

# CITY OF JERSEY CITY

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## *Mayor Healy Signs Bi-Partisan Coalition Letter to President Obama Requesting Immediate Action on Gun Control*

JERSEY CITY – **Mayor Jerramiah T. Healy**, a charter member of the gun control advocacy group **Mayors Against Illegal Guns** chaired by New York City Mayor Michael Bloomberg and Boston Mayor Thomas Menino, signed a letter today from the bi-partisan organization to President Barack Obama requesting specific and immediate action be taken in the wake of the Sandy Hook Elementary School shooting last week in which 20 students and six faculty members were killed.

“Last week we witnessed unspeakable horror in Newtown, Connecticut,” said **Mayor Healy**. “Today, we are calling on President Obama and our leaders in Washington to chart a new course and take swift action to bring about real change as it relates to gun violence. There are simple, easy steps that can be taken immediately.”

Mayor Healy has long been an advocate for common-sense gun legislation and has passed legislation at the local level to limit handgun purchases to one per month. That legislation, along with a companion bill regarding the reporting of lost and stolen firearms, was adopted at the state level and is now law in New Jersey.

Specifically, the letter to President Obama calls for the following actions:

- **Require every gun buyer to pass a criminal background check:** Background checks are the only systematic way to stop felons, domestic abusers and other dangerous people from buying firearms. These checks are instantaneous and highly effective. Since its inception, the National Instant Criminal Background Check System (NICS) has blocked firearms purchases at licensed dealerships by millions of individuals who are barred by federal law from owning them. But criminals and other prohibited purchasers avoid these checks by buying firearms, typically online and at gun shows, from unlicensed “private sellers” who are not required by federal law to conduct the checks. Millions of gun sales — estimated at more than 40 percent of the U.S. annual total — are conducted through private sellers. The Fix Gun Checks Act (H.R.1781/S.436) would close this enormous gap in our laws by requiring a criminal background check for every gun sale.

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- **Get high capacity rifles and ammunition magazines off our streets:** Military-style weapons and high capacity ammunition magazines have no appropriate civilian or sporting function. They are designed to kill large numbers of people quickly. They are also disproportionately used to kill law enforcement officers; approximately one out of five law enforcement officers slain in the line of duty are killed with assault weapons. The time has come to review the federal assault weapons that expired in 2004 and draft a new law that is clear and enforceable and will take these weapons out of our communities.
- **Make gun trafficking a federal crime:** Today, there is no clear and effective statute making gun trafficking a crime. Prosecutors are instead forced to rely on a weak law prohibiting engaging in the business of selling guns without a federal license, which carries the same punishment as trafficking chicken or livestock. As a result, according to the Justice Department's Inspector General, U.S. Attorneys decline to prosecute 25 percent of those cases while declining only 9 percent of drug conspiracy cases. Mayors Against Illegal Guns supports proposals to empower law enforcement to investigate and prosecute straw purchasers, gun traffickers, and their entire criminal networks.

Those ideas require action by Congress, but there steps you and your Administration could and should take immediately to curb gun violence:

- **Appoint an ATF director:** The Bureau of Alcohol, Tobacco, Firearms & Explosives (ATF), the federal agency responsible for enforcing our gun laws, has gone without a confirmed director for more than six years. During that time, an estimated 72,000 Americans have been murdered with guns because criminals and those with serious mental illness have been able to take advantage of insufficient enforcement of existing federal gun laws. In 2011, for the first time in over a decade, more police officers were shot to death in the line of duty than were killed in automobile accidents. The need for leadership at the ATF has never been more urgent. The time has come for you to make a recess appointment to fill the vacancy at the top of the ATF.
- **Prosecute prohibited purchasers who attempt to buy firearms, ammunition or high-capacity magazines.** The Justice Department should vigorously prosecute felons and other prohibited purchasers who fail gun background checks. In 2009, the Federal Bureau of Investigation referred more than 71,000 such cases to ATF, but U.S. Attorneys ultimately prosecuted only 77 of them. Prosecuting these offenders is a goal broadly supported by our coalition and the National Rifle Association. The Department should also develop a mechanism for sharing NICS denial information with local and state law enforcement officials by sending them active alerts; or, at a minimum, posting the information at the National Criminal Information Center so state and local law enforcement officials can access it during investigations.
- **Require federal agencies to report records to NICS:** The NICS Improvement Act requires federal agencies to submit mental health, substance abuse and other records that prohibit a person from owning a gun to NICS. However, few agencies comply. Fifty-two of 60 agencies listed in the FBI data obtained by Mayors Against Illegal Guns in October 2011 have reported zero mental health records to NICS. Federal agency reporting of mental health records increased by ten percent between March and October 2011, to a combined total of 143,579, the vast majority of which were submitted by one agency, the Department of Veterans Affairs. According to FBI data obtained in October 2011, only three federal agencies—the FBI, the U.S.

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Coast Guard, and the Court Services and Offenders Supervision Agency (CSOSA), the probation and parole services agency for the District of Columbia—have submitted any substance abuse records, and the vast majority of federal agencies, including the Drug Enforcement Administration, have not submitted a single substance abuse record. The president should issue an executive order requiring all federal agency heads to certify twice annually, in writing, to the U.S. Attorney General that their agency has submitted all relevant records to NICS.

- **Repeal remaining Tiahrt restrictions:** While Mayors Against Illegal Guns and our law enforcement allies have made progress in relaxing the “Tiahrt restrictions,” which are riders to the federal budget that restrict access to federal gun data, some still remain. These remaining restrictions keep the public, particularly researchers and elected officials, in the dark about gun traffickers – specifically, who they are and how they operate. It also requires the FBI to destroy records of approved NICS background checks within 24 hours. That makes it harder to detect law-breaking dealers who fake their records, or to identify straw buyers who undergo the checks on behalf of someone who couldn’t pass. The Tiahrt Amendments also say ATF can’t require dealers to inspect their inventory, which could reduce the tens of thousands of guns that go missing or are stolen each year. Finally, the police and other law enforcement agencies that get trace data can’t use it in license revocation proceedings or in civil litigation. The administration should repeal these restrictions in its next budget.

In April 2006, a group of 15 mayors held a summit at Gracie Mansion in New York City to discuss strategies for stopping the flow of illegal guns into America’s cities. Out of this summit came the coalition [Mayors Against Illegal Guns](#). Mayor Healy was one of the founding members, along with Mayor Michael Bloomberg of New York and Mayor Thomas Menino of Boston. The bipartisan coalition now includes more than 750 mayors.

**All media inquiries should be directed to Jennifer Morrill, Press Secretary to Mayor Jerramiah T. Healy at 201-547-4836 or 201-376-0699.////**