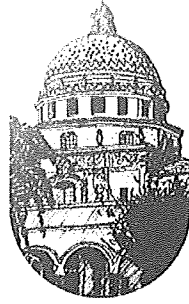


AGENDA MATERIAL

DATE 3/5/24 ITEM NO. RA 41

Laura Conover
Pima County Attorney



(520) 724-5600
pcao.pima.gov
32 N. Stone Avenue, Tucson, AZ 85701

March 4, 2024

Honorable Chair Adelita Grijalva
and Members of the Pima County Board of Supervisors
33 North Stone Avenue
Tucson, Arizona, 85701

Re: Proposed Ordinance re Reporting of Loss or Theft of Firearm

Dear Honorable Chair and Supervisors:

I am grateful to County Administration for the opportunity to comment on this proposed ordinance. As described in the materials, the Sheriff and County Attorney have a duty to protect and preserve the peace and to prosecute criminal proceedings under state law, including our duty to enforce laws prohibiting the sale or transfer of firearms to prohibited possessors. In 2023, the County Attorney's Office handled more than 100 cases or crimes involving firearms committed by prohibited possessors, including six murder charges. It is well established that reporting requirements, like the proposed ordinance, can assist us in keeping firearms out of the hands of people who should not, by law, have them.

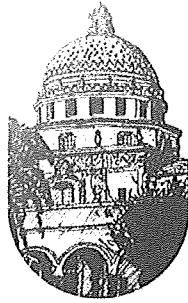
These types of ordinances also serve to protect gun owners from potential liability in instances where their firearms are lost or stolen by requiring, at minimum, notification to law enforcement. Do we want law enforcement in Pima County to track down the origins of a firearm only after a crime has been committed, only to be told that the firearm was lost or stolen? Or do we want to provide law enforcement with an opportunity to track down lost or stolen firearms before they land into the hands of prohibited possessors or, worse, the hands of young people or people with mental disabilities?

Under the proposed ordinance, reporting a lost or stolen firearm—or a failure to report one—would not invalidate anyone's right to legally own or possess any firearm. There is no impact on a person's right to own or possess something which is no longer in their possession. In fact, the proposed ordinance may assist law enforcement in retrieving the missing firearm in order to return it back to the owner's possession.

APR 04 24 PM 01:03 PCLK OF BD



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In reviewing this proposed language, and in consideration of its purpose, I strongly urge the Board to consider revising the potential penalty from “\$300 for each violation” to “up to \$1,000 for each violation.” This small change would afford the County Attorney the discretion to apply different fines depending on the circumstances to mitigate the chance of “revictimizing” an ordinary citizen who loses a firearm or has one stolen by adding on an additional fine for failing to report but allowing stiffer fines for individuals involved in straw purchases.

I urge the Board to approve the proposed ordinance, with my proposed revision.

A handwritten signature in cursive script, appearing to read 'Laura Conover'.

Laura Conover
Pima County Attorney