



## Legislation Text

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**File #:** Res 2004-2001, **Version:** \*

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Res. No. 2004

Resolution denouncing the decision of Attorney General John Ashcroft to issue a formal legal opinion through the United States Department of Justice, that the Second Amendment automatically guarantees the right to private gun ownership, reversing the Department's position of the last 30 years.

By Council Members Fisher, Eisland, Freed, Linares, Perkins and Pinkett; also Council Members Foster, Harrison, Leffler, Lopez, McCaffrey, Miller and Michels

Whereas, The Second Amendment to the Constitution of the United States states that "A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed"; and

Whereas, The United States Department of Justice has held forth a formal legal opinion since the Nixon Administration in 1973 that the Second Amendment does not automatically guarantee the right to private gun ownership; and

Whereas, Gun violence and gun-related accidents are severe problems in our nation which claimed the lives of 30,708 Americans last year; and

Whereas, Of these victims of gun violence 3,792 were innocent children; and

Whereas, The presence and proliferation of guns in our society presents a clear and present danger to the domestic security of the United States; and

Whereas, Attorney General John Ashcroft has decided to reverse the Justice Department's 30 year ruling and assert that gun ownership is indeed a constitutionally guaranteed right; and

Whereas, Such a decision further jeopardizes the safety of the American people and the peace of American neighborhoods; now, therefore, be it

Resolved, That the Council of the City of New York denounces the decision of Attorney General Ashcroft to issue a formal legal opinion through the United States Department of Justice, that the Second Amendment automatically guarantees the right of private gun ownership, reversing the Department's position of the last 30 years.

LS#4474