



## The NY SAFE Act: How Does It Protect New Yorkers from Gun Violence?

### ➤ Universal Background Checks

- **What does the law do?** The NY SAFE Act would close the private sales loophole by requiring all gun transfers between private parties, except immediate family, to be subject to a background check.
  - The law also requires mental health professionals to report when there is a reason to believe that a patient may engage in violent behavior.
- **How will it protect New Yorkers?** Previous New York law enabled criminals and other dangerous individuals to purchase long guns without a background check. This provision will keep these weapons out of the hands of criminals and those with serious mental illness.

### ➤ Assault Weapons Ban:

- **What does the law do?** The NY SAFE Act strengthens New York's existing assault weapons ban by creating a stricter definition of an assault weapon.
  - Under the new definition, semi-automatic pistols and rifles that can accept a detachable magazine and that have at least one military-style feature will be considered assault weapons.
- **How Will it Protect New Yorkers?** The legislation would keep weapons like the Bushmaster assault rifle used in the Newtown tragedy out of New York's communities.

### ➤ Ban on High Capacity Ammunition Magazines:

- **What does the law do?** The NY SAFE Act limits the capacity of ammunition magazines to ten rounds. A previous limit to seven rounds was overturned by a federal judge. The legislation includes a ban on possession of pre-1994 high capacity magazines, and will require owners to sell the banned magazines out of state within one year.
- **How Will it Protect New Yorkers?** High capacity ammunition magazines have been used in numerous mass shootings. The only purpose of such devices is to ensure maximum carnage. The new law would ensure that these devices are no longer in circulation in New York.

### ➤ Ammunition Sales Background Checks and Regulations:

- **What does the law do?** All ammunition sales will be subject to a background check. Ammunition ordered over the internet must be delivered in a face-to-face transaction with a firearms dealer and the purchaser.
- **How Will it Protect New Yorkers?** The new law will help law enforcement to detect gun traffickers by tracking high-volume ammunition purchases. By requiring background

checks for ammunition sales, criminals and other dangerous individuals will be prevented from gaining access to ammunition.

➤ **Firearms License Recertification:**

- **What does the law do?** Requires pistol licenses and assault rifle registrations to be recertified every 5 years.
- **How Will it Protect New Yorkers?** Recertification of firearms permits will give law enforcement the ability to determine if the licensee has engaged in any criminal activity that would prohibit the individual from continuing to possess a firearm.
  - For example, at the Binghamton mass shooting, the shooter had a lifetime firearms permit, therefore law enforcement did not learn of violent behavior that he had engaged in that would have disqualified him from having the permit.

➤ **Webster Provision:**

- **What does the law do?** Makes murder of a first responder who is engaged in his or her duties a Class A-1 felony, with a mandatory penalty of life in prison without parole.
- **How Will it Protect New Yorkers?** Created to honor the memory of Lt. Mike Chiapperini and Tomasz Kaczowka who were victims of a fatal shooting in Webster, New York, on December 24, 2012, this provision will protect our first responders.

➤ **Safe Storage:**

- **What does the law do?** Requires safe storage of firearms in households where individuals live who have been convicted of a crime, involuntarily committed, or subject to an order of protection.
- **How Will it Protect New Yorkers?** Will help to ensure that guns do not end up in the hands of dangerous individuals.

➤ **Tougher penalties for illegal gun use:**

- **What does the law do?** Establishes tougher penalties for those who use illegal guns in the commission of a crime.
- **How Will it Protect New Yorkers?** The legislation will give law enforcement a greater ability to crack down on criminals who obtain firearms illegally.