

File No. 181158

Committee Item No. 1

Board Item No. 33

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Comm: Public Safety & Neighborhood Services
Board of Supervisors Meeting:

Date: February 14, 2019
Date: February 26, 2019

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- Youth Commission Report
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- Subcontract Budget
- Contract/Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
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OTHER

- Referral FYI - December 6, 2018
- _____
- _____
- _____
- _____

Prepared by: John Carroll
Prepared by: John Carroll

Date: February 8, 2019
Date: February 14, 2019

1 [Police Code - Police Department Relationship to National Rifle Association]

2
3 **Ordinance amending the Police Code to rescind the authorization for the Police**
4 **Department to be a member of the National Rifle Association or to collect tournament**
5 **fees for the National Rifle Association.**

6 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
7 **Additions to Codes** are in *single-underline italics Times New Roman font*.
8 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
9 **Board amendment additions** are in double-underlined Arial font.
10 **Board amendment deletions** are in ~~strikethrough Arial font~~.
11 **Asterisks (* * * *)** indicate the omission of unchanged Code
12 subsections or parts of tables.

13 Be it ordained by the People of the City and County of San Francisco:

14 Section 1. Article 18 of the Police Code is hereby amended by deleting Sections 1357
15 and 1358, and revising Sections 1350 and 1359, to read as follows:

16 **SEC. 1350. LOCATION – JURISDICTION.**

17 The pistol range located near ~~the Skyline and Lake Merced~~ Boulevards and John Muir
18 Drive, in the City and County of San Francisco, is hereby placed under the jurisdiction and
19 management of the Police Department.

20
21 ~~SEC. 1357. MEMBERSHIP IN NATIONAL RIFLE ASSOCIATION.~~

22 ~~The Police Department of the City and County of San Francisco is hereby authorized to hold~~
23 ~~membership in the National Rifle Association and the cost of the said membership shall be paid from~~
24 ~~such funds as may be appropriated or set aside for that purpose.~~

1 **~~SEC. 1358. NATIONAL RIFLE ASSOCIATION FEES.~~**

2 ~~The Chief of Police is also authorized to collect and receive registration fees prescribed by the~~
3 ~~Rules and Regulations of the National Rifle Association and on behalf of said Association in connection~~
4 ~~with the holding of the firearms tournaments. The said fees shall be deposited in and paid from the~~
5 ~~"Police Range Fund."~~

6
7 **SEC. 1359. DISBURSEMENTS FROM POLICE RANGE FUND.**

8 Money deposited in the Police Range Fund shall be disbursed in the following order:

9 (a) In the payment of taxes collected pursuant to Section 1354 of this Article.

10 ~~(b) In the payment to the National Rifle Association or its order, of fees collected pursuant to~~
11 ~~Section 1358 of this Article.~~

12 ~~(b) (e)~~ In the payment of purchases of trophies, medals, and prizes, and the payment
13 of such incidental tournament costs or purchase of such training equipment as may be
14 authorized by the Police Commission.

15 ~~(c) (d)~~ In payment of police personnel and maintenance and other costs incurred in
16 training persons in the use of firearms for which a fee is charged pursuant to Section 1351.1.

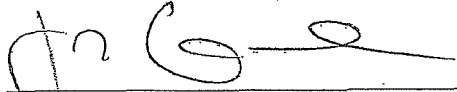
17
18 Section 2. Effective Date. This ordinance shall become effective 30 days after
19 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
20 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
21 of Supervisors overrides the Mayor's veto of the ordinance.

22
23 Section 3. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
24 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
25 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal

1 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
2 additions, and Board amendment deletions in accordance with the "Note" that appears under
3 the official title of the ordinance.

4
5 APPROVED AS TO FORM:
6 DENNIS J. HERRERA, City Attorney

7 By:



8 JON GIVNER
Deputy City Attorney

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LEGISLATIVE DIGEST

[Police Code - Police Department Relationship to National Rifle Association]

Ordinance amending the Police Code to rescind the authorization for the Police Department to be a member of the National Rifle Association or to collect tournament fees for the National Rifle Association.

Existing Law

Existing law allows the Police Department to be a member of the National Rifle Association (NRA) and to collect tournament fees on behalf of the NRA in connection with holding firearms tournaments.

Amendments to Current Law


The proposed ordinance would rescind the Police Department's authority to be a member of the NRA and to collect tournament fees on behalf of the NRA in connection with holding firearms tournaments.

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Carroll, John (BOS)

From: Calvin Quick (BASTA) <calvin@quickstonian.com>
Sent: Thursday, February 07, 2019 5:16 PM
To: Carroll, John (BOS)
Cc: bayareastudentactivists@gmail.com
Subject: PS&N File No. 181158 - Support Letter (BASTA)
Attachments: SFBOS 181158 Stefani Letter of Support BASTA.pdf

Categories: 181158

 This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello,

Please find attached a letter of support on File No. 181158 [Police Code - Police Department Relationship to National Rifle Association] from Bay Area Student Activists.

Best,

Calvin Quick

--
Legislative Coordinator
Bay Area Student Activists (BASTA)
Email: calvin@quickstonian.com
Phone: 1(415) 521-9126



November 30, 2018

The Honorable Catherine Stefani, Supervisor
San Francisco Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

SUPPORT: BOS File No. 181158 [Police Code - Police Department Relationship to National Rifle Association]

Dear Supervisor Stefani,

Bay Area Student Activists (BASTA) strongly supports your proposed ordinance, BOS File No. 181158, amending the police code to rescind the authorization for the Police Department to be a member of the National Rifle Association or to collect tournament fees for the National Rifle Association.

BASTA is an entirely student-led organization that aims to uplift the voices of students, especially high school students, on issues that affect them.

Specifically, this legislation would remove antiquated language from the Police Code which has stood for decades in contradiction of San Francisco's commitment to stricter gun control. These clauses authorize the San Francisco Police Department (SFPD) to be a member and pay dues from government-held funds to the National Rifle Association (NRA), in connection with the operation of SFPD's pistol range at Skyline Boulevard and John Muir Drive.

For decades, the NRA has lobbied elected and appointed officials at all levels of government in the United State of America to promote the agenda of the gun industry in this country: an industry whose premise is the manufacture and sale of firearms, weapons designed expressly to injure or kill. They have pushed hard against common sense gun control measures, such as comprehensive background checks for all firearm sales, *ex-parte* gun violence restraining orders, and federal and state bans on assault weapons. The NRA and the gun lobby have won immunity from civil liability actions at the federal and state levels with the passage of the Protection of Lawful Commerce in Arms Act in 2005. All this has been while gun violence has continued to kill an average of 96 Americans every day, with two more injured for every killed, according to Everytown for Gun Safety.

San Francisco, on the other hand, has been at the forefront of the struggle for gun control. In 2005, the City and County enacted a total ban on handguns, before that ordinance was overturned by the courts. San Francisco also enacted a ban on the sale of gun with magazines



having a capacity of more than ten rounds. Additionally, the City and County has passed legislation imposing strict liability on gun manufacturers in cases of death or bodily injury caused by the discharge of a firearm, and this language remains on the books today despite the passage of the Protection of Lawful Commerce in Arms Act (see above). In 2018, following the Marjory Stoneman Douglas High School shooting in Parkland, Florida, this Board of Supervisors passed legislation, sponsored by Supervisor Stefani, and signed by Mayor Mark Farrell, to prohibit the possession of a firearm at public gatherings such as parades or demonstrations.

It is also important to note that this proposed ordinance, if enacted, would have no immediate practical effect, because, according to the San Francisco Chronicle, SFPD has not held membership within the NRA since at least 2004. Rather, this measure would have a much more significant symbolic meaning, severing this last tie between the City and County and the gun lobby.

Ultimately, this proposed ordinance is a common-sense measure to realign San Francisco's Police Code with its own expressed values. BASTA therefore strongly supports this legislation, and urges its passage at the Board of Supervisors, and its enactment by the Mayor's signature.

Sincerely,

Calvin Quick
[signed]

Legislative Coordinator
Bay Area Student Activists (BASTA)
Email: calvin@quickstonian.com; BASTA Email: bayareastudentactivists@gmail.com
Phone: 1(415) 521-9126; Fax: 1(628) 256-3552

BOARD of SUPERVISORS



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Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: William Scott, Police Chief
Vicki Hennessy, Sheriff

FROM: John Carroll, Assistant Clerk,
Public Safety and Neighborhood Services Committee

DATE: December 6, 2018

SUBJECT: HEARING MATTER INTRODUCED

The Board of Supervisors' Public Safety and Neighborhood Services Committee has received the following ordinance, introduced by Supervisor Stefani on November 27, 2018:

File No. 181158

Ordinance amending the Police Code to rescind the authorization for the Police Department to be a member of the National Rifle Association or to collect tournament fees for the National Rifle Association.

If you have any comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: Rowena Carr, Police Department
Asja Steeves, Police Department
Theodore Toet, Sheriff's Department
Katherine Johnson, Sheriff's Department
Nancy Crowley, Sheriff's Department

Introduction Form

By a Member of the Board of Supervisors or Mayor

RECEIVED
11/27/2018 @ 7:10pm
S

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor [] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Topic submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Stefani

Subject:

Police Department Relationship to National Rifle Association

The text is listed:

Ordinance amending the Police Code to rescind the authorization for the Police Department to be a member of the National Rifle Association or to collect tournament fees for the National Rifle Association.

Signature of Sponsoring Supervisor: [Signature]

For Clerk's Use Only