



2020 FEB 28 AM 10: 54

MURIEL BOWSER
MAYOR

FEB 28 2020

The Honorable Phil Mendelson
Chairman, Council of the District of Columbia
1350 Pennsylvania Avenue, NW
Suite 504
Washington, DC 20004

Dear Chairman Mendelson:

Enclosed for consideration and approval by the Council of the District of Columbia proposed legislation entitled, the "Ghost Guns Prohibition Emergency/Temporary Amendment Act of 2020." The bill amends D.C. Official Code §7-2501.01 to include definitions of a ghost gun, a receiver, and an unfinished frame or receiver to the D.C. Code. In addition, the legislation would prohibit the registration and possession of ghost guns.

The term "ghost gun" may be used to refer generally to guns that are undetectable, untraceable, or both. It includes firearms built to avoid detection, missing serial numbers, able to be manufactured using 3-D printers and other cutting-edge technology, or able to be manufactured or assembled through commercially available kits and without the expenditure of substantial time and effort. Undetectable guns pose an imminent threat to public safety because they may thwart security screening systems and endanger people, particularly in any building or at any event requiring visitors to be screened to gain entrance. Untraceable guns pose a threat because they are readily available to individuals prohibited from purchasing or possessing a commercially-manufactured firearm and because untraceable gun trafficking occurs outside the scope of existing background checks, serial numbering, waiting periods, manufacturing quality control, and other established means of firearm regulation.

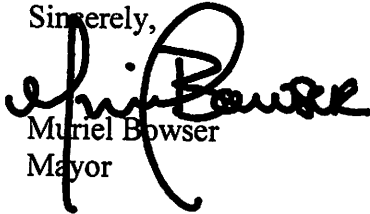
In just one year, between 2018 and 2019, the District saw a 364 percent increase in the recovery of ghost guns. In 2017, the Metropolitan Police Department recovered three ghost guns in the District; in 2018, 25 ghost guns were recovered; and in 2019, 116 ghost guns were recovered. In just the first two months of this year, 38 ghost guns have already been recovered. The types of

ghost guns recovered in the District include handguns and rifles, including AR-15-type weapons. Ghost guns have been used in the commission of violent crimes, including at least three homicides and one instance where Metropolitan Police Department officers were intentionally targeted by gunfire.

I urge prompt consideration and approval of this measure.

If you have any questions on this matter, please contact Deputy Mayor Kevin Donahue at (202) 724-5400.

Sincerely,

A handwritten signature in black ink, appearing to read "Muriel Bowser". The signature is stylized and cursive, with a large initial "M" and "B".

Muriel Bowser
Mayor



Chairman Phil Mendelson
at the request of the Mayor

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A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need to amend the Firearms Control Regulations Act of 1975 and An Act to control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia to clarify the prohibition on the registration and possession of ghost guns and unfinished frames or receivers.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Ghost Guns Prohibition Emergency Declaration Resolution of 2020”.

Sec. 2 (a) The term “ghost gun” may be used to refer generally to guns that are undetectable, untraceable, or both. It includes firearms built to avoid detection, missing serial numbers, able to be manufactured using 3-D printers and other cutting-edge technology, or able to be manufactured or assembled through commercially available kits and without the expenditure of substantial time and effort.

(b) Undetectable guns pose an imminent threat to public safety because they may thwart security screening systems and endanger people, particularly in any building or at any event requiring visitors to be screened to gain entrance.

34 (c) Untraceable guns pose an imminent threat because they are readily available to
35 individuals prohibited from purchasing or possessing a commercially-manufactured firearm and
36 because untraceable gun trafficking occurs outside the scope of existing background checks,
37 serial numbering, waiting periods, manufacturing quality control, and other established means of
38 firearm regulation.

39 (d) As part of its longstanding and common sense gun regulation policy, the District of
40 Columbia prohibits the unlicensed manufacturing, sale, or possession of firearms, and as such,
41 District law contains prohibitions that could be applied to ghost guns, but need to be explicitly
42 applicable.

43 (e) In just one year, between 2018 and 2019, the District saw a 364 percent increase in
44 the recovery of ghost guns. In 2017, the Metropolitan Police Department recovered only three
45 ghost guns in the District; in 2018, 25 ghost guns were recovered; and in 2019, 116 ghost guns
46 were recovered. In just the first six weeks of this year, 28 ghost guns have already been
47 recovered.

48 (f) The types of ghost guns recovered in the District include handguns and rifles,
49 including assault weapons such as AR-15s. Ghost guns have been used in the commission of
50 violent crimes, including at least three homicides and at least one instance where Metropolitan
51 Police Department officers were targeted for assassination.

52 (g) There is immediate need to clarify that District law prohibits the manufacture, sale,
53 and possession of untraceable or undetectable firearms in the District of Columbia in order to
54 protect the lives of residents, workers, and visitors.

55 Sec. 3. The Council of the District of Columbia determined that the circumstances
56 enumerated in section 2 constitute emergency circumstances making it necessary that the Ghost
57 Guns Prohibition Emergency Amendment Act of 2020 be adopted after a single reading.

58 Sec. 4. This resolution shall take effect immediately.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF THE ATTORNEY GENERAL



ATTORNEY GENERAL
KARL A. RACINE

Legal Counsel Division

MEMORANDUM

TO: Ronan Gulstone
Executive Director
Office of Policy and Legislative Affairs

FROM: Brian K. Flowers
Deputy Attorney General
Legal Counsel Division

DATE: February 27, 2020

SUBJECT: Legal Sufficiency Review of Draft Legislation "Ghost Guns Prohibition
Emergency Amendment Act of 2020", Temporary Version, and
Accompanying Emergency Declaration Resolution
(AE-20-100B)

This is to Certify that this Office has reviewed the above-referenced draft legislation and found it to be legally sufficient. If you have any questions in this regard, please do not hesitate to call me at 724-5524.

A handwritten signature in black ink, appearing to read "BKF/A. Flowers", written over a horizontal line.

Brian K. Flowers