

Your topic: Topic: Despite stricter Gun laws in New York State, illegal guns are still rampant. Are the NY State gun laws working for city, or not and why? Hints: - The current NY state gun laws and its rational as it involve the citizens of New York State. - The organizations involved with the implementation of the gun laws. - The proposals for additional gun laws and alternative sources. - The database tracking of illegal guns in New York State.

Your topic's description: APA style Combination of journal articles newspaper or magazine & books. All sources must be cited.

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Gun Laws in New York
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Introduction

Within the United States, in the state of New York, the Gun Laws of New York regulate the possession, sale and use of ammunition and fire arms. The purpose of this paper is to provide an insight on gun laws in New York at its current state and the rationale behind introducing the New York Safe Act. This paper also intends to provide the insight about the organisation responsible to gun laws in the New York. Further the paper also aims to provide proposals for alternative and additional gun laws and the data base in New York that is employed to tract illegal Guns in New York.

Discussion

The “Civil Rights Act of 2 sub section 4” of New York provides that, for security of Free State, a well-regulated militia is necessary and therefore the right of the people to keep bear arms cannot be infringed. As per the hunting license of New York, it does not require to possess or own long pistols and guns. Although in order to possess or own a gun in New York, permission or license is required. Also in order to possess or acquire a long ling run, the gun laws of New York do not requires permit unless it falls under the definition of assault weapon. As per the New York Safe ACT, the New York State banned the possession and sale of weapons that falls under the category of assault i.e. the guns with certain features in 2013. Thus in order to own or possess weapon in New York State the state has its own set of laws (Bloomberg, 2013).

As per the Supreme Court of United States it has been ruled in 2008, DC v. Heller 554 U.S. 570, that it is the right of an individual to bear arms and that the arms under the common use are protected under the Second Amendment. In 2010, it the Supreme Court further ruled that these rights are applicable on the citizens of individual states in McDonald. v Chicago 561 U.S. 742.

In a ruling of federal appeals court in 2012, an appeal was upheld that requires providing a special need for protection for gun owners who seek a concealed weapon permit. It was held in the decision of *Kachalsky v Westchester* that, the laws of New York does not violate the right to bear and keep arms as stated in Second Amendment Right (White, 2014).

After the Sandy Hook Elementary School massacre in 2012, in which 6 adults and 20 children were assaulted, strengthened gun control laws were passed in States. After the mass shooting, New York was amongst the first states to act. The New York passes the act, “New York Secure Ammunition and Firearms Enforcement Act of 2013 which is commonly known as the Safety Act of New York. New York had one of the most restrictive gun control laws in the United States even before the New York Safety Act. It’s worth noting that New York is the first state that has its own gun laws and that it does not permit the validity of all the guns statewide. Therefore in the New York it is advisable to consult a professional when dealing with gun laws (Hall & Friedman, 2013).

The law was passed on January 15, 2013 by the New York Legislature, under the message of necessity. The law was passed by bypassing the review period of 3 days and was signed by the Governor of New York Andrew Cuomo into law on next day. The law was made in response of the massacre of School shooting in New town, Connecticut. The act was passed by the New York State Senate on 14th January. The key provisions of the law includes tougher ban on assaulted weapons, statewide recertification of assault weapons and hand guns, Webster provision, stronger regulations on ammunition, increases family protection, checking of universal background, strengthening and extending Kendra’s Law, restriction of guns within school premises, safe storage of weapons and tougher penalties for illegal use of weapons. The law also requires the mental health cross check from mental health authorities in case of any

potential engagement of a patient in a dangerous activity whenever the new fire arm registered in eth data base (Webster, Crifasi, & Vernick, 2014).

The Safe Act stops the dangerously mentally ill people and the criminal from buying gun. The Safe Act of New York requires universal background checks in the purchase of guns and imposes the toughest assault weapon bans. Through the Act the penalties of the people have increased that are using the illegal weapons and for anyone who murders a first responder a life in prison without parole for anyone. This new law protects and preserves the right of sportsmen, law abiding and hunters to use, keep, buy and sell their weapons (Webster, Crifasi, & Vernick, 2014).

The New York Police department is responsible for implementation of the New York Secure Ammunition and Firearms Enforcement Act of 2013. The New York Police department is responsible to collect the data form the responsible authorities and to take actions in case of any deviation from the law. The department is responsible to warn the authorities who are involved in manufacturing and selling the guns to abide and follow the legal requirements. In addition to it, the department is also responsible for keeping check on the people who possess the gun and timely check the license when a person is found in the public place with any type of firearm (Spitzer, 2014).

In addition to that National Rifle Association (NRA) is the department that advances the shooting games and attempts to ensure the privilege to keep and remain battle ready. Consistent with its establishing reason, the affiliation keeps on stressing its part as a preparation and instructive association. Nonetheless, today the NRA is basically known for its political endeavors against firearm control laws that would debilitate the Second Amendment–rights of weapon proprietor (Rosenberg, 2014)

Due to the individual right of owning and possessing guns, every 3rd person in the state of New York owns the gun. Yet as per the researches, it has been observe many times that the in the home, the presence of firearms is less safe. According to the national study, more than three times, the victims were more likely to hold or possess guns in their homes. When the death rates were observed from unintentional firearms, it was observed that as compared to other states having fewer guns, it was analyzed that the death rate from unintentional fire arm deaths was nine times (Spitzer, 2014).

The unintentional shooting becomes more acute for the homes that have children. The states with more firearms weapons have a significant percentage of unintentional shooting deaths of children and majority of the cases are of unintentional home shootings. And as per the reports most of these shootings have occurred while children are playing with loaded guns in the absence of their parents. Having easy access to firearms also contributes in raising the risk of suicide of the individuals. The states with high rate of firearms owner ships have high average suicide rates. Also the high rate of firearms possession in the society increases the risk of domestic violence in the society. In the New York State due to the high rate of possession and owner ship of guns, the risk of domestic violence is almost the double as compared to the states with low rate of firearm owner ships. Further it has also been observed that the states with the higher rate of firearm possessions and ownerships have high rate of assault from the intimate partners and the majority of the victims constitutes women that are in the physical abusive relationships (Rosenberg, 2014).

Given the magnitude of risk face4d by the society due to the high rate of firearms ownerships and possessions the authorities much search for solutions and must devise alternative strategies to mitigate the risks. As the ban on the firearms is not the solution to such problems, but a

number of options and strategies can be adopted to overcome with the risks and problems associated with the possession and ownership of firearms (Wiehl, 2014).

As per the public health sector, they have identified certain individuals with high risk factors that are more likely to misuse firearms. The public health researchers have identified the individuals as high risk individuals with prior violent crime history and excess alcohol abuse (Wiehl, 2014).

The federal law of the United States that governs the prohibition of purchase and possession, does not accounts for such individuals. In order to make the firearms possession and ownership safe the local laws of the states must fill the gaps.

A complete disappointment by government officials is that they instantly disparage the group most intrigued by weapon wellbeing in America, the NRA. Instead of trashing a group that has accomplished more to advance weapon security than some other substance, the NRA ought to be called forward to help with each path conceivable with proposals and its associated coursework ought to be completely subsidized and executed at each area across the nation. While immaculate legislative issues will clearly keep this, if government is focused, the NRA is in a more prominent position to help with projects and thoughts that work to forestall wrongdoing, as opposed to just incapacitate well behaved subjects or make unimportant laws (Karmen, 2013).

California precludes obtaining or accepting a handgun without a Handgun Safety License issued upon effective culmination of a wellbeing test. In New York State, be that as it may, just Westchester County requires candidates for a weapon permit to finish safety instructional class before being endorsed for a license. The New York Senate has proposed enactment to expand this prerequisite statewide. We prescribe that New York require that all candidates take a weapon security instructional class and effectively breeze through safety test as a condition for getting a permit (Hall & Friedman, 2013)

To guarantee that recently ineligible buyers don't have guns, the law ought to be changed to require each permit to be recharged at regular intervals. This reestablishment prerequisite will likewise empower law authorization to confirm that licensees have appropriately enlisted the firearms in their ownership and have legitimately recorded every single auxiliary deal. Further, it will guarantee that the database of gun proprietors kept by the State Police incorporates overhauled data, and accordingly enhance the following of guns utilized as a part of violations.

ATF- gun tracking data is the data that is adopted by the local law enforcement agencies. However due to the inefficiency of this gun tracking data the local law enforcement agencies don't have such information. The police department is also not authorized to reveal the gun tracking data base they use due to the enforced a decade ago according to which the most of firearm tracking information is shielded from the public. Furthermore, it has been observed that gun tracking system of New York is decidedly-low tech. The gun tracking system of New York does not utilize or employ a sophisticated computer system (Bloomberg, 2013).

For tracing illegal weapons, the search starts with sending all the information they possess about the gun. The information also includes manufacturing of gun and gun model. This information is sent to the low slung brick building to officer worker for further trial (Rosenberg, 2014).

The ATF officers initially take information from the gun manufacturers and acquire information about the wholesaler that is associated with that company. This further leads to call to second distributor before the investigation can be narrowed to the gun dealer or retailer responsible for selling the weapon initially. It is advisable for the gun dealers to keep the copy of federal forms that provide detailed information on log for guns sold and the person buying the specific gun. If a gun turns up at a crime scene, they are required to provide that information to the ATF so that it

becomes easy for the authorities to trace that information. Paper work is often faxed to the ATF by the gun shops (Swanson, 2013).

Conclusion

In order to ensure better firearms laws in the New York State, a better firearm laws and prevention for the possessing and owning firearms is required by the New York state. For decreasing the risk element from the society, it is necessary to ensure proper implementation of SAFE ACT. For ensuring increasing and more strengthen licensing regime and increased implementation of firearms regulations the efforts of implementing the laws should be combined with laws expands the enforcement liability and the scope for the improving the sale and manufacturing of firearm. And finally it should be ensured that the internal laws should not be disturbed by the influx of illegal guns from the outside of the state of New York. Additionally the policies which have already been devised should be properly implemented. By adopting effective measures the New York state could take giant strides in order to ensure that the guns are distributed and manufactured legally, monitored accurately, used properly and stored safely. This could reap greater benefits for increasing the safety with the New York state.

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