



## **Assembly Bill 1057 Protecting Victims from Ghost Guns**

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### **SUMMARY**

AB 1057 will close a loophole for emergency Gun Violence Restraining Orders (GVRO's) by including ghost guns in the definition of seizable items when a person is deemed by the court to be a threat to themselves or others.

### **BACKGROUND**

Ghost guns are homemade guns made from parts that are readily available and unregulated. Unlike other firearms, they can be bought without a background check and are not built by licensed manufacturers but come in kits that are easily assembled.

More than 2 million firearms were sold in the U.S. during the month of January 2021 alone, an 80% increase and third highest monthly total on record. According to Everytown, there has been a surge in gun sales since the onset of the pandemic including ghost guns, which are more difficult to track as they can easily be bought with cash and are not subject to background checks. Businesses who sell ghost gun kits reported that they were experiencing shipping delays due to "exceptionally high demand."

Under existing law, ghost guns cannot be seized when a judge issues an emergency GVRO. Law enforcement officers or close family members

can request a GVRO when an individual is deemed to be an extreme risk to themselves or others. Law enforcement is currently only able to seize traditional firearms. The definition does not cover the frame or receiver of a firearm, nor the unfinished frame or receiver of a weapon that can be readily converted to the functional condition of a finished frame or receiver.

### **NEED FOR THE BILL**

The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) has reported that 31% of guns recovered in California were unserialized, untraceable ghost guns, putting the public and law enforcement in danger. Localities such as Los Angeles reported an even high number of 41%. Additionally, more than 2500 ghost guns were connected to criminal activity in 114 Federal cases from 2010 through April 2020.

The loophole in current California Code dangerously leaves out ghost guns and thereby, does not give courts the ability to seize weapons that may be of harm to the individual or others.

### **SOLUTION**

By updating the definition of seizable firearms to include ghost guns for GVROs, this bill ensures that these readily available weapons which look

and act like any other firearm are treated appropriately. AB 1057 will protect individuals and the public from harm's way.

### **SUPPORT**

Brady Campaign to End Gun Violence  
Center for Public Interest Law (Sponsor)  
Giffords  
March for Our Lives San Diego  
San Diego City Attorney's Office  
Women for American Values and Ethics

### **CONTACT**

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