

PROPOSAL TO SUPPORT SENSIBLE GUN LEGISLATION TO END GUN VIOLENCE

“Morality cannot be legislated, but behavior can be regulated. Judicial decrees may not change the heart, but they can restrain the heartless. Let us never succumb to the temptation of believing that legislation and judicial decrees only play minor roles in solving this problem.” – Rabbi Zoe Klein quoting Martin Luther King Jr.

Every year 30,000 Americans are killed as a result of gun violence, including suicides, homicides and accidental shootings; an additional 75, 000 are injured. The shooting in December at Newtown Elementary School brought home to us how devastating such tragedies are and reminded us of the fact that such tragedies happen all too often. In the wake of Newtown, and so many other recent tragedies, now is the time to affect change for sensible gun legislation.

Temple Isaiah’s Gun Legislation Advocacy Committee (“GLAC”) was formed on January 10, 2013 when a group of Temple congregants met to see if there was any interest in supporting the growing movement in communities throughout our nation to take action and support new legislation to reduce gun violence. The overwhelming consensus was to take immediate action and to do so in partnership with the Temple.

CALL FOR ADVOCACY

In line with our Reform Jewish movement and the tradition of Temple Isaiah, the GLAC proposes that:

- **Temple Isaiah take effective, public action to support President Obama’s Plan “Now Is The Time,”**¹ This includes plans to make schools safer through funding of school resource officers, psychologists and social workers, increasing access to mental health services for young adults, closing background check loopholes, banning military-style assault weapons and high-capacity magazines and providing local law enforcement with the tools to prevent and prosecute criminals who use guns. [See the full plan outline starting at Page 4]
- **Temple Isaiah advocate for the passage of HR 137: Fix Gun Checks Act of 2013**²
Briefly Defined: This piece of legislation was introduced in the House of Representatives by Carolyn McCarthy (D-NY). It would require that federal agencies certify that they have submitted to the National Instant Criminal Background Check System all records identifying persons prohibited from purchasing firearms under federal law. The bill would also put in place penalties for states that do not make this data electronically available. It would ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system, and require a background check for every firearm sale.
- **Temple Isaiah advocate for the passage of HR 141: Gun Show Loophole Closing Act of 2013**³
Briefly defined: This piece of legislation was also introduced in the House of Representatives by Carolyn McCarthy (D- NY). The bill proposes a set of federal rules and regulations to create a national standard to govern gun shows that would include criminal background checks. Gun show operators

¹ The full text of President Obama’s Plan: http://www.whitehouse.gov/sites/default/files/docs/wh_now_is_the_time_full.pdf

² The full text of HR137: <http://beta.congress.gov/bill/113th-congress/house-bill/137>

³ The full text of HR141: <http://www.govtrack.us/congress/bills/113/hr141>

would then be held accountable to a national standard that would not only include criminal background checks, but increased penalties for those who do not adhere to these new standards.

OVERVIEW & PROCESS

To insure that there was a majority within the congregation that would be in support of the Proposal, a “Community Conversation” was held on February 19, 2013. The Community Conversation (“Conversation”) was publicized through email blasts to all congregants on February 13, 2013 and February 14, 2013. [See *News from Temple Isaiah* Emails, Exhibits “A” and “B”] In addition, separate invitations for the Conversation were distributed to various Temple groups by individual members of GLAC including several email blasts to the Isaiah Women’s Group. The second email blast to the congregation on February 14, 2013 included a modified copy of this proposal (excluding the placeholder for the paragraph on Community Conversation and the conclusion) and an “Advocacy Email” address for those congregants to respond who were unable to attend. [See Advocacy Email Responses, attached Exhibit “C”] GLAC’s goal was to call upon as many members of the congregation as possible to hear their questions, comments and/or concerns regarding Temple Isaiah taking a public position on gun control. At the outset of the Conversation, the Resolution presented to you with this Proposal was read to the attendees. While there were strong opinions from both sides, the overwhelming response from the Temple congregants was supportive of GLAC’s Resolution to the Board of Trustees.

The members of GLAC prepared a very thoughtful program and protocol for the meeting. [See Agenda, Exhibit “D”] Subsequent to introductory statements by Rabbi Frimmer and Karen Sloane and pro and con position statements being read, all attendees were broken out into smaller groups with GLAC members having been trained by Larry Zucker to facilitate. [See Exhibit “E”] The smaller groups consisted of 6 to 7 congregants, and each group appointed a representative to speak to the entire group when we reconvened to summarize feelings. During the break-out session, congregants provided thoughtful answers to three (3) questions with modifiers. [See attached Exhibit “F”].

Feedback from the small group conversations indicated that the large majority favored the Temple taking a public stand on legislation addressing gun control and related areas included in HR 137, HR 141 and President Obama’s Plan “Now is the Time”. Congregants believe that the social action roots at Temple Isaiah should be brought back to the forefront at the Temple. [A transcribed version of the notes prepared by appointed representatives of the smaller groups are attached hereto as Exhibit “G”]

No social justice proposal is going to be universally agreed upon, but the system that was utilized to reach the current consensus was thorough and well-thought out. Congregants who are both opposed and in favor of the Temple taking a public position on gun control expressed that they were not fearful of being in the minority, although they would feel badly if their position was not adopted by the Temple. However, not one congregant stated they would leave the Temple if the Temple supported gun control, HR 137, HR 141 and/or President Obama’s Plan “Now is the Time”. The primary question that surfaced from the meeting was: “Why wouldn’t the Board support this Proposal in light of the support of the congregants and the clergy, and in light of the social justice roots of Temple Isaiah?” (“Justice, Justice Thou Shall Pursue”)

The GLAC believes that our task as Reform Jews, in the tradition of our prophets, is to challenge America’s conscience and to heed the biblical injunction that we “must not stand idly by the blood of our neighbor”. (Leviticus 19:16) Temple Isaiah was founded on the premise that it is our duty as Jews to be socially aware, socially conscious and proactive within the community. Indeed, Temple Isaiah has historically been in the forefront of speaking in favor of handgun control. As a community – with the backing of the Union of Reform Judaism and the Religious Action Center – we also follow the Talmudic teaching that “Whoever destroys a soul, it is considered as if he destroyed an entire world. And whoever saves a life, it is considered as if he saved an entire world.” (Mishnah Sanhedrin 4:5; *Babylonian Talmud* Tractate Sanhedrin 37a)

ARGUMENTS PRO & CON

There are many voices and arguments on both sides of the gun legislation issue which are briefly summarized as follows:

Opposition:

Those who **oppose** changes to existing gun legislation believe that any restriction on the right to bear arms is an infringement of Second Amendment rights and may lead to further infringements (e.g. First Amendment). They assert that HR 137, HR 141 and Obama's "Now Is The Time" proposals will unfairly penalize responsible gun owners. New legislation cannot and will not be effective, and if passed, many policing agencies will not enforce new gun laws. The solution to gun violence is not to create more laws; rather, it is to focus on alternative tactics such as providing armed guards in schools, paying attention to the high level of violence in our society, and strengthening family values. Finally, with additional restrictions, those who are opposed believe that Americans will be denied the right to protect themselves and their families. A proposal was made by the Executive Vice-President and CEO of the National Rifle Association ("NRA"), Wayne LaPierre, that schools place armed security at every school. Subsequently, the Newtown Board of Education voted to request that the City of Newtown place a School Resource Officer ("SRO") for each of its elementary schools. Prior to the Sandy Hooke tragedy, all middle and high schools in Newtown already had SROs on campus.

In Support:

Those in **support** believe that restricting access to some weapons and accessories (based on gun classification, ammunition grade, and bullet capacity) will reduce gun violence and make our nation safer. While they may support the Second Amendment, they believe there can and should be limitations on the right to bear arms. Far too many people have died as a result of lenient or unenforced gun laws, loopholes, and the lack of funds directed towards mental health services, research on gun violence, and the absence of an effective national database.

The GLAC feels that Temple Isaiah should act now. President Obama, Vice-President Biden, Senator Feinstein and others have made great strides in 2013 by proposing legislation and executive action on gun violence. However, to affect change within a deeply-divided government and nation, we need to build effective, public support to pass new laws. As residents of the State of California, we can be proud to say that our state has some of the strictest gun control laws in the United States, and is right in line with President Obama's proposal to limit the sale of some firearms, ammunition and accessories, including the sale of high-capacity ammunition clips and military-style assault rifles. Temple Isaiah would simply be supporting national legislation that is already in place in the State of California.

SUMMARY OF PRESIDENT OBAMA'S PLAN

The following provides the more salient points of President Obama's "Now Is The Time" initiative.⁴

Overview of President Obama's Initiative -- "Now is the Time"

A. Closing background check loopholes to keep guns out of dangerous hands

- Require criminal background checks for all gun sales with limited, common-sense exceptions.
- Call on licensed dealers and private sellers to do their part through executive action.
- Strengthen the background check system.
 - Address unnecessary legal barriers that prevent states from reporting information about those prohibited from having guns.
 - Improve incentives for states to share information with the background check system.
 - Hold federal agencies accountable for sharing reliable information with the background check system.
 - Make sure dangerous people are prohibited from having guns.
- Insure that the background check system has complete information on people prohibited from having guns.

B. Banning military-style assault weapons and high-capacity magazines, and taking other common sense steps to reduce gun violence

- Reinstate and strengthen the ban on assault weapons.
- Limit ammunition magazines to ten (10) rounds.
- Get armor-piercing bullets off the streets.

C. Making schools safer

- Take executive action to provide incentives for schools to hire school resource officers.
- Place up to 1,000 new school resource officers and counselors in schools and help schools invest in safety. Congress should provide \$150 million to school districts and law enforcement agencies to hire school resource officers, school psychologists, social workers and counselors.
- Ensure every school has a comprehensive emergency management plan.
- Invest in other strategies such as Comprehensive School Safety Grants to purchase school safety equipment and update public safety plans. Congress to provide \$30 million.
- Create a safer climate at schools across the country.
- Share best practices on school discipline.

D. Increasing access to mental health services

- Make sure students and young adults get treatment for mental health issues.
- Develop programs to identify mental illness early in young people, and refer them for treatment.
- Provide mental health First Aid training for teachers (\$55 million for Project AWARE).
- Make sure students with signs of mental illness get referred to treatment.
- Support individuals ages 16 to 25 at high risk for mental illness by Congress providing \$25 million for innovative state-based strategies supporting young adults with mental health/substance abuse issues).
- Help schools address pervasive violence by Congress providing \$25 million to offer students mental health services for trauma or anxiety, conflict resolution programs and other school-based violence prevention strategies.

⁴ The full text of President Obama's Plan: http://www.whitehouse.gov/sites/default/files/docs/wh_now_is_the_time_full.pdf

- Train additional mental health professionals to service students and young adults by Congress providing \$50 million to train social workers, counselors, psychologists and other mental health professionals.
- Launch a national conversation to increase understanding about mental health.
- Ensure coverage of mental health treatment to 30 million Americans, including an estimated 6-10 million people with mental illness, by passing the Affordable Care Act (“ACA”).

E. Provide law enforcement the tools to prevent and prosecute gun crime.

- Create serious punishments for gun trafficking.
- Funding to help communities across the country keep 15,000 officers on the street (\$4 billion proposal to Congress).
- Take executive action to enhance the ability to trace gun’s path from manufacturer to dealer to purchaser.
- Take executive action to help law enforcement avoid returning guns to the wrong hands by instituting background check capability.
- Provide the Bureau of Alcohol, Tobacco, Firearms, and Explosives (“ATF”) with a confirmed director.
- Eliminate restrictions that force the ATF to authorize importation of dangerous weapons based on their antiquity status as a “curio or relic”.
- Maximize enforcement efforts to prevent gun violence and prosecute gun crime.
- Provide law enforcement the ability to analyze information on lost and stolen guns.
- Provide effective training for active shooter situations for 14,000 law enforcement officers, first responders, and school officials.
- Preserve the rights of health care providers to protect their patients and communities from gun violence.
- Encourage gun owners to live up to their responsibility to store guns safely.
- End the freeze on gun violence research (Congress to provide \$10 million for the CDC to conduct further research, including relationship between video games, media images and violence.)

CONCLUSION

The GLAC respectfully requests that Temple Isaiah’s Board of Trustees vote in support of the Resolution we’ve put forward.

Thank you for your consideration.

Karen L. Sloane
GLAC Chair