

Our mission at Harlem Mothers & Fathers S.A.V.E is to prolong life among New York City's youth by preventing gun violence and its social causes and costs. As a single issue, not-for-profit organization, we divide our efforts into three areas: Activism, Education and Victim Services.



Gun Law Limits Hinder Law Enforcement

To date, the National Instant Criminal Background Check System (NICS), has prevented more than two million convicted felons and other prohibited purchasers from buying guns. The law is also supposed to work as a deterrent—prohibited purchasers are less likely to try to buy guns when they know comprehensive background check requirements are in place.

Unfortunately, current federal law only requires criminal background checks for guns sold through licensed firearm dealers. This means that about 40% of all gun sales in the United States are sold through channels that don't legally require a background check. A loophole in the law allows individuals not "engaged in the business" of selling firearms to sell guns without a license—and without processing any paperwork. That means that two out of every five guns sold in the United States change hands without a background check. Though sometimes referred to as the "Gun Show Loophole," the "private sales" described above include firearms sold at gun shows, through classified newspaper ads, the Internet, and between individuals virtually anywhere.

It's unfortunate that a majority of states have not taken any action to regulate the private sale of firearms. In order to guarantee that criminals, domestic abusers, the dangerously mentally ill, and others

are denied unchecked access to guns, the U.S. Congress should enact a federal law requiring universal background checks on all sales of firearms, including private sales.

Another unfortunate factor is what is often referred to as "Gun Straw Purchase." This refers to purchasing a gun for someone who is prohibited by law from possessing one or for someone who does not want his or her name associated with the transaction. An illegal firearm purchase (straw purchase) is a federal crime.



According to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), straw purchasers "represent a significant overall crime and public safety problem." By intentionally buying firearms for someone else, straw purchasers hinder the background check requirement and allow firearms to be funneled to criminals, domestic abusers, and gangs.

A few facts from national studies on straw gun purchases:

- According to a study ATF conducted in 2000 of 1,530 firearms trafficking investigations, straw purchasing

accounted for almost one-half (46%) of all investigations, and was associated with nearly 26,000 illegally trafficked firearms.

- Subsequent ATF investigations at gun shows from 2004 – 2006 also uncovered "widespread" straw purchasing from firearms dealers, where guns were diverted to "convicted felons and local and international gangs."
- In 2009, New York City officials conducted their own investigation at gun shows across the U.S. to test whether, firearms dealers would be willing to sell guns to someone who appeared to be a straw purchaser. New York's investigation found that 16 out of 17 (or 94% of) dealers approached by investigators willingly sold to an apparent straw purchaser.
- A 2007 study found that straw purchases were significantly more common at gun shows in states with little regulations (Arizona, Florida, Nevada and Texas) than at gun shows in California, which regulates gun shows and requires background checks for all firearm transfers.

Guns move from states with weaker gun laws into states with stronger gun laws. More specifically, gun traffickers frequently obtain guns in states that lack laws such as dealer regulations, background check requirements, and lost and stolen reporting requirements, and re-sell them in states that have these laws.

Trafficking channels are identified through tracing seized guns used in crimes. Crime gun trace data is generated when law enforcement recovers a firearm from a crime scene and requests that ATF or another law enforcement agency conduct an investigation to determine who originally sold and purchased the gun. As detailed in a summary by *Law Center to Prevent Gun Violence* on Maintaining Records & Reporting Gun Sales, crime gun trace data is crucial to individual criminal investigations and, when summed up, can reveal patterns regarding who is trafficking

firearms and how they are being trafficked.

Unfortunately, the ATF's ability to investigate and prosecute gun trafficking is significantly limited. According to an investigation by the *Washington Post* in 2010, ATF's efforts are hindered by a lack of sufficient funding, as well as limitations on the use of crime gun trace data. In addition, the number of ATF agents – 2,500 – has not changed since 1972. During the same period of time, the staffs of other government agencies have increased dramatically (for example, the staff of the Drug Enforcement Agency more than tripled during the same time period).

Diversifying US Judicial System

As in most positions of authority and power in our society, white males are overrepresented on state appellate benches. There is a margin of nearly two-to-one of white versus all other ethnicities combined. Almost every other demographic is underrepresented when compared to their share of the nation's population. Even as women and minorities have been making strides in the legal profession over the years, white men still hold a disproportionate share of judicial seats compared with their share of the general population. The reasons why this pattern persists are varied and may not always have an easy solution; this dynamic is created by a number of complex factors. A study by *The Brennan Center for Justice*, examines how successful states with appointed judiciaries are recruiting and appointing women and racial minorities to sit on the bench. The goal was to provide an accurate picture of the diversity in state courts and a roadmap of how to improve diversity on the state bench.

Executive Summary

The United States is more diverse than ever, but this is not reflected with state judges. While citizens are entitled to a jury of their peers who are drawn from a pool that reflects the surrounding community, anyone who enters the courtroom is usually faced with a predictable presence: a white male on the bench. Despite increased diversity within law school populations and within state bars across the country, this is still the case in most state courtrooms.

Most of the legal disputes settled in America are heard in state courts. As such, they must serve a broad range of constituencies and an increasingly diverse public. So why are state judiciaries consistently less diverse than the communities they serve? Unfortunately, studies show that both merit selection systems and judicial elections are equally challenged when it comes to creating diversity.



Today, as white males are overrepresented on state appellate benches, there is also evidence that the number of black male judges is actually decreasing. (One study found that there were proportionately fewer black male state appellate judges in 1999 than there were in 1985.) There are still fewer female judges than male, despite the fact that the majority of today's law students are female, as are approximately half of all recent law degree recipients. This pattern is most prevalent in states' highest courts, where women have historically been almost completely absent.

Best Practices

In light of research, here are a set of ten best practices for nominating Commissions, to attract the brightest female and minority candidates to the judiciary:

1. Fully accept that to be human is to deal with implicit bias. Cognitive scientists have focused attention on the widespread tendency to unwittingly harbor implicit bias against disadvantaged groups. Fortunately, these biases can be changed. Thus, by acknowledging that this tendency exists, Commissions can take steps to counteract their biases.

2. Increase strategic recruitment. The first step in ensuring a diverse applicant pool is making sure that an open judicial seat is widely advertised and that all candidates are welcomed to apply.

3. Be clear about the role of diversity in

the nominating process in state statutes. Many Commissioners felt that there was no consensus on how diversity should be considered during the nominating process. Commissions should have clear parameters laid out in a statute, of when and how diversity can come into play.

4. Keep the application and interviewing process transparent. Let candidates know what to expect when they submit their applications, and keep interviews consistent among candidates.

5. Train Commissioners to be effective recruiters and nominators. Commissioners need clear standards and appropriate training.

6. Appoint a diversity compliance officer or ombudsman. States should hold someone accountable for a state's success or failure to achieve meaningful diversity on the bench. A diversity ombudsman would be in charge of monitoring diversity levels and improving outreach efforts.

7. Create diverse Commissions by statute. A diverse Commission, for various reasons, is more likely to facilitate a more diverse applicant pool. States should adopt statutes that clearly encourage a diverse Commission.

8. Maintain high standards and quality. Creating a diverse bench can be done without sacrificing quality. All local law schools have female and minority graduates and these can be the source of many judicial applicants. Recruitment should also expand to candidates who graduated from top national schools, as these schools often have far more diverse alumni than local law schools.

9. Raise judicial salaries. State leaders should keep an eye on judicial salaries to assure that they are high enough to attract the best lawyers and lure diverse candidates out of law firms and onto the bench.

10. Improve record keeping. Currently, many of the states studied did not keep rigorous data on judicial applicants. Keeping a record of the racial and gender makeup of the applicant pool and how candidates advanced through the nomination process will make it much easier for Commissions to track their own progress on issues of diversity.

Youth Employment Program Newsletter

Data compiled by Harlem Mothers S.A.V.E.
2016 SYEP participants

SYEP Collaboration

Based on the violence in society today, most people turn to social media to discuss or rant about gun violence, police brutality, and black on black crimes. The reality of the situation is that people don't really go out and make change happen. Teens and celebrities rather discuss emotions on social media, which only gets attention for a short time. As a group of young people who've become overwhelmed with the issues in our society, we have come up with suggestions to help better our community as a whole

Our first topic is police brutality. Over the past year there have been incidents where innocent African Americans have been abused, harassed, and in some cases killed by a police officer. Black Americans are more than twice as likely to be unarmed when killed during police encounters than whites. More minority Americans are killed by cops. Police officers shoot and kill blacks almost twice as frequently as any other racial group. According to some reports on federal crime data. "Black People were about four times more likely to be hurt or killed in custody or while being arrested than whites." For every 1,000 people killed by police, only one officer is convicted of a crime. To prevent more loss of life, all officers should have better training, regardless of assignment. When an individual male or female walks out of their house, they expect to come back home to their families. However, not only are families being torn apart by police brutality but also lives are ending and dreams aren't being fulfilled. When a police officer makes a vow to serve and protect, they have a duty to do just that. There needs to be a change in our police understanding of what "serve and protect" means.

In addition to police brutality, we also discussed black on black crime. One thing that we can change as a society is the anger that black people have towards one another. African Americans should and need to come together instead of fighting one another. According to (<https://catwafitz.wordpress.com/2007/05/10>)



"Killing one another by means of a gun, drugs, or any other type of violent acts, to resolve a dispute will never be the answer. Innocent bystanders are being severely injured and/or murdered (someone's mother, brother, sister, son, daughter and friend). We must say out loud, Stop killing one another - ENOUGH IS ENOUGH! We must find a better way to settle our differences and bring peace to our communities."

There are different reasons for black on black violence. There is gang violence and non-gang related violence that often make people feel unsafe in their community. A few of the factors of gang violence are the influence of drugs, fighting over territory, and retaliation. According to a US Herald Article from December 1, 2015, 'over 1,400 more black Americans murdered other black people than were lynched from 1882 to 1968.' Another point the article makes is that only 13% of black people make up the population, yet they committed half of the homicides in the U.S. for nearly 30 years. African Americans make up the majority of the population in jail. We tend to be the statistic instead of being the change. As Mahatama Ghandi has been quoted as saying, "We must be the change we wish to see in the world."

African American as a whole, need to prioritize working our way up and getting our education instead of fighting each other. Statistics show that 93% of black Americans are killed by other black people. It usually starts with something as simple as an argument or a minor misunderstanding. To be included in the conversation of making a change,

black people should join and support national organizations such as Harlem Mother's S.A.V.E, African American Planning Commission, NAACP, The Brady Campaign, National Urban League or Rainbow Push Coalition to name a few. This way we are involved in the process of finding solutions. As African Americans, we need to make a change when it comes to communication.

The Justice system tends to process cases differently. It is noticed that the amount of time someone is given sometimes has to do with racial status. That's why we say "Black Lives Matter." We believe that police officers should be held to the highest ethical standards, and it's deplorable that abusive officer after abusive officer in America is far too often set free without punishment. There is no equality in the justice system. When people of color face a judge, they're often handed down harsher sentences. But when an officer does wrong or acts outside of departmental regulations, they usually just get paid administrative leave.

To sum up, people should come together to build more organizations that can help get rid of gun violence, police brutality, and black on black crime.

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