

CITY COUNCIL STUDY SESSION

Firearm and Community Safety

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DIRECTION NEEDED FROM COUNCIL**INFORMATION
ONLY**

In response to the Council's request for more information, staff will describe the context and comprehensive approach that the City of Bellevue uses to keep the community safe, in particular where a firearm is present. No action is being sought from Council this evening.

RECOMMENDATION

N/A

BACKGROUND & ANALYSIS

At its June 17, 2019, Regular Session meeting, the Council adopted the Planning Commission's recommendation for the annual Comprehensive Plan amendment work plan. The work plan did not include amendments concerning gun safety, which had been requested by a private party. Council requested that staff report back with more information on the City's current activities in reducing violent crime and how it is addressing the public-safety issues around gun violence.

Throughout the last quarter of 2019, Deputy City Manager McCommon, City Attorney Gerla, Assistant Police Chief Kleinknecht, and Assistant Parks Director Esparza initiated research on the City's current activities and began compiling data on firearm safety.

CITY OF BELLEVUE ACTIVITIES

To provide public safety and reduce violent crime and suicide, the City of Bellevue currently takes a comprehensive approach to address firearm safety. The City not only enforces the laws related to firearms but also provides education and community outreach programs to the public on firearm safety and making good behavioral choices. The City also provides related human services and funding for a public health approach to firearm and community safety by taking a multi-disciplinary, comprehensive approach that includes law enforcement, education, and public health, the City can address firearm safety from multiple angles.

Below is an overview of some of the actions currently taken by the City.

I. LAW ENFORCEMENT ACTIVITIES

The Bellevue Police Department investigates and enforces laws related to unlawful possession or discharge of firearms and other crimes involving firearms. There are many state and federal laws regulating the possession, discharge, sale, and purchase of firearms. Police are also authorized to enforce local ordinance BCC 3.43.055 that prohibits the discharge of firearms and other weapons across, in, or into any Bellevue City park, unless the City Manager authorizes a special recreational activity.

In addition, the Police Department conducts a variety of other gun safety related enforcement, education and outreach activities. Bellevue continues to be a safe city due to vigilant and high-quality law enforcement, a healthy relationship with the community, and the coordinated effort of City staff.

Background Checks. The Bellevue Police Department conducts enhanced firearm background checks for all pistol and semiautomatic assault rifle sales or transfers to Bellevue residents, prior to issuance of Concealed Pistol Licenses, and before the return of any privately-owned firearm in the possession of the Police Department's property unit. The purpose of background checks is to determine whether the person is legally eligible to possess a firearm. All firearm sales and transfers in the state require a background check. This includes sales and transfers through a licensed dealer, at gun shows, online, and between unlicensed persons. If a person is ineligible to possess firearms under federal or state laws, that person's application is denied, and the denial is entered into the state's system as a firearms "flag" to any other law enforcement agencies. The Bellevue Police Department's enhanced background check process has been used as a model for other local agencies. Members of the Department have sat on the King County Regional Firearms Task Force that developed the model policies for all King County law enforcement agencies.

Storage/Release of Firearms. Persons are often required to surrender firearms to the Police Department for storage if subject to court order for Domestic Violence, Protection Order, or Criminal No Contact Order. The Police Department does not release these firearms until a thorough background check has been completed and the Department receives a Court Order to release the weapons. The Department also notifies impacted family/household members of the release of a firearm.

Extreme Risk Protection Orders. The Police Department is authorized by state law to seek Extreme Risk Protection Orders (ERPOs) to temporarily remove firearms from individuals who are at high risk of harming themselves or others and to block their ability to access firearms. The law allows family, household members, and police to obtain a court order when there is demonstrated evidence that the person poses a significant danger, including danger because of a dangerous mental health crisis or violent behavior. This law went into effect in 2017 and has been exercised by the Department 11 times. The Police Department has successfully prevented individuals from accessing firearms who have expressed suicidal thoughts, were experiencing a mental health crisis, or posed a substantial danger to the public or themselves.

Family and household members are also authorized to seek ERPO's. The Bellevue Police Department and City Attorney's Office have partnered with Overlake Hospital to provide public education on the ERPO process, so medical practitioners and the public know this tool is available for those in crisis.

Voluntary Surrender or Formal Waiver of Firearm Rights. Members of the public may voluntarily surrender firearms to the Police Department to hold in safekeeping. This may be done if family/household members feel unsafe with firearms in the home or if an individual is having thoughts of suicide. In addition, in 2019 the legislature passed a law that allows an individual to voluntarily waive his or her firearm possessory rights through a court process. Once a person voluntarily waives his or her firearm rights, they cannot petition the court to have their rights restored until seven days have passed. The policy behind this new law is to allow those who are having thoughts of suicide to voluntarily waive and surrender their firearm rights while they are in a time of crisis.

As with court-ordered surrenders, prior to the return of voluntarily surrendered firearms, a thorough background check is conducted to confirm eligibility to possess the firearm. Beyond the background check, a review is conducted to ensure that the firearm does not meet the requirements for judicial forfeiture and that there are not concerns that the requestor presents a substantial risk of violence such that the Department may want to seek an ERPO.

Disposal of Confiscated Firearms. The Police Department is authorized by state law to confiscate firearms that are possessed in a certain manner, possessed by an ineligible person, or that are evidence of a crime. After confiscation, the courts may judicially forfeit the firearms to the Department. The Department is authorized by Bellevue City Code to dispose of all firearms taken into its custody. The most common method of disposal is to destroy the firearms by melting them down and thereby removing them from the streets.

Test Firing Guns. The Bellevue Police Department test fires all crime guns, surrendered, lost/stolen, and forfeited firearms in its possession. The fired cartridge cases and shotshells are submitted to the Washington State Patrol laboratory and test results are submitted to the Integrated Ballistic Information System (IBIS) and National Integrated Ballistic Information System (NIBIN) for comparison to other shell casings retrieved from crime scenes. These tests have been successful in linking a firearm to a crime that occurred in another jurisdiction.

Training. Officers receive in-house and state training regarding removal of firearms. The state mandates that officers receive training on the removal, storage, and return of firearms from domestic violence situations, thereby reducing an alleged abuser's access to firearms until they can be seen by a judge.

II. EDUCATION & COMMUNITY OUTREACH

Community Safety Outreach. In addition to the outreach efforts described above, the Police Department hosts community safety forums. Community members are welcome to ask questions about increasing public safety within their neighborhoods and to learn about crime prevention methods and techniques. Topics range from crime prevention to major events that have impacted the specific community. By educating the public on crime prevention methods, a wider audience will be knowledgeable on the services provided by the City.

Crime Prevention Coordinator. In 2019, the Police Department civilianized the Crime Prevention Detective position. This change now allows a full-time, non-commissioned employee to be solely focused on crime and safety problems in our City by coordinating with the community to provide outreach and education to the public on various crime prevention issues, including firearm safety. This

position will focus on developing education resource materials for the public that can be distributed through the Department's website and social media outlets. This position will enhance current educational outreach by raising awareness of firearm safety practices and the laws regarding safe storage of firearms.

Safe Gun Storage. In addition to enforcing the new safe gun storage requirements of Initiative 1639, which took effect July 1, 2019, the Police Department is a participating member in Project ChildSafe and provides firearm safety kits that include a gun lock and safety educational materials to the public, free of charge. These free firearm safety kits are available at Bellevue Police Department headquarters and the community sub-stations. By providing free trigger locks and educational materials, the Police Department's goal is to promote safe firearm handling and storage with the community.

School Resource Officers. The Bellevue Police Department and the Bellevue School District have a School Resource Officer Program that places a uniformed officer in each of the high schools and middle schools. School Resource Officers (SROs) attend advanced training to prepare them for working in a school atmosphere and with juveniles. The SROs also act as an accessible resource for their assigned schools, and students, parents, educators, and neighbors of the schools, to promote a safe learning environment and safe surrounding neighborhoods. The Police Department and School District take part in joint preparedness planning, drills/exercises, and active shooter trainings. They also coordinate efforts for critical incident response plans.

III. HUMAN SERVICES

The City of Bellevue has a demonstrated commitment to supporting the most vulnerable in our community. When the most vulnerable in our community are supported, our community is safer and healthier for everyone.

Crisis Intervention & Mental Health Commitments. All Bellevue police officers have been trained on providing resource materials for the options to protect those in crisis from receiving firearms (e.g. ERPO's and Voluntary Waiver of Firearms Rights) and to refer them to mental health services.

In addition, involuntary commitments are used by police officers to take an individual experiencing a mental health crisis, or drug/alcohol induced crisis, to Overlake Medical Center for an involuntary mental health evaluation. Based on the evaluation, the individual may be involuntarily committed to a mental health or substance abuse facility for specialized support. Officers are trained to ask for voluntary consent to retrieve any firearms that are in the person's possession. Prior to release of voluntarily surrendered firearms back to the person, a background check and a review for an ERPO are conducted.

In addition, Bellevue Fire CARES provides social service outreach to individuals exhibiting signs of crisis. The Police Department also has support from the King County Mental Health Crisis team to assist with situations that require trained mental health professionals. King County Crisis and Commitment Services (CCS) offers 24-hour services for people who are in a behavioral health crisis.

City funding of Mental Health/Alcohol/Drug Treatment provides stability and resources to vulnerable populations. The City partners directly with Youth Eastside Services to have a counselor

on site one day/week at Crossroads Community Center to connect youth, teens and families with counseling resources.

In addition, through the Human Services Fund, the City provides funding support to the following:

Agency	Program	2019 Funding	2020 Funding
Asian Counseling and Referral Service	Whole health Oriented Mental Health Program	\$59,000	\$61,142
IKRON of Greater Seattle	Behavioral Health Services	\$40,000	\$41,452
NAMI Eastside	Individual & Family Support and Education	\$9,425	\$9,767
NAMI Eastside	NAMI in the Schools	\$5,000	\$5,182
Therapeutic Health Services	Alcohol/Drug Treatment	\$109,729	\$113,712
Youth Eastside Services	Behavioral Health Care for Children & Youth	\$209,346	\$216,945
Youth Eastside Services	Community-based Outreach Services	\$41,585	\$43,095
Youth Eastside Services	Early Childhood Behavioral Health (was Healthy Start)	\$26,732	\$27,702
Youth Eastside Services	Success Mentoring	\$22,250	\$23,057

City funding of Sexual Assault Domestic Violence Advocacy and Services provides advocacy, legal counseling and resources to survivors of sexual assault and domestic violence, thereby reducing potential incidences of victimization. The City has a King County Domestic Violence Advocate housed within the Police Department who serves as a liaison to the Prosecution Division of the Bellevue City Attorney’s Office. This domestic violence advocate connects victims of domestic violence to resources and services to enhance safety. These resources include education on Orders to Surrender Weapons. Part of the advocate’s role is to develop a safety plan with the victim to remove them from the abusive relationship. Police officers also carry domestic violence resource materials for victims of crime in their vehicles. Through the Human Services Fund, the City also provides funding support to the following:

Agency	Program	2019 Funding	2020 Funding
Consejo Counseling and Referral Service	Domestic Violence Community Advocate Program	\$15,000	\$15,545

Agency	Program	2019 Funding	2020 Funding
Harborview Medical Center	Harborview Center for Sexual Assault & Traumatic Stress	\$33,367	\$34,578
King County Sexual Assault Resource Center	Comprehensive sexual assault advocacy services	\$75,433	\$78,171
LifeWire	Housing Stability Program	\$11,180	\$11,586
LifeWire	Emergency Shelter (MSH)	\$63,730	\$66,043
LifeWire	Survivor Advocacy Services	\$174,736	\$181,078
Refugee Women's Alliance	Domestic Violence Program	\$16,100	\$16,684

City funding of Shelter and Supportive Housing Services provides safe respite and support needed for stability. Through the Human Services Fund, the City provides funding support to the following:

Agency	Program	2019 Funding	2020 Funding
Catholic Community Services of King County	Eastside Emergency Shelter for Families	\$27,000	\$27,980
Catholic Community Services of King County	Emergency Assistance	\$25,000	\$25,908
Catholic Community Services of King County	New Bethlehem Day Center	\$30,000	\$31,089
Catholic Community Services of King County	Volunteer Services	\$16,000	\$16,581
Community Homes, Inc.	Housing Readiness Workshops	\$5,000	\$5,182
Congregations for the Homeless	Day Center	\$80,000	\$178,773
Congregations for the Homeless	Men's Eastside Winter Shelter (EWS)	\$270,248	\$450,309
Congregations for the Homeless	Housing	\$47,428	\$49,149
Congregations for the Homeless	Outreach	\$51,769	\$53,649
Congregations for the Homeless	Year Round Rotating Shelter	\$62,561	\$64,832
Friends of Youth	TLP Housing for Homeless YA & Young Families	\$91,887	\$95,222
Friends of Youth	Youth and Young Adult Shelter	\$42,770	\$44,323

Agency	Program	2019 Funding	2020 Funding
Hopelink	Housing	\$93,843	\$97,249
Imagine Housing	Imagine Housing Supportive Services	\$47,000	\$48,706
Solid Ground	Housing Stability Project	\$51,502	\$53,372
Sophia Way	Day Center	\$48,958	\$50,735
Sophia Way	Eastside Women's Winter Shelter	\$26,732	\$27,702
Sophia Way	Outreach	\$5,000	\$5,182
Sophia Way	Sophia's Place	\$70,000	\$72,541

City funding of General Legal Assistance provides advocacy and assistance with conflict resolution. Through the Human Services Fund, the City provides funding support to the following:

Agency	Program	2019 Funding	2020 Funding
Eastside Legal Assistance Program	Eastside Legal Assistance Program	\$49,710	\$51,514
King County Bar Association	King County Bar Foundation Pro Bono Services	\$8,838	\$9,158

City provision and funding of programming and services for youth provides safe places to be, modeling by healthy adults, and leadership opportunities. The City has extensive programming for youth throughout Bellevue's Community Centers. In addition, the City's Youth Link Program provides a place for the youth voice to be amplified and heard. Also, through the Human Services Fund, the City provides funding support to the following:

Agency	Program	2019 Funding	2020 Funding
Bellevue School District	Early and Extended Learning Program	\$140,000	\$145,082
Boys & Girls Clubs of Bellevue	Project Learn & Summer Camp	\$73,014	\$75,664
Child Care Resources	Child Care Financial Assistance	\$172,776	\$179,048
Child Care Resources	Homeless Child Care Program	\$15,607	\$16,174
Child Care Resources	Information and Referral /Technical Assistance	\$41,822	\$43,340
Crisis Connections	Teen Link	\$13,000	\$13,472
Crisis Connections	Crisis Line	\$27,362	\$28,356

Agency	Program	2019 Funding	2020 Funding
Youth Eastside Services	Early Childhood Behavioral Health (was Healthy Start)	\$26,732	\$27,702
Youth Eastside Services	Success Mentoring	\$22,250	\$23,057

Probation. The City of Bellevue is somewhat unique among surrounding cities as Bellevue provides its own probation program, with an annual budget of approximately \$1.5 million. By providing its own program, Bellevue is able to operate from a model of restorative justice and rehabilitation as a complement to law enforcement and public education. The Probation Division focuses on holding offenders accountable while offering them the support and resources they need to make meaningful change that will reduce the likelihood of recidivism. Probation officers monitor misdemeanor offenders, ensuring compliance with court-ordered sanctions. The Probation Division also connects offenders to community and support providers to increase stabilization, and provides direct rehabilitative services, such as Domestic Violence Moral Recognance Therapy.

POLICY & FISCAL IMPACTS

Policy Impact

There is no policy impact, this is an informational briefing only.

Fiscal Impact

There is no fiscal impact associated with this update.

OPTIONS

N/A

ATTACHMENTS & AVAILABLE DOCUMENTS

N/A

AVAILABLE IN COUNCIL LIBRARY

N/A