

Addressing Gun Violence: Requiring Safe Storage & Reporting Lost and Stolen Guns

Seattle City Council

Gender Equity, Safe Communities, New Americans &
Education Committee

June 13, 2018



City of Seattle

Overview

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- Elements of the Bills
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- Next Steps



Background



Gun Violence is a Public Health Crisis:

- In 2016, in the U.S., **38,658** people died from a firearm injury, including **3,155** under the age of 20; *(Center for Disease Control)*
- In 2015, in Washington State, **714** residents died from a firearm injury, including **39** under the age of 18; *(WA Dept of Health)*
- Between 2007 and 2011, an average of **at least 62 children age 14 and under** died each year in unintentional shootings; *(CDC)*
- Between 2010 and 2017, **78** percent of firearm deaths in Washington State were due to suicide. *(Spokesman Review)*



Gun Violence is a Public Safety Issue:

- In Seattle, from 2015 to 2017, firearms were involved in:
 - **66%** of homicides,
 - **17%** of robbery incidents, and
 - **9%** of aggravated assaults; *(Seattle Police Department)*
- Between 2015 and 2017, Seattle Police Department has taken **3,153** firearms into custody through the course of its regular duties. *(SPD)*



Doing Nothing Was not an Option:



**Nationwide student
walk-out**
March 14th



**Gun Violence
Prevention Town Hall**
March 15th



Photo credit: Seattle Times

**Nationwide youth-led
March for Our Lives**
March 24th

Mayor Durkan and CM González announced a plan



*March 21, Harborview
Medical Center*

Mayor Jenny Durkan and Councilmember Lorena González – joined by City Attorney Pete Holmes, advocates, health care professionals, law enforcement and survivors – announced:

- A new bill to require safe storage of firearms in Seattle;
- Increased fines for not reporting lost & stolen guns;
- The launch of seattle.gov/erpo; and
- Payment of gun and ammunition tax to Harborview Injury Prevention gun violence research and pilot.

Unsecured Firearms Are Part of the Problem:

- Nationally, an average of at least **232,000 guns** were stolen per year from 2005 to 2010; *(Federal Bureau of Investigations)*
- At least **250 guns** were reported stolen in the City of Seattle in 2017;*(SPD)*
- In survey of Washington State homes, roughly **one-third of gun-owning households** report storing their guns locked and unloaded. *(American Journal of Public Health)*



Safely Securing Guns Has Threefold Benefits:

1) Reduces the chance for stolen guns which can enter the black market and become crime guns

- *The four states with some form of safe storage requirement (MA, CA, NY, CT) have gun theft rates well below the national average* (The Trace).*

**Not a study showing causality*

2) Reduces the chance of accidental shootings by youth

- *Safe storage of guns decreased the risk of accidental firearm injuries and suicides to youth by 73 percent (Harborview)*

3) Reduces the chance of suicide, especially among youth

- *Child access prevention laws and safe storage laws reduce fatal or nonfatal firearm injuries and deaths among children (RAND)*



Elements of the Bills



There are 2 bills

1) **Safe Storage:** A new bill that requires firearms in premises are safely secured

2) **Reporting Lost & Stolen:** Modification to existing bill that requires reporting of lost & stolen firearms

Safe Storage: Two New Civil Infractions:

1) **Civil infraction** for any person to “store or keep any firearm in any premises unless such weapon is secured in a locked container.”

2) **Civil infraction** if a person knows or should know that a minor, at-risk person or prohibited person is likely to gain access to a firearm and such a person obtains a firearm

Safe Storage: Tiered Penalties

- Up to **\$500** civil penalty (or community restitution) for failure to safely store
- Up to **\$1,000** civil penalty (or community restitution) if a minor, at-risk person, or prohibited person **actually obtains the firearm**
- Up to **\$10,000** civil penalty if a minor, at-risk person, or prohibited person **gains access** and **kills or injures another** or uses in **connection with a crime**
 - Evidence of negligence per se in any civil proceeding

Updates to Reporting Lost and Stolen Firearms Ordinance

- Increases the penalty for failure to report a lost or stolen firearm from up to \$500 to up to \$1,000
- Adds a provision that failure to report is evidence of negligence per se in a civil lawsuit
- Adds a provision that safe storage of a firearm, coupled with timely reporting of a lost and stole firearm, is an affirmative defense to a claim of negligence in a civil lawsuit.



Enforcement (both laws)

- **Notice of Infraction**

- Filled out by **police officer**
- Filed in **Seattle Municipal Court**

- **Defendant can**

- **Pay penalty** (exploring educational alternatives)
- **Contest the charge – Trial**

Frequently Asked Questions



What counts as safe storage?

- “Locked container” includes any storage device approved of or meeting specifications established by the Chief of Police by rule.
 - *This allows flexibility for built-in lockers and for any list of manufactured goods to be updated with new technology without passing new legislation.*



When does this bill take effect?

- “Section 1 of this ordinance shall take effect **180 days after the effective date** of this ordinance.”
 - *This allows time for rule making, public education and outreach, and residents to comply before the bill takes effect.*



How will we know if the law is working?

- Chief of Police to devise a plan to determine the level of compliance
 - Within one year from the effective date of this ordinance.
- City Auditor to assess the impacts of the ordinance on gun injuries and deaths in Seattle, including the numbers of overall deaths, youth deaths, overall injuries, youth injuries, overall suicides, and youth suicides.
 - Within one year, and annually for the next five years thereafter



Next Steps



Projected Schedule

- **June 13th:** First meeting at Gender Equity, Safe Communities, New Americans & Education Committee
- **June 27th:** Second committee meeting, discuss possible amendments, and possible committee vote
- **July 2nd or 9th:** Full Council vote

