



NEW YORK STATE SENATOR

Dean G. Skelos

## Senator Skelos Unveils Tough Plan to Crack Down on Illegal Guns and Criminals Who Use Guns

DEAN G. SKELOS January 6, 2013

Senate Republican Conference Leader Dean G. Skelos today announced a package of tough, commonsense gun safety measures to eliminate the sale and possession of illegal guns and increase penalties for people who use guns to commit crimes. Statistics show illegal guns are used in the vast majority of gun crimes in New York State.

The proposals come in the wake of horrific recent incidents including the tragic school shootings in Newtown, Connecticut; the ambush and killing of two volunteer firefighters in Webster, New York; the shooting incidents that injured three NYPD officers just two days ago; and the cold-blooded killing of a Nassau County police officer and a motorist last October.

The measures include: increased mandatory prison time for possession and sale of illegal weapons; stiffer penalties for criminals who use guns to commit felonies; life in prison without parole for individuals who kill on-duty emergency responders; increased penalties for possession of a gun on school grounds and school buses. Other provisions would enact stronger criminal penalties for selling or possessing guns in children's homes and the use of guns in gang violence.

Senator Skelos said, "We need to target illegal guns so innocent people don't become targets for criminals who have them. The statistics prove that the overwhelming majority of gun crimes involve the use of illegal guns. No new package of gun safety laws can be truly

effective without including provisions that go after illegal guns and punish the people who use them against others. Our goal is safer homes, safer neighborhoods and safer schools. Our proposal would achieve that goal.”

Nearly 90 percent of firearms used in gun crimes in New York City, and 70 percent statewide, come from out of state. Last year 3,443 illegal guns were seized in New York City alone. Over 10,500 guns were recovered in the past three years.

In the first four months of 2012 eight New York City police officers were shot by criminals with illegal guns. A total of 12 police officers were shot the whole year. This past Thursday, three more police officers were shot and injured in New York City. Just today it was revealed that one of the victims, a Bronx police officer, was shot with an illegal gun.

#### *Cracking Down on Illegal Guns and Criminals Who Use Guns*

##### **Stricter Prison Sentencing for Illegal Weapon Possession and Sale**

Ø Increase and strictly enforce mandatory minimum sentences for criminal weapons possession and sale of illegal weapons.

Ø Limit plea reductions so that those found in possession of an illegal handgun or assault weapon, loaded or unloaded, will not be able to plea down to a lesser crime.

##### **Stiffer Penalties for Criminals Who Use Guns to Commit Felonies**

Ø Increase sentences for criminals who use firearms to commit felonies by expanding the definition of criminal use of a firearm in the first degree to include displaying a firearm in

the commission of any felony as opposed to just class B violent felonies.

### **Increase Penalties for Those Who Murder Emergency Responders**

Ø Increase the penalty for those who kill first responders to a First Degree Murder offense, punishable with lifetime imprisonment without the possibility of parole.

Ø Would apply to cases involving the murder of firefighters, emergency medical technicians, ambulance drivers, paramedics, physicians or registered nurses while they are responding to an emergency.

### **Register and Track Violent Felons**

Ø Create a statewide registry tracking violent felony offenders who are released from prison.

Ø Establish annual registration requirements for violent felony offenders to allow law enforcement agencies and the state to monitor their whereabouts.

Ø The registry would be accessible to the public, similar to the registry of sex offenders that the state currently has in place.

### **Increase Penalties for Possession of a Gun on School Grounds and School Buses**

Ø Increase penalties for possession of a weapon on school grounds or on a school bus from a class A misdemeanor to an E felony.

### **Longer Sentences for Illegal Gun Sales and Possession in Children's Homes**

Ø Increase the sentence, by an additional two and one-half years, for criminal possession of a weapon and criminal sale of a firearm when the offense occurs at the residence of a child under 14; and by an additional five years if a child under 14 is home when the crime takes place.

### **Gang Violence Reduction**

Ø Gun-related homicide is most prevalent among gangs and during the commission of felony crimes.

Ø Keep gangs off school grounds by increasing penalties for individuals who either coerce victims less than 16 years old, or do so on or near school grounds.

Ø Increase penalties for using a firearm while committing a drug trafficking felony or violent felony offense.

### **Ban Illegal “Community” Gang Guns**

Ø Create the crime of constructive possession to allow prosecutors to bring felony charges against anyone who shares or illegally transfers a gun that is later used in a violent crime. These so-called “Community Guns” are used by gangs and stored in areas where gang members have easy access to them.