


2021 APR -8 AM 10:09

Approved as to Form and Legality



City Attorney's Office

## OAKLAND CITY COUNCIL

RESOLUTION NO. 88591 C.M.S.

INTRODUCED BY VICE MAYOR KAPLAN

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**RESOLUTION REQUESTING THAT THE STATE LEGISLATURE  
ENACT LEGISLATION THAT WOULD REGULATE AND CONTROL  
"GHOST GUNS" IN CALIFORNIA**

**WHEREAS**, there has been an upward trend of gun violence in Oakland since the start of the COVID-19 pandemic, and especially over recent months; and

**WHEREAS**, the Weekly ShotSpotter Activations Report for March 22 to March 28, 2021, shows a 154% increase (930 to 2,361) of Citywide ShotSpotter Activations in Year to Date Changes from 2020 to 2021; and

**WHEREAS**, "ghost guns" are untraceable firearms with no serial numbers and "ghost gun kits" can be bought online or at gun shows and assembled at home; and

**WHEREAS**, "ghost guns" and kits are widely available and are increasingly being sold, bought, and used in California, and, according to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), account for 30% of guns recovered in California; and

**WHEREAS**, "ghost guns", once assembled, look, feel, and function like traditional guns, whether a handgun or assault weapon; and

**WHEREAS**, "ghost guns" are not considered firearms subject to ATF regulation under the Gun Control Act because a central component is considered unfinished at the time of sale/purchase; and

**WHEREAS**, there are no federal restrictions on who can buy ghost gun kits or parts; and

**WHEREAS**, according to Special Agent Carlos A. Canino, who is in charge of the ATF Los Angeles Field Division, 41%, or almost half their cases in 2020 involved “ghost guns”; and

**WHEREAS**, “ghost gun” seizures by the California Department of Justice jumped 512% between 2018 and 2019; and

**WHEREAS**, 18 of the 80 known online ghost gun retailers are based in California; and

**WHEREAS**, in September 2020, then California Attorney General Xavier Becerra’s filed a lawsuit against the Trump Administration to change the policy and define “ghost guns” as firearms; and

**WHEREAS**, in 2019, the state of California passed Assembly Bill (AB) 879, which aims to regulate “ghost guns” by mandating that gun parts can be bought only through licensed dealers in face-to-face transactions, including parts bought over the internet, which must be shipped to a licensed dealer, and buyers of parts must also pass a background check; and

**WHEREAS**, AB 879 will not go into effect until July 2024 for the buying of parts in-person, and in July 2025 for the required background checks; and

**WHEREAS**, even with this law, preexisting guns without serial numbers will remain hard to trace and enforcement of the law will be difficult as not everyone will apply for a serial number even though it’s legally required; and

**WHEREAS**, in order to protect public safety it is vitally important that such “ghost guns” be controlled and regulated no less fully than other types of guns, as they are no less of a threat to the public; now, therefore, be it

**RESOLVED:** That the Oakland City Council requests that the state legislature enact legislation that would regulate and control “ghost guns” in California

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

**APR 20 2021**

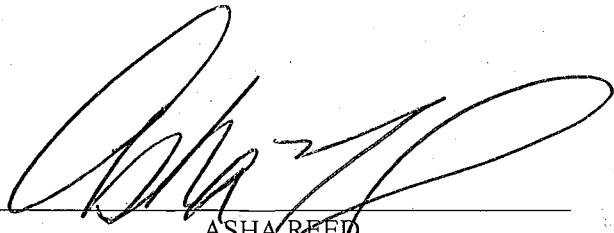
AYES - FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO AND  
PRESIDENT FORTUNATO BAS **8**

NOES - **0**

ABSENT - **0**

ABSTENTION - **0**

ATTEST:



ASHA REED

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