

City of Philadelphia



Council of the City of Philadelphia
Office of the Chief Clerk
Room 402, City Hall
Philadelphia

(Resolution No. 180187)

RESOLUTION

Authorizing the City Council Committee on Public Safety to hold hearings examining the development of an extreme risk protection order program within the City of Philadelphia, to allow for the temporary removal of firearms from individuals that pose a high risk of harm to themselves and others.

WHEREAS, Firearm violence is a leading cause of death and injury in the United States, taking a tragic toll on American families and communities. The uptake in gun violence and mass shootings nationwide has forced state legislatures across the country to re-examine their laws in order to strengthen protections for citizens; and

WHEREAS, Convicted felons and domestic abusers are prohibited from possessing firearms, but loopholes in the law still make it difficult to keep guns out of the hands of people threatening violence against themselves or others; and

WHEREAS, Extreme risk protection orders, also known as gun violence restraining orders or gun violence protection orders, are state laws that work like domestic violence restraining orders; and

WHEREAS, Extreme risk protection orders would allow law enforcement, family members, and other concerned parties to petition a court to temporarily suspend a person's access to firearms if there is documented evidence that an individual is a threat to themselves or others; and

WHEREAS, If the order is granted, then the individual subject to the order must surrender their firearms to law enforcement and will not be able to buy, sell, or possess firearms at the judge's discretion; and

WHEREAS, Law enforcement and those who are closest to an individual are often in the best position to see the warning signs of violence. Almost half of mass shooters exhibit warning signs or concerning behavior before their crimes. By allowing courts to

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temporarily remove firearms from individuals that have threatened themselves or others, we will be equipped with the tools to prevent tragedy before it strikes; and

WHEREAS, Several states have developed similar laws, including Washington, California, Oregon, Indiana and Connecticut. In addition, lawmakers in eighteen other states, including Florida and DC, have proposed similar measures; and

WHEREAS, In 1999, Connecticut became the first state to pass legislation granting law enforcement the authority to temporarily remove firearms from individuals when there is probable cause to believe that the individual is a threat to themselves or others under what is referred to as a “risk-warrant”; and

WHEREAS, A study of the Connecticut law from 1999 to 2013 found that 99% of risk warrants resulted in the removal of at least one gun, and in 44% of cases, the warrant led to the respondent receiving treatment that they might not have otherwise received; now, therefore, be it

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That it hereby authorizes the City Council Committee on Public Safety to hold hearings examining the development of an extreme risk protection order program within the City of Philadelphia, to allow for the temporary removal of firearms from individuals that pose a high risk of harm to themselves and others.

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CERTIFICATION: This is a true and correct copy of the original Resolution, Adopted by the Council of the City of Philadelphia on the first of March, 2018.

Darrell L. Clarke
PRESIDENT OF THE COUNCIL

Michael A. Decker
CHIEF CLERK OF THE COUNCIL

Introduced by: Councilmember Jones

Sponsored by: Councilmembers Jones, Blackwell, Domb, Green, Parker, Johnson and Gym