

On guns, California wants to be a model for states. Should that matter to Pennsylvania?

By Justine McDaniel

Background checks for ammunition sales. A lifetime gun ownership ban on anyone convicted of domestic violence. A sales limit of one gun per person per month.

Those are among the restrictive new laws and proposals that could reduce gun violence in California. The state already has stricter gun-control laws than most; legislators said this week they hope to position their state as a model for the rest of the nation.

“We have the political ingredients that they don’t necessarily have in every state,” Assembly member Jesse Gabriel, a Los Angeles-area Democrat and inaugural member of a gun-violence prevention group among lawmakers, said in an interview Friday. “We understand that we can push the envelope on policy-making a little bit, and we think, hopefully, as we demonstrate results, as we show different ideas that are working, that other states will look to California and copy our regulatory framework.”

The laws passed in California echo those enacted in New Jersey, another state with many gun restrictions: ways to regulate guns by regulating things related to them, such as ammunition and accessories, and who has them.

“By setting these higher standards for gun safety, New Jersey continues to bolster its reputation as a national leader on this critical social and public health issue,” Gov. Phil Murphy said when he signed six new gun laws in June.

For nearly a decade, even as mass shootings and gun violence spiked, the Republican-controlled Congress has not enacted any new national laws to address either problem. So the battle has shifted from the Capitol to the statehouses. Since the 2012 shooting at Sandy Hook Elementary School in Connecticut, gun control advocates in state capitals across the country have passed targeted and sometimes inventive laws to expand gun regulations within their borders.

“Change doesn’t appear out of thin air. It starts somewhere,” said Nico Bocour, state legislative director for Giffords: Courage to Fight Gun Violence, the gun-control group that teamed with Gabriel and other California legislators for a news conference last week announcing their working group. “States like California and New Jersey have been able to pass forward-looking policies that are proven to work. They have set the bar and given other state legislatures a road map to follow.” In Pennsylvania, House members last year debated a wide range of gun-related bills after the Parkland, Fla., shooting, but have been slow to act on them, and are unlikely to as long as Republicans hold majorities in both General Assembly chambers. One domestic-violence bill supported by gun control advocates passed last year.

Kim Stolfer, president of the Pennsylvania group Firearms Owners against Crime, said that he has seen “the anti-gun groups ... bringing the New Jersey politics here” over the years, but that he believed Pennsylvania legislators have given them a cold shoulder.

“One size doesn’t fit all. These laws are being introduced not for public safety; they’re being introduced to expand on an agenda, and we will not allow that to happen here,” Stolfer said Friday. “It doesn’t solve the crime problem and it does disenfranchise citizens.”

So can a state such as New Jersey or California be effective at influencing other states on such a divisive issue?

“Just because another state does it doesn’t necessarily translate into good policy,” said Pennsylvania Rep. Todd Stephens (R., Montgomery). “But when another state does it and then there’s an opportunity to study it and look at data and the impact that that legislation in another state may have had, I think that’s when ... laws in other states can have an impact and influence on public policy here in Pennsylvania.”

Stephens introduced legislation last year that would give family members recourse for temporarily removing firearms from people in mental-health crisis or otherwise deemed dangerous. California was the first state to pass a policy allowing for such “extreme risk protection orders.”

Stephens said data from Connecticut and Indiana — which had passed similar, narrower firearms-removal laws — showed that the ability to take firearms from people in crisis reduced suicides in those states by 13.7 percent and 7.5 percent, respectively. That information helped his bill clear a committee with bipartisan support last session.

“That was a critical component of the discussion — the benefits that other states have seen by adopting this policy,” Stephens said.

Rep. Stephen McCarter (D., Montgomery) has promoted a similar bill.

“For any of us who are introducing legislation on this issue and others, we look to see what other states have taken action,” McCarter said. “We knew that there were other laws that had been [passed in]” states including Delaware, Florida, Illinois, Massachusetts, New Jersey, Maryland, Vermont, and Rhode Island, “so all of those are states that we try to model much of our legislation on.”

California has a spate of new laws taking affect by 2020. Beginning in July, Californians wanting to buy firearm ammunition will have to go through a background check. And the sellers — now, only licensed dealers — will have to keep a log of ammunition sales. The state also outlawed bump stocks and raised the purchase age for long guns to 21.

And as of this year, anyone convicted of a misdemeanor domestic violence offense is prohibited from owning a firearm for the rest of their lives. As of 2020, anyone hospitalized more than once in a year due to a mental-health diagnosis will also be indefinitely barred from owning a firearm.

California lawmakers are considering a move to expand their protection-order law and to train law enforcement in its use. Gabriel and his colleagues also plan to push bills to fund and expand gun-violence prevention programs, require safe gun storage, and limit gun purchases to one per person per month, among other things. With a Democratic majority in the legislature and a new governor, they believe their prospects are good.

“I don’t know that Pennsylvania has the will to do them yet, but I hope that we can learn from them,” CeaseFirePA director Shira Goodman said of California’s laws.

Stephens, the Montgomery County Republican, cautioned that there’s unlikely to be a rush to follow the Golden State.

“I don’t think there are too many people in my caucus who are looking to follow California’s lead on firearm policy,” he said. He said he was compelled to push for the extreme-risk protection orders because of the data he’d seen out of other states, not because California or others had enacted it.

Still, advocates hope changing norms nationwide will put their proposals in perspective.

Asked whether he thought actions by other states could help move the needle here, McCarter said:

“I would surely hope so.”

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