Ghost Guns
What are they and
Why Should You Care?

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What is a Ghost Gun?

According to the Alcohol, Tobacco, Firearms, and Explosives (ATF):

- “80% receiver,” “80% finished,” “80% complete,” “unfinished receiver” are all terms referring to an item that some may believe has not yet reached a stage of manufacture that meets the definition of firearm frame or receiver found in the Gun Control Act of 1968 (GCA). These are not statutory terms or terms ATF employs or endorses.
Essentially, an 80% receiver is the frame of a firearm that is manufactured just below the level of completion that would require it to be considered a firearm.

- Thus requiring it to be serialized as a firearm and subject to a firearm background check.
- No serial number, means no background check, and no tracing of the firearm when used in a crime, hence a "ghost gun."
Why are Ghost Guns a Problem?

- The ghost gun dilemma started here in California as a means for individuals to skirt California various firearms laws, most notably California's assault weapon laws.
- The ease of the AR series rifle’s “Lego” style modularity quickly led to the proliferation of these 80% lower receivers.
- Since these 80% lower receivers did not meet the definition of a firearm under federal law, they could be sold over the internet, with no background checks.
- No background check... PROBLEM!!!
AR Series 80% Lower Receivers
The Old Ghost Gun Problem?

- 80% receivers were (still are) an issue for AR series assault weapons
- AR series of rifles are weapons of war and have been used in countless mass shootings around the nation
- AR series rifles have no legitimate place in a modern law-abiding, first world country
- However, AR series rifles represent only a small percentage of firearms recovered at California crime scene.
The New Ghost Gun Problem?

- ATF's 2018 Firearm Tracing Report for California
  - 8,262 rifles recovered at California crime scenes
    - California defined assault weapons are a small percentage of these recovered rifles
  - 22,517 handguns recovered at California scenes
    - Handguns are the most recovered type of crime gun here in California and the nation
The New Ghost Gun Problem?
The Expanding Ghost Gun Problem?

- Ghost guns evolved from a special, little known niche California loophole

- To a full industrial mechanism to get around the need for in-person firearms transactions, background checks, and need for firearm serialization
The Expanding Ghost Gun Problem?

California

- Ability to purchase via the internet
  - No mandate for in person transfers

- No background checks
  - Not traceable by law enforcement
  - Ease to possess by prohibited persons

- No one firearm per month
  - Buy as many as you want
The Expanding Ghost Gun Problem?

California

- No firearm safety certificates
  - People unfamiliar with firearm
  - Under age possession (21 years old in California)

- No safety testing of firearms
  - No chamber load indicator
  - No magazine safety release
  - No microstamping
The Expanding Ghost Gun Problem?

Crime Guns

- ATF - California
  - 30% of firearms they recover are ghost guns
  - 2000 - 0, 2019 - 30%

- Los Angeles Police Department
  - 40% of firearms they recover are ghost guns
  - 2000 - 0, 2019 - 40%
The Expanding Ghost Gun Problem?

Crime Gun – Prediction

- California will see an even sharper increase in ghost guns recovered at crime scenes
  - By 2025 - 75% of firearms recovered will be ghost guns
  - Other states will see dramatic increases
  - Ghost gun will wash over the nation, from west to east
What has California done?

- Assembly Bill 1673, 2016, Gibson
  - Vetoed by Governor Brown
    - Would have stopped the problem before it grew out of control

- Assembly Bill 879, 2019, Gibson
  - Signed by Governor Newsom
    - Won’t take affect until July 2024
California

Too little!
Too late!
Pennsylvania

December 2019

Pennsylvania Attorney General Josh Shapiro classifies ‘ghost guns’ as firearms
D.C. Mayor Muriel E. Bowser (D) on Wednesday signed emergency legislation banning kits used to make untraceable “ghost guns” after the number of home-built firearms seized by police in the city spiked last year.
Governor Gina Raimondo has signed a bill banning so-called “ghost guns” in Rhode Island.

The bill makes it illegal to manufacture, import, sell, ship, deliver, possess, transfer or receive any firearm that is made from plastic, fiberglass or through a 3D-printing process.
AG Racine Sues Gun Manufacturer Polymer80 for Illegally Advertising and Selling Untraceable Firearms to District Consumers
The state attorney general's office said that 17 online "ghost gun" suppliers have ceased selling firearms and firearms components in New York, 10 months after they were sent warning letters that they could face civil fines or criminal prosecution for violating state gun laws.
California

Budget increase to DOJ for earlier implementation of precursor part background checks
California

October 2017

Gatorade Sued by California for Disparaging Water . . . Settles Quickly for $300K
California

Attorney General and Governor need to take a leadership role

If they don’t, California legislators MUST
Ghost Guns

Questions, Comments and/or Concerns