

Item 8

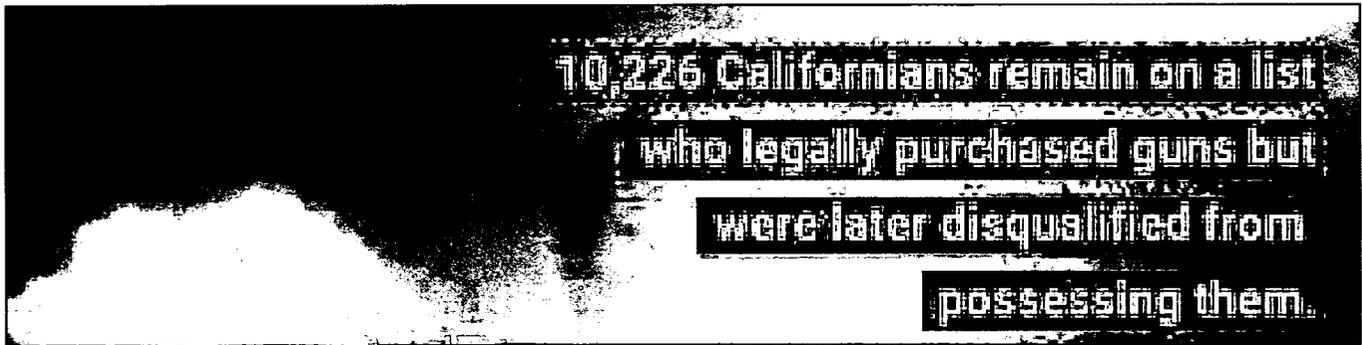
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POLITICS

# 10,000 Californians barred from owning guns are still armed. This law aims to change that



By PATRICK MCGREEVY  
JAN 19, 2018 | SACRAMENTO

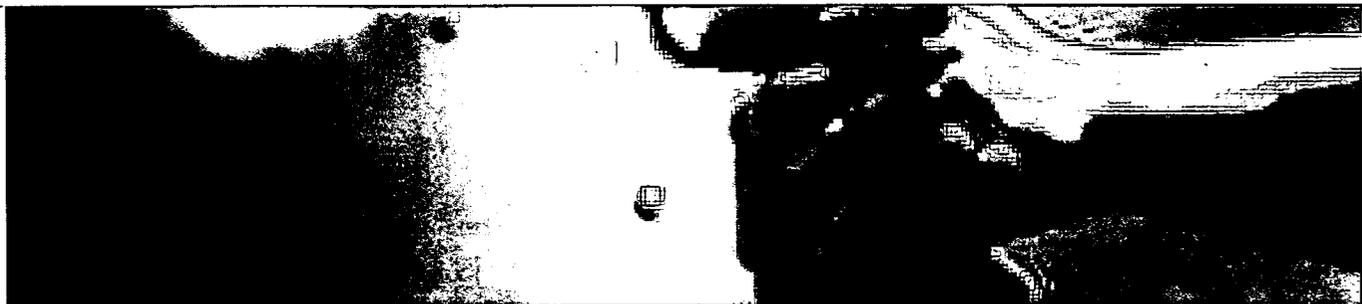


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As the state works to reduce a backlog of more than 10,000 Californians disqualified from gun ownership, up to 2,200 people who

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lawmakers launched a crackdown within months of the tragedy that has seized 18,000 firearms, including assault rifles, from thousands of people convicted of felonies, subject to domestic violence restraining orders or judged by the courts to be severely mentally ill.

But a surge in gun sales and a reduction in funding for the program has stymied efforts by the state Department of Justice to eliminate a backlog of people in California who have firearms and shouldn't. Approximately 10,226 people remain on a list of Californians who legally purchased guns but were later disqualified from possessing them.

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Now, a new law is giving law enforcement officials hope that greater headway can be made in disarming Californians who are ineligible to own guns.

"Significantly, it means we finally have a process in place to ensure that dangerous, convicted criminals are forced to get rid of their guns," said Lt. Gov. Gavin Newsom, who sponsored the new law as part of Proposition 63, a ballot measure that also included background checks on ammunition purchases and banned the possession of large-capacity firearm magazines. It was approved by voters in 2016.

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The Armed and Prohibited Persons System identifies those who legally purchased guns but were later convicted of a felony or otherwise disqualified from holding firearms. However, the list of prohibited persons grew in its early years — faster than the understaffed state Department of Justice could seize guns in door-to-door searches.

For safety purposes, the DOJ sent five agents whenever an operation was undertaken to confront someone on the list and take away his or her guns.

While the DOJ was reducing the list by 2,000 people annually through arrests or confiscation of weapons, an additional 3,000 people were being added to the list each year.

By 2012, the number of people on the list reached nearly 20,000, who had 39,000 guns.

Later that year, a lone gunman entered Sandy Hook Elementary School in Newtown, Conn., and killed 20 children and six adults. Within days, California lawmakers outraged by the shooting introduced a package of bills to toughen the state's already strict gun control laws.

The number of criminals with guns alarmed legislators including then-Sen. Mark Leno (D-San Francisco), who introduced a bill that allocated \$24 million over three years to hire more DOJ agents and whittle the backlog down.

The list was reduced from 20,721 people in mid-2013 to 10,634 in 2016 when the grant program ended, and about \$6 million was sent back to the fund that pays for point-of-sale background checks on gun buyers.

In 2016, the extra agents helped the DOJ and local law enforcement make 511 arrests and seize 3,954 firearms, including 187 assault rifles and four machine guns, as well as 947,653 rounds of ammunition.

The accuracy of the database is of concern to Craig DeLuz, a spokesman for the Firearms Policy Coalition, a group advocating for gun owners. When a temporary restraining order is lifted, a gun owner recovers the right to have guns, he said, adding that the change is not always recorded in a timely manner.

"When the information is inaccurate, you potentially put people at risk because you have the attorney general's office sending armed SWAT teams to people's homes to confiscate firearms," DeLuz said.

The backlog problem has been made worse by a 2014 law change that added owners of long guns to the Armed and Prohibited Persons System list, which had previously comprised only handgun owners.

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gone, the force is down to 67.

In contrast to previous years when the annual backlog reduction was in the thousands, in the last year the number on the list has dropped from 10,634 to 10,226 this month.

(Chris Keller)

State Atty. Gen. Xavier Becerra, who was appointed a year ago, remains committed to disarming criminals, according to aides who noted a jump in gun purchases and the addition of long guns to the Armed and Prohibited Persons list as obstacles to reducing the backlog.

"In recent years, we've seen a doubling of gun purchases, but are keeping up with the balance of the cases that are

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More money and agents should be allocated to keep whittling away at the backlog, said Amanda Wilcox, policy chairwoman of the state chapter of the Brady Campaign to Prevent Gun Violence.

"I would, of course, like the number in APPS to be lower, but I also recognize the challenges and know that DOJ has disarmed thousands of dangerous armed and prohibited people over the years and made our state safer," Wilcox said.

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Leno is also concerned that the heightened effort stopped before the backlog was eliminated.

"The numbers are as few as they are due to the state's investment in obtaining illegally possessed firearms," he said this month.

A change in state law that took effect Jan. 1 is expected to help the state put a big dent in the backlog.

A provision of Proposition 63 requires people convicted of certain crimes to provide proof that they sold or transferred their firearms before the court finalizes their sentence. Failure to comply could affect the case and result in the court sending officers to recover the firearms.

Of the 7,700 people added to the database in 2014, about 42% — more than 3,200 people — were individuals who illegally retained firearms after a new criminal conviction.

The new law will not eliminate the backlog, but DOJ and elected officials hope it will reduce it significantly.

Newsom, who is running for governor, has touted the new law in a recent campaign-funded commercial that puts the goal bluntly.

"If you are a dangerous criminal, we really are coming for your guns," Newsom says in the ad.

Leno, who is running for mayor of San Francisco, a city that once lost a mayor to gun violence, said more effort is required to disarm those judged by the courts to be too big a risk to have guns.

"If we don't continue to direct our efforts and sufficient funds to this growing universe of illegally possessed firearms, it's not a matter of if but when we will see another tragedy," he said.

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Patrick McGreevy



Patrick McGreevy covers the California Legislature out of the Sacramento bureau. Since joining the Los Angeles Times in 1998, he has worked in the City Hall and San Fernando Valley bureaus, writing about subjects including Valley secession, LAPD reform and city government during the administrations of Mayors Richard Riordan, James Hahn and Antonio Villaraigosa. He is a native of San Diego and a graduate of San Jose State University.

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#### FOR THE RECORD

JAN 19, 2018 | 9:45 AM

An earlier version of this article said that Proposition 63 banned the sale of large-capacity firearm magazines. It banned the possession of large-capacity firearm magazines.

#### LATEST POLITICS

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### Nancy Pelosi hints at short-term lease on House speakership

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**Table 12**  
**Crime Trends**  
**by Population Group, 2016–2017**

Population group	Murder and nonnegligent manslaughter	Violent crime	Rape <sup>1</sup>	Robbery	Aggravated assault	Property crime	Burglary	Larceny-theft	Motor vehicle theft	Arson	Number of agencies	2017 estimated population
<b>TOTAL ALL AGENCIES:</b>												
2016	16,651	1,227,452	117,581	323,903	769,317	7,541,358	1,430,698	5,372,029	738,631	41,870		
2017	16,617	1,227,262	121,745	310,861	778,039	7,320,839	1,321,995	5,254,838	744,006	41,171	15,426	310,003,377
Percent change	-0.2	*	+3.5	-4.0	+1.1	-2.9	-7.6	-2.2	+0.7	-1.7		
2016	12,987	988,373	88,310	285,013	602,063	6,002,396	1,056,562	4,349,999	595,835	31,894		
2017	13,191	989,231	91,715	274,251	610,074	5,846,576	983,667	4,264,233	598,676	31,974	11,205	211,301,356
Percent change	+1.6	+0.1	+3.9	-3.8	+1.3	-2.6	-6.9	-2.0	+0.5	+0.3		
2016	6,949	474,307	33,468	160,290	273,600	2,073,439	372,144	1,428,206	273,089	12,467		
2017	6,794	474,713	34,842	154,648	278,429	2,053,980	355,012	1,426,420	272,548	12,826	83	62,030,546
Percent change	-2.2	+0.1	+4.1	-3.5	+1.8	-0.9	-4.6	-0.1	-0.2	+2.9		
2016	2,691	201,743	14,045	71,655	113,352	742,376	125,318	517,249	99,809	4,226		
2017	2,473	200,277	14,809	68,685	114,310	735,685	119,624	518,657	97,404	4,176	11	27,835,810
Percent change	-8.1	-0.7	+5.4	-4.1	+0.8	-0.9	-4.5	+0.3	-2.4	-1.2		
2016	2,253	149,231	10,365	48,418	88,195	732,805	133,169	506,671	92,965	4,351		
2017	2,358	152,639	10,839	47,894	91,548	728,714	130,372	504,515	93,827	4,831	24	17,571,403
Percent change	+4.7	+2.3	+4.6	-1.1	+3.8	-0.6	-2.1	-0.4	+0.9	+11.0		
2016	2,005	123,333	9,058	40,217	72,053	598,258	113,657	404,286	80,315	3,890		
2017	1,963	121,797	9,194	38,069	72,571	589,581	105,016	403,248	81,317	3,819	48	16,623,333
Percent change	-2.1	-1.2	+1.5	-5.3	+0.7	-1.5	-7.6	-0.3	+1.2	-1.8		
2016	2,137	158,660	15,152	45,781	95,590	1,054,235	189,689	745,706	118,840	5,192		
2017	2,282	158,515	15,710	43,864	96,659	1,028,358	175,848	733,964	118,546	5,095	223	33,279,937
Percent change	+6.8	-0.1	+3.7	-4.2	+1.1	-2.5	-7.3	-1.6	-0.2	-1.9		
2016	1,283	117,544	11,884	31,586	72,791	884,845	154,139	649,430	81,276	4,353		
2017	1,376	117,529	12,310	31,025	72,818	853,912	140,936	631,474	81,502	4,478	484	33,749,285
Percent change	+7.2	*	+3.6	-1.8	*	-3.5	-8.6	-2.8	+0.3	+2.9		
2016	1,055	90,162	10,063	21,811	57,233	739,484	126,324	562,060	51,100	3,292		
2017	1,100	90,057	10,513	20,834	57,610	706,705	113,898	540,864	51,943	3,250	875	30,423,643
Percent change	+4.3	-0.1	+4.5	-4.5	+0.7	-4.4	-9.8	-3.8	+1.6	-1.3		
2016	879	76,670	8,929	15,845	51,017	673,637	117,372	515,744	40,521	2,905	1,798	28,686,467
2017	868	76,916	9,285	14,905	51,858	647,140	107,002	498,276	41,862	2,811		
Percent change	-1.3	+0.3	+4.0	-5.9	+1.6	-3.9	-8.8	-3.4	+3.3	-3.2		
2016	684	71,030	8,814	9,700	51,832	576,756	96,894	448,853	31,009	3,685		
2017	771	71,501	9,055	8,975	52,700	556,481	90,971	433,235	32,275	3,514	7,742	23,131,478
Percent change	+12.7	+0.7	+2.7	-7.5	+1.7	-3.5	-6.1	-3.5	+4.1	-4.6		
2016	2,770	190,966	20,915	36,125	131,156	1,243,670	281,127	843,894	118,649	7,468	1,915	74,252,901
2017	2,613	189,421	21,628	33,967	131,213	1,190,522	250,712	820,600	119,210	6,849		
Percent change	-5.7	-0.8	+3.4	-6.0	*	-4.3	-10.8	-2.8	+0.5	-8.3		

Population group	2016	2017	Percent change	Violent crime	Murder and nonnegligent manslaughter	Rape <sup>1</sup>	Robbery	Aggravated assault	Property crime	Burglary	Larceny-theft	Motor vehicle theft	Arson	Number of agencies	2017 estimated population
NONMETROPOLITAN COUNTIES <sup>2</sup>	48,113	48,610	+1.0	894	8,356	2,765	36,098	295,292	93,009	178,136	24,147	2,508	2,306	24,449,120	
				813	8,402	2,643	36,752	283,741	87,616	170,005	26,120	2,348			
				-9.1	+0.6	-4.4	+1.8	-3.9	-5.8	-4.6	+8.2	-6.4			
SUBURBAN AREAS <sup>3</sup>	333,810	332,467	-0.4	4,273	38,034	68,830	222,673	2,542,241	485,703	1,851,550	204,988	13,574	8,522	134,599,243	
				4,191	39,460	65,205	223,611	2,439,671	437,162	1,795,372	207,137	12,635			
				-1.9	+3.7	-5.3	+0.4	-4.0	-10.0	-3.0	+1.0	-6.9			

<sup>1</sup> The figures shown in the rape column include only those reported by law enforcement agencies that used the revised Uniform Crime Reporting definition of rape. See the data declaration for further explanation.

<sup>2</sup> Includes state police agencies that report separately for the entire state.

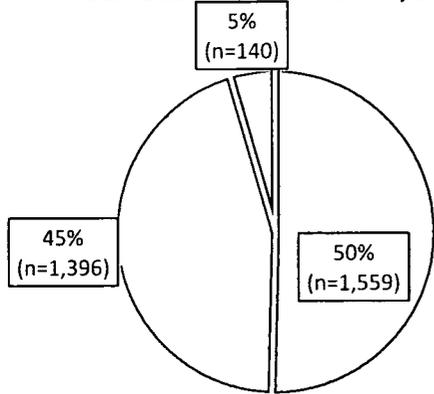
<sup>3</sup> Suburban areas include law enforcement agencies in cities with less than 50,000 inhabitants and county law enforcement agencies that are within a Metropolitan Statistical Area. Suburban areas exclude all metropolitan agencies associated with a principal city. The agencies associated with suburban areas also appear in other groups within this table.

\* Less than one-tenth of 1 percent.

## Firearm Suicide in California

- Half of all gun deaths in California are suicides.
- Firearm is the most lethal mean of suicide and 37% of all suicides are by firearm in California.
- 90% of people who die by firearm suicide in California are male; and 91% are White.

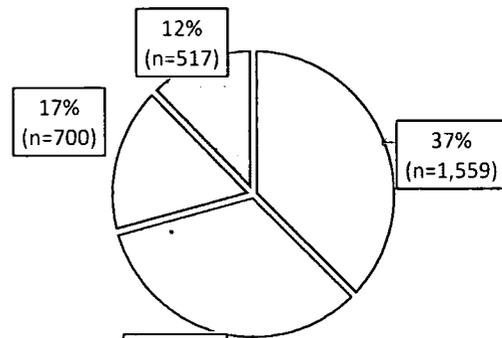
**Gun Deaths in California, 2015**



□ Swicide □ Homicide □ Other

Total Gun Deaths in 2015: 3,095

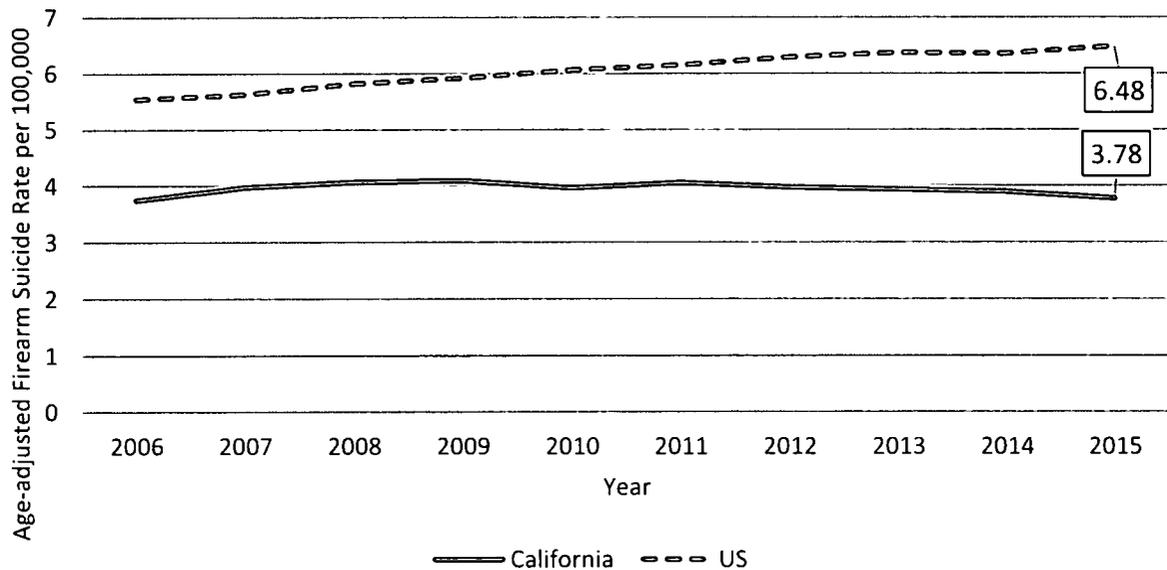
**Suicide Deaths in California, 2015**



□ Firearm □ Suffocation □ Poisoning □ Other

Total Swicide Deaths in 2015: 4,167

## Firearm Swicide Rate over the last decade, 2006-2015



## Firearm Suicide in California – Demographic Information

2008-2014, California  
**Death Rates per 100,000 Population**  
 Firearm, Suicide, All Races, All Ethnicities, Both Sexes, All Ages  
 Annualized Crude Rate for California: 4.08

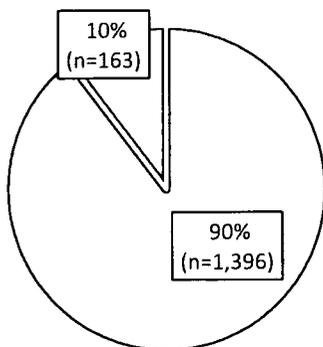


Suppressed/Unstable/Undefined      2.02-4.16      4.17-5.83  
 5.84-11.72      11.73-21.05

Reports for All Ages include those of unknown age.  
 \* Rates based on 20 or fewer deaths may be unstable. These rates are suppressed for counties (see legend above); such rates in the title have an asterisk.

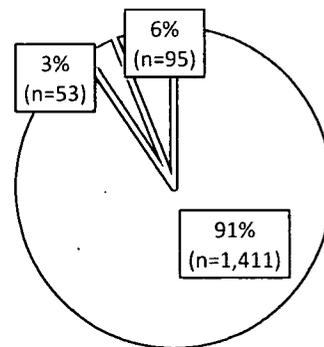
Produced by: the Statistics, Programming & Economics Branch, National Center for Injury Prevention & Control, CDC  
 Data Sources: NCHS National Vital Statistics System for numbers of deaths; US Census Bureau for population estimates.

**Firearm Suicide Deaths in California, 2015, by sex**



■ Male ■ Female

**Firearm Suicide Deaths in California, 2015, by race**

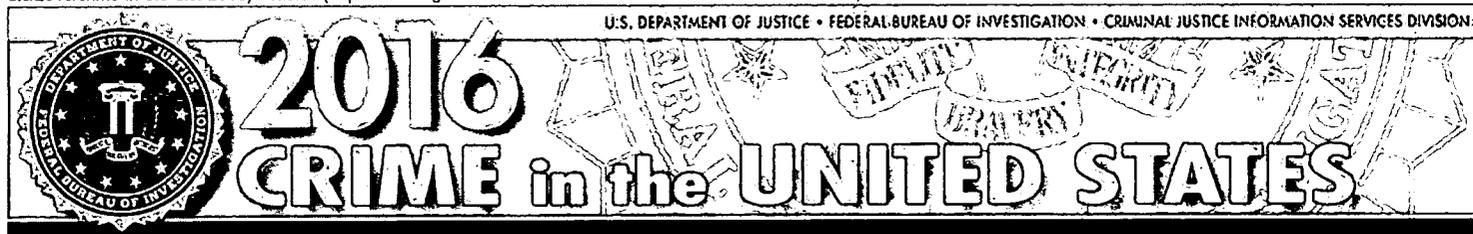


■ White ■ Black ■ Other

**Source:** National Center for Injury Prevention and Control, CDC. United States and California Suicide Deaths and Rates per 100,000. Fatal Injury Reports, 2008-2014. Retrieved November 9, 2017, from <http://www.cdc.gov/injury/vsqars/fatal.html>

**Note:** The most recently available CDC data is 2015; as such, 2015 data is used where appropriate.

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[Home \(https://ucr.fbi.gov/crime-in-the-u.s/2016/crime-in-the-u.s.-2016/cius-2016\)](https://ucr.fbi.gov/crime-in-the-u.s/2016/crime-in-the-u.s.-2016/cius-2016)

**Table  
12**

[Offenses Known to Law Enforcement \(https://ucr.fbi.gov/crime-in-the-u.s/2016/crime-in-the-u.s.-2016/topic-pages/offenses-known-to-law-enforcement\)](https://ucr.fbi.gov/crime-in-the-u.s/2016/crime-in-the-u.s.-2016/topic-pages/offenses-known-to-law-enforcement)

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**Murder**

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[Clearances \(https://ucr.fbi.gov/crime-in-the-u.s/2016/crime-in-the-u.s.-2016/topic-pages/clearances\)](https://ucr.fbi.gov/crime-in-the-u.s/2016/crime-in-the-u.s.-2016/topic-pages/clearances)

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Data Declaration (<https://ucr.fbi.gov/crime-in-the-u.s/2016/crime-in-the-u.s.-2016/tables/table-12/table-12.xls/@@template-layout-view?override-view=data-declaration>)

Download Excel (<https://ucr.fbi.gov/crime-in-the-u.s/2016/crime-in-the-u.s.-2016/tables/table-12/table-12.xls/output.xls>)

State	Total murders <sup>1</sup>	Total firearms	Handguns	Rifles	Shotguns	Firearms (type unknown)	Knives or cutting instruments	Other weapons	Hands, fists, feet, etc. <sup>2</sup>
Alabama <sup>3</sup>	3	1	0	0	0	1	0	2	0
Alaska	52	43	12	4	1	26	3	6	0
Arizona	336	227	156	16	10	45	40	63	6
Arkansas	209	151	72	11	3	65	25	25	8
California	1,930	1,368	930	37	36	365	280	193	89
Colorado	202	136	87	4	4	41	27	28	11
Connecticut	76	48	24	0	1	23	12	13	3
Delaware	56	41	17	0	0	24	7	8	0
District of Columbia	136	105	105	0	0	0	19	6	6
Georgia	646	522	421	20	14	67	48	71	5
Hawaii	35	19	12	3	2	2	8	5	3
Idaho	47	17	13	1	0	3	5	21	4
Illinois <sup>3</sup>	941	799	728	14	5	52	61	62	19
Indiana	348	287	169	12	2	104	19	32	10

State	Total murders	Total firearms	Handguns	Rifles	Shotguns	Firearms (type unknown)	Knives or cutting instruments	Other weapons	Hands, fists, feet, etc.
Iowa	71	43	25	2	1	15	12	10	6
Kansas	96	61	43	5	1	12	8	19	8
Kentucky	260	207	143	7	8	49	20	22	11
Louisiana	543	445	219	26	7	193	33	52	13
Maine	20	11	2	1	3	5	5	2	2
Maryland	430	328	309	2	3	14	52	29	21
Massachusetts	132	85	34	0	0	51	25	11	11
Michigan	597	443	191	15	12	225	45	89	20
Minnesota	99	60	42	2	1	15	12	19	8
Mississippi	154	128	101	4	6	17	4	14	8
Missouri	535	437	211	23	6	197	37	50	11
Montana	34	17	6	4	3	4	9	5	3
Nebraska	41	30	30	0	0	0	9	2	0
Nevada	209	141	21	2	0	118	20	42	6
New Hampshire	16	8	4	1	1	2	2	0	6
New Jersey	372	278	212	1	3	62	29	42	23
New Mexico	99	60	13	1	0	46	17	19	3
New York	628	367	305	2	9	51	130	99	32
North Carolina	595	421	262	20	22	117	50	80	44
North Dakota	14	8	5	2	0	1	3	1	2
Ohio	627	452	197	7	8	240	39	104	32
Oklahoma	243	171	135	9	9	18	31	23	18
Oregon	100	51	32	6	1	12	24	24	1
Pennsylvania	655	486	395	10	12	69	68	78	23
Rhode Island	29	12	5	0	0	7	9	6	2
South Carolina	363	281	172	7	9	93	29	36	17
South Dakota	21	7	7	0	0	0	5	4	5
Tennessee	486	356	202	10	7	137	49	69	12
Texas	1,459	1,066	630	51	31	354	175	136	82
Utah	71	42	31	1	0	10	6	20	3
Vermont	14	6	2	2	1	1	2	6	0
Virginia	482	352	151	10	10	181	33	67	30
Washington	195	127	69	11	5	42	19	38	11

State	Total murders	Total firearms	Handguns	Rifles	Shotguns	Firearms (type unknown)	Knives or cutting instruments	Other weapons	Hands, fists, feet, etc.
West Virginia	76	47	30	2	0	15	4	21	4
Wisconsin	226	166	119	6	4	37	27	21	12
Wyoming	19	6	1	0	1	4	8	3	2
U.S. Virgin Islands	42	34	3	0	0	31	0	8	0

■ <sup>1</sup> Total number of murders for which supplemental homicide data were received.

■ <sup>2</sup> Pushed is included in hands, fists, feet, etc.

■ <sup>3</sup> Limited supplemental homicide data were received.

**Data Declaration (<https://ucr.fbi.gov/crime-in-the-u.s/2016/crime-in-the-u.s.-2016/tables/table-12/table-12.xls/@@template-layout-view?override-view=data-declaration>)**

Provides the methodology used in constructing this table and other pertinent information about this table.