



LCAV Case Study
**Supporting Local Gun Violence Prevention Strategies—
Education, Analysis and Litigation Support for California’s Local Ordinance Movement**

The Challenge: In the mid-1990s, as gun violence soared to record levels in California and nationwide, local lawmakers began to consider adopting a variety of ordinances to reduce the proliferation and misuse of firearms. At that time, the conventional wisdom held that regulating firearms was beyond the authority of cities and counties because the California Legislature had adopted statutes preempting some types of local action (e.g., laws relating to licensing and registration of firearms). Although the courts rarely had interpreted these state law provisions, local governments generally refrained from regulating firearms, deferring instead to federal and state lawmakers. Local officials began to reconsider this approach, however, as federal and state legislators repeatedly failed to take action to address the growing epidemic of gun violence. As cities and counties introduced ordinances to fill gaps in federal and state gun laws, the gun lobby threatened to file lawsuits challenging those measures.

LCAV’s Role: LCAV launched the Local Ordinance Project after receiving several requests for assistance from local officials in California who were interested in adopting ordinances aimed at reducing gun violence, but were unsure of their legal authority to do so. The project had two primary objectives: to educate community leaders about the problem of gun violence and the opportunity to enact effective, legally defensible local regulations to address that problem; and to provide legal support to cities and counties seeking to adopt or defend gun violence prevention measures.

LCAV’s 1996 publication, “Addressing Gun Violence Through Local Ordinances: A Legal Resource Manual for California Cities and Counties,” and four annual supplements, were the cornerstone of the educational component of the project. LCAV distributed these materials free of charge to thousands of community leaders statewide. LCAV also provided legal support to local communities, including consultation regarding the drafting of local gun laws, legal research and analysis, and coordination of *pro bono* litigation assistance. In addition, LCAV prepared model ordinances and maintained a library of ordinances adopted throughout California and pleadings filed in related litigation.

Results: Since the mid-1990s, California cities and counties have adopted an unprecedented number of gun violence prevention ordinances. LCAV’s local ordinance survey published in 2000 showed that 111 California communities had adopted 300 innovative firearms regulations (our 1996 survey revealed just 25 communities with a total of 45 firearm-related regulations). Moreover, several court decisions have clarified that cities and counties have a great deal of authority to regulate firearms.

Significantly, California’s local ordinance movement has proven to be a catalyst for new gun violence prevention laws at the state level, including laws prohibiting the manufacture and sale of “junk guns,” requiring firearms dealers to equip all firearms with child-safety locks, limiting handgun purchases to one per person per month, and prohibiting the manufacture and sale of 50 caliber rifles. Each of these laws was modeled after local ordinances adopted since 1995. LCAV continues to work with California cities and counties on innovative local laws to reduce gun violence.

LCAV is a public interest law center dedicated to preventing gun violence. Formed in the wake of the 1993 assault weapon massacre at 101 California Street in San Francisco, LCAV provides free legal assistance to activists and public officials, including law enforcement and government attorneys, working to prevent gun violence. To learn more about our services or to request assistance, visit our web site, www.lcav.org, the nation’s most comprehensive source for information on U.S. firearms regulation.

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