

BERKELEY POLICE DEPARTMENT

DATE ISSUED: September 1, 1988

GENERAL ORDER R-28

SUBJECT: DEALER'S RECORDS OF SALES OF REVOLVERS OR PISTOLS

- 1 - Copies of dealer's records of sales of revolvers or pistols received from dealers in this City shall be routed to the Robbery Inspector for immediate review.
- 2 - The State Department of Justice, **Justice Information Services**, will, usually within **15** days, notify this Department whenever a revolver or pistol has been sold to any Berkeley resident with a criminal record or any other record which could preclude legal ownership. **The Justice Information Services will also provide the Department with a copy of any letter sent to a Berkeley resident whose application for purchase has been denied.** This information shall be forwarded to the Robbery Inspector who shall:
 - (a) Initiate an investigation as necessary to determine whether the purchaser concerned may legally buy or possess such a weapon under the provisions of 12000 to 12550 of the Penal Code and Sections 5670 through 5672 of the Welfare and Institutions Code.
 - (b) Prepare a numbered report in each instance wherein the question of legal ownership arises and attach the record of sale to the report.
 - (c) Initiate appropriate action to remove a weapon, illegally possessed by any person, from that person's control and, where indicated, prosecute for any violation involved.
- 3 - The Robbery Inspector shall be responsible for notifying the Detective and Patrol Captains in writing of any pertinent information concerning individuals who have purchased concealable firearms if such information would be advantageous.
- 4 - Any problems or unusual circumstances encountered during an investigation of a gun sale, not covered by this order, shall be discussed with the **Robbery Inspector or the Commanding Officer of the Detective Division.**

References: California Penal Code Sections 12000 to 12550
California Welfare and Institutions Code Sections 5670 5672