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Title: Resolution in support of pending state legislation to create more comprehensive and stringent gun laws by preventing the sale of certain firearms to criminals, requiring microstamping on semiautomatic firearms, penalizing the possession of certain ammunition, redefining the terms “disguised gun” and “assault weapon”, banning the sale and use of 50-caliber weapons, and tracking guns involved in crimes in New York State.

Sponsors: Inez E. Dickens, Robert Jackson, James F. Gennaro, Christine C. Quinn, Gale A. Brewer, Lewis A. Fidler, Alan J. Gerson, Sara M. Gonzalez, Letitia James, G. Oliver Koppell, John C. Liu, Darlene Mealy, Michael C. Nelson, Annabel Palma, Domenic M. Recchia, Jr., Larry B. Seabrook, David I. Weprin

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Res. No. 1462

Resolution in support of pending state legislation to create more comprehensive and stringent gun laws by preventing the sale of certain firearms to criminals, requiring microstamping on semiautomatic firearms, penalizing the possession of certain ammunition, redefining the terms “disguised gun” and “assault weapon”, banning the sale and use of 50-caliber weapons, and tracking guns involved in crimes in New York State.

By Council Members Dickens, Jackson, Gennaro, the Speaker (Council Member Quinn), Brewer, Fidler, Gerson, Gonzalez, James, Koppell, Liu, Mealy, Nelson, Palma, Recchia Jr., Seabrook and Weprin

Whereas, Although great progress has been made in lowering crime rates in New York City, stopping the flow of illegal guns into New York and establishing comprehensive gun laws are both critically important to continuing to keep crime down, and to reducing the number of gun-related injuries and deaths; and

Whereas, Firearms are used to kill over thirty thousand individuals in the United States every year, including over one thousand in New York State; and

Whereas, According to recent studies, America’s youth is terribly affected by gun violence; the rate of firearm deaths under the age of 15 is almost 12 times higher in the United States than in 25 other high-income industrialized countries combined; and

Whereas, America’s youth is 16 times more likely to be murdered with a gun, 11 times more likely to commit suicide with a gun, and 9 times more likely to die from a firearm accident than children in 25 other high-income industrialized countries combined; and

Whereas, New York City has recently seen a rash of shootings that have seriously wounded and killed young people and that have caused widespread concern among City residents; and

Whereas, On May 17, 2008, 15-year-old Brandon Bethea was shot and killed outside of a friend’s house in Far Rockaway Queens; and

Whereas, Just a few hours after the shooting of Brandon Bethea, five people were shot and wounded in a gunfight a few blocks away from the scene of Bethea’s murder; and

Whereas, On May 19, 2008, 16-year-old Tyrese Johnson was fatally shot in the head in a suspected gang related shooting just steps from where Brandon Bethea was murdered; and

Whereas, On May 26, 2008, a shooting involving an illegal gun injured six teenagers ranging in age from 13 to 18 on Lenox Avenue and 125th Street in Harlem; and

Whereas, Harlem experienced four additional shootings on the same day injuring four more people; and

Whereas, According to the New York City Police Department’s 28th Precinct, which encompasses central Harlem, the number of shootings in the 28th precinct has doubled to 10 this year - not including the five incidents on May 26, 2008; and

Whereas, In a statement made by New York City Police Commissioner Raymond W. Kelly on May 27, 2008, the Harlem shootings “are evidence of the apparent ease with which teens are able to acquire illegal guns and to use them without regard to the consequences” and;

Whereas, On May 29, 2008, a 32-year-old woman was shot in the leg in Bedford-Stuyvesant, Brooklyn,

by a man New York City Police Officers later apprehended; and

Whereas, Illegal guns rip away at the fabric of society and have devastating effects on victims, families, and communities; and

Whereas, The creation of more comprehensive and stringent laws against illegal gun trafficking and the use of illegal firearms is vitally important in helping to prevent senseless acts of gun violence recently witnessed in our City; and

Whereas, There are several bills currently pending in the New York State Legislature that seek to address these public safety concerns; and

Whereas, A6525-A in the New York State Assembly (Assembly) and companion bill S.2404-B in the New York State Senate (Senate), aim to address illegal street gun trafficking by amending the General Business Law and the Penal Law in relation to preventing the sale of firearms, rifles, and shotguns to criminals; and

Whereas, A.9819-A requires microstamping technology to be used on semiautomatic firearms which would provide law enforcement with additional evidence to help investigate, arrest, and convict more people who use semiautomatic handguns in crimes; and

Whereas, A.3447 and companion bill S.2002 seek to amend the Penal Law, in relation to the possession of armor piercing, frangible or devastator ammunition which cause severe destruction and render survival of the victim unlikely; and

Whereas, A.3447/S.2002 would amend the definition of "armor piercing ammunition" to include certain new construction materials, and would prohibit the possession of "devastator" and "frangible" ammunition, thus modernizing the Penal Law to incorporate these deadly technological advances in ammunition; and

Whereas, A.2868 and companion bill S.3868 aim to amend the Penal Law in relation to redefining the term "disguised gun" to include any rifle, pistol, shotgun or machine-gun resembling a toy gun and prohibiting the possession, manufacture, or design of such gun; and

Whereas, A.2868/S.3868 would help to protect our children and would assist police officers in

distinguishing a toy gun from an actual gun; and

Whereas, A.7331-A would replace the definition of an "assault weapon" with a new definition that relies on the characteristics of the weapon and includes definitions of assault weapon devices that are designed to enhance the lethality of these weapons; and

Whereas, The impetus of A.7331-A is to ban military-style assault weapons that are designed to allow rapid and accurate spray firing for the quick and efficient killing of humans; and

Whereas, A.2772-A and companion bill S.2411-A seek to ban the possession, sale and use of 50-caliber weapons in the state of New York and impose additional penalties for the use of a 50-caliber weapon while committing certain felonies; and

Whereas, A 50-caliber weapon is one of the most dangerous weapons in the U.S. Military's arsenal and is used for long-range tactical assaults by the U.S. Military; and

Whereas, A.3451 and companion bill S.3009 would require the submission by state and local law enforcement authorities of expended projectiles and shell casings and guns, found or otherwise coming into their possession, to the state police pistol and revolver ballistic identification electronic databank; and

Whereas, Submitting evidence to a centralized crime laboratory would facilitate the exchange of information, increasing the effectiveness of both the labs and the local law enforcement agencies to promptly cross-check and identify these materials with previous materials entered into the ballistic identification electronic databank; and

Whereas, It is paramount to New York City's public safety that all efforts to protect its citizens, especially its youth, are made by government to help ensure illegal guns and guns or ammunition that pose a serious public threat are off the City's streets; now, therefore, be it

Resolved, That the Council of the City of New York supports pending state legislation to create more comprehensive and stringent gun laws by preventing the sale of certain firearms to criminals, requiring microstamping on semiautomatic firearms, penalizing the possession of certain ammunition, redefining the

terms “disguised gun” and “assault weapon”, banning the sale and use of 50-caliber weapons, and tracking guns involved in crimes in New York State.

WJH
6/3/08