

## **Resolution: Restricting the Sale and Possession of Handgun Ammunition**

"That, in the opinion of this House, the Minister of Community Safety and Correctional Services should request the Chief Firearms Officer to conduct a study to identify ways of better regulating ammunition which includes consideration of additional mechanisms to further restrict and/or ban the sale and possession of ammunition for hand guns and to share relevant findings with Federal and Provincial/Territorial partners."

### **Media Release:**

#### **Duguid Proposes Restrictions on Possession and Sale of Handgun Ammunition**

Tuesday, March 27, 2007 -- Brad Duguid, MPP Scarborough Centre, is introducing a Private Member's Resolution in the Ontario Legislature on Thursday, March 29, 2007, calling on the Ontario Government to direct the Chief Firearms Officer to report on alternatives to restrict and limit the possession and sale of handgun ammunition.

"Unless someone is in law enforcement, there are few legitimate reasons for anyone to be in the possession of handgun ammunition. If the Government of Ontario moves forward with a ban on the unauthorized possession of handgun ammunition, the police will have another tool at their disposal to address the problem of guns and gangs in our community." Duguid said.

Duguid's Resolution would have the Chief Firearms Officer conduct a study to identify ways of better regulating ammunition including consideration of additional mechanisms to further restrict and/or ban the sale and possession of ammunition for hand guns.

In addition, the Chief Firearms Officer could consider alternatives to ensure that ballistic tests are taken and recorded from shells of all handguns. As well, there could be consideration of mandatory record keeping by retailers of all ammunition purchases.

"You can't fire a handgun without a bullet. Today, if police come across a criminal or gang member in possession of handgun ammunition (having already dumped the handgun) there is nothing they can do but let him go. They can't even confiscate the ammunition knowing that it may well be used in a shooting any time in the future. That's simply not right and needs to be addressed."

Duguid's resolution has the support of Toronto Police Chief Bill Blair.

## **Backgrounder:**

Current laws regarding possession of handgun ammunition:

### **Ammunition Regulation Act, 1994 (Selected Sections)**

#### **Restriction re purchase of ammunition**

**2.** (1) No person shall purchase ammunition unless the person is at least 18 years old and at the time of purchase presents valid identification that has his or her photograph and age or date of birth or other valid identification prescribed by regulation. 1994, c. 20, s. 2 (1).

#### **Same**

(2) Despite subsection (1), a person under 18 years old may purchase ammunition if he or she presents at the time of purchase the valid identification required under subsection (1) and a valid permit issued to him or her under subsection 110 (6) of the *Criminal Code* (Canada). 1994, c. 20, s. 2 (2).

#### **Same**

(3) Despite subsection (1), a person 16 or 17 years old may purchase ammunition if he or she presents at the time of purchase the valid identification required under subsection (1) and a valid permit issued to him or her under subsection 110 (7) of the *Criminal Code* (Canada). 1994, c. 20, s. 2 (3).

#### **Improper documentation**

(4) No person shall present, for the purpose of purchasing ammunition, identification or a permit other than that which was lawfully issued to him or her. 1994, c. 20, s. 2 (4).

#### **Offence**

(5) A person who contravenes subsection (1), except as permitted by subsection (2) or (3), is guilty of an offence and on conviction is liable,

(a) for a first offence, to a fine of not more than \$5,000;

(b) for a second or subsequent offence, to a fine of not more than \$10,000. 1994, c. 20, s. 2 (5).

## **Same**

(6) A person who contravenes subsection (4) is guilty of an offence and on conviction is liable to a fine of not more than \$10,000. 1994, c. 20, s. 2 (6).

## **Restriction re sale of ammunition**

**3.** (1) No person shall knowingly sell or provide ammunition to any person unless that person produces documentation as required under subsection 2 (1), (2) or (3). 1994, c. 20, s. 3 (1).

## **Same**

(2) Despite subsection (1), a person may provide ammunition to a person who is 12 years old or over and under 16 years old if that person holds a permit issued to him or her under subsection 110 (7) of the *Criminal Code* (Canada). 1994, c. 20, s. 3 (2).

## **Record keeping**

**4.** (1) A person who holds a permit issued under subsection 110 (5) of the *Criminal Code* (Canada) to carry on a business described in subparagraph 105 (2) (b) (i) of that Act shall keep a record of the following information for all ammunition sales:

1. The date and time of the purchase.
2. The name, age and address of the purchaser.
3. The type of identification and permit produced and their serial numbers.
4. The calibre and quantity of ammunition purchased. 1994, c. 20, s. 4 (1).

## **Inspection of records**

(2) The chief provincial firearms officer for Ontario, designated under the *Criminal Code* (Canada), or any person authorized by him or her for the purposes of this section, may conduct an inspection of the records required to be kept under subsection (1). 1994, c. 20, s. 4 (2).

**Overall Number of Homicides, Gun Related Homicides, and Shooting Incidents, Toronto, 2004-2007**

In 2006, there were 29 gun related homicides in Toronto, a 45% decrease from 2005. The number of gun related homicides spiked in 2005 (from 27 in 2004 to 53 in 2005) and returned close to the 2004 level in 2006. In 2006, 42% of homicides were gun related. The overall number of homicides decreased from 80 in 2005 to 69 in 2006. In 2007 YTD<sup>1</sup> there were 7 homicides in Toronto, 4 of which (57%) were gun related.

<b>Number of Gun Related Homicides, Toronto, 2004-2007</b>						
<b>Year</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2005 YTD<sub>1</sub></b>	<b>2006 YTD<sup>1</sup></b>	<b>2007<sub>2</sub> YTD<sup>1</sup></b>
Total number of homicides	64	80	69	12	9	7
Total number of gun related homicides	27	53	29	7	2	4
Percentage of gun related homicides out of Total number of homicides	42%	66%	42%	58%	22%	57%

Sources: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics, Statistics Canada & Corporate Planning, Corporate Services, Toronto Police Service

<b>Number of Shooting Incidents<sup>3</sup>, Toronto, 2005-2007</b>					
<b>Year</b>	<b>2005</b>	<b>2006</b>	<b>2005</b> YTD <sup>1</sup>	<b>2006</b> YTD <sup>1</sup>	<b>2007<sup>2</sup></b> YTD <sup>1</sup>
Shooting Incidents	249	207	29	31	21
Total number of victims as a result of shooting incidents	344	292	35	43	26*
<b>Shooting Victim Injury Level</b>					
Number of deaths as a result of shooting incident	53	29	7	2	4
Number of victims that sustained injuries as a result of shooting incident	179	173	15	24	17
Number of victims with no injuries as a result of shooting incident	89	71	7	16	5
Unknown <sup>4</sup>	23	19	6	1	0

Sources: Toronto Police Service, 680 News, City news, Toronto Star

\* There was one shooting incident that occurred on February 15, 2007, however, information on the number of victims, if any, is pending.

<sup>1</sup> Year-to-date as of March 4.

2 Data is subject to change due to incidents that have been investigated and deemed to be unfounded, or reclassification of an offence subsequent to further investigation.

3 2005 and 2006 data is based on report date, that is, the date the victim reported the shooting incident to the police. All incidents involving police officers discharging firearm in the line of duty and incidents where victims shot themselves are excluded.

4 Prepared by: Corporate Evaluation and Analysis, Corrections and Community Safety Policy Branch, Ministry of Community Safety and Correctional Services. Updated on March 5, 2007 10:46 AM The extent of injuries to the victim could not be determined.

### **Cost of Handgun ammunition and where it can be purchased today:**

**See Package.**

### **Purpose of Resolution:**

Consider ways to restrict the possession of handgun ammunition to those who require it to fulfill their duties such as law enforcement officials. While the resolution leaves open the consideration of other alternatives, it is intended to consider outlawing the possession of handgun ammunition outside of an approved gun range. Handgun ammunition could only be available for purchase and use at an approved gun range.

This proposal would have the affect of banning the sale of handgun ammunition from retail outlets. It would consider ways to make it illegal to acquire through mail or other means handgun ammunition other than at approved gun ranges.

Further, this proposal would consider the viability of requiring all handguns bought, sold, manufactured, possessed or discharged in a firing range within the Province of Ontario to have on file a ballistics sample of the shell casing discharged from every handgun. This data base of ballistics samples could provide police with leads as they trace the ownership of the weapon. It could also assist in providing evidence to aid in the prosecution of handgun offences.