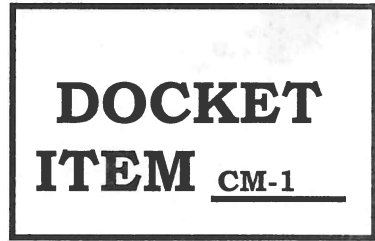


City Manager Agenda Item 1

June 12, 2018



Consent (1) RESOLUTION APPROVING THE DONATION OF A HISTORIC RIFLE TO THE NAVAL HISTORY AND HERITAGE COMMAND MUSEUM IN WASHINGTON, D.C., AND AUTHORIZING THE CITY MANAGER AND CHIEF OF POLICE TO TAKE ALL STEPS NECESSARY TO EFFECTUATE THE DONATION-CHESAPEAKE POLICE DEPARTMENT

As noted in the attached memorandum, in 2009, the Police Department confiscated a World War II German Sturmgewehr 44 Rifle from a convicted felon who can no longer possess the firearm. Since that time, no other persons have claimed ownership of the rifle. The Police Department found that the rifle has historic significance, and rather than have it destroyed, it has been rendered permanently inoperable and the Department would like to donate it to a museum.


The Naval History and Heritage Command Museum in Washington, D.C. has expressed an interest in receiving the rifle to add to their collection of weapons of historical significance. Virginia Code allows the Department to render unclaimed weapons inoperable and the City has the legal authority to donate the weapon to the museum.


Presented to City Council is a resolution approving the donation of a historic rifle to the Naval History and Heritage Command Museum in Washington, D.C.; its adoption is recommended.

Staff: Kelvin L. Wright, Chief of Police

Memorandum

TO: James E. Baker, City Manager

VIA: Robert N. Geis, Deputy City Manager 

FROM: Kelvin L. Wright, Chief of Police 

DATE: May 15, 2018

SUBJECT: Council Resolution to Donate Historical Firearm

In 2009, the Police Department confiscated a World War II German Sturmgewehr 44 Rifle from a suspect that is a convicted felon and, therefore, can no longer possess the firearm. Since that time, no other persons have claimed ownership of the rifle. Since this rifle is deemed to have historical significance, rather than have it destroyed, it has been rendered permanently inoperable and the Department would like to donate it to The Naval History and Heritage Command Museum in Washington D.C. who has expressed an interest in receiving this donation.

Please have the attached Resolution drafted by the City Attorney's Office placed on the June 12, 2018, Council Meeting for formal approval. If you have any questions, contact Mr. Paul Leccese, Police Planner, at ext. 6167.

pcl
Attachments

RESOLUTION APPROVING THE DONATION OF A HISTORIC RIFLE TO THE NAVAL HISTORY AND HERITAGE COMMAND MUSEUM IN WASHINGTON, D.C., AND AUTHORIZING THE CITY MANAGER AND CHIEF OF POLICE TO TAKE ALL STEPS NECESSARY TO EFFECTUATE THE DONATION.

WHEREAS, in the course of executing its law-enforcement duties in 2009, the Chesapeake Police Department (“the department”) confiscated an operational World War II German Sturmgewehr 44 rifle (“the rifle”), which remains unclaimed in the possession of the department; and

WHEREAS, the department has determined that the rifle has historical significance; and

WHEREAS, the Naval History and Heritage Command Museum in Washington, D.C. (“the Museum”) has expressed interest in receiving a donation of the rifle to be added to their collection of weapons with historical significance; and

WHEREAS, the owner has made no attempt to reclaim the rifle and is unable to do so due to legal restrictions regarding the possession of firearms by individuals convicted of certain crimes; and

WHEREAS, pursuant to Virginia Code Section 15.2-1721, the department may destroy unclaimed firearms that are in its possession more than 120 days, using any means which renders such firearms permanently inoperable, in the discretion of the Chief of Police; and

WHEREAS, the department has made the rifle permanently inoperable in accordance with Virginia Code Section 15.2-1721, and has complied with all other requirements of the statute; and

WHEREAS, the City Council has legal authority to donate the rifle to the Museum, pursuant to Virginia Code Section 15.2-953(B) and (C); and

WHEREAS, the City Council desires to donate the rifle to the Museum.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Chesapeake, Virginia, that the donation of the World War II German Sturmgewehr 44 rifle in the possession of the Chesapeake Police Department, to the Naval History and Heritage Command Museum in Washington, D.C., is hereby approved, and the City Manager and Chief of Police are authorized to take such steps necessary to effectuate the donation.

ADOPTED by the Council of the City of Chesapeake, Virginia, this _____ day of _____, 2018.

APPROVED:

Mayor

ATTEST:

Clerk of the Council