

AB 1674 (Santiago) Gun Sales

Bill Summary

AB 1674 caps the amount of firearms that may be purchased by a person at one per month – the same restriction currently in place for handguns.

Existing Law

California's Penal Code Section 27535 restricts applications to purchase handguns to one per each 30-day period.

Private party transactions – typically those in which used handguns are sold or transferred – are exempted from the monthly restriction, per **Penal Code Section 27535 (b)(8)**.

There is no monthly restriction on long gun purchases.

Background

Historically, policymakers have believed that the bulk of gun violence is perpetuated by handguns. Recent data collection efforts have shown that assumption to be incorrect, however.

Facts

The term “long gun” generally refers to rifles and shotguns.

Over the past ten years, Californians have typically purchased more long guns than handguns, including 538,149 guns in 2013ⁱ.

Long guns are a significant piece of California's gun trafficking problem. Of the 26,682 crime guns entered into DOJ's Automated Firearms Systems (AFS) database in 2009, 11,500 were long gunsⁱⁱ.

Furthermore, the California Department of Justice (DOJ) has found that half the illegal firearms recovered from prohibited persons are long gunsⁱⁱⁱ.

A 2007 University of Pennsylvania report to the **National Institute of Justice** found that:

- A quarter of all guns used in crime were purchased as part of a multiple-gun sale; and
- Guns purchased in bulk were up to 64% more likely to be used for illegal purposes than guns purchased individually^{iv}.

Need for AB 1674

Federal and state gun crime forensic data (i.e. number of guns used, manner in which guns were obtained, legality of guns used, etc.) is either non-existent or sparse.

Independent data collection efforts are beginning to yield some startling conclusions, however, including that:

- Experts believe that unstable individuals frequently attempt to stockpile large quantities of weapons for use in mass shootings^v.
- Of the mass shootings that have occurred in the United States throughout the last 30 years, 72 (exactly half) of the weapons used in those crimes were long guns^{vi}.
- Of the 11 mass shootings in California in the same timeframe, nearly the same is true: 12 long guns were used along with 16 handguns^{vii}.

It is surprising that a person – no matter their intentions – could purchase as many rifles or shotguns that they want at any given time.

AB 1674 represents a common sense solution to gun violence and trafficking in California.

History

- 01/19 – Introduced
- 03/01 – Assembly Public Safety Committee

Support

California Chapters of the Brady Campaign to Prevent Gun Violence
Coalition Against Gun Violence
Friends Committee on Legislation of California
Law Center to Prevent Gun Violence
Women Against Gun Violence
Youth ALIVE!

For More Information

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LEGISLATURE
STATE OF CALIFORNIA

References

ⁱ California Department of Justice, "Dealer's Record of Sale (Calendar Year Statistics),"

http://oag.ca.gov/sites/all/files/agweb/pdfs/firearms/forms/dros_chart.pdf?

ⁱⁱ Data provided by the California Department of Justice, April 6, 2010.

ⁱⁱⁱ Data provided by the California Department of Justice, March 4, 2010.

^{iv} Koper, Christopher S.; Jerry Lee Center of Criminology, Univ. of Penn., *Crime Gun Risk Factors: Buyer, Seller, Firearm, and Transaction Characteristics Associated with Gun Trafficking and Criminal Gun Use -- A report to the National Institute of Justice, U.S. Department of Justice* (2007).

<https://www.ncjrs.gov/pdffiles1/nij/grants/221074.pdf>.

^v Peter Langman, PhD, "School Shooters: The Warning Signs." July 29, 2014.

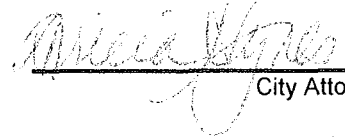
https://schoolshooters.info/sites/default/files/schoolshooters_warning_signs_1.1.pdf

^{vi} Follman, Mark; Aronsen, Gavin; Pan, Deanna; and Caldwell, Maggie. "US Mass Shootings, 1982-2015: Data From Mother' Jones' Investigation." *Mother Jones Magazine*, December 28, 2012. Updated December 3, 2015.

^{vii} Ibid.

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Approved as to Form and Legality



City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

Introduced by Councilmembers Brooks, Kaplan and Kalb

**RESOLUTION IN SUPPORT OF ASSEMBLY BILL (AB) 1674 (Santiago)
THAT WOULD CAP THE AMOUNT OF FIREARMS THAT MAY BE
PURCHASED BY A PERSON AT ONE PER MONTH**

WHEREAS, California's Penal Code Section 27535 currently restricts applications to purchase handguns to one per each 30-day period; and

WHEREAS, Under California's Penal Code Section 27535 (b)(8), any private party transaction conducted through a licensed firearm dealer is currently exempted from the monthly restriction; and

WHEREAS, Presently there is no monthly restriction on long gun purchases; and

WHEREAS, Over the past ten years, Californians have typically purchased more long guns than handguns, including 538,149 guns in 2013; and

WHEREAS, Long guns are a significant piece of California's gun trafficking problem, as shown by the example, that, of the 26,682 crime guns entered into the Department of Justice's automated firearms systems database in 2009, 11,500 were long guns; and

WHEREAS, The California Department of Justice has found that half the illegal firearms recovered from prohibited persons are long guns; and

WHEREAS, The City of Oakland has suffered a high number of homicides and other crimes involving both handguns and long guns; and

WHEREAS, The Oakland City Council has passed ordinances and resolutions in support of common sense gun laws; and

WHEREAS, AB 1674 will cap the amount of firearms that may be purchased by a person at one per month, including both used guns and new long guns; and

WHEREAS, Multiple coalition and campaigns are in support of AB 1674, including the California Chapters of the Brady Campaign to Prevent Gun Violence, Friends Committee On

Legislation of California, Coalition Against Gun Violence, Law Center to Prevent Gun Violence, Women Against Gun Violence, and Youth ALIVE!; now, therefore be it

RESOLVED, That the Oakland City Council hereby endorses AB 1674 and urges the California State Legislature and Governor Jerry Brown to support its enactment into law.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, AND
PRESIDENT GIBSON MCELHANEY

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

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

FILED
CITY OF OAKLAND
COUNCIL

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Approved as to Form and Legality

City Attorney

OAKLAND CITY COUNCIL

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LaTonda Simmons
City Clerk and Clerk of the Council
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