



August 9, 2012

The Honorable Felipe Fuentes
California State Capitol
P.O. Box 942849
Room 2114
Sacramento, CA 94249-0039

Subject: **Opposition to SB 249**

Dear Assemblyman Fuentes:

I very strongly oppose SB 249. I have served as Sheriff of Riverside County since 2007, and our county is the 4th largest at 7,300 square miles and 4th most populous with nearly 2.3 million residents. And I have initially served on a city police department and then the Riverside County Sheriff's Department for over the past 35 years, so I am very familiar with our California criminal justice system and the policy issues involved. In my spare time, I have also participated in the various recreational shooting sports even longer than that, and so I am also fluent in the relevant firearms issues.

This bill focuses on a non-existent problem as the class of weapons (AR-15 series) is already heavily regulated in this state, where most other states do not even have the level of legal restrictions that we have here in California. All magazines are restricted already to a maximum capacity of 10 cartridges (versus 20, 30, 40, or even 100+ in most other states) and the only rifles legal for over-the-counter civilian sales over the last several years – and approved by DOJ – have been those with magazine change devices installed that prohibit use of the original "push-button" design that is used outside of California; these devices (commonly called "bullet" buttons) require a tool or bullet tip to be inserted, slowing the magazine change process.

Thousands of our citizens have lawfully purchased these rifles for both self-protection and legitimate sporting use (hunting & competition) in keeping with other citizens all across the country. This rifle platform – uniquely American – is probably the most prolific in our country. It is literally the modern American “musket”. Even with California’s already-in-place extra restrictions on magazine capacity and its magazine change impediments, legitimate California shooting sports enthusiasts from all walks of life have embraced and purchased the limited variations that have been available lawfully in California. It is poor public policy to now demonize those owners and cast them as criminals. Because of the costs involved in these rifles, and their current equipment restrictions under existing California law, we come into very rare contact with these California-legal rifles in the hands of our criminals. These rifles are eclipsed by cheaper, faster, and easier to use and conceal weapons by our criminals. If we encounter weapons modified from their California-compliant form, we already arrest the violators and they are subject to severe criminal sanctions.

The current variant of the rifle in question subject to SB 249 – including the bullet button mechanism requiring use of a tool to operate rather than the push-button in other states – was approved by our former Attorney General, now Governor, Brown. This has worked well, although making the rifle cumbersome to operate and already restricted to 10-round capacity. This standard is already a higher standard than the rest of our nation. Linking our currently available and already restricted versions of this popular rifle series to mass shooting incidents in other states that don’t even have the restrictions that California does on this class of rifle is patently absurd. The large magazine capacities and simple push-button magazine versions of these rifles exist in our other states, and not here in California.

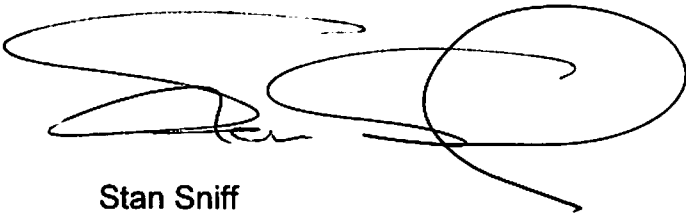
In addition, many of our deputies and many officers from our allied agencies can and do purchase these rifles for work, training, and practice for their law enforcement duties and protection of their homes and ranches. Although increasingly urbanized, Riverside County still has many desolate, rural areas in which our citizens live. In fact, much of our state does. Urban areas should really focus on local restrictions rather than blanket approaches on these issues.

I respectfully recommend this issue to be tabled, or at least full and complete public hearings on the proposed impacts and unintended consequences be heard, rather than precipitous action be taken that will directly result in adverse impacts to public safety. As many of you are already aware, we are already dealing with unintended consequences of AB 109 (Realignment), changes in our parole mechanisms, and local surges in many types of violent crimes. There is an increasing public anxiety over safety concerns after what has been the single biggest wholesale change to our criminal justice system over the course of my entire career. We should not be acting precipitously and adding to that loss of confidence in keeping our communities safe in the face of our current fiscal constraints to state, county, and local law enforcement.

Even more critically, we should not be turning entire classes of citizen gun-owners from all walks of life, which made good-faith lawful rifle purchases over the past few years, into criminals. And finally, these rifles that are narrowly targeted by AB 249 do in fact, have legitimate self-defense, hunting and sporting applications in our communities within California and across the nation. To say otherwise is simply to be uninformed about the shooting and recreational sports.

I urge this bill be abandoned. Adequate restrictions and safeguards are already in place. The only impact will be to our legitimate gun owners, and this does not help our local law enforcement agencies in dealing with the criminal elements we should be focusing on. If there are questions, they can be directed to me at (951) 955-0147.

Sincerely,

A handwritten signature in black ink, appearing to read 'Stan Sniff', with a large, stylized circular flourish extending from the end of the signature.

Stan Sniff
Sheriff, Riverside County

CC: Assembly Appropriations Committee Members
Senator Joel Anderson
Senator Bob Dutton
Senator Bill Emmerson
Senator Juan Vargas
Assemblyman Paul Cook
Assemblyman Kevin Jeffries
Assemblyman Jeff Miller
Assemblyman Mike Morrell
Assemblyman Brian Nestande
Assemblyman V. Manual Perez
California State Sheriffs' Association