

# GUN SAFETY INITIATIVE

Office of Mayor Sam Adams



# Problem

- Homicide was the 4<sup>th</sup> highest ranking cause of death for ages 15-24 in the state of Oregon between 1999-2007.
- Gang Violence Response Team incidents for 2010 increased 20% over the previous year.
- Although persons of color make up only 25% of the City of Portland, they are the victims of gun violence more than 50% of the time.
- Four out of the eight identified hot spots have been areas with increased gun violence for more than two decades.



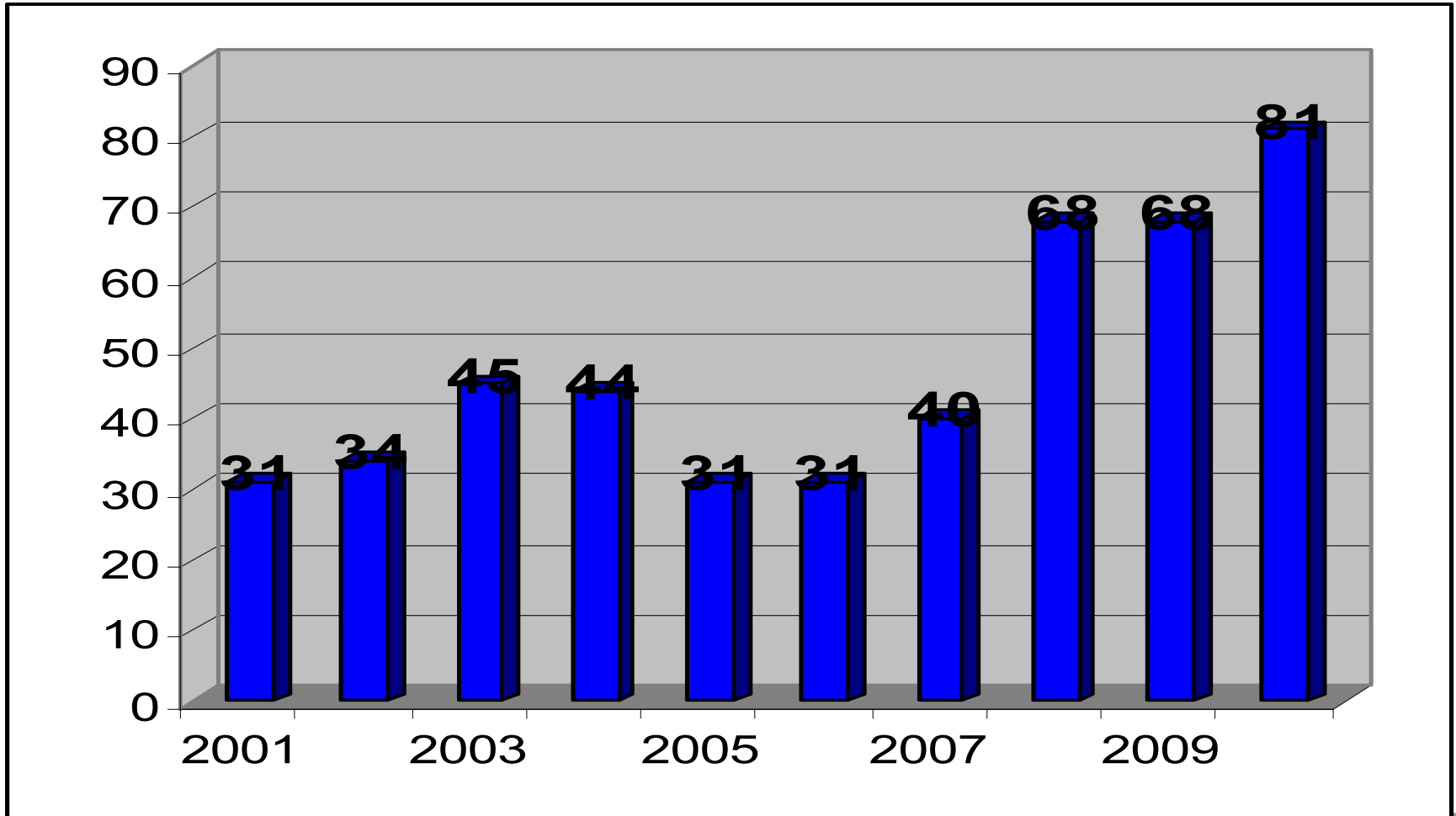
## Portland Police Bureau Crime Analysis Unit

### Firearm Involvement In Homicides

Below is a breakdown of homicides and firearms involved since 2007:

Year	Homicides	Firearm Involved	Percent Inv. Firearms
2007	29	13	45%
2008	27	9	33%
2009	21	9	43%
2010	24	11	46%
<b>Total</b>	<b>101</b>	<b>42</b>	<b>42%</b>

# GVRT'S 2001-Present



Neighborhoods: All

Race of Persons **Arrested** in Cases involving Aggravated Assault or Attempted Murder with a Gun

	African American		Asian		Hispanic		Native American		White		Total
2007	44		15		11		0		54		124
2008	64		8		11		1		39		123
2009	52		4		17		0		26		99
2010 YTD (1/1 - 10/20)	27		5		6		0		27		65
<b>Total</b>	<b>187</b>	<b>45.5%</b>	<b>32</b>	<b>7.8%</b>	<b>45</b>	<b>10.9%</b>	<b>1</b>	<b>0.2%</b>	<b>146</b>	<b>35.5%</b>	<b>411</b>

Race of Persons **Victimized** in Cases involving Aggravated Assault or Attempted Murder with a Gun

	African American		Asian		Hispanic		Native American		White		Unknown Race	Total	
2007	80		5		18		0		120		0	223	
2008	104		13		22		4		95		0	238	
2009	80		6		20		2		77		1	186	
2010 YTD (1/1 - 10/20)	61		5		11		4		67		1	149	
<b>Total</b>	<b>325</b>	<b>40.8%</b>	<b>29</b>	<b>3.6%</b>	<b>71</b>	<b>8.9%</b>	<b>10</b>	<b>1.3%</b>	<b>359</b>	<b>45.1%</b>	<b>2</b>	<b>0.3%</b>	<b>796</b>

Race of Persons **Living** in Area (2000 Census)

	African American	Asian/Hawaiian/Pacific Islander	Hispanic	Native American	White	Other/Two or More Races	Total
<b>Total</b>	34,336	34,889	35,918	4,708	398,490	19,409	527,750
<b>Percent</b>	6.5%	6.6%	6.8%	0.9%	75.5%	3.7%	100.0%



# Solutions



- Study Best Practices

- ▣ What are other jurisdictions doing to address the problem?

- ▣ What local organizations can help us address gaps and opportunities?

- What are the gaps in the City of Portland gun laws?

- ▣ What tools can we give to police to help solve the problem?





# Best Practices

- **Mayors Against Illegal Guns**
  - Inception in April 2006
  - Over 500 Mayors
  - Goal: Protect their communities by holding gun offenders and irresponsible gun dealers accountable
  - “States with weak gun laws are the top sources of guns recovered in out-of-state crimes.”
- **Looked at local laws in:**
  - New York, NY
  - Boston, MA
  - Chicago, IL



# Comprehensive Approach

# LPSCC Action Plan to Reduce Youth and Gang Violence

## □ Background:

- LPSCC – Local Public Safety Coordinating Council;
- This DRAFT Proposed Action Plan is based on a comprehensive approach to reducing youth and gang violence in Multnomah County, as well as LPSCC's prior experience overseeing the Strategic Approaches to Community Safety Initiative (STACS);



# Seven Proposed Actions

# LPSCC Action Plan to Reduce Youth and Gang Violence

- Establish Work Group on Youth and Gang Violence to ensure the coordination of current violence reduction strategies and the development of new evidence-based strategies:
  - ▣ The working group will include representatives of the agencies, organizations and communities involved in or affected by these strategies.
- Designate the Director of Portland's Office of Youth Violence Prevention as the Chair of LPSCC's Working Group on Youth and Gang Violence.

# LPSCC Action Plan to Reduce Youth and Gang Violence

- Support the development of an Office of Juvenile Justice and Delinquency Prevention (OJJDP) Gang Assessment:
  - ▣ This assessment includes evaluating (a) the level and extent of gang involvement in serious and violent crimes and (b) factors in the community that may be contributing to local youth joining gangs.
  - ▣ The assessment would also guide and inform Multnomah County's short-term and long-term response to gang violence.

# LPSCC Action Plan to Reduce Youth and Gang Violence

- Ensure the active engagement of those communities in Multnomah County directly affected by youth and gang violence.
- Require the development and implementation of measurable outcomes for all youth and gang violence reductions strategies in Multnomah County.
- Establish a regular schedule for the Working Group on Youth and Gang Violence to Report to LPSCC's Executive Committee.




# LPSCC Action Plan to Reduce Youth and Gang Violence

- Endorse the following initiative:
  - establish a single phone number that gang-involved and gang-affected individuals or their families or supporters can call in order to be matched with services and support;
- Gun Turn-In Event
  - In partnership with Ceasefire Oregon, Portland Police, and the City of Portland, this event will be held on December 18<sup>th</sup>, 10-pm, Memorial Coliseum, Benton Parking Lot




# Five Proposals

- Exhibit 1: Special Curfew for Juvenile Firearm Offenders who are on Supervision
- Exhibit 2: Endangering a Child by Allowing Access to a Firearm
- Exhibit 3: Failure to report Firearm Theft or Loss
- Exhibit 4: Increased Penalties for Possession of a Loaded Firearm in a Public Place
- Exhibit 5: Illegal Firearms-Use Hotspots



Special Curfew for Juvenile  
Firearm Offenders who are on  
Supervision  
(Exhibit 1)

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- Imposes a special curfew for minors who have been found by a court to have violated gun laws and are on supervision.
  - Special curfew hours 7pm – 6am.
    - ▣ 79% of shooting calls occur between 8pm – 8am
  - Exceptions exist:
    - ▣ School or church sponsored events
    - ▣ Any activity with permission from juvenile court counselor
    - ▣ Only for the length of the Juvenile Court jurisdiction

- How it works:
  - The Juvenile Justice Department will provide officers with photos and any exceptions the minor may have so precinct officers can easily determine if a youth is violating the curfew ordinance
  - Officers will initiate investigation and enforcement only when they are familiar with who is subject to curfew and believe they are dealing with such a person – officers will not confront a minor about their curfew status without reason to believe the particular minor is subject to the new curfew provision.


- Benefits:
  - Provides police a tool to intervene with a juvenile who has shown disregard for gun laws
  - help prevent youths from engaging in gun violence by allowing an officer to detain a youth for a curfew violation enabling the officer to search the youth for illegal contraband, including guns.




# Endangering a Child by Allowing Access to a Firearm (Exhibit 2)



- Person held accountable if fails to prevent access to a firearm by a minor when person knew or reasonably should have known a minor could gain access.
- Provides increasing penalties as danger to community increases
- Provides for specific defenses:
  - ▣ Minor obtains the firearm through illegal entry
  - ▣ Firearm is kept in a locked container or in a location that a reasonable person would believe is secure
  - ▣ Firearm is locked with a device to prevent minors from firing weapon

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- Under Oregon Preemption law, City law cannot address the “sale, acquisition, transfer, ownership, possession, storage, transportation or use of firearms, their components or ammunition.” ORS 166.170
    - Addresses only management of access to firearms
    - Affirmatively, this law does not prohibit a gun owner from storing a gun in any manner they wish.

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- According to the National Rifle Association *Information for Parents*, “**in a home where guns are kept, the degree of safety a child has rests squarely on the child's parents. . . . While specific security measures may vary, a parent must, in every case, assess the exposure of the firearm and absolutely ensure that it is inaccessible to a child.**”



# Failure to Report Theft or Lost Firearm (Exhibit 3)

- A person shall report the theft or loss of a firearm within 24 hours of knowing or having reason to know.
- Need to give the serial number. Why?
  - It enables police to track weapons that were used in illegal activities.
  - Allows for police to be able to readily identify rightful owners and return weapons that were recovered.
  - Makes “hot” guns hotter and should dissuade some who now traffic in stolen guns.



□ Benefits:

- Deter the criminal use of lost or stolen weapons
- Prevent unwarranted criminal accusations against owners who suffer the loss of theft of firearms
- Deter persons from falsely claiming that a firearm was lost or stolen to avoid punishment for an illegal firearm transfer



# Increased penalties for Possession of a Loaded Firearm (Exhibit 4)

- The court will be able to impose a sentence up to 6 months imprisonment and a fine not to exceed \$500.
- Loaded weapon carried in a vehicle, court must impose a mandatory minimum of 30 days.
  - ▣ All of the 14 exceptions and affirmative defenses remain.





□ Benefits:

- Creates a meaningful penalty that is more proportionate to danger the behavior poses to the community.
- Recognizes the particular danger posed by loaded firearms illegally possessed in vehicles by providing for a mandatory minimum sentence.



# Illegal Firearm Hotspots (Exhibit 5)

- Hotspots are areas where the number of firearm related crimes are significantly higher than other areas of the city.
- Persons with firearm related convictions or adjudications are excluded from those areas:
  - ▣ Only after a conviction or adjudication by a court for firearm use or possession laws;
  - ▣ Only for the length of probation or jurisdiction.
- Exclusions to be enforced through arrest for trespass
  - ▣ Many variances available for necessary and non-harmful activities



- How are hotspots designated?

- Portland Police Bureau data is used regarding the location of

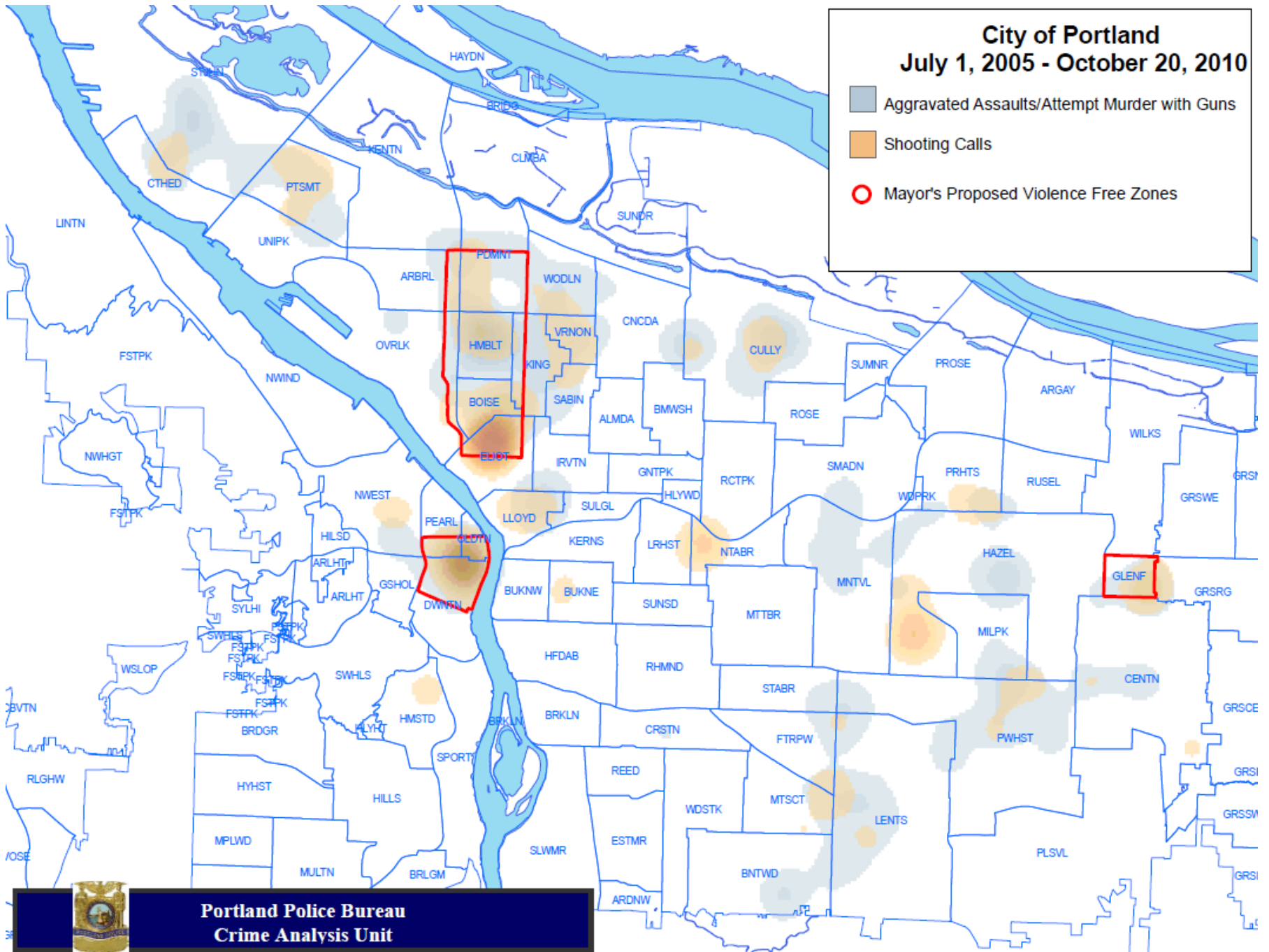
- shooting calls,

- aggravated assaults and attempted murder with a gun, and

- all gun related murders.

# City of Portland July 1, 2005 - October 20, 2010

- Aggravated Assaults/Attempt Murder with Guns
- Shooting Calls
- Mayor's Proposed Violence Free Zones



**Portland Police Bureau  
Crime Analysis Unit**

- On-Going Review by oversight committee
  - ▣ meet bi-monthly;
  - ▣ will report their findings to City Council every six months;
  - ▣ make sure that the data supports continued designation of hotspots;
  - ▣ assess the use and need for these ordinances; and
  - ▣ to make certain that there is no disparity of treatment in the enforcement of this ordinance.



□ Benefits:

- Provides law enforcement with tool for contacting and removing people who have shown a disregard for firearms use or possession laws;
- Protects communities suffering from the illegal use of firearms by restricting the presence of those people;
- Prevents rival gangs from locating each other in known gang territory.