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Approved as to Form and Legality


City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

INTRODUCED BY COUNCILMEMBERS DESLEY BROOKS, AND REBECCA KAPLAN

RESOLUTION IN SUPPORT OF SENATE BILL 880 (HALL/GLAZER) THAT WOULD CLARIFY THE DEFINITION OF ASSAULT WEAPONS AND PROVIDE THE DEPARTMENT OF JUSTICE WITH THE AUTHORITY TO BRING EXISTING REGULATIONS INTO CONFORMITY WITH THE ORIGINAL INTENT OF CALIFORNIA'S ASSAULT WEAPON BAN.

WHEREAS, The City of Oakland has been identified as one of the top cities in the state of California in terms of crimes involving firearms; and

WHEREAS, California has prohibited the ownership of military-style assault weapons with detachable ammunition magazines since 1989; and

WHEREAS, Under this prohibition, a rifle is not an assault weapon if it has a fixed magazine, rather than a detachable magazine; and a fixed magazine is defined as one that cannot be removed without either disassembling the weapon's working parts or employing a tool; and

WHEREAS, Gun manufacturers quickly installed a button that releases a magazine by pushing it with the tip of a bullet, which is not deemed a "tool," and gun manufacturers are utilizing this "bullet-button loophole" to create California compliant assault weapons; and

WHEREAS, Modifications like the bullet button have no legitimate use for sport hunters or competitive shooter; and have been used in a number of recent gun attacks including the terrorist attack in San Bernardino that left 14 Californians dead and 21 injured; and

WHEREAS, Senate Bill (SB) 880 (Hall, Glazer) would redefine assault weapon to mean a semiautomatic centerfire rifle, or a semiautomatic pistol that does not have a fixed magazine but has any one of a number of different specified attributes intended to close the "bullet-button loophole," and furthermore requires such weapons to be registered with the

Department of Justice and prohibits the future sale, purchase or possession of such weapons in California; now, therefore, be it

RESOLVED: That the Oakland City Council hereby endorses SB 880 and urges the California State Legislature and Governor Jerry Brown to support its enactment into law.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, AND
PRESIDENT GIBSON MCELHANEY

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

LATONDA SIMMONS
City Clerk and Clerk of the Council of the City
of Oakland, California