



California Police Chiefs Association

September 16, 2016

To: Citizens of California

From: Ken Corney, President of the California Police Chiefs Association

Subject: Proposition 63 - the "Safety for All Act"

The California Police Chiefs Association (CPCA) has been a leader in developing sensible firearms regulations that balance the need for enhanced safety and the public's right to responsible gun ownership. Unfortunately, Proposition 63 – the *Safety for All Act* – undoes many of the quality laws CPCA helped enact, does not allow for necessary collaboration or input from various stakeholders, limits future attempts to enact necessary reform, and fails to meet the appropriate balance between public safety and individual gun rights. For those reasons, CPCA is **OPPOSED to Proposition 63**.

Over the years, CPCA has worked collaboratively with the Legislature on dozens of measures to keep guns and ammunition out of the hands of dangerous persons. In fact, CPCA supported legislation that was enacted into law this year to address many of the concerns raised by Proposition 63, most notably the lack of background checks on ammunition sales. Senate Bill 1235, which CPCA supported, was signed into law this summer to do just that.

Drafted with input from various stakeholders, including law enforcement, SB 1235 enacted effective and efficient policy that relies on existing systems and resources to perform background checks on ammunition purchases at the point of sale. Additionally, SB 1235 contains vital exemptions that limit the burden the law has on hunters, law enforcement, and other licensed professionals. Conversely, Proposition 63 undoes what the Governor just signed into law, creating numerous hurdles that will prove costly and burdensome to gun owners and law enforcement. Specifically, Proposition 63 reverses many of the exemptions that allow officers and police departments to continue purchasing ammunition freely for on-duty purposes, and creates a duplicative database that will be a costly and less effective way to monitor ammunition purchases. Essentially, Proposition 63 complicates current law with one that is costlier and seriously flawed. And this is not the only existing law this initiative complicates.

CPCA also supported Assembly Bill 1695 this year, which was enacted to reduce the flow of firearms onto the black market by penalizing *false* reporting of the theft or loss of a firearm. Proposition 63 contains a similar component, but it instead makes *failure* to report a crime. Penalizing the failure to report lost and stolen firearms actually can deter individuals to report for

fear of penalty, which has already been proven to be the case in many areas where local governments have enacted similar ordinances. In fact, the Legislature has considered making the failure to report a crime, but rejected it for these very same reasons. Again, Proposition 63 attempts to fix a problem that has already been solved, with a worse proposal.

Another provision contained in Proposition 63 into law this year is the prohibition on the possession of large capacity magazines. However, that legislation, along with Proposition 63, did not include the necessary exemption to allow police recruits to train with large capacity magazines during police academy. As a result, legislation will be needed to amend that provision next year. If Proposition 63 is passed by the voters, fixing unintended consequences such as this will require a two-thirds vote of the Legislature, as opposed to a simple majority required to fix legislation. The two-thirds threshold is almost unattainable when dealing with an issue as controversial as firearms regulations, which is why these issues are best dealt with through legislation, and not the rigid and inflexible initiative process. As complex as firearms policy is, there will undeniably be additional changes needed in the future, and we should not limit our ability to fine tune policy by mandating a vote threshold on future legislation that often requires political concession.

Lastly, Proposition 63 creates a new process for the relinquishment of firearms by those who are convicted of a crime and become prohibited from ownership. While CPCA supports efforts to remove firearms from prohibited persons, developing that process should be done with input from all stakeholders. Instead, the process established by Proposition 63 creates a safety risk for local law enforcement officers by requiring them to repossess firearms from potentially dangerous individuals. Furthermore, Proposition 63 mandates all these additional responsibilities on local law enforcement, but provides no additional funds to offset the increase in time spent processing these cases by staff, or for department storage space occupied.

CPCA remains committed to enhancing public safety through reasonable firearms reform. However, Proposition 63 would make achieving that much more difficult, while eroding many of the current provisions we fought so hard to establish. For that reason, and those listed above, CPCA stands **OPPOSED to Proposition 63.**

Sincerely,

A handwritten signature in black ink that reads "Ken CORNEY". The signature is written in a cursive style with a large, stylized "K" and "C".

Ken Corney
President, CPCA