



PREVENTING VIOLENCE AND DEVELOPING YOUTH LEADERS

June 17, 2016

The Honorable Loni Hancock
Chair, Public Safety Committee
California State Senate
Sacramento, CA 95814

Re: Opposition (Unless Amended) to AB 2165 – Undermining the Unsafe Handgun Act

Dear Senator Hancock,

On behalf of Youth ALIVE!, a violence prevention and intervention organization, I urge you to oppose AB 2165 (Bonta), unless it is amended. This bill would significantly weaken California’s law prohibiting the sale of unsafe handguns. Youth ALIVE! Youth ALIVE! helps young people become leaders and advocates for the change they would like to see in their communities through our Teens on Target Program, mentors and supports healing for young people who have been violently injured through our Caught in the Crossfire program, and works with families grieving in the wake of a homicide through our Khadafy Washington Project.

Through smart public policy—and despite intractable opposition from the firearm industry—California has effectively reduced the rate of accidental gun tragedies. In 1999, the California Legislature enacted the Unsafe Handgun Act (UHA), which requires all new handgun models to meet basic reliability and safety standards in order to be certified for sale or manufacture by DOJ. Since enactment of the UHA, the rate of accidental shooting deaths in California has fallen by more than 50%, according to CDC data. i Though the national rate has also fallen over this period, California’s rate has fallen twice as much and is now just one-third the national average. ii

The UHA currently exempts specified law enforcement agencies under limited circumstances. This exemption allows those agencies to purchase uncertified “off-roster” handguns for use in the discharge of their official duties, and allows sworn members of these agencies—and only these agencies— to purchase uncertified handguns for that purpose. However, the UHA does not require gun sellers to seek any verification that officers purchasing off-roster handguns were actually authorized to do so by their employing agency, and does not prevent officers from keeping unsafe handguns in their homes. Because the UHA also exempts handguns sold in private or secondary sales, officers who obtain unsafe guns can also subsequently resell them on the private market. This problematic exception undermines the UHA and should be narrowed, not expanded.

Instead of narrowing this law enforcement exception, AB 2165 seeks to permanently expand it to include all peace officers in California who have completed an “introductory training course” for peace officers in firearm use. This would extend existing law’s exemption to individuals with much more limited familiarity with firearms, including certain employees of the Departments of Fish and Game, Parks and Recreation, Forestry and Fire Protection, welfare fraud and child support investigators, medical investigators, and coroners.

The proponents of AB 2165 argue that this bill is necessary because peace officers from agencies that are not exempt under the UHA’s plain language have nonetheless been able to acquire off-roster handguns after some gun sellers mistakenly failed to differentiate between

Youth ALIVE is a 501c3 nonprofit organization. Our Tax ID is 94-3143254.

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