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**CITY OF CLEVELAND**

Mayor Frank G. Jackson

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For Immediate Release

## **Mayor Jackson submits legislation to City Council to fight gun violence in Cleveland**

*Proposed laws rewrite City's gun code, create new gun offender registry*

**CLEVELAND** – Today, Mayor Frank G. Jackson submitted to Cleveland City Council a complete rewrite of the City of Cleveland's guns laws and proposed a new gun offender registry to help prevent gun violence, in order to save lives and make the city's neighborhoods safer.

"We've taken thousands of guns off the streets of Cleveland over the last eight and a half years. We work in partnership with law enforcement on all levels to take violent offenders off the street. And, we've added police officers to our gang unit to help address the problem," said Mayor Jackson. "This legislation, if passed, will give us another way to attack the problem of gun violence in Cleveland and make Cleveland a safer place."

The Jackson Administration has discussed this proposed legislation with City Council President Kevin Kelley and Chairman of the Public Safety Committee Matt Zone and looks forward to participating in the public hearings that will be held regarding the legislation.

"Gun violence has taken far too many lives in our community. The City of Cleveland must act aggressively to address this issue," said City Council President Kevin Kelley. "I look forward to further discussion of the ordinances through the committee process where Councilman Zone has assured a thorough hearing process."

"The Public Safety Committee welcomes this legislation and the conversations that it will prompt to help address this high priority issue in our city," said Councilman Matt Zone, Chair of the Public Safety Committee. "I am confident that my

colleagues in Council and on the Safety Committee will have thoughtful and productive input as we move forward with the legislative process."

The legislation submitted today would repeal the City of Cleveland's existing codified ordinances in [Chapter 627 Weapons and Explosives](#) and would replace it with new laws addressing specific violence prevention needs in the City of Cleveland and laws that would mirror existing state gun laws, with appropriate municipal level offenses and penalties (see attached summary).

"If these ordinances are enacted, our city prosecutors will have more options to charge individuals suspected of gun-related crimes in the City of Cleveland," said Law Director Barbara Langhenry. "Particularly when the criminal act doesn't meet the standards of a state offense but still must be addressed."

In addition, the current [Chapter 628](#) (assault weapons ban) would be repealed and replaced with legislation to create a gun offenders registry (see attached summary).

"The gun offender registry would be a new tool that would help law enforcement officers understand where individuals convicted of a gun offense are living in the City of Cleveland," said Public Safety Director Michael McGrath. "Add this information to our crime data analysis and partnerships like VGRIP, and we will have a greater ability to address gun violence."

## **Summary of Proposed New Gun Ordinances**

### **CHAPTER 627 WEAPONS**

**627.01 Definitions:** Definitions revised to mirror state law.

#### **627.02 Carrying Concealed Weapons**

Like state law, this section prohibits carrying a concealed deadly weapon or handgun and makes it an offense for persons with a concealed handgun license to (1) fail to inform a law enforcement officer that the person is carrying a concealed handgun; (2) fail to keep the persons hands in plain sight when stopped by a law enforcement officer; or (3) fail to comply with any lawful order of the law enforcement officer.

#### **627.03 Limiting Firearm Purchases to One Person every 90 Days**

This section prohibits the purchase or acquisition of more than one firearm within a 90-day period.

#### **627.04 Using Weapons While Intoxicated**

Like State law, this section prohibits the carrying or use of a firearm while under the influence.

#### **627.05 Improperly Handling Firearms in a Motor Vehicle**

Like state law, this section prohibits transport of a firearm in a motor vehicle unless certain requirements have been met and complied with.

**627.06 Failure to Secure Dangerous Ordnance**

Like state law, this section requires person in possession of dangerous ordnance to secure it against theft and to insure the safety of persons and property.

**627.07 Improperly Providing Access to Firearms to a Minor**

This section makes it an offense to leave a firearm in a manner that allows access to the firearm by a person under 18 years of age.

**627.08 Underage Purchase of Firearms**

This section mirrors misdemeanor offenses in state law and prohibits persons under 21 from purchasing a handgun.

**627.09 Improperly Discharging a Firearm on or near Prohibited Premises**

Similar to state law, this section prohibits the discharge of a firearm (1) at or within 100 yards of a cemetery; (2) on a lawn, park, pleasure ground, orchard, or other ground appurtenant to a school, church, or inhabited dwelling, the property of another, or a charitable institution; (3) over a public road or highway; or (4) within five hundred feet of the grounds of any park, playground, or recreation center owned by the City.

**627.10 Prohibited Weapons on School Property; Duty to Notify Police**

This section requires any school official to notify the Police upon discovery of a prohibited weapon on school grounds.

**627.11 Possessing Certain Weapons at or About Public Places**

Like state law, this section prohibits any person from carrying or possessing a BB gun, pellet gun, knife, brass knuckles, cestus, billy, karate stick, blackjack, or sword in a public place.

**627.12 Seizure and Confiscation of Deadly Weapons**

This section authorizes police to seize a deadly weapon in any situation where a person has been drinking, disturbing the peace, threatening harm and the officer has reasonable cause to believe the deadly weapon may be used.

**627.13 Reporting Transfers of Firearms**

This section prohibits the sell or transfer of a firearm without reporting the sell or transfer to the Division of Police.

**627.14 Defacing Identification Marks of Firearms; Possessing Defaced Firearm**

Like state law, this section prohibits (1) alteration of the name of the manufacturer, the serial number or other mark of identification on a firearm; or (2) possession of an altered firearm.

**627.14 Unlawful Transactions in Weapons**

This section prohibits the manufacture, sell, or possession for sale to any person other than a law enforcement officer weapons such as brass knuckles, knives and advanced martial arts weapons.

**627.16 Prohibition Against Transferring Firearms or Dangerous Ordnance to a Felon or Intoxicated Person**

This section prohibits any person from *negligently* selling or furnishing a firearm to any person prohibited from having such weapons

**627.17 Voluntary Surrender of Firearms and Dangerous Ordnance**

This section allows any person with an illegal handgun to dispose of it by turning it in to a district police station without making any written statement and allows a person who possesses a firearm while under a weapons disability to avoid prosecution by reporting the possession to any law enforcement authority and surrendering the firearm.

**627.18 Reporting Lost or Stolen Firearms**

This section requires persons that reside in the City to report to police the theft or loss of a firearm within 48 hours of the time he/she know or should have known of the theft or loss.

**627.19 Facsimile Firearms**

This section (1) prohibits the display, market for sale, or sale of a facsimile firearm; (2) prohibits brandishing a facsimile firearm with intent to frighten a person; and, (3) prohibits brandishing a facsimile firearm in the presence of a law enforcement officer, fire fighter or EMT.

**627.20 Conveyance or Possession of an Object Indistinguishable from a Firearm in a School Safety Zone**

Like state law, this section prohibits the possession or brandishing of an object indistinguishable from a firearm in a school safety zone.

**OTHER WEAPON PROHIBITIONS**

**627.21 Sale of Long-Bladed Pocket Knives**

**627.22 Sale or Possession of Sling Shots and Pea Shooters**

**627.23 Unlawful Display of Weapons**

**627.24 Possession or Use of Stench Bombs**

**627.25 Tear Gas Guns**

**627.26 Containers or Combustibles**

**627.27 Jump Traps**

## **CHAPTER 628 GUN OFFENDER REGISTRY**

This new chapter requires a gun offender that resides in the City, after the effective date of this section, to register with the Safety Director within 5 days of either release, or the imposition of a sentence, or within 5 days of becoming a resident if the offender did not live in the City at the time registration would have been required. Offender must register annually for a period of four years.

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