



NATIONAL RIFLE ASSOCIATION OF AMERICA  
INSTITUTE FOR LEGISLATIVE ACTION  
11250 WAPLES MILL ROAD  
FAIRFAX, VA 22030

September 23, 2011

The Honorable Edmund G. Brown  
Governor of California  
State Capitol Building, Suite 1173  
Sacramento, California 95814

Re: AB 809 (Feuer) – Long Gun Registration

Dear Governor Brown,

On behalf of the tens of thousands of National Rifle Association members in California, I respectfully urge you to veto Assembly Bill 809. As you know, California law currently requires the reporting and registration of the importation into the state or the acquisition of ownership of a handgun. This bill would extend these requirements to all firearms that are not handguns.

California has operated a handgun registration program since at least the 1930s. As you know from your service as Attorney General, only a portion of that data is automated. As a result of the depositions and Public Record Act requests in the recent *Parker v. California* case, we learned a great deal about the limitations of the handgun registration element of the Automated Firearms System. It is an “article of faith” that data collected via Dealer Record of Sale (DROS) forms is put to effective law enforcement use. It does not appear that any computer “run designs” have ever been developed that allow for a measurement of either the accuracy or the utility of the data collected via DROS. The system capabilities are so crude that little more than gross numbers are collected. There is no indication that any management review of its program worthiness has ever been completed. Handgun registration seems to survive because of its longevity rather than its usefulness. Long gun registration shouldn’t be considered until the existing system is fully evaluated.

It is often said that California’s gun control initiatives will quickly move to other states. That has not been the case with handgun registration. If AB 809 were enacted, California would join only two other states that require permanent registration of all newly-acquired rifles and shotguns. States overwhelmingly reject this approach for good reason: firearm registration is not an effective anti-crime measure because criminals will not register illegally-possessioned firearms. The Supreme Court, in *Haynes v. U.S.* (390 U.S. 85 (1968)), has already ruled that a person whose possession of a firearm would be illegal is protected by the constitutional privilege against self-incrimination from prosecutions for violation of a registration requirement or possession of an unregistered firearm. Registration, in other words, is unenforceable against the very persons whose possession of firearms would most likely endanger public safety. If registration were enacted, violent criminals would simply continue doing what they have always done: obtain firearms illegally.

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Finally, there is the issue of funding. The DROS account has been depleted by non-program related demands with more being proposed. Departmental history suggests that data center costs will greatly exceed initial projections. With all the fiscal issues California is facing, why would anyone want to start such a risky endeavor?

The National Rifle Association has always been proud to stand with those who take firm action against the criminal misuse of firearms. The bureaucratic boondoggle of universal registration of newly-acquired rifles and shotguns, however, burdens only those who are inclined to obey the law, not those who already ignore it. The government has no legitimate interest in registering the firearms of law-abiding people. It is wrong and we will oppose it with all our available resources. The NRA respectfully urges you to veto AB 809.

Sincerely,

A handwritten signature in black ink, appearing to read "Chuck G.", with a stylized flourish at the end.

Charles H. Cunningham  
Director of State and Local Affairs