

# **PUBLIC COMMENT**

(Comments on any County related matters, Consent Agenda Items or Board Member Reports)

## Sukhmani Purewal

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**From:** Clara Jaeckel [REDACTED]  
**Sent:** Monday, June 1, 2020 4:37 PM  
**To:** CMO\_BoardFeedback  
**Subject:** public comment for Board of Supervisors meeting on June 2

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This comment is regarding the decision in the previous special meeting regarding the eviction moratorium in San Mateo County. Although I appreciate and thank the Board for extending the moratorium to June 30, I remain deeply concerned that this is not enough to prevent families from being evicted due to the financial and health impacts of the pandemic.

I urge the Board of Supervisors to expand Emergency Regulation 2020-001 so that the period for which tenants who are unable to pay rent are protected lasts for as long as the State of Emergency is in effect plus 90 days. I also urge you to set a 12-month repayment period for accrued rent debt, like that instituted by Alameda County and Los Angeles County. Without these expanded provisions, we are leaving families in San Mateo County to face the exact risks to their health and safety that the moratorium was intended to prevent. Please help ensure stability for all our families by expanding the eviction moratorium.

Clara Jaeckel  
Redwood City

## Sukhmani Purewal

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**From:** David Pollack [REDACTED]  
**Sent:** Monday, June 1, 2020 4:31 PM  
**To:** CMO\_BoardFeedback  
**Subject:** Public Comment on Police Accountability

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Dear Supervisors,

In the wake of recent events, community sentiment shared after Chinedu Okobi's murder bears repeating:

- 1) Ban taser use
- 2) Create an independent oversight commission for the sheriff's dept.
- 3) Put an end of the carotid hold/chokehold which is currently included in our Use of Force "toolset". It is banned by many municipal PDs.

Thank you for your consideration.

Best regards,

David M. Pollack  
San Carlos

## Sukhmani Purewal

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**From:** Marianne Armenta [REDACTED]  
**Sent:** Monday, June 1, 2020 9:57 AM  
**To:** Dave Pine; Carole Groom; Don Horsley; Warren Slocum; David Canepa  
**Cc:** Sukhmani Purewal; Sherry Golestan  
**Subject:** Please protect renters!

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Hello,

I am a staff attorney at Legal Aid Society of San Mateo County, in the Family Advocacy Program. I am writing to ask that you support 1) extending the eviction moratorium past the state of emergency period; 2) extending the repayment period to grant affected tenants an opportunity to regain their financial footing and meet their obligations; 3) protecting families from eviction by requiring landlords to collect any unpaid rent from this period through consumer debt actions ONLY; and 4) protecting public health by preserving the ability to shelter at home.

There is a dearth of affordable housing options in the county, and evictions result in homelessness or lead to evicted tenants acquiescing to overcrowded living situations. Both of these densely-populated, congregate settings reduce people's ability to take preventive measures against COVID-19. Please support policies that keep renters in their homes.

Sincerely,

Marianne Armenta  
Staff Attorney  
[Legal Aid Society of San Mateo County](#)



# **ITEM NO. 4**

## Sukhmani Purewal

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**From:** Carol Wolff [REDACTED]  
**Sent:** Monday, June 1, 2020 12:27 AM  
**To:** CMO\_BoardFeedback  
**Subject:** file #20-358 #4

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I'd like to ask what happened to the data on the covid 19 data site for San Mateo county. It's been scrubbed except for a listing of cases by city. If you're using science and data shouldn't the public be able to see the data you're looking at? At least the data that used to be on this site. Why was it removed?

It did show that the greater number of deaths from covid19 have been people over 80 in care facilities; which underscores that time and resources should be spent protecting the elderly. The challenge would be to keep their loved ones near them.

Our resources shouldn't be spent on restricting, tracking and tracing those who are healthy.

I wonder - have you looked at data which shows the public reaction to SIP, such as : substance abuse, depression, domestic violence, and suicide - in a comparison of March - May 2019 statistics.

If you're basing laws on science and data then all data that involves the health of our community should be considered. What's causing most harm - covid 19 or SIP orders?

Y'all have jobs. Could you continue to live as you do if you took a 50% - 75% cut in your pay? You are insisting that businesses do business with those sorts of deep cuts to maintain social distancing; hurting all employees.

Your goal is to prevent the spread of covid 19. Prevent? Is that doable? Are you exacerbating people's problems and losing them their livelihoods for an unattainable goal? Have you made the community fearful of a disease that may turn out to have the same death rate as a bad flu? Are you ruining the community by making us fearful of each other?

Please, serve us - stop SIP. Help us thrive. Don't multiply fear.

Carol Wolff  
(resident MP)

## Sukhmani Purewal

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**From:** Kevin GUIBARA [REDACTED]  
**Sent:** Sunday, May 31, 2020 9:02 PM  
**To:** CMO\_BoardFeedback  
**Subject:** Shelter in Place - Looting and Riots

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear San Mateo County Board of Supervisors,

Many people I spoke with, including myself, expected social unrest as a result of the shelter in place order.

Although none of us would have anticipated the spark that set it all off, George Floyd was that spark.

The shelter in place order has stopped society from functioning normally. We need to get back to a normal functioning society and fight covid 19 at the same time with masks and medical treatments. We are capable of fighting this on two fronts, normalizing the economy/society and treating the increase in viral spread that comes with it.

We can not continue in a shelter in place state, the collateral damage to society is immense and we are seeing it play out now.

Please use your big picture vision to see that we have never had looting and riots like this in the Bay Area and it is a direct result of the shelter in place order. In no way is this intended to reduce the significance of George Floyd, because what happened in Minneapolis was wrong and can never happen again in America, but we should not ruin our society because of the Coronavirus.

Please open the economy and allow your citizens to resume their normal lives. It will reduce the violence.

Sincerely,

Kevin Guibara

**ITEM NO. 7**

## Sukhmani Purewal

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**From:** Allison Anderman [REDACTED]  
**Sent:** Monday, June 1, 2020 3:02 PM  
**To:** Sukhmani Purewal  
**Subject:** Giffords Law Center to Prevent Gun Violence Support Letter for Gun and Ammunition Dealer Ordinance  
**Attachments:** GLC Letter of Support for San Mateo Co Gun Dealer Ord 6.2.20.pdf

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Dear Mr. Purewal,

On behalf of Giffords Law Center to Prevent Gun Violence, in advance of tomorrow's meeting of the Board of Supervisors, I submit the attached support letter for the proposed ordinance regulating gun and ammunition sellers. Please distribute it to the Members of the Board.

Thank you,

Allison Anderman

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**Allison Anderman**

[REDACTED]  
[REDACTED]  
Giffords Law Center to Prevent Gun Violence  
[REDACTED]  
[REDACTED]

Explore our [Annual Gun Law Scorecard](#) — Is your state doing enough to save lives?  
[REDACTED]

*This e-mail message may contain privileged or confidential information. If you are not the intended recipient, please delete it, notify the sender immediately by telephone or return email, and do not use or disseminate this information. Giffords Law Center to Prevent Gun Violence and its attorneys provide general information about gun laws and policies to interested groups, individuals, and legislators, and receipt of such information from Giffords Law Center does not create an attorney-client relationship. Thank you.*

June 1, 2020

County of San Mateo Board of Supervisors  
c/o Clerk of the Board  
400 County Center  
Redwood City, CA 94063

*Sent via email to [spurewal@smcgov.org](mailto:spurewal@smcgov.org)*

**Re: Support for Ordinance Strengthening Regulation of Gun Dealers**

Dear Members of the Board of Supervisors,

On behalf of Giffords Law Center to Prevent Gun Violence (“Giffords Law Center”), I write to express our support for proposed amendments to Chapter 3.52 of the San Mateo County Ordinance Code which would strengthen local oversight of gun and ammunition dealers, including improving the county’s efforts to prevent gun trafficking by unscrupulous dealers. Now led by former Congresswoman and gun violence survivor, Gabby Giffords, Giffords Law Center provides legal and technical assistance in support of gun violence prevention to federal, state, and local legislators nationwide.

**Expanded oversight of gun dealers via a comprehensive licensing system is necessary to ensure that sellers of lethal weapons comply with the law and public safety.** Currently, the county requires firearms dealers to obtain a license to operate but attaches very few conditions to acquisition of the license. This ordinance would enact a comprehensive licensing system that provides needed oversight of local gun and ammunition sellers by giving local law enforcement greater ability to monitor dealers’ compliance with local, state and federal laws. Local oversight of gun dealers is necessary because the federal Bureau of Alcohol, Tobacco, Firearms & Explosives (ATF) does not have the resources to properly oversee the nearly than 130,000 federally licensed gun dealers in the U.S.<sup>i</sup> The California Department of Justice is similarly restrained in its ability to police the more than 2,000 gun dealers operating in California.<sup>ii</sup> Dealer licensing ordinances are constitutional and currently in effect in at least 102 California communities.<sup>iii</sup>

**Videotaping sales can help law enforcement solve and prevent gun-related crimes.** No state or federal law currently requires San Mateo County gun and ammunition dealers to videotape sales. The proposed ordinance would require dealers to record transfers of firearms or ammunition so that the facial features of the purchaser are clearly visible. Video recordings

will provide valuable evidence to law enforcement officers who are enforcing gun laws and prosecuting gun crimes. Video surveillance also will likely prevent crimes at the store itself, such as straw purchases (when a legal buyer purchases a firearm or ammunition on behalf of a person who is prohibited from doing so), burglaries and robberies. Though straw purchases are a leading source of crime guns, they often appear legal on paper without security cameras to visibly capture the sale. Videotaping ordinances are currently in effect in at least seven California communities - Campbell,<sup>iv</sup> El Cerrito,<sup>v</sup> Emeryville,<sup>vi</sup> Pleasant Hill,<sup>vii</sup> San Carlos,<sup>viii</sup> Santa Cruz County,<sup>ix</sup> and San Francisco City and County.<sup>x</sup>

**Inventory reporting requirements will provide law enforcement with more opportunities to detect illegal gun activity.** ATF has found that dealers and pawnbrokers were associated with the largest number of trafficked guns and concluded that “[Federally licensed gun dealers’] access to large numbers of firearms makes them a particular threat to public safety when they fail to comply with the law.”<sup>xi</sup> Requiring gun dealers to periodically report their inventory will help deter dealers from altering their inventory to cover up illegal transactions. [Eight California jurisdictions](#) currently require dealers to periodically report their inventory to local law enforcement.

**Prohibiting firearm sales from operating near residences will help increase neighborhood safety and prevent illegal sales.** Firearms dealers are a high-value target for criminals, and have often been magnets for break-ins, theft, and destruction of property.<sup>xii</sup> In 2017, ATF reported that between 2015 and 2016, gun thefts from federally licensed dealers increased by a staggering 58.6%.<sup>xiii</sup> The number of firearms stolen from licensed dealers in 2015 was 4,271; in 2016, that number increased sharply, to 7,488.<sup>xiv</sup> Prohibiting gun dealers from operating out of their homes or residential areas is likely to prevent crime in the neighborhoods where gun dealers would otherwise operate. A 2009 study analyzed ATF data showing that guns “are often found to have been used for criminal purposes not far from the gun dealer where they were first obtained,” and “almost one-third (32.2%) of traced crime guns are recovered by police within 10 miles of the [dealer] where they were first purchased.”<sup>xv</sup> By keeping gun dealers out of residential locations with little community or law enforcement oversight and placing them in public, commercial spaces, dealers will likely be further deterred from engaging in illegal transactions.

**Premises security requirements will make it less likely that gun dealers are burglarized and stolen guns end up on the street.** Gun dealers are a high-value target for criminals, and have often been magnets for break-ins, theft, and destruction of property. In 2017, ATF issued a report demonstrating that between 2015 and 2016, **gun thefts from California federally licensed dealers increased by a staggering 173.8%**.<sup>xvi</sup> An increasing number of these incidents have been so-called “smash-and grab” robberies, where perpetrators drive their car

into a gun store's doors, front windows, or gates to gain entry. A sampling of these incidents from 2016 includes:

- 18 handguns stolen from Independence Armory in Petaluma, CA. March, 2016.<sup>xvii</sup>
- Handguns and rifles stolen from Red Seal Arms Guns and Ammo in Ventura, CA. March, 2016.<sup>xviii</sup>
- 107 guns stolen from Nor Cal Gun Vault, Rocklin, CA. May, 2016.<sup>xix</sup>
- Attempted smash-and-grab robberies from Laguna Guns and Accessories and CS Tactical/MTG Firearms in Elk Grove, CA. No guns stolen. May, 2016.<sup>xx</sup>
- 30 handguns stolen from American Firearms in Fresno, CA. June, 2016.<sup>xxi</sup>
- Rifle stolen from Rocklin Armory in Rocklin, CA. July, 2016.<sup>xxii</sup>
- More than 15 guns stolen from STS Guns in Folsom, CA. July, 2016.<sup>xxiii</sup>
- Approximately 20 handguns stolen from Mustang Firearms, Grass Valley, CA. August, 2016. At least 12 similar incidents have taken place in the greater Sacramento area in the six months prior, resulting in between 230 and 240 stolen firearms.<sup>xxiv</sup>

Existing California law provides some minimum standards regarding how dealers may secure their firearms inventory when they are not open for business.<sup>xxv</sup> Currently, dealers with a firearms inventory may choose between one of three options. They may:

1. Store their firearms in “a secure facility” (defined as a building that meets certain specifications, including certain types of locks on doors; steel bars on windows; and bars, grating, or an alarm system on other openings);<sup>xxvi</sup>
2. Store their firearms in locked safes or vaults within the dealer's premises; or
3. Secure their firearms with a hardened steel rod or cable through the trigger guard of each firearm, as specified.

**These current security standards have proven insufficient to guard against thefts, especially repeated “smash-and-grab” incidents involving the theft of hundreds of lethal weapons.**

At least 34 local jurisdictions in California have adopted ordinances requiring firearm dealers to meet additional site security and safe storage standards. Consistent with Giffords Law Center's model gun dealer ordinance, the proposed ordinance requires dealers to store their firearms and ammunition in a “secure facility,” as defined by state law, *as well as* storing firearms and ammunition in additional ways to prevent theft when the store is both open and closed for business. The requirement that dealers place bollards in front of their premises will help prevent

smash n' grabs and thefts. ATF recommends that gun dealers incorporate these and other loss prevention measures, such as security cameras and alarm systems, to help reduce the number of firearms stolen from their inventory.<sup>.xxvii</sup>

**The requirements of the proposed changes are constitutional and legally defensible.**

Courts have held that local dealer ordinances are not preempted by state law<sup>.xxviii</sup> nor do they violate the Second Amendment to the United States Constitution.<sup>.xxix</sup><sup>12</sup> Notably, the United States Supreme Court stated in *District of Columbia v. Heller*, that the commercial sale of firearms was a presumptively valid area of regulation.<sup>.xxx</sup> California law authorizes local governments to require gun dealers to obtain a local permit to operate<sup>.xxxi</sup> and impose security requirements on firearms dealers that are stricter than those mandated by state law.

The proposed ordinances enacts commonsense measures already employed by responsible dealers. Accordingly, we urge you to support the proposed gun dealer regulation.<sup>.xxxii</sup>

Sincerely,



Allison Anderman  
Senior Counsel

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## **ABOUT GIFFORDS LAW CENTER**

For over 25 years, the legal experts at Giffords Law Center to Prevent Gun Violence have been fighting for a safer America by researching, drafting, and defending the laws, policies, and programs proven to save lives from gun violence.

i "Report of Active Firearms Licenses- License Type by State Statistics," Bureau of Alcohol, Tobacco, Firearms and Explosives, January 10, 2020, <https://www.atf.gov/firearms/docs/undefined/ffltypebystate01-10-2020pdf/download>.

ii "Federal Firearms Listings," Bureau of Alcohol, Tobacco, Firearms and Explosives, accessed June 1, 2020, <https://www.atf.gov/firearms/listing-federal-firearms-licensees>.

- iii “Communities on the Move: Local Gun Safety Legislation in California,” Giffords Law Center to Prevent Gun Violence, accessed June 1, 2020, <https://lawcenter.giffords.org/resources/communities-on-the-move-local-gun-safety-legislation-in-california/#dealers>
- iv Campbell Municipal Code § 5.45.060(7)(c).
- v El Cerrito Municipal Code § 6.90.030.
- vi Emeryville Municipal Code § 5-30.1.6(g)(3).
- vii Pleasant Hill Municipal Code § 9.35.110(M)(3).
- viii San Carlos Municipal Code § 5.13.080(H).
- ix Santa Cruz County Municipal Code § 5.62.090(G)(3).
- x San Francisco Police Code § 613.10(o)(3).
- xi Garen Wintemute, “Firearm Retailers’ Willingness to Participate in an Illegal Gun Purchase,” 87 *J. Urb. Health* (2010): 7, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2937134/>.
- xii According to the Special Agent in Charge of ATF’s Sacramento office, “When people break into homes or businesses, guns are often the target. . . . [O]f the commodities that we find that people that are involved in criminal activity are looking for, guns are very high on the list.” Lynn Walsh, Dave Manoucheri and Mari Payton, “Stolen Guns Fuel Underground Market For Criminals in California,” NBC7 San Diego, Aug. 9, 2016, <http://www.nbcsandiego.com/investigations/Stolen-Guns-Fuel-Underground-Market-For-Criminals-in-California-389352802.html>.
- xiii “Federal Firearms Licensees (FFL) Burglary and Robbery Statistics - Calendar Year 2012 – 2016,” Bureau of Alcohol, Tobacco and Firearms, April 26, 2018, <https://www.atf.gov/resource-center/federal-firearms-licensees-ffl-burglary-and-robbery-statistics-calendar-year-2012>.
- xiv *Id.*
- xv See Garen Wintemute, “Firearm Retailers’ Willingness to Participate in an Illegal Gun Purchase,” 87 *J. Urb. Health* (2010): 7, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2937134/>.
- xvi See, “Federal Firearms Licensees (FFL) Burglary and Robbery Statistics - Calendar Year 2015,” Bureau of Alcohol, Tobacco and Firearms, accessed June 1, 2020, <https://www.atf.gov/firearms/docs/report/2015-summary-firearms-reported-lost-and-stolen/download>; “ATF Releases 2016 Summary of Firearms Reported Lost and Stolen from FFLs,” Bureau of Alcohol, Tobacco and Firearms, April 11, 2017, <https://www.atf.gov/news/pr/atf-releases-2016-summary-firearms-reported-lost-and-stolen-ffls>.
- xvii Paul Payne, “Burglars ram Petaluma gun store, steal 18 handguns,” *The Press Democrat*, March 5, 2016, <https://www.pressdemocrat.com/news/5338025-181/break-in-at-petaluma-gun-store>.
- xviii “Burglary suspects crash car into front of gun store in Ventura,” KABC-TV L.A., March 27, 2016, <https://abc7.com/1265128/>.
- xix Andrew Westrope, “Rocklin gun robbery followed by 2 attempts in Elk Grove,” *The Placer Herald*, May 11, 2016.
- xx *Id.*
- xxi Sontaya Rose, “30 handguns stolen from Fresno County gun store,” KFSN-ABC Fresno, June 21, 2016, <https://abc30.com/1395039/>.
- xxii Kimberly Veklerov, “Suspects arrested in 2 gun-store thefts,” S.F. Chronicle, July 13, 2016, <https://www.sfchronicle.com/crime/article/Gun-store-smash-and-grabs-lead-feds-cops-to-8376478.php>
- xxiii Sarah Heise, “Several detained in connection with Rocklin gun store burglary,” KCRA-NBC, July 13, 2016, <https://www.kcra.com/article/several-detained-in-connection-with-rocklin-gun-store-burglary/6429614#>.
- xxiv Bill Lindelof, “Another gun shop is burglarized, this time in Grass Valley,” Sacramento Bee, August 3, 2016, <https://www.sacbee.com/article93534827.html> (noting that [t]he incidents added to a growing trend of such burglaries in the greater Sacramento area).

xxv Cal. Penal Code § 26890(a).

xxvi Cal. Penal Code § 17110.

xxvii See e.g., “Loss Prevention for Firearms Retailers,” Bureau of Alcohol, Firearms, and Tobacco, January 2016, <https://www.atf.gov/firearms/docs/guide/loss-prevention-firearms-retailers/download>.

xxviii *Suter v. City of Lafayette*, 67 Cal. Rptr. 2d 420, 428 (Cal. Ct. App. 1997). Although one provision of Lafayette’s ordinance was held to be preempted, the California legislature responded to the decision by enacting Penal Code section 26890(b), specifically authorizing local governments to impose security requirements on dealers that are stricter than state law.

xxix *Teixeira v. County of Alameda*, 2013 U.S. Dist. LEXIS 36792 (Feb. 26, 2013), appeal docketed, No. 13-17132 (9th Cir. Oct. 23, 2013).

xxx 128 S. Ct. 2783, 2817, n.2 (2008).

xxxi Cal. Penal Code § 26705.

xxxii Cal. Penal Code § 26890(b).