

OFFICE OF CONSTITUTIONAL POLICING AND POLICY

NOTICE
1.14

December 27, 2017

TO: All Department Personnel

FROM: Director, Office of Constitutional Policing and Policy

SUBJECT: COURT ORDERED TEMPORARY SUSPENSION OF ENFORCEMENT OF CALIFORNIA PENAL CODE §32310(C) & (D), UNLAWFUL POSSESSION OF FIREARM MAGAZINE CAPABLE OF HOLDING MORE THAN 10 ROUNDS

Effective immediately, enforcement of California Penal Code (PC) §32310 (c) & (d), illegal possession of firearm magazines capable of holding more than 10 rounds, is **temporarily suspended** by court order.

In 2016, California voters passed Proposition 63, amending PC §32310, which made the possession of firearm magazines capable of holding more than 10 rounds illegal for most persons in California.

In 2017, Proposition 63 was challenged in court on Constitutional grounds. In *Duncan v. Becerra*, the United States District Court for the Southern District of California granted a preliminary injunction suspending the enforcement of PC §32310 (c) & (d). As a result, until further notice, officers shall not investigate, detain, or arrest any persons for possession of firearm magazines capable of holding more than 10 rounds.

Should you have questions regarding this matter, please contact Legal Affairs Division, at (213) 978-8300.



ARIF ALIKHAN, Director
Office of Constitutional Policing and Policy

DISTRIBUTION "D"