

MOTION

On June 23, 2022, the Supreme Court of the United States issued its decision in the case, "New York State Rifle and Pistol Association vs. Bruen" (Bruen). By a 6-3 vote, the justices voided New York State's law setting strict requirements for concealed carry permits for applicants desiring to carry firearms in public. The decision will have national impact on states and localities that require conditional concealed carry permits, including California.

With Los Angeles and many other cities and towns in the United States experiencing one of the worst surges in gun violence in recent years, the Supreme Court's decision banning the kinds of restrictions on concealed carry that have been in place for decades arguably is reckless and ill-timed. Reaction among government leaders and responsible gun owners in states with strict permitting laws underscores that.

In his dissent, as reported by the Los Angeles Times, Justice Stephen Breyer wrote, "In 2020, 45,222 Americans were killed by firearms. Since the start of this year, there have been 277 reported mass shootings — an average of more than one per day. Gun violence has now surpassed motor vehicle crashes as the leading cause of death among children and adolescents." He argued states should be allowed to restrict and regulate guns to save lives.

Writing for the majority in the Bruen decision, Justice Clarence Thomas left room for limited "time, place and manner" regulations applied to "sensitive places." He cited government buildings, schools and polling places as examples of those sensitive places, reminiscent of the kinds of sensitive uses identified in Los Angeles Municipal Code Section 41.18(c)(1) relative to homeless encampments:

"...to be designated as a "sensitive use", the property must be a School, Day Care Center, Public Park, or Public Library, as those terms are defined in Section 105.01 of this Code..."

In order to preserve protections for our children, families and individuals, the City of Los Angeles should consider crafting its own restrictions on concealed carry incorporating the kinds of sensitive use and sensitive place designations identified in, respectively, LAMC Section 41.18 and Bruen, and linked to any future modifications of Section 41.18.

I THEREFORE MOVE that the City Council request the City Attorney and instruct the Chief Legislative Analyst to review "New York State Rifle and Pistol Association vs. Bruen" case and, within 30 days, report back to the City Council with recommendations and language (if appropriate) for an ordinance restricting the concealed carry of firearms in or near sensitive places or sensitive uses as they are identified in, respectively, Bruen and LAMC Section 41.18, and linked to any future modifications to the list of sensitive uses found in Section 41.18.

PRESENTED BY: 
PAUL KORETZ, Councilmember, Fifth District

SECONDED BY: 

JUN 24 2022

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