

MEMORANDUM

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: IGNACIO B. PESSOA *IBP*  
CITY ATTORNEY

DATE: OCTOBER 10, 2003

SUBJECT: EXTENSION OF FEDERAL ASSAULT WEAPONS BAN

**Issue:** Adoption of a Resolution expressing the City Council’s support for the extension of the federal assault weapons ban.

**Recommendation:** That City Council adopt the attached Resolution.

**Discussion:** The federal assault weapons ban was enacted in 1994 as part of the Violent Crime Control and Law Enforcement Act of 1994. The ban applies to military style, semi-automatic guns with multiple assault weapons features such as high ammunition capacity and rapid-fire capability (e.g., the UZI and AK-47). Under current law, the ban will expire on September 13, 2004 if Congress does not take action.

The goal of the 1994 legislation was to drive down the supply of assault weapons and make them more difficult to obtain. In the years following the ban's enactment, crimes using these weapons were reduced dramatically. According to the most recent statistics from the Bureau of Alcohol, Tobacco, and Firearms:

In 1993, assault weapons accounted for 8.2 percent of all guns used in crimes;

By the end of 1995, that proportion had fallen to 4.3 percent; and

By November 1996, the last date for which statistics are available, the proportion had fallen to 3.2 percent.

The Assault Weapons Ban Reauthorization Act of 2003 (S. 1034) would reauthorize the national assault weapons ban and close a loophole in the law which prohibits the domestic manufacture of high-capacity ammunition magazines, but allows foreign companies to continue sending them to this country. S. 1034 would:

Continue to prohibit the manufacture and importation of 19 types of common military style assault weapons (models existing prior to 1994 can still be legally owned or sold);

Maintain the ban on an additional group of assault weapons that have been banned by characteristic (e.g., grenade launcher, folding/ telescopic stock) for 8 years;

Continue to protect some 670 hunting and other recreational rifles for use by law-abiding citizens; and

Preserve the right of police officers and other law enforcement officials to use and obtain newly manufactured semi-automatic assault weapons -- helping to prevent instances when law enforcement agents are outgunned by perpetrators.

The Mayors' Leadership Coalition to Keep Communities Safe, co-chaired by New York Mayor Michael R. Bloomberg and Chicago Mayor Richard M. Daley, has requested that the City support the adoption of S. 1034. In addition, the President, George W. Bush, and other local, state and national leaders, numerous law enforcement organizations, and other organizations concerned with community and school safety, have indicated support for renewal of the federal assault weapons ban. Accordingly, Mayor Euille has recommended that City Council adopt the attached Resolution.

Attachments: Letter from Mayors' Leadership Coalition  
Proposed Resolution

**Mayors' Leadership Coalition to Keep Communities Safe**

Dear Mayor:

As Mayors, we continually confront the tragedy of gun violence in our communities. On September 14, 2004, the Federal Assault Weapons Ban will expire unless legislation to renew this critical policy is passed and signed into law. President Bush has indicated his support for a renewal of the Assault Weapons Ban and Senators Feinstein, Schumer, Chafee, Durbin and Boxer have introduced the Assault Weapons Ban Reauthorization Act of 2003 (S. 1034).

In 1994, when the ban was enacted, it was in response to an alarming trend of military style weapons being used by gangs, drug dealers and spree killers throughout the country. The 19 models of military-style firearms and the copies prohibited by S. 1034 pose an especially high risk to law enforcement and our nation's youth and have no place on the streets of our neighborhoods.

Since enactment of the ban, there has been a dramatic reduction in violent crimes. If the Congress does not take action, the current ban will expire and our communities will once again see an increase in unnecessary violence. We must ensure that the ban remains in effect for the sake of the law-abiding citizens who reside in our communities.

For those of you who may support both extending and expanding the ban, please join with us to ensure that we do not turn back the clock. Your involvement in the campaign to renew the ban will have a critical impact on how your Federal Representatives votes.

We ask you to take the following four actions before October 15, 2003:

Join the *Mayors' Leadership Coalition to Keep Communities Safe* and allow your name to be included in our correspondence to the Congress in support of S. 1034.

Contact your U.S. Senators and Representatives in writing and by phone to urge them to vote for renewing the ban.

Ask your city council to pass a resolution supporting S.1034.

Ask your Police Chief to speak out publicly in support of S. 1034.

We also want to work with you to develop a strategy to gain more attention in your community. Working with Americans for Gun Safety, we will provide you with materials and background information for the press.

We cannot emphasize enough how important it is that we fight this fight now. We look forward to working with you and thank you in advance for your commitment. If you have any questions or concerns, please do not hesitate to contact Nancy Kirshner-Rodriguez, Americans for Gun Safety at 916-482-3320.



Mayor Michael R. Bloomberg  
City of New York  
Co-Chair



Mayor Richard M. Daley  
City of Chicago  
Co-Chair

**RESOLUTION NO. \_\_\_\_\_**

**WHEREAS**, the availability of military assault weapons has enabled violent criminals to commit countless devastating crimes, including schoolyard massacres, bank robberies, serial sniper attacks, police ambushes and innumerable other acts of gun violence that threaten the peace of our communities, the safety and security of our citizens and the lives of our law enforcement personnel; and

**WHEREAS**, Congress passed the federal assault weapons ban, as part of the Violent Crime Control and Law Enforcement Act of 1994; and

**WHEREAS**, the federal assault weapons ban prohibits the manufacture or importation for civilian use of 19 specific military assault weapons, such as semiautomatic versions of the AK-47, UZI and similar high ammunition capacity firearms designed to be shot from the hip and spray bullets at the criminal's intended victims; and

**WHEREAS**, the federal assault weapons ban also prohibits the manufacture or importation for civilian use of "copycat" weapons with grenade launchers, bayonet mounts and additional features that have a military purpose but no legitimate civilian value, as well as the domestic manufacture, but not the importation, of high capacity ammunition magazines; and

**WHEREAS**, the ban does not apply to firearms designed for hunting or other legitimate sporting uses, and does not prohibit the legitimate ownership or resale of assault weapons produced prior to the ban; and

**WHEREAS**, in the years immediately following the ban's enactment, the percentage of gun crimes committed with assault weapons fell by more than 50 percent; and

**WHEREAS**, under current law, the federal assault weapons ban will expire or "sunset" on September 13, 2004; and

**WHEREAS**, the Assault Weapons Ban Reauthorization Act of 2003 (S. 1034) would strike the sunset date from the 1994 law, reauthorizing the ban indefinitely and guaranteeing that all of the guns banned under the law would remain out of production; and

**WHEREAS**, The Assault Weapons Ban Reauthorization Act of 2003 (S. 1034) would also ban the importation, as well as domestic manufacture, of ammunition magazines that can accept more than 10 rounds of ammunition and close the loophole that has allowed such ammunition magazines to come into this country; and

**WHEREAS**, the President, George W. Bush, New York Mayor Michael R. Bloomberg, Chicago Mayor Richard M. Daley, other local, state and national leaders, numerous law enforcement organizations, and other organizations concerned with community and school safety, have indicated support for renewal of the federal assault weapons ban;

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the City of Alexandria, Virginia, does hereby support the enactment of S. 1034, The Assault Weapons Ban Reauthorization Act of 2003; and

**BE IT FURTHER RESOLVED** that the Mayor of the City be, and he hereby is, requested and authorized to communicate such support to the City's congressional delegation.

Adopted: \_\_\_\_\_

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WILLIAM D. EUILLE, MAYOR

ATTEST:

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Jacqueline M. Henderson, CMC  
City Clerk

**RESOLUTION NO. 2082**

**WHEREAS**, the availability of military assault weapons has enabled violent criminals to commit countless devastating crimes, including schoolyard massacres, bank robberies, serial sniper attacks, police ambushes and innumerable other acts of gun violence that threaten the peace of our communities, the safety and security of our citizens and the lives of our law enforcement personnel; and

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**WHEREAS**, the Assault Weapons Ban Reauthorization Act of 2003 (S. 1034) would strike the sunset date from the 1994 law, reauthorizing the ban indefinitely and guaranteeing that all of the guns banned under the law would remain out of production; and

**WHEREAS**, The Assault Weapons Ban Reauthorization Act of 2003 (S. 1034) would also ban the importation, as well as domestic manufacture, of ammunition magazines that can accept more than 10 rounds of ammunition and close the loophole that has allowed such ammunition magazines to come into this country; and

**WHEREAS**, the President, George W. Bush, New York Mayor Michael R. Bloomberg, Chicago Mayor Richard M. Daley, other local, state and national leaders, numerous law enforcement organizations, and other organizations concerned with community and school safety, have indicated support for renewal of the federal assault weapons ban;

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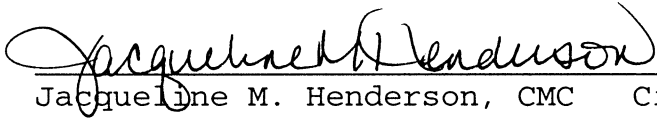
Adopted: October 14, 2003



WILLIAM D. EULLE

MAYOR

ATTEST:



Jacqueline M. Henderson, CMC City Clerk