



Written by [Christian Gomez](#) on March 12, 2013

## New York Counties Work to Repeal State Gun Control Laws

As Democrats and gun control advocates praise the New York State Secure Ammunition and Firearms Enforcement Act of 2013, or NY SAFE Act as it is generally known, for being the first post-Newtown gun control legislation in the country, county after county in New York State has either introduced or passed resolutions calling for the law's repeal.



As of March 11, a total of 52 out of New York State's 62 counties have introduced resolutions requesting the repeal of the NY SAFE Act. Of those 52 county resolutions, 40 of them have already passed — meaning that roughly two-thirds of the counties of New York State reject Governor Andrew Cuomo's "landmark" gun control legislation.

Of the state's 10 remaining counties that have yet to introduce any such anti-NY SAFE Act resolution, half of them are in New York City. New York City is composed of five boroughs — Brooklyn, Manhattan, Queens, Staten Island, and The Bronx — each of which is also a state county (respectively: Kings County, New York County, Queens County, Richmond County, and Bronx County). Outside of New York City, the five remaining counties that have not introduced repeal resolutions are Nassau, Schenectady, Suffolk, Tompkins, and Westchester.

The website [www.nysaferesolutions.com](http://www.nysaferesolutions.com) has been monitoring daily the number of counties and towns that have been introducing and passing resolutions against the NY SAFE Act. This webpage also has a [Facebook presence](#), popular among Tea Party activists and lawful gun owners in New York.

The NY SAFE Act is one of the most restrictive gun control laws in the country and in the history of New York State. Regarded as the "most comprehensive" gun control legislation by Governor Cuomo and its supporters, this new law "Bans all pre-1994 high capacity magazines; Bans any magazine that can hold over 7 rounds (down from a limit of 10); and mandates real time background checks of ammunition purchases in order to alert law enforcement of high volume buyers," according to the governor's website.

When the bill was being debated on the floor of the Democratic-majority New York State Assembly, the toughest opposition came from Tea Party-favored conservative Republicans. "This law gives criminals a 60 day window to wrap up their crimes without increased penalties but slams law abiding citizens today. That makes a lot of sense," said Assemblyman Steve McLaughlin (R-Melrose) upon the passage of the bill.

Assemblyman McLaughlin garnered national attention during the debate when he revealed a [15-point list](#) of anti-Second Amendment proposals that Democrats lobbied to be included in the final NY SAFE



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Act, but were not incorporated. Among those rejected proposals were the following:

- confiscation of all firearms labeled “assault weapons”
- a statewide firearms registry
- microstamping of all guns in New York State
- individual possession and purchase limits on firearms and ammunition

On January 16, 2013, the day after Governor Cuomo signed the NY SAFE Act into law, McLaughlin released a statement entitled, “[Moscow would be proud of New York](#),” comparing Cuomo’s NY SAFE Act to the gun control legislation of the Soviet Union. “Moscow would be proud of our state Legislature and Executive Chamber, but every New Yorker should be outraged,” McLaughlin said. “This bill will do nothing to make New York safer, while doing much to endanger the safety of law-abiding citizens. Criminals, as they always do, will ignore this law.”

That same day, the town of Truxton, in Cortland County, NY, became the first municipality in the state to pass a [resolution formally expressing its opposition and request to repeal the law](#). Short and straightforward, the town of Truxton’s resolution reads:

WHEREAS, the Right of the People to Keep and Bear Arms is guaranteed as an Individual Right under the Second Amendment to the United States Constitution and under the Constitution of the State of New York, and;

WHEREAS, the Right of the People to Keep and Bear Arms for defense of Life, Liberty, and Property is regarded as an Inalienable Right by the People of the Town of Truxton, New York, and:

WHEREAS, the People of the Town of Truxton, New York, derive economic benefit from all safe forms of firearms recreation, hunting, and shooting conducted within the Town of Truxton using all types of firearms allowable under the United States Constitution and the Constitution of the State of New York, and;

WHEREAS, the Town of Truxton Board, being elected to represent the People of the Town of Truxton and being duly sworn by their Oath of Office to uphold the United States Constitution and the Constitution of the State of New York, and;

WHEREAS, the New York Assembly and the New York Senate, being elected by the People of the State of New York and being duly sworn by their Oath of Office to uphold the United States Constitution and the Constitution of the State of New York, and;

WHEREAS, the legislation passed by the New York State Legislature infringes on the Right to Keep and Bear Arms and bans the possession and use of firearms now employed by individual citizens of the Town of Truxton, New York, for defense of Life, Liberty and Property and bans the possession and use of firearms now legally owned for safe forms of firearms recreation, hunting and shooting conducted within the Town of Truxton, New York;

NOW, THEREFORE, IT BE AND IS HEREBY RESOLVED that the Town of Truxton Town Board, do hereby oppose the enactment of any legislation that would further infringe upon the Right of the People to keep and bear arms and consider such laws to be unconstitutional and beyond lawful Legislative Authority.

On January 23, Herkimer County became the first county in the state to pass a resolution opposing the NY SAFE Act and calling for the governor and the state legislature to “set aside and annul this ill



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conceived and poorly drafted statute which abridges the rights of law abiding citizens of the State of New York.”

The village of Ilion, located in Herkimer County, is home of one of the two production sites for Remington Arms Company, where many of the company’s firearms are manufactured. Shortly after Herkimer County passed its resolution, Madison and Oswego counties joined the rank of state counties denouncing the NY SAFE Act.

By February 13, six additional counties had passed anti-NY SAFE resolutions. These new counties included Ulster, Lewis, Warren, Washington, Madison, and Oswego. Since then, the movement to repeal the NY SAFE Act has taken off like wildfire.

New Yorkers all across the state are sending a message, not just to Governor Cuomo but also to President Obama, that they do not approve of or intend to comply with any laws, acts, measures, orders, rules, or regulations that restrict their Second Amendment right to keep and bear arms.

The Ulster County resolution, while expressing disapproval and a call to repeal the NY SAFE Act, is also intended to send a message to the federal government. Upon passage of Ulster County’s resolution, copies of it were sent to President Barack Obama, Vice President Joe Biden, Senator Charles Schumer (D-N.Y.), Senator Kirsten Gillibrand (D-N.Y.), Representative Chris Gibson (R-N.Y.), Governor Andrew Cuomo, and to the state senators and assemblymen who represent the county in Albany.

Wayne County’s anti-NY SAFE resolution, which has also passed, reads in part, “By and large, we find the legislation does little more than negatively impact lawful gun ownership.” The resolution continues, “This legislation fails to offer any meaningful solutions to gun violence and places increased burdens where they do not belong, squarely on the backs of law-abiding citizens.”

Wayne County residents attended the meeting when the resolution was brought to a vote. John Piczkur the chairman of the Wayne County Chapter of the Shooters Committee on Political Education (SCOPE), told county lawmakers, “This law arrogantly dictates how I should defend my family. Criminals are to blame [for the violence], not law-abiding citizens.”

Also present at the meeting was Wayne County Sheriff Barry Virts. He too expressed his disapproval of the state law. “Appropriate people should have guns and inappropriate people should not,” Virts said. “This law won’t solve the problem.”

County lawmakers have received an outpouring of support from both law-abiding gun owners and law enforcement officials alike. The sheriffs of Albany, Columbia, Dutchess, Erie, Essex, Greene, Lewis, Oneida, Saratoga, and Schuyler counties, as well as the Deputy Sheriffs Association of Steuben County and the New York State Sheriffs’ Association, have all come out against the NY SAFE Act.

Vocalizing his opposition to the law and any proposals to disarm or confiscate peoples’ firearms, Schuyler County Sheriff Bill Yessman posted the following statement on the Schuyler County sheriff’s Facebook page:

I have heard from many people over the past few days regarding New York’s new gun law. I want to assure every resident of Schuyler County, that neither myself, nor any Deputy Sheriff from the Schuyler County Sheriff’s Office will be coming to take your firearms from you. I believe in our rights under the Second Amendment, and the protections or our citizens under the Fourth Amendment. I do support portions of the new law such as penalties for killing our First Responders, and protecting our schools. This law was rushed through the State Legislature, without the time



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period needed for rebuttle and discussion by both sides of the issue. I hope that the way that this law was presented and passed, isn't the new "norm" in Albany. I want to thank our local representatives Senator Tom O'Mara and Assemblyman Phil Palmesano for voting "No" and protecting our rights.

Thank you. — Sheriff Bill Yessman

Despite the law's enactment, it has virtually little to no support from the state's county municipalities and little backing from local sheriffs. The Essex County Sheriff's Office also released a strong statement expressing their disapproval and unwillingness to stand behind the new law.

"The recent NY Safe Act gun legislation is one of the most controversial pieces of law that I have seen in over 35 years of law enforcement experience," said the Essex County Sherriff's Office. "I can assure you that I have no intention of going door to door to pick up any weapons legally owned by any Essex County residents, nor does any other Sheriff in New York State."

The sheriff also provided various criticisms about the shortcomings of gun control and its relationship to violent crimes: "Violent crime is related to a willingness to resort to violence not the presence of guns or weapons." The message continued, "It makes no more sense to demonize weapons based on appearance than it does to demonize a car for DWI accidents or a deck of cards for gambling addiction."

The county municipalities and their local sheriffs are the government officials who are closest to the people, and they seem to have a better understanding of what the law can and cannot do. Unlike most of their counterparts in Albany and Washington, they have a deeper appreciation and regard for the Constitution of the United States.

If an anti-Second Amendment state gun control law is garnering this much opposition from the people, their municipal governments, and local sheriffs in New York State, Washington will have an even tougher time implementing, much less enforcing, its own federal gun control legislation across the country. If it cannot work and will not work in New York, by the consent of the people and their local law enforcement, then it is not likely to succeed elsewhere in the country.

Governor Cuomo, much like President Obama, has awaken the silent majority in New York, and this majority will continue to fight until the NY SAFE Act is gone from the state's law books.

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