

SB 140 (Leno/Steinberg)

Armed Prohibited Persons System Enforcement

PURPOSE

SB 140 addresses the critical need to enforce *existing* firearm prohibition laws including the timely identification, investigation and prosecution of prohibited persons, and confiscation of illegally possessed weapons.

SB 140 will allow the Department of Justice to use existing Department resources to provide enhanced enforcement of the Armed Prohibited Persons System (APPS) which has identified over 36,000 handguns and assault weapons in the hands of more than 18,000 prohibited persons such as convicted felons and the mentally ill.

BACKGROUND

When Roy Perez shot and killed his mother, their neighbor, and his 4-year old daughter, his name was in APPS. Due to a lack of resources on both the state and local level, authorities were not able to confiscate the weapon.

The California Department of Justice (DOJ) maintains APPS, an online database, to cross-reference persons who have ownership or possession of a firearm, and who, subsequent to the date of that ownership or possession of a firearm, fall within a class of persons who are prohibited from having a firearm. It also provides authorized law enforcement agencies with inquiry capabilities to determine the prohibition status of a person of interest.

DOJ populates APPS with all handgun and assault weapon owners across the state and matches them up against criminal history records to determine who might fall into a prohibited status. Automatic

notifications from State and Federal criminal history systems will be received daily to determine if there is a match for a current California gun owner.

California is the first, and only, state in the nation to have database that tracks individuals who lawfully purchased a weapon and subsequently became prohibited.

WHAT THE BILL WILL DO

SB 140 will allow the Department of Justice to utilize existing funding to hire and train additional field agents for the aggressive enforcement of the APPS which presents a substantial risk to public safety.

FOR MORE INFORMATION

Office of Senator Mark Leno – (916) 651-4011