



Legislation Text

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The official copy considered by the City Council is the first reader copy.

Introductory*

City of Baltimore Council Bill R (Resolution)

Introduced by: President Young

A Resolution Entitled

A Council Resolution concerning
Request for State Action - Strengthening Penalties for Wearing, Carrying, or Transporting a Handgun
For the purpose of calling on the Baltimore City Delegation to the Maryland General Assembly to act to strengthen penalties for wearing, carrying, or transporting a handgun by securing the enactment of legislation that limits discretion to suspend sentences and increases the penalties for repeat offenders who continue to illegally possess handguns.

Recitals

There were 318 murders in Baltimore City last year, and 84% of them were committed using a handgun. There have been 183 murders in the City of Baltimore as of July 8, 2017 and 88% of them were committed using a handgun.

The handguns used in these crimes are not legally registered with the Maryland State Police as required by Maryland law. Of the 318 victims from 2016, 46% of them had previously been arrested for a gun crime. This data shows that people are being caught for gun crimes, but are then being released.

In Baltimore City, the simple, illegal possession of a handgun is the source of violent crime. In addition to 318 murders, there were over 650 people shot with a gun. And in 2016, there were over 240 convictions for gun crimes, but over 60% of the total years imposed as a result of those convictions were suspended by the Judiciary. Offenders continue to be released without consequences.

The City Council, on behalf of the Mayor, is introducing an ordinance to make wearing, carrying, or knowingly transporting a handgun near certain places of public assembly - including parks, schools, and churches - a misdemeanor. But the City Council is only able to prohibit carrying illegal handguns in certain places, and can only penalize the carrying of illegal handguns as a misdemeanor.

Therefore, the Baltimore City Council asks the Baltimore City delegation to the Maryland General Assembly to enact legislation that strengthens the penalties for carrying illegal handguns by limiting judicial discretion in suspending sentences for repeat offenders who continue to illegally possess handguns and making repeat offenses a felony subject to imprisonment.

The legislation should balance the reality that people may make a one-time mistake, or be ignorant of the law, with the need to address the dangerousness of repeat offenders.

The totality of individuals involved in gun crimes in Baltimore City is comparably small, the effect these people have on the entire community of Baltimore City is overwhelming. The penalties for wearing, carrying, or transporting a handgun need to be strengthened with real consequences to serve as a deterrent for the continued use of illegal handguns in Baltimore City.

Now, therefore, be it resolved by the City Council of Baltimore, That the Council calls on the Baltimore City Delegation to the Maryland General Assembly to act to strengthen penalties for wearing, carrying, or transporting a handgun by securing the enactment of legislation that limits discretion to suspend sentences and increases the penalties for repeat offenders who continue to illegally possess handguns.

And be it further resolved, That a copy of this Resolution be sent to the Governor, the Honorable Chairs and Members of the Baltimore City House and Senate Delegations to the Maryland General Assembly, the President of the Maryland Senate, the Maryland House Speaker, the Mayor, and the Mayor's Legislative Liaison to the City Council.