



City of Las Cruces®

PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 8 Ordinance/Resolution# 17-006

For Meeting of _____
(Ordinance First Reading Date)

For Meeting of July 5, 2016
(Adoption Date)

Please check box that applies to this item:

QUASI JUDICIAL LEGISLATIVE ADMINISTRATIVE

TITLE: A RESOLUTION CALLS ON THE NEW MEXICO LEGISLATURE TO REDUCE GUN VIOLENCE BY ENACTING LEGISLATION REQUIRING COMPREHENSIVE BACKGROUND CHECKS FOR FIREARM SALES AND STRENGTHENING THE CRIMINAL BACKGROUND CHECK SYSTEM.

PURPOSE(S) OF ACTION:

To support legislation.

COUNCIL DISTRICT: ALL		
<u>Drafter/Staff Contact:</u> Monica Campbell	<u>Department/Section:</u> Legal	<u>Phone:</u> 541-2128
<u>City Manager Signature:</u>		

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

The Las Cruces City Council supports common sense policies that promote public safety in Las Cruces and keep firearms out of dangerous hands while respecting the Second Amendment rights of law abiding citizens. Thus, the City Council calls on the New Mexico Legislature to enact legislation which requires comprehensive background checks for all firearm sales and which strengthens the criminal background check system for firearms in New Mexico.

In supporting such legislation the City Council has found that our community and our nation have often been devastated by both individual and mass shootings. The daily average of 91 deaths a day in the United States leads to a toll of gun violence that claims more than 30,000 lives each year.

In New Mexico during the last decade, 798 residents have been murdered with firearms which is a rate more than 50% higher than the national average, and 2,020 residents committed suicide with a firearm which is a rate more than double the national average. In addition, in the last decade, New Mexico had the highest national statewide rate of law enforcement officers killed with a handgun that was not their own, an amount which is over 300% higher than the national average.

(Continue on additional sheets as required)

Under federal law, convicted felons, the seriously mentally ill, domestic violence abusers, and other dangerous people are prohibited from possessing firearms, and licensed gun dealers are required to conduct background checks on would-be buyers to enforce these prohibitions. Background checks have blocked more than 2.4 million gun sales to criminals and other prohibited purchasers since the federal criminal background check system took effect in 1998. In New Mexico alone, in the last three years for which data is available, the background check system has blocked a total of 5,739 gun sales to prohibited people, including 2,360 felons, 1,661 fugitives, and 962 to people convicted of domestic violence misdemeanors or subject to domestic violence protection orders.

However, a dangerous loophole in the federal background check law undermines public safety by allowing unlicensed, private sellers to sell guns to strangers without background checks and with no questions asked. Unlicensed sellers sell millions of guns without background checks every year in the United States at gun shows, online, through classified advertisements or by other means. Too many of the 30,000 lives lost each year to gun deaths are caused by individuals who are barred from purchasing or possessing guns under federal law but who manage to obtain guns without passing background checks.

92% of Americans and 82% of gun owners support background checks for all gun sales, and countless law enforcement, gun violence prevention, civil rights, and domestic violence organizations, as well as faith communities, support background checks for all gun sales. In states that require background checks for all handgun sales, 46% fewer women are shot to death by intimate partners, 48% fewer law enforcement are shot to death with handguns, and there is 48% less gun trafficking.

SUPPORT INFORMATION:

1. Resolution.

SOURCE OF FUNDING:

Is this action already budgeted? N/A	Yes	<input type="checkbox"/>	See fund summary below
	No	<input type="checkbox"/>	If No, then check one below:
	<i>Budget Adjustment Attached</i>	<input type="checkbox"/>	Expense reallocated from: _____
		<input type="checkbox"/>	Proposed funding is from a new revenue source (i.e. grant; see details below)
		<input type="checkbox"/>	Proposed funding is from fund balance in the _____ Fund.
Does this action create any revenue? N/A	Yes	<input type="checkbox"/>	Funds will be deposited into this fund: _____ in the amount of \$ _____ for FY__.
	No	<input type="checkbox"/>	There is no new revenue generated by this action.

(Continue on additional sheets as required)

BUDGET NARRATIVE

N/A

FUND EXPENDITURE SUMMARY:

Fund Name(s)	Account Number(s)	Expenditure Proposed	Available Budgeted Funds in Current FY	Remaining Funds	Purpose for Remaining Funds
N/A	N/A	N/A	N/A	N/A	N/A

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will indicate the support of the City Council to call on the New Mexico Legislature to enact legislation which requires comprehensive background checks for all firearm sales.
2. Vote "No"; this will indicate that the City Council does not support comprehensive background check legislation for all firearm sales.
3. Vote to "Amend"; this would allow the City Council to modify the Resolution.
4. Vote to "Table"; this would allow the City Council to table or postpone an indication of support for comprehensive background check legislation for all firearm sales.

REFERENCE INFORMATION:

The resolution(s) and/or ordinance(s) listed below are only for reference and are not included as attachments or exhibits.

N/A



City of Las Cruces®

PEOPLE HELPING PEOPLE

COUNCIL ACTION AND EXECUTIVE SUMMARY PACKET ROUTING SLIP

For Meeting of _____
(Ordinance First Reading Date)

For Meeting of July 5, 2016
(Adoption Date)

TITLE: A RESOLUTION CALLS ON THE NEW MEXICO LEGISLATURE TO REDUCE GUN VIOLENCE BY ENACTING LEGISLATION REQUIRING COMPREHENSIVE BACKGROUND CHECKS FOR FIREARM SALES AND STRENGTHENING THE CRIMINAL BACKGROUND CHECK SYSTEM.

Purchasing Manager's Request to Contract (PMRC) {Required?} Yes No

DEPARTMENT	SIGNATURE	PHONE NO.	DATE
Drafter/Staff Contact	<i>Monica Campbell</i>	541-2128	6/27/16
Department Director	<i>[Signature]</i>	541-2128	27 June 2016
Other			
Assistant City Manager /CAO Management & Budget Manager	<i>[Signature]</i>	541-2100 541-2107	6/27/2016
Assistant City Manager/COO	<i>[Signature]</i>	541-2271	6/29/16
City Attorney	<i>[Signature]</i>	541-2128	27 June 2016
City Clerk	<i>[Signature]</i>	541-2115	6-30-16

RESOLUTION NO. 17-006**A RESOLUTION CALLS ON THE NEW MEXICO LEGISLATURE TO REDUCE GUN VIOLENCE BY ENACTING LEGISLATION REQUIRING COMPREHENSIVE BACKGROUND CHECKS FOR FIREARM SALES AND STRENGTHENING THE CRIMINAL BACKGROUND CHECK SYSTEM.**

The City Council is informed that:

WHEREAS, an average of 91 Americans are killed with guns every day. Our community and nation have been repeatedly devastated by mass shootings and the daily toll of gun violence that claims more than 30,000 lives each year; and

WHEREAS, in the last decade, 798 New Mexico residents were murdered with guns, a rate more than 50% higher than the national average; and

WHEREAS, in the last decade, 2,020 New Mexico residents committed suicide with a firearm, a rate almost double the national average; and

WHEREAS, the City Council supports common-sense policies that promote public safety in Las Cruces and keep guns out of dangerous hands while respecting the Second Amendment rights of law-abiding gun owners; and

WHEREAS, under federal law convicted felons, the seriously mentally ill, domestic violence abusers, and other dangerous people are prohibited from possessing guns, and licensed gun dealers are required to conduct background checks on would-be buyers to enforce these prohibitions; and

WHEREAS, background checks have blocked more than 2.4 million gun sales to criminals and other prohibited purchasers since the federal criminal background check system took effect in 1998; and

WHEREAS, in New Mexico alone in the last three years for which data is available, the background check system has blocked 5,739 gun sales to prohibited people, including

2,360 felons, 1,661 fugitives, and 962 to people convicted of domestic violence misdemeanors or subject to domestic violence protection orders; and

WHEREAS, a dangerous loophole in the federal background check law undermines public safety by allowing unlicensed, private sellers to sell guns to strangers without background checks and with no questions asked; and

WHEREAS, unlicensed sellers sell millions of guns without background checks every year in the United States at gun shows, online, through classified advertisements or by other means; and

WHEREAS, too many of the 30,000 lives lost each year to gun deaths are caused by individuals who are barred from purchasing or possessing guns under federal law but who manage to obtain guns without passing background checks; and

WHEREAS, over the last decade, New Mexico had the highest national statewide rate of law enforcement officers killed with a handgun that was not their own which is over 300% higher than the national average; and

WHEREAS, in states that require background checks for all handgun sales, 46% fewer women are shot to death by intimate partners, 48% fewer law enforcement are shot to death with handguns, and there is 48% less gun trafficking; and

WHEREAS, 92% of Americans and 82% of gun owners support background checks for all gun sales; and

WHEREAS, countless law enforcement, gun violence prevention, civil rights, and domestic violence organizations, as well as faith communities, support background checks for all gun sales.

NOW, THEREFORE, Be it resolved by the governing body of the City of Las Cruces:

(I)

THAT the City Council supports the New Mexico State Legislature enacting legislation which requires comprehensive background checks for firearm sales and which strengthens the criminal background check system.

(II)

THAT a copy of this resolution shall be forwarded to the Governor of New Mexico, the President Pro Tempore of the New Mexico Senate, the Speaker of the House, New Mexico House of Representatives, and the entire New Mexico Congressional Delegation to show the support of the City Council for the enactment of legislation for comprehensive background checks for firearm sales.

(III)

THAT City staff is hereby authorized to do all deeds necessary in the accomplishment of the herein above.

DONE AND APPROVED this _____ day of _____, 20__.

APPROVED:

Mayor

ATTEST:

City Clerk

(SEAL)

VOTE:

Mayor Miyagishima: _____

Councillor Gandara: _____

Councillor Smith: _____

Councillor Pedroza: _____

Councillor Eakman: _____

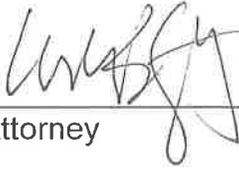
Councillor Sorg: _____

Councillor Levatino: _____

Moved by: _____

Seconded by: _____

APPROVED AS TO FORM:



City Attorney