

**THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY**

RESOLUTION NO. 2022 - 056

Introduced by:
Commissioner Hank Hughes and Commissioner Anna Hansen

**A RESOLUTION URGING THE STATE AND FEDERAL GOVERNMENT TO ENACT
COMMON SENSE GUN SAFETY MEASURES**

WHEREAS, gun deaths in the United States far surpass gun deaths in other countries on a per capita basis, killing on average 32,000 Americans each year and 321 each day; and

WHEREAS, firearms are responsible for nearly 68% of all homicides and 52% of all suicides in the United States and are the leading cause of death among children and teens according to USA Today; and

WHEREAS, every year, 693 children in the United States under the age of 17 die from gun suicide (Healthcare Cost and Utilization Project for Brady United Against Gun Violence); and

WHEREAS, intimate partner violence is highly prevalent in the United States; studies show that an estimated 4.5 million women have, at one time, been threatened with a gun held by their intimate partner. Furthermore, it is reported that 900,000 women have been shot or shot at by an intimate partner. Yet, when it comes to fatalities, women in the United States are more than twice as likely to be shot and killed by their male intimate as they are to be fatally shot, stabbed, bludgeoned, strangled, or killed in any other way by a stranger (Journal of Woman's Health, Vol. 26, No.3); and

WHEREAS, according to the Education Fund to Stop Gun Violence, every 16 hours a woman is killed by her husband or male partner; and

WHEREAS, gun violence has a disproportionate impact on racial and ethnic minorities and is highly concentrated in a relatively small number of neighborhoods that have historically been under resourced and racially segregated; and

WHEREAS, 60 percent of firearm fatalities in New Mexico affect Hispanics; and

WHEREAS, firearm fatalities are a serious problem in the City of Santa Fe and Santa County. In 2021 alone, there were a record of 11 homicides, including two teens, and six shootings involving local law enforcement officers, four of them fatal; and

WHEREAS, in 1994, Congress enacted a federal ban on assault weapons and high capacity magazines as part of the Violent Crime Control and Law Enforcement Act. The provision expired in 2004 and, since then, hundreds of people have been killed in shootings across the nation; and

SFC CLERK RECORDED 07/27/2022

WHEREAS, the Brady Background Check System was established in 1994 and has prevented 4 million prohibited gun transactions, but today approximately 1 in every 5 gun sales occurs without background checks, especially at gun shows and online sales; and

WHEREAS, the gaps in the background checks have resulted in over 42,000 firearms being transferred to prohibited buyers due to loopholes in these regulations; and

WHEREAS, New Mexico's Extreme Risk Firearm Protection Order (ERPO) gives law enforcement officers the authority to file a petition for an extreme risk firearm protection order if they receive credible evidence, amounting to probable cause, to believe a person poses a significant danger of causing imminent personal injury to self or others by having access to a firearm; and

WHEREAS, the New Mexico ERPO is inadequate in that it does not give family members and domestic partners the authority to petition for an ERPO and does not provide for emergency orders; and

WHEREAS, on June 25, 2022, Congress passed the Bipartisan Safer Communities Act that allocated millions of dollars for mental health services, school security, and crisis intervention programs to prevent gun violence. In addition, the bill provides \$750 million in funding for states to implement red flag laws which generally allows law enforcement to temporarily seize guns from individuals who are a threat to themselves or others while also enhancing background checks for younger gun buyers; and

WHEREAS, the Bipartisan Safer Communities Act is the most significant piece of federal firearm legislation in 25 years, it still does not ban assault rifles nor dramatically expand gun background checks; and

WHEREAS, the Bipartisan Safer Communities Act expands federal restrictions on domestic abusers and definitions of who could qualify as a convicted perpetrator of domestic violence, it does not reference abusers who are subject to protective orders or add dating partners to the definition of an intimate partner, allowing abusive dating partners even those under protective orders to still have firearm access; and

WHEREAS, New Mexico scored a C in its annual gun law score card by Gifford's Law Center and statistics prove that in order to protect New Mexican families and children, policy makers need to strengthen protections for domestic violence victims, enact a child access prevention law, enact more stringent regulations that prevent firearm trafficking and utilize the federal safer communities funding to create community violence intervention programs.

NOW, THEREFORE, BE IT RESOLVED the Board of County Commissioners of Santa Fe County urges the U.S. Congress to enact the following gun safety measures and, should the U.S. Congress fail to act, urges the New Mexico Legislature to enact the following gun safety measures:

1. Require universal background checks for all persons who seek to purchase a gun;

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2. Ban the sale of assault rifles and large-capacity ammunition magazines that have a capacity of, or that can be readily restored or converted to accept, more than 10 rounds of ammunition;
3. Enact a federal red flag law that would allow a judge to order the removal of guns from a person deemed to be a threat to themselves or others;
4. Enact a lifetime ban on purchasing firearms for people convicted of domestic violence;
5. Enact a waiting period of 10 days for any gun purchase;

BE IT FURTHER RESOLVED that the County Manager is directed to forward this Resolution to the County's Federal Delegation, U.S. Senators Martin Heinrich and Ben Ray Lujan and Congressional Representative Teresa Leger Fernandez, Governor Michelle Lujan Grisham, the leadership of the New Mexico Senate and House, Senators and Representatives in the New Mexico Legislature representing Santa Fe County, and New Mexico Counties' Board of Directors and Executive Director.

PASSED, APPROVED, AND ADOPTED ON THIS 26TH DAY OF JULY, 2022.

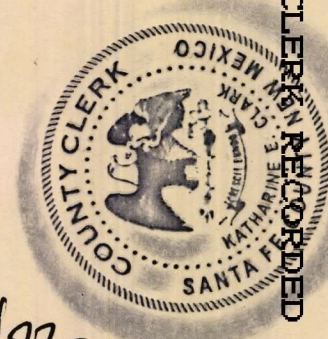
**BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY**

By: Anna T. Hamilton
Anna T. Hamilton, Chair

ATTESTATION:

Katharine E. Clark
Katharine E. Clark
Santa Fe County Clerk

Date: 07/27/22



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Approved as to form:

Jeff Young for
Jeff Young
Santa Fe County Attorney

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BCC RESOLUTIONS
PAGES: 3

I Hereby Certify That This Instrument Was Filed for Record On The 27TH Day Of July, 2022 at 10:47:54 AM And Was Duly Recorded as Instrument # **1993828** Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Katharine E. Clark
Deputy Destiny Romero County Clerk, Santa Fe, NM

