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City Attorney's Office

OAKLAND CITY COUNCIL

Resolution No. _____ C.M.S.

INTRODUCED BY COUNCILMEMBER REBECCA KAPLAN

RESOLUTION REQUESTING PRESIDENT OBAMA REQUIRE FEDERAL AGENTS NOT LEAVE FIREARMS UNSECURED IN UNATTENDED VEHICLES

WHEREAS, a number of violent crimes have occurred where the firearms used in these crimes were stolen from private vehicles and the vehicles of law enforcement and government agents; and

WHEREAS, failure to properly secure guns, especially when left in unattended vehicles, can result in the guns ending up in the hands of criminals; and

WHEREAS, the Oakland City Council has passed local gun ordinances which included an ordinance requiring City of Oakland issued Firearms be secured in unattended vehicles and prohibits the public from leaving guns unsecured in unattended vehicles; and

WHEREAS, when law enforcement agents are given the responsibility to possess weapons, they should secure their weapons to the fullest extent possible to guarantee public safety, so that weapons are not easily accessed by criminals to be later sold or used in crimes in communities; and

WHEREAS, according to the California Department of Justice in 2014, there were 1,169 firearm murders in California, 13,546 armed robberies involving firearms, and 15,801 aggravated assaults involving a firearm; and

WHEREAS, San Francisco-Oakland-Hayward, California was the number one metropolitan area out of the top 10 metropolitan areas with the highest auto theft rates in 2014; and

WHEREAS, at the end of 2015, year to date, there had been 7,797 auto burglaries in Oakland, a dramatic increase from just 3,375 in 2010; and

8

RULES & LEGISLATION CMTTE

FEB 25 2016

WHEREAS, according to the Oakland Police Department, approximately 300 firearms were reported stolen from vehicles during auto burglaries between August 2004 and November 2015, and

WHEREAS, nationally a motor vehicle theft occurs every 42.8 seconds; and

WHEREAS, the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) indicates that more than 173,000 guns were reported lost or stolen by private individuals in 2012; and

WHEREAS, in October, a gun that had been reported stolen from a Federal agent's vehicle in San Francisco was used to kill a Canadian tourist in Golden Gate Park and two days later, that same gun was used to kill a hiker in Marine County; and

WHEREAS, on July 1, 2015, Kathryn Steinle was shot and killed in San Francisco by a gun that was stolen from the vehicle of a Federal Bureau of Land Management Agent; and

WHEREAS, on September 29, 2015, a gun was stolen from a car rented by a Federal Immigration and Customs Enforcement Agent while parked in San Francisco and was used to kill Oakland's peace muralist, Antonio Ramos; and

WHEREAS, the following month in October, an off-duty California Highway Patrol Officer's gun was stolen out of his personal vehicle in San Francisco; and

WHEREAS, in August, a gun was stolen from an off duty Hayward police officer's vehicle in Oakland; and

WHEREAS, a UC Berkeley Police Chief's gun was stolen from her vehicle in Richmond; and

WHEREAS, statewide, the California Highway Patrol lost 35 firearms, and all but three of them had been stolen; and

WHEREAS, there have been 500 weapons stolen or lost from eight different law enforcement agencies in the Bay Area including the Highway Patrol, the federal Drug Enforcement Administration and six local departments since 2010 with weapons ranging from military grade assault rifles such as AR-15s and M16s, sniper rifles, shotguns, a gas grenade launcher and hundreds of handguns; and

WHEREAS, as part of a Freedom of Information Act request, the news outlet, The Complete Colorado, obtained Department of Human Services inventory reports showing that various federal agencies reported more than 1,300 badges and credentials, 165 firearms and 589 cell phones as being lost or stolen between October 2012 and April 2015; and

WHEREAS, these lost and stolen law enforcement items and weapons are rarely recovered and often fall into the hands of criminals; and

WHEREAS, President Obama has issued Executive Actions and continues to examine what measures can be taken to strengthen existing federal gun policies and regulations, we are strongly encouraging the president to add to this effort to ensure the safety of communities throughout the nation by requiring that federal agents and employees issued firearms be required to secure those firearms when left unattended in vehicles; and

WHEREAS, President Obama's Executive Actions include (1) making improvements, strengthening, and overhauling the background check system and requiring any business that engages in the sale of guns obtain a federal license on all purchases, (2) adding 200 new ATF agents and investigators, (3) furthering the government's efforts to conduct or sponsor research in gun safety technologies, (4) requiring the inclusion of mental health information in the background checks system, (5) ensuring health care professionals understand that they are not prohibited by law to report threats of violence to law enforcement officials and (6) providing monetary incentives that will encourage states to share information and records on criminal history; now, therefore, be it

RESOLVED, that the City Council of Oakland, California hereby urges President Obama to require that Federal employees and law enforcement officials be instructed to secure firearms in unattended vehicles.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN,
REID AND PRESIDENT GIBSON MCELHANEY

NOES -
ABSENT -
ABSTENTION -

ATTEST:

LATONDA SIMMONS
City Clerk and Clerk of the Council of the City
of Oakland, California


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