

OAKLAND CITY COUNCIL

DRAFT

RESOLUTION No. _____ C. M. S.

FILED
OFFICE OF THE CITY CLERK
OAKLAND

INTRODUCED BY COUNCILMEMBER Nancy J. Nadel

2005 JUN -9 PM 12: 24

A Resolution Supporting AB 352 (Micro-stamping of semiautomatic weapons) by Assemblymember Koretz

WHEREAS, every year approximately 3,000 Californians die due to gunshot wounds and an average of 8,000 suffer tragic injuries; and

WHEREAS, the City of Oakland supports the enforcement of firearm regulations that increase the safety of the people of the city of Oakland, and

WHEREAS, ballistic identification has assisted law enforcement agencies such as the Bureau of Alcohol, Tobacco and Firearms(AFT), Federal Bureau of Investigations and other law enforcement agencies to identify specific firearms involved in a crime; and

WHEREAS, "microstamping" of firearms consists of microscopic codes that re intentionally inserted into the firing chamber which are later replicated on the shell casings of bullets that are fired; and

WHEREAS, microstamping of firearms would substantially enhance ballistic identification procedures, enabling law enforcement to immediately link shell casings to the firing weapon; and

WHEREAS, Assemblymember Paul Koretz has introduced AB 352 which would require that semiautomatic handguns be equipped with microstamping beginning on January 1st, 2007 which would enhance law enforcement efforts to reduce violent crime; and

WHEREAS, the State Assembly has passed AB 352 and forwarded the legislation to the State Senate; now therefore, be it

RESOLVED, that the Oakland City Council does hereby declare its support for AB 352 (Micro-stamping of semiautomatic weapons) by Assemblymember Koretz; and be it

FURTHER RESOLVED, that the Oakland City Council directs the City Administrator forward this resolution to the State Senate.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20__

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRU NNER, 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

Assembly Floor Analysis of AB 352

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SUMMARY: Requires specified semiautomatic pistols to be equipped with microscopic identifying markings which are transferred to each cartridge case when the firearm is fired. Specifically, this bill: 2005 Bill No. 0012: 24

1) Requires, beginning January 1, 2007, all semiautomatic pistols not already designated as safe handguns, as specified, to be equipped with microscopic characters that identify the make, model, and serial number of the pistol etched into the interior surface or internal working parts of the pistol which are transferred by imprinting on each cartridge case when the firearm is fired.

2) Provides that, commencing on January 1, 2007, no handgun may be submitted for required safety testing, as specified, unless the handgun is equipped with a microscopic characters that identify the make, model, and serial number of the pistol etched into the interior surface or internal working parts of the pistol and which are transferred by imprinting on each cartridge case when the firearm is fired.

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.

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.

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 state Department of Justice (DOJ), to determine whether it meets required safety standards, as specified.

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 this state, as specified. The roster shall list, for each firearm, the manufacturer, model number, and model name.

5) Provides that DOJ may charge every person in California who is 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.

6) Requires 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.

FISCAL EFFECT : According to the Assembly Appropriations Committee analysis:

1) Negligible special fund costs, in the range of \$15,000, to DOJ to certify labs and adopt regulations. Costs would be covered by existing revenue from the Dealers Record of Sale Account.

2) Unknown, likely minor, non-reimbursable local law enforcement costs for increased county jail commitments for misdemeanor possession or sale of unsafe handguns, the category of which would expand pursuant to this bill.

COMMENTS : According to the author, "Gun violence is at an epidemic level with nearly 10,000 Californians wounded or killed each year and law enforcement needs every tool available to stop gun crime...."

"Microstamping provides an opportunity for greatly easing law enforcement's task in solving gun crimes and greatly reducing the cost to state and local agencies that rely on ballistic identification systems.

"Moreover, with microstamping, state and local law enforcement agencies do not have to acquire or maintain costly computer equipment or databases. Cartridge cases recovered at crime scenes will quickly lead investigators to the guns that fired them simply by using our current crime gun tracing system."

Analysis Prepared by : Steven Meinrath / PUB. S. / (916) 319-3744