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**Board of Directors, 32nd District Agricultural Association
OC Fair & Event Center
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**Re: Economic Impact to the Orange County Fairgrounds and Unlawful Threats
from State Senator**

Dear Board Members:

I write on behalf of the California Rifle & Pistol Association, Incorporated, the state's oldest Second Amendment organization. Each year the California legislature attempts to push more and more legislation that infringes upon the rights of the people. This year has been no different. Just recently Senator Minn put forth SB 264 which would attempt to ban the sale of ammunition, firearms and precursor parts on all state property. Unable to gain support and broad agreement for this bill, and in an attempt to salvage his reputation with his supporters, many of which live outside of Orange County, Senator Minn took a backdoor approach in amending SB





264 at the last minute to only apply to the 32nd District Agricultural Association (DAA) property. This action was done without a hearing and without consultation with the Board of the 32nd District Agricultural Association.

As if this action was not enough, Senator Minn then drafted a letter to the Chairwoman Rubalcava-Garcia threatening her and the other members of the 32nd DAA Board with personal litigation should they act in their official capacity and approve any further gun shows at the Orange County Fairgrounds. This outrageous attack on a lawful promoter with lawful products is beyond compare and cuts to the core of the issue—Senator Minn, working on behalf of big donors, is more interested in making a name for himself than he is in upholding the constitutional rights of constituents in his district.¹

Massive Economic Impact to the 32nd District Agricultural Association (DAA)

We know a major portion of the budget for District Agricultural Association state properties comes from renting out space to all sorts of promoters and shows. There are car shows, wedding shows, agricultural shows and gun shows. All of these events bring family-friendly entertainment to the property as well as much needed revenue to continue operations. Last year many of the state properties suffered great losses due to so many events needing to be cancelled under the pandemic restrictions.²

As a member of the Board of Directors of the 32nd DAA, you have a fiduciary duty to act in the best interests of the property and to care for the continued productivity of that public property. One of the biggest responsibilities of the 32nd DAA Board is maintaining a budget. Senator Minn, in not consulting with the 32nd DAA Board of Directors, has acted unlawfully in that he has attempted to remove your fiduciary duty and replace it with the will of his financial supporters rather than permitting the Board to make those decisions. While the state may try to pass legislation that specifies the uses of state property, they may not do so if that action is unconstitutional. Our clients believe that Senator Minn failed to consult with the 32nd DAA Board because he feared the support for ending shows and this revenue stream would not be fully supported.

In addition to losing the revenue stream at the property, Senator Minn has not considered the financial costs of litigation that will befall the 32nd DAA should this legislation be approved by the Governor. The 22nd DAA (Del Mar) ended up paying a handsome cost of defending

¹ I would note that on the September 13, 2021 meeting of the 22nd Agricultural District Special Board, many in attendance were not even from Orange County, yet sought to use their influence from San Diego and other parts of the state to end gun shows in Orange County—something they failed to do at Del Mar.

² It appears from reports provided to the Board that the 32nd DAA showed close to one million in losses for the 2020 year. <https://s3.us-west-1.amazonaws.com/ocfair.com/wp-content/uploads/2020/02/21172554/Financial-Combo.pdf>





litigation in 2019 and a federal court issued a striking memorandum opinion stating that the actions of the Del Mar Fair Board to end gun shows was unconstitutional³. When Senator Minn threatens the Board with litigation, he needs to understand his discriminatory actions against gun shows will bring litigation and additional costs to the 32nd DAA which is something we know the Board does not want after a long hard year. It is not Senator Minn or Governor Newsom that must bear those costs of litigation, it is the individual fair board.

Safety Is An Issue and Should Be Addressed

For months Senator Minn has made safety at gun shows an issue in why he wanted to ban the sale of lawful products on state property. He made statements to infer quite directly that gun shows are not safe for the communities where they occur. Nothing could be further than the truth. We know promoters and state fair grounds must comply with state and federal law and that gun shows are *highly* regulated. No one is leaving a gun show with a firearm on that day due to the 10-day waiting period and no one leaves gun shows with ammunition who has not had a background check. With the heavy law enforcement presence and DOJ monitoring all vendors, this is not the place where criminals choose to hang out.

Senator Minn has been unable to present evidence of ANY safety issues occurring at the gun shows at the Orange County Fairgrounds. The only thing he uses are vague references to firearms being used by criminals outside of California and many of those references have nothing to do with firearms purchased at gun shows. Even in Senator Minn's letter to the 32nd DAA Board he mentions vague incidents and attempts to link those criminal activities to the gun show—there is no connection to criminal actions that occurred in Orange County and the gun shows. Those criminals did not frequent the gun shows nor get their firearms from the gun shows. It is disingenuous, to say the least, that a Senator would try to make false connections like this in an effort to pass his own legislation.

As another example, Senator Minn tried to claim on his Twitter page that 2020 was the deadliest gun violence year in decades and connect that statistic to gun shows. The problem is that most gun shows in California were for the most part non-existent in 2020 due to COVID-19.⁴ Senator Minn claims in the same statement that there is a “gun show loophole” that SB 264 will close. In California this “loophole” does not exist. He is knowingly making false statements based upon discrimination against a particular culture that he does not like and trying to strike fear into the public that gun shows are dangerous and not family friendly. This is a direct attack on those that choose to own and possess a firearm.

³ <https://michellawyers.com/wp-content/uploads/2019/06/2019-06-25-Memorandum-Opinion-re-Defendants-MTD-Plaintiffs-MSJ.pdf>

⁴ Dave Min on Twitter: "[Gun violence plagued our communities before COVID, it has during, & it will after unless we do something about it. That's why I introduced #SB264, which bans gun & ammunition sales on state property, effectively ending gun shows. Once & for all, CA has to say #EnoughIsEnough. https://t.co/0mTY5lt6Kb](https://twitter.com/dave_min/status/1271111111111111111)" / Twitter





Threatening A Sitting Board With Litigation

Not only are we appalled at the misinformation from Senator Minn over the past several months in regard to gun shows, but the fact that a state Senator would openly threaten a sitting board with fiduciary duties is beyond the pale of underhanded politics. And this from someone who says his actions are not political!

SB 264 might be on the Governor's desk awaiting his decision, but it is not law at this current time. There are no restrictions on the 32nd Board of Directors to approve contracts for the next *ten* years of shows should you choose to do that. Senator Minn even admits that contracts that are in place as of the enacting date will stay in place, thus proving again that there is no real threat to public safety at the gun show and that this is more about pushing his anti-gun culture agenda.

Conclusion

We would ask on behalf of the members of the California Rifle & Pistol Association, Incorporated that you not water down your communications with the Governor, continue to ask that SB 264 be vetoed, and that Senator Minn's attempts to scare the 32nd DAA Board into submission be adequately addressed immediately in a letter to Governor Newsom.

Sincerely,

A handwritten signature in black ink that reads "Roy Griffith".

Roy Griffith
CRPA Legislative Director

