



September 15th, 2021

Governor Gavin Newsom
1303 10th Street, Suite 1173
Sacramento, CA 95514

RE: Assembly Bill 173: Public Safety.

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 strongly urge your veto of Assembly Bill 173 (AB 173). AB 173 will require the Department of Justice (DOJ) to release an individual's private information to the California Firearm Violence Research Center at the University of California at Davis, while also allowing the release of the data to other nonprofit research institutions or public agencies involved with the study and prevention of violence, for academic and policy research purposes.

AB 173's language was taken directly from AB 1237, a failed bill from earlier this session. Although the stated intent of this legislation may be to prevent violence, the data that the bill would require DOJ to release includes the personal and confidential information of lawful firearm owners who legally purchase ammunition and firearm parts. AB 173 would also require DOJ to retain this personal information and make it available for a period of not less than 25 years. This language amended into a "budget bill" in the final week of the legislative session, providing no opportunity for review or public comment. Democracy truly has sunk to an all-time low in California!

Requiring DOJ to maintain the personal information of someone who purchased ammunition or a firearm precursor part in a shared database for 25 years is not only a violation of privacy, but also costly and useless. Ammunition, as an expendable commodity, is rarely, if ever, maintained in an individual's possession for more than two years. In addition, firearms are made of numerous parts, and often these parts are purchased to repair an existing firearm already in the database. As such, requiring DOJ to maintain information on individuals who purchase these parts would only create duplication and confusion.

The identities and confidential personal information of individuals should only be provided by DOJ or other state entities to law enforcement agencies when conducting an investigation that has a specific need for it. No other entity – not even research institutions – has sufficient

justification to have access to an individual's private information. Research conducted by the California Firearm Violence Research Center and other institutions to prevent violence should not be about individuals and their personal information, rather about a broad-based study about the prevention of violence, where an individual's specific personal information is irrelevant.

Most importantly AB 173 is in direct violation of the California Constitution which states in Article 1, Section 1, "All people are by nature free and independent and have inalienable rights. Among these are enjoying and defending life and liberty, acquiring, possessing, and protecting property, and pursuing and obtaining safety, happiness, and privacy." In all, the California Constitution names "privacy" as a fundamental right of all Californians five times!

At a minimum, this legislation should mandate that before an individual's confidential information is released by DOJ or other agency to any entity other than a law enforcement agency, the individual first be contacted to obtain their written approval of use of the information.

In 2018, Governor Jerry Brown signed the California Consumer Privacy Act (CCPA), legislation that extended privacy protections to Californians with regard to their personally-identifiable information (PII). In November 2020, voters passed Prop. 24, The California Privacy Rights Act, which amended and expanded the CCPA. It passed with 9 million votes in favor, which was a 56% majority! Clearly Californians value their privacy and strong measures have already been put in place to protect it! This bad legislation goes against it all!

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. We are in support of the study and research of illegal firearm-related crime to prevent violence, however this can be done without violating the constitutional rights of all Californians! We are strongly opposed to the release and use of the personal information of law-abiding citizens who legally purchase ammunition, and/or firearms parts being unnecessarily compromised to do so. For the foregoing reasons the California Rifle & Pistol Association Inc. stands in opposition to AB 173 and urges your veto.

Respectfully Submitted,
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Legislative Director
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