



Cities of San Francisco, Oakland Settle CGF Federal Lawsuit on Return of Firearms

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SAN CARLOS, CA – The Calguns Foundation announced today that it has reached a settlement with the City of San Francisco and the San Francisco Police Department in its case *Churchill v. Harris*, a federal lawsuit arising from law enforcement firearm return policies. The Foundation previously reached a negotiated settlement with the City of Oakland, which was also named in the suit. The controversy arose after the California Department of Justice changed the language it uses in its Law Enforcement Gun Release letters that are required when gun owners seek the return of their firearms after a law enforcement seizure.

The lawsuit had named Attorney General Kamala Harris as a defendant, who was dismissed from the case on 11th Amendment immunity grounds. "During the hearing where the Attorney General was dismissed," noted Foundation Chairman Gene Hoffman, who attended the hearing, "the court remarked that the Attorney General is doing local law enforcement no favors with their misleading policy."

"While our continued position is that the confusing language used by the California Department of Justice in their Law Enforcement Gun Release letter is unfair to gun owners, local law enforcement agencies, counties and cities," continued Hoffman, "our successful resolution of this lawsuit is a step forward in clarifying the duties of local authorities in the return of firearms to their lawful owners."

With the settlement, San Francisco has implemented an updated policy on the return of unregistered firearms that are legally owned by someone who has presented a Law Enforcement Gun Release letter from the California DOJ. In addition, San Francisco agreed to reimburse the Foundation a portion of the legal fees and expenses of bringing this case to protect the rights of gun owners.

"With this case now positively concluded, we will be sending California law enforcement agencies a memorandum containing a copy of the updated San Francisco policy," said Brandon Combs, executive director of the Foundation. "Through these efforts, we hope that their responsibilities to gun owners when presented with a LEGR will be made clear and that their future returns of firearms avoid the legal pitfalls we addressed in this case."

The updated San Francisco policy is available to view or download at <http://www.hoffmang.com/firearms/churchill/SFPD-db-13-080-2013-05-09.pdf>.

The Calguns Foundation (www.calgunsfoundation.org) is a 501(c)3 non-profit organization which serves its members and the public by providing Second Amendment-related education, strategic litigation, and the defense of innocent California gun owners from improper or malicious prosecution. The Calguns Foundation seeks to inform government and protect the rights of individuals to acquire, own, and lawfully use firearms in California. Supporters may visit <http://www.calgunsfoundation.org/donate> to join or donate to CGF.

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Churchill v. Harris, Greg Suhr, Kamala Harris, Oakland, San Francisco

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