CALIFORNIA

DEPARTMENT OF JUSTICE

ARMED AND PROHIBITED PERSONS SYSTEM (APPS) 2019

ANNUAL REPORT TO THE LEGISLATURE

SB 94 LEGISLATIVE REPORT

CALENDAR YEAR 2019

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EXECUTIVE SUMMARY

The Armed and Prohibited Persons System (APPS) and Legislative Reporting Requirements

In 2006, the State of California became the first and only state in the nation with a system for monitoring known firearm owners who might fall into a prohibited status. The Armed and Prohibited Persons System (APPS) database cross-references firearms purchasers against other records for individuals who are prohibited from possessing firearms. The Department of Justice Bureau of Firearms (Bureau) utilizes Crime Analysts[1], Special Agents and Special Agent Supervisors to locate and disarm prohibited persons identified through the APPS database, thereby preventing and reducing incidents of violent crime.

The authority and specifications for this public reporting initiative were established in Senate Bill (SB) 140 (Stats. 2013, ch. 2), which sunset in 2019, and were reestablished with further specifications in under SB 94 in 2019. SB 94 (Stats. 2019, ch. 25) requires the Department of Justice (Department) 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 in the APPS has been reduced or eliminated.

The 2018 APPS Report defined the backlog as the cases that had not been investigated as of July 1, 2013 when SB 140 went into effect. The Bureau cleared the remaining 538 cases of that historical backlog in March 2019. In this report, the term backlog is used in accordance with the SB 94 definition: the number of cases for which the Department did not initiate an investigation within six months of the case[2] being added to the APPS or a case for which the Department has not completed investigatory work within six months of initiating an investigation.

Prior to SB 94 going into effect, the Department communicated to the Department of Finance (DOF) that the current firearms database systems did not have the capability to collect and report on the backlog and other requested metrics. In response, the DOF began working with the Department on submitting a Budget Change Proposal (BCP) requesting funding to support the upfront planning and analysis costs to determine how to create an updated database system that would be able to yield the requested data and have the improved capability of working with the APPS program. The Department looks forward to the legislature and the Governor's Office including this BCP in the Fiscal Year 2020-21 budget so the Department can begin the firearms IT systems modernization process over the next several years.

APPS Database Analysis

A comprehensive review of the APPS database reveals the following:

- In 2019, the Department removed 9,755 prohibited persons from the APPS database. At the same time, 8,957 prohibited persons were added to the APPS database. As of January 1, 2020, the APPS database had 22,424 armed and prohibited persons.
- The Bureau had 45 Special Agents and Special Agent Supervisors working to address the ever-increasing number of armed and prohibited individuals in 2019, fewer than the 50

1 Referred to as Criminal Intelligence Specialists (CIS) in the 2018 APPS Report

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

Special Agents working in 2018. Despite a recent salary increase, efforts to hire new sworn personnel continue to be thwarted by the difficult working conditions and lack of competitive compensation for agents as compared to other state and local law enforcement agencies.

- As of January 1, 2020, 54 percent of prohibited individuals in the APPS were prohibited due to a felony conviction, 24 percent were prohibited due to the Federal Brady Act, 19 percent were prohibited due to a restraining order, 18 percent were prohibited due to mental health triggering events, 11 percent were prohibited due to a misdemeanor conviction, and 7 percent were prohibited per the conditions of their probation. Persons can be prohibited under more than one category, 23 percent are prohibited due to multiple prohibitions, which is why the numbers exceed 100 percent.

- In 2019, the Bureau recovered 2,130 firearms. Of these, 1,123 were firearms known to the APPS database and 1,007 were non-APPS firearms[3].

- In 2019, the Bureau contacted approximately 21,696 individuals who were identified as armed and prohibited persons in the APPS database.

- In the 2018 APPS Report, the backlog was defined as cases that had not been investigated as of July 1, 2013, when SB 140 went into effect. As of March 31, 2019, the Department finished investigations for all 20,721 cases of the historical backlog.

Recommendations

After conducting an examination of the APPS program, the Department recommends the following steps to improve the removal of firearms from prohibited persons:

1. Require all California county courts to confiscate firearms from individuals at the time of conviction when an individual is prohibited due to a felony or qualifying misdemeanor.

2. Develop a similar county-level firearm confiscation system where firearms are confiscated from an individual at the time they are served with the restraining order(s).

3. Improve the recruitment and retention of Department sworn personnel by offering compensation that is competitive with other law enforcement agencies.

4. Improve coordination and cooperation with local law enforcement agencies through joint task-forces with and under the direction of the Department. Improve local law enforcement reporting of firearms in their custody.

5. Modernize the existing firearms databases and automate many of the manual processes to improve overall efficiency, risk mitigation, and stabilization of employee resources. The Department has requested resources to begin this effort through a BCP and looks forward to working with the Governor and Legislature to fund this request.

6. Partner with federal law enforcement agencies to disarm individuals prohibited only due to Federal Brady Act prohibitions.

3 Firearms that were not known to be associated with, but were in the possession of a prohibited individual.

The Department has been proactive and made efforts to implement three of the six recommendations outlined above. It has worked diligently to create partnerships with local and federal law enforcement agencies and has expanded its recruitment efforts. However, fully implementing the remaining recommendations will require legislative support and additional resources. Further explanation of these recommendations can be found on page 27.

ANNUAL REPORT TO THE JOINT LEGISLATIVE BUDGET COMMITTEE

APPS and Legislative Reporting Requirements

This report presents a statistical summary of the APPS as mandated by SB 94 for the period of January – December 2019, as well as additional in-depth analysis of data through the history of the APPS. It also contains additional statistics to help provide context to the APPS and the workload that flows in and out of that system.[4]

California Penal Code section 30000 subdivision (a) requires the Department to maintain a "Prohibited Armed Persons File." This file is generated from a larger database known as the Armed and Prohibited Persons System that records all known firearms owners in the State of California and monitors various other data systems for prohibiting triggering events, such as a felony conviction or an active restraining order, to identify those persons within the system who are both armed and prohibited. The APPS program was mandated in 2001 (SB 950, Stat. 2001, ch. 944), then implemented in December 2006.

In 2013, the California legislature passed SB 140, which appropriated $24 million dollars over a three-year period to the Department to address the growing number of records in the Armed and Prohibited Persons System. Additionally, SB 140 required the Department to submit annual reports detailing the progress made in reducing the backlog. In its 2018 APPS report, the Department defined backlog as cases that had not been investigated as of July 1, 2013. As of March 31, 2019, the Department had completed investigations for all 20,721 cases from the 2013 backlog.

The APPS reporting provisions as outlined in SB 140 expired on March 1, 2019. In 2019, SB 94 was passed providing updated requirements regarding the mandated reporting of the APPS database statistics. Prior to the passing of SB 94, the Department communicated to the Department of Finance that it did not have the technological capability to report on the new requested metrics and would need a BCP to begin the planning analysis necessary to develop a system that could. Regardless, the new provisions went into effect on June 27, 2019.

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

Overview of the Mandated Categories for Statistical Reporting

Pursuant to Penal Code section 30012(b), the California Legislature requires the Department to report annually to the Joint Legislative Budget Committee the following information:

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

(1) The total number of individuals in the Armed Prohibited Persons System (APPS) and the number of cases which are active and pending.
(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.
(4) The degree to which the backlog in the APPS has been reduced or eliminated.
(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 enforcement of the APPS.
(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 required reporting SB 94 mandate; and (2) it provides a comprehensive assessment of the APPS system, data, and Bureau enforcement activities.[5] The Department undertook this comprehensive assessment by: (1) analyzing historical information such as activity log related data; (2) examining the APPS caseloads and workflow for the last calendar year; and (3) reviewing other administrative information.

Overview of APPS

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

Individuals are entered into APPS as soon as they legally purchase or acquire firearms. They are moved to the Armed and Prohibited File within the system if they become prohibited. Prohibited individuals are identified by daily manual queries of the databases that cross-reference the population of known firearms owners against individuals who may have had a prohibiting triggering event within the past 24 hours. New individuals are added daily, creating a constantly changing and growing dataset.

Armed and prohibited individuals, while the primary focus of the Department's enforcement efforts, are a subset representing less than one percent of the APPS database. As of January 1, 2020, there were 2,634,711 known firearm owners in APPS, of which 22,424 are prohibited from owning firearms in the Armed and Prohibited File. In order for the Department to identify those armed and prohibited individuals, the Department must first identify the armed population and then identify individuals who are also prohibited due to a triggering event.

From 2013 to 2019,[6] changing laws and regulations have introduced new offenses that prohibit firearm ownership, placing a growing number of individuals into APPS. Other factors such as ammunition background 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, one of forty-four other misdemeanor convictions, mental

5 See Appendix C for a brief overview of the mandated statistical requirements.
6 See Appendix B for a legislative history as related to APPS.

health prohibitions, various types of civil or criminal restraining orders, as well as other prohibitory categories. See Appendix D for firearm prohibiting categories.

Within the Armed and Prohibited Persons File, cases are separated into two broad categories of Active and Pending. Active cases are cases that have not yet been investigated or are in the process of being investigated but all investigative leads have not yet been exhausted. Pending investigations are investigations that have been thoroughly analyzed and all investigative leads have been exhausted; they are organized into the following sub-categories:

1. Unable to clear: Cases that have been investigated by the Department's agents who have exhausted all investigative leads and remain unable to recover all firearms associated with the prohibited individual. If new information is identified, the case will be moved to active status.

2. Unable to locate: Cases where the Department'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 where the Department's agents have determined that the prohibited person is no longer living in California.

4. Federal Gun Control Act (Federal Brady Prohibition Only): Cases where a person is prohibited only under federal law; state, county and municipal law enforcement have no authority to enforce the federal only prohibition. Persons who have both a statewide and federal prohibition are not listed in this group.

5. Incarcerated: Cases involving incarcerated individuals remain on the pending list, but the Department still tracks and monitors them. Once released, they are moved to active status.

The Department verifies new or updated information on all pending cases regularly. If any 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.[7] This requires Crime Analysts to manually cross-reference records from one database to another while working to compile a subject package for investigation.

Of the 11 databases, only five databases feed into the APPS for firearm association and prohibition determinations, these are:

1. The Automated Firearms System, created in 1980 to identify lost or stolen firearms and to associate firearms with individuals. It does that by tracking the serial number of every firearm owned by government agencies, handled by law enforcement (seized, destroyed, held in evidence, reported stolen, recovered), voluntarily recorded, 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.

7 See Appendix D for a relational diagram of the Bureau's firearms databases.

2. The California Restraining and Protective Order System (CARPOS), a statewide database of individuals subject to a restraining order. This system includes Domestic Violence Restraining Orders (DVRO), Gun Violence Restraining Orders (GVRO) as well as other types of restraining orders.

3. The Mental Health Reporting System (MHRS), a web-based application used by Mental Health Facilities, Superior Courts, Juvenile Courts, and Law Enforcement Agencies to report firearm prohibiting events (related to mental health) to the Department.

4. The Automated Criminal History System (ACHS), the repository for state summary Criminal Offender Record Information (CORI).

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

The APPS database is not an automated system that cross-reference across all firearms databases; therefore, creating a complete case package for investigation requires the Crime Analyst to manually cross check across multiple additional databases. As it stands, the system is extremely cumbersome to operate. When a user retrieves a single case, all information tabs must be verified prior to acting on enforcement; that starts with confirming the individual's name, birthdate and driver's license number match across all systems. Then, using Law Enforcement Agency Web (LEA Web), the Crime Analyst will run a multiple query using the individual's driver's license number. LEA Web is a California-unique database that queries some of California's databases like CARPOS, AFS, ACHS, California Department of Motor Vehicles (DMV), MHPS, WPS and the Supervised Release Files. Each case is highly variable, and the circumstances and information provided for 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.

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

1. The analyst must confirm the restraining order is effective and that the individual was in fact served by either being present in court or was served by a processor.

2. Once this is verified, the analyst will try to pull the actual restraining order from and 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, in those cases the analyst must then contact the county court directly to attempt to obtain a copy of the restraining order. Having an original copy can provide valuable additional information like confirming when, where and how the restraining order was served, the individual's last known address, and whether the individual has already surrendered their firearms.

4. Assuming the individual is still in possession of their firearm, the analyst must then pull all the firearms associated with the individual and run each individual serial number in AFS to confirm the individual is still associated with that firearm and there are no extenuating circumstances

where the individual is not in possession but the databases do not reflect the change. This is sometimes caused by a keying error where the serial numbers are off by one, but all other information coincides.

5. In such circumstances, additional administrative work must be done by the Department to remove the association to that firearm from that individual.

6. Although LEA Web does query DMV, it does not pull photos or associated vehicles. To get that information, Crime Analysts must perform additional, separate steps to pull it from DMV registries.

7. Once all information is confirmed, and assuming the information allows for the case to be workable, the package is then ready for agents to run enforcement.

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.

The BCP submitted will allow the Department to begin the initial planning and analysis necessary to modernize this system and to automate and track all of this work which is currently not recorded and requires Crime Analysts to manually cross-reference databases to update and research an entry.

Enforcement Teams

Each Bureau field office has its own team of Special Agents for field operations. The Bureau also employs Crime Analysts in each of their six offices throughout the State.[8] The Crime Analysts access the APPS database daily and develop packages of armed prohibited people for each team of agents to contact. Their jobs require crosschecking several databases to confirm addresses, photos, arrest records and status of APPS individuals, among other relevant information. They use their knowledge and expertise to translate vast amounts of data into actionable information that allows the agents to do their investigations efficiently and effectively. The work is time intensive and requires great attention to detail as any error (typos, accidental variations, incorrect information, etc.) can lead to incorrect decisions or unnecessary searches. Modernizing the database system would allow for more accurate information in those reports and reduce the number of operations agents are sent on with out-of-date information.

Special Agents attempt to locate the firearm(s) associated to that individual via consent search, probation or parole search, or a search warrant. Often, the APPS individual will be in possession of numerous firearms, many of which were not associated with that individual in the APPS database. This could be due to the APPS individual having long guns purchased by the APPS individual prior to long gun requirements in 2014, firearms loaned to them by another person, firearms imported into California from another state, antique firearms, illegally purchased firearms, ghost guns[9] or stolen firearms.

8 See Appendix E for a map of the various Bureau regional office jurisdictions

9 Ghost guns are firearms made by an individual, 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.

Improving partnerships with local law enforcement agencies will help improve operation efficiency. Many times, agents contact an APPS individual only to find that local law enforcement has already seized the firearm(s) associated with that individual, but failed to enter the seized firearm into AFS as required by law.[10] Entering that information would have removed the individual from the APPS database, allowing the Bureau's agents to focus on another case. Currently, the Bureau must reach out to the law enforcement agency to request they update AFS or ask for the police report in order to cross check the firearms seized match the associated firearms in APPS. Unless that information matches and is verified, the individual cannot be removed from APPS. In 2019, of the 7,232 investigations that were conducted, 199 of those investigations involved firearms that were already in local law enforcement custody. The cost of such oversight cannot be recovered, resulting in duplicative efforts by the Bureau that reduce efficiency and waste resources. The Department's proposed plan to increase collaboration would help ensure the timely and accurate input of data by local law enforcement in statewide data systems.

Successful models of operations with local law enforcement have been a force multiplier for this program. For instance, the Contra Costa County Anti-Violence Task Force (CASE) model, a collaboration between various state, local, and federal agencies conducted 161 firearms related cases and confiscated 167 firearms.[11] Partnership operations far outperformed those where local law enforcement officers were supported only financially, such as the Gun Violence Prevention Program where only five firearms were confiscated in 2019. As outlined in the recommendations, the Department wants to encourage these types of collaborative partnership operations and relationships with local agencies. The Department has seen how working with local law enforcement officers allows the Bureau's agents to conduct more operations and remove additional firearms from prohibited persons more efficiently and see no reason not to replicate that success across the state.

Mandated Statistics and Analysis

Senate Bill 94 mandates the reporting of specific statistics for each calendar year. The mandated statistics for the current report are the following:

The total number of individuals in APPS

As of January 1, 2020, the APPS has 2,634,711 individuals of which 22,424 are prohibited from possessing firearms. Currently, the system contains 7,747 active cases and 14,677 pending cases.

Breakdown on the status of active APPS cases

The mandate requires the Department report on the number and status of active cases as previously defined, along with a breakdown of the time period that has elapsed since a case was added to the APPS system. As mentioned previously, the Department alerted the Department of Finance it would be unable to provide these metrics without the necessary funding to update the current firearms databases.

Status of the backlog

As outlined previously, the updated requirements of Senate Bill (SB) 94 redefine the term "backlog" and ask for additional metrics regarding said "backlog". Without the approval of the submitted BCP, as proposed in recommendation five, the Bureau cannot provide these statistics and will continue to be unable to fully carry out its reporting functions.

10 Penal Code Section 11108.2 and 11108.3

11 For more on the CASE task force, refer to page 25

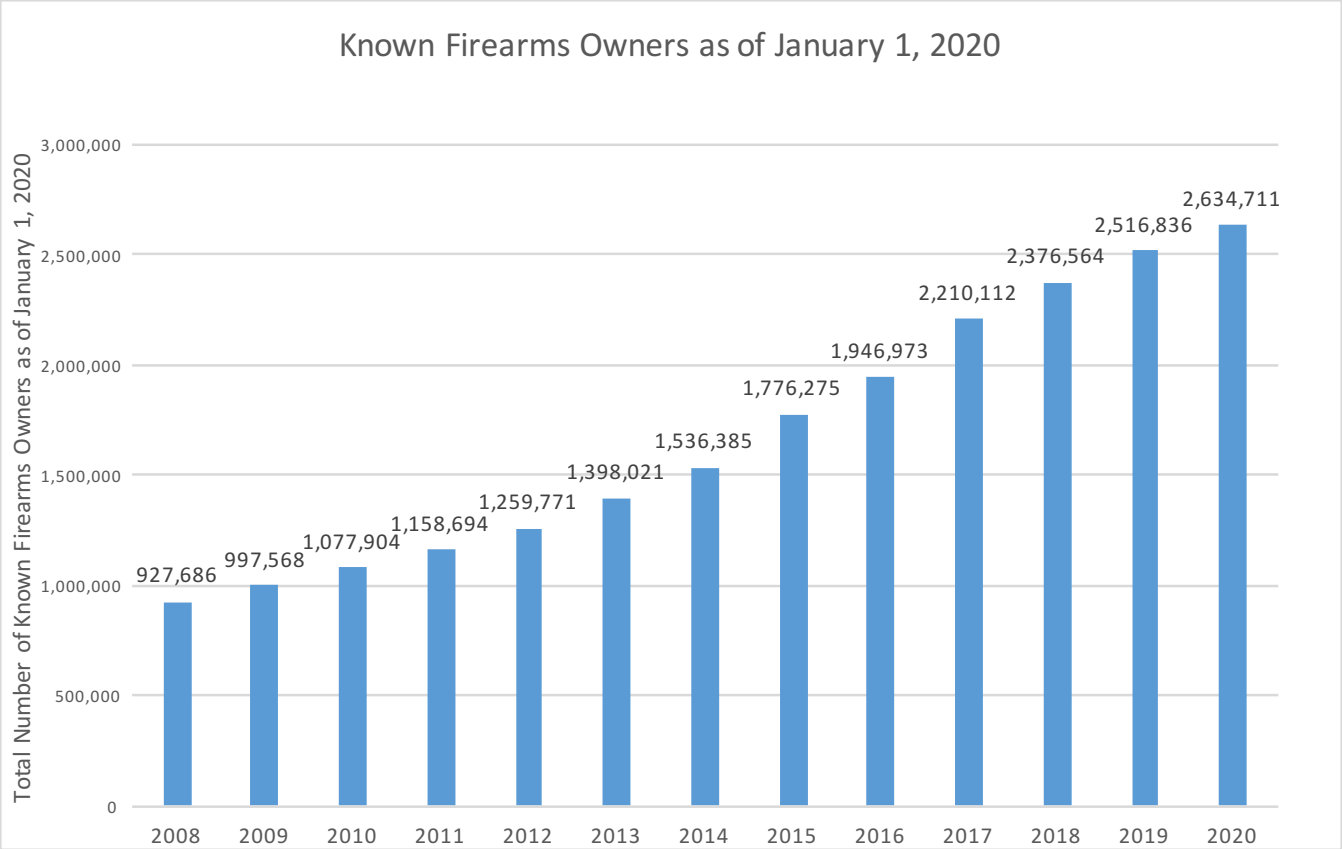
Breakdown of pending APPS cases

At this time, the Department has 14,677 pending cases divided into four categories. 7,109 (49%) were unable to be cleared after the Bureau had exhausted all leads, 2,207 (15%) were unable to be located after several attempts to contact, 3,726 (25%) moved out of state, and 1,635 (11%) were prohibited under federal prohibitions only, leaving the Department with no jurisdiction to prosecute.

The number of people in the APPS before and after the relevant reporting period

The relevant reporting period runs from January 1, 2019 through December 31, 2019. The APPS program categorizes individuals as either persons armed but not prohibited, armed and prohibited persons, and incarcerated persons known to have possessed a firearm prior to incarceration. On January 1, 2019, there were 2,492,150 armed and not prohibited individuals, 1,464 incarcerated individuals, and 23,222 armed and prohibited individuals. As of January 1, 2020, the system included 2,610,899 armed and not prohibited individuals, 1,388 incarcerated individuals, and 22,424 armed and prohibited individuals. Despite the state having some of the nation's toughest firearm laws, the number of firearms owners has more than doubled in the last ten years. As illustrated in Figure 1, the number of individuals included in APPS has grown exponentially since January 1, 2008, when the program only included 927,686 individuals. While growth over 2019 was slower than in previous years, with a total of 117,875 known firearms owners entering APPS, a clear overall trend of growth still continues. Currently, the system includes 2,634,711 known firearms owners.

Figure 1: Known Firearms Owners as of January 1, 2020



Number of agents and other staff hired for enforcement of the APPS

In January 2019, the Bureau had 64 authorized permanent positions with 47 filled and 17 vacant. By December 2019, due to the approved budget change proposal for fiscal year 2019-20 (which went into effect on July 1, 2019), the number of authorized positions had increased to 71 with 45 filled and 26 vacant (Table 1). As Table 1 shows, while the number of filled and vacant positions fluctuates throughout the year reflecting the quick turnover rate of these positions, there is an overall consistent downward trend of filled positions. That trend reflects the Department's challenges in hiring and retaining agents despite an increase in authorized positions.

Table 1: Bureau of Firearms authorized positions for the relevant reporting period

Bureau Positions	1/1/2019			7/1/2019			1/1/2020		
	Filled	Vacant	Total Authorized	Filled	Vacant	Total Authorized	Filled	Vacant	Total Authorized
Special Agent	35	14	49	33	21	54	32	25	57
Special Agent Supervisor	12	1	13	11	3	14	13	1	14
Special Agent Trainee	0	2	2	3	0	3	0	0	0
Total	**47**	**17**	**64**	**46**	**32**	**71**	**45**	**26**	**71**

A BCP for Fiscal Year 2019-20 provided the Bureau with funding for additional positions effective July 1, 2019. However, the Department has not been able to fully capitalize on this resource due to consistent challenges in recruitment and hiring of qualified applicants. Hiring sworn agents is an involved undertaking with a complex vetting process. It can be slow moving, taking up to 12 months to complete and individuals who are midway through the process sometimes withdraw when offered a similar position elsewhere, where they can start sooner and/or earn a higher salary. The Bureau initiated hiring for 23 agent positions in 2019. Seven of the prospective agents did not pass the pre-employment background investigation and two withdrew from the hiring process meaning only 60 percent of accepted applicants went on to become Bureau agents. Of these newly hired agents, seven are completing the hiring process and are expected to start in 2020. Therefore the 2019 APPS program numbers do not reflect the benefits of the additional funding as the agents hired using that funding have not yet started.

The Bureau will continue to face challenges in recruiting Special Agents as long as its compensation is not competitive with compensation packages offered by other law enforcement agencies. The Bureau's agents received a salary increase effective July 2019 following collective bargaining negotiations. At the same time, other agencies across the state saw comparable salary increases which left the Bureau at a

similar disadvantage as it was before. The increases received through collective bargaining negotiations signified progress towards recognizing the unique work the Department's Special Agents perform. Unfortunately, despite this increase, the entry pay-rate for Special Agents continues to lag behind comparable local law enforcement agencies by approximately 17 percent[12]. Until additional funding is provided to increase salaries to competitive levels as illustrated in recommendation three, the Bureau can expect to continue to face challenges in recruitment and retention of agents for the Department's currently authorized positions.

A number of enforcement support staff assist Special Agents; these individuals are a significant asset to the Bureau. In 2019, the Bureau hired four enforcement support staff and saw four enforcement support staff separate from the Bureau for a net change of zero.

Number of contacts made during APPS enforcement efforts

Agents, on average, require three separate contacts consisting of in-person interviews in order to close one APPS case. These repeated contacts occur because the APPS individual may (1) not be home at the time of the initial contact; (2) have moved and failed to update their address with the Department of Motor Vehicles; (3) have moved out of state; (4) claim the firearm was already seized by local law enforcement or has been reported as lost or stolen; (5) be uncooperative and not forthcoming with information about the firearms, requiring further interviews and contacts; and/or (6) claim to have given their firearm to another person outside of the legal firearms transfer process, requiring agents to track down the firearm and/or verify the provided information. This process amounted to 21,696 contacts made in 2019. With 45 agents[13], that represents an average of 40 contacts per month per agent. This marks an average increase of three contacts per month compared to the approximate 37 contacts per month per agent in 2018. The greater number of overall contacts shows the productivity per agent increased despite fewer removals from the APPS list. It also suggests that this year's cases required more contacts to close on average and might indicate the presence of more resource-intensive active cases currently in the APPS system.

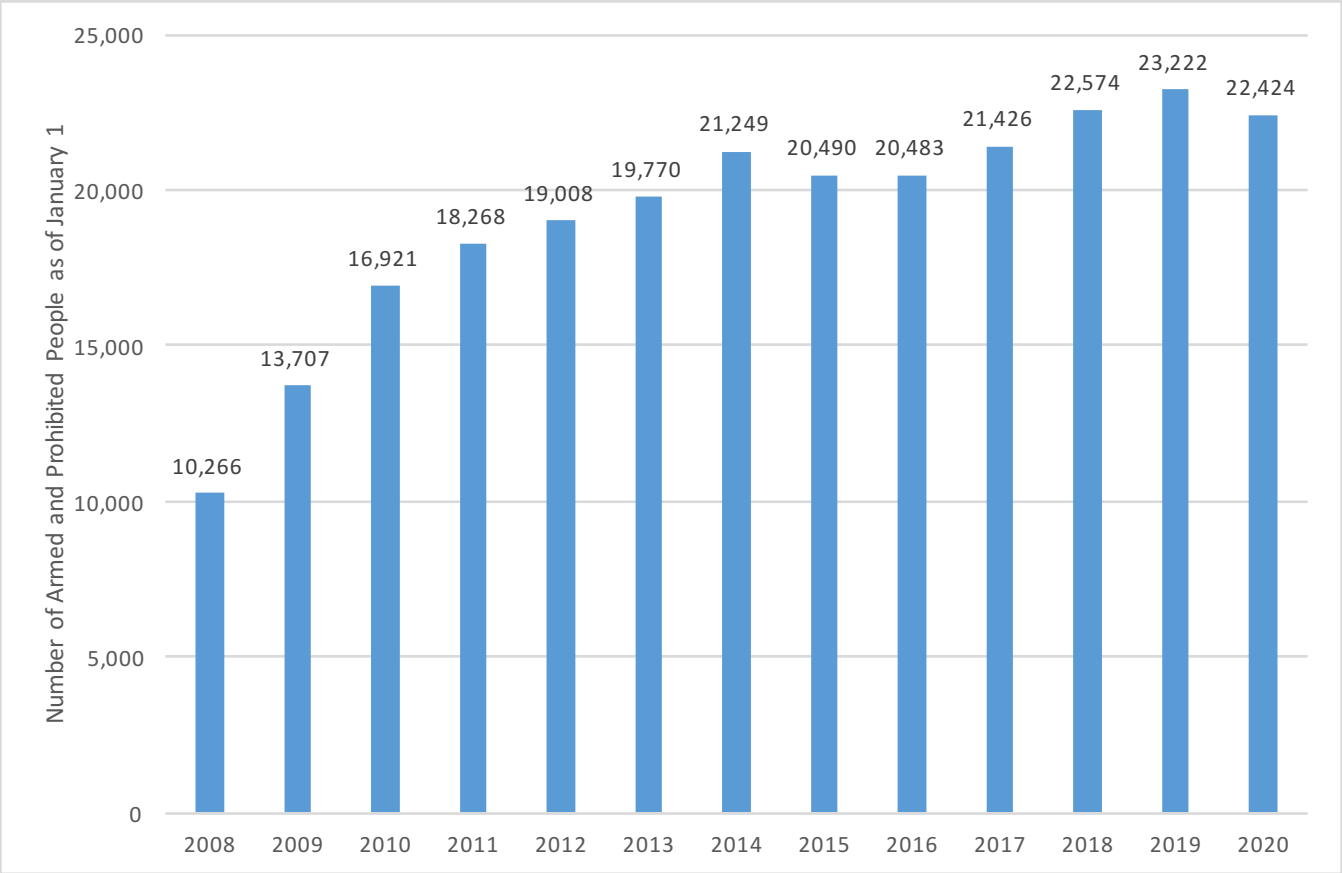
Number of individuals cleared and added to the APPS

From January 1, 2019 through December 31, 2019, an additional 8,957 known firearm owners became prohibited and 9,755 prohibited persons were removed from the prohibited category. At the end of the reporting period on December 31, 2019, there were 22,424 prohibited persons in APPS, a net decrease of 798 from 2018 when there were 23,222 prohibited persons in APPS (Figure 2). Of those cases, 14,677 are pending (unable to locate with all leads exhausted, unable to clear, out of state, or federal prohibitions only), and 7,747 of those are active cases the Bureau is in the process of investigating but has not yet exhausted all investigative leads. Although the Bureau technically categorizes incarcerated individuals under the pending cases category, this figure does not include the 1,388 incarcerated individuals because they are in prison and therefore separated from their firearm. The Department receives information on incarceration nightly and will move incarcerated individuals to the active status once the Department is notified that the individual is released from state custody.

12 This figure is based on a total compensation study the Department's Office of Human Resources conducted in 2018.

13 The APPS 2018 Annual Report to the Legislature incorrectly stated that the Bureau had 50 agents, not including supervisors. The 50 figure included both Special Agents and Special Agent Supervisors.

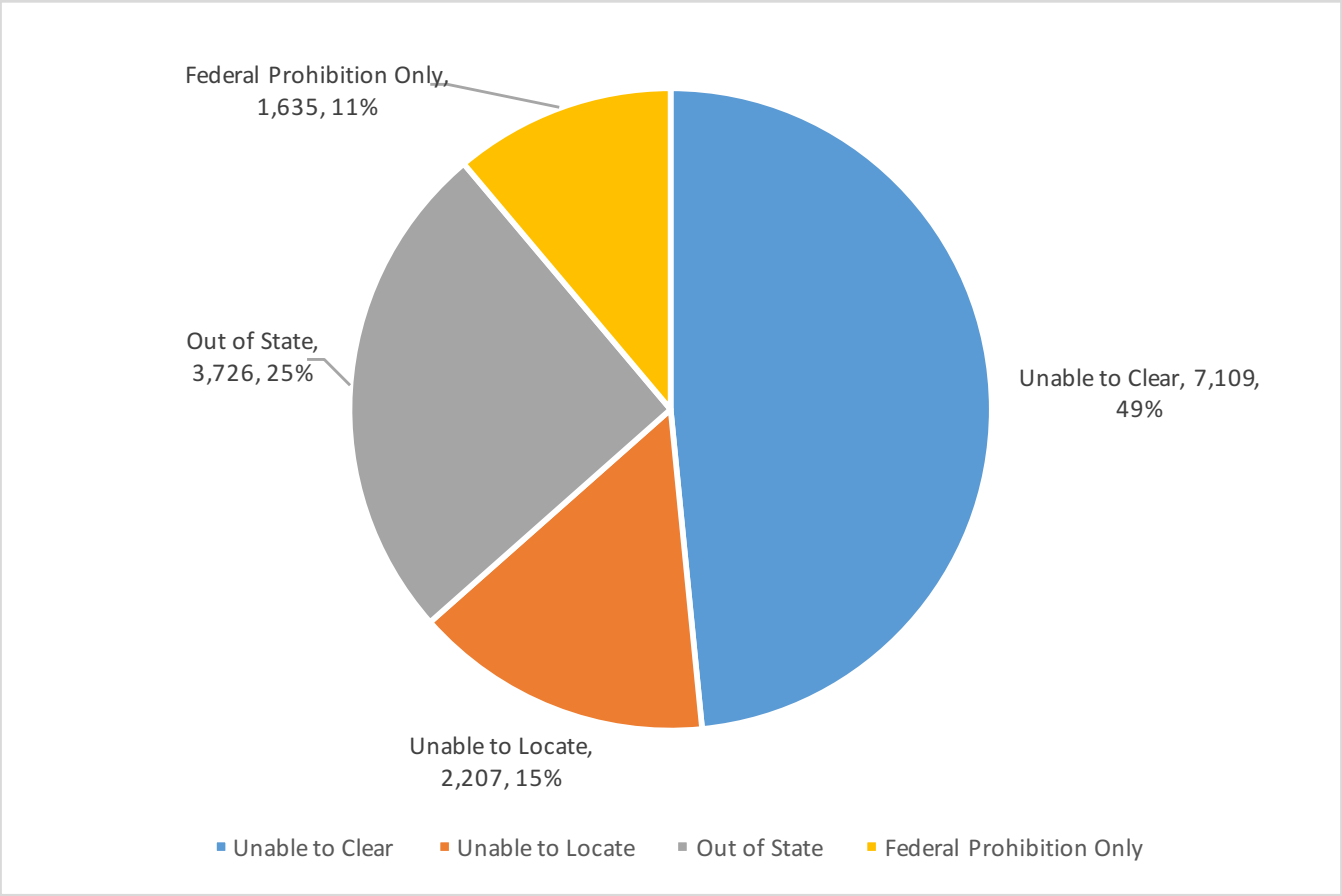
Figure 2: Armed and Prohibited Population Since 2008[14]



Individuals on the armed and prohibited persons list may be transferred to a pending status due to one of four reasons: (1) the prohibited person has been investigated and all leads exhausted before the person is disassociated from all known firearms (Unable to Clear); (2) the prohibited person has moved and did not notify the Department of Motor Vehicles (Unable to Locate); (3) the prohibited person has moved out of California (Out of State); or (4) the prohibited person is prohibited due to federal prohibitions alone and the Bureau does not have the jurisdiction to investigate them (Federal Prohibition Only). Of the 14,677 pending cases, 7,109 (49%) were unable to be cleared, 2,207 (15%) were unable to be located, 3,726 (25%) moved out of state, and 1,635 (11%) were prohibited under federal prohibitions only (Figure 3).

14 This number excludes the individuals who are known to own firearms and are prohibited but are also known to be incarcerated for six months or more. The Bureau receives state prison incarceration statuses nightly and individuals release from state custody are moved into the active caseload for the APPS enforcement team.

Figure 3: Pending cases separated by category



In 2019, 9,755 armed and prohibited persons were removed from the APPS database. Removals from the armed and prohibited persons list occur for three reasons:

1. Prohibition expires: Including the expiration of restraining orders, certain misdemeanor convictions, and mental health prohibitions after five years, after which time the individual is no longer prohibited.

2. Disassociation from all known firearms as a result of enforcement efforts: The prohibited person has all of their known firearms disassociated from them, meaning that each firearm attributed to them within the APPS system has been accounted for by the Bureau.

3. The prohibited person is deceased.

Refer to Table 2 for the number of individuals removed from the APPS, separated by category.

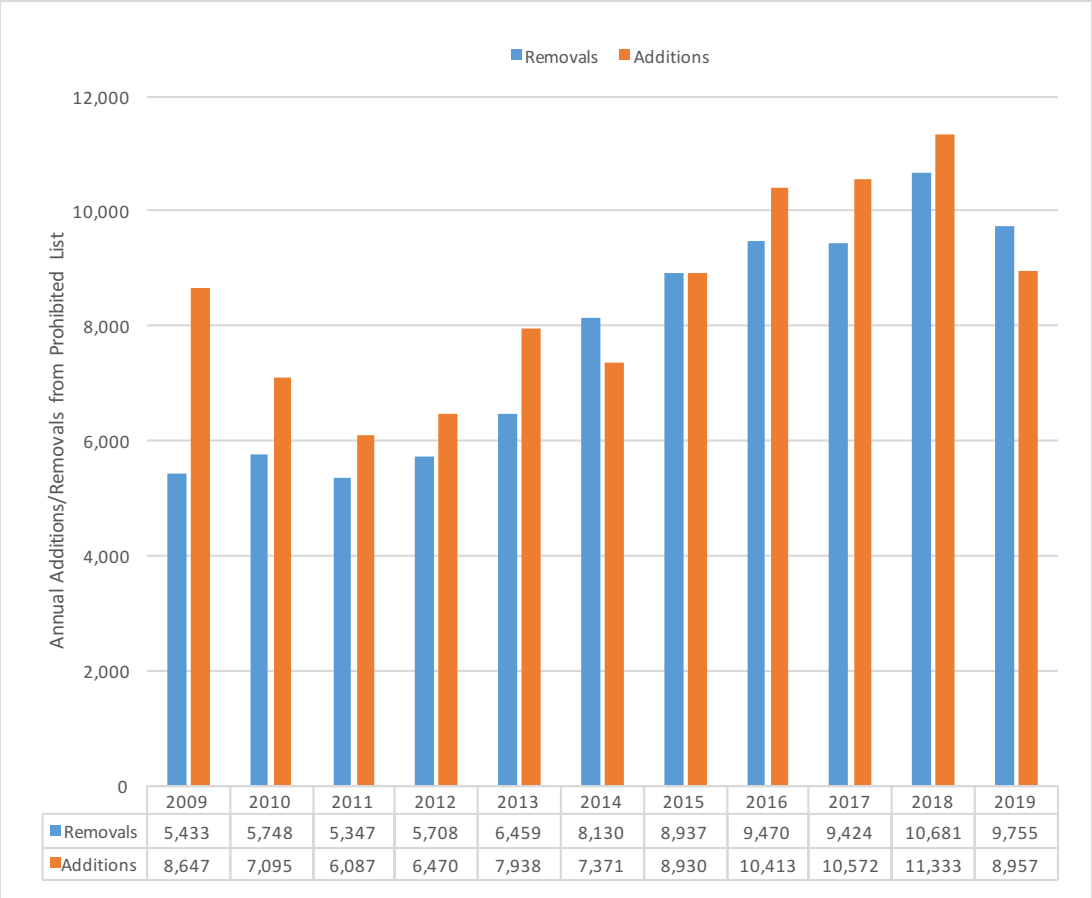
Table 2: Individuals Removed from the APPS in 2019 Separated by Reason for Removal

Reason for removal	Number of individuals removed
Deceased	188
Prohibition expired/no longer prohibited[15]	7,640
Disassociated from all known firearms	1,927

In instances where the Bureau is unable to locate the prohibited person or disassociate all known firearms, despite having exhausted all leads, the Bureau cannot remove the individual from APPS and must instead assign them to the pending category. Despite Bureau efforts, this often results from the difficulty of confiscating firearms from individuals who are often unwilling to surrender their firearms regardless of their prohibited status.

This year, enforcement operations led to 1,927 removals by disassociating individuals from all known firearms. Although a decrease from the previous year, fewer removals does not mean less effort. With fewer filled agent positions, the Bureau was able to make more contacts to APPS individuals than in the previous year showing more work, despite fewer removals. Refer to Figure 4 to see overall APPS additions and removals from the APPS prohibited list since 2009.

Figure 4: Annual Additions to, and Removals from, the List of Armed and Prohibited Persons Since 2009



	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Removals	5,433	5,748	5,347	5,708	6,459	8,130	8,937	9,470	9,424	10,681	9,755
Additions	8,647	7,095	6,087	6,470	7,938	7,371	8,930	10,413	10,572	11,333	8,957

15 Note that not all 1,927 individuals who were disassociated from their firearms had their firearms seized by the Bureau. In some cases, Bureau 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.

The Armed and Prohibited Persons System is a highly dynamic list and newly armed and prohibited people continue to be added as many others are removed. Special agent staffing concerns continue to plague the Bureau. Until additional funding for salary increases is effected and reflected in the Department's contracts, as suggested in recommendation three, the Bureau will continue to face challenges in recruitment and retention of qualified Special Agents.

Breakdown of why each person in the APPS is prohibited from possession of a firearm

Persons become prohibited in the APPS for several reasons. The following categories cover the types of events that can trigger a firearm prohibition.

- An individual may become prohibited under the Federal Brady Handgun Violence Prevention Act. Note, some individuals prohibited because of the Brady Act may not be prohibited under California State law (e.g., a dishonorable discharge in the military).
- An individual may be prohibited from owning 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.

Growing number of reasons for entry

Until recently, the APPS database was based primarily on handgun transaction records and assault weapon registrations. Effective January 1, 2014, pursuant to Assembly Bill (AB) 809, the Department was required to collect and retain firearm transaction information for all types of firearms, including long guns, which consequently increased the resulting number of individuals in the APPS database[16]. Effective January 1, 2017, pursuant to Senate Bill (SB) 880 and Assembly Bill (AB) 1135, the Department was required to start accepting new assault weapon registrations, which further identified prohibited persons or illegal firearms. Legislation establishing prohibitions for Gun Violence Restraining Orders, which was recently expanded, has also caused more people to become prohibited. Other legislation passed in 2019, such as Assembly Bill (AB) 3129, Assembly Bill (AB) 1968 and Senate Bill (SB) 1200, will further expand reasons for firearm prohibition and increase the number of armed and prohibited individuals. All of these statutes contribute to the documentation of additional firearm owners that were not previously known to the Department and increase the number of individuals becoming armed and prohibited.

Many individuals are prohibited under several of these categories (Figure 5). As of January 2020, 12,046 (54%) of firearms owners were prohibited as a result of a felony conviction, 5,390 (24%) due to Federal Brady Act prohibitions[17], 4,305 (19%) because of domestic violence restraining orders, 4,025 (18%) for mental health-related involuntary commitments, 2,416 (11%) for misdemeanor convictions, and 1,658 (7%) due to conditions of their probation. Additionally, 760 (3%) of individuals were prohibited in other categories such as juvenile prohibitions, and felony or misdemeanor warrants. The numbers sum to more than one hundred percent of the prohibited persons because roughly 23 percent of individuals

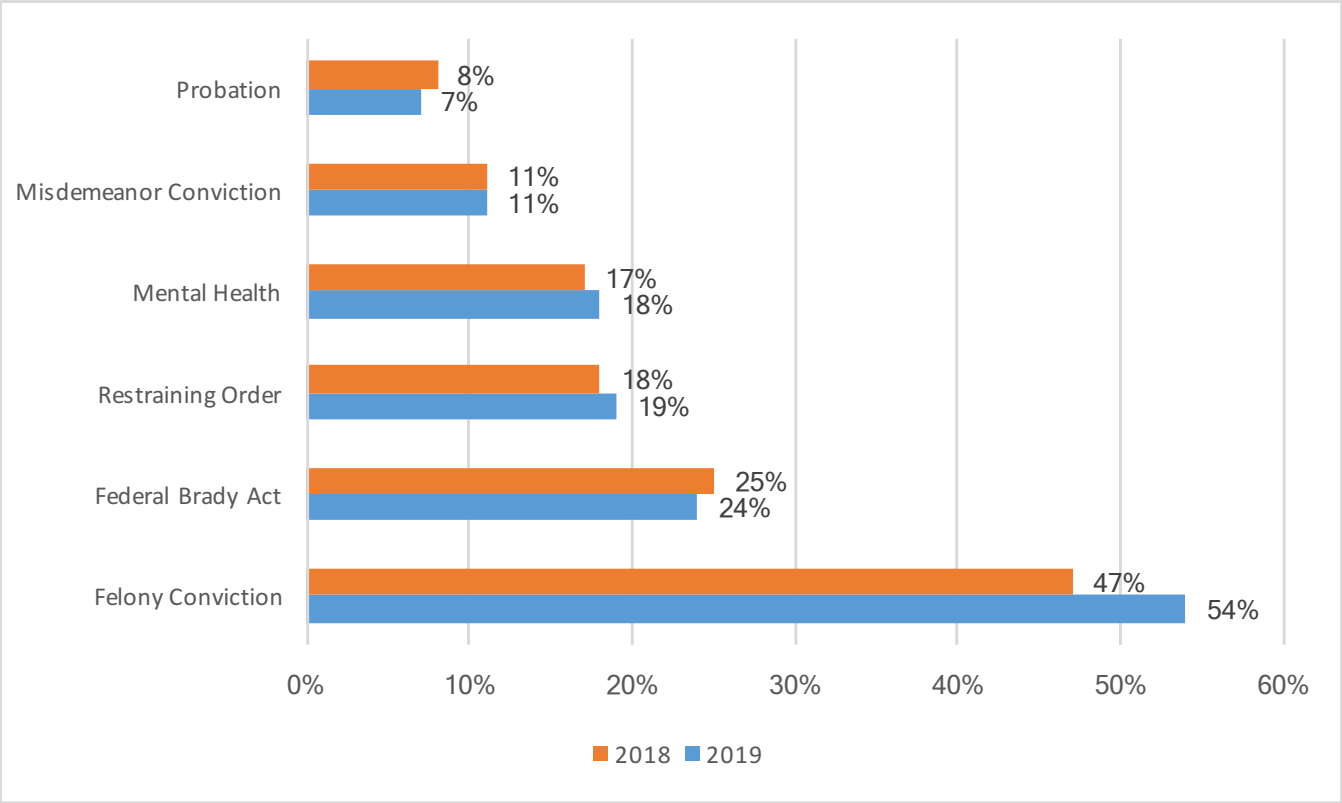
16 See Appendix XX for a list of Prohibiting Triggering Events causing firearms prohibitions

17 This figure includes individuals who may be prohibited under more than one category, including a Federal Brady prohibition. These are not solely Federal Brady only cases.

are prohibited under more than one category. These categories are largely consistent with 2018, with the exception of a notable increase in felony convictions. All categories show, at most, a one percent change from 2018 to 2019, however the number of people prohibited because of felony convictions accounted for seven percent more of the total prohibited people in 2019 than in 2018.

Such an increase in felony prohibitions alone suggests that relinquishment regulations at the time of conviction are not being effectively implemented. This finding supports the first recommendation in this report, asking for the implementation of stricter enforcement protocols at the county court level to ensure the firearms relinquishment process is working as effectively as possible. Obtaining firearms from armed and prohibited individuals on the front-end of the process, as outlined in recommendations one and two, has the potential of reducing the armed and prohibited population by up to 73 percent, and is arguably the most effective way of disarming prohibited individuals.

Figure 5: Comparison of Percentage of APPS individuals Prohibited in 2018 and 2019 Separated by Prohibiting Category[18]



Number of firearms recovered

In 2019, the Bureau's special agents seized 1,123 APPS firearms, and 1,007 non-APPS firearms, see Figures 6 and 7 for a breakdown on the type of APPS and non-APPS firearms recovered. Non-APPS firearms refers to firearms that were not listed as being possessed by an APPS individual, but are confiscated from APPS individuals by the Bureau's agents during investigations. Together, APPS and non-APPS firearms resulted in 2,130 total firearm seizures. Special Agents closed[19] 7,232 APPS investigations due to enforcement efforts in 2019. This number does not reflect the number of times agents attempted to locate an APPS individual or had to visit third-party residences; it only captures the

18 Many cases have more than one prohibition so the numbers do not equal 100 percent.

19 Cases closed are not removed from the APPS. They remain in APPS in the "Pending" category.

total number of closed cases. The following graphs detail the number of firearms seized due to APPS enforcement in 2019, categorized by the type of firearms seized.

Number of ghost guns recovered

The Bureau's agents seized a total of 41 ghost guns in 2019, a 512% increase in ghost gun seizures compared to the eight ghost guns seized during 2018 APPS investigations. Ghost guns, firearms constructed by private citizens, do not have a serial number, which means they are not registered and cannot be tracked by APPS or law enforcement.

The increase in number of ghost guns confiscated indicates that the Bureau's agents are encountering more ghost guns during APPS enforcement investigations. This increase may not be indicative of broader trends statewide. Future reports may provide more insight on whether this is indicative of a growing problem.

Figure 6: Types of APPS Firearms Seized in 2019

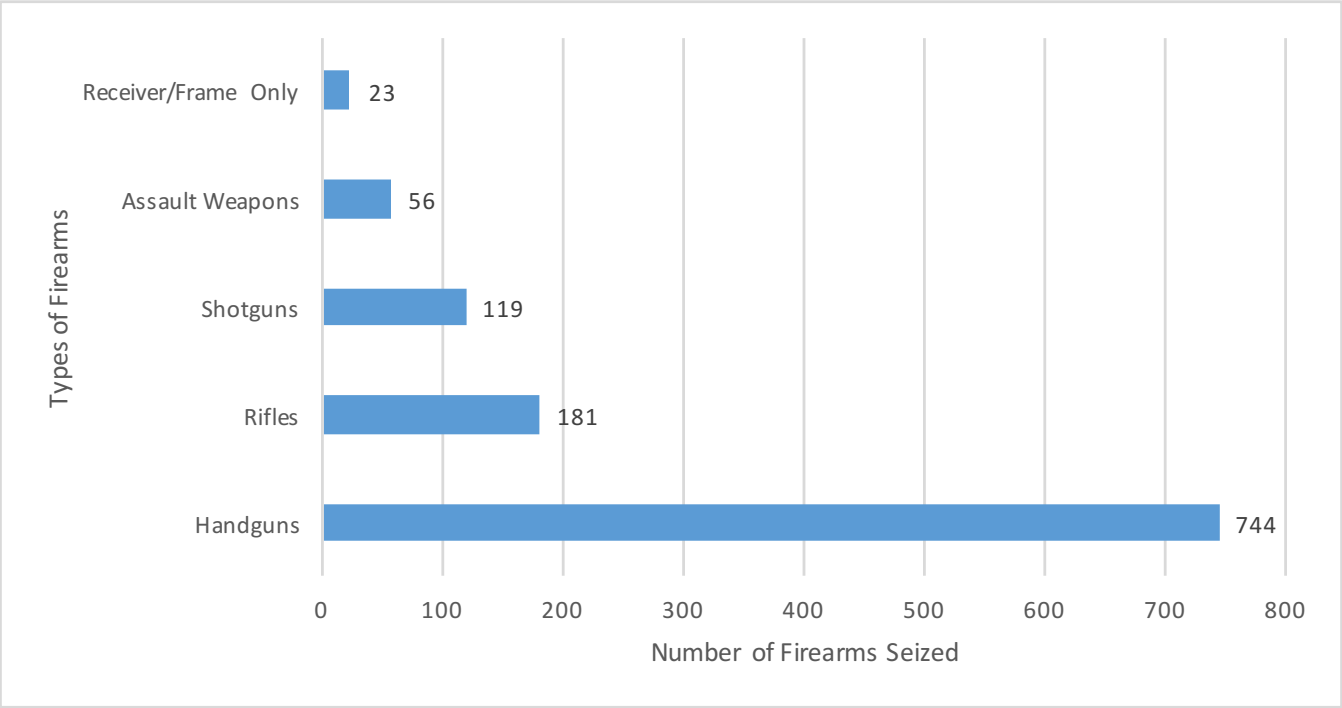
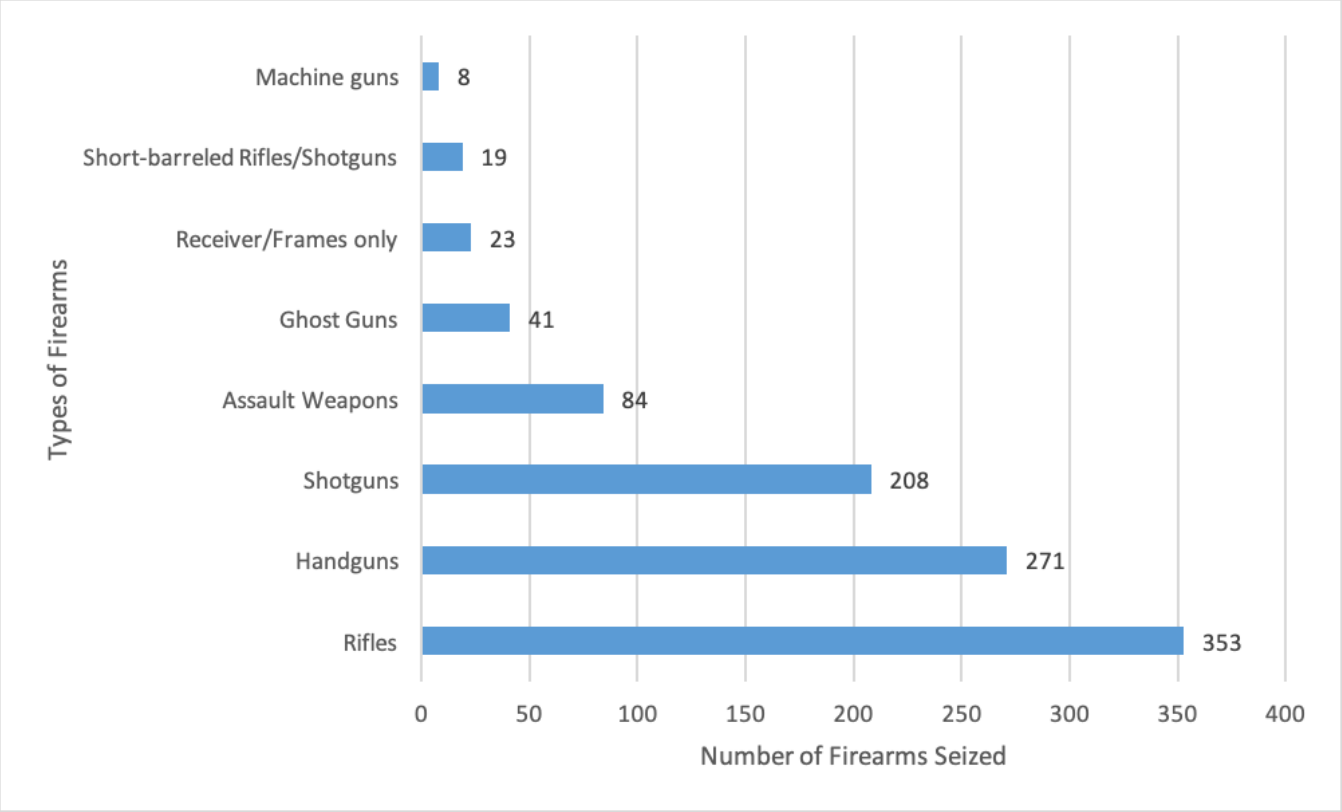


Figure 7: Types of Non-APPS Firearms Seized in 2019



Ammunition purchase background check program

On July 1, 2019, Proposition 63 went into effect. This new legislation requires all individuals purchasing ammunition in the state to submit to a background check and allows sellers to collect the buyer's name, date of birth and current address. When a prohibited individual attempts to purchase ammunition, the denied purchase triggers an alert in the APPS that a prohibited person, associated with a firearm or not, is attempting to buy ammunition. It is reasonable to assume that an individual attempting to purchase ammunition, despite having no association with a firearm in the APPS, is in possession of or has access to a firearm. These additional screenings provided valuable information and allowed Special Agents to close 17 investigations and confiscate 15 firearms and 1,153 rounds of ammunition. Although all 17 were prohibited individuals, only two were designated as armed and prohibited in APPS.

The effect on the APPS workload remains to be seen as ammunition sale background checks continue to trigger alerts of prohibited would be purchasers. Although it is undoubtedly useful that background checks identify a prohibited person attempting to purchase ammunition, these checks also increase the demand put on Special Agents to investigate and pursue all the more cases.

Task forces and collaboration with local law enforcement

Of the following programs, the following three models have been the most successful. As discussed in recommendation four, these are the types of programs the Bureau would like to expand. Receiving additional funding to reimburse local law enforcement agencies working with the Bureau in coordinated APPS enforcement activities would make this work possible.

Contra Costa County Anti-Violence Support Effort task force

The Bureau currently manages the Contra Costa County Anti-Violence Support Effort (CASE) task force, whose primary mission is conducting complex firearms investigations and disarming prohibited, violent individuals in Contra Costa County. This task force consists of representatives from the following agencies:

- California Department of Justice, Bureau of Firearms
- Contra Costa County Sheriff's Department
- Contra Costa County Probation Department
- Federal Bureau of Alcohol, Tobacco, Firearms, and Explosives
- Pittsburg Police Department
- California Highway Patrol

The CASE task force conducted 161 firearms related cases in 2019, including 102 probation/parole searches, 30 search warrants, seven search warrant assists to local agencies and 21 APPS investigations. As a result of these investigations, the CASE task force arrested 73 individuals for firearms-related offenses and seized 167 firearms (18 assault weapons, 11 machine guns, 55 handguns, and 83 rifle/shotguns). The seizure of these firearms is not reported with the overall APPS statistics as this a stand-alone task force with a different overall mission. This is an excellent model for collaboration with local law enforcement agencies on both APPS and non-APPS related firearms investigations and affords a proactive approach to combating firearm violence. With additional funding, the Bureau would be able to replicate this model in strategic areas of the state.

Joint sweep investigations

In addition to participating in the CASE task force, the Bureau also conducts APPS sweeps on a regular basis throughout the state. These sweeps consist of Bureau personnel working together with allied law enforcement agencies in a certain region of the state for a period of several days or weeks conducting APPS investigations.

The Bureau has worked jointly with the following agencies on APPS investigations:

- Bakersfield Police Department
- Federal Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)
- King City Police Department
- Long Beach Police Department
- Los Angeles County Sheriff's Department
- Marin County District Attorney's Office
- Oakland Police Department
- Oakley Police Department
- Ontario Police Department
- Pittsburg Police Department
- Redlands Police Department
- Ridgecrest Police Department
- Riverside Police Department
- Riverside County Sherriff's Department
- Sacramento County Sheriff's Department
- San Bernardino County Sheriff's Department
- San Diego Police Department

- San Diego County Sherriff's Department
- Sanger Police Department
- Santa Clara County Sherriff's Department
- Ventura County Sheriff's Department
- Walnut Creek Police Department
- Yolo County Sherriff's Department

This option could be enhanced and expanded with an appropriation of local assistance funding to reimburse participating law enforcement agencies as outlined in recommendation four.

Los Angeles County – Operation Dual Force

Beginning in mid-2018, the Bureau's Los Angeles field office agents began collaborating with the Los Angeles County Sheriff's Department (LASD) on "Operation Dual Force". This coordinated enforcement effort focuses on disarming prohibited individuals located in Los Angeles County. The Bureau and its agents retain overall command and supervision of enforcement efforts and are joined by LASD deputies during the APPS investigations. LASD deputies primarily assist with the transportation and booking of arrestees and document lost/stolen firearms reports when necessary, something agents are not currently permitted to do. This LASD assistance allows the Bureau's agents to continue the day's enforcement plan uninterrupted, alleviating the need to pause operations due to transportation and jail bookings. In 2019, agents and deputies in Los Angeles conducted 447 APPS investigations including 16 search warrants, and 80 parole/probation searches resulting in 43 arrests, the seizure of 280 firearms and over 43,500 rounds of ammunition.

Using this collaboration as an example, the Bureau would establish longstanding Memorandums of Understanding (MOUs) with local law enforcement agencies to expand the areas throughout the state where such programs would operate. Such an expansion would require a local assistance appropriation for reimbursement to participating law enforcement agencies.

An additional benefit of having Department agents participate in APPS operations with local partners is that, as a statewide agency, the Department has statewide jurisdiction. This affords the Department greater flexibility to complete an operation when, for instance, an individual has moved across county lines or has placed themselves outside of the local agency's jurisdiction. Without a Department agent, an enforcement team would be forced to stop the operation and transfer the case to the appropriate agency with jurisdiction thereby slowing the process.

The Department recommends a partnership-based program with local law enforcement because it has experienced the challenges that arise from disbursing grant money to local law enforcement agencies (as illustrated in the following model) and having them attempt to complete APPS operations on their own.

Gun Violence Prevention Programs

This program has been the most challenging to implement due to the complex nature of APPS data and investigations. Assembly Bill (AB) 74 provided grant funding to the Board of State and Community Corrections (BSCC) for Gun Violence Prevention Programs. In 2019, funds were disbursed by the BSCC to four counties, Alameda, San Diego, Santa Cruz and Ventura County. San Diego and Alameda County each received $1 million and Ventura and Santa Cruz County received $750,000 and $250,000, respectively. Since then, the Department has been in communication with the four counties with a goal of establishing an MOU that provides an outline for working jointly on APPS investigations. The Bureau

must ensure there is a clear understanding on the part of the counties, of the reporting requirements and the quality and completeness of the information required in order to update the APPS for each case.

Pursuant to the statute, the Bureau has made attempts to collect data from these four counties regarding the APPS related investigations they have completed in 2019 with the funding provided. As of the publication of this report, the Bureau received information from three of the four counties.

- Santa Cruz County reported it conducted seven APPS investigations resulting in the seizure of only five firearms. It should be noted that while the Bureau had previously investigated two of these cases, none of the Santa Cruz County seizures resulted from the previous Bureau investigations.
- Alameda and Ventura County both reported no APPS investigations for 2019.
- San Diego County had previously stated it had statistics on cases investigated but provided no further information to the Department.

The Bureau is currently still working with the participating agencies toward a mutual agreement regarding this program, including MOU requirements and expectations.

Recommendations

The Department greatly appreciates Governor Gavin Newsom and the Legislature's interest in sensible firearms regulation and enforcement, and additional financial support toward this effort. As noted throughout this report, the recommendations the Department proposes in detail below would help to not only report the mandated information, but also improve the efficiency and efficacy of the APPS program. To that end, the Department recommends the following:

1. Require all California county courts to confiscate firearms at the time of conviction when prohibited due to a felony or qualifying misdemeanor. Pursuant to Proposition 63 (2016), focus on obtaining firearms from armed and prohibited persons on the front-end of the process rather than at the end of the process. When an individual's conviction for a crime renders them prohibited, they are supposed to be notified at the time of conviction that they are prohibited from owning and possessing any firearms as well as how to turn over any firearms they have in their possession. This is the best opportunity to ensure prohibited persons are disarming themselves. Felons and persons prohibited by Penal Code section 29805 listed misdemeanors account for 54 percent of the APPS database, or 12,046 individuals. Given that the number of individuals prohibited due to a felony conviction has increased by 1,132 from last year suggests that relinquishment regulations are not being effectively implemented. A thorough court-based relinquishment program at the county level would aid in drastically reducing future APPS numbers.

2. Develop a similar county-level firearm confiscation system where firearms are confiscated from the individual at the time they are served with the restraining order(s). Currently, all subjects who are served restraining orders and are in possession of a firearm at the time they are served, end up in the APPS unless they are pursued and disarmed by local law enforcement agencies. If local law enforcement could disarm these individuals upon service of the various types of restraining orders, the armed and prohibited population in the APPS could be reduced by up to 14 percent.

3. Improve the recruitment and retention of Special Agents by making their compensation competitive with other law enforcement agencies. Unlike many other law enforcement agencies,

the Department's Special Agents are required to have a college education. However, entry-level agents are paid less than those in law enforcement agencies that do not have this same requirement. Despite a salary increase in 2019, the Department's entry salary rate continues to lag behind that of similar agencies. Seizing firearms from prohibited persons is dangerous and difficult work that requires quick decisions and analytical thinking. The agents who do this work should be competitively compensated for their efforts. Receiving additional funding and contracting for salary increases would improve recruitment and retention of agents for the Department's currently authorized positions.

4. Continue to improve coordination and cooperation with local law enforcement agencies by establishing joint taskforces with and under the direction of the Department. To expand and improve the existing programs requires additional funding. The Department will manage funding and disburse funds in order to reimburse local agency overtime to work with the Department on the APPS workload. Reimbursement will go toward personnel time and other applicable expenses incurred as a direct result of the involved agency's participation in the joint operations through the execution of an MOU with the Department. Additionally, the participating agencies will report all data related to the seizure of firearms, ammunition, arrests, and all other information relevant to maintain adequate accountability of the APPS database. The agreement will also include administrative assistance efforts to help identify and reduce APPS firearms in locally managed evidence systems. All participating agencies will be required to assess firearms in their possession and develop a plan approved by the Department to ensure all the required entries into the Automated Firearms System are made in accordance with current state law. This will be a force multiplier for the Department that ensures a statewide coordinated effort and maintains recordkeeping standards to ensure that the data in APPS is as current as possible.

5. 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 Department of Finance when the legislature implemented the current reporting requirements, the Department cannot fulfill this obligation until it modernizes the firearms databases. Such an undertaking requires substantial additional funding.

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

- Armed 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)
- Certificate of Eligibility (COE)
- Consolidated Firearms Information System (CFIS)
- Dealer Record of Sale (DROS)
- DROS Entry System (DES)
    a. California Firearms Application Reporting System (CFARS)
    b. Firearms Certificate System (FCS)
    c. Assault Weapons Registration (AWR)
    d. Firearms Employment Application File (FEAF)
    e. Mental Health Reporting System (MHRS)

f. Mental Health Firearms Prohibition System (MHFPS)
g. Prohibited Applicant (PA)

This network of systems is incredibly complex and cumbersome to operate and navigate. Despite this monumental challenge, the Department has until recently, been able to meet legislative reporting mandates using these outdated databases. These databases are not flexible and were not created to be adaptable to meet additional demands. The Department 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 technology that no longer meets the demands of the Legislature and the Department.

The Department is exploring modernization options to find a dynamic solution that would meet existing needs and be adaptable to evolving statutory mandates but will be unable to do so without approval of the requested BCP. The Department looks forward to the Legislature and the Governor's Office approving the submitted BCP in the 2020-21 budget.

6. Work with Federal Law Enforcement partners to disarm the portion of the APPS database the Department is tasked with tracking but has no jurisdiction over. The Department is currently working to partner with the Federal Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) in an attempt to reduce this section of the database. As part of its commitment to this effort, the Bureau has been actively participating in executive level meetings with the United States Attorney's Office (USAO) and the ATF regarding the USAO's gun violence reduction initiative, Project Guardian. In 2019, the Bureau began the preliminary work toward enforcement operations and provided several potential APPS targets which the ATF is currently reviewing. This pilot effort will begin in Sacramento County in the spring of 2020. The collaborative enforcement plan includes the ATF investigation and seizure of all federal evidence. The Bureau will handle all other portions of the investigation that relate to California-defined assault weapons or other State-only crimes. Additionally, the ATF will share their investigative reports with the Bureau to update APPS accordingly.

   The Bureau is exploring options to expand and establish similar collaborative programs statewide. The San Diego field office has already begun meeting with the ATF to duplicate this effort in the Southern California region.

APPENDICES

APPENDIX A: RELEVANT KEY TERMS AND DEFINITIONS

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

Armed Prohibited Persons System (APPS). The Armed Prohibited Persons System is a database housed at the Department of Justice which contains a list of all individuals who are both armed (the department 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 possess firearms).

Automated Criminal History System (ACHS). The repository for the state summary Criminal Offender Record Information (CORI). In addition, the Department 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 the Department 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.

Bullet Button. A product requiring a tool to remove an ammunition feeding device or magazine by depressing a recessed button or lever shielded by a magazine lock.

Bullet Button Weapon. A semiautomatic, centerfire or rimfire pistol with an ammunition feeding device that can be readily removed from the firearm with the use of a tool that has one or more specified features identified in Penal Code section 30515 and is included in the category of firearms that must be registered.

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. An investigation that has been fully investigated but 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 the Department. These applications include the Armed Prohibited Persons System (APPS), Assault Weapon Registration (AWR), Handgun 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 the Department by licensed firearms dealers, which initiates the 10-day waiting period. The Department uses this information for a background check and the documentation of firearms ownership.

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

Gun Control Act (GCA). The Gun Control Act (GCA), 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.

The GCA at 18 U.S.C. § 992(n) also makes it 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, the GCA at 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. The Department refers to these prohibitions as Federal Brady prohibitions. Since these individuals are only prohibited due to federal law, the Department lacks jurisdictional authority to investigate these individuals, unless they also have a California prohibition. On January 1, 2019, there were 23,222 armed and prohibited persons in APPS (9,404 active and 13,818 pending). Of the 9,404 active cases, 1,595 are Federal Brady only cases.

Lower Receiver. The lower part of a two-part receiver.

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

Open Investigations. Cases that have been opened with ongoing investigations. These are investigations where either analysts and/or Special Agents are still gathering information, developing leads, and locating and interviewing individuals in an effort to find the prohibited person and their known associated firearms.

Receiver. The basic unit of a firearm which houses the firing and breech mechanisms and to which the barrel and stock are assembled.

Statuses:

Active. Individuals believed to reside in California who are prohibited (state, federally, or combination of state and federally prohibited) from possessing firearms. If the individual has a federal only prohibition from possessing firearms, the Department lacks the authority to investigate these federal prohibitions. This is also referred to as the APPS caseload.

Pending. Individuals previously investigated, but that cannot be currently investigated for one or more reasons. The Department works to reevaluate the statuses of these cases multiple times a year. These individuals fall into one of the following categories:

Incarcerated. These individuals are in state or federal prison. While they are incarcerated, these individuals are not included in the active records. Once the Department 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. For example, when someone moves to another state and surrenders their California Driver's License (CDL) before being issued a new license in their new state of residence.

Unable to Clear (UTC). These cases have previously been investigated by DOJ firearms 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 DOJ firearms 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.

Individuals having both state and federal prohibitions. If APPS individuals have a combination of state and federal firearm prohibitions, then the Department has jurisdictional authority to investigate the matter related to the state prohibitions (e.g., felons, individuals with California restraining orders, misdemeanor conviction of domestic violence in California, and California mental health prohibitions).

Wanted Persons System (WPS). This system was established in 1971 as the first online system for the Department. 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 the Department'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 (SB) 950 in response to high-profile murder cases involving people prohibited from owning firearms.

2006: APPS went into effect.

2013: SB 140 passed the Senate and appropriated $24,000,000 from the Dealer Record of Sale Special Fund to the Department 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 the Department 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, the Bureau of Firearms finished manually inputting all of the cases into the APPS system.

2016: SB 140 funding expired.

Effective January 1, 2016, Assembly Bill (AB) 1014 created the new prohibitory category of the Gun Violence Restraining Order.

2017: Effective January 1, SB 880 revised the definition of an "assault weapon", defined a "fixed magazine", and required those individuals lawfully in possession of an assault weapon without a fixed magazine to register the firearm.

As of August 2017, the Department also began processing "Bullet Button" Assault Weapon registrations pursuant to SB 880 and AB 1135. The Department was required by statute to accept applications for registration of these firearms until June 30, 2018. The background checks associated with these registrations identified additionally prohibited persons.

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 the Department 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 the Department, 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 residents to the State of California, within 60 days, to apply for a unique serial number or other identifying mark for any un-serialized firearm the resident manufactured or otherwise owns and intends to possess. 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 1346 clarified the definition of "multi-burst trigger activator" includes a bump stock, bump fire stock, or other similar device attached to, built into, or used in combination with a semiautomatic firearm to increase the rate of fire of that firearm.

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, Assembly Bill (AB) 164 prohibited a person from possessing a firearm if that person is prohibited in another state and allows the Department and state and local law enforcement agencies to investigate and pursue these cases. Assembly Bill (AB) 339 requires each specified law enforcement agency to develop and adopt written policies and standards relating to gun violence restraining orders. 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 a gun violence restraining order 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. AB 1493 required that an individual subject to a gun violence restraining order can relinquish their own firearm rights through the courts.

APPENDIX C: MANDATED STATISTICS – AT A GLANCE

[1] The total number of individuals in APPS and the number of cases which are active and pending. APPS had 2,634,711 individuals as of January 1, 2020. Of those individuals, 22,424 are prohibited from possessing firearms, with 7,747 of those cases being active and 14,677 of them being pending.

[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 to when a case was last worked. As a result, the Department does not have the ability to gather and report the requested information.

[B] For pending cases, the department 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 14,677 prohibited persons designated as pending cases, 7,109 (49%) were unable to be cleared, 2,207 (15%) were unable to be located, 3,726 (25%) moved out of state, and 1,635 (11%) were prohibited under federal prohibitions only.

[2] The number of individuals added to the APPS database. Between January 1, 2019 and January 1, 2020, there were 8,957 additional known firearm owners who became prohibited. In the same time period, there were 9,755 individuals removed from the prohibited category. This resulted in the total number of armed and prohibited individuals decreasing by 798.

[3] The number of individuals removed from the APPS database, including a breakdown of the basis on which they were removed.

Table 3: Removals of Prohibited Persons in 2019 Separated by Reason for Removal

Reason for removal	Number of individuals removed
Deceased	188
Prohibition expired/no longer prohibited	7,640
Disassociated from all known firearms[20]	1,927
Total removed	**9,755**

[4] The degree to which the backlog in the APPS has been reduced or eliminated.
The updated definition defines the backlog as being cases for which the department 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. 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 Crime Analysts to review each individual APPS entry, one-by-one and review the notes in each file. Lacking a more efficient way of gathering this information, the Department will be unable to provide these statistics until upgrades are made to the APPS database.

20 Not all 1,927 individuals were disassociated from their firearms due to Bureau seizures. Some cases were due to investigation from local law enforcement resulting in seizures, firearms reported lost/stolen, or lawfully selling/gifting firearms.

[5] The number of individuals in the APPS before and after the relevant reporting period.

Table 4: 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	2,492,150	2,610,899
Incarcerated	1,464	1,388
Armed and Prohibited	23,222	22,424

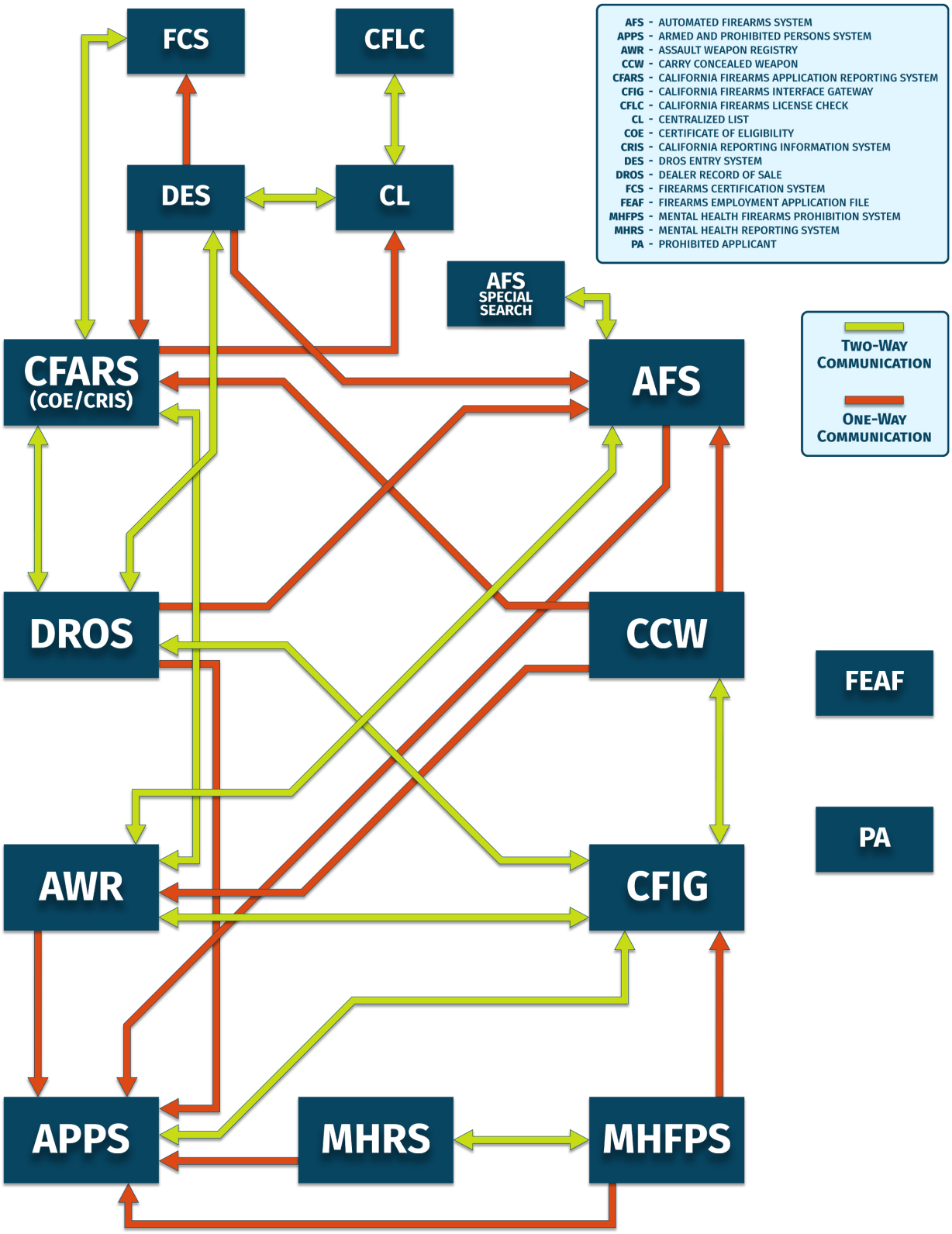
[6] The number of agents and other staff hired for enforcement of the APPS. In 2019, the Department hired five Special Agents and four support staff for APPS enforcement. The department also saw the separation of 10 Special Agents during 2019 due to inter-departmental transfer and/or promotion, leaving the Department with a net five fewer Special Agents. The Department also saw the separation of four support staff for APPS enforcement resulting in no net change in support staff. Of note, the Department also saw the separation of the director, leaving the Department with an acting director for remainder of 2019.

[7] The number of firearms recovered due to enforcement of the APPS. In 2019, Bureau agents recovered 1,123 APPS firearms (i.e. firearms known in the APPS database), 1,007 non-APPS firearms not associated with APPS individuals, for 2,130 total firearms recovered.

[8] The number of contacts made during the APPS enforcement efforts. In 2019, agents made 21,696 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. The Department takes pride in its collaborative efforts with law enforcement partners. These efforts include leading the Contra Costa County Anti-Violence Support Effort (CASE) 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, regular communications for case de-conflictions, occasional patrol assistance for prisoner transport, booking, and search warrant assistance, and prosecutions by local district attorney offices.

APPENDIX D: RELATIONAL DIAGRAM OF THE BUREAU OF FIREARMS DATABASES



APPENDIX E: FIREARMS PROHIBITING CATEGORIES

State and federal law make it unlawful for certain persons to own and/or possess firearms, including:

- Any person who has been convicted of, or has an outstanding warrant for, a felony under the laws of the United States, the State of California, or any other state, government, or country, or of an offense enumerated in subdivision (a), (b), or (d) of Section 23515, or who is addicted to the use of any narcotic drug
- Any person who has been convicted of an offense enumerated in Penal Code sections 29900 or 29905
- Any person who is ordered to not possess firearms as a condition of probation or other court order listed in Penal Code section 29815, subdivisions (a) and (b)
- Any person who has been convicted of, or has an outstanding warrant for, a misdemeanor listed in Penal Code section 29805 (refer to List of Prohibiting Misdemeanors)
- Any person who is adjudged a ward of the juvenile court because he or she committed an offense listed in Welfare and Institutions Code section 707(b), an offense described in Penal Code section 1203.073(b), or any offense enumerated in Penal Code section 29805
- Any person who is subject to a temporary restraining order or an injunction issued pursuant to Code of Civil Procedure sections 527.6 or 527.8, a protective order as defined in Family Code section 6218, a protective order issued pursuant to Penal Code sections 136.2 or 646.91, or a protective order issued pursuant to Welfare and Institutions Code section 15657.03
- Any person who is found by a court to be a danger to himself, herself, or others because of a mental illness
- Any person who is found by a court to be mentally incompetent to stand trial
- Any person who is found by a court to be not guilty by reason of insanity
- Any person who is adjudicated to be a mentally disordered sex offender
- Any person who is placed on a conservatorship because he or she is gravely disabled as a result of a mental disorder, or an impairment by chronic alcoholism
- Any person who communicates a threat to a licensed psychotherapist against a reasonably identifiable victim that has been reported by the psychotherapist to law enforcement
- Any person who is taken into custody as a danger to self or others under Welfare and Institutions Code section 5150, assessed under Welfare and Institutions Code section 5151, and admitted to a mental health facility under Welfare and Institutions Code sections 5151, 5152, or certified under Welfare and Institutions Code sections 5250, 5260, and 5270.15
- Any person who is addicted to the use of narcotics (state and federal)
- Any person who has been convicted of, or is under indictment or information in any court for a crime punishable by imprisonment for a term exceeding one year (federal)
- Any person who has been discharged from the military under dishonorable conditions (federal)
- Any person who is an illegal alien (federal)
- Any person who has renounced his or her US Citizenship (federal)
- Any person who is a fugitive from justice (federal)

Anyone who has been convicted of, or has an outstanding warrant for, a misdemeanor violation of the following offenses listed below are generally prohibited for ten years from the date of conviction, but the duration of each prohibition may vary. All statutory references are to the California Penal Code, unless otherwise indicated.

- Threatening public officers, employees, and school officials (Pen. Code, § 71.)
- Threatening certain public officers, appointees, judges, staff or their families with the intent and apparent ability to carry out the threat (Pen. Code, § 76.)
- Intimidating witnesses or victims (Pen. Code, § 136.1.)
- Possessing a deadly weapon with the intent to intimidate a witness (Pen. Code, § 136.5.)
- Threatening witnesses, victims, or informants (Pen. Code, § 140.)
- Attempting to remove or take a firearm from the person or immediate presence of a public or peace officer (Pen. Code, § 148(d).)
- A person who reports to a person that a firearm has been lost or stolen, knowing the report to be false (Pen. Code, § 148.5(f).)
- Unauthorized possession of a weapon in a courtroom, courthouse, or court building, or at a public meeting (Pen. Code, § 171b.)
- Bringing into or possessing a loaded firearm within the state capitol, legislative offices, etc. (Pen. Code, § 171c.)
- Taking into or possessing loaded firearms within the Governor's Mansion or residence of other constitutional officers (Pen. Code, 171d.)
- Supplying, selling or giving possession of a firearm to a person for participation in criminal street gangs (Pen. Code, § 186.28.)
- Assault (Pen. Code, §§ 240, 241.)
- Battery (Pen. Code, §§ 242, 243.)
- Sexual Battery (Pen. Code, § 243.4.)
- Assault with a stun gun or taser weapon (Pen. Code, § 244.5.)
- Assault with a deadly weapon other than a firearm, or with force likely to produce great bodily injury (Pen. Code, § 245.)
- Assault with a deadly weapon or instrument; by any means likely to produce great bodily injury or with a stun gun or taser on a school employee engaged in performance of duties (Pen. Code, § 245.5.)
- Discharging a firearm in a grossly negligent manner (Pen. Code, § 246.3.)
- Shooting at an unoccupied aircraft, motor vehicle, or uninhabited building or dwelling house (Pen. Code, § 247.)
- Inflicting corporal injury on a spouse or significant other (Pen. Code, § 273.5.) (Convictions on or before 12/31/2018.)
- Willfully violating a domestic protective order (Pen. Code, § 273.6.)
- Drawing, exhibiting, or using deadly weapon other than a firearm (Pen. Code, § 417.)
- Inflicting serious bodily injury as a result of brandishing (Pen. Code, § 417.6.)
- Making threats to commit a crime which will result in death or great bodily injury to another person (Pen. Code, § 422.)
- Interference with the exercise of civil rights because of actual or perceived characteristics of the victim (Pen. Code, § 422.6.)
- Bringing into or possessing firearms upon or within public schools and grounds (Pen. Code, § 626.9.)
- Stalking (Pen. Code, § 646.9.)
- Carrying a concealed or loaded firearm or other deadly weapon or wearing a peace officer uniform while picketing (Pen. Code, §§ 830.95, 17510).
- Possessing a deadly weapon with intent to commit an assault (Pen. Code, § 17500.)
- Criminal possession of a firearm (Pen. Code, § 25300.)
- Armed criminal action (Pen. Code, § 25800.)
- Possession of ammunition designed to penetrate metal or armor (Pen. Code, § 30315.)

- Unauthorized possession/transportation of a machine gun (Pen. Code, § 32625.)
- Driver of any vehicle who knowingly permits another person to discharge a firearm from the vehicle or any person who willfully and maliciously discharges a firearm from a motor vehicle (Pen. Code, § 26100, subd. (b) or (d).)
- Firearms dealer who sells, transfers or gives possession of any firearm to a minor or a handgun to a person under 21 (Pen. Code, § 27510.)
- Purchase, possession, or receipt of a firearm or deadly weapon by a person receiving in-patient treatment for a mental disorder, 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.)
- Providing a firearm or deadly weapon to a person described in Welfare and Institutions Code sections 8100 or 8103 (Welf. & Inst. Code, § 8101.)
- Purchase, possession, or receipt of a firearm or deadly weapon by a person who has been adjudicated to be a mentally disordered sex offender or found to be mentally incompetent to stand trial, or not guilty by reason of insanity, and individuals placed under conservatorship (Welf. & Inst. Code, § 8103.)
- Bringing firearm related contraband into juvenile hall (Welf. & Inst. Code, § 871.5.)
- Bringing firearm related contraband into a youth authority institution (Welf. & Inst. Code, § 1001.5.)
- Theft of property less than $950.00, if property taken was a firearm (Pen. Code, § 490.2)
- Various violations involving sales and transfers of firearms (Pen. Code, § 27590, subd. (c).)

The following misdemeanor conviction results in a five year prohibition:

- Every person who owns or possesses a firearm or ammunition with knowledge that he or she is prohibited from doing so as a result of a gun violence restraining order (Pen. Code, § 18205).

The following misdemeanor convictions result in a lifetime prohibition:

- Inflicting corporal injury on a spouse or significant other (Pen. Code, § 273.5.) (Convictions on or after 1/1/2019; Per Pen. Code, § 29805(b).), a “misdemeanor crime of domestic violence” (18 USC, §§ 921(a)(33)(A), 922(g)(9).)
- Assault with a firearm (Pen. Code, §§ 29800, subd. (a)(1), 23515, subd. (a).)
- Shooting at an inhabited or occupied dwelling house, building, vehicle, aircraft, housecar or camper (Pen. Code, §§ 246, 29800, subd. (a)(1), 17510, 23515, subd. (b).)
- Brandishing a firearm in presence of a peace officer (Pen. Code, §§ 417, subd. (c), 23515, subd. (d), 29800, subd. (a)(1).)
- Two or more convictions of Penal Code section 417, subdivision (a)(2) (Pen. Code, § 29800, subd. (a)(2).)

Note: The Department of Justice provides this document for informational purposes only. This list may not be inclusive of all firearms prohibitions. For specific legal advice, please consult with an attorney licensed to practice law in California.

APPENDIX F: BUREAU OF FIREARMS REGIONAL AND FIELD OFFICES

APPENDIX G: CASE STUDIES

To better explain how APPS investigations are developed and to showcase some significant seizures, the Bureau identified four specific examples. The following examples are summary conclusions of actual investigations conducted throughout the state.

Los Angeles County APPS individual arrested for selling ghost guns from his residence.

In November 2019, the Los Angeles County Sheriff's Department (LASD) received information from an informant that a subject was building and selling ghost guns out of his home. The LASD referred the case to the Bureau. A preliminary investigation revealed that the subject was a felon and was on searchable probation for a prior offense involving possession of an un-serialized firearm.

By December 2019, Bureau Special Agents, with LASD deputies, conducted an APPS enforcement contact at the subject's residence. The subject opened the door to the residence and then slammed it shut before agents could respond. The subject then exited the residence from the rear and fled across his large lot. Agents pursued on foot but quickly lost the subject in the dark. Agents and deputies returned to the residence and conducted the probation search. Agents located and seized one ghost gun assault weapon, one rifle, one handgun, one ghost gun receiver/frame, three large capacity magazines, six standard capacity magazines, approximately 200 rounds of ammunition and a tactical vest. A pipe bomb was also discovered, and the residence evacuated. The LASD Bomb Squad responded and destroyed the pipe bomb with no further incident.

The subject later surrendered to LASD and was booked at the Los Angeles County Sheriff's Lancaster Station jail for Penal Code 29800, Felon in possession of a firearm; Penal Code 30600(A) Manufacture/Distribute assault weapon; Penal Code 30605(A) Possession of an assault weapon; Penal Code 18725(A) Carry explosive/Destructive device; Penal Code 18720 Make destructive device without permit; Health and Safety Code 12305 Illegal possession of explosive; Penal Code 23920 Possession of unmarked firearm, and Penal Code 30305 Prohibited person in possession of ammunition.

Stanislaus County APPS subject was attempting to record a firearm in his name.

In December 2019, Special Agents from the Fresno Field Office reviewed an Armed Prohibited Person case file for a subject who had a felony conviction for Health and Safety Code 11379 reduced per Penal Code 1203.4 in 2006. The subject attempted to file a firearm ownership record with the Department for a Remington 870 shotgun. The subject was also listed in the APPS with one firearm registered in his name.

Special Agents made contact with the subject's wife at his residence, the subject was not home at the time. Agents contacted the subject, who stated the shotgun was in the custody of Stanislaus County Sheriff's Department and he was attempting to legally obtain it. Agents asked about his registered .357 handgun. The subject stated it was in his firearms safe inside the residence and gave consent for his wife to open the safe. Agents located the following items of evidence: two shot guns, 15 rifles, eight handguns (including the single APPS weapon), three ghost gun assault rifles, 870 rounds of live ammunition, and 27 magazines.

Agents later arrested the subject at his residence for Penal Code 29800-Prohibited person, Penal Code 30605(a)(1)-Possession of an assault weapon, Penal Code 30600(a)- Manufacturing an assault weapon, and Penal Code 30305(a)(1)- Possession of ammunition by a prohibited person and booked into the Stanislaus County Jail. This subject was removed from the APPS database.

APPS Subject with three active restraining orders arrested for possession in San Diego.

In October 2019, Bureau agents worked an APPS investigation involving a subject who had a handgun and "lower receiver" recorded in his name in the AFS. He was prohibited from possessing firearms in APPS due to three active restraining orders. The restraining orders originated from an April 2019 battery of his wife who was five and a half months pregnant. During the battery the subject kneed his wife in the stomach, pulled some hair off her scalp, and dragged her by the hair in their residence causing bruising. The wife drove herself to the hospital where hospital staff notified San Diego Police Department. The subject had violated these retraining orders on three occasions but could not be located by law enforcement.

Agents contacted the subject's parents at their residence, but the subject was not there. The father stated his son was at work and offered to call him on his cell phone. The subject refused to talk with the agents about the location of his firearms and said he was represented by an attorney and would not answer questions. The father told agents that the firearms were in his room and gave them permission to search. Agents located a handgun, lower receiver, ammunition, and magazines which the subject had access to. In another area of the father's bedroom, Agents located two assault weapons, several lower receivers, ammunition, and magazines. A total of nine firearms were seized. The subject was arrested for violation of court orders prohibiting him from possessing ammunition and firearms and for possession of assault weapons. The subject was removed from the APPS database.

Ammunition background check identifies subject in Sacramento

In September 2019, Bureau agents received a referral from the Bureau's Firearms Clearance Section. The referral noted that a subject prohibited due to a felony, attempted to purchase ammunition and was denied. The subject did not have any firearms registered in her name.

Agents obtained a search warrant and served it at the subject's residence. The subject and her husband were detained after the search warrant was served. Agents also discovered that the subject's husband was prohibited due to a felony conviction. During the search of the residence, agents located two rifles, one shotgun and 300 rounds of ammunition in a bedroom. The room was not locked, the firearms were not secured, and ammunition was located scattered about the room. Agents also located seven shotguns and two rifles in a safe in the garage of the residence.

Both subjects were arrested for violation of PC 29800(a)(1)-Convicted felons in possession of firearms and PC 30305(a)(1)-Felons in possession of ammunition. This investigation was forwarded to the Sacramento County District Attorney's Office for review of all charges.