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OFFICE OF THE CITY CLERK  
OAKLAND

2016 MAR 30 PM 3:51

Approved as to Form and Legality

*Priscia Hayes*  
City Attorney's Office

## OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

INTRODUCED BY COUNCILMEMBERS DESLEY BROOKS, AND REBECCA KAPLAN

RESOLUTION IN SUPPORT OF ASSEMBLY BILL 2459 (MCCARTY) THAT WOULD ENACT REQUIREMENTS FOR ALL GUN TRANSACTIONS SUCH AS REQUIRING GUN RETAILERS TO INSTALL AND USE VIDEO RECORDING EQUIPMENT, BAN OF RESIDENTIAL GUN DEALERS, REQUIRE GUN RETAILERS TO HOLD INSURANCE, GRANT AUTHORITY TO ATTORNEY GENERAL TO ENFORCE, AND ALLOW LOCAL JURISDICTIONS TO ENACT MORE STRINGENT LAWS RESPECTING INSURANCE REQUIREMENTS AND WHERE DEALERS AND LICENSEES MAY CONDUCT THEIR BUSINESS IF THEY SO CHOOSE.

**WHEREAS**, According to the Bureau of Alcohol, Tobacco and Firearms (ATF) regarding guns that the Department has the ability to trace back to a Federal Firearms Licensee, 90% of legally purchased guns used in the commission of a crime were from 5% of gun dealers; and

**WHEREAS**, ATF found that 41% of its gun trafficking cases were the result of "straw sales," which is where a person prohibited from purchasing a gun uses a third party to legally purchase a gun even though the third party has no interest in using it for themselves; and

**WHEREAS**, To date, according to the Law Center to Prevent Gun Violence, 59 cities and counties in California have banned the practice of residential gun dealers who are licensed dealers who sell weapons out of their homes; and

**WHEREAS**, The City of Oakland has reported 2,422 crimes involving firearms in 2015; and

**WHEREAS**, Assembly Bill (AB) 2459 (McCarty) would provide transparency for all gun transactions by enacting requirements such as requiring (1) gun retailers to install and use video recording equipment to visually record and archive transactions and storage areas, (2) all gun retailers to hold insurance, and (3) a statewide ban of residential gun dealers; and

**WHEREAS**, AB 2459 allows local jurisdictions to enact additional or more stringent laws in the area of commercial insurance and where dealers and licensees can conduct their business if local jurisdictions so choose; and

**WHEREAS**, AB 2459 is endorsed by the Brady Campaign to Prevent Gun Violence and the Law Center to Prevent Gun violence, and other groups; now, therefore, be it

**RESOLVED**: That the Oakland City Council hereby endorses AB 2459 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