



The City of San Diego

Staff Report

DATE ISSUED: October 12, 2023

TO: City Council

FROM: Councilmember Marni von Wilpert, Council District 5

SUBJECT: Firearm Procurement Reform to Reduce Gun Violence

Primary Contact: Joon Suh Phone: (619) 236-6655

Secondary Contact: Justin Garver Phone: (619) 236-6655

Council District(s): Citywide

OVERVIEW:

Taxpayers are the largest buyer of firearms in America, spending more than \$5 billion a year to buy guns and ammunition to equip law enforcement agencies.¹ Firearm suppliers that receive public tax dollars should act responsibly and promote public safety by complying with all federal, state, and local firearms laws in all of their gun sales.

Unfortunately, research by the Brady Center to Prevent Gun Violence found that millions of taxpayer dollars have gone to firearm suppliers that have been cited for violations of federal and state laws aimed at reducing gun violence. Those violations include firearm suppliers failing to complete required background check forms or otherwise follow document procedures critical to law enforcement investigations.² These unlawful practices by firearm suppliers impede law enforcement investigations and contribute to the gun trafficking and crime that fuel America's gun violence epidemic.

The City of San Diego can play a critical role in preventing gun violence by establishing procurement and oversight policies that require gun suppliers who receive taxpayer dollars comply with firearms laws and adhere to best practices. By ensuring that we only buy from responsible suppliers, the City of San Diego can incentivize local firearm suppliers' compliance with laws and best practices for safe gun dealing in order to help reduce the number of firearms directed from the legal to illegal markets.

The City can also ensure taxpayer dollars are being spent wisely while upholding public safety, which is the ultimate goal of our regional law enforcement agencies. Using taxpayer's buying power in firearms procurement to improve compliance and responsible firearms dealing can save lives of law enforcement officers and citizens alike.

PROPOSED ACTIONS:

Request that the City Attorney's Office, Purchasing and Contracting Department, and San Diego Police Department work with Council District 5 to develop options to reform the City of San Diego's firearm procurement practices to:

1. Ensure all suppliers of firearms or ammunition with whom the City does business are following all local, state and federal laws; and
2. Ensure that firearms suppliers have policies in place to prevent improper or unlawful transfer of firearms to straw purchasers or firearm traffickers, prevent sales to prohibited individuals, and protect against the theft of firearms and ammunition; and
3. Ensure all firearms suppliers are providing all relevant state and federal inspection reports when submitting bids, and documenting corrective actions in response to violations of firearms laws.

DISCUSSION OF ITEM:

In the most recent five-year period, over 1,300 San Diegans were killed by firearms in our region.³ Our region has also seen a 64% increase in crimes committed with a firearm from 2017 to 2021.⁴ Survey research shows an overwhelming majority of San Diegans view gun violence as a concern in their community.⁵ With gun violence on the rise in San Diego, the City of San Diego must identify and consider ways to ensure that firearms are not falling into the wrong hands.

Taxpayers are the largest buyer of firearms in America, altogether spending more than \$5 billion a year to buy guns and ammunition to equip law enforcement agencies.⁶ Through the power of our firearm procurement policies, the City can leverage its taxpayer dollars to require greater compliance in the gun industry with existing federal and state laws that prevent unchecked firearms access.

The City of San Diego must ensure that we do business only with firearm suppliers who adhere to all federal, state, and local laws. Similarly, the City requires its public works contractors to adhere to labor and employment laws to ensure workers on City contracts are paid fairly and have safe workplaces. The City should have a similar standard for firearms suppliers that do business with the City, to ensure they comply with laws intended to protect the public and law enforcement from gun violence. Better business practices employed by gun industry members can lead to reductions in gun trafficking and crime by keeping guns out of the hands of prohibited persons.⁷

Ensuring that the City of San Diego only does business with retailers upholding the highest standards will result in fewer infractions, greater compliance with state and federal laws, and reduce the likelihood of firearms falling into the wrong hands in our community.

Reforms to the City of San Diego’s firearm procurement practices may include:

1. Ensuring all suppliers of firearms or ammunition with whom the City does business are following all local, state and federal laws; and
2. Ensuring that suppliers have policies in place to prevent improper or unlawful transfer of firearms to straw purchasers or firearm traffickers, prevent sales to prohibited individuals, and protect against the theft of firearms and ammunition; and
3. Ensuring all suppliers are providing all relevant state and federal inspection reports when submitting bids, and documenting corrective actions in response to violations of firearms laws.

City Strategic Plan Goal(s)/Objective(s): N/A

Fiscal Considerations: N/A

Charter Section 225 Disclosure of Business Interests: N/A

Environmental Impact: This activity is not a project as defined by the California Environmental Quality Act (CEQA) Section 21065 and State CEQA Guidelines Section 15378(b)(5), as it is an organizational or administrative activity of government that will not result in direct or indirect physical changes in the environment. As such, this activity is not subject to CEQA, pursuant to CEQA Guidelines Section 15060(c)(3).

Equal Opportunity Contracting Information: N/A

Previous Council and/or Committee Actions: N/A

Key Stakeholders and Community Outreach Efforts: N/A

Jamie Fox _____

Justin Garver _____

Chief of Staff

Deputy Chief of Staff

¹ [Why are police in California still buying guns from shady suppliers? \(sfchronicle.com\)](http://www.sfchronicle.com)

² <https://www.bradyunited.org/act/firearms-procurement>

³ <https://bosagenda.sandiegocounty.gov/cobservice/cosd/cob/content?id=0901127e80ff006d>

⁴ <https://bosagenda.sandiegocounty.gov/cobservice/cosd/cob/content?id=0901127e80ff006d>

⁵ <https://bosagenda.sandiegocounty.gov/cobservice/cosd/cob/content?id=0901127e80ff006d>

⁶ [Why are police in California still buying guns from shady suppliers? \(sfchronicle.com\)](http://www.sfchronicle.com)

⁷ <https://www.bradyunited.org/act/firearms-procurement>