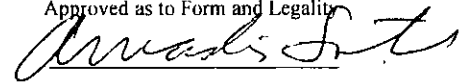


FILED
OFFICE OF THE CITY CLERK
OAKLAND

13 MAR 14 PM 4:40

Approved as to Form and Legality



City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

Introduced by Councilmember Noel Gallo

RESOLUTION IN SUPPORT OF SENATE BILL 396 (HANCOCK) WHICH PROHIBITS THE POSSESSION OF LARGE CAPACITY AMMUNITION MAGAZINES WITH SUFFICIENT LENGTH TO ACCOMMODATE MORE THAN 10 ROUNDS OF AMMUNITION

WHEREAS, existing law, except as specified, makes it a misdemeanor and in some cases a felony for any person *to manufacture or cause to be manufactured, import into the state, keep for sale, or offer or expose for sale, or give, or lend*, any large-capacity magazine; and

WHEREAS, under existing law, the *possession* of high capacity magazines is not prohibited; and

WHEREAS, as introduced, SB 396 would make any person who possesses any large-capacity magazine, regardless of the date the magazine was acquired, punishable in a county jail not exceeding one year; and

WHEREAS, SB 396 specifically would prohibit possession of any magazine with sufficient length to accommodate more than 10 rounds of ammunition and the internal working parts of the magazine, including, but not limited to, the follower and spring; and

WHEREAS, by imposing additional duties upon local officials and creating a new crime, this bill would create a state-mandated local program; and

WHEREAS, proponents of SB 396 argue that prohibiting possession of high capacity magazines is an important part of a comprehensive strategy to reduce overall gun violence in California; and

WHEREAS, the City of Oakland has had numerous crimes this year involving firearms (16 homicides, 86 aggravated assaults involving a firearm, 2 assaults of a police officer involving a firearm, 442 robberies involving a firearm); and

WHEREAS, in recent enforcement operations, Oakland has confiscated multiple firearms that can hold up to 100 rounds of ammunition, 10 times the amount as allowed under existing law; and

WHEREAS, given Oakland's level of gun violence and the presence of assault weapons in our community, it is in the City's best interest to support this Senate Bill to further refine the definition of a large capacity ammunition magazines and to make it a crime for the possession of such items; now therefore be it

RESOLVED that the Oakland City Council supports Senate Bill 396 and encourages the California Legislature to approve it; and be it

FURTHER RESOLVED: That the City Council hereby requests the City Administrator and the City's legislative lobbyist to advocate for the above position in the California State Legislature.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2013

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF and PRESIDENT KERNIGHAN

NOES-

ABSENT-

ABSTENTION-

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