

NORTHAMPTON COUNTY DISTRICT ATTORNEY
JOHN M. MORGANELLI CALLS UPON LAW ENFORCEMENT
COMMUNITY TO LEAD EFFORT IN REDUCING GUN VIOLENCE

Despite years and years of numerous tragedies all across the United States and right here in Pennsylvania, the number one public safety issue facing all of our communities, death by gunfire, has been all but ignored by the leaders of our Commonwealth. Thousands of Pennsylvanians, including many police officers, die each year because of the proliferation of guns into the hands of criminals, children and the mentally ill. As all of us struggle with balancing the rights guaranteed under the Second Amendment, while recognizing that we have a serious problem that cries out for action, there has been silence coming from Harrisburg. The statistics are staggering:

- Pennsylvania's rate of gun homicides is among the highest in the nation, particularly in communities of color.
 - In 2014, Pennsylvania ranked fourth in the nation for the rate of gun homicides of African Americans with a rate that was 55% higher than the national average.

- Pennsylvania law enforcement officers are killed with guns at an exceptionally high rate.
 - **April 2009** – 3 Pittsburgh Bureau police officers were ambushed when answering a domestic dispute between a mother and son.
 - **2011** – A 22 year old Deputy Sheriff from Berks County Sheriff's Office was murdered with an AK-47 while serving a warrant
 - **September 2014** - A state trooper from Blooming Grove barracks was ambushed and killed and another seriously injured with an AK-47.
 - **2015** – A 54 year old officer from St. Clair Township Police Department was fatally shot with a 0.270 caliber while responding to a domestic disturbance call.

— **January 2016** – Philadelphia police officer was ambushed while sitting in his patrol car.

— **November 7, 2017** – Trooper Seth Kelly of Troop M was seriously injured when shot at a traffic stop.

- A police officer is fatally shot in Pennsylvania every six months
- An assault with a firearm against a police officer occurs approximately every two days.
- 43% of officers fatally shot in Pennsylvania from 2005 to 2014 were killed with long guns compared to 27% of officers fatally shot nationwide with long guns.
- More Pennsylvanians are killed by gun violence than in car accidents annually. Pennsylvania is one of the 21 states where gun deaths already have surpassed car accident deaths
- **Pennsylvania is a top supplier of guns used in crimes recovered in other states**
 - According to The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) data, from 2012 to 2014, 29% of guns recovered in crimes and traced were originally purchased in another state.
 - Data from **2009** found that 10 states supplied almost half of the crime guns that crossed state lines.
 - Because of being so close to interstate 95, and because of its relatively weak gun laws, Pennsylvania is a popular corridor for gun trafficking.
 - **2012 to 2014** – Pennsylvania ranked 8th for highest number of guns exported with a total of 5,844 guns.
- **Pennsylvania women are killed with guns wielded by intimate partners at a high rate.**
 - Nationally, women are 500% more likely to be killed by an intimate partner in households with a history of domestic violence when a gun is present in the home.

- In the **year 2015** — there were 113 domestic-violence-related murders, and in 53% of these murders, the victims, majority of them women, were fatally shot

What can we conclude from all of this?

- In Pennsylvania, a person is killed with a gun every six hours.
- Gun violence is an urgent public health issue in Pennsylvania
- Elected leaders need to act.

The debate over firearms has been a polarizing one for many years. Liberals tend to want to ban all guns and portray their owners as rednecks who do not seem to care that criminals can get their hands on fire power. At the other extreme, an entrenched gun lobby appears to believe that any regulations on guns are a threat to their constitutional rights. The anti-gun movement must accept the fact that the United States will not and should not have to abolish the right to possess firearms. The fact is that millions of law abiding people possess firearms and use them lawfully for sport, hobby and personal security without incident. At the same time, the pro-gun advocates have to acknowledge that the Second Amendment, like all other amendments, is not without some limitations.

As district attorney for the last 26 years, I have supported the right to carry, and the right to use deadly force if necessary to protect one's life or the life of another. I have opposed efforts to require law abiding citizens to register their guns with the government. But another fact that cannot be ignored is that

criminals, mentally disturbed individuals and children too often come into the possession of firearms with tragic and devastating results.

The fact is that a majority of people want a balanced approach. They want to know what can be done to make our schools and communities more secure; they want to know what can be done to assure that the mentally disturbed and children do not possess firearms; and they want to know what strategies can be employed to reduce death by gunfire. They also want to know that the law will punish criminals and those individuals who have demonstrated that they are incapable of owning and operating firearms responsibly. And they want to know how this can all be done without trampling on the Second Amendment.

Today, I am here to say that we can take guns out of the hands of criminals, children and the mentally ill without disarming law abiding citizens. To do so we have to be both smart and tough. It is no longer acceptable to fall back on the old cliché that we do not have to do anything but enforce existing gun laws. The fact is we do enforce existing gun laws. Every day across Pennsylvania gun laws are enforced by district attorneys and the police. But we need to do more and we cannot be deterred by the NRA that tries to scare gun owners into believing that all initiatives to curb gun violence represents a threat to take away guns from law abiding citizens.

Reducing access to firearms by criminals, the mentally disturbed and children, and assuring that those who commit crimes with guns and who are irresponsible with their firearms are properly punished should be goals that all of us can agree upon. These goals cannot, however, be accomplished unless those on opposite sides of the issue work together to fashion a sensible middle approach to the issues of firearms in a free society.

The recent mass shooting of students at a school in Florida has once again awakened the public consciousness. Unfortunately, these incidents have been going on for a long long time despite improvements in school safety, having police officers in our schools and even some changes in the law regarding firearms. The horror that occurred recently at the Marjory Stoneman Douglas High School in Parkland Florida is only the latest in tragedies that have occurred in our schools. The public consciousness still remembers the taking of 20 young lives in 2012 at Connecticut's Sandy Hook Elementary School. And of course recently at a concert in Las Vegas, another mass shooter engaged in the gunning down of innocent people. Back in 1990's there was fallout from tragedies that occurred in places that we have forgotten about: Pearl Mississippi, West Paduca Kentucky, Jones Borough Arkansas, and closer to home, Edinboro and Clearfield Pennsylvania.

Today I am calling upon the law enforcement community, including the Pennsylvania District Attorney Association, the State Fraternal Order of Police and

the Pennsylvania State Troopers Association, to join me in an effort to reduce death by gunfire in Pennsylvania. I am asking these three organizations to pass resolutions supporting a comprehensive legislative agenda to reduce gun death in Pennsylvania. Specifically, that agenda should embrace the following:

(1) **Pass “The Parents Responsible Gun Ownership Act.”**

I have long been an advocate of a new piece of legislation that I call the “The Parents Responsible Gun Ownership Act.” I first brought this idea to the Pennsylvania legislature in the 1990’s. This legislation would require gun owners to secure their firearms when they reside with individuals under the age of 18 or with individuals who have been convicted of a crime of violence, or an individual who is mentally ill. This type of legislation would only be applicable to gun owners who have living in their homes those kinds of individuals. People who fail to secure their firearms from easy access would only be charged if a crime is committed by a household member who fits within that class and it is determined that the firearm came from the home and was not secured. This kind of legislation would go a long way in reminding and enforcing the responsibilities that individuals have when they own firearms and have children or others in their home who may be a danger when in possession of a firearm.

1.7 million children live with unlocked, loaded guns – 1 out of 3 homes with kids have guns. Approximately 1 of 3 guns is kept loaded and unlocked and most

children know where parents keep their guns. In 2014 there were 1,217 firearm related injuries in Pennsylvania. Almost half of these were in persons under 25 years old.

Statistics bear out that children who bring weapons to schools more often than not obtain the firearms from their own homes. The majority of the times these are firearms owned by the adults that are not secured. The right to own and possess firearms brings with it responsibilities to see to it that these firearms do not end up in the wrong hands. A strong message must be sent to adults who lawfully own and possess firearms but who act in a reckless and negligent manner by allowing these firearms to come into the possession of their minor children or individuals who are mentally ill.

Over my years as district attorney many of the weapons that we have seen in school are usually brought from home and were easily accessible simply by walking to Mom or Dad's room and taking a revolver from a drawer and loading it. A message must be sent to adults that it is their responsibility to secure their weapons. The passage of the "Parents Responsible Gun Ownership Act" would accomplish this goal.

- (2) **Ban Bump Stocks – an accessory which turns a semi-automatic weapon into one that fires continuously**
- (3) **Require Background Checks for All Sales of Long Guns.**
- (4) **Ban the Sale of Assault Weapons to the General Public**

At Sandy Hook Elementary School in Newtown Connecticut in 2012, Adam Lanza reportedly fired more than 150 shots in less than five minutes from his assault style rifle with a high capacity magazine. On June 12, 2016 at Pulse Nightclub, a single shooter killed 49 people and injured 53. It was the worst mass shooting in U.S. history until the mass shooting in Las Vegas in October of 2017 took 58 lives and leaving 546 injured. In Florida in the most recent shooting at the school, the shooter was able to get off 150 rounds in less than three minutes with an AR-15. These kinds of weapons are only for one purpose: the mass killing of people and provide no legitimate sporting, hunting or general self-defense purpose that cannot be accomplished by lesser capacity firearms. We need a ban on the sale of assault/military style weapons to the general public.

- (5) **Expanding Background Checks to both Firearm Sales at Gun Shows and Over the Internet as proposed in the legislation authored by Senator Joe Manchin of West Virginia and Pat Toomey of Pennsylvania**
- (6) **Prohibit any Individual whose name is on a Terror Watch List from Purchasing a Firearm**
- (7) **Require that All Lost and/or Stolen Guns must be Reported to Law Enforcement**
- (8) **Assure that Mental Health Records are Entered into National Databases for Background Checks**
- (9) **Consider “Red Flag” laws which allow a family member and police officers to petition a judge to temporarily remove guns from someone who appears to pose a danger to himself or others.**

So far, five states – California, Connecticut, Indiana, Oregon and Washington have enacted such laws and a proposal is pending in 18 more. This is being promulgated by a group called Everytown. Pennsylvania is not among those considering a “Red Flag” law and previous versions did not advance in Harrisburg.

In addition to this law enforcement led legislative agenda which will admittedly take time, today I am requesting the following immediate action:

(1) I am requesting that all Northampton County School Districts work with law enforcement to undertake a security review of every school in their individual districts to assure that everything is being done to keep our children safe. This should include an examination of access issues, the ability to respond to emergencies, and plans in place to meet any situation.

(2) I am also directing all law enforcement in Northampton County, municipal police and state police, to meet with school officials within their areas of jurisdiction to assure that any reported threats are immediately identified and investigated. Both law enforcement and educators must work closely together and pay attention to student threats of violence and to students who might menace others. We need to particularly focus on individuals who have been the subject of suspension, expulsion, arrest or identified with mental health problems.

(3) I am appealing to all of our young people and their parents to report any and all threats of violence that they may hear. Students who hear threats should report them to their teachers, parents or the police. In order to prevent

tragedies, it is necessary for law enforcement to investigate and intercede in any potential violent acts that students and/or their parents believe could occur.

Individuals cannot be reluctant or fearful. Without your help, bad actors cannot be identified.

(4) To the owners of firearms in Northampton County. I am requesting today that all of you check your firearms to assure that your firearms are not easily accessible to minors or mentally ill persons who may live in your home. Please check your safety measures. Voluntary responsibility on the part of the owners of firearms in assuring that minors and the mentally ill do not have access to firearms could go a long way. Statistics demonstrate that approximately 98% of all firearms that are in the possession of young people and brought into school settings are obtained at home. We need parents to be aware of the location of their firearms and to assure that children do not have access to them. Although I recognize that a majority of gun owners are responsible citizens and do not knowingly or intentionally want any harm to come to anyone as a result of their firearms, I have seen over the years negligence and inattentiveness which often leads to ammunition and firearms coming into the possession of children resulting in crimes and many times accidental shootings. Therefore today I am asking all of our citizens of this county today, this week, to make it a top priority to check their firearms to make sure that they are secure and not accessible to children or anyone

with a mental health issue. I can assure you that if a gun crime occurs and I learn that a firearm was easily accessible to a child, or a mentally ill person, you will be charged.

In 1993, after a rash of school shootings across the United States including several incidents in Pennsylvania, I convened meetings with all of the school districts in Northampton County for the purpose of assessing each school districts current protocol in order to assure the safety of our students in all Northampton County schools. At that time I asked each school district to forward to me all existing policies that they had in writing relative to the issues of weapons in schools and safety protocols in place to assure that all children at school were as safe as possible.

A number of school districts went further and immediately organized task forces on violence in the schools to address a wide range of issues. I personally participated in the Bethlehem Area School District's Task Force on school violence which resulted in a number of recommendations that was presented to school directors on or around September 13, 1993. The aforesaid resulted in the development of sound strategies. The implementation of these initiatives outlined today will bring us steps closer to safer communities.