



## MAYOR'S REPORT

### Report to Executive Committee Update on Toronto Gun Violence Strategy

<b>Date:</b>	March 19, 2008
<b>To:</b>	Executive Committee
<b>From:</b>	Mayor Miller
<b>Wards:</b>	All
<b>Reference Number:</b>	

#### SUMMARY

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I am committed to making Toronto safe. This commitment has resulted in City investment in community-based prevention efforts to tackle the root causes of violence and to develop more opportunities for youth. We have put more officers on our streets and have seen positive results from the Toronto Police Service's Toronto Antiviolence Interventions Strategy (TAVIS). As you know, my recent efforts have focused on the issue of guns, and the violence and disruptive behaviour they bring to Toronto.

This report updates Council on the actions I have taken to date in fulfillment of my mandate to make our safe city safer. A strategy and action plan have been developed to meet the following objectives:

- a handgun ban
- tougher crime legislation for illegal gun use
- increased anti-gun smuggling security at the Canada-U.S. border
- stronger U.S. gun controls
- continue community-based prevention and youth opportunity development

#### RECOMMENDATIONS

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**The Mayor recommends that:**

Executive Committee receive this report for information

**Financial Impact**

The recommendations carry no financial impact on the City of Toronto.

## ISSUE BACKGROUND

As members of Toronto Council know, I am a long time supporter and advocate for a handgun ban in Canada. In my platform document, “Toronto 2010: Vision of a Great City”, I committed to making our safe city safer through the delivery of a number of initiatives, including: calling on the federal government to ban handguns and all semi-automatic weapons, advocating for tougher crime laws for anyone who commits a crime while in possession of a gun, stronger anti-gun smuggling border security, and to continue the successful Toronto Police Service’s Anti-Violence Intervention Strategy.

Gun violence in Toronto affects us all. Each time someone is murdered or injured as a result of gunfire, or threatened with a gun, it causes untold grief to families, creates instability in our neighbourhoods, impedes the development of our business centres, and diminishes trust in the institutions that govern society. Unfortunately the people of Toronto have become all too familiar with the ugly realities of gun violence and the complex socio-economic conditions that perpetuate this destructive behaviour. Although we are proud when we hear media reports of how safe Toronto is, as in the recent Maclean’s “Most dangerous cities in Canada” report, we do not lose sight of the ongoing challenges of gun violence. The City of Toronto is taking action to address the root causes of gun violence and to get the guns off our streets. A key component is the following strategy.

### **A Handgun Ban**

The federal government has jurisdiction over the legislation that governs firearms, the *Firearms Act*, and the *Criminal Code*. Under this legislation, firearms are classified under three broad categories: prohibited, restricted, and non-restricted (rifles and shotguns). Still, **all types of firearms can be legally possessed by residents in Canada** under terms and conditions set out by the legislation. Currently there are 632,559 legally registered, restricted, and prohibited weapons in Canada. Many gun owners possess more than one gun.

Large cities face considerable public health and safety risks because of legal gun ownership. Guns contribute to a significant number of injuries, accidental deaths and suicides. Guns are used against women and children in incidents of domestic violence and are used in other violent crimes and homicides. Canada ranks fifth among industrialized countries in the rate of firearms deaths among children under the age of 14.

A major source of illegal firearms in Canada is theft from domestic sources<sup>1</sup>. This means that firearms are primarily obtained illegally from residential and commercial break-and-enters where legal guns are stored. Members of organized crime are known to identify and target firearms owners, in particular those with large collections.

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<sup>1</sup> Criminal Intelligence Service Canada, *2007 Annual Report on Organized Crime in Canada*, [www.cisc-scrcc.gc.ca](http://www.cisc-scrcc.gc.ca)

Even more, handguns have become the weapon of choice for criminals in Canada. In 2006, Canadian police services reported just over 8,100 victims of violent gun crime, ranging from assault to robbery and homicide<sup>2</sup>. Handguns made up nearly two-thirds of all firearms used in firearms-related violent crimes since 1998<sup>3</sup>. Toronto experienced the highest number of victims of firearm-related violent crimes in 2006, in Canada, one-quarter of all firearm-related victimizations. In 2006, 1,993 people in the Toronto CMA were victims of a violent offence related to guns<sup>4</sup>.

I have taken action to pressure the federal government to enact a handgun ban. I have recently sent letters to the Prime Minister and federal opposition leaders calling for a federal handgun ban. In January, I met with Ontario Attorney General Chris Bentley and we agreed to work together towards a gun ban. On March 3, he and Minister of Community Safety and Correctional Services Rick Bartolucci met with federal Ministers Rob Nicholson and Stockwell Day to seek tougher federal gun laws, including a ban on handguns; noting “with almost 194,000 registered handguns in Ontario, there are thousands of opportunities for theft and abuse.”<sup>5</sup>

The federal government does not support a handgun ban. Their position holds that there are sufficient controls in place to direct the ownership and use of handguns in Canada. I am prepared to convince them otherwise.

### **Tougher crime legislation for illegal gun use**

On November 23, 2006 in Toronto, I stood with the Premier in support of the Prime Minister as the federal government introduced new bail reform legislation. Last September, I wrote to the Prime Minister and the federal opposition leaders, urging them to reintroduce crime legislation reform into the current parliamentary agenda. In February, I wrote to Senator Joan Fraser, Chair of the Standing Committee on Legal and Constitutional Affairs, where Bill C-2 “Tackling Violent Crime Act” was being heard, to recommend passage.

On February 28, Bill C-2 received royal assent, amending the *Criminal Code* by:

- creating two new firearm offences and providing escalating mandatory sentences of imprisonment for serious firearm offences
- strengthening the bail provisions for those accused of serious offences involving firearms and other regulated weapons
- providing for more effective sentencing and monitoring of dangerous and high-risk offenders

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<sup>2</sup> Statistics Canada (2008), *The Daily February 20, 2008 “Study: Firearms and violence Crime: 2006”* Ottawa: Minister of Industry

<sup>3</sup> The following facts are derived from Dauvergne and De Socio (2008) *Firearms and Violent Crime* Statistics Canada – Catalogue no. 85-002-XIE, Vol. 28, no. 2, Ottawa: Minister of Industry

<sup>4</sup> Ibid.

<sup>5</sup> Government of Ontario news release, March 3, 2008, “*Ontario Justice Ministers Call on Federal Government to Get Tough on Gun Crime*” Ministry of the Attorney General, Ministry of Community Safety and Correctional Services

## **Increased anti-gun smuggling security at the Canada-U.S. border**

In my recent letter to the Prime Minister, I requested the federal government strengthen border security to stem the illicit trafficking of guns across the border. Smuggled firearms across the Canada-U.S. border is another major source of illegal firearms in Canada<sup>6</sup>. I have consulted with Chief Blair and Alok Mukherjee, Chair of the Toronto Police Services (TPS) on this subject, and they concur with the seriousness of the issue. The Toronto Police Services Board has called on the Prime Minister to ban handguns. Approximately two-thirds of the guns seized by the TPS enter Canada illegally across the Canada-U.S. border. I highlighted this problem with Ontario Attorney General Chris Bentley who has subsequently called on the federal government for increased anti-gun smuggling security at the border.<sup>7</sup>

The sheer size of physical geography between ports of entry, and the rough and remote unattended border crossings, invites exploitation of cross border movement by criminal entrepreneurs and organizations to smuggle firearms across the border<sup>8</sup>. Firearms are moved across international borders to support criminal organizations and individual criminals in their illicit activities, such as drug trafficking, self-protection, intimidation and, as a symbol of status.

Tackling these issues will require a coordinated effort involving, among other agencies, the RCMP, Canada Border Services, and provincial and municipal police services.

## **Stronger U.S. gun controls**

Any strategy to stem the flow of illicit guns onto our streets must address the varying degrees of gun control enforced by U.S. states. Canada's gun laws are seriously undermined by the close proximity of U.S. states that provide easier access to guns. Each of the fifty states has its own constitution and laws regarding guns. Most of the states' constitutions provide for some form of state-level right to keep and bear arms. This discrepancy leads to conditions where firearms can be easily and legally acquired in the U.S. and then illegally diverted to criminal groups and individuals in Canada. Considerable support will be needed to pressure the U.S. government to deal with this troubling situation.

My letter to the Prime Minister requests the federal government pressure the U.S. government for stronger gun controls. I raised this issue while meeting with Ambassador Michael Wilson in January. Recently, I held a meeting with Canadian and American organizations that advocate for stronger U.S. gun controls to better understand the issues and to inform Toronto's strategy. Groups included the: Coalition for Gun Control, Joyce Foundation, Violence Policy Center, Legal Community Against Violence, and the Harvard School of Public Health. Also in attendance was Chief Scott Knight, International Association of Chiefs of Police and Firearms Committee. The support of

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<sup>6</sup> Criminal Intelligence Service Canada, *2007 Annual Report on Organized Crime in Canada*, [www.cisc-scrs.gc.ca](http://www.cisc-scrs.gc.ca)

<sup>7</sup> Ibid

<sup>8</sup> See reference #6

these groups will give weight to future Toronto action and requests to other governments. Toronto can make a valuable contribution by working with efforts by U.S. organizations to impose gun controls.

I have also been involved with the U.S. Mayors Against Illegal Guns Coalition. This organization, which is co-chaired by New York Mayor Michael Bloomberg and Boston Mayor Thomas Menino, and aligns more than 250 mayors across the U.S., is working to share best practices, develop innovative policies, and support legislation at the national, state, and local levels to help law enforcement target illegal guns.

### **Continued community-based prevention and youth opportunity development**

The availability of guns in our city carries a hefty social cost. Access to a gun, whether in the home or on the street, creates unsafe and unstable environments. Guns perpetuate cycles of violence, including violence against women and children. Guns create obstacles to education and economic growth. Youth victimized by guns or convicted of using a gun have difficulty advancing through school or obtaining gainful employment. Neighbourhoods experiencing gun violence confront serious obstacles to economic development and growth.

As you know, the City of Toronto is committed to making our safe city even safer. We have put 450 more officers on our streets and in our neighbourhoods. The work of the Toronto Police Service's Toronto Antiviolence Interventions Strategy (TAVIS) is producing positive results. Through our Community Safety Plan, which was established in March, 2004, we are balancing enforcement with prevention, investing in youth, building on the strengths in our neighbourhoods and building partnerships with all sectors of our city, to ensure that every young person has a chance to succeed. Crime is down in every major category, except gun murders.

Our commitment to carrying out these programs and collaborating with community groups across the City will continue; in particular our focus on creating opportunities for youth. Police-reported data show that among young people, the use of guns in violent crime is increasing. The rate of youth aged 12 to 17 accused of a firearm-related offence has risen in three of the past four years. In 2006, police reported 1,287 youth accused of a firearm-related violent offence, 32% higher than in 2002, and its highest point since 1998<sup>9</sup>. Toronto's 2006 rate of youth accused of a firearm-related violent crime is 96.2%, well above the national average (55.5) and higher than all other CMAs<sup>10</sup>

### **Further action**

In a recent meeting of the Mayor's Panel on Making a Safe City Safer, the topic of guns was discussed at length. Much support was given for a community-based approach to raise awareness and for continued prevention efforts. As a result, I am working with

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<sup>9</sup> See reference #3

<sup>10</sup>The rate equals the number of youth accused of a firearm-related violent crime by the total number of youth accused of violent crime; for citation see reference #2

others to build a coalition of individuals and organizations across the city to publicly support a call for a handgun ban.

While advocacy for a handgun ban must be focused on the federal government, City staff are preparing options for City-based measures to address gun violence, including a thorough analysis of possible legal measures that the City could put in place to impose gun controls within its own jurisdiction. I have asked for this paper to come forward to Executive Committee in June.

I will also be distributing this report to the Premier of Ontario, the Ontario Attorney General, the Minister of Community Safety and Correctional Services, the Big City Mayors' Caucus, the Federation of Canadian Municipalities (FCM), the Regional Chairs and Single-Tier Mayors of Ontario (MARCO), and the Large Urban Mayor's Caucus of Ontario (LUMCO).

## **CONTACT**

Sylvia Searles, Community Outreach, Mayor's Office, (416)-338-7131

## **SIGNATURE**

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Mayor David Miller

## **ATTACHMENTS**

- Gun Violence in Canada
- "Ontario Justice Ministers Call On Federal Government To Get Tough On Gun Crime" [News Release](#), [Comprehensive Strategy](#)