

RESOLUTION OF THE CITY COUNCIL

No. 100

Approved February 14, 2019

WHEREAS, On January 15, 2019, Congresswoman Debbie Dingell (D-MI) introduced H.R.569 known as the Zero Tolerance for Domestic Abusers Act of 2019, cosponsored by Congressman David Cicilline (D-1, RI) and Congressman James Langevin (D-2, RI); and

WHEREAS, The proposed legislation would ensure protections for victims of stalking from gun violence; and

WHEREAS, The bill works to close loopholes in federal law as it pertains to stalkers; and

WHEREAS, First, the bill includes “dating partner” as a part of the definition for “intimate partner”, ensuring that individuals convicted of dating abuse are unable to have access to firearms; and

WHEREAS, Current law only prohibits someone from owning a gun if they are a convicted of abusing a spouse, someone they live with, or someone they have a child with; and

WHEREAS, Abuse of a dating partner is as serious an act of violence as domestic abuse and should be treated as such; and

WHEREAS, Secondly, the bill would close a loophole that still allows certain convicted stalkers access to firearms; and

WHEREAS, According to bill sponsor, Congresswoman Dingell, stalking is a predictor of future violence, as indicated by one study of female murder victims, which highlighted that 76% of women murdered by a current or former intimate partner experienced stalking in the year preceding the murder; and

WHEREAS, It would take proactive measures to ensure that any firearm sold, whether by a federally licensed vendor or a private seller, would be subject to background checks; and

WHEREAS, This bill would work to ensure all victims of stalking are protected and kept safe from potential stalkers wishing to cause them harm; and

WHEREAS, As public servants and the elected representatives of the people of Providence, the City Council has a moral obligation to ensure the safety of its residents and keep firearms out of the hands of stalkers who would seek harm against victims.

NOW, THEREFORE BE IT RESOLVED, That the Providence City Council strongly supports H.R.569, known as the Zero Tolerance for Domestic Abusers Act of 2019, and urges the U.S. House of Representatives to pass this bill.

BE IT FURTHER RESOLVED, That, upon passage, copies of this resolution be sent to Congressman David N. Cicilline (D-1, RI), Congressman James Langevin (D-2, RI), Senator Jack Reed (RI) and Senator Sheldon Whitehouse (RI).

IN CITY COUNCIL

FEB 07 2019

READ AND PASSED

PRES.

CLERK

I HEREBY APPROVE.

Mayor
Date: 2/14/19

116TH CONGRESS
1ST SESSION

H. R. 569

To protect victims of stalking from gun violence.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 15, 2019

Mrs. DINGELL (for herself, Mr. FITZPATRICK, Mr. TAKANO, Mr. TONKO, Mr. VARGAS, Ms. VELÁZQUEZ, Ms. WASSERMAN SCHULTZ, Mr. WELCH, Mr. SWALWELL of California, Mr. DESAULNIER, Miss GONZÁLEZ-COLÓN of Puerto Rico, Ms. WILSON of Florida, Ms. ADAMS, Mrs. BEATTY, Mr. BERA, Mr. BEYER, Mr. BLUMENAUER, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. BROWNLEY of California, Mr. CARBAJAL, Mr. CARSON of Indiana, Mr. CARTWRIGHT, Ms. CASTOR of Florida, Mr. CICILLINE, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. CLEAVER, Mr. COHEN, Mr. COOPER, Mr. CORREA, Mr. COURTNEY, Mr. CRIST, Mr. CUMMINGS, Mrs. DAVIS of California, Mr. DEFazio, Ms. DELAURO, Ms. DELBENE, Mrs. DEMINGS, Mr. DEUTCH, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. ENGEL, Ms. ESIIIO, Mr. ESPAILLAT, Mr. FOSTER, Ms. FRANKEL, Mr. GOMEZ, Mr. GRIJALVA, Mr. HASTINGS, Mr. HIGGINS of New York, Ms. NORTON, Ms. JAYAPAL, Mr. JEFFRIES, Mr. JOHNSON of Georgia, Ms. KAPTUR, Ms. KELLY of Illinois, Mr. KENNEDY, Mr. KHANNA, Mr. KING of New York, Mr. KRISHNAMOORTHY, Ms. KUSTER of New Hampshire, Mr. LAMB, Mr. LANGEVIN, Mr. LEWIS, Mr. TED LIEU of California, Mr. LIPINSKI, Ms. LOFGREN, Mr. LOWENTHAL, Mrs. LOWEY, Mr. LUJÁN, Mr. LYNCH, Mrs. CAROLYN B. MALONEY of New York, Mr. SEAN PATRICK MALONEY of New York, Mr. MAST, Ms. MATSUI, Ms. MCCOLLUM, Mr. MCEACHIN, Mr. MCGOVERN, Mr. MCNERNEY, Mr. MEEKS, Ms. MENG, Ms. MOORE, Mr. MOULTON, Mr. NADLER, Mrs. NAPOLITANO, Mr. O'HALLERAN, Mr. PALLONE, Mr. PANETTA, Mr. PASCRELL, Mr. PERLMUTTER, Mr. PETERS, Ms. PINGREE, Mr. POCAN, Mr. QUIGLEY, Mr. RASKIN, Miss RICE of New York, Ms. ROYBAL-ALLARD, Mr. RUIZ, Mr. RUSH, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SCHNEIDER, Mr. SCHRADER, Mr. SERRANO, Mr. SIRES, Mr. SMITH of Washington, Mr. SOTO, Ms. SPEIER, and Mr. SUOZZI) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To protect victims of stalking from gun violence.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Zero Tolerance for Do-
5 mestic Abusers Act of 2019”.

6 **SEC. 2. ADDITION OF DATING PARTNERS AND INDIVIDUALS**

7 **SUBJECT TO RESTRAINING ORDERS.**

8 (a) DEFINITION.—Section 921(a) of title 18, United
9 States Code, is amended—

10 (1) by striking paragraph (32) and inserting
11 the following:

12 “(32) The term ‘intimate partner’—

13 “(A) means with respect to a person, the spouse
14 of the person, a former spouse of the person, an in-
15 dividual who is a parent of a child of the person, and
16 an individual who cohabitates or has cohabited with
17 the person; and

18 “(B) includes—

19 “(i) a dating partner (as defined in section
20 2266); and

21 “(ii) any other person similarly situated to
22 a spouse.”;

23 (2) in paragraph (33)(A)—

1 (A) in the matter preceding clause (i), by
2 striking “Except as provided in subparagraph
3 (C), the term” and inserting “The term”;

4 (B) in clause (i), by inserting “municipal,”
5 after “State,”; and

6 (C) in clause (ii)—

7 (i) by inserting “dating partner (as
8 defined in section 2266),” after “former
9 spouse,”; and

10 (ii) by inserting “dating partner (as
11 defined in section 2266),” after “a
12 spouse,” each place it appears;

13 (3) by redesignating paragraphs (34) and (35)
14 as paragraphs (35) and (36), respectively; and

15 (4) by inserting after paragraph (33) the fol-
16 lowing:

17 “(34)(A) The term ‘misdemeanor crime of stalking’
18 means an offense that is a stalking misdemeanor under
19 Federal, State, municipal, or Tribal law.

20 “(B)(i) A person shall not be considered to have been
21 convicted of such an offense for purposes of this chapter,
22 unless—

23 “(I) the person was represented by counsel in
24 the case, or knowingly and intelligently waived the
25 right to counsel in the case; and

1 “(II) in the case of a prosecution for an offense
2 described in this paragraph for which a person was
3 entitled to a jury trial in the jurisdiction in which
4 the case was tried, either

5 “(aa) the case was tried by a jury, or

6 “(bb) the person knowingly and intel-
7 ligently waived the right to have the case tried
8 by a jury, by guilty plea or otherwise.

9 “(ii) A person shall not be considered to have been
10 convicted of such an offense for purposes of this chapter
11 if the conviction has been expunged or set aside, or is an
12 offense for which the person has been pardoned or has
13 had civil rights restored (if the law of the applicable juris-
14 diction provides for the loss of civil rights under such an
15 offense) unless the pardon, expungement, or restoration
16 of civil rights expressly provides that the person may not
17 ship, transport, possess, or receive firearms.”.

18 (b) ADDITION OF STALKING.—Section 922 of title
19 18, United States Code, is amended—

20 (1) in subsection (d)—

21 (A) in paragraph (8)(B)(ii), by striking
22 “or” at the end;

23 (B) in paragraph (9), by striking the pe-
24 riod at the end and inserting “; or”; and

1 (C) by inserting after paragraph (9) the
2 following:

3 “(10) has been convicted in any court of a mis-
4 demeanor crime of stalking.”; and

5 (2) in subsection (g)—

6 (A) in paragraph (8)(C)(ii), by striking
7 “or” at the end;

8 (B) in paragraph (9), by striking the
9 comma at the end and inserting “; or”; and

10 (C) by inserting after paragraph (9) the
11 following:

12 “(10) has been convicted in any court of a mis-
13 demeanor crime of stalking.”.

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