

Office of the Public Advocate
Jumaane D. Williams

REDEFINING PUBLIC SAFETY 2.0

GUN VIOLENCE UPDATES

OVERVIEW:

Gun violence in our communities is a public health crisis that has been exacerbated amid the compounding public health crisis of the ongoing COVID-19 pandemic. Prior to the pandemic, New York City had worked over the previous decade to bring levels of violence to historic lows, in part due to a slow transition toward holistic, community-centered solutions. Now, as the devastation of the pandemic has also brought a resurgence in gun violence, we must have a renewed and strengthened commitment to previous successful strategies as well as implement new approaches to save lives.

It is not enough to return to the pre-pandemic normal, and we have a moral obligation to go further, reimagining and redefining public safety to encompass a broad approach to building up communities. By both directly addressing the issue of gun violence and reshaping the systems and structures from which it takes root, we can build safer, stronger communities without relying on overpolicing-based strategies, which in the past, have inflicted lasting harm.

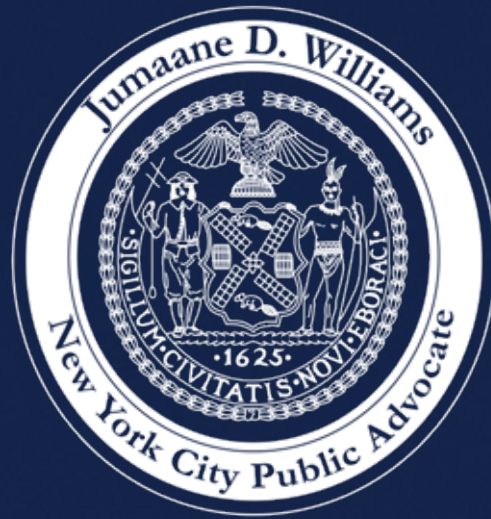
In 2020, our office released a ten-point platform to guide the redefining of public safety. Now, as both the COVID-19 pandemic and the epidemic of gun violence continue,

this series of recommendations focuses on that gun violence, and highlights its connection to basic human needs that our systems are not currently meeting. These recommendations are reinforced by statistics that show that low-income communities of color are disproportionately impacted by gun violence in NYC.

On the federal, state, and city levels, we must address both the supply of guns and the conditions that perpetuate violence in communities. We must prioritize the experiences of Black and Brown, and low-income communities who are most impacted by this crisis to implement targeted solutions that address the root causes of gun violence.

It is our intention that these recommendations provide relief in the immediate term and long-term transformational change, but it is also critical to note that gun violence is not an isolated issue, and there are no simple solutions. These proposals alone are not a cure for the epidemic, nor are they a loophole for accountability. They are also not meant to encapsulate the totality of what needs to be done. They do provide a base for the work ahead to redefine, protect, and promote public safety in New York.





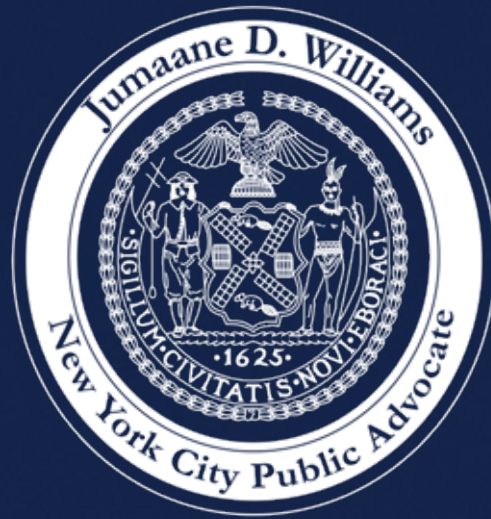
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CITY-WIDE RECOMMENDATIONS:

ADDRESSING "STREET CREWS", "GANGS" AND GUN VIOLENCE

- ◆ Increase investment in the Mayor's Office of Gun Violence Prevention (MOGVP), specifically initiatives targeting young people directly impacted by gun violence and facilitated by directly impacted individuals.
 - ◇ The work of the office must be more intentionally integrated with other services provided by mayoral agencies.
- ◆ The MOGVP and Crisis Management System programming should increase and be linked with NYC DOE and other agencies so that alternative programming can be provided through current Crisis Management (CMS) groups and collaborative partners.
 - ◇ These programs must not be limited to the DYCD standards of its current COMPASS programs which allocate a maximum cost per participant. This is insufficient for running quality programs like the examples below:
 - [Anger Advocacy Activist Incubator](#) (ATA) | Youth Over Guns
 - Grounded in intersectional movement strategy, ATA is a peer-led training program and fellowship that encourages youth to use their anger as motivation for action. ATA influences violence prevention and transformative justice throughout the United States.
 - Advance Peace NYC Hybrid/ [Human Justice Model](#) | CCD
 - CCD is adept at developing individualized plans to address the need for sophisticated violence interruption networks and shifting the existing culture of institutions to one that is able to engage populations most involved in violent activity in a community and develop their investment in rehabilitation, personal and professional growth.
 - [Participatory Research](#) Programming | CCI
 - CCI funds data research programs that provide services while simultaneously unearthing the invisible economies that drive crime. These programs provide accurate data revealing the underlying root causes of violent crime and help create radical pathways for high risk individuals to access needed resources.
- ◆ Invest in community-led community centers, recreational parks and outdoor community spaces with accessible facilities for the entire community especially those 14-24 years old.
 - ◇ Utilizing underutilized buildings and vacant lots for community use.
- ◆ Expand the funding and community engagement structure of "Safe in the City Grants."





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- ◆ Create paid opportunities for community members to learn and apply skills related to social emotional support and civic engagement, such as conflict de-escalation techniques for themselves, their family and neighbors.
- ◆ DAs and judges must work together to quickly and sensibly move gun cases through the court system. They should work with defense attorneys to prioritize alternatives for youth offenders where practical and expand funding for such alternatives.
 - ◇ Prosecutors should refrain from using or referencing gang allegations in connection with criminal prosecutions (whether pre-trial, during trial, or at sentencing)
 - ◇ Prosecutors should refrain from claiming violent intent where the motivation for firearm possession is protection from immediate danger, especially for youth and young adults.
- ◆ Prosecutors should work collaboratively with defense attorneys to develop an accurate assessment of violent intent for the accused person and work rapidly towards securing, or creating alternatives to incarceration when possible.

ENGAGING LAW ENFORCEMENT

- ◆ Law enforcement roles are important, can involve great risk, and should be done with transparency and accountability. In fairness to community members and the NYPD, other services roles must be more defined, resourced, and integrated to truly achieve our desired outcomes for public safety.
- ◆ The new administration must ensure that our approach to public safety on the agency level is integrative and transparent. All stakeholders from relevant areas must be involved in discussions involving the interpretation of crime statistics and its impact on public safety.
 - ◇ Compstat meetings and policing strategies should include other agencies and community stakeholders in addition to the NYPD.
 - ◇ Data analysis should focus on areas disproportionately impacted by gun violence.
- ◆ The NYPD residency requirements should reflect those of other municipal employees so that officers reflect the communities they serve, with limited hiring flexibility in cases where a demonstrated need for unique expertise is required.
- ◆ Law enforcement engagement should focus heavily on the origin of gun-trafficking into New York and target high-level traffickers.
- ◆ The MOGVP should divert budgetary resources into expanding Public Safety Councils and Mobile Trauma Units in “hotspot areas” where engagement strategies require deeper support structures.





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- ◇ The MOGVP should develop community-informed Hospital Based Violence Intervention programs (HVIPs). These are individuals responding from a medical facility to violent incidents, but are not connected to law enforcement.
- ◇ The NYPD should invest in gun tracing technology as opposed to gang tracing technology. Utilizing [tracing analytic platforms](#) like those developed by the NYS Attorney General's office yield accurate origin patterns when investigating gun trafficking waves; this type of digital innovation may prove to be more vital when compared with other database technologies.

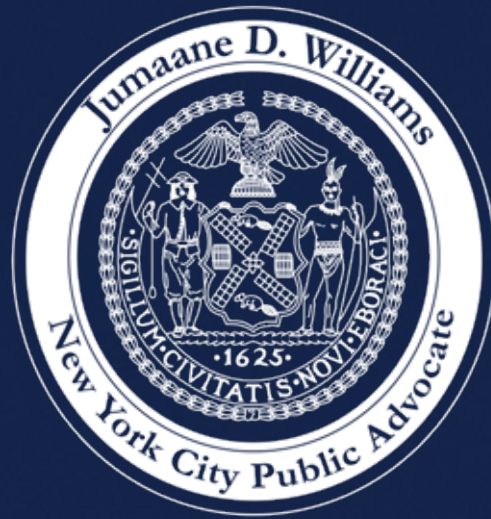
ADDRESSING HATE-FUELED GUN VIOLENCE

- ◇ SEXUAL ORIENTATION/GENDER IDENTITY - Hatred based on sexual orientation or gender identity (real or perceived) can be deadly, as seen at the Pulse nightclub massacre—the deadliest known attack on LGBTQIA people in U.S. history—as well as the use of firearms to intimidate and murder members of the transgender community.
- ◇ MISOGYNY - Hatred towards women and/or a history of domestic abuse is a terrifying commonality among mass shooters
 - ◇ Individuals at the intersection of one or more of the aforementioned identities may endure a higher risk: For example, Pulse victims were predominantly Latinx, and transgender women of color are disproportionately at risk of being shot.
- ◇ The MOGVP should invest in and integrate its programming with the NYC Commission on Human Rights regarding violence prevention.
- ◇ NYC must invest resources into and develop initiatives within the Office of Preventing Domestic Violence (OPDV) that specifically address the role of firearms in perpetuating intimate partner violence. These initiatives should work in tandem with our larger comprehensive strategy to end gun violence.
- ◇ The NYC DOE should consult with LGBTQIA+ communities and implement targeted learning experiences in schools that promote acceptance of our trans neighbors as well as other communities targeted for hate violence.

ADDRESSING SELF-HARM AND GUN VIOLENCE

- ◇ According to the CDC, over 45,000 people in the United States were killed with a firearm in 2020, [more than half died by suicide](#).
 - ◇ We must prioritize access to mental health services, especially in low-income communities who experience gun-violence.
 - ◇ We must also effectively utilize Extreme Risk Protection Orders (ERPO). These orders can protect our communities by taking guns away from those who pose a risk to themselves and others. We must ensure that effective investigations occur in cases where allegations of harmful firearm access is alleged.





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STATE RECOMMENDATIONS

HEALING-CENTERED SCHOOLS

- ◆ State legislators must work to end harsh and inequitable codes of conduct that are counterproductive, harmful, and often lead students on a destructive path towards conflict, violence, and contact with the criminal justice system. Instead, students need supportive, restorative, and just protocols that facilitate success and break the cycle of violence and incarceration.
- ◆ [The Judith S. Kaye Safe and Supportive Schools Act | S7198](#) would help keep students safe, prevent violence, and address the school-to-prison pipeline by providing New York's students with the support they need to thrive within their schools and also in their communities.

SUPPORT THE PASSING OF SENATE BILL [S7573](#)

- ◆ This bill expands eligibility for victims and survivors of crime to access victim compensation funds by removing the mandatory law enforcement reporting requirement and providing alternative forms of evidence that would show that a qualifying crime was committed.

SUPPORT THE PASSING OF SENATE BILL [S1083](#)

- ◆ This bill establishes a center for firearm violence research in New York State, which will help ensure a long-term effort towards understanding and preventing future firearm related violence against New Yorkers.

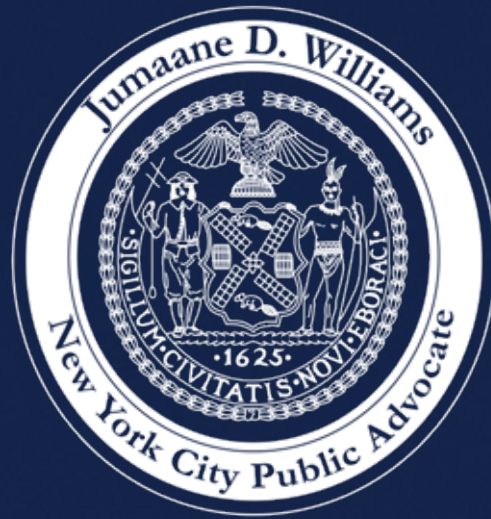
SUPPORT THE PASSING OF SENATE BILL [S4116](#)

- ◆ This bill requires semiautomatic pistols manufactured or delivered to any licensed dealer in this state to be capable of microstamping ammunition, establishes fines for violations of this requirement, and provides for an affirmative defense if the dealer had a certification from the manufacturer.

SUPPORT THE PASSING OF THE TREATMENT NOT JAILS ACT [S2881](#)

- ◆ This bill ensures that New Yorkers with substance use disorders, mental health concerns, and other disabilities have an off-ramp from the criminal legal system to obtain treatment and support in their communities.





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STATEWIDE PUBLIC SAFETY PLANNING

- ◆ Albany should assist local municipalities dealing with an increase in gun violence in a unified effort to address it.
- ◆ The previous administration required local municipalities to submit a policing plan to the Governor's office prior to authorizing funding. This was a great sentiment, but largely misguided. The Governor should require local municipalities to develop a public safety plan that would utilize integrative strategies to address all emergency services, which would then include more transparent and accountable police departments.

FEDERAL RECOMMENDATIONS

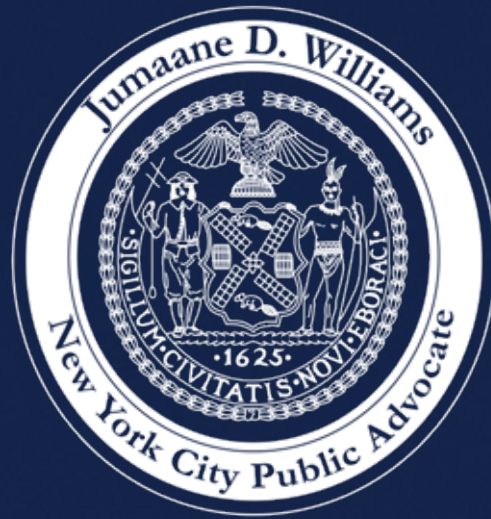
ENACT UNIVERSAL BACKGROUND CHECKS

- ◆ Federal law only requires you to obtain a background check if you purchase a gun from a licensed dealer. Proposals for universal background checks would require all firearms transactions in the United States to be recorded and go through the National Instant Criminal Background Check System (NICS), closing what is sometimes called the private sale exemption. We must close these private sale loopholes, and make sure all sales undergo a background check in order to prevent guns from getting into the wrong hands.

STRENGTHEN INTERSTATE TRAFFICKING INITIATIVES

- ◆ Guns are being transported into states with strong gun laws from states with weaker gun laws, yet there is no federal law specifically targeting gun trafficking.
- ◆ Equitable legislation must be enacted to address gun trafficking, and the federal government should focus law enforcement attention on the sources of guns rather than the possessors of guns. This would reduce the flow of weapons into susceptible neighborhoods.
- ◆ We must hold all networks accountable to law for flooding communities with guns while ensuring that laws do not lead to mass incarceration of impacted communities, and maintaining oversight on the discretion of law enforcement during its implementation.





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RESEARCH

RECENT NEWS:

States with weaker gun laws have higher rates of firearm related homicides and suicides, study finds

https://www.cnn.com/2022/01/20/us/everytown-weak-gun-laws-high-gun-deaths-study/index.html?utm_source=twCNN&utm_medium=social&utm_term=link&utm_content=2022-01-20T21%3A25%3A04

Officer Shot in Leg in Confrontation With Teen in the Bronx, Police Say

<https://www.nytimes.com/2022/01/19/nyregion/police-officer-shot-bronx.html>

Following Wakefield shooting of 13-year-old boy, local organization steps in

<https://www.bxtimes.com/following-wakefield-shooting-of-13-year-old-boy-local-organization-steps-in/>

Why More American Children Are Dying by Gunfire

<https://www.nytimes.com/2022/01/05/us/american-children-gun-deaths.html>

The Reasons for Youth Gun Use

<https://www.wnyc.org/story/reasons-youth-gun-use/>

Crunching the NYPD numbers: Major crimes up over 5% as NYC entered final 12 days of 2021

<https://www.amny.com/news/major-crimes-up-5-percent-as-nyc-entered-final-days-2021/>

Can Adams Rebuild, and Rein In, a Notorious N.Y.P.D. Unit?

<https://www.nytimes.com/2022/01/05/nyregion/eric-adams-nypd-anti-crime-unit.html>

Mayor: Gun violence remains challenge in the Bronx

<https://bronx.news12.com/mayor-gun-violence-remains-challenge-in-the-bronx>

A Majority Of NYPD Officers Don't Live In New York City, New Figures Show

<https://gothamist.com/news/majority-nypd-officers-dont-live-new-york-city-new-figures-show>