



NEW YORK STATE SENATOR

Jack M. Martins

From the Desk of Senator Jack M. Martins

JACK M. MARTINS December 19, 2012

| ISSUE: **LOCAL GOVERNMENT**

| COMMITTEE: **LOCAL GOVERNMENT**

Resolute

I am angry. I am sad. I am resolute. The tragedy of Newtown is the tragedy of each and every community in every corner of our country. It could have happened anywhere. It is not a partisan issue, or a regional issue, and knows no ideology.

Everyone's asking, "What's happening to this country of ours?" But answers require a good, hard look in the mirror and won't be found in Washington DC, or state capitals. Instead, they reside directly in us, and unfortunately that makes people uncomfortable. That's too bad. We're going to have to get past this discomfort, or we condemn ourselves to a future of burying the innocent.

Today, readers on both sides of quite a few issues will surely be upset for my asking some tough questions. I'm okay with that. I'm sorting through these things aloud with you and while I admit that I don't have all the answers, if it spurs discussion, then so be it. It's time we had a long talk, right here in our communities about what defines us because Long Island is, unfortunately, not immune to this heartache. So, let's talk.

Somewhere, somehow, rationality slipped away from us, whether it be gun control, care for the mentally ill, or on a much larger scale, what appears to be our national fascination with violence. One need only scan our movies or prime-time TV to determine that much of what we watch involves violence, murder, or other heinous crimes. Worse still, when was the last time you truly examined the video games our children play? Titles like Assassin's Creed, Mortal Kombat, or Call of Duty all graphically represent killing or the "art" thereof. By one University of Michigan Study an average American child will see 200,000 violent acts and 16,000 murders by age 18. Even if that is an exaggeration, who would have ever thought when our babies were born that we'd ever allow them to be exposed to such brutality? Yet here we stand as a nation, even after another round of senseless killing – on line to purchase these movies and games for our children as holiday gifts. I am not blaming the entertainment industry for the violence we see around us. I believe in personal responsibility and accountability, but have we ourselves become desensitized to the violence? Surely I can't be alone in wondering.

Then what about guns and our constitutional right to bear them? I support the second amendment and the rights of my neighbors and friends who own guns, all good, law-abiding citizens. But there are legitimate arguments on both sides. By any measure legal gun owners are not the people perpetrating the thousands upon thousands of gun crimes each year, yet the majority of high profile massacres have been committed with legally obtained, registered weapons that fell into the wrong hands. And while states like New York carefully vet potential gun owners, the laws in other states vary in intensity, making illegal weaponry far too easy to obtain and transport over state lines. Our own laws are circumvented regularly by those who merely travel to states with less stringent gun laws and bring them back illegally.

The undeniable fact is that in nations that maintain a unified approach to gun regulation, the homicide rate by firearm is significantly lower. Where our Asian and European counterparts averaged between 10 and 50 per year in 2011, we own the notorious distinction of approximately 9,000 firearm homicides per year, a full 60 percent of all homicides in the U.S. Canada, just to our north, had similar debates as we do here but in 1977 instituted a national system of firearms licensing and saw their related homicide rate fall precipitously. Their most recent data shows a total of 173. So how do we explain this?

I think the issue clearly then is not over-regulating the legitimate gun owner but rather first creating federal legislation that standardizes requirements and processes across the nation to more appropriately determine who is eligible for ownership. We simply have to have a rational baseline for gun ownership whether purchased in New York or North Carolina, Alaska or Florida.

Then we have to take on issues of enforcement. We clearly have failed here. For example, I was shocked to learn that possession of an illegal weapon is not a felony. How could it not be? An unlicensed person who intentionally obtains a weapon through illegal means clearly has crime or chaos in mind. There is no other purpose to having an illegally obtained firearm. Can we honestly say we're serious about gun control when we're not serious about holding illegal gun owners accountable? It makes no sense.

I've discussed the issue with gun proponents and opponents here in New York and the majority agree that a national (50 state and territories) approach to regulation that involves a licensing process for the applicant along with background check and wait periods at time of purchase is not only logical, but necessary. It protects the average citizen from violence and would finally allow law enforcement to make real gains in stopping the flow of illegal firearms while simultaneously protecting the rights of gun owners. The bottom line is that gun ownership is a tremendous responsibility, yet our country has yet to treat it as such. The

hodgepodge of laws that have barely been cobbled together reflects that. And, despite some of the strongest gun laws in the country, the proliferation of illegal guns in our state is sad testament to that same fact.

Even if Congress were to pass a comprehensive rational gun policy, a very real issue that is again rearing its head is how our country classifies the mentally ill and how we care for them. Years ago we rightfully started to move people from what were categorized as inhumane “institutions” into mainstream living at home with families or in group homes. While this effort has been mostly successful, it is also easier for people to fall through the cracks with caretakers struggling to obtain the care needed for family members. We can no longer ignore this reality. How do we improve this going forward?

The answers to all of these questions will only become evident when we stop pointing fingers and accusing the stereotyped “other side” of attacking us. We all want exactly the same thing: safety for ourselves and our loved ones – and that’s a good starting point. It’s simply a matter of mustering enough courage to put aside some of our own deeply held opinions long enough to reach rational compromise.

We are angry. We are sad. We are resolute.