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June 6, 2016

The Honorable Michael F. Nozzolio  
Chair, New York State Senate Codes Committee  
Room 503, Capitol Building  
Albany, NY 12247

The Honorable Joseph R. Lentol  
Chair, New York State Assembly Codes Committee  
Room 632, Legislative Office Building  
Albany, NY 1224

**RE: S.7470/A.10173 (Klein/Paulin) In relation to creating the offense of operating as a major firearms trafficker**

Dear Senator Nozzolio and Assembly Member Lentol:

I am writing on behalf of the District Attorneys Association of the State of New York (DAASNY) in support of a bill currently under consideration in both of your committees: S.7470/A.10173, which creates the new offense of operating as a major firearms trafficker.

As you know, New York State is one of the most popular destinations for firearms trafficked via the "Iron Pipeline," the Interstate 95 corridor used to illegally ship firearms from southern and western states to all points north. Once these dangerous weapons arrive in our communities, violent criminal enterprises purchase them for use in serious crimes, including homicides and armed robberies. In fact, recent data from the Bureau of Alcohol, Tobacco, Firearms and Explosives show that 70 percent of traced guns recovered at crime scenes in New York State came by way of this route.

Ringleaders of gun-trafficking operations ship large quantities of illegal firearms into our state because they are not deterred by our existing laws. Whether they sell 10, 100, or 10,000 guns, traffickers escape with jail sentences of as little as five years. This legislation will provide *real* deterrence by enhancing existing penalties for trafficking larger quantities of guns. Traffickers who unlawfully sell or unlawfully possess with intent to sell 20 or more guns per year will be subject to a class A-1 felony, which carries a minimum sentence of 15 years in prison and a maximum sentence of life in prison. This is the same penalty imposed under Penal Law § 220.77, New York's successful "Drug Kingpin" statute, which was passed by the New York State Legislature in 2009.

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An enhanced penalty will send a clear signal, particularly to out-of-state gun sellers, that firearms trafficking is not tolerated in New York State. Most importantly, this legislation will keep illegal guns off our streets and out of violent criminals' hands. For these reasons, DAASNY strongly urges the New York State Legislature to pass S.7470/A.10173.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Zugibe', with a stylized flourish at the end.

Thomas Zugibe  
President, DAASNY  
District Attorney, Rockland County