



COUNCIL AGENDA: 1/25/2022
FILE: 22-045
ITEM: 4.1

Memorandum

TO: CITY COUNCIL

FROM: Councilmember Sylvia Arenas
District 8

SUBJECT: Gun Harm Reduction Ordinance

DATE: January 25, 2022

Approved

Date

1/25/2022

RECOMMENDATION

Direct the City Manager and City Attorney to edit Section 10.32.220 Expenditure of Gun Harm Reduction Fee in the draft ordinance to recognize the intersectionality of gender based violence by expanding the violence reduction services or programs, with the following revision in bold:

Section 10.32.220 Expenditure of Gun Harm Reduction Fee

- A. *All monies from the Gun Harm Reduction Fee shall be expended by the Designated Nonprofit Organization on providing services to residents of the City that own or possess a Firearm in the City or to members of their household. Such expenditures may include, but are not necessarily limited to the following:*
1. *Suicide prevention services or programs;*
 2. *Violence reduction or ~~domestic violence~~ **gender based violence** services or programs;*
 3. *Mental health services related to gun violence; or*
 4. *Firearms safety education or training.*

BACKGROUND

Thank you to our City Attorney, Nora Frimann and staff for listening to the feedback from the City Council when this item was last reported on June 29, 2021. During that discussion, I appreciated the leadership and commitment from Police Chief Mata in our San Jose Police Department to recognize and align the use of our existing Intersectionality Tool and Lethality Assessment in cases of gender based violence to also inform survivors about the Red Flag Law and their rights to request a Gun Violence Restraining Order during contact with an officer.

In alignment with our City Council policy priorities and our San Jose Police Department's commitment to our Gender Based Violence Response and Strategy Workplan, we must also recognize the disproportionate impact of firearms in high lethality cases of gender based violence. Therefore, any gun violence reduction, services, or programs should not be limited to survivors of domestic violence and expand to survivors of gender based violence including but not limited to domestic violence, sexual assault, and human trafficking. Any such programs and services should also work in partnership with community organizations serving survivors to ensure alignment of support services and optimize healing for survivors.