



City of Palo Alto

COLLEAGUES MEMO

DATE: December 14, 2020

TO: City Council Members

FROM: Council Member Fine, Council Member Cormack

SUBJECT: COLLEAGUES MEMO ON SAFE STORAGE OF FIREARMS

Objective

To protect the safety of Palo Alto residents, visitors, and public safety personnel by adopting local legislation that requires the safe storage of firearms in residences.

Recommendation

We recommend that the Council direct the City Attorney to return to Council with an ordinance to require the safe storage of firearms in residences.

Situation

Suicides and accidental deaths by firearms are one of the leading - and most preventable - causes of death in the United States. Nearly 40,000 lives were lost to firearms in 2017, the most recent year with complete data, and there are indications the number is rising¹. Suicides account for 6 out of 10 firearm related deaths.

For non-fatal shootings, the numbers are much higher. According to the Brady Institute, approximately 114,000 people are shot each year in the US, of which almost 8,000 are 17 years old or younger².

2020 has seen a record-setting number of firearm purchases, and many of these are to first-time firearm owners, who may not be familiar with proper safety and storage practices³. A safe storage requirement can help prevent the theft of firearms and may reassure and protect our public safety personnel⁴.

A safe storage requirement can be as simple as requiring firearms to be stored with a firearm lock, in a locked box, or in a firearms safe. As the Gifford Law Center writes, "These laws are

¹ <https://www.pewresearch.org/fact-tank/2019/08/16/what-the-data-says-about-gun-deaths-in-the-u-s/>

² <https://www.bradyunited.org/key-statistics>

³ <https://www.brookings.edu/blog/up-front/2020/07/13/three-million-more-guns-the-spring-2020-spike-in-firearm-sales/>

⁴ <https://www.nytimes.com/2020/11/17/health/suicide-guns-prevention.html>

intended to help prevent unauthorized users, including children, from accessing and using firearms, which can reduce tragedies due to suicide, unintentional discharges, and gun theft.”⁵

While the City of Palo Alto does not control federal or state firearms rules, we do have the ability to legislate in related areas:

- Firearms stores and shooting range locations, including firearm and ammunition sales taxes (there are currently none of these facilities in Palo Alto)
- Minimum age to buy a firearm (not applicable in Palo Alto, but Sunnyvale recently raised the minimum age to 21 for purchasing a semi-automatic rifle⁶)
- Mandatory liability insurance for firearm owners (this has been proposed by San José Mayor Sam Liccardo⁷)
- Redwood City passed an ordinance⁸ requiring the safe storage of firearms within a residence, with a violation classified as a misdemeanor and a fine up to \$1,000⁹ (the ordinance largely mirrored the San Mateo County ordinance)

This memo is not intended to criticize firearm owners nor abridge the rights protected by the second amendment to the Constitution. Rather, by protecting firearms from theft and misappropriation, it is meant to propose well-researched and common-sense measures that can save lives and prevent injuries in our community.

Staff Resources

The primary resources involved would like be the administrative costs involved with evaluating, drafting, and processing the ordinance through city council approval and codification, as well as related public communications. The frequency of firearm storage-related issues occurring is expected to be very low.

⁵ <https://giffords.org/lawcenter/gun-laws/policy-areas/child-consumer-safety/safe-storage/>

⁶ <https://www.mercurynews.com/2018/08/04/sunnyvale-bans-anyone-younger-than-21-from-buying-semi-automatic-rifles/>

⁷ <https://www.sanjoseca.gov/Home/Components/News/News/475/4699?npage=12>

⁸ <https://www.redwoodcity.org/home/showdocument?id=19626> (Redwood City ordinance)

⁹ <https://www.redwoodcity.org/home/showdocument?id=19650> (Redwood City staff report)