



## SAFE STORAGE OF FIREARMS

California law requires annual notification to parents regarding the legal responsibilities of parents for keeping firearms out of the hands of children. In many instances where children have brought firearms to school nationwide, the child obtained the firearm(s) from their homes. These instances can be prevented by storing firearms in a safe and secure manner, including keeping them securely locked away from the reach and access of children when not in use and storing them separately from ammunition.

The following is a summary of California law regarding the storage of firearms:

- 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 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. (CA Penal Code Sections 25100 through 25125 and 25200-25220). \*Please note that these criminal penalties 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 minor **never** actually accesses the firearm. (CA Penal Code Section 25100(c))
- 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, controlling, owning, receiving, or purchasing a firearm for 10 years. (CA Civil Code Section 29805)
- 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. (CA Civil Code Section 1714.3)
- Local county or city ordinance may create stricter requirements and/or penalties related to gun storage. It is the responsibility of parents to inform themselves of these local legal requirements.

Please be aware that any school official who is alerted to or observes any threat or perceived threat must immediately report the threat or perceived threat to law enforcement. "Threat or perceived threat" means "any writing or action of a pupil that creates a reasonable suspicion that the pupil is preparing to commit a homicidal act related to school or a school activity. This may include possession, use, or depictions of firearms, ammunition, shootings, or targets in association with infliction of physical harm, destruction, or death in a social media post, journal, class note, or other media associated with the pupil. It may also include a warning by a parent, pupil, or other individual."