

Gun Control Debate Intensifies Following Conn. School Massacre

by David Howard King

Sunday, December 16, 2012 10:45 PM



ALBANY, N.Y. — As the country struggles to make sense of the latest school shooting, the debate over gun control is gathering momentum in the nation's public discourse and among policymakers.

Measures aimed at strengthening gun control laws in New York State — from microstamping to requiring a judge determine whether to take away a person's gun license after being found mentally ill — have in recent years made it through the state Assembly only to be bottled up in committee in the Senate.

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There are signs it may be no easier to move gun control legislation forward during the next session in early 2013.

Jackie Hill, executive director of [New Yorkers Against Gun Violence](#) , said she was concerned that the racial makeup of the coalition in power in the Senate would shape their views on gun control legislation adversely. Senate Republicans and a breakaway group of Democrats, known as the [Independent Democratic Conference](#) , have agreed to share power; only one of their members is a person of color, Democrat Malcolm Smith, of Queens.

"This is diminishing the racial impact of minority populations that traditionally have had problems with gun violence," Hill said of the power-sharing agreement.

She urged the coalition to take up the issue of gun violence as a way to fulfill their promise to working across party lines. "If they truly are bipartisan I think these issues should get a fair hearing," she said.

The Rev. Al Sharpton [led a rally Dec. 8 with black lawmakers to protest the power-sharing agreement](#) , saying it could disenfranchise voters, especially people of color. Before the power-sharing agreement came together, political observers thought the Senate Democrats would eke out a majority in their chamber and take control. The caucus includes 15 black and Hispanic members.

Eric Soufer, a spokesman for the IDC, said state Sen. Jeffrey Klein, the leader of the conference, and Diane J. Savino, a senator from Staten Island, supported the microstamping legislation in the last session and "will continue to support it. He declined to comment on specific anti-gun violence legislation that might come up for vote next year.

While at least three members of the IDC have publicly supported gun control initiative including microstamping, the issue could be a sore subject between them and their Republican partners.

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Representatives for the state Senate Republicans did not respond to requests for comment for this article on Thursday and Friday.

In recent years, groups like the [National Rifle Association](#) and the [National Shooting Sports Foundation](#) have been pouring tens of thousands into state Senate Republicans' campaigns in an attempt to stem the rising push for legislation that would alter the process of buying or owning guns in the state.

Republican Sen. Marty Golden of Brooklyn was forced to talk gun policy while successfully defending his seat this year. Golden [told Gotham Gazette](#) at the time that he felt New York's gun laws were "the strongest in the nation," though he advocated legislation that would increase penalties for those who use guns in the commission of a crime.

Gov. Andrew Cuomo, however, seemed to strike a tone of urgency in dealing with the issue. "While we don't have all the facts and our focus must be on the victims, this is yet another senseless and horrific act of violence involving guns," he said in a statement Friday. "We as a society must unify and once and for all crack down on the guns that have cost the lives of far too many innocent Americans. Let this terrible tragedy finally be the wake-up call for aggressive action."

Cuomo, while a Democrat, has allied himself with State Republicans in the past.

On Friday morning, a previously scheduled interview with state Sen. Mike Gianaris, a backer of key gun control legislation, took place even as the news broke of the shooting at Sandy Hook Elementary School in Newton, Conn., where police say a 20-year-old man gunned down 20 children and six adults.

One of the Legislature's most passionate [proponents and sponsors of gun control legislation](#), Gianaris heads the Democratic Senate Campaign Committee. He took over the job from Klein, who will share the Senate presidency with Republican Sen. Dean Skelos. It is likely Klein will have a wide influence over which bills come to the floor and who votes for them.

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“Unfortunately, these incidents are an all too common problem. People have been crying out for a solution for years,” Gianaris said. The damage of gun violence has become an all too familiar sight for Gianaris whose district has seen more than its fair share of shootings as of late. On Tuesday two 21 year-old men were shot near Ravenswood Houses in Gianaris’ district—one in the head, one in the stomach.

Authorities said the gunman in Newton, 20-year-old Adam Lanza, committed suicide after opening fire on two classrooms. Lanza's mother was also found dead by gunshot wound at her Newton home; authorities say she was the first victim of the shooter's rampage that began Friday. It is considered the second most deadly school shooting in U.S. history.

It joins a handful of other deadly rampages this year that have led public officials to call for increased gun control. The other incidents include the killing of 12 at a movie theater in Colorado during a screening of "The Dark Knight Rises"; six at a Sikh temple in Wisconsin; and two in a mall shooting in Portland, Ore.

State Sen. Jose Serrano, a Democrat who remains a member of his conference, said he thinks the issue of “common sense gun legislation” is becoming bigger than party affiliation.

“This has become so much bigger than party affiliation. You are basically on the fringe of any party now if you are against common sense gun legislation,” he said. “We have all these communities clamoring for it.”

Gianaris said gun violence was one of the major issues that Democrats and voters support that will be subverted by the power sharing agreement in the Senate. “This is the exact problem with this arraignment,” he continued. “Republicans have opposed common sense gun laws since time immemorial. The people who won on Election Day believe in these laws. We shouldn’t deny them to the people.”

But Democrats wouldn’t likely be able to pass a number of these measures on their own; upstate Democrats have been reticent to pass gun control laws. Hill said she has some hope that the new power sharing arrangement in the Senate might allow some Republicans to vote more freely and support the bills. “I do think some Republicans could be freed up,” she said.

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One member of the new coalition could play the wild card on the issue: Smith.

The senator from Queens stood with his colleague, Sen. Jose Peralta on the steps of City Hall in late July, advocating for legislation that would allow a judge to take away a person's gun license after being found mentally ill. The bill, S.670, was Peralta's. Meanwhile, Smith touted a piece of legislation that would restrict the sale of high caliber magazines. Smith also spoke up about his continued support of microstamping.

"The blood stain of gun of violence will only grow larger until we resolve at every level of government — federal, state and local — to bring common sense and sanity to our laws governing firearms availability, sales and possession," Peralta said in a statement Saturday.

"Now is the time and gun violence is the issue for Republicans and Democrats to do everything possible to find common ground," he continued.

Peralta wants bipartisan action on S.670, S.725 (a bill that would extend the exception that exists in New York City to the gun laws that permits be renewed every five years) and S.7829 (which would require background checks for sale of ammunition of any amount.

"I propose these bills as a first step toward bipartisan action on this matter of life and death," Peralta said in a statement. "I urge that we take this up in the Senate as soon as possible and debate and consider other ways to end the gun violence and bloodshed."

Some of those bills Democrats are proposing include one that would limit gun sales to one gun a month per customer, a bill that would force background checks on gun store employees and microstamping — a technology that puts identifying marks on bullets fired from guns with the technology. "The gun lobby is unreasonably opposed to these ideas," Gianaris said.

These sort of bills have traditionally passed the heavily Democratic Assembly only to be bottled up in committee in the Senate. Microstamping legislation did finally make it to a vote in the

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chamber, only to fail. A number of state law enforcement groups support microstamping while that and other measures are opposed by the NRA and other state gun groups.

Serrano said he thinks the shooting in Newton will make gun laws a priority in the next session. "In many peoples' minds this is at near the top",he said. "What happened today hit so close to home. It was so near by, it wasn't something in Arizona but right here in the tri-state area. I think this is going to make people say, "we can't put this off."

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