

1/25/2022 Item 4.1: Vote NO Gun Harm Reduction Ordinance, Public Record

Winnie Chen <[REDACTED]>

Sat 1/22/2022 12:03 AM

To: Agendadesk <[REDACTED]> Jones, Chappie <[REDACTED]> Jimenez, Sergio <[REDACTED]>
 <[REDACTED]> Perez, Raul <[REDACTED]> Cohen, David <[REDACTED]>
 Carrasco, Magdalena <[REDACTED]> Davis, Dev <[REDACTED]> Esparza, Maya <[REDACTED]>
 <[REDACTED]> <[REDACTED]> Foley, Pam <[REDACTED]>
 <[REDACTED]> Mahan, Matt <[REDACTED]> Liccardo, Sam <[REDACTED]> City Clerk <[REDACTED]>
 <[REDACTED]> District1 <[REDACTED]> District2 <[REDACTED]> District3 <[REDACTED]>
 <[REDACTED]> District4 <[REDACTED]> District5 <[REDACTED]> District 6 <[REDACTED]>
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Dear Mayor and Council,

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Item 4.1 proposes unlawful and unenforceable changes to the Municipal Code which will not stop gun violence in San José. Legal owners of firearms will be unduly punished because, by definition, they are the only people that will be impacted by these proposals. Taxing and isolating a group of people purely based on their decision to embrace an enumerated constitutional right is discriminatory.

****Proposed Change: 10.32.210 Liability Insurance Required****

"Specifically covering losses or damages resulting from any negligent or accidental use of the Firearm, including but not limited to death, injury or property damage."

- Negligent use of a firearm is defined in CA Penal Code 246.3 as someone who willfully discharges a firearm (pulls the trigger intentionally) which could result in injury or death to a person.
- The City Council is requiring firearm owners to purchase insurance for intentionally pulling the trigger of a firearm to harm life and/or property, which is already defined as a serious violent crime.
- This type of insurance does not exist and if it did, would be so cost prohibitive that it would place an unconstitutional barrier to the free exercise of the Second Amendment.
- Lawmakers are allowed to approve the ordinance without defining the insurance coverage type and limits, having up to six months after the vote to define it.
- *Murdock v. Pennsylvania*, 319 U.S. 105 (1943) established that the government "may not impose a charge for the enjoyment of a right protected by the federal constitution."

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"A person who resides in the City and owns or possesses a Firearm in the City shall pay an Annual Gun Harm Reduction Fee to the Designated Nonprofit Organization each year."

- San José is taxing gun-owning, law abiding residents and visitors for the illegal actions of criminals.
- The City is creating a law which forces gun owners to financially support a business they may not agree with.
- The City Council is opening the floodgate for corruption, allowing former City employees to sit on the board of this nonprofit to be paid using additional monies from taxpayer dollars in the form of City grants. No former city employee should ever be allowed to sit on this board.
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****Proposed Change: 10.32.245 Impoundment****

"The Firearm or Firearms of a person that is not in compliance with this Part may be impounded subject to a due process hearing."

- Violation of the proposed changes will most likely result in an infraction.
- State law only allows for the impoundment of firearm for a felony or one of 20 defined violent misdemeanors. Infractions do not reach the state threshold requirement to legally confiscate and/or impound property.
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*****Focus on Real Solutions to Stopping Gun Violence*****

Our elected officials need to address the criminals who commit violence in our city and the solution to this problem should not be to punish the innocent law-abiding residents of San José. Please look at taking the following actions to stop gun violence:

1. Have the city council write and approve an amicus curia resolution to send to the California Assembly and Senate to repeal Propositions 47, 57, and AB109
2. Establish the Gun Harm Reduction Commission (GHRC) pilot program with balanced community representation
3. Enforce and prosecute existing gun laws
4. Support recommendations 1 through 5 of the 9/16/2021 Rules and Open Government Committee memorandum entitled, "Community Violence Prevention & Response"
5. Fund attorneys that will prosecute gun crimes in the county
6. Hire more police officers
7. Build mental health hospitals and fund sobriety programs

Yours Sincerely,
Your Constituent

Sent from my iPhone

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

"Agenda Item 4.1 22 045 Gun Harm Reduction Ordinance"

Wayne Stinchcomb <[REDACTED]>

Sat 1/22/2022 6:05 AM

To: City Clerk <[REDACTED]>

[External Email]

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This Agenda item is unconstitutional. Each United States has a right to own legal protection, which can be a firearm. The owner pays a sales tax (already paid a tax) when purchased and now you want to tax them again. That is unconstitutional.

Second the law goes against and or restricts freedom of a US Citizen. If a person is legally eligible to own a firearm, but now you double tax that person, you hinder the freedom of that to protect their person, family and property.

Do not pass laws, taxes, fees that are unconstitutional, freedom hindering or suppression of rights. This is one of those laws, taxes and or fee based that should not be passed.

Stop and don't pass

"Agenda Item 4 1 22 045 Gun Harm Reduction Ordinance"

Thank you

Wayne Stinchcomb

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Agenda Item 4.1 22 045 Gun Harm Reduction Ordinance"

Robert Cookson <[REDACTED]>

Sat 1/22/2022 6:22 AM

To: City Clerk <[REDACTED]>

[External Email]

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Guns don't kill people.
People kill people. Got that!
Control the sickos or they will
Start robbing and killing you
In your own home.

Sent from Rob's iPhone 8+

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Agenda Item 4.1 22 045 Gun Harm Reduction Ordinance

Meike Aton <[REDACTED]>

Sat 1/22/2022 6:27 AM

To: City Clerk <[REDACTED]>

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Agenda Item 4.1 22-045 Gun Harm Reduction Ordinance

Please take this item off the agenda!

This proposed ordinance will do nothing to curb gun violence. Criminals don't follow the law. Only law abiding citizens will be affected by this proposed ordinance.

Take it off the agenda!
Thank you from a law abiding citizen!

Meike Aton

See my Art Work at
[Instagram.com/meikesArt](https://www.instagram.com/meikesArt) And FB

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Agenda Item 4.1 22 045 Gun Harm Reduction Ordinance

[REDACTED] <[REDACTED]>

Sat 1/22/2022 6:45 AM

To: City Clerk <[REDACTED]>

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No intelligent, well-informed citizen would believe the tax associated with the subject is going to reduce any form of crime. Reliable statistical data does not support that premise.

Regards, D Bradley

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Agenda item 4.1 22 045

Weldon Fuller <[REDACTED]>

Sat 1/22/2022 7:06 AM

To: City Clerk <[REDACTED]>

[External Email]

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That agenda is against our Constitution please think twice

WLF

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1/25/2022 Item 4.1: Vote NO Gun Harm Reduction Ordinance, Public Record

Bill Lawrence <[REDACTED]>

Sat 1/22/2022 7:11 AM

To: Agendadesk <[REDACTED]> Jones, Chappie <[REDACTED]> Jimenez, Sergio <[REDACTED]>
 <[REDACTED]> Perez, Raul <[REDACTED]> Cohen, David <[REDACTED]>
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Yours Sincerely,
Your Constituent
PS.....

I hope to see the CAGOP start legislative action showing and reporting California legislators that criminally and discriminatorily promote unequal and paricial justice as Unconstitutional and their agenda assures to injure our republic, and our union we have civil rights and those rights assure laws are enforced and the US Constitution is defended and protected we see a common path to DNC trajectory which is violations of both Constitutional and American Civil Protections

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Agenda Item 4.1 22 045 Gun Harm Reduction Ordinance"

Steven Bruhn <[REDACTED]>

Sat 1/22/2022 7:14 AM

To: City Clerk <[REDACTED]>

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Please do not consider passage such an Ordinance. The weapons you are desiring to limit will not be affected by this ordinance. You will merely be discouraging honest law abiding gun owners to disarm themselves. While trying to make a revenue stream. This will do nothing to stop those that poses illegal weapons or seek to poses them. They are willing to use them as they see fit against law abiding citizens. Such an ordinance is short sighted and will not have its desired effect. Please do not consider enacting this ordinance.

Thank you

Regards,

Steven D Bruhn

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Fwd: 1/25/2022 Item 4.1: Vote NO Gun Harm Reduction Ordinance, Public Record

Bill Lawrence <[REDACTED]>

Sat 1/22/2022 7:15 AM

To: City Clerk <[REDACTED]>

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please read the statement below entirely

Forwarded message

From: **Bill Lawrence** [REDACTED]

Date: Sat, Jan 22, 2022 at 7:11 AM

Subject: 1/25/2022 Item 4.1: Vote NO Gun Harm Reduction Ordinance, Public Record

To: [REDACTED]

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--

Bill Lawrence


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"Agenda Item 4.1 22 045 Gun Harm Reduction Ordinance"

Gregory Wojtkun <[REDACTED]>

Sat 1/22/2022 7:35 AM

To: City Clerk <[REDACTED]>

[External Email]

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I strongly urge you to not pass a gun ownership tax which in effect establishes an illegal gun registry and jeopardizes 2nd Amendment rights. Taxing legal owners of guns will not mitigate gun harm since most gun incidents are done with illegal weapons. More lives are lost each year to knives, blunt instruments, and fists than from guns. I personally feel that you would be better off addressing solutions to all forms of violence.

Respectfully submitted,
Gregory Wojtkun

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Agenda Item 4.1 22 045 Gun Harm Reduction Ordinance

Joe fowler <[REDACTED]>

Sat 1/22/2022 7:42 AM

To: City Clerk <[REDACTED]>

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I oppose this ordinance. Taking basic human rights will predominantly hurt people of color, this will also hurt low income white families and individuals, to the point they are no longer able to enjoy the rights our forefathers fought and died for. Taking a basic human right is wrong. What's next a ban on speech, a ban on liberty, a ban on not letting soldiers take quarter, a ban to remain silent? This is unconstitutional and beyond the realm of duties bestowed on the government by the people and constitution.

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"Agenda Item 4.1 22 045 Gun Harm Reduction Ordinance"

Billy Pinkston <[REDACTED]>

Sat 1/22/2022 7:42 AM

To: City Clerk <[REDACTED]>

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Do not pass this anti 2nd amendment garbage!!!

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Agenda Item 4.1 22 045 Gun Harm Reduction Ordinance

Mark Hicks <[REDACTED]>

Sat 1/22/2022 7:48 AM

To: City Clerk <[REDACTED]>

[External Email]

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[External Email]

Good morning. I am writing to express my opposition to the above proposed ordinance. Criminals are the problem, not law abiding gun owners. You do not have the right to tax people for exercising their Constitutional Rights. In addition, using the tax you collect to defend your unconstitutional ordinance is morally reprehensible.

Sincerely,
Mark Hicks

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1/25/2022 Item 4.1: Vote NO Gun Harm Reduction Ordinance, Public Record

Goodwincatherine <[REDACTED]>

Sat 1/22/2022 7:48 AM

To: Agendadesk <[REDACTED]> Jones, Chappie <[REDACTED]> Jimenez, Sergio <[REDACTED]>
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1/24/22, 10:32 AM

Mail - Agendadesk - Outlook

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Agenda 4. 122 045 Gun harm reduction ordinance

Colin Caskey <[REDACTED]>

Sat 1/22/2022 7:58 AM

To: City Clerk <[REDACTED]>

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I am not currently a resident of San Jose but I do see a troubling trend beginning here, taking our second amendment rights out of existence, this so called take is a complete fraud and violation of the citizens of the city of San Jose so I am speaking on their behalf because I honestly don't think they are aware of this power grab that's taking place under their noses. I'm not sure that this email will even get to be seen by the right people but I felt I had to write it regardless.

Sincerely,

Colin Caskey

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Agenda Item 4.122 045 gun harm reduction ordinance

Linda Musfeldt <[REDACTED]>

Sat 1/22/2022 8:00 AM

To: City Clerk <[REDACTED]>

[External Email]

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[External Email]

San Jose is a beautiful city and of course we want our citizens protected from harm. However, more harm will be done by tossing out the US Constitution and its protections. I believe the gun harm reduction ordinance is unconstitutional. Let's NOT go down that path. Please delete the Agenda item 4.122-045 gun harm reduction ordinance from any ballot, law or consideration.

Most sincerely,
Linda Musfeldt

Sent from my iPhone

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Agenda Item 4.122 045 Gun Harm Reduction Ordinance

Paul Hnatiw <[REDACTED]>

Sat 1/22/2022 8:33 AM

To: City Clerk <[REDACTED]>

[External Email]

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[External Email]

Respectfully, Board Members

The above mentioned ordinance will do nothing but infringe on the public's 2nd amendment rights. What part of "shall not be infringed" don't you understand? Your state already has some of the most restrictive gun laws that there are.

Sincerely,

SIGNED

Paul Hnatiw CEO
[REDACTED]

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Proposed agenda item 4.1.22 045 Gun harm reduction ordinance

Ralph <[REDACTED]>

Sat 1/22/2022 8:34 AM

To: City Clerk <[REDACTED]>

[External Email]

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[External Email]

Dear Councilmembers,

I am writing to ask you to vote against the above ordinance as it is obviously unconstitutional.

The second amendment is enshrined as a constitutional right. You cannot restrict or impair the ability of a citizen to exercise this right by taxing it. Poll taxes were deemed unconstitutional, freedom of speech cannot be taxed. You cannot impair exercise of our basic rights to keep and bear arms. You are wasting taxpayer money by passing this law.

The issue is not the guns, it is the criminals who not pay your firearm tax and continue to commit gun related crimes.

Sincerely,

Ralph Buoncristiani

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"Agenda Item 4.1 22 045 Gun Harm Reduction Ordinance"

Thomas Whitworth <[REDACTED]>

Sat 1/22/2022 8:36 AM

To: City Clerk <[REDACTED]>

[External Email]

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[External Email]

I know you folks think you are doing society a favor with this bill but have you truly considered the consequences of your actions? You are headed down the path of government control at the level of previous historic disasters. Please reconsider your efforts to allow any further degradation of our 2nd amendment rights.

Thank you, TW

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1/25/2022 Item 4.1: Vote NO Gun Harm Reduction Ordinance, Public Record

cchamrah <[REDACTED]>

Sat 1/22/2022 8:43 AM

To: Agendadesk <[REDACTED]> Jones, Chappie <[REDACTED]> Jimenez, Sergio <[REDACTED]>
 <[REDACTED]> Perez, Raul <[REDACTED]> Cohen, David <[REDACTED]>
 Carrasco, Magdalena <[REDACTED]> Davis, Dev <[REDACTED]> Esparza, Maya <[REDACTED]>
 <[REDACTED]> <[REDACTED]> Foley, Pam <[REDACTED]>
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 <[REDACTED]> District4 <[REDACTED]> District5 <[REDACTED]> District6 <[REDACTED]>
 <[REDACTED]> District7 <[REDACTED]>

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[External Email]

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Item 4.1 proposes unlawful and unenforceable changes to the Municipal Code which will not stop gun violence in San José. Legal owners of firearms will be unduly punished because, by definition, they are the only people that will be impacted by these proposals. Taxing and isolating a group of people purely based on their decision to embrace an enumerated constitutional right is discriminatory.

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- The City Council is requiring firearm owners to purchase insurance for intentionally pulling the trigger of a firearm to harm life and/or property, which is already defined as a serious violent crime.
- This type of insurance does not exist and if it did, would be so cost prohibitive that it would place an unconstitutional barrier to the free exercise of the Second Amendment.
- Lawmakers are allowed to approve the ordinance without defining the insurance coverage type and limits, having up to six months after the vote to define it.
- Murdock v. Pennsylvania, 319 U.S. 105 (1943) established that the government "may not impose a charge for the enjoyment of a right protected by the federal constitution."

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- The City is creating a law which forces gun owners to financially support a business they may not agree

with.

- The City Council is opening the floodgate for corruption, allowing former City employees to sit on the board of this nonprofit to be paid using additional monies from taxpayer dollars in the form of City grants. No former city employee should ever be allowed to sit on this board.
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"The Firearm or Firearms of a person that is not in compliance with this Part may be impounded subject to a due process hearing."

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Yours Sincerely,
Your Constituent

Sent from my iPhone

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1/25/2022 Item 4.1: Vote NO Gun Harm Reduction Ordinance, Public Record

cchamrah <[REDACTED]>

Sat 1/22/2022 8:43 AM

To: Agendadesk <[REDACTED]> Jones, Chappie <[REDACTED]> Jimenez, Sergio <[REDACTED]>
 <[REDACTED]> Perez, Raul <[REDACTED]> Cohen, David <[REDACTED]>
 Carrasco, Magdalena <[REDACTED]> Davis, Dev <[REDACTED]> Esparza, Maya <[REDACTED]>
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Yours Sincerely,
Your Constituent

Sent from my iPhone

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1/25/2022 Item 4.1: Vote NO Gun Harm Reduction Ordinance, Public Record

cchamrah <[REDACTED]>

Sat 1/22/2022 8:43 AM

To: Agendadesk <[REDACTED]> Jones, Chappie <[REDACTED]> Jimenez, Sergio <[REDACTED]>
 <[REDACTED]> Perez, Raul <[REDACTED]> Cohen, David <[REDACTED]>
 Carrasco, Magdalena <[REDACTED]> Davis, Dev <[REDACTED]> Esparza, Maya <[REDACTED]>
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 <[REDACTED]> District7 <[REDACTED]>

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Yours Sincerely,
Your Constituent

Sent from my iPhone

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"Agenda Item 4.1 22 045 Gun Harm Reduction Ordinance" in the subject line.

t smith <[REDACTED]>

Sat 1/22/2022 9:02 AM

To: City Clerk <[REDACTED]>

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it's unconstitutional and unamerican we have the right to bare arms and it is not to be infringed

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Agenda Item 4.1 22 045 Gun Harm Reduction Ordinance

Michael Riba <[REDACTED]>

Sat 1/22/2022 9:02 AM

To: City Clerk <[REDACTED]>

[External Email]

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[External Email]

Please do not pass this egregious piece of legislation. Not only is it completely against every law abiding citizen's right to protect themselves, it is also illegal. Please read our 2nd Amendment.

--

Sincerely

Michael Riba

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Agenda Item 4.1 22 045 Gun Harm Reduction Ordinance"

Pedro Labrada <[REDACTED]>

Sat 1/22/2022 9:08 AM

To: City Clerk <[REDACTED]>

[External Email]

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[External Email]

To it may concern,

The above agenda item is unconstitutional, misguided, and immoral. This ordinance will have the opposite effect, and it will definitely not save any lives.

Sincerely

Pedro Labrada

Proud gun owner and defender of the Constitution

Pistlp70/

Semper Fiususus

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Proposed Gun Tax"Agenda Item 4.1 22 045 Gun Harm Reduction Ordinance" in the subject line.

Dan Poggione <[REDACTED]>

Sat 1/22/2022 9:10 AM

To City Clerk <[REDACTED]>

[External Email]

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[External Email]

This proposal appears to be nothing but a plan to raise more money for the city at the expense of law-abiding citizens who do not create any unnecessary expenses or trouble for the city. How about big fines and jail sentences and physical work crews for people who commit crimes?

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Agenda Item 4.1 22 045 Gun Harm Reduction Ordinance

robert allen <[REDACTED]>

Sat 1/22/2022 9:21 AM

To: City Clerk <[REDACTED]>

[External Email]

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[External Email]

The Constitution clearly states that gun ownership is a right in this nation without the government's nose in our homes. This suggested ordinance as with all gun control efforts to this day, if enacted will do **nothing** to curb gun violence whose cause is moral decay in our cities. I encourage you to develop action to deal with the declining standards that have encouraged breakup of the family unit and devaluation of human life.

Bob A.

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Agenda Item 4.1 22 045 Gun Harm Reduction Ordinance

Lylo <[REDACTED]>

Sat 1/22/2022 9:23 AM

To: City Clerk <[REDACTED]>

[External Email]

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[External Email]

To Whom it May Concern,

It is just a backdoor attempt at doing away with the 2nd amendment. Please do not allow this to pass.

Lyle Lenart

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Agenda Item 4.1 22 045 Gun Harm Reduction Ordinance

Jack Schweizer <[REDACTED]>

Sat 1/22/2022 9:30 AM

To: City Clerk <[REDACTED]>

[External Email]

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[External Email]

Please DO NOT pass this.

Jack Schweizer, Responsible gun owner

Sent from Jack's iPad

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Opposition to "Agenda Item 4.1 22 045 Gun Harm Reduction Ordinance"

ROB EDWARDS <[REDACTED]>

Sat 1/22/2022 9:35 AM

To: City Clerk <[REDACTED]>

[External Email]

You don't often get email from [REDACTED] [Learn why this is important](#)

[External Email]

I am just contacting you to let you know that I am opposed to this pending piece of legislation. The proposed tax on gun owners is just a step too far in my opinion. With the cost of living already at an all time high people can't be expected to pay additional taxes during a pandemic, even more so to be able to uphold their right to protect themselves and their families as well as provide food in these unusually hard times. The harm this legislation will cause is greater than any benefit it could ever hope to achieve. Thank you for your time.
Robert Edwards

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1/25/2022 Item 4.1: Vote NO Gun Harm Reduction Ordinance, Public Record

Dave H <[REDACTED]>

Sat 1/22/2022 9:53 AM

To: Agendadesk <[REDACTED]> Jones, Chappie <[REDACTED]> Jimenez, Sergio <[REDACTED]>
 <[REDACTED]> Perez, Raul <[REDACTED]> Cohen, David <[REDACTED]>
 Carrasco, Magdalena <[REDACTED]> Davis, Dev <[REDACTED]> Esparza, Maya <[REDACTED]>
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- Because the ordinance improperly compares the Second Amendment right to the privilege of owning a car for justification of these changes: California state law does not grant peace officers the authority to impound a vehicle on site for lack of insurance and requires a minimum of six months registration expiration before they can impound a vehicle [CVC 16028(a-c) and CVC22651(o)].

*****Focus on Real Solutions to Stopping Gun Violence*****

Our elected officials need to address the criminals who commit violence in our city and the solution to this problem should not be to punish the innocent law-abiding residents of San José. Please look at taking the following actions to stop gun violence:

1. Have the city council write and approve an amicus curia resolution to send to the California Assembly and Senate to repeal Propositions 47, 57, and AB109
2. Establish the Gun Harm Reduction Commission (GHRC) pilot program with balanced community representation
3. Enforce and prosecute existing gun laws
4. Support recommendations 1 through 5 of the 9/16/2021 Rules and Open Government Committee memorandum entitled, "Community Violence Prevention & Response"
5. Fund attorneys that will prosecute gun crimes in the county
6. Hire more police officers
7. Build mental health hospitals and fund sobriety programs

Yours Sincerely,
Your Constituent

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1/25/2022 Item 4.1: Vote NO Gun Harm Reduction Ordinance, Public Record

Elaine Levenson <[REDACTED]>

Sat 1/22/2022 10:07 AM

To: Agendadesk <[REDACTED]> Jones, Chappie <[REDACTED]> Jimenez, Sergio <[REDACTED]>
 <[REDACTED]> Perez, Raul <[REDACTED]> Cohen, David <[REDACTED]>
 Carrasco, Magdalena <[REDACTED]> Davis, Dev <[REDACTED]> Esparza, Maya <[REDACTED]>
 <[REDACTED]> <[REDACTED]> Foley, Pam <[REDACTED]>
 <[REDACTED]> Mahan, Matt <[REDACTED]> Liccardo, Sam <[REDACTED]> City Clerk <[REDACTED]>
 <[REDACTED]> District1 <[REDACTED]> District2 <[REDACTED]> District3 <[REDACTED]>
 <[REDACTED]> District4 <[REDACTED]> District5 <[REDACTED]> District 6 <[REDACTED]>
 <[REDACTED]> District7 <[REDACTED]>

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Gun Tax Agenda item 4.1 22 045

Carl Tiede <[REDACTED]>

Sat 1/22/2022 10:11 AM

To: City Clerk <[REDACTED]>

[External Email]

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[External Email]

Please do not pass this unconstitutional " gun grab ta "!! Agenda item 4.1 22 045.
It will NOT !! reduce gun violence, it will only make it more difficult for law abiding citizens to protect themselves. Criminals do not abide the law, so it will NOT remove guns from them!!

A Patriot,
Carl Tiede
Orem, Utah

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Agenda Item 4.1 22 045 Gun Harm Reduction Ordinance

ed janicki <[REDACTED]>

Sat 1/22/2022 10:20 AM

To: City Clerk <[REDACTED]>

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Agenda Item 4 1 22 045 Gun Harm Reduction Ordinance

Please stop this unconstitutional law from being enacted; law abiding citizens are not the problem! Thanks

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Agenda Item 4.1 22 045 Gun Harm Reduction Ordinance

Richard Schaut <[REDACTED]>

Sat 1/22/2022 10:37 AM

To: City Clerk <[REDACTED]>

[External Email]

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To whom it may concern,

Do not pass this proposed ordinance. It is unconstitutional!

Sincerely,

Richard Schaut

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"Agenda Item 4.1 22 045 Gun Harm Reduction Ordinance" in the subject line.

William Oakes <[REDACTED]>

Sat 1/22/2022 10:38 AM

To: City Clerk <[REDACTED]>

[External Email]

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[External Email]

It's time to take this to court.

Since when can you take a Civil Right?

It's time we all sign up as a class action and have the states and government repay us for all the taxes buying ammo, and guns. I should not have to pay for my fingerprinting, background checks or a permit.

Sorry it has come to this but people in this country have the right to self preservation and the right to protect those around them.

Sorry it has come to this but it's been a long time in coming!!!

Respectfully, Bill Oakes

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"Agenda Item 4.1 22 045 Gun Harm Reduction Ordinance

Jo Foley <[REDACTED]>

Sat 1/22/2022 10:49 AM

To: City Clerk <[REDACTED]>

[External Email]

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[External Email]

City,

I heard that you are planning to impose a gun ownership tax. That is unconstitutional. Maybe you don't care about America or our Constitution, but, most Americans do. You have no right to tax our weapons or ownership of them. This is just one more way of trying to get around calling it a Gun Registry. All Unconstitutional. We will fight you on this illegal, anti-American act.

JF



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Agenda Item 4.1 22 045 Gun Harm Reduction Ordinance

David Ogeen <[REDACTED]>

Sat 1/22/2022 11:04 AM

To: City Clerk <[REDACTED]>

[External Email]

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Please do not infringe on the second amendment by placing a tax on firearms. This will only affect the law-abiding gun owner.

Sincerely,

David Ogeen

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"Agenda Item 4.1 22 045 Gun Harm Reduction Ordinance"

Charles Nieman <[REDACTED]>

Sat 1/22/2022 11:11 AM

To: City Clerk <[REDACTED]>

[External Email]

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Yes I'm against illegal guns but the problem is that Bloomberg's mayors against illegal guns is that the criminals with the illegal guns don't abide by the rules and / or laws. So the city council of San Jose thinks if they take away all the guns, through taxing (penalizing) it law abiding citizens, in the city that the problem will just go away but it will not .. how many criminals really pay taxes?? I will help you here NONE !! otherwise they would be law abiding citizens and paying their Taxes. City council needs to look at how to unarm the criminals and not law abiding citizens. So just get your head out of Bloomberg's A** and do the right thing ... go after the CRIMINALS!!!

Respectfully,
C. L. Nieman
Michigan

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1/25/2022 Item 4.1: Vote NO Gun Harm Reduction Ordinance, Public Record

jorge rojas <[redacted]>

Sat 1/22/2022 11:37 AM

To: Agendadesk <[redacted]> Jones, Chappie <[redacted]> Jimenez, Sergio <[redacted]>
 <[redacted]> Perez, Raul <[redacted]> Cohen, David <[redacted]>
 Carrasco, Maadalena <[redacted]> Davis, Dev <[redacted]> Esparza, Maya <[redacted]>
 <[redacted]> <[redacted]> Foley, Pam <[redacted]>
 <[redacted]> Mahan, Matt <[redacted]> Liccardo, Sam <[redacted]> City Clerk <[redacted]>
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1/25/2022 Item 4.1: Vote NO Gun Harm Reduction Ordinance, Public Record

Judy Yanda <[REDACTED]>

Sat 1/22/2022 11:56 AM

To: Agendadesk <[REDACTED]> Jones, Chappie <[REDACTED]> Jimenez, Sergio <[REDACTED]>
 <[REDACTED]> Perez, Raul <[REDACTED]> Cohen, David <[REDACTED]>
 Carrasco, Magdalena <[REDACTED]> Davis, Dev <[REDACTED]> Esparza, Maya <[REDACTED]>
 <[REDACTED]> <[REDACTED]> Foley, Pam <[REDACTED]>
 <[REDACTED]> Mahan, Matt <[REDACTED]> Liccardo, Sam <[REDACTED]> City Clerk <[REDACTED]>
 District1 <[REDACTED]> District2 <[REDACTED]> District3 <[REDACTED]>
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Item 4.1 proposes unlawful and unenforceable changes to the Municipal Code which will not stop gun violence in San José. Legal owners of firearms will be unduly punished because, by definition, they are the only people that will be impacted by these proposals. Targeting and isolating a group of people purely based on their decision to embrace an enumerated constitutional right is discriminatory.

****Proposed Change: 10.32.210 Liability Insurance Required****

Specifically covering losses or damages resulting from any negligent or accidental use of the Firearm, including but not limited to death, injury or property damage.

Negligent use of a firearm is defined in CA Penal Code 246.3 as someone who willfully discharges a firearm (pulls the trigger intentionally) which could result in injury or death to a person.

The City Council is requiring firearm owners to purchase insurance for intentionally pulling the trigger of a firearm to harm life and/or property, which is already defined as a serious violent crime.

This type of insurance does not exist and if it did, would be so cost prohibitive that it would place an unconstitutional barrier to the free exercise of the Second Amendment.

Lawmakers are allowed to approve the ordinance without defining the insurance coverage type and limits, having up to six months after the vote to define it.

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****Proposed Change: 10.32.215 Annual Gun Harm Reduction Fee****

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- The City is creating a law which forces gun owners to financially support a business they may not agree with.
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- *Murdock v. Pennsylvania*, 319 U.S. 105 (1943) the Supreme Court ruled that "since the privilege in question is guaranteed by the Federal Constitution, and exists independently of state [or municipal] authority, the inquiry as to whether the State [or Municipality] has given something for which it can ask for a return is irrelevant."

****Proposed Change: 10.32.245 Impoundment****

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Yours Sincerely,
Your Constituent
Judy Yanda

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Agenda Item 4.1 22 045 Gun Harm Reduction Ordinance

Karl Gleim <[REDACTED]>

Sat 1/22/2022 12:23 PM

To: City Clerk <[REDACTED]>

[External Email]

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Gentlemen,

It comes to my attention that you are planning to pass a firearms ownership tax such that firearms owners will have to pay a tax on any firearm they own. The owners have already paid whatever taxes on their firearms at the time of purchase that were required by the ATF as part of the price of said firearm as well as any sales taxes imposed upon the purchase of said firearm by whatever jurisdiction imposed any sales taxes in the jurisdiction where the sale took place. This is an imposition upon the owners of firearms in your city and I would imagine any other city should someone move from their hometown into San Jose. This is onerous and just a means of causing undue burden upon the residents of your city and a scam upon the firearms owners therein, making it that much harder on lawful law abiding firearms owners exercising their rights to self defense under the US Constitution's 2nd Amendment which states that *this Right Shall Not Be Infringed*. You people go out of your way to cause undue burdens and infringements upon lawful and law abiding firearms owners with your taxes, and stupid self defense denying laws, rules and regulations. This is an infringement upon the citizens' rights to self defense and defense of the state and nation should the need arise. I have to decry this Tax and express my dismay that you would think of another way to tax people who are already under undue tax burdens in the State.

I have to also express my opinion that this kind of thing is what is driving the population of California to exit the state and move to other states where freedom is more open to and appreciated by their citizens. Just one more reason California has lost population and representation in Congress.

It would also be good to remind you members of the city government that you are employees of the citizens, you work for them not the other way around. It would not surprise me in the slightest that come the next election cycle all of you who subjected the citizens to this additional tax upon them will find yourselves out of a job if you were elected to your positions as well as possibly being removed from your positions by the new administrators above you if you are not in an elected position but just a hired employee. I would think twice about this if I were you.

Thank you for your time
Karl Gleim

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Agenda Item 4.1 22 045 Gun Harm Reduction Ordinance

David S. Greenberg <[REDACTED]>

Sat 1/22/2022 12:33 PM

To: City Clerk <[REDACTED]>

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To Whom It May Concern:

I am writing you in OPPOSITION to Agenda Item 4.1 22-045 "Gun Harm Reduction Ordinance" because it wrongly infringes upon the Constitutional Rights of the law-abiding citizen, while doing nothing to actually reduce criminal activity.

Instead of trying to ban or restrict the use of a tool (to wit: a firearm), focus on the criminal and their activities.

I humbly recommend the following for any individual who uses a firearm in furtherance of their criminal act(s):

- 1) No plea bargaining to a lesser charge. If it's charged, prosecute it.
- 2) No parole. Do 100% of the time.
- 3) No "Time Served" credits, time off for "Good Behavior" (earned or expected), "Early Release", "House Arrest", "Electronic Monitoring" or any other methodology employed to reduce the total amount of time spent in prison.
- 4) 10 years MINIMUM per act charged. If someone uses a firearm to commit an armed robbery, and they're charged with that: 10 years minimum. If they have additional acts charged such as "unlawful discharge of a firearm", add another 10 years. For a total of 20 years.
- 5) No CONCURRENT sentence serving. Make it all CONSECUTIVE. So if the criminal receives a 20 year sentence, they SERVE 20 years in prison.

6) Advertise it on billboards in high crime areas that "Mr. >Name< can be found at ABC Prison, #>prisoner no.<" for the next 20 years due to committing the following felonies with a firearm. Watch crime drop. cf: Project Exile, Richmond, VA. Circa 1990.

In essence: Leave the law-abiding citizen alone to their own devices to protect themselves, their loved ones and property from Criminals, and instead lock up criminals for long periods of time, far from their home.

Thank you for your kind consideration,

David Greenberg

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1/25/2022 Item 4.1: Vote NO Gun Harm Reduction Ordinance, Public Record

C w <[REDACTED]>

Sat 1/22/2022 12:53 PM

To: Agendadesk <[REDACTED]> Jones, Chappie <[REDACTED]> Jimenez, Sergio <[REDACTED]>
 <[REDACTED]> Perez, Raul <[REDACTED]> Cohen, David <[REDACTED]>
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Item 4 1 proposes unlawful and unenforceable changes to the Municipal Code which will not stop gun violence in San José. Legal owners of firearms will be unduly punished because, by definition, they are the only people that will be impacted by these proposals Taxing and isolating a group of people purely based on their decision to embrace an enumerated constitutional right is discriminatory.

****Proposed Change 10 32 210 Liability Insurance Required****

“Specifically covering losses or damages resulting from any negligent or accidental use of the Firearm, including but not limited to death, injury or property damage”

- Negligent use of a fi

Charlotte Kintzel

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