

Legislation Text

File #: 230039, **Version:** 0

Urging the United States Congress to pass the “Gun Records Restoration and Preservation Act”, introduced last session by U.S. Senator Bob Menendez (D-N.J.) and Congresswoman Barbara Lee (D-Calif.-13), which would repeal the Tiahrt Amendments, whose provisions have hampered efforts to address gun trafficking by, among other things, identifying and holding accountable irresponsible gun dealers and owners.

WHEREAS, Philadelphia neighborhoods continue to experience historic levels of gun violence; and

WHEREAS, According to the Office of the City Controller, in 2022 there were a total of 516 homicides in Philadelphia, 474 of which were fatal shootings; there were 1,789 non-fatal shootings within the City; and

WHEREAS, When an arrest is made in a shooting and a firearm is recovered, the Philadelphia Police Department, during its investigation, conducts firearm tracing. Firearm tracing is a process used by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) wherein a firearm associated with a crime is traced back to its original purchaser through the weapon’s identifying features such as its serial number, make, model, and caliber; and

WHEREAS, The City and others are unable to obtain this information from the Police Department due to provisions, known as the “Tiahrt Amendments,” that have been attached the U.S. Department of Justice’s appropriations bills since 2003; and

WHEREAS, These provisions prohibit the ATF and the Police Department from releasing firearm trace data for use by cities, states, researchers, litigants and members of the public, thereby making it difficult to determine to what extent any of these weapons have previously been used to commit crimes and the sources of these weapons; and

WHEREAS, Firearm trace data is used in criminal court proceedings and should be available to City officials and members of the public; and

WHEREAS, Release of this firearm trace data would allow researchers, including City officials and members of the public, to better understand the sources of crime guns that are proliferating in our neighborhoods; and

WHEREAS, Release of this firearm trace data would allow State and local government officials and private researchers to analyze and understand the flow of crime guns between jurisdictions; and

WHEREAS, Release of this firearm trace data would allow City officials to target anti-violence efforts against gun traffickers; now, therefore, be it

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That the Council urges the United States Congress to enact the “Gun Records Restoration and Preservation Act; to repeal the Tiahrt Amendments; and to remove the veil of secrecy that for too long has been cast over gun trace data, at the cost of thousands of lost lives and hundreds of thousands of ruined lives.

