

CRC RESOLUTION NO. 2018-015

A RESOLUTION OF THE BROWARD COUNTY CHARTER REVIEW COMMISSION URGING THE BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS TO PLACE A STRAW POLL ON THE NOVEMBER 2018 GENERAL ELECTION BALLOT ASKING THE ELECTORS OF BROWARD COUNTY WHETHER THEY SUPPORT A BAN ON ASSAULT RIFLES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is with a heavy heart that the Broward County Charter Review Commission (the “CRC”) takes up the issue of gun control following the mass shooting at Marjory Stoneman Douglas High School in Parkland, Florida, on Valentine’s Day, February 14, 2018, where fourteen (14) students ranging in age between 14 and 18 were killed along with three (3) faculty members, and seventeen (17) other people were wounded; and

WHEREAS, National and State leaders continue to fail to act to implement sensible gun law reforms that are supported by a majority of the nation; and

WHEREAS, an increase in the amount of hate groups, international and lone wolf domestic terrorism, underfunded community mental health programs, and easy access to military grade, high capacity magazine assault weapons have created circumstances which have led to an unprecedented number of mass shootings in American communities in recent years; and

WHEREAS, in recent years mass shootings involving military-grade high capacity magazine assault weapons have occurred at Virginia Polytechnic Institute and State University, Blacksburg, in Virginia; Sandy Hook Elementary School, Monroe, Connecticut; Century 16 Movie Theater, Aurora, Colorado; a retirement party in a social services office, San Bernardino, California; a church, Charleston, South Carolina; the

Pulse Nightclub in Orlando, Florida; and more recently, the Route 91 Harvest Festival, Las Vegas, Nevada; the Sutherland Springs Church shooting, Sutherland Springs, Texas; and the Marjory Stoneman Douglas High School Valentine's Day Shooting, Parkland, Florida, resulting in the tragic death and maiming of large numbers of innocent citizens (including children) at great pain and costs to their families and our communities; and

WHEREAS, according to the Gun Violence Archive, there have been 34 mass shootings in 2018 alone; and

WHEREAS, according to the Gun Violence Archive, there have been 1600 mass shootings since 2012. Together the mass shootings have resulted in 1,829 people killed and 6,447 wounded; and

WHEREAS, according to the "Everytown for Gun Safety Support Fund", there are on average 96 Americans killed by guns each day, 13,000 gun homicides a year in the United States and there is an average of 50 women shot to death per month by their intimate partners; and

WHEREAS, according to the "Everytown for Gun Safety Support Fund", seven children and teens are killed by guns on an average day in the United States; and

WHEREAS, the American Medical Association has deemed "uncontrolled ownership and use of firearms a serious threat to public health because the weapons are one of the main causes of intentional and unintentional injuries and deaths;" and

WHEREAS, according to The American Journal of Medicine, Americans are 10 times more likely to be killed by guns than people in other developed countries; and

WHEREAS, the military scaled weaponry used in the recent mass shootings in the United States exceeds the weaponry generally available to local law enforcement officers putting them and residents in their communities in unnecessary peril; and

WHEREAS, military grade high capacity assault weapons and the grave hazard they present to communities and innocent citizens, have no valid role to serve in community and civilian life and are even disavowed by most reputable pro-hunting organizations; and

WHEREAS, according to multiple national surveys, the majority of the American public including legal gun owners, support extensive background checks for gun ownership and limiting the availability and use of military grade, high capacity magazine assault weapons to bona fide and highly trained law enforcement agencies; and

WHEREAS, the enactment of reasonable changes in gun laws and regulations would go a long way towards keeping guns out of the hands of criminals, making our communities safer, and preventing deaths; and

WHEREAS, pursuant to section 790.33, Florida Statutes, the regulation of firearms is preempted to the State of Florida; and

WHEREAS, section 790.33 prohibits the CRC from placing a proposed charter amendment on the ballot seeking to regulate assault weapons in Broward County; and

WHEREAS, in recognition of the existence of section 790.33, this Resolution shall not constitute an administrative rule or regulation of firearms or ammunition; and

WHEREAS, by adopting this resolution, the CRC members seek to exercise their individual and collective First Amendment right to express a position on a matter of great public importance; and

WHEREAS, the Broward County Charter Review Commission strongly urges the Board of County Commissioners for Broward County to place a straw poll on the November 2018 general election ballot asking the electors of

Broward County whether they support a ban on assault rifles.

NOW, THEREFORE, BE IT RESOLVED BY THE BROWARD COUNTY CHARTER REVIEW COMMISSION, THAT:

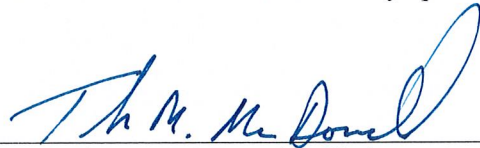
Section 1. The foregoing “Whereas” clauses are true and correct and made a part hereon.

Section 2. The Broward County Charter Review Commission hereby urges the Board of County Commissioners for Broward County to place a straw poll on the November 2018 general election ballot asking the electors of Broward County whether they support a ban on assault rifles.

Section 3. All Resolutions or parts of Resolutions in conflict herewith, be and the same are repealed to the extent of such conflict.

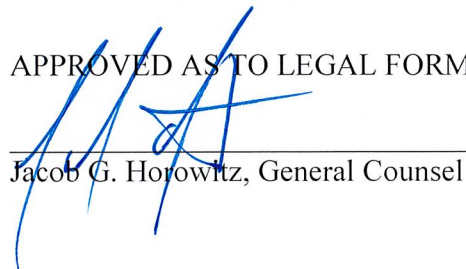
Section 4. If any section, sentence, clause or phrase of this Resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Resolution.

Section 5. This Resolution shall become effective immediately upon its passage and adoption.



Thomas McDonald, Chairperson

APPROVED AS TO LEGAL FORM:


Jacob G. Horowitz, General Counsel

**RECORD OF VOTE
(CRC 2018-015)**

BUSCH	<u>YES</u>	MCDONALD	<u>YES</u>
DAVIS	<u>YES</u>	MOSELEY	<u>YES</u>
DIPIETRO	___	LETO	<u>YES</u>
FABRICIO	___	NAVARRO	___
FORMAN	___	NORRIS-WEEKS	___
GREENBERG	___	PETTIS	<u>YES</u>
GUERRA	<u>YES</u>	REYES	<u>NO</u>
GUNZBURGER	<u>YES</u>	SMITH	<u>YES</u>
KANE	<u>YES</u>	WELLS	___
MAYLOR	___		

Resolution **CRC 2018-015** passed 10 to 1 on March 16, 2018.

BROWARD COUNTY CHARTER REVIEW COMMISSION

Attest: 

Carlos Verney, Executive Director