



Written by [Bruce Walker](#) on October 11, 2011

## California Bans Open Carrying of Handguns

ABC News reports that California's Governor Jerry Brown (left) has just signed a new law "mak[ing] it a misdemeanor to openly carry an exposed and unloaded handgun in public or in a vehicle." Assembly Bill 144, authored by Democrat Assemblyman Anthony Portantino, was directed against the "open-carry" movement, and exempts only law enforcement officers, and those either hunting, or at military gatherings or gun shows. Dallas Stout, California chapter president of the Brady Campaign to Prevent Gun Violence, was gratified: "By prohibiting the open carry of guns, we can now take our families to the park or out to eat without the worry of getting shot by some untrained, unscreened, self-appointed vigilante."



For those caught open-carrying, the law carries a fine of \$1,000 and up to one year in jail.

Surprisingly, top law enforcement officers also advocated the bill, including the California Chiefs of Police Association. Association President David Maggard, Jr. asserted that the open carrying of unloaded handguns was still a safety threat to the public and to law enforcement officers. According to ABC News, Maggard added that "the bill will help assure that felons and gang members cannot openly carry an unloaded gun with impunity."

That support provided political cover for the Governor, who asserted that he "listened to the police chiefs." However, when Brown was California's Attorney General, he once stated, "I have respect for the Second Amendment. Gun ownership is a fundamental right." He also noted that he owned three guns and often enjoyed target-shooting at his ranch east of Chico.

Opponents of the legislation, on the other hand, see AB 144 as one more of many attacks on the Second Amendment in the last few years.

Sam Paredes, Executive Director of Gun Owners of California, pointed out that law enforcement already makes it difficult for law-abiding citizens to obtain concealed-carry permits. "For a majority of Californians, this creates an absolute ban on the 'bear' part of the right to keep and bear arms because they cannot get a concealed-carry permit," he declared.

C.D. "Chuck" Michel, an attorney representing the National Rifle Association in its lawsuit challenging the concealed-carry licensing system in San Diego, believes that California's new law will strengthen the NRA suit because the federal judge handling the case ruled that the San Diego system was not a violation of the Second Amendment because people in San Diego always had the option to carry firearms openly. Now, however, that would be illegal.

Republican lawmakers, who opposed the open-carry ban, warned that the only people to be affected by



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the law will be law-abiding citizens. State Assemblyman Tim Donnelly declared, “There are risks to living in a free state and for the governor to take away and chisel away at the Second Amendment right when he claimed to respect it, it just kind of shows his true colors.” He added of the new law, “It’s really a form of tyranny.”



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