

ISSUE 1061, SEPT/OCT 2022

# CALIFORNIA FIRING LINE

OFFICIAL MAGAZINE OF THE CALIFORNIA RIFLE & PISTOL ASSOCIATION

## RESTRAINING THE BLUE RESISTANCE TO 2A

FIGHTING NEWSOM'S LEGISLATIVE TIRADE OVER SCOTUS RULING

**SCHOLARS KATES  
& LEVINSON**

A TRIBUTE TO 2A TRAILBLAZERS

**NO NEWSOM,  
CAL GUN LAWS DON'T WORK**

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California Rifle & Pistol Association, Inc.  
271 E. Imperial Highway, Suite 620  
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(714) 992-2772  
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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.



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**PUBLISHER** Megan Vukodinovich, Chipotle Publishing, LLC  
**EXECUTIVE EDITOR** Chuck Michel, CRPA President  
**SENIOR EDITOR** Rob Curtis, Chipotle Publishing, LLC  
**GRAPHIC DESIGN** Chipotle Publishing, LLC  
**PRODUCTION COORDINATOR** Rachel Hoefing, Chipotle Publishing, LLC  
**ADVERTISING SALES** Megan Vukodinovich & Jayne Wynes, Chipotle Publishing, LLC

#### CONTRIBUTORS

Don Barnes	Thomas E. Gift, MD	Elizabeth Smith
Mike Barranco	Roy Griffith	Guy Smith
Lloyd Billingsley	Steve Helsley	Craig Stowers
Sean Brady	Eric Johnson	Rick Travis
Chris Cheng	Sarah Keller	Paul Trouette
Tiffany D. Cheuvront	Donald Kilmer	Nick Villa
Jerry Clark	David Kopel	Ryan Watts
Matthew D. Cubeiro	William McLaughlin	Josh Wayner
Brian Fitzpatrick	Chuck Michel	Knox Williams
Alex Frank	Sam Paredes	Doris Wise
Christina Gastelo	Kevin Small	Robert B. Young, MD
Dan Gifford	Tarryn Small	

New contributors are welcome! Email [CFL@chipotlepublishing.com](mailto:CFL@chipotlepublishing.com) for details.

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#### PRESIDENT'S MESSAGE

# WE MUST BEAT BACK THE BLUE REBELLION

BY CHUCK MICHEL  
CRPA PRESIDENT & GENERAL COUNSEL

California politicians, led by Gavin Newsom, have launched a **BLUE REBELLION** in defiance of the recent Supreme Court's *Bruen* decision and are passing dozens of new gun laws to limit your rights. Newsom and his hacks are taunting gun owners to bring more legal challenges to their unconstitutional laws. The SCOTUS win should stop this BLUE REBELLION against the Constitution and force gun banners to admit defeat. But they won't. And **it's all about money!**

Newsom knows the new laws he's pushing are unconstitutional. They don't care. They are passing them **to try to break us financially**. Their side fights using TAXPAYER dollars (your dollars) to fund their anti-SCOTUS rebellion, while we must collect donations and resources to stand up for the Constitution and our Second Amendment rights. Sometimes we can get partial reimbursement from the court, but it is never enough to cover all of the actual



fees and costs, and it is usually long after a case has been settled.

Gun control groups' donations are huge in comparison to ours. Gabbie Gifford's anti-2A group is spending

**\$10 million on six congressional races by itself!** And they are only one of many well-funded anti-gun-owner groups. Meanwhile, at the CRPA we're



# HAPPENING AROUND CALIFORNIA



## Join a RangeCon meeting

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## 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.)

digging deeper into our resources than we ever have before. And it still may not be enough.

We have our legal work cut out for us. SCOTUS sent CRPA's Second Amendment case; *Duncan v. Bonta* (successful challenge to magazine capacity limits) back to the Ninth Circuit for supplemental briefing under the new standard of the *Bruen* decision. CRPA's other cases that were already on appeal; *Rhode v. Becerra* (ammunition background checks), *Flanagan v. Becerra* (right to public carry), and *Rupp v. Becerra* ("assault weapon" bans) will likewise have to be re-briefed now to argue that under the new guidelines from SCOTUS we should win flat out.

And we can't wait to litigate CRPA's new Second Amendment cases that have been filed, or will be filed. It is a 'target rich' environment for Second Amendment lawsuits. CRPA is challenging the California handgun roster law, the ban on marketing of shooting sports to minors, the new bans on gun shows, the new tax on firearm and ammunition purchases, the precursor parts ban, and New-

som's pride and joy – the complete revamping of the laws regulating the issuance and use of licenses to carry in public. Inside this issue we describe what that law does. Better sit down before reading up on that infuriating mess.

Most anti-2A laws can be overturned, if we can pay for the legal battles. We can beat them, **but they need to be taught the lesson — we have the Constitution on our side, so we just have to use the hammer of justice that SCOTUS has given us to beat Newsom and his cronies into constitutional submission.**

This new push by Newsom and his political gun-control-backed groups means we have to muster financial resources to keep fighting for our rights. This is the Second Amendment's unique time to shine in history. I know we are in an economically unsettled time, but it is also a time of unique opportunity. So, help CRPA out with a donation, or extend your membership or volunteer, if you can.

**Fighting for Our Freedoms, 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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# CALIFORNIA CON

Originally published at [gunfacts.info](https://gunfacts.info)

**T**here must be an election coming. The current California governor is making presidential maneuvers and the *New York Times* appears to be propping up his (inaccurate) statements about guns.

I lived in Gavin Newsom's home turf for 22 years, during his political rise, so I have a deeper than average interest – and knowledge – of what the reality is, and in which alternate reality the politician resides.

#### MAIN TAKE-AWAYS

California's gun homicide rate is exactly the national average.

Their overall suicide rate is rising, but is 29% lower than national averages, which bends the curve on gun suicide rates.

For mass public shootings, California has 17% more incidents and 60% more deaths than the national average.

#### THE NEW YORK TIMES AGITPROP

In a rather choice bit of partisan hackery, The New York Times makes the following assertions about California and guns:

*California's gun laws are among America's strictest, helping the state deliver one of the nation's lowest rates of gun deaths. In 2020, the state's rate of firearm mortality was about 40 percent lower than the national average, according to the Centers for Disease Control and Prevention, and the Public Policy Institute of California has determined that Californians are about 25 percent less likely to die in mass*

**In short, the NYT claim is smoke, which they likely inhaled for breakfast. By ignoring the homicide/suicide/cultural realities, they present a non-reality.**

*shootings, compared with residents of other states.*

Having poured through reams of data over 25 years, most of that while residing in the San Francisco Bay area, I knew something was amiss. Oakland, Richmond, Los Angeles, Bakersfield are all shooting galleries and street homicides are so common that entire subcultures celebrate it. Hence, there was something within the data that the NYT was concealing, out of their ignorance (a crime for which The NYT is often guilty) or political skullduggery (for which they are constantly guilty).

Let's tackle the two claims separately.

#### CALIFORNIA HOMICIDES, SUICIDES, AND NON-GUN SUICIDES

In terms of gun homicides, Califor-

nia is no different than the rest of the country. The horizontal blue line is the median national gun homicide rate for nine years we reviewed.

Notice how it rests precisely atop California's gun homicide column, at 3.5 gun homicides for every 100,000 people. (We chose a starting point past the full crime reduction span of California Three-Strikes and 10-20-Life laws enacted in 1993, and before the COVID pandemic.)

What is different are gun suicides. This is where the NYT masked the underlying realities.

California's overall suicide rate by any means, not just guns, is 29% lower than the median for all other states. That's good, but we see that their gun suicide rate is half the national figures. That 21% gap is provocative.

We know from all kinds of analysis (for example, our original international review of gun ownership and suicide rates), that "substitution of means" – using different means for committing suicides – varies from culture to culture. California has many cultures, and each has certain preferences for the means to commit suicide. As such, people in some cultures will not shoot themselves as often as others, and this is atop the lesser probability that Californians will commit suicide at all. For example, in the chart above, Asians will use a gun only 27% as often as whites, but Asians drown themselves twice as often.

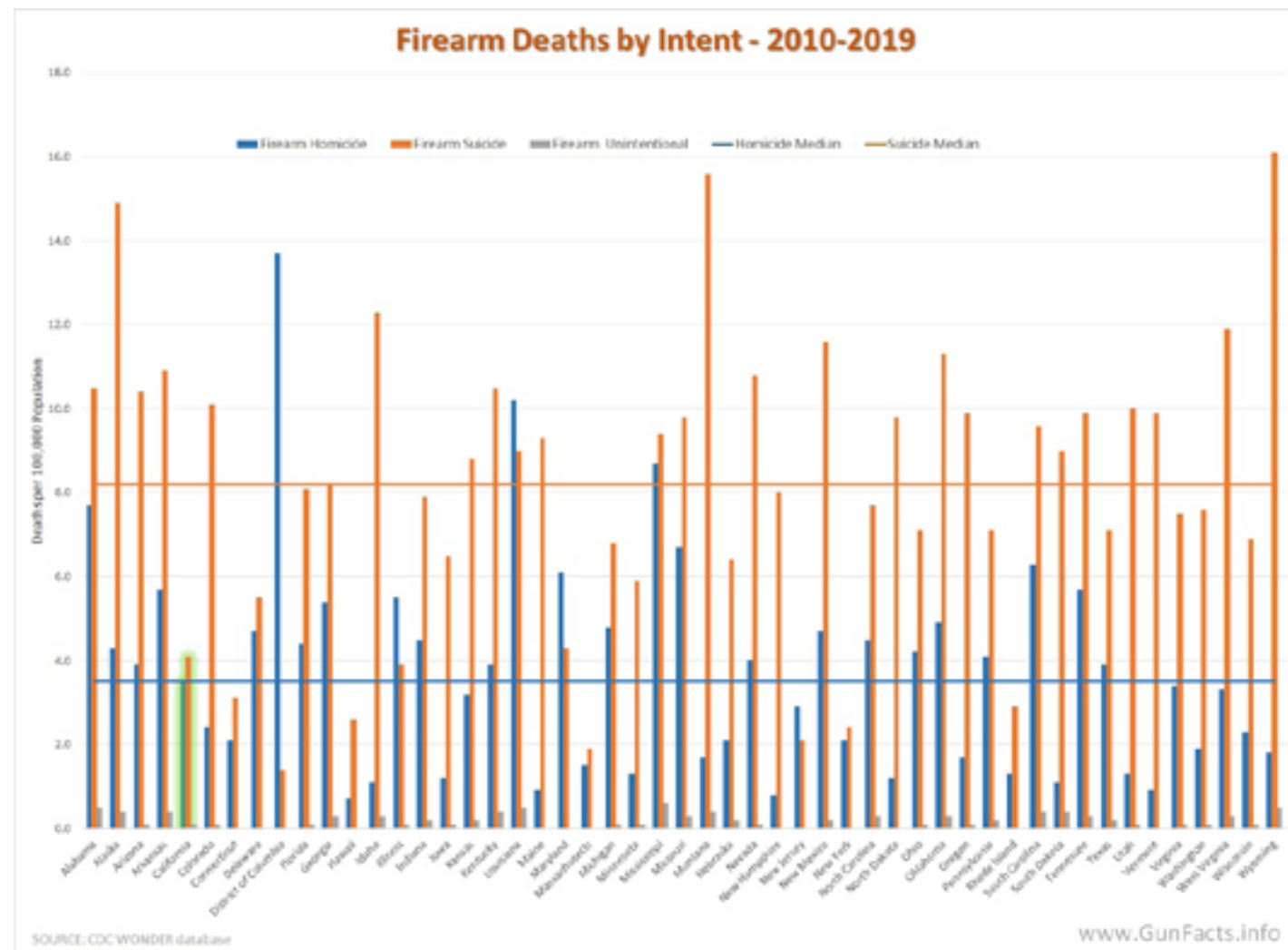
Here is the chain reaction of all this data:

California gun homicide rates are the same as the rest of the country.

California's suicide rate is lower, and this skews gun suicide "gun deaths" lower.

Cultural difference in California's very diverse population causes gun





suicides to lower further.

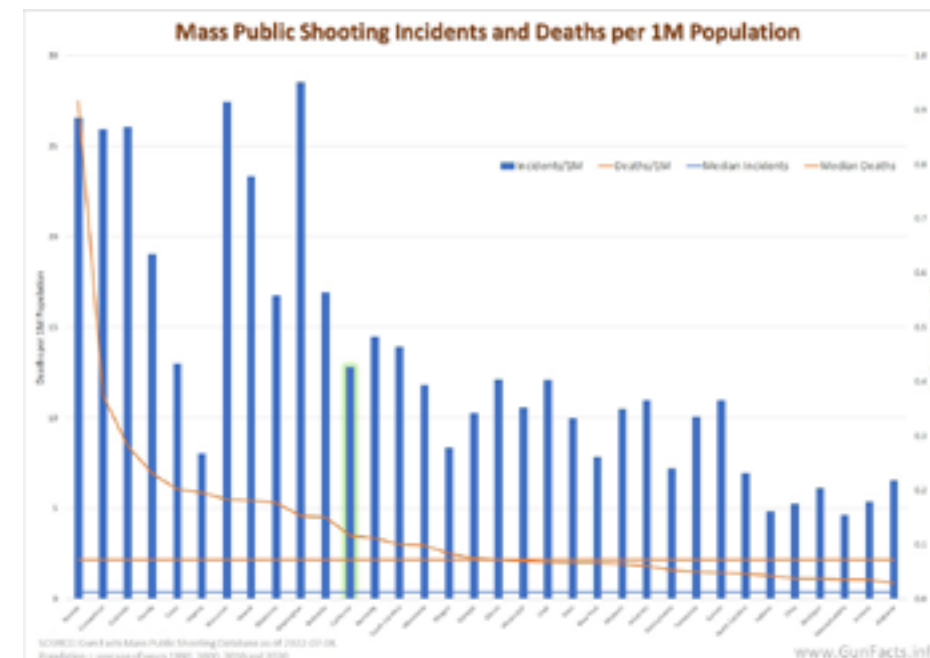
In short, the NYT claim is smoke, which they likely inhaled for breakfast. By ignoring the homicide/suicide/cultural realities, they present a non-reality.

For the morbidly curious, California's rate for suicide by cutting/piercing is 50% above national averages, and suicide by falling is 67% above. Given that jumping off the Golden Gate bridge is practically an Olympic

sport, the latter is not surprising.

### CALIFORNIA, THE MASS PUBLIC SHOOTING CHAMPION

The NYT claims that the "Public Policy Institute of California has de-



termined that Californians are about 25 percent less likely to die in mass shootings."

Sooooooo many problems here, but the take-away is that California is significantly above average for both the number of mass public shootings (MPS) and deaths in MPS. So, let's unravel the NYT misinformation.

The study cited by the NYT had two grave malfunctions, namely using inappropriate definitions of "mass shooting" and not using a gold-standard database. The "policy institute," which is a common phrase for "partisan propaganda factory," used the Gun Violence Archives as a data source. Though improved from its origins, in the early days the database had problems – duplicate entries, missing entries, inaccurate data capture. Such is the nature of crowd-sourced internet data mining without expert leadership from the git-go.

But the bigger problem is one of definitions. Mass PUBLIC shootings have a multi-decade-long, criminol-

ogist-derived definition, upon which mountains of scholarship has been built. The recent phrase "mass shooting" has many different definitions depending on what party/news-room/politician needs to convince the public of something. Indeed, in the policy institute's post that the NYT references, they don't bother to define "mass shooting." If we assume the author used the definition provided by the not-gold-standard data source, then we see a big problem:

**BLESSED CRIMINOLOGY DEFINITION:** 4+ killed not including the perpetrator(s), public venue, not part of another crime.

**NYT REFERENCE:** Four shot, either injured or killed, anywhere, and possibly part of a crime.

Unlike the NYT and their cherry-picked "policy institute" we'll stick to the criminology definition and have a look at how California is doing.

It isn't doing all that well. At number 12 down the list of states that have had MPS, California is 17%

higher in the number of incidents over the median for all states, and 60% higher for the number of MPS deaths. (We chose a starting point past the full crime reduction span of California Three-Strikes and 10-20-Life laws enacted in 1993, and before the COVID pandemic.)

Ponder again, the NYT claims 25% fewer, and the MPS databases say 60% higher.

### GUNS, POLITICS OR PERVERSITY

For decades California politicians have bought into their self-induced imbecility about guns and violence, while only once having done something productive about it (the 1993 pair of laws that addressed both lawlessness in general and gun crime in particular). But the numbers never support their claims. Hence, they and their acolytes employ many of the standard propaganda tactics – most notably, lying with numbers.

What these discount geniuses have not figured out is that the data is available to anyone, and their masquerade ends rapidly.

### UPDATE: MORE ABOUT CALIFORNIA SUICIDES AND GUNS

I wondered if there have been changes in California suicides over time that might contribute some knowledge. Indeed, there have been.

In our study period, we see that: California's total suicide rate has gone up 22%.

The gun suicide rate is basically flat (slope of -0.01).

Suffocation suicides are climbing steadily (slope of 0.1).

Together, this means gun laws either are having no effect on gun suicide rates, or possibly that they capped them, but people are substituting means. **CRPA**

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# CALIFORNIA'S PUBLIC NUISANCE LAW IS AN ADMISSION STATE DOJ BACKGROUND CHECKS ARE A FAILURE

BY MARK OLIVA

Originally published at [nssf.org](http://nssf.org)

**C**alifornia's new law allowing state authorities and victims of crimes to bring lawsuits against firearm retailers and manufacturers is flawed in ways that Democratic Gov. Gavin Newsom never considered. Among them might be the state's admission that their own background check system cannot be trusted and California's Department of Justice is failing its citizens.

The law, AB-1594, recently signed by Gov. Newsom, requires firearm manufacturers and retailers to block the sale of a gun when there is "reasonable cause to believe it is at substantial risk" of being used illegally or it is to be used to harm

**The law is problematic from the beginning. It attempts to burden firearm manufacturers and retailers for claims of damages caused by remote third parties when they criminally misuse a firearm.**

the owner or others, according to an Associated Press report. This is a glaring admission that the California Department of Justice's instant background checks – and the mandatory 10-day waiting periods – aren't trustworthy and the state is foisting

the responsibility of potential future criminal activity on private business instead of fixing the background check system. California is a point-of-contact state that relies on state authorities to run firearm background checks instead of the FBI's

National Instant Criminal Background Check System (NICS).

## FOUNDATIONALLY FLAWED

The law is problematic from the beginning. It attempts to burden firearm manufacturers and retailers for claims of damages caused by remote third parties when they criminally misuse a firearm. California's law turns any basic understanding of tort law on its head. Professor Jonathan Turley, the Shapiro Professor of Public Interest Law at George Washington University, once described these public nuisance lawsuits against gun manufacturers over the criminal misuse of a firearm as, "absurd."

"Product liability and tort actions against manufacturers have uni-

formly and correctly been rejected by the courts," Turley wrote in an op-ed published in The Hill. "Guns are lawful products, and holding companies liable for later misuse of such products is absurd. You might as well sue an axe manufacturer for the Lizzy Borden murders."

That's also why California's new law allowing these lawsuits also has a steep climb of overcoming the Protection of Lawful Commerce in Arms Act (PLCAA), which codified basic tort law. Legal Professor Victor Schwartz, who literally wrote the textbook on tort law, former law professor and law school dean and the current co-chairman of the Public Policy Group of the law firm Shook, Hardy & Bacon, explained the PLCAA. He wrote, "The PLCAA

remains a commonsense law that protects against unsound attempts to change radically a fundamental liability law principle."

## SCORCHED EARTH

Now, California's progressive anti-gun governor, attorney general and legislature are going to have to clear that legal mountain with the weight of the admission that the state's own background check system is worthless. If the state's background check were working properly, there would be no need to put the responsibility on firearm retailers and manufacturers to know if an individual could potentially commit a crime. That's why they run the background check with the state to find out of they've been prohib-

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

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ited in the past from possessing a firearm.

Of course, what this law is actually intended to do is run firearm manufacturers and retailers out of business, even if it means burning down their own law enforcement institutions to do it. They'll do it through "death by a thousand cuts" made infamous by disgraced Democratic former N.Y. Gov. Andrew Cuomo when he was Housing and Urban Development Secretary in the Clinton administration. The other way is through sheer intimidation that the state government would sail them down the river of lawsuit-after-lawsuit of bogus allegations. Sadly, in California this now includes a firearm retailer's inability to predict potential criminal activity of others.

Gov. Newsom doesn't concern himself with the actual criminals in his constitutionally-questionable public nuisance law. He doesn't seem to care that law indicts the state's own Justice Department as failing in their job to run an effective background check system. Gov. Newsom would hold firearm industry members accountable instead of rogue district attorneys to turn criminals back onto the streets. If the state's background check system isn't stopping criminals, he should levy resources to fix it. This law isn't intended to address any of that.

Gov. Newsom only wants this law to harass a Constitutionally-protected industry for an antigun political agenda. That fact he's disparaging his own Justice Department to achieve it is revealing. **CRPA**

## Gov. Newsom doesn't concern himself with the actual criminals in his constitutionally-questionable public nuisance law.



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- 7 When can you use deadly force?
- 7 Where can you have a gun

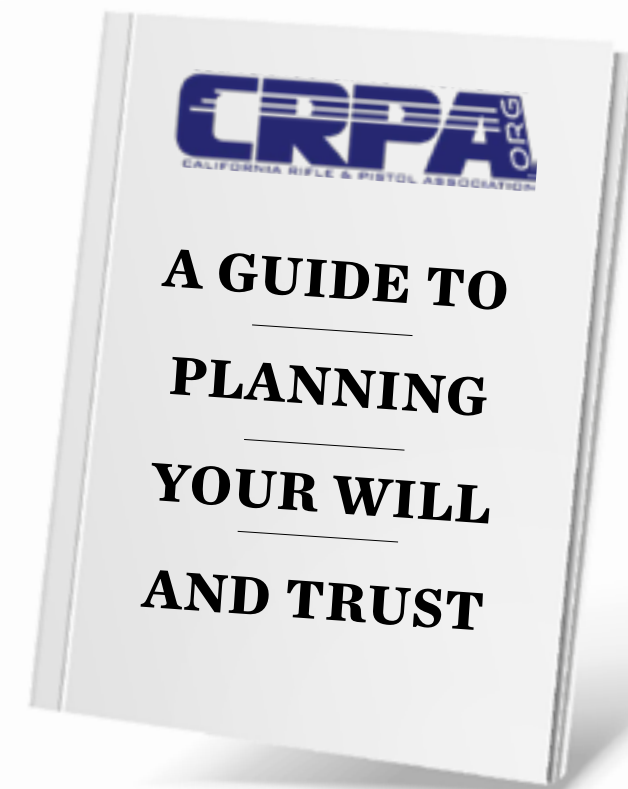


- 7 Which guns are banned?
- 7 When can you have a gun?
- 7 Who can possess a gun?

Do you know what California law requires gun owners to do in 2022? If you're not sure, as these laws change each year, you might become an accidental criminal. *California Gun Laws* explains all the relevant gun laws, including the new ones:

- Releasing gun purchasers' personal information to the government
- Adding new requirements for loaning firearms to minors and further restricting minors' possession of firearms
- Requiring the registration of newly-defined "assault weapons" to continue their lawful possession in California
- Restricting the sale of firearm precursor parts
- Changing the definition of "valid and unexpired hunting license"
- Changing the protocol when a firearm seller can't retake possession

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# EXAMINING SOME COMMON EXPLANATIONS FOR GUN HOMICIDE RATES

BY KONSTADINOS T. MOROS

**In a previous article I wrote for this magazine, I looked at the anti-gun group Giffords' ratings for each state and compared those ratings with individual state's respective overall homicide rate.**

As readers may recall, there was no correlation to speak of. Giffords' determination that some states had embraced gun control more than others had no predictive value when it came to what homicide rate a given state would have. In this article, I aim to go a step further with

a deeper analysis of the possible factors that may play into gun homicide specifically.

It's been known for a while that on a state by state level, there is no correlation between gun ownership rate and overall homicide rate. But is there perhaps a correlation between gun ownership rate and *gun* homicide rate? In other words, while overall homicide does not appear to be correlated with gun ownership, does gun ownership at least cause more gun-related homicides? I decided to research the relevant data and run the numbers to find out.

The data I used for gun ownership rate comes from survey data

published by the respected Pew Research organization.<sup>1</sup> Obviously, if Pew's numbers are way off, it would ruin the veracity of this exercise. However, the survey results seem to pass the sniff test. The states with high and low gun ownership rates are about what one would expect.

State by state gun homicide data came from the FBI's crime explorer tool.<sup>2</sup> Unlike the CDC, the FBI's homicide data counts only intentional, non-negligent homicides. They also exclude justifiable homicide, like self-defense. All in all, it's a good way to whittle things down to what we are looking for here, the criminal use of a gun to unlawfully and intention-

ally kill another person. The FBI reports state level homicide data down to what weapon was used to kill the victim. I went one by one and did the math to get total gun homicides in each state for 2020. I then divided that number by the state's population, multiplied the result by 100,000 and voila, we have a per capita gun homicide rate for each state.

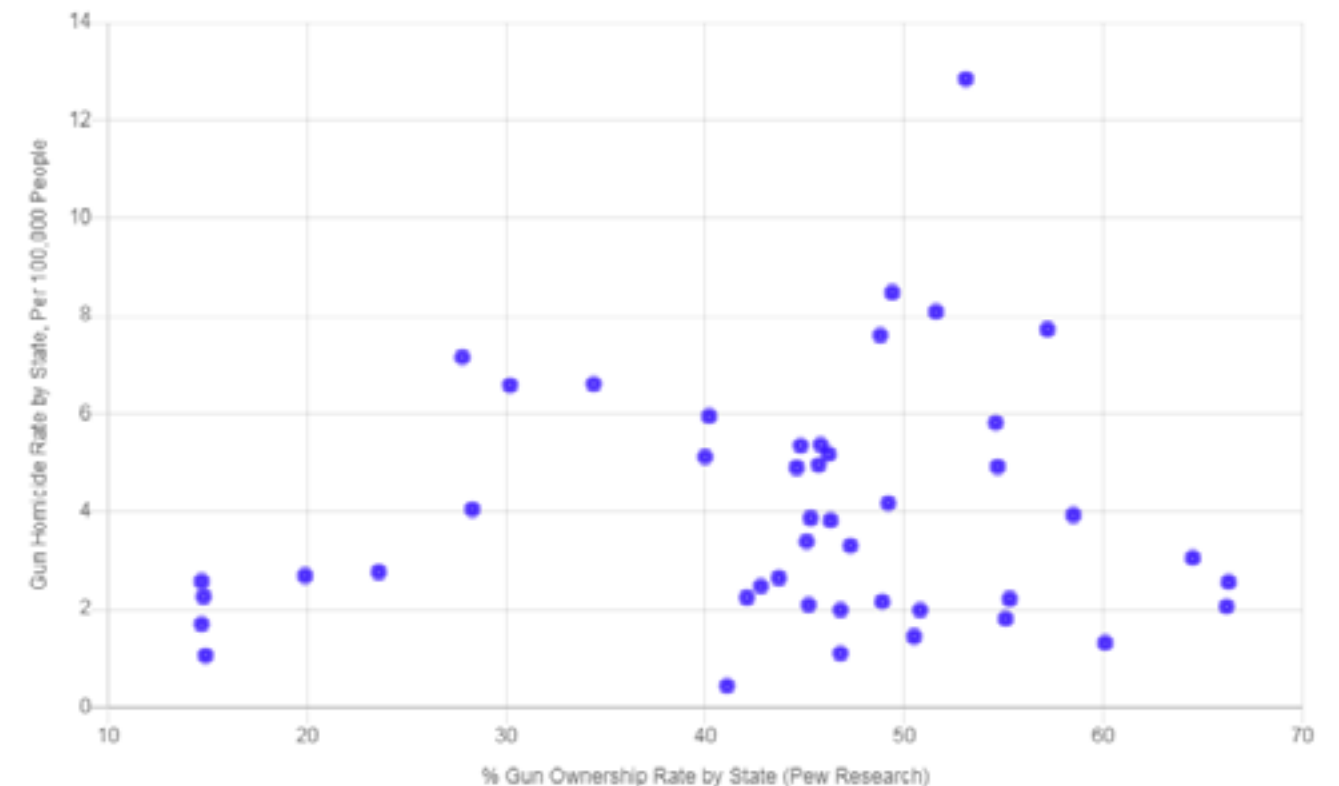
There was one hiccup that must be noted. Unfortunately, the states of Florida, Pennsylvania, Alabama, and Mississippi could not be included because they did not submit suffi-

cient data to the FBI in regard to the weapon used for homicides. While Florida and Pennsylvania have unremarkable homicide rates, Alabama and Mississippi have high overall homicide rates, making it likely their gun homicide rates are also high. The completionist in me thus resents that I am missing this data. Nevertheless, we do have a decently large sample of 46 states to use in this analysis.

I ran the numbers with those 46 states, and this is the resulting scatterplot (*above*).

As is immediately apparent, there is no significant correlation between gun ownership and gun homicide rate on a state by state level. In terms of a Pearson correlation coefficient<sup>3</sup>, the value of Pearson's R is: 0.1278. That makes R<sup>2</sup> come to 0.0163. In plain English, that means that this correlation tells us that at most, 1.6% of a given state's gun homicide rate can be explained by its gun ownership rate. And frankly, any self-respecting statistician would probably not allow me to draw even that modest conclusion from this data.

Comparing Gun Ownership Rate to Gun Homicide Rate



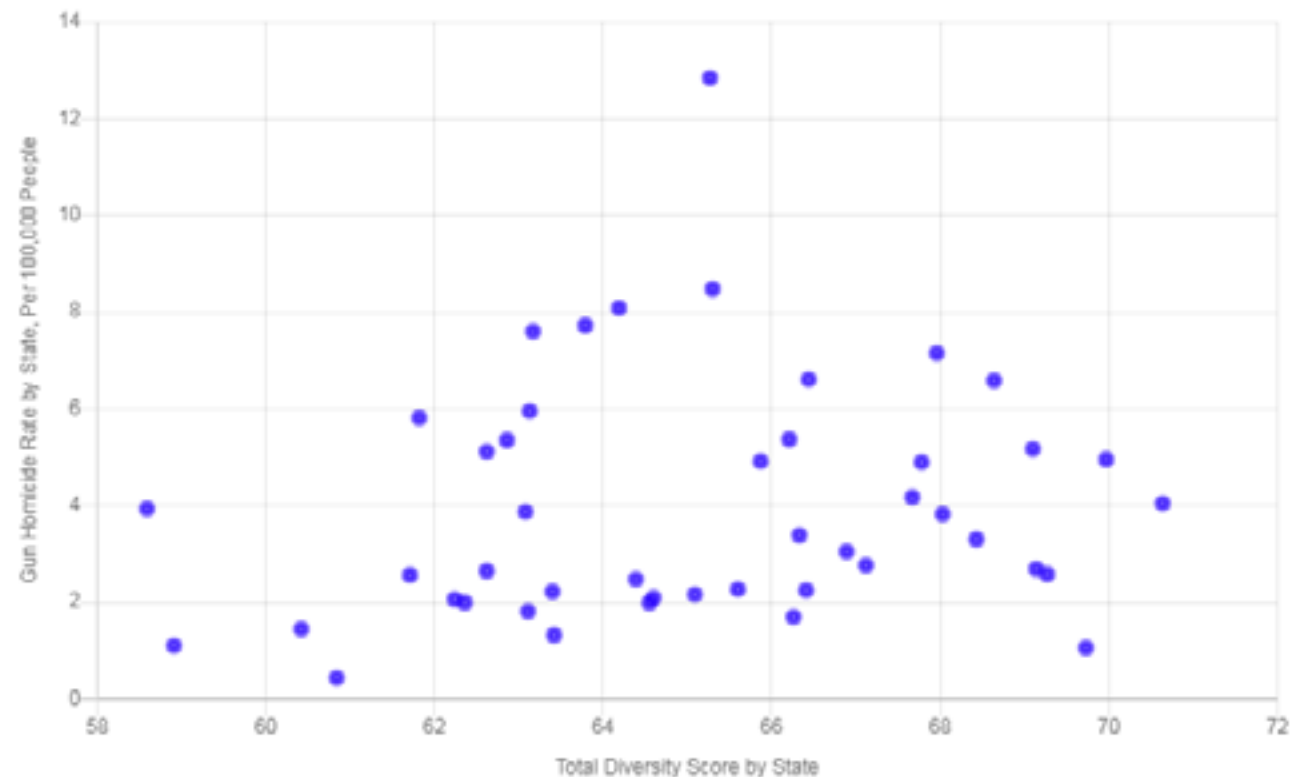
1. <https://worldpopulationreview.com/state-rankings/gun-ownership-by-state>

2. <https://crime-data-explorer.fr.cloud.gov/pages/explorer/crime/shr>

3. The Pearson correlation coefficient is a measure of linear correlation between two sets of data. It is the ratio between the covariance of two variables and the product of their standard deviations; thus, it is essentially a normalized measurement of the covariance, such that the result always has a value between -1 and 1. A result very close to 1 means a strong positive correlation, while a result close to -1 indicates a strong weak correlation. The closer the result is to 0, however, the less of a correlation there is and the less that can be deduced from the comparison.



Comparing Diversity Score to Gun Homicide Rate



There are flaws with this method, to be sure. 46 is arguably not a large enough number of data points to definitively draw major conclusions. And a researcher with a lot more time on their hands could take a look at regional or even county-level gun homicide data to create hundreds or thousands more data points for a much larger sample size.<sup>4</sup> There could also be confounding variables that are obscuring a correlation that would otherwise exist, and I'd be happy to hear suggestions to that effect from the readers of this article. But the message of gun control groups is simple: More gun ownership means more gun crime. At least

when it comes to gun homicide data by state, that does not appear to be true.

Since I had crunched the numbers anyway, I decided to proceed on to other comparisons. One explanation for gun homicide, and crime in general, is diversity in the population. The idea being that while diversity has its major benefits, it also creates friction in the population in which crime and violence can be an unfortunate byproduct. To come up with a single metric for the vague concept of "diversity", I turned to a scoring system used by the website WalletHub.<sup>5</sup> WalletHub compared the 50 states across six key dimensions: 1)

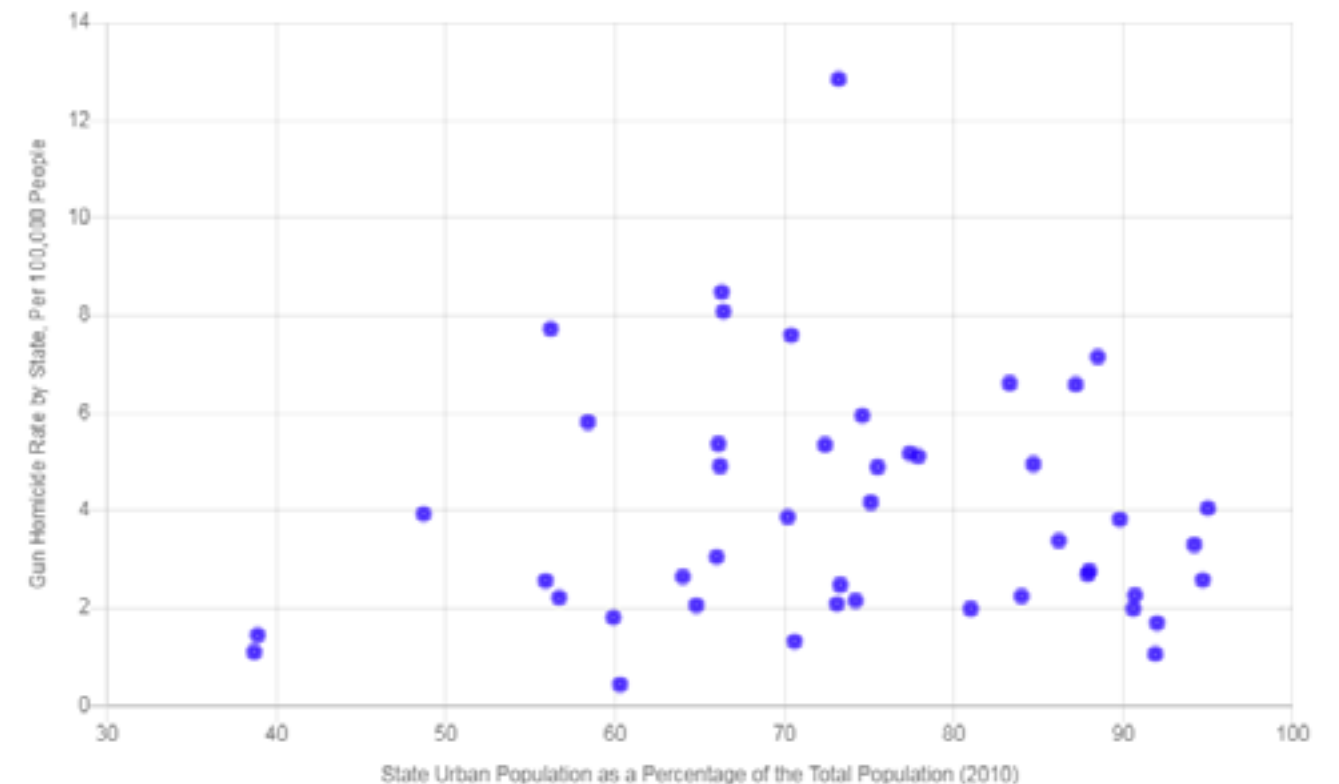
socio-economic diversity, 2) cultural diversity, 3) economic diversity, 4) household diversity, 5) religious diversity and 6) political diversity. Using what they found, they came up with a score for each state.

Comparing WalletHub's diversity scores against the previously calculated gun homicide rate data for the 46 states for which such data existed from the FBI, we get the following scatterplot (*above*).

Again, there is no notable correlation.  $R = .1488$ , while  $R^2 = 0.0221$ . That result is almost as weak as the prior comparison between gun ownership rate and gun homicide rate.

But I wasn't going to stop there.

Comparing Urbanization to Gun Homicide Rate



A common refrain from the gun control side when they are told that states with high gun ownership have low homicide rates is that "well that's because they are rural." The idea being that while many rural areas have high gun ownership and low crime, that is only because there are less people crowded together in cities. You are less likely to shoot someone if people don't live all that close to you and there are less opportunities for violent interaction, after all.

It's a nice theory which, I'll grant, makes some intuitive sense. But we don't need to rely on intuition, we can put it to the test. The US census bureau provides data for what

percentage of each state lives in an urban setting.<sup>6</sup> I used data from 2010, because the 2020 census data on this measure is not yet available. And here is our result (*top right*).

Surprisingly, the result is that  $R = .01878$ , while  $R^2 = 0.00035$ . This is our weakest "correlation" yet. The urbanization level of a state does not appear to be at all predictive of that state's gun homicide rate. While there are indeed some more rural states with very low gun homicide rates, there are also some urban ones with low rates too, and vice versa.

That was going to be the last of my amateur frolic into the statistics field, but when I posted preliminary

findings from this exercise on Twitter, someone reached out to me to ask for the data I had calculated for each state's gun homicide rate. I gave it to him, and he ran those numbers for each state, comparing this time against the Gini coefficient.<sup>7</sup> Gini is a measure of statistical dispersion intended to represent the income inequality or the wealth inequality within a nation or a social group. This gentleman's hypothesis was that even though WalletHub's more complex diversity measure showed no correlation, perhaps income inequality specifically was correlated with a higher gun homicide rate. This was what

4. Though coming up with gun ownership rates at the county level would be a herculean task for a major polling firm, let alone an individual researcher.

5. <https://wallethub.com/edu/most-least-diverse-states-in-america/38262>

6. Wikipedia compiles and provides sources for all of that data here: [https://en.wikipedia.org/wiki/Urbanization\\_in\\_the\\_United\\_States#cite\\_note-6](https://en.wikipedia.org/wiki/Urbanization_in_the_United_States#cite_note-6)

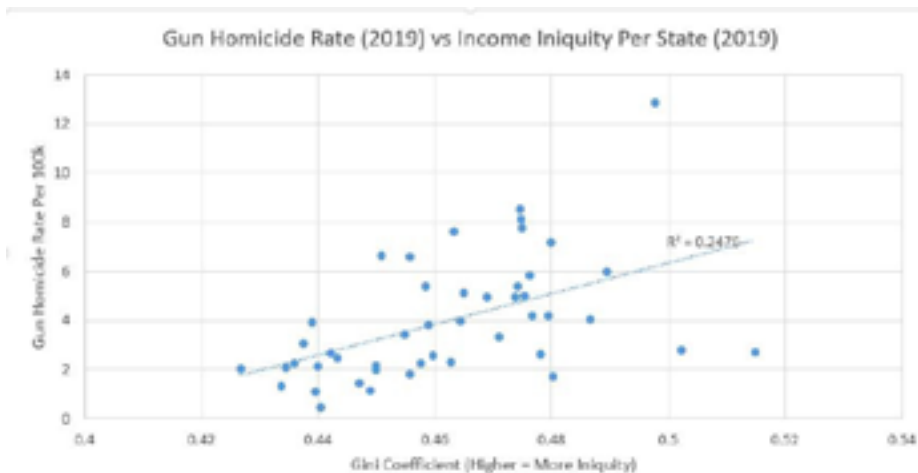
7. <https://twitter.com/likeborealis/status/1511969810569039873>



he found (right).

$R = .4976$ , while  $R^2 = 0.2476$ . This would indicate that up to about 25% of a state's gun homicide rate can be determined from its inequality level. That's probably still not enough to declare anything with certainty, but it was the closest I got to finding something that was at least minimally correlated with gun homicide rate.

I have no doubt that many readers may be far more knowledgeable of statistics and these sorts of analyses than I am, and I am open to suggestions for future comparisons that may be worthwhile, as well as criticism for any flaws with my work here. For now, I am left with the impression that gun homicide rates defy any simple explanations, particularly when it comes to the biased explanations offered by gun control advocates. **CRPA**



**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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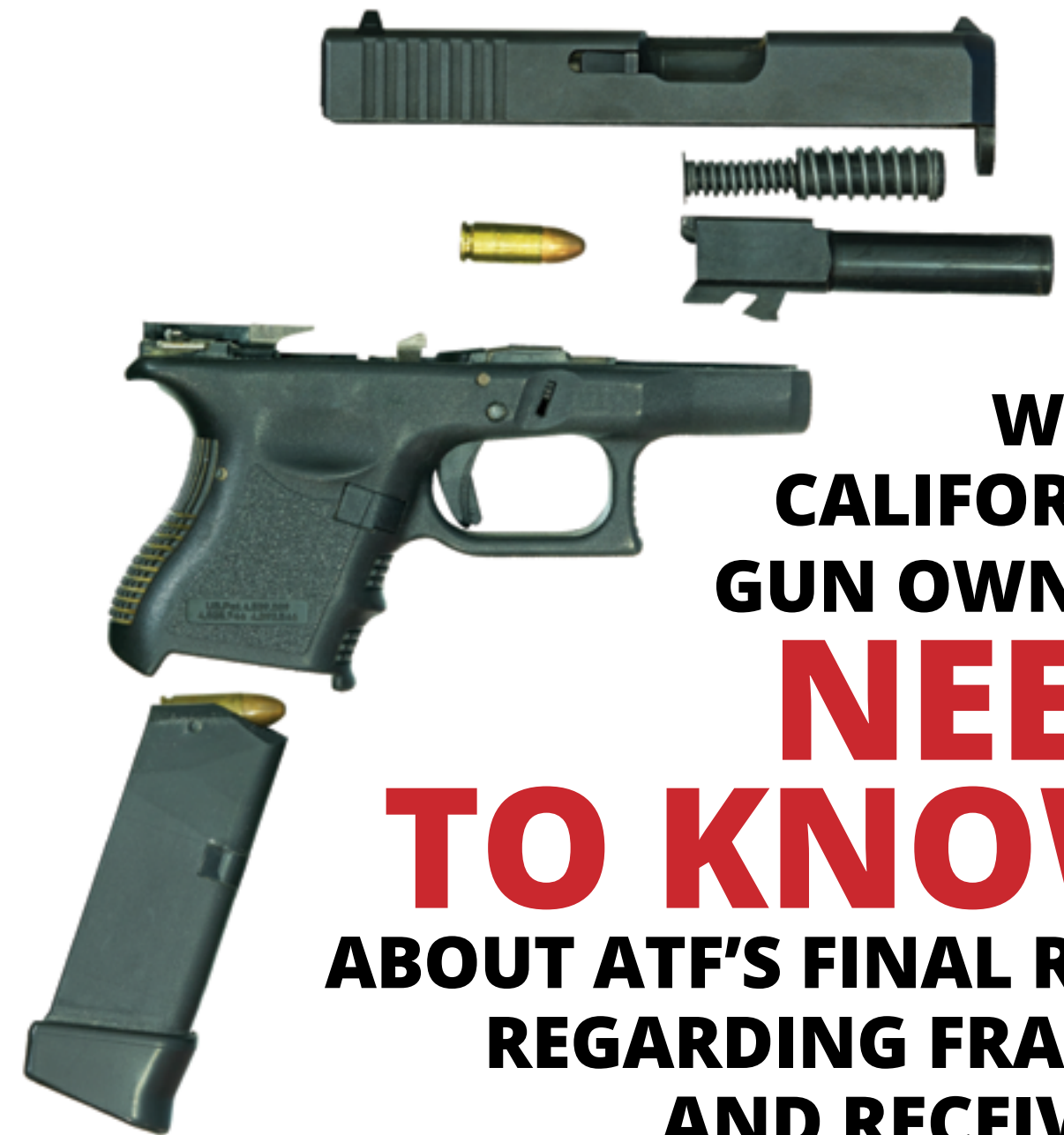
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## WHAT CALIFORNIA GUN OWNERS NEED TO KNOW ABOUT ATF'S FINAL RULE REGARDING FRAMES AND RECEIVERS

BY MATT D. CUBEIRO

**O**n April 26, 2022, the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) released its final rule amending the definition of a firearm "frame or receiver" and other related federal regulations. As a federal rulemaking action, this change affects how firearms are regulated nationwide.

California already imposes strict requirements on what are commonly known as unfinished frames or receivers (or "80% receivers.") Beginning July 1, the sale or transfer of a "firearm precursor part" in California will require a background check like that used for the sale or transfer of ammunition. Unsurprisingly, CA





(SHUTTERSTOCK)

DOJ's regulations on the subject relied heavily on ATF's now finalized rule.<sup>1</sup>

As a result, it is important for members and California gun owners to understand what the changes at the federal level mean, and what effects they have here in California. While CRPA attorneys continue to analyze these changes, the following information has been prepared to better educate our members and California gun owners on the matter.

### I. NEW FEDERAL DEFINITIONS FOR FIREARM AND FRAME OR RECEIVER

For an item to be regulated under

federal firearm laws, it must generally meet the definition of a "firearm" under section 921 of Title 18 of the United States Code. This section defines a firearm as any one of the following:

- Any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive;
- The frame or receiver of any such weapon;
- Any firearm muffler or firearm silencer; or,
- Any destructive device. (Note: this definition expressly excludes antique firearms.)

Federal Regulations expand upon this definition to a limited degree. Notably, existing federal regulations define "firearm frame or receiver" to mean "that part of a firearm which provides housing for the hammer, bolt or breechblock, and firing mechanism, and which is usually threaded at its forward portion to receive the barrel."<sup>2</sup> With the release of the final rule, the definition for "frame or receiver" now provides:

- The term "frame" means the part of a handgun, or variants thereof<sup>3</sup>, that provides housing or a structure for the primary energized component

designed to hold back the hammer, striker, bolt, or similar component prior to the initiation of the firing sequence (i.e., sear or equivalent), even if pins or other attachments are required to connect such component to the housing or structure.

■ The term "receiver" means the part of a rifle, shotgun, or projectile weapon other than a handgun, or variants thereof, that provides housing or a structure for the primary component designed to block or seal the breech prior to initiation of the firing sequence (i.e., bolt, breechblock, or equivalent), even if pins or other attachments are required to connect such component to the housing or structure.<sup>4</sup>

Recent federal court decisions, which held ATF's classification of certain items as firearms inconsistent with existing federal law and regulations, are what prompted ATF to

make this change. For example, one court decision held ATF's classifications did "not comply with the rule making process" and the activities ATF sought to regulate "were not within the scope of the statute or ATF regulatory definition."<sup>5</sup> In response, ATF proposed and has now finalized the above changes.

ATF's final rule also includes "a weapon parts kit that is designed to or may readily be completed, assembled, restored, or otherwise converted to expel a projectile by the action of an explosive" as meeting the definition of a "firearm."<sup>6</sup> This means certain unfinished frames and receivers (i.e. 80% frames and receivers) sold with jigs and other tools necessary for completion will now be considered "firearms" for purposes of federal law. Key to this change, however, is that the weapon parts kit may be "readily" completed.

#### A. "READILY"

ATF's final rule expressly defines the term "readily" to mean a "process, action, or physical state that is fairly or reasonably efficient, quick, and easy, but not necessarily the most efficient, speediest, or easiest process, action or physical state." What's more, ATF has identified the following factors as relevant in this determination:

- **Time:** How long it takes to finish the process;
- **Ease:** How difficult it is to do so;
- **Expertise:** What knowledge and skills are required;
- **Equipment:** What tools are required;
- **Parts availability:** Whether additional parts are required, and how easily they can be obtained;
- **Expense:** How much it costs;
- **Scope:** The extent to which the subject of the process must be changed to finish it; and,

4. ATF's final rule also provides several example illustrations of various firearm frames and receivers.

5. See *United States v. Roh*, Case No. SACR 14-167 JVS (C.D. Cal. July 27, 2020).

6. The regulations also state that a firearm **does not** include a weapon, including a weapon parts kit, in which the frame or receiver of such weapon is destroyed.

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1. See [crpa.org/news/blogs/doj-proposes-regulations-regarding-firearm-precursor-parts/](https://crpa.org/news/blogs/doj-proposes-regulations-regarding-firearm-precursor-parts/)

2. 27 C.F.R. § 478.11.

3. The term "variant" and "variants thereof" is defined as a weapon utilizing a similar frame or receiver design irrespective of new or different model designations or configurations, characteristics, features, components, accessories, or attachments.





(SHUTTERSTOCK)

■**Feasibility:** Whether the process would damage or destroy the subject of the process, or cause it to malfunction.

Exactly how ATF will apply the above factors remains to be seen. That said, industry sources tell us that kits made using polymer plastic type materials will likely be classified by ATF as weapon parts kits that may be “readily” completed into a firearm. This means any manufacturers of unfinished polymer frame kits will need to serialize the unfinished frame or receiver in accordance with federal law.

#### B. PRIVATELY MADE FIREARM (“PMF”)

ATF’s final rule also adopts a

new definition for “privately made firearm” to include “a frame or receiver, completed, assembled, or otherwise produced by a person other than a licensed manufacturer, and without a serial number placed by a licensed manufacturer at the time the firearm was produced.” This definition expressly **does not** include a firearm registered under the NFA, or any firearm manufactured on or made before October 22, 1968 (i.e., curio and relic firearms). Notably, ATF’s final rule **does not** require individuals to mark their privately made firearms with serial numbers.

However, owners of privately made firearms should understand that if they wish to have their fire-

arm serviced by a licensed gunsmith, ATF’s final rule will generally require the gunsmith to mark the firearm with a serial number **unless** the firearm is returned to the owner on the same day it was received (i.e., the gunsmith did not need to record the firearm as part of their inventory for recordkeeping purposes). But as discussed below,

California’s restrictions should also be considered.

#### II. EFFECTS OF ATF’S FINAL RULE ON CALIFORNIA GUN OWNERS

As previously mentioned, beginning July 1, 2022, sales or transfers of any “firearm precursor part” will require a background check in California. But it remains unclear what

exactly is considered a “firearm precursor part” for purposes of this restriction. This is because CA DOJ’s recently adopted definition uses the same “readily be completed” language ATF uses which, as noted above, is not clear. What’s more, CA DOJ’s regulations also adopt the same definition and factors used to determine whether a particular item may be “readily” completed into a firearm.

Unlike federal law, however, there is no mechanism for a California licensed firearms dealer or gun owner to request clarification and/or guidance from CA DOJ as to whether a particular item will be

labeled a “firearm precursor part” for purposes of the restrictions beginning July 1. Under federal law, businesses and individuals can at least request a determination from ATF as to whether a particular item would meet the new definition of firearm under its final rule. No such mechanism exists under California law, however. It is also possible that CA DOJ may disagree with ATF’s classification regarding a particular item, and despite the identical definitions and factors found in federal regulations, nothing binds DOJ to follow ATF’s determinations. Given these issues, the sale or transfer of anything that could potentially be

labeled a “firearm precursor part” but not a “firearm” under ATF’s final rule should be treated as a “firearm precursor part” until further clarification can be obtained.

That said, lawfully acquiring a “firearm precursor part” in California isn’t the only restriction to be concerned with. Since July 2018, prior to completing an unfinished frame or receiver into a functional firearm, individuals must apply to CA DOJ for a unique serial number to be engraved on the firearm.<sup>7</sup> These restrictions require firearms made from polymer plastic to have at least 3.7 ounces of stainless steel embedded within the plastic where

7. For more information regarding this process, visit <https://oag.ca.gov/firearms/usna>

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the serial number can be engraved (per Cal. Pen. Code § 29180(b)(2) (B).) What's more, individuals are also prohibited from completing an "unsafe handgun" (i.e., a handgun not listed on California's roster).

### III. EFFECTS ON CALIFORNIA FIREARM BUSINESSES

Despite having little impact on individual gun owners in California, ATF's final rule makes significant changes to the way FFLs and California licensed firearm dealers conduct business. In the coming weeks, CRPA will publish additional information addressing the many nuances of ATF's final rule—particularly its effect on licensed firearm dealers and firearm-related businesses here in California. If you own or operate a firearm business here in California, be sure to become part of CRPA's Business Affiliate Program to learn more about these important changes.

### FOR MORE INFORMATION

For more information, be sure to visit CRPA's website at [CRPA.org](https://www.crpa.org). And, be sure to subscribe to CRPA email alerts to stay informed on the latest developments. [CRPA](https://www.crpa.org)

**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.



**If you own or operate a firearm business here in California, be sure to become part of CRPA's Business Affiliate Program to learn more about these important changes.**

## FIREARMS AND SUICIDE PREVENTION

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



**American Foundation for Suicide Prevention**

# WHITE HOUSE BACKING STATE MOVES TO **CHIP** AWAY **PLCAA**

BY LARRY KEANE

Originally published at [nssf.org](https://nssf.org)

**T**he Biden administration is zeroing in on repealing the Protection of Lawful Commerce in Arms Act (PLCAA) and White House officials are enlisting help from antigun state lawmakers to do it.

The White House released a read out of a meeting held by Julie Chavez Rodriguez, senior advisor to the President and White House inter-governmental affairs director, with other White House officials and 10 state lawmakers from New York, Delaware, California and Illinois. The meeting was "to discuss how states are leading the way in efforts to hold gun manufacturers accountable."



► **Washington, D.C. United States June 07, 2022.** Joe Biden US President Doing Signature (SHUTTERSTOCK)



# 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.

The Biden administration is putting full efforts behind states to do all they can to undermine, challenge and work to repeal the PLCAA. That's the bipartisan federal law that prevents frivolous lawsuits against members of the firearm industry for the criminal and unlawful misuse by remote third parties of lawfully sold firearms.

## CALIFORNIA DREAMING

The meeting came on the same day California Democratic Governor Gavin Newsom signed a state law to allow private citizens to bring lawsuits against modern sporting rifle (MSR) and privately-made firearm manufacturers and retailers anywhere in the country.

"It's time to put them on the defense," Gov. Newsom said. "You cannot sell, you cannot manufacture, you cannot transfer these illegal weapons of war and mass destruction in the state of California. And if you do, there are 40 million people that can collect \$10,000 from you, and attorney fees, for engaging in that illegal activity."

Gov. Newsom's law was drafted in reaction to a Texas law that allows private parties to sue over abortion. His assertions that MSRs and privately-made firearms are "illegal weapons of war" is dubious, at best. California's ban on MSR sales to adults under 21 was ruled unconstitutional by the U.S. Court of Appeals for the Ninth Circuit in May. The U.S. Supreme Court sent back to the Ninth Circuit a case challenging California's standard capacity magazine ban for "GVR" – or for grant, vacate, and remand – following the *Bruen* decision that struck down lower courts' use of the unconstitutional application of the "interest-bearing" test.

## N.Y. STATE OF MIND

California isn't alone in passing laws to drag firearm manufacturers into court. New York's disgraced former Democratic Governor Andrew Cuomo signed a similar law earlier this year. NSSF is challenging that law. Of course, he's also the one who infamously promoted these lawsuits against the industry in 1990s as a "death through a thousand cuts" when



► **Albany, New York / United States 3/16/2020** New York Gov. Andrew Cuomo announces efforts to prevent the spread of the coronavirus during a news conference in the Red Room at the state Capitol. (SHUTTERSTOCK)

he was part of the Clinton administration. Delaware's Democratic Gov. John Carney signed a similar law, bowing to pressure to support The White House as President Joe Biden's home state.

This is no surprise. President Biden called firearm manufacturers "the enemy" from the debate stage during his White House run. He's also repeatedly been called out for spreading lies about what PLCAA does and doesn't do. The PLCAA simply codifies basic tort law. Prior to the law being signed in 2005, there were dozens of politically motivated junk lawsuits chiefly filed by an unholy alliance of mayors from

crime-ridden cities, lawyers from Handgun Control Inc. (rebranded as the Brady Center), and greedy trial lawyers. The PLCAA largely put a stop to these junk lawsuits that sought to bankrupt the industry, blaming us for their failure to stop crime. Gun control zealots continue to file lawsuits to challenge the PLCAA that has even been defended as Constitutional by Attorney General Merrick Garland.

It's worth noting that nothing in The White House's discussions about accountability for crimes committed with firearms involves actually holding criminals accountable. That's telling when the U.S. Sentencing



► **Albany, New York / United States 3/16/2020** Clayton, Delaware, Kent County. 7 04 2019 Delaware Governor John Carney. (SHUTTERSTOCK)

Commission just released a report that showed nearly 90 percent of convicted felons that illegally used a firearm were already prohibited from possessing one in the first place. None of these proposals or state laws actually enforces the law to protect communities from criminals.

This is political blame-shifting and scapegoating. The PLCAA isn't the obstacle. The White House's distaste for the law shows that it isn't the law they don't like. It's the Constitution.

**CRPA**



# KATES AND LEVINSON:

## A POST-BRUEN LOOK AT THE ROOTS OF MODERN SECOND AMENDMENT SCHOLARSHIP

BY LKB, VIA  
THETRUTHABOUTGUNS.COM

Originally published at [thetruthaboutguns.com](http://thetruthaboutguns.com)

**L**ike many of you, I am still processing the depth of the legal earthquakes from the Supreme Court late last month.

With the 6 to 3 opinion in *Bruen* now the law of the land, the Second Amendment is no longer a “second class right,” and the test set out in Justice Thomas’ opinion likely dooms many other legal restrictions on firearms ownership.

While it will undoubtedly require more litigation (especially against recalcitrant states like New York and California), groups like the Firearms Policy Coalition, Gun Owners of America, Second Amendment Foundation, the National Rifle Association and many other Second Amendment think tanks now have the wind at their back, and I suspect we will see many such laws start falling shortly.

But as we look forward to the likely success of challenges to bans on modern sporting rifles, magazine capacity limits, efforts to perpetuate “may issue” regimes or otherwise prohibit public carrying, and potentially even the Hughes Amendment and some aspects of the Gun Control Act of 1968, it is important to recognize the essential contribution of two particular scholars in getting us here: Don Kates and Sanford Levinson.

While they were not the first to argue that the Second Amendment needed to be taken seriously, in my opinion they legitimized scholarly debate on this subject. Their work sparked a renaissance in Second Amendment legal scholarship in the 1990’s that ultimately led us to *Heller*, *McDonald*, and now *Bruen*.

When I began studying constitutional law in the late 1970’s and early 1980’s, the universal view of “mainstream” constitutional scholars was that the Second Amendment was little more than anachronistic window dressing, and provided no check whatsoever on governmen-

tal restrictions on individual firearm ownership or possession. For instance, most constitutional law textbooks either ignored the Second Amendment entirely or dismissed it with a short comment that it in no way protected any individual right or affected any gun control laws (perhaps dropping a footnote to *United States v. Miller*).

While there were occasional articles in what were perceived as “lesser” law reviews making arguments that have now been accepted as Second Amendment law, mainstream legal scholars at that time either ignored such articles or dismissed them as being written by cranks or NRA shills.

Perhaps due to this monolithic position in mainstream legal scholarship at the time, most courts (including all federal appellate courts) were unwilling to seriously entertain the argument that the Second Amendment protected any individual right.

Judges typically gave such arguments short shrift, treating them as they did ar-

guments by *pro se* “sovereign citizens” that that paper money was not legal tender, that income taxes are unconstitutional, etc.

At that time there were serious proposals to ban most civilian ownership and possession of handguns (including by key members of the Carter administration). Indeed, the organization now known as the Coalition to Stop Gun Violence was then known the National Coalition to Ban Handguns, and the District of Columbia’s ban on handgun ownership that was struck down in *Heller* dates from this period. That such bans might be unconstitutional under the Second Amendment was simply not on the radar in most of polite academic society.

### DON KATES

In 1983, attorney and criminologist Donald Kates published “Handgun Prohibition and the Original Meaning of the Second Amendment” in the *Michigan Law Review*, which examined the historical record (as well as the works of earlier legal scholars) and unabashedly argued that, contrary to the near-universal academic view, the Second Amendment was indeed intended to

protect an individual right.

While this was not Kates’ first article arguing various gun control laws and proposals were unwise or unconstitutional (he had published earlier articles in the *St. Louis University Law Journal* and, amazingly, in the *ACLU’s* own *Civil Liberties Review*), this was the first article published in an “elite” law review that argued that the Second Amendment might actually mean what it says, and protects an individual right to keep and bear arms.

How was Kates able to break through and publish this argument in an “elite” journal while others had not? As you’ll see from his article, it is very well-written and researched (but then again, so were earlier works by scholars such as Stephen Halbrook, Robert Dowlut, and Janet Knoop, all of which Kates cited).

What Kates may have had going for him was that he could not simply be dismissed as a purported crank or NRA stooge. He was an accomplished lawyer, criminologist, and occasional law professor whose credentials as a liberal and civil liberties advocate could not be ignored.

And, perhaps, Kates’ willingness to allow for “reasonable” restrictions on

the Second Amendment (e.g., at least at that time, he had no issue with prohibitions on carrying outside the home for self-defense) distinguished him from what legal academia considered the “gun nuts” who advocated more absolutist interpretations.

While Kates’ article in the *Michigan Law Review* raised many eyebrows, it did not materially move the needle. Law treatises and textbooks – and the courts – largely continued to ignore or denigrate the Second Amendment throughout most of the 1980’s.

But the fact that the issue was starting to be taken seriously sparked conversations and interest in similar works of other scholars (such as Nelson Lund, Stephen Halbrook, and Joyce Lee Malcolm), as well as a re-examination of earlier works by authors such as Dowlut and Knoop. It also attracted the attention of another scholar who could not be ignored or easily dismissed.

### SANFORD LEVINSON

Sanford Levinson is a law professor and political scientist at the University of Texas. For decades, he has been regarded as one of the country’s leading constitutional theorists.



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He is not a conservative, originalist, textualist, or a gun owner. Indeed, most of his positions are well left of center. However, even his critics respect him as a prolific scholar of impeccable academic integrity and intellectual honesty, someone willing to ask very difficult questions, do the hard work required to answer them, and let the chips fall where they fall where they may (as opposed to where you might want them to).

Disclaimer: he was one of my professors at UT Law in 1983. Later, when I was an articles editor on the Texas Law Review, he was one of my “go-to” resources on the UT faculty.

In the late 1980’s, Levinson turned his attention to the Second Amendment arguments that Kates and others were raising. What resulted was, in my opinion, perhaps the most influential article in Second Amendment jurisprudence: a 1989 Yale Law Journal article titled “The Embarrassing Second Amendment” which reprised a presentation Levinson had made at a constitutional law symposium in 1988.

Levinson acknowledged that legal academia, for a variety of reasons, had treated the Second Amendment like a crazy old uncle who is locked away in the attic and not spoken of in polite conversation.

I cannot help but suspect that the best explanation for the absence of the Second Amendment from the legal consciousness of the elite bar, including that component found in the legal academy, is derived from a mixture of sheer opposition to the idea of private ownership of guns and the perhaps subconscious fear that altogether plausible, perhaps even “winning,” interpretations of the Second Amendment would present real hurdles to those of us supporting prohibitory regulation. Thus, the title of this essay – The Embarrassing

Second Amendment – for I want to suggest that the Amendment may be profoundly embarrassing to many who both support such regulation and view themselves as committed to zealous adherence to the Bill of Rights (such as most members of the ACLU).

He posited that this failing was intellectually dishonest. That there were, in fact, good faith arguments that the Second Amendment protected some sort of individual right although, as will be

discussed below, his conclusions of the scope of that right are quite different than most.

He concluded:

There is one further problem of no small import: if one does accept the plausibility of any of the arguments on behalf of a strong reading of the Second Amendment, but, nevertheless, rejects them in the name of social prudence and the present-day consequences produced by finicky adherence to earlier understandings,

why do we not apply such consequentialist criteria to each and every part of the Bill of Rights? As Ronald Dworkin has argued, what it means to take rights seriously is that one will honor them even when there is significant social cost in doing so. If protecting freedom of speech, the rights of criminal defendants, or any other part of the Bill of Rights were always (or even most of the time) clearly costless to the society as a

whole, it would truly be impossible to understand why they would be as controversial as they are. The very fact that there are often significant costs — criminals going free, oppressed groups having to hear viciously racist speech and so on — helps to account for the observed fact that those who view themselves as defenders of the Bill of Rights are generally antagonistic to prudential arguments. Most often, one finds

them embracing versions of textual, historical, or doctrinal argument that dismiss as almost crass and vulgar any insistence that times might have changed and made too “expensive” the continued adherence to a given view. “Cost-benefit” analysis, rightly or wrongly, has come to be viewed as a “conservative” weapon to attack liberal rights. Yet one finds that the tables are strikingly turned when the Second Amendment comes into play. Here it is “conservatives” who argue in effect that social costs are irrelevant and “liberals” who argue for a notion of the “living Constitution” and “changed circumstances” that would have the practical consequence of removing any real bite from the Second Amendment.

... For too long, most members of the legal academy have treated the Second Amendment as the equivalent of an embarrassing relative, whose mention brings a quick change of subject to other, more respectable, family members. That will no longer do. It is time for the Second Amendment to enter full scale into the consciousness of the legal academy.

To be sure, Levinson was not arguing that the Second Amendment precluded any particular gun control measures. Indeed, he has long been in favor of various prohibitory regulations. That did not stop some lightweight critics from hysterically accusing Levinson of being an NRA stooge – an assertion that anyone with the slightest acquaintance with Prof. Levinson would know to be utterly preposterous. But there is no question that this article — by a leading constitutional theorist, published in one of the very top law reviews — provoked a huge reaction.

All manner of law professors began publishing articles supporting or disagreeing with Levinson, which were also published in other “elite” law

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reviews including the Yale Law Journal. These in turn sparked many more articles — including more by Kates and Levinson — symposia, panels, and papers, as legal academia began the robust debate Levinson envisioned on the Second Amendment and what it means.

Levinson's article also led even hardcore Second Amendment skeptics such as Harvard's Laurence Tribe to amend their constitutional law textbooks and treatises to acknowledge that there were serious arguments as to whether the Second Amendment protected any individual right.

Thus, as a direct result of Kates and Levinson legitimizing debate about the Second Amendment in polite academic society, there was an avalanche of Second Amendment scholarship in the 1990s, including influential works by scholars such as Akhil Amar, Elaine Scarry, James Ely, Lucas Powe, Glenn Reynolds, Robert Cottrol, Eugene Volokh, Randy Barnett, David Kopel, and many others.

This debate convinced some scholars such as Daniel Polsby, who had previously considered the individual rights interpretation of the Second Amendment to be "a lot of horse dung," to recant and admit that:

[A]most all the qualified historians and constitutional-law scholars who have studied the subject [concur]. The overwhelming weight of authority affirms that the Second Amendment establishes an individual right to bear arms, which is not dependent upon joining something like the National Guard.

This tide of scholarship — which, in a few years' time, turned the individual rights view of the Second Amendment from heresy into gospel — in turn helped influence courts to reexamine their views of the Second Amendment, which ultimately resulted in *Heller* and

now *Bruen*.

A few days after the *Bruen* opinion dropped, I was able to interview Prof. Levinson about his reactions to the decision.

On one hand, he does support the procedural result of *Bruen*. He sees the discretionary New York permit process as arbitrary, flawed, and favoring the well-connected, and thus could have been invalidated any number of ways. He also believes that *Heller* and *Bruen* were correct to find that there is a

constitutional right to self-defense, and such a right could invalidate some (but by no means all) prohibitionist laws.

However, Levinson would get there by finding such a right in the Ninth Amendment and the privileges and immunities clause of the Fourteenth Amendment, rather than in the Second Amendment. His interpretation of the Second Amendment is that it protects "civic republicanism," that is, the right of the people to have arms in order to resist tyranny, although he admits that

view is not one most judges would be comfortable espousing.

On the other, he vehemently disagrees with the language and reasoning of *Bruen*, indicating that Justice Thomas' opinion "pours gasoline on the culture wars."

He criticizes the Court's "insane embrace" of 1791 originalism and its reading of the applicable history, especially in light of his view that justices are "wildly unreliable as historical narrators." The Court's opinion has created "its own version of the Second Amendment," which he sees as "fictitious" and "radical." He views Second Amendment literalism as a "looney view" of the Constitution.

Given that his 1989 Yale Law Journal article helped start the avalanche of Second Amendment scholarship that has now culminated in this "radical" decision, I asked if he has any regrets about writing it. "My friends have asked me that a lot," he replied, "no, for two reasons."

First, he says the purpose of scholarship "is to get things right." Ignoring questions about a constitutional provision because you are afraid of the

possible answers is "a scandal," and the Second Amendment is an interesting issue that deserves serious study. And he stands by his "civic republicanism" thesis: that the reason for the Second Amendment is to protect the right of the people to have arms in order to resist tyranny.

Second, he sees his views on the Second Amendment as rooted in political reality. At the time he wrote it, Democrats had "overindulged in symbolic gun control" that needlessly alienated gun owners. Because many gun owners are single-issue voters, that had the effect of creating many Reagan Democrats, and that has forced a political realignment that might not have happened had the Democrats "shown more genuine respect" for gun owners.

People of all political stripes have disagreed with Prof. Levinson's views on constitutional law for decades. As an originalist, I disagree with many of them. But unlike so many in academia today, Levinson has never shied away from difficult issues because the debate or the answers might be "triggering," politically inconvenient, or contrary to the prevailing narrative.

Indeed, he sees grappling with such issues as the fundamental role of a scholar. Whether you agree or disagree with Levinson's views or his conclusions, his honest challenge to the legal academy was a key catalyst in the development of today's Second Amendment law.

How would Don Kates (who passed away in 2016) have reacted to *Bruen*? I asked University of Tennessee law professor Glenn Reynolds (a.k.a. Instapundit), who collaborated with Kates on Second Amendment articles, and he responded:

I believe that Don would view the *Bruen* decision as largely correct. Though much of his scholarship was focused on what Sandy Levinson calls the civic republican aspect of arms-bearing, Kates also argued that self-defense was a fundamental right. Indeed, as he pointed out in a Constitutional Commentary article, "The Second Amendment and the Ideology of Self-Protection," the framers didn't draw much of a distinction between ordinary burglars, robbers, and murderers and a tyrannical government. To the framers, action outside of legal authority was just as criminal when engaged in by government officials and employees as when engaged in by ordinary criminals.

Neither Kates' nor Levinson's articles espoused Second Amendment absolutism. Both viewed various restrictions on gun ownership as constitutionally acceptable, including many that will likely not survive under the *Bruen* test.

But both of these scholars had the courage to call out legal academia for its intellectual laziness, if not its cowardice in failing to address the Second Amendment. That they helped start the conversation in legal academia that led to the Second Amendment being taken seriously deserves our recognition and our appreciation. **CRPA**



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# LEGISLATIVE REPORT

## THANK YOU FOR THIS OPPORTUNITY!

BY ROY GRIFFITH

**I**t has been an honor serving you all as your legislative director these past six

**years.** My, how time flies when you're having fun! I'm proud of all we've accomplished, our role in the creation of the California's Hunters Conservation Coalition, positive legislation, and all the bad legislation and Commission actions we have stopped!

The battle is far from over! You are all in very good hands, I am proud and relieved Rick Travis is taking the reigns as your legislative director. Rick has taken on just about every position at CRPA and is the one who roped me into this assignment six years ago. I want to recognize Chuck Michelle for his leadership and for the direction he has taken CRPA. I was fortunate enough to see this growth and be very familiar with CRPA before and after his vision! Also, a thank you to our amazing, dedicated CRPA board members and **incredible** CRPA staff for always having my back!

You are all in good hands... and for me, I'll be spending more quality time with my granddaughters and



► Roy and Mattie's well-deserved nap time.

**not** saying no to any more hunting or fishing invitations because of work commitments! Sadly all good things must come to an end! I'm going to miss you all – but I'm **not** going to miss the knuckleheads and the antics (best choice of words I can use and get past

our amazing editors) in the Big White Building **at all!**

Be safe, stay informed, and stay involved!

Good luck & may God bless you all!  
Respectfully,  
**Roy**



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# LEGISLATIVE REPORT

## CONTINUING TO FIGHT FOR YOUR RIGHTS

**T**ime is the bearer of constant change in each of our lives. In this

issue of the California Firing Line, we are wishing the best to our outgoing Legislative Director Roy Griffith as he pursues the dreams he has dreamed while tirelessly serving the people of California for four decades. I will personally miss him as he has been a mentor to me and thousands of you as a Hunter Educator. He has also been, for me, my partner in everything from game commission meetings, legislative discourse, and the speaking circuit for more than ten years. I look forward to our walks in the woods as time moves on.



**BY RICK TRAVIS**  
LEGISLATIVE DIRECTOR

I have the privilege of being your new CRPA Legislative Director. During the past decade with the CRPA, I have worked with an amazing group of people to develop many of the programs and offerings you enjoy. My knowledge of the community extends throughout the whole state, as I have worked with organizations, clubs, ranges, federal firearms license business owners (aka gun stores), show promoters, ammunition and firearm manufacturers, and legislators. That experience, and

working directly with CRPA's two previous legislative directors Tom Pederson and Roy Griffith and a host of other Second Amendment lobbyists both in California and across the nation, has prepared me

to serve you in this capacity.

Change brings opportunities. I want to encourage you to consider joining a CRPA chapter that's near you or to help form one. This is a critical next step in pushing to regain our rights both here in California and across the nation. Those of you who are in a chapter, please consider becoming the Legislative Chair or the Assistant to that person. Legislative Chairs are part of a new program that works in concert with the CRPA Legislative Director to advance our legislation from the capitol to your community.

You will also see coalitions of various elements of the Second Amendment community being brought together to advance our rights. Each of us involved in this task must realize this is not a sprint, but a series of long-distance marathons to achieve our goals. We will have victories and defeats along the way. I truly believe that if we work together and persevere we can achieve our goals. In the words of former NASA Mission Control Flight Director Chris Kraft Jr., "Failure is not an option." I look forward to working with you in achieving our goals of protecting the Second Amendment and the constitutional rights it bestows on the generations that follow us. It is not for us, but for them, that we fight

# THE LEGISLATURE STRIKES BACK WITH THE MOTHER OF ALL TEMPER TANTRUMS

**A**nti-Second Amendment legislators were dealt a serious setback when the Supreme Court of the United States handed down the *Bruen* decision this past June.

The decision reshapes the future of the Second Amendment and how it's applied to everyday life in this country. It's the decision that our community had hoped for and so much more.

The immediate backlash by the extreme left in Sacramento was predictable and the California Rifle & Pistol Association was prepared to respond quickly to what is now becoming the largest anti-Second Amendment attack in state history. The attack is comprised of bills that have been defeated multiple times such as Assemblymember Marc Levine's AB 1227 (formerly AB 1223 & AB 18). Asm. Levine utilized underhanded "Gut & Amend" provision to convert a bill dealing with "Building Energy Efficiency" into this travesty. He completely circumvented the

voice of the people and then added an "urgency clause" which makes the law go into effect immediately once signed by the governor.

The left is so enraged that they have gone after the next generation of our youth with AB2571, which was also rushed into law using the weaponized "urgency clause." The CRPA legal team went into action immediately upon the bills signage to litigate on behalf of the over a hundred thousand youth involved in shooting sports programs. Fox News, Van Nuys stated (see inset) that Daniel Villasenor, the Assistant Press Secretary for Governor Newsom's office, stated that the bill was never (as interpreted by almost every major Second Amendment organization's legal team nationwide) intended to disrupt youth programs. That statement is nothing more than an ineffectual sound bite that provides zero legal protection from the up to \$25,000 per incident fines.

Asm. Mike Gipson, seeking to join the legislative tantrum, also used the "urgency clause" with his AB 1621 being rushed into law to protect the public from unserialized firearms,

precursor parts, and a list of prohibited firearms. Three bills signed into law to protect the public of California from a threat comparable to that of the pandemic, natural disasters, etc... The threat that warranted this action? The *Bruen* decision.

Attorney General Rob Bonta got in on the action by stating he helped in craft AB 1327, which was signed by Governor Newsom in an over-the-top signing ceremony at Santa Monica College where a 2013 shooting incident occurred. He was flanked by Bonta and the Anti 2A legislators Senator Bob Hertzberg (D-Van Nuys) with co-authors state Sen. Anthony Portantino (D-La Cañada-Flintridge) and Assemblymembers Phil Ting (D-San Francisco), Mike Gipson (D-Carson), and Chris Ward (D-San Diego.)

**GOVERNOR NEWSOM SIGNED INTO LAW THE FOLLOWING BILLS BETWEEN JUNE 30 AND JULY 31, 2022 DURING THE LEGISLATIVE RECESS:**

**AB 311** Del Mar Fairgrounds  
**AB 1594** Firearms: Civil Suits  
**AB 1621** Firearms: Unserialized

**AB 1769** Ventura Fairgrounds  
**AB 1842** Firearms: Restocking Fee  
**AB 2156** Firearms: Manufacturers  
**AB 2239** Firearms: Prohibited Persons  
**AB 2571** Firearms: Advertising to Minors  
**SB 1327** Firearms: Private rights of action

The all-out counter-assault at the time of this writing included the passage of the aforementioned AB 1227 and the possibility of the following bills:

**SB 505:** Skinner. Firearms: Firearms & Liability.  
**SB 918:** Portantino. Firearms: Designed to do the opposite of the *Bruen* decision.  
**AB 2870:** Santiago. Firearms: Gun Violence Restraining Order expansion of reporting parties.

Make no mistake; in addition to last minute “gut and amends” the left is not done coming after us. We will have to fight them on many more anti-2A laws during the 2023 session. We do not fight for ourselves but for future generations of not just Californians, but Americans coast to coast.

This is our time to stand and take back ground we have lost. In the immortal words of Sir Winston Churchill, “Never give in. Never give in. Never, never, never, never—in nothing, great or small, large or petty—never give in, except to convictions of honour and good sense. Never yield to force.”

Thank you for being CRPA members and supporting us in the fight! For a complete list of bills we face this session and sample language for your opposition letters refer to the Legislative Program Page at **CRPA.org!** God bless you all! **CRPA**

## SUMMARY OF THE CHANGES TO THE LAW UNDER SB 918

### New places where CCW is prohibited:

- Any state or local public building, State Capitol grounds, any legislative office, governor's mansion grounds and any property owned by the governor.
- The entire property of any location under the control of any officer of the state government.
- The entire property (including parking lots) of all airports, harbors, and port facilities (previously only restricted in sterile areas).
- On any street or sidewalk adjacent to any school grounds.
- The entire property (including parking lot) of any preschool or childcare facility.
- The entire property (including parking lot) of any court.
- The entire property (including parking lot) of any detention center.
- The entire property (including parking lot) of any facility where any medical care is provided.
- Any public transportation that gets any funding from the government.
- The entire property (including parking lot) of any business or vendor that sells alcohol for consumption on site (regardless of if it's their primary business.)
- At any permitted public gathering, and on any street or sidewalk within 1000 feet of any permitted public gathering.
- Any park, athletic area, or athletic center, or playground or youth center, and any street or sidewalk adjacent to any of those things.
- All property under the control of CA DFW or CA DPR, except areas designated for hunting or shooting.
- All property (including parking lot) of any public or private college.
- All property (including parking lot) of any gambling or gaming facility, or anywhere lottery tickets (other than CA State Lottery) can be bought.
- All property (including parking lot) of any stadium or arena.
- All property (including parking lot) of any library.
- All property (including parking lot) of any amusement park.
- All property (including parking lot) of any zoo or museum.
- All property (including parking lot) of any place of worship (unless a posted sign allows it.)
- Any parking lot adjacent to any church,

whether or not it's owned or used by the church.

- All property (including parking lot) of any financial institution or bank.
  - All property (including parking area) of any law enforcement agency.
  - Any polling place, or street or sidewalk adjacent to a polling place.
  - Any private business that is open to the public (unless a posted sign allows it.)
- New CCW application requirements:**
- Minimum 16-hour CCW course (8 hours for renewals).
  - Course must include written exam.
  - Three personal references – at least one must be a cohabitant, if you have one, and at least one must be a parent or current or former romantic partner.
  - Agency is required to interview all three personal references.
  - Agency is required to review publicly available information about you (including public social media posts, etc.)
  - Renewal fees can be as high as new permit fees.
  - License amendments are \$20 (up from \$10.)
  - Issuing agencies may require a psych evaluation, and you'll have to pay up to \$200 for it.

### New CCW eligibility requirements:

- You've never made a threat or committed an act of violence to yourself or others in last 10 years.
  - You've never been the subject of a restraining order (of various types.)
  - You've never been convicted of any offense that resulted in lost firearm rights for any amount of time.
  - You've never been convicted of reckless use of, or display of, a firearm.
  - You haven't been in jail, or been on probation, for any drug or alcohol offense in the last five years.
  - You're not currently abusing drugs or alcohol.
  - You've never had a firearm lost or stolen due to improper storage or transportation.
  - Psych tests have not shown you're likely to be a danger to yourself or others.
  - You've never been convicted of contempt of court.
- Additional new rules for CCW holders:**
- May never carry more than two firearms at a time.

# LITIGATION REPORT

## BRUEN DECISION MARKS RESET OF 2A LANDSCAPE

BY ALEX FRANK

**A**s you may have heard by now, the United States Supreme Court issued its opinion in *New York State Rifle & Pistol Association v. Bruen* on June 23, 2022. The court's ruling, written by Justice Thomas, recognizes a constitutional right to be armed outside of the home. This is a monumental step forward for firearms rights in the United States and is a true moment of celebration for Americans who respect the Constitution and value their natural right to self-defense.

In the fourteen years since the United States Supreme Court delivered the *Heller* opinion, and the twelve since the court delivered the *McDonald* opinion,

**Without a doubt, this is huge for Second Amendment rights. It is the moment we have patiently awaited for quite some time.**

courts throughout the nation treated the Second Amendment as the red-haired stepchild of the Bill of Rights. Courts in leftist jurisdictions bent over backwards to strip the Second Amendment of all meaning, essentially acting like *Heller* never happened. That

era should now be over. This opinion breathes new life back into the Second Amendment as a source of protection for firearms rights.

The opinion is remarkable in a few key respects. First, it broadly announces that the right to be armed in public is as strong as the right to be armed in the home, if not stronger given the presumption of safety that attaches to a person's residence. Second, the court outright rejected the “means-ends” “interest-balancing” approach that courts implemented in Second Amendment cases after *Heller*. Third, the court flat-out stated that if the activity in question implicates the plain language of the Second Amendment, then the constitution presumptively protects that activity and the government bears the burden to show that laws regulating the activity are part of the historical understanding



**The opinion is remarkable in a few key respects. First, it broadly announces that the right to be armed in public is as strong as the right to be armed in the home, if not stronger given the presumption of safety that attaches to a person’s residence.**

of the right to bear arms. Fourth, when looking at history, the focus is on the late 1790s when the constitution was ratified.

The main impact that the *NYSRPA* opinion will immediately have on gun rights seems reasonably clear: jurisdictions that have traditionally restricted the right to carry by imposing opaque and impossible to satisfy “good cause” standards will now have to abandon those policies and adopt a “shall issue” licensing regime. This is huge for U.S. citizens who live in places like California, New York, Hawaii, and other states that historically have not respected the right to carry. Although we expect these jurisdictions to immediately concoct laws that test this new rule, this is still a total game changer.

As important as this is, the second-order impact of the case may be even more important. In reaching its opinion, the Court discussed the proper test to apply to Second Amendment questions. *Heller’s* chief fault was that it did not provide very clear guidance to lower courts on how to interpret scope of the Second Amendment questions. That lack of clarity is partially to blame for what befell the Second Amendment in the years since.

But Justice Thomas appears to have been well aware of that problem. The opinion expressly sets out the analytical framework which courts now must apply to the pipeline of cases that have stacked up in the nation’s federal appeals courts: cases like the CRPA supported *Duncan v. Bonta*, and *Rhode v. Bonta*, which challenge California’s restrictions on standard/high-capacity magazines, and ammunition purchase restrictions, respectively.

Shortly after *Bruen*, the Supreme Court issued a grant, vacate, and remand (GVR) order in the CRPA supported *Duncan* case, already at the Supreme Court with a pending certiorari petition. A GVR means the court grants the petition for certiorari, vacates the lower court’s opinion, and remands to the lower courts for further proceedings consistent with the new standard enunciated in *Bruen*. The court also issued GVR orders in other pending certiorari petitions like *Young*, *ANJRPC* (another magazine case), and *Bianchi* (assault weapons case).

Without a doubt, this is huge for Second Amendment rights. It is the moment we have patiently awaited for quite some time. Over the years, many worthwhile cases made it up to

the Supreme Court with certiorari petitions, and CRPA supported every one that had merit. We almost got there in 2020 with *NYSRPA v. City of New York*, which was ultimately dead-on-arrival at the Supreme Court because of the City of New York’s eleventh-hour machinations to evade the Court’s review. It was a hard road and took considerable support from gun rights groups and their donor-constituents, who are the ultimate reason why any of this is possible.

As expected, in *Bruen’s* immediate aftermath, the California legislature indicated that it would try to nullify the ruling with new laws. Luckily the two flagship bills that looked like they would succeed—SB 918 and AB 1227—failed to pass during the summer 2022 legislative session. SB 918 would have essentially converted the majority of public spaces into “sensitive areas” where concealed carry licenses would not be valid, as well as compelled private businesses to affirmatively authorize carry on their premises with conspicuous signage. This would have been a monumental affront not only to the right to carry, but to private business owners’ First Amendment rights. AB 1227 would have imposed a 10% gross receipts tax on retail handgun sales and an 11% gross receipts tax on the retail sale of long guns, rifles, firearm precursor parts, and ammunition. Luckily, both laws failed...for now.

With little doubt, the next couple of years of gun rights litigation are now poised to be the most productive in history thanks to the Supreme Court’s opinion in *Bruen*. Only time will tell what happens. But rest assured—now armed with new Supreme Court precedent to really put a dent in the gun control agenda—CRPA will continue to fight at the forefront of the battle for gun rights in California. **CRPA**

CALIFORNIA AND 9TH CIRCUIT LITIGATION MATTERS

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

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

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

ISSUE	CASE NAME	CASE STATUS	WHAT’S NEXT
CHALLENGE TO CALIFORNIA’S AMMUNITION SALES RESTRICTIONS	<i>Rhode v. Becerra</i>	The long stay that was imposed in this case due to <i>Duncan</i> and <i>Bruen</i> is now effectively over. On June 24, 2022, just one day after the <i>Bruen</i> ruling, the court asked for supplemental briefing on how <i>Bruen</i> impacts this case.	Supplemental briefing will be submitted and then the court will issue an order determining the next proceedings.
CHALLENGE TO CA AND LOS ANGELES FIREARM CARRY RESTRICTIONS THAT PROHIBIT BOTH OPEN AND CONCEALED CARRY	<i>Flanagan v. Becerra</i>  (Formerly <i>Flanagan v. Harris</i> )	This case was stayed pending the resolution of the petition for certiorari in <i>Young v. Hawaii</i> . Now that <i>Young</i> has received a grant, vacate, and remand at the Supreme Court, the plaintiffs have alerted the court of the development and requested that the court issue judgment in their favor immediately.	Parties are waiting for the court to announce what it wants to do as of middle of July.
CHALLENGE TO UNDER 21 FIREARM PROHIBITION.	<i>Jones v. Bonta</i>	On May 11, 2022, the 9th Circuit ruled that the district court erred in not granting plaintiffs’ motion for preliminary injunction.	There will likely be <i>Bruen</i> related supplemental briefing sometime this summer.
CHALLENGE TO CALIFORNIA’S “ASSAULT WEAPON” RESTRICTIONS	<i>Rupp v. Becerra</i>	This case was one of the many stayed pending the outcome of the <i>Bruen</i> case at the US Supreme Court.	On June 28th, the 9th Circuit vacated the district court’s judgment and remanded the case for further proceedings consistent with <i>Bruen</i> .
DOES HAWAII’S PERMIT SCHEME FOR GENERAL OPEN CARRY PROHIBITION VIOLATE THE SECOND AMENDMENT?	<i>Young v. Hawaii</i>	The Supreme Court issued a grant, vacate, and remand order on June 30, 2022.	Mr. Young’s attorneys filed a motion for summary reversal in light of <i>Bruen</i> . The court will hear that motion sometime this summer.

ISSUE	CASE NAME	CASE STATUS	WHAT'S NEXT
CHALLENGE TO CALIFORNIA'S BAN ON STANDARD-CAPACITY MAGAZINES	<i>Duncan v. Becerra</i>	On June 30th, the Supreme Court granted the certiorari petition, vacated the 9th Circuit en banc panel's ruling, and remanded the case to the 9th Circuit for further consideration in light of <i>Bruen</i> .	
CHALLENGES DOJ'S USE OF DROS SURPLUS TO FUND APPS AS AN ILLEGAL TAX.	<i>Gentry v. Becerra</i> <i>(Formerly Gentry v. Harris)</i>	The California Court of Appeals affirmed judgment in the State's favor on March 26, 2021.	Plaintiffs are pursuing an attorneys fee award in trial court for the claims that were successful.
CHALLENGE TO VENTURA COUNTY'S ACTIONS PREVENTING PEOPLE FROM BUYING GUNS AND AMMUNITION DURING THE COVID-19 SITUATION, AND TO FORCED CLOSURES OF FIREARM AND AMMUNITION RETAILERS AND SHOOTING RANGES UNDER THREAT OF PROSECUTION	<i>McDougall v. County of Ventura</i>	On June 29, 2022, the 9th Circuit vacated the district court's judgment and remanded in light of <i>Bruen</i> .	The district court will re-examine the issues with the new <i>Bruen</i> precedent.
DOES THE CITY OF MORGAN HILL'S 48- HOUR LOSS/THEFT REPORTING ORDINANCE FAIL DUE TO PROPOSITION 63 PREEMPTION?	<i>Kirk v. City of Morgan Hill</i>	Oral argument is set for August 9, 2022.	Expect an opinion sometime this fall.
DOES CALIFORNIA'S FIREARM RIGHTS RESTORATION REGIME VIOLATE THE SECOND AMENDMENT?	<i>Linton v. Bonta</i>	Now that <i>Duncan</i> has been resolved at the Supreme Court, the case can pick up again.	Expect parties to brief the impact of <i>Bruen</i> and then submit motion for summary judgment briefing.

ISSUE	CASE NAME	CASE STATUS	WHAT'S NEXT
CHALLENGE TO SANTA CLARA'S (AND OTHER BAY AREA COUNTIES) ACTIONS PREVENTING PEOPLE FROM BUYING GUNS AND AMMUNITION DURING THE COVID-19 SITUATION, AND TO FORCED CLOSURES OF FIREARM AND AMMUNITION RETAILERS AND SHOOTING RANGES UNDER THREAT OF PROSECUTION	<i>Altman v. County of Santa Clara</i>	On March 8, 2022, the 9th Circuit ordered the case be held in abeyance pending the issuance of the mandate in <i>McDougall v. County of Ventura</i> .	In light of <i>McDougall</i> being remanded back to the district court, the court will likely take action soon but has not done so as of the middle of July.
CHALLENGE TO LOS ANGELES COUNTY'S ACTIONS PREVENTING PEOPLE FROM BUYING GUNS AND AMMUNITION DURING THE COVID-19 SITUATION, AND TO FORCED CLOSURES OF FIREARM AND AMMUNITION RETAILERS AND SHOOTING RANGES UNDER THREAT OF PROSECUTION	<i>Martinez v. Villanueva</i>	On March 14, the 9th Circuit stayed the case pending the outcome of <i>McDougall v. County of Ventura</i> .  The 9th Circuit remanded back to the district court on July 6, 2022, for further proceedings consistent with <i>Bruen</i> .	The court will likely ask for briefing on how <i>Bruen</i> impacts the case.
DOES HAWAII'S CONCEALED CARRY PERMIT REGIME VIOLATE THE 2ND AMENDMENT?	<i>Livingston v. Ballard</i>	This case was stayed pending <i>Young</i> .	Now that the core question of this case has been resolved, the matter will likely see judgment entered in plaintiff's favor or some other quick resolution.
CHALLENGE TO A CALIFORNIA ASSAULT WEAPONS STATUTE THAT PROHIBITS USING A LARGE CAPACITY MAGAZINE IN A RIFLE CONFIGURED WITH A "FIXED MAGAZINE"	<i>Miller v. Bonta</i>	Plaintiffs moved the court to lift the stay in light of <i>Bruen</i> on June 30, 2022.	The court will likely lift the stay and allow proceedings to unfold under the new <i>Bruen</i> standard.



ISSUE	CASE NAME	CASE STATUS	WHAT'S NEXT
CHALLENGE TO WASHINGTON STATE'S UNDER 21 BAN	<i>Mitchell v. Atkins</i>	Plaintiff is attempting to have the stay lifted in light of <i>Bruen</i> .	The proceedings will likely be unstayed and the case will proceed under the new <i>Bruen</i> standard.
DID CALIFORNIA'S MANAGEMENT OF THE ONLINE SYSTEM FOR "ASSAULT WEAPON" REGISTRATION VIOLATE THE RIGHTS OF POTENTIAL REGISTRANTS?	<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 lasted from January 13, 2022 at 9:00 AM and closed on April 12, 2022.
DOES A CALIFORNIA LAW THAT ALLOWS FIREARM PURCAHSE INFORMATION TO BE DISCLOSED TO THIRD PARTIES VIOLATE PRIVACY LAWS AND THE SECOND AMENDMENT?	<i>Barba v. Bonta</i>	State court challenge to the same laws being challenged in the <i>Doe v. Bonta</i> matter. Filed January 28, 2022.	Plaintiffs filed for a preliminary injunction on March 3, 2022 and a first amended complaint on June 3, 2022.
DOES CALIFORNIA'S UNSAFE HANDGUN ACT (I.E. THE ROSTER) VIOLATE THE SECOND AMENDMENT?	<i>Renna v. Bonta</i>	The State's motion to dismiss was granted in part and denied in part on April 23, 2021. The court's ruling means that the plaintiffs' challenge to the roster itself is dead, but the other aspects of the challenge remain alive.	Parties continue to litigate the matter in the district court. As of middle of July, there is no development in light of <i>Bruen</i> in the district court. There probably will be at some point.

## NATIONAL CASES WITH CALIFORNIA INTEREST

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

ISSUE	CASE NAME	CASE STATUS	WHAT'S NEXT
DOES NEW YORK STATE'S PUBLIC CARRY LICENSING FRAMEWORK VIOLATE THE SECOND AMENDMENT?	<i>New York State Rifle &amp; Pistol Association v. Bruen (formerly Corlett)</i>	The Supreme Court issued an opinion on June 23, 2022, striking down the New York law and declaring that the Second Amendment protects a right to be armed in public, for self-defense, and declaring heightened "good cause" requirements for a carry permit unconstitutional.	None. The case is over.

ISSUE	CASE NAME	CASE STATUS	WHAT'S NEXT
DOES NEW JERSEY'S BAN ON MAGAZINES OVER 10 ROUNDS VIOLATE THE SECOND AMENDMENT?	<i>Association of New Jersey Rifle &amp; Pistol Clubs v. Grewal</i>	The court granted, vacated, and remanded on June 30, 2022, in light of <i>Bruen</i> .	The lower court will now have to reinterpret the case under the <i>Bruen</i> standard.
DID THE ATF EXCEED ITS AUTHORITY TO ORDER A BAN ON "BUMP" STOCKS?	<i>Aposhian v. Garland</i>	Petition for certiorari filed August 2, 2021.	The petition has been distributed for conference and rescheduled multiple times.
DOES MARYLAND'S ASSAULT WEAPONS BAN VIOLATE THE SECOND AMENDMENT?	<i>Bianchi v. Frosh</i>	The Supreme Court granted, vacated, and remanded the case to the lower court for further proceedings consistent with <i>Bruen</i> .	The lower court will now have to reinterpret the case under the <i>Bruen</i> standard.
CHALLENGE TO A MASSACHUSETTS LAW THAT BARS NON- VIOLENT MISDEMEANOR CONVICTS FROM PURCHASING HANDGUNS.	<i>Morin v. Lyver</i>	Certiorari petition filed December 13, 2022.	The petition is still pending post <i>Bruen</i> .
ANOTHER BUMP STOCK BAN CASE.	<i>Gun Owners of America v. Garland</i>	Certiorari petition filed March 2, 2022.	No developments since <i>Bruen</i> .



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

# LOCAL ADVOCACY

## NEWSOM'S ATTACK ON YOUTH SHOOTING SPORTS AND HUNTING

BY TIFFANY D. CHEUVRONT

**H**ave you heard about Newsom's latest vengeful attack on the next generation? July 1, 2022, Newsom signed into law AB 2571 known as the youth marketing bill. Under an emergency order that makes the law effective immediately, he ended youth shooting sports and hunting in the state.

The new law prohibits the marketing of firearms and firearm related products and events where a youth would be encouraged to use a

firearm which basically shuts down the next generation from knowing anything about firearms, competitive shooting for youth, and hunting. Imagine, a coach who cannot advertise a team schedule of practices, or a range that cannot hold their home youth competitive shooting team, or even worse organizations and trainers who are prohibited from teaching kids about lawful hunting and gun safety. The penalty? A \$25,000 fine per incident. Not only is the law reprehensible, but the fine is unconscionable.

The law is written broadly to encompass "a person, firm, corpora-

tion, company, partnership, society, joint stock company, or any other entity or association formed for the express purposes of promoting, encouraging, or advocating for the purchase, use, or ownership of firearm-related product" and either advertises or endorses those products or sponsors and promotes events where a firearm-related product is used or sold.

This accounts for EVERYONE who promotes youth shooting competitions, hunting, safety courses, celebrations of rankings in the shooting sports, accomplishments of youth shooters, and the like. We have seen publishers pull back publications from California youth, colleges refuse to speak to California youth regarding recruitment to college shooting teams, events postponed or moved out of state, and ranges, coaches, and youth shooters throw their hands up in despair.

CRPA joined with Gun Owners of California, the Second Amendment Foundation, and individual plaintiffs to fight AB 2571 and seek an injunction that would stop the sudden impact this law has made on youth shooting and hunting in the state. Local ranges and retailers are getting the word out and groups like CRPA are trying to assist in answering questions for local clubs, trainers, and parents who are confused by what they are prohibited from doing under this latest attack.

Not only do we have competitive youth shooting teams gearing up for the next season where they usually would compete on the state and national levels, but it is that time of

**We have seen publishers pull back publications from California youth, colleges refuse to speak to California youth regarding recruitment to college shooting teams, events postponed or moved out of state, and ranges, coaches, and youth shooters throw their hands up in despair.**

year where youth would take hunter education courses to learn how to be good hunters and conservationists. Many kids have a dream of getting their hunting license so they can learn to hunt from older members of their family – but under Newsom's plan, no one in the next generation

of Californians will have a love for the shooting sports, hunting, or the Second Amendment values that come with these traditions.

Keep a watchful eye in your communities, and on city and county meetings as this type of frontal attack on the next generation is sure

to catch on as the state continues to push its gun control agenda. More and more, we are seeing politicians indicate that they'll pass anything regardless of its impact on your constitutional rights and it appears that our Governor has now made that his mission, as well.

Support youth shooting and hunting in California and help us push back. Head to [crpa.org/news/blogs/update-on-ab-2571-youth-bill-faqs/](https://crpa.org/news/blogs/update-on-ab-2571-youth-bill-faqs/) to find a link to donate to this specific case. **CRPA**

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



## LOCAL ADVOCACY REPORT

BY TIFFANY D. CHEUVRONT

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

JURISDICTION & ISSUE	DESCRIPTION	LOP RESPONSE	STATUS
VENTURA COUNTY FAIRGROUNDS	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 were signed by the Governor in July with an effective date of January 1, 2023.



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 legislation to stop gun shows and dismantle the Cow Palace authority was dropped; new legislation was introduced this session that will impact future gun shows.	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 July 2022, the Governor signed legislation that would ban gun shows at all state owned property in California. This is currently being challenged in two other cases.
<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.  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.  It now appears that the City is having issues with the implementation of the ordinance (i.e., the very issues CRPA pointed out) and now they will be delaying until December. The state is now considering a similar gun owner insurance mandate, but this has not yet passed. CRPA is challenging this as well.
<b>CITY OF BURBANK</b>	The City of Burbank seeks to pass a moratorium on gun stores while they study impacts to the city.	CRPA drafted opposition letters, engaged chapter members and volunteers to appear at a meeting in July 2022 and speak against this moratorium.  As expected, the city still passed the moratorium, even though there was a strong showing against it. The moratorium will be in place for 45 days.	CRPA will continue to monitor this issue and will send out more information as available.
<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.	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.	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 bills were just signed impacting gun show sales at Del Mar, but litigation is already underway.

JURISDICTION & ISSUE	DESCRIPTION	LOP RESPONSE	STATUS
<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.  We also are investigating the DOJ Data Leak of CCW personal information to the public that occurred in June 2022.	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 your COE approval or renewal, please send us a message at <a href="mailto:contact@crpa.org">contact@crpa.org</a> so we can see if we can assist you.  For more information on the DOJ Leak of personal and private information please visit <a href="https://crpa.org/ca-doj-dox-gate/">https://crpa.org/ca-doj-dox-gate/</a>
<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> .  We need you now more than ever!
<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 fighting SB 264 (Minn) that seeks to stop gun shows at Orange County Fairgrounds We are prepared to fight this legislation, as well. More information coming soon.	State legislation also added the prohibition of sale of precursor parts at the Orange County Fair Grounds. Similar to the Del Mar litigation, these prohibitions will also be challenged in court.

# CRPA PROGRAMS UPDATE

## SPOTLIGHT: SHOOTING SPORTS -TRADITION, COMPETITION, AND THE NEXT GENERATION

**H**olding a decades-long tradition of facilitating and sanctioning competitive and recreational matches, CRPA works with ranges, clubs, and other organizations throughout the state to increase local opportunities for more shooters to be able to participate in this fun and competitive sport.

CRPA-sanctioned shooting events provide a forum to teach members and the public about firearms, gun law politics, and how they can have fun and participate in the shooting sports.

While many in the state seek to outlaw the shooting sports (See CRPA.org News: Newsom Attacks Shooting Programs and Next Generation) CRPA and other groups are fighting back to save the tradition

of competitive shooting that goes back to the very beginnings of the CRPA and to encourage the next generation in achieving skills that will enhance their lives.

For the novice, this can all seems intimidating. How do you get started? Well, shooting sports are comprised of many different types of disciplines. Each discipline has their own rules for competition (and sub-categories) and use different equipment. The more “legacy” disciplines are Pistol, High Power Rifle, Small Bore, Multi-Gun, Silhouette, and Airgun, although there are other, less traditional matches that are more recreational and can help introduce a new person to shooting different types of competitions. CRPA sanctions these matches as state championships all over the state at member ranges. In order to participate, all you have to do is register, pay the entry fees, and show up on the day of the match. You may want to try your hand at some local

matches at your local range or participate in a CRPA postal match by downloading your target from CRPA.org as a first step.

Shooting sports are unique in that anyone can participate. From youth to the grandparents, shooting sports offer competitive experiences and many have awards based on age groups within the discipline. Some people even take up the shooting sports later in life once they retire and can spend more time honing their skills.

Youth shooting sports is one of the fastest growing competitive sports for people under 18 years old. Unfortunately, in California, Governor Newsom has launched attacks on the next generation of amazing youth who participate in competitive shooting. CRPA is fighting this and we all should be concerned that an elected government official is trying to eliminate the next generation of Second Amendment supporters in the state. The dedication of family

**Shooting sports are unique in that anyone can participate. From youth to the grandparents, shooting sports offer competitive experiences and many have awards based on age groups within the discipline. Some people even take up the shooting sports later in life once they retire and can spend more time honing their skills.**

members and coaches in instilling a love and respect of the shooting sports at a young age is a mentorship that many youths never see in their lifetime. Competitive shooting sports not only bring generations together to share common interests, but they work to instill respect for those around them, for firearm safety, the environment, and healthy competition, and academics, and, of course, a better understanding of their rights as citizens.

Want to know more and get involved? Just reach out to CRPA and talk with the range team. Interested in hosting a CRPA State Championship Match at your home range and bringing the excitement to your area? Email the range department at [bkerz@crpa.org](mailto:bkerz@crpa.org). Our staff will walk you through the process and help you get a little friendly competition going this fall. **CRPA**

### SEE ALL OF CRPA'S PROGRAMS AT [CRPA.ORG](https://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

## DAVE RACE

**D**ave Race has always been a fan of the Second Amendment.

**As a kid, he grew up with BB guns and slingshots.** Dave remembers shooting his Daisy BB gun at ceramic greenware. His mother had a ceramics studio in their garage, and she poured her own greenware (wet slurry in molds before they were kiln hardened.) She would give him the imperfect ones to take down the street and use for target practice. Dave recalls shooting at the disintegrating bunnies, squirrels, and teacups 'til the sun set. The remains of which were washed away in the next Florida thunderstorm.



**BY**  
**CHRISTINA**  
**GASTELO**  
VOLUNTEER  
COORDINATOR

Today, Dave is an avid collector of firearms and refers to himself as kind of a history geek. Dave views U.S. history in a broader context and sees our natural right to self-defense as a core human right. He was recently appointed to the CRPA Historical Arms & Exhibition Committee and is looking forward to sharing his love for the beauty and preservation of our firearms history in 2022.

Dave is a certified rifle and pistol instructor, a range safety officer (RSO), and has been a lifetime mem-



► **The Dab Master** in southern Utah. Exploring the canyons and beauty of Utah.  
(MICHAEL BLOSSER)



► **Exploring** the canyons and beauty of Utah.

ber of CRPA since 2001. Dave started volunteering with the CRPA in the summer of 2021 and has spent many days recruiting for the CRPA at gun shows, gun stores, and shooting range events, as well as working with chapters, and providing photography at local events. He's enjoyed meeting folks at hometown parades and being a volunteer ambassador visiting CRPA business affiliates. Dave has found great satisfaction working with the Second Amendment community and has made many new friends. Thank you, Dave, for being fierce about freedom.

#### What attracted you to this organization in particular?

**DR:** The NRA is an awesome national organization, but I found the CRPA to be hometown and local. I liked the idea of working with my neighbors and promoting safe firearm handling and shooting sports.

#### In your opinion, what is the most important work that this organization does?

**DR:** I've come to believe that the most important thing the CRPA can do is build and support the community. Chapters are a great way for

neighbors to get together and share experiences. They are the cornerstone of this organization and the best way to build that community.

#### What is it about the Second Amendment, specifically, that motivates you to volunteer?

**DR:** People often don't understand that our Bill of Rights does not grant us any rights we weren't born with. All it does is protect us from the government abusing us and infringing upon our natural rights. The American people are too easily lulled into believing what they see on TV. Karl Marx may have said "religion is the opium of the people", but today I would say "media is the opium of the people". I need to help people to wake up and question everything! This is one of the things that keeps me focused.

#### Where else do you volunteer?

**DR:** I've done a lot of volunteer work for the YMCA, as well. Their Adventure Guide program is a great dads and daughters/sons club. I have two beautiful daughters (Jacquelyn and Larissa) and the adventures we've been on will last a lifetime.

I've also worked with the C.E.R.T. (Community Emergency Response Team) & R.A.C.E.S. (Radio Armature Communications Emergency Services) in my town. Both organizations help my community prepare for disasters and emergencies.

#### How do you believe others can get involved?

**DR:** The best thing a Second Amendment lover can do is to join their local CRPA chapter. Get together with your neighbors. Organize and stay informed. Volunteer with your friends and let us show you how easy it is to make a difference. **CRPA**



# VOLUNTEER REGISTRATION FORM

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

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

- ☐ Join a CRPA Chapter
- ☐ Visit Local Businesses to Promote Affiliate Program
- ☐ Work on Political Campaigns or Elections
- ☐ Assist with Youth/Women's Events / RSO
- ☐ Assist with Training Events / RSO
- ☐ Assist with Hunting Events
- ☐ Be a CRPA Membership Recruiter
- ☐ Liaison with Local Authorities and Council Members
- ☐ Teach Firearm Safety and Proficiency
- ☐ Promote CRPA/Pro-2A Messaging/PR Campaigns
- ☐ Other:

## THANK YOU!

Return to the **California Rifle & Pistol Association**  
**Attn: Volunteers Program**  
271 E. Imperial Highway, Suite #620, Fullerton, CA 92835  
Phone: (714) 992-2772, ext. 8752 | Email: [volunteer@crpa.org](mailto: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 [volunteer@crpa.org](mailto:volunteer@crpa.org) or call (714) 992-2772, ext. 8752.

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!**



► On April 26th, Ventura County Gun Owners, a CRPA chapter, welcomed more than a dozen local candidates to address out members, including two candidates for sheriff. (MICHAEL BLOSSER)

# EVENTS & TRAINING

## EVENTS

### SEPTEMBER

**September 2-4**  
**ORANGE INTERNATIONAL STREET FAIR**  
112 E Chapman  
Orange, CA

**September 3-4**  
**CALIFORNIA GUN SHOWS: FRESNO GUN SHOW**  
Fresno County Fairgrounds  
Fresno, CA

**September 5-7**  
**NORCO FAIR**  
George Ingalls Equestrian Event Center  
Norco, CA

### LOCATION KEY

- NORTHERN CALIFORNIA
- CENTRAL CALIFORNIA
- SOUTHERN CALIFORNIA
- OUT OF STATE

**September 10**  
**CCA 2ND ANNUAL CLAY TOURNAMENT**  
Lemon Grove Rod & Gun Club  
Alpine, CA

**September 15**  
**CRPA: RANGECON**  
5 Dogs Range  
Bakersfield, CA

**September 20**  
**CRPA: RANGECON**  
Raahauge's Shooting Enterprises  
Corona, CA

**September 24**  
**LA HABRA CORN FESTIVAL PARADE**  
El Centro Lions Park via Emma Ave.  
La Habra, CA

**September 23-25**  
**CALIFORNIA INLAND EMPIRE ADVENTURE WEEKEND & SAN BERNARDINO COUNTY SHERIFF'S RODEO**  
Glen Helen Regional Park  
San Bernardino, CA



**September 24-25**  
**CALIFORNIA GUN SHOWS:**  
**SAN BERNARDINO GUN SHOW**  
National Orange Show and Event  
Center  
San Bernardino, CA

**September 21- October 2**  
**KERN COUNTY FAIR**  
Kern County Fairgrounds  
Bakersfield, CA

**OCTOBER**

**October 1-2**  
**SOCAL GUN SHOWS:**  
**VICTORVILLE GUN SHOW**  
San Bernardino Fairgrounds  
Victorville, CA

**October 1-2**  
**SAN DIEGO COUNTY WILDLIFE**  
**FEDERATION**  
Lake Henshaw Resort  
Santa Ysabel, CA

**October 8-9**  
**CALIFORNIA GUN SHOWS:**  
**SACRAMENTO GUN SHOW**  
Capital Sports Center  
Sacramento, CA

**October 8-9**  
**CROSSROADS OF THE WEST:**  
**ONTARIO GUN SHOW**  
Ontario Convention Center  
Ontario, CA

**October 15-16**  
**CODE OF THE WEST: VALLEJO**  
**GUN SHOW**  
Solano County Fairgrounds  
Vallejo, CA

**October 22-23**  
**CROSSROADS OF THE WEST:**  
**VENTURA GUN SHOW**  
Ventura County Fairgrounds  
Ventura, CA

**October 29-30**  
**CALIFORNIA GUN SHOWS:**  
**MODESTO GUN SHOW**  
Modesto Centre Plaza  
Modesto, CA

**October 29-30**  
**CROSSROADS OF THE WEST:**  
**BAKERSFIELD GUN SHOW**  
Kern County Fairgrounds  
Bakersfield, 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

TRAINING VIDEOS  
& INFO ARE AT  
**CRPA.ORG/ TRAINING-  
AND-EDUCATION**

**TRAINING**

**SEPTEMBER**

**September 10**  
**PISTOL SHOOTING BASICS**  
Fullerton, CA

**September 10**  
**HUNTER EDUCATION**  
Fullerton, CA

**September 15**  
**RANGE SAFETY OFFICER**  
**BASICS**  
Bakersfield, CA

**September 15**  
**CHIEF RANGE SAFETY OFFICER**  
**BASICS**  
Bakersfield, CA

**September 17**  
**SHOTGUN SHOOTING BASICS**  
Fullerton, CA

**September 20, 2022**  
**RANGE SAFETY OFFICER**  
**BASICS**  
Corona, CA

**September 20, 2022**  
**CHIEF RANGE SAFETY OFFICER**  
**BASICS**  
Corona, CA

**September 24, 2022**  
**RANGE SAFETY OFFICER**  
Fullerton, CA

**OCTOBER**

**October 1, 2022**  
**PISTOL INSTRUCTOR**  
Fullerton, CA

**October 8, 2022**  
**HUNTER EDUCATION**  
Fullerton, CA



► Solano County Sheriff Tom Ferrara speaks to our Solano chapter overflow meeting.

**October 8, 2022**  
**METALLIC CARTRIDGE**  
**RELOADING**  
Fullerton, CA

**October 29, 2022**  
**RIFLE INSTRUCTOR**  
Fullerton, CA

**NOVEMBER**

**November 5, 2022**  
**SHOTGUN SHOOTING BASICS**  
Fullerton, CA

**November 12, 2022**  
**CHIEF RANGE SAFETY OFFICER**  
Fullerton, CA

**November 12, 2022**  
**HUNTER EDUCATION**  
Fullerton, CA

**November 19, 2022**  
**PERSONAL PROTECTION IN**  
**THE HOME INSTRUCTOR**  
Fullerton, CA

**DECEMBER**

**December 3, 2022**  
**HUNTER EDUCATION**  
Fullerton, CA

**December 3, 2022**  
**RANGE SAFETY OFFICER**  
Fullerton, CA

**December 10, 2022**  
**PERSONAL PROTECTION IN**  
**THE HOME**  
Fullerton, CA



► "Big Bad John" and "Patchem Quick."

# WAX GUNSLINGERS



**BY JIM MCKEIGHAN  
(AKA MICKEY GUNN)**  
CRPA BUSINESS REPRESENTATIVE  
AND MASTER TRAINER

**M**y first impression was that this guy just came from Comic-Con. The man dressed as a gunslinger introduced himself as "Patchem Quick," obviously an alias. I'm sure there were lots of aliases floating around the Wild West.

This is Cowboy Fast Draw" (CFD), a growing shooting sport that's now nationwide, and has even reached the shores of France and Switzerland!

"The Deputies," located in Rancho Cucamonga, CA, is a local Cowboy Fast Draw affiliated club and CRPA Business Affiliate member in

southern California. The Cowboy Fast Draw Association (CFDA) is the administrating body over the "Fast Draw" shooting sport.

The participants use real .45 Long Colt revolvers. The firearms used are mostly Ruger Vaqueros, Taylors, and Ubertis – true to the 1873 fixed-sight revolvers of the Old West. The bullets are wax! There's NO gunpowder, only a 209 shotgun primer as a propellant. Participants come from all over California. Whole families come out together to compete and just have fun. Like a scene from Little House on the Prairie, cowboy attire is required, and the participants can really



dress to kill... per se.

"Cowboy Up" greets me at the door with regal John Wayne hospitality. Everyone in CFD treats you like kinfolk. The events are highly organized! All personnel, from score keepers, hand judges and range safety officers, are meticulously trained. Eye and ear protection is mandatory. As a certified CRSO and instructor, I felt I was in good company.

I noticed a tall gunslinger in a black hat who really stood out as a formidable opponent! "Cisco" turned out to be the nicest guy you could hope to meet. But be aware... Cisco is a CFDA Champion! Anyone who can draw a revolver, shoot, and hit the target in less than .295 second has my respect without question!

I had to give it a shot... It sure looked like a lot of fun!

They outfitted me in a holster with a .45 Long Colt on my right side. I laced the holster to my leg and stepped up to the firing line. There was a range safety briefing (they're very thorough) then it was time for my first shots. The shooting stance and technique was quite the opposite



► "QD Kate" in front, "Baby Beast" in back.



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)**

**It was a good night with some great coaches, and I was a bit lucky! It's rather odd to shoot a target and have the wax projectile sometimes bounce playfully across the floor.**



► "Cowboy Up" Mike Karsten of The Deputies.

## 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).

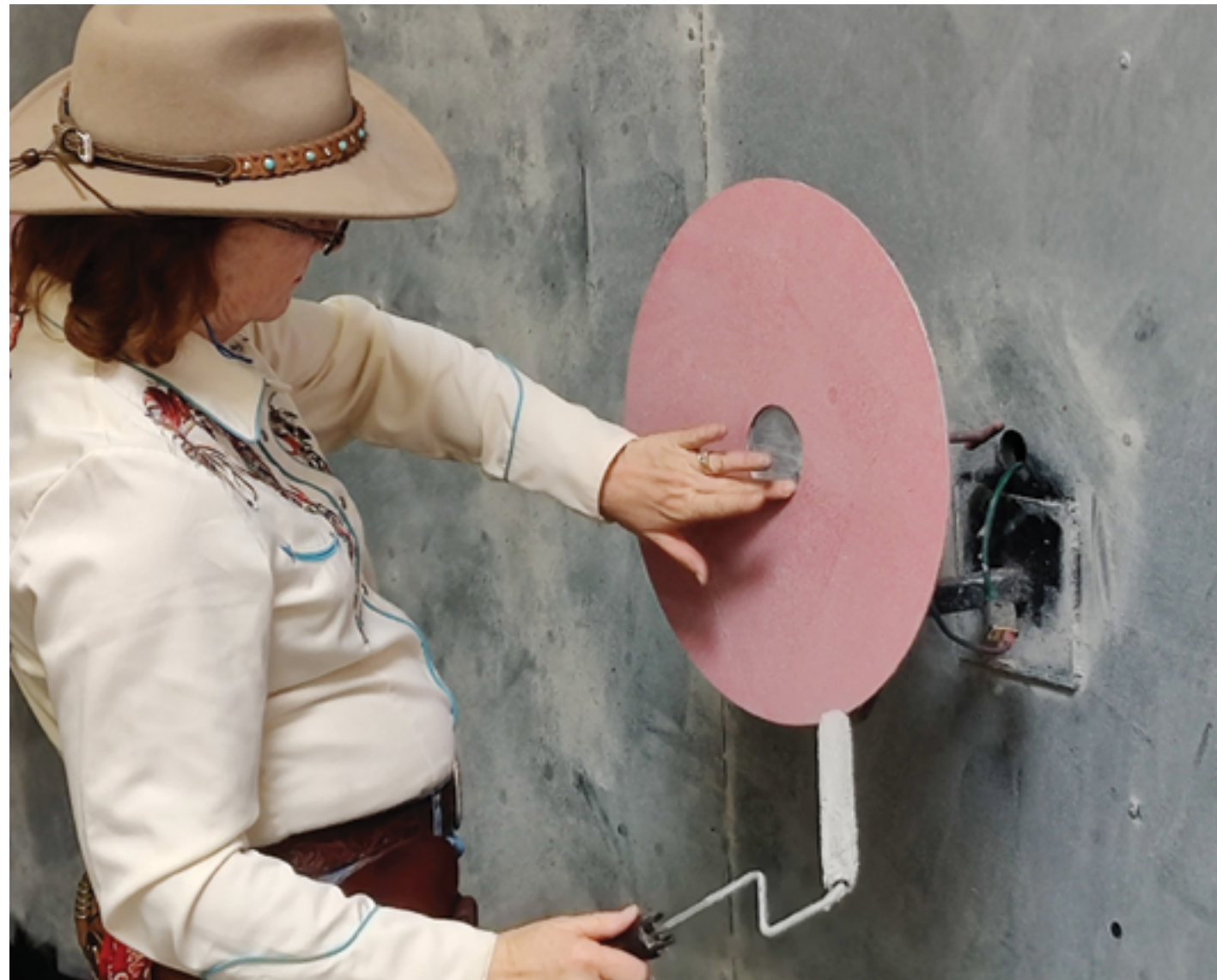
**JOIN ■ LEARN ■ TEACH ■ THRIVE**

of my typical Weaver stance used in more tactical exercises – right leg forward, lean back, one-handed draw... cock the hammer and shoot... from the beltline!

The target stands 15 feet away – a 17 3/16-inch red disc with a light in the center. There is an impact sensor behind the metal target which detects the wax bullet strike and stops the timer. The targets are coated with a layer of lithium grease. This leaves a clear mark where the wax bullet strikes. After a match, the RSO simply paints over the spots. Scoring is simple, you either hit the target or you miss. You must register a hit on the target in order to stop the timer.

The range officer prepares the firing line. The score keeper starts the match round. The range master calls out "shooters on the line...", "shooters set", then there is a two- to five-second delay. When the light in the center of the target comes on, we draw and fire! Most marksman are trained to draw, extend your pistol toward the target, acquire a sight picture, then pull the trigger. In CFD, you shoot from the hip. It looked so easy in the old westerns – this was a rude awakening!





► “Sassy Mustang Gal” cleaning the target, above. **Right:** Hits are clearly visible on the greased targets.

My first shot was a direct hit, time was 1.25 seconds! With some coaching from Cisco, Cowboy Up, and Patchem Quick, I was able to bring this down to .89 second. It was a good night with some great coaches, and I was a bit lucky! It's rather odd to shoot a target and have the wax projectile sometimes bounce playfully across the floor. Not a big deal in CFD, I wouldn't want this at any other range!

California has six Cowboy Fast Draw affiliates from Newcastle to Vista! Come visit “The Deputies” in Rancho Cucamonga on Friday evenings at 6pm. Always call in advance, and bring your family and friends. For \$25, you're in for a real treat! **CRPA**

**Jim McKeighan (aka Mickey Gunn)** is a CRPA master trainer and CRPA business representative.



**Always call in advance,  
and bring your family  
and friends. For \$25,  
you're in for a real treat!**

### CONTACT:

#### CALIFORNIA RANGERS - POMONA, CALIFORNIA

Chris Feeback “Colt McCoy”  
(909) 618-4958 – bubbas67@msn.com

#### GOLD COUNTRY OUT RIDERS - NEWCASTLE, CALIFORNIA

Johnnie Jones “Rooster Cogburn”  
(916) 663-4786 – oldracer53@yahoo.com  
www.goldcountryoutriders.com

#### SUNDOWNERS COWBOY FAST DRAW CLUB - VACAVILLE, CALIFORNIA

George Narasaki “Sundowner”  
(510) 323-3407 – nnarrow@earthlink.net  
www.facebook.com/sundownersfastdrawclub

#### THE BAR T GUNFIGHTERS - VISTA, CALIFORNIA

“Risky Dame”  
(760) 518-7474 – jlongrez@att.net

#### THE COWBOYS - OAKDALE, CALIFORNIA

“No Daisy”  
(209) 262-7643 – nodaisy66@gmail.com

#### THE DEPUTIES - RANCHO CUCAMONGA, CALIFORNIA

Mike Karsten “Cowboy Up”  
(909) 527-5225 – deputiescfda@aol.com –  
www.thedeputies.com

#### COWBOY FAST DRAW ASSOCIATION

(775) 575-1802

# GOLDEN RULES OF GUN SAFETY

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



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





# RESOURCES FOR THE HUNT

**F**all is here and, for many of you, that means the hunting season is either underway or about to be.

Whether you're a seasoned hunter continuing to craft your various skills or a newbie, it's time to get some training. The good news is that learning about hunting is cheaper and easier than it's ever been.



**BY RICK TRAVIS**  
LEGISLATIVE DIRECTOR

I recommend to my students they use what I call the triad of learning. This consists of three equal parts known as mentor knowledge, field skills practice, and passing it on to others. This system works, and I will explain how to master each part.

There is a nationwide movement that CRPA has been involved in since its inception known as the R3 movement. R3 stands for Recruit, Retain and Re-activate. The idea is to bring new people into a given activity, retain the new people along with the existing members of the group, and re-activate those

**The adage of the five "Ps" comes to mind – "Perfect Practice Prevents Poor Performance." You should be practicing everything you plan to do in the following seasons all year long.**

participants that have dropped out of the activity. R3 is an active part of the hunting triad of learning.

Mentor knowledge is a lifelong process of seeking out subject experts. Old school learning methods were limited to books, magazine articles, and in some cases finding a person willing to teach either one-on-one or in a small group setting. Today, you can add webinars provided by hunting resources from nationwide organizations down to local clubs. I highly recommend checking out the myriad of free online resources to help you advance your skillsets.

Lt. Shawn Olague of the California Department of Fish & Wildlife administers a fantastic advanced hunter education

resource at [wildlife.ca.gov/hunter-education/advanced](https://wildlife.ca.gov/hunter-education/advanced). You will find online videos you can access at anytime that will improve your hunting opportunity and success. The CRPA has several free resources, as well, at [crpa.org/crpa-virtual-learning](https://crpa.org/crpa-virtual-learning).

There are many local Rod & Gun Clubs throughout California that have annual fees as low as \$35 a year. All of them have hundreds of years of combined experience and are more than willing to help new hunters learn the skills needed to be successful. This is a resource that each of you reading this article should take advantage of and recommend to family and friends.

Some of you may decide to hire a



## 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](https://crpa-foundation.careasy.org/home.html).

### WE ACCEPT ALL TYPES OF VEHICLES:



CARS



MOTORCYCLES



BOATS



TRUCKS



TRAILERS



AND MORE!

### 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.



guide for your next hunt. This is where much has already been written about checking reviews of guides prior to hiring them. New hunters miss a huge opportunity on guided hunts. Guided hunting provides time to learn from those who are with you. Ask questions and take notes as you listen to the advice being offered. This is especially true if the guide is advising you of something you're not doing right. Instead of being upset at the situation, see it for what it truly is... a learning moment. Remember, you alone control your attitude.

Education is a lifelong practice and requires, at its core, muscle memory. You obtain, develop, and retain muscle memory through practice. This is where many hunters fall short of the mark. When the season is over most hunters put their gear away until the next season. They also allow their muscle memory to atrophy in the off season which leads to poor performance in the field.

The adage of the five "Ps" comes to mind – "Perfect Practice Prevents Poor

## Guided hunting provides time to learn from those who are with you.

Performance." You should be practicing everything you plan to do in the following seasons all year long. This includes acclimation to various elevations and terrain through hiking. You can practice your land navigation skills starting with GPS to map and compass. Take classes on repairing your hunting equipment in the field. Take courses in wilderness medicine, field knife sharpening, survival skills, weather prediction, field dressing of your game, and physical fitness. Your goal at any age is to be better prepared than you were when you were on a previous hunt. As a good friend of mine always says,

"always be improving." This is a good maxim for hunters.

Throughout this process you will serve as an example to those around you. This is where the final component, passing it on, comes in. Take others with you on the hunt, even if only as observers. Share the food from your hunts to encourage understanding of conservation. This is how we build a broader community of hunters and those who support the tradition.

You will become knowledgeable in several aspects of hunting over time. Share that knowledge with others and give back to the community. There are several ways to do this. From reaching out to the community by becoming a hunter education Instructor for the Department of Fish & Wildlife (use the provided link), to being a guest speaker at a local club, or even by writing an article for a publication such as this one.

Remember you hunt because someone took the time to teach you – pass it on, and happy hunting! **CRPA**

# WHAT IS CHRONIC WASTING DISEASE?

## A WILDLIFE SCIENTIST EXPLAINS THE FATAL PRION INFECTION KILLING DEER AND ELK ACROSS NORTH AMERICA

BY ALLAN HOUSTON

Originally published at [theconversation.com](https://theconversation.com)

**Chronic wasting disease, a deadly neurological infectious disease that affects deer, elk and moose, is spreading across North**

**America.** Most recently detected in North Carolina in March 2022, CWD has been confirmed in 30 U.S. states and four Canadian provinces,

as well as Norway, Finland, Sweden and South Korea. Dr. Allan Houston, a professor of forest and wildlife ecology at the University of Tennessee's 18,400-acre Ames AgResearch and Education Center in western Tennessee, explains what's known about CWD and what wildlife scientists are trying to learn about it.

### HOW DOES CHRONIC WASTING DISEASE AFFECT ANIMALS?

Chronic wasting disease is contagious and relentless. There is no

cure, no way to test living animals, and once an infection is introduced into wild populations, there is no realistic way to stop it from spreading.

Typically, an infected deer will survive for 18 months to two years. There's a long incubation period in which they don't usually show symptoms. But as the disease progresses, the animals will begin to appear listless and lose weight.

In the final six weeks or so, they appear aimless and oblivious to danger, become emaciated and drool. They often stand with their legs spread like sawhorses, as if trying not to topple over.

These so-called "zombie deer" often get media attention, but most CWD-infected deer die of other complications before getting to this late stage of the disease. As the disease progresses in the wild, deer become more susceptible to other illness, less able to protect themselves, more prone to predation, and more apt to be hit by cars. So, CSW-infected deer rarely live long enough to become zombies.

### HOW LONG HAVE SCIENTISTS KNOWN ABOUT CWD?

Chronic wasting disease was first detected in the mid-1960s when penned deer in Colorado began to exhibit symptoms generally described as "wasting away." Researchers attributed it to stress until the late 1970s, when wildlife veterinarian Beth Williams performed necropsies on deer that died of a similar syndrome. She found brain lesions consistent with transmissible spongiform encephalopathies – diseases of the nervous system that afflict both animals and humans.

In 1978, Williams and neuropathologist Stuart Young co-wrote the first scientific paper that described

## KEEP CALIFORNIA HUNTING ALIVE!

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

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

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



## HUNTERS ARE THE TRUE CONSERVATIONISTS!



## VISIT CRPA!

Memberships, Courses, License, & More

[www.crpa.org](http://www.crpa.org) • (714) 992-2772

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



**These so-called “zombie deer” often get media attention, but most CWD-infected deer die of other complications before getting to this late stage of the disease. As the disease progresses in the wild, deer become more susceptible to other illness, less able to protect themselves, more prone to predation, and more apt to be hit by cars.**

chronic wasting disease as a TSE. But the underlying cause remained a mystery.

A year later, neurologist Dr. Stanley Prusiner was studying TSE diseases and discovered that a very small protein could become misshapen and resistant to the body's ability to take it apart. It entered cells, tricking them into replicating it, then moved into the lymph and nervous systems. Eventually it moved to the brain, where small clumps aggregated and caused TSE. Prusiner called that non-living, infectious protein a “prion.”

#### **DOES CWD THREATEN HUMANS?**

Prion diseases are always fatal, but they don't all affect the same species. The CWD prion favors cervids, or deerlike animals. Other prions cause human illnesses such as Creutzfeld-Jakob disease, a malady that progresses similarly to accelerated Alzheimer's.

Bovine spongiform encephalopathy, popularly known as “mad cow disease,” is a prion disease that infects cattle. In a small number of cases, humans exposed to BSE have developed a version of Creutzfeld-Jakob disease.

No human case of CWD has ever been recorded. However, several laboratory experiments have shown that the CWD prion could be transferred to other mammals. The U.S. Centers for Disease Control and Prevention warns against eating meat from infected animals. Some infectious disease experts contend that while the CWD threat to humans is low, it is not zero and that risk assessments must include the potential for the emergence of new strains.

For example, while no one knows how or where CWD originated, some scholars think a mutated prion jumped the species barrier to deer from sheep infected with another animal prion disease called scrapie.

#### **WHY ARE PRION DISEASES SO HARD TO COMBAT?**

Because of their structure and the fact that they don't contain genetic material, prions like the one that causes CWD are nearly indestructible. Breaking a prion apart, or denaturing it, would require a very high concentration of chlorine solution or heat exceeding 1,800 degrees F (980 C).

Once they are deposited on the





HELP KEEP CALIFORNIA CWD FREE

Chronic Wasting Disease (CWD) is a disease of major concern for deer and elk populations that negatively affects populations where it occurs. To date, CWD has not been detected in California; however, it has been detected in wild and captive populations of deer and elk from 26 states. CWD has the potential of spreading to California's deer and elk as well. To protect these populations and our hunting traditions, California's Department of Fish and Wildlife needs help from hunters and non-hunters alike. Consider contributing to the department's surveillance effort by having your next deer tested.

Head over to the CWD page on [wildlife.ca.gov](http://wildlife.ca.gov) by navigating through the following links: » Conservation » Laboratories » Wildlife » Health » Monitoring » CWD

Check the "Get Your Deer Tested" tab for more details about sampling locations and explore the FAQ tabs to learn how you can help protect California's native deer and elk herds, whether you hunt in or out of California.

Use the CDFW's interactive map (found on the CWD webpage noted above) to find your closest CWD sampling locations. Additional locations may be added throughout the season, check back often.

- Bring your whole deer, or just the head with the top 2-4 inches of the neck attached, to one of the CWD sampling locations.
- Sampling involves the collection of two lymph nodes located just behind the jaw along the spine.
- If you intend to taxidermy your carcass, you should skin the head out prior to having the samples collected.
- CDFW will also be partnering with meat processors across the state to boost surveillance. Ask your local meat processor if they will be participating.

At these locations hunters can get their deer tag validated while contributing to the important cause of CWD surveillance.

Contact [cwg@wildlife.ca.gov](mailto:cwd@wildlife.ca.gov) with questions and concerns.

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!

WHAT DO HUNTERS NEED TO KNOW?

With infected deer often appearing healthy, even at close range post-harvest, the only way to be sure an animal is disease-free is to have it tested, usually using lymph nodes.

As CWD spreads and more people are having deer tested, it can take weeks to receive the results. That makes meat processing a much more onerous affair.

It's critical to recognize that once a single deer is infected it acts like tinder to ignite a conflagration of disease. Moving deer around, either alive or dead, can introduce and spread the disease.

For example, transferring deer between breeding farms has been associated with its introduction. Disregarding state wildlife regulations that explain the proper ways to transport and dispose of harvested deer, elk or moose can also spread CWD. Feeding and baiting stations and salt licks can increase infection rates by concentrating deer and creating a point-source buildup of prions.

landscape in urine or feces, CWD prions can persist for decades. Years after deer infected with chronic wasting disease were removed from pens, other deer placed on the contaminated soil in those same pens also became infected.

In wild herds the prion is spread as deer, which are highly social animals, groom, and lick one another. During the fall mating season, bucks search for mates, fight, and breed. They also visit spots known as scrapes, where they lick the soil and overhead branches where other deer have left their own calling cards. Thanks to these behaviors, bucks usually have CWD at double the rate of does.

Because the disease does not kill quickly, infected animals are able to breed for a season or two, so there is no strong genetic selection pressure favoring the development of herdwide immunity. And recent research suggests infected does can occasionally transmit the prion to their fawns before birth.

In some places where CWD occurs, the infection rate may only be

As CWD spreads and more people are having deer tested, it can take weeks to receive the results. That makes meat processing a much more onerous affair.

1% to 5%, and the disease's herd-wide impact may not be apparent, even to hunters. Elsewhere, the infection rate can reach 50% and maybe even 100%. In those cases, population impacts will inevitably lead to a smaller and younger herd.

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!





**WHAT DO YOU WANT TO LEARN ABOUT CWD?**

CWD was detected in northern Mississippi and western Tennessee, where I work, in 2019. Based on what was then a relatively high infection rate, it had likely been on the landscape for a number of years and was spreading rapidly. Currently, about 40% of the Ames research station's herd is infected.

Research on CWD has been ongoing for decades around the country. But it is in the South now. At Ames, in cooperation with other scientists from around the country, we are analyzing soil and twig samples for

prion concentrations and quantifying deer visits at scrape sites and salt stations. We are also investigating ways to destroy salt stations to avoid continued exposure.

Other studies include training dogs to detect metabolites associated with the disease, and developing an early warning system before the prion can metastasize across a landscape.

We are studying how hunters react when CWD is detected locally, and comparing hunting success before and after a herd has become infected. The perspectives of hunters are important because they love the outdoors and are the first stopgap in

CWD's spread. Hunting is the primary tool for deer management, especially control of overabundant deer populations where CWD can run rampant.

Our deer hunters participate in the research at every step and often collect samples from deer they harvest. As one hunter said, "We've brought in everything except the tracks."

We hope we can scale up our efforts along with other scientists as we analyze an ailing herd to provide insights into chronic wasting disease for the benefit of animals and humans alike.

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

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

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

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

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

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

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

## HUNTERS ARE THE TRUE CONSERVATIONISTS!

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# CHIPOTLE SPICED ELK TACOS

WITH JALAPENO PEACH SALSA

BY DAVID WITHERS

**T**his is a fun twist on a Mexican classic, incorporating game and a taste of summer. I love the smoky flavor of the Chipotle with the sweet and sour taste of the peach salsa. It's a quick and easy dinner that's sure to please.

## INGREDIENTS (MAKES 8 TACOS)

### ELK

1 ½ lb Elk Strip Loin, sliced into 1-inch steaks (or Venison)

### DRY RUB FOR ELK

½ tsp Ground Cumin  
½ tsp Paprika  
½ tsp Granulated Garlic  
¼ tsp Chipotle Powder  
1 tsp Salt  
1 tsp Brown Sugar  
1 tbsp Olive Oil

### PEACH SALSA

3 Medium-Firm Yellow Peaches, seed removed and diced into ½ inch pieces  
2 Roma Tomatoes, seeds removed and diced  
1 Jalapeno, finely diced  
Handful Cilantro, roughly chopped  
¼ Red Onion, finely diced  
Zest & Juice Naval Orange  
1 Lime, juiced

### TACO GARNISH

1 Avocado, quartered and sliced  
¼ cup Queso Fresco  
8 Flour Tortillas, soft  
2 cups Cabbage, finely shredded  
Cilantro leaves





## METHOD

### CHIPOTLE RUB

Place all ingredients in a bowl and mix well. Add to elk and refrigerate for 30 minutes.

### PEACH SALSA

Combine ingredients into a bowl, mix well. Season with salt and pepper. Set aside.

### ELK

Remove steaks from refrigerator 30 minutes prior to cooking. Preheat BBQ to medium/high. Sear steaks until bar marks are visible, approx. 2 minutes per side. Turn down heat and cook until internal temperature reaches 125 degrees. Remove and let rest for 2 minutes.

### TORTILLAS

Warm the tortillas on the BBQ or a skillet.

### ASSEMBLY

Arrange tortillas on a platter. Add cabbage and avocado. Dice the elk into small pieces. Spoon elk onto tortillas. Add peach salsa and garnish with Que-so Fresco and cilantro leaves.

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► **ABOVE:** Diced Elk: slice into small cubes for tacos.



**LEFT:** Peach Salsa: carefully mix until ingredients are incorporated.

## CRPA MEMBERSHIP LEVELS & BENEFITS

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

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

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

■ **1-Year General Membership:** \$55 / Year

■ **5-Year General Membership:** \$225 (\$5 savings a year on annual membership)

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

### CRPA LIFE MEMBERSHIPS\*

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

■ **Life Member:** \$1000

■ **Senior Life Member (65 and older):** \$550

### ENHANCED LIFE MEMBERSHIPS

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

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

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

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

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

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

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

# CRPA MEMBERSHIP APPLICATION

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

Membership Options	Price
<input type="checkbox"/> 1-Year Member	\$55
<input type="checkbox"/> 5-Year Member	\$225
<input type="checkbox"/> 2A Sustaining Member	\$17.91/month
<input type="checkbox"/> Life Member	\$1000
<b>*Veterans take 10% off Annual, 5-year, Life</b>	
<input type="checkbox"/> Senior Life Member	\$550
<input type="checkbox"/> Defender Life Member	\$1000 + Life
<input type="checkbox"/> Activist Life Member	\$1500 + Defender
<input type="checkbox"/> Patriot Life Member	\$1500 + Activist

Check next to membership of choice

☐ Auto-Renewal      Total Due \$ \_\_\_\_\_

Check #
Card #
Exp Date MM/YY
Email Address

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

### California Rifle & Pistol Association

271 E. Imperial Highway, Suite #620, Fullerton, CA 92835

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





# GUN RIGHTS 101

## FIRING BACK AGAINST GUN CONTROL'S BIGGEST LIES

BY TYLER YZAGUIRRE

Being hailed as “the Holy Grail for Second Amendment supporters,” *Gun Rights 101* offers Second Amendment supporters of all levels an easy-to-read guide that expands their gun rights knowledge and trains them how to confidently fire back against any gun grabber.

“Tyler Yzaguirre’s book *Gun Rights 101* is vital for constitutional, liberty minded Americans.” - Lt. Colonel Allen West, ret.

“*Gun Rights 101* is an excellent quick-reference primer and effective

conversation starter.” - Cheryl Todd, DC Project

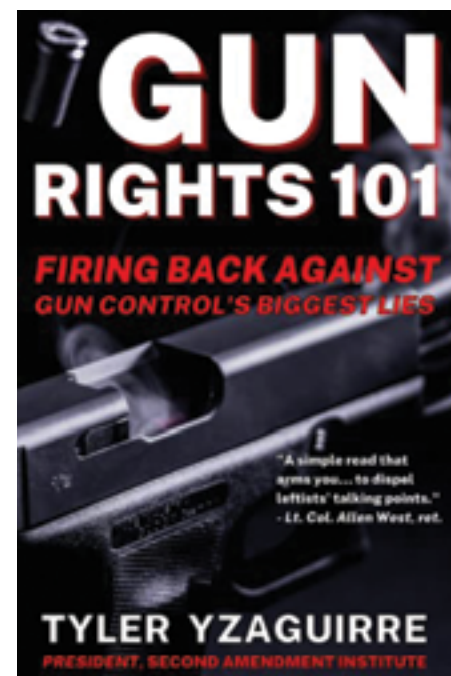
“*Gun Rights 101*... is a useful resource!” - Philip Van Cleave, Virginia Citizens Defense League

“Tyler’s endless passion for defending your freedoms is his life’s work and it has been printed in black and white for you to reference and learn from.”

- Mitch Denham, Delaware Gun Rights Founder & President

In this book you’ll find:

- The largest list of debunked gun



control lies ever published

- Landmark U.S. Supreme Court gun rights decisions and their key takeaways

- An expansive list of national gun rights and gun control organizations

...and more! **CRPA**

### LOCK, STOCK, AND BARREL: The Origins of American Gun Culture

BY CLAYTON E. CRAMER

How far back does American gun culture go? How has it developed over time? What astonishing effect has it had in creating the modern world?

All books available on Amazon.



### GUN TRUTHS: How Gun Laws Fail

FROM THE SECOND AMENDMENT LAW CENTER

Gun Truths debunks common myths about firearms, self-defense, and gun ownership. It serves as a reference guide for journalists, politicians, law enforcement, and anyone interested in learning about the topics inflaming the debate on gun control.



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

BY JOHN PAINE

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



### FIRST FREEDOM: A Ride Through America's Enduring History With The Gun

BY DAVID HARSANYI

From one of America's smartest political writers comes a “captivating and comprehensive journey” (#1 *New York Times* bestselling author David Limbaugh) of the United States' unique and enduring relationship with guns.



COMING SOON!

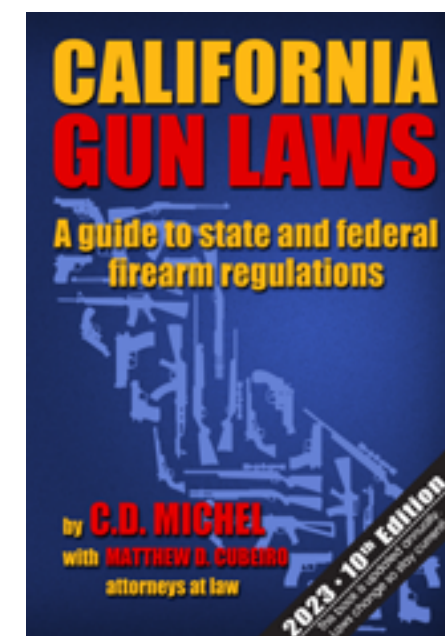
## CALIFORNIA GUN LAWS

### 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 2023 10th Edition is perhaps our greatest undertaking yet. Following the highly anticipated ruling in New York State Rifle & Pistol Associa-



tion v. Bruen from the United States Supreme Court, a flurry of lawsuits have been filed challenging California's arbitrary and unconstitutional gun laws.

But anti-gun politicians are not letting the Supreme Court's deci-

sion stand in their way of enacting legislative and regulatory changes—nearly all of which are also being challenged. Core among these is the recent changes to federal regulations for the definition of a firearm and a frame/receiver. And in California, over a dozen new anti-gun bills were signed into law that are addressed in the 10th Edition, including:

■ **Senate Bill No. 1327**, which creates a private right of action against any person who manufactures, distributes, transports, imports, sells, gives, or lends any firearm lacking a serial number, any “assault weapon,” any .50 BMG rifle, or any firearm precursor part under certain circumstances.

■ **Assembly Bill No. 2571**, which prohibits the advertising or marketing of any firearm-related product in a way that is designed, intended, or reasonably appears to be attractive to minors.

And More! **CRPA**

### GUN CONTROL IN THE THIRD REICH: Disarming The Jews and “Enemies of the State”

BY STEPHEN P. HALBROOK

*Gun Control in the Third Reich* presents the definitive history of how the Nazi regime used gun control to disarm and repress its enemies and consolidate power. “Outstanding book!”—America's 1st Freedom.



### FIRST THEY CAME FOR THE GUN OWNERS: The Campaign to Disarm You and Take Your Freedoms

BY MARK W. SMITH

Bestselling author and attorney Mark W. Smith exposes the all-encompassing nature of the anti-gun lobby's attack on the right to keep and bear arms that empowers government to control other important aspects of our lives.



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

BY DAVID B. KOPEL

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



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

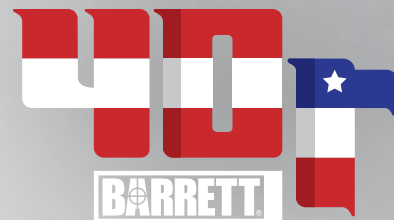
BY GUY SMITH

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





THE LEADER IN LONG RANGE



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