

Be Safe. Shoot Straight. Fight Back!



September 2nd, 2020

The Honorable Gavin Newsom
Governor of California
State Capital
Sacramento, California 95814

**RE: Assembly Bill 2362: Muratsuchi: Firearms dealers: conduct of business.
Position: Veto Requested**

Dear Governor Newsom,

On behalf of the California Rifle & Pistol Association, Incorporated (CRPA), its members and supporters throughout California, I write to express our strong opposition of Assembly Bill 2362 (AB 2362). CRPA, founded in 1875, works tirelessly to defend the civil and constitutional rights of individuals who choose to responsibly own and use firearms. CRPA promotes the recreational shooting sports, and provides safety, education, and skills training to enable all persons a more enjoyable and safe recreational experience.

Commencing July 1, 2022, AB 2362 would authorize the California Department of Justice (DOJ) to impose a civil fine on licensed firearm dealers not exceeding \$1,000 for paperwork violations, and a civil fine not exceeding \$3,000 for a violation when the licensee had received written notification from the DOJ regarding the violation and fails to take corrective action, as specified, or the DOJ determines the licensee committed the violation knowingly or with gross negligence.

The decision to bestow additional authority to the Department could lead to needless, punitive measures against firearms dealers who may have made an insignificant mistake stemming from lack of responsiveness from the DOJ. Existing law already regulates licensed firearms dealers and provides that a license is subject to forfeiture of their license for a breach of specified prohibitions of law. In other words the DOJ already has the authority to terminate noncompliant firearms dealers!

Unfortunately, the DOJ has not demonstrated a positive record on how to appropriately handle law abiding citizens with it comes to the issue of firearms. Whether it pertains to an individual who wants to register a gun, or is a dealer attempting to follow the letter of the law as proscribed by the state, the DOJ has been unresponsive to many problems with the DROS system (Dealer Record of Sale) and the APPS (Armed Prohibited Persons System). Not only have they failed to provide changing regulatory information to lawful firearm dealers, but they have significantly missed the mark in addressing the APPS backlog. Adding yet another reason why adding to DOJ's workload and turning them into civil fines collectors is a very bad idea!

Be Safe. Shoot Straight. Fight Back!



It would be premature to grant the DOJ additional authority to penalize firearms dealers when they themselves have been lax in addressing existing operational problems. In July of 2015, the Auditor General released a follow-up on DOJ's beleaguered APPS program, which stated;

“The California Department of Justice (Justice) has not fully implemented certain recommendations from our October 2013 report that prevents it from accurately and promptly identifying firearm owners in the State who are prohibited from owning or possessing a firearm due to a mental health-related event in their life (armed prohibited person). As we described in our previous report, Justice attempts to identify these armed prohibited persons by matching its records of firearm owners against reports about individuals with mental illness that it receives from superior courts (courts) and mental health facilities. This identification process is critical for Justice to complete promptly so that it can confiscate firearms from armed prohibited persons and ensure public safety.”

To this day by DOJ's own records it is estimated over 10,000 known armed prohibited felons still freely roam our streets. Let's not have DOJ focus on paperwork violations at the businesses of law-abiding Californians, let us instead have them get dangerous criminals off our streets! Right now California small businesses are struggling to stay alive. This is not the time to pile unnecessary fines on them, and certainly not in the interest in recovering our states incredible economy!

The safety of Californians is at the very foundation of our organization. It has been our consistent goal to work toward common sense solutions regarding the issue of crime and firearm ownership. This can be done, however, without sacrificing our Constitutional rights and the ability of the law abiding to protect their families, to operate a lawful business, provide firearms for safe at a price all Californians can afford to protect their families and recreate. This is just a bad piece of legislation that keeps coming back, 2017 AB 736 (Gipson), 2019 AB 1064 (Muratsuchi), is was wrong for California then and it is wrong for California now. For the foregoing reasons the California Rifle & Pistol Association Inc. stands in opposition to AB 2362 and strongly urges your veto on this bad legislation.

Respectfully Submitted,
Roy M. Griffith Jr.
Legislative Director
California Rifle & Pistol Association, Incorporated
rgriffith@crpa.org