

AMENDED IN ASSEMBLY APRIL 29, 2004

AMENDED IN ASSEMBLY MARCH 11, 2004

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

**Assembly Joint Resolution**

**No. 56**

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**Introduced by Assembly Members Frommer and Koretz**

**(Coauthors: Assembly Members Chan, Chavez, Goldberg, Hancock, Jackson, Leno, Lieber, Mullin, Nation, Ridley-Thomas, and Vargas) Vargas, Berg, Bermudez, Calderon, Chu, Cohn, Corbett, Daucher, Diaz, Dutra, Dymally, Firebaugh, Shirley Horton, Kehoe, Laird, Levine, Liu, Lowenthal, Matthews, Montanez, Nunez, Oropeza, Parra, Reyes, Salinas, Simitian, Steinberg, Wesson, Wolk, and Yee)**

**(Coauthors: Senators Alpert, Romero, and Scott)**

January 12, 2004

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Assembly Joint Resolution No. 56—Relative to the extension of the 1994 ban on assault weapons.

LEGISLATIVE COUNSEL'S DIGEST

AJR 56, as amended, Frommer. Assault weapons ban.

This measure would memorialize the Congress and the President of the United States to enact legislation that would extend and strengthen the 1994 act banning assault weapons.

Fiscal committee: no.

- 1 WHEREAS, The federal assault weapons ban, officially titled
- 2 The Public Safety and Recreational Firearms Use Protection Act,
- 3 passed as part of the Violent Crime Control and Law Enforcement

1 Act of 1994, and is designed to ban dangerous semiautomatic guns  
2 with multiple assault weapon features; and

3 WHEREAS, The ban was a response following many deadly  
4 incidents involving assault weapons; and

5 WHEREAS, On July 18, 1984, James Oliver Huberty entered  
6 a McDonald's restaurant in San Ysidro and brutally opened fire,  
7 killing 20 people, including many children, and wounding 16  
8 others. Huberty was armed with multiple firearms including  
9 assault weapons; and

10 WHEREAS, On January 17, 1989, Patrick Purdy killed five  
11 small children and wounded 29 others and one teacher at the  
12 Cleveland Elementary School in Stockton, California. Purdy shot  
13 106 rounds in less than two minutes. The horrific shooting became  
14 known as the Stockton Schoolyard Massacre; and

15 WHEREAS, On July 1, 1993, Gian Luigi Ferri opened fire on  
16 the San Francisco law office of Pettit & Martin, located at 101  
17 California Street. The shooter legally purchased two assault pistols  
18 in Nevada and brought them across state lines into California. The  
19 devastating shooting took the lives of eight innocent people and  
20 wounded six others; and

21 WHEREAS, These shootings were only a few of many violent  
22 incidents that prompted the passage of an assault weapons ban in  
23 1994; and

24 WHEREAS, The assault weapons ban works. In 1989, when  
25 President George H.W. Bush stopped the import of certain assault  
26 rifles, the number of imported assault rifles traced to crime  
27 dropped by 45 percent in one year. After the 1994 ban, there were  
28 18 percent fewer assault weapons traced to crime in the first eight  
29 months of 1995 than were traced in the same period in 1994; and

30 WHEREAS, Some firearms manufacturers have attempted to  
31 evade the assault weapons ban by making cosmetic changes to  
32 assault weapons that were specifically banned under the federal  
33 law. A clone of the explicitly banned AR-15 assault weapon was  
34 used by the Washington D.C. area sniper to kill 10 and injure three  
35 in October 2002; and

36 WHEREAS, The Bureau of Alcohol, Tobacco, and Firearms  
37 reported that in 1993, 8.2 percent of guns used in crimes were  
38 assault weapons. By November 1996, this figure fell to 3.2  
39 percent; and



1 WHEREAS, If not renewed by Congress and the President of  
2 the United States, this ban will expire on September 13, 2004, and  
3 allow unsafe military style weapons to once again infiltrate  
4 American communities; and

5 WHEREAS, Expiration of this crucial ban will increase the use  
6 of assault weapons in crime; and

7 WHEREAS, In addition to the human toll, gun violence costs  
8 California billions of dollars every year in medical expenses, lost  
9 worker productivity, additional workplace and school safety  
10 expenditures, increased business costs, and lost tourism. Neither  
11 California nor the nation can afford the expiration of this important  
12 public safety measure; and

13 WHEREAS, President George W. Bush, every major law  
14 enforcement organization in America, and a substantial majority  
15 of Americans support the ban. Many more Americans strongly  
16 support new measures to strengthen the ban; and

17 WHEREAS, Police across America report that semiautomatic  
18 assault weapons are the “weapon of choice” among drug  
19 traffickers, gangs, and paramilitary extremist groups; and

20 WHEREAS, United States military forces in Afghanistan  
21 recovered an al Qaeda training manual, which specifically urged  
22 violent followers to “obtain an assault rifle legally, preferably an  
23 AK-47 or variations.” AK-47s are included in the list of assault  
24 weapons currently banned; and

25 WHEREAS, Should the ban expire, these types of dangerous  
26 weapons will be easily accessible to terrorists; and

27 WHEREAS, If these weapons flood America’s streets, law  
28 enforcement officers and the public will be at extreme risk from  
29 these weapons because of their highly dangerous rapid, spray-fire  
30 characteristics and ability to penetrate body armor; and

31 WHEREAS, Despite fierce opposition, this law has prevailed in  
32 federal courts including the United States Supreme Court, which  
33 struck down a Second Amendment challenge brought by  
34 opponents of the ban; and

35 WHEREAS, It is now settled that there is no constitutional right  
36 to own assault weapons; and

37 WHEREAS, Both President Bush and Attorney General  
38 Ashcroft have expressed support for the assault weapons ban, and  
39 Attorney General Ashcroft has declared the ban Constitutional.  
40 White House spokesman Scott McClellan reported that “The



1 president supports the current law, and he supports reauthorization  
2 of the current law”; and

3 WHEREAS, A coalition of child advocacy, civil rights,  
4 consumer, domestic violence, gun violence prevention, public  
5 health, and faith-based organizations from around the country  
6 support the protection of public safety and urge Congress to renew  
7 the assault weapons ban; and

8 WHEREAS, We cannot afford to turn back the clock on the  
9 advances in public safety achieved by Congress; now, therefore,  
10 be it

11 *Resolved by the Assembly and Senate of the State of California,*  
12 *jointly,* That the Legislature urges the President of the United States  
13 and Congress to reauthorize and strengthen the federal assault  
14 weapons ban; and be it further

15 *Resolved,* That the Chief Clerk of the Assembly transmit copies  
16 of this resolution to the President and Vice President of the United  
17 States, to the Speaker of the House of Representatives, to the  
18 Majority Leader of the Senate, and to each Senator and  
19 Representative from California in the Congress of the United  
20 States.

