



Legislation Text

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Res. No. 688

Resolution calling upon the New York State Legislature to amend the Penal Law by creating the crime of aggravated criminal use of a firearm for discharging a firearm on school grounds or public park lands.

By Council Members Dickens, Brewer, Cabrera, Chin, Comrie, Fidler, Gentile, Mendez, Nelson, Williams

Whereas, Every year gun violence kills many individuals and destroys many communities throughout the United States; and

Whereas, Gun violence claimed the lives of over 30,000 people in the United States each year for the past several years; and

Whereas, New York City sees gun violence kill innocent victims far too frequently; and

Whereas, On April 26, 2009, a stray bullet struck Christopher Owen, a 13-year-old boy, in New York City, three blocks away from Marcus Garvey Park; and

Whereas, Christopher later died in the hospital as a result of being struck by the bullet; and

Whereas, On October 3, 2009, Kevin Miller, a 13-year-old boy, was shot in the head after he and a friend stumbled upon a fight near Campus Magnet High School in Queens; and

Whereas, On November 16, 2009, Vada Vasquez, a 15-year-old girl, was shot in the head by members of a gang while she was walking home from school in the Bronx; and

Whereas, Although fortunately Vada Vasquez recovered from her injuries, firing firearms near schools and parks puts children at particular risk and must be both discouraged and punished; and

Whereas, In order to curb gun violence, New York City already has several limitations in place on the possession of handguns; and

Whereas, One major restriction on possessing a handgun is the need to obtain a permit or license for the

weapon before such possession is lawful; and

Whereas, Permits and licenses are necessary to ensure that individuals who are likely to abuse firearms do not have easy access to such weapons; and

Whereas, Despite these efforts, gun violence continues to claim the lives of innocent victims; and

Whereas, To address the growing gun violence issue, the New York State Legislature should amend the Penal Law by creating the crime of aggravated criminal use of a firearm for discharging a firearm on school grounds where the discharge is not part of a training or public park lands not designated for hunting; and

Whereas, Additionally, the new law should include a sentencing provision, which would require a 5-year consecutive sentence for criminal use of a firearm in connection with certain violent felonies; and

Whereas, Children should feel safe everywhere, but especially at schools and parks; and

Whereas, At times when gun violence seems ubiquitous, schools and parks should be protected from this violence; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to amend the Penal Law by creating the crime of aggravated criminal use of a firearm for discharging a firearm on school grounds or public park lands.

SA  
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LS# 1031