



LCAV Case Study
Sharing Legal Expertise to Create Effective Local Regulations--
Analysis and Testimony in Support of Columbus, Ohio's Proposed Ban on Assault Weapons

The Challenge: Assault weapons are semi-automatic firearms designed with military features to allow rapid and accurate spray firing. These weapons are designed to kill humans quickly and efficiently. A 2003 study by the Violence Policy Center found that 20% of the law enforcement officers killed in the line of duty from 1998 to 2001 were killed with an assault weapon. Some assault rifles are also accurate enough for use as sniper rifles, as illustrated by the D.C. area sniper shootings in October 2002.

In 2004 Congress and the President failed to renew the federal law banning assault weapons, and the 10-year old law was allowed to expire on September 13, 2004. Despite overwhelming public support for the ban, semi-automatic, military-style weapons once again became legal across the country. Only states and local governments that had enacted assault weapon bans of their own had a means of keeping these lethal firearms off their streets.

Faced with inaction at the federal level and the absence of a state ban in Ohio, a Columbus city councilman who chaired the City Council's Public Safety Committee sought to introduce a local ordinance to ban assault weapons in that community.

LCAV's Role: Prior to the expiration of the federal ban, LCAV published the report, *Banning Assault Weapons – A Legal Primer for State and Local Action*. The report contains information and legal analysis on existing laws banning assault weapons, as well as a model assault weapon law developed by LCAV and intended to close the loopholes in the federal ban. Based on LCAV's expertise in this area, the Columbus City Council Public Safety Committee invited LCAV to testify at a public hearing examining the desirability of adopting an assault weapon ban. LCAV's testimony provided an overview of current assault weapon regulation, detailed information about the effectiveness of laws banning assault weapons, and a review of legal challenges to assault weapon bans. In addition, LCAV described the gaps in the expired federal ban and how a more comprehensive law, such as the LCAV model, would address them.

LCAV worked closely with the office of the Chair of the Committee and the City Attorney's Office to provide legal and technical assistance as the ordinance was developed. LCAV coordinated its efforts with the Ohio Coalition Against Gun Violence, a nonprofit gun violence prevention organization, which provided support for the ban throughout the legislative process. LCAV also secured pro bono assistance from an Ohio law firm to assist the city in the event of a lawsuit challenging the ordinance.

Results: In July 2005, Columbus, Ohio became the first major U.S. city to pass an assault weapon ban following the expiration of the federal law. The Columbus ordinance uses language from LCAV's model law and fills many of the gaps that existed in the federal ban. The only lawsuit brought against the ordinance was dismissed. Since the federal ban expired, LCAV has reissued its report, and continues to work with other local and state officials and activists interested in banning assault weapons.

LCAV is a public interest law center dedicated to preventing gun violence. Formed in the wake of the 1993 assault weapon massacre at 101 California Street in San Francisco, LCAV provides free legal assistance to activists and public officials, including law enforcement and government attorneys, working to prevent gun violence. To learn more about our services or to request assistance, visit our web site, www.lcav.org, the nation's most comprehensive source for information on U.S. firearms regulation.

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