



# SAN LEANDRO UNIFIED SCHOOL DISTRICT

Mike McLaughlin, Ed.D.  
Superintendent

ADMINISTRATIVE OFFICE  
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## Memorandum

To: Parents/Guardians of Students in the San Leandro Unified School District

From: Superintendent Mike McLaughlin, Ed.D.

RE: **Subject: California Law Regarding Safe Storage of Firearms**

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The purpose of this memorandum is to inform/remind parents and legal guardians of all students in the San Leandro Unified School District of their responsibilities for keeping guns out of the hands of children as required by California law. There have been many news reports of children bringing guns to school. Many times the child has obtained the weapon from his/her home. These incidents can be easily prevented by storing firearms in a safe and secure manner including keeping them locked up when not in use and storing them separately from ammunition.

To help everyone understand this responsibility, this memo spells out California law regarding the storage of firearms. Please take some time to review this memo and evaluate your own personal situation to assure that you are in compliance with California law.

- California makes someone criminally liable for keeping a loaded firearm where he or she knows or reasonably should know a child (a person under age 18) is likely to gain access if the child actually gains access to the firearm and either:
  - (1) carries it to a public place, including to any preschool or school grades K-12 or to any school-sponsored event, activity, or performance, or
  - (2) brandishes it, or
  - (3) if the firearm injures someone. The penalty is greater if someone dies or suffers great bodily injury as a result of the child gaining access to the firearm.<sup>1</sup>
- As of 2014, California makes someone criminally liable if they negligently store or leave any loaded firearm on their premises where a child is likely to gain access to it – regardless of whether or not the child brings the gun to a public space.<sup>2</sup>
- A parent or guardian can also be civilly liable for damages resulting from the discharge of a firearm by that person's child or ward. These damages can be up to \$30,000 per victim, and \$60,000 total.<sup>3</sup>
- ***Gun owners can avoid liability under these laws by keeping their firearm in a locked container or secured with a locking device when not in use.***<sup>4</sup>

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<sup>1</sup> See Cal. Penal Code §§ 25100; 25200.

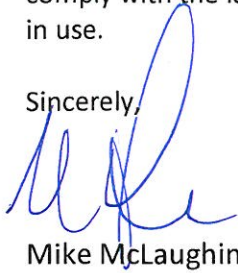
<sup>2</sup> See Cal. Penal Codes §§ 25100; 25110; 26835.

<sup>3</sup> See Cal. Civil Code § 1714.3.

<sup>4</sup> See Cal. Penal Code §§ 25105; 25205.

Thank you for helping to keep our children safe at school. 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 when not in use.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mike McLaughin". The signature is fluid and cursive, with a large loop at the end.

Mike McLaughin, Ed.D.  
Superintendent