



To: Speaker Sheldon Silver, New York State Assembly
From: Samuel Hoover, Legal Community Against Violence
Re: Memorandum in Support of A 7575 (Lancman)
Date: April 23, 2009

Legal Community Against Violence (LCAV) writes in strong support of Assembly Bill A 7575, designed to expand the prohibition on firearm possession by any person convicted of a domestic violence-related offense upon “members of the same family or household” under New York law. LCAV is a national law center formed in the wake of the 1993 assault weapons massacre at 101 California Street in San Francisco, California, and is the nation’s only organization devoted to providing legal assistance in support of gun violence prevention.

Under existing New York law, persons convicted of a “serious offense” (N.Y. Penal Law § 265.00(17)) are prohibited from possessing a firearm. A 7575 will expand the definition of “serious offense” under Section 265.00(17) to include any offense – including violations – against “members of the same family or household” as that term is defined in New York Family Court Act Section 812.

LCAV is strongly in favor of common sense public safety measures like A 7575 that help prevent deaths and serious injuries from occurring during domestic or family disputes. Guns naturally increase the probability of death in incidents of domestic violence. Domestic violence assaults involving a firearm are 3 times more likely to result in death than incidents involving knives or other cutting instruments, and 23 times more likely to result in death than those involving other weapons or bodily force. Furthermore, abused women are 5 times more likely to be killed by their abuser if the abuser owns a firearm.

By prohibiting domestic violence perpetrators from possessing firearms, A 7575 will protect women, children and families and limit the number of deadly domestic violence incidents due to the presence of a gun. Including as a “serious offense” for gun prohibition purposes any offense committed against “members of the same family or household” would send a clear message that domestic violence abusers are not responsible gun owners and should not be allowed to possess firearms.

LCAV urges all members of the Assembly to vote “YES” on A 7575.

LCAV is a national public interest law center dedicated to preventing gun violence focusing on policy reform at the state and local levels. Founded in response to the tragic July 1, 1993 assault weapon massacre at a San Francisco law firm, LCAV is the country's only organization devoted exclusively to providing free legal assistance to activists, legislators, and public officials working to prevent gun violence.

To learn more about our services and our current programs, visit LCAV at www.lcav.org.