.	CRPA drafted a prelitigation letter to the Board of the Cow Palace to inform them of pending legal action should they persist with denying gun shows access to state property.  The Board has reopened its discussion regarding banning gun shows and is currently discussing the matter in committee. Please watch for further calls to action.	The Board voted in November to re-consider its stance against gun shows given the possible constitutional violations that have been outlined by the federal courts on this subject. CRPA will continue to monitor the situation.  As of September 2021, we are still waiting on a report from the Cow Palace Board as to what they plan to do with gun shows. COVID-19 has delayed holding meetings on these issues.
<b>STATEWIDE PUBLIC RECORD REQUESTS</b>	CRPA regularly seeks and obtains public records in connection with any anti-gun efforts in California. Such efforts include proposed anti-gun ordinances, gun buyback programs and other anti-gun regulatory enforcement issues.	Responses to these requests often yield valuable results, such as which members of a local government entity are working with anti-gun groups, sources of funding and other important information.	Ongoing. CRPA attorneys monitor and review thousands of pages of public records requests each month.
<b>CITY OF SAN JOSE</b>	The Mayor for the City of San Jose wants to push mandatory insurance for all gun owners in the City as a way of paying for criminal violence that occurs in his City.	CRPA sent a letter previously on this same issue when the Mayor tried to make this a priority for the City in 2019.  The Mayor has once again resurrected this issue and is trying to get mandatory insurance for gun owners or a mandatory fee to the City passed. The staff have been directed to come back with ordinance language in September. There is no new news on this issue as of the drafting of this alert.	CRPA has submitted public record requests and is preparing a lawsuit for filing should the City pass this ordinance.
<b>COUNTY OF SAN MATEO</b>	New Commissioners in the county are looking at hosting a public safety meeting with Giffords Law Center to discuss whether "Red Flag" laws are doing enough or if they should be expanded.	CRPA is monitoring this meeting and we encourage all those who can attend to plan on going and speaking out against these laws that are an overreach of government and a violation of due process for many.	More information will be coming as it is made available.
<b>CITY OF WEST HOLLYWOOD</b>	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 <a href="mailto:potentialplaintiffs@michellawyers.com">potentialplaintiffs@michellawyers.com</a> .	Some of the public comments against the ordinance can be found on the City Council page and here:  <a href="https://wehotimes.com/gay-republicans-to-speak-out-against-wehos-safe-gun-storage-ordinance/">https://wehotimes.com/gay-republicans-to-speak-out-against-wehos-safe-gun-storage-ordinance/</a>  <a href="https://weho.granicus.com/MetaViewer.php?view_id=22&amp;clip_id=3610&amp;meta_id=202522">https://weho.granicus.com/MetaViewer.php?view_id=22&amp;clip_id=3610&amp;meta_id=202522</a>  <a href="https://weho.granicus.com/MetaViewer.php?view_id=22&amp;clip_id=3610&amp;meta_id=202523">https://weho.granicus.com/MetaViewer.php?view_id=22&amp;clip_id=3610&amp;meta_id=202523</a>  <a href="https://weho.granicus.com/MetaViewer.php?view_id=22&amp;clip_id=3610&amp;meta_id=202848">https://weho.granicus.com/MetaViewer.php?view_id=22&amp;clip_id=3610&amp;meta_id=202848</a>  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.

JURISDICTION & ISSUE	DESCRIPTION	LOP RESPONSE	STATUS
<b>CITY OF MONTE SERENO</b>	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.
<b>CITY OF HERMOSA BEACH</b>	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.
<b>GHOST GUN BANS</b>	Gun Control groups are busy pushing to try to get local jurisdictions to pass restrictions on the possession, sale, transfer, or manufacturing of "ghost guns" including precursor parts	San Diego, Los Angeles, and San Francisco have all passed the same basic ordinance in the last few weeks. The problem with these ordinances is that they address areas of concern that are controlled by the state AND there is no clear definition of what a precursor part is at the moment- these cities just made every piece of metal illegal to own and created criminals out of citizens with lawful products overnight.	CRPA is preparing for legal action on this issue. We will have more information shortly.
<b>CITY OF BEVERLY HILLS</b>	The City of Beverly Hills is discussing mandating training for all gun owners who live in the city and currently make FFLs in the city sign an assumption of liability for damages occurring due to their products	These ordinances violate civil rights and go against commercial manufacturing and product liability protections for those in the product chain who can only be held responsible if the product is damaged or they know that the person is planning on using the product outside of its intended purpose.	
<b>DOJ COE ISSUES</b>	It has come to our attention that there may be businesses and individuals that are having great difficulty getting their COE renewal from DOJ.	Not having a valid Certificate of Eligibility (COE) prevents firearms business owners from operating and completing purchases and individuals from receiving and handling ammunition for many programs.  We are hearing reports that the DOJ is taking months to return approved COE applications.	If you are having trouble with this area, please send us a message at <a href="mailto:contact@crpa.org">contact@crpa.org</a> so we can reach out to you and see if we can assist.
<b>CRPA COALITION WORK</b>	The CRPA has been working with other groups across the state for years to influence and advance pro-2A work in the state. We believe in leveraging our combined strength to get things done.	Coalitions are built from other non-profit groups with similar missions coming together. We work with local chapter leaders, elected officials and legislative teams to push support and protection of the Second Amendment.	Watch for joint letters from coalition groups to fight harmful legislation in the state and for work with other groups during this election cycle. To sign up for the Range Coalition, send an email to <a href="mailto:ranges@crpa.org">ranges@crpa.org</a>
<b>CALL FOR PLAINTIFFS</b>	If you are a CRPA member, we need you!	When local ordinance issues do not go well, we have to fight for your rights in court. We need members just like you who are negatively affected by these unconstitutional laws to step up as named plaintiffs in the legal actions that may follow	If you are interested in serving as a plaintiff in any of our upcoming litigation, please contact us at <a href="mailto:potentialplaintiffs@michellawyers.com">potentialplaintiffs@michellawyers.com</a>



**Tiffany D. Chevront** 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.

# CRPA PROGRAMS UPDATE

## SPOTLIGHT: RANGES GETTING BACK AT IT

**W**hat a crazy couple of years! None of us could have imagined the toll that COVID, government regulations, and economic shutdown would have on our families, friends and local businesses. CRPA has over 500 local business affiliates supporting our mission and we have worked hard through the many executive orders and mandates to support as many gun shops and ranges as possible.

Ranges were hit hard at the beginning of COVID when both indoor and outdoor activity completely stopped. Then, as things started to open back up, it wasn't easy navigating the myriad regulations that govern things like the amount of people that can gather, and the requirement of when and where to wear a mask... and then there's the trouble of finding enough employees and volunteers willing to work a range and keep it going, among more challenges.

Good news is on the horizon for your favorite neighborhood ranges though! CRPA staff and attorneys have been crisscrossing the state, meeting with ranges and groups of

ranges to help with training needs, environmental concerns, corporate governance issues, and giving those leaders assistance they request. CRPA set up a Range Coalition last year to communicate better with ranges and get the word out on pending legislation that may affect them. The Range Coalition is open to all ranges in the state and we work to get your range leadership the tools they need to be successful. Want to join the Range Coalition? Email Maria Saglietto at [msaglietto@crpa.org](mailto:msaglietto@crpa.org).

Another exciting development is the 2022 RangeCon happening May 2-4, 2022, in Vacaville, CA. This conference for range personnel and leaders was postponed from 2021 due to COVID restrictions, but we are now excited to bring you experts with experience in all facets of operating a range. Vendors will also be on site, and we will have range safety officer training available for those ranges that need to train more people. For more information, please visit [crpa.org/event/rangecon-2022](https://crpa.org/event/rangecon-2022). We would love to see you there!

Make sure you also check out the upcoming competitive shooting matches at many of the rang-



► Raahauge's Youth Outdoors Days.



► Shooting at a local range.

es across the state. Competitive shooting really suffered through the pandemic, and we are excited to see it make a comeback. If your range is interested in hosting a CRPA sponsored match, please contact Eric Johnson in the CRPA office at 714-992-2772, or by email at [ejohnson@crpa.org](mailto:ejohnson@crpa.org). **CRPA**

### CRPA CHAPTERS UPDATE

CRPA chapters are growing like never before! We have several new chapters starting up in the next month and even more exciting is that we will be adding a "Chapters Only" section to the website so chapter members can get the latest information and news and can keep up with what is going on across the state. New members come in weekly, and meetings are starting to move from online meetings to in-person meetings each month.

Our current chapters have been amazing this past year. Showing up to local meetings and speaking on behalf of gun owners, stopping more gun show shutdowns by gun-control groups, building relationships with local government officials, working to bring Second Amendment sanctuary cities to California, and providing testimony for bills that come up in Sacramento. Much of our success is because of these local warriors taking the time to fight for your rights.

Get ready for more in 2022. Chapters are gearing up for election season and they're looking at ways to be active in their local communities. If you are interested in getting the word out about local candidates and working to make your community more Second Amendment friendly, we need you in a local chapter. We currently have more than 3,000 members participating in local chapters across the state, and numbers make the difference. Come join us!

For more information on chapters visit the programs section of our website, [crpa.org](https://crpa.org).

For more information on election news, please visit [crpa.org/programs/campaigns-elections](https://crpa.org/programs/campaigns-elections).

### 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 JENNIFER SMITH

**Jennifer Smith had not heard of the CRPA until 2018 at the Redding Sportsman's Expo.**

Jennifer and her husband, Jake, were thrilled to discover they could support an organization that fights for the rights of Californians. It was at that moment they became CRPA members. Today, they are both founding members of Tehama County Gun Owners: a CRPA Chapter.



**BY  
CHRISTINA  
GASTELO**  
VOLUNTEER  
COORDINATOR

Jennifer serves as the board secretary and has coordinated

the chapter's involvement in local activities and membership drives. Their chapter has adopted a local city park in Red Bluff and raised money to help fund the Red Bluff Police Department in purchasing a new K-9 dog after the retirement of its K-9, "Many." Jennifer is also an active participant of the CRPA Phone Warriors.

Each year, you can find Jennifer volunteering at Wreaths Across America and for Preston Sharp's Flags and Flowers. Her time for both organizations is spent at the Northern California Veterans Cemetery in Igo, California. Jennifer finds it rewarding to volunteer at the Veterans Cemetery. She enjoys helping others and paying her respects to those who are no longer here.

Jennifer believes that nobody



► **This is my favorite photo of all time.** Me and my dad. My dad's first trip to Nice Shot to shoot his new AR-15. I was shooting my custom AR, whose nickname is "the zombie".

(JAKE SMITH)



► **Taken at my favorite place** to shoot guns, Battlefield Vegas! (JAKE SMITH)



► **Taken at Nice Shot** Indoor Shooting Range in Redding, CA. (JAKE SMITH)

knows California better than Californians and enjoys sharing that CRPA is strictly involved with our rights here in California. The CRPA is grateful to have Jennifer on the volunteer force and we look forward to continuing the fight together.

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

**JS:** My father passed away in Decem-



► **Chapter donating to the Red Bluff Police Department** for the purchase of a new K-9. This was a fundraiser put on by We Back the Blue-Shasta. (JOHN WARD)

ber 2018 after a short battle with cancer. I know he'd be proud of what I'm doing. In a way, I do this for him because he taught me to shoot. We'd have family days at Nice Shot, our local indoor range and then go to lunch afterward to Giff's Steakburger. He taught me to shoot when I was young, and I showed him how to use his AR-15 when he was 68 years old! It was one of the best days of my life.

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

**JS:** The "phone warriors"! I absolutely love getting texts from Tim McMahon saying we have something on the table, and we can call in to tell the people who are against us exactly how we feel about their senate bills, etc... and that we oppose what they're doing. I love the fact that we can say it directly to them and they must listen to us. CRPA and its chapter members dominate those calls with the number of us who call in.

**What is it that you wish more people in our community knew about the Second Amendment?**

**JS:** I wish people would do their own research and get actual facts on how many laws and restrictions we have. I see so many incorrect statements made by people and others just go along with it and think that they're getting accurate information.

**How can others can get involved?**

**JS:** Come to a chapter meeting! See what we're about. Stop by our table if you see us out in the community. We'd love to talk to you and hear your ideas and opinions.

**What is the most challenging part about what you do?**

**JS:** As a 2A supporter, we do get a little bit of backlash from the public who don't like what we're doing. We get blamed for things that we didn't do, just by being gun owners. I believe that getting out into the community, they can speak to us and see that we're normal, everyday people. **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](mailto: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!**



► CRPA Members attend Del Mar Rally.

# EVENTS & TRAINING

## EVENTS

### JANUARY

**January 8-9**  
**CALIFORNIA GUN SHOWS**  
**SACRAMENTO GUN SHOW**  
 Capitol Sports Center  
 McClellan Park, CA

**January 8-9**  
**CROSSROADS OF THE WEST**  
**SAN BERNARDINO GUN SHOW**  
 National Orange Show Grounds  
 San Bernardino, CA

**January 18-21**  
**SHOT SHOW**  
 Venetian Expo & Ceasars Forum  
 Las Vegas, NV

**January 20-23**  
**INTERNATIONAL SPORTSMEN'S EXPO**  
 Cal Expo  
 Sacramento, CA

**January 21-23**  
**LAS VEGAS ANTIQUE ARMS SHOW**  
 Westgate Resort & Casino  
 Las Vegas, NV

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

**January 29-30**  
**Cancelled**  
**CROSSROADS OF THE WEST**  
**COSTA MESA GUN SHOW**  
 Orange County Fair & Event Center  
 Costa Mesa, CA

**FEBRUARY**

February 5-6  
**CALIFORNIA GUN SHOWS  
FRESNO GUN SHOW**  
Fresno County Fairgrounds  
Fresno, CA

February 5-6  
**BUCK STOP PLACERVILLE GUN  
SHOW**  
El Dorado Fairgrounds  
Placerville, CA

February 5-6  
**29TH ANNUAL RAY AZBILL JR.  
PHEASANT HUNTING CLINIC**  
Camatta Ranch  
Santa Margarita, CA

February 5  
**GUNSLINGERS WINTER  
FIREARMS AUCTION**  
Masonic Lodge  
Glendora, CA

February 5  
**20TH ANNUAL SAN DIEGO JR  
PHEASANT HUNT**  
Details with Registration  
Campo, CA

February 5  
**DEBRA TAKAYAMA MEMORIAL  
JR. PHEASANT HUNT**  
"Near Lake Cachuma"  
Santa Barbara County, CA

February 8-10  
**WORLD AG EXPO**  
International Agri-Center  
Tulare, CA

February 12-13  
**CROSSROADS OF THE WEST  
ONTARIO GUN SHOW**  
Ontario Convention Center  
Ontario, CA

February 19-20  
**DIXON GUN SHOW**  
Dixon Fairgrounds  
Dixon, CA

February 19-20  
**BIG CHICO GUN SHOW**  
Silver Dollar Fairgrounds  
Chico, CA

February 26-27  
**CALIFORNIA GUN SHOWS  
LODI GUN SHOW**  
Lodi Grape Festival Groups  
Lodi, CA

**MARCH**

March 5-6  
**CALIFORNIA GUN SHOWS  
ANTIOCH GUN SHOW**  
Contra Costa County Fairgrounds  
Antioch, CA

March 26-27  
**Cancelled**  
**CROSSROADS OF THE WEST  
COSTA MESA GUN SHOW**  
Orange County Fair & Event Center  
Costa Mesa, CA

March 26-27  
**CALIFORNIA POWERSPORTS &  
OUTDOOR ADVENTURE EXPO**  
Fairplex Pomona  
Pomona, CA

**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



► **CRPA Members** attend Del Mar Rally.

**TRAINING****JANUARY**

January 6  
**WATERFOWL HUNTING  
SEMINAR**  
Fullerton, CA

January 8  
**PISTOL SHOOTING BASICS**  
Fullerton, CA

January 15  
**METALLIC CARTRIDGE  
RELOADING**  
Fullerton, CA

January 22  
**RIFLE SHOOTING BASICS**  
Fullerton, CA

January 29  
**RANGE SAFETY OFFICER  
BASICS**  
Fullerton, CA

**FEBRUARY**

February 5  
**PERSONAL PROTECTION IN  
THE HOME**  
Fullerton, CA

February 12  
**PISTOL SHOOTING BASICS**  
Fullerton, CA

February 19  
**SHOTGUN SHOOTING BASICS**  
Fullerton, CA

February 26  
**RIFLE SHOOTING BASICS**  
Fullerton, CA

**MARCH**

March 3  
**SPRING TURKEY HUNTING  
SEMINAR**  
Fullerton, CA

March 26  
**METALLIC CARTRIDGE  
RELOADING**  
Fullerton, CA

**TRAINING VIDEOS & INFO  
ARE AT [CRPA.ORG/  
TRAINING-AND-EDUCATION](http://CRPA.ORG/TRAINING-AND-EDUCATION)**

# KEEPING IT GOING IN THE OFF-SEASON

BY BYRAN DUNCAN

**E**ver wonder what a state championship high school trap team does in the off season to keep their shooting skills current? Well, it helps if the off-season coincides with hunting seasons. The team put their skills to the test in many shooting-related activities.

Additionally, the Yreka High School Trap Team will be assisting with the first ever "Friends of the CRPA" dinner, put on by the local CRPA chapter. The Siskiyou County Gun Owners will hold the dinner in Montague. The coaches and parents are busy finding additional funds to assist the team in the coming season. The team has been awarded a second \$ 2,500 grant by the CRPA Foundation to supplement the cost of training and competition. The team greatly appreciates the support of the CRPA, the Siskiyou County Gun Owners, the Yreka Clay Birds and numerous other business and individuals. **CRPA**



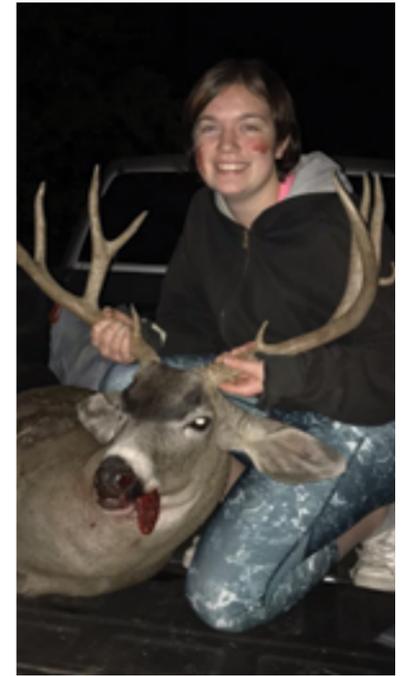
► **Enjoying shooting with family** is always a plus type activity. Athlete Wyatt Collier went shotgun shooting with his grandpa and brothers at Hotlum, near Weed, California. (KELLY SCOTT)



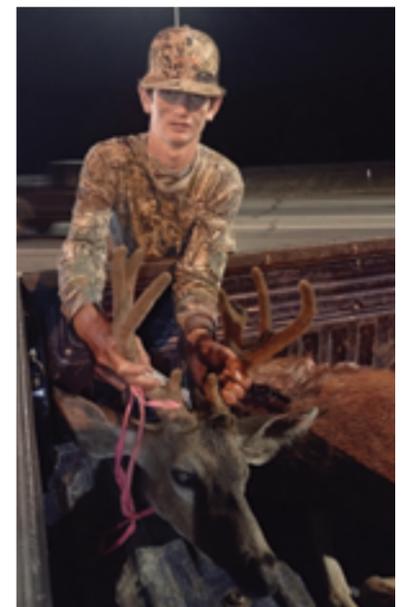
► **Athlete Ty Libby**, his brother, Hayden Libby, with their loyal companion, Arry, with the take from their hunt at the Tule Lake Refuge Junior "geese" hunt weekend. (MATT LIBBY)



► **A tailgate party** at the Tule Lake Refuge Junior "geese" hunt weekend with Hayden Libby, athlete Ty Libby, Carson Haupt, and Cade Haupt. The kids get to go hunting two weeks before opening day. This provides a good opportunity for the kids to hunt birds that have not been pressured. (MATT LIBBY)



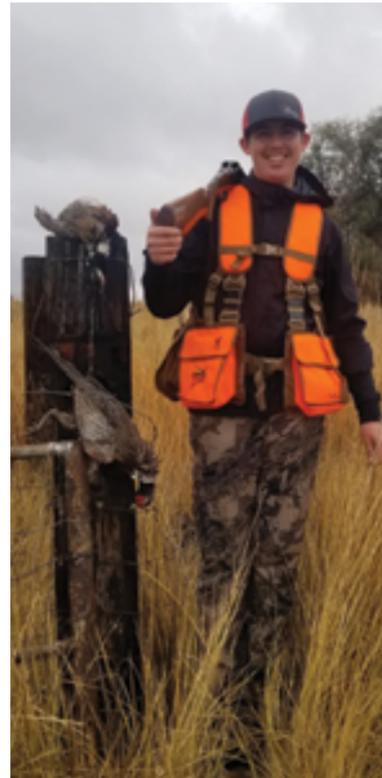
► **Athlete Sandra Weston** shot her way onto the varsity team this past year. She is truly known for her accuracy with a rifle. Towards the end of deer season, Sandra takes a beautiful four-by-four buck. (SANDRA WESTON )



► **At the beginning of archery deer season**, athlete Michael Cizin downs a velvet three-by-four in California's B zone. (MIKE TRINCA)



► **In the mountains of Siskiyou County**, during the opening day of buck season, athlete Clayton Stephens and his dad, Tyson Morgan, hold up the first family buck, while his brother, Landon Morgan, becomes the rifle bearer. (JENNA LOVITT)



► **Pheasant hunting for just a day**, athlete Jackson Wood does well in the upper Klamath area. (JEAN WOOD)



► **Coach Byran Duncan assists** in sighting in a .308-caliber an AR-10-style rifle for his friend's son, Justin Willock, before hunting season. Justin built the rifle himself, with his dad and his allowance. (RHONDA WILLOCK)



► **Coach Byran Duncan** spends hunting season coaching others in his favorite discipline, pistol shooting. Jessica Willock is learning the operation of a Colt .357 Magnum Python. As Jessica's mom says, "educating the next generation." (RHONDA WILLOCK)



► **It is always good** to have a second opinion on how accurately you have sighted in your rifle before hunting season. Coach Byran does the final check for Justin. (RHONDA WILLOCK)



► **To complete the off-season**, coach Byran Duncan and fellow civil war re-enactor Ian Stephens attended the Cascade Civil War event in Stewart Park, Oregon. Both have been coming to the event as Union soldiers for several years. The guns are only loaded with black powder, but safety is still of the highest priority. (BARBARA STEPHENS)

# 2021 CALIFORNIA FISH & WILDLIFE WARDEN ACADEMY 'TOP SHOT' SAMUEL BEELER

One of the big honors I have since accepting this position is

presenting CRPA's Top Shot award each year at the California Department of Fish & Wildlife Warden Cadet Academy.



BY ROY GRIFFITH  
CRPA  
LEGISLATIVE  
LIAISON

What an honor it has been for me to represent the oldest conservation and shooting sports organization in the state recognizing some of the finest new members of the oldest state law enforcement department in California! Of course, I am speaking of California's Warden force, these young men and woman embarking on a career



► Warden Cadet Samuel Beeler receives the CRPA Top Shot award from CDFW Lieutenant Chad Alexander at the 2021 Warden Academy Graduation. (CDFW ACADEMY STAFF)

to protect Californians, their wildlife, their water, and the habitats we all need to survive.

The CRPA Top Gun award has been a fixture the Game Warden academy since the very first graduation. Receiving this recognition is no easy task! Warden cadets spent over 120 hours on the range targeting a total point value of 516 points. This year, these future officers brought their "A game" to the competition. Only 5 points separated the top three cadets! Scoring a total of 510 points, in third place was Cadet Kyle Brandt, with a total of 513 points, second place went to Cadet Luis Aceves. Finally, receiving a total of 515 points out of 516 possible the 2021 warden academy Top Gun award went to Cadet Samuel Beeler!

In addition to this prestigious award Warden Beeler receives his first-year membership to CRPA and his great accomplishment is shared with all of you! The only thing I ever ask from our new Wardens is having them tell their story and why they chose to join "The Thin Green Line" and become a Game Warden? Here in Warden Beeler's own words is what drew him to this career.

*"I grew up in the Central Valley of California in the small ag town of Ripon. It was at my grandmother's dairy that I first shot a gun, a Marlin bolt action 22lr that was my older brother's. Honestly, at first, I did not like it. To a little kid, shooting was loud and scary (plus my brother likely was not the most patient teacher, haha.) Later I would learn more about shooting from friends and family through which my interest and appreciation for it would grow. Eventually I took a fantastic firearms course at Modesto Junior College that greatly expanded my firearms knowledge and safety. When I moved to Humboldt State, I joined a local gun club and really got into shooting. It was at HSU that I met a Game Warden at a hunting club meeting; the job sounded amazing! I had wanted to join law enforcement from an early age and getting to do it out in nature sounded like the best! After working at an Outdoor School as an educator then as a Park Ranger for Redwood National Park, I headed over to the CDFW Academy which has laid the foundation for a career that I very much look forward to.*

*What marksmanship means to me is knowing when to take a shot. It's not only knowing what the ramifications of a missed shot are, but what the ramifications of making the shot may be as well. Whether shooting in a competition, plinking at a can, leveling your sights on a deer or turkey, or in self-defense, the ramifications of your marksmanship must be acknowledged and taken into consideration."*

I always hope sharing these stories may help inspire a young man or woman out there with the passion and all the "right stuff" to pick up the torch and help protect and conserve California's incredible wildlife resources for generations to come. **CRPA**

## GOLDEN RULES OF GUN SAFETY

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



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](http://www.TheCMP.org)



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

# NEXT GENERATION SHOOTING IS ON THE MOVE

**T**here is nothing better in the world than physical evidence that, despite the opposition's best efforts, they are failing.

The radical left has done everything they can to destroy the culture that believes in constitutional rights, and especially the Second Amendment. One of their key focuses is to dissuade the next generation from continuing the legacy of serving one's country, participating in competitive shooting sports, or putting natural food on the table. The good news is that the opposite is happening, and in



**BY RICK TRAVIS**  
DIRECTOR OF DEVELOPMENT



► CRPA Medals on display.



► Competitors sighting in for the competition.

a big way, despite the pandemic.

Our national defense is predicated upon having young men and women from all backgrounds coming forward to serve in the armed forces. High school-age youth from the inner city to suburban to rural education sites join their peers in the Junior Reserve Officers Training Corps, or JROTC.

This program has, for decades, used shooting sports as one of its primary platforms to teach skills that are invaluable to leading men and women in times of peace and war.

CRPA is proud to have, once again, teamed up with coaches for the 9th North High Saxon Annual Air Rifle Invitational this past December

at North High School in Torrance, California. CRPA provided pellets for the air rifle competition and medals for the award ceremony. Coaches from throughout Southern California brought their teams to compete in this amazing event. This program is supported by the Congressional Marksmanship Program (CMP), US

## 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](http://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.



► **Staff checking and scoring** targets during the competition.

Armed Forces JROTC, CRPA and local volunteers. Many of these young people will go on to compete in university and college programs upon graduation. This illustrates that the work of our volunteers and the efforts of these coaches are meeting the needs of students who are actively engaging in shooting sports.

Competitive shooting in California is growing in so many ways. Many programs that we are familiar with, such as those found in Junior Shotgun and Skeet at ranges throughout the state, are vibrant despite the limitation of available ammunition. Every range we visit throughout the state is proud of the youth who are actively participating and achieving local, state and national rankings.

New youth-based shooting sports are spreading throughout the state such as cowboy mounted shooting where youth ride on horseback and shoot at target balloons. This sport



► **Anticipation** of waiting to see if they will advance to the next round.

**Every range we visit throughout the state is proud of the youth who are actively participating and achieving local, state and national rankings.**

has clubs and schools from southern to northern California and is growing annually. I recently watched several young women competing at a match sponsored by the California Peacekeepers Club out at Raahaug's Range in a corral set up for the sport. The youth are impressive in their skills, demeanor, and willingness to be ambassadors for the sport. The group of volunteers and range personnel that enable these events is making the difference in pushing back our opposition's efforts and expanding the base of the next generation of shooting sports enthusiasts.

The pandemic has led many students to explore their options in the shooting sports and many youths wanted something other than, or possibly along with, the aforementioned programs. The hunting community witnessed the largest growth of licensed hunters in 2020 in almost a decade. Youth are making the active decision to learn how to obtain meat that is truly natural. They are actively participating in programs that are bringing recipes that haven't seen the light of day in a generation or two back into the kitchen. Many of them are experimenting with these recipes and creating new dishes to the delight of those invited to the meal.

The rhetoric of the opposition is failing and the hard work of many of you who are working with youth is leading to a bright future and is truly a legacy to be proud of. I encourage you, at the very least, to witness these programs and, if you feel so inclined, to help as a volunteer. If you need help locating or getting involved feel free to reach out to the CRPA at [contact@crpa.org](mailto:contact@crpa.org) and we will assist you in being part of the legacy that is the next generation carrying the Second Amendment forward for the generations that follow. **CRPA**

# 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](mailto:ranges@crpa.org).

**JOIN ■ LEARN ■ TEACH ■ THRIVE**



# TOUGH BREAK

WILDERNESS FIRST AID

PART 3

**T**he deeper one treks into the wilderness, the more prepared for a medical emergency they must become. In previous articles, we have discussed medical supplies and simple bleeding issues one may come across. Nature is deceptive in that it can be a place of magnificent beauty and tranquility and simultaneously be dangerous.

Wilderness medicine requires that you do not just examine the injury, but you analyze how the injury occurred. This level of thinking can be one of the most significant factors in the outcome of the patient you're working on. Take for example the case of a broken bone. Some bones such as the clavicle (collar bone) are so thin that it doesn't take much to break. In fact, the clavicle is the most broken bone on the human body. The strongest bone on the human body is the upper leg bone known as the femur. The amount of force taken to break the femur is so high that there are often other, accompanying injuries to the body.



**BY RICK TRAVIS**  
DIRECTOR OF DEVELOPMENT

**Many readers may feel this is unnecessary, as in this season of their life wilderness outings are at a minimum. I will only say that when a natural disaster strikes...civilizations revert to the wilderness in an instant.**

## 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!**



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

Every year an average of 6.8 million Americans break a bone — that's three out of every 100 people. In developed nations the average human will have at least two broken bones in their lifetime, according to the National Ambulatory Medical Care Survey & American Academy of Orthopedics. Many of these breaks occur while we are in the great outdoors.

We will look at the four myths of broken bones, also known as fractured bones, move to the two classifications of broken bones and finish with how to get the patient safely back to advanced medical care for diagnosis and long-term care.

**Myth 1: If you can move the bone, it's not broken.** This is not necessarily true and often leads to a misdiagnosis in the field. The three most common signs of a broken bone are pain, swelling, and deformity. These

## The three most common signs of a broken bone are pain, swelling, and deformity.

may or may not happen immediately following the injury that caused the break. Several years ago, I had a cycling incident where my middle finger was bent back almost to my wrist. There was no pain, and I was able to move my hand. Two hours later my hand swelled up and I had indeed broken the third metacarpal, or long bone, in the hand behind the middle finger. The break required screws to set the bone and two surgeries.

**Myth 2: If it's broken, you're in agonizing pain.** This is not true as many people have broken a bone and were able to hike, hunt, or walk great distances with no noticeable pain until they finished the activity. Once the common symptoms present themselves, get the person to medical care to prevent deformities and infection.

**Myth 3: There is no point in seeing a doctor for broken toes,**

## ...a good splint is vital to your patient's well-being.

**as there is nothing they can do for them.**

You must get a broken toe checked out to avoid deformities and arthritis that can lead to a myriad of other health issues as you age. Understanding how you broke your toe can also be helpful in identifying underlying issues that may have led to the injury.

**Myth 4: Once a broken bone has healed, it's stronger than before the break.** This is often seen online as an inspirational quote by John Lyly, "The broken bone, once set together, is stronger than ever." During the healing process the body forms what

is known as the callus of extra strong bone to protect the site of the break while it heals. Once the bone has healed, the callus fades away and the properly set bone is usually of the same strength as it was before the break.

Setting aside broken bone myths, we can begin to examine the two general classifications of broken bones known commonly as "open" versus "closed" fractures. These two types of fractures require different care in any situation, but much more so in the wilderness setting.

Open fractures are where the

bone penetrates the skin. This most commonly happens with the tibia, or shin bone. The issue with this break is the force of the injury causing the break, bacterial infections and getting the patient to proper care for wound treatment and setting the bone. We will look at an open fracture of the tibia as a focus for understanding the general issues with this type of injury.

You arrive to find a 19-year-old hunter who has an open fracture of his lower left shin bone. You need to make sure there are no other injuries that occurred. Once you're sure the patient is stabilized, you need to move to the open fracture. Cut away any clothing around the wound. Irrigate the wound with clean water and begin to clean the area of any foreign matter. Apply triple antibiotic ointment from your field medicine kit to the open wound and bandage it before splinting the leg.

Splinting serves the purpose of immobilizing the fractured area and preventing further injury. Anyone who has stubbed a toe knows full well that you will manage to bang it into

## 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!

## 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!



multiple objects in a short amount of time. The same is true with a fractured area, which is why a good splint is vital to your patient's well-being. If you have splinting materials from an advanced first aid kit, then follow the directions with them. Many of you will not have access to medical grade splinting materials and can improvise.

Wilderness medicine requires you to think outside of the box. In the case of splinting, you can use hiking poles, small tree limbs or any other rigid material as the two side braces for the splint. You can pad these with empty game bags, rolled clothing, rolled towels or blankets. Once you

place the two padded items on both sides of the broken limb, secure the splinting with tape or any other material that will secure the splint. Be careful to not overtighten the tape or material on the splint that can cause further injury.

Closed fractures are where the skin remains intact around the broken bone. Treatment is dependent on location such as a broken wrist, where a simple sling to immobilize the arm is sufficient, to a hand fracture where you should place a roll of gauze or a ball in the patient's hand prior to immobilizing the arm in a sling. In general, closed fractures require im-

mobilizing the injured area until you can get the patient to the doctor.

This article serves as a quick overview of broken bones in the wilderness setting and basic treatment. It is highly recommended that the reader takes in-person training such as basic and advanced first aid along with a weekend wilderness medical class and or experience. Many readers may feel this is unnecessary, as in this season of their life wilderness outings are at a minimum. To them I will only say that when a natural disaster strikes... civilizations revert to the wilderness in an instant. **CRPA**

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

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

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

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

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

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

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

HUNTERS ARE THE TRUE CONSERVATIONISTS!



# TRUE ORGANIC WILD GAME COOKBOOK

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# ROY'S WILD GAME SCOTCH EGGS

**M**any of you who know me know how much I love to cook. Well, combine that with my lifetime love and passion to hunt and you have a major wannabe Wild Game 'Mike Roy'!

I really enjoy showing the animals I harvest the utmost respect by using every edible part available then doing all I can to make the meals I create as delicious as possible. I'm always trying to come up with new and creative ways to prepare my harvested meats and then share these meals with folks who may never have had the opportunity to try these delicious treats.

Recently, while on an elk hunt in Arizona with my nephew, I prepared my oak-fired grilled teal for camp one night. Of the 10 folks I cooked for, prior to my meal, one had duck before and thought it was okay, three thought ducks were disgusting, and six had never had duck before. After dinner all said the ducks were delicious. Even the three who thought ducks were "disgusting" said they were going to take up duck hunting again. I understand cooking wild game

properly can make or break folk's opinion. I must admit, I'm a convert. For many years I called ducks "flying liver." My mom was an amazing cook, but wild game, ducks in particular, were not her forte. My mom was raised in the great depression. Meat was cooked well done, then another 10 minutes. I was raised

that you eat what you harvest. I therefore avoided duck hunting for many years. Only about 15 years ago my 'son that hunts' CDFW Lt. Shawn O'Lague taught me how to cook ducks.

Sharing the harvest goes back to our most primitive and ancestral roots — and still holds strong today. This sharing with friends and family provides many opportunities to teach

folks why we hunt and the critical role hunters play in modern wildlife management. Remember, our goal is to not necessarily turn everyone into hunters, rather educated voters! "Venison Diplomacy" is a term that best sums it up and was coined by CRPA's good friend, the MeatEater himself, Steven Rinella. So, share your harvests, work on being the best cook you can be, and don't be afraid to try something new!

This brings me to the recipe I now share with you. My Scotch eggs are



**BY ROY GRIFFITH**  
CRPA  
LEGISLATIVE  
LIAISON



(ROY GRIFFITH)

just an adaptation of one of my mom's old recipes to use wild game meat in a unique, creative way. You can use just about any wild game as long as it has a fat content of more than 10% so it binds and holds together. I like to use it with English banger sausage seasoning, but find it equally delicious with breakfast seasoning. Do give it a try and let us know you think!

## INGREDIENTS

6 large eggs  
1 cup all-purpose flour  
1 cup finely crushed breadcrumbs  
1 pound of your favorite wild game breakfast sausage  
Vegetable oil (for frying)

## PREPARATION

### STEP 1

Place 4 eggs in a small saucepan; add cold water to cover. Bring to a boil; remove from heat, cover, and let stand for 3 minutes. Transfer eggs to an ice water bath. Gently crack shells and carefully peel under cold running water.

**Do Ahead:** Can be made 1 day ahead. Keep chilled. But I recommend eggs at room temperature for step 4.

**STEP 2**

Place flour in a wide shallow bowl and breadcrumbs in another wide shallow bowl. Divide sausage into 4 equal portions. Pat 1 portion of sausage into a thin patty over the length of your palm. Meat can also be easily flattened by placing in ziplock bag. Lay 1 soft-boiled egg on top of sausage and wrap sausage around egg, sealing to completely enclose. Repeat with remaining sausage and eggs. I use my favorite homemade English Banger sausage. Most importantly your sausage needs about 10 to 15% fat content, so it binds well to the eggs. I have been using fresh pork belly, which makes a really nice breakfast blend. (Find a link to sausage seasoning at the end of this recipe).



► **The process.** (ROY GRIFFITH)

**STEP 3**

Whisk remaining 2 eggs in a medium bowl to blend. Working gently with 1 sausage-wrapped egg at a time, dip eggs into flour, shaking off excess, then coat in egg wash. Roll in breadcrumbs to coat.

**STEP 4**

Pour in oil to a depth of 3 inches and heat over medium heat to 375°.

Fry eggs, turning occasionally and maintaining oil temperature of 350°, until sausage is cooked through and breading is golden brown and crisp, 5 to 6 minutes. Use a slotted spoon to transfer eggs to paper towels to drain. Season lightly with salt and pepper. Serve warm with mustard.

**CRPA**

**LINK TO SAUSAGE SEASONING:**  
[southbayabrams.com/pdf/c116/sba\\_c116\\_002-003.pdf](https://southbayabrams.com/pdf/c116/sba_c116_002-003.pdf)

**CRPA MEMBERSHIP LEVELS & BENEFITS**

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

- **1-Year General Membership:** \$55 / Year
- **5-Year General Membership:** \$225 (\$5 savings a year on annual membership)
- **2A Sustaining Membership:** \$17.91 / month

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- 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.**

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  - Defender Life Member Certificate
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  - 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
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  - 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
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<input type="checkbox"/> Senior Life Member	\$550
<input type="checkbox"/> Defender Life Member	\$1000 + Life
<input type="checkbox"/> Activist Life Member	\$1500 + Defender
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Check next to membership of choice

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

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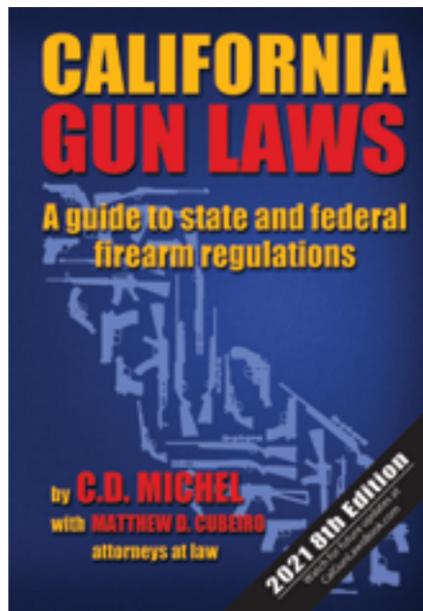
# CALIFORNIA GUN LAWS

## A GUIDE TO STATE AND FEDERAL FIREARM REGULATIONS

BY C.D. MICHEL & MATTHEW D. CUBEIRO

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

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



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

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

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

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

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

And more! Now available at [CRPA.org/store](http://CRPA.org/store).

# THE MORALITY OF SELF-DEFENSE AND MILITARY ACTION

## THE JUDEO-CHRISTIAN TRADITION

BY DAVID B. KOPEL

Shedding new light on a controversial and intriguing issue, this book reshapes the debate on how the Judeo-Christian tradition views the morality of personal and national self-defense.

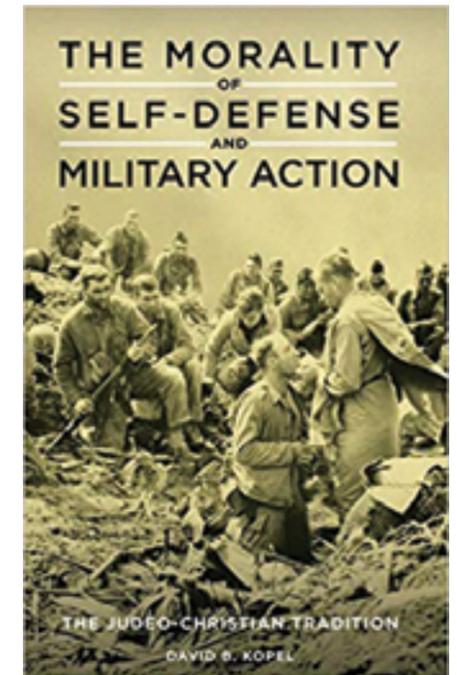
Are self-defense, national warfare and revolts against tyranny holy duties or violations of God's will? Pacifists insist these actions are the latter, forbidden by Judeo-Christian morality. David Kopel analyzes the full sweep of Judeo-Christian history from earliest times to the present, combining history, scriptural analysis and philosophy to describe the changes and continuity of Jewish and Christian doctrines about the use of lethal force. He reveals the shifting patterns of thought in both religions and presents the strongest

arguments on both sides of the issue.

The author begins with the ancient Hebrews and Genesis and covers Jewish history through the Holocaust and beyond. The analysis shifts to Christianity from its origins, through the Middle Ages and the Reformation, up to present day. Based on this scrutiny, the author concludes that the legitimacy of self-defense is strongly supported by Judeo-Christian scripture and commentary, philosophical analysis and the respect for human dignity and rights on which Judeo-Christian beliefs are based.

David Kopel:

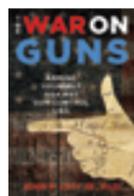
- Takes a multidisciplinary approach, directly engaging with leading writers on both sides of the issue.
- Examines Jewish and Christian



sacred writings and commentary and explores how interpretations have changed over time.

- Offers careful analysis of topics such as the political systems of the ancient Hebrews, the Papacy's struggle for independence, the ways in which New England ministers incited the American Revolution and the effects of the Vietnam War on the American Catholic church's views on national self-defense.

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

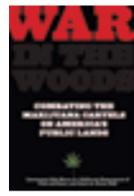


BY JOHN R. LOTT JR., Ph.D.

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

All books available on Amazon.

### WAR IN THE WOODS: Combating the Marijuana Cartels on America's Public Lands



BY LT. JOHN NORES, JR. (RET.) WITH DR. JAMES A. SWAN

*War in the Woods* is a compelling journey through the beginning of Nores' tactical operations career in fighting the marijuana cartels' presence on public lands over a 5-year period (2004-2009).

### WHY MEADOW DIED

BY ANDREW POLLACK AND MAX EDEN

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



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



BY GUY SMITH

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

### LIBERTY IN PERIL: Democracy And Power In American History



BY RANDALL G. HOLCOMBE

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

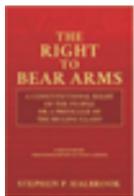
### COMING TO TERMS: A Mass Shooting Survivor's Story



BY DAVID FRANKEL

As young corporate lawyer David Frankel works with other lawyers on closing a business deal, he learns of an active shooter at his firm. This is the story of David's post-traumatic journey from victim and gun control advocate to gun rights advocate.

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



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.

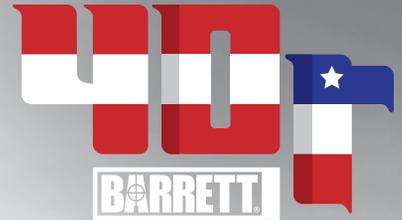
### MORE GUNS LESS CRIME: Understanding Crime and Gun Control Laws



BY JOHN R. LOTT, Ph.D.

*More Guns, Less Crime* (3rd ed.) plays a key role in ongoing arguments over gun-control laws: Despite attacks by gun-control advocates, no one has been able to refute Lott's simple, startling conclusion that more guns mean less crime.

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