



## Senator Jerry Hill, 13<sup>th</sup> Senate District

### SB 869 – Safely Storing Law Enforcement Handguns in Cars – Factsheet

#### IN BRIEF

SB 869 aligns the safe storage standard for law enforcement officers when leaving a handgun unattended in a vehicle with the existing standard for civilian gun owners.

#### THE PROBLEM

The proper and secure storage of handguns is a key part of preventing theft. To that end, current California law requires civilians who leave their handguns in cars to store them securely in a lockbox or in the trunk. Law enforcement officers, however, are exempt from this requirement and many handguns owned by law enforcement officers have been stolen from their vehicles; some of the handguns have been used in crimes, including two murders.

#### BACKGROUND

Over the past few years, dozens of handguns belonging to law enforcement officers have been stolen from cars throughout the Bay Area. An investigation by the Bay Area News Group found that between 2010 and 2016, at least 192 guns had been stolen from officers. The majority of the stolen weapons were handguns and were stolen from cars. According to the report: “Rather than securing their guns, officers sought to hide them under or behind car seats, placed them in glove boxes and center consoles, or stowed them in exposed equipment bags and backpacks before dropping into coffee shops, health clubs, grocery stores, bars, a Bass Pro Shop, a Nordstrom or their homes.”<sup>1</sup>

The following are some examples of instances when handguns owned by a law enforcement officer were stolen from their vehicle:

- In August 2015, a handgun belonging to a Hayward police officer was stolen from a car in Oakland.
- Also in August, a handgun belonging to the chief of the UC Berkeley Police was stolen from her car while she was jogging. She had left the handgun in her computer bag, which was visible in the car.

- In October 2015, the handgun of an off-duty CHP officer was stolen from his car while in San Francisco.
- In January 2016, 3 handguns were stolen out of an FBI vehicle parked in a Benicia neighborhood.

Stolen handguns can end up being used in violent and tragic crimes. In the second half of 2015, two handguns taken from law enforcement officers’ vehicles were used to commit murder:

- A gun stolen from the car of a federal Bureau of Land Management ranger was used to kill a 32-year-old woman who was strolling with her father on San Francisco’s Pier 14 on a July 2015 afternoon.
- A gun stolen from the car of a federal Immigration and Customs Enforcement officer was used in the slaying of a muralist as worked in Oakland in September 2015.

#### THE SOLUTION

SB 869 requires any person, including law enforcement officers at the local, state, and federal level, to take the same precautions that civilians do when handguns are left unattended in vehicles. Specifically, the bill:

- Makes it clear that any person, which would include law enforcement officers, when leaving a handgun unattended in a vehicle, must lock the handgun in a vehicle’s trunk, lock the handgun in a locked container out of plain view, or, lock the handgun in a locked container that is permanently affixed to the vehicle and out of plain view.
- Peace officers carrying out their official duties during circumstances requiring immediate aid or action are exempted.
- A violation of the requirement is punishable by an infraction, with a fine not to exceed \$1,000.

<sup>1</sup>Peele, Thomas. “944 Lost Guns.” *Bay Area News Group Watchdog Report*. June 26, 2016.  
<http://extras.mercurynews.com/policeguns/>

- The bill does not apply to handguns legally shipped with a carrier, such as FedEx or UPS.
- Will not supersede local ordinances already in effect – this will apply to SF and Oakland as they are the only 2 local jurisdictions that have implemented such an ordinance.

## **SUPPORT**

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Law Center to Prevent Gun Violence  
California Association of Highway Patrolmen  
California Chapters of the Brady Campaign to Prevent  
Gun Violence  
American Academy of Pediatrics, California  
California Police Chiefs Association  
Bay Area Rapid Transit (BART)

(updated 5-31-16)

## **FOR MORE INFORMATION**

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