

00:00:19:22 - 00:00:57:13

Stephen Gutowski

All right. Welcome, ladies and gentlemen, to another episode of the Weekly Reload Podcast. I'm your host, Stephen Gutowski. I'm also a CNN contributor and the founder of TheReload.com where you can head over and sign up for our free newsletter today. If you want to keep up to date with what's going on with guns in America, this week we are discussing a story that we broke, dealing with the presidential election and one of the candidates, specifically Vice President Kamala Harris, and her background as San Francisco D.A., where she, once supported a total ban on handgun possession within or by city residents.

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Stephen Gutowski

And to discuss that, I've got, somebody who was intimately involved in that situation, Chuck Michel, who's the president of the California Rifle and Pistol Association and also was, the lawyer on the challenge to that law. And who has, I think it's fair to say, going up against Kamala. Kamala Harris, a number of times, throughout his, his career, out there in California.

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Stephen Gutowski

So welcome to the show, Chuck. Thank you for for coming back on.

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Chuck Michel

Thanks for having me and getting the word out.

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Stephen Gutowski

Yeah. And, can you just tell people a little bit more about yourself and, and CRPA, and some of the other groups that you're associated with? Sure.

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Chuck Michel

CRPA is, about 150 year old, civil rights organization that litigates Second Amendment issues and has been for many, many years, also has all the programs that you would associate with with a state, you know, marksmanship group, the juniors programs, the, the, hunting, the conservation programs, the, basically everything that you would expect from, from an advocacy group.

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Chuck Michel

It's not just political, it's also supporting all the recreational and, and, activities that that shooters enjoy participating in. Then I'm also the, the CEO of Michel and Associates, which is, one of the biggest law firms in the country that practices Second Amendment law. We've been doing that for about 30 years. Many of the leading gun rights associations as clients over that time.

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Chuck Michel

And then I'm also the president of the Second Amendment Law Center, which is something that was created by me and a number of other leading Second Amendment attorneys across the country after Bruin came down, because there's so much litigation going on across the country on a variety of different issues, Second Amendment issues that there was a need to coordinate.

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Chuck Michel

Friend of the court briefs, amicus briefs so that the the courts could get that back up material that that a lot of times the

parties didn't have the room or the time to put into their briefs, so that that Second Amendment Law Center is a is a collection of some of the biggest minds in the Second Amendment legal community.

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Chuck Michel

And we're pretty much involved in, in all the cases across the country trying to support the people who are fighting for your Second Amendment rights.

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Stephen Gutowski

And, key to our conversation today, you've been working specifically in California on Second Amendment issues, filing gun rights lawsuits there for, several decades now, including the entire length of Kamala Harris's right.

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Chuck Michel

Right, right. And when we started, we didn't have Heller. We didn't have a recognition by the courts that the Second Amendment protected a fundamental individual. Right. So we always had to rely on due process issues, because often these ordinances or state laws are almost impossible to understand. You know, what is an assault weapon? They don't define that in a way anybody can easily understand.

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Chuck Michel

So people are accidentally violating the law or police or accidentally arresting people for a gun that's not covered by the law. So.

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Stephen Gutowski

And yeah, and speaking of that time period, the pre Bruen pre Heller time period, that's what we're looking at with this. Our main first topic here right of the show, this or this, city or measure I guess is a ballot measure. It wasn't passed by the Board of Supervisors. It was. It was supported by four of them, which is what you need, by the way, how many do you know?

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Stephen Gutowski

How many supervisors are on the. I think there's.

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Chuck Michel

There's I think there's nine, if I remember correctly.

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Stephen Gutowski

Okay. So it just didn't even have a majority of the board supporting it.

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Chuck Michel

No, you didn't have four people just to put it on the ballot. You needed four votes to get it on the ballot. You didn't have the votes to pass it by the city, by the county board of supervisors. They had enough to get it on the ballot, though, so people could vote on it. But this was part of the preemption doctrine, which was the other big argument, legal argument that we used to be able to use to to oppose gun control efforts, either at the local level in particular.

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Chuck Michel

And so Cisco San Francisco tried twice to ban handguns once. Yeah. And Feinstein led the effort.

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Stephen Gutowski

And we'll get it. We'll get into that for sure. Well, I want to talk about, the whole history here. But first I want to just go over what exactly was at issue. And this was called proposition H. It was 2005. It the the got the four votes signatures necessary for it to be put on, the ballot as a, as a ballot measure, not as, something the board would pass, it seemed to have very little support beyond those four supervisors.

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Stephen Gutowski

Harris seems to be the only named person who was in city government at the time that that actually backed this alongside those supervisors. But, at least according to the San Jose Mercury News at the time, but but, this measure was a total ban on handgun possession, not just, a ban on future sales or something of that nature.

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Stephen Gutowski

Ban possession had also banned, all gun sales.

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Chuck Michel

Guns and ammunition sales in the city.

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Stephen Gutowski

Right. So.

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Chuck Michel

Even between private parties.

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Stephen Gutowski

Right. This is I and I think this is especially relevant because this is the most extreme measure that Harris has ever supported as far as we know. And it has this I mean, this is a total ban on, on ownership of handguns by anyone who was a San Francisco resident. They did have exceptions for people who, were active duty police, military or security guards.

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Stephen Gutowski

But that's it. Everyone else would have had to turn in their guns with. Right? 90 days. Right. Was the deadline set in this proposition, of its enactment? And then there were supposed to set up in consultation with actually the district attorney's office. So, Kamala Harris would have been involved in this, penalties for people who didn't turn in their guns.

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Stephen Gutowski

Right. But before we get into further underrated, do you know if that process ever occurred? I don't seem to be any information on that. I mean, you guys filed suit before this went into effect, so.

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Chuck Michel

Yeah, we stopped it before it took effect. So the infrastructure to enforce it wouldn't have been set up either by the Da or the San Francisco City Attorney's office. So because we stopped it before there were able to enforce it, but, okay.

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Stephen Gutowski

But so but first, first things first. Here we have the San Jose Mercury News report that says Kamala Harris supported this bill alongside those four, supervisors. And then you specifically remember her supporting this bill, correct?

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Chuck Michel

Yes.

00:07:51:10 - 00:07:52:00

Stephen Gutowski

Yeah.

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Chuck Michel

So there's no she's never met a gun control law she didn't like. She San Francisco has tried all kinds of things, and she's supported all of them as D.A. and then as attorney general. You know, she was opposed to pretty much gun ownership in general. She was very active in opposing people getting concealed carry permits. So she's been she she's showed her true colors in California for years, for decades.

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Stephen Gutowski

Right. But, because this is something her campaign has not commented on. They did not reply to any of the questions that I asked, or apparently to other outlets who also covered this subsequently, including, I think, the New York Post, and The Daily Caller, so that there been a number of people have asked them about this, and she has not responded to any of that.

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Stephen Gutowski

Maybe she will by the time this podcast goes up, I don't know. But for now, she isn't saying anything one way or the other, but it is clear, I think, that she did act. She did support this. Do you do you recall anything in particular that she did? I guess the only thing, that I'm wondering is like, how did she supported this was 2005, to be fair.

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Stephen Gutowski

Like, we don't have, there doesn't we don't have a lot of document, documentation that's available on the internet generally that, goes into her statements at the time, on this. But, do you recall in particular anything she said on it?

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Chuck Michel

To be honest, I do not. I mean, I'm sure she did a press conference probably mentioning this along with a number of other things. And I'm sure that on some of the materials that the supervisors, you know, the campaign campaigning to get prop age passed, they mentioned that she supported it, you know, campaign fliers or whatever they distributed.

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Chuck Michel

But I do not, you know, 20 years ago, I'm having a problem remembering what I had for breakfast yesterday these days. So, I, I just don't remember the specifics of, sure, but statements she may have made.

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Stephen Gutowski

She wasn't the one who defended it in court, either. I guess that was the the city attorney would have been in that role. Okay. Well, so let's talk about the the court fight over this measure. So I think it's pretty clear that she supported it. Maybe she didn't have the biggest role in defending it or getting it passed.

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Stephen Gutowski

It did pass, by the way, 58% vote, which was, significantly less than apparently the polling had indicated at the time. I think there was initially there was a poll that came out from reporting that I read, that had it at 70 plus percent support, passed by 58. Then you guys filed. So you filed suit.

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Stephen Gutowski

But this is kind of one of the reasons, I guess, well, sorry, I'm getting ahead of myself a little bit here. It's interesting, one of the interesting things about Harris supporting this is that a lot of prominent gun control activists in California and in San Francisco didn't support this. In fact, it got a lot of opposition, from even, police groups at the time.

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Stephen Gutowski

The police, one of the biggest police groups in San Francisco, actively opposed the measure, told their members to vote against it, because I guess it didn't even accept retired police officers, right? They would have also had to turn in their their.

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Chuck Michel

And so the San Francisco Retired Police Officers Association was, was was aggressively opposed to this. Interestingly enough, the San Francisco rank and file, like most police rank and file, they're not anti-gun. But the, the the retired guys were definitely actively opposing this.

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Stephen Gutowski

And then you also had, Pink Pistols, which is a gay rights group that is also a gun rights group that was actively involved.

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Chuck Michel

Yes, we've we've worked with them over the years and they've been very active, locally at the time. What was going on was they didn't have the state legislature under control. It wasn't, you know, a supermajority back then. So you can actually stop stuff at the state level. So there was a big push to pass local ordinances by the what was then the Legal Community Against Violence is a gun control group headquartered in San Francisco, that pushed as part of their local, initiatives, pushed local gun bans, regulations.

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Chuck Michel

And they weren't really I mean, they supported this, but they weren't really the ones behind it. I think they even recognized that it went a little too far or way too far. But this was part of the local ordinance project that the NRA and the CRP put together to oppose all these local efforts across the state. It slowed down since then because the state legislature is now controlled by the Democratic machine.

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Chuck Michel

And so they can pretty much pass anything that they want to push through.

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Stephen Gutowski

Because because, you know, it's one of the interesting points. There's the there wasn't a lot of support for this, even among, staunch gun control advocates at the time. 2005, you know, including Gavin Newsom, who was mayor of San Francisco, is now governor of California. Of course, is is advocating for a partial repeal of the Second Amendment.

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Stephen Gutowski

But at the time, he he didn't think it would stand up in court. And the same thing was true for Dianne Feinstein, who was senator at the time. She didn't think it would stand up in court. And the reason they thought that is because this was not the first time that San Francisco tried to ban gun, a handgun ownership in particular.

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Stephen Gutowski

Right. Dianne Feinstein herself was mayor in the 70s when this the city passed, a handgun ban, at that time. Right. And that could you just give us a little bit of background on that, just to give people an understanding of.

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Chuck Michel

Yeah, I believe that was in response to the Harvey Milk shooting where one of the city council members went in and murdered another city council member and, and there. And that was Feinstein's response, now a Second Amendment foundation, and I believe the NRA and the, I'm not sure about whether the Crpd was involved, but they all joined forces and filed a lawsuit against that, which was before my time.

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Chuck Michel

That was led by Don Cates, my my friend and mentor, who has since, passed on. But,

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Stephen Gutowski

They got that all the way up to this, the California State Supreme Court, right? That first case against the first handgun ban.

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Chuck Michel

Yeah. And that that was the Doe, the San Francisco ruling, which which set the the limits for preemption. So a state.

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Stephen Gutowski

Is preemption, by the way.

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Chuck Michel

That's a local city cannot pass laws that conflict with or or otherwise frustrate the a state law, an intention of a state law. So they're preempted by the state level regulation. So you can't pass a law that duplicates some state law because there's already a law in place that you can't do, one that makes something that the state makes it, you can't make it legal.

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Chuck Michel

And if its state makes it legal, you can't make it illegal. So that was the major argument here, that there's this whole regulation, this whole regulatory scheme at the state level for purchasing, acquiring, possessing handguns that the city of San Francisco's prop age and the earlier Feinstein effort to ban guns conflicted with. And so and so.

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Stephen Gutowski

The Second Amendment Foundation won that California state Supreme Court case back in, I believe, was the 80s. Yes, against Feinstein's handgun ban. And so that is why it might seem odd that Harris would be the only one of these local, you know, who many people know now as a very staunch gun control advocates to actually support this proposition H attempt in 2005, because the rest of them thought this is just a repeat that isn't going to work.

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Stephen Gutowski

And I guess that's kind of foreshadowing, because then you guys came along and and you filed your case and, and what was your, your argument and how did that case go.

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Chuck Michel

That it was preempted. And that was, the Pascal case. And and we won there on preemption grounds. And again, that was before we had Heller right, to confirm that the.

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Stephen Gutowski

Right before.

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Chuck Michel

It was way before it. Yeah.

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Stephen Gutowski

So, well, I mean, the prop H case was was reset for Heller happened. Yeah. In fact, I think it was decided that the appeals case, I think was finished in 2008. And then the California Supreme Court refused to hear their appeal.

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Chuck Michel

The California Supreme Court declined to take that case.

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Stephen Gutowski

I mean, you guys actually got legal fees from from San Francisco for this, right?

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Chuck Michel

Yes. Yes. For prevailing. Yeah. And that was that was an NRA and CRP case. The Second Amendment Foundation also helped to to bring challenging prop H. So thanks. Let's knock that out. But that hasn't stopped San Francisco from trying everything around the edges that they can do to try and restrict gun ownership in that city, including banning gun stores, you know, basically putting them out of business, banning, self-defense ammunition, lock storage ordinances that, make it impossible to access your firearm.

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Chuck Michel

That was pre Heller before we.

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Stephen Gutowski

Got right that that was the next fight. Right. So so you guys won this prop H fight that, Harris supported, but maybe wasn't as intimately involved with defending or or.

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Chuck Michel

Right. But if I remember correctly, one of her deputy DA's was the guy who came up with this theory, this legal theory to to get around the Doe, the city of San Francisco decision from earlier when they first tried this. So they were they were trying to be creative. And come up with an argument that would get around that Doe ruling.

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Chuck Michel

And a lot of people didn't think it would fly and it didn't so, you know, Feinstein didn't jump on board Newsom, probably because he was contemplating running for governor at the time, didn't want to alienate the rest of the state, by advocating handgun bans. But a lot of people just saw this as a creative argument that was a little too clever for its own good, you know?

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Chuck Michel

And and that's what it turned out to be.

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Stephen Gutowski

The legal difference was supposed to be, according to some supporters of prop H, was supposed to be that it only applied to San Francisco residents, unlike the previous ban, and therefore it was, home rule doctrine and the courts just rejected that. Right? Essentially. Okay. And so, you know, you won that case, but obviously Harris continue to be San Francisco Da for a while.

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Stephen Gutowski

And she was involved in a numerous, much more involved. That seems, in, a number of other reforms and then obviously became attorney general after that. And you guys have been, fighting her in court over these things for a while. So the next one was, was the, lock, the gun storage ban. This one has gotten into the news recently because there was a clip of her from a press conference where she was, promoting this measure, where she just discussed, the idea that law enforcement would enter people's lawful gun owners homes, locked homes to inspect their gun storage setups because, she was didn't want guns to go this

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Stephen Gutowski

is a very consistent message from her at the time if you listen to her press conferences. But she had this point of view that lawful gun owners are also a source of crime. Guns because they don't secure their guns properly, or maybe they're even selling their guns, improperly to criminals. But so the next thing that you guys fought with her over, I believe, was this safe storage, measure.

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Stephen Gutowski

Can you just talk a little bit about that?

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Chuck Michel

Well, yeah, that would have basically made it impossible to to access your firearm for self-defense, particularly, you know, in the middle of the night, when the windows are breaking, you would have had to get to your unlock something to get to your firearm. And the, the the crux of this for her was that she was going to enforce this by doing compliance inspections.

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Chuck Michel

That's what the gist of her press conference was. Fourth Amendment be damned. You know, I mean.

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Stephen Gutowski

That was an interesting statement by her, too, because that, I mean, do you recall police ever actually doing something like that after they passed this.

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Chuck Michel

Ordinance? No. And some of the things that she said be consistent with the way she handles a lot of questions now. I mean, she she says stuff that there's nothing behind it. And I don't. So I don't think anybody, you know, any police entity ever took it seriously, that they could go into somebody's house and inspect for it in compliance with a locked storage ordinance.

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Chuck Michel

Although if they were in the House for some other reason, like a domestic violence call or a fire or something like that, then they could, you know, ask about it, but generally it wasn't something that they were going to set up a big program to enforce.

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Stephen Gutowski

Right. Do you recall, how that case ended up during I think that law was never struck down.

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Chuck Michel

Well, they, yeah, that was that was the state court upheld the lock storage ordinance, but this was again before Heller, which was a challenge to DC's lock storage ordinance, effectively also ban on handguns, in effect. But so this, the state court upheld it. Now, it's been, out overdone, overruled by Heller so that, you don't have the same kind of requirements there, but they San Francisco will just they just keep adjusting the law and trying to, you know, and that was the one that also banned self-defense ammunition.

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Chuck Michel

So, and that's law still in effect. That's that's on our that's on our bucket list of, of of laws, local ordinances that we do we definitely want to challenge in California.

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Stephen Gutowski

And from there she and that Newsom was on board with that one. Of course that was that was one that he, he also backed, like the total handgun ban. But from there they went more towards targeting, local gun shows that was then called the Cal Palace outside of San Francisco. And that's been, a source of, of, legal fights even continuing up to today.

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Stephen Gutowski

Right. Can you just talk a little as.

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Chuck Michel

We're still litigating gun show bans? The the big question most in the, in the San Francisco issue was they didn't own the property. It was a state, property. So San Francisco couldn't really regulate how that property was going to be used. So but then that turned into state laws more recently that banned gun shows on all state property.

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Chuck Michel

So those are those fights are still going on, in the courts right now.

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Stephen Gutowski

What is the status. Because Harris. Yeah, she there's numerous press conferences of with her and Newsome from the from her time as de in San Francisco where they were complaining about these gun shows. And they were trying to get

the state to stop doing them. And now, you know, that view has taken on more popularity in San Francisco.

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Stephen Gutowski

Arabs are in California government. But didn't you guys just have a victory and,

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Chuck Michel

Well, a partial victory. You can still have gun shows and you can still offer guns for sale. But weirdly, the Ninth Circuit ruled that the that the acceptance of that offer is not protected by the First Amendment. So we're in the Supreme Court now asking for them to to recognize the First and Second Amendment. And I think that's an important point for folks to recognize that Sanford, San Francisco was just sort of the lead city.

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Chuck Michel

They wouldn't issue concealed carry permits. They wanted to pass all these laws. But it's always been part of Gavin Newsom and Kamala Harris's plan to basically eradicate the gun culture, do whatever they can to they they, you know, they put the one gun store that was in San Francisco out of business. They want to ban gun shows.

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Chuck Michel

They want to make it impossible to open and operate a gun store. They want to make it impossible to go to a range, so, or any other kind of activity that where gun owners discuss gun politics and gun rights and the social utility of firearms ownership. They want to eradicate the gun culture so that the next generation doesn't recognize what they've lost.

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Chuck Michel

And that's all part of all their efforts that that that's sort of the subtext of everything they do.

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Stephen Gutowski

I'm sorry. So moving from when she was D.A. to when she was attorney general, I guess there were two major fights that you guys had with her, during her tenure. And really even extending into, the last couple of years. And one deals with, concealed carry restrictions in, in California pre Bruin, right before the Supreme Court weighed in on some of these good, good reason clause, type of restrictions that only allowed people who government officials said had a good reason to need a concealed carry license to actually obtain one.

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Stephen Gutowski

Right?

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Chuck Michel

A good cause, you know, the good class requirement that was always abused.

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Stephen Gutowski

By what was what was Harris's role in that legal fight over?

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Chuck Michel

Well, once we won, once we started winning and saying, you know, you can't just say good, cause basically what some cities were saying was that good cause means you have to have a proof of some stalker, you know, assigned death threat, you know, in order to establish good cause. And so, there were a number of different challenges, constitutional

and legal challenges to that wound up in our Perugia case.

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Chuck Michel

And, she at first one had a hands off wanting to let the local officials, defend it. But ultimately she got involved because we started winning and her position was good. Cause is a very high standard, and almost no one should get a, a license to carry a firearm in public. And, that was a I mean, her DOJ got very involved in that, trying to save that that that case.

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Chuck Michel

And ultimately, in the Peralta case, we won in the three judge panel, but then it was overturned and we asked the Supreme Court to review that case, and they turned it down. So we were we were stuck with that. But interestingly enough, even though we didn't win legally, we won the persuasive battle because a lot of conservative local sheriffs were police chiefs.

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Chuck Michel

Read that opinion. And, and and agreed with it. And so that kind of turned the page before Heller or before Bruen on CCW issuance. And a lot of the red counties in California, which is, which is most of them, by the way, other than the coastal strip. Sure. So so that resulted in a lot more licenses to carry being issued in California.

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Stephen Gutowski

And then ultimately, the Supreme Court obviously disagreed with Harris's position on concealed carry licensing. Right. In, in brewing itself. Right.

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Chuck Michel

And California's position that good cause could mean, could be, could be used, you could require some kind of a special need. You could treat license, carry as a privilege rather than a right. And that's what Bruen was all about. And that's changed the game in California completely. But Harris is long gone from from that that fight now, at least in California.

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Stephen Gutowski

Sure, sure. And, but the next one she was involved with, kind of even more, more, more directly even than just defending the state's laws. Was the micro stamping requirement in the safe handgun, right. Roster.

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Chuck Michel

In order for that to go into effect, it had to be certified by the attorney general that there were alternate technologies. So it wasn't a monopoly on this micro stamping technology process, which, by the way, is impossible.

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Stephen Gutowski

Because this law didn't pass under when Harris was eight years passed, years before she became AG, right?

00:28:19:01 - 00:28:50:05

Chuck Michel

Yes, it passed before she became AG, and her predecessor, AG, declined to certify that this technology was, not a monopoly. But she as shortly after she got into office, certified it so that the law went into effect. And unless you had micro stamping technology, which means a little it etches your the the cartridge, from the firing pin and from the chamber where the cartridge expands and goes up against the wall, the chamber.

00:28:50:05 - 00:29:09:10

Chuck Michel

There has to be a little serial number there that would be left on the cartridge. And so unless a handgun had that micro stamping technology built in, it couldn't be sold in the state of California, was not on the approved roster of of handguns that could be offered for sale in California. And then that resulted in basically no guns.

00:29:09:14 - 00:29:30:18

Chuck Michel

Smith and Wesson and Ruger came out and said, we can't do this. It's impossible. It doesn't work. We're not doing it. And that resulted in a very, very limited the number of handguns that have been available for sale in California had been very limited, for since then. And that litigation is another lawsuit that's ongoing, that that CPA's very involved with.

00:29:30:20 - 00:29:38:11

Stephen Gutowski

But that, there aren't any manufacturers who make a gun with the micro stamping technology. Right? Not in the US, not in Europe, not in the, you know, not.

00:29:38:13 - 00:29:45:02

Chuck Michel

That I'm aware of, I mean, there's, you know, emerging smart gun technology, whatever that means.

00:29:45:02 - 00:29:46:18

Stephen Gutowski

But that's a different.

00:29:46:20 - 00:29:58:03

Chuck Michel

Yeah. It's different. Totally. Just. And there was multiple lawsuits challenging the micro stamping. They found that it was impossible basically, effectively the courts found. Yeah, it's impossible, but that doesn't mean it's unconstitutional.

00:29:58:05 - 00:30:17:06

Stephen Gutowski

So the effect of this, by the way, what you're describing here is like the guns that were they sort of a grandfathered list, if you, if your gun was already on the roster before that micro stamping technology requirement was enacted, would still be on the roster, but nothing new could be added.

00:30:17:08 - 00:30:36:00

Chuck Michel

Centralized, it had less it had them and not the liquor store, not the certification of micro stamping is what triggered or what what basically stopped manufacturers from being able to add new guns to that list. But they also have to have a loaded chamber indicator and a magazine disconnect lock. All these are basically.

00:30:36:00 - 00:30:47:11

Stephen Gutowski

Mints, but this one is the one that kept all the modern, essentially banned modern handguns, right, for the state. California for about ten years. Right? This this was not a small thing.

00:30:47:14 - 00:30:55:10

Chuck Michel

No, it's still it's the roster is still limited that that that, we're still fighting that case.

00:30:55:12 - 00:30:58:20

Stephen Gutowski

But but you did win on the micro stamping point, right?

00:30:58:22 - 00:31:10:10

Chuck Michel

Well, we won on everything in the three in front of the district court prior the trial court. And then the state basically conceded and didn't appeal the micro stamping issue.

00:31:10:12 - 00:31:11:02

Stephen Gutowski

Right.

00:31:11:04 - 00:31:21:21

Chuck Michel

So they they repealed the the current at that time, current micro stamping law. And then they passed another one, which we're going to have to fight next year when it goes into effect.

00:31:21:23 - 00:31:37:17

Stephen Gutowski

Right. But then the. Yeah. So it's a good thing to explain that because it, it's a little bit complicated. Right. It's you won at the court level. Then they appealed. But when they appealed they didn't appeal the micro stamping correct conclusions. And so they.

00:31:37:17 - 00:31:38:07

Chuck Michel

Gave up on.

00:31:38:07 - 00:31:40:04

Stephen Gutowski

That. Give up on it. Yeah.

00:31:40:06 - 00:31:46:12

Chuck Michel

And so now you don't have to have micro stamping, but you still have to have a loaded chamber indicator, a magazine. Right, which most handguns.

00:31:46:12 - 00:31:47:19

Stephen Gutowski

And you're still fighting that.

00:31:47:21 - 00:31:48:19

Chuck Michel

You're still fighting that.

00:31:49:01 - 00:31:54:12

Stephen Gutowski

Right. Yeah. Because most, most states don't require anything like that. And most handguns don't come standard with those.

00:31:54:14 - 00:32:01:21

Chuck Michel

And most people don't want them, including law enforcement. They they're they're failure prone.

00:32:01:23 - 00:32:17:22

Stephen Gutowski

Okay. So that is anything obviously she became senator after after she was, attorney general. I don't know that she that much happened during her tenure as senator on gun policy, but is there anything else?

00:32:18:00 - 00:32:31:01

Chuck Michel

You know, I mean, she's always advocated for a ban on assault weapons. What? However those are defined. That's her. Probably her. That's the thing that she will publicly advocate. Most, most vocally.

00:32:31:03 - 00:32:48:16

Stephen Gutowski

Yes. She still supports the Sullivan's ban of at least on sales. But, you know, during, during your, your time in these legal fights with, with Kamala Harris, is there anything else that stands out to you, that you recall? Besides the stuff we've already gone? You know.

00:32:48:18 - 00:33:08:21

Chuck Michel

We're looking into this now. I'm going back through my my files from back in that time period to try and pull all the local efforts that San Francisco made and anything that she said about those local efforts, because there was it wasn't. The prop H was the crown jewel of the gun ban lobbyist dream. But that wasn't the only thing that San Francisco was pushing.

00:33:08:21 - 00:33:32:04

Chuck Michel

So we're trying to find some more on what she did so that we can really show the world, you know, how what her philosophy is on gun ownership. They all hide behind this. I respect the Second Amendment. That's very easy to say when you think the Second Amendment means you can have one gun with one bullet in your house locked up, and that doesn't protect anything beyond that.

00:33:32:04 - 00:33:47:12

Chuck Michel

Then you can say, oh, I respect the Second Amendment, because in her mind, she's thinking the Second Amendment doesn't do anything. So that's the that's the rhetorical game they play. But she's she's like I said, she never met a gun control laws she didn't like.

00:33:47:14 - 00:34:09:00

Stephen Gutowski

You know, because obviously some of her supporters, you know, I've seen some reaction to the story published where, you know, they're saying, oh, this is this was 20 years ago. She now says and has repeated this line a number of times. Right. She owns a hand. She owns a gun, in fact, a handgun. And, that she doesn't want to take anyone's guns.

00:34:09:02 - 00:34:23:20

Stephen Gutowski

Her position has changed now, you know, as somebody who has experience fighting in court with her over gun issues, like, do you take anything from that? Do you do, well.

00:34:23:21 - 00:34:28:08

Chuck Michel

I take that. She's full of crap. I mean.

00:34:28:10 - 00:34:28:19

Stephen Gutowski

So she'll.

00:34:28:19 - 00:34:50:09

Chuck Michel

Say whatever. And no, she's not. Of course not. She she's a she's a political chameleon. She'll say whatever she needs to

say to get a get elected. And she doesn't want to alienate America's heartland. And all the people who, who, to who want to be able to choose to own a gun for sport or self-defense or defend their families if you don't want to alienate them.

00:34:50:09 - 00:35:14:23

Chuck Michel

So she'll say what she has to say to placate them, but that's all it is. That's not her. True values are her true beliefs. You know, you don't just you don't just all of a sudden see the light because you run for office. She her mindset has always been extreme progressive values, including but not limited to gun control.

00:35:15:01 - 00:35:24:07

Stephen Gutowski

Okay. So so and that's why you think the this sort of background information of her record, matters in this election.

00:35:24:07 - 00:35:39:21

Chuck Michel

Like when. Yes. Unless you're foolish enough to believe that she's seen the light as opposed to felt the heat, you know, trying to win an election. Then this all matters because it tells you where she's truly coming from.

00:35:39:23 - 00:35:47:01

Stephen Gutowski

Okay, so it's not, you know, you look at it and you say it's. And this is not old news. This is this should remain relevant. People should know this.

00:35:47:03 - 00:36:24:13

Chuck Michel

Oh hell yeah. Hell yeah. We come on a handgun. A complete ban on civilian handgun ownership, as we've discussed, was very, very extreme even for liberals at the time. And she's back in that. I mean, she had to go kind of off the liberal reservation to, to take to go that far. And she was willing to and, you know, couple that with all the other efforts that she's made as either D.A. or, or, attorney general or senator, she's clearly about as anti-gun gun owner as you get as a politician can get.

00:36:24:15 - 00:36:46:22

Stephen Gutowski

Okay. All right. Well, hey, look, we appreciate you taking the time to to talk with us and give us your, experience, in California and, and, some of these legal fights that you had with, Kamala Harris over the years and, and your perspective on them. We really appreciate it. So people want to learn more about CRPA, or or the other work you do.

00:36:46:23 - 00:36:49:06

Stephen Gutowski

Where can they where can they do that?

00:36:49:08 - 00:37:09:11

Chuck Michel

Visit us, subscribe at crpa.org. Even if you don't join, please do join. But even if you don't join, subscribe to get the updates on everything that's going on in California. And even if you're not in California, for that matter, because California is sort of the moldy petri dish of bad gun control ideas that they export across the country.

00:37:09:13 - 00:37:37:03

Chuck Michel

So some of the stuff that California is working on is coming soon to a city or state near you. And so being informed, can help you. Help every day. Help the cause. Help, everybody defend our Second Amendment. Right. So, go there and then the Second Amendment Law Center is 2ALC.org, which is the the group that's now coordinating amicus briefs all across the country that, could is worthy of support.

00:37:37:05 - 00:37:56:08

Stephen Gutowski

All right, well, thank you so much. We are going to hear a little bit more about, our sponsor this week, which is the dispatch. So I'm going to hand it off to myself.