

exempt and non-exempt agencies. DOJ has notified such individuals that they had obtained unsafe handguns in violation of the UHA. Instead of addressing this gap in enforcement and providing a workable solution for *those* officers, however, AB 2165 seeks to permanently codify a mistake.

**We question the wisdom and necessity of allowing nearly all California peace officers to purchase, carry, keep in their homes, and sell for profit, handguns that could not pass basic safety tests and that do not utilize a common sense safety mechanism to prevent accidental firings.** There are currently 763 different safer handgun models certified for sale in this state and AB 2165's proponents have not articulated any legitimate law enforcement purpose in making uncertified, unsafe handguns permanently available to more public employees—or these employees' family members—in our state. Because the UHA does not apply to secondary sales, expanding this exemption would also, doubtless, allow significantly more junk guns to be sold and carried in California, thereby undermining the effectiveness of this important law.

**We strongly recommend that AB 2165 be amended in the following manner:**

- AB 2165 should be narrowed to grandfather those peace officers who have already acquired unsafe guns as a result of errors in applying existing law, instead of permanently codifying a mistake;
- All individuals who own unsafe handguns should be required to safely and securely store those weapons, except when they are being carried on the person or kept within close enough proximity that they may be readily retrieved and used as if they were being carried on the person. (This language mirrors Penal Code Section 25135 regarding safe firearm storage requirements for individuals residing with prohibited persons.); and
- Individuals who own unsafe handguns should generally be prohibited from subsequently reselling those weapons to persons who are not licensed firearm dealers.

We urge you to vote “No” on AB 2165, unless it is amended.

Sincerely,



Anne Marks  
Executive Director

---

<sup>i</sup> Centers for Disease Control, *Fatal Injury Reports, 1999-2014, for National, Regional, and States*, at <http://webappa.cdc.gov/cgi-bin/broker.exe>. (The UHA went into effect in January 2001. From 2000 to 2014, California's age-adjusted rate of unintentional firearm deaths fell by 68% from 0.19 to 0.06 per 100,000. Over this same period, the national age-adjusted rate fell by 33% from 0.27 to 0.18 per 100,000).

<sup>ii</sup> *Id.*