

Agenda Report

TO: CITY COUNCIL APRIL 12, 2004

FROM: CITY MANAGER

THROUGH: LEGISLATIVE COMMITTEE (APRIL 6, 2004)

SUBJECT: BAN ON THE PRODUCTION AND POSSESSION OF
ASSAULT WEAPONS

RECOMMENDATION:

It is recommended that the City Council support an extension of the current ban on the production and possession of assault weapons.

BACKGROUND

In December of 1993 the City Council adopted a resolution (No. 7045 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA RELATED TO COMBATING RAMPANT VIOLENCE IN THE COMMUNITY THROUGH JOINT EFFORTS AT THE LOCAL, STATE AND NATIONAL LEVELS) where in action item number 2, the Council commits to “Communicate to Congressional representatives the Councils’ opposition to the production and possession of assault weapons and support of Senator Diane Feinstein’s amendment, SB 1607 “Public Safety Recreational Firearms Use Protection Act,” intended to restrict the manufacture, transfer and possession of certain semi-automatic assault weapons and large capacity ammunition feeding devices.” SB 1607 was passed and went into effect and according to the City’s Washington lobbyist, Carolyn Chaney, is due to sunset September 13, 2004.

Earlier this month, the United States Senate considered legislation (S. 1805) to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages resulting from the misuse of their products by others.

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During debate of the bill, Senator Dianne Feinstein (D-CA) introduced an amendment that would provide a 10-year extension of the current ban on 19 specific assault weapons. While the amendment was approved 52-47, its success caused gun control opponents to withdraw their support for the underlying bill, and S. 1805 was defeated when it came up for a final vote.

As a result, the current ban on assault weapons, which is set to expire on September 13, 2004, remains unextended. Senators Feinstein and Boxer, along with other gun control advocates hope to get another opportunity to extend the ban this year.

According to Senator Feinstein's floor statement on the assault weapons ban amendment, the current ban is supported by 77 percent of the American public and 66 percent of gun owners. She also mentions that the ban has reduced the traces of assault weapons to crimes by two-thirds since its inception ten years ago. Additionally, the legislation contains a written exemption by name for 670 weapons and prohibits the domestic manufacture of clips, drums, or strips of more than 10 bullets.

The ban has the support of the U.S. Conference of Mayors, National League of Cities, International Association of Chiefs of Police, Fraternal Order of Police, and a host of other civic and law enforcement groups.

According to Ms. Chaney's office, while it is anticipated that Senator Feinstein will move forward with the legislation the "means and schedule of doing so has not yet been determined." It is unknown at this time whether or not it will be a stand-alone bill or an amendment attached to another bill.

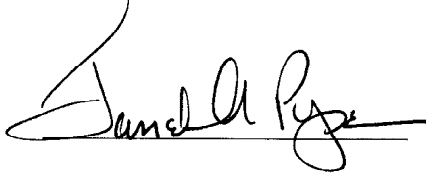
Both Senators Feinstein and Boxer have expressed an interest in extending the legislation. While there is no existing bill at this time to accomplish this purpose it is recommended that the Council, support the position of a ban in concept until such time as a bill is introduced.

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Fiscal Impact:

There is no fiscal impact associated with the action to support the ban of assault weapons.

Prepared by:



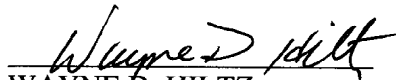
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WAYNE D. HILTZ
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