



COUNTY OF SAN MATEO
Inter-Departmental Correspondence
Sheriff's Office



Date: February 26, 2015
Board Meeting Date: March 17, 2015
Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors

From: Greg Munks, Sheriff

Subject: Ordinance amending Section 3.52.200 of Chapter 3.52 (Firearms) of Title 3 of the San Mateo County Ordinance Code, relating to the possession and sale of firearms by County officials

RECOMMENDATION:

Introduction of an ordinance amending Section 3.52.200 of Chapter 3.52 (Firearms) of Title 3 (Public Safety, Morals and Welfare) of the San Mateo County Ordinance Code, relating to the possession and sale of firearms by County law enforcement officials and waive the reading of the ordinance in its entirety.

BACKGROUND:

Under the current ordinance adopted in 1999, the County and county law enforcement officials are generally prohibited from selling any county-owned firearm. Section 3.52.200(B) provides: "No county law enforcement official shall trade, give or otherwise transfer any firearm owned or possessed by the County of San Mateo." Subdivision (C) of Section 3.52.200 provides the only exception to the prohibition, allowing for the sale of firearms specifically to another law enforcement agency.

In February 2015, the Sheriff's Office of San Mateo County will transition to a new standard-issue duty weapon for its sworn personnel. The Sheriff's Office seeks the authority to sell its stock of old duty weapons (*i.e.*, those that are to be replaced beginning February 2015).

DISCUSSION:

As with all law enforcement agencies, the Sheriff's Office must maintain and periodically update its inventory of firearms. In accordance with that duty, beginning February 2015, the Sheriff's Office will transition to a new duty firearm for sworn personnel and, as a result, the current inventory of old duty firearms will no longer be needed by the Sheriff's Office. Although the Sheriff's Office will no longer have a need for these weapons, any revenue generated by sales could be used to offset a portion of the cost of the new duty weapons.

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The proposed ordinance will amend the ordinance to allow the Sheriff's Office to sell unneeded, surplus firearms to currently employed sworn personnel of the Sheriff's Office through a licensed firearms dealer.

The Sheriff's Office plans to sell the old duty weapons to interested sworn personnel currently employed by the Sheriff's Office as Deputy Sheriff, Sergeant, Lieutenant, Captain, Assistant Sheriff, Undersheriff, and Sheriff. All such sales will be at fair market value and will take place through a licensed firearm dealer in accordance with applicable state and federal law.

Adoption of this revision to the Ordinance Code will facilitate the cost-effective disposal of the Sheriff's Office's stock of older firearms by allowing the Sheriff to recoup the monetary value of county-owned firearms that are outdated, obsolete, or otherwise no longer needed by the Sheriff's Office.

FISCAL IMPACT:

Revenue generating from sale of the old duty firearms will be used to partially offset the cost to the County for the purchase of the new duty firearms. The amount of the offset will depend upon the number of officers electing to purchase their old duty firearms. There is no Net County Cost.