



NEW YORK STATE SENATOR

Jeffrey D. Klein

Senator Klein & District Attorney Vance take aim at Gun Kingpins through new legislation

JEFFREY D. KLEIN May 4, 2016

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Bill would create new gun trafficking offense on the heels of Manhattan DA/NYPD takedown of ring that sold more than 80 firearms in Manhattan

NEW YORK, NY - State Senator Jeff Klein (D-Bronx/Westchester) and Manhattan District Attorney Cyrus R. Vance, Jr., announced on Wednesday the introduction of a new Gun Kingpin bill to establish the crime of “Operating as a Major Firearms Trafficker.”

The announcement comes days after District Attorney Vance and New York City Police Commissioner William Bratton announced the indictment of six interstate firearms traffickers for selling 82 pistols, assault weapons, and shotguns, as well as corresponding ammunition, in Northern Manhattan. The proposed bill would create a new class A-1 felony offense, which would subject major firearms traffickers to a minimum sentence of 15-years-to-life in prison.

“The fact that those who are pumping more than 80 illegal guns into the hands of criminals while operating trafficking rings throughout our state can only be charged with a class B felony is an injustice to everyone that our laws protect. I am proud to introduce my legislation, along with D.A. Vance, to create a new class A-1 felony that will elevate existing penalties for gun kingpins. These necessary protections will ensure that major firearms

traffickers, who put all New Yorkers at risk, will face up to a lifetime in prison. We must be vigilant against the trafficking of illegal firearms throughout our state, and this legislation will do just that,” **said Senator Jeff Klein.**

“It defies logic that in a state with such strong, sensible gun laws, the penalty for selling 10, 100, or 10,000 guns is the same: a minimum of just 5 years in prison. I thank Senator Klein for his leadership and collaboration on this legislation, which will deter those who would profit off of the wholesale dealing of illegal firearms, and keep New York communities safe. This A-1 felony will be a powerful tool for combatting gun violence across New York State,” **said District Attorney Vance.**

Under current law, the highest criminal charge gun traffickers can face is Criminal Sale of a Firearm or Criminal Possession of a Firearm, both in the first degree. These class B felony charges, which apply to the illegal sale or illegal possession of ten or more firearms, carry a maximum sentence of 25 years in prison, but a minimum sentence of just 5 years in prison.

However, under Senator Klein and DA Vance’s proposed legislation, those who are caught unlawfully selling, or possessing with intent to sell, at least 20 firearms could be charged with “Operating as a Major Firearms Trafficker.” Those convicted of this A-1 felony would face a minimum sentence of 15-years-to-life, and a maximum sentence of 25-years-to-life.

“I join Senator Klein and District Attorney Vance in calling for the same strong sentences for major gun traffickers that we currently assign to drug kingpins. In the last two years, my Organized Crime Task Force has seized over 300 firearms from gun traffickers, many of whom would have faced the tougher penalties proposed by this legislation. With this bill, those who believe New York is an attractive market for wholesale illegal gun distribution will be forced to think again,” **said Attorney General Eric Schneiderman.**