

# LOCAL ADVOCACY AND THE SUPREME COURT

## TWO BOOKENDS THAT MAKE A DIFFERENCE

BY TIFFANY D. CHEUVRONT

**I know many CRPA members think their voice at a local city council meeting or county commission meeting doesn't have much impact.**

Many times, those comments do fall on deaf ears or upon the ears of elected officials who know what they are passing is unconstitutional, but they just don't care.

I am here to tell you that your voice is needed at the local level!

Members of the public showing up at meetings, speaking out, and writing letters is not just something that impacts that one meeting. Did you know that all of those comments, emails, and letters are public record? Attorneys in many of the big lawsuits that CRPA participates in and support use your comments to create the record for briefs and arguments that go all the way up to the Supreme Court level! Every time

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We have the perfect storm brewing right now in the anticipated *New York State Rifle & Pistol Association v. Bruen* (NYSRPA) decision that many think will change the entire view of how Second Amendment cases are heard in courts across the country, and especially in

California, where judges shy away from strict scrutiny analysis on most Second Amendment cases.

The NYSRPA opinion is important because of the numerous cases all currently on hold at the Ninth Circuit — cases that started in the chambers of local city halls where members like you showed up to speak out. Each time an issue like locked storage, or mandatory gun owner insurance, or whether or not the state can stop your speech at a gun show come up, you should remember that just a few minutes to submit a comment or go to a meeting can mean the difference in our legal team being able to create a record showing that the community stood against these unconstitutional laws.

To help increase the knowledge of members to craft comments, CRPA has provided resources as you look towards local activism this year. One of those is a link on the CRPA website to Gun Truths that will assist you in crafting statements on some of the

most common myths used by the gun control lobby. That page can be found at: [crpa.org/gun-control-myths-debunked](http://crpa.org/gun-control-myths-debunked). Additional resources can be found on our Resources page at: [crpa.org/resources](http://crpa.org/resources).

Now you have some resources, a deeper understanding of why your voice matters in local debates, and a

direct connection to the CRPA legal team as they press forward in all levels of the legal process all the way to the Supreme Court.

*Please follow CRPA on FaceBook, Twitter, and YouTube for all the latest breaking news. Sign up for emails from the home office and be part of the team!*



**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



# LOCAL ADVOCACY REPORT

BY TIFFANY D. CHEVRONT

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.  Two bills were introduced to ban gun shows in Ventura and state-wide at the state level. These bills will change over the course of the legislative session, and we will be monitoring and offering testimony in opposition as well as having our legal team prepped.
<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">michellawyers.com</a> . Use the search box, entering "B & L Productions".	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 bringing litigation against this unconstitutional attempt at restricting your rights. More information will be available as the case proceeds.
<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.	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. 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.

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<p><b>COW PALACE GUN SHOWS DALY CITY</b></p>	<p>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.</p>	<p>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.</p> <p>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.</p>	<p>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.</p> <p>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.</p>
<p><b>STATEWIDE PUBLIC RECORD REQUESTS</b></p>	<p>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.</p>	<p>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.</p>	<p>Ongoing. CRPA attorneys monitor and review thousands of pages of public records requests each month.</p>
<p><b>CITY OF SAN JOSE</b></p>	<p>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.</p>	<p>CRPA sent a letter previously on this same issue when the Mayor tried to make this a priority for the city in 2019.</p> <p>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.</p>	<p>CRPA has submitted public record requests and is preparing a lawsuit for filing should the city pass this ordinance.</p> <p>San Jose passed the ordinance even though there was 4 hours of testimony from the public against it. CRPA is preparing to sue as soon as the matter is ripe for the courts to consider.</p>
<p><b>COUNTY OF SAN MATEO</b></p>	<p>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.</p>	<p>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.</p>	<p>More information will be coming as it is made available.</p>
<p><b>CITY OF WEST HOLLYWOOD</b></p>	<p>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.</p>	<p>CRPA alerted members in the area, and we are prepared to file legal action if the ordinance passes.</p> <p>If you are interested in being a named plaintiff in that legal action please contact us at <a href="mailto:potentialplaintiffs@michellawyers.com">potentialplaintiffs@michellawyers.com</a>.</p>	<p>Some of the public comments against the ordinance can be found on the City Council page and here:</p> <p><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></p> <p><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></p> <p><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></p> <p><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></p> <p>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.</p>

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<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. We are waiting on official rulemaking from the state in order to address the issue to the fullest. Comments were also called for and submitted.
<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> .