



# KING COUNTY

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

## Signature Report

October 3, 2018

Ordinance 18806

Proposed No. 2018-0373.3

Sponsors McDermott and Kohl-Welles

1 AN ORDINANCE relating to the secure storage of  
2 firearms; adding a new chapter to K.C.C. Title 12 and  
3 prescribing penalties.

4 STATEMENT OF FACTS:

- 5 1. According to the Centers for Disease Control and Prevention's Wide-  
6 ranging Online Data for Epidemiologic Research, also known as  
7 WONDER, in the United States, thirty-six thousand two hundred forty-  
8 seven people died in 2015 as a result of firearms. That is just fewer than  
9 the thirty-eight thousand eight hundred eighteen death resulting from  
10 motor vehicle incidents. Of those firearm deaths, sixty-one percent were  
11 suicides and thirty-six percent were homicides.
- 12 2. The Washington state Department of Health data show that in 2015,  
13 firearms were the third leading cause of injury-related death in  
14 Washington state, killing approximately seven hundred fourteen  
15 Washington residents. Of these firearm deaths, seventy-five percent were  
16 suicides and firearm suicides accounted for forty-seven percent of all  
17 suicides in Washington state in 2015. During the same period, one  
18 hundred forty-six King County residents died from a firearm injury,  
19 including six youth age seventeen and younger.

20           3. According to the 2015 Washington Association of Sheriffs and Police  
21           Chiefs Annual Report, sixty-two percent of homicides in Washington state  
22           were committed with firearms.

23           4. The Washington state Department of Health data also indicate that  
24           thirty-nine youth, age seventeen and younger, died as a result of firearms  
25           in 2015. That is the equivalent of a child or teen being killed by gunfire  
26           every nine days. An additional thirty children were hospitalized. In King  
27           County, six youth died as a result of firearms in 2015 and nine other youth  
28           were hospitalized in King County during that period.

29           5. The Washington state Department of Health data show that in 2015  
30           twenty-eight homicides occurred among youth, age seventeen and younger  
31           and of those, seventeen, which is sixty-one percent, died as a result of  
32           firearm homicides.

33           6. Between 2013 and 2015, the Washington state Department of Health  
34           data also show that one hundred eighteen youth, age seventeen and  
35           younger, died by suicide in Washington and forty-seven of those youth,  
36           which is forty percent, died from firearm suicide. During the same period,  
37           twenty-five youth died by suicide in King County of which seven used  
38           firearms.

39           7. The Washington state Department of Health data also indicate that  
40           three hundred eight Washington state residents were hospitalized for  
41           nonfatal firearm injuries in 2015, including thirty youth age seventeen and  
42           younger. During that same period, ninety-five King County residents

43 were hospitalized for nonfatal firearm injuries, including nine youth.

44 8. The Washington state Department of Health data indicate that  
45 seventeen youth, age seventeen and younger, were hospitalized for firearm  
46 assault injuries in Washington in 2015 and eight King County youth  
47 accounted for forty-seven percent of those nonfatal injury hospitalizations.

48 9. The January 21, 2014 Annals of Internal Medicine report finds that  
49 adolescents, between the ages of ten and nineteen years, with access to  
50 firearms are 2.6 times as likely to die by suicide as adolescents without  
51 access to firearms.

52 10. The December 2008 Journal of Adolescent Health study of adolescent  
53 (between the ages of ten and nineteen years) suicides by firearm found that  
54 over half were carried out with firearms from the adolescent's home.  
55 More than seventy-five percent of firearms used in suicide attempts and  
56 unintentional injuries were stored in the residence of the victim, a relative,  
57 or friend.

58 11. The Washington state Behavioral Risk Factor Surveillance System  
59 estimated thirty-four percent of Washington adults who are at least  
60 eighteen years old, which is one million eight hundred twenty-five  
61 thousand people, reported having a firearm in or around their homes in  
62 2015. Just under half of those adults, which is forty-six percent or eight  
63 hundred thirty-nine thousand people, reported having an unlocked firearm.  
64 Access to firearms, including when firearms are easily available because  
65 of unsafe storage practices, are a known risk factor for firearm suicide,

66 especially among youth age seventeen and younger.

67 12. The Washington state Behavioral Risk Factor Surveillance System  
68 finds that, in 2015, approximately twenty-one percent of King County  
69 adults, which is three hundred forty thousand persons, reported firearms  
70 present in or around their homes. Among those adults, an estimated thirty-  
71 one percent, which is one hundred five thousand persons, stored their  
72 firearms loaded and an estimated forty-three percent, which is one  
73 hundred fifty thousand persons, stored their firearms unlocked and not  
74 stored in a way to render them safe. Approximately fifteen percent, which  
75 is fifty-one thousand persons, of firearm owners reported storing them  
76 loaded and unlocked.

77 13. According to various Public Health - Seattle & King County analysis  
78 on firearm violence in King County, firearm violence has a  
79 disproportionate impact on communities of color and children of color are  
80 victims of homicide by firearms at a higher rate than white children in  
81 King County.

82 14. A June 2004 study from the American Journal of Epidemiology  
83 concluded that those persons with guns in the home were at greater risk  
84 than those without guns in the home of dying from homicide, firearm  
85 homicide, suicide and firearm suicide.

86 15. King County's LOK-IT-UP initiative is part of the county's Gun  
87 Violence Prevention Initiative to promote the safety of our communities  
88 through increasing safe storage of firearms. The program focuses on the

89 importance of safe storage of firearms, safe storage device options, how to  
90 practice safe storage in the home and how to encourage the practice of  
91 safe storage in others.

92 16. According to a February 2005 Journal of the American Medical  
93 Association study, locked guns can reduce the odds of accidental death or  
94 suicide by seventy-three percent.

95 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

96 SECTION 1. Sections 2 through 5 of this ordinance should constitute a new  
97 chapter in K.C.C. Title 12.

98 NEW SECTION. SECTION 2.

99 A. "Ammunition" means ammunition or cartridge cases, primers, bullets or  
100 propellant powder, designed for use in any firearm.

101 B. "Firearm" means a weapon or device from which a projectile or projectiles  
102 may be fired by an explosive such as gunpowder. "Firearm" does not include a flare gun  
103 or other pyrotechnic visual distress signaling device, or a powder-actuated tool or other  
104 device designed solely to be used for construction purposes.

105 C. "Person" means natural persons of any sex, firms, copartnerships and  
106 corporations, whether acting by themselves, by servant, agent or employee. The singular  
107 number includes the plural and words referring to a specific gender may be extended to  
108 any other gender.

109 D. "Secure firearm storage or safety device" means:

110 1. A safe, gun safe, gun case, lock box, or other device, that is designed to be or  
111 can be used to store a firearm and unlocked only by means of a key, a combination, or

112 other similar means;

113           2. A device that, when installed on a firearm, is designed to prevent the firearm  
114 from being operated without first deactivating the device; or

115           3. A device incorporated into the design of the firearm that is designed to  
116 prevent the operation of the firearm by anyone not having access to the device.

117           NEW SECTION. SECTION 3. It is unlawful for any person in King County,  
118 state of Washington, outside the boundaries of incorporated cities and towns within King  
119 County, to store or keep a firearm, whether loaded or unloaded with ammunition, within  
120 any premises unless the firearm is safely stored in or using a secure firearm storage or  
121 safety device. Notwithstanding the foregoing, for purposes of this section, such firearm  
122 shall be deemed lawfully stored or lawfully kept if carried by or under the control of the  
123 owner, lawfully authorized user or law enforcement officer on duty and following the law  
124 enforcement officer's agency's policies.

125           NEW SECTION. SECTION 4.

126           A. Any person violating or failing to comply with section 3 of this ordinance  
127 shall first be given a warning in writing by a law enforcement officer. The law  
128 enforcement officer shall inform the person of nearby facilities where a secure firearm  
129 storage or safety device may be purchased.

130           B. A violation of section 3 of this ordinance, fifteen days after the initial warning  
131 as described by subsection A. of this section, constitutes a civil infraction not to exceed  
132 one thousand dollars and the notice of infraction shall be issued by a law enforcement  
133 officer. After issuance of the notice of infraction, the law enforcement officer shall  
134 inform the person of the provision as described in subsection D. of this section.

135 C. The form and process for the infraction shall be consistent with the  
136 Washington State Court Rules: Infraction Rules for Courts of Limited Jurisdiction but  
137 excluding the Monetary Penalty Schedule for Infractions.

138 D. If, in a court response to the notice of infraction, a person provides evidence  
139 that a secure firearm storage or safety device has been obtained since the issuance of the  
140 notice of infraction, then the civil infraction shall be waived by the court.

141 NEW SECTION. SECTION 5. The prosecuting attorney's office shall produce a  
142 quarterly report showing the costs incurred by the prosecuting attorney's office as a result  
143 of this chapter, which shall include, but not limited to, any litigation against the county.  
144 The report shall be transmitted in the form of a paper original and an electronic copy with  
145 the clerk of the council, who shall retain the original and provide an electronic copy to all  
146 councilmembers, the council chief of staff and the lead staff to the law and justice  
147 committee or its successor.

148 SECTION 6. Severability. If any provision of this ordinance or its application to

149 any person or circumstance is held invalid, the remainder of the ordinance or the  
150 application of the provision to other persons or circumstances is not affected.  
151

Ordinance 18806 was introduced on 7/30/2018 and passed as amended by the Metropolitan King County Council on 10/1/2018, by the following vote:

Yes: 6 - Mr. Gossett, Mr. McDermott, Mr. Dembowski, Mr. Upthegrove, Ms. Kohl-Welles and Ms. Balducci  
No: 3 - Mr. von Reichbauer, Ms. Lambert and Mr. Dunn  
Excused: 0



KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

  
\_\_\_\_\_  
J. Joseph McDermott, Chair

ATTEST:

  
\_\_\_\_\_  
Melani Pedroza, Clerk of the Council

APPROVED this 10 day of October, 2018.

  
\_\_\_\_\_  
*For* Dow Constantine, County Executive

RECEIVED  
2018 OCT 11 PM 1:04  
CLERK  
KING COUNTY COUNCIL

Attachments: None