



## Legislation Text

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**File #:** 24-0847, **Version:** 1

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Sheriff's Office recommending the Board retroactively declare a firearm as surplus and approve the deletion of Asset Tag 991011 from the Sheriff's Office inventory.

**FUNDING:** N/A

### **DISCUSSION/BACKGROUND**

Public Contract Code section 10334(b) states:

(b) Notwithstanding subdivision (a), any peace officer as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code, employed by the State of California for a period of more than 120 months who has been duly retired through a service retirement or a peace officer retiring from a job-incurred disability not related to a mental or emotional disorder and who has been granted the legal right to carry a concealed firearm pursuant to Article 2 (commencing with Section 25450) of Chapter 2 of Division 5 of Title 4 of Part 6 of the Penal Code may be authorized by the person's department head to purchase his or her state-issued handgun. Disability retired peace officers need not meet the 120-month employment requirement. The cost of the handgun shall be the fair market value as listed in the annual Blue Book of Gun Values or replacement cost, whichever is less, of the handgun issued as determined by the appointing power, plus a charge for the cost of handling. The retiring officer shall request to purchase his or her handgun in writing to the department within 30 calendar days of his or her retirement date.

On February 24, 2015, with Legistar file 15-0149, the Board approved the surplus and sale of 64 service weapons to the sworn officers in the Sheriff's Office. Prior to that Board item, the Sheriff's Deputies were using model year 2001 Glock 22 DRT Generation 3 pistols. The Sheriff decided to upgrade all department-issued firearms to model year 2014 Glock 22 Generation 3 pistols. Those pistols had many manufacturer upgrades compared to the 2001 models.

Sixty-four duty weapons were replaced with the newer models and the Sheriff's Office offered the surplus service weapons for sale to the sworn officers to whom they were assigned for \$300 each plus tax. If the sworn officer that was issued the weapon did not choose to purchase it, the weapon was then offered for sale to other sworn officers by seniority, in accordance with the Sheriff's Office policy and Public Contract Code section 10334(c).

At that time, Sheriff's Lieutenant Timothy Becker purchased his service weapon for serial number DRT510. However, prior to the sale of the weapon the original lower of for the DRT broke and a new lower with serial number G61461 was used as a replacement for Lt. Becker's firearm. The original lower had the same serial number as the original upper (DRT510). The new lower (G61461) was not included in the surplus form in the item on February 24, 2015 and it should have been surplus and removed from inventory at that time. Lt. Becker retired in 2018 and purchased two additional service weapons with Legistar file 18-0368 on March 20, 2018. The Sheriff's Office Armory personnel has verified that the firearm with serial number DRT510 for the upper and serial number G61461 for the lower remains registered to Timothy Becker according to the internet posting available from the Department of Justice.

Since the Property Transfer Request in Legistar file 15-0149 did not include the serial number and asset tag associated with the lower for the 2001 Glock 22 DRT Generation 3 pistol purchased by Lt. Becker, we are requesting that your Board take the action necessary to complete surplus and sale of the lower with serial number G61461.

**ALTERNATIVES**

N/A

**PRIOR BOARD ACTION**

02/24/2015 Legistar file 15-0149

03/20/2018 Legistar file 18-0368

**OTHER DEPARTMENT / AGENCY INVOLVEMENT**

Auditor's Office, Procurement & Contracts

**CAO RECOMMENDATION**

Approve as recommended.

**FINANCIAL IMPACT**

There is no financial impact associated with this item.

**CLERK OF THE BOARD FOLLOW UP ACTIONS**

N/A

**STRATEGIC PLAN COMPONENT**

N/A

**CONTACT**

Undersheriff Bryan Golmitz