
SENATE COMMITTEE ON PUBLIC SAFETY

Senator Aisha Wahab, Chair

2023 - 2024 Regular

Bill No: AB 1252 **Hearing Date:** June 25, 2024
Author: Wicks
Version: April 20, 2023
Urgency: No **Fiscal:** Yes
Consultant: JD

Subject: *Office of Gun Violence Prevention*

HISTORY

Source: Author

Prior Legislation: AB 2253 (Bonta), held in Assembly Appropriations, 2022.
AB 173 (Ting), Chapter 253, Statutes of 2021.
AB 1603 (Wicks), Chapter 735, Statutes of 2019.
SB 746 (DeSaulnier), held in Senate Rules, 2009.

Support: California Alliance of Academics and Communities for Public Health Equity (public Health Institute), and California State PTA

Opposition: None known

Assembly Floor Vote: 56 - 6

PURPOSE

The purpose of this bill is to establish the Office of Gun Violence Prevention (OGVP) within the Department of Justice (DOJ), and contingent upon sufficient funding, requires the state to convene a Commission to End Gun Violence. This bill also requires the commission to submit a report reporting gun violence prevention, due one year after its founding.

Existing law declares that too little is known about firearm violence and its prevention, that too little research has been done on firearm violence, and that California's uniquely rich data related to firearm violence have made possible important, timely, policy-relevant research that cannot be conducted elsewhere. (Pen. Code, § 14230, subd. (e).)

Existing law states the intent of the Legislature to establish a center to research firearm-related violence and that the center, the Firearm Violence Research Center (FVRC) be administered by the University of California. (Pen. Code, § 14231, subd. (a).)

Existing law states that interdisciplinary work of the FVRC shall address the following:

- The nature of firearm violence, including individual and societal determinants of risk for involvement in firearm violence, whether as a victim or a perpetrator;
- The individual, community, and societal consequences of firearm violence; and

- Prevention and treatment of firearm violence at all societal levels. (Pen. Code, § 14231, subd. (a)(1).)

Existing law provides that the FVRC shall also:

- Conduct basic, translational, and transformative research with a mission to provide the scientific evidence on which sound firearm violence prevention policies and programs can be based. Its research shall include, but not be limited to, the effectiveness of existing laws and policies intended to reduce firearm violence, including the criminal misuse of firearms, and efforts to promote the responsible ownership and use of firearms.
- Work on a continuing basis with policymakers in the Legislature and state agencies to identify, implement, and evaluate innovative firearm violence prevention policies and programs;
- To help ensure a long-term and successful effort to understand and prevent firearm violence, the FVRC shall recruit and provide specialized training opportunities for new researchers, including experienced investigators in related fields who are beginning work on firearm violence, youth investigators who have completed their education, postdoctoral scholars, doctoral students, and undergraduates; and,
- As a supplement to its own research, the FVRC may administer a small grant program for research on firearm violence. (Pen. Code, § 14231, subd. (a)(2)-(5).)

Existing law establishes the California Violence Intervention and Prevention Grant Program (CalVIP) within the Board of State and Community Corrections (BSCC) to issue grants, until January 1, 2025, to hospital-based violence intervention programs, street outreach programs, and focused deterrence strategies that interrupt cycles of violence in order to reduce homicides, shootings, and aggravated assaults. (Pen. Code, § 14131.)

Existing law states that, in awarding CalVIP grants, the BSCC must give preference to applicants demonstrating the greatest likelihood of reducing violence, without also contributing to mass incarceration. (Pen. Code, § 14131, subd. (g).)

This bill establishes the OGVP within the DOJ.

This bill establishes, contingent upon sufficient funding, the Commission to End Gun Violence within the OGVP composed of recognized outside experts and stakeholders.

This bill requires the Commission to End Gun Violence to submit a report to the public that identifies the top priorities to improve the implementation, coordination, and effectiveness of gun violence prevention-focused laws and programs. In doing so, the report shall:

- Identify gaps and barriers to success, and highlight and propose strategies to replicate best practices;
- Evaluate and identify coordination and strategic planning across different state and local agencies;
- Include best practice recommendations for improving implementation and coordination in court, law enforcement, health care, and crime victim system responses to gun violence.

COMMENTS

1. Need for This Bill

According to the Author:

In 2022, Attorney General Rob Bonta established the Office of Gun Violence Prevention within the Department of Justice. AB 1252 codifies this Office in statute, tasked to foster more coordination and planning across different state and local agencies and play a central role in advising and shaping policy makers' responses to gun violence.

California has enacted more gun safety legislation than any other state and as a result, has much more significant challenges and responsibilities to ensure robust and effective implementation and coordination of its many vital laws and programs. The legislature continues to introduce a large number of gun safety bills, including many important proposed reforms but also proposals with less evidentiary backing and/or more significant litigation risk. There is need and opportunity for more policy expertise and executive branch input to identify top priorities among these many proposals.

2. Office of Gun Violence Prevention (OGVP)

On September 21, 2022, California's Attorney General launched the OGVP so that the DOJ can assist in the implementation of strategic and innovative programs to reduce gun violence. (DOJ. [Attorney General Bonta Launches Office of Gun Violence Prevention](#). (Sept. 21, 2022).) Currently, the OGVP's stated mission is, "to reduce and prevent gun violence, firearm injury, and related trauma. OGVP will support DOJ's ongoing gun violence reduction efforts led by the Bureau of Firearms and several litigation teams – including seizure of firearms from dangerous individuals using the Armed and Prohibited Persons System, Prosecution of firearms trafficking cases, and defense of California's commonsense guns laws." (DOJ. [Office of Gun Violence Prevention](#).)

This bill would codify the existence of the OGVP, and also require it to convene a commission which would issue a report within one year of its creation that would improve the effectiveness of gun violence prevention-focused laws by identifying strategies to replicate best strategies, coordinate planning across different state and local agencies, and make recommendations for improving court, law enforcement, health care, and crime victim system responses to gun violence. Seeing as how the OGVP already exists, and the functions of the proposed commission seem to fall under the purview of the OGVP, creating the Commission to End Gun Violence could be duplicative of the already existing OGVP. This bill requires the proposed commission to convene and report on information that might already be maintained by the OGVP, thus possibly codifying two entities with very similar functions and purviews.

3. The California Firearm Violence and Research Act

In 2016, the Legislature passed the California Firearm Violence and Research Act declaring gun violence a significant public health problem in California and establishing the Firearm Violence and Research Center (FVRC) at UC Davis to "provide the scientific evidence on which sound firearm violence prevention policies and program can be based." (AB 1602 (Committee on Budget), of the 2015-2016 Legislative Session, amended by AB 173 (Committee on Budget), of

the 2021-2022 Legislative Session.) The principle work of the FVRC is researching the nature of firearm violence and its individual, community, and societal consequences. This work is done by experts in firearm policy in varied fields, “including medicine, epidemiology, statistics and biostatistics, criminology, the law, economics, and policy studies.”
(<https://health.ucdavis.edu/vprp/UCFC/index.html>)

The difference between FVRC and OGVP appears to be the focus of their pursuits. Whereas the FVRC primarily focuses on research projects and publishing peer-reviewed literature, OGVP would create a plan for developing a new policy framework for addressing firearm violence.

4. Argument in Support

According to California Alliance of Academics and Communities for Public Health Equity:

The passage of AB 1252 (Wicks) should help to prioritize and improve the implementation, coordination, and effectiveness of California’s gun violence prevention-focused laws and programs.

[T]he establishment of a Commission to End Gun Violence will report on barriers to success and identify best practices, examine strategic planning across different state and local agencies, and recommend coordination among court, law enforcement, health care, and crime victim system responses to gun violence. CA Alliance supports AB 1252 (Wicks) and thanks you for working on issues of public safety.

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