

RESPONSE TO GRAND JURY REPORT

Report Title: POLICE FIREARM SECURITY

Report Date: APRIL 21, 2016

Agenda Date: JULY 19, 2016

Response by: JOHN ROHRBACH Title: CHIEF OF POLICE, SANSALITO

FINDINGS

- I (we) agree with the findings numbered: F1, F2, F3, F6, F7, F8
- I (we) disagree *partially* with the findings numbered: F4, F5,
- I (we) disagree *wholly* with the findings numbered: _____

(Attach a statement specifying any portions of the findings that are disputed; include an explanation of the reasons therefor.)

RECOMMENDATIONS

- Recommendations numbered R3, R4 have been implemented.
(Attach a summary describing the implemented actions.)
- Recommendations numbered R1, R2, R5 have not yet been implemented, but will be implemented in the future.
(Attach a timeframe for the implementation.)
- Recommendations numbered _____ require further analysis.
(Attach an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.)
- Recommendations numbered _____ will not be implemented because they are not warranted or are not reasonable.
(Attach an explanation.)

Date: 5/20/2016 Signed: John Rohrbach

Number of pages attached 4

CITY OF SAUSALITO

ATTACHMENT TO
Police Firearm Security: Keeping Guns out of the Hands of Criminals

Findings – Statement re: F4 and F5:

F4 – With the exception of the Fairfax Police Department, Marin County Police Departments and the Sheriff's Office have not amended or updated their policies in response to high profile reports of law enforcement guns being stolen from vehicles. DISAGREE PARTIALLY – THE SAUSALITO POLICE DEPARTMENT UPDATED ITS POLICY ON MAY 24, 2016

F5 – Most Marin County Police and Sheriff's Departments do not have a clear-cut policy and/or procedure specifying how firearms are to be secured if left in an unattended vehicle. DISAGREE PARTIALLY – THE PRIOR SAUSALITO POLICY ON FIREARMS SECURITY REQUIRED FIREARMS TO BE LOCKED AND SECURED. THE RECENTLY UPDATED POLICY IS MORE SPECIFIC AND STATES THAT FIREARMS SHALL NEVER BE LEFT IN AN UNATTENDED POLICE DEPARTMENT VEHICLE OR A PRIVATELY OWNED VEHICLE. AS SOON AS SECURE LOCK BOXES ARE INSTALLED IN THE UNMARKED POLICE VEHICLES, THE POLICY WILL BE AMENDED TO ALLOW SUCH UNATTENDED STORAGE PROVIDED THE FIREARMS ARE STORED IN THE SECURE DEVICES.

Recommendations – Statement re: R1, R2, R3, R4 and R5:

R1 – Marin County Sheriff's Office and Police Departments should track and record all firearms that have been lost or stolen from law enforcement and personal vehicles. THIS RECOMMENDATION HAS NOT YET BEEN IMPLEMENTED AS THERE ARE NO LOST OR STOLEN FIREARMS FROM SAUSALITO LAW ENFORCEMENT AND PERSONAL VEHICLES.

R2 – Marin County Sheriff's Office and Police Departments should make public the number and circumstances of all firearms that have been lost or stolen from law enforcement and personal vehicles. THIS RECOMMENDATION HAS NOT YET BEEN IMPLEMENTED AS THERE ARE NO LOST OR STOLEN FIREARMS FROM SAUSALITO LAW ENFORCEMENT AND PERSONAL VEHICLES.

R3 – Marin County Sheriff's Office and Police Departments should update their policies and procedures regarding firearm security, particularly with regard to firearms left in unattended vehicles (department and personal) and if a firearm is left in a vehicle, how it is to be secured. THIS RECOMMENDATION HAS BEEN IMPLEMENTED. A COPY OF THAT POLICY CHANGE IS ATTACHED TO THIS RESPONSE.

R4 – The Marin County Sheriff and all Police Chief's should discuss the issue of firearm security including storage, tracking and reporting of lost or stolen firearms at Marin County

Police Chief Association meetings and made a recommendation as to whether there should be a standard county policy for leaving a law enforcement firearm in a vehicle. THIS RECOMMENDATION HAS BEEN IMPLEMENTED. THE DISCUSSION TOOK PLACE AT A RECENT MEETING OF THE MARIN COUNTY POLICE CHIEFS ASSOCIATION MEETING. A COPY OF THE ASSOCIATION'S RESPONSE TO THE MARIN GRAND JURY IS ATTACHED.

R5 – Marin County Sheriff's office and Police Departments should install lock boxes in all department vehicles and require that in the event it is necessary to leave a firearm in a vehicle, the firearm be secured in the lock box. THIS RECOMMENDATION HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IN THE FUTURE. THE NEXT TWO UNMARKED POLICE CARS ARE ON ORDER AND WILL BE EQUIPPED WITH SECURE DEVICES FOR FIREARMS STORAGE. THE REMAINING THREE UNMARKED POLICE CARS WILL BE RETROFITTED WITH SECURE DEVICES FOR FIREARMS STORAGE NO LATER THAN THE END OF SEPTEMBER, 2016 AFTER THE TWO NEW CARS ARE COMPLETE. THE SAUSALITO POLICE DEPARTMENT HAS SIX MARKED PATROL CARS. EACH VEHICLE IS ALREADY EQUIPPED WITH SECURE FIREARMS RETENTION DEVICES.

SAUSALITO POLICE DEPARTMENT

John Rohrbacher
Chief of Police



INTEROFFICE MEMORANDUM

To: All Personnel
From: John Rohrbacher, Chief of Police
Date: May 24, 2016
Subject: Safe Storage of Firearms

Carrying a loaded and concealed firearm is a privilege of employment as a peace officer in California. That privilege comes with significant responsibility as outlined in great detail in our Department policy manual. With the statewide increase in thefts from vehicles, including unmarked law enforcement vehicles and privately owned vehicles belonging to law enforcement officers, I am making the following changes to our firearms storage policy effective immediately.

I am open to amending these changes to include an exception for vehicles with securely mounted weapons storage vaults once we have explored those options for department owned vehicles and privately owned vehicles.

312.5.2 STORAGE OF FIREARMS AT HOME OR IN VEHICLES

Members shall ensure that all firearms and ammunition are locked and secured while in their homes, vehicles or any other area under their control, and in a manner that will keep them inaccessible to children and others who should not have access. Members shall not permit department-issued firearms to be handled by anyone not authorized by the Department to do so.

Firearms shall never be left in an unattended police department unmarked vehicle or a privately owned vehicle.

Members should be aware that negligent storage of a firearm could result in civil and criminal liability (Penal Code § 25100).

A handwritten signature in cursive script that reads "John Rohrbacher".

John Rohrbacher
CHIEF OF POLICE

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MARIN COUNTY



**POLICE CHIEFS
ASSOCIATION**

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June 9, 2016

Mr. John Mann, Foreperson
Marin County Civil Grand Jury
3501 Civic Center Drive, Room 275
San Rafael, CA 94903

Re: Police Firearm Security

Dear Mr. Mann:

This letter constitutes the Marin County Police Chiefs' Association's reply to the Grand Jury's invitation to respond to the contents of its April 21, 2016 report on the above subject.

The Association thanks the Grand Jury for its interest in and work on the timely and important subject of police firearm security. While, as stated in your report, the incidence of police firearms stolen from vehicles in Marin County is low, the Association and its members have met and had robust discussions on how to improve firearm vehicle security and their respective agencies' written policies on this subject, as well as on firearm inventory auditing.

It is important to note that the Association itself has no authority or jurisdiction to compel its members or their agencies to adopt any type of uniform or standard policy or practice on police firearm security. There are as many good ideas on this subject as there are Association members. Our individual policy manuals and proposed State legislation may promulgate or enact a uniform standard, but the Association's members are not standing idly by waiting for such solutions.

The Association will continue its discussion of firearm security and inventory auditing and any need of its members to amend or update their agencies' written policies and practices. Your April 21, 2016 report has provided significant impetus and input for further review and discussion of this important subject, and we appreciate the Grand Jury's findings and recommendations contained within its report.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Patricia Seyler-Campbell', written in a cursive style.

Chief Patricia Seyler-Campbell, President
Marin County Police Chiefs Association

REPRESENTING THE FOLLOWING LAW ENFORCEMENT AGENCIES:

BELVEDERE ♦ CALIFORNIA HIGHWAY PATROL ♦ CENTRAL MARIN ♦ DISTRICT ATTORNEY ♦ FAIRFAX
COLLEGE OF MARIN ♦ MILL VALLEY ♦ NOVATO ♦ ROSS ♦ SAN RAFAEL ♦ SAUSALITO ♦ SHERIFF ♦ TIBURON