

NIAGARA COUNTY LEGISLATURE

FROM: Legislators Randy R. Bradt, John Syracuse, Jesse P. Gooch, Wm. Keith McNall, et al. DATE: 02/19/19 RESOLUTION # IL-006-19

Table with 4 columns: APPROVED CO. ATTORNEY, REVIEWED CO. MANAGER, COMMITTEE ACTION, LEGISLATIVE ACTION. Includes sub-headers for Approved, Rejected, and Referred with Ayes, Abs., and Noes.

RESOLUTION OPPOSING GOVERNOR ANDREW M. CUOMO'S RED FLAG GUN SEIZURE PROPOSAL

WHEREAS, the Second Amendment to the Constitution of the United States clearly states that "the right of the people to keep and bear Arms, shall not be infringed," and

WHEREAS, Article XII of the Constitution of the State of New York clearly states, "The defense and protection of the state and of the United States is an obligation of all persons within the state," and

WHEREAS, the "Red Flag" proposal is in clear violation of our constitutionally afforded Second Amendment rights, as well as the right to due process of law, and

WHEREAS, the Niagara County Legislature has consistently gone on record unanimously opposing New York State's infringement on an individual's Second Amendment "right of the people to keep and bear arms", and

WHEREAS, the "Red Flag" proposal would permit family members, teachers or any other parties to petition the state court to order the temporary removal of firearms from a person who may present a danger to others or themselves, and

WHEREAS, the rationale that the "Red Flag" proposal would prevent a criminal from harming the public, is doubtful due to the fact that criminals, by definition, do not abide by the law and use illegal means in which they obtain firearms, regardless of the temporary gun seizure that this proposal calls for, and

WHEREAS, there are over 30,000 registered gun owners in Niagara County, whom of which are law abiding citizens, would therefore be subject to the seizure of their legally obtained firearms if a person deems them to be a threat to themselves or the public, and

WHEREAS, any new state legislation responding to firearm violence should focus on increasing penalties for criminals who use firearms to harm or threaten law abiding citizens and address the issues of mental illness related to violence, now, therefore, be it

RESOLVED, the Niagara County Legislature goes on record opposing Governor Andrew M. Cuomo's Red Flag Gun Seizure proposal, and be it further

RESOLVED, that the County of Niagara shall forward copies of this Resolution to Governor Andrew M. Cuomo; Senate Majority Leader Andrea Stewart-Cousins; Senate Minority Leader John Flanagan; Senator Robert G. Ortt; Speaker of the Assembly Carl Heastie; Assembly Majority Leader Crystal Peoples-Stokes; Assembly Minority Leader Brian M. Kolb; Member of the Assembly Michael J. Norris; Member of the Assembly Angelo Morinello; Member of the Assembly Karen McMahan; Member of the Assembly Robin Schimminger; and all others deemed necessary and proper.

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LEGISLATOR RANDY R. BRADT

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LEGISLATOR JOHN SYRACUSE

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LEGISLATOR JESSE P. GOOCH

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LEGISLATOR WM. KEITH MCNALL

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LEGISLATOR REBECCA J. WYDYSH

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LEGISLATOR RICHARD L. ANDRES

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LEGISLATOR DAVID E. GODFREY

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LEGISLATOR WILLIAM J. COLLINS

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LEGISLATOR ANTHONY J. NEMI

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LEGISLATOR CLYDE L. BURMASTER

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LEGISLATOR MICHAEL A. HILL