

Letter to Families: Firearms Safety

To: Chico Unified Parents and Guardians

From: California Department of Education

Subject: California Law Regarding Safe Storage of Firearms

This letter is mandated by the State of California (Senate Bill 906) to be sent to all parents/guardians.

The purpose of this letter is to inform and remind parents and legal guardians of all students of their responsibilities for keeping firearms out of the hands of children as required by California law. There have been many news reports of children bringing firearms to school. In many instances, the child obtained the firearm(s) from their home. These incidents can be 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 their legal responsibilities, this letter spells out California law regarding the storage of firearms. Please take time to review this information and evaluate your personal practices to assure that your family is in compliance with California law.

- 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.¹
 - *Note:* The criminal penalty 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,

¹ See California Penal Code sections 25100 through 25125 and 25200 through 25220.

unless reasonable action is taken to secure the firearm against access by the child, even where a minor never actually accesses the firearm.²

- 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.³
- 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.⁴

Note: Butte county and/or the City of Chico may also have additional requirements or restrictions regarding the safe storage of firearms.

Thank you for helping to keep children and schools safe. The easiest and safest way to comply with the law is to keep firearms in a locked container or secured with a locking device that renders the firearm inoperable.

Sincerely, California Department of Education

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² See California Penal Code section 25100(c).

³ See California Civil Code Section 29805.

⁴ See California Civil Code Section 1714.3.