LOS ALAMITOS UNIFIED
SCHOOL DISTRICT
IGNITING UNLIMITED POSSIBILITIES
ACADEMICS ★ ATHLETICS ★ ACTIVITIES ★ ARTS

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Andrew Pulver, Ed.D.
Superintendent

Firearms Safety Memorandum

Dear Los Alamitos Unified School District Parents and Guardians,

The safety and well-being of every child in our community is our absolute highest priority. As partners in your student's education and safety, we want to emphasize a key area where our efforts at school must be supported by practices at home: **safe firearm storage.**

The goal of this message is to work together with you, our valued parents and guardians, to create the safest possible environment for all students.

The purpose of this memorandum is to inform and remind parents and legal guardians of all students in the Los Alamitos Unified School District of their responsibilities to keep firearms out of the hands of children, as required by California law.

Seventy-four percent of children know where their parents' firearms are stored, and 60 percent report that they have handled them[1]. This is not due to malice, but to natural childhood curiosity. Tragically, over 80 percent of teens who have died by suicide used a firearm that belonged to someone in their home[2].

A simple, but critical, step can prevent unintentional shootings, suicides, and instances of unauthorized access: storing all firearms safely and securely. This includes keeping them unloaded, locked up when not in use, and storing ammunition separately in a locked location.

To help everyone understand their legal responsibilities, this memorandum spells out California law regarding the storage of firearms. Please take some time to review this memorandum and evaluate your own personal practices to ensure that you and your family comply with California law.

- With very limited exceptions, California makes a person criminally liable for keeping any firearm, loaded or unloaded, within any premises that are under their custody and control where that person knows or reasonably should know that a child is likely to gain access to the firearm without the permission of the child's parent or legal guardian, and the child obtains access to the firearm and thereby (1) causes death or injury to the child or any other person; (2) carries the firearm off the premises or to a public place, including to any

[1] Baxley F, Miller M. Parental Misperceptions About Children and Firearms. *Arch Pediatr Adolesc Med.* 2006;160(5):542–547. doi:10.1001/archpedi.160.5.542
[2] Barber, C., Azrael, D., Clark, D. E., & Hemenway, D. (2010). Who are the owners of firearms used in adolescent suicides?. *Suicide & life-threatening behavior*, *40*(6), 609–611.

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- preschool or school grades kindergarten through twelfth grade, or to any school-sponsored event, activity, or performance; or (3) unlawfully brandishes the firearm to others.[3]

    - Note: The criminal penalty may be significantly greater if someone dies or suffers great bodily injury as a result of the child gaining access to the firearm.

- With very limited exceptions, California also makes it a crime for a person to negligently store or leave any firearm, loaded or unloaded, on their premises in a location where the person knows or reasonably should know that a child is likely to gain access to it without the permission of the child's parent or legal guardian, unless reasonable action is taken to secure the firearm against access by the child, even where a child never actually accesses the firearm.[4]

- In addition to potential fines and terms of imprisonment, as of January 1, 2020, a gun owner found criminally liable under these California laws faces prohibitions from possessing, having custody or control, owning, receiving, or purchasing a firearm for 10 years.[5]

- Finally, a parent or guardian may also be civilly liable for damages resulting from the discharge of a firearm by that person's child or ward.[6]

Remember that the easiest and safest way to comply with the law is to keep firearms in a locked container or secured with a locking device that renders the firearm inoperable.

We recognize that this is a sensitive topic, but it is one we must address collaboratively to protect our children. The most effective way to prevent violence and keep our students safe is through open communication and shared responsibility between the home and school.

We value your commitment to safety and thank you for taking these vital steps to secure our community, starting in your own home.

Sincerely,

Dr. Andrew Pulver

[3] See California Penal Code sections 25100 through 25125 and 25200 through 25220.
[4] *See* California Penal Code section 25100(c).
[5] *See* California Penal Code Section 29805.
[6] *See* California Civil Code Section 1714.3.