

**REPORT OF THE  
CHIEF LEGISLATIVE ANALYST**

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DATE: March 16, 2016

TO: Honorable Members of the Rules, Elections, Intergovernmental Relations and  
Neighborhoods Committee

FROM: Sharon M. Tso *Sharon M. Tso* Council File No: 15-0002-S118  
Chief Legislative Analyst Assignment No: 16-01-0056

SUBJECT: Resolution (Koretz – Krekorian – Harris-Dawson) to support President Obama’s  
executive actions related to gun violence

CLA RECOMMENDATION: Adopt Resolution (Koretz – Krekorian – Harris-Dawson) to include in the City’s 2015 – 2016 Federal Legislative Program SUPPORT for President Obama’s January 4, 2016 executive action designed to reduce gun violence and strengthen gun control measures in the United States.

SUMMARY

On January 13, 2016, a Resolution (Koretz – Krekorian – Harris-Dawson) was introduced in support of executive action taken by President Obama in early January in an effort to reduce gun violence and strengthen gun control measures in the United States. The Resolution states that gun violence continues to be a serious problem in the United States, with over 30,000 people killed each year by guns and countless more injured. The Resolution further states that background checks are an effective tool to reduce gun violence, and that the President’s executive action ensures that all gun sales in the United States involve a background check.

The Resolution states that the President’s executive action also increases information sharing about gun thefts and losses, and information sharing between various levels of government. The Resolution states that these actions will help to address the gun violence epidemic in the United States, and that the City should be on record in support of this effort. The Resolution, therefore, seeks an official position of the City of Los Angeles to support the President’s Executive Action of January 4, 2016, which will reduce gun violence and strengthen gun control measures in the United States.

BACKGROUND

Gun violence continues to be a significant problem in the United States, with over 100,000 Americans killed with firearms over the last decade. Further, countless other citizens have been victims of gun crimes such as robberies and assaults, with millions of people being injured. According to Federal authorities, a significant number of gun crimes are committed by individuals who should not have been able to access firearms in the first place. As Congress continues to be unable or unwilling to take action on this issue, the President took executive action on January 4, 2016 in an attempt to address gun violence in the United States through the executive branch.

The President’s executive action covers several areas. First and foremost, the action clarifies rules for the sale of firearms, by requiring that all individuals who are in the business of selling firearms

must have a license to do so, and must conduct background checks on all sales, including those conducted at gun shows. This would ensure that more people who buy a firearm at a gun show go through a background check prior to their purchase being completed. In addition the executive action also closes a loophole that has allowed individuals to enter into trusts in order to buy more powerful firearms, such as sawed-off shotguns and automatic rifles, without submitting to a background check. The President's executive action also strengthens the background check system by improving the National Instant Criminal Background Check System (NICS) and ensuring that more relevant information is available on the system, including information related to mental health. As part of this action, the Social Security Administration will share relevant mental health data with the Federal Bureau of Investigation (FBI) to be included in NICS, and unnecessary barriers that have prevented states from sharing mental health data have been removed.

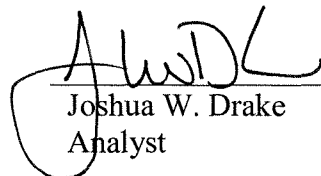
Further, the executive action emphasizes the role of the Department of Justice (DOJ) in preventing gun violence. The Attorney General has reached out to all U.S. Attorney Offices, in order to highlight the DOJ's focus on combatting gun violence by targeting violent criminals and gun traffickers. The DOJ is also renewing efforts to combat domestic violence.

Finally, the President's executive action directs relevant Federal agencies to increase research and development related to gun smart technology, which can reduce the number of accidental shootings. Federal agencies were also directed to promote the use and acquisition of gun safe technologies.

While the President's executive action is helpful, and may have an impact on the gun violence epidemic in the United States, these actions are not likely to solve the issue on their own. Robust legislation is needed to truly affect gun violence rates in the United States, and the President is limited from enacting any significant changes to current law by executive action.

#### DEPARTMENTS NOTIFIED

Police Department



Joshua W. Drake  
Analyst

SMT:jwd

Attachment: Resolution (Koretz – Krekorian – Harris-Dawson)

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, gun violence continues to be a serious problem throughout the United States, with over 30,000 people killed each year by firearms and countless more injured; and

WHEREAS, many people killed or injured by gun violence are shot by people who should have never had access to a firearm in the first place; and

WHEREAS, background checks on firearm purchasers ensure that prohibited persons cannot easily gain access to a weapon, and are effective tools for reducing gun violence; and

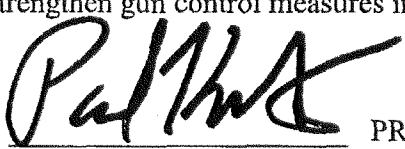
WHEREAS, on January 4, 2016, President Barack Obama announced an Executive Order strengthening background checks and requiring them for all sales, as well as outlining background check reporting requirements and enhancing gun law enforcement efforts; and


WHEREAS, the President's executive action also increases information sharing about gun thefts and losses, increases information sharing efforts between various levels of government on background checks, and includes mental health treatment and reporting requirements; and


WHEREAS, these actions will ensure that background checks are performed on all sales of firearms at gun shows, reducing the number of guns available to individuals who cannot pass a background check; and

WHEREAS, the President's executive actions will help to address the epidemic of gun violence in the United States, and the City should be on record in support of this effort;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2015 - 2016 Federal Legislative Program SUPPORT for President Obama's recent executive actions designed to reduce gun violence and strengthen gun control measures in the United States.

PRESENTED BY:   
PAUL KORETZ  
Councilmember, 5<sup>th</sup> District

PRESENTED BY:   
PAUL KERKORIAN  
Councilmember, 2<sup>nd</sup> District

  
jwd  
JAN 13 2016

SECONDED BY: 

ORIGINAL