

AB 352 (Koretz)
As Amended 5-16-05

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MICROSTAMPING: NEXT GENERATION BALLISTIC ID
FACT SHEET

PURPOSE

AB 352 would help law enforcement solve firearm related crimes by implementing a new technology known as microstamping, which leaves markings on the cartridge case that correspond to the serial number on the gun.

SUMMARY

AB 352 would require all new semiautomatic handguns sold in California after January 1, 2007 be equipped with microstamping -- a new technology that would allow law enforcement to positively link used cartridge cases recovered at crime scenes to the firearms and criminals that fired them.

COMMENTS

Gun violence is at an epidemic level with nearly 8,000 Californians wounded or killed each year and law enforcement needs every tool available to stop gun crime.

Microstamping is the next generation of ballistic identification technology that has evolved from the original technology. The technology replaces the accidental markings of ballistic imaging with microscopic codes intentionally inserted into the firing chamber.

The basic technology of microstamping involves the use of powerful lasers to make extremely precise, microscopic engravings. Microstamping provides an opportunity for greatly easing law enforcement's task in solving gun crimes

In 2002, ballistic identification was instrumental in helping to solve the Washington D.C. sniper shootings. In this particular case, the police relied on the unique microscopic marking on the bullets to determine that the bullets had been fired by the same gun. These markings on a cartridge cases or ammunition are an inevitable part of the firing process.

With microstamping, manufacturers have more control over what the identifying marks look like and where they are located. In addition, by duplicating these marks in various surfaces, manufacturers can assist law enforcement by making it even harder for criminals to defeat ballistic identification by tampering with the firearm.

The benefit of microstamping technology is that it does not require any new databases or additional information from gun purchasers and will be virtually cost free for law enforcement. Since the ammunition expelled from the firearm will have the same serial number as the firearm, we already have this information available through the DROS process

This next generation of ballistic identification technology would enable law enforcement to immediately read the identifying microscopic serial numbers from spent shell casings and link the evidence to the specific gun that fired the round. Then, using California's current handgun database the owner of the gun can be identified. Finding the gun is a critical lead for law enforcement officers investigating a shooting.

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The new microstamping technology was highlighted in a report published last year by the Educational Fund to Stop Gun Violence entitled *Cracking the Case: The Crime-Solving Promise of Ballistic Identification*, available at www.findthegun.com. The in-depth report details how microstamping technology can help law enforcement solve gun crimes

STATUS

In the Senate

SUPPORT

American College of Emergency Physicians, CA Chapter
Attorney General of California
Bernard Parks, Councilman City of Los Angeles
Brady Campaign
CA Alliance for Consumer Protection
Coalition to Stop Gun Violence (Sponsor)
Friends Committee on Legislation
Legal Community Against Gun Violence
Los Angeles City Attorney, Ricky Delgadillo
Million Mom March
Physicians for Social Responsibility
Police Jerry Dyer, City of Fresno
Police Chief Paul Walters, City of Santa Ana
Orange County Citizens for the Prevention of Gun Violence
Sheriff Lee Baca, Los Angeles County
Sheriff Charles Plummer, Alameda County
Women Against Gun Violence, LA

OPPOSITION

Beretta
California Pistol and Rifle Association
Citizens Committee for the Right to Keep and Bear Arms
California Sportman's Lobby
Glock
Gun Owners of CA
Herb Bauer Sporting Goods

National Rifle Association
Outdoor Sportman's Coalition
SAAMI
Safari Club International
Sturm, Ruger & Co.

VOTES

Assembly Public Safety 5-2
Assembly Appropriations B Roll Call
Assembly Floor 41-38

Consultant: Sandra DeBourelando, 319-2042
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Questions and Answers

Question: Has microstamping technology been tested and reviewed by independent forensic experts?

Answer: YES. Lucien Haag, a renowned criminalist, ballistic expert and firearms examiner conducted rigorous tests using microstamping technology. His finding revealed that firing pins and cartridge cases equipped with microstamping technology “were easily readable in all types of primers tested and after hundreds of shots. These results were reported at two separate conferences in 2004--Annual Conference of the Association of Firearms and Toolmark Examiners (AFTE) and the National Academy of Sciences Committee on Assessing the Feasibility, Accuracy, and Technical Capability of a National Ballistics Database.

Question: Could a criminal file the microstamp off the firing pin and breach face of a marked firearm, in an attempt to easily defeat the technology?

Answer: No. The technology includes anti-countermeasure codes that will continue to mark cartridge cases even if the primary code were to be filed off a firing pin. *If a criminal attempts to file off the countermeasure codes, the firing pin will be ruined and the gun will not fire.* Moreover, the microscopic codes on the breach face of a marked pistol would be very difficult to locate and remove. Filing down the surfaces of the breach face and firing chamber to a depth necessary to completely remove the code would severely damage the firearm.

Question: In an attempt to defeat the technology, could a criminal use reloaded cartridge cases to defeat the technology?

Answer: No. Microstamped impressions are left on the primer of the cartridge case. When used cartridge cases are reloaded, the old expended primers are removed and replaced with new primers.

Question: Will microstamping work on less powerful, small caliber handguns?

Answer: Yes. Lucien Haag's tests revealed that the microstamped impressions were clearly visible on cartridges that misfired. This means that those rounds that did not discharge at all were still clearly marked.

Question: Will the marks left by microstamping on the interior surfaces of a firearm cause the cartridge to “stick” inside the gun causing a “jam”?

Answer: No. In one of the tests performed by Lucien Haag he used a Thompson sub-machinegun. That gun, which fires rounds a rate of over 600 rounds per minute, experienced no jamming problems. Additionally, the microstamp does not leave raised surfaces in the firing chamber or on the firing pin of marked firearms. There is nothing for the round to “stick” to and cause a “jam”.

Question: If a firing pin or breach face of a microstamped firearm needed to be repaired or replaced, would microstamped parts be readily available to the gun owning public and approved gunsmiths.

Answer: Yes. Since microstamping would only be required on new firearms manufactured after 2007, the manufacturers of approved firearms would make available marked replacement parts just as they do today on all gun parts that are required to be serialized.

Most handgun manufacturers repair work at their factories. All California approved gun manufacturers require that repair or warranty work on new guns be done at the factory or by certified repair facilities in order for the warranty on a new gun to remain in effect. Companies like Glock, Smith & Wesson, Sig Arms, Browning, Colts and Beretta all have similar repair and warranty policies and practices.

Here's what Taurus, a member of the Sporting Arms and Ammunition Manufacturers Institute (SAAMI) says about modifications and repair work in their manual that accompanies all new Taurus guns:

“Our Service Department maintains a full complement of replacement parts for our firearms of current manufacture. Even though most gunsmiths have the knowledge, training and ability to make the necessary repairs to your firearm, the skill and workmanship of any particular gunsmith is totally beyond our control.

Should your firearm ever require service, we strongly recommend that you return it to Taurus. Remember, unauthorized adjustments or parts replacement can void your warranty...

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