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Governor Newsom Signs Legislation to Uncover the Reality of Ghost Gun Possession and Subsequent Arrests in California

(Sacramento, CA) – Governor Gavin Newsom has officially signed Assembly Bill (AB) 97, authored by Assemblymember Freddie Rodriguez (D – Pomona), into law. This legislation requires the California Department of Justice (DOJ) to include information on arrests for possessing an unserialized firearm in their annual reporting. Beginning in 2029, the DOJ will be required to collect the reported information from prosecutors and include data on whether convictions result from a plea or jury.

“As a career first responder, I have experience treating victims of gun violence and have seen the detriment it has on not only the victims but their families and their communities. Now, as Chair of the Committee on Emergency Management, I am committed to finding real solutions to get ghost guns off our streets and keep our communities safe. This bill is a step to protect our communities by seeing more clearly how many ghost guns are recovered annually,” **stated Assemblymember Rodriguez.**

Existing law requires firearms to be inscribed with a unique serial number and prohibits an individual from removing or altering that serial number. Violating these provisions is punishable as a felony under current law and possession of an unserialized firearm is a misdemeanor. The DOJ collects information from local law enforcement on misdemeanor arrests but aggregates arrests for “weapons” in their annual crime report.

Federal law does not criminalize the possession of ghost guns. Still, it does require manufacturers and dealers of ghost gun parts to be federally licensed and the parts to be marked with serial numbers (ATF final rule 2021R-05F, Definition of “Frame or Receiver” and Identification of Firearms).

As of July 2018, California required residents who assemble firearms or possess an unserialized firearm to obtain a unique serial number from the Department of Justice and inscribe it on the firearm. One year after the law’s enactment, only 2,214 unserialized firearms were registered per the law. However, law enforcement recovered nearly 10,000 unserialized firearms that same year.

“The fact these weapons are unserialized and untraceable makes it difficult for law enforcement to trace recovered weapons back to the owner. As I hear from law enforcement officers, including my son, these weapons are recovered almost daily. AB 97 will uncover the reality of possession and subsequent arrests in California so that policy can be better informed to get these deadly weapons off our streets,” **added Assemblymember Rodriguez.**

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Assemblymember Rodriguez ([Linktree](#)) represents the 53rd Assembly District which includes the cities of Chino, Montclair, Ontario, Pomona, and Upland. He is Chair of the Assembly Committee on Emergency Management.