

Gutierrez, Jeannette

From: Kelly Traver
Sent: Tuesday, April 13, 2021 4:56 PM
To: City Council
Subject: Safe Storage Ordinance
Attachments: California Penal Code 25100.pages

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Hi Mayor and Councilmembers,

I am very grateful for the work you are doing for public safety such as efforts to restrict firearms in public spaces. I have written before to ask you to also adopt a safe storage of firearms ordinance that many other local towns have adopted. I believe you may have been told by the police that one is not necessary but this is not true. I am attaching the California Penal code and have highlighted where you see the deficiencies. California law only tells residents they need to put their guns safely away at home (if a child lives there or could be expected to come to the house) but it never specifies what safe means. Perhaps police themselves know that "safe" means "securely stored in a locked container" but most people think "safe" is high up in a closet or in the garage or on top of the fridge or between the bed mattress. (Only in the case of a felon or someone who is on the prohibited list for having a firearm is there specific language about locking firearms in safes) This lack of specification of what safe is in homes results in one child unintentionally dying from an unsecured firearm everyday. Two teens dying from gun suicide every day using an unsecured firearm. 80% of school shootings occur due to the student or former student procuring an unsecured firearm from their home or a relatives home. One such school shooting happened just yesterday in Tennessee. A couple weeks ago a child found an unsecured firearm in a home next door in Palo Alto (fortunately an adult found him before anything happened) Please let's not have this happen in Mountain View. Research shows 1 in 3 homes in this country have a firearm (higher in rural areas) and 60% are unsecured. Please follow what other local towns are doing to keep Mountain View as safe as it deserves to be. I have attached the full code below but here is a portion.

Thank you for the work you do, Kelly Traver

(c) Except as provided in Section 25105, a person commits the crime of "criminal storage of a firearm in the third degree" if the person keeps any firearm within any premises that are under the person's custody or control and negligently stores or leaves a firearm in a location where the person knows, or reasonably should know, that a child is likely to gain access to the firearm without the permission of the child's parent or legal guardian, unless reasonable action is taken by the person to secure the firearm against access by the child.

(Amended by Stats. 2019, Ch. 840, Sec. 6. (SB 172) Effective January 1, 2020.)

Search Phrase:

25105.

Section 25100 does not apply whenever any of the following occurs:

- (a) The child obtains the firearm as a result of an illegal entry to any premises by any person.
- (b) The firearm is kept in a locked container or in a location that a reasonable person would believe to be secure.