



**PUBLIC SAFETY
CLUSTER AGENDA REVIEW MEETING**

DATE: Wednesday, August 9, 2023
TIME: 9:30 a.m.

THIS MEETING WILL CONTINUE TO BE CONDUCTED VIRTUALLY AS PERMITTED UNDER THE BOARD OF SUPERVISORS' JUNE 27, 2023, ORDER SUSPENDING THE APPLICATION OF BOARD POLICY 3.055 UNTIL AUGUST 31, 2023.
TO PARTICIPATE IN THE MEETING CALL TELECONFERENCE NUMBER: (323) 776-6996
ID: 169948309# [Click here to join the meeting](#)

AGENDA

Members of the Public may address the Public Safety Cluster on any agenda item by submitting a written request prior to the meeting. Two (2) minutes are allowed per person in total for each item.

- 1. CALL TO ORDER**
- 2. GENERAL PUBLIC COMMENT**
- 3. INFORMATIONAL ITEM(S):** [Any Informational Item is subject to discussion and/or presentation at the request of two or more Board offices with advance notification]:
 - A. NONE**
- 4. PRESENTATION/DISCUSSION ITEM(S):**
 - A. Board Briefing:**
APPROVAL OF NEW BOARD POLICY PROHIBITING FIREARM AND AMMUNITION SALES
Speaker(s): Christie Carr (ISD)
- 5. PUBLIC COMMENTS**
- 6. ADJOURNMENT**

Wednesday, August 9, 2023

**THE AUGUST 16TH AND 23RD PUBLIC SAFETY CLUSTER
AGENDA REVIEW MEETINGS ARE **CANCELLED**.**

IF YOU WOULD LIKE TO EMAIL A COMMENT ON AN ITEM ON THE PUBLIC SAFETY
CLUSTER AGENDA, PLEASE USE THE FOLLOWING EMAIL AND INCLUDE THE
AGENDA NUMBER YOU ARE COMMENTING ON:

PUBLIC_SAFETY_COMMENTS@CEO.LACOUNTY.GOV

**APPROVAL OF NEW BOARD POLICY
PROHIBITING FIREARM AND AMMUNITION SALES**

BOS Agenda of September 12, 2023

PURPOSE

Recommendation to approve the Prohibiting Firearm and Ammunition Sales Policy to prohibit the sale of firearms and ammunition for Los Angeles County Departments and establish guidelines for the destruction of such firearms and repurposing of ammunition.

BACKGROUND

On January 24, 2023, the County of Los Angeles Board of Supervisors (Board) adopted the [Ending Los Angeles County's Practice of Firearm and Ammunition Auctions Motion](#) (Motion) directing the Internal Services Department (ISD), in coordination with the Chief Executive Office (CEO), to develop a policy to ban the sale of firearms and ammunition coupled with a plan to destroy any (surplus) firearms and ammunition (Directive Three).

In response to the Board Motion, ISD, CEO, County Counsel, and Sheriff's Department developed a recommended Board Policy, and report back, which was submitted to the Board on March 29, 2023. ISD presented the proposed Policy and Implementation Guidelines (Guidelines) to the Audit Committee on March 17, 2023 and presented the item to the Public Safety Cluster on May 31, 2023. ISD is returning to the Public Safety Cluster on August 9, 2023, to present changes to the Policy that sales of firearms made in accordance with the exception provided under California Code, Public Contract Code 10334(c) are expressly prohibited after March 31, 2024. All other information remains the same.

POLICY

The Policy will prohibit County departments from engaging in the sale of firearms and ammunition and requires that all excess firearms be destroyed and not sold or placed back into public circulation, unless in accordance with the exceptions provided in the Policy. Any sales of firearms made in accordance with the exception provided under California Code, Public Contract Code 10334(c) are expressly prohibited after March 31, 2024. The Policy further requires that County departments repurpose all surplus ammunition and comply with the procedures set forth in the Implementation Guidelines.

Exception	Description
CA Penal Code 32000 et seq.	California Penal Code Section 32000 generally prohibits the sale or purchase of "unsafe" handguns but makes exceptions for sales to or purchases by law enforcement and similar departments for use as service weapons by POST trained sworn officers, as well as the sale of a service weapon to the spouse or domestic partner of a personnel member who died in the line of duty pursuant to Public Contract Code 10334(d).
LACC § 13.67.050	The County's prohibition on the sale of firearms on County property does not apply to sales: (i) by a peace officer while on duty and in the scope of employment (e.g., sales made as part of undercover operations); (ii) of shotguns or ammunition at the Whittier Narrows Trap and Skeet Range for on-site recreational use; or (iii) by the Public Administrator in the distribution of a private estate or by its auctioneer to fulfill its obligations under state law.
Public Contract Code § 10334	10334(b): Permits a law enforcement agency to authorize a personnel member to purchase their service weapon after honorable service or disability retirement (so long as the disability is not related to a mental or emotional disorder). 10334(c): Permits a law enforcement agency to authorize a personnel member to purchase their service weapon if the person's department head directs the department to change its issued service weapon. 10334(d): Permits a law enforcement agency to authorize the purchase of a service weapon by the spouse or domestic partner of a personnel member who died in the line of duty.

IMPLEMENTATION GUIDELINES

ISD has developed Guidelines to guide County departments through the implementation process. The Guidelines provide departments with instructions for using a Countywide agreement that will provide for the destruction of firearms at no cost to County departments and will ensure that surplus firearms are destroyed in accordance with state and local environmental rules and regulations, including the Bureau of Alcohol, Tobacco, Firearms and Explosives regulations. The Guidelines also require departments to repurpose surplus ammunition by transferring such ammunition to the Sheriff's Department for use in their training exercises.



County of Los Angeles
INTERNAL SERVICES DEPARTMENT

1100 North Eastern Avenue
Los Angeles, California 90063

SELWYN HOLLINS
Director

"Trusted Partner and Provider of Choice"

Telephone: (323) 267-2101
FAX: (323) 264-7135

September 12, 2023

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**APPROVAL OF NEW BOARD POLICY
PROHIBITING FIREARM AND AMMUNITION SALES
(ALL DISTRICTS - 3 VOTES)**

SUBJECT

Recommendation to approve the Prohibiting Firearm and Ammunition Sales Policy that will prohibit the sale of firearms and ammunition for Los Angeles County Departments and establish guidelines for the destruction of such firearms and repurposing of ammunition.

IT IS RECOMMENDED THAT THE BOARD:

1. Approve the attached Prohibiting Firearm and Ammunition Sales (Policy) that will prohibit the sale of firearms and ammunition for Los Angeles County Departments and establish guidelines for the destruction of such firearms and repurposing of ammunition.
2. Instruct the Director of Internal Services Department (ISD) to issue Implementation Guidelines for the Destruction of Firearms and Repurposing of Ammunition to all departments.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The recommended Policy (Attachment 1) is a result of the January 24, 2023, County of Los Angeles Board of Supervisors Motion, Ending Los Angeles County's Practice of Firearm and Ammunition Auctions (Motion) that directed ISD to develop a policy to ban the sale of firearms and ammunition coupled with a plan to destroy any firearms and

ammunition, including the firearms and ammunition that the Probation Department recently auctioned (Directive Three).

The recommended Policy responds to this directive. The proposed Policy will be applicable to all County departments and will effectively prohibit the sale of firearms and ammunition. More specifically, the subject Policy will require departments to destroy any surplus firearms to ensure such firearms are not sold or placed back into circulation outside of County departments, unless in accordance with the exemptions provided under California Penal Code 32000, et seq., Los Angeles County Code § 13.67.050, and/or California Code, Public Contract Code § 10334. Any sales of firearms made in accordance with the exception provided under California Code, Public Contract Code 10334(c), will be expressly prohibited after March 31, 2024. Additionally, the Policy will require County departments to repurpose its ammunition as established in the Policy Implementation Guidelines (Attachment 2).

On May 17, 2023, the County Audit Committee approved the Policy and the Implementation Guidelines, and on May 31, 2023 and August 9, 2023 ISD presented the item to the Public Safety Cluster prior to seeking your Board's approval.

Implementation of Strategic Plan Goals

Board approval of the recommended actions supports the County's Strategic Plan, Strategy III.3, Pursue Operational Effectiveness, Fiscal Responsibility, and Accountability by effectively prohibiting the sale of firearms and ammunition.

FISCAL IMPACT/FINANCING

No fiscal impact.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The recommended Countywide policy prohibits County departments from engaging in the sale of, or auction of, firearms and ammunition, including surplus firearms and/or ammunition, unless in accordance with the exceptions provided under California Penal Code 32000, et seq., Los Angeles County Code § 13.67.050, and/or California Code, Public Contract Code § 10334. Any sales of firearms made in accordance with the exception provided under California Code, Public Contract Code 10334(c) are expressly prohibited after March 31, 2024.

The Policy will be effective upon your Board's approval.

Each Supervisor
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ISD has developed Policy Implementation Guidelines to guide County departments through the implementation process. Each County department must comply with the Implementation Guidelines for the Destruction of Firearms and Repurposing of Ammunition (Implementation Guidelines). As set forth in the Implementation Guidelines, all excess firearms must be destroyed and not sold or placed back into public circulation, unless in accordance with the exceptions provided under California Penal Code 32000, et seq., Los Angeles County Code § 13.67.050, and/or California Code, Public Contract Code § 10334. All surplus ammunition must be repurposed as set forth in the Implementation Guidelines.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of the recommended Policy will effectively prohibit the sale of firearms and ammunition and require County departments to repurpose its ammunition as established in the Policy Implementation Guidelines.

CONCLUSION

It is requested that the Executive Officer, Board of Supervisors return two stamped copies of the approved Board letter to the Director, ISD.

Respectfully submitted,

SELWYN HOLLINS
Director

SH:MO:LG:CC:ct

Attachments

c: Executive Office, Board of Supervisors
Chief Executive Office
County Counsel
Sheriff's Department



Los Angeles County
BOARD OF SUPERVISORS POLICY MANUAL

Policy #:	Title:	Effective Date:
3.200	Prohibiting Firearm and Ammunition Sales	00/00/23

PURPOSE

To prohibit the sale of firearms and ammunition for Los Angeles County Departments and establish guidelines for the destruction of such firearms and repurposing of ammunition.

REFERENCE

[January 24, 2023, Board Motion - Ending Los Angeles County's Practice of Firearm and Ammunition Auctions](#)

[California Penal Code 32000, et seq. \(State Exemptions for Authorized Peace Officers | State of California - Department of Justice - Office of the Attorney General\)](#)

[Los Angeles County Code § 13.67.050](#)

[California Code, Public Contract Code - PCC § 10334](#)

May 2023 Implementation Guidelines for the Destruction of Firearms and Repurposing of Ammunition

POLICY

This policy is applicable to all County departments.

The County Board of Supervisors has adopted this Countywide policy that prohibits County departments from engaging in the sale of, or auction of, firearms and ammunition, including surplus firearms and/or ammunition, unless in accordance with the exceptions provided under California Penal Code 32000, et seq., Los Angeles County Code § 13.67.050, and/or California Code, Public Contract Code § 10334. Any sales of firearms made in accordance with the exception provided under California Code, Public Contract Code 10334(c) are expressly prohibited after March 31, 2024.

Department Responsibilities:

Each County department must comply with the Implementation Guidelines for the Destruction of Firearms and Repurposing of Ammunition (Implementation Guidelines). As set forth in the Implementation Guidelines, all excess firearms must be destroyed and not sold or placed back into public circulation, unless in accordance with the exceptions provided under California Penal Code 32000, et seq., Los Angeles County Code § 13.67.050, and/or California Code, Public Contract Code § 10334. All surplus ammunition must be repurposed as set forth in the Implementation Guidelines.

RESPONSIBLE DEPARTMENTS

Internal Services Department
County Counsel
Chief Executive Office
Sheriff's Department

DATE ISSUED/SUNSET DATE

Issue Date: XXXX

Sunset Review Date: XXXX

COUNTY OF LOS ANGELES

IMPLEMENTATION GUIDELINES
FOR
THE DESTRUCTION OF FIREARMS AND
REPURPOSING OF AMMUNITION



MAY 2023

1.0 BACKGROUND

On January 24, 2023, the County of Los Angeles Board of Supervisors adopted the [Ending Los Angeles County's Practice of Firearm and Ammunition Auctions Motion](#) (Motion) directing the Internal Services Department (ISD), in coordination with the Chief Executive Office (CEO), to develop a policy to ban the sale of firearms and ammunition coupled with a plan to destroy any (surplus) firearms and ammunition.

In response to the Board Motion, ISD, CEO, County Counsel, and Sheriff's Department developed Board Policy 3.200 (Prohibiting Firearm and Ammunition Sales) which prohibits County departments from engaging in the sale of, or auction of, firearms and ammunition, including surplus firearms and/or ammunition, and requires that all excess firearms be destroyed and not sold or placed back into public circulation, unless in accordance with the exceptions provided under the subject Policy. The Policy further requires that County departments repurpose all surplus ammunition and comply with the procedures set forth in these Implementation Guidelines.

2.0 PROCESS FOR UTILIZING COUNTYWIDE AGREEMENT FOR THE DESTRUCTION OF FIREARMS

ISD has executed a Countywide agreement (Attachment 1) that can be utilized by all County departments, to ensure that surplus firearms are destroyed in accordance with state and local environmental rules and regulations, including the Bureau of Alcohol, Tobacco, Firearms and Explosives regulations. Pursuant to the terms of the agreement, the contracted vendor (Contractor) will provide firearm destruction services at no cost to County departments.

To utilize the Countywide agreement, the department in possession of excess firearms (Department) must:

- 2.1 Comply with the [County's Fiscal Manual](#) practices and procedures, specifically as set forth in Section 6.8.0 (Non-Capital Asset Equipment) and 6.9.2 (Missing or Destroyed Equipment).
- 2.2 Contact the Contractor to arrange a mutually agreeable date and time to arrange for the drop-off of surplus firearms to be destroyed. The Department in possession of surplus firearms will be responsible for the safe transportation of surplus firearms to the Contractor's facility.
 - 2.2.1 Standard hours of operation for the Contractor are as follows:
7:00am to 4:00pm (subject to change at Contractor's discretion).

2.2.2 Contractor's location for drop-off is as follows:
SA Recycling Anaheim
3200 E Frontera
Anaheim, CA 92806

2.2.3 For Appointments Contact: James Bandy jbandy@sarecycling.com
or 714-412-7546

- 2.3 Obtain a Certificate of Destruction from the Contractor for each lot of firearms destroyed/shredded, and follow the County's retention policy for records, pursuant to [Board Policy 3.040 - Records Management and Archive of County Records](#).
- 2.4 Enter each firearm into the Automated Firearms System (AFS) via the Justice Data Interface Controller (JDIC) to classify the firearm as destroyed. Departments should make entries themselves to show a firsthand record of the Department responsible for the destruction. If a Department does not have access to AFS, the Sheriff's Department should be contacted to make the entries. In these instances, a note should be added to the entry to indicate which Department was responsible for the destruction.
- 2.5 Provide notification, and a copy of the Certificate of Destruction, to ISDContracts@isd.lacounty.gov once firearms and/or ammunition have been shredded/repurposed, in accordance with these Implementation Guidelines.

3.0 REPURPOSING AMMUNITION – TRANSFERRING TO SHERIFF'S DEPARTMENT

Surplus ammunition will be collected and transferred to the Sheriff's Department to be repurposed and used in their training exercises. Departments in possession of excess ammunition must:

- 3.1 Departments must comply with the [County's Fiscal Manual](#) practices and procedures, specifically as set forth in Section 6.8.0 (Non-capital asset equipment).
- 3.2 Contact the Sheriff's Department at tb_weapons_trng_bc@lasd.org to arrange a mutually agreeable date for the transfer of ammunition to the Sheriff's Department. The Department in possession of surplus ammunition will be responsible for the safe transportation of surplus ammunition to the Sheriff's Department.

- 3.3 Provide notification to ISDContracts@isd.lacounty.gov once firearms and/or ammunition have been shredded/repurposed, in accordance with these Implementation Guidelines.