



## Legislation Text

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**File #:** Res 1370-2012, **Version:** \*

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### Res. No. 1370

Resolution in support of pending legislation in the New York State Legislature intended to create more comprehensive and stringent gun laws by preventing the sale of certain firearms to criminals, requiring microstamping on new semiautomatic firearms sold after January 1, 2014, criminalizing the possession of certain ammunition, redefining the terms “disguised gun” and “assault weapon,” and banning the sale and use of 50-caliber weapons.

By Council Members Dickens, Gennaro, Chin, Brewer, Comrie, Dromm, Ferreras, Fidler, Gentile, James, Koo, Koppell, Lander, Palma, Recchia, Rose, Williams, Wills, Rodriguez and Mark-Viverito

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, America’s youth is terribly affected by gun violence; and

Whereas, Over the past several years, New York City has seen a rash of shootings that seriously wounded and killed young people; and

Whereas, On April 26, 2009, a stray bullet struck Christopher Owen, a 13-year-old boy, in Harlem; he later died in the hospital; and

Whereas, On November 16, 2009, a 15-year-old girl, Vada Vasquez, was shot in the head by members of a gang who were attempting to shoot someone else; and

Whereas, On August 7, 2010, 19-year-old Demetrius Jones was hosting a party in his Bronx apartment when someone fired a gun and shot him to death; and

Whereas, Demetrius Jones was not the only victim at the party; three other teenagers were shot and injured; and

Whereas, Within an hour of the Demetrius Jones's shooting, another unrelated fatal shooting incident took place in which Alexis, a 16-year-old boy, was shot and killed inside his home; and

Whereas, The Bronx experienced at least seven additional shootings that weekend; and

Whereas, On December 23, 2011, Marquis Washington, a 15-year-old boy, was shot to death in the lobby of his Brooklyn apartment; and

Whereas, On March 8, 2012, a gunman shot and injured three bystanders including Aleah Detres, a 15 year-old girl, at a bodega in the Bronx; 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 situations like the 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, Senator Jose Peralta and Assemblymember Amy Paulin sponsored S.965 and A.361, which 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, These bills would also require dealers to establish programs to eliminate sales to straw purchasers, require dealers to obtain liability insurance of at least one million dollars, and impose other conditions for dealers who want to obtain a gun license; and

Whereas, S.675-C and A.1157-B, sponsored by Senator Peralta and Assemblymember Michelle Schimel, would require microstamping technology to be used on at least two places of the

expended cartridge of all new semiautomatic firearms sold after January 1, 2014; these bills would also establish penalties for anyone who defaces a microstamping component of the gun and establish fines for manufacturers and dealers who violate the microstamping requirement; and

Whereas, S.675-C and A.1157-B would provide law enforcement with additional evidence, which would help to investigate, arrest, and convict more people who use semiautomatic handguns in crimes; and

Whereas, Senator Martin Golden sponsored S.2146-A, which would amend the Penal Law in relation to the possession of armor piercing, frangible or devastator ammunition, which causes severe destruction and, often, fatal wounds; and

Whereas, S.2146-A would amend the definition of "armor piercing ammunition" to include certain new construction materials, and provide definitions for frangible ammunition and devastator ammunition, thus modernizing the Penal Law by incorporating these deadly technological advances in ammunition; and

Whereas, Assemblymember Joseph Lentol sponsored A.1014, which seeks to amend the Penal Law in relation to redefining the term "disguised gun" to include, but not be limited to, any rifle, pistol, shotgun or machine gun resembling a toy gun and prohibiting the possession, manufacture, or design of such gun; this bill would also establish a new class D felony for anyone who intentionally designs or transforms a gun to resemble a toy gun; and

Whereas, A.1014 would help to protect our children and would assist police officers in distinguishing a toy gun from an actual gun; and

Whereas, Senator Daniel Squadron and Assemblymember Linda Rosenthal sponsored S.1440 and A.1479, which would replace the current definition of "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; these bills would also expand the duties of

the superintendent of state police with respect to identifying assault weapons; and

Whereas, The impetus behind S.1440 and A.1479 is the need to ban the possession, sale or manufacture (subject to one exception) of military-style assault weapons that are designed to allow rapid and accurate spray firing for the quick and efficient killing of humans; and

Whereas, Senator Daniel Squadron and Assemblymember Brian Kavanaugh sponsored S.86 and A.5926, which seek to ban the possession, sale and use of 50-caliber weapons or larger weapons in the state of New York and would 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, It is crucial to New York City's public safety that government make every possible effort to protect its citizens, especially its youth, by ensuring that 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 legislation in the New York State Legislature intended to create more comprehensive and stringent gun laws by preventing the sale of certain firearms to criminals, requiring microstamping on new semiautomatic firearms sold after January 1, 2014, criminalizing the possession of certain ammunition, redefining the terms "disguised gun" and "assault weapon," and banning the sale and use of 50-caliber weapons.

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