



NEW YORK STATE SENATOR

Liz Krueger

## Senator Krueger Welcomes Push By Moms Demand Action

LIZ KRUEGER May 5, 2015

| ISSUE: **GUN CONTROL**

**New York** – State Senator Liz Krueger today welcomed a new campaign by gun safety advocates *Everytown for Gun Safety* and *Moms Demand Action for Gun Sense in America* to reduce injuries and deaths of children across the country resulting from unintentional shootings. The public education campaign, launched in anticipation of Mothers' Day and called "Be SMART," includes the [#NotAnAccident Index](#) and interactive map, a tool used for tracking unintentional shootings involving children. The new campaign comes a week after Republican Senators in the Codes Committee voted down legislation sponsored by Sen. Krueger, the Children's Weapon Accident Prevention Act ([S.2491](#)), that would have protected children from unintentional shootings by making it a crime to fail to store a firearm safely.

"I commend *Everytown for Gun Safety* and *Moms Demand Action* for bringing attention to these horrific tragedies," said **Senator Krueger**. "Every single death and injury in the [#NotAnAccident Index](#) was completely preventable. As the Second Amendment makes very clear, responsible regulation is an integral part of the right to bear arms. When my Republican colleagues vote against common-sense legislation like the Children's Weapon Accident Prevention Act, they are abdicating their responsibility and putting our children at risk. This Mothers' Day, forget the flowers and give New York's mothers something they can use – real action on gun safety."

The new #NotAnAccident Index reveals that there have been at least 80 unintentional shootings involving children nationwide since January 1st of this year, resulting in 57 injuries and 24 deaths. In New York State in the same four-month period, there have been 3 unintentional shootings involving children, resulting in 2 injuries and 1 death:

- On March 20th, a 9-year-old boy at home in Brooklyn shot and injured a 14-year-old girl with his parents' .22-caliber rifle.
- On April 21st, 17-year-old Omaiah Thompson of Yonkers accidentally shot and injured another 17-year-old girl while playing at home with a handgun. Thompson was arrested and charged with felony assault and weapon possession.
- On April 4th, a 15-year-old boy in Brooklyn unintentionally shot himself in the chest and died.

Twenty-eight states and Washington, DC, have various laws holding gun owners responsible for failure to properly secure a firearm. In 2000, legislation was enacted in New York State to require the purchase of a safety lock with the purchase or transfer of a gun, but there is currently no requirement to use the device or safely store the gun. Last week, [a poll](#) commissioned by *New Yorkers Against Gun Violence* found that 61% of voters in New York State believe gun violence is a serious problem, and 75% agree that the public has a right to set reasonable restrictions on firearms. Remarkably, 91% of voters, including 77% of gun owners, support legislation like S.2491 that would require gun owners to safely store their guns.

According to the Centers for Disease Control, from 2005-2010, almost 3,800 people were killed in unintentional shootings, including over 1,300 young people under age 25. Although data is incomplete, [an analysis](#) by *Everytown for Gun Safety* found that from December 2010 to December 2013, at least 100 children were killed in accidental shootings. 84% of these deaths occurred in the home of a family member or friend of the victim, and most of the guns were legally owned but not secured. The analysis further reveals that 70% of these deaths could

have been prevented if gun owners had stored their weapons safely and responsibly.

Sen. Krueger's bill would define several crimes related to failure to safely store a firearm. Failure to store a weapon safely, either by storing it in a locked box or using an appropriate gun locking device, would be a violation on the first offense and a class B misdemeanor on the second offense within five years. If an unsafely stored weapon is discharged by a minor, the owner would be charged with a class A misdemeanor. If an unsafely stored weapon is discharged by a minor causing serious injury to another person, the owner would be charged with a class E felony, or a class D felony if the injury results in death, unless: the owner pursued all reasonable efforts to retrieve the weapon prior to its discharge; the minor gained access to the weapon through unlawful entry; or the weapon is being used lawfully in self defense. The bill also calls for the creation of a weapons safety program to teach children how to prevent gun-related injuries.

#### **LINKS:**

Everytown For Gun Safety, "#NotAnAccidentIndex." <http://momsdemandaction.org/in-the-news/everytown-and-moms-demand-action-release-notanaccident-index-and-launch-be-smart-campaign-to-reduce-unintentional-child-shootings/>

New Yorkers Against Gun Violence, "Statewide Voter Survey on Gun Safety."  
<https://www.scribd.com/doc/263634907/New-Yorkers-Against-Gun-Violence-Poll>

Moms Demand Action, "Everytown and Moms Demand Action Release #NotAnAccident Index and Launch 'Be SMART' Campaign to Reduce Unintentional Child Shootings."  
<http://momsdemandaction.org/in-the-news/everytown-and-moms-demand-action-release-notanaccident-index-and-launch-be-smart-campaign-to-reduce-unintentional-child->

shootings/

Everytown For Gun Safety, “Innocents Lost: A Year of Unintentional Child Gun Deaths.”

<http://everytown.org/article/innocents-lost/>

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