



Friday, September 7, 2018

The Honorable Governor Edmund G. Brown  
State Capitol, Suite 1173  
Sacramento, CA 95814

**Senate Bill 1346 – Request for VETO**

Dear Governor Brown,

I write you today on behalf of Firearms Policy Coalition, a fiercely non-partisan nonprofit organization that promotes individual liberty and sound public policy through litigation, research, education, grassroots outreach, and direct advocacy.

Senate Bill 1346 (SB 1346) would expand California’s already voluminous gun control statutes to include within the definition of “multiburst trigger activator” additional types of devices. And SB 1346 is a deeply troubling bill reflecting the startling reality that the State of California’s Attorney General, Xavier Becerra, and his Department of Justice (DOJ) have been using and continue to illegally and unconstitutionally use the force of government to violate civil rights under the color of law or, at the least, that the department is bent upon wasting valuable taxpayer dollars in pursuit of efforts designed to undermine important civil liberties.

On October 19, 2017, California Attorney General Xavier Becerra issued a statement that began, “In 1990, California Outlawed Bump Stocks.” (Online at <http://bit.ly/2017-10-19-becerra>.) That is, by any objective view, as straightforward and plain of a statement on the law as one can have.

But, in case that was not clear enough, the A.G.’s statement went on to say that his DOJ “today issued an advisory reminding gun retailers that bump stocks, also known as ‘multiburst trigger activators’ because they accelerate the rapid-fire capacity of a firearm, are illegal in California. . . . The advisory, issued to 2,300 dealers across California, references California Penal Code 16930, which defines bump stocks, and Penal Code 32900 and 32990, which make them illegal. Any person in the State who possesses, manufactures, imports into the state, offers for sale, or who gives or lends one of the devices has committed a crime. Penalties for violating the law can include up to three years imprisonment.”

It is difficult to imagine a less explicit position.

On November 1, 2017, Attorney General Becerra issued yet another statement affirming his prior legal opinion, saying that, “Bump stocks are classified as ‘multiburst trigger activators,’ which California outlawed in 1990. Earlier this month, the California Department of Justice issued an advisory to remind gun retailers that bump stocks are illegal in the state.” (Online at <http://bit.ly/2017-11-01-becerra>.) If his

**The Honorable Governor Edmund G. Brown**  
**September 7, 2018**

October 19 statement left any room for uncertainty as to the position of the state's head law enforcement officer, this second statement eliminated it.

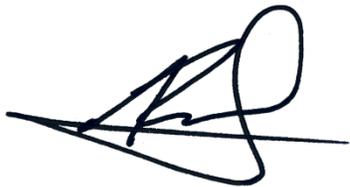
On March 13, 2018, Becerra announced that, "In the last ten days alone, [DOJ] agents seized six assault weapons, . . . and three were equipped with 'bump stocks.' (Online at <http://bit.ly/2018-3-13-becerra>.) And, once again, the A.G.'s consistent legal position is bottom-lined: "Bump stocks are classified as 'multi-burst trigger activators,' which California outlawed in 1990 because they allow a semi-automatic weapon to fire at nearly the rate of a machine gun."

Thus, SB 1346 stands as evidence of three possible truths:

- (1) That California law currently *does not* prohibit "bump stocks"; that Attorney General Becerra has been purposefully, willfully, and blatantly lying to the People of the State of California; and that Becerra and his DOJ (and possibly local law enforcement and prosecutors) have been acting illegally, in violation of the statutes and the state and federal constitutions;
- (2) That SB 1346 is a complete and total waste of resources and taxpayer money in the Legislature's perpetual pursuit of expanding criminal statutes and gun control; or,
- (3) All of the above.

We respectfully ask for your veto of Senate Bill 1346.

Sincerely,

A handwritten signature in black ink, appearing to read "Brandon Combs", with a large, stylized flourish at the end.

Brandon Combs  
President