California Department of Justice
FIREARMS DIVISION
Randy Rossi, Director

INFORMATION BULLETIN

Subject:	No.:	For further information contact:
Burglary of Firearms Dealer Business Premises **Dealer Theft Report - Reporting Requirements**	**2005 FD-02** Date: **5/16/05**	***Firearms Division*** *(916) 263-4887*

TO: All Licensed Firearms Dealers, Chiefs of Police, Sheriff's Offices, Local Licensing Authorities

During the past several months, local law enforcement agencies, the Department of Justice (DOJ) and the federal Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) have investigated several burglaries in the greater San Francisco Bay Area in which the victims have been licensed firearms dealers. The burglaries occurred during the night or early morning hours and forced entry was made to each of the premises. The loss is hundreds of firearms, valued at thousands of dollars.

This bulletin provides important information that will help firearms dealers and law enforcement agencies to combat this growing crime. Firearms dealers should be aware that California Penal Code sections 12071(b)(14) and (15) regulate the security requirements for licensed business premises. Dealers should immediately review these Penal Code sections and ensure that their business premises meet or exceed the security requirements. Business procedures should comply with these requirements whenever the licensee is not open for business. Also, see Penal Code section 12071(c)(2) which defines a "secure facility". The applicable sections may be viewed on line in the Dangerous Weapons Control Law, available on the Firearms Division web page, at www.ag.ca.gov/firearms/, or in the Penal Code at http://www.leginfo.ca.gov/calaw.html.

Pursuant to Penal Code section 12071(b)(15), the licensing authority in an incorporated area of a county or within a city may impose security requirements that are more strict or are at a higher standard than those specified in 12071(b)(14). In light of the recent burglaries, local law enforcement agencies and licensing authorities are encouraged to consider taking action pursuant to this statute.

Reporting Requirements for Firearms Dealers

Penal Code section 12071(b)(13) states that the licensee shall report the loss or theft of any firearm that is merchandise of the licensee, any firearm that the licensee takes possession of pursuant to section 12082, or any firearm kept at the licensee's place of business within 48 hours of discovery to the appropriate law enforcement agency in the city, county, or city and county where the licensee's business premises are located.

Federal law also requires the theft of a firearm to be reported within 48 hours to the ATF. The federal Firearms Theft Hotline is available 24/7 at: 1-888 930-9275. ATF also requires the Federal Firearms Licensee Theft/Loss Report, ATF Form 3310.11, to be filed. The report can be mailed or may be faxed to (202) 927-7862.

Effective immediately, it is the policy of the California DOJ Firearms Division to require firearms dealers, in addition to the above requirements, to report the theft of firearms to the DOJ Firearms Division. Telephone reporting within 48 hours is required, followed by a written report within five (5) business days.

Attached please find the DOJ Firearms Division Dealer Theft Report form. To report the theft of firearms via telephone, please call (916) 263-4887 at any time. The report form is to be faxed to (916) 274-5992 or mailed to:

Department of Justice
Firearms Division - Dealer Theft Report
P.O. Box 160487, Sacramento, CA 95816-0487

Dealers are encouraged to review the security requirements and ensure compliance with the statutes. Dealers are reminded that the DOJ may remove from the Centralized List of Firearms Dealers any person who knowingly, or with gross negligence, violates these statutes. If you have any questions, please feel free to contact the Firearms Division Information Services Section at (916) 263-4887.

Sincerely,

RANDY ROSSI, Director
Firearms Division

For BILL LOCKYER
Attorney General

Enclosures

CALIFORNIA DEPARTMENT OF JUSTICE
FIREARMS DIVISION

DEALER THEFT REPORT

Dealership Name _____ CFD# _____

Licensee _____ Person Reporting _____

Physical Address _____ City _____ ZIP _____

Telephone Number _____ Fax _____

Email Address _____ Cell _____

Date of Crime _____ Time _____ Day of the Week _____

Type of Crime: Burglary _____ Theft _____ Robbery _____ Other _____

Name/Telephone of Law Enforcement Agency _____

Crime Report Number _____

ATF Incident Number _____ Date Reported _____

Description of Firearms

Make	Model	Caliber	Serial Number

Certification

I hereby certify that the above information is true and correct.

Authorized Signature:	Date:

FD 052

CALIFORNIA DEPARTMENT OF JUSTICE
FIREARMS DIVISION

DEALER THEFT REPORT
Continuation Sheet

Dealership Name: _____ CFD# _____

Make	Model	Caliber	Serial Number

Please attach additional copies of this sheet as necessary.

Certification

I hereby certify that the above information is true and correct.

Authorized Signature:	Date: