

CITY OF OAKLAND



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Date: April 8, 2021
To: Members of City Council and Members of the Public
From: Vice Mayor Rebecca Kaplan
Re: Adopt A Resolution Requesting That State Legislature Enact Legislation That Would Regulate And Control “Ghost Guns” In California

Dear Colleagues on the City Council and Members of the Public,

There has been an upward trend of gun violence in Oakland and other cities since the start of the COVID-19 pandemic, and especially over recent months. In fact, 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. I urge the state of California to take action to protect public safety.

“Ghost Guns” are increasingly being sold, bought, and used in California. According to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), “ghost guns” account for 30% of guns recovered in California. These guns are unserialized and untraceable firearms that can be bought online and assembled at home using kits. Once assembled, they look, feel, and function like a traditional gun. These guns are not considered firearms subject to ATF regulation under the Gun Control Act and thus are inadequately controlled and regulated.

The proliferation of these “ghost guns” in California is growing and threatening public safety. 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”. Seizures of these guns by the California Department of Justice jumped 512% between 2018 and 2019. Retailers of “ghost guns” are also located in the state, with 18 of the 80 known online ghost gun retailers based in California.

Some action has been taken by State leaders. In September 2020, then California Attorney General Xavier Becerra filed a lawsuit against the Trump Administration to change the Federal policy and define “ghost guns” as firearms. In addition to that suit, the state passed Assembly Bill (AB) 879 in 2019, which aims to regulate some future “ghost guns.” Even with that law, numerous existing guns without serial numbers will remain hard to trace and enforcement of the law will be difficult.

In order to protect public safety, it is vitally important that “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. I hope you will join me in requesting that the State enact legislation, and advocate for changes in Federal policy, that would fully regulate and control these firearms in California.

Sincerely,

A handwritten signature in purple ink that reads "Rebecca Kaplan".

Rebecca Kaplan, Oakland Vice Mayor

City Council
April 20, 2021
File #21-0233