

STATE OF CALIFORNIA  
**Budget Change Proposal - Cover Sheet**  
 DF-46 (REV 08/15)

Fiscal Year 2016-17	Business Unit 0820	Department Justice	Priority No. 1
Budget Request Name 0820-001-BCP-BR-2016-GB		Program LAW ENFORCEMENT	Subprogram FIREARMS

Budget Request Description  
 Bureau of Firearms Armed Prohibited Persons System Investigations

Budget Request Summary  
 The Department of Justice (DOJ), Bureau of Firearms (BOF), requests a permanent increase of \$4.7 million in Firearms Safety & Enforcement Special Fund (FS&E) spending authority to support 22.0 permanent positions that will be dedicated to the Armed Prohibited Persons System (APPS) investigations.

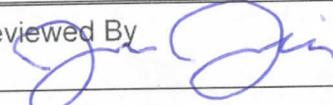
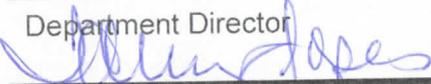
Requires Legislation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Code Section(s) to be Added/Amended/Repealed
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Does this BCP contain information technology (IT) components? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <i>If yes, departmental Chief Information Officer must sign.</i>	Department CIO	Date
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For IT requests, specify the date a Special Project Report (SPR) or Feasibility Study Report (FSR) was approved by the Department of Technology, or previously by the Department of Finance.

FSR       SPR      Project No.      Date:

If proposal affects another department, does other department concur with proposal?       Yes       No  
*Attach comments of affected department, signed and dated by the department director or designee.*

Prepared By Rebecca Carrillo	Date 9/1/2015	Reviewed By 	Date 9/1/15
Department Director 	Date 9/1/15	Agency Secretary	Date

**Department of Finance Use Only**

Additional Review:  Capital Outlay     ITCU     FSCU     OSAE     CALSTARS     Dept. of Technology

BCP Type:       Policy       Workload Budget per Government Code 13308.05

PPBA 	Date submitted to the Legislature 1/7/16
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# BCP Fiscal Detail Sheet

BCP Title: APPS Investigations

DP Name: 0820-001-BCP-DP-2016-GB

## Budget Request Summary

	FY16					
	CY	BY	BY+1	BY+2	BY+3	BY+4
Salaries and Wages						
Earnings - Permanent	0	1,795	1,795	1,795	1,795	1,795
Overtime/Other	0	466	466	466	466	466
<b>Total Salaries and Wages</b>	<b>\$0</b>	<b>\$2,261</b>	<b>\$2,261</b>	<b>\$2,261</b>	<b>\$2,261</b>	<b>\$2,261</b>
Total Staff Benefits	0	1,048	1,048	1,048	1,048	1,048
<b>Total Personal Services</b>	<b>\$0</b>	<b>\$3,309</b>	<b>\$3,309</b>	<b>\$3,309</b>	<b>\$3,309</b>	<b>\$3,309</b>
Operating Expenses and Equipment						
5301 - General Expense	0	529	529	529	529	529
5302 - Printing	0	7	7	7	7	7
5304 - Communications	0	132	132	132	132	132
5306 - Postage	0	6	6	6	6	6
5308 - Insurance	0	11	11	11	11	11
5320 - Travel: In-State	0	117	117	117	117	117
5322 - Training	0	22	22	22	22	22
5324 - Facilities Operation	0	77	77	77	77	77
5340 - Consulting and Professional Services -	0	2	2	2	2	2
5346 - Information Technology	0	44	44	44	44	44
539X - Other	0	438	438	438	438	438
<b>Total Operating Expenses and Equipment</b>	<b>\$0</b>	<b>\$1,385</b>	<b>\$1,385</b>	<b>\$1,385</b>	<b>\$1,385</b>	<b>\$1,385</b>
<b>Total Budget Request</b>	<b>\$0</b>	<b>\$4,694</b>	<b>\$4,694</b>	<b>\$4,694</b>	<b>\$4,694</b>	<b>\$4,694</b>
<b>Fund Summary</b>						
Fund Source - State Operations						
1008 - Firearms Safety and Enforcement Special	0	4,694	4,694	4,694	4,694	4,694
<b>Total State Operations Expenditures</b>	<b>\$0</b>	<b>\$4,694</b>	<b>\$4,694</b>	<b>\$4,694</b>	<b>\$4,694</b>	<b>\$4,694</b>
<b>Total All Funds</b>	<b>\$0</b>	<b>\$4,694</b>	<b>\$4,694</b>	<b>\$4,694</b>	<b>\$4,694</b>	<b>\$4,694</b>
<b>Program Summary</b>						
Program Funding						
0440046 - Firearms	0	4,694	4,694	4,694	4,694	4,694
9900100 - Administration	0	468	468	468	468	468
9900200 - Administration - Distributed	0	-468	-468	-468	-468	-468
<b>Total All Programs</b>	<b>\$0</b>	<b>\$4,694</b>	<b>\$4,694</b>	<b>\$4,694</b>	<b>\$4,694</b>	<b>\$4,694</b>

**Personal Services Details**

Salaries and Wages	CY	BY	BY+1	BY+2	BY+3	BY+4
8482 - Special Agent - Dept of Justice	0	1,795	1,795	1,795	1,795	1,795
OT00 - Overtime	0	466	466	466	466	466
<b>Total Salaries and Wages</b>	<b>\$0</b>	<b>\$2,261</b>	<b>\$2,261</b>	<b>\$2,261</b>	<b>\$2,261</b>	<b>\$2,261</b>
<b>Staff Benefits</b>						
5150900 - Staff Benefits - Other	0	1,048	1,048	1,048	1,048	1,048
<b>Total Staff Benefits</b>	<b>\$0</b>	<b>\$1,048</b>	<b>\$1,048</b>	<b>\$1,048</b>	<b>\$1,048</b>	<b>\$1,048</b>
<b>Total Personal Services</b>	<b>\$0</b>	<b>\$3,309</b>	<b>\$3,309</b>	<b>\$3,309</b>	<b>\$3,309</b>	<b>\$3,309</b>

## Analysis of Problem

### A. Budget Request Summary

The Department of Justice (DOJ), Bureau of Firearms (BOF), requests a permanent increase of \$4.7 million in Firearms Safety & Enforcement Special Fund (FS&E) spending authority to support 22.0 permanent Special Agent positions that will be dedicated to the Armed Prohibited Persons System (APPS) investigations.

### B. Background/History (Provide **relevant** background/history and provide program resource history. Provide workload metrics, if applicable.)

California is the only state in the nation to establish an automated system for tracking handgun and assault weapon owners who might fall into a prohibited status. The online database, APPS, cross-references firearm owners across the state against criminal history records to determine persons who have been, or will become, prohibited from possessing a firearm subsequent to the legal acquisition or registration of a firearm or assault weapon.

The DOJ-BOF has experienced a backlog in the APPS database since its inception in 2006. Initially, the backlog resulted from the merging of multiple DOJ databases and the extraction of relevant information necessary to positively identify armed and prohibited persons. Since then, the number of APPS offenders that populate the database yearly is far greater than the number of APPS investigations that the DOJ-BOF can accomplish. This was predominantly due to inadequate staffing levels and the lack of timely and accurate Automated Firearms System (AFS) entries.

In May of 2013, the DOJ-BOF was appropriated temporary funding in the amount of \$24 million per Senate Bill 140 (SB 140) to address the APPS backlog. The funding was appropriated for three years and supported 48.0 positions from the Dealers Record of Sale Special Account (DROS).

The limited funding and position authority supports 30.0 Special Agents (SA), 6.0 Special Agent Supervisors (SAS), 6.0 Criminal Intelligence Specialists (CIS-Intel.), and 6.0 Office Technician (OT) positions (funding set to expire May 1, 2016). The temporary funding has created limitations in recruitment. This has caused the current Special Agents to work an immense amount of overtime in order to meet the mandated workload requirements set by SB 140.

The 2015 Budget Act authorized the conversion of 22.0 limited-term Special Agent positions to permanent status. By appropriating permanent funding as proposed in this request, the DOJ-BOF will be able to retain staff and continue to decrease the backlog. Consequently, unauthorized gun possessions in California will be reduced and result in increased public safety.

**Resource History**  
(Dollars in thousands)

Program Budget	2010-11	2011-12	2012-13	2013-14	2014-15
Authorized Expenditures	\$3,197	\$3,332	\$3,393	\$3,516	\$3,543
Actual Expenditures	\$3,092	\$3,205	\$3,342	\$3,151	\$3,146
Revenues	\$4,526	\$5,750	\$8,007	\$6,682	\$7,751
Authorized Positions	13.0	13.0	13.0	13.0	14.0
Filled Positions	12.0	11.0	11.0	10.0	11.0
Vacancies	1.0	2.0	2.0	3.0	3.0

### C. State Level Considerations

If this proposal is approved, the DOJ-BOF will incur no General Fund costs. There is no fiscal impact on other state agencies.

## Analysis of Problem

### D. Justification

Each day, the list of armed and prohibited persons in California grows by about 20 individuals (6,886 annually). As of June 30, 2015, there were 15,662 armed and prohibited persons in California, the lowest level since fiscal year (FY) 2009-2010. Since the implementation of SB 140, the DOJ-BOF has closed an average of 6,924 cases annually. Prior to SB 140 funding, from FY 2009-10 to FY 2012-13, the DOJ-BOF closed an average of 2,105 cases annually. In order to continue its effort to remove firearms from prohibited individuals, the DOJ-BOF must maintain the appropriate staffing level to meet workload demands and address the backlog.

Upon approval of the request of permanent funding, the DOJ-BOF will be able to continue its success by eliminating the recruitment obstacles and assisting the bureau in maintaining personnel. With the sworn staff of 45.0 the DOJ-BOF will continue to reduce the amount of armed and prohibited persons annually by 6,480 cases (12 cases per agent per month).

The DOJ-BOF has been successful in reducing the APPS backlog; however, the yearly increase in the number of new APPS offenders due to long gun retention, increased firearm sales, and newly prohibited offenses (which are continually being added by the Legislature) have created a need for permanent staff to continue to reduce the APPS backlog and address the newly identified armed and prohibited persons workload.

### E. Outcomes and Accountability *(Provide summary of expected outcomes associated with Budget Request and provide the projected workload metrics that reflect how this proposal improves the metrics outlines in the Background/History Section.)*

<b>SPECIAL AGENT CASE STATS (12 CASES PER AGENT PER MONTH)</b>			
	<b>Agent(s)</b>	<b>APPS investigations per month</b>	<b>APPS Investigations per Year</b>
<b>Workload per Agent</b>	<b>1.0</b>	<b>12</b>	<b>144</b>
<b>Current Staffing*</b>	<b>53.0</b>	<b>636</b>	<b>7,632</b>
<b>Proposed Staffing</b>	<b>45.0</b>	<b>540</b>	<b>6,480</b>

\*Includes 30.0 LT Special Agents (expire 6/30/16)

<b>Armed Prohibited Persons System</b>				
<b>Fiscal Year</b>	<b>Armed and Prohibited Persons</b>	<b>APPS investigations processed (-)</b>	<b>Investigation Purges* (-)</b>	<b>Annual APPS Identified** (+)</b>
<b>2013/14</b>	20,721	6,561	3,200	8,633
<b>2014/15</b>	19,593	7,287	3,200	6,556
<b>2015/16</b>	15,662	7,632	3,200	6,886
<b>2016/17</b>	11,716	6,480	3,200	6,886
<b>2017/18</b>	8,922	6,480	3,200	6,886
<b>2018/19</b>	6,128	6,480	3,200	6,886
<b>2019/20</b>	3,334	6,480	3,200	6,886

\*Investigative Purges- Individuals who fell off the APPS database due to decease, prohibition expired, rights were returned, etc.

\*\*Annual APPS Identified- 6,886 is the yearly average from FY 2009-10 thru FY 2014-15; Due to Long gun retention and AB 1014 (Gun Violence Restraining Orders) the DLE/BOF is anticipating an increase in Annual APPS Identified starting January 1, 2016. (Please note, the increase unknown at this time.)

## Analysis of Problem

### F. Analysis of All Feasible Alternatives

#### **Alternative 1. Approve Permanent Spending Authority as Proposed.**

Approval of this request for a permanent increase of \$4.7 million in spending authority from the FS&E Fund for 22.0 permanent positions that were established per SB 140.

The continuous increase in newly identified prohibited persons has created a permanent need for staffing. Without permanent funding, the DOJ-BOF will have to redirect 22.0 Special Agents out of the APPS program and will be unable to effectively address the growing APPS backlog leaving the people of California susceptible to undue harm.

#### **Alternative 2. Approve Permanent Spending Authority in the DROS Account.**

The DROS Account does not have a sufficient fund balance to support on-going APPS activities. Therefore, the DOJ-BOF will be unable to effectively address the growing APPS backlog leaving the people of California susceptible to undue harm.

#### **Alternative 3. Do Nothing**

If this proposal is not approved, the DOJ-BOF will not be able to maintain the annual increase of newly identified prohibited persons. The APPS backlog will increase exponentially and the DOJ-BOF will be in the same position as it was in FY 2012-2013. The temporary funding per SB 140 would have been irrelevant for there will continue to be an increase in unauthorized gun possessions in California thereby resulting in reduced public safety.

### G. Implementation Plan

Upon the approval of this proposal, 22.0 permanent positions will be funded from the FS&E Fund effective 7/1/2016.

### H. Supplemental Information *(Describe special resources and provide details to support costs including appropriate back up.)*

### I. Recommendation

Approval of this request for a permanent increase of \$4.7 million in spending authority from the FS&E Fund for 22.0 permanent positions that were established per SB 140.