

APPROVED AS TO FORM AND LEGALITY



CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

INTRODUCED BY VICE MAYOR KAPLAN AND COUNCIL PRESIDENT
FORTUNATO BAS

**RESOLUTION SUPPORTING HOUSE RESOLUTION 7910 (NADLER),
“PROTECTING OUR KIDS ACT”, WHICH MAKES VARIOUS CHANGES
TO FEDERAL FIREARMS LAWS, INCLUDING ESTABLISHING NEW
CRIMINAL OFFENSES AND EXPANDING THE TYPES OF WEAPONS
AND DEVICES THAT ARE SUBJECT TO REGULATION IN ORDER TO
QUELL SENSELESS ACTS OF GUN VIOLENCE**

WHEREAS, gun violence is responsible for more than 32,000 deaths every year; in recent weeks, 31 people have been murdered and another 20 injured at the hands of two 18-year-olds legally armed with semiautomatic assault rifles; and

WHEREAS, today, more Americans carry guns, legally and illegally, than ever before with nearly 400 million firearms circulating in America¹; and

WHEREAS, according to the Gun Violence Archive, an online archive collected from over 7,500 law enforcement, media, government and commercial sources daily in an effort to provide near-real time data about the results of gun violence, the country recorded 692 mass shootings with four or more injuries in 2021, up from 610 in 2020 and 417 in 2019; and

WHEREAS, there have already been 278 mass shootings in 2022², and the incidents of the recent weeks—mass murders committed by young people with semiautomatic weapons—are tragically illustrative of the issues our country faces with gun violence; and

WHEREAS, while garnering major public attention, firearm safety goes beyond mass shootings and are a daily threat to communities - as firearm deaths replaced motor vehicle

¹ U.S. House Committee on Judiciary. *Protecting Our Kids Act (To Accompany H.R. 7910)*; (REPT. 117–346). <https://www.govinfo.gov/content/pkg/CRPT-117hrpt346/pdf/CRPT-117hrpt346-pt1.pdf>

² Gun Violence Archive 2022, published as of June 21, 2022. <https://www.gunviolencearchive.org/>

accidents as the leading cause of death for Americans ages 1 to 19 in 2020, according to an analysis of the Centers for Disease Control and Prevention data published in the *New England Journal of Medicine*; and

WHEREAS, gun violence affects certain communities at disparate rates. For example, gun violence is responsible for a more than four-year reduction in life expectancy for Black men in America³; and

WHEREAS, in communities of color, gun violence is often driven by two factors: easy access to guns and a small group of people at high risk of engaging in violence—sometimes no more than 0.25% to 1% of the city’s population⁴; and

WHEREAS, guns move easily from states with weak gun laws into states with strong gun laws, undermining state and local level gun laws and creating significant threats to public safety; and

WHEREAS, most of the cities chronically impacted by gun violence do not have many, if any, federally licensed gun dealers within their city limits - instead, gun dealers typically sit outside these communities, frequently in less diverse and more affluent suburbs, and profit from irresponsible or illegal sales that drive guns into cities that later turn up at crime scenes; and

WHEREAS, Oakland, which has enacted some of the strongest firearms safety laws in California, has a compelling interest in protecting its residents from gun violence; for example, Oakland prohibits possession of large-capacity magazines, unsecured firearms, and ammunition in unattended vehicles and requires the safe storage of firearms in residences (See Oakland Municipal Code Chapters 9.37, 9.38 and 9.39); and

WHEREAS, Oakland’s strong gun violence prevention laws are being undermined by weak national and neighbor state gun laws, illegal gun trafficking, and ghost guns - firearms constructed with component parts that can be obtained anonymously, without a background check, and which lack serial numbers; and

³ Kalesan B, Vyliparambil MA, Zuo Y, Siracuse JJ, Fagan JA, Branans CC, Galea S. *Cross-sectional study of loss of life expectancy at different ages related to firearm deaths among black and white Americans*. *BMJ Evid Based Med*. 2019 Apr; 24(2): 55-58. doi: 10.1136/bmjebm-2018-111103. Epub 2018 Dec 4. PMID: 30514715.

⁴ Brady Campaign to Prevent Gun Violence, *Crime Guns in Impacted Communities*, available at <https://brady-static.s3.amazonaws.com/Report/crime-guns-in-impacted-communities/CrimeGunsInImpactedCommunities-report.pdf>

WHEREAS, H.R. 7910, the “Protecting Our Kids Act” is a comprehensive federal bill that contains numerous measures focused on addressing gun violence, gun safety, responsible gun ownership, regulation of certain firearms and components, gun trafficking, and public safety; and

WHEREAS, H.R. 7910 would employ a variety of strategies to effectively reduce gun violence across the country by raising the age that certain semiautomatic firearms can lawfully be possessed, limiting the accessibility of large capacity magazines, prohibiting straw purchasing, promoting the safe storage of firearms, and building on existing regulations to take ghost guns and bump stocks out of our communities; now, therefore, be it

RESOLVED: That the Oakland City Council hereby expresses its support for H.R. 7910, the Protecting Our Kids Act, and calls upon the California Congressional Delegation to endorse the bill and advocate for its passage in Congress; and be it

FURTHER RESOLVED: That copies of this resolution be shared with the California Congressional Delegation and Representative Jerrold Nadler (NY-10), the author of the H.R. 7910.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO AND
PRESIDENT FORTUNATO BAS

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____

ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California