



BACKGROUND

In 2006, 3,345 people died from firearm-related injuries in California and an additional 4,491 people were hospitalized for non-fatal gunshot wounds.ⁱ Moreover, between 2005 and 2009, the California Department of Justice (DOJ) designated 84,123 firearms as crime guns in the Automated Firearm System (AFS) database.ⁱⁱ

Long guns (rifles and shotguns) play a significant role in our gun violence epidemic. Of the 26,682 crime guns entered into the AFS database in 2009, 11,500 were long guns. DOJ sweeps to seize illegally possessed firearms have uncovered roughly equal numbers of illegal handguns (2,143) and long guns (2,019).ⁱⁱⁱ Just last year alone, Californians purchased 253,296 long guns, significantly more than the 225,000 handguns acquired in the same time period.^{iv}

Law enforcement efforts to investigate and prosecute gun crimes are aided by the AFS database, which contains records of all handgun transfers. However, state law requires that records of long gun sales be destroyed by DOJ.

AB 1810 would stop the needless destruction of long gun records, which prevents law enforcement from using this information to quickly identify the owners of crime guns. Without these records, law enforcement must painstakingly trace a recovered firearm from the manufacturer, through the distributor, to the firearms dealer who sold the weapon. AB 1810 would also ensure the integrity of long gun records by removing reporting and recordkeeping exemptions that currently apply to certain long gun transfers.

Another significant benefit of long gun record retention is that it would protect law enforcement officers who must respond to emergency calls at private residences. Officers currently could use the AFS database to check whether a person at a residence may own any handguns, but they have no way of knowing

whether that person may own any long guns. This information gap puts law enforcement at needless risk.

Finally, long gun record retention would assist law enforcement in identifying all firearms – not just handguns – owned by persons who are prohibited by law from possessing guns. These critical records would help law enforcement facilitate firearm relinquishment by dangerous felons and others who have been convicted of crimes which render them ineligible to possess firearms.

Long gun record retention would not adversely impact law-abiding citizens, but would provide important benefits to law enforcement.

EXISTING LAW

Penal Code § 11106 prohibits the Department of Justice from retaining or compiling any information from Dealer's Record of Sale (DROS) forms or other transfer forms relating to long guns. All copies of these forms must be destroyed within five days of the clearance of the long gun sale by the Department of Justice. The statute requires handgun transfer records to be entered into the state's AFS database.

Other provisions of the Penal Code treat handguns and long guns differently with respect to various reporting and recordkeeping requirements. This differential treatment is irrational, however, given the danger that all firearms pose to public safety.

THIS BILL

STOPS DESTRUCTION OF LONG GUN TRANSFER RECORDS AND REQUIRES ADDITION OF LONG GUN RECORDS TO AFS DATABASE

Under AB 1810, DOJ will no longer be forced to destroy copies of long gun transfer forms. DOJ will instead input these records into the AFS database, as it currently does for handgun records. Law enforcement will also no longer

be prohibited from compiling information from dealer records for long guns.

REQUIRES SAME IDENTIFYING INFORMATION FOR THE TRANSFER OF HANDGUNS AND LONG GUNS

The bill creates uniformity in the information that must be provided on a DROS form, regardless of whether the firearm is a handgun or a long gun. As a result, important identifying information (including the make, model, caliber, and type of firearm) will now be required for long gun transfers.

REMOVES EXEMPTIONS TO REPORTING REQUIREMENTS FOR LONG GUN TRANSFERS

The bill establishes uniform reporting for handguns and long guns by amending Penal Code provisions that exempt certain long gun transfers from recordkeeping and reporting requirements. Under AB 1810, persons who receive long guns through operation of law or from immediate family members, who are new California residents bringing long guns into the state, or whose long guns are returned from court or law enforcement custody must all report these firearms to DOJ through the processes already established for handguns.

REQUIRES DAILY DEALER REPORTING OF RECEIPT OF LONG GUNS

AB 1810 would require firearms dealers to report the receipt of any long gun on the day that the dealer acquires it, as is currently required for handguns.

BILL STATUS

2/10/10: Introduced

4/14/10: Passed out of Assembly Public Safety Committee on a vote of 4:2

6/03/10: Passed off of Assembly Floor on a vote of 42:24

6/30/10: Passed out of Senate Public Safety Committee on a vote of 4:2

Currently in Senate Appropriations

SUPPORT

Sponsors:

- California Chapters of the Brady Campaign to Prevent Gun Violence
- Legal Community Against Violence

Support:

- Sheriff Lee Baca, Los Angeles County
- Chief Michael Maloney, City of Chico
- Chief Landy Black, City of Davis
- Chief Ken James, City of Emeryville
- Chief Larry Todd, City of Fairfield
- Chief Jerry Dyer, City of Fresno
- Chief Charles Montoya, City of Glendora
- Chief Susan Jones, City of Healdsburg
- Chief Loius Trovato, Nevada City
- Chief Jeffrey Jennings, City of Orinda
- Chief John Crombach, City of Oxnard
- Chief Paul Clancy, City of Pinole
- Chief Peter Dunbar, City of Pleasant Hill
- Chief Chris Magnus, City of Richmond
- Chief Paul Walters, City of Santa Ana
- Chief Cam Sanchez, City of Santa Barbara
- Chief Jeffrey Kirkpatrick, City of Seal Beach
- Chief Blair Ullring, City of Stockton
- Chief Phil Green, Twin Cities Police Authority
- Chief Richard Word, City of Vacaville
- Chief Ken Corney, City of Ventura
- Chief Dan Drummond, City of West Sacramento
- City of Los Angeles
- Councilmember Larry Reid, City of Oakland
- Councilmember Kevin McCarty, City of Sacramento
- Brady Campaign, Contra Costa Chapter
- Brady Campaign, West Contra Costa Chapter
- Brady Campaign, Long Beach Chapter
- Brady Campaign, Los Angeles Chapter
- Brady Campaign, Nevada County Chapter
- Brady Campaign, Oakland/Alameda County Chapter
- Brady Campaign, Orange County Chapter
- Brady Campaign, Sacramento Valley Chapter
- Brady Campaign, San Fernando Valley Chapter
- Brady Campaign, Sonoma County Chapter
- Brady Campaign, Ventura County
- Friends Committee on Legislation of CA
- Interfaith Council of Contra Costa County

- Santa Barbara Coalition Against Gun Violence
- Taxpayers for Improving Public Safety
- Violence Prevention Coalition of Greater Los Angeles
- Violence Prevention Coalition of Orange County
- Youth Alive

FOR MORE INFORMATION

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ⁱ California Department of Health Services, Epidemiology and Prevention for Injury Control Branch (EPIC), Firearm Injuries in California (2009), at http://www.applications.dhs.ca.gov/epicdata/content/st_firearm.htm.

ⁱⁱ Data provided by the California Department of Justice, April 6, 2010.

ⁱⁱⁱ Data provided by the California Department of Justice, March 4, 2010.

^{iv} California Department of Justice, “Dealer’s Record of Sale (Calendar Year Statistics),” provided on March 4, 2010.