CALIFORNIA
DEPARTMENT OF JUSTICE

ARMED AND PROHIBITED PERSONS SYSTEM REPORT 2023

Annual Report to the Legislature
SB 94 Legislative Report
Calendar Year 2023

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EXECUTIVE SUMMARY

The Armed and Prohibited Persons System

In 2006, California became the first and only state in the nation to monitor individuals who legally purchased or acquired firearms and later failed to relinquish those firearms after they became legally prohibited from owning or possessing them. The Armed and Prohibited Persons System (APPS) database cross-references the California Department of Justice (DOJ) databases of recorded firearm purchasers against other records identifying individuals who have become prohibited from owning or possessing firearms. Together, these record systems identify individuals who legally acquired firearms, became prohibited from keeping them, and then failed to relinquish those firearms as required by law. DOJ utilizes Crime Analysts, Special Agents, and Special Agent Supervisors to locate and seize firearms from illegally armed prohibited persons identified through the APPS database, thereby preventing and reducing incidents of violent crime.

Why the APPS Database is Important

Under California and federal law, individuals may become legally prohibited from owning and possessing firearms as a result of certain criminal convictions, probation conditions, active court protection or restraining orders, mental health-related events or adjudications, and certain other events. When a firearm owner becomes prohibited from keeping firearms they own or possess, California law generally requires that individual promptly surrender their firearms and provide documentation to a court and/or law enforcement agency to verify that they did so.

- For example, when a court issues a Gun Violence Restraining Order in California, the individual subject to that restraining order is generally required to immediately surrender their firearms to a law enforcement officer who serves them with the restraining order, or to otherwise surrender their firearms to a law enforcement officer or licensed firearms dealer within 24 hours of service.[1] The law enforcement officer or firearms dealer who takes possession of those firearms issues a receipt to the individual documenting the firearm transfer, and the individual must then file the receipt within 48 hours of service with the court that issued the restraining order and the law enforcement agency, if any, that served the order.[2] If the individual fails to comply with these requirements, they may be subject to fines or criminal penalties,[3] and courts may issue warrants authorizing law enforcement officers to search for and recover their illegally retained weapons.[4]

If the prohibited individual fails to comply with the law and local law enforcement cannot promptly separate the firearms from the individual, that individual is flagged in the APPS database. The APPS database plays an integral role in this mission – by enabling DOJ and other law enforcement agencies to identify people across California who become prohibited yet remain in illegal possession of their firearms and to perform law enforcement operations in order to recover firearms from these prohibited individuals.

1 Cal Pen Code § 18120(b).
2 Id.
3 Cal Pen Code §§ 18120(b), 18205.
4 Cal Pen Code § 1524(a)(14).

The Ultimate Goal of APPS

The APPS database is a crucial component of California's strategy to protect public safety. It is not only the first of its kind, but also remains one of the only databases of armed prohibited individuals in the nation. It provides California law enforcement with an exceptional tool to identify armed and prohibited persons. Through its data collection and this annual report, it also presents Californians with a more complete picture of the state's challenges in addressing gun violence.

However, the best time to remove a firearm from a prohibited person is at or near the time they become prohibited, such as when a local law enforcement official serving a restraining order takes possession of any firearms simultaneously. Not only does this increase public safety, it avoids the need for DOJ to conduct a potentially more costly APPS investigation. Individuals only enter the APPS system when a person becomes prohibited from owning firearms and the firearm is *not* immediately relinquished. While the APPS system remains an essential safety net, the best gun violence reduction strategy requires robust efforts to remove firearms from prohibited individuals *before* they become APPS cases.

The ultimate goal of APPS is simple: To increase public safety by ensuring the number of armed and prohibited persons in the database remains as low as possible. While DOJ APPS enforcement efforts play an important role in reducing that number, local law enforcement, courts and other stakeholders must use available resources to ensure that firearm relinquishments are carried out effectively and quickly as soon as an armed individual becomes prohibited.

As local firearm relinquishment efforts and partnerships continue to expand and improve, DOJ can reallocate resources to expand its focus to a broader range of firearms investigations aside from APPS cases, including gun trafficking and ghost gun manufacturing.

APPS Legislative Reporting Requirements

State law requires DOJ to issue an annual APPS Report. The authority and specifications for this public reporting were initially established in Senate Bill (SB) 140 (Stats. 2013, ch. 2), which expired in 2019, and were reestablished with further specifications under SB 94 (Stats. 2019, ch. 25) in 2019. SB 94, which added section 30012 to the California Penal Code, requires DOJ to report specified information related to the APPS database, including the number of individuals in the APPS database and the degree to which the backlog of armed prohibited individuals in the APPS database has been reduced or eliminated. In this report, the term "backlog" is used in accordance with the definition created by SB 94 and codified in Penal Code section 30012, subdivision (a)(4): the number of cases for which DOJ did not initiate an investigation within six months of the case[5] being added to the APPS database or a case for which DOJ has not completed investigatory work within six months of initiating an investigation.

Prior to the passage of SB 94, DOJ communicated to the Department of Finance (DOF) and the Legislature that the current firearms database systems did not have the capability required to collect and report on the backlog as defined by SB 94, and certain other metrics newly required by SB 94. In response, DOJ worked with DOF to submit a Budget Change Proposal (BCP) requesting funding to support the upfront planning and analysis costs to determine how to create an updated database system with the ability to track the requested data. DOJ has received the resources for the analysis phase of the modernization project. Once DOJ completes the analysis and secures additional funding for implementation, it will begin the upgrade process for the APPS database and other firearms information technology (IT) systems.

5 Within the APPS database, a 'case' refers to one individual; therefore, the terms 'case' and 'individual' will be used interchangeably in this report.

APPS Database Analysis for 2023

- **Removals, Additions, and Incarcerations:** In 2023, DOJ removed 9,051 people from the APPS database of armed and prohibited persons.[6] At the same time, 8,633 people were added to the APPS database of armed and prohibited persons. As of January 1, 2024, the APPS database contained 23,451 armed and prohibited persons. In addition to the 23,451 armed and prohibited persons, there were 1,189 additional armed and prohibited persons who were prohibited in APPS, but currently incarcerated as of January 1, 2024.[7]

- **Active and Pending Cases:** As of January 1, 2024, the APPS database of armed and prohibited persons includes 8,903 Active cases and 14,548 Pending cases. Active cases have not yet been investigated or are in the process of being investigated. Pending cases have been thoroughly analyzed, and all investigative leads have been exhausted.

- **Staff:** In 2023, DOJ's Bureau of Firearms (BOF) had between 34-37 Special Agents and between 11-14 Special Agent Supervisors working to address the number of armed and prohibited individuals.

- **Reasons for Prohibitions:** The statistics below outline the number of armed and prohibited individuals in each prohibiting category of the APPS database, as of January 1, 2024. Persons can be prohibited under more than one category, which is why the total number exceeds 100%.

    - 11,815 (50%) were prohibited due to a felony conviction
    - 4,879 (21%) were prohibited due to the federal Brady Handgun Violence Prevention Act (18 U.S.C. §§ 921, 922)
    - 4,795 (20%) were prohibited due to mental health-triggering events
    - 3,173 (14%) were prohibited due to a restraining order
    - 2,282 (10%) were prohibited due to a qualifying misdemeanor conviction
    - 409 (2%) were prohibited per the conditions of their probation

.

- **Investigated Individuals:** In 2023, DOJ investigated 8,500 individuals who were identified as armed and prohibited persons in the APPS database.

- **Firearms Recovered:** In 2023, DOJ recovered 1,443 firearms through APPS operations/seizures. Of these, 901 (62%) were firearms identified in the APPS database and 542 (38%) were non-APPS firearms. Non-APPS firearms are those not known to be associated with the prohibited person but are found in that person's possession.

- **Ammunition Denials:** In 2023, DOJ received reports of 155 armed and prohibited individuals who attempted to purchase ammunition and were denied. Agents and Crime Analysts investigated and closed 130 of these denial cases. The remainder of the denials remain under investigation.

6 The APPS database of armed and prohibited persons is a subset of the larger APPS database, which records all known firearm owners in California. Armed and prohibited individuals make up fewer than 1% of recorded firearm owners in California. Individuals are removed from APPS if they are no longer identified as armed and prohibited persons, which may occur if they are disassociated from all known firearms, if their firearm prohibition expires, or if they become deceased.

7 While technically in a Pending status, incarcerated individuals represent a unique population that cannot be investigated until released from incarceration and moved to Active status. Therefore, incarcerated individuals are counted separately for the purposes of this report and are not figured in the Pending case statistics. This is also mentioned on Page 14.

Recommendations Summary

California has made significant strides in improving California's firearm relinquishment framework in recent years. As discussed throughout this report, several pieces of legislation have been enacted following the recommendations in previous APPS reports. DOJ is grateful for the partnership of the Governor and Legislature in making these improvements.

However, additional work remains. After conducting an examination of the APPS program, DOJ recommends the following steps to improve the removal of firearms from prohibited persons:

1) **Promote More Consistent Firearm Relinquishment at the Time of Conviction:** Consider funding the mandate[8] that courts, through probation departments, as well as local law enforcement agencies, confiscate or enforce the transfer or legal storage of known firearms from individuals at the time of conviction - when an individual becomes prohibited due to a felony or qualifying misdemeanor conviction.

   Reason for recommendation: California has enacted clear, mandatory processes and timelines for people convicted of firearm-prohibiting crimes to verify that they relinquished all firearms in their possession. Penal Code section 29810, initially added to the Penal Code by Proposition 63, also provides clear mandates for courts and probation departments to ensure that people convicted of such crimes do not remain illegally armed. However, local governments and probation departments often lack the necessary resources to ensure compliance with these mandates. Consequently, many individuals found guilty of a prohibiting crime continue to illegally own guns after their conviction; about 60% of armed prohibited persons in APPS are prohibited due to a criminal conviction. Additional resources, training, and coordination between courts, probation departments, and local law enforcement would help reduce the number of people who remain armed after a criminal conviction.

2) **Promote More Consistent Firearm Relinquishment at the Time Restraining Order Issues:** Consider developing and funding a statewide, county-level firearm relinquishment system in every county to ensure designated personnel are responsible for coordinating firearm relinquishment efforts and promoting more consistent service and enforcement of firearm-prohibiting restraining orders and other court orders in the county.

   Reason for recommendation: California has enacted clear, mandatory processes and timelines for people who become subject to court restraining orders to verify that they relinquished all firearms in their possession. However, unlike the criminal context, there is often no one responsible for coordinating firearm relinquishment information and compliance. Courts and local law enforcement agencies may not have the resources to proactively ensure that court restraining orders are promptly served on respondents and that people subject to such orders promptly relinquish all firearms. A lack of accessible county-level data has sometimes impeded their ability to identify non-compliance and take action at the local level. The Legislature has recently helped support and fund more coordinated and proactive local efforts to serve and enforce firearm-prohibiting court orders, as discussed in more detail on Page 39. County-level firearm relinquishment programs could build on these efforts by designating personnel responsible for managing local firearm relinquishment efforts and developing standard processes and record systems to identify non-compliance and ensure firearms are removed from prohibited persons who pose a threat to their communities.

8 *See* Cal. Penal Code section 29810.

3) **Move Toward Competitive Salaries:** Improve the recruitment and retention of DOJ Crime Analysts, Special Agents, and Special Agent Supervisors who perform APPS enforcement by offering compensation competitive with other LEAs.

   Reason for recommendation: Despite recent pay increases, Special Agent pay at DOJ has not reached parity with comparable positions statewide. Consequently, DOJ struggles to recruit and retain qualified Special Agents. California law has established a process for ensuring that salaries for sworn personnel at another state law enforcement agency match the average salary of other large law enforcement agencies "in order to recruit and retain the highest qualified employees".[9] Efforts to promote similar pay parity for DOJ sworn personnel would help DOJ improve recruitment and retention of its highly qualified employees, allowing more fully staffed DOJ APPS enforcement teams to investigate and close more APPS cases and recover more illegal firearms.

4) **Modernize the APPS Database:** DOJ submitted Stage 2 documentation, the Alternative Analysis Planning stage,[10] of its project to modernize its firearms database systems to the California Department of Technology. Additional funding will be required to complete Stages 3 and 4 and fully implement this project.

   Reason for recommendation: As outlined in the "APPS Legislative Reporting Requirements" section on Page 3, DOJ's current firearms database systems are outdated and lack the modern capabilities needed to track the data required by SB 94 under Penal Code section 30012. Once DOJ receives full funding to complete the modernization project, the new system will enable DOJ to comply with legislative mandates and fulfill its commitment to public safety.

DOJ has proactively made efforts to implement the recommendations outlined above. DOJ has (1) expanded its recruitment efforts and lowered vacancy rates by hiring Special Agent Trainees and recruiting new Special Agents with law enforcement experience from state and local law enforcement agencies; (2) worked diligently to create partnerships with local LEAs; (3) created partnerships and worked cases with federal LEAs; and (4) continued to provide data to DOJ's FITSM project team, consultant staff, and the California Department of Technology to make progress in the multi-year firearms database modernization project. DOJ has also sponsored and supported legislation to strengthen firearm relinquishment processes and make grant funding available to courts and law enforcement agencies to focus on preventing prohibited people from remaining armed after a firearm-prohibiting conviction or court restraining order. However, fully implementing the remaining recommendations will require legislative support, local implementation efforts, and additional resources.

Further explanation of these recommendations can be found on page 36.

9 See California Government Code Section 19827.
10 See the "Firearms Information Technology Systems Modernization (FITSM) Project" section on Page 11 for a more detailed overview of the different stages of the modernization project.

ANNUAL REPORT TO THE JOINT LEGISLATIVE BUDGET COMMITTEE

The APPS and Legislative Reporting Requirements

This report presents a statistical summary of the Armed and Prohibited Persons (APPS) database, as mandated by SB 94, for the period of January 1, 2023, to December 31, 2023. The report also contains additional in-depth analyses of data through the history of the APPS database and statistics to contextualize the APPS database and the workload that flows in and out of that system.[11]

Penal Code section 30000, subdivision (a) requires DOJ to maintain an "Armed and Prohibited Persons System." This file is generated from the larger APPS database, which records all known firearm owners in California. The system also monitors various other databases for prohibiting triggering events (PTE), which are events that cause a person to become legally prohibited from owning or possessing firearms under California and/or federal law, such as a felony conviction or an active restraining order. The APPS program was created by legislation passed in 2001 (SB 950, Stat. 2001, ch. 944), and implemented in December 2006.

In 2013, the California Legislature passed SB 140, which appropriated $24 million to DOJ over a three-year period to address the growing number of illegally armed prohibited persons identified in APPS. Additionally, SB 140 required DOJ to submit annual reports detailing the progress in reducing the backlog.

The APPS reporting provisions as outlined in SB 140 expired on March 1, 2019. In 2019, the legislature passed SB 94, which provided updated requirements regarding the mandated reporting of the APPS database statistics. Prior to the passage of SB 94, DOJ communicated to DOF that it did not have the technological capability to report on the new metrics required by SB 94 and would need funding to begin the planning analysis necessary to develop a system that could report on such metrics. Regardless, the new provisions went into effect on June 27, 2019, and are codified in Penal Code section 30012.

See Appendix B for additional legislative history relative to the APPS database.

Overview of the Mandated Categories for Statistical Reporting

Pursuant to Penal Code section 30012, no later than March 15, 2024, and no later than March 15 of each year thereafter, DOJ must report annually to the Joint Legislative Budget Committee the following information for the immediately preceding calendar year:

> (1) The total number of individuals in the Armed and Prohibited Persons System (APPS) and the number of cases that are active and pending, as follows:
>
> > (A) (i) For active cases, DOJ shall report the status of each case for which DOJ has initiated an investigation. This information shall include, at a minimum, the number of cases that have not been actively investigated for 12 months or longer, along with a breakdown of the period that has elapsed since a case was added to the system.
> >
> > > (ii) For purposes of this paragraph, "investigation" means any work conducted by sworn or non-sworn staff to determine whether a prohibited person possesses one or more firearms, whether to remove the person from the database, or whether to shift the person to the pending caseload.

11 This report will use terms specific to the subject matter at hand. See Appendix A for the Relevant Key Terms and Definitions.

(B) For pending cases, DOJ shall separately report the number of cases that are unable to be cleared, unable to be located, related to out-of-state individuals, related to only federal firearms prohibitions, and related to incarcerated individuals.

(2) The number of individuals added to the APPS database.

(3) The number of individuals removed from the APPS database, including a breakdown of the basis on which they were removed. At a minimum, this information shall separately report those cases that were removed because the individual is deceased, had prohibitions expire or removed, or had their cases resolved as a result of department firearm seizure activities.

(4) The degree to which the backlog in the APPS has been reduced or eliminated. For purposes of this section, "backlog" means the number of cases for which DOJ did not initiate an investigation within six months of the case being added to the APPS or has not completed investigatory work within six months of initiating an investigation on the case.

(5) The number of individuals in the APPS before and after the relevant reporting period, including a breakdown of why each individual in the APPS is prohibited from possessing a firearm.

(6) The number of agents and other staff hired for APPS enforcement.

(7) The number of firearms recovered due to enforcement of the APPS.

(8) The number of contacts made during the APPS enforcement efforts.

(9) Information regarding task forces or collaboration with local law enforcement on reducing the APPS file or backlog.

This report serves two functions: (1) it addresses the SB 94 mandated reporting, and (2) it provides a comprehensive assessment of the APPS database and DOJ's related enforcement activities.[12] DOJ undertook this comprehensive assessment by: (1) analyzing historical information such as audit files of APPS data, (2) examining the APPS caseloads and workflow for the immediately preceding calendar year, and (3) reviewing other administrative information.

Overview of the APPS Database

The APPS database contains information on firearms either legally acquired or registered in California and the owners of those firearms. Consistent with legislative mandates, the database results from records and information originating in the Dealer Record of Sale (DROS) database and the Automated Firearms System (AFS) database. Combined, those records represent individuals who purchased or transferred firearms legally and all known firearms associated with those individuals.[13]

Individuals are entered into the APPS database of registered firearm owners when they legally purchase or acquire a firearm. They are marked or identified as prohibited in the database if a prohibiting event occurs. Prohibited persons are identified by running daily manual queries of the databases that cross-reference the population of known firearm owners against individuals who may have had a prohibiting triggering event (PTE) within the past 24 hours. New individuals who have legally purchased or acquired a firearm or who have had a triggering event are added and/or removed daily, creating a constantly changing dataset.

12 See Appendix C for a brief overview of the mandated statistical requirements.

13 The APPS Database does not represent *all* individuals who have purchased or transferred firearms legally because California law did not require sales and transfers of long guns to be recorded until 2014. The APPS Database would therefore generally not identify individuals as being in possession of long guns they acquired prior to 2014.

Armed and prohibited individuals are the primary focus of DOJ's enforcement efforts. However, they are a subset representing less than 1% of the larger APPS database of known firearm owners. As of January 1, 2024, there were 3,491,463 known firearm owners recorded in the APPS database, of which 23,451 are identified as illegally armed in the Armed and Prohibited Persons System. For DOJ to identify those armed and prohibited individuals, DOJ must first identify individuals who have legally acquired a firearm(s) and then identify which of those individuals are also prohibited due to a PTE.

Since the APPS system can only identify individuals who legally acquired their firearm(s) and whose record of sale was reported to DOJ, firearms obtained illegally are not accounted for in this database, though they may be seized as a result of an APPS-triggered investigation.

In recent years, a number of bills have been enacted expanding the offenses that prohibit firearm ownership or possession.[14] By expanding the number of prohibiting crimes, the legislature has also increased the number of individuals added to the Armed and Prohibited Persons System each year. See Appendix B for legislative history relevant to APPS. Other factors such as ammunition eligibility checks, mandatory assault weapon registration, and increased firearm sales have also contributed to the surge of identified prohibited individuals. Prohibitions may be due to a felony conviction, domestic violence conviction, a qualifying misdemeanor conviction, mental health-based event, various types of civil or criminal restraining orders, and other prohibitory categories. See Appendix E for firearm-prohibiting categories.

Case Study

Ammunition Eligibility Check Identifies Prohibited Person in Possession of Firearms and Assault Weapon

In January of 2023, an individual attempted to purchase ammunition and was flagged as prohibited through the ammunition eligibility check process. This information was forwarded to the Bureau of Firearm's (BOF) Los Angeles office for investigation. Agents reviewed the case and found the individual was prohibited from owning and possessing firearms due to a mental health commitment. The individual had three firearms recorded in his name. Agents obtained a search warrant for the subject's residence located in Oxnard, California. The subject admitted to attempting to purchase ammunition for his father and also being in possession of multiple firearms. During the service of the search warrant, agents located one unregistered assault weapon, five rifles, three shotguns, one handgun, one large capacity magazine, six standard capacity magazines, and approximately 3,700 rounds of ammunition.

Within the Armed and Prohibited Persons System, cases are separated into the two categories of "Active" or "Pending."

Active cases have either not yet been investigated or they are in the process of being investigated but all investigative leads have not yet been exhausted.

Pending cases have been thoroughly analyzed and all investigative leads were exhausted. Some examples of pending cases may be found below. For a detailed definition of the "pending category" please see Appendix A, Relevant Key Terms and Definitions.

1) **Unable to Clear:** Cases that have been investigated by DOJ's agents who have exhausted all investigative leads and remain unable to recover all firearms associated with the prohibited

14 See Appendix B for a legislative history as related to APPS

individual. The case will be moved to Active status if new information is identified.

2) **Unable to Locate:** Cases in which DOJ's agents have made at least three attempts to contact the individual but have not been able to locate them, even after exhausting all leads.

3) **Out-of-State:** Cases in which DOJ's agents have determined that the prohibited person no longer lives in California.

4) **Federal Gun Control Act (Federal Brady Act Prohibition Only):** Cases where a person is prohibited only under federal law. State, county, and municipal law enforcement do not have authority to investigate a violation of the Federal Brady Act. Persons who have both a state and federal prohibition are not listed in this group.

5) **Incarcerated:** Cases involving incarcerated individuals remain on the Pending list, but DOJ still tracks and monitors them. Once released, they are moved to Active status.

DOJ regularly verifies new or updated information on all Pending cases. If additional information becomes available on an APPS case in Pending status (e.g., the firearm(s) associated with the APPS individual are located, records indicate a new address for the individual, or the individual is released from incarceration), the case is evaluated and transitioned back into the Active status.

The current system includes 11 databases that do not communicate with one another or may only have one-way communication with another firearms database.[15] This requires a Crime Analyst to manually cross-reference records from one database to another while working to compile an individual package for investigation.

Of the 11 databases, only five feed into the APPS database for firearm association and prohibition determinations. These databases include:

1) **Automated Criminal History System (ACHS)**: Established in 1971, ACHS is the repository for state summary Criminal Offender Record Information (CORI).

2) **Wanted Persons System (WPS)**: Established in 1971 as the first online system for DOJ, WPS is a statewide computerized file of fugitives for whom arrest warrants have been issued.

3) **Automated Firearms System (AFS)**: Created in 1980 to identify lost or stolen firearms and to associate firearms with individuals. AFS tracks the serial number of every firearm owned by government agencies, handled by law enforcement (seized, destroyed, held in evidence, reported stolen, or recovered), voluntarily recorded, or handled by a firearms dealer through transactions. Prior to 2014, most entries in AFS were handguns. Since January 1, 2014, all new legally acquired firearms, both handguns and long guns, are entered into AFS.

4) **California Restraining and Protective Order System (CARPOS):** Created in 1991, CARPOS is a statewide database of individuals subject to restraining and protective orders. This system includes Domestic Violence Restraining Orders (DVRO), Gun Violence Restraining Orders (GVRO), and other types of restraining and protective orders.

5) **Mental Health Reporting System (MHRS):** Established in 2012, MHRS is a web-based application used by Mental Health Facilities, Superior Courts, Juvenile Courts, and LEAs to report firearm prohibiting events related to mental health to DOJ.

15 See Appendix D for a relational diagram of DOJ's firearms databases.

The APPS database does not have the technological capability to automatically cross-reference all firearms databases; therefore, before creating a complete case package for investigation, Crime Analysts must manually cross-check multiple databases. The system is extremely cumbersome to operate. When a user retrieves a single case, all information must be verified before agents may take action. Such verification starts with confirming the individual's name, birth date, and driver's license number match across all systems. Then, using the Law Enforcement Agency Web (LEAWEB), the Crime Analyst will run multiple queries using the individual's driver's license number. LEAWEB is a California unique database that queries some of California's databases, including CARPOS, AFS, ACHS, MHRS, WPS, and the Supervised Release Files, as well as the databases of the California Department of Motor Vehicles (DMV). Each case is highly variable, and the circumstances and information pertinent to each case will determine how a Crime Analyst conducts their research. For example, an individual can be prohibited under multiple categories; the prohibiting category determines which databases a Crime Analyst must use to verify the prohibition is still current and that the case is workable by agents.

Firearms Information Technology Systems Modernization (FITSM) Project

The existing firearms systems utilized by DOJ, LEAs, and other firearm stakeholders lack the modern capabilities DOJ needs to comply with current legislative mandates and fulfill its commitment to public safety. The systems currently in use were built many years ago — dating as far back as 1980 — and have been modified piecemeal over the years in response to various legislative mandates. Each system uses different logic, meaning inputs cannot be easily transferred from one database to another, and modifications cannot be applied across multiple systems. These problems will persist and prevent the kind of automation to enhance efficiency, thus causing increased workloads and missed operational opportunities until DOJ can develop and implement the FITSM solution.

DOJ initiated the FITSM project in June 2020. DOJ has completed Stage 2 of the project, the Alternative Analysis Planning stage, which involved conducting an analysis of all firearm business processes and supporting systems. This included market research to ultimately determine a modern solution and the timeline for the implementation of the new firearms systems. DOJ submitted the Stage 2 Alternatives Analysis to the California Department of Technology for review and approval in February 2024. DOJ has begun Stage 3 Procurement activities and plans to select vendors for the solution implementation phase for FITSM by January 2025. Activities include identification of the business and technical requirements for the solution, data analysis, and cleanup processes. The project is expected to identify many positive solutions to various firearms systems, including the APPS database.

Case Study

Azusa Man Arrested for Being in Possession of Machine Guns and Assault Weapons while Prohibited Due to a Mental Health Commitment

In January of 2023, BOF identified a subject who resided in Azusa, California and was prohibited from owning or possessing firearms due to a mental health commitment. The subject was determined to have one firearm recorded in his name. Agents made contact with the individual at his residence but the individual refused to answer questions about his firearms and refused consent to search his residence. Agents obtained a search warrant for the subject's residence. As a result of the search warrant, agents seized four machine guns, seven assault weapons, one short-barreled rifle, four suppressors/silencers, six handguns, one shotgun, four rifles, 54 lower receivers/frames, 41 standard capacity magazines, 87 large capacity magazines and over 35,000 rounds of miscellaneous ammunition.

The complexity of the existing firearms systems can be seen even in the most straightforward of circumstances. In the case of an individual who has only one firearm and is prohibited only by one restraining order, the process would be as follows:

1) The Crime Analyst must confirm the restraining order is in effect and that the individual was served either by being present in court or through service by a processor.

2) Once verified, the Crime Analyst will try to pull the restraining order from an external database, the California Courts Protective Order Registry (CCPOR).

3) CCPOR is meant to be a centralized registry for restraining orders in California; unfortunately, it has not been implemented across all county courts in the state. For courts that do not use CCPOR, DOJ's Crime Analyst must contact the court directly to attempt to obtain a copy of the restraining order. Having an original copy can provide valuable additional information. For example, confirming when, where, and how the restraining order was served, the individual's last known address, and whether the individual has already surrendered their firearm.

4) Assuming the individual is still in possession of their firearm, the Crime Analyst must then pull descriptive information for the firearm associated with the individual and run the firearm's serial number in the Automated Firearms System (AFS) database to confirm the individual is still associated with that firearm. The Crime Analyst may also have to establish there are no extenuating circumstances, such as a situation where the individual is no longer in possession of the firearm, but the databases do not reflect the change. This is sometimes caused by a keying error where a serial number is off by one digit, but all other information coincides. A keying error traditionally happens from data entry made by a firearms dealer, by the public via online reporting, or by LEAs that seize firearms. In such circumstances, additional administrative work must be done by DOJ to remove the association of the firearm from the individual.

5) Although LEAWEB queries the DMV, the query does not automatically pull an individual's identification photo or associated vehicles. To obtain this information, the Crime Analyst must perform additional, separate steps to pull relevant information, such as the most recently reported place of residence, from DMV registries.

6) Once all information is confirmed, and assuming the information supports investigative efforts, the package is then ready for agents to conduct enforcement actions.

As noted, this outlined process is for the simplest case possible with one prohibition and one firearm. Most cases involve additional factors — such as additional firearms, prohibitions, combined federal and state prohibitions, and/or criminal history — which make a case package much more difficult to compile.

Planning efforts for the FITSM project include the replacement and modernization of the existing legacy infrastructure. DOJ has completed the Stage 2 activities and is working to secure funding to complete Stages 3 and 4, which will include selecting a vendor and initiating the implementation activities, in turn bringing this project to fruition.

Enforcement Teams

Crime Analysts: Each of DOJ's BOF offices have teams of Special Agents for field operations. DOJ also employs Crime Analysts in each of its six BOF offices throughout the state.[16] The Crime Analysts access the APPS database daily and develop investigative packages of armed and prohibited people for each team of agents to contact. They are required to crosscheck several databases to confirm addresses,

16 See Appendix F for a map of the various BOF regional office jurisdictions.

photos, arrest records, and the status of armed and prohibited individuals, among other relevant information. Using their knowledge and expertise, they translate vast amounts of data into actionable information, allowing the agents to conduct their investigations efficiently and effectively. The work is time-intensive and requires great attention to detail as errors (typos, accidental variations, incorrect information, etc.) can lead to incorrect decisions or unnecessary investigative contacts. Modernizing the firearms IT systems will allow for greater accuracy, which will bolster the success of investigative operations by ensuring agents and other law enforcement partners are provided with the most current information and avoid unnecessary contacts and risk.

Special Agents: Using these investigative packages, Special Agents attempt to locate the firearm(s) associated with each armed and prohibited individual via a consent search, probation or parole search, or a search warrant. Often, the armed and prohibited individual will have numerous firearms, many of which were not associated with that individual in the APPS database. This could be due to the individual having long guns purchased before long gun reporting requirements took effect in 2014, firearms loaned to them by another person, firearms imported into California from another state, antique firearms, illegally purchased firearms, ghost guns,[17] or stolen firearms.

Case Study

2 Porterville Residents Found in Possession of Explosives and Ghost Guns

In January of 2023, the TARGET (Tulare County Agencies Regional Gun Violence Team) Task Force conducted an investigation of two subjects residing in Porterville, California. One of the subjects was prohibited from owning or possessing firearms due to a felony conviction. The TARGET Task Force conducted numerous enforcement operations and determined the subjects were in possession of illegal firearms and manufacturing firearms. A search warrant was obtained and served at the two subject's residence. During the service of the search warrant, task force officers and agents located and seized materials and equipment used for the manufacturing of unserialized ghost gun handgun frames. The equipment included a 3D printer, polymer filament, associated computers, seven 3D printed polymer ghost gun handgun frames, a completed ghost gun handgun, several 3D printed large-capacity magazines, body armor, miscellaneous ammunition and a firearm suppressor. Agents also located and seized three homemade explosive devices, one of which was 3D printed, and precursor material used to make explosive devices.

Partnerships with Local Law Enforcement Agencies (LEAs): Expanding partnerships with local LEAs will help to improve operation efficiency. Often, agents contact an armed and prohibited individual only to find that a local law enforcement agency has already seized the firearm(s) associated with that individual but neglected to enter the seized firearm into the Automated Firearms System (AFS) database, as required by Penal Code sections 11108.2 and 11108. Had the LEA entered that information into AFS, it would have removed the individual from the APPS database, allowing DOJ's agents to focus on another case. Currently, DOJ must reach out to the LEAs to request they update AFS, or DOJ must ask for the police report to cross-check the firearms seized and match the associated firearms in the APPS database. Unless the information matches and is verified, the individual cannot be removed from the APPS database. In 2023, many APPS investigations conducted by DOJ involved firearms already in local law enforcement custody. The cost of such oversight cannot be recovered, resulting in duplicative efforts by DOJ that reduce efficiency and waste resources. DOJ's continued

17 Ghost guns are firearms made by an individual or group, without serial numbers or other identifying markings. Without a serial number, law enforcement cannot run a trace search on the firearm and the firearm does not have the legal requirements.

efforts to increase collaboration would help ensure the timely and accurate input of data by local LEAs in statewide data systems.

Successful models of operations with local law enforcement have been a force multiplier for the APPS program. For instance, the Contra Costa County Anti-Violence Support Effort (CASE) Task Force is a collaboration between various state, local, and federal agencies. The CASE Task Force conducted 45 firearms-related investigations and confiscated 23 firearms, one of which was an APPS firearm.[18] As outlined in the recommendations, DOJ encourages these types of collaborative partnership operations and relationships with local LEAs.

In an effort to increase successful collaborative efforts, in December 2020, DOJ established management and supervision of the Tulare County Agencies Regional Gun Violence Enforcement Team, also known as the TARGET Task Force. This addition to the DOJ task force model supports the value established through previous task force efforts, including the aforementioned CASE Task Force. In 2023, state and local agencies working with the TARGET Task Force conducted 236 firearms-related investigations and confiscated 262 firearms, 41 of which were APPS firearms. Like the CASE Task Force, the TARGET Task Force works collaboratively with local, state, and federal partners to conduct APPS investigations as well as other investigations to reduce gun violence.

Additional funding to expand this task force model would allow DOJ to amplify this collaborative work. DOJ has experienced the positive impact of working with local LEAs, allowing DOJ's agents to conduct more operations and remove additional firearms from prohibited armed persons more efficiently. DOJ stands ready to work with the Legislature and local, state, and federal law enforcement partners to replicate this success across the state.

Mandated Statistics and Analysis

Senate Bill 94 mandates the reporting of specific statistics for each calendar year. As the COVID-19 pandemic affected enforcement actions during 2020 and 2021, any inferences drawn from comparisons to these years should be made with caution. The mandated statistics for the current report include the following:

The Total Number of Individuals in the APPS Database

As of January 1, 2024, the APPS database of recorded firearm owners contained 3,491,463 individuals, of which 23,451[19] were prohibited from owning or possessing firearms.

Breakdown of the Status of Active APPS Cases

"Active cases" are those involving individuals believed to reside in the state of California, are prohibited from owning or possessing a firearm in the state for one or more reasons, and have not yet been investigated or are in the process of being investigated, but all investigative leads have not yet been exhausted.

Status of the APPS Database Backlog

As outlined above, the statutory mandate described in Penal Code section 30012, subdivision (a)(1)(A)(i) requires DOJ to report "the number of cases that have not been actively investigated for 12 months

18 For more on the CASE and TARGET task forces, refer to page 34.

19 This number excludes prohibited individuals who are known to own firearms but are also known to be incarcerated for six months or more. While incarcerated individuals are technically in the Pending status, it is assumed that they are not in possession of firearms while in custody and are therefore treated as a separate population. DOJ receives state prison incarceration statuses nightly and individuals released from state custody are moved into the Active status.

or longer, along with a breakdown of the time period that has elapsed since a case was added to the system." As stated previously, DOJ alerted DOF prior to the passage of SB 94 that it would be unable to provide these metrics without the necessary funding to update the current firearms databases. While the FITSM project is ongoing, this continues to be the case.

SB 94 defined "backlog" as the number of cases for which DOJ did not initiate an investigation within six months of the case being added to the APPS database or for which it has not completed investigatory work within six months of initiating an investigation on the case. Once DOJ receives full funding to complete the FITSM project, the new system will be better able to accommodate reporting on the status of the backlog.

Breakdown of Cases in the APPS Database

As of January 1, 2024, the APPS database contained 3,491,463 individuals, of which 23,451 (less than 1%) were prohibited from owning or possessing firearms. This latter figure is further subcategorized into Active and Pending cases. Active cases are those in which DOJ has not yet begun investigations or is in the process of investigating but has not yet exhausted all investigative leads. Pending cases are those investigations in which DOJ has thoroughly analyzed and exhausted all investigative leads or determined that the person is not within DOJ's jurisdiction. As of January 1, 2024, there were 8,903 Active cases and 14,548 Pending cases. In addition to the pending category, there are 1,189 incarcerated individuals. While technically in a pending status, incarcerated individuals represent a unique population that cannot be investigated until released from incarceration and moved to Active status. Therefore, incarcerated individuals are counted separately for the purposes of this report and are not figured in the Pending case statistics that follow.

Figure 1 shows the number of people in the Armed and Prohibited Persons System within the APPS database each year. The number of armed and prohibited persons decreased by 1.75% as of January 1, 2024, in comparison to January 1, 2023. Substantial decreases have only occurred three times previously: between the 2014 and 2015 reporting years, between the 2019 and 2020 reporting years, and between the 2022 and 2023 reporting years.

Several factors contribute to the overall decrease in armed and prohibited persons. First, DOJ invested time and effort conducting APPS enforcement operations and sweeps throughout the year, working collaboratively with LEAs. APPS enforcement sweeps are multi-day operations in which

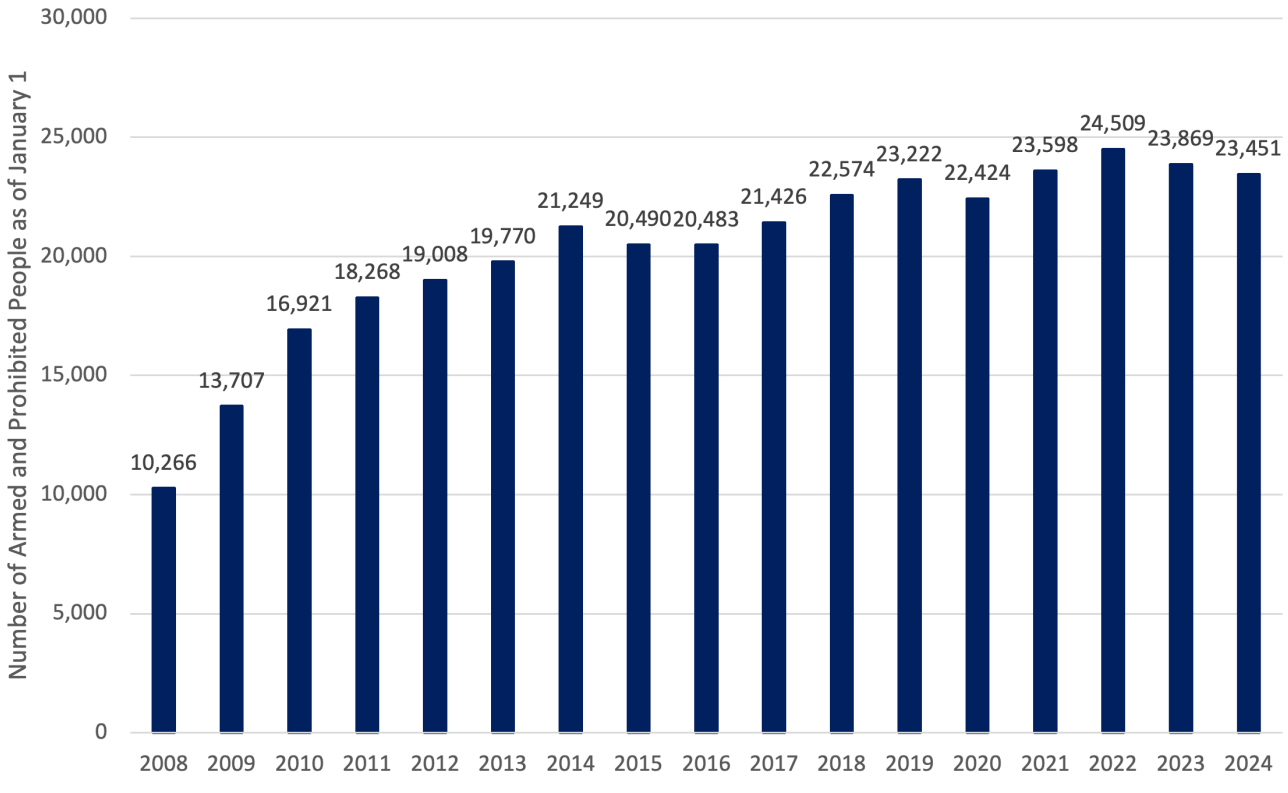
Case Study

Wildomar Man Found in Possession of Numerous Firearms while Prohibited Due to a Misdemeanor Firearm Conviction

In January of 2023, BOF identified a subject who resided in Wildomar, California and was prohibited from owning or possessing firearms due to a misdemeanor firearm conviction. It was determined that the subject had several firearms recorded in his name. Agents contacted the subject at his residence and during the course of the agent's conversation with the subject, he admitted to possessing several firearms. The individual granted agents access to his residence. Agents conducted a search of the residence and located 12 handguns, 10 rifles, one assault rifle, one ghost gun assault rifle, three shotguns, and one lower receiver, 26 ammunition magazines and approximately 2,000 rounds of ammunition.

DOJ works together with allied LEAs in a certain jurisdiction of the state. For more information on APPS enforcement sweeps, please see page 35 of this report. Second, a lower number of armed individuals in the APPS database became prohibited in 2023. Third, courts and local law enforcement have bolstered their efforts to more consistently enforce firearm relinquishment requirements at the time that a person becomes prohibited. This effort has been bolstered by the Legislature's recent adoption of legislation to strengthen court processes for identifying and addressing violations of firearm relinquishment requirements and to expand resources through grant programs like the Firearm Relinquishment Grant Program to promote firearm relinquishment compliance, especially for individuals subject to court restraining orders. These and related legislative developments are described in more detail in Appendix B.

Figure 1. The number of prohibited people in the APPS database as of January 1 each year



Breakdown of the Status of Pending APPS Cases

Prohibited individuals in the APPS database may be assigned a Pending status for one of four reasons:

1) **Unable to Clear (UTC):** The prohibited person has been investigated and all leads have been exhausted, but agents have been unable to disassociate the individual from all known firearms.

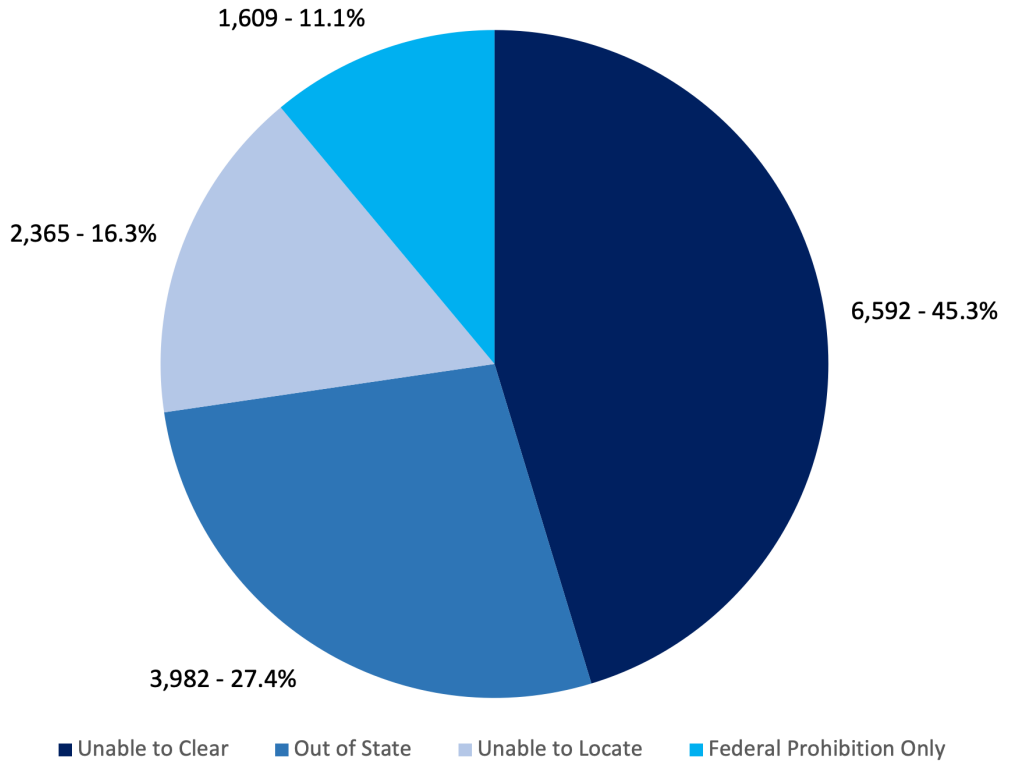
2) **Unable to Locate (UTL):** Agents have made at least three attempts to contact the prohibited individual but have not been able to locate them, even after exhausting all leads.

3) **Out of State:** The prohibited individual has moved out of California.

4) **Federal Brady Act Prohibition Only**: The prohibited individual is prohibited due to a Federal Brady Act prohibition (18 U.S.C. §§ 921, 922) alone and DOJ does not have the jurisdiction to investigate them.

Of the 14,548 Pending cases, 6,592 (45.3%) were unable to be cleared, 2,365 (16.3%) were unable to be located, 3,982 (27.4%) moved out of state, and 1,609 (11.1%) were prohibited under Federal Brady Act prohibitions only (Figure 2). The distribution of pending cases among these reasons for pending status is consistent with breakdowns in previous reporting years.

Figure 2. Pending APPS cases separated by category as of January 1, 2024



Breakdown of the Number of Individuals Removed from the APPS

In 2023, 9,051 armed and prohibited people were removed from the Armed and Prohibited Persons System. Removals from the Armed and Prohibited Persons System occur for one of three reasons:

1) **Prohibition Expired**: An individual's prohibition expired, which could result from the expiration of restraining orders, the end of a 10-year prohibition that resulted from a qualifying misdemeanor conviction, or the end of a five-year prohibition that resulted from a mental health event.

2) **Disassociated from All Known Firearms**: The prohibited person has all of their known firearms disassociated from them, meaning each firearm attributed to them within the APPS database has been accounted for by DOJ and disassociated from the prohibited person.

3) **Deceased**: The prohibited person is deceased.

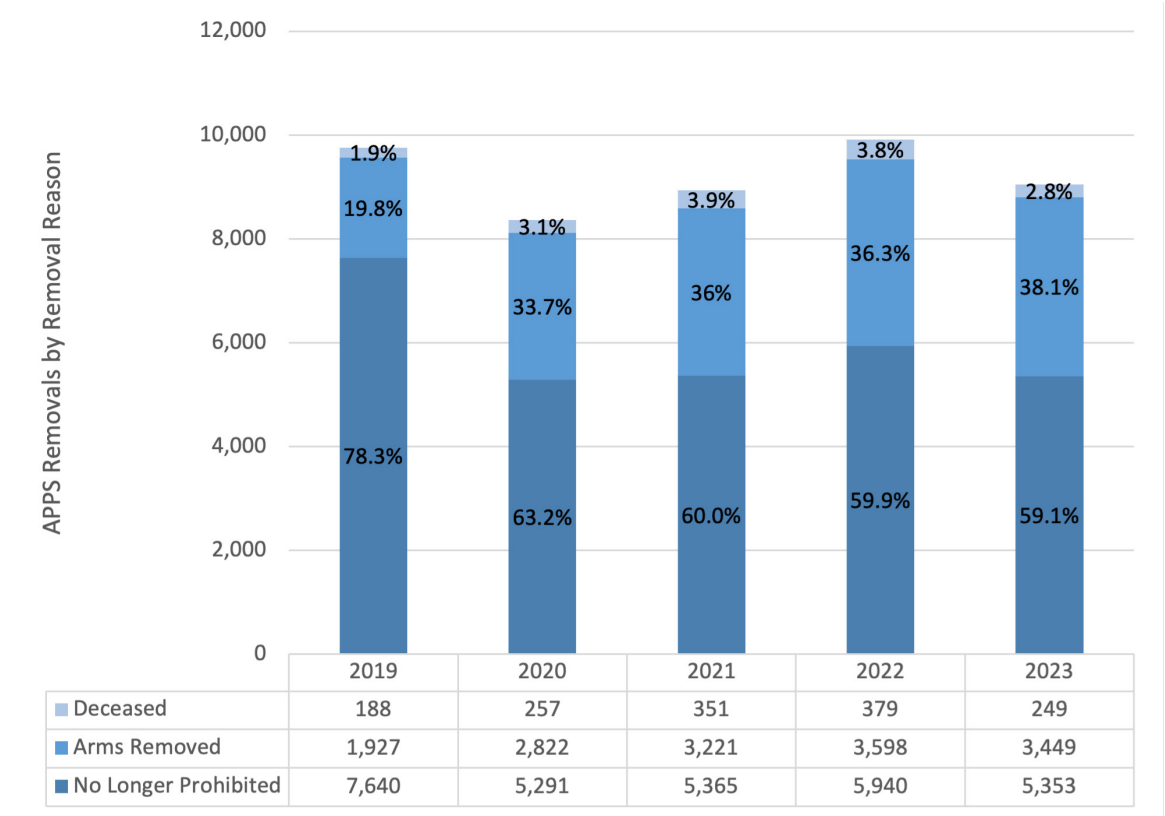
Table 1. Individuals removed from the Armed and Prohibited Persons System in 2023 separated by reasons for removal

Reason for Removal	Number of Individuals Removed
Prohibition expired/no longer prohibited	5,353
Disassociated from all known firearms	3,449
Deceased	249

If DOJ is unable to locate the prohibited person or disassociate all known firearms from the prohibited person, despite having exhausted all leads, DOJ cannot remove the individual from the Armed and Prohibited Persons System and must instead assign them to the Pending category. This often results from the inherent difficulty of confiscating firearms from individuals who are unwilling to surrender their firearms regardless of their prohibited status.

Of the 9,051 prohibited people removed from the Armed and Prohibited Persons System this year, 3,449 removals were the result of enforcement efforts[20] — 149 fewer removals compared to 2022, a decrease of approximately 4%. Despite this reduction, the overall percentage of total APPS removals due to enforcement efforts rose from 36.3% of all APPS removals in 2022 to 38.1% of all APPS removals in 2023, the highest proportion of APPS removals in the past five years (Figure 3).

Figure 3. Number and Relative Percentage of APPS Removals by Removal Reason, 2019-2023

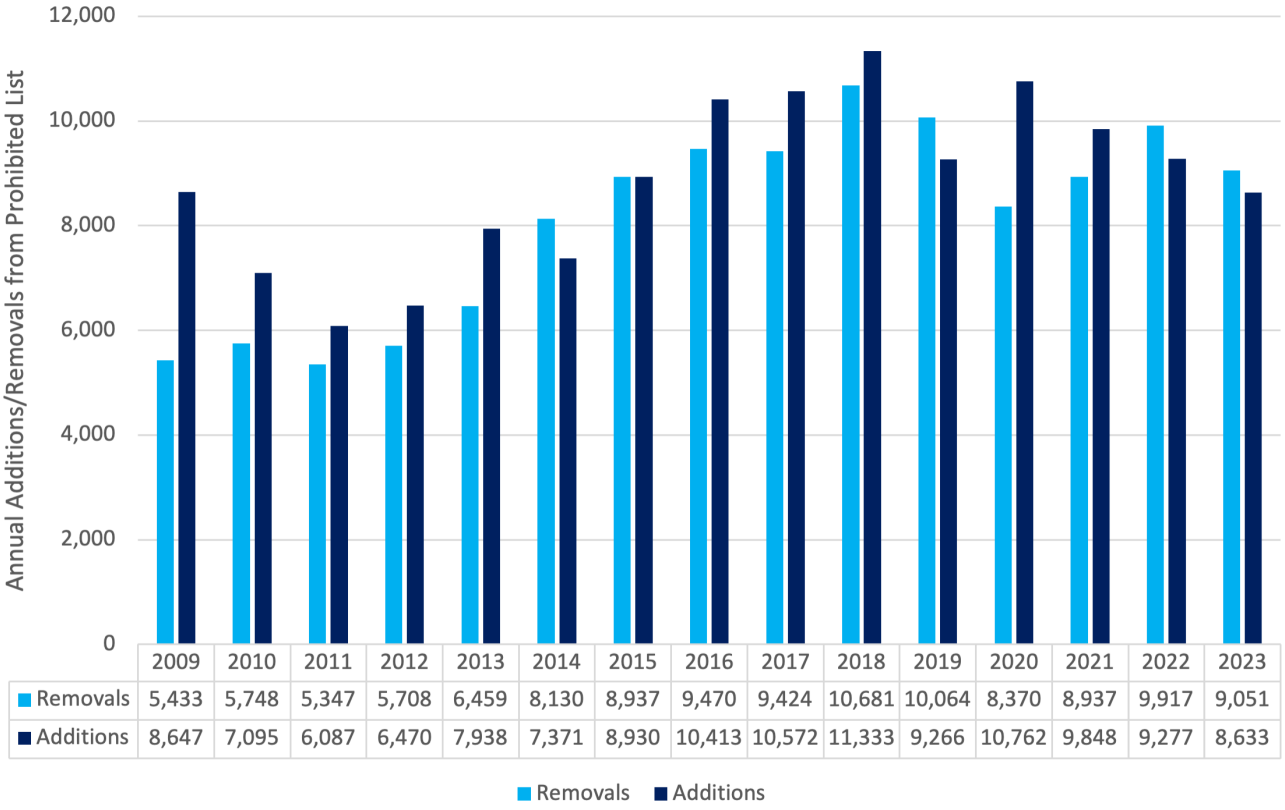


	2019	2020	2021	2022	2023
Deceased	188	257	351	379	249
Arms Removed	1,927	2,822	3,221	3,598	3,449
No Longer Prohibited	7,640	5,291	5,365	5,940	5,353

20 Note that not all 3,449 individuals who were disassociated from their firearms resulted in firearm seizures by DOJ. In some cases, DOJ investigations determined that local law enforcement agencies already seized the firearms but failed to record the recovery, the individual attempted to report the firearm lost/stolen, or the individual is in the process of lawfully selling or gifting the firearm to a friend or relative. For a breakdown of prohibition categories as a percentage of prohibited people see Figure 7 below.

The monthly average number of individuals disassociated from their known firearms was approximately 287, with a standard deviation of approximately 44 individuals from month to month. Agents removed fewer prohibited individuals in the first half of the year, with an average of 277 removals per month from January through June, compared to an average 298 removals per month from July through December. The most productive month was July, with 347 prohibited individuals disassociated from all known firearms. In total, 8,633 prohibited individuals were added into APPS in 2023, the lowest number of additions since 2014, following a steady decline across the past several years.

Figure 4. The yearly removals and additions from the APPS list as of January 1st of each year



	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Removals	5,433	5,748	5,347	5,708	6,459	8,130	8,937	9,470	9,424	10,681	10,064	8,370	8,937	9,917	9,051
Additions	8,647	7,095	6,087	6,470	7,938	7,371	8,930	10,413	10,572	11,333	9,266	10,762	9,848	9,277	8,633

DOJ has experienced an increase in the past few years of prohibited individuals with Gun Violence Restraining Orders (GVROs) being entered into the APPS database. In 2016, with the implementation of Assembly Bill 1014 (AB 1014), California became one of the first states in the country to enact a red flag law. The law allowed law enforcement officers and family members of a person they believed was a danger to themselves or others to petition the court to prohibit that person from possessing firearms under a GVRO. In 2020, Assembly Bill 61 (AB 61) expanded authorization to petition the court for a GVRO to employers, coworkers, and school employees.

GVROs — and other firearm-prohibiting court protection orders, such as Domestic Violence and Civil Harassment Restraining Orders — assist LEAs in recovering firearms from individuals who have shown a probability to commit violence with a firearm or to prevent those individuals from obtaining firearms. GVROs are a critical tool that saves lives, and DOJ prioritizes GVRO-related APPS subjects for investigation. LEAs are increasingly implementing GVROs as they recognize the positive impact on public safety. DOJ applauds these efforts to enhance public safety through the GVRO process and through other court protection and restraining order processes available in California that can include firearm access restrictions to disarm a person who has perpetrated violence, threats of violence, stalking, and other dangerous and abusive conduct.

Of the 3,449 individuals who were disassociated from all-known firearms in 2023, 1,845 (53.5%) were prohibited, at least in part, due to restraining orders. Of the 5,353 people who had their prohibitions expire in 2023, 3,702 (69.2%) individuals were prohibited, at least in part, due to restraining orders. Similarly, of the 249 people who became deceased in 2023, 29 (11.7%) were prohibited, at least in part, due to restraining orders.

Case Study

Villa Park Subject Found to be in Possession of Firearms While Prohibited Due to a Domestic Violence Restraining Order

In July of 2023, BOF identified a subject who resided in Villa Park, California and was prohibited from owning or possessing firearms due to having a domestic violence restraining order issued against him. Agents attempted to contact the subject at his residence, but were unsuccessful. While attempting to contact the subject, agents were able to call him on his cellular phone. During the telephone conversation the subject became extremely uncooperative and refused to talk with agents. Agents obtained a search warrant for the residence and during the service of that warrant they located nine handguns, four shotguns, one assault rifle, 13 rifles, 30 ammunition magazines, and 405 rounds of ammunition.

As noted above, in 2023, 1,845 individuals who were prohibited due to restraining orders were removed from the APPS database of armed and prohibited individuals because they were dissociated from all known firearms. However, 3,702 individuals who were prohibited due to restraining orders were removed from the APPS database of armed and prohibited individuals in 2023 because their restraining order expired; these individuals were recorded as being in unlawful possession of firearms throughout the duration of the restraining order. (In many cases, these individuals were subject to emergency or temporary restraining orders that generally expire within 5 to 21 days). As discussed in the Recommendations section, efforts to ensure people subject to restraining orders promptly and safely comply with firearm relinquishment requirements are essential to prevent such individuals from remaining illegally armed. Law enforcement officers can help prevent illegal firearm access by promptly serving firearm-prohibiting restraining orders and immediately recovering the prohibited person's firearms at the time of service. The firearm recovery, combined with the accurate entry into the AFS, will ensure those firearms are immediately disassociated from the prohibited person and that person is removed from APPS.

The Number of People in the APPS Database Before and After the Relevant Reporting Period

The relevant reporting period runs from January 1, 2023, through December 31, 2023. The APPS database is a compiled list of all individuals who legally purchased or were transferred a firearm in California. It further categorizes individuals as either persons armed but not prohibited, persons armed and prohibited, or persons incarcerated and known to have possessed a firearm prior to incarceration. To account for late additions or removals from the system, the state of the APPS database was analyzed as of 1:30 a.m. Pacific Standard Time on January 1, 2024. At that time, the APPS database system contained 3,491,463 individuals, including 3,466,823 armed and not prohibited individuals, 23,451 armed and prohibited individuals, and 1,189 incarcerated individuals.

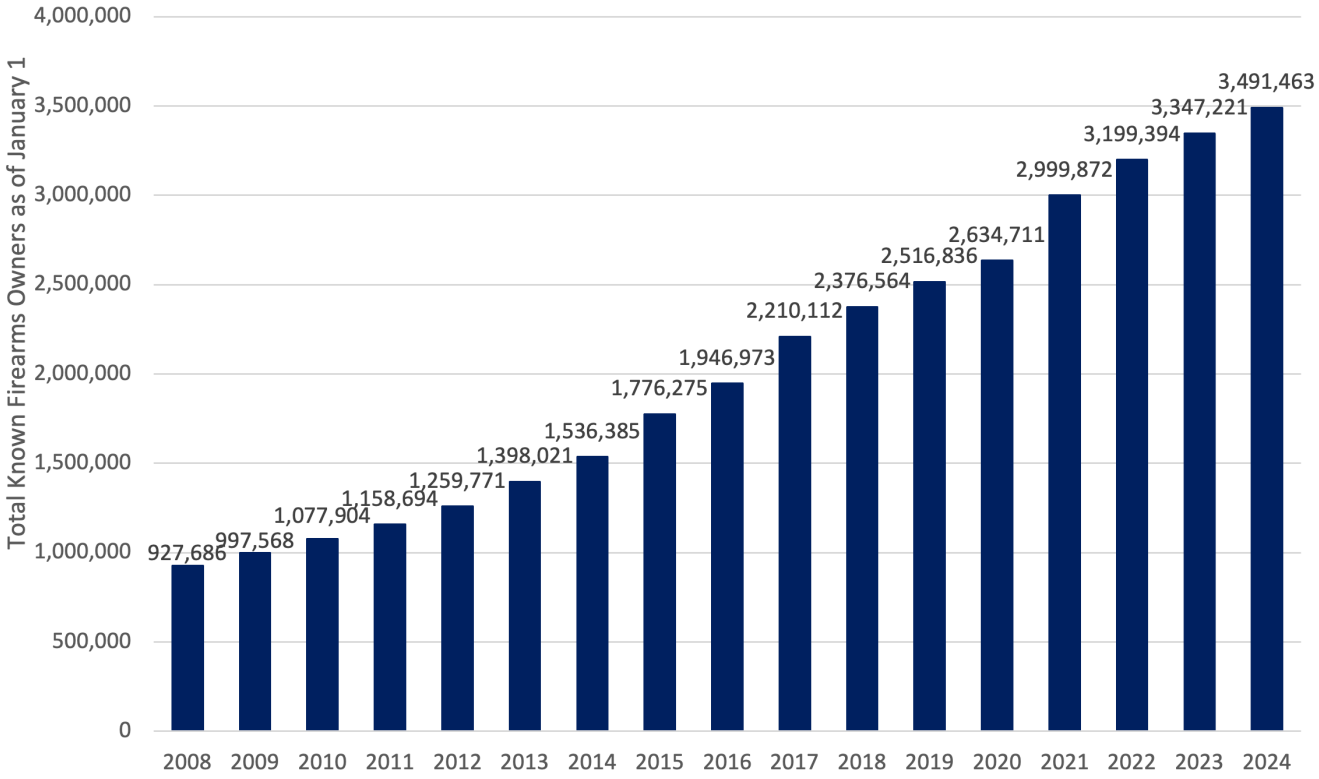
The number of people in the APPS database grew by 144,242 in 2023. In other words, 144,242 individuals became registered firearm owners living in California at some point during 2023, either through purchasing or acquiring a firearm through a licensed dealer or reporting a firearm in their possession. This number does not reflect existing firearm owners who acquired new firearms in 2023.[21]

21 The addition of 147,827 to the APPS database represents the median annual increase between 2019 and 2023. That annual growth is slightly lower than the average annual increase of the last five years, which was 194,925.

The APPS database is highly dynamic, and newly armed and prohibited people continue to be added as many others are removed. This increase represents both prohibited and non-prohibited persons in the APPS database.

Over the past decade, some legislative changes have likely increased the number of individuals with *recorded* firearm transactions. For example, California law generally did not require firearm dealers to record the sale or transfer of long guns with DOJ until January 1, 2014. Ghost gun reform legislation enacted in 2022 also required sales and transfers of more unfinished firearm frames and receivers to be conducted and recorded by licensed dealers, effective June 30, 2022. In July 2019, California also implemented a law requiring background checks to purchase ammunition; individuals with a firearm ownership record may utilize the streamlined "Standard Ammunition Eligibility Check" process for the background check, which may have encouraged some individuals to record ownership of a previously unrecorded firearm (such as a rifle or shotgun they purchased prior to 2014). In addition to these legislative changes, many sources have documented substantial nationwide increases in gun sales during the COVID-19 pandemic.[22]

Figure 5. The total number of firearm owners in the APPS database per year as of January 1st of each year



Breakdown of Why Each Person in the APPS Database is Prohibited from Possession of a Firearm

Persons become prohibited in the APPS database for several reasons. The following categories are the typical events, or PTEs, which can trigger a firearm prohibition:

- An individual may become prohibited under the Federal Brady Act. Note, some individuals prohibited under the Federal Brady Act may not be prohibited under California state law (e.g., a

22 For further discussion, see, e.g., DOJ Office of Gun Violence Prevention Data Report: The Impact of Gun Violence in California, Page 20 ("The Pandemic-Era Spike in Gun Sales") (Aug. 2023), https://oag.ca.gov/system/files/media/OGVP-Data-Report-2022.pdf.

dishonorable discharge in the military).

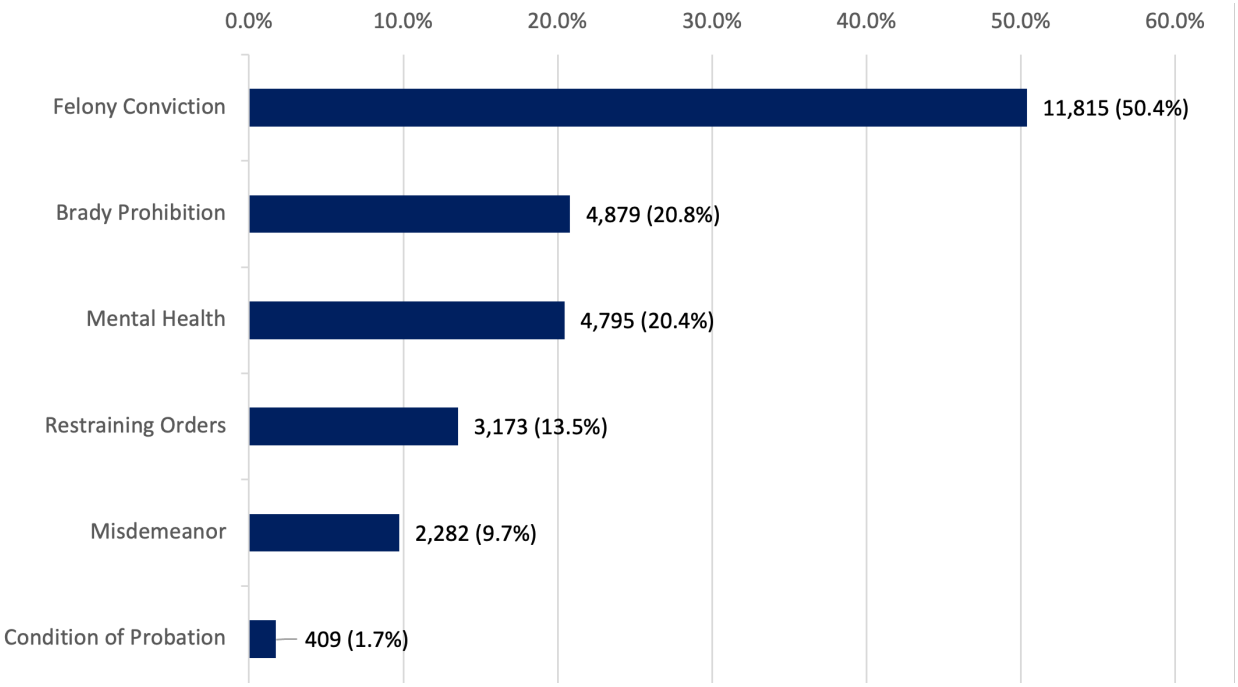
- An individual may be prohibited from owning or possessing a firearm as a condition of their probation
- Individuals with felony convictions are prohibited from owning firearms
- A juvenile who becomes a ward of the court may be prohibited
- Mental health crises involving involuntary commitment may trigger a temporary prohibition
- Some misdemeanor convictions may prohibit owning a firearm
- Individuals may be temporarily prohibited due to restraining orders
- Individuals may be temporarily prohibited due to a felony warrant
- Individuals may be temporarily prohibited due to a misdemeanor warrant
- Individuals may be prohibited due to offenses or triggering events occurring in other states

Many individuals are prohibited under several categories (Figure 6). The following is a breakdown by category as of January 1, 2024:[23]

- 11,815 people prohibited due to a felony conviction, representing 50.4% of all active and pending individuals in APPS.
- 4,879 (20.8%) are prohibited due to the Federal Brady Act[24]
- 4,795 (20.4%) prohibited due to mental health prohibitions
- 3,173 (13.5%) prohibited due to restraining orders
- 2,282 (9.7%) prohibited due to a qualifying misdemeanor conviction
- 409 (1.7%) prohibited due to terms of their probation
- 293 (1.2%) prohibited due to a felony warrant
- 98 (<1%) prohibited due to misdemeanor warrants
- 13 (<1%) prohibited due to juvenile prohibitions
- 54 (<1%) prohibited due to other reasons[25]

23 Note that previous years' reports included incarcerated individuals in these figures. The 2023 APPS report is providing counts of only active, and pending, non-incarcerated individuals.
24 This figure includes individuals who may be prohibited under more than one category, including a Federal Brady Act prohibition. These are not solely Federal Brady Act cases.
25 See Appendix E for a list of Firearm Prohibiting Categories.

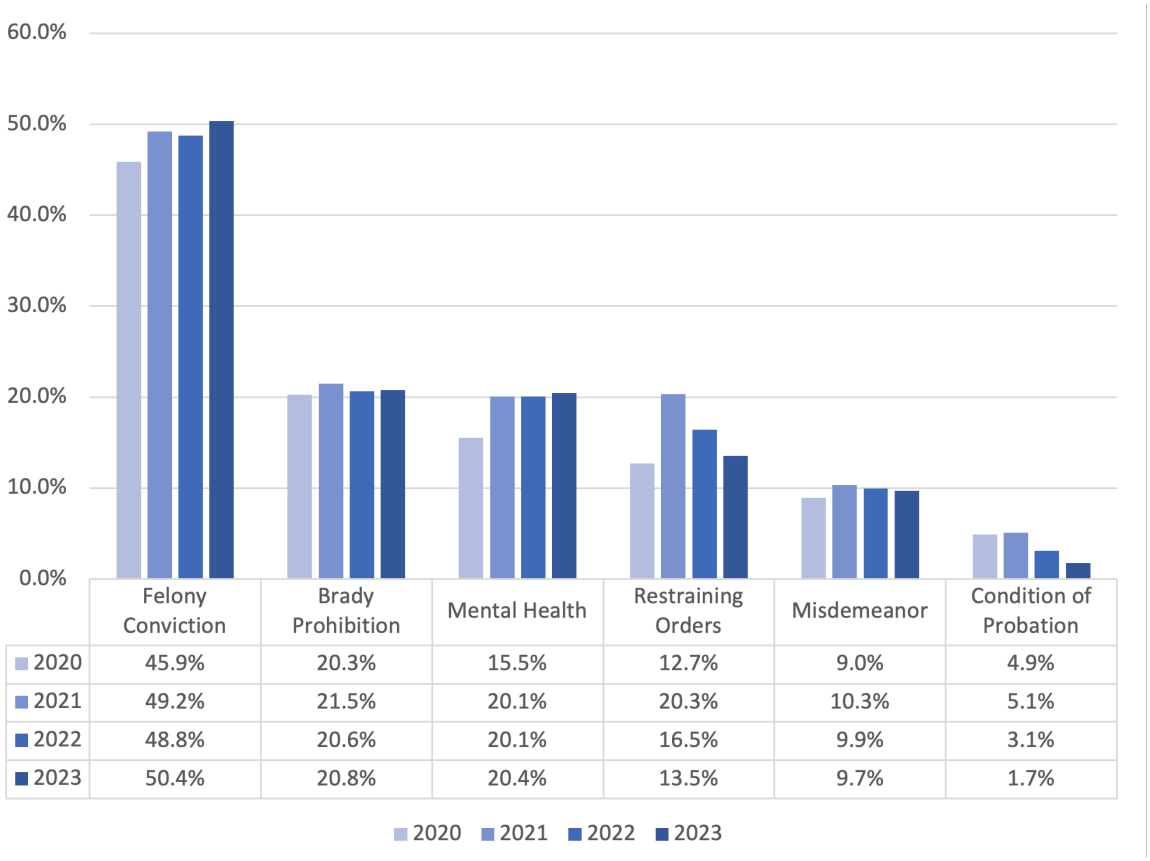
Figure 6. Prohibition categories as a percentage of prohibited people as of January 1, 2024[26]



The distribution among these categories is largely consistent with that in 2022. Overall, categories with the greatest change between 2022 and 2023 include probation prohibition, accounting for 1.4% fewer prohibitions than in 2022; restraining orders, which accounted for 3% fewer prohibitions than in 2022; and felony convictions, which accounted for 1.6% more prohibitions than in 2023. All other categories, including misdemeanors, mental health, and federal prohibitions showed no significant change. See Figure 7 for a complete comparison of data for the past several years.[27] In 2023, 13,541 prohibited persons were due to either a felony or misdemeanor conviction, representing 57.5% of all prohibitions. This includes 556 individuals prohibited due to both a felony and misdemeanor conviction simultaneously.

26 Many cases have more than one prohibition, which is why these numbers do not equal 100%.
27 Percentages for the Felony Conviction, Federal Brady, Restraining Order, and Probation categories were misprinted in the 2021 report. Their correct percentages are reported in Figure 7.

Figure 7. Prohibition categories as a percentage of prohibited people, 2020-2023[28]



	Felony Conviction	Brady Prohibition	Mental Health	Restraining Orders	Misdemeanor	Condition of Probation
2020	45.9%	20.3%	15.5%	12.7%	9.0%	4.9%
2021	49.2%	21.5%	20.1%	20.3%	10.3%	5.1%
2022	48.8%	20.6%	20.1%	16.5%	9.9%	3.1%
2023	50.4%	20.8%	20.4%	13.5%	9.7%	1.7%

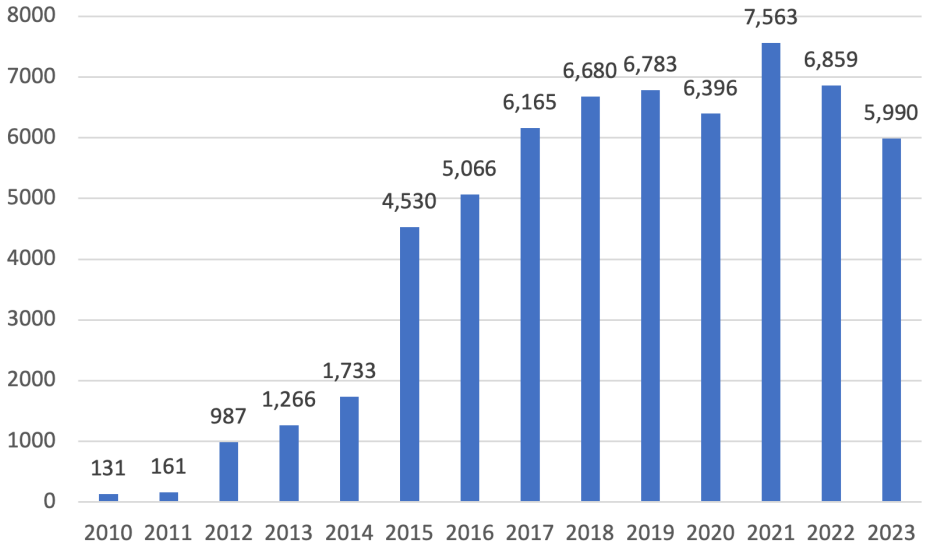
Prohibitions among several categories decreased in 2020 during the COVID-19 pandemic, primarily among felony convictions, mental health prohibitions, and restraining order related prohibitions. In the subsequent three years, felony convictions have remained between 49%-50% of all prohibitions, and trends in mental health prohibitions have also been stable. Since 2021, restraining order prohibitions showed the most significant shift, dropping from the post-COVID-19 peak of 20.3% to 13.5% of prohibitions.

While fewer prohibited people with a restraining order were removed from APPS in 2023 compared to 2022, the prevalence of restraining order prohibitions decreased substantially as of January 1, 2024, compared to January 1, 2023, i.e. restraining order prohibitions became less common overall. This falls in line with trends in new restraining orders issued that are associated with known firearm owners. In recent years, restraining orders associated with known firearm owners peaked in 2021 at 7,563, before falling in 2023 to 5,990, a decrease of over 1,500 restraining orders.[29]

28 Note that percentages of prohibited people by prohibition reason reported in previous years have included incarcerated people. The data reported here updates these breakdowns to only include active and pending cases but not incarcerated individuals. Therefore, percentages reported here may differ from previous reporting years.

29 Note that the portion of current prohibitions due to conditions of probation have also declined in the APPS database. This may, in part, be due to review processes to verify firearm restrictions, and awaiting information needed from courts regarding these orders, more effective removals by local agencies for subjects on probation, or, in part, due to Assembly Bill 1950 (stats. 2020, ch. 328), which took effect on January 1, 2021, and reduced probation terms for most felony and misdemeanor convictions.

Figure 8. Number of recorded firearm owners who became prohibited due to restraining orders, 2010-2023[30]



Number of Agents and Other Staff Hired for Enforcement of the APPS

As of January 1, 2023, DOJ had 76 authorized permanent Special Agent Trainee, Special Agent, Special Agent Supervisor and Special Agent in Charge positions. Of those positions, 58 were filled and 18 were vacant. By December 2023, DOJ continued to have 76 authorized permanent positions, of which 53 were filled and 23 were vacant. As Table 2 shows, the number of filled and vacant positions fluctuates throughout the year, reflecting the quick turnover rate of these positions. This illustrates DOJ's challenges hiring and retaining agents, despite having authorized positions to fill. In an effort to address the ongoing challenges with staffing, specifically recruitment at the Special Agent classification, DOJ has continued recruiting Special Agent Trainees. While this approach may ultimately benefit DOJ by increasing the total number of Special Agents, it can be challenging in the short term due to the time and resources required to educate and train a Special Agent Trainee to perform at the level of a Special Agent.

In December 2022, DOJ had 37 filled Special Agent positions (not including Special Agent Trainees). In 2023, DOJ hired four Special Agents, one Special Agent Trainee, and one Special Agent Supervisor. Six sworn personnel left DOJ due to inter-departmental transfers and/or promotions, and one Special Agent was promoted from within DOJ to a Special Agent Supervisor.[31] Due to the unique demands placed on APPS team members, Special Agent Trainees are required to meet high standards before promotion to Special Agent. In order to fill positions while maintaining the high standards for training, DOJ temporarily reclassified four Special Agent positions to Special Agent Trainees during 2023. Five Special Agent Trainees were promoted in place to Special Agents after successful completion of their training.[32]

A number of enforcement support staff assist Special Agents; these individuals are a significant asset to DOJ. In 2023, three support staff separated from the enforcement teams. DOJ is actively recruiting to fill these positions.
The fluctuation in Special Agent staffing levels due to transfers and promotions affected the quantity of agents able to initiate and complete enforcement work in 2023.

30 California law started to require long gun transaction records to be collected, reported, and retained effective January 1, 2014, which may explain a sharp increase in APPS restraining order prohibitions in subsequent years.
31 Agent staffing temporarily fell in 2022, as the Department's Division of Law Enforcement took on significant, additional statutorily mandated workload.
32 Due to AB 2699, DOJ was given one additional Special Agent position to investigate illegal firearms transactions.

Table 2: DOJ authorized positions for the relevant reporting period

Bureau Positions	1/1/2023			7/1/2023			1/1/2024		
	Filled	Vacant	Total Authorized	Filled	Vacant	Total Authorized	Filled	Vacant	Total Authorized
Special Agent	35	13	48	35	15	50	34	20	54
Special Agent Supervisor	12	3	15	12	3	15	13	2	15
Special Agent-in-Charge	2	1	3	2	1	3	2	1	3
Special Agent Trainee	9	1	10	7	1	8	4	0	4
Total	**58**	**18**	**76**	**56**	**20**	**76**	**53**	**23**	**76**

DOJ expects it will continue to face challenges in recruiting Special Agents as long as its compensation is not competitive with compensation packages offered by other LEAs.

While recent pay increases have been a step in the right direction, Special Agent monthly base salary at DOJ continues to lag behind comparable positions at other LEAs. In comparison, California law has established a process for ensuring that salaries for sworn personnel at another state law enforcement agency match the average salary of other large law enforcement agencies "in order to recruit and retain the highest qualified employees".[33] Efforts to promote similar pay parity for DOJ sworn personnel would help DOJ improve recruitment and retention of its highly qualified employees.

Although DOJ had 16 retirements of sworn personnel in 2023, it expects in forthcoming years the Division of Law Enforcement (which includes BOF) will face a substantial staffing shortfall because of projected retirements (see Table 3).

33 See California Government Code Section 19827.

Table 3: Projection of retirement eligibility within the Division of Law Enforcement[34]

Division of Law Enforcement - SA/SAS/SAC Retirement Eligible Counts			
Fiscal Year	**Classification**	**Employees Eligible to Retire**	**Cumulative Fiscal Year Total**
23-24	Special Agent	36	72
	Special Agent Supervisor	29	
	Special Agent in Charge	7	
24-25	Special Agent	40	82
	Special Agent Supervisor	32	
	Special Agent in Charge	10	
25-26	Special Agent	45	93
	Special Agent Supervisor	37	
	Special Agent in Charge	11	
26-27	Special Agent	52	106
	Special Agent Supervisor	40	
	Special Agent in Charge	14	
27-28	Special Agent	54	113
	Special Agent Supervisor	44	
	Special Agent in Charge	15	
28-29	Special Agent	60	123
	Special Agent Supervisor	48	
	Special Agent in Charge	15	
29-30	Special Agent	63	128
	Special Agent Supervisor	50	
	Special Agent in Charge	15	

DOJ had 34 Special Agents, 13 Special Agent Supervisors and two Special Agents in Charge, as of January 1, 2024.

Until salaries are increased to competitive levels, either through additional amendments to bargaining unit contracts or by way of another change, as requested in the "Recommendations" section, DOJ can expect to continue to face challenges recruiting agents to fill DOJ's authorized positions.

Number of Contacts Made During APPS Enforcement Efforts

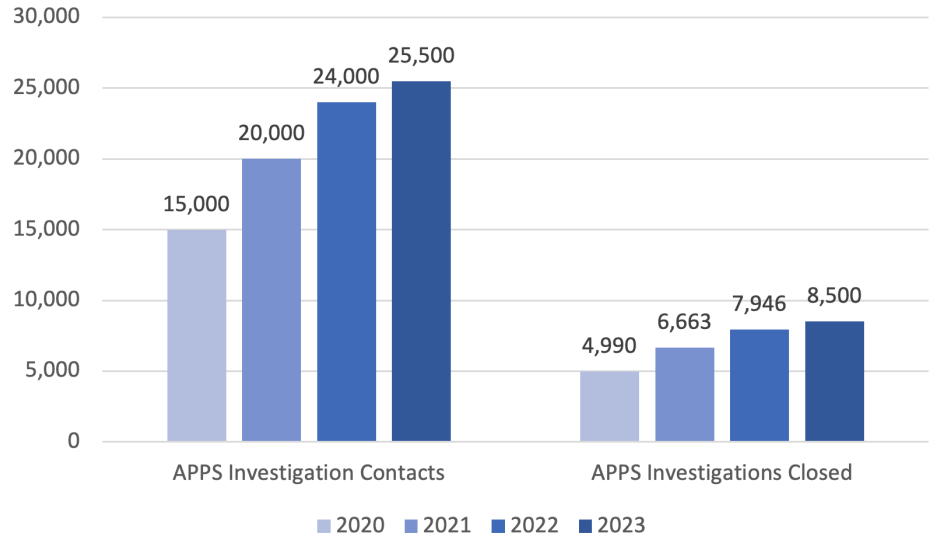
DOJ's agents and Crime Analysts are continuously working to research and develop viable APPS investigations to determine which leads will potentially provide the greatest possible number of positive results. Cases are pursued until all investigative leads are exhausted. Individuals are then either: (1) disassociated from all of their firearms and removed from the APPS database; or (2) moved to the Pending category due to the existence of no further leads and are labeled "unable to clear."

34 The data in Table 3 was provided on January 5, 2024, by DOJ's Office of Human Resources Data Analytics Unit and is based on vacancies and headcounts as of January 5, 2024. The projected cumulative fiscal year totals increase each year as additional employees become retirement eligible, and the projection assumes the prior years' employees have not yet retired.

During the course of an investigation, BOF agents may need to make repeated contacts with a prohibited individual to close a case. These repeated contacts occur because the APPS individual may not be home at the time of the initial contact; have moved and failed to update their address with the DMV; have moved out of state; claim the firearm(s) was already seized by local law enforcement or has been reported as lost or stolen; be uncooperative and unforthcoming with information about the firearm(s), requiring further interviews and contacts; or claim to have given their firearm(s) to another person outside of the legal firearms transfer process, requiring agents to track down the firearm(s) and/or verify the provided information.

In total, agents made approximately 25,500 contacts in 2023, above the nearly 24,000 contacts made in 2022. With an average of 35 Special Agents (not including supervisors or agents in training) employed during 2023, which represents an average of 61 contacts per month per agent.[35] Overall, the average number of contacts each agent made per month in 2023 was slightly higher compared to 2022. As in previous years, agents required an average of three separate contacts, including in-person interviews, to close one APPS case. DOJ made 1,500 more contacts in 2023 compared to 2022, and closed 554 more APPS investigations.

Figure 9. Number of APPS investigations closed annually 2020-2023, and the approximate number of APPS contacts[36]



Special Agent Supervisors are not included in these calculations because, although supervisors are involved in all field operations, their work focuses on being vigilant and available to make quick decisions for the safety of the team. Agents in training are likewise not included in these calculations because they accompany special agents during investigations. In the course of an investigation, special agents take the lead on investigations and contacts. Supervisors ensure their teams adhere to DOJ policy, follow officer safety protocols, and use proper investigative methods so that no violations of constitutional rights occur in the course of the investigation.

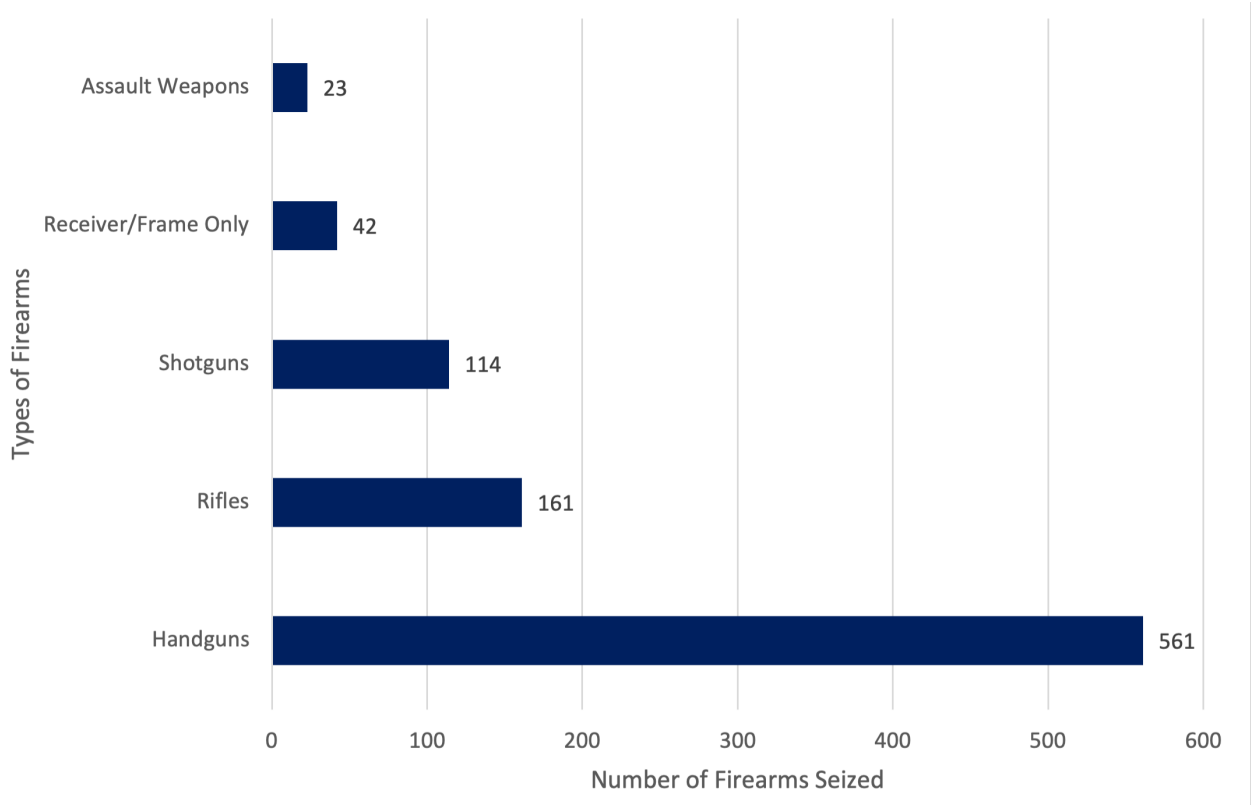
35 DOJ provides this number to illustrate the workload for each agent and compare year-to-year contacts per agent. However, agents always work in teams and will never contact a person in the Armed and Prohibited Persons System alone.

36 The 2021 APPS report and prior reports included the number of contacts made during non-APPS investigations in addition to APPS specific investigations. This figure in years 2020, 2022 and 2023, are specific to APPS only investigations for each year.

Number of Firearms Recovered

In 2023, DOJ's Special Agents seized a total of 1,443 firearms. Of these firearms 901 (62%) were firearms listed in APPS, and 542 (38%) were firearms not listed in the system (non-APPS). See Figures 10 and 11 for a breakdown of the type of APPS and non-APPS firearms recovered. Together, APPS and non-APPS firearms resulted in 1,443 total firearm seizures. DOJ agents closed 8,500 APPS investigations due to enforcement efforts in 2023.[37] This number does not reflect the number of times DOJ agents attempted to locate an APPS individual or were required to visit third-party residences; it only captures the total number of closed cases.[38] The following graphs detail the number of firearms seized due to APPS enforcement in 2023, categorized by the type of firearms seized.

Figure 10. APPS firearms seized in 2023



37 Not all cases closed are removed from APPS. They may remain in the Pending category.

38 Cases can also be closed when 1) agents or criminal analysts find the individual is deceased, 2) the individual has moved out of state and out of DOJ's jurisdiction, 3) a criminal analyst corrects a data discrepancy, and the individual is cleared.

Figure 11. Non-APPS firearms seized in 2023

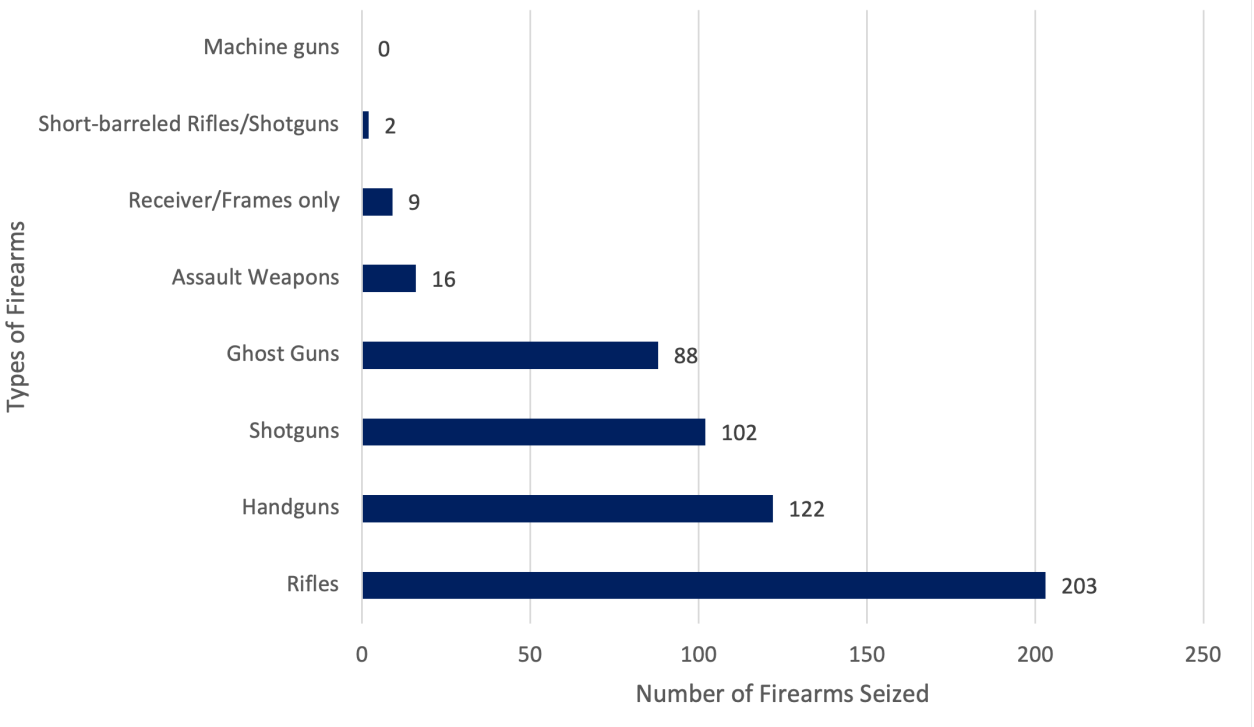


Figure 12. APPS & Non-APPS common firearm seizures by DOJ APPS Agents, 2020-2023

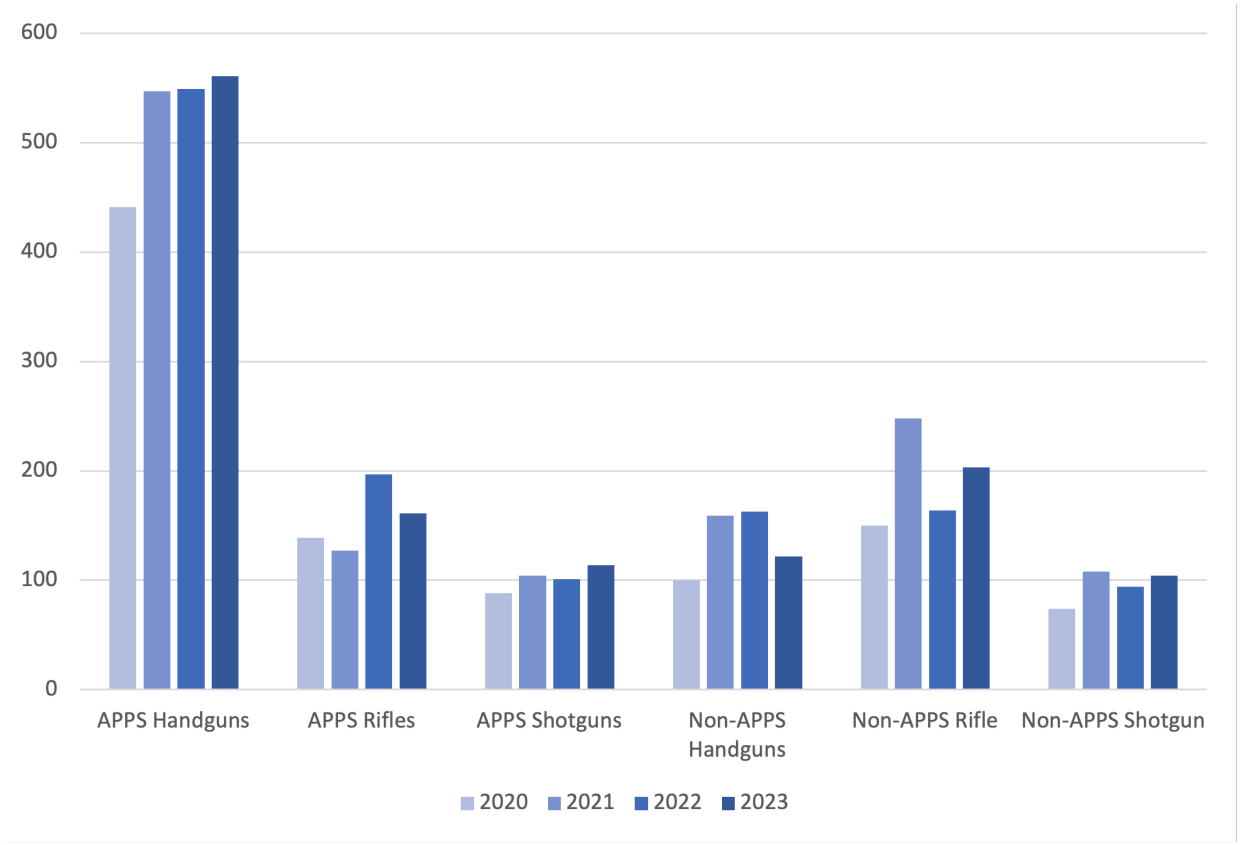
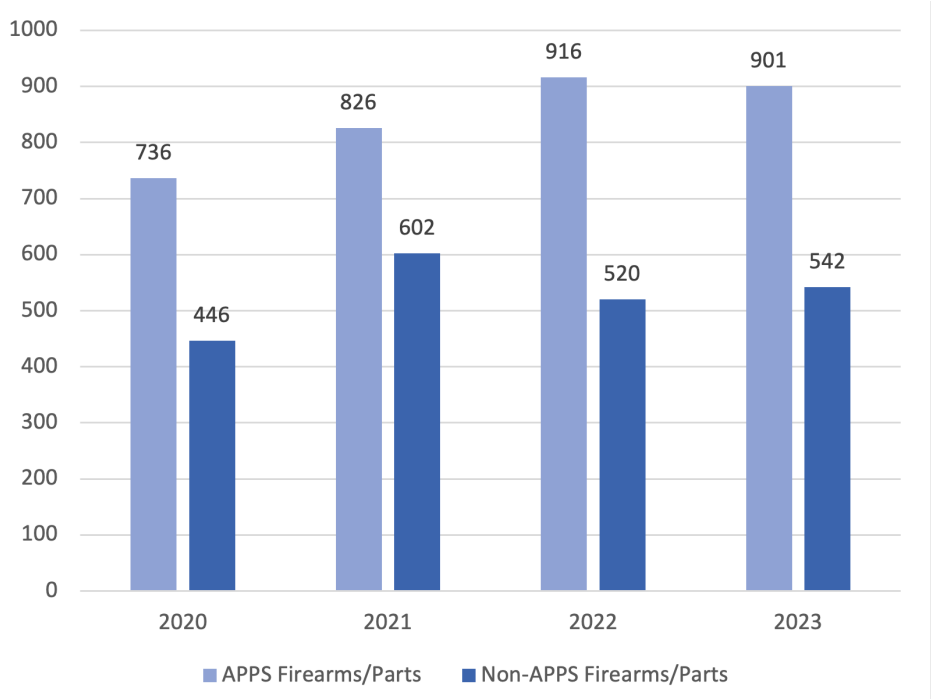


Figure 13. APPS vs. Non-APPS firearm seizures by APPS Agents, 2020-2023



Number of Ghost Guns Recovered

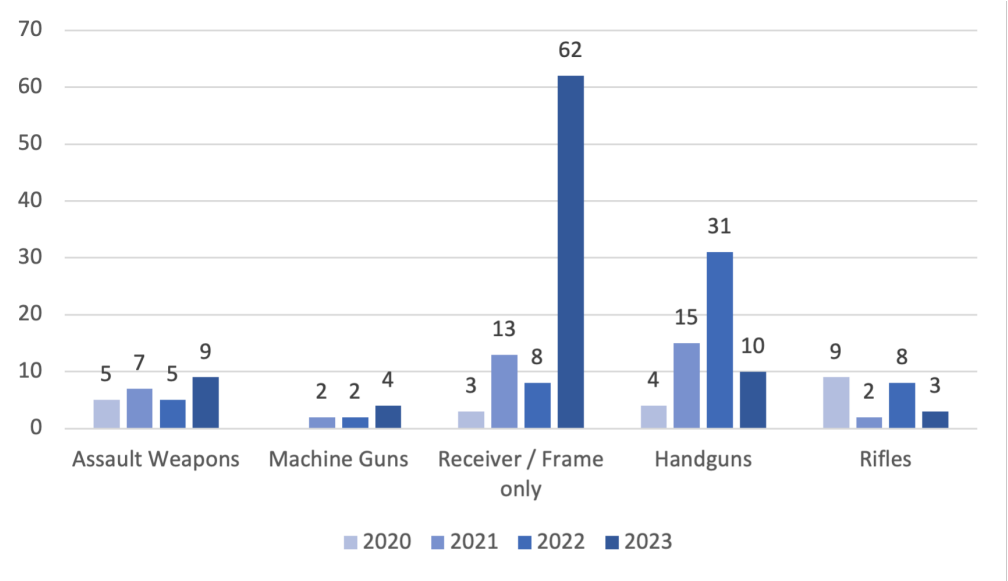
Ghost guns are firearms constructed by private citizens that do not have a serial number, which means they are generally not recorded in DOJ systems indicating firearm acquisition and ownership. By definition, ghost guns do not appear in the APPS database and their sale history generally cannot be tracked by law enforcement. DOJ's agents seized a total of 88 ghost guns in 2023, a 63% increase compared to the 54 ghost guns seized during 2022 APPS investigations.

California law requires law enforcement agencies to report information to DOJ regarding crime guns recovered by the agency from suspected criminal activity, including firearms that were illegally possessed, used in a crime, or suspected to have been used in a crime. DOJ's analysis of these crime gun reports documented an enormous increase in the number of unserialized ghost guns recovered as crime guns by law enforcement agencies across California between 2015 and 2021.[39] DOJ will publish additional updated data regarding ghost guns and other unserialized firearms recovered as crime guns in forthcoming reports this year.[40]

39 The number of ghost guns recovered as crime guns by law enforcement agencies in California increased from 26 in 2015 to nearly 12,400 in 2021 and 12,897 in 2022. For further discussion, see DOJ Office of Gun Violence Prevention Data Report: The Impact of Gun Violence in California, Page 21-22 ("Ghost Guns in Crime") (Aug. 2023), https://oag.ca.gov/system/files/media/OGVP-Data-Report-2022.pdf.

40 Under AB 1191 enacted in 2021, DOJ has been required to submit a report to the Legislature (starting July 1, 2023, and by July 1 annually thereafter) analyzing information reported to DOJ regarding firearms recovered as crime guns by law enforcement agencies in California, including information about unserialized firearms.

Figure 14. Trends in ghost gun seizures by DOJ APPS Agents, 2020-2023



In response to the overall increase in ghost gun seizures across the state, DOJ expanded its investigative efforts focused on ghost guns. DOJ is actively working with law enforcement partners to establish collaborative investigative efforts aimed at addressing ghost gun activity. And DOJ continues to actively investigate illegal manufacturing and possession of ghost guns.

Ammunition Recovered

In 2023, DOJ agents recovered 346 large-capacity magazines, 1,584 standard-capacity magazines, and 327,621 rounds of ammunition.

Ammunition Purchase Eligibility Check Program

Proposition 63 (The Safety for All Act), as amended by Senate Bill 1235 (SB 1235) (Stats. 2016, ch. 55), was approved by voters in 2016. The intent of Proposition 63 and SB 1235 was primarily to keep prohibited persons from acquiring ammunition in an effort to prevent gun violence. Under the new laws, ammunition must be purchased from or transferred by a licensed California Ammunition Vendor in a face-to-face transaction. Effective July 1, 2019, the law required California Ammunition Vendors to submit eligibility checks for prospective purchasers to DOJ and obtain approval prior to selling or transferring ammunition. Thereafter, California Ammunition Vendors are required to submit ammunition purchase details to DOJ. The eligibility checks ensure purchasers are not prohibited from owning or possessing ammunition due to a felony and/or violent misdemeanor conviction or warrant, domestic violence restraining order, or mental health issue.

On July 1, 2019, DOJ successfully deployed enhancements to the Dealer Record of Sale (DROS) Entry System, which allowed California Ammunition Vendors to submit eligibility checks, and subsequently report ammunition purchases in compliance with Proposition 63.

Monitoring denied ammunition purchases is an effective strategy because the attempted ammunition purchases signal to DOJ agents that a prohibited person still possesses and may be actively using a firearm. Additionally, it often provides more current addresses than those previously available in the APPS database. While the use of ammunition denial data is ancillary to regular APPS investigations, nearly every investigation results in a seizure of firearms and/or ammunition from a prohibited person.

In 2023, DOJ received reports of 155 armed and prohibited individuals who attempted to purchase ammunition and were denied through the ammunition eligibility check process. DOJ agents used the intelligence gathered through the ammunition purchase denials to investigate 155 individuals and close 130 of these cases. These investigations resulted in the seizure of 34 firearms, 25 APPS firearms (20 handguns, three rifles, and two shotguns), 9 non-APPS firearms (three assault weapons, one handgun, one rifle, and four shotguns), 70 standard magazines, and 6,091 rounds of ammunition. The remainder of the denial cases are under investigation. All seizures resulting from these ammunition purchase eligibility check denials are included in the overall APPS statistics provided in the "number of firearms recovered" section of this report.

Effective January 1, 2023, new legislation also directed DOJ to notify local law enforcement agencies when a prohibited person in their community attempts to purchase or acquire ammunition and fails an ammunition eligibility check.[41] These notifications may provide local law enforcement with information to initiate an investigation regarding whether the prohibited person is attempting to purchase ammunition for an unlawfully possessed firearm.

Case Study

Convicted Felon in Red Bluff Found to be in Possession of Numerous Firearms

In August of 2023, BOF identified a subject in Red Bluff, California that was prohibited from owning or possessing firearms due to a felony conviction. Agents attempted to contact the subject at his residence. While agents were attempting to contact the subject at the front door, they heard noises coming from the rear of the residence. Agents walked to the side of the large farm style property and noticed the prohibited person operating a tractor. Agents attempted to contact the subject, who immediately fled the area. Agents attempted to locate the subject, but were unsuccessful. Agents obtained and executed a search warrant at the residence and seized eight handguns, eight shotguns, 10 rifles, three standard capacity magazines, a collapsible baton, two prescription pill bottles filled with multiple small baggies of suspected methamphetamine and over 3,000 rounds of ammunition.

Task Forces and Collaboration with Local Law Enforcement

As discussed in the "Recommendations" section, DOJ would like to expand task forces and collaboration with LEAs. Receiving additional funding to reimburse local LEAs working with DOJ in coordinated APPS enforcement activities would make this work possible.

Tulare County Agencies Regional Gun Violence Enforcement Team

In December 2020, DOJ assumed management of the Tulare County Agencies Regional Gun Violence Enforcement Team, also known as the TARGET Task Force. Due to funding issues, management of this task force was redirected from DOJ's Bureau of Investigation to its Bureau of Firearms (BOF). The primary mission of the TARGET Task Force is to investigate crimes involving gun violence and to seize firearms from prohibited individuals in the Tulare County region. Through this task force, DOJ has increased collaborative efforts and support of local and state law enforcement in the region. This task force consists of representatives from the following agencies:

41 See Assembly Bill (AB) 2551 (Stats. 2022, ch. 100).

- California DOJ, Bureau of Firearms
- California Department of Corrections and Rehabilitation
- Porterville Police Department
- Tulare County Sheriff's Department
- Visalia Police Department
- U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives

In 2023, the TARGET Task Force conducted 236 firearms-related investigations, of which 154 were APPS investigations. During these investigations, they conducted 13 probation/parole searches and executed 55 search warrants. As a result of these investigations, the TARGET Task Force arrested 43 armed individuals for firearms-related offenses and seized 262 firearms, including 41 APPS firearms (25 handguns, 15 rifles/shotguns, one receiver/frame only). The seizure of these 41 APPS firearms is reported with the overall APPS statistics.

The 221 firearms seized during non-APPS investigations are not included in seizure totals for this report. Because not all firearms crimes in any county are committed by people in the APPS database, this task force focuses on investigating a broad range of subjects involved in firearms-related crimes — including those in the APPS database. Like the CASE Task Force, the TARGET Task Force represents an efficient and effective model for collaboration with local, state, and federal LEAs on both APPS and non-APPS-related firearms investigations and affords a proactive approach to combating firearm violence.

Contra Costa County Anti-Violence Support Effort Task Force

DOJ currently manages the Contra Costa County Anti-Violence Support Effort (CASE) Task Force. The primary mission of the CASE Task Force is to conduct complex firearms investigations and to seize firearms from prohibited and violent individuals in the Bay Area. This task force consists of representatives from the following agencies:

- California DOJ, Bureau of Firearms
- Contra Costa County Probation Department
- Hercules Police Department
- California Department of Corrections and Rehabilitation
- California Highway Patrol
- U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives

The CASE Task Force is a stand-alone task force dedicated to reducing firearm related crimes, identifying and apprehending prohibited persons, and assisting LEAs with specific firearm and crime related investigations.

In 2023, the CASE Task Force conducted 45 firearms-related investigations, of which one was APPS-related. During these investigations, it conducted 23 probation or parole searches and executed 15 search warrants. As a result of these investigations, the CASE Task Force arrested 36 armed individuals for firearms-related offenses and seized 23 firearms, including one APPS firearm (pistol). The seizure of this one APPS firearm is reported with the overall APPS statistics. The 22 firearms seized during non-APPS investigations are not included in seizure totals for this report. Because not all firearms crimes in any county are committed by people in the APPS database, this task force focuses on investigating a

broad range of subjects involved in firearms-related crimes — including those in the APPS database. As discussed more thoroughly in the recommendations section, additional funding for task forces like CASE would increase the number of APPS cases they could investigate.

Joint Sweep Investigations

In addition to participating in the CASE Task Force and TARGET Task Force, DOJ also conducts collaborative APPS sweeps throughout the state upon request of a local or county LEA. These sweeps consist of BOF personnel working together with allied LEAs in a certain jurisdiction of the state for a period of multiple days conducting APPS investigations. DOJ conducted three regional sweeps in 2023.

During these regional sweeps, Special Agents collaborated with local LEAs in a partnership to safely conduct APPS investigations. Although many LEAs were unable to participate in the sweeps due to staffing issues, DOJ still received assistance from multiple agencies throughout the state. Local patrol officers can act as a force multiplier to benefit APPS enforcement by providing additional information regarding the location of APPS subjects and can assist with marked patrol vehicles. Local officers can also help expedite the transport and booking process of arrested subjects due to their familiarity with individual county processes. If the subject reports a missing or stolen firearm, the local law enforcement agency can work with the subject to promptly report that information into the Automated Firearms System (AFS) database, which may result in the removal of the subject from the APPS database.

Case Study

Paso Robles Man Prohibited from a Mental Health Commitment Found in Possession of an Arsenal of Firearms

In October of 2023, BOF identified a subject who resided in Paso Robles, California who was prohibited from owning or possessing firearms due to a mental health commitment. The subject had 50 firearms recorded in his name. Agents contacted the subject at his residence and received consent to search his residence. During the search of the residence, agents located and seized 281 long guns (both shotguns and rifles), 227 handguns, 92 standard capacity magazines, 25 high-capacity magazines, and approximately 28,000 rounds of ammunition.

These sweeps throughout the state increased APPS investigations while strengthening partnerships with local LEAs.

In 2023, three regional sweeps cumulatively investigated 678 cases, and produced 116 firearm seizures. This included two assault weapons, 76 APPS firearms, and 40 non-APPS firearms. In addition, 132 standard capacity magazines, and 31 large capacity magazines were seized, along with 18,341 rounds of ammunition.

DOJ worked jointly with the following agencies on 2023 APPS investigations:

- CASE Task Force
- California Highway Patrol

- Contra Costa County Probation
- Hercules Police Department
- Los Angeles Sheriff's Department
- Los Angeles Police Department
- Riverside Sheriff's Department
- TARGET Task Force

Statewide Sweep

In September 2023, BOF APPS agents from throughout California carried out a five-day sweep in 92 different cities across the state to remove firearms from individuals legally barred from possessing them. The teams thoroughly analyzed and exhausted their leads in 509 cases. The investigation resulted in the seizure of 95 firearms, including two assault weapons.

The operation was a joint effort with six different local and federal law enforcement agencies.

San Diego County Sweep

In October 2023, BOF APPS agents from throughout California consolidated their investigative efforts in San Diego County. Together with local and federal law enforcement, they engaged in a four-day sweep in Alpine, Chula Vista, El Cajon, Fallbrook, San Diego, and Ramona to remove firearms from individuals legally barred from possessing them. The teams thoroughly analyzed and exhausted their leads in 97 cases. The investigation resulted in the seizure of eight firearms.

The operation was a joint effort with the Chula Vista Police Department and San Diego Sheriff's Department.

Oakland Area Sweep

In October 2023, BOF APPS agents from throughout California consolidated their investigative efforts in the Oakland area in Alameda County. Together with local and federal law enforcement, they engaged in a four-day sweep in Alameda, Berkeley, Castro Valley, Emeryville, Hayward, Oakland, and San Leandro to remove firearms from individuals legally barred from possessing them. The teams thoroughly analyzed and exhausted their leads in 72 cases. The investigation resulted in the seizure of 13 firearms.

The operation was a joint effort with the Oakland Police Department.

Looking forward, DOJ expects to foster more partnerships for collaborative sweeps in 2024.

Gun Violence Reduction Program

Assembly Bill (AB) 74 provided grant funding to the Board of State and Community Corrections (BSCC) for statewide Gun Violence Prevention Programs. In 2019, funds were disbursed by the BSCC to four counties, Alameda, San Diego, Santa Cruz and Ventura, to investigate and close APPS cases. Owing to its success, the legislature expanded the scope of the Gun Violence Reduction Pilot Program (GVRPP) by creating the DOJ Gun Violence Reduction Program (GVRP) grant through the 2021 Budget Act, Senate Bill (SB) 129.

SB 129 allocated $10.3 million for two years for the GVRP grant "to support county sheriff's

departments conducting activities related to the seizure of weapons and ammunition from persons who are prohibited from possessing them, including efforts based upon entries in the Department of Justice's Armed Prohibited Persons System (APPS)." Unlike the GVRPP, which was operated by the BSCC, the GVRP is operated by DOJ. Under the program, DOJ awarded grants to county sheriff's departments to support seizures of firearms and ammunition from prohibited individuals. This program was designed to increase collaboration with local law enforcement across the state to enhance public safety by removing firearms and ammunition from prohibited persons. Collaboration between DOJ and local LEAs has proven to be a successful model which streamlines APPS enforcement efficiencies.

Pursuant to SB 129, DOJ made $10 million available over two grant cycles. Approximately $5 million

was awarded by January 1, 2022, and nearly $3 million was awarded by January 1, 2023. Following the grant criteria outlined in SB 129, grant applicants were asked to provide clearly defined and measurable objectives for closing APPS cases and reducing the number of prohibited persons in possession of firearms. The sheriff's departments were also required to explain how the grants would enhance existing law enforcement activities and also how the funds would be used for new activities, including innovative techniques and approaches toward APPS enforcement.

Pursuant to the parameters for grantee selection outlined in SB 129, DOJ prioritized counties with the highest per capita population of armed and prohibited persons that also lacked a DOJ field office. Grant priority was also given to departments that proposed innovative techniques and approaches to APPS enforcement, integrated APPS enforcement into existing operations, and presented a plan with the greatest likelihood of success.

In the first grant cycle, 10 county sheriff's departments were awarded grants to support activities related but not limited to seizing firearms and ammunition from individuals prohibited from owning or possessing them, collaborating with courts and District Attorney Offices to immediately seize firearms at the time of prohibition, and training law enforcement officers. The sheriff's departments and offices of Contra Costa, Lake, Los Angeles, Orange, Sacramento, San Francisco, Santa Barbara, Santa Clara, Santa Cruz, and Ventura counties received grant funding through the first cycle of DOJ's GVRP. The second grant cycle included the sheriff's departments and offices of Kings, Lassen, San Joaquin, Stanislaus, and Ventura.

The grantees listed below reported statistical information regarding the enforcement of this grant funding to DOJ by February 1, 2024. The statistical information demonstrated that most counties worked APPS cases throughout the year and provided DOJ with adequate data to analyze their progress during 2023. The requested statistical information included the number of individual cases investigated, the outcome of those investigations, and the number of prohibited APPS individuals before and after the reporting period.

DOJ then cross-referenced records provided by the grantee counties to data within the APPS database to verify that the county's reported cases exist in DOJ's APPS database. In some instances, records could not be verified because the grantee provided different identifying information than what is in the APPS database. These remain on the active list until DOJ or an LEA is able to conduct further investigations, or records are reconciled. In the meantime, only verified cases are included in GVRP analyses in this report. The results reported below detail the records DOJ could find and their status as of January 1, 2024.

Contra Costa County Sheriff's Office

The Contra Costa County Sheriff's Office received $332,205 in GVRP funding and reported no subject information for firearms related investigations to DOJ for the 2023 calendar year. The funding will be returned to the state.

Kings County Sheriff's Office

The Kings County Sheriff's Office received $355,686 in GVRP funding and reported working on 84 cases. DOJ verified 61 of the cases in APPS. As of January 1, 2024, 10 of these 61 cases were disassociated from all firearms, five are no longer prohibited from possessing a firearm, eight cases remain active in APPS, and 37 cases are labelled as pending. Of the pending cases, six are incarcerated, three are prohibited due to a Federal Brady Prohibition only, 27 are unable to be cleared from APPS, and one subject has not been located. One additional case was removed from APPS prior to 2023.

Lake County Sheriff's Office

The Lake County Sheriff's Office received $277,373 in GVRP funding and reported working on 28 cases. DOJ verified 18 of the cases in APPS. As of January 1, 2024, one subject became deceased in 2023, two subjects were disassociated from all firearms, and four cases remained active. Four cases were labeled as pending including three cases that were unable to be cleared, and one subject currently incarcerated. In addition to these 18 cases, one subject was found to have been added into APPS after the reporting period.

Lassen County Sheriff's Office

The Lassen County Sheriff's Office received $322,249 in GVRP funding and reported working on 43 cases. DOJ verified 36 of the cases in APPS. As of January 1, 2024, five subjects were disassociated from all firearms, six subjects had prohibitions expire, 13 cases were active by the end of the reporting period, and 12 cases were labeled as pending. Of the 12 pending cases, one was incarcerated, six were unable to be cleared, and five subjects were not located by the end of the reporting period. In addition to the 36 cases, DOJ verified one additional case that was added to APPS after the reporting period, and three subjects who were deleted from APPS in previous years but investigated by Lassen County Sheriff's Office.

Los Angeles County Sheriff's Department

The Los Angeles County Sheriff's Department received $843,630 in GVRP funding and reported working on 453 cases. DOJ verified 436 of these cases in APPS, including 109 subjects disassociated from all firearms, 17 subjects whose prohibitions expired, 235 cases that remained active as of January 1, 2024, and 74 cases recorded as pending. In addition, one subject became deceased in 2023. Of the 74 pending cases, 43 were unable to be located, 26 were unable to be cleared, three were no longer California residents, one was prohibited due to a Federal Brady prohibition only, and one was incarcerated at the end of the reporting period. In addition to the 436 verified cases, one additional subject was not prohibited in APPS, and three subjects investigated were removed from APPS prior to 2023.

Orange County Sheriff's Department

The Orange County Sheriff's Department received $316,285 in GVRP funding and reported working on 124 cases. DOJ verified 106 of these cases in APPS. Of these cases, 31 subjects were disassociated from all firearms, 18 had prohibitions expire, and one became deceased in 2023. Fifty-one of the cases remained active by January 1, 2024, and four were pending, including two incarcerated subjects, one

subject that was unable to be located, and one case that was unable to be cleared. One additional subject reported by Orange County Sheriff's Department was not identified in APPS. The Orange County Sheriff's Department additionally reported 39 fewer armed and prohibited persons in the jurisdiction by the end of the reporting period.

Sacramento County Sheriff's Office

The Sacramento County Sheriff's Office received $887,275 in GVRP funding and reported working on 26 cases. DOJ verified 17 cases in APPS including two subjects who were disassociated from all firearms, and one subject whose prohibition expired. Eight cases remained active in APPS as of January 1, 2024, and six cases were pending, including four that were unable to be cleared and two subjects that were unable to be located. Three additional subjects were removed from APPS in years prior to 2023.

San Francisco County Sheriff's Office

The San Francisco County Sheriff's Office received $301,554 in GVRP funding and provided data on 947 subjects. A majority of subjects were found not to have a firearms history in APPS or the Automated Firearm System but were instead included in the data due to having a restraining order. Due to extensive missing and improperly recorded data, DOJ was only able to verify 16 cases recorded in the data, and located information in APPS on an additional 10 subjects. This included three subjects who were disassociated from all firearms, eight whose prohibitions expired, and five active cases. In addition to these 16 cases, two subjects were identified in APPS as non-prohibited, six subjects were removed from APPS prior to 2023, and two subjects were removed from APPS in 2024 while not indicated as prohibited.

San Joaquin County Sheriff's Office

The San Joaquin County Sheriff's Office received $987,072 in GVRP funding and reported working on 629 cases, and DOJ was able to verify 624 of these cases. As of January 1, 2024, four subjects were disassociated from all firearms, 16 subjects had prohibitions that expired in 2023, 239 cases remained active, and 365 were pending in APPS by the end of the reporting period. The 365 pending cases included 63 subjects that were unable to be located, 206 that were unable to be cleared, 55 that were prohibited due to a Federal Brady prohibition only, 40 subjects who were incarcerated, and one subject who moved out of state. Four additional subjects were identified in APPS but not prohibited, and one subject was removed from APPS prior to 2023.

Santa Barbara County Sheriff's Office

The Santa Barbara County Sheriff's Office received $539,660 in GVRP funding and reported working on 191 cases, and DOJ verified 190 of these subjects in APPS. Of these cases, 25 were disassociated from all known firearms, two became deceased in 2023, and 19 had prohibitions expire. Thirty cases remained active as of January 1, 2024, and 113 cases were pending. These pending cases include 30 that were unable to be located, 54 that could not be cleared, 15 prohibited under a Federal Brady prohibition only, 13 that were incarcerated, and one that moved out of state. The remaining subject was identified in APPS as not prohibited at the end of the reporting period.

Santa Clara County Sheriff's Office

The Santa Clara County Sheriff's Office received $512,255 in GVRP funding and reported working 20 cases. DOJ verified three cases in APPS and located records on two additional subjects in APPS, including two active cases, and one pending case that was unable to be cleared. The two additional subjects were removed from APPS prior to 2023, and the remaining subjects reported were not

identified as having a history of records in APPS or the Automated Firearms System. The Santa Clara County Sheriff's Office also reported 110 fewer armed and prohibited people within their jurisdiction by the end of the reporting period.

Santa Cruz County Sheriff's Office

The Santa Cruz County Sheriff's Office received $291,596 in GVRP funding and reported working on 41 cases, and DOJ identified each subject in APPS. As of January 1, 2024, 14 subjects were disassociated from all firearms, one was deceased, and 10 had prohibitions that expired in 2023. Eleven cases remained active, and five were pending, including two that were unable to be cleared, two subjects who were prohibited due to a Federal Brady prohibition, and one that was unable to be located. The Santa Cruz County Sheriff's Office also reported 27 fewer armed and prohibited persons within their jurisdiction by the end of the reporting period.

Stanislaus County Sheriff's Department

The Stanislaus County Sheriff's Department received $568,604 in GVRP funding and reported working on 53 cases. As of January 1, 2024, DOJ verified 44 of these cases in APPS. Of these cases, 17 were disassociated from all firearms, 10 had prohibitions that expired in 2023, and one was deceased. Twelve cases remained active and four were pending, including two that were unable to be cleared, one that was subject to a Federal Brady prohibition, and one that was unable to be located. Four additional subjects were not prohibited in APPS during the reporting period.

Ventura County Sheriff's Office

The Ventura County Sheriff's Office received GVRP funding in both 2022 and 2023, totaling $652,575 and $555,876 respectively, and reported working on 147 cases. DOJ verified 75 of these cases in APPS and located relevant data on the remaining 72 subjects reported in Ventura County records. These included 29 subjects that were disassociated from all firearms, eight whose prohibitions expired, and one who was deceased. Additionally, 18 cases remained active and 19 were pending including eight that subjects that were unable to be located, six that moved out of state, three that could not be cleared and two prohibited under a Federal Brady prohibition. The remaining 72 subjects reported were identified as not prohibited in APPS, having prohibitions prior to 2023, or having been removed from APPS prior to 2023. Ventura County Sheriff's Office also reported 28 fewer armed and prohibited persons within their jurisdiction by the end of the reporting period.

Firearms & Removal Reporting

While most counties provided clear records on individuals investigated throughout the year, the firearm data and final status of some individuals showed discrepancies between the information counties reported and information in DOJ's records. Some counties reported firearms as being "cleared" or "recovered," and individuals as being "suspended" or "removed" from APPS, but DOJ's data contradicted these reports.

In order to better track prohibited persons and their firearms at the local level, DOJ will bolster its outreach efforts by conducting trainings and providing the GVRP grantee agencies with more specific exemplar statistical reporting documents.

For more detailed information on GVRP awards and program summaries, see Appendix H.

APPS Report Detailed Recommendations

DOJ greatly appreciates Governor Gavin Newsom's and the Legislature's interest in sensible firearms regulation and enforcement, and additional financial support toward this effort. In particular, recent years have seen an influx of legislation resulting from and attention directed to the recommendations in previous APPS Reports; DOJ is grateful that these recommendations are being heeded. As noted throughout this report, the recommendations below would help DOJ to report the information mandated under Penal Code section 30012 and would also improve the efficiency and efficacy of the APPS program and related gun violence prevention efforts. To that end, DOJ recommends the following:

1) **Promote More Consistent Firearm Relinquishment Post-Conviction:** Permanently fund the mandate that courts, through probation departments, and law enforcement agencies confiscate or enforce the transfer or legal storage of known firearms from individuals at the time of conviction when an individual becomes prohibited due to a felony or qualifying misdemeanor conviction.[42] This is the best opportunity to ensure prohibited criminal defendants are effectively and safely disarmed.

   Pursuant to Proposition 63 (2016), California has enacted clear, mandatory processes and timelines for people convicted of firearm-prohibiting crimes to verify that they relinquished all firearms in their possession. Penal Code section 29810, initially added to the Penal Code by Proposition 63, also provides clear mandates for courts and probation departments to ensure that people convicted of such crimes do not remain illegally armed.

   When a defendant is convicted of a firearm-prohibiting crime, courts must provide a standard Prohibited Persons Relinquishment Form to the defendant to facilitate relinquishment of all firearms through a designated third-party or law enforcement agency. Courts must immediately assign the matter to a probation officer who is responsible for determining whether the defendant possessed firearms and if so, whether the defendant lawfully relinquished all firearms. The probation officer coordinates with the defendant or the defendant's designee to receive receipts verifying that all firearms were relinquished, and must generally report to the court prior to final sentencing in the case regarding whether the defendant lawfully complied with these requirements. The probation officer must also report specified information to DOJ to ensure relevant record systems are updated.

   These mandates place significant requirements on courts and probation departments in particular, which may often lack the necessary resources to ensure compliance at the time of conviction. As a result, despite these clear requirements and processes, many individuals found guilty of a prohibiting crime continue to illegally own guns after their conviction; about 60% of armed prohibited persons in APPS are prohibited due to a criminal conviction.

   In 2023, California enacted DOJ-sponsored legislation, AB 732 (M. Fong), effective January 1, 2024, to promote post-conviction relinquishment efforts. AB 732 strengthened these processes by requiring the assigned probation officer to share the firearm relinquishment report with the prosecuting attorney, as well as courts, and by requiring courts to take specified steps to recover illegally retained firearms if the probation officer report does not confirm firearm relinquishment compliance, including by issuing a warrant in appropriate circumstances to order the search for and removal of the defendant's weapons. AB 732 also helps to ensure that local law enforcement agencies and district attorneys have access through an electronic DOJ portal to information about armed and prohibited persons in their jurisdiction and requires local law enforcement agencies to designate personnel responsible for accessing this information and reporting to DOJ quarterly regarding efforts to recover illegally possessed firearms, including

42 *See* Cal. Penal Code section 29810.

from people who are prohibited due to a criminal conviction.

Additional resources, training, and coordination for courts, probation departments, and local law enforcement to implement and enforce these requirements and related compliance efforts would help reduce the number of people who remain illegally armed after a criminal conviction.

2) **Promote More Consistent Firearm Relinquishment Post-Restraining Orders:** Develop and fund a statewide, county-level firearm relinquishment system with designated personnel responsible for coordinating firearm relinquishment efforts and promoting more consistent service and enforcement of firearm-prohibiting restraining orders and other court orders.

   California has enacted clear, mandatory processes and timelines for people who become subject to court restraining orders to verify that they relinquished all firearms in their possession. However, there are some unique challenges in the restraining order context. As noted above, in the context of a criminal conviction, California law places responsibilities on assigned probation officers to play a critical coordinating role; they work to identify armed and prohibited defendants, provide them with relevant information, and report to courts and law enforcement authorities if the prohibited person unlawfully fails to relinquish their weapons.

   In the context of most court restraining orders, however, there is often no one with similar designated responsibilities to coordinate firearm relinquishment efforts. A lack of accessible county-level data has also sometimes impeded local stakeholders' ability to identify non-compliance and take action at the local level.

   The Legislature has recently taken multiple steps to help support more proactive and consistent local efforts to serve and enforce firearm-prohibiting court restraining orders, including:

   - In the 2022 Budget Act, the Legislature allocated $40,000,000 to the Judicial Council to establish and fund a new Firearm Relinquishment Grant Program. This program funds partnerships between county superior courts and local law enforcement agency partners to "ensure the consistent and safe removal of firearms from individuals who become prohibited from owning or possessing firearms and ammunition pursuant to court order." In 2023, the Judicial Council reported that it awarded grants to programs in all eight counties that applied for funds; another cycle of grant applications closed in December 2023. This grant program provides funding for courts and law enforcement agencies to develop standard local firearm relinquishment processes, employ designated firearm relinquishment coordinators, and improve data and communications, including service of restraining orders.

   - In 2023, the Legislature also enacted AB 28 (Gabriel), The Gun Violence Prevention and School Safety Act, which will, after July 1, 2025, and upon appropriation by the Legislature, provide up to $15,000,000 annually for the Judicial Council to fund an expanded Firearm Relinquishment Grant Program, to be administered in coordination with DOJ. AB 28 specifies that these grants shall be "designed to reduce the number of people who are entered into or remain in the Armed Prohibited Persons System, including by supporting partnerships with courts and local law enforcement agencies," for the purpose of ensuring the prompt, consistent, and safe removal of firearms from individuals who become prohibited pursuant to either a criminal conviction, court restraining order, or other court order. This legislation provides a source for some ongoing future funding to sustain and replicate best practices developed by new grantees implementing firearm relinquishment coordinating programs.

- As noted above, in 2023, the Legislature also enacted DOJ-sponsored AB 732 (M. Fong) to ensure that local law enforcement agencies and district attorneys have access through an electronic portal to information about armed and prohibited persons in their jurisdiction. This law also requires law enforcement agencies to designate specific personnel responsible for accessing this information and reporting to DOJ regarding efforts by that agency to recover firearms from armed and prohibited people in their jurisdiction.

- In 2023, the Legislature also enacted AB 818 (Petrie-Norris), which expands the requirement for law enforcement officers to serve domestic violence restraining orders upon request by the petitioner. This law also clarifies that law enforcement officers must take temporary custody of firearms in plain sight or discovered pursuant to a lawful search when at the scene of certain domestic violence incidents or when serving domestic violence or gun violence restraining orders, and requires that officers report information to DOJ about firearms obtained at the scene of a domestic violence incident or during service of certain restraining orders.

Together, these efforts reflect the Legislature's commitment to strengthening and investing in processes to ensure that firearm-prohibiting restraining orders are more consistently served, implemented, and enforced.

More coordinated county-level firearm relinquishment programs could build on these efforts by designating personnel responsible for coordinating local firearm relinquishment efforts and developing standard processes and record systems to identify non-compliance and ensure firearms are removed from prohibited persons who pose a threat to their communities.

A more coordinated county-level firearm relinquishment system could also help ensure that firearm seizures are consistently documented in the Automated Firearms System (AFS). These entries into AFS would prevent unnecessary, duplicative efforts by DOJ and potentially other agencies.

If local LEAs could seize the firearms from these individuals upon service of the various types of restraining orders, it could limit new additions to the Armed and Prohibited Persons System in the APPS database by up to 17 percent.

3) **Improve the recruitment of Special Agents by making their compensation competitive with other LEAs**. Traditionally, proof of graduation from a police academy training program constitutes the main requirement for applicants seeking positions in law enforcement. However, DOJ's special agent requirements are significantly more rigorous. In addition to graduating from a police academy, Special Agents are required to have at least one year of experience as a peace officer and, in many cases[43], have attended or graduated from college. However, entry-level Special Agents are paid less than those in LEAs that do not have these same requirements.

While recent pay increases have moved DOJ Special Agent salaries into a more competitive position, monthly base pay continues to lag behind comparable positions at other LEAs. Seizing firearms from prohibited persons is dangerous and difficult work that requires quick decision-making and superior analytical thinking. In order to recruit and maintain the caliber of individuals necessary to perform this work, BOF must be able to offer competitive pay. Moreover, the agents who do this work should be competitively compensated for their efforts. DOJ has moved to a more aggressive hiring model in an attempt at filling Special Agent and Special Agent Supervisor positions at a quicker rate and keep pace with agent attrition.

43 Additional qualifying experience may be substituted for the required college education on a year-for-year basis.

However, receiving additional funding and contracting for salary increases would greatly improve recruitment of agents for DOJ's currently authorized positions.
As noted above, California law has established a process for ensuring that salaries for sworn personnel at another state law enforcement agency match the average salary of other large law enforcement agencies "in order to recruit and retain the highest qualified employees".[44] Efforts to promote similar pay parity for DOJ sworn personnel would help DOJ improve recruitment and retention of its highly qualified employees, allowing more fully staffed DOJ APPS enforcement teams to investigate and close more APPS cases and recover more illegal firearms.

4) **Modernize the existing firearms databases and automate many of the manual processes to improve overall efficiency, risk mitigation, and stabilization of employee resources**. As communicated to the DOF when the Legislature implemented SB 94's current reporting requirements under Penal Code section 30012, DOJ cannot fulfill this obligation until it modernizes the firearms databases.

   The following systems support the regulation, and enforcement actions relating to the manufacture, sale, ownership, safety training, and transfer of firearms.

   - Ammo Processor
   - Armed and Prohibited Persons System (APPS)
   - Automated Firearms System (AFS)
   - California Firearms Information Gateway (CFIG)
   - California Firearms Licensee Check (CFLC)
   - Carry Concealed Weapons (CCW)
   - Centralized List (CL)
   - Consolidated Firearms Information System (CFIS)
   - Dealer Record of Sale (DROS)
   - DROS Entry System (DES)
   - California Firearms Application Reporting System (CFARS)
   - Firearms Certificate System (FCS)
   - Assault Weapons Registration (AWR)
   - Firearms Employment Application File (FEAF)
   - Mental Health Reporting System (MHRS)
   - Mental Health Firearms Prohibition System (MHFPS)
   - Prohibited Applicant (PA)

This network of systems is incredibly complex and cumbersome to operate and navigate.[45] Despite this monumental challenge, DOJ has been able to meet most legislative reporting mandates using these outdated databases. These databases are not flexible and were not designed to be adaptable

44 See California Government Code Section 19827.
45 More details on the challenges of the current firearm database systems are outlined in the "Firearms Information Technology Systems Modernization (FITSM) Project" section on Page 11.

to meet additional demands. DOJ has been able to partially adapt and circumvent issues despite using technology that is not equipped with automated processes to meet the specified conditions. Consequently, most, if not all queries must be pulled and cross-checked manually from database to database, hindering efficiency and introducing increased opportunities for error. Working to modify or maintain these legacy systems is no longer cost-effective or a technologically viable option as the databases have become outdated and no longer meet the demands of the Legislature and DOJ.

DOJ received initial funding to pursue Stage 2 of this effort and is exploring modernization options to find a dynamic solution that would meet existing needs and be adaptable to evolving statutory mandates. However, additional funding will be required to begin Stages 3 and 4 and fully implement this project.

APPENDICES

APPENDIX A: Relevant Key Terms and Definitions

This section provides definitions of key terms used throughout this report.

Armed and Prohibited Persons System (APPS). The APPS database, housed at the California Department of Justice (DOJ), which contains a list of all individuals who are both armed (DOJ is aware of their ownership of one or more firearms) and prohibited (for one or more reasons they have been designated as not being permitted to own or possess firearms).

Automated Criminal History System (ACHS). The repository for the state summary Criminal Offender Record Information (CORI). In addition, DOJ transmits CORI to the Federal Bureau of Investigation (FBI).

Automated Firearms System (AFS). This system was created in 1980 to identify lost or stolen firearms and connect firearms with persons. The system tracks serial numbers of every firearm owned by government agencies, handled by law enforcement (seized, destroyed, held in evidence, reported stolen, recovered), voluntarily recorded in AFS, or handled by a firearms dealer through transactions. Prior to 2014, most entries in AFS were handguns. Now, all newly acquired firearms, both handguns and long guns, are entered into AFS.

Backlog. The number of cases for which DOJ did not initiate an investigation within six months of the case being added to the APPS database or has not completed investigatory work within six months of initiating an investigation on the case.

Brady Handgun Violence Prevention Act. The Federal Brady Act, codified at 18 U.S.C. § 922(g), makes it unlawful for certain categories of persons to ship, transport, receive, or possess firearms or ammunition, to include any person:

- Convicted in any court of a crime punishable by imprisonment for a term exceeding one year;
- Who is a fugitive from justice;
- Who is an unlawful user of or addicted to any controlled substance (as defined in Section 102 of the Controlled Substances Act, codified at 21 U.S.C. § 802);
- Who has been adjudicated as a mental defective or has been committed to any mental institution;
- Who is an illegal alien;
- Who has been discharged from the Armed Forces under dishonorable conditions;
- Who has renounced his or her United States citizenship;
- Who is subject to a court order restraining the person from harassing, stalking, or threatening an intimate partner or child of the intimate partner; or
- Who has been convicted of a misdemeanor crime of domestic violence.

Under 18 U.S.C. § 992(n), it is also unlawful for any person under indictment for a crime punishable by imprisonment for a term exceeding one year to ship, transport, or receive firearms or ammunition. Further, 18 U.S.C. § 922(d) makes it unlawful to sell or otherwise dispose of firearms or ammunition to any person who is prohibited from shipping, transporting, receiving, or possessing firearms or

ammunition. DOJ refers to these prohibitions as Federal Brady Act prohibitions. Since these individuals are only prohibited due to federal law, DOJ lacks jurisdictional authority to investigate these individuals, unless they also have a California prohibition. On January 1, 2024, there were 23,451 armed and prohibited persons in the APPS database (8,903 active and 14,548 pending). Of the 14,548 pending cases, 1,609 are Federal Brady only cases.

California Restraining and Protective Order System (CARPOS). A statewide database of individuals subject to a restraining order.

Cleared. All cases in which the individual has died, the prohibition has expired or been reduced (e.g., the expiration of a temporary restraining order), or the individual has been disassociated from the firearm(s) such as selling, transferring, or turning over their firearm(s).

Closed. Any investigation that has been fully investigated and the individual has been cleared from APPS, or all investigative leads are exhausted, and the individual remains in APPS with a pending status (see definition of pending and sub-statuses definitions).

Consolidated Firearms Information System (CFIS). This system consolidates numerous internal firearm applications within the California Justice Information Services Division (CJIS), the technology division within DOJ. These applications include the Armed and Prohibited Persons System (APPS), Assault Weapon Registration (AWR), Centralized List (CL), Carry Concealed Weapon (CCW), Dealers' Record of Sale (DROS), and Prohibited Applicant (PA).

Contacts. An attempt to locate an APPS individual at a potential current address. During face-to-face contact, agents will attempt a consent search if there are no search conditions due to parole or probation status. Sometimes consent is denied, and agents will leave the premises. If probable cause is developed at the scene, a search warrant will be requested and served that day.

Dealers' Record of Sale (DROS). This application is completed by firearms purchasers in California and is sent to DOJ by licensed firearms dealers, which initiates the 10-day waiting period. DOJ uses this information for a background check and the documentation of firearms ownership.

Ghost Gun. Ghost guns are firearms made by an unlicensed individual, without serial numbers or other identifying markings.

Mental Health Reporting System (MHRS). This is a web-based application used by Mental Health Facilities, Superior Courts, Juvenile Courts, and LEAs to report firearm-prohibiting events related to mental health to DOJ.

Statuses:

Active. Individuals believed to reside in California who are prohibited (state, federally, or a combination of state and federally prohibited) from owning or possessing firearms, and have not yet been investigated or are in the process of being investigated, but all investigative leads have not yet been exhausted.

Pending. Individuals previously investigated, but that cannot be currently investigated for one or more reasons. The cases are those that have been thoroughly analyzed and all investigative leads have been exhausted. These individuals fall into one of the following sub-categories:

Incarcerated. These individuals are in state or federal prison. While they are incarcerated, these individuals are not in Active status. Although technically under Pending status, incarcerated individuals

are treated as a separate population for the purposes of this report because it is assumed that they are not in possession of firearms while in custody and cannot be investigated until they are released. Once DOJ has received notification that they have been released, the individual is moved to the Active status.

No Longer Residing in California (Out-of-State). Individuals who were a resident of California, but now no longer live in this state.

Unable to Clear (UTC). These cases have previously been investigated by BOF Special Agents and all investigative leads have been exhausted. The individual still has one or more firearms associated with them. If new information is identified, the case will be moved to Active status.

Unable to Locate (UTL). These cases have previously been investigated by a BOF Special Agent, but the agent is unable to locate the individual. It could be that the individual no longer lives at the address on file, family and friends are not able to provide useful location information, etc. If new location information is identified, the case will be moved to active status.

Federal Brady Act Prohibition Only. Cases where a person is prohibited only under federal law. State, county, and municipal law enforcement have no authority to enforce a prohibition based only on the Federal Brady Act (see definition for Brady Handgun Violence Prevention Act for a list of federal prohibitions). Persons who have both a statewide and federal prohibition are not listed in this group.

Individuals Having Both State and Federal Prohibitions. If individuals in the APPS have a combination of state and federal firearm prohibitions, then DOJ has jurisdictional authority to investigate the matter related to the state prohibitions (e.g., felons, individuals with California restraining orders, qualifying misdemeanor convictions, and California mental health prohibitions).

Wanted Persons System (WPS). This system was established in 1971 as the first online system for DOJ. It is a statewide computerized file of fugitives for whom arrest warrants have been issued.

APPENDIX B: Legislative History Relative to APPS

The following provides a brief overview of the legislative history affecting DOJ's Armed and Prohibited Person program from 1999 to present. These legislative changes have exponentially increased the volume of prohibited individuals as the Legislature continues to increase the type and length of prohibitions. Other legislative changes with a substantial impact include evolving statutory and legal definitions as well as increases in the overall regulation of the various types of firearms, ammunition, and parts.

1999: APPS was conceptualized by the Legislature as a result of the proliferation of gun violence across the state and the nation.

2001: APPS was created in 2001 by Senate Bill 950 (SB 950) in response to high-profile murder cases involving people prohibited from owning firearms.

2006: The APPS database went into effect.

2013: SB 140 passed the Legislature and appropriated $24,000,000 from the Dealer Record of Sale Special Fund to DOJ for three years to reduce the volume of pending APPS investigations.

2014: Effective January 1, 2014, a new California law (Assembly Bill 809, Stats. 2011, ch. 745) mandated DOJ collect and retain firearm transaction information for all types of firearms, including long guns.

2015: After a 2013 audit by the Bureau of State Audits, DOJ finished manually inputting all of the cases into the APPS database.

2016: SB 140 funding expired. Effective January 1, 2016, AB 1014 created the new prohibitory category of the Gun Violence Restraining Order.

2018: Effective January 1, 2018, AB 785 added Penal Code section 422.6 (Criminal Threats) to the list of prohibiting misdemeanors. Effective July 1, 2018, AB 857 required DOJ to begin issuing serial numbers for firearms manufactured by unlicensed individuals after a successful background check of the owner. The background checks associated with this process identified additional prohibited persons.

2019: Effective July 1, 2019, SB 1235 and Proposition 63 required ammunition to be sold only to an individual whose information matches an entry in the Automated Firearms System and who is eligible to possess ammunition, with some exceptions. It also required ammunition vendors to electronically submit to a database known as the Ammunition Purchase Records File, and thus to DOJ, information regarding all ammunition sales and transfers.

Additionally, AB 3129 prohibited a person from ever possessing a firearm if that person is convicted of a misdemeanor violation of Penal Code Section 273.5 regarding the willful infliction of corporal injury resulting in a traumatic condition upon a spouse, cohabitant or other specified person. SB 746 required new California residents to, within 60 days of becoming a resident, apply for a unique serial number or other identifying mark for any unserialized firearm the resident manufactured or otherwise owns and intends to possess in California. SB 1100 prohibited the sale, supplying, delivery or giving possession or control of any firearm by a licensed dealer, with some exceptions, to any person under 21 years of age. SB 1200 expanded the definition of ammunition for the purposes of the Gun Violence Restraining Order law.

SB 94 provided updated requirements regarding the mandated reporting of the APPS database statistics. It required DOJ to report no later than April 1, 2020, and no later than April 1 of each year

thereafter, to the Joint Legislative Budget Committee and the fiscal committees of each house of the Legislature on information related to the APPS database, as listed in Penal Code section 30012.

2020: Effective January 1, 2020, AB 1968 subjected individuals who have been taken into custody, assessed and admitted to a designated mental health facility twice within a one-year period, because they are a danger to self or others as a result of a mental health disorder, to a lifetime firearms prohibition subject to a petition for, and hearing on, a reinstatement of firearm ownership rights.

Additionally, AB 164 prohibited a person from possessing a firearm if that person is prohibited in another state and allows DOJ, partners from other state agencies, and local LEAs to investigate and pursue these cases. AB 12 increased the maximum duration of a gun violence restraining order from one year to between one and five years. It also allows for law enforcement officers to file a petition for gun violence restraining orders in the name of the law enforcement agency in which they are employed. AB 61 expanded the list of individuals who may request a gun violence restraining order.

2021: SB 320 codified court procedures related to promoting firearm relinquishment compliance when individuals become subject to civil domestic violence restraining orders (DVROs), including by requiring that courts provide DVRO respondents with specified information about how to relinquish firearms according to local procedures, require courts in certain circumstances to make determinations regarding whether the respondent has complied with firearm relinquishment requirements, and to notify local law enforcement and county prosecutors in cases where DVRO respondents unlawfully failed to relinquish firearms.

The 2021 Budget Act, SB 129, allocated $10.3 million to DOJ for two years to administer the Gun Violence Reduction Program grant "to support county sheriff's departments conducting activities related to the seizure of weapons and ammunition from persons who are prohibited from possessing them, including efforts based upon entries in the Department of Justice's Armed Prohibited Persons System (APPS)."

2022: AB 178 allocated $40 million to the Judicial Council to support a court-based firearm relinquishment program to ensure the consistent and safe removal of firearms from individuals who become prohibited from owning or possessing firearms and ammunition pursuant to court order. The funding is available until June 30, 2025. The first round of funding was distributed in January 2023.

2023: Effective January 1, 2024, AB 732 codified requirements that DOJ provide local law enforcement agencies and district attorneys access through an electronic portal to information regarding armed and prohibited individuals identified in the APPS System residing in their jurisdiction. This bill also requires each local law enforcement agency to designate a person to access or receive that information and to report to DOJ quarterly regarding steps taken to verify that individuals identified in the APPS System residing in their jurisdiction are no longer in possession of firearms.

AB 28 establishes a new permanent special fund, The Gun Violence Prevention and School Safety Fund. After July 1, 2025, upon appropriation by the Legislature, AB 28 allocates funding on an annual basis to support multiple purposes related to gun violence prevention, including up to $15 million annually for the Judicial Council of California to support a court-based firearm relinquishment grant program to be administered in coordination with DOJ to ensure the prompt, consistent, and safe removal of firearms by DOJ and local law enforcement agencies from people who become prohibited as a result of a criminal conviction or other criminal or criminal court order, including court protection and restraining orders.

AB 818 expands the requirement for law enforcement officers to serve domestic violence restraining orders upon request by the petitioner. This law also clarifies that law enforcement officers must

take temporary custody of firearms in plain sight or discovered pursuant to a lawful search when at the scene of certain domestic violence incidents or when serving domestic violence or gun violence restraining orders, and requires that officers report information to DOJ about firearms obtained at the scene of a domestic violence incident or during service of certain restraining orders.

AB 134 also required DOJ to issue the annual APPS Report to the Legislature by March 15 instead of April 1, starting on March 15, 2024.

APPENDIX C: Mandated Statistics – At a Glance

[1] The Total Number of Individuals in the Apps Database and the Number of Cases which Are Active and Pending: APPS has 3,491,463 individuals as of January 1, 2024. Of those individuals, 23,451 are prohibited from owning or possessing firearms, with 8,903 Active cases and 14,548 Pending cases.

> **[A][i] For Active Cases, the Number of Cases That Have Not Been Actively Investigated for 12 Months or Longer, Along with a Breakdown of the Time Period That Has Elapsed since a Case Was Added to the System:** The APPS database is an outdated system that does not have the capability to track the time elapsed between a case entering the APPS database to when a case was last worked. As a result, DOJ does not have the ability to gather and report the requested information.
>
> **[B] For Pending Cases, DOJ Shall Separately Report the Number of Cases That Are Unable to Be Cleared, Unable to Be Located, Related to Out-of-State Individuals, Related to Only Federal Firearms Prohibitions, and Related to Incarcerated Individuals:** Of the 14,548 prohibited persons designated as Pending cases, 6,592 (45%) were unable to be cleared, 2,365 (16%) were unable to be located, 3,982 (27%) moved out of state, and 1,609 (11%) were prohibited under federal prohibitions only. Additionally, there are 1,189 incarcerated individuals.

[2] The Number of Individuals Added to the APPS Database: Between January 1, 2023, and January 1, 2024, there were 8,633 additional known firearm owners who became prohibited. In the same time period, there were 9,051 individuals removed from the prohibited category. This resulted in the total number of armed and prohibited individuals decreasing by 418.

[3] The Number of Individuals Removed from the APPS Database, including a Breakdown of the Basis on Which They Were Removed:

Table 1: Removals of Prohibited Persons in 2023 Separated by Reason for Removal

Reason for Removal	Number of Individuals Removed
Prohibition expired/no longer prohibited	5,353
Disassociated from all known firearms	3,449
Deceased	249

[4] The Degree to Which the Backlog in the APPS Has Been Reduced or Eliminated: Penal Code section 30012, subdivision(a)(4) defines "backlog" as being cases for which DOJ did not initiate an investigation within six months of the case being added to the APPS database or has not completed investigatory work within six months of initiating an investigation on the case. The APPS database does not have the technological capability of tracking the amount of time a case has been in the system. Gathering this information would require that a Crime Analyst review each individual APPS entry, one-by-one and review the notes in each file. Lacking a more efficient way of gathering this information, DOJ will be unable to provide these statistics until upgrades are made to the APPS database.

[5] The Number of Individuals in the APPS before and after the Relevant Reporting Period:

Table 2: The Total number of Individuals in APPS Before and After the Reporting Period Separated by Status

Status	Before Reporting Period	After Reporting Period
Armed and Not Prohibited	3,322,193	3,491,463
Armed and Prohibited	23,869	23,451
Incarcerated	1,159	1,189

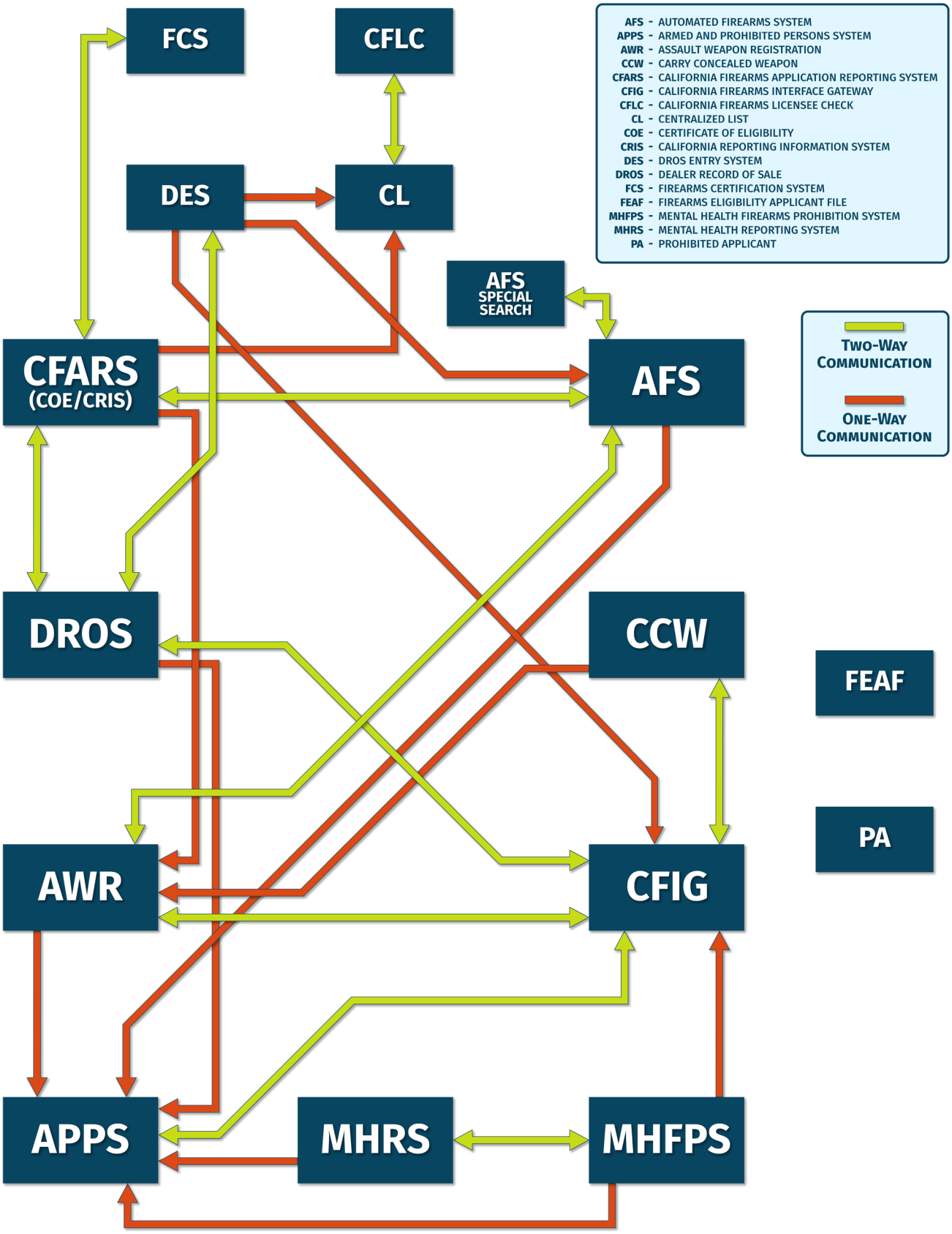
[6] The Number of Agents and Other Staff Hired for Enforcement of the APPS: In 2023, DOJ hired four Special Agents, one Special Agent Trainee and six support staff for APPS enforcement. Five existing Special Agent Trainees were promoted into the Special Agent ranks. DOJ also saw the separation of six Special Agents during 2023 due to inter-departmental transfer and/ or promotion and had one Special Agent promote from within to Special Agent Supervisor position, leaving DOJ with a net decrease of five filled Special Agent positions. DOJ also saw the separation of two support staff for APPS enforcement and one internal promotion resulting in a net increase of three in support staff.

[7] The Number of Firearms Recovered Due to Enforcement of the APPS: In 2023, BOF Agents recovered 901 (62%) APPS firearms (i.e., firearms known in the APPS database), and 542 (38%) non-APPS firearms not associated with APPS individuals, for a total of 1,443 firearms recovered.

[8] The Number of Contacts Made during the APPS Enforcement Efforts: In 2023, agents made 25,500 contacts based on an average of three contacts per individual per case while working APPS investigations.

[9] Information regarding Task Forces or Collaboration with Local Law Enforcement on Reducing the APPS File or Backlog: DOJ takes pride in its collaborative efforts with law enforcement partners. These efforts include leading the CASE Task Force and the TARGET Task Force, its partnership with the Los Angeles County Sheriff's Department on Dual Force operations, joint APPS sweeps with specific jurisdictions based on workload, and most recently the GVRP in which DOJ has awarded grant funding to county sheriff's departments to support activities related to conducting APPS investigations.

APPENDIX D: Relational Diagram of DOJ's Bureau of Firearms Applications



APPENDIX E: Firearms Prohibiting Categories

CALIFORNIA DEPARTMENT OF JUSTICE
BUREAU OF FIREARMS
FIREARMS PROHIBITING CATEGORIES

Persons who fall into the following categories are prohibited from owning and/or possessing firearms under California and/or federal law for the time periods described below. Please note that the Department of Justice provides this document for informational purposes only. This list may not be inclusive of all firearm prohibitions. For specific legal advice, please consult with an attorney.

Lifetime Prohibitions

Convictions

- Any person who has been convicted of, or has an outstanding warrant and knowledge of the same for, a felony under the laws of the United States, the State of California, or any other state, government, or country. (Cal. Penal Code § 29800(a)(1), (a)(3); 18 U.S.C. § 922(g)(1).)
- Any person who has been convicted of a "violent offense" listed in California Penal Code section 29905. (Cal. Penal Code § 29900(a)(1).)
- Any person with two or more convictions for exhibiting any firearm in a rude, angry, or threatening manner in the presence of another person, except in self-defense, in violation of Penal Code section 417, subdivision (a)(2). (Cal. Penal Code § 29800(a)(2).)
- Any person convicted of a misdemeanor violation of the following offenses:
  - Assault with a firearm. (Cal. Penal Code §§ 29800(a)(1), 23515(a), 245(a)(2).)
  - Assault with a machinegun, assault weapon, or .50 BMG rifle. (Cal. Penal Code §§ 29800(a)(1), 23515(a), 245(a)(3).)
  - Shooting at an inhabited dwelling house, housecar, or camper, or at an occupied building, vehicle, or aircraft. (Cal. Penal Code §§ 29800(a)(1), 23515(b), 246.)
  - Exhibiting any firearm in a rude, angry, or threatening manner in the presence of a peace officer. (Cal. Penal Code §§ 29800(a)(1), 23515(d), 417(c).)
  - Inflicting corporal injury on a spouse or significant other under California Penal Code section 273.5, if convicted on or after January 1, 2019. (Cal. Penal Code § 29805(b).)
- Any person who has been convicted in any court of a misdemeanor crime of domestic violence. (18 U.S.C. § 922(g)(9).)

Mental Health

- Any person who is found by a court of any state to be a danger to others because of a mental disorder or mental illness. (Cal. Welf. & Inst. Code § 8103(a).)
- Any person who is found by a court of any state to be a mentally disordered sex offender. (Cal. Welf. & Inst. Code § 8103 (a).)
- Any person who is found by a state or federal court to be not guilty by reason of insanity. (Cal. Welf. & Inst. Code § 8103 (b), (c).)
- Any person who is found by a state or federal court to be mentally incompetent to stand trial. (Cal. Welf. & Inst. Code § 8103(d).)
- Any person who, within one year, is taken into custody two or more times as a danger to self or others under Welfare and Institutions Code section 5150 and assessed and admitted to a mental health facility. (Cal. Welf. & Inst. Code § 8103(f)(1)(B).)

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- Any person who has been adjudicated as a mental defective or who has been committed to a mental institution. (18 U.S. C. § 922(g)(4).)

Miscellaneous

- Any person who is a fugitive from justice. (18 U.S.C. § 922(g)(2).)
- Any person who is an alien illegally or unlawfully in the United States, or admitted to the United States under a nonimmigrant visa (subject to certain exceptions). (18 U.S.C. § 922(g)(5).)
- Any person who has been discharged from the military under dishonorable conditions. (18 U.S.C. § 922(g)(6).)
- Any person who has renounced his or her United States citizenship. (18 U.S.C. § 922(g)(7).)

10-Year Prohibitions

When a person has been convicted of, or has an outstanding warrant and knowledge of the same for, a misdemeanor violation of any of the offenses listed below (Cal. Penal Code § 29805(a), (c), (d), (e), (f)):

- Threatening public officers, employees, and school officials. (Cal. Penal Code § 71.)
- Threatening certain public officers, appointees, judges, staff or their families with the intent and apparent ability to carry out the threat. (Cal. Penal Code § 76.)
- Intimidating witnesses or victims. (Cal. Penal Code § 136.1.)
- Possessing a deadly weapon with the intent to intimidate a witness or victim. (Cal. Penal Code § 136.5.)
- Using force or threatening to use force against a witness, victim, or informant. (Cal. Penal Code § 140.)
- Attempting to remove or take a firearm from the person or immediate presence of a public or peace officer. (Cal. Penal Code § 148(d).)
- Knowingly making a false report to a peace officer that a firearm has been lost or stolen. (Cal. Penal Code § 148.5(f).)
- Unauthorized possession of a weapon in a courtroom, courthouse, or court building, or at a public meeting. (Cal. Penal Code § 171b.)
- Bringing into or possessing a loaded firearm within the State Capitol, any legislative office, any legislative hearing room, or any office of the Governor or any other constitutional officer. (Cal. Penal Code § 171c(a)(1).)
- Bringing onto the grounds a loaded firearm, or possessing a loaded firearm within, the Governor's Mansion or residence of any other constitutional officer. (Cal. Penal Code § 171d.)
- Knowingly supplying, selling, or giving possession of a firearm to a person to commit a felony while actively participating in a criminal street gang. (Cal. Penal Code § 186.28.)
- Assault. (Cal. Penal Code §§ 240, 241.)
- Battery. (Cal. Penal Code §§ 242, 243.)
- Sexual Battery. (Cal. Penal Code § 243.4.)
- Assault with a stun gun or taser weapon. (Cal. Penal Code § 244.5.)
- Assault with a deadly weapon other than a firearm, or assault with force likely to produce great bodily injury. (Cal. Penal Code § 245(a)(1), (4).)
- When the victim is a school employee engaged in performance of duties, assault with a firearm, assault with a deadly weapon or instrument, assault by any means likely to produce great bodily injury, or assault with a stun gun or taser. (Cal. Penal Code § 245.5.)

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- Discharging a firearm or BB gun in a grossly negligent manner. (Cal. Penal Code § 246.3.)
- Shooting at an unoccupied aircraft or motor vehicle, or at an uninhabited building or dwelling house. (Cal. Penal Code § 247.)
- Inflicting corporal injury on a spouse or significant other, if convicted before January 1, 2019. (Cal. Penal Code § 273.5.)
- Intentionally and knowingly violating a protective or restraining order. (Cal. Penal Code § 273.6.)
- Exhibiting any deadly weapon or firearm in a rude, angry, or threatening manner in the presence of another person, except in self-defense. (Cal. Penal Code § 417.)
- Intentionally inflicting serious bodily injury as a result of exhibiting a deadly weapon or firearm in the presence of another person. (Cal. Penal Code § 417.6.)
- Making threats to commit a crime which will result in death of, or great bodily injury to, another person. (Cal. Penal Code § 422.)
- Interference with the exercise of civil rights because of actual or perceived characteristics of the victim. (Cal. Penal Code § 422.6.)
- Possessing a firearm in a place the person knows or reasonably should know is a school zone. (Cal. Penal Code § 626.9.)
- Stalking. (Cal. Penal Code § 646.9.)
- Wearing a peace officer uniform while engaged in picketing or other public informational activities relating to a concerted refusal to work. (Cal. Penal Code § 830.95.)
- Possessing a deadly weapon with the intent to commit an assault. (Cal. Penal Code § 17500.)
- Carrying a concealed firearm, loaded firearm, or other deadly weapon while engaged in picketing or other public informational activities relating to a concerted refusal to work. (Cal. Penal Code § 17510.)
- Carrying a firearm in a public place or on a public street while masked. (Cal. Penal Code § 25300.)
- Carrying a loaded firearm with the intent to commit a felony. (Cal. Penal Code § 25800.)
- Possession of handgun ammunition designed primarily to penetrate metal or armor. (Cal. Penal Code § 30315.)
- Unauthorized possession or knowing transportation of a machinegun. (Cal. Penal Code § 32625.)
- As the driver or owner of any vehicle, knowingly permitting another person to discharge a firearm from the vehicle, or any person who willfully and maliciously discharges a firearm from a motor vehicle. (Cal. Penal Code § 26100(b), (d).)
- A firearms dealer who sells, transfers, or gives possession of a handgun, semiautomatic centerfire rifle, completed frame or receiver, or firearm precursor part to a person under 21 years of age, when no exception applies. (Cal. Penal Code § 27510.)
- Purchase, possession, or receipt of a firearm or deadly weapon by a person receiving in-patient treatment for a mental disorder while a danger to self or others, or by a person who has communicated to a licensed psychotherapist a serious threat of physical violence against an identifiable victim. (Welf. & Inst. Code § 8100.)
- Knowingly providing a deadly weapon or firearm to a person described in Welfare and Institutions Code sections 8100 or 8103. (Cal. Welf. & Inst. Code § 8101.)
- Purchase, possession, or receipt of a firearm or deadly weapon by a person who has been found by a court to be a danger to others because of a mental disorder or mental illness, to be a mentally disordered sex offender, to be not guilty by reason of insanity, or to be mentally incompetent to stand trial. (Cal. Welf. & Inst. Code § 8103(a), (b), (c), (d).)

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- Purchase, possession, or receipt of a firearm by a person placed under a conservatorship for specified reasons, by a person taken into custody as a danger to self or others under Welfare and Institutions Code section 5150 and assessed and admitted to a mental health facility, or by a person certified for intensive treatment under Welfare and Institutions Code sections 5250, 5260, or 5270.15. (Cal. Welf. & Inst. Code § 8103(e), (f)(1)(A), (g).)
- Knowingly bringing a firearm into, or knowingly possessing a firearm in, a juvenile facility. (Cal. Welf. & Inst. Code § 871.5.)
- Knowingly bringing a firearm into, or knowingly possessing a firearm in, a Youth Authority institution or camp. (Cal. Welf. & Inst. Code § 1001.5.)
- Grand theft of a firearm. (Cal. Penal Code § 487.)
- Various violations involving sales and transfers of firearms. (Cal. Penal Code § 27590(c).)
- Storing a firearm knowing that a child or person prohibited from possessing firearms is likely to gain access to the firearm, if convicted on or after January 1, 2020. (Cal. Penal Code § 25100.)
- While residing with a person prohibited from possessing firearms, failing to keep the firearm secure in the residence in one of the specified manners, if convicted on or after January 1, 2020. (Cal. Penal Code § 25135.)
- Storing a firearm knowing that a child or person prohibited from possessing firearms is likely to gain access to the firearm, and the child or prohibited person accesses the firearm and carries it off-premises, if convicted on or after January 1, 2020. (Cal. Penal Code § 25200.)
- Willfully harming, injuring, or endangering the health of a child, if convicted on or after January 1, 2023. (Cal. Penal Code § 273a.)
- Willfully harming, injuring, or endangering the health of an elder or dependent adult, or falsely imprisoning an elder or dependent adult, if convicted on or after January 1, 2023. (Cal. Penal Code § 368(b), (c).)
- Knowingly helping a person prohibited from possessing firearms to manufacture a firearm, or knowingly manufacturing a firearm without a valid state or federal serial number, if convicted on or after January 1, 2023. (Cal. Penal Code § 29180(e), (f).)
- Illegally carrying a concealed firearm or a loaded firearm in public when certain conditions are met, if convicted on or after January 1, 2024. (Cal. Penal Code §§ 25400(c)(5) - (7), 25850(c)(5) - (7).)
- Illegally carrying an unloaded firearm in public, if convicted on or after January 1, 2024. (Cal. Penal Code §§ 26350(a), 26400(a).)
- Having a prior conviction for a misdemeanor violation of Penal Code section 29805, if convicted on or after January 1, 2024. (Cal. Penal Code § 29805(f).)

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Juvenile Prohibitions

- Until 30 years of age or older, any person who is adjudged a ward of the juvenile court under Welfare and Institutions Code section 602 because the person committed an offense listed below (Cal. Penal Code § 29820):
  - An offense listed in Welfare and Institutions Code section 707(b);
  - An offense listed in Penal Code section 29805;
  - A controlled substance offense listed in paragraphs (B), (C), (D), (E), or (F) of Penal Code section 29820(a)(1);
  - Carrying a loaded firearm in public under Penal Code section 25850;
  - Carrying a concealed firearm under Penal Code section 25400(a); or
  - As the driver or owner of a motor vehicle, knowingly permitting another person to bring a firearm into the vehicle, under Penal Code section 26100(a).

Non-Lifetime Mental Health Prohibitions

- For the period of admittance until discharge from a mental health facility, any person who is receiving in-patient treatment at a mental health facility for a mental disorder and is a danger to self or others. (Cal. Welf. & Inst. Code § 8100(a).)
- For the period of the conservatorship, any person who is placed under a conservatorship by a state or federal court because he or she is gravely disabled from a mental disorder or chronic alcoholism and the court finds that possession of a firearm would endanger the person or others. (Cal. Welf. & Inst. Code § 8103(e).)
- For a period of 5 years from the date that a licensed psychotherapist reports to a local law enforcement agency, any person who communicates a serious threat of physical violence to a licensed psychotherapist against a reasonably identifiable victim and the psychotherapist reports the threat to law enforcement. (Cal. Welf. & Inst. Code § 8100(b).)
- For a period of 5 years after being released from a mental health facility, any person who is taken into custody as a danger to self or others under Welfare and Institutions Code section 5150, assessed, and admitted to a mental health facility. (Cal. Welf. & Inst. Code § 8103(f).)
- For a period of 5 years, any person certified for intensive treatment under Welfare and Institutions Code sections 5250, 5260, or 5270.15. (Cal. Welf. & Inst. Code § 8103(g).)
- After July 1, 2024, until successful completion of the pretrial mental health diversion under Penal Code section 1001.36(m) or the restoration of firearm rights under Welfare and Institutions Code section 8103(g)(4), any person found by a court to be prohibited from owning or controlling a firearm because they are a danger to themselves or others and has been granted pretrial mental health diversion under Penal Code section 1001.36(m). (Cal. Welf. & Inst. Code § 8103(i).)

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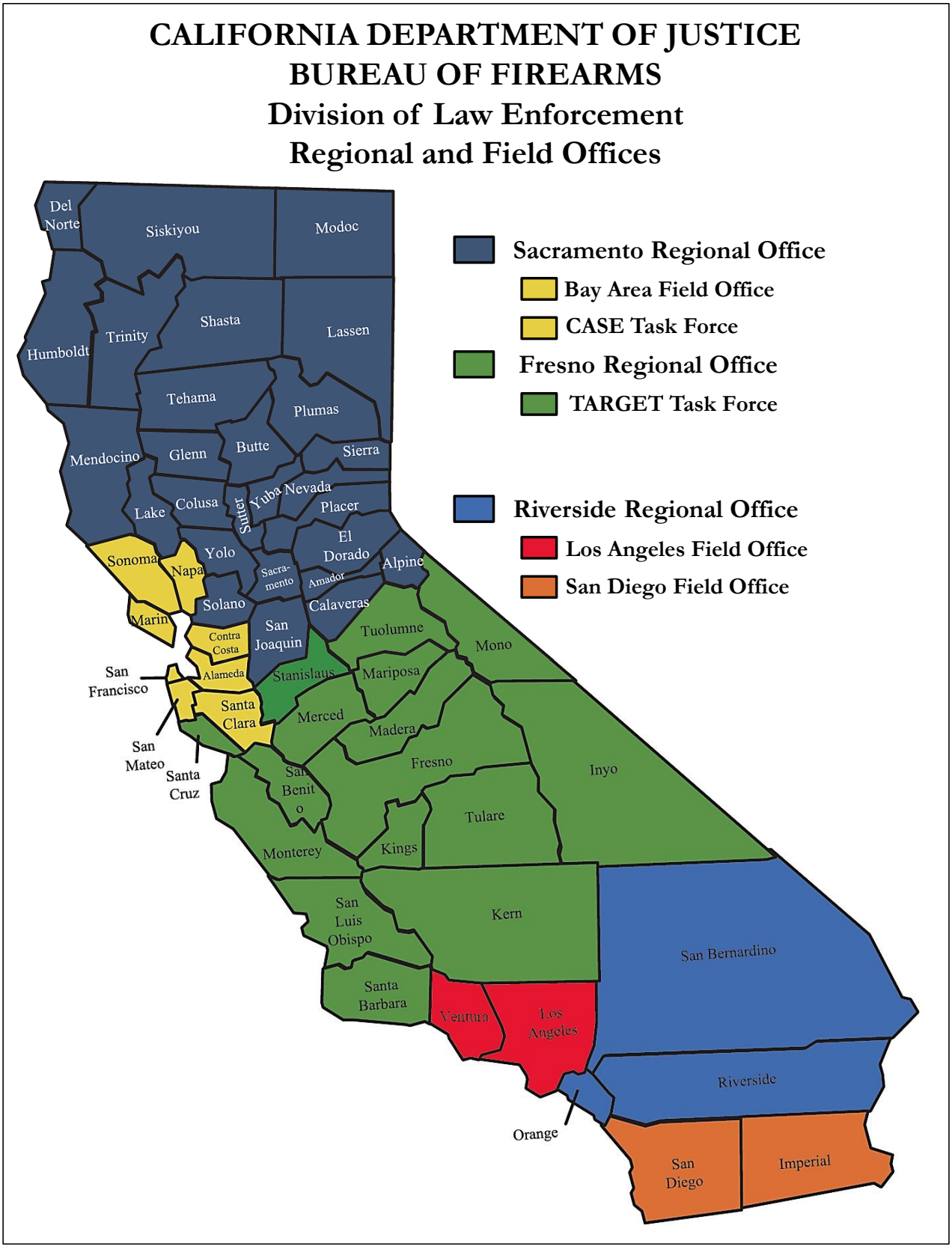
Non-Lifetime Court-Ordered Prohibitions

- For the period of probation, any person who is ordered to not possess firearms as a condition of probation. (Cal. Penal Code § 29815.)
- For the period that a court order is in effect, any person who is subject to one of the following orders that includes a prohibition from owning or possessing a firearm (Cal. Penal Code § 29825):
  - A civil harassment temporary restraining order under Code of Civil Procedure section 527.6;
  - A workplace violence temporary restraining order under Code of Civil Procedure section 527.8;
  - A private postsecondary school violence temporary restraining order under Code of Civil Procedure section 527.85;
  - A domestic violence protective order under Family Code section 6218;
  - A criminal protective order under Penal Code section 136.2;
  - A stalking protective order under Penal Code section 646.91;
  - An elder or dependent adult abuse temporary restraining order under Welfare and Institutions Code section 15657.03; or
  - A valid order issued by an out-of-state jurisdiction that is similar or equivalent to a temporary restraining order injunction, or protective order, as specified in Penal Code section 29825.
- For the period of 21 days, any person subject to a temporary emergency Gun Violence Restraining Order (GVRO) or subject to an ex parte GVRO. (Cal. Penal Code §§ 18148, 18165.)
- For a period of 1 to 5 years, any person subject to a GVRO after notice and hearing. (Cal. Penal Code § 18170.)
- For a period of 5 years after an existing GVRO expires, any person who possesses a firearm or ammunition while knowingly subject to a GVRO prohibiting the person from doing so and is convicted for such possession. (Cal. Penal Code § 18205.)
- Any person who is subject to a court order that meets certain requirements and restrains the person from harassing, threatening, stalking, or threatening an intimate partner or child. (18 U.S.C. § 922(g)(8).)

Miscellaneous Prohibitions

- Any person who is addicted to the use of any narcotic drug. (Cal. Penal Code § 29800(a)(1).)
- Any person who is an unlawful user of or addicted to any controlled substance. (18 U.S.C. § 922(g)(3).)

APPENDIX F: Bureau of Firearms Regional and Field Offices



APPENDIX G: Case Studies

Ammunition Eligibility Check Identifies Prohibited Person in Possession of Firearms and Assault Weapon

In January of 2023, an individual attempted to purchase ammunition and was flagged as prohibited through the ammunition eligibility check process. This information was forwarded to the Bureau of Firearm's (BOF) Los Angeles office for investigation. Agents reviewed the case and found the individual was prohibited from owning and possessing firearms due to a mental health commitment. The individual had three firearms recorded in his name. Agents obtained a search warrant for the subject's residence located in Oxnard, California. The subject admitted to attempting to purchase ammunition for his father and also being in possession of multiple firearms. During the service of the search warrant, agents located one unregistered assault weapon, five rifles, three shotguns, one handgun, one large capacity magazine, six standard capacity magazines, and approximately 3,700 rounds of ammunition.

Azusa Man Arrested for Being in Possession of Machine Guns and Assault Weapons while Prohibited Due to a Mental Health Commitment

In January of 2023, BOF identified a subject who resided in Azusa, California and was prohibited from owning or possessing firearms due to a mental health commitment. The subject was determined to have one firearm recorded in his name. Agents made contact with the individual at his residence but the individual refused to answer questions about his firearms and refused consent to search his residence. Agents obtained a search warrant for the subject's residence. As a result of the search warrant, agents seized four machine guns, seven assault weapons, one short-barreled rifle, four suppressors/silencers, six handguns, one shotgun, four rifles, 54 lower receivers/frames, 41 standard capacity magazines, 87 large capacity magazines and over 35,000 rounds of miscellaneous ammunition.

2 Porterville Residents Found in Possession of Explosives and Ghost Guns

In January of 2023, the TARGET (Tulare County Agencies Regional Gun Violence Team) Task Force conducted an investigation of two subjects residing in Porterville, California. One of the subjects was prohibited from owning or possessing firearms due to a felony conviction. The TARGET Task Force conducted numerous enforcement operations and determined the subjects were in possession of illegal firearms and manufacturing firearms. A search warrant was obtained and served at the two subject's residence. During the service of the search warrant, task force officers and agents located and seized materials and equipment used for the manufacturing of unserialized ghost gun handgun frames. The equipment included a 3D printer, polymer filament, associated computers, seven 3D printed polymer ghost gun handgun frames, a completed ghost gun handgun, several 3D printed large-capacity magazines, body armor, miscellaneous ammunition and a firearm suppressor. Agents also located and seized three homemade explosive devices, one of which was 3D printed, and precursor material used to make explosive devices.

Wildomar Man Found in Possession of Numerous Firearms while Prohibited Due to a Misdemeanor Firearm Conviction

In January of 2023, BOF identified a subject who resided in Wildomar, California and was prohibited from owning or possessing firearms due to a misdemeanor firearm conviction. It was determined that the subject had several firearms recorded in his name. Agents contacted the subject at his residence and during the course of the agent's conversation with the subject, he admitted to possessing several firearms. The individual granted agents access to his residence. Agents conducted a search of the residence and located 12 handguns, 10 rifles, one assault rifle, one ghost gun assault rifle, three shotguns, and one lower receiver, 26 ammunition magazines and approximately 2,000 rounds of ammunition.

Villa Park Subject Found to be in Possession of Firearms While Prohibited Due to a Domestic Violence Restraining Order

In July of 2023, BOF identified a subject who resided in Villa Park, California and was prohibited from owning or possessing firearms due to having a domestic violence restraining order issued against him. Agents attempted to contact the subject at his residence, but were unsuccessful. While attempting to contact the subject, agents were able to call him on his cellular phone. During the telephone conversation the subject became extremely uncooperative and refused to talk with agents.

Agents obtained a search warrant for the residence and during the service of that warrant they located nine handguns, four shotguns, one assault rifle, 13 rifles, 30 ammunition magazines, and 405 rounds of ammunition.

Convicted Felon in Red Bluff Found to be in Possession of Numerous Firearms

In August of 2023, BOF identified a subject in Red Bluff, California that was prohibited from owning or possessing firearms due to a felony conviction. Agents attempted to contact the subject at his residence. While agents were attempting to contact the subject at the front door, they heard noises coming from the rear of the residence. Agents walked to the side of the large farm style property and noticed the prohibited person operating a tractor. Agents attempted to contact the subject, who immediately fled the area. Agents attempted to locate the subject, but were unsuccessful. Agents obtained and executed a search warrant at the residence and seized eight handguns, eight shotguns, 10 rifles, three standard capacity magazines, a collapsible baton, two prescription pill bottles filled with multiple small baggies of suspected methamphetamine and over 3,000 rounds of ammunition.

Paso Robles Man Prohibited from a Mental Health Commitment Found in Possession of an Arsenal of Firearms

In October of 2023, BOF identified a subject who resided in Paso Robles, California who was prohibited from owning or possessing firearms due to a mental health commitment. The subject had 50 firearms recorded in his name. Agents contacted the subject at his residence and received consent to search his residence. During the search of the residence, agents located and seized 281 long guns (both shotguns and rifles), 227 handguns, 92 standard capacity magazines, 25 high-capacity magazines, and approximately 28,000 rounds of ammunition.

APPENDIX H: Gun Violence Reduction Program Awards

GUN VIOLENCE REDUCTION PROGRAM

FISCAL YEAR 2021-22

APPLICANT	SUMMARY OF AWARD	AWARD
Contra Costa County Sheriff's Office	Recover firearms and ammunition from domestic abusers and other prohibited persons in community via monthly compliance checks of persons on the monthly APPS report, training of sworn personnel, and collaboration with State and other local law enforcement agencies.	$332,205
Lake County Sheriff's Office	Reduce the number of armed prohibited persons in Lake County via a combination of the following: increasing the frequency of APPS contacts and investigations, creating a notification program between the Sheriff's Office, the courts, and the District Attorney, coordinating with State and local law enforcement, training of sworn personnel, and performing APPS sweeps within the county.	$277,373
Los Angeles County Sheriff's Office	Utilize funding to put an MOU in place between the Sheriff's Office and DOJ, to maintain the integrity of the currently-existing Major Crimes Bureau (MCB) APPS Task Force in conjunction with a well-established database, to do the following: significantly reduce APPS entries, allow for continued use of DOJ's APPS database, conduct weekly APPS operations, create APPS policies and procedures, increase field operations, improvement in APPS case files, and increased APPS-related communication with patrol station and dispatch center personnel.	$843,630
Orange County Sheriff's Office	Enhance partnership with DOJ to improve the collection of firearms and ammunition from prohibited persons in the county via collaborative and/or independently-run APPS operations with or without DOJ, and through the designation of an APPS enforcement team to collaborate with DOJ, the courts, the District Attorney, and Probation Department, to conduct frequent probation/parole compliance checks of persons on the APPS list.	$316,285
Sacramento County Sheriff's Office	Reduce gun violence in California by seizing firearms from prohibited persons via the enhancement of efforts between the Sheriff's Office and the DOJ, including the seizure of firearms from prohibited persons on the same day they become prohibited, daily hand-in-hand work with the DOJ, and entering of firearms stored at the Sheriff's property warehouse into the Automated Firearms System (AFS).	$887,275

San Francisco County Sheriff's Office	Enforce the prohibitions on firearm possession by persons who have a Domestic Violence Restraining Order or Domestic Violence Criminal Protective Order issued against them via the following: establishment of a county-level firearm confiscation system, reducing the APPS backlog through county-level partnering, recovering firearms through enforcement of firearms possession by persons with restraining orders, contacts made during restraining order contacts, court order compliance, domestic violence and elder abuse incidents involving a firearm, and implementation of a Domestic Violence Firearms Compliance Unit.	$301,554
Santa Barbara County Sheriff's Office	Ensure that prohibited persons in the county are complying with the prohibition against owning, accessing, or possessing firearms and ammunition by investigating and seizing firearms, arresting and assisting in the prosecution of persons on the APPS list who violate laws and regulations; the creation of an APPS team that will collaborate with DOJ, ATF, the Probation Department, and local police to locate and remove firearms from prohibited persons; and via collaboration with the courts, background checks of APPS prohibited persons, and education of Sheriff's Office staff.	$539,660
Santa Clara County Sheriff's Office	Utilize an innovative, multi-prong strategy to remove prohibited persons from the APPS database via the following actions: proactively working off of the APPS list to identify prohibited persons targets and subsequent intelligence gathering, reviews of all new cases of domestic violence, obtaining persons of interest for investigation, collaboration with the District Attorney, and rapid response to social media posts (threats to harm others/self, in writing or video).	$512,255
Santa Cruz County Sheriff's Office	Reduce the number of persons on the APPS list by 35% over the next two years by conducting investigations of persons on the APPS list, seizing illegally-possessed firearms and ammunition, establishing a Gun Relinquish program in collaboration with the courts and District Attorney, specialized training of deputies, and the destruction of firearms.	$291,596
Ventura County Sheriff's Office	Reduce the number of persons in the APPS database through intensive investigation and a focus on the recovery of firearms, sharing of APPS persons information with other California Sheriff's Offices to reduce APPS statewide, additions and improvements to the APPS investigation case management system, development of a Pre-APPS program, and creation of an APPS Coordinator.	$652,575

GUN VIOLENCE REDUCTION PROGRAM

FISCAL YEAR 2022-23

APPLICANT	SUMMARY OF AWARD	AWARD
Kings County Sheriff's Office	Investigate and bring resolution to 67 APPS subjects in Kings County. Research and eliminate firearm transfers that were not completed properly. Collaborate with courts, District Attorney, Probation Department and Parole Offices on subjects navigating through the court system that will become prohibited in the near future.	$355,686
Lassen County Sheriff's Office	Reduce the number of APPS cases in Lassen County through APPS related investigations as well as general law enforcement investigations. Increase the number of cases filed and convictions obtained in armed prohibited person cases. Reduce the number of stolen firearms in possession of prohibited persons. Work with the courts, District Attorney, Public Defender and Probation Department on identifying persons likely to become prohibited and help in educating the person(s) on their options available to them for legally disposing of or transferring their firearm(s).	$322,249
San Joaquin County Sheriff's Office	Create a Gun Violence Prevention Team focusing first on subjects from APPS that pose the most risk to the public (e.g., gang affiliations, domestic violence restraining orders, etc.). Determine level of threat of subjects and resources needed (e.g., Veterans Affairs, mental health clinicians, Probation Department, etc.). Work with local entities to address new subjects added to APPS timely.	$987,072
Stanislaus County Sheriff's Office	Reduce the 1,008 firearms associated with 413 armed prohibited persons in Stanislaus County. Contact mental health prohibited persons regarding firearm possession. Utilize the National Integrated Ballistic Information Network to seek out new offenders that are matched from ballistic data.	$568,604
Ventura County Sheriff's Office	Reduce the number of individuals in APPS through intensive investigation and focus on recovery of firearms. Improve and make additions to the APPS investigation case management system that tracks, stores and combines data from a variety of sources regarding APPS subjects and investigations. Development of a Pre-APPS program that will allow for the legal removal of firearms from individuals with a qualifying incident (e.g., restraining order, 5150 commitment, etc.) before they are placed in APPS. Check range records, intelligence reports and social media investigation information to help identify prohibited persons in possession of firearms.	$555,876