

LAW, JUSTICE, AND ETHICS

Resolution LJE-19-10

A RESOLUTION ON GUN CONTROL IN THE WAKE OF MASS SHOOTINGS

WHEREAS, 36,252 people died by gun violence in 2015; subsequently, there has been a spike in gun violence as the death toll alarmingly rose to over 38,000 deaths in 2016;

WHEREAS, a study conducted in 1998 by Emory University found that every time a gun in the home was used in self-defense or for a legally-justifiable shooting, there were four unintentional shootings in the geographical areas of the study and, according to the U.S. Department of Justice from 2007 to 2011 there were 235,700 self-protected behaviors involved a firearm;

WHEREAS, a 2013 study found that a one percent increase in gun ownership correlates with a roughly 0.9 percent increase in the firearm homicide rate; a 2013 study reports that across all 50 states, "during 1981 and 2010, states that had higher rates of gun ownership had disproportionately large number of deaths from firearm-related homicides." A 2015 study reported that firearm assaults were 6.8 times more common in states with the most guns versus those with the least;

WHEREAS, in a 2009 study, individuals in possession of a gun were 4.46 times more likely to be shot in an assault than those not in possession; among gun assaults where the victim had at least some chance to resist, this adjusted the odds ratio and increased it to 5.45; a 2015 study found that people who had access to firearms at home were nearly twice as likely to be murdered as people who did not;

WHEREAS, recently, several horrific school shootings have occurred in the United States, including one on February 14, 2018, at the Parkland High School in Florida, which have caused to even greater concerns for the safety of children, staff, and faculty within the confines of school grounds;

WHEREAS, there have been proposals to give firearms to teachers and other school staff with the expectation that these personnel, while caring for frightened children in an emergency, would risk their lives, and the children's lives, by engaging assailants who may be firing multiple rounds from military-style weapons;

WHEREAS, regardless of the length of firearm and safety training, it is not safe for teachers to possess guns in the classroom;

LAW, JUSTICE, AND ETHICS

Resolution LJE-19-10

WHEREAS, teachers are trained as educators and are not required to be qualified to act as licensed or trained sheriff deputies or police officers; and

WHEREAS, firearms in the classroom will frighten students and interfere with the learning environment.

THEREFORE BE IT RESOLVED, that the National Black Caucus of State Legislators (NBCSL) adopt the following as its gun control legislative priorities and urges their adoption nationwide:

- Raise the age to purchase a firearm to 21 years old;
- Ban future purchases and possession of bump stocks and other automatic capacity conversion kits, accessories, and parts;
- Ban future purchases and possession of military-style assault guns, and military high capacity ammunition clips exceeding 11 bullets;
- Banning Straw purchases;
- Conduct universal background checks to include the alerting and reporting of mental health issues that should disqualify an individual from gun possession;
- Ban domestic terrorists or animal abusers, the seriously mentally ill, and those on the Transportation Security Administration terror watch lists from purchasing firearms;
- Allocate increase resources to mental health programs for children enrolled in the educational system from K-12;
- Restore funding to the Center for Disease Control and Prevention to study gun violence as a major public health crisis;
- Allocate federal resources to incentivize and assist states in improving reporting to the National Instant Criminal Background Check System (NICS);
- Continue requiring background checks and permits for gun silencers;
- Require microstamping or ballistic fingerprinting of all new firearms and ammunition sold in the U.S.;
- Repeal all state "stand your ground" laws, restoring the use of deadly force as a last resort;
- Encourage local jurisdictions to utilize their "buyer power" to create incentives for firearm manufacturers to employ "counter-marketing" strategies to ensure that their retailers are using all available procedures to prevent illegal firearms diversion;

BE IT FURTHER RESOLVED, that the NBCSL support the use of gun violence protective orders that temporarily remove firearms from residences where a threat of violence has been made until a judicial hearing that determines if the firearms should be removed for an extended period of time or permanently;

LAW, JUSTICE, AND ETHICS

Resolution LJE-19-10

BE IT FURTHER RESOLVED, that the NBCSL opposes arming teachers, faculty and staff with firearms on school campus grounds or any attempt to increase the presence of armed guards inside schools;

BE IT FURTHER RESOLVED, that the NBCSL support safe, sane, and sensible measures to end gun violence; and

BE IT FINALLY RESOLVED, that the NBCSL send a copy of this resolution to the President of the United States, the Vice President of the United States, members of Congress, and other federal and state government officials as appropriate.

SPONSOR: Representative Brenda Gilmore (TN)

Committee of Jurisdiction: Law, Justice, and Ethics Policy Committee

Certified by Committee Chair: Representative Reginald Meeks (KY)

Ratified in Plenary Session: Ratification Date is November 30, 2018

Ratification is certified by: Representative Gregory W. Porter (IN), President