



For Immediate Release

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### **Victory for Public Safety in California – State Supreme Court Upholds Local Gun Laws**

**San Francisco, CA** – In a landmark ruling confirming the rights of counties to adopt laws to reduce gun violence, the California State Supreme Court issued a decision today upholding a Los Angeles County ordinance banning the sale of firearms and ammunition on county-owned property. The Court issued a similar ruling in a companion case, upholding an Alameda County ordinance banning the possession of firearms and ammunition on county-owned property.

Celebrating the decision as a major victory for public safety in California, Legal Community Against Violence Managing Attorney Juliet Leftwich stated: “Today’s rulings affirm the power of local governments to take reasonable steps to protect the public from gun-related crime and violence and recognize the crucial role California counties play in promoting the public health and safety.” Legal Community Against Violence appeared as an amicus (friend of the court) in both cases.

Los Angeles County adopted its ordinance after undercover agents conducting a sting operation for the Department of Justice were able to buy numerous illegal weapons and accessories at a gun show held on the County Fairgrounds. Alameda County enacted its law in response to a mass shooting at the Fairgrounds which occurred during a County Fair. Gun show promoters filed separate suits against the counties, alleging, among other things, that state gun laws preempted the ordinances. See *Great Western Shows, Inc. v. County of Los Angeles* and *Nordyke v. King*.

The California Supreme Court rejected these arguments, initially observing that case law “indicates that the Legislature has preempted discrete areas of gun regulation rather than the entire field of gun control.” The Court found nothing in state law to suggest that the Legislature intended to promote or encourage gun shows, holding that counties have the power to make fundamental management decisions about how their property is used:

Aside from First Amendment public forum considerations or special statutory requirements not before us, the County is not compelled to grant access to its property to all comers. Nor do the gun show statutes mandate that counties use their property for such shows. If the County does allow such shows, it may impose more stringent restrictions on the sale of firearms than state law prescribes.

Ms. Leftwich noted that the *Great Western* and *Nordyke* cases have been closely watched by cities and counties statewide, and predicted that the number of local ordinances regulating the sale and possession of firearms on public property will increase as a result of the rulings. She cautioned, however, that First Amendment issues in the lawsuits remain to be resolved by the Ninth Circuit Court of Appeals.

According to a report of the Bureau of Alcohol, Tobacco and Firearms, more than 4,400 gun shows are held in this country each year, drawing an estimated attendance of 2,500-5,000 per show. That report found further that gun shows provide a significant forum for criminal activity nationwide. Under current federal and state law, no law enforcement agency is specifically charged with ensuring the legality of gun show activities. Gun shows are a major source of crime guns, including those possessed by the Columbine shooters and by Gian Luigi Ferri, responsible for the 101 California St. shooting in San Francisco.

Legal Community Against Violence and its national project, the Firearms Law Center, provide communities with the legal tools and information necessary to develop effective, legally defensible laws that can reduce firearm-related injuries and deaths. The organization was founded in the aftermath of the 101 California Street shooting in 1993 that left nine people dead and five others wounded. For in-depth information about the ability of localities and states to regulate firearms, go to [www.firearmslawcenter.org](http://www.firearmslawcenter.org).

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