



Assembly Bill 1057 Protecting Californians from Ghost Guns

SUMMARY

AB 1057 will close a loophole for Gun Violence Restraining Orders (GVRO's) and Domestic Violence Restraining Orders (DVRO's) by allowing for ghost guns to be seized in addition to traditional firearms.

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 gun parts or unregistered assembled ghost guns cannot be seized when a judge issues a GVRO or DVRO.

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. DVROs can be requested if a person has experienced abuse or threats of abuse.

Under both of these firearm-prohibiting orders, law enforcement is currently only able to seize traditional firearms. The definition of seizable items does not cover precursor parts 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 an individual or others.

SOLUTION

By updating the definition of seizable firearms to include ghost guns for GVROs and DVROs, 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
California Partnership to End Domestic Violence
Center for Public Interest Law (Sponsor)
Everytown for Gun Safety Action Fund
Giffords
March for Our Lives San Diego
Moms Demand Action
San Diego City Attorney's Office
San Diegans for Gun Violence Prevention
Students Demand Action for Gun Sense in America
Women for American Values and Ethics

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