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June 10, 2019

Karen L. Smith, MD, MPH
Director and State Public Health Officer
California Department of Public Health
1615 Capitol Avenue
PO Box 997377, MS 0500
Sacramento, California 95899-7377

Re: AJR 4 (Aguiar-Curry): Firearms

Dear Dr. Smith:

The California Conference of Local Health Officers (CCLHO) voted at the CCLHO Board meeting on June 6, 2019 to take a Support recommendation on AJR 4 (Aguiar-Curry), a bill that would urge Congress to swiftly enact House Resolution 8, the Bipartisan Background Checks Act of 2019, to require background checks for all firearm sales.

Unlike federal law, California law requires that background checks are required for private firearms sales, in addition to licensed sales. This means that if neither party to a sale or transfer is a licensed firearms dealer, the transaction must occur through a licensed California dealer. The seller must pass the firearm to the dealer, who will perform the required check and other required laws, and then the dealer may pass the firearm to the purchaser. AJR 4 makes clear, officially and formally, that California urges Congress to pass H.R. 8, the "Bipartisan Background Checks Act of 2019." Although federal law requires licensed firearm dealers to perform background checks on prospective purchasers, it does not require unlicensed sellers to do so. This loophole means that people prohibited from possessing a firearm can easily obtain one by going through a private transaction or transfer. No matter how tight the laws are in California, if the background check loophole exists federally and in other states, people who are prohibited from having guns in California can easily obtain them illegally online or from other states. For these reasons, CCLHO recommends a Support position on AJR 4.

CCLHO was established in statute in 1947 to advise the California Department of Health Services (now California Department of Public Health), other departments, boards, commissions, and officials of federal, state and local agencies, the Legislature and other organizations on all matters affecting health. CCLHO membership consists of all legally appointed physician health officers in California's 61 city and county jurisdictions.

Should you have any questions, please contact me by email at roldham@placer.ca.gov or by phone at (530) 745-3121. Thank you.

Sincerely,

Robert L. Oldham, MD, MSHA
President, California Conference of Local Health Officers