



County of San Mateo

Inter-Departmental Correspondence

Department: BOARD OF SUPERVISORS
DISTRICT 1
File #: 22-265

Board Meeting Date: 4/19/2022

Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors

From: Supervisor Dave Pine, District 1
Supervisor Don Horsley, District 3

Subject: Exception to the prohibition of firearm possession on County Property, permitting a person to possess a firearm for the purpose of immediately turning in that firearm to the San Mateo County Sheriff at a County-sanctioned firearm buyback event taking place on that County Property.

RECOMMENDATION:

Introduction of an ordinance amending section 3.53.030 of the San Mateo County Ordinance Code to add an exception to the prohibition on firearm possession on County Property, permitting a person to possess a firearm for the purpose of immediately turning in that firearm to the San Mateo County Sheriff or any person or persons designated by the Sheriff at a County-sanctioned firearm buyback event taking place on that County Property, and waive the reading of the ordinance in its entirety

BACKGROUND:

According to the California Department of Justice, firearms transactions in the state have grown in recent years, tripling from 2007 to a peak in 2016, before leveling off by 2018 to 2019. This leveling off was short lived, with 2020 setting the record for the most handguns sold in a year.

A firearm buyback event is an event at which individuals can turn in unwanted firearms to law enforcement in exchange for a cash incentive. The goal of a firearm buyback event is to reduce firearm-related injuries and deaths by taking unwanted firearms off the street and out of homes, while also providing an opportunity for the safe disposal of unwanted or unsecured firearms. Gun buyback events also provide an opportunity for the safe disposal of unwanted or unsecured firearms, especially by gun owners who would not otherwise know how to do so. Studies link deaths by firearm suicide to the number of households where firearms are present.

The County of San Mateo hosted four such successful firearm buyback events in 2018-2021, yielding a total of 1,679 firearms collected. Citizens for a San Mateo County Gun Buy Back ("Citizens"), a local community-run group, manages the "incentive" side, in which individuals are able to surrender

their firearms to Sheriff's Department personnel in exchange for a cash incentive in the amount of \$100 per handgun/shotgun/rifle; \$200 per assault weapon; and starting in 2022, \$200 for unregistered "ghost guns." The Sheriff's Department provides all other logistical arrangements, including pre-planning, day-of operational support at and around site, packaging/sealing/labeling/storing for evidentiary purposes, and eventual destruction of the firearms.

In addition to removing firearms from the community, gun buyback events also provide an opportunity to educate the public about safe firearm storage and other gun safety protocols for the home, and to distribute free gun locks. The Citizens organization also disseminates voluntary surveys to assess reasons for participation; in the course of the four gun buyback events, a total of 656 surveys were collected. Reasons for participation included: having a suicidal family member, having a new baby, having lost a 17-year-old stepson to gun violence, finding firearms in the attic of their new home, and having domestic violence in the family. Surveys also showed that participants were grateful for a safe, organized event; 81% said it was easy to participate and many added remarks of appreciation for the officers conducting the buybacks. Most participants (78.4% of participants who filled out the survey) said they are San Mateo County residents. Approximately 48% of survey participants had inherited their guns and about 43% said they had no firearm training.

On November 16, 2021, the Board of Supervisors unanimously approved a resolution authorizing an allocation of \$208,000 in Measure K reserve funds to establish a San Mateo County Gun Buy Back Program to include five events through 2023. At that time, the Board indicated a desire to hold at least one of the two events per year in North County to facilitate participation by North County residents. At the December 2021 buyback event, only 13 of the 90 survey respondents indicated their place of residency to be San Mateo County cities north of Millbrae; most participants indicated South County residency.

DISCUSSION:

At firearm buyback events, participants are typically instructed to transport their firearms unloaded in the trunk of a vehicle before surrendering their firearm(s) to Sheriff's Department personnel. The four gun buyback events held to date have been conducted on private property.

Section 3.53.010 of the San Mateo County Ordinance Code currently provides that it is a misdemeanor to bring onto or possess a firearm, loaded or unloaded, or ammunition on County property.

Given the scarcity of appropriate locations on which to hold a gun buyback event, there may be situations in which such an event will need to be held on County Property. In these situations, it may be necessary to allow participants to bring their unwanted firearms onto County Property for that limited purpose. Therefore, this ordinance would amend section 3.53.030 of the Ordinance Code to add an exception to the prohibition on firearm possession on County Property, permitting a person to possess a firearm for the purpose of immediately turning in that firearm to the San Mateo County Sheriff or any person or persons designated by the Sheriff at a County-sanctioned firearm buyback event taking place on that County Property.

County Attorney has reviewed and approved the proposed ordinance as to form.

FISCAL IMPACT:

Funding for the San Mateo County Gun Buy-Back Pilot Program has previously been identified. The

ordinance will incur no additional net county cost.