

Limiting gun ownership, keeping communities safe  
By: Mayor Cory A. Booker

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Heated political and constitutional debates in America too often distract us from the profound realization that we, as Americans, are far more likely to agree than disagree on critical issues facing us. These divisive debates, mired in partisan line drawing, consume energy in a left/right tug-a-war that depletes our collective will to move forward on issues in which we share substantial common ground.

In *District of Columbia v. Heller*, the United States Supreme Court affirmed an individual's right to bear arms, effectively striking down the ban on hand gun ownership enacted by the District of Columbia. In its decision, the Court clearly recognized and affirmed a government's right to take reasonable measures to limit gun ownership in order to ensure community safety. It is within this space that we must now act.

Since *Heller*, local and national media have been filled with editorials and commentary, both celebrating and castigating the Court's decision. Despite the arguments, there is one fundamental belief that is contained in all of the writings and musings – no matter which side of the debate one falls on, there is an unqualified and unequivocal belief that the level of gun-related violence perpetrated by criminals is unacceptable. Far too many criminals are able to obtain and use weapons illegally. This phenomenon is not unique to New Jersey; approximately 100,000 Americans fall victim to gun violence each year.

There are immediate actions that can be taken to begin to address this national crisis. Nearly 2 years ago, I joined over 300 mayors, representing both major political parties and every region of our nation, to form Mayors Against Illegal Guns. Our mission is to unite behind and pursue a number of reasonable gun regulations that represent practical, common sense steps that can reduce violent crime in our communities. Over 80% of Americans and, interestingly, over 80% of gun owners support such laws.

Here are a few of the eminently reasonable and practical approaches supported by the Mayors Against Illegal Guns, each one representing an important step toward restricting the supply of illegal weapons to the streets of New Jersey.

- Currently, federally-licensed gun dealers have strong restrictions on their selling practices including background check requirements. However, "occasional sellers," who are not federally-licensed, can sell guns to whomever they please in whatever quantities they want. These non-licensed operators often sell at gun shows and conventions to gun traffickers who then resell to criminals. As long as this backdoor for the black market exists, most regulation in other areas will fall short. This loophole must be closed.
- Incredibly, if a gun dealer is shut down for violating federal laws (i.e., for not conducting background checks), the gun dealer may sell off their inventory to

whomever they choose without conducting any background checks as part of going "out of business." This "fire sale" practice must stop.

- Our federal government takes strong and necessary steps to prevent suspected terrorists from boarding planes, yet those same individuals can still walk into any gun store and purchase whatever weaponry they desire. This absurdity must too be addressed.

According to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), the majority of the illegal guns used in violent crimes in New Jersey can be traced to illegal gun traffickers who purchase their weapons from gun stores in a few southern states. Addressing the loopholes discussed above and the passage of other sensible laws will help constrict the pipeline we've witnessed along Interstate 95 – preventing criminals from loading up on weapons in the south and then heading north, making stops and wreaking havoc in many cities along the way. We need to pass federal legislation that will protect New Jerseyans from Atlantic to Bergen Counties and everywhere in between.

New Jersey can and should do more itself on the State level to combat intrastate illegal handgun trafficking. In 2007, 28% of the firearms used in the commission of crimes in New Jersey were originally purchased within our State, making us the single largest seller of guns used in New Jersey gun crimes. This must end.

In January of this year, New Jersey took a significant step in closing a major State loophole. Historically, a New Jersey resident could purchase multiple firearms and then resell them to criminals – later claiming loss or theft as a means of escaping culpability. In the absence of multiple guns recovered and traced back to a certain individual, it is very difficult to build a trafficking case. Now, any incidence of lost or stolen firearms, as well as transfers of gun ownership, must be reported to State authorities.

Presently, Senate Bill S-1774 (commonly known as the "one gun per month law") is pending before the New Jersey Senate, having already passed the Assembly. This law would restrict an individual to one handgun purchase every 30 days, while placing no restrictions on rifles, shotguns or other firearms. S-1774 will greatly undermine gun traffickers' ability to move large quantities of handguns from New Jersey gun retailers into the hands of criminals intent on violence. This bill should be passed immediately and signed into law by Governor Corzine.

As a mayor whose top priority is crime reduction, I am proud that the past two years have produced a steady decline in the number of shooting and murder victims in Newark. This year's tremendous success is marked by a 40% reduction in murders in the first half of 2008. Despite this significant decline, to any victim of a handgun crime and certainly to me as mayor, the level of violence is still unacceptably too high. We can and must do better.

I affirm the right of a law abiding citizen to purchase a hand gun. I also agree with the United States Supreme Court's full affirmation of a government's right to apply reasonable restrictions to the sale and ownership of such weapons. If we are to ever end our national nightmare, in which 34 Americans are murdered every day using a firearm, then we must move from the divisive low ground of distracting debate to the common high ground of reasonable restrictions and enact common sense laws that will undermine the ability of criminals to obtain weapons.