



County of San Mateo

Inter-Departmental Correspondence

Department: BOARD OF SUPERVISORS
DISTRICT 1
File #: 19-156

Board Meeting Date: 2/26/2019

Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors

From: Dave Pine, Supervisor, District 1
David Canepa, Supervisor, District 5

Subject: Adopt an Ordinance Adding Chapter 3.54 to Title 3 of the San Mateo County Ordinance Code to Require the Safe Storage of Firearms in a Residence

RECOMMENDATION:

Adopt an ordinance adding Chapter 3.54 to Title 3 of the San Mateo County Ordinance Code to require the safe storage of firearms in a residence, previously introduced on February 12, 2019, and waive the reading of the ordinance in its entirety.

BACKGROUND:

Having a loaded or unlocked gun in the home is associated with an increased risk of gun-related injury and death. According to a 2008 report published in the New England Journal of Medicine, living in a home where guns are kept increased an individual's risk of death by homicide by between 40% and 170%. Similarly, a 2004 national study determined that the presence of guns in the home increased an individual's risk of death by homicide by 90%.

Firearm injuries have a significant public health impact. According to a 2015 study, researchers conservatively estimate that gun violence costs the American economy at least \$229 billion every year, including \$8.6 billion in direct expenses such as those for emergency and medical care. In California, the direct costs of hospital use for firearm assault injuries alone was estimated at \$87.4 million in 2010. 65% of these costs were borne by taxpayers.

Children are particularly at risk of injury and death from firearms when firearms are not safely secured in their own homes or in homes they visit. According to national data, children and young adults (24 years of age and under) constitute 38% of all firearm deaths and non-fatal injuries. More than 75% of guns used in suicide attempts and unintentional injuries of children and young adults (0-19 years of age) were stored in the residence of the victim, a relative, or a friend. 89% of accidental shooting deaths among children occur in the home, and most of these deaths occur when children are playing with an unsecured loaded gun in their parents' absence.

More local community action is needed to prevent gun violence. In San Mateo County, there have been 301 gun-related deaths over the past 10 years. According to data collected in 2018 by the Citizens for a San Mateo County Gun Buy Back from participants at two separate gun buy back events, a majority of respondents reported “hiding [the gun] in a discrete location” and/or “keeping it unloaded” as a safety measure, even though these methods are not generally considered safe storage. A large number of respondents (27% in May 2018 and 60% in December 2018) reported that they surrendered the firearms for “safety reasons,” and nearly half of respondents indicated that they did not know how to properly store an inherited firearm.

DISCUSSION:

Applying trigger locks or using lock boxes when storing firearms in the home reduces the risk of firearm injury and death. Keeping a firearm locked when it is not being carried ensures that it cannot be accessed and used by others without the owner's knowledge or permission. This simple measure significantly decreases the risk that the gun will be used to commit suicide, homicide, or inflict injury, whether intentionally or unintentionally. Safe storage measures have a demonstrated protective effect in homes with children and teenagers where guns are stored.

Under the proposed ordinance, safe storage of firearms in a residence would require that:

- (a) Except when carried on the person, no person shall keep a Firearm in any Residence unless the Firearm is stored in a Locked Container or is disabled with a Trigger Lock.
- (b) To encourage reporting of lost or stolen Firearms, a person who reports the loss or theft of a Firearm they own or possess to a local law enforcement agency within five days from the time they knew or reasonably should have known the Firearm had been lost or stolen shall not be prosecuted for violation of subsection (a)

A violation of the ordinance would be subject to enforcement through criminal prosecution and/or civil penalties.

The Board has a successful record of developing ordinances that are then adopted by cities throughout the County (e.g. plastic bag ban, anti-smoking measures, etc.). Should this ordinance be adopted by the Board of Supervisors, it too would serve as a model for consideration by the County's 20 cities.

County Counsel has reviewed the proposed Ordinance as to form.

SHARED VISION 2025

Adoption of the Ordinance contributes to the Shared Vision 2025 of a Healthy Community by reducing the risk of firearm injury and death by requiring the use of trigger locks or lock boxes when keeping a firearm in the home, thereby making our neighborhoods safe.

FISCAL IMPACT:

There is no fiscal impact associated with the approval of this ordinance.