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COUNCIL OF THE CITY OF PHILADELPHIA

3

PUBLIC HEARING

4

COMMITTEE ON PUBLIC SAFETY

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Room 696, City Hall
Philadelphia, Pennsylvania
Tuesday, March 9, 2003
10:00 a.m.

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9 BILL 040117 - An Ordinance amending Chapter
10 10-800 of the Philadelphia Code, entitled
"Safety" by adding a Section 10-831 entitled
"Straw and Multiple gun Purchase
11 Reduction"...

12 BILL 040118 - An Ordinance amending Chapter
10-800 of the Philadelphia Code...

13 BILL 040136 - An Ordinance amending Chapter
10-800 of the Philadelphia Code...

14 BILL 040137 - An Ordinance amending Chapter
10-800 of the Philadelphia Code...

15 BILL 040113 - An Ordinance amending Chapter
10-800 of the Philadelphia Code...

16 BILL 040132 - An Ordinance amending Chapter
10-800 of the Philadelphia Code...

17

PRESENT:

18

COUNCILWOMAN DONNA REED MILLER, Chair

19

COUNCIL PRESIDENT ANNA C. VERNA

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COUNCILMAN DARRELL CLARKE

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COUNCILMAN DAVID COHEN

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COUNCILWOMAN JOAN KRAJEWSKI

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COUNCILMAN JUAN RAMOS

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2 COUNCILWOMAN MILLER: Good morning,
3 everyone. The Committee on Public Safety is
4 now in session. We have a quorum. To my left
5 we have Council President Ann Verna,
6 Councilwoman Krajewski, and to my right
7 Councilman Darrell Clarke, who has been
8 appointed to this Committee today.

9 The Clerk will shortly read the
10 title of the bills. And I just want to have
11 some opening comments before we do that.

12 Good morning and welcome to this
13 very important public hearing in trying to
14 assist us, and thank you for coming to try to
15 assist us in making the necessary changes in
16 the law regarding the purchase and transfer of
17 firearms in this City. Most importantly is
18 the public safety and protection of all of our
19 citizens, particularly our children and our
20 older adults.

21 Councilman Clarke, do you have some
22 opening remarks before we have the Clerk read
23 the title of the bill?

24 COUNCILMAN CLARKE: Thank you, Madam
25 Chair.

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2 Good morning. First of all, I'd
3 like to thank everyone who came today.
4 Hopefully, we'll have your support for what we
5 believe to be very important legislation.

6 I would like to also say that we
7 understand and we respect the State's right to
8 regulate guns in the State of Pennsylvania.
9 We understand that they clearly preempt any
10 local municipality's ability to regulate gun
11 legislation. What we are asking for today
12 with the passage of these bills is simply
13 authorization on the state level to authorize
14 the City of Philadelphia to regulate guns to
15 give the law enforcement authorities the
16 proper and much needed ability to have a
17 serious crime fighting tool at their hands.

18 We hope to have some serious dialog
19 with State Legislators and the Governor, who
20 has as Mayor indicated his strong willingness
21 to support gun legislation on the local level
22 and also on the state level. We hope that we
23 will have the support of these individuals
24 here today as we move forward to the State and
25 hopefully enact some state legislation.

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2 So today we will hear what I
3 believe to be strong and compelling testimony
4 as it relates to the need to stem the tide of
5 violence. And hopefully, we will be in a
6 position to have the State to authorize us to
7 enact something on the local level.

8 Thank you.

9 COUNCILWOMAN MILLER: Thank you.

10 Will the Clerk read the title of the
11 first bill?

12 THE CLERK: Bill No. 040117, an
13 ordinance amending Chapter 10-800 of The
14 Philadelphia Code entitled, "Safety," by
15 adding a new Section 10-831 entitled, "Straw
16 and Multiple Gun Purchase Reduction," to limit
17 purchases of firearms by Philadelphia
18 residents to one month, and to prohibit "straw
19 purchases" of firearms utilized by criminals
20 for the purpose of evading the one gun a month
21 limitation; all under certain terms and
22 conditions.

23 COUNCILWOMAN MILLER: Thank you.

24 Is there anyone here who is going to
25 testify on this bill?

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2 I think, Police Commissioner
3 Sylvester Johnson, you are the first person on
4 the witness list. Will you please come to the
5 table?

6 Actually, what we're going to do
7 before you begin your testimony, Commissioner
8 Johnson, is just read all of the bills,
9 because people are here to generally testify
10 just about the violence and the need for
11 weapon control, so we're going to read all the
12 bills and then we'll proceed with testimony.

13 THE CLERK: Bill No. 040118, an
14 ordinance amending Chapter 10-800 of the
15 Philadelphia Code entitled, "Safety," by
16 adding a new Section 10-824 entitled, "Sale or
17 Transfer of Ammunition," to require all sales
18 of ammunition for firearms to be reported to
19 the City of Philadelphia Police Department and
20 to require that Department to maintain a
21 registry of such reports; all under certain
22 terms and conditions.

23 Bill No. 040136, an ordinance
24 amending Chapter 10-800 of the Philadelphia
25 Code entitled, "Safety," by adding a new

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2 Section entitled, "Acquisition or Transfer of
3 Firearms," to regulate the acquiring or
4 transferring of any firearm within the City of
5 Philadelphia; all under certain terms and
6 conditions.

7 Bill No. 040137, an ordinance
8 amending Chapter 10-800 of The Philadelphia
9 Code entitled, "Safety," by adding a new
10 Section entitled, "Reporting Requirements Upon
11 the Application for or Renewal of a License to
12 Carry a Firearm," to provide for certain
13 reporting requirements for the issuance or
14 renewal of licenses to carry firearms within
15 the City of Philadelphia; all under certain
16 terms and conditions.

17 Bill No. 040113, an ordinance
18 amending Chapter 10-800 of The Philadelphia
19 Code entitled, "Safety," by adding a new
20 Section 10-832 entitled, "Firearms Tracing,"
21 to require the City of Philadelphia Police
22 Department to conduct traces of firearms
23 illegally purchased by anyone under 21 years
24 of age; all under certain terms and
25 conditions.

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2 And Bill No. 040132, an ordinance
3 amending Chapter 10-800 of The Philadelphia
4 Code entitled, "Safety," by adding a new
5 Section entitled, "Prohibited Possession,
6 Sales and Transfers of Firearms by Persons
7 Subject to the Protection from Abuse"; all
8 under certain terms and conditions.

9 COUNCILWOMAN MILLER: Thank you.

10 This is for all witnesses. Please
11 state your name and identify yourself for the
12 record and proceed with your testimony.

13 COMMISSIONER JOHNSON: Shall I
14 proceed?

15 COUNCILWOMAN MILLER: Yes.

16 COMMISSIONER JOHNSON: Commissioner
17 Sylvester Johnson, Police Commissioner, City
18 of Philadelphia.

19 Good morning, Councilwoman Miller,
20 Members of the Public Safety Committee, City
21 Councilmembers. Thank you for giving me the
22 opportunity to appear before you this morning
23 in support of this legislation, which
24 addresses one of the most serious crises
25 facing our great City. Thank you for bringing

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2 the issues of gun violence and desperately
3 needed changes that Philadelphia needs from
4 Harrisburg to the forefront.

5 The human cost of gun violence is
6 devastating to the soul of our City. The
7 numbers tell a staggering story. In 2003,
8 there were 348 homicides in our City, of which
9 273, almost 80 percent, were committed with a
10 gun. That same year there were 1,140 gunshot
11 victims in Philadelphia, some suffering only
12 minor wounds, but many suffering permanent
13 disabling injuries. Another 1,958
14 Philadelphians were victims of aggravated
15 assault by guns, but suffered no injuries,
16 thanks only to the bad aim of the shooter, a
17 malfunctioning gun or other circumstances that
18 spared them. During 2003, almost 5,500 guns
19 were recovered by the Philadelphia Police
20 Department throughout the City. In 2003, the
21 resources of uniformed police and radio
22 dispatchers were taxed by almost 7,500 calls
23 to 911 reporting gunshots, and nearly 30,000
24 reports of persons with a gun.

25 In the three-year period from

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2 January 1, 2001 to February 10, 2004, there
3 were 4,859 gunshot victims killed or injured
4 by gun violence. Of that number, at least 432
5 were juveniles. These are not cold
6 statistics. Each one is a person whose hopes
7 and dreams are forever changed.

8 The Philadelphia Police Department
9 has been relentless in its efforts to fight
10 gun violence. Our commitment of personnel to
11 narcotics enforcement and Operation Safe
12 Streets is a direct attack on gun violence.
13 In cooperation with federal authorities, we
14 can remove illegal guns from the streets and
15 track their origins to the sources. Through
16 such programs as G.R.I.P, we have encouraged
17 residents of our community who know of illegal
18 guns to get information to police so that we
19 can take these guns off our streets.

20 I also want to thank Men United for
21 a Better Philadelphia, who also had a gun
22 give-back. I think that the gun give-back has
23 put in 40 or 50 guns. Some people complain
24 that these guns are just guns that are
25 inactive, but these guns kill. So the help

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2 and cooperation between the Men United for a
3 Better Philadelphia and the Philadelphia
4 Police Department with the G.R.I.P. Program
5 has been taking these guns off the street.

6 We're also looking for new and
7 innovative ways to keep guns off the street,
8 but law enforcement can't do it alone. This
9 legislation addresses the environment in our
10 City which allows gun violence to flourish.
11 It is this type of legislation which will
12 change the illegal gun-friendly environment
13 which allows gun violence to escalate to
14 epidemic proportions.

15 I would like to commend the sponsors
16 of this legislation and the Members of this
17 Committee for recognizing the grave situation
18 we face and looking for ways to change the
19 environment. This legislation shows that our
20 City Council will do all it can within the
21 confines of law to give law enforcement the
22 tools it needs to effectively fight the fight
23 and reclaim our streets. We owe it to the
24 family and friends of Faheem Thomas-Childs and
25 to his memory to do all we can to make him the

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2 last victim of this epidemic.

3 Thank you very much.

4 COUNCILWOMAN MILLER: Thank you,
5 Commissioner.

6 Are there any questions of this
7 witness from Members of the Committee?

8 Also for the record, I'd like to
9 acknowledge the presence of Councilman Juan
10 Ramos, who is a Member of this Committee, and
11 Councilman David Cohen, who is also a Member
12 of this Committee, for the record.

13 Are there any questions of this
14 witness?

15 Councilman Clarke.

16 COUNCILMAN CLARKE: Thank you, Madam
17 Chair.

18 Good morning, Commissioner.

19 COMMISSIONER JOHNSON: Good morning,
20 sir.

21 COUNCILMAN CLARKE: Commissioner, I
22 want to ask you a couple of questions with
23 respect to the one gun a month, and I actually
24 have another question about another bill
25 that's been listed with respect to permit to

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2 carry issuance.

3 Let me understand this. Right now,
4 Joan Q. Citizen -- and what I'm hearing from
5 certain members in law enforcement -- Joan Q.
6 Citizen could potentially go to a gun store
7 and purchase upwards of 50 guns. That is
8 legal?

9 COMMISSIONER JOHNSON: Yes, sir, it
10 is.

11 COUNCILMAN CLARKE: And if that
12 person has a permit to carry a weapon, then
13 that person could probably leave that store
14 with those 50 guns?

15 COMMISSIONER JOHNSON: Yes, sir.

16 COUNCILMAN CLARKE: Is there any
17 notification requirement by that gun store
18 owner to notify local law enforcement if this
19 person comes in and buys 50 guns and leaves
20 that store with 50 guns within an hour --
21 because I understand if you have a permit to
22 carry, you've already passed a federal
23 background check?

24 COMMISSIONER JOHNSON: That's
25 correct. It appears like -- especially that

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2 you have a lot of gun shows here in
3 Pennsylvania. If a person goes to one of
4 these shows and he has a permit, with the idea
5 that a person who gets a permit has a criminal
6 record check, he can conceivably walk into one
7 of these shows and leave with 40 or 50 guns
8 without being investigated.

9 COUNCILMAN CLARKE: I actually had
10 the occasion to go to a gun show, because at
11 that time I had the permit to carry a gun, and
12 I was quite amazed at some of the hardware
13 that people were leaving with. I actually saw
14 individuals purchasing 9-millimeters with
15 sites on them, laser sites, and I wondered was
16 that the weapon of choice to hunt deer or
17 rabbits. Because I don't traditionally view
18 that as the type of weapon that you would hunt
19 a deer or rabbit. I was trying to get a sense
20 of why a person needed a 9-millimeter with a
21 laser site on to be a sportsman.

22 If you had the ability to know what
23 individuals were purchasing multiple weapons,
24 particularly once you get into the 50s and
25 100s, would that give you a better opportunity

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2 to have the ability to, at a minimum, know
3 that there's a potential that there may be
4 some straw purchases taking place?

5 COMMISSIONER JOHNSON: Yes, sir.

6 In addition to that, if we had the
7 ability to know who purchased these guns and
8 where these guns actually came from, when
9 there's a crime committed, we can trace this
10 gun right back to that individual person. At
11 this point, we have some guns who are legally
12 issued -- in other words, with straw
13 purchases, they buy these guns because you can
14 buy a gun here if you don't have a criminal
15 record and if you don't have a record of
16 mental illness. Once they get the guns, then
17 they sell it to the illegal people who
18 couldn't get the guns because of the criminal
19 record. The legislation giving them one gun a
20 month would eliminate that.

21 In addition to that, a lot of times
22 what happens is that once we find the gun and
23 we bring it back to the person who had bought
24 the gun, their thing is, "Well, it was stolen,
25 or it's missing and we just never reported

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2 it." There's nothing in the law that says
3 they really have to report, although they
4 should report these guns.

5 The one gun a month would eliminate
6 a lot of the straw purchases. It would give
7 us an opportunity to do a better investigation
8 to trace these guns to find out where these
9 guns are coming from. Our feeling is that
10 these handguns are normally not used -- I
11 don't have to tell you that -- for hunting.
12 In Philadelphia, they're used to kill people.
13 And they've been doing it. You get these
14 automatic weapons that are being put out there
15 who have better guns than what the police
16 officers have themselves.

17 COUNCILMAN CLARKE: So unless a
18 weapon is recovered in a commission of crime,
19 you have no way of knowing where that gun came
20 from, who purchased it? It could have
21 traveled through 50 individuals' hands, but
22 until an actual crime is committed, you have
23 no ability to trace that weapon?

24 COMMISSIONER JOHNSON: That's
25 correct.

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2 COUNCILMAN CLARKE: That's
3 unfortunate.

4 One other issue. I have another
5 bill that I actually, with the support of this
6 Council, got passed a couple of years ago.
7 And I was a little younger then and a little
8 more energetic and a little naive in thinking
9 that it could pass on a local level without
10 State authorization. So we introduced a bill
11 this time requesting State authorization
12 before we can implement the bill that required
13 that an individual, upon getting a permit
14 issued to carry a weapon on the streets of
15 Philadelphia, simply notify at the time of
16 that permit issuance what guns they're asking
17 to carry on the streets of Philadelphia.

18 I frankly think it's a reasonable
19 request because the City of Philadelphia is
20 involved in a process by virtue of State
21 legislation that was passed some years ago
22 that required that the local law enforcement
23 issue the permit, i.e., the Police Department,
24 and those individuals must come into the
25 Police Department. I believe you have to have

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2 a couple pictures and they run a background
3 check. And then if everything checks out,
4 you're issued this permit. But at that time
5 you're not required to indicate to the local
6 law enforcement what guns you have or what
7 guns you're being authorized to carry on the
8 streets of Philadelphia. I think that if
9 you're asking for permission from the City of
10 Philadelphia to carry weapons on the street,
11 then law enforcement should at least have a
12 sense of what weapons you're talking about.

13 My understanding on the existing law
14 -- correct me if I'm wrong -- is that if an
15 individual had a hundred weapons in his
16 ownership and he got a permit to carry, every
17 day that person could come out with a
18 different weapon.

19 COMMISSIONER JOHNSON: That's
20 correct.

21 At one time not too long ago when
22 you applied for a gun permit you had to have a
23 reason to carry that gun permit, and it went
24 in front of a committee. And if the reason
25 wasn't sufficient, then you wouldn't get a gun

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2 permit.

3 In addition to that, once you were
4 permitted to carry the gun, you had to go to a
5 range and qualify with this gun and we'd know
6 exactly what gun that you had.

7 But what you're saying right now,
8 Councilman, that is no longer the case. If a
9 person receives a gun permit, he can carry
10 whatever gun he wants to carry.

11 COUNCILMAN CLARKE: If we were in a
12 position -- and I know this could be somewhat
13 cumbersome in terms of the administrative
14 capacity of the Police Department, but say we
15 had the wherewithal to do that. If we were in
16 a position to, first of all, have an idea of
17 what guns this person was being issued a
18 permit to and authorized to carry on the
19 streets of Philadelphia, and as indicated in
20 the bill, have a yearly reporting requirement
21 to essentially say, "A year ago I got a permit
22 to carry these weapons. I have 30 guns. A
23 year from now I still have those 30 guns," and
24 that would be a form that that person would
25 have to fill out on a yearly basis. If in

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2 fact that person only had 25 guns subsequent
3 to the initial issuance of a permit, that
4 person will be required to tell what happened
5 to the five guns that are now missing, and it
6 would then put you in a position to have a
7 sense of where those guns are, if they sold a
8 gun or if they lost a gun. At a minimum,
9 you'd have an idea that those guns were no
10 longer in that person's possession.

11 COMMISSIONER JOHNSON: As I said, I
12 think any legislation, anything, no matter how
13 minor it is, it's better than what we have
14 now. It would be a help.

15 I'm sure you or the Committee are
16 not trying to violate anybody's Constitutional
17 rights. But we have to face reality that 80
18 percent of our homicides here in the City of
19 Philadelphia are being committed by handguns.

20 COUNCILMAN CLARKE: For the record,
21 so it is clear, we're not attempting to
22 prohibit individuals from purchasing more than
23 one gun a month. We understand that we have a
24 lot of sportsmen in the City of Philadelphia.
25 But what we're simply saying is that if you

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2 purchase more than one gun a month, it would
3 trigger a notification process that the City
4 of Philadelphia law enforcement -- not anybody
5 else, not any of the Members of this
6 Committee, because we're not trying to violate
7 anyone's federal and state rights -- but the
8 law enforcement agency will be notified that
9 this person has purchased multiple weapons.
10 So that's all we're simply asking for on a
11 local level.

12 Thank you.

13 COMMISSIONER JOHNSON: Thank you,
14 sir.

15 COUNCILWOMAN MILLER: Councilman
16 Ramos.

17 COUNCILMAN RAMOS: David had his
18 hand up first.

19 COUNCILWOMAN MILLER: Councilman
20 Cohen.

21 COUNCILMAN COHEN: Commissioner,
22 it's always good to see you here.

23 COMMISSIONER JOHNSON: Same here,
24 sir.

25 COUNCILMAN COHEN: I admit that

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2 limiting purchases of guns to one a month is a
3 vast improvement over the present system, but
4 why in the world would anybody need a gun a
5 month? I'm puzzled by that.

6 COMMISSIONER JOHNSON: I don't think
7 they need one gun a month. I don't think they
8 need one gun a year. But I think what the
9 Councilman is saying, and I agree with him,
10 is that we do have a lot of people who are
11 using this straw purchase as a way to get
12 illegal guns on the street. By putting this
13 legislation into place, it will prevent those
14 people who are out there right now buying 10,
15 15 guns sometimes a week to give it to the
16 illegal people or people who are doing illegal
17 acts. It would prevent that. So it would
18 take away some of the criminal elements being
19 able to get a person who they know and give
20 them extra money to go out there and get them
21 a weapon. It would totally and completely
22 eliminate that. Again, any small step is a
23 help.

24 Again, as far I'm concerned, you
25 should have a reason to get a gun. But that's

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2 not reality right now. The reality is that if
3 you don't have a criminal record and you don't
4 have a mental illness, that's the law. You
5 can buy a gun. But it should not give you the
6 right to buy 40, 50 guns a week or 40, 50 guns
7 a month or 40, 50 a year.

8 COUNCILMAN COHEN: Without asking
9 you to express an opinion on the wisdom of the
10 State's law, which apparently is that guns can
11 only be regulated by the State, in your
12 experience as a police officer over many, many
13 years, is it a fact that different communities
14 may require different kinds of controls over
15 the use of weapons like guns? For example,
16 aren't the needs in a city like Philadelphia
17 much greater than the needs, say, of a rural
18 community?

19 COMMISSIONER JOHNSON: I would
20 believe so. I would also hope to see that in
21 Harrisburg -- again, it's just my opinion --
22 that if the legislation comes into existence,
23 that it would affect Philadelphia. Because
24 right now the homicides and the killings are
25 affecting Philadelphia. I think it should be

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2 the first class city, which would be
3 Philadelphia, in the State of Pennsylvania.

4 There are so many guns on the
5 streets. Just look at Faheem Childs. We had
6 six guns. That's six guns that we knew of
7 because they were automatic guns. It may have
8 been more if they were revolvers, which we
9 wouldn't have found the projectiles. We
10 wouldn't have found the casings on the
11 streets. So we're just presuming there were
12 six guns because there were six projectiles or
13 six casings we found on the street. Again, if
14 it was a revolver, we wouldn't even have that
15 information.

16 Based on the history that I know of,
17 it seems like the State is against regulation
18 of guns, and that's why I appreciate the
19 legislation that's being presented here today
20 by the people who are representing the
21 citizens of Philadelphia, and these are the
22 Councilpeople seeing that there's a major
23 issue here that we have in the City of
24 Philadelphia of gun violence.

25 COUNCILMAN COHEN: I've always been

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2 concerned even by the ability to buy guns,
3 believing that the availability, even of a
4 legal gun, makes available in a moment of
5 emotional crisis, for example, if somebody
6 gets shocked, their judgment usually is not as
7 good as before the shock came. If there were
8 no gun available, they couldn't use it. If a
9 gun is available, they may use it.

10 Is there any study which indicates
11 that the threat is of illegal guns alone, or
12 is there also a threat that comes from those
13 who have acquired guns legally?

14 COMMISSIONER JOHNSON: Again, this
15 weekend we had six homicides by guns. Whether
16 they're legal guns or illegal guns, they're
17 killing our kids in the streets. So it
18 doesn't make any difference to me really
19 whether a gun is legal or illegal because both
20 kill.

21 COUNCILMAN COHEN: That's certainly
22 true. Thank you very much, Commissioner.

23 COMMISSIONER JOHNSON: Thank you,
24 sir.

25 COUNCILWOMAN MILLER: Thank you,

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2 Councilman Cohen.

3 Councilman Ramos.

4 COUNCILMAN RAMOS: Commissioner,
5 thank you for coming here today and thank you
6 for your presence in our community, especially
7 in time of deep sorrow. You have done a
8 splendid job over the years and you still have
9 many challenges before you.

10 In your statement today, you said
11 that you recovered 5,500 guns last year, and
12 7,500 people call about gunshots into your 911
13 system, and that there were nearly 30,000
14 reports of persons with a gun.

15 Do you have any idea about how many
16 illegal guns are out in the streets of
17 Philadelphia?

18 You already recovered 5,500. That's
19 a staggering number. Do you have any idea how
20 many illegal guns are in the City of
21 Philadelphia?

22 COMMISSIONER JOHNSON: I'm quite
23 sure there's a lot more than that.

24 COUNCILMAN RAMOS: Ten thousand?
25 You think twice the amount you recovered?

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2 COMMISSIONER JOHNSON: Well, in 2001
3 -- I don't have the statistics for 2002 with
4 me, but in 2001 we had 5,144 guns in the City
5 of Philadelphia. So it seems like we're
6 averaging -- and these are the guns that we've
7 confiscated -- an average of over 5,000 that
8 we confiscated. So I would think that might
9 only be about 20, 25 percent of the guns that
10 are on the streets. That's just my opinion.

11 COUNCILMAN RAMOS: So you're saying
12 that there might be 20,000 illegal guns in the
13 streets of Philadelphia?

14 COMMISSIONER JOHNSON: Well, I'm not
15 saying that they're illegal. When I say 5,000
16 guns, every gun that we got or confiscated may
17 not have been an illegal gun. It may have
18 been a legal gun that was used in the
19 commission of a crime or someone caught them
20 out there on the street. In other words, by
21 being legal, they bought the gun legally, but
22 they may not have been carrying it legally, or
23 they had it in their car or they had in their
24 homes or they had it some other place. So the
25 5,000 is not just indicating that it's 5,000

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2 illegal guns. It's just indicating that there

3 were over 5,000 guns that the Philadelphia

4 Police Department came in contact with.

5 COUNCILMAN RAMOS: So there could

6 be, whether legal or not, 25,000 guns out

7 there in our street?

8 COMMISSIONER JOHNSON: Sure, there

9 could be.

10 COUNCILMAN RAMOS: Thank you,

11 Commissioner.

12 COMMISSIONER JOHNSON: Thank you.

13 COUNCILWOMAN MILLER: Thank you,

14 Councilman.

15 Commissioner, how old do you have to

16 be to get a permit to carry a weapon?

17 COMMISSIONER JOHNSON: I believe

18 it's 21.

19 COUNCILWOMAN MILLER: Good. I

20 thought maybe it was 18. I'm glad it's at

21 least 21.

22 COMMISSIONER JOHNSON: I don't want

23 to bring any problem up, but you can be a

24 police officer at 19 and you can carry a gun.

25 I guess if you're not a police officer or law

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2 enforcement person, it would take you to be 21
3 to carry the weapon.

4 COUNCILWOMAN MILLER: Okay. I agree
5 with Councilman Cohen. I just don't even know
6 why people need to buy a gun a month, and
7 certainly not 50 or more, whatever, at gun
8 shows or at any of these gun shops here in
9 Philadelphia.

10 You answered the question I was
11 originally going to ask, and that was the
12 types of weapons that were used according to
13 the shells that you found when Faheem Childs
14 was shot. You said according to the shells,
15 it was automatic weapons, correct?

16 COMMISSIONER JOHNSON: That's
17 correct. One was a rifle and the rest of them
18 were automatic weapons from a 45 and a
19 9-millimeter, which is similar to a 38-caliber
20 weapon. I don't have the other list of guns,
21 but they were all automatic weapons from the
22 casings that we found on the street.

23 COUNCILWOMAN MILLER: When you go to
24 national conferences of people in law
25 enforcement, has there been any discussion of

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2 any cities where the State has given them
3 special controls or special powers to regulate
4 weapons, or is it pretty much general across
5 the board, across the United States, that
6 states control weapon legislation?

7 COMMISSIONER JOHNSON: I think every
8 state is completely different. I belong to
9 what they call Major City Chief Conference,
10 and it's 61 police chiefs. And to qualify to
11 be a member of this organization, you have to
12 have at least a thousand police officers and a
13 population of 100 million. I'm not sure of
14 the legislation in these particular states,
15 but I know that handguns are a concern of
16 every major city chief in the entire nation.

17 As a matter of fact, last year we
18 had the International Chief of Police
19 conference here in Philadelphia, and they gave
20 a news conference relating to handguns.
21 Detroit just had two police officers killed in
22 Detroit by handguns. LA last week had a
23 police officer killed, and other people are
24 being killed every single day. Handgun
25 legislation is a concern, and we've been

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2 fighting the National Rifle Association on a
3 continuing basis about the legislation
4 involving handguns. Every police chief is
5 concerned about handguns because handguns
6 kill.

7 COUNCILWOMAN MILLER: Councilwoman
8 Krajewski.

9 COUNCILWOMAN KRAJEWSKI: Thank you.
10 Thank you, Madam Chair.

11 Good morning, Commissioner.

12 COMMISSIONER JOHNSON: Good morning,
13 Councilwoman.

14 COUNCILWOMAN KRAJEWSKI:
15 Commissioner, my question here is, of all the
16 guns, the ones that are legally given,
17 permitted, do you have any idea of how many of
18 them have actually committed the crimes?

19 COMMISSIONER JOHNSON: No, I don't
20 have any hard facts on that. One of the
21 things that right now in the war we have
22 against drugs -- and we realize that most of
23 the times when we serve a warrant for drug
24 activity we find guns, because they have to
25 protect themselves. They can't go to the

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2 police and say, we just lost four kilos of
3 cocaine and we lost X amount of things. They
4 have to protect themselves. But I don't know
5 the exact numbers. But normally when we find
6 cocaine, heroin or marijuana or anything in
7 the house, we find guns, numerous amounts of
8 guns. I don't which is legal or which is
9 illegal. I just know the statistics. But I
10 can basically find that information out for
11 you, Councilwoman, and get it back to you.

12 COUNCILWOMAN KRAJEWSKI: I'd just be
13 interested to see what the difference is.

14 COMMISSIONER JOHNSON: Yes, ma'am.

15 COUNCILWOMAN KRAJEWSKI: Thank you,
16 Commissioner.

17 COUNCILWOMAN MILLER: Thank you.

18 Does any other Committee Member have
19 questions of this witness?

20 COUNCILMAN RAMOS: Madam Chair, just
21 quickly. My line of questioning was trying to
22 get also to the point where Councilwoman
23 Krajewski was at. If 20,000 guns are in the
24 City of Philadelphia, if that is the number,
25 we need to find out to protect the rights of

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2 those people that have purchased guns and use
3 them for hunting, and are doing the right
4 thing under the law. I think that if we can
5 find out how many are illegal guns versus
6 legal guns, I think that would be a lot of
7 help to us.

8 COMMISSIONER JOHNSON: Well, the
9 facts are, we can't arrest a person with a
10 legal gun. In other words, if we find a
11 person who has a gun permit that has a legal
12 gun, there is no arrest. All the guns we
13 basically confiscated, as far as we're
14 concerned by law, were illegal. That's why we
15 confiscated them. We can't confiscate a legal
16 gun. We can't arrest on a legal gun.

17 COUNCILWOMAN KRAJEWSKI: The ones
18 that are registered. We're saying if someone
19 has a permit, legally has a permit, what is
20 the difference between as far as how many of
21 those have been convicted, as well as the ones
22 that have been carrying guns?

23 COMMISSIONER JOHNSON: If a person
24 has a permit to carry and is stopped by the
25 police, there is no arrest. If the person has

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2 a permit to carry and he commits a criminal
3 act, then we're going to confiscate the gun
4 and he's going to be arrested.

5 COUNCILWOMAN KRAJEWSKI: Well,
6 that's the question.

7 COMMISSIONER JOHNSON: Well, the
8 answer is the only time we confiscate a gun is
9 when there's been an illegal act. So we just
10 don't confiscate people's guns. People have a
11 right to have a gun in their homes.

12 COUNCILWOMAN KRAJEWSKI: I
13 understand that, Commissioner. I'm saying,
14 how many people that have committed a crime
15 that legally have a permit to carry the gun
16 have been arrested?

17 COMMISSIONER JOHNSON: I understand.
18 I would have to find that out.

19 COUNCILWOMAN KRAJEWSKI: I believe
20 that's what we're trying to say here. Thank
21 you, Commissioner. That's the question.

22 COMMISSIONER JOHNSON: I will find
23 out for you.

24 COUNCILMAN RAMOS: Commissioner, is
25 there a way of tracking if it were bought

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2 legally someplace and then they ended up being
3 sold?

4 Hypothetically, do you think that
5 there are people that come to these gun shows,
6 buy these 50 guns, buy that weapon my
7 colleague Councilman Clarke referred to, a
8 9-millimeter with a laser scope, you said,
9 Councilman? Is there any way that we trace if
10 you went to the gun show, you bought these
11 weapons, and two years later they land up in
12 the streets of North Philadelphia?

13 COMMISSIONER JOHNSON: My
14 understanding from talking to our
15 Councilperson here is that the legislation
16 calls for the tracking. I think that's what
17 this legislation is about. At this point we
18 don't do that, but this would give us the
19 authority to do it.

20 COUNCILWOMAN MILLER: Councilman
21 Cohen.

22 COUNCILMAN COHEN: I'm not sure
23 whether I'm beating a dead horse, because I'm
24 sort of on the same question Councilwoman
25 Krajewski and Councilman Ramos were.

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2 Today, there is an enlargement in
3 the problem of domestic violence and drug
4 sales. And I wonder how many in those
5 cases -- if you ban all guns, if you could do
6 that -- I know the law doesn't permit it now,
7 but if all guns could be eliminated, what do
8 you think the impact on the amount of domestic
9 violence and drug sales, how would that be
10 impacted?

11 It always seemed to me that one real
12 danger in domestic violence cases is with the
13 rise in the number of cases particularly. It
14 means there's a growth in the amount of
15 tension between individuals. And whenever
16 there is an availability of a weapon, however
17 obtained, legally or illegally, there's much
18 greater chance of its use. It would be in the
19 interest of reducing the problem of domestic
20 violence and drug sales if we could ban all
21 guns. Would you have any opinion that you
22 feel you could express on that idea?

23 COMMISSIONER JOHNSON: The only
24 thing I have is, less guns will be less
25 violence. Less availability of guns. At

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2 least that's my opinion. England has a very
3 strict gun policy. Even the police don't
4 carry guns. But when they find a person with
5 a gun they're punished quite often.

6 I think the other thing -- and I
7 don't want to go into the wrong direction --
8 is that there are people that we've arrested
9 three or four times carrying guns that are
10 still on the streets. We have to take those
11 things very, very seriously. If we have a
12 person carrying a gun and is arrested with an
13 illegal gun, then the punishment should fit
14 the crime. That's just my opinion. I think
15 based on the question you asked, less
16 availability of a gun would be less violence
17 with guns.

18 COUNCILMAN COHEN: But even the
19 presence of a legal gun can get you into a lot
20 of trouble if you're the user of the gun.

21 For example, many instances when
22 there's parking difficulties, sometimes some
23 drivers like to indicate they have weapons to
24 scare off another driver from a prospective
25 parking space. Now, I've known of many

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2 instances in which the owner of the gun got
3 into all kinds of legal trouble, facing a jail
4 sentence, because the use of the weapon as a
5 threat is illegal. So I am against guns for
6 all kinds of reasons, including that they seem
7 to harm the people who possess them very
8 frequently.

9 COMMISSIONER JOHNSON: Councilman, I
10 agree with you. I think sometimes that guns
11 get you into more trouble than it is to help
12 you.

13 COUNCILMAN COHEN: Thank you very
14 much.

15 COUNCILWOMAN MILLER: Councilman
16 Clarke.

17 COUNCILMAN CLARKE: Thank you, Madam
18 Chair.

19 Commissioner, you've been a police
20 officer in the City of Philadelphia for
21 approximately how many years?

22 COMMISSIONER JOHNSON: It will 40
23 years in October.

24 COUNCILMAN CLARKE: So you've been
25 around. In your tenure, particularly in the

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2 last 12 years, has there ever been on a local
3 level an emphasis or a request or a movement
4 to impose this legislation, particularly one
5 gun a month?

6 I seem to recall -- I was a staff
7 person here, but I wasn't a Councilperson --
8 that there was a request from some of the
9 local elected officials on having
10 one-gun-a-month legislation proposed?

11 COMMISSIONER JOHNSON: I don't
12 recall that, Councilman. It may have been,
13 but I don't recall it.

14 COUNCILMAN CLARKE: You don't recall
15 it?

16 COMMISSIONER JOHNSON: No, sir.

17 COUNCILMAN CLARKE: My memory for
18 some reason is jogged as we talk about this.
19 I seem to recall an elected official or two in
20 the City of Philadelphia asking for
21 one-gun-a-month legislation. I think your
22 legal counsel may want to --

23 COMMISSIONER JOHNSON: Okay. I'm
24 being told that the Mayor himself had asked
25 for the same type of legislation during the

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2 anniversary of Safe Streets, and that was May
3 of last year.

4 COUNCILMAN CLARKE: This Mayor?

5 COMMISSIONER JOHNSON: Yes, sir.

6 COUNCILMAN CLARKE: No prior mayors?

7 COMMISSIONER JOHNSON: None that I
8 know of. I'm not saying it didn't happen. I
9 don't recall it.

10 COUNCILMAN CLARKE: I just recall an
11 elected official -- we'll get that testimony.
12 You don't recall?

13 COMMISSIONER JOHNSON: No, sir.

14 COUNCILMAN CLARKE: Thank you,
15 Commissioner.

16 COMMISSIONER JOHNSON: Thank you.

17 COUNCILWOMAN MILLER: Thank you,
18 Commissioner.

19 Are there any other questions for
20 this witness from Committee Members?

21 (No response.)

22 COUNCILWOMAN MILLER: Seeing none,
23 thank you, Commissioner. Thank you very much
24 for coming in to testify today. Thank you.

25 THE CLERK: The next witness is

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2 Dexter Green, Chief Safety Officer,
3 Philadelphia School District.

4 And just to move this hearing a
5 little forward, I would also like to call
6 witnesses from Men United for a Better
7 Philadelphia, Ray Jones, Balil Qyun, Malik
8 Aziz and Mark Harrell.

9 And also I'd like to have Matthew
10 Schwartz, Pennsylvanians Against Handgun
11 Violence. Please come to the witness table.

12 We'd like to have Dexter Green go
13 first, Mr. Schwartz second, and then the Men
14 United for a Better Philadelphia.

15 COUNCILWOMAN MILLER: Good morning
16 and thank you for coming today to testify.
17 Please state your name and any other
18 identifying information you'd like to put on
19 the record.

20 MR. GREEN: Good morning, Madam
21 Chair. Dexter Green, Chief Safety Executive
22 for the School District of Philadelphia. I'm
23 representing, actually, Mr. Paul G. Vallas,
24 who is the CEO for the School District. In
25 reality, Mr. Vallas was expected to come here

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2 to talk about one piece of legislation that's
3 really not on the table today. But since I'm
4 here, let me just say that in representing Mr.
5 Vallas and myself, that the District is --

6 COUNCILWOMAN MILLER: You can still
7 talk about it and put it on the record. We
8 have to have that Committee hearing a little
9 later.

10 MR. GREEN: Okay. Actually, he was
11 coming to testify on weapons around school
12 property, weapons on or around school
13 property. So that is just for the record.
14 But in saying that -- I think I can speak for
15 Mr. Vallas as well as myself in saying that he
16 would support and the District supports any
17 legislation that will make our children safer.

18 Mr. Vallas' position is not just
19 during school hours. And we have our issues
20 during school hours that we need to deal with,
21 but not just during school hours is he
22 concerned about children's safety. He's
23 concerned about their safety 24 hours a day, 7
24 days a week. Anything that can protect our
25 community at large, adults as well as

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2 children, anything that can protect the
3 community at large, I think we are in favor
4 of. But very specifically anything that
5 protects our children.

6 If I heard the Commissioner
7 correctly, over a three-year period there were
8 400-some-odd children that were injured as a
9 result of handguns. I think all of us believe
10 that that's just too many. It's outrageous.
11 And so the district and Mr. Vallas and I feel
12 the same way and we would just like to be here
13 to support any legislation that you're putting
14 forth.

15 COUNCILWOMAN MILLER: Thank you.

16 Actually, what we'll do, we'll have
17 the testimony of all the witnesses before we
18 start questions from Councilmembers.

19 MR. QUYUN: Good morning,
20 Councilwoman Miller, Councilman Clarke and
21 Councilwoman Krajewski. My name is Balil
22 Quyun. I'm Co-Chair of Men United for a
23 Better Philadelphia. With me, also sitting
24 next to me is Ray Jones, who is our other
25 Co-Chair.

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2 Good morning, Councilman Cohen. How
3 are you this morning?

4 The level of violence involving
5 handguns has reached an epidemic proportion in
6 the City of Philadelphia. Unfortunately,
7 because of the frequency in our City with each
8 day as names and faces increase throughout the
9 year, it's become easier to become immune,
10 detached and desensitized to the horror of
11 violence that guns produce in the City of
12 Philadelphia.

13 Let us not forget recent history as
14 we gather today. Several weeks ago the City
15 was traumatized by the death of a child in a
16 school yard. Shortly after the tragedy a
17 teenager was shot and killed near Germantown
18 Avenue. The common weapon in these deaths and
19 dozens of other deaths in the City of
20 Philadelphia's children over the past several
21 years has been handguns.

22 Imagine the grief and sense of
23 helplessness that a parent would feel at the
24 death of a child. I know you'll be hearing
25 from a lot of mothers who are, I know, in the

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2 audience today, and some fathers who have lost
3 children in the City of Philadelphia. As we
4 speak here today, there's been 62 murders in
5 the City of Philadelphia, and 10 of those
6 murders since January 1st have been children
7 between the ages of 10 and 17.

8 The issue before us today is not one
9 of protecting urban youth, but every life.
10 This is not an issue of shooting in certain
11 neighborhoods, but an issue of shooting in
12 every neighborhood, as we saw earlier this
13 week in the lower part of the Northeast by
14 elderly citizens of our City taking lives.
15 All of us must act today to support the
16 legislation supported by Councilman Clarke and
17 Councilwoman Miller.

18 When Men United was formed, our goal
19 was to create a movement harnessing the power
20 of organizations from around the City to stop
21 the senseless violence in the City of
22 Philadelphia. We now need your support and
23 influence to help protect the citizens of this
24 City.

25 Thank you.

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2 COUNCILWOMAN MILLER: We're going to
3 have Mr. Schwartz go next because he has to
4 leave, it's my understanding.

5 DR. SCHWARTZ: Good morning,
6 Councilwomen and Councilmen. My name is
7 Matthew Schwartz. I represent Pennsylvanians
8 Against Handgun Violence. I'm the Vice
9 President of the organization. I'm a member
10 of Physicians for Social Responsibility,
11 Philadelphia Chapter. I work with Dr. Schwab,
12 who is the Director of the trauma center at
13 University of Pennsylvania. He's also the
14 Director of the Firearm Injury Center at Penn.
15 So I have some experience with these
16 organizations. I also speak as a physical
17 medicine and rehabilitation physician.

18 I was trained at Thomas Jefferson
19 University Hospital. As a resident, I
20 participated in caring for patients who were
21 injured from gun violence as part of the
22 Regional Spinal Cord Injury Center. When I
23 worked at Moss Rehabilitation and at Einstein,
24 also trauma centers, I took care of patients
25 as part of the Drucker Brain Injury Center.

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2 And now at Penn I am working taking care of
3 in-patients on the in-patient rehabilitation
4 unit at Penn. So I have firsthand experience
5 caring for those who have been injured by gun
6 violence, seriously injured, and I can speak
7 about the impairments that they endure with
8 their thinking, with their speech, their
9 swallowing, their activities of daily living,
10 their mobility, even their bladder and bowel
11 control and management. So people who have
12 been injured by gun violence are
13 catastrophically injured, and I've
14 participated significantly in their
15 management. So I have a firsthand experience
16 with the devastation from gun violence.

17 I also was the founder of the
18 Physicians Adopt a School Program, which is
19 one of the programs promulgated by Physicians
20 for Social Responsibility. It's actually
21 within this school system. And I can say that
22 our children need every chance that they can
23 get to make it through and succeed without
24 stumbling with some of the road blocks that
25 they face. And I believe that it's important

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2 with these seven bills, it's a start to get
3 out in front of the train and lay some new
4 tracks so that we can change the course of the
5 public health.

6 Regarding the ordinances at hand,
7 the seven that we're speaking of today
8 introduced by Councilpersons Clarke and Reed
9 Miller, if passed, these ordinance will keep
10 guns out of the hands of those who should not
11 have them, decrease gun trafficking and
12 thereby criminal use of guns and homicide
13 rates, hold persons accountable when failing
14 to report lost or stolen firearms or illegally
15 transferring firearms, improve school safety,
16 and not least, facilitate law enforcement
17 investigations and convictions.

18 So as a representative of
19 Pennsylvanians Against handgun Violence, I put
20 forth two motions. First, because they will
21 increase the safety and security of the
22 residents of Philadelphia, the board of
23 directors of PAHV hereby endorses the
24 following ordinances under consideration by
25 Philadelphia City Council and urges passage of

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2 all, and further urges repeal of 18-PACS-6120A
3 by the Pennsylvania General Assembly to allow
4 for their enactment. They include 040117,
5 118, 137, 114, 113 and 132.

6 Our second motion, because it will
7 increase the safety and security of the
8 residents of Philadelphia, the board of
9 directors of PAHV hereby endorses Philadelphia
10 City Council Ordinance 040136, acquisition or
11 transfer of firearms, to regulate the
12 acquiring or transferring of any firearm
13 within the City of Philadelphia. The Board
14 urges passage, and further urges repeal once
15 again of 18-PACS-6120A by the Pennsylvania
16 General Assembly to allow for enactment.

17 I have a couple of recommendations
18 with respect to the language of ordinances.
19 First, regarding 040136, it should be noted
20 that effective licensing requires gun safety
21 training.

22 Also regarding 040136, Section
23 1(4)(a) should further restrict licensing from
24 any convicted felon, anyone with a restraining
25 order imposed, and rather than a habitual

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2 drunkard, a chronic substance abuser.

3 Regarding 040117, Section 1(1)(b),
4 definition of straw purchaser. The language,
5 I believe, should read, any person who
6 conducts or attempts to conduct a gun purchase
7 on behalf of another person who should not
8 legally acquire or own a gun, end quote.

9 Regarding all of the ordinances, and
10 specifically with regard to the penalty for
11 violation, I believe that a second offense
12 should require a doubling of that initial
13 penalty, and with a third offense, another
14 doubling and perhaps consideration of a
15 transfer of the case to federal jurisdiction.

16 The costs of gun violence in
17 Philadelphia are not simply human costs, but
18 financial. There have been studies locally at
19 the University of Pennsylvania suggesting the
20 many millions of dollars that are spent taking
21 care of gun violence victims at the expense of
22 taxpayers. So City Council Members have an
23 opportunity to work with our colleagues in
24 Harrisburg to convince them to actually take
25 on gun safety legislation.

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2 I might add that hunters and other
3 gun enthusiasts have been willing in the past
4 to be partners in passing sensible gun safety
5 legislation. I think that the membership of
6 the NRA was actually polled, and 80 percent of
7 them are not opposed, but actually are in
8 favor of developing gun safety legislation.
9 It is the extremists at the helm of the
10 organizations that put the road blocks in the
11 way of developing this gun safety legislation.

12 There is sound scientific evidence
13 that supports adoption of these ordinances.
14 The special interests, namely the gun lobby,
15 the gun manufacturers, the gun collectors and
16 the gun dealers that oppose this sort of
17 legislation stand to lose profits. This is
18 their simple motive. The desire of the few to
19 make a financial gain should not trump the
20 safety of the many and the health of the
21 potentially injured. There is no financial
22 incentive, none whatsoever, among those who
23 promote this legislation, just the desire to
24 see unnecessary injuries and death reduced in
25 our community.

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2 Thank you.

3 COUNCILWOMAN MILLER: Thank you.

4 Thank you, Dr. Schwartz.

5 Councilman Cohen has a question for
6 Dr. Schwartz.

7 You have to leave, is that not
8 correct?

9 DR. SCHWARTZ: Yes, it is true. I
10 have to leave in 15 minutes.

11 COUNCILMAN COHEN: I'd like to ask
12 you because you apparently have City-wide
13 experience. Why is it that with the threat
14 that guns pose to everybody in Philadelphia
15 that we're so quiet in the City on this issue?
16 Why do we permit the state to have adopted an
17 absolutely insane interpretation saying that
18 the state must provide the legal basis for gun
19 control? Cities can't do it because
20 conditions everywhere in the state are the
21 same. We know that's just a flat out lie.
22 There's no correspondence with reality at all.
23 Why don't you feel that there ought to be a
24 much greater outcry by citizenry in demanding
25 that the City be given that power?

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2 Because we in Philadelphia know the
3 cost we pay in gun violence every day of the
4 week. Every minute of every day really. And
5 the parents worry every minute of the day once
6 the kids get to school. Schools are no longer
7 safe havens. Why isn't there a stronger
8 public outcry? You're in an especially
9 excellent position to depict the various
10 specific injuries that occur. Do you have an
11 opinion on that?

12 DR. SCHWARTZ: Yes, absolutely. The
13 answer is two-fold. First, it has to do with
14 the media not covering the story. There is
15 absolutely public outcry, very loud public
16 outcry. It may not be huge numbers of people,
17 but the outcry is there.

18 What I have found in my experience
19 when looking at the televised representation
20 of the activities of protests, what ends up
21 happening is that the media covers the
22 skirmishes or they want to cover any fights
23 breaking out or people breaking the law as
24 part of the demonstration, rather than
25 covering the message itself. So we need to

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2 find out why the media, the Philadelphia
3 Inquirer, the news stations are not willing to
4 cover the story and to televise the accurate
5 depictions and reports from the citizens who
6 are crying out. They are screaming out. It's
7 just that the media is shutting down the
8 message.

9 Now, let's ask about corporate media
10 and who owns the media and their advertisers
11 and their desire to keep the advertising
12 dollars coming in and they don't want to upset
13 them. That is the answer to your question.

14 (Applause.)

15 COUNCILMAN COHEN: I like that
16 answer and note merely that the media has no
17 laws that prevent it from being the subject of
18 demonstrations. If people are convinced that
19 the media is playing a wrong role, I think the
20 people have the same right to protest in front
21 of the media headquarters as they have to
22 protest in front of Council or elected
23 officials. I think it would all be very
24 healthy if they did that. If they do it, I
25 will try, cane and all, to participate. I

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2 think it's a disgrace.

3 DR. SCHWARTZ: I'd like to join you
4 in that. I have found in my personal
5 experience when participating in these
6 protests, that the Philadelphia Police
7 Department at times, perhaps -- for instance,
8 down at the federal building, there have been
9 instances where people who are peacefully
10 demonstrating have been not handled
11 appropriately. And they're not given an
12 opportunity to exercise their free and
13 democratic right to free speech in front of
14 the federal buildings. If there is no
15 opportunity and no access to get your message
16 out, then as far as the public is concerned,
17 there is no message.

18 (Applause.)

19 COUNCILMAN COHEN: I think you're
20 right. And I think you'll find in this
21 Committee and Council generally a lot of
22 support for that action.

23 DR. SCHWARTZ: I would also like to
24 comment on something else that you said. You
25 mentioned that there are two Pennsylvanias,

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2 just as John Edwards, who was running for
3 president, mentioned two Americas. There are
4 two Pennsylvanias; there's Pittsburgh and
5 Philadelphia, which are the inner cities,
6 which are affected by gun violence far
7 differently than the rest of the state. So
8 therefore, I agree with you that there ought
9 to be different legislation affecting the hot
10 spots of gun violence. Because those who are
11 at significant risk of suffering the injuries
12 should be under different ordinances than
13 those which govern the remainder of the
14 population of the state.

15 COUNCILMAN COHEN: Make sure you
16 invite me and all the Members of this
17 Committee and all the Councilmembers to the
18 protests at the Inquirer and the Daily News
19 because the story has to be told.
20 Philadelphia children are dying and parents
21 are worrying to death about the fact that
22 their kids may be next. That applies in every
23 area of Philadelphia.

24 Thank you.

25 Thank you, Madam Chair.

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2 COUNCILWOMAN MILLER: Thank you, Dr.
3 Schwartz.

4 DR. SCHWARTZ: Thank you.

5 COUNCILWOMAN MILLER: Ray Jones.

6 MR. JONES: Good morning, Councilman
7 Clarke Councilwoman Donna Reed Miller and Joan
8 Krajewski and Councilman Cohen. I'm Ray
9 Jones, one of the co-founders of Men United
10 for a Better Philadelphia.

11 I work on street corners and in
12 schools throughout the City and we see the
13 impact of violence in neighborhoods throughout
14 the City. In my view the most deafening sound
15 to communities in need is silence. Silence in
16 the form of neglect, the silence in the lack
17 of resources and silence in the form of vision
18 and leadership.

19 What is clear to me for the past two
20 years is that we can and should do more to
21 protect children and families in
22 neighborhoods. Today you have a chance to
23 raise your collective voice in support of the
24 firearm legislation sponsored by Darrell
25 Clarke and Councilwoman Donna Reed Miller. We

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2 need your help. Every gun that we prevent
3 from reaching our streets equals a life saved.
4 And every gun that we prevent from reaching
5 the street prevents the life-long grief of a
6 mother. And every gun that we prevent from
7 reaching the streets begins the healing
8 process for neighborhoods demoralized by gun
9 violence over the years.

10 We join with you today in working to
11 make our streets safer. We also ask that you
12 join with us in creating the momentum
13 necessary to convince Harrisburg that
14 political expediency around firearms, although
15 cheap in Harrisburg, the cost remains too high
16 on the streets of Philadelphia.

17 Thank you.

18 COUNCILWOMAN MILLER: Thank you.

19 Are there any questions from
20 Councilmembers, Committee Members of these
21 witnesses?

22 Councilman Clarke.

23 COUNCILMAN CLARKE: Thank you, Madam
24 Chair.

25 Good morning. I wanted to ask Mr.

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2 Quyun and Mr. Jones a question. First, I'd
3 like to thank you for the work you've been
4 doing out in the neighborhoods. I ran up on
5 some of you guys at 27th and Montgomery a week
6 ago when you were out on the corner taking
7 care of business, and I want to let you know
8 that I truly appreciate it.

9 Since you have hands-on knowledge,
10 probably more so than any other groups or
11 individuals to some degree, with the
12 individuals out on these corners at all hours
13 of the evenings, can you talk to me about the
14 ages of some of these people out here who we
15 believe -- and I think that you can confirm --
16 that are carrying weapons?

17 Traditionally, I think people think
18 of adults 25, 30 years old carrying weapons.
19 Can you give me a sense of who is out on these
20 street corners selling drugs or doing whatever
21 and that are actually carrying weapons? Can
22 you give me a sense of that and the Members of
23 the Committee?

24 MR. JONES: Many of the young people
25 that we run up on on the corners are basically

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2 young people. They can range anywhere from 18
3 to 25 or so. Times have changed, and I think
4 most of us who grew up at a time where if
5 there was a community discussion so to speak
6 between two folks you had more of a
7 traditional fight. Today, because of handguns
8 mostly that's no longer a part of the
9 discussion.

10 We're looking at probably young
11 people between the ages of 18 and 25. And
12 again, folks, primarily because of arguments
13 or discussions or heated discussions or
14 debate, before you know it, somebody is shot.

15 I would just like to comment quickly
16 on a question that Councilwoman Krajewski
17 raised and Councilman Cohen raised. I know in
18 reference to Commissioner Johnson you asked
19 about legal guns. There was a report that was
20 done -- actually there's a report in all
21 places in Seventeen magazine of a tracking of
22 600 guns in the City of Seattle that were used
23 over a 10-year period in acts of violence.
24 They found out almost half of those guns at
25 one time were legal guns, which means someone

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2 bought that gun legally, had a permit or
3 something, whatever. It ended up in the hands
4 of someone for a robbery or house burglary or
5 something like that. I think in the City of
6 Philadelphia we're seeing a lot of guns that
7 are purchased legally.

8 You know, you and me, Councilman
9 Cohen, we can go buy a gun today. We've got a
10 gun in the house and we get a burglary, that
11 is one of the items that's taken in that
12 burglary and ends up on the streets of the
13 City of Philadelphia.

14 COUNCILMAN COHEN: May I ask the
15 Chair, is there going to be anyone here from
16 the City Solicitor's Office?

17 COUNCILWOMAN MILLER: No, they're
18 not on the witness list.

19 COUNCILMAN COHEN: Because there
20 have been changes in the Supreme Court of
21 Pennsylvania, and I wonder what their feeling
22 would be about re-testing the case that was
23 decided against Philadelphia in which they
24 said laws have to be state wide on gun
25 control. Because I think this is time, and

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2 the time is long overdue for a reversal of
3 that decision.

4 Two of the strong supporters of that
5 decision ruling state wide I know are no
6 longer on the bench. And I believe two who
7 favored requiring state laws are still on the
8 bench. One dissenter who favored Philadelphia
9 being able to reach its own decision is still
10 on the bench, so it would be two to one
11 against us. But the two new ones, both of
12 whom seem to be pretty good, they might
13 reverse the whole trend in the Supreme Court.
14 So I would like to raise, if the Committee
15 would like to, if they could call the City
16 Solicitor for an opinion as to how we renew
17 the call for a new decision. It just makes no
18 sense to say that the laws should be the same
19 in Philadelphia, Pittsburgh and maybe I'd add
20 Erie as the third urban center in
21 Philadelphia, that the laws in those cities
22 should be the same as the rural areas, like in
23 Green County where there are hardly any
24 people.

25 Thank you, Madam Chair. Do you

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2 think we could call the City Solicitor?

3 COUNCILWOMAN MILLER: Councilman, we
4 will call the City Solicitor.

5 COUNCILMAN COHEN: Thank you.

6 COUNCILWOMAN MILLER: Councilwoman
7 Krajewski.

8 COUNCILWOMAN KRAJEWSKI: I think
9 I'll let that question go for a while. Thank
10 you.

11 COUNCILWOMAN MILLER: I have a
12 question. And I too want to thank Men United
13 for a Better Philadelphia for all the work
14 that I've seen you doing personally out in
15 neighborhoods. Whenever something happens
16 you're there, and it's a City-wide effort. I
17 have a question that actually involves the
18 School District. Everybody just talks about
19 the violence that is going on here. It's been
20 a major part of discussions in families, at
21 parties, at family gatherings. Everyone's
22 been talking about it, particularly with
23 Faheem Childs' murder. That was a topic of
24 discussion no matter where I went, and the
25 young man from Gratz High School. I think it

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2 just happened and it just brought it to
3 everyone's attention. Many of us know it's
4 been happening for years. In different ways,
5 but it's been happening.

6 I have a nephew who was shot in the
7 head with a gun at age 14, who is now unable
8 to see, walk, do anything. He's in a nursing
9 home, and will probably remain there for the
10 rest of his life.

11 We all talk about the need for
12 parenting. I know the School District -- I
13 don't know whether you have it in all your
14 schools -- I know in many of your schools you
15 have conflict resolution, workshops or
16 whatever it is. Do you think that's something
17 that we need to have as a mandatory part of
18 curriculum, some type of conflict resolution?
19 If children aren't getting certain messages at
20 home against the use of weapons -- because
21 they're getting more and more, I guess, mean
22 spirited. It's one thing to shoot somebody,
23 but it's another thing to shoot them, shoot
24 them again and then stand over them and shoot
25 them and shoot them and shoot them to make

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2 sure they're dead. And that seems to be some
3 of the actions that's been going on.

4 MR. GREEN: Madam Chair, the
5 District has identified some schools. And
6 it's very interesting, and I can talk about
7 the Men United here and also the Physicians
8 for Social Responsibility that have been
9 working -- the Physicians for Social
10 Responsibility have been working with the
11 District for the past three years, since I've
12 been here anyway, in a role of doing bullying
13 prevention, doing conflict resolutions at some
14 of the schools that we've identified. It was
15 a pilot program that the District hopes we can
16 push forward when we talk about the
17 persistently dangerous schools here in the
18 City, moving those kinds of programs forward
19 in those schools.

20 With the Men United we just engage
21 them in a contract to do some of the same
22 kinds of things that you're talking about in
23 some additional schools that we've identified.
24 So the hope I think is that over time we can
25 get these kinds of programs in most of our

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2 schools. So we're working towards that.

3 COUNCILWOMAN MILLER: I think it's
4 important that we start it at an elementary
5 school level because that's when the children
6 are younger and, hopefully, if they hear the
7 message from elementary through middle school
8 through high school -- we just need to have
9 some type of, I think, City-wide education or
10 City-wide message that's going out constantly
11 because that's the only way I think we're
12 going to change things here.

13 MR. GREEN: And I think starting at
14 the elementary is the absolute right way to
15 go.

16 COUNCILWOMAN MILLER: Thank you.

17 Does any other Committee Member have
18 questions for these witnesses?

19 (No response.)

20 COUNCILWOMAN MILLER: Seeing none,
21 thank you very much. Thank you for spending
22 your morning here in City Council.

23 THE CLERK: Brady Campaign, Million
24 Mom March, Ms. Barbara Montgomery, Jim
25 Higgins, Chad Ramsey, please come to the

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2 witness table.

3 And could Diane Edbril from
4 Cease-fire Pennsylvania also join the witness
5 table?

6 COUNCILWOMAN MILLER: Good morning.
7 Please speak into the mike and state your name
8 and any other identifying information. We'll
9 hold all questions until all four witnesses
10 have submitted their testimony.

11 MR. HIGGINS: Good morning, Madam
12 Chair and Members of the Public Safety
13 Committee of the City Council. My name is
14 James C. Higgins. I am Vice President of the
15 Million Mom March of Pennsylvania, the Eastern
16 Pennsylvania Chapters, and also a member of
17 the Brady Campaign to Prevent Gun Violence. I
18 am privileged to speak here today in support
19 of the legislation introduced by Councilman
20 Clarke and Councilwoman Miller.

21 The Million Mom March of Eastern
22 Pennsylvania is a citizens lobby of over 4,000
23 members in five Philadelphia area counties.
24 Our national organization has chapters in all
25 50 states and counts its membership in the

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2 hundreds of thousands of men, women and
3 children.

4 The Million Mom March is striving to
5 put into effect what the overwhelming majority
6 of Americans believe, that guns can be too
7 easily purchased and transferred, and that all
8 too often the wrong people are purchasing them
9 and dealing in them. Numerous public opinion
10 polls year after year support the contention
11 that our laws need to be strengthened. The
12 Million Mom March wholeheartedly endorses the
13 Clarke/Miller bills as necessary and
14 potentially life-saving legislation.

15 Personally I have been an advocate
16 for improvement in gun safety laws at least
17 since 1963 upon the assassination of President
18 Kennedy. For a number of years since then I
19 stood on the side lines watching
20 representatives of the National Rifle
21 Association and their allies exert very
22 effective and very deleterious pressure on
23 members of Congress and state legislators to
24 thwart the passage of even the most basic laws
25 protecting the public from the proliferation

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2 of guns in American society.

3 However, in the last half dozen
4 years I have ceased being a spectator and
5 jumped into the fray to fight for critically
6 needed changes in our laws at all levels of
7 government; federal, state and local. I have
8 been motivated in part by the tragedies that
9 guns can cause in the lives of our people,
10 including some of the members of the audience.
11 Most important, I have been compelled by the
12 fact that a small minority, the gun lobby,
13 with a parochial interest can control public
14 policy in this country at the expense of
15 safety.

16 In May 2000 I marched in Washington
17 with 700,000 other men, women and children to
18 protest Congress's lack of resolve in standing
19 up to the gun lobby. I have met with
20 representatives of members of both US Senate
21 and House of Representatives to ask them to
22 take action on needed legislation. I have
23 lobbied our representatives in Harrisburg for
24 similar improvements.

25 I am well aware that the six bills

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2 being introduced today need the help and
3 support of a large number of representatives
4 and senators in the Pennsylvania legislature.
5 As one of the bills, straw and multiple gun
6 purchases reduction recites, Council is
7 precluded from enacting legislation on the
8 subject of firearms and ammunition in light of
9 legislation passed by the General Assembly and
10 upheld by the Pennsylvania Supreme Court.

11 We need not inquire today into the
12 wisdom of our legislature passing such a law,
13 but what we can do and what Councilman Clarke
14 and Councilwoman Miller are doing by
15 introducing these bills, is state our concern
16 that the General Assembly must help the
17 citizens of Philadelphia by giving the force
18 of law to these bills that will help protect
19 those people and the surrounding communities.
20 In so doing, our state legislators will do
21 what a number of other states have done, put a
22 halt to the purchase of large numbers of guns
23 at one time, prohibit the use by criminals of
24 a "straw man" to make purchases, stop
25 purchases by individuals subject to

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2 protection-from-abuse orders and halting sales
3 to persons under 18 and to convicted felons
4 and convicted narcotics dealers.

5 I urge my fellow citizens to get
6 behind these bills and work to persuade our
7 legislators throughout the state to allow City
8 Council to enact them. I have no doubt
9 whatsoever about the ability of ordinary
10 citizens who represent no special economic
11 interest to bring positive pressure and effect
12 changes in our laws. Yes, the NRA seems to
13 get its way more often than advocates of gun
14 safety laws do, but I have seen firsthand that
15 citizens whose only interest is making our
16 society safer for everyone can influence
17 legislators successfully.

18 Just last week, we had a noteworthy
19 example of that. Standing up to the gun
20 lobby, the Senate of the United States voted
21 overwhelmingly to block a bill that would have
22 given gun makers and dealers immunity from
23 lawsuits by victims of guns seeking damages in
24 our federal courts for reckless or negligent
25 marketing or distribution. On the same day,

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2 senators voted to strengthen federal law in
3 three other areas to require background checks
4 of purchasers at gun shows and flea markets,
5 to extend the assault weapons ban another 10
6 years and to require that child safety locks
7 be sold with all handguns.

8 The Senate acted for one simple
9 reason. Senators heard from hundreds of
10 thousands of ordinary citizens who requested
11 them to act in the public interest and not
12 yield to the selfish motives of those who seek
13 to block common sense gun safety laws.

14 We in the greater Philadelphia area
15 can get these bills being introduced today
16 approved by the General Assembly. First we
17 have to become informed on the issue of gun
18 regulation. We have to know the spurious
19 arguments of the opposition, that we seek to
20 confiscate guns from good citizens or make it
21 impossible for them to buy firearms or that we
22 oppose the use of guns for recreation or in
23 defense of property or person. Then we must
24 spread the word among the public by using the
25 media, visiting our newspaper editors and most

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2 important, organizing and lobbying our state
3 representatives and senators. If we do these
4 things, if we shine the glare of publicity on
5 the problem of gun violence in our cities, on
6 the weak laws that allow for the proliferation
7 of guns on our streets, on the fact that the
8 vast majority of Pennsylvanians want enactment
9 of gun safety laws, then we will prevail.

10 Thank you.

11 COUNCILWOMAN KRAJEWSKI: Thank you
12 very much.

13 Please state your name for the
14 record.

15 MS. EDBRIL: Diane Edbril. I'm here
16 on behalf of Cease-fire Pennsylvania, the
17 leading organization of groups and individuals
18 on a grass roots level within the Commonwealth
19 dedicated to preventing gun violence.

20 Thank you, Councilwoman Reed Miller,
21 for your attention today and for your
22 recognition of this very important issue and
23 the need for it to be addressed.

24 I'm one of the founding members of
25 Cease-fire Pennsylvania, and I've been its

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2 legislative director since 2002. I'm the
3 author of Cease-fire PA's
4 one-hand-gun-per-month bill that was
5 introduced in the General Assembly last
6 session and which we hope to have reintroduced
7 again as well.

8 I'm not going to take up much time
9 talking about why we need a law to keep
10 individuals from buying more than one handgun
11 per month because everyone here understands
12 why that is. What I'd like to do is share the
13 insights that I've gained over my years of
14 going to Harrisburg and talking to the
15 lawmakers who need to be moved on this issue,
16 and provide some insight perhaps in a resource
17 to the Council to determine how best to
18 accomplish that.

19 As other speakers have noted,
20 Pennsylvania is a state of two minds. There
21 are urban communities in the southeastern and
22 southwestern corners that are devastated daily
23 by handgun violence, predominately among the
24 youth of their communities. And there's a
25 large population in between those two areas

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2 that depend on guns every day for their
3 livelihood, for recreation and for other parts
4 of their self identity. And it's this
5 dichotomy between experience that I think is
6 largely to blame for the complete failure of
7 any meaningful gun legislation in Harrisburg
8 over the last several years. We need to start
9 talking about gun regulation in a way that
10 will not offend people who have different
11 views of the proper role of guns in their
12 lives. While we might not see the need to use
13 a gun in self defense or for recreational
14 purposes, we do need to recognize that there
15 are many, many citizens of this Commonwealth
16 who feel differently.

17 I think when I look at one of the
18 bills that's been proposed here in Council by
19 Councilman Clarke, in particular the straw
20 multiple gun purchase reduction bill, the only
21 thing I would say to the Committee in this
22 regard is that I think that when you are in
23 the process of persuading our colleagues
24 across the state, that Pennsylvania needs --
25 that Philadelphia and Pittsburgh -- but

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2 Philadelphia needs this kind of legislation, I
3 think that it will be far more persuasive to
4 talk about handguns. In reality, that is what
5 the majority of the crimes we're seeking to
6 prevent are being committed with. In reality
7 I think that, at least by looks alone, a bill
8 such as that will not turn people off at first
9 blush.

10 I think there are some important
11 distinctions between handguns and long guns in
12 terms of their use, their lawful use and their
13 unlawful use; their, obviously, size,
14 concealability, leafality. There are a whole
15 range of differences. I think that when we do
16 go talk to our western colleagues and people
17 from the northern part the state, that we need
18 to assure them that we are not in fact seeking
19 to take away their guns. What we're seeking
20 to do is to keep handguns predominately out of
21 the hands of criminals.

22 I think on a technical note, I think
23 there's another piece in here where it talks
24 about collectors being exempt, and I think
25 that there's a need to define what we mean by

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2 a collector. Because if it's left undefined,
3 then low and behold everyone in the City of
4 Philadelphia who wants to buy a handgun will
5 become a collector and evade certainly the
6 intent of this legislation.

7 One thing I think is important is to
8 know that when a one-hand-gun-per-month law
9 was passed in Virginia, in response to a
10 concern on the part of its business and
11 political community that it was viewed as this
12 handgun supermarket of the country, that in
13 fact when that bill was passed into law, it
14 changed patterns of illegal guns across the
15 country, whereas many, many guns were showing
16 up in crimes as having originated in Virginia.
17 After passage of this legislation those
18 numbers dropped dramatically. On the national
19 level they went down by a full third, and in
20 the northeastern states it went down by even
21 more. I believe it was close to 50 percent.
22 So I think it's important when we talk about
23 limiting handgun purchases, that we do so in
24 the context of showing that this is something
25 that has been shown to work.

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2 Many, many critics of gun
3 regulations say, well, you know, everyone
4 wants to pass more laws, but you don't have
5 any evidence that these laws work. I think in
6 particular regard to one handgun per month,
7 that argument is just contradicted by reality.

8 We know what the problem is here in
9 Philly, thousands and thousands of illegal
10 handguns are confiscated every year from
11 street corners, from individuals who have been
12 arrested, from drug scenes. You know, they're
13 not falling out of the sky. They're being
14 bought in the first instance by a legal
15 purchaser and then being handed off to
16 somebody engaged in a criminal, unlawful
17 transaction.

18 So we know what the problem is. We
19 know that we have a solution that will fix
20 that problem. That's what I think we need to
21 focus on in Harrisburg. I think it's also
22 important to note that this is a measure, as
23 Councilman Clarke observed earlier, that our
24 current Governor has supported in the past and
25 has pledged his support to. When we seek to

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2 choose our battles, I think we have to choose
3 them wisely. I think it behooves us all to do
4 something that already has the support of our
5 state's chief executive, that has the support
6 of the numbers, that has the support of
7 another state's experience and that certainly
8 everyone in this room understands is a big
9 piece of solving this problem.

10 As the author of this legislation in
11 Harrisburg I have lots more technical
12 information that I'd be happy to share with
13 you, but I think that, especially before this
14 lunch hour, everyone in this room would fall
15 promptly asleep if I went into them. So just
16 let me say to the Committee that if you have
17 any particular questions with regard to
18 technicalities in this law that I believe,
19 based on my experience over the last two
20 years, will help it gain acceptance in
21 Harrisburg I would be more than happy to share
22 those with you at any point.

23 Thank you so much for your attention
24 to this vital matter.

25 COUNCILWOMAN KRAJEWSKI: Thank you

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2 very much.

3 Anyone else?

4 MS. MONTGOMERY: Good morning. My
5 name is Barbara Montgomery. I'm the President
6 of the Million Mom March Chapters for
7 Philadelphia, Montgomery and Delaware
8 Counties. We're united with the Brady
9 Campaign to Prevent Gun Violence. If I could
10 beg the indulgence of the Councilmembers, I'd
11 like to just present this photograph.

12 The photograph puts a very real
13 face. Too many of these faces we do see, but
14 that's my real face from my involvement in
15 this. Two young ladies in the photograph, the
16 one on the left is Alexandra Wake and the
17 other young lady is my daughter, Remy
18 Montgomery. A little over two years ago on
19 January 15th, Alexandra went home from school,
20 not unusual that she would go home from school
21 after track and cross country. The unusual
22 thing is she went home by herself that day.
23 She was the most popular girl in her class.
24 As I said, all the girls considered her a very
25 close friend. She's a straight A student.

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2 She wanted to be a judge upon graduating from
3 college. And usually one of the girls would
4 go home with her. Not that day. When
5 Alexandra got home, her step father came in.
6 He took a gun and shot Sandy, my friend, his
7 wife, and killed her. He then shot and killed
8 her grandparents. Alexandra was on the phone
9 calling the police and he shot and killed
10 Alexandra and then he shot and killed himself.
11 And we lost five lives that day. He purchased
12 his guns three months prior to that. There
13 had been a series of violent incidents in the
14 home. The police had been called many times.
15 He did not buy the guns where he lived. He
16 got them in Philadelphia. So this is one of
17 the main reasons that I am here and why I do
18 the work that I do as a volunteer for the
19 Million Mom March.

20 We have decided in our Philadelphia
21 and the tri-county chapters to make education
22 our priority. In that effort, I have gone
23 into Sayre Middle School, Germantown High,
24 Girard, Kensington, Olney, Bodine, Gratz,
25 Central, University High, Edison, Frankford,

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2 William Penn, Roxborough. I've spoken to
3 hundreds of teenagers and middle school
4 students at all of these high schools and
5 going in and giving gun violence prevention
6 workshops.

7 In these workshops and with these
8 kids who are from 13 to 18 years of age, the
9 first question that I ask them is, what do
10 they think of when they hear the word gun
11 violence. And the answers are quite telling
12 to what they must live with every day in the
13 streets and in their schools. And why should
14 someone own guns? And again, you know the
15 answers are quite telling. Number one is for
16 protection. The other answer is power. What
17 they feel is a powerlessness.

18 We also then do a questionnaire that
19 gets very, very sensitive, but the kids have
20 no problems answering these question. And
21 when we ask them the two most common causes of
22 death among teenagers in America, they all
23 know the right answer. And the right answer
24 is suicide and murder. And it's saddens me
25 that they know the answers to these questions.

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2 Nine children and teenagers under
3 the age of 19 years of age are killed every
4 day in America. We lost three in Philadelphia
5 in one week just a month ago.

6 Some other answers that they give,
7 are guns in the home more likely to harm
8 someone the homeowner knows or doesn't know?
9 They know it harms someone that that family
10 member knows. It's not a stranger. Are guns
11 more likely to be found in homes with kids or
12 without kids? With kids. They know the
13 answer to that one too. Are these guns kept
14 loaded or unloaded? These guns are kept
15 loaded. They all have an intimate knowledge
16 with guns in their homes and on their streets.
17 Has anyone in your house ever had a gun? A
18 third to a half of the students say yes. Have
19 you ever thought of getting a gun? Again, a
20 third will say yes. Have you ever seen a gun
21 in your school, other than law enforcement
22 officials? Over half of these students say
23 yes. Have you ever used a gun to threaten
24 someone else -- and we do this confidentially
25 so the children don't see each other's answers

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2 -- and the hands go up. At least a third have
3 used a gun to threaten someone else. At least
4 a third have been threatened by guns in their
5 schools or on their streets. Have they seen
6 another person threatened by a gun. Almost
7 half will raise their hand and say yes.

8 When the Councilwoman was talking
9 about conflict resolution, that is part of the
10 gun violence prevention workshop that we do
11 because we understand that conflict
12 resolution, we have to go back to what the
13 roots of the problem are. The bullying
14 program that PSR does, the Physicians for
15 Social Responsibility, is an excellent
16 program. And these kids all know that it
17 starts with bullying and it starts on the
18 playground in kindergarten.

19 We had one young man last week at
20 University High say actually it started at
21 home because he felt that his parents didn't
22 know how to be parents and that they bullied
23 him. And that's what he learned and so he
24 went out and bullied other people. So we put
25 our list on the board of what we feel is

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2 important for conflict resolution; respect,
3 tolerance, patience, listening, language, and
4 we talk about those things.

5 This affects me very deeply. Pardon
6 me for just a moment.

7 We try to give these children, these
8 kids, these young adults, the realization that
9 they have a choice in their actions, but many
10 times they don't see the choices. They only
11 see the hopelessness and the despair.

12 And I will just leave you with the
13 last thing. One of the young ladies said to
14 me -- just prior to that I had gone in and
15 spoken to Mothers Opposed to Murder, which is
16 an amazing group of women who are working with
17 other families. All these women have lost
18 children to homicide in Philadelphia. And
19 right after that I was speaking to some kids
20 at City Year. And the young lady said at the
21 end -- she's about 17 years old and a victim
22 of gun violence herself and said, we are
23 looking to the adults for the answer, but they
24 are not there. And I am very, very thankful
25 that you are here today and that you are

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2 present and are willing to do something about
3 this to save our children.

4 Thank you.

5 COUNCILWOMAN KRAJEWSKI: Thank you.
6 Very good.

7 MR. RAMSEY: Good morning. Chad
8 Ramsey. I'm the East Regional Director of the
9 Brady Campaign to Prevent Gun Violence, united
10 with the Million Mom March. Thank you so much
11 for allowing us the opportunity to come here
12 today.

13 I won't take up much of your time at
14 all since most of the folks have covered the
15 ground. But I just wanted to say that looking
16 over this package of legislation, I was
17 impressed and noticed that there's a common
18 thread that's running through these bills, and
19 that is stemming the tide of guns to
20 criminals. Particularly in 040117, the straw
21 purchase reduction act, and the
22 one-gun-a-month bill, and 040113, the tracing
23 of crime guns for those that are 21 and under.

24 I hear all too often the comment
25 that there's all these guns out on the streets

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2 and there's nothing we can do about them.
3 That statement is patently wrong. 1.2 percent
4 of gun dealers in this country provide 57
5 percent of the guns used in crime. Let me
6 just say that again. 1.2 percent of gun
7 dealers in this country provide 57 percent of
8 the guns used in crime. That is staggering.
9 If we can simply trace back these guns that
10 are used in crime, we can find out who is
11 providing them to these youngsters who get
12 them in their hands and use them for crime.
13 We can stop the tide of crime guns that get
14 onto our street.

15 As my colleague Diane mentioned
16 earlier, the one-hand-gun-per-month bill has
17 worked very effectively in the states where it
18 has been implemented. The first such bill was
19 in South Carolina in 1975, and since then
20 three other states have also passed similar
21 laws. Virginia in '93, Maryland in '96, and
22 in 1998 California, following the lead of
23 their largest city, Los Angeles, which had
24 just passed a similar bill, passed a
25 one-gun-per-month bill. These bills have

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2 worked. They have stemmed the tide of crime
3 guns that get on the street.

4 As Diane mentioned, the number of
5 Virginia guns that were used in crime dropped
6 dramatically. In the northeast, the
7 percentage of Virginia guns traced to crime
8 fell from 54 percent to 16 percent. The
9 number fell by 61 percent in New York City
10 where they were frequently found in the
11 commission of crimes. These are staggering
12 numbers. These are numbers that you cannot
13 ignore. This is clearly an effective piece of
14 legislation, and I think the Council is doing
15 a tremendous service in putting this forward.

16 I wanted to assure you that the
17 Brady Campaign and the Million Mom March will
18 be there working with you every step to
19 encourage the State Legislature to provide
20 authority for the City of Philadelphia to
21 enact this important legislation.

22 Thanks.

23 COUNCILWOMAN MILLER: Thank you.

24 Councilman Cohen.

25 COUNCILMAN COHEN: It's very

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2 heartening to hear the strength of feeling of
3 these various groups against gun violence.
4 And nobody really wants to get engaged in an
5 all-out battle against the NRA. So we go
6 through the motion of explaining how most NRA
7 members are probably good, honest people. I
8 happen to be one person that disagrees with
9 that notion. I think by this time the NRA
10 members who fight for their right as they see
11 it to bear arms -- and that's the most
12 important thing in the world to them. It's
13 more important than Philadelphia kids living
14 or dying, more important than anything else to
15 them. They react and they know all the facts
16 as we do. Though some of the statistics made
17 by the gentleman that just testified about the
18 small number of gun dealers who seem to be
19 involved in the guns that turn up in weapon
20 land, I don't know what cause and effect that
21 might be, but that kind of fact should be
22 known. I never heard that fact explained
23 before. But I think mostly people are very --
24 who tend to be outside the City -- very
25 selfish and greedy. I don't know why alleged

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2 rights they have should be affected in any way
3 by what happens in Philadelphia. They're
4 convinced we're all sinners anyway. And so if
5 maybe our kids get killed first, maybe they're
6 just helped from being involved as criminal
7 adults later on.

8 I can't begin to think of the
9 reasoning that justifies their right to bear
10 arms at the expenditure -- and I don't know
11 who they're bearing arms against. They never
12 say that. Because in their area there's
13 relatively little crime compared to that which
14 exists in Philadelphia.

15 So I think this is a power struggle.
16 One of the panel members mentioned that we
17 have the support of the Governor. Well, maybe
18 we do, maybe we don't. I would certainly say,
19 don't equate the Governor's statement of
20 support with the expression of support from
21 this particular Governor because that's not
22 the history. He can support four or five
23 different sides of a question simultaneously.

24 But I think what's true is we've got
25 a hard-boiled campaign ahead of us and this is

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2 an issue in which sides have been pretty much
3 picked, and we're not going to win by
4 convincing NRA members that they ought to
5 think of Philadelphia kids first or Pittsburgh
6 kids or Erie kids first. I think we've got to
7 do it by political muscle. That's what I see
8 in the City's taking the leadership, finding a
9 legal issue by which we can challenge the
10 decision made back in 1996 that this had to be
11 decided by state law rather than by local law.
12 I think the City has to take a leadership. We
13 hope Mayor Street will play a strong role in
14 it and authorize the Law Department to move
15 ahead. And then I think you have the issue
16 that will enable you to mobilize the people in
17 Philadelphia.

18 I think we've got to win this by
19 brute political force. It would be good if we
20 could tie it in somehow to the election in
21 November. People seem to feel very strongly
22 about that. And I think that most people who
23 are going to reject the present administration
24 in Washington may be pretty good supporters of
25 this kind of a campaign. So I think we ought

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2 to think in terms of putting an end to this
3 nonsense this year and do it through the
4 electoral process by convincing people that
5 this is not an issue that's going to be won if
6 we keep on discussing it forever. But it's
7 got to be put to a political test. We've got
8 to find a way to get it voted on, and we've
9 got to show that the people overwhelmingly are
10 opposed to it. And I think we can do that in
11 Philadelphia. This would be a great issue to
12 mobilize.

13 So I'm urging you to put pressure on
14 the City. I intend to do so from City
15 Council. I hope other Members of Council will
16 also do so to convince the City to find a way.
17 I think legally a good lawyer and one
18 interested in the subject could easily find a
19 way to say we're testing. We're not asking
20 for the same legal opinion as seven years ago,
21 but we're raising new issues. Because I don't
22 think the right to bear arms by a rural person
23 has anything to do with the safety of our kids
24 and the safety of our people here in
25 Philadelphia. So I think there's easy room to

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2 find the way to raise this issue legally. If
3 the City does it, they should be assured that
4 they're not going to be left out in limbo
5 land, but that the people are going to support
6 it.

7 I for one will pledge my every bit
8 of assistance, and I'm sure there are many
9 people in Council, particularly Councilwoman
10 Miller and Councilman Clarke, who have been
11 very strong in the fight against gun violence.
12 I think we can get a strong resounding no vote
13 as to the issue as to whether Philadelphia has
14 the power or not. I think we would reverse
15 the old decision that said Philadelphia cannot
16 do it. I think you can get a yes vote, that
17 municipalities have to have this right to
18 legislate on their own needs.

19 So I urge you to help us find a way
20 to raise the issue sharply. Let's forget
21 about being nice to members of NRA. I've
22 never known a member of NRA who I would
23 describe as being a nice person because
24 they're all so filled up with the right to
25 bear arms, and I don't know who they're go to

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2 bear arms against. I didn't know that we were
3 living in a society in the United States where
4 we had to protect our life every minute of the
5 day by bearing arms. I think compared to most
6 of the world we're a pretty peaceful nation
7 and pretty peaceful people. So I believe the
8 reason they're doing it is that they don't
9 care about Philadelphians. They think, as I
10 mentioned before, that we're a sinful place,
11 and if our kids die, maybe it doesn't matter.
12 That's a very uncivilized way to think and a
13 wrong way. The way to convince them is for us
14 to win an election and show people that when
15 the issue comes down to yes, no, people are
16 going to vote for Philadelphia's right to take
17 the steps we need to provide the right kind of
18 background for our kids to grow up in.

19 Thank you very much.

20 MR. RAMSEY: Councilman, we really
21 like the way you think and would like to
22 invite you to Pittsburgh on April 17th where
23 the NRA is holding their national convention.
24 A lot of the folks in this room will be there
25 speaking not too kindly probably to the NRA.

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2 So we'd like you to come join us.

3 COUNCILMAN COHEN: We may do that.

4 Because I just think it's urgent that the
5 message get out. Don't worry about offending
6 the NRA. If they're decent, they'll support
7 us come the election, because they have to
8 recognize that we face situations totally
9 different than them. And I will agree that
10 they have the right to bear arms if only they
11 tell me what they're bearing the arms against
12 and against whom they're bearing them. Seems
13 to me that they're bearing the arms against
14 Philadelphia kids, and that's the wrong group
15 to be against.

16 COUNCILWOMAN MILLER: That's what I
17 wanted to say. Philadelphians have a right to
18 be safe. The NRA wants to bear arms. We have
19 a right to be safe.

20 COUNCILMAN COHEN: But I think we've
21 got to kind of be militant about it and not
22 have to worry about being so nice to the NRA.
23 I think most of the people there are either
24 greedy or evil. I don't know how you justify
25 somebody saying to me it's more important to

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2 be able to carry a weapon to protect myself --
3 I don't know against whom they're protecting
4 themselves -- but they say that it's more
5 important for them to protect themselves than
6 the safety of children. I can't buy that at
7 all.

8 COUNCILWOMAN MILLER: Also, I just
9 want to say -- this is actually for every
10 group -- that we may be calling on you for
11 your help to help us lobby, if it's needed.
12 We've been talking to state officials, state
13 elected officials. Everyone that we've talked
14 to so far agrees with us, but we may need your
15 help, particularly if you've stretched out
16 across the state, so we know that we can
17 garnish a lot of support from the Philadelphia
18 area, but particularly if you're stretched out
19 across the state.

20 COUNCILMAN COHEN: I think this is
21 really a number one issue and we ought to
22 raise it to that level of priority.

23 COUNCILWOMAN MILLER: So we'll be
24 calling you. It won't just end today.

25 MR. HIGGINS: One statistic that

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2 wasn't offered earlier. I think Councilman
3 Cohen asked the question as to -- I don't have
4 the exact words, but the question was in the
5 area of where a person is killed by a gun,
6 what do we know about the relationship between
7 the perpetrator and the victim. Is there a
8 bloodline or a friendship or some
9 acquaintanceship relation there? Here is a
10 statistic that bears on that question.

11 For guns kept in the home, a 1999
12 study published in the Journal of Trauma,
13 which is a public health publication, the
14 study reported that a gun in the home is 22
15 times more likely to kill a family member, a
16 friend or a visitor than it is to kill a
17 burglar or intruder.

18 COUNCILMAN COHEN: That was the kind
19 of statistic I was looking for earlier.
20 Because I regard guns as more dangerous to
21 those who use them than it is to anybody else.
22 I think it would cut down heavily on domestic
23 violence and on the drug trade if we
24 eliminated all guns in the City of
25 Philadelphia.

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2 MR. HIGGINS: The argument by the
3 NRA and others is that we need these guns and
4 we need this absolute freedom to buy when and
5 where we want because we need them for self
6 defense, particularly of our home. And this
7 study in the Journal of Trauma in 1999 says
8 that you're 22 more times likely to be killed
9 by a gun in the home if you're a family
10 member, a friend or a visitor than you are if
11 you're an intruder or a burglar.

12 MS. MONTGOMERY: I'd like to give
13 this to the panel. This is a resource packet
14 that we do give to all the kids in the
15 schools. It has these statistics that Jim is
16 mentioning and many, many more that would be
17 helpful to you in your campaign. And as I
18 say, we will definitely be there to help you
19 in Harrisburg.

20 COUNCILWOMAN MILLER: Thank you.

21 We may be calling you later to get
22 information regarding some of the statistics
23 on some of the facts and the data that you
24 stated this morning in various testimonies
25 regarding legislation in other states.

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2 Thank you. Thank you very much.

3 I'm sorry. Councilman Clarke.

4 COUNCILMAN CLARKE: Thank you, Madam
5 Chair.

6 First I'd like to thank you for your
7 expert testimony. We obviously, as the Chair
8 has indicated, need your support, particularly
9 from a technical perspective. You have been
10 involved in these issues. I just wanted to
11 get some clarity on a couple of issues that
12 you raised in your testimony.

13 You said 1.2 percent of the gun
14 dealers essentially provide 57 percent of the
15 weapons that were used in the commission of
16 crimes. Is that done in some sort of
17 geographical area that reflects directly to a
18 certain economic or social status? Is there
19 some correlation?

20 MR. RAMSEY: I'm not sure how it
21 correlates because that figure comes directly
22 from the ATF. And they don't break it down
23 like that. But we do have some folks working
24 on breaking it down just like that. We have
25 identified the most serious offenders, the

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2 worst dealers that are out there, including
3 some that are in Pennsylvania. We do know
4 where the bad guys are.

5 COUNCILMAN CLARKE: It would be
6 helpful if you could provide us with that
7 information.

8 The other thing is, with respect to
9 potential amendments to the bill, based on the
10 testimony that we hear today, there is a
11 likelihood that there may be several
12 amendments. Subsequently we will have some
13 discussion with the state and the legislators
14 that hopefully will lead the charge on the
15 state level, and we're sure that there has to
16 be some adjustments to the bill to ultimately
17 get something that people can come to some
18 conclusion and get a consensus on. So we
19 appreciate your recommendations.

20 One thing of interest that struck
21 me, with respect to California, you indicated
22 that there was a passage of legislation in Los
23 Angeles and that then led to passage on the
24 state level?

25 MR. RAMSEY: That's right. Los

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2 Angeles passed the bill early in '98, and it
3 was really a surprising move that the State
4 Legislature took it up shortly after it was
5 passed in Los Angeles. So clearly that's an
6 indication of a big city leading the way for
7 their state.

8 COUNCILMAN CLARKE: I just want to
9 make sure because it sounds similar to what
10 we're attempting to do. The legislation that
11 was passed in Los Angeles, did it require
12 state authorization or did Los Angeles just
13 say, look, we're doing what we have to do
14 here, we're passing a bill?

15 MR. RAMSEY: Right. California is
16 not a state where the State Legislature
17 preempts the city.

18 COUNCILMAN CLARKE: So they don't
19 have preemption like we do. Okay. Great.
20 Thank you.

21 Thank you, Madam Chair.

22 COUNCILWOMAN MILLER: Thank you.

23 Thank you for your testimony.

24 THE CLERK: I'd like to call to the
25 table Tommy Blackwell.

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2 Representatives from Mothers United
3 through Tragedy, please come to the table.

4 Representatives from the group,
5 Mothers in Charge, please come to the table.

6 Representatives from the group,
7 Families Are Victims Too.

8 COUNCILWOMAN MILLER: Don't forget
9 to pull the mike close to you. State your
10 name and any other identifying information.

11 I think the first one you called
12 was Tommy Blackwell. You can start.

13 MR. BLACKWELL: Thank you for
14 allowing me to be here. My name is Thomas W.
15 Blackwell, IV. I'm the President of Belmont
16 Improvement Association.

17 First of all, let me commend this
18 Council for having the vision and the courage
19 to introduce these two bills, especially
20 Councilman Clarke and Councilwoman Miller,
21 along with Juan Ramos, who I worked very hard
22 to elect to this Body, and of course,
23 Councilman David Cohen, who is here since my
24 father was here. I come to speak in support
25 of Bill Nos. 040117 and 040113.

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2 As a youngster, I came from a
3 community where there's a lot of gun violence.
4 As a youngster, I wasn't even allowed to play
5 with toy guns. My father taught me that if
6 you teach a child to play with toy guns, when
7 he grows up he's going to want a real gun. So
8 I've seen a lot of misery caused by guns.

9 Back in 1973 when my father was
10 serving in the State House, he brought a
11 committee to Philadelphia to hold hearings on
12 gang violence and gun violence. They go hand
13 and hand. Of course I support anything, any
14 situation that will eradicate guns in our
15 communities.

16 The word gun, every time I hear any
17 word associated with gun, it has a negative
18 connotation to me. Some people say it's good
19 for sport, it's good for protection, but, you
20 know, all that sounds good, but to me it
21 represents nothing but violence. To protect
22 yourself, that means there's violence
23 somewhere around if you need a gun to do that.
24 As I stated, I come from a community where
25 there's a lot of gun violence.

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2 Just recently with this young child
3 getting killed through no fault of his own,
4 just walking to school, an innocent child, had
5 to go through a situation where he's gunned
6 down just because he happens to be in that
7 situation.

8 I know some of my friends are either
9 in jail -- guys that I grew up with -- or in a
10 grave. I never belonged to a gang in my life,
11 and I had to walk through three of them to get
12 to my job as a youngster, because I was always
13 more afraid of my father than I was of the
14 gangs because of the way my father taught me.

15 Now, as a community, we have to
16 realize that guns are nothing but a problem.
17 Police officers are the only ones that I
18 always knew that were supposed to have guns.
19 To me, a gun represents evil. I've never held
20 a real gun in my life, in my hand.

21 As a youngster, I would use hangers
22 and things like that to make pretend I had a
23 gun because my father wouldn't buy me one.
24 And if he saw me with one, I was in trouble.
25 Now I realize why he taught me that way,

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2 because of all the violence that's in our
3 community.

4 So while I support these bills, I
5 also want to encourage everyone to show their
6 support, even on the state level, of why it is
7 very important not to have guns at all.
8 Eradicate them as much as possible as quickly
9 as we can because of what guns, especially in
10 the wrong hands, represent.

11 Again, thank you very much.

12 COUNCILWOMAN MILLER: Thank you.
13 Shirley Boggs.

14 MS. BOGGS: Good afternoon,
15 Councilman Clarke, Councilwoman Donna Miller,
16 Councilman Ramos, Councilman Cohen. How are
17 you? I stand before you today as Shirley
18 Boggs, B-O-G-G-S, Mothers United Through
19 Tragedy, founder and CEO. I'm also a board
20 member of Philadelphia Anti-Drug/Anti-Violence
21 Network. I'm also a parent of a murdered
22 child.

23 I think that this bill that you two
24 have introduced today, I can only commend you
25 for it and I support you 150 percent. My

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2 organization stands behind you also. We're
3 here to support. It's important that we get
4 this bill passed. Too many of our children
5 are losing their lives. We as parents, we
6 expect for our children to bury us, not we
7 bury our children the way that it's going.

8 You know, I have nine grandchildren,
9 and two of my grandchildren have been affected
10 due to violence. My son that passed,
11 Quintell (ph), he left a son. His son has
12 lost his father. My granddaughter, her father
13 was recently murdered with a gun.

14 My son Quintell was shot four times
15 with a 9-millimeter; once in the back, and as
16 he laid straddled on this motorcycle, this
17 person stood over top of him and shot him
18 three more times. That's unacceptable.
19 That's an overkill. Not only did that take
20 place, my son is a first born of a set of
21 identical twins. He's the first born. His
22 twin brother was shot at 2:30 in the morning
23 of August 13th, 1997. And this young man, my
24 first born twin son, was killed a little after
25 12 o'clock the same day. That's almost losing

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2 two children in one day. That's unacceptable.
3 So anything to remove the guns from our
4 community, from our City, I'm all for it.
5 Anything that I can do, I'm here. I'm just a
6 phone call away at any given time. Because
7 it's important. These parents sitting here,
8 we've all lost our children. We cannot speak
9 enough about the violence that is plaguing our
10 streets.

11 We turn the news on and everything
12 you hear is about Iraq. Well, we got a war
13 right here in Philadelphia. In the City of
14 Philadelphia there's a war going on. And the
15 war is against our young folk, may it be
16 white, black, red, green, yellow, orange.
17 Murder has no color. Murder has no color.
18 There were 348 murders last year. That's 348
19 families that were affected due to violence in
20 the City of Philadelphia. That's too much.

21 From the age of zero -- I got the
22 statistics on my desk -- but from the age of
23 zero to 18 -- I think it was like a hundred
24 and something -- and from zero age now -- can
25 you believe this -- there were, like, five

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2 children or six children the age of zero. So
3 that means they didn't make it to a month old.
4 Five. And I think three of those were
5 Afro-American. That's unacceptable, people.
6 We have to make sure that we get this bill
7 passed by any means necessary. If it means us
8 taking to the streets, going to Washington,
9 going to Harrisburg, then we have to do just
10 that. We cannot allow the state to dictate
11 what happens here in Philadelphia. And the
12 state is not here losing their loved ones. We
13 cannot allow that. How many more of our
14 children must die before it's time for us to
15 unify on this thing, to come together and say,
16 we're tired and we're not going to allow state
17 to dictate what's going on here in
18 Philadelphia? We just can't do that.

19 Thank you.

20 COUNCILWOMAN MILLER: Thank you.
21 I've kind of lost track of who's next.

22 How many people do we have from
23 Mothers in Charge?

24 MS. JOHNSON-SPEIGHT: Three.

25 COUNCILWOMAN MILLER: So all three

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2 of you are going to testify, correct?

3 MS. JOHNSON-SPEIGHT: Yes. Good
4 morning, Members of Council. My name is
5 Dorothy Johnson-Speight. I'm the founder and
6 Executive Director of Mothers in Charge. I'm
7 also Kaliq's (ph) mom. He was 24 years old.
8 He was killed with a handgun over a parking
9 space. This is the criminal record of the
10 person that killed him. He could not have
11 bought a handgun, but he acquired one. Thank
12 you for the invitation to speak this morning
13 on behalf of mothers here and the ones that
14 could not be here this morning.

15 Mothers in Charge is the courageous
16 group of women fighting to make a positive
17 difference in the City of Philadelphia. Many
18 of the members have experienced the horror of
19 having a son, daughter or loved one tragically
20 taken as a result of gun violence. But
21 because of the death and the life of our loved
22 ones, each mother and member is committed to
23 saving lives and preventing other mothers from
24 having to experience this terrible tragedy.

25 This is tremendously difficult and

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2 very emotional task as many mothers are still
3 experiencing and working through our own
4 grief, yet the pain and the sorrow is the
5 basis of our unrelenting desire to do whatever
6 it will take to prevent other senseless lives
7 from being taken by gun violence in our
8 communities. We are working to make a
9 difference. Mothers in Charge realizes that
10 positive change cannot happen within our
11 communities without addressing the issue of
12 gun violence. We thank the Committee on
13 Public Safety, Councilwoman Donna Reed Miller
14 and Councilman Darrell Clarke.

15 There are far too many guns on the
16 streets of Philadelphia, far too many guns in
17 the hands of young people, criminals and
18 people who may otherwise settle a dispute
19 without resorting to violence. But because
20 guns are so easy to get, we see this out of
21 control level of violence in our communities.
22 Many young people in the City can get their
23 hands on an illegal gun with no problem, and
24 that's because our communities are flooded
25 with them and are claiming the lives of many

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2 in our communities at an alarming rate, often
3 times young, innocent children.

4 Straw and multiple gun purchase
5 reduction to limit purchase of firearms.
6 Illegal handgun traffickers are helped by
7 people known as straw purchasers, individuals
8 who legally purchase handguns, either one or
9 many at a time, then unlawfully transfer them
10 to gun runners or criminals who would not have
11 been able to pass a background check to buy
12 the handguns in the first place, or simply
13 wanting to avoid detection. These straw
14 purchases are repeated over and over again in
15 our community, creating an ample supply of
16 guns for the criminals who couldn't otherwise
17 obtain them. A buy in bulk practice may be
18 fine for paper towels, but not for deadly
19 weapons.

20 Illegal guns have claimed the lives
21 of so many of our children. You know it's not
22 the natural order of things for a parent to
23 have to bury their child, yet more and more
24 parents today are experiencing this God awful
25 task. It is the worst thing in the world to

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2 have to experience. Mothers in Charge doesn't
3 want other mothers and fathers to receive the
4 phone call we got, telling us that our son and
5 daughter had been shot to death.

6 With the level of violence due to
7 illegal guns on our streets, no Philadelphians
8 is safe. No one is exempt. Each of us must
9 work to stop the violence. Each one of us
10 must work to save lives and improve the
11 quality of life for all Philadelphians. We
12 support this legislation. And again, thanks
13 to City Council for the opportunity to speak
14 this morning.

15 Thank you.

16 COUNCILWOMAN MILLER: Thank you.

17 MS. RYAN: My name is Cherie Ryan.

18 I am a mother of a murdered son and a member
19 of Mothers in Charge, a group of mothers who
20 have lost their children violently. We have
21 decided through our pain and grief to speak
22 out against the violent acts that are
23 happening in our streets to our future, our
24 children. We hear are loved ones' voices
25 crying from the grave saying, do not let our

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2 deaths be in vain. They are saying, do
3 something to help stop these senseless
4 killings. So that is why I am here today to
5 support Councilmembers Miller and Clarke on
6 the bills that were presented.

7 My son Terrence and his best friend
8 Darren were murdered September 2, 1990 at 40th
9 and Walnut Street. Five men surrounded
10 Darren's mom's car with tech-9s, killing my
11 son and his best friend. Something has got to
12 be done.

13 I feel that the firearms tracing
14 Section 10-832 is an excellent way to help
15 curb the amount of illegal guns on our streets
16 that are possessed by anyone under the age of
17 21.

18 The two other ordinances are equally
19 important. I hope and pray that the Committee
20 on Public Safety takes a stand and says, yes,
21 we want to help save the lives of our
22 children. You can do that too by supporting
23 bills that have the welfare of our children at
24 heart, and make stricter gun laws.

25 Before I close I must speak on the

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2 devastation that follows the death of a child
3 on the other children, their siblings that
4 they left behind. The siblings sometimes
5 can't sleep. Their grades fail. They
6 separate themselves from their peers. It's a
7 devastating situation. And then there's the
8 parents. They fear they're overly protective
9 of their living children. It's a devastating
10 situation. They can't cope with everyday
11 things. Sometimes it's difficult to even
12 shop.

13 We speak at schools. It's difficult
14 to look at those children because those
15 children remind us of our children. Every
16 time a child is murdered in the City of
17 Philadelphia, the coffins of our children are
18 opened again. We hope and pray that none of
19 the Councilmembers or anyone else in this room
20 will have to join the club that we belong to,
21 a club that we did not ask to join.

22 Thank you very much.

23 UNIDENTIFIED SPEAKER: I want to
24 start off giving honor to God and thank the
25 honorable and distinguished Council

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2 representatives for allowing us to voice
3 ourselves this morning.

4 This is a picture of my son. That's
5 Kiyeed (ph). I understand from statistics
6 that 90 percent of the children that are
7 slain, the death is due to gun fire. As Balil
8 Quyun spoke from Men United for a Better
9 Philadelphia, this is an epidemic, and there's
10 no pictures or words that can describe the
11 grief or the pain that we feel when we lose
12 our children. Everyone's worried.
13 God-fearing people, distinguished people of
14 this City, representatives, all the citizens
15 of Philadelphia that I speak to are worried
16 for their children and for themselves. No one
17 seems to find a safe space any place.

18 I speak to young people and they
19 feel a sense of despair and hopelessness.
20 They don't think that their life span is going
21 to be that past 21. They feel that everyone
22 is being murdered from guns.

23 Ray Jones, his message was very
24 profound. He said they are silent neglects in
25 our communities. They are. We know that the

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2 youth from ages 17-24 account for 90 percent
3 of the deaths here in the City. However, the
4 gun law for 040113 with tracing of the guns
5 that are in our minors' hands must be upheld,
6 because just as well as they are the ones that
7 are dying, they're the ones that are
8 perpetuating these deaths and having us
9 hostage in our own homes, our schools and our
10 communities.

11 Also the bill that you have, 040114.
12 I work in one of the most dangerous schools in
13 Philadelphia, Gillespie High School, and I see
14 every day how the staff, the teachers, the
15 adult leaders of that school are again held
16 hostage according to the fear that they have
17 of children. Weapons are in our schools as
18 well.

19 The other bill that you have,
20 040132, about the guns being in the hands of
21 someone that is abusive. I can speak very
22 profoundly about. The young man who took my
23 son's life, he was a minor. So again, the
24 bill 040114, because not tracing these gun --
25 again, minors have guns in their hands.

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2 Again, because he had abusive tendencies in
3 his past life, how did he get a gun? Guns are
4 being in the hands of the most dangerous
5 persons in our community now.

6 Many of us knew Kiyeed. Kiyeed was
7 a leader. Kiyeed was kind. He was
8 considerate, very giving and compassionate,
9 but he died a very violent death due to guns.
10 That hurts to know that this young man who
11 gave so much of himself died so tragically,
12 scarred, facial -- oh, God, I'm sorry. The
13 way that I saw my son the day I had to go to
14 the hospital, I almost didn't recognize him.
15 Guns are very, very harmful.

16 Dr. Schwartz talked about the health
17 of our children that are victims of guns.
18 When I saw Kiyeed the day that he had died, I
19 wasn't sure he was dead because he wasn't
20 covered up. But I also knew if he lived he
21 would have been a vegetable the moment I
22 looked at him.

23 So we're talking about medical
24 bills. We're talking about the stress on
25 caregivers. We're talking about the physical

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2 and emotional scars one has to encounter
3 taking the care of the victims of firearms.

4 Again, as Barbara Montgomery from
5 Million Mom March said, that they go around,
6 they ask a lot of questions to the young
7 people, and so does Mothers in Charge. One of
8 the questions that Mothers in Charge asks the
9 young people is, what is it that we can do as
10 a society of people from our communities to
11 help stop the violence? And 90 percent of the
12 answers are get the guns out of our
13 communities. So the children know that the
14 guns are the harmful killers. They know that
15 themselves.

16 So again, I applaud Donna Reed
17 Miller and Mr. Clarke for your efforts here
18 and all the other Councilpersons. And I as a
19 citizen of Philadelphia here, along with
20 Mothers in Charge and Shirley and all the
21 other different legislators, pledge our
22 support behind you to do whatever we can to
23 march against, to educate on gun violence.

24 Thank you.

25 COUNCILWOMAN MILLER: Thank you.

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2 Do we have anyone else to testify?

3 Theresa, are you testifying?

4 MS. PINKETT: Yes. Good morning.

5 My name is Theresa Pinkett. I'm a liaison for
6 Councilwoman Donna Reed Miller and I'm also a
7 member of Families Are Victims Too. I'm here
8 this morning because I too had a son that was
9 violently murdered.

10 I think this bill is long overdue.
11 I mean, not only have guns killed our
12 children, it's terrorizing our society,
13 because I'm looking at the families that are
14 left behind. I know it was a good two years
15 before I could take control of my life. I was
16 not able to eat. I couldn't sleep. I
17 couldn't balance my checkbook. I was just a
18 total wreck. Society has to look at this gun
19 bill and they have to look at the big picture.

20 What I'm trying to say is our
21 children weren't the only lives that were
22 destroyed. Our lives were. Society can't
23 function with scores of broken families. I
24 know I couldn't function. I know these women
25 at this table, I know they felt the same thing

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2 I did. I know burying my son was the hardest
3 thing that I'll ever do in my life.

4 My son was murdered July 1st of
5 2000. To this day, I have good days, but
6 every time I look at the television, it's
7 relived all over again. Somewhere it has to
8 stop, and I think this gun law is a start.
9 But we also need to start doing more things
10 with our children while they're young. We
11 need to teach our children the fear of God.
12 We need to teach them to learn how to love
13 each other, to have self respect for
14 themselves. We need to teach them that
15 they're worth something so that they don't go
16 up when they're 15, pull up a gun and take
17 somebody's life. There's so many things to be
18 done, but the first step I'm looking at is
19 this gun law.

20 The second step, which is the most
21 important, when those children are babies, it
22 has to happen in homes. It has to happen in
23 schools, churches, everywhere. We have to let
24 them know that they are important. Because we
25 as a society, we cannot go on at the pace that

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2 we are now.

3 I know that I'm not the only nervous
4 wreck sitting here. It's plenty of us.
5 What's going to happen when half of the
6 mothers in society have experienced the stuff
7 that me and these women up here have? What is
8 going to happen then? I couldn't work. I
9 couldn't go to school. I couldn't eat. I
10 couldn't sleep. I couldn't do anything. You
11 know what? Then nothing else in the world
12 mattered to me. Nothing else was important.
13 It took me years to get myself together. It
14 was with the help of God. And I think we all
15 need to start putting God first in our lives.

16 Thank you.

17 COUNCILWOMAN MILLER: Thank you.

18 This is very emotional, very
19 emotional testimony and I just want to say I
20 feel you and I know that we all feel you. So
21 I want to thank you for coming in.

22 Does any Councilmember have any
23 questions for any of these witnesses?

24 Councilman Ramos.

25 COUNCILMAN RAMOS: Thank you, Madam

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2 Chairwoman.

3 I also feel your pain. I haven't
4 gone through it. I hope I don't ever have to
5 go through that pain, but I see the pain in
6 you and I see the tears. I didn't know any of
7 your sons, with the exception of Kiyeed.

8 Kiyeed was my friend. And I know
9 his anniversary of his death is coming up next
10 month. And I joined the mother and father at
11 the hospital shortly after he was taken there.
12 It was one of the most hardest things that I
13 have ever witnessed. I've seen people shot in
14 the street, but because of my personal
15 relationship with this fine young man -- I had
16 just been to his school the year before in
17 2002 where he was announced he was going to
18 Howard University and I was so proud of him.

19 I know all of you had a lot of
20 dreams for your children and they had their
21 own dreams and they were cut down by the
22 violence that we have in our street. I just
23 want to commend you for all the work that
24 you're doing, for you to continue to stick
25 together, for us to continue to stick together

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2 so we can put an end to the violence in our
3 street.

4 I read in a newspaper report where
5 they want to criticize the work of my two
6 leaders on this issue that have presented
7 bills before this City Council, that we should
8 basically mind our own business because this
9 is not our business, but it's the state's
10 business. When our children are being killed
11 in Philadelphia, it's our business. We need
12 to do what we have to do in this City Council
13 and we need to call upon our elected officials
14 up in the State House to act and act
15 expeditiously in a hurry so that they can help
16 us with this problem that doesn't seem to go
17 away.

18 Again, I commend you all for your
19 bravery.

20 COUNCILWOMAN MILLER: Councilman
21 Clarke.

22 COUNCILMAN CLARKE: Thank you, Madam
23 Chair.

24 First, I want to thank you all for
25 coming down to testify and I want to give you

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2 my heartfelt sympathies to all of you for the
3 loss that you suffered, and I understand that
4 it will continue every day remaining of your
5 life. But hearing your testimony today makes
6 me want to do this just a little bit more.

7 I understand that there will be
8 certain impediments, as my friend and
9 colleague Councilman Ramos indicated, on a
10 state level. But every time we reach that
11 brick wall, we can just lean on your testimony
12 here today and it will give us a way climbing
13 over that brick wall. So we hear you. We're
14 with you. One way or another we're going to
15 effect this issue.

16 I don't know how this will
17 ultimately end up, but at some point something
18 is going to change because we can no longer
19 allow the proliferation of weapons in these
20 communities, our communities, my community,
21 and not do something about it.

22 So, ladies, again, my sympathies to
23 you. We'll do everything we can to get some
24 relief out in our neighborhoods.

25 Thank you.

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2 COUNCILWOMAN MILLER: We again thank
3 you all for coming in and thank you all for
4 caring. Certainly we feel your pain.

5 Two of the mothers that are involved
6 in this group -- well, this group and the
7 other group -- are staff members of mine. So
8 I've had two staff people lose sons to
9 violence. And there are many parents that are
10 in pain that haven't reached a point yet to be
11 able to come to City Council and testify. So
12 I want to commend you on your courage and your
13 bravery. And as we said a little earlier,
14 that we'll calling on you too for your help.

15 You know you have the support of
16 mostly all Councilmembers in Philadelphia City
17 Council, and we're going to be working hard.
18 This may be a long battle or it may be a short
19 battle, but whatever it is we're going to
20 stick it in there and work together and see
21 what we can accomplish as a group.

22 Thank you for coming.

23 THE CLERK: Is Kimberly Mackey here?

24 (No response.)

25 THE CLERK: At this time I'd like to

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2 call Gregory Jaskolka, Leslie Willis-Lowry,

3 Wayne Jacobs, Steven Blackburn, Shelly Yanoff.

4 MS. YANOFF: If I could. I have to

5 leave. I just wanted to make one statement.

6 Less than a minute, and my colleagues have

7 agreed.

8 COUNCILWOMAN MILLER: Okay. We're

9 going to go on and start with the testimony

10 and we'll start first with Shelly Yanoff.

11 MS. YANOFF: Thank you. I just want

12 to thank you, Councilwoman Miller and

13 Councilman Clarke and Councilman Ramos, for

14 being here, for initiating these bills.

15 There's nothing I can say except

16 that these mothers and the Men United must

17 lead all of us, that all of us must follow and

18 do everything we can to get the guns out of

19 the community and stop the murdering of our

20 children. And I want to say it's not just

21 criminals that get the guns. It's the

22 proliferation of guns in the community that if

23 you get angry, people reach out and they

24 become criminals.

25 So on behalf of Philadelphia

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2 Citizens for Children and Youth -- I forgot to
3 identify myself. Shelly Yanoff. I urge you
4 to lead us. And this is not perfect. We need
5 to do more than these bills do to get the guns
6 out of the community, but the perfect can't be
7 the enemy of the good. These are good. We've
8 got to get them done.

9 Thank you for your efforts, and we
10 want to join you and follow you.

11 COUNCILWOMAN MILLER: Thank you.

12 Where do we start?

13 Gregory Jaskolka.

14 MR. JASKOLKA: Jaskolka. Good
15 afternoon. My name is Gregory Jaskolka, and I
16 come before you today in support of the
17 proposed amendments to the Chapter 10-800 of
18 the Philadelphia entitled, Safety. I won't go
19 through the list because it's already been
20 gone through a couple times, so we all know
21 which bills we're speaking about.

22 As some of you may already know, I'm
23 the father of Joseph Jaskolka, now nearly 17
24 years old, and the victim of random gun
25 violence at the age of 11 in the early moments

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2 of New Year's Day 1999 in South Philadelphia.
3 Although Joseph survived his being shot in the
4 head by someone firing a gun into the air in
5 celebration of the new year, he will never be
6 the same. He was robbed of the use of his
7 right arm and leg and needs a wheelchair to
8 get around. He also has a constant reminder
9 of his injury, a bullet that remains lodged in
10 his skull that can't be surgically removed
11 without the risk of interrupting his heart
12 beat and breathing reflexes, which would
13 result in his death. He has undergone 11
14 surgical procedures, and the cost of his
15 medical care is in the millions of dollars.
16 Millions of dollars. However, he continues to
17 improve and is on the honor roll of Concord
18 High School in Wilmington, Delaware where we
19 live.

20 Although I am no longer a resident
21 of Philadelphia, I was born and raised in
22 South Philadelphia and lived there for 34
23 years. I was a Philadelphia Police Officer in
24 the 1970s. Most of my relatives, including my
25 mother, my brother and his family, my daughter

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2 and her family and my son and his family and
3 my three grandchildren continue to live here.
4 I care deeply for the City and its citizens.

5 The proposed changes to the
6 Philadelphia Code previously mentioned are
7 common sense public safety measures that will
8 provide badly needed oversight to the way guns
9 are purchased and transferred in the City. In
10 light of the recent spate of gun violence the
11 City is experiencing, and indeed the
12 continuing plague of gun violence, these
13 particular changes would help to eliminate,
14 will send the correct message to the very
15 people that are ruining the neighborhoods of
16 Philadelphia. The message being that the City
17 government and its citizens are determined to
18 take back control of the City of Philadelphia.

19 I strongly encourage and sincerely
20 hope that you, the Members of City Council,
21 will show your resolve and pass these Code
22 changes, and that the Pennsylvania General
23 Assembly will follow your lead and enact
24 legislation authorizing them. That would be
25 an example of good government working to

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2 ensure the safety of its citizens.

3 Thank you for allowing me the
4 privilege of speaking in your forum today.

5 COUNCILWOMAN MILLER: Thank you.

6 Wayne, are you next?

7 MR. JACOBS: Good morning, Council
8 people. I'd like to thank ya'll for giving me
9 this opportunity, Councilman Darrell Clarke,
10 Councilwoman Donna Miller and Councilman Juan
11 Ramos.

12 I just want to say this, that as
13 Ex-Offenders for Community Empowerment, we
14 have been leading the charge on changing --
15 Wayne Jacobs, Executive Director of
16 Ex-Offenders for Community Empowerment and
17 co-founder.

18 Over the last five years,
19 Councilman, we have been working with you in
20 terms of finding ways to prevent legal guns
21 from becoming illegal guns. Here recently, I
22 have recently become a victim myself. I
23 recently lost my son. But before that, I was
24 already committed to stopping legal guns from
25 becoming illegal guns. And I'm even more

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2 committed now as I am before. We are making a
3 pledge. Ex-Offenders for Community
4 Empowerment is making a pledge that we are
5 declaring war on the NRA. We're going to step
6 to them because they are the reasons that guns
7 are continuing to turn illegal because they
8 object to any type of gun legislation to save
9 lives.

10 The NRA is the reason that most of
11 us lost children to gun violence. They are
12 the reason because they are preventing good
13 legislation from stopping legal guns from
14 becoming illegal guns and reducing the flow of
15 crime.

16 So my pledge to ya'll is that we're
17 going to take on the fight of getting this --
18 not only getting legislation passed in City
19 Council, but we're going to lead the charge
20 and we're going to take it to Harrisburg and
21 we're going to take it to the NRA. The fight
22 is on.

23 Thank you, sir. That's all I wanted
24 to say.

25 MR. BLACKBURN: Councilman Clarke,

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2 Councilman Ramos, I want to thank you for this
3 opportunity to speak today. My name is Steven
4 Blackburn. I am testifying as Board President
5 and co-founder for Ex-Offenders for Community
6 Empowerment. Our organization's mission is to
7 make our community safer through the reduction
8 of crime, to curb the recidivism of released
9 offenders and to reintegrate former offenders
10 back into society as productive and
11 law-abiding citizens.

12 For the past four years one of our
13 major focuses has been the reduction of the
14 availability of illegal guns in our
15 communities. As we know, illegal weapons are
16 found in most violent crimes. Ironically for
17 the past four yours our organization has
18 conducted anti-illegal gun rallies supported
19 by both Councilman Clarke and Councilwoman
20 Miller just blocks away from the school where
21 little Faheem was murdered. It is our
22 position that with each episode, violent
23 episode, there are actually two victims. The
24 offender and the perpetrator. Because the
25 perpetrator, when caught, will probably go to

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2 jail for life, and that person, although there
3 is not much sympathy for them, that is some
4 mother's child also.

5 Too often the responsive lawmakers
6 to the high profile cases, such as little
7 Faheem, the reaction is to increase the
8 penalty after the fact. Ex-Offenders for
9 Community Empowerment is more concerned with
10 prevention. It is our belief that violent
11 crime can be prevented by limiting
12 opportunity. And we feel that the Bills
13 040117, 040118, 136, 137 and 113 all fall
14 within that category of prevention. And we
15 pledge our support for the Council. And I
16 know we've got to take this battle to the
17 state, but we're totally behind you.

18 Thank you.

19 MS. WILLIS-LOWRY: Good afternoon.
20 My name is Leslie Willis-Lowry. On February
21 2nd, 2000 I lost my son and only child, Sunga
22 (ph) Thomas-Willis to gun violence. Sunga was
23 robbed and shot to death by two young men, 16
24 and 17 years old, from Trenton, New Jersey.
25 These young men were in and out of juvenile

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2 detention centers since the age of 12.

3 To lose someone like Sunga, who was
4 a non-violent person and who was always
5 willing and available to assist people in
6 every endeavor in life is a tragedy, not only
7 to me as a mother, but also to society.
8 Sunga, who contributed positively to society,
9 was a young man with exceptional prospects, a
10 respected leader, and gracious in everything
11 he did, primarily as a result of a powerful
12 combination of his integrity and sincere
13 concern for others.

14 Sunga was given every educational
15 and social opportunity and was reaffirmed and
16 encouraged to meet his fullest potential. As
17 a single mother, I devoted my entire personal
18 and professional life to the advancement of
19 his education and the development of his
20 spiritual understanding. I surrounded him
21 with a support system of caring adults, a
22 loving family, friends and teachers who guided
23 him intellectually and spiritually from
24 infancy. Although it is a struggle, a see-saw
25 in between despair, devastation, optimism and

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2 hope, I have turned the loss of my son into a
3 crusade for saving other young people who are
4 turning away from moral values.

5 Today we face a crisis among our
6 young people caused in part by gun violence.
7 The epidemic of gun violence is a wake-up call
8 to America. Gun violence shows the lack of
9 control that our society has over guns. The
10 mentality that guns have a part in our
11 culture, along with the illegal marketing
12 practice to distribute guns and the right to
13 bear arms is impractical and unreasonable. It
14 is an epidemic, a health and safety issue that
15 effects humanity.

16 However, the larger issue here is
17 the condition of the heart, the lack of value
18 for life and the sociological forces and
19 pressures that prey on our youth.
20 Consequently, there is an urgent need to
21 protect our children and communities from gun
22 violence, and your voices can counter the
23 influence the gun lobbying clout has, not only
24 on Capitol Hill, but also in the City of
25 Philadelphia, because all of us are paying the

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2 price in terms of the personal loss and the
3 social cost involved.

4 The great power of the NRA rests in
5 its contention that gun ownership enjoys the
6 Constitutional protection of the Second
7 Amendment, despite the fact that the United
8 States Supreme Court has ruled that such an
9 individual right does not exist. As the late
10 US Supreme Court Chief Justice Warren E.
11 Berger wrote during the bicentennial of the
12 Bill of Rights in 1991, quote, there is no
13 support in the Constitution for the argument
14 that federal and state governments are
15 powerless to regulate the purchase of such
16 firearms. This has been the subject of one of
17 the greatest pieces of fraud -- I repeat the
18 word fraud -- on the American public by
19 special interests that I have seen in my
20 lifetime, unquote. Berger blamed the NRA for
21 fermenting this myth. In conclusion, the task
22 before us cannot be ignored as daily headlines
23 testify to the onslaught of gun violence.

24 I realize that there are a host of
25 solutions and not just one approach to address

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2 the epidemic. However, we must agree on
3 action, on presidential and congressional
4 action, on federal and state and local action,
5 on public and private action. I believe the
6 crisis has grown to such proportions that we
7 must be outraged and moved to support the
8 political action that's introduced here today
9 by Councilman Clarke and Councilwoman Donna
10 Reed Miller, to not only halt the cancerous
11 growth of gun violence in our City, but also
12 to enforce gun control restrictions for public
13 safety.

14 Thank you. That was very difficult,
15 but thank you very much for your patience.

16 COUNCILMAN RAMOS: Thank you for
17 your testimony.

18 Do any Members of this Committee at
19 this time want to make any remarks or ask any
20 questions?

21 Councilman Clarke.

22 COUNCILMAN CLARKE: Thank you,
23 temporary Chair.

24 I just want to again give my
25 heartfelt sympathy to those of you that have

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2 been affected by violence. Having personal
3 knowledge of two of the individuals
4 indirectly, being affected by one individual
5 that is a staff member of mine.

6 Wayne, your support in the past, and
7 Steve, on this very important issue over the
8 years, you were very supportive of the initial
9 gun bill that we got passed and signed by the
10 Mayor and was preempted by the State upon its
11 implementation. I want to congratulate you
12 and thank you for your continued support.
13 Hopefully we'll be in a better position to get
14 something done this time.

15 And again, my sympathy to you for
16 what you've had to suffer with your child. So
17 I want to say that we hear you. Again, we are
18 strengthened by your testimony and our resolve
19 remains strong and we're going to push forward
20 and hopefully get done what needs to get done
21 by any means necessary.

22 Thank you.

23 MR. JACOBS: I just want to say,
24 Councilman, we are behind you and we will
25 begin to organize state wide, if need be, to

1 03/09/04 - PUBLIC SAFETY
2 begin to get this important legislation in the
3 House and passed.

4 And one other thing. Councilman
5 Cohen, we will be coming to you to help make
6 that possible so we can go to Pittsburgh to
7 step to the NRA.

8 COUNCILMAN CLARKE: Thank you.

9 COUNCILMAN RAMOS: Any questions
10 from any of the other Committee Members?

11 COUNCILMAN COHEN: I just want you
12 to know that Councilman Clarke and Councilman
13 Ramos expressed the feelings of everyone in
14 the City Council, I'm sure, as to the
15 tragedies that have affected so many people in
16 Philadelphia, including some of the speakers.
17 And we're all going to be working together
18 very hard to make memory of these days the
19 last such memories people in Philadelphia will
20 ever have.

21 We thank you for your support.

22 COUNCILMAN RAMOS: Thank you for
23 taking time out and coming before this City
24 Council and continuing to do the good work
25 that you have been doing.

1 03/09/04 - PUBLIC SAFETY

2 THE CLERK: Is there a James
3 Thompson? Jerel Mitchell? Debra Williams?

4 Is there anyone out there who has a
5 desire to want to testify and has not been
6 called? Anyone?

7 Are there any students out there who
8 have not been called yet and want to testify?

9 If not, this appears to be our last
10 witness.

11 Is this Ms. Deborah Williams?

12 MS. WILLIAMS: Good afternoon. My
13 name is Deborah Williams. I'd like to give
14 honor to God first and to say hello to the
15 Council people who are present. I come in
16 support of your bills, the bills that were
17 proposed by Councilwoman Miller and Councilman
18 Clarke.

19 I have also lost family members --
20 not my children -- but I've lost family
21 members and friends to weapons violence. I
22 think it's important for us as members of the
23 Philadelphia community to speak up and to be
24 extremely vocal about our need for change in
25 the City.

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2 I've worked with many of the groups.

3 I'm a member of the Million Mom March, but

4 I've worked with other groups and have been

5 active in the community to speak up against

6 violence that's going on in our community.

7 I've also spoken before elementary school

8 kids, which I know many of the people I heard

9 here speak today said that when they went to

10 speak, they spoke to junior high school and

11 high school children, but there are elementary

12 school children who are very afraid, and they

13 have come to me and told me they were afraid

14 because of weapons in their homes, and also

15 because of the violence that's going on in the

16 communities.

17 I do have two children who are in

18 the Philadelphia public school system; one in

19 elementary and one who attends Roxborough High

20 School. I think it is very important for us

21 to spread the word and don't let it just stop

22 here. Don't let this bill, these very

23 important bills, be silent and contained

24 within City Hall, but that we should actually

25 spread the word in our communities, in our

1 03/09/04 - PUBLIC SAFETY

2 churches. I've spoken to ministers -- I am a
3 minister -- about the importance of talking
4 about this because many of the children who
5 are attending our churches have been hurt by
6 weapons violence. So I do greatly support
7 these bills.

8 I've been a member of the United
9 States Army ROTC and I know what it's like to
10 take a part and put together an M-16, but I
11 also know why I had to do it. And it was to
12 protect myself, yes, and to possibly take a
13 life, but that was as a member of the
14 military. But when we're talking about
15 communities in which -- I don't know about you
16 -- but I hear gunshots almost every day. And
17 it's hard for my children to sleep sometimes
18 because of the gunshots they hear. And I
19 think it's very important for us if we do
20 lobby, and as communities go out and be
21 extremely -- I can't stress it enough -- vocal
22 about the problems going on here in
23 Philadelphia, the problems that we're dealing
24 with here as residents. This is not about
25 special interest groups, but this is about our

1 03/09/04 - PUBLIC SAFETY

2 community as a whole, and we need to go out
3 and be extremely, extremely strong and vocal
4 about what is going on here.

5 Thank you.

6 COUNCILWOMAN MILLER: Thank you.

7 Thank you for your testimony.

8 Do any Committee Members have any
9 questions for this witness?

10 (No response.)

11 COUNCILWOMAN MILLER: Thank you.

12 Is there anyone else to testify on
13 this bill?

14 (No response.)

15 COUNCILWOMAN MILLER: Seeing none,
16 that concludes the public hearing of the
17 Committee of Public Safety.

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COUNCIL OF THE CITY OF PHILADELPHIA

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PUBLIC MEETING

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COMMITTEE ON PUBLIC SAFETY

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Tuesday, March 9, 2004

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Public meeting conducted by the
Committee on Public Safety, held in Room 400,
City Hall, Philadelphia, Pennsylvania, on the
above date, to consider action on the
following:

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BILLS 040117, 040118, 040136,
040137, 040113, 040132.

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PRESENT:

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COUNCILWOMAN DONNA REED MILLER, Chair

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COUNCIL PRESIDENT ANNA C. VERNA

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COUNCILMAN DARRELL CLARKE

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COUNCILMAN DAVID COHEN

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COUNCILWOMAN JOAN KRAJEWSKI

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COUNCILMAN JUAN RAMOS

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1 03/09/04 - PUBLIC SAFETY - PUBLIC MEETING

2 COUNCILWOMAN MILLER: We will now
3 go into our public meeting.

4 The Chair recognizes Councilwoman
5 Krajewski.

6 COUNCILWOMAN KRAJEWSKI: Thank you,
7 Madam Chair.

8 Madam Chair, I move that Bill No.
9 040117 be reported out of this Committee with
10 a favorable recommendation, with a suspension
11 of Rules so as to permit first reading at the
12 next Session of Council.

13 (Duly seconded.)

14 COUNCILWOMAN MILLER: All those in
15 favor?

16 (Aye.)

17 COUNCILWOMAN MILLER: Opposed?

18 (No response.)

19 COUNCILWOMAN MILLER: It has been
20 properly moved and seconded that Bill No.
21 040117 be reported out of this Committee with
22 a favorable recommendation, and further
23 recommendation that the Rules of Council be
24 suspended so as to permit first reading at our
25 next Session.

1 03/09/04 - PUBLIC SAFETY - PUBLIC MEETING

2 The Chair recognizes Councilwoman
3 Krajewski.

4 COUNCILWOMAN KRAJEWSKI: Madam
5 Chairwoman, I move that Bill No. 040118 be
6 reported out of this Committee with a
7 favorable recommendation, with a suspension of
8 Rules so as to permit first reading at the
9 next Session of Council.

10 (Duly seconded.)

11 COUNCILWOMAN MILLER: All in favor?

12 (Aye.)

13 COUNCILWOMAN MILLER: Opposed?

14 (No response.)

15 The Chair recognizes Councilwoman
16 Krajewski.

17 COUNCILWOMAN KRAJEWSKI: Madam
18 Chairwoman, I move that Bill 040136 be
19 reported out of this Committee with a
20 favorable recommendation, with the Rules of
21 Council suspended so as to permit first
22 reading at the next Session of Council.

23 (Duly seconded.)

24 COUNCILWOMAN MILLER: All in favor?

25 (Aye.)

1 03/09/04 - PUBLIC SAFETY - PUBLIC MEETING

2 COUNCILWOMAN MILLER: Bill No.

3 040136 has been reported out of this Committee
4 favorably with a Rules suspension so as to
5 permit first reading at our next Session.

6 Councilwoman Krajewski.

7 COUNCILWOMAN KRAJEWSKI: I move that
8 Bill 040137 be reported out of this Committee
9 with a favorable recommendation, with the
10 suspension of Rules so as to permit first
11 reading at the next Session of Council.

12 (Duly seconded.)

13 COUNCILWOMAN MILLER: All in favor?

14 (Aye.)

15 COUNCILWOMAN MILLER: Opposed?

16 (None.)

17 COUNCILWOMAN MILLER: The Chair
18 recognizes Councilwoman Krajewski.

19 COUNCILWOMAN KRAJEWSKI: Madam
20 Chairwoman, I move that Bill 040113 be
21 reported out of this Committee with a
22 favorable recommendation, with a suspension of
23 Rules so as to permit first reading at the
24 next Session of Council.

25 (Duly seconded.)

1 03/09/04 - PUBLIC SAFETY - PUBLIC MEETING

2 COUNCILWOMAN MILLER: All in favor?

3 (Aye.)

4 COUNCILWOMAN MILLER: It has been
5 properly moved and seconded and voted
6 favorably that Bill No. 040113 be reported out
7 of this Committee with a Rules suspension.

8 The Chair recognizes Councilwoman
9 Krajewski.

10 COUNCILWOMAN KRAJEWSKI: Madam
11 Chairwoman, I move that Bill 040132 be
12 reported out of this Committee with a
13 favorable recommendation, with a suspension of
14 Rules so as to permit first reading at the
15 next Session of Council.

16 (Duly seconded.)

17 COUNCILWOMAN MILLER: All in favor?

18 (Aye.)

19 COUNCILWOMAN MILLER: Bill is
20 approved.

21 I want to thank everyone for coming,
22 all the Committee Members and all of those
23 that came to testify to the Committee on
24 Public Safety.

25 That concludes our public meeting.

1 03/09/04 - PUBLIC SAFETY - PUBLIC MEETING

2 Thank you.

3 (Council adjourned at 1:25 p.m.)

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C E R T I F I C A T I O N

I HEREBY CERTIFY that the foregoing
proceedings of the Council of the City of
Philadelphia of March 9, 2004, were reported
fully and accurately by me, and that this is a
correct transcript of the same.

RE: COMMITTEE ON PUBLIC SAFETY

Lisa C. Bradley, RPR