

~~DRAFT~~

LOCAL LAW INTRO. NO. -2022 113

Sponsors: Brennan Kearney, Yvette Valdes Smith, Barrington Atkins

Re: A LOCAL LAW to amend the administrative code of the County of Dutchess, in relation to the posting of notices warning of the dangers of weapons or firearms.

Wherefore: Gun violence is a uniquely American problem-and it's only getting worse. The Giffords Law Center to Prevent Gun Violence reports that within the last 10 years, the firearm mortality rate has risen nearly 18%, with an average of 39,000 Americans dying from gun violence from 2015 to 2019. Over 45,000 Americans died from gun violence in 2020 alone. According to the Centers for Disease Control, an average of 483 deaths per year are from unintentional shootings. The average number of non-fatal injuries from a firearm doubles to 76,127 per year. A key driver of gun violence in the United States is the wide availability of firearms. When a gun is easily accessible, the risk of homicide, suicide, and unintentional shootings rises dramatically.

New York State serves as a national model for developing and investing in community violence prevention and intervention programs. In 2019, New York had the second-lowest gun death rate in the country and the seventh-lowest crime gun export rate. In addition, New York has taken bold action to save lives from gun violence and has recently passed legislation banning the possession or sale of ghost guns and allowing the gun industry to be held liable for irresponsible behavior. However, according to statistics from the Giffords Law Center to Prevent Gun Violence: 54% of gun deaths in New York are suicides and more than 27% of all suicide deaths in New York involve firearms. From 2013 to 2017, 2,283 people in New York died by gun-related suicide--one every 19 hours. Guns make domestic violence incidents far more likely to end in death with nearly 37% of New York's intimate partner homicides involving a gun. From 2007 to 2016, 180 women were killed with a gun by their intimate partner

in New York. Exposure to gun violence can cause lasting trauma in young people, leading to PTSD, chronic stress, and decreased future earnings. From 2013 to 2017, 910 people under age 25 were killed with a gun in New York and more than a third of New York's gun homicide victims are under the age of 25.

According to Everytown for Gun Safety, one of the largest gun violence prevention organizations in America, access to a firearm significantly increases the risk of death by suicide, domestic dispute, homicide, and unintentional gunshot. Gun owners and those contemplating buying guns should learn about the risks associated with guns. By requiring gun dealers to inform purchasers of the risks associated with firearms, buyers can make educated decisions about owning and storing guns and is a meaningful step towards preventing gun violence. Compelling firearms dealers to provide warnings about the risks associated with firearms is a means of promoting safety. Point of sale messaging has been a proven method of influence of a consumer's behavior in industries, such as tobacco and restaurants, where warning labels have influenced the consumer to make smarter, safer, and healthier choices.

This proposed legislation will require every person, firm or corporation located in the County of Dutchess and engaged in the retail business of selling weapons to post a notice in the place where such weapons or firearms are displayed or delivered to the purchaser at the entrance to the site and in at least one additional area where sales occur conspicuously stating, in no smaller than 24-point type and on paper at least 8 and 1/2 inches by 11 inches in bold print the following warning:

**ACCESS TO A WEAPON OR FIREARM IN THE HOME  
SIGNIFICANTLY INCREASES THE RISK OF SUICIDE, HOMICIDE,  
DEATH DURING DOMESTIC DISPUTES AND UNINTENTIONAL  
DEATHS TO CHILDREN, HOUSEHOLD MEMBERS AND OTHERS.  
IF YOU OR A LOVED ONE IS EXPERIENCING DISTRESS AND/OR  
DEPRESSION, CALL THE CRISIS PREVENTION AND RESPONSE**

TEAM AT (914) 925-5959 or THE NATIONAL SUICIDE HOTLINE AT 988.

Upon the issuance of a license, the County Clerk would also be required to provide the licensee a written copy of the notice indicating the warning risks of the presence of a weapon or firearm in the home.

BE IT ENACTED by the County of Dutchess as follows:

Section 1. The administrative code of the County of Dutchess is amended by adding a new chapter to read as follows:

**Purpose.**

The purpose of this Chapter to provide for and promote the health, safety and welfare of the general public by specifically informing potential buyers of weapons or firearms in Dutchess County of the dangers of owning a firearm in the home. Ownership of a weapon or firearm in the home can lead to accidental discharge, preventable suicide, unintended death of a child or other household members or death during a domestic dispute. Requiring weapon and firearm dealers to post a warning notice delineating the risks of weapons or firearms use will provide important information to the customer who can then make smarter and safer buying choices.

Definitions. For the purposes of this \_\_\_\_\_, the following terms have the following meanings:

- a. Dealer. Any person, firm, partnership, corporation or company who engages in the business of purchasing, selling, keeping for sale, loaning, leasing, or in any manner disposing of including but not limited to: any rifle, shotgun, firearm, machine gun or assault weapon including a semiautomatic rifle, shotgun, firearm, as those terms are defined in Section 265.00 of the New York State Penal Law;
- b. Firearm. As stated in New York State Penal Law Section 265, (a) Any pistol or revolver; or (b) a shotgun having one or more barrels less than

eighteen inches in length; or (c) a rifle having one or more barrels less than sixteen inches in length; or (d) any weapon made from a shotgun or rifle whether by alteration, modification, or otherwise if such weapon as altered, modified, or otherwise has an overall length of less than twenty-six inches; or (e) an assault weapon. For the purpose of this subdivision the length of the barrel on a shotgun or rifle shall be determined by measuring the distance between the muzzle and the face of the bolt, breech, or breech lock when closed and when the shotgun or rifle is cocked; the overall length of a weapon made from a shotgun or rifle is the distance between the extreme ends of the weapon measured along a line parallel to the center line of the bore. Firearm does not include an antique firearm;

c. Weapon. Any rifle, shotgun, firearm, machine gun or assault weapon including a semiautomatic rifle, shotgun, firearm, as those terms are defined in Section 265.00 of the New York State Penal Law;

d. Site. The facility where a sale and transfer of weapons or firearms is conducted.

#### Disclosure Notice.

a. Every Dealer located in the County of Dutchess and engaged in the retail business of selling weapons shall not sell, deliver, transfer or otherwise dispose of any weapon to another person unless a notice is posted in the Site where such weapons or firearms are displayed or delivered to the purchaser at the entrance to the site and in at least one additional area where sales occur conspicuously stating, in no smaller than 24-point type and on paper at least 8 and 1/2 inches by 11 inches in bold print the following warning:

#### **WARNING**

**ACCESS TO A WEAPON OR FIREARM IN THE HOME  
SIGNIFICANTLY INCREASES THE RISK OF SUICIDE, HOMICIDE,  
DEATH DURING DOMESTIC DISPUTES, AND UNINTENTIONAL**

DEATHS TO CHILDREN, HOUSEHOLD MEMBERS AND OTHERS. IF YOU OR A LOVED ONE IS EXPERIENCING DISTRESS AND/OR DEPRESSION, CALL THE CRISIS PREVENTION AND RESPONSE TEAM AT (914) 925- 5959 or THE NATIONAL SUICIDE HOTLINE AT 988.

b. Upon the issuance of a license, the County Clerk shall provide the licensee a written copy of a warning notice conspicuously stating in no smaller than 24-point type and on paper at least 8 and 1/2 inches by 11 inches in bold print the following warning:

**WARNING**

**ACCESS TO A WEAPON OR FIREARM IN THE HOME SIGNIFICANTLY INCREASES THE RISK OF SUICIDE, HOMICIDE, DEATH DURING DOMESTIC DISPUTES, AND UNINTENTIONAL DEATHS TO CHILDREN, HOUSEHOLD MEMBERS AND OTHERS. IF YOU OR A LOVED ONE IS EXPERIENCING DISTRESS AND/OR DEPRESSION, CALL THE CRISIS PREVENTION AND RESPONSE TEAM AT (914) 925- 5959 or THE NATIONAL SUICIDE HOTLINE AT 988.**

c. The County of Dutchess and its agencies, officers or employees shall not be liable to any party by reason of any injury or damage resulting from the failure of any person subject to this Chapter, to comply with this Chapter, or by reason or in consequence of any act or omission in connection with the implementation or enforcement of this Chapter.

**Violations.**

1. For the first and second violation of this Chapter, the person shall be guilty of a violation punishable by a fine of not more than two hundred fifty dollars (\$250) for each violation.
2. For subsequent violations of this Chapter, the person shall be guilty of a misdemeanor punishable by a fine of not more than five hundred dollars (\$500) for each violation.

## Severability.

If any word, phrase, clause, sentence, paragraph, section or part of this Chapter shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its

operation to the words, phrase, clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

§2. This Local Law shall be effective ninety (90) days after its adoption.

# Gun Violence in the United States

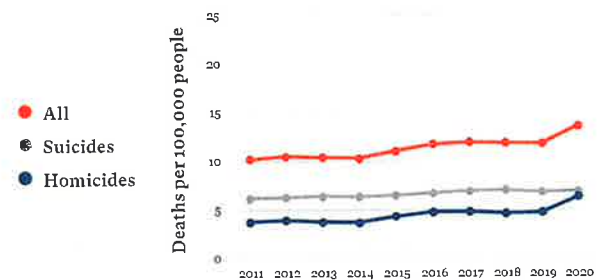
## OVERVIEW

In an average year, **40,620** people die and **84,776** are wounded by guns in the United States, costing the country **\$280 billion** each year.

Data on states, congressional districts, and counties: [EveryStat.org](https://www.everystat.com)

## GUN DEATHS OVER TIME

In the United States, the rate of gun deaths have increased **33%** from 2011 to 2020. During that same time period, the rate of gun suicides increased **12%** and gun homicides increased **70%**.

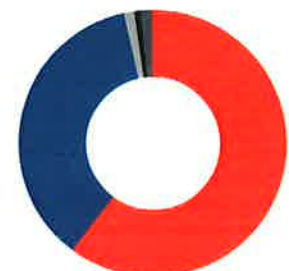
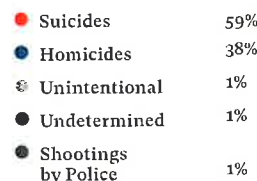


## COST OF GUN VIOLENCE

Gun deaths and injuries cost the United States **\$280 billion**, of which **\$13 billion** is paid by taxpayers. The average cost for overall gun violence in the United States is **\$860** for every person.

## GUN DEATHS BY INTENT

In the United States, **59%** of gun deaths are suicides and **38%** are homicides. Mississippi has the highest rate of gun deaths in the country, Wyoming has the highest rate of gun suicides, and DC has the highest rate of gun homicides.



### Sources

Gun deaths: CDC, WONDER, five-year average: 2016–2020.

Gun violence trends: CDC, WONDER, 2011–2020.

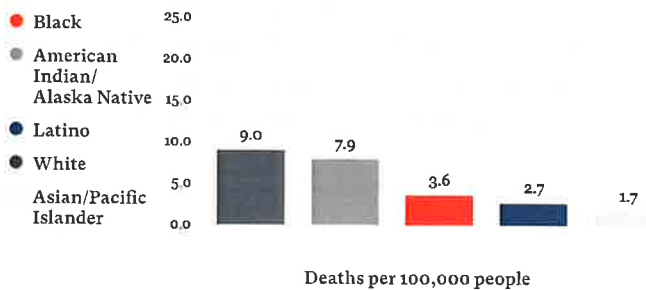
Gun injuries: Ted R. Miller and David Swedler, analysis of HCUP nonfatal injury: 2017.

Cost of gun violence: Ted R. Miller, analysis of CDC fatal injury: 2018 and HCUP nonfatal injury: 2017.

## GUN SUICIDES AND SUICIDE ATTEMPTS

Every year, an average of **23,891** people in the United States die by gun suicides and **2,473** are wounded by gun suicide attempts—a rate of **6.9** suicides and **0.8** suicide attempts per 100,000 people. In the United States, white people are **3 times** more likely than Black people to die by gun suicide.

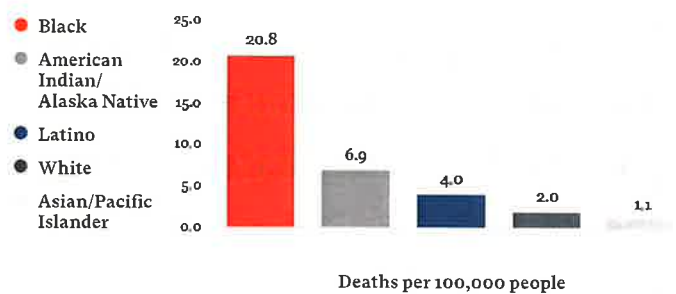
### Gun Suicides by Race/Ethnicity in the United States



## GUN HOMICIDES AND ASSAULTS

Every year, an average of **15,889** people in the United States die by gun homicides and **36,726** are wounded by gun assaults—a rate of **5.1** homicides and **11.2** assaults per 100,000 people. Of all homicides in the United States, **76%** involve a gun. In the United States, Black people are **10 times** more likely than white people to die by gun homicide.

### Gun Homicides by Race/Ethnicity in the United States



## GUN DEATHS AMONG CHILDREN & TEENS

Guns are the **leading** cause of death among children and teens in the United States. In the United States, an average of **3,540** children and teens die by guns every year, of which **35%** of these deaths are suicides and **60%** are homicides. Black children and teens in the United States are **14 times** more likely than their white peers to die by gun homicide.

## INTIMATE PARTNER HOMICIDES

In 2019, **871** women were fatally shot by an intimate partner in United States. **67%** of female intimate partner homicide victims were killed with a gun.

#### Sources

Gun suicides: CDC, WONDER, five-year average: 2016–2020.

Gun homicides: CDC, WONDER, five-year average: 2016–2020. Homicides include shootings by police.

Gun suicide attempts/assaults: Ted R. Miller and David Swedler, analysis of HCUP nonfatal injury: 2017.

Children/teen gun deaths: CDC, WONDER, five year average: 2016–2020, ages 0–19; leading causes of death: CDC, WONDER, 2020, ages 1–19.

Intimate partner homicides: CDC, National Violent Death Reporting System, 2019.

Note: Gun violence data on EveryStat and in this fact sheet includes individuals who die by guns or are wounded by guns and visit a hospital for care. We recognize that the impact of gun violence extends far beyond those who are killed or physically injured. However, data on those who witness an act of gun violence, are threatened with a gun, or know or care for someone wounded or killed is not systematically collected at this time.

[EveryStat.org](https://www.everystat.com)