

MOTION

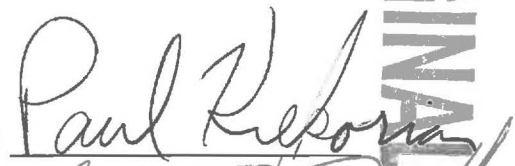
On March 29, 2019 a federal judge in the Southern District of California issued a ruling in *Duncan, et. al. v. Becerra*, that struck down California's ban on high-capacity ammunition magazines, those that hold more than 10 rounds. The sale, manufacture or import of these devices has been banned in the State since 2000, and the possession of these devices was prohibited with the passage of Proposition 63 in 2016. This ruling has allowed gun-related websites in other states to sell high-capacity magazines to individuals residing in California, despite years of legislation and the will of the voters.

High-capacity magazines enable a shooter of a semi-automatic rifle that accepts detachable magazines to fire a large amount of rounds in a short amount of time with fewer magazine changes. These devices have been used in a number of mass shootings, including the mass shooting at Sandy Hook Elementary School in Newtown, Connecticut, where twenty children were gunned down by a madman with an AR-15 equipped with high-capacity magazines.

Attorney General Xavier Becerra has filed a stay in this case requesting that the Court's order be delayed while his office prepares its appeal. When the Attorney General's appeal is filed, the City should support it through an amicus brief.

I THEREFORE MOVE that the City Attorney be requested to file an amicus brief in support of the California Attorney General's forthcoming appeal of *Duncan et al. v. Becerra* with the 9<sup>th</sup> Circuit Court of Appeals.

PRESENTED BY:   
PAUL KORETZ  
Councilmember, 5<sup>th</sup> District

SECONDED BY:   


ORIGINAL

jwd

APR 5 2019

