

City of Philadelphia



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

(Resolution No. 200047)

RESOLUTION

Authorizing Council to retain counsel to file a lawsuit compelling the Commonwealth of Pennsylvania to carry out its obligation to protect the citizens of Pennsylvania by enacting, or authorizing municipalities to enact, commonsense, constitutional legislation that addresses the public health crisis of gun violence.

WHEREAS, Gun violence poses a serious and ongoing threat to public safety and welfare, nationally, across Pennsylvania, and in Philadelphia; and

WHEREAS, Gun violence is an atrocity, resulting in the death of innocent human beings of all ages, from infancy to adulthood. Gun violence results in a never-ending cascade of misery for those who survive shootings and those who do not, for their families, their friends, and their communities; and

WHEREAS, The ferocity and sheer volume of gun violence in Philadelphia shocks the conscience of all law-abiding citizens: Three men were shot to death in the first fifteen hours of 2020. On January 15, 2020, five people were shot in less than 30 minutes. On January 21, a triple shooting in a Target parking lot left one man dead. As of January 21, 2020, there have been 31 homicides in 2020, up a shocking 82% from January 2019, according to the Philadelphia Police Department's webpage, www.phillypolice.com/crime-maps-stats/. Last year, 14 children under 18 were shot fatally with guns. The homicide rate in Philadelphia has risen steadily, from 277 in 2016, to 315 in 2017, to 353 in 2018, to 356 in 2019; and

WHEREAS, Gun violence is not confined to one city or state, but rather plagues communities across the country. Today, the public still mourns the tragic loss of life from the mass shooting at the Tree of Life Synagogue in Pittsburgh, and decries the General Assembly's refusal to permit Pittsburgh's City Council to use commonsense measures to combat the spread of rampant gun violence. Across the Commonwealth, gun violence claims the lives of more than 1,500 residents each year, according to the Giffords Law Center, which means that someone is killed with a gun every six hours in Pennsylvania; and

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WHEREAS, Gun violence is without question a national public health crisis, as the American Medical Association declared in 2016. The ongoing failure of the Commonwealth to address this public health crisis on behalf of the citizens of Pennsylvania is incomprehensible and intolerable. On the contrary, rather than implement (or authorize) reasonable, constitutional measures to address the scourge of gun violence, the General Assembly has typically gone in the other direction, by preempting local municipalities from enacting sensible, limited gun control measures; and

WHEREAS, The most recent example of this reluctance to act is the General Assembly's refusal to allow implementation of City Council's Bill No. 190749-A, the "Safe Haven Law" that protects children and adults by prohibiting the possession of weapons at City Recreation Facilities, where recent incidents of gun violence, including in one instance, a homicide, have taken place; and

WHEREAS, It is abundantly clear that for far too long, the Commonwealth has refused to protect the citizens of Pennsylvania and as a result too many have been killed, wounded or traumatized by violence; now, therefore, be it

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That it hereby authorizes Council to retain counsel to file a lawsuit compelling the Commonwealth of Pennsylvania to fulfill its obligation to protect the citizens of Pennsylvania by enacting, or authorizing municipalities to enact, legislation that addresses the public health crisis of gun violence.

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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 thirtieth day of January, 2020.

Darrell L. Clarke
PRESIDENT OF THE COUNCIL

Michael A. Decker
CHIEF CLERK OF THE COUNCIL

Introduced by: Councilmember Jones for Council President Clarke,
Councilmembers Parker, Johnson, Domb and Green
Sponsored by: Councilmembers Council President Clarke, Jones, Parker,
Johnson, Domb and Green Councilmembers Gilmore
Richardson, Bass, Gym, Gauthier, Brooks, Thomas, Quiñones
Sánchez and Henon