



NEW YORK STATE SENATOR

Robert G. Ortt

Senate Republican Leader Rob Ortt Calls On Governor Kathy Hochul To End Newly Implemented Firearm And Ammunition Background Check Requirements

ROBERT G. ORTT October 13, 2023

| ISSUE: **GUN CONTROL, AMMUNITION LEGISLATION, SECOND AMENDMENT**



Lockport, NY – New York State Senate Republican Leader Rob Ortt was joined today by **Assemblyman Mike Norris, Niagara County Clerk Joe Jastrzemski, Niagara County Sheriff Michael Filicetti**, and the owners of local gun store **Escarpment Arms** to call for an end to New York’s unconstitutional firearm and ammunition background check requirements.

In a [Letter](#) to the governor, Senator Ortt and fellow conference members urge Governor Hochul to shelve the recently implemented requirements and fees for background checks on gun and ammo purchases. The background check process has proven to be a failure which has resulted in the deprivation of a fundamental Constitutional right.

Prior to this requirement, there were no barriers to purchasing ammunition and Federal NICS background checks for firearms were nearly instantaneous. With the implementation of the new background check process, New Yorkers are experiencing lengthy delays, sometimes hours or even days, before being approved – and in some cases are being denied, even if they are lawfully able to purchase and possess firearms or ammunition.

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*“Gun owners in New York State face some of the most restrictive laws and regulations in the nation, yet gun-related crimes remain an ongoing issue. These unconstitutional infringements on our second amendment rights clearly have no impact on how criminals get their hands on guns or ammo, and police should be able to focus their efforts on stopping illegal gun crime, instead of being handcuffed to their desks running background checks and creating an invasive database of law-abiding citizens,” said **Leader Ortt**.*

Members of the conference have been strongly opposed to the idea since it first came about in 2013 as part of the SAFE Act – and just two years after its introduction, the process was deemed technologically infeasible.

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“New York State continues to place burdensome laws and obstacles on law-abiding New Yorkers who simply wish to exercise their constitutional rights while not focusing on the lawbreakers who continually commit the illegal gun crime we witness daily. This new law does nothing to stop criminals, who do not go through the background check process, from

getting their hands on the ammunition they use to commit murder and crimes that endanger our communities,” said Assemblyman Mike Norris.

Since the implementation, gun store owners and constituents across the state have called, emailed and written to convey their opposition to the requirements and have also expressed concerns about the security of personal data like birthdays, social security numbers, and credit card information being transmitted and maintained.

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“The downstate politicians that control the New York State Legislature continue to pass these nonsensical gun laws that are not only unconstitutional, but do absolutely nothing to make our communities safer or address gun violence,” said Niagara County Clerk Joseph A. Jastrzemski. “We need to stop placing more burden and cost on law-abiding gun owners and focus our energy on those who obtain guns and ammo illegally.”

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“Following the implementation of these new regulations I have had complaints from many residents who were legally trying to purchase ammunition,” said Niagara County Sheriff Michael Filicetti. “Their complaints centered around the lack of need for this, along with the cost and delays they experienced. This legislation goes right along with other new laws in this state that infringe upon the rights of legal gun owners. We should be focusing all of our efforts on the criminals committing gun crime that aren’t concerned with following the law.”

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“These barriers to purchasing firearms and ammunition that have been put in place are doing nothing more than obstructing law-abiding citizens from exercising their Second Amendment rights,” said Joseph Olscamp, CEO of Escarpment Arms, Inc. “Criminals are being

released with minimal punishment while Gun Owners and licensed, legitimate businesses are being penalized. It is an unnecessary risk in an already precarious economic atmosphere. Ultimately, New Yorkers are being left waiting on an extremely flawed system to give them permission to protect themselves while creating a database that the Federal Government is not allowed to create or keep.”

“For far too long, lawmakers in this state have prioritized criminals and cast aside the rights of upstanding citizens to further their own out-of-touch agendas. I believe it’s only a matter of time before these unconstitutional regulations are struck down in court and I ask the Governor to do the right thing and call an end to them, so this doesn’t burden our court systems, like these regulations are doing to our police force, businesses and constituents,”
concluded Senator Ortt.