



CITY ATTORNEY'S OFFICE

2013 MAY -9 PM 5:08

**OAKLAND CITY COUNCIL**  
**RESOLUTION No. 84414 C.M.S.**

Introduced by Councilmember Noel Gallo

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**RESOLUTION IN SUPPORT OF SENATE BILL 299 (DESAULNIER)  
REGARDING FIREARMS, WHICH WOULD REQUIRE EVERY PERSON  
WHOSE FIREARM IS LOST OR STOLEN TO NOTIFY LOCAL LAW  
ENFORCEMENT THAT THEIR FIREARM WAS LOST OR STOLEN**

**WHEREAS**, current state law requires firearms dealers and manufacturers to report any lost or stolen firearms within 48 hours, and local law enforcement must enter reports of lost or stolen firearms into the state's Automated Property System database; and

**WHEREAS**, under current state law, firearm owners whose guns are lost or stolen are not required to report to local law enforcement and as a result, law enforcement efforts to investigate gun crimes and disarm dangerous criminals are significantly hindered; and

**WHEREAS**, Oakland Municipal Code section 9.36.131 (passed 2003), punishable as a misdemeanor, requires that any person residing in Oakland who owns or possesses a firearm, must report the loss or theft of such firearms to the Oakland Police Department within 48 hours of gaining knowledge of, or when they reasonably should have known of, such loss or theft; and

**WHEREAS**, SB299 expressly does not preempt Oakland's existing ordinance; and

**WHEREAS**, SB 299 requires that every person statewide whose firearm is lost or stolen shall notify local law enforcement within 48 hours of the time they knew or reasonably should have known that the firearm had been lost or stolen; and

**WHEREAS**, SB 299 would help address the increasing crime statistics involving firearms in California; and

**WHEREAS**, In 2009 2,972 California residents died from firearm-related related injuries; and

**WHEREAS** Of the 1,811 Californians murdered in 2010, 1,257, or 69%, were killed with firearms; and

**WHEREAS**, as of May 5, 2013 we have had 33 homicides in the City of Oakland, the majority by way of firearms; and

**WHEREAS**, so far this year, Oakland has had 174 Aggravated Assaults involving a firearm, 2 Assaults on a police officer involving a firearm, 862 Robberies involving a firearm; and

**WHEREAS**, given the level of gun violence in our City and the presence of assault weapons in our community, it is in the City's best interest to support Senate Bill 374 to require every person whose firearm is lost to report it local law enforcement to prevent future crime ; now therefore be it

**RESOLVED** that the Oakland City Council supports California Senate Bill 299 and encourages the California State Legislature to accept it; and be it

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

**IN COUNCIL, OAKLAND, CALIFORNIA, JUN 4 2013, 2013**

**PASSED BY THE FOLLOWING VOTE:**

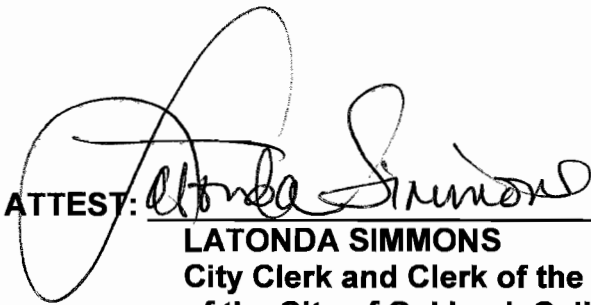
AYES- BROOKS, GALLO, GIBSON MCELHANEY, KALB,  
KAPLAN, REID, SCHAAF AND PRESIDENT KERNIGHAN - 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST:



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

Date of Attestation: