



BOARD OF SUPERVISORS  
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

Department Name: CEO  
Department No.: 012  
For Agenda Of: 6/17/2014  
Placement: Departmental  
Estimated Tme:  
Continued Item: 20 minutes  
If Yes, date from:  
Vote Required: Majority

**TO:** Board of Supervisors

**FROM:** Department Legislative Program Committee, 568-3400  
Director(s):  
Contact Info: Dennis Bozanich, Assistant to the CEO and Legislative Coordinator, 568-3400

*DB  
on behalf  
of*

**SUBJECT:** Potential Advocacy Position on Legislation: Assembly Bill 1014 (Skinner/Williams)  
Gun Violence Restraining Orders

**County Counsel Concurrence**

As to form: NA

Other Concurrence: NA

**Auditor-Controller Concurrence**

As to form: NA

**Recommended Actions:**

That the Board of Supervisors selects one of the following options:

Option 1

- a. Take no position on Assembly Bill (AB) 1014 (Skinner/Williams) on Gun Violence Restraining Orders;
- b. Find that the proposed actions do not constitute a "Project" within the meaning of California Environmental Quality Act, pursuant to 14 CCR 15378(b)(2), as it consists of general policy and procedure making.

Option 2

- a. Take an advocacy position (support, watch or oppose) on Assembly Bill (AB) 1014 (Skinner/Williams) on Gun Violence Restraining Orders;
- b. Direct staff to forward, and authorize the Chair to sign, a letter stating the Board's position to the legislative author, members of the legislature including, but not limited to, the county legislative delegation, appropriate committee chairs and the Governor; AND
- c. Find that the proposed actions do not constitute a "Project" within the meaning of California Environmental Quality Act, pursuant to 14 CCR 15378(b)(2), as it consists of general policy and procedure making.

**Summary Text:**

On June 2, 2014, the Legislative Program Committee referred Assembly Bill (AB) 1014 to the Board of Supervisor to consider whether to take an advocacy position. AB 1014 would amend portions of the state Penal Code and the Welfare and Institutions Code by establishing a procedure to obtain a gun violence restraining order and, when applicable, a firearm seizure warrant, when a person poses a significant risk of personal injury to themselves or others by possessing a firearm. The Legislative Program Committee has requested that the Board of Supervisors consider taking an advocacy position and communicate that position to the bill’s author, members of the legislature including, but not limited to, the county legislative delegation, appropriate committee chairs and the Governor or take no position.

**Background:** Assembly Bill (AB) 1014, introduced on May 28, 2014 by Assemblymembers Nancy Skinner and Das Williams, would amend portions of the state Penal Code and the Welfare and Institutions Code establishing a procedure to obtain a gun violence restraining order and, when applicable, a firearm seizure warrant when a person poses a significant risk of violence to themselves or others by possessing a firearm. (Attachment 1)

According to the authors (Attachment 2), AB 1014 is modelled after the state’s domestic violence restraining order laws. The legislation would provide law enforcement with legal tools similar to those now available in Connecticut, Texas and Indiana. It would allow for the removal of firearms from someone who is at risk of committing acts of violence against themselves or others through a court-ordered Gun Violence Restraining Order to temporarily limit an individual’s access to firearms. The legislation provides guidance to Courts on evaluating the issuance of a Gun Violence Restraining Order based on prior violent acts or threats and risk factors for future acts.

AB 1014 passed the Assembly on May 31, 2014 on a vote of 55-17. As of June 5, 2015, the legislation has been referred to the Senate Public Safety Committee.

**Performance Measure:** NA

**Fiscal and Facilities Impacts:**

Budgeted: NA

**Fiscal Analysis:**

<b><u>Funding Sources</u></b>	<b><u>Current FY Cost:</u></b>	<b><u>Annualized On-going Cost:</u></b>	<b><u>Total One-Time Project Cost</u></b>
General Fund		\$0.00	
State			
Federal			
Fees			
Other:			
Total	\$ -	\$ -	\$ -

Narrative: NA

**Key Contract Risks (if applicable):**

None

**Staffing Impacts:**

**Legal Positions: 0**

**FTEs: 0**

**Special Instructions:** NA

**Attachments:**

Attachment 1 - AB 1014 Legislative Language

Attachment 2 - AB 1014 Fact Sheet

**Authored by:**

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**cc:**