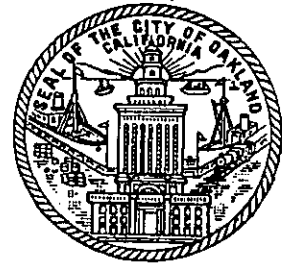


CITY OF OAKLAND
OFFICE OF THE CITY CLERK
BILL ANALYSIS



Date: May 6, 2008 2008 MAY -1 PM 8: 07
Bill Number: AB 2235
Bill Author: Assembly Member DeSaulnier

DEPARTMENT INFORMATION

Contact: Lieutenant Kenneth W. Parris
Department: Police
Telephone: (510) 238-3770 **FAX #** (510) 238-3030
E-mail: kwparris@oaklandnet.com

RECOMMENDED POSITION: SUPPORT

Summary of the Bill

Assembly Bill 2235 makes changes to existing law, establishing technical, non-substantive changes regarding "unsafe handguns". It will require the California Department of Justice to determine on an annual basis whether technology is available to prevent handguns from being fired by anyone other than the owner.

Positive Factors for Oakland

This bill would require, once the California Department of Justice determines that such technology is available, all new handguns to incorporate technology which makes them "owner-authorized," i.e., designed so that they only can be fired by the lawful owner and other authorized users. This is a groundbreaking bill that would help prevent unintentional and intentional shootings by children, thieves and others.

There are no local unfunded mandates in this bill.

Negative Factors for Oakland

This bill does not incorporate long guns (e.g. rifles and shotguns).

PLEASE RATE THE EFFECT OF THIS MEASURE ON THE CITY OF OAKLAND:

- Critical** (top priority for City lobbyist, city position required ASAP)
 Very Important (priority for City lobbyist, city position necessary)
 Somewhat Important (City position desirable if time and resources are available)

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_____ **Minimal or None** (do not review with City Council, position not required)

Known support:

Beth Shir Sholom
Brady Campaign to Prevent Gun Violence, California Chapters
Brady Campaign to Prevent Gun Violence, Contra Costa Chapter
Brady Campaign to Prevent Gun Violence, Long Beach Chapter
Brady Campaign to Prevent Gun Violence, Los Angeles Chapter
Brady Campaign to Prevent Gun Violence, Nevada County Chapter
Brady Campaign to Prevent Gun Violence, Oakland/Alameda County Chapter
Brady Campaign to Prevent Gun Violence, Orange County Chapter
Brady Campaign to Prevent Gun Violence, Sacramento Valley Chapter
Brady Campaign to Prevent Gun Violence, San Fernando Valley Chapter
Brady Campaign to Prevent Gun Violence, San Francisco Chapter
Brady Campaign to Prevent Gun Violence, Ventura County Chapter
Brady Campaign to Prevent Gun Violence, West Contra Costa Chapter
Coalition Against Gun Violence, Santa Barbara County
Emeryville Police Department
Gray Panthers California
Orange County Brady Chapter to Prevent Gun Violence
Health Officers Association of California
Legal Community Against Gun Violence
Orange County Citizens for the Prevention of Gun Violence
Violence Prevention Coalition of Orange County
3 private citizens

Known Opposition:


California Association of Firearms Retailers
California Houndsmen for Conservation
California Rifle and Pistol Association
California Sportsman's Lobby
Crossroads of the West Gun Shows
Gun Owners of California
National Rifle Association
National Shooting Sports Foundation
Outdoor Sportsmen's Coalition of California
Safari Club International Foundation

Item: _____
City Council
May 6, 2008

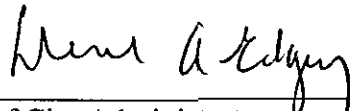
1 private citizen

Attach bill text and state/federal legislative committee analysis, if available.

Respectfully Submitted,


FOR Wayne G. Tucker
Chief of Police

Approved for Forwarding to the
City Council


Office of City Administrator

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City Council
May 6, 2008

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Date of Hearing: April 15, 2008
Counsel: Kimberly A. Horiuchi

ASSEMBLY COMMITTEE ON PUBLIC SAFETY
Jose Solorio, Chair

AB 2235 (DeSaulnier) - As Amended: April 9, 2008

SUMMARY : Requires any pistol or handgun that is not an "owner-authorized" handgun to be placed on the unsafe handgun list, as specified, to commence 18 months following the release of a report by the Attorney General (AG) to the Legislature and the Governor reporting that "owner authorized" handguns are available for retail sale. However, these provisions shall not apply to the sale, loan, or transfer of a revolver manufactured in or imported into this country prior to that date. Specifically, this bill :

- 1) Defines an "owner-authorized handgun" as a handgun that has a permanent programmable biometric feature as part of its original manufacture that renders the handgun incapable of being fired except when activated by the lawful owner or other authorized users, and that cannot be readily deactivated.
- 2) Requires that the AG, commencing July 1, 2009, and every July 1 thereafter through 2014, submit a written report to the Governor and the Legislature summarizing the current availability of owner-authorized handguns, as specified.
- 3) Requires each report state whether owner-authorized handguns are available for retail sale; and, if not, what progress, if any, has been made in the development of that technology since the previous report and each report shall state what, if any, pressures exist within the firearms industry to deliberately withhold owner-authorized handguns from the market.
- 4) States the AG shall continue to submit reports until he or she has reported that owner-authorized handguns are available for retail sale. The AG shall consult with law enforcement agencies, firearms industry representatives, private technology providers, the Department of Public Health, the University of California, other higher learning institutions, and other appropriate parties in making reports and

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recommendations, as specified.

- 5) Provides that each report shall explicitly state all sources consulted and relied upon, including the names and affiliations of those sources, and shall be made publicly accessible.
- 6) States owner-authorized handguns shall be deemed available for

retail sale when at least one domestic or foreign manufacturer has developed and offered for sale in any state or country at least one production model of an owner-authorized handgun.

- 7) Provides that each report shall explicitly state all sources consulted and relied upon, including the names and affiliations of those sources, and shall be made publicly accessible.
- 8) States owner-authorized handguns shall be deemed available for retail sale when at least one domestic or foreign manufacturer has developed and offered for sale in any state or country at least one production model of an owner-authorized handgun.
- 9) Once the AG has determined that owner-authorized handguns are available for retail sale, the AG shall adopt regulations to implement adding owner authorized handguns to the unsafe handgun list, as specified, including recommendations for statutory changes.
- 10) Requires that report shall specifically address the following issues:
 - a) The ability of the authorized owner, and process by which that owner is permitted to loan his or her owner-authorized handgun to other persons consistent with existing state law.
 - b) Where the handgun is delivered by a person licensed, as specified after an application to purchase the handgun is completed, the process by which the licensee shall program the owner-authorized handgun to recognize the lawful owner. The ability of the authorized owner to loan his or her owner-authorized handgun to other persons consistent with existing state law, and the process by which that owner may do so.

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- c) The process by which persons licensed, as specified, may re-program the owner-authorized handgun to recognize additional authorized users.
 - d) The process by which additional authorized users are identified as not being prohibited under existing law from acquiring or possessing a firearm.
- 11) States commencing 18 months following the release of a report by the AG to the Legislature and the Governor reporting that owner-authorized handguns are available for retail sale, as specified, any person who intentionally disables or circumvents the owner-authorized handgun technology of an owner-authorized handgun is guilty of a misdemeanor.

EXISTING LAW :

- 1) Requires, commencing January 1, 2001, that manufacturing, importing into California for sale, keeping for sale, offering or exposing for sale, giving, or lending any unsafe handgun is a misdemeanor, punishable by up to one year in the county jail. (Penal Code Section 12125.)

- 2) Defines "unsafe handgun" as any pistol, revolver, or other firearm capable of being concealed upon the person, as specified, which lacks various safety mechanisms, as specified. (Penal Code 12126.)
- 3) Requires any concealable firearm manufactured in California, imported for sale, kept for sale, or offered for sale to be tested within a reasonable period of time by an independent laboratory, certified by the Department of Justice (DOJ), to determine whether it meets required safety standards, as specified. (Penal Code Section 12130.)
- 4) Requires DOJ, on and after January 1, 2001, to compile, publish, and thereafter maintain a roster listing all of the pistols, revolvers, and other firearms capable of being concealed upon the person that have been tested by a certified testing laboratory, have been determined not to be unsafe handguns, and may be sold in California, as specified. The roster shall list, for each firearm, the manufacturer, model number, and model name. [Penal Code Section 12131(a).]
- 5) Provides that DOJ may charge every person in California who is

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licensed as a manufacturer of firearms, as specified, and any person in California who manufactures or causes to be manufactured, imports into California for sale, keeps for sale, or offers or exposes for sale any pistol, revolver, or other firearm capable of being concealed upon the person in California, an annual fee not exceeding the costs of preparing, publishing, and maintaining the roster of firearms determined not be unsafe, and the costs of research and development, report analysis, firearms storage, and other program infrastructure costs, as specified. [Penal Code Section 12131(b)(1).]

- 6) Requires the DOJ to maintain a registry of all handguns sold by a licensed dealer in California including, but not limited to, the buyer's name, address and other identifying information, as well as the serial number of the weapon sold. [Penal Code Section 11106.]

FISCAL EFFECT : Unknown

COMMENTS :

1) Author's Statement : According to the author, "AB 2235 would require all newly manufactured or imported handguns in California to be owner-authorized, or personalized in a way that would allow them to be fired only by authorized persons. This requirement will take effect eighteen months following the release of a report by the California Attorney General that owner-authorized handguns are available for retail sale either in this county or abroad.

"Owner-authorized handguns will help to prevent both unintentional and intentional gun violence. Injuries, homicides, suicides, and accidental shootings could be significantly reduced in California. The illegal transfer of firearms could also be reduced. AB 2235 would require that a permanent programmable biometric feature be part of the gun's original design and manufacture that renders the handgun

incapable of being fired except when activated by the lawful owner or other authorized user, and cannot be readily deactivated.

"Biometric technology provides a method for uniquely recognizing persons based upon one or more intrinsic physical traits. Biometric technologies, such as fingerprint or grip

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recognition, are already widely used in other applications and consumer products, including computers, cell phones, credit cards and door locks. New Jersey has a related handgun personalization law.

"An owner-authorized handgun could not be fired by a child or teen unless authorized by the parent or legal guardian, thereby establishing some parental control over the weapon. This would help prevent young people from accidentally shooting themselves and others, or committing suicide or homicide with handguns. Most parents would say that they keep their firearms locked away from their children, but all too often kids find the gun and tragedy follows. In February an Oxnard junior high school student used his grandfather's gun to shoot a classmate in the head. This week a Sutter County Sheriff's deputy's three year old son accidentally shot himself with his father's gun. Although peace officers are exempt from this bill, they could choose to use an owner-authorized firearm as a personal weapon or as their service weapon.

"According to the California Department of Public Health, in 2005, 595 California children and youth under age 21 were killed with firearms and 1,554 California children and youth under age 21 were hospitalized with nonfatal firearms injuries. One report states that one-third of U.S. children live in homes with firearms. Almost half of homes with children and firearms keep a gun unlocked.

"According to the Center for Disease Control, suicide is the fourth leading cause of death of children and teens; over 43% are committed with firearms. Despondent teens, or other depressed individuals who are not authorized users, would be unable to commit suicide with a personalized handgun.

"Owner authorized handguns acquired through gun traffickers, straw purchasers, theft and other illegal transactions would be inoperable by criminals and other persons to whom they are transferred. Studies have shown that illegally obtained guns are often used in crime. A stolen gun would not be able to be used by a criminal unless it was reprogrammed to recognize the new user. Under AB 2235, intentionally tampering with the owner-authorized technology would be punishable by a misdemeanor.

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"The medical costs of gun violence place a terrible burden on health services, governments, and taxpayers. Owner-authorized handguns would help prevent gun violence and reduce this economic burden on society. Injuries from handguns are a drain on vital health care resources. According to one study, gunshot wounds from assaults cost an average of \$18,400 to treat. Unintentional shootings cost an average of \$22,400 each. Unfortunately, many victims of gunshot wounds are uninsured, so the public pays for their medical care. In addition to costing American taxpayers over a hundred billion dollars a year in the overall costs of gun violence, gunshot victims crowd emergency rooms with injuries that could have been easily prevented. AB 2235, by cutting down on the number of accidental and purposeful gunshot injuries, will free up these resources to address other public health problems in California.

"I know from my time on the California Air Resources Board, that we must recognize when industry has developed advanced technology that can make Californians safe. In the case of auto emissions standards, we recognized that advanced emission controls could reduce air pollution. In this case we can compel firearm manufacturers to recognize that owner authorization technology is available and should be implemented to save lives.

"Consumer product modifications, such as child-proof caps on medicine and pool covers, have reduced injuries and saved lives. In a 1998 poll, approximately 74% of adults in U.S. households favor legislation requiring owner-authorized technology for all new handguns. The three E's of injury prevention are education, enforcement, and engineering. AB 2235 represents the 'engineering' piece of the puzzle. I believe that manufacturing handguns in this way will greatly reduce the incidence of handgun injuries, both accidental and purposeful. The fact is that safety features are required by law for many consumer products that are much less dangerous than guns. The government has been successful in reducing motor vehicle fatalities by instituting mandatory seatbelt laws and requiring airbags in new cars. I hope that through bills like AB 2235, we can be even more successful in reducing the years of potential life lost due to handgun violence.

"The research on current biometric gun technologies is promising. We know of two universities and one private

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company that are currently developing the technology. One company, NanoIdent, will have prototypes of this technology in 2009. This technology will be very easy to apply to the grip of the gun and will be faster and more accurate at the core task of biometric sensing. The time it will take for the biometric sensor to identify the authorized user will be less than 250 milliseconds. It will have a 99.99 percent accuracy rate. They are also developing a way to permit multiple users of the gun. NanoIdent's biometric sensors will be far less costly than silicon chips. The estimated average cost to include this technology to a gun would be \$50. As more companies develop or use new technologies, and as more

owner-authorized guns are produced, the price may decrease due to economy of scale. Guns are durable consumer products that can last a lifetime and the increased cost of a personalized gun over a lifetime is inconsequential.

"AB 2235 also includes a report by the Attorney General summarizing the current availability of owner-authorized handguns. Owner-authorized handguns shall be deemed available for retail sale when at least one domestic or foreign manufacturer has developed and offered for sale in any state or country at least one production model of an owner-authorized handgun. Once the Attorney General has determined that owner-authorized handguns are available for retail sale, the Attorney General shall develop regulations to implement how those guns are programmed by dealers, loaned to individuals and programmed for multiple users. Penalties will go into effect to address the intentional tampering with the owner-authorized technology."

2) Smart Guns and the New Jersey Experience : According to a January 2005 spotlight article on smart gun technology, the New Jersey Institute of Technology stated, "Since 1999, Sebastian, has led the smart gun project based upon Dynamic Grip Recognition, a technology invented by Michael Recce, PhD, associate professor of information systems at New Jersey Institute of Technology (NJIT). Five members of the NJIT police force have been trained since June of 2004 to use the test gun and be recognized. Ultimately computerized sensors in each gun will record data on dozens of known users while also blocking unauthorized users.

"The project has the enthusiastic backing of Sens. Frank R. Lautenberg and Jon S. Corzine. In addition to proudly

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witnessing the technology, the pair announced in December 2004 that, once again, they had secured \$1 million in federal funding for the project; they secured a similar amount the previous year. The funding was included in this year's U.S. Department of Justice budget. Reps. Robert Menendez and William Pascrell, who have also supported the research and sought federal appropriations, also spoke, as did NJIT President Robert A. Altenkirch and Bayonne Mayor and State Senator Joseph Doria, an early New Jersey legislative supporter.

"Under New Jersey law, passed in December 2002, only smart guns may be purchased in the state three years after personalized handguns become commercially available. Lautenberg said New Jersey's legislative effort to introduce smart gun technology should be a national model for the country. Once Congress returns to session next year, Lautenberg and Pascrell plan to introduce legislation modeled after New Jersey's law, so families across the country will be able to ensure that guns they own will not fall into the wrong hands.

" 'Everyone has body features that are unique signatures,' said Sebastian. 'Fingerprints and retinas number among the best known markers. Identifying a person by such attributes is called the science of biometrics.'

"Another form of biometric - the dynamic biometric - depends on

both physical markers and behavior. 'This is about who you are and how you do something, said Sebastian. This biometric is the foundation of Dynamic Grip Recognition. The technology measures not only the size, strength and structure of a person's hand, but also the reflexive way in which the person acts. For smart gun, the observed actions are how the person squeezes something to produce a unique and measurable pattern. Embedded sensors in the experimental gun then can read and record the size and force of the users' hand during the first second when the trigger is squeezed.

" 'This technology is similar to how electronic machines read an individual's signature upon completing a credit card transaction,' said Sebastian.

"The next step is for NJIT researchers to turn over their invention to the Australian-based research and development company Metal Storm Ltd.. Currently January of 2006 is the

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target date. Metal Storm will then incorporate the NJIT technology into their patented electronic handgun, as NJIT researchers continue testing. 'NJIT is doing pioneering research to make a firearm that can save thousands of innocent lives,' said Lautenberg during a recent demonstration of the technology at a Bayonne firing range. 'On any given day people across the country can turn on their TV news or read in their local paper the sad story of a child taking another child's life because they got their hands on a loaded gun. However, we know now that these deaths can be prevented - or at least reduced - through technology that will render a gun inoperable in the hands of the wrong user.'

"Corzine called the NJIT's dynamic-grip technology cutting edge and said that it represented a really positive step forward in public safety. 'NJIT is involved in important life-saving research,' he added. 'There is no question that manufacturing handguns with advanced technology to limit operation can save lives. No child could pick up a gun and pull the trigger. The gun just won't work, and that's how it should be.'

"Menendez said that by making handguns operable only by authorized users, many gun deaths can be avoided. Pascrell said he looked forward to introducing legislation in the 108th Congress similar to the legislation in New Jersey.

"Since 1999, NJIT has spearheaded efforts to develop a personalized handgun that can instantly and reliably recognize one or more pre-programmed authorized users. To date, the New Jersey legislature has awarded NJIT \$1.5 million for the project. In 2003, Recce received a patent for Dynamic Grip Recognition. The invention enabled NJIT electrical engineering professor Timothy Chang, PhD, assisted by a team of engineers, to embed multiple small electronic sensors in the grip. The sensors identify the user. The finished gun will eventually feature both electronic features and computerized parts. Recce sees his invention someday also being used in other applications - perhaps the yoke of a plane or a car's steering wheel.

"Also in 2003, NJIT signed an agreement with Metal Storm, which owns a patent for its Electronic Firing System that can be

used in a handgun. Metal Storm's 'Dwyer' system is a unique, patented approach to firing projectiles. Entirely electronic, the system utilizes preloaded barrels holding multiple

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projectiles that are fired by electronic ignition. For the first time, interchangeable and multiple barrels can be made available to fire a range of projectiles of varying calibers from the same handgun." [New Jersey Institute of Technology (2005),]

3)Arguments in Support : According to the Brady Campaign to Prevent Gun Violence , "A proposed to be amended, AB 2235 would require all newly manufactured or imported handguns in California to be 'owner authorized' or personalized in a way that would allow them to be fired only by authorized persons.

This requirement would take effect eighteen months following the release of a report by the CA Department of Justice indicating that owner-authorized handguns with biometric technology are available for retail sale, either in this country or abroad. The bill requires that the DOJ submit an annual report regarding the status and availability of owner-authorized handguns. Furthermore, once owner-authorized handguns are determined to be available for retail sale, the DOJ will release recommendations for the implementation of the owner-authorized handgun requirement.

"The concept of an owner authorized handgun has been under discussion for over ten years. In 2002, New Jersey passed a law similar to AB 2235. A number of technological solutions have been explored, but so far, none have been sufficiently reliable. We believe, however, that recent advances in biometric access control have the potential to achieve very high authorized user recognition reliability and very short response times. Once owner authorized handguns are commercially available, accidental firearm injuries, homicides and suicides could be significantly reduced. Personalized handguns would be inoperable by unauthorized users-including children and thieves-thereby helping to prevent intentional and unintentional gun violence in California.

"In this time of increased school shootings, youth gang violence, and youth suicide, it is paramount that young people be prevented from inappropriate access to handguns. Every day in the U.S., eight children and teenagers are killed by a firearm; suicide is the fourth leading cause of death of young people. An owner-authorized handgun could not be fired by a child or teen; hence, curious small children could not

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accidentally shoot themselves or others, despondent teens could not shoot themselves, and troubled students could not

commit rampage shootings with guns taken from the home.

"Moreover, owner-authorized handguns provide a means to enforce existing law in that illegally obtained guns would not be operable. Stolen handguns that are personalized could not be fired. Similarly, handguns acquired through straw purchasers or gun traffickers could also not be used. These illegally obtained handguns are the weapons that fuel the gun violence in our streets.

"Most consumer products, ranging from teddy bears to automobiles, are regulated in order to reduce injury or death. Product modifications, such as child proof caps on medicine or airbags in cars make us safer. It would seem logical that a product as inherently dangerous as a handgun would have design features to make it safer. Nevertheless, firearms remain virtually unregulated as a consumer product. Since the 1950's, the motor vehicle fatality rate per passenger mile has been reduced by over eighty percent. This has been accomplished by incorporating safety features into automobile design and by raising highway construction standards. There is no reason why similar results could be obtained for firearms. Firearm violence places a tremendous financial burden on health services, governments and tax payers. Typically, the public pays about 85% of medical costs associated with firearm violence; a cost that the state of California cannot afford and which personalized handguns could reduce. Moreover, polls show that over seventy percent of the public, including gun owners, is in strong support of owner-authorized technology for new handguns. We must stop the plague of gun violence in our homes, our schools, and out communities. New and innovative approaches are needed to reduce the alarmingly high number of tragic victims that firearm violence leave behind.

4)Arguments in Opposition : According to the National Rifle Association, "FBI statistics show that law enforcement officers in the United States have been killed by criminals who wrestled their duty firearms away and then shoot them or other officers. To decrease the chances of officers being feloniously shot with their own guns in the future, the National Institute of Justice (NIJ) funded a 'Smart Gun Technology Project" in 1994. The so-called 'Smart Gun

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Technology' was concerned with developing technology for use by law enforcement officers. Gun control advocates, however, see 'smart' gun technology as a way to force the price of guns beyond the budgets of many Americans. Indeed, Colt's Manufacturing Company, which received \$500,000 from the NIJ and spent millions of its own money to develop 'smart' gun prototype, estimates the technology would add \$300 to \$400 to the price of a gun."

5)Related Legislation :

- a) AB 2062 (De Leon) requires, commencing July 1, 2009, that any person who sells or transfers more than 50 rounds of handgun ammunition in any month to register as a handgun ammunition vendor; and authorizes, commencing March 1, 2011, any person 21 years of age or older to obtain a handgun ammunition purchase permit. AB 2062 is pending

hearing by the Assembly Committee on Appropriations.

- b) AB 2566 (Hancock) provides that no provision of law shall limit the authority of any city, county, or city and county to regulate or prohibit the purchase, sale, ownership, possession, keeping, carrying, manufacture, transfer, or distribution of handguns within the jurisdiction limits of that city, county, or city and county. AB 2566 failed passage in this Committee, was granted reconsideration, and will be voted on again by this Committee today.

REGISTERED SUPPORT / OPPOSITION :

Support

Beth Shir Sholom
 Brady Campaign to Prevent Gun Violence, California Chapters
 Brady Campaign to Prevent Gun Violence, Contra Costa Chapter
 Brady Campaign to Prevent Gun Violence, Long Beach Chapter
 Brady Campaign to Prevent Gun Violence, Los Angeles Chapter
 Brady Campaign to Prevent Gun Violence, Nevada County Chapter
 Brady Campaign to Prevent Gun Violence, Oakland/Alameda County Chapter
 Brady Campaign to Prevent Gun Violence, Orange County Chapter
 Brady Campaign to Prevent Gun Violence, Sacramento Valley Chapter
 Brady Campaign to Prevent Gun Violence, San Fernando Valley

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Chapter
 Brady Campaign to Prevent Gun Violence, San Francisco Chapter
 Brady Campaign to Prevent Gun Violence, Ventura County Chapter
 Brady Campaign to Prevent Gun Violence, West Contra Costa Chapter
 Coalition Against Gun Violence, Santa Barbara County
 Emeryville Police Department
 Gray Panthers California
 Orange County Brady Chapter to Prevent Gun Violence
 Health Officers Association of California
 Legal Community Against Gun Violence
 Orange County Citizens for the Prevention of Gun Violence
 Violence Prevention Coalition of Orange County
 3 private citizens

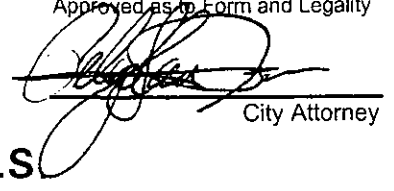
Opposition

California Association of Firearms Retailers
 California Houndsmen for Conservation
 California Rifle and Pistol Association
 California Sportsman's Lobby
 Crossroads of the West Gun Shows
 Gun Owners of California
 National Rifle Association
 National Shooting Sports Foundation
 Outdoor Sportsmen's Coalition of California
 Safari Club International Foundation
 1 private citizen

Analysis Prepared by : Kimberly Horiuchi / PUB. S. / (916)
 319-3744

OAKLAND CITY COUNCIL

OFFICE OF THE CITY CLERK


City Attorney

RESOLUTION No. _____ C.M.S.

2008 MAY - 1 PM 8:00

Introduced by Councilmember _____

RESOLUTION IN SUPPORT OF AB 2235 (DESAULNIER) – “FIREARMS: UNSAFE HANDGUNS”

WHEREAS, each year a number of accidental deaths and injuries across California can be attributed to “unsafe handguns”; and

WHEREAS, the existing state law’s definition of “unsafe handgun” lacks the required specificity to enable effective enforcement; and

WHEREAS, the City of Oakland recognizes the need to better define the term “unsafe handgun”; and

WHEREAS, this bill requires the California Department of Justice to determine when sufficient technology exists to require “owner authorization” to fire a handgun; and

WHEREAS, such features will reduce or eliminate the ability of unauthorized use of a handgun by anyone other than the owner; and

WHEREAS, the City of Oakland also supports measures to reduce the incidents of accidental injury or death due to “unsafe handguns; and

WHEREAS, AB 2235 (DeSaulnier) will contribute to a safer Oakland by providing a more precise definition of “unsafe firearm”; now, therefore be it

RESOLVED: That the City of Oakland declares its support for AB 2235 (DeSaulnier); 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, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT DE LA FUENTE

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

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