

NEWSOM'S ASSAULT ON LAW ENFORCEMENT

Ban on Magazines with Over 10 Round Capacity:

The initiative expands the current restrictions on "large capacity magazine" transfers, importation, and manufacturing, to include their mere *possession*.

CA officers not authorized to carry on duty (e.g., assigned to desk duty) are **not** exempt.

Other states' officers visiting CA are **not** exempt when carrying under LEOSA, training, etc.

Honorably retired officers will likely have to surrender their magazines because a court could invalidate the exception for them as violating Equal Protection. (*Silveira v. Lockyer*, 312 F.3d 1052 (9th Cir. 2002).)

Even if the exception for "honorably retired" officers stands:

- They won't be able to take magazines in and out of the state (no exception for importing);
- It doesn't apply to former peace officers who served for years but who didn't qualify for or didn't take a pension, regardless of the nature of their service, e.g., reserve officers.

Requires confiscation of such magazines from law-abiding people who lawfully obtained them.

Ammunition Sales Restrictions, Registration, & Purchaser Licenses Applies to Peace Officers:

The initiative would make it illegal to:

- o purchase *any* ammunition without: 1) obtaining an "ammunition purchase authorization" (legally costing up to \$50 and taking up to 30 days to receive), 2) processing the transfer through a licensed ammunition vendor, 3) disclosing personal identifying information, including a **residential** address, and 4) **registering** as a qualified ammunition purchaser;
- o bring ammunition back into the state that was purchased elsewhere by a CA resident;
- o sell any amount of ammunition to anyone who is not their spouse, immediate family member, or other specially situated person, without going through a licensed vendor;
- o give or receive any ammunition via the mail to or from anyone other than their spouse, immediate family member, or other specially situated person (no mail order sales).

Retired and non-full time peace officers (e.g., reserve officers) **cannot be exempted** from this scheme.

Current peace officers are generally not exempt from the purchase restrictions or the registration **unless** they obtain written certification from the agency head confirming **each** purchase is authorized.

Expressly authorizes local governments to impose **even stricter regulations** on ammunition transfers.

Requirement to Report Lost & Stolen Guns Has No Law Enforcement Value:

This law cannot be used against real straw purchasers because: (a) they do not technically violate it; and (b) the Fifth Amendment precludes compelling them to report a crime.

There have been **zero** investigations, arrests, or convictions by cities that have this law in place.

Makes victims of gun theft into criminals and hesitant to assist police for fear of prosecution.

Neither current nor retired peace officers are exempt at all from this law.

Please help contribute to the fight at: <http://www.stoptheammograb.com/>

**Paid for by Coalition for Civil Liberties,
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