

**PUBLIC SAFETY/PARKS AND ENVIRONMENT
THURSDAY, JUNE 9, 2022 4:00 P.M.**

Present: Committee Members: Chairperson; Aaron Banks. Vice Chair; Ashby Foote, Angelique Lee (via teleconference), Brian Grizzell (via teleconference), Vernon Hartley and Virgi Lindsay, Council President. Directors: Safiya Omari, Chief of Staff; Louis Wright, Chief Administrative Officer, Fidelis Malembeka, Chief Financial Officer, Catoria Martin, City Attorney, Shanekia Jordan, Clerk of Council, and Constance White-Anderson, Chief Deputy Clerk of Council.

Absent: None.

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The meeting was opened for discussion only due to not having a quorum stated by **Chairperson Banks**.

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Chairperson Banks requested discussion items 2, and 3 be moved forward on the Agenda:

DISCUSSION: CITY-SPONSORED EVENTS AT PARKS AND GYMS AND COMMUNITY PARTICIPATION (IE ORGANIZATIONAL SPONSORED EVENTS). **Chairperson Banks** recognized **Isom Harris, Director of Parks and Recreation**, who stated the City of Jackson was doing a lot of things as far as in the parks that are important with youth organizations to be able to offer some programs (i.e. golf camp, youth tennis, swimming, and a summer basketball league) where we necessarily didn't have the staffing to be able to do it but we're working with other organizations to make that happen.

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DISCUSSION: FACILITY IMPROVEMENT PARKS AND GYMS. **Chairperson Banks** recognized **Isom Harris, Director of Parks and Recreation**, who stated that security at parks was a top priority. The City is looking at several options including cameras, security gates, and security officers. He also stated that park and facility maintenance was a top priority as well.

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Note: Council Member Lindsay and Council Member Grizzell joined the meeting.

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The meeting was officially called to order by **Chairperson Aaron Banks** at 4:33 p.m.

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Chairperson Banks requested discussion item No. 4 be moved forward on the Agenda:

**PUBLIC SAFETY/PARKS AND ENVIRONMENT
THURSDAY, JUNE 9, 2022 4:00 P.M.**

Note: Council Member Lee joined the meeting via teleconference.

DISCUSSION: PROPOSED SOLUTIONS FOR THE CRIME EPIDEMIC PERTAINING TO THE YOUTH DEMOGRAPHIC (a) INTENTIONAL INTERVENTION AND PLANNED ENGAGEMENT WITHIN ELEMENTARY SCHOOLS, FULLY CERTIFIED AND TRAINED SCHOOL RESOURCE OFFICERS, MORE AGGRESSIVE TRUANCY ENFORCEMENT. Chairperson **Banks** recognized **Council Member Hartley** who expressed the need for more summer programs to keep children busy to help curb teenage crime during the summer months as well as the need for Jackson Public Schools involvement with youth summer programs. After a brief discussion, **Chairperson Banks** stated he would keep this discussion item in committee for more conversations.

ORDINANCE OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI ESTABLISHING A PUNISHMENT AND FINE FOR PARENTS, GUARDIANS OR CUSTODIANS OF MINORS UNDER 18 YEARS OF AGE WHO HAVE COMMITTED A CRIME WITH A HANDGUN AND/OR FOUND TO HAVE POSSESSION OF A HANDGUN.

WHEREAS, the City Council of Jackson, Mississippi is dedicated to increasing the accountability with parents and guardians when it comes to minors being in possession and or committing a crime with a handgun; and

WHEREAS, the City Council of Jackson, Mississippi is committed to reducing violent crimes where handguns are used, and

WHEREAS, the word handgun means a pistol, revolver or other firearm of any description, loaded or unloaded, from which any shot, bullet or other missile can be discharged, the length of the barrel of which, not including any revolving, detachable or magazine breech, is less than 16 inches; and

WHEREAS, this ordinance does exempt the possession of handgun by minor according to the exceptions in accordance with MS State Law Section 97-37-14; and

FURTHERMORE, the mandatory punishment and fine shall not exceed the allocated punishment provided in MS State Law Section 97-37-17 Possession of weapons by students; aiding or encouraging.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF JACKSON, MISSISSIPPI that an ordinance to codify requiring a mandatory punishment and fine for parents

**PUBLIC SAFETY/PARKS AND ENVIRONMENT
THURSDAY, JUNE 9, 2022 4:00 P.M.**

and or guardians of minors under 18 years of age who have committed a crime with a handgun and or found to have possession of a handgun read as follows:

Section 86-92

(a) Any parent and or guardian of a minor under 18 years of age who have committed a crime with a handgun and or found to have possession of a handgun for the 1st time shall serve a mandatory 24 hours in the county jail and pay a mandatory \$500 fine.

(b) Any parent and or guardian of a minor under 18 years of age who have committed a crime with a handgun and or found to have possession of a handgun for the 2nd time shall serve a mandatory 48 hours in the county jail and pay a mandatory \$1500 fine.

(c) Any parent and or guardian of a minor under 18 years of age who have committed a crime with a handgun and or found to have possession of a handgun for the 3rd time and each additional time shall serve a mandatory 72 hours in the county jail and pay a mandatory \$2500 fine.

IT IS THEREBY ORDERED that this ordinance shall be effective and enforceable thirty (30) days after adoption

Chairperson Banks moved adoption; **Council Member Hartley** seconded.

Chairperson Banks recognized **Catoria Martin, City Attorney**, who provided a brief overview of said order and offered a substituted order.

Council Member Lindsay moved; seconded by **Council Member Grizzell** to amend item as stated by the **Catoria Martin, City Attorney**. The motion prevailed by the following vote:

Yeas – Banks, Foote, Grizzell, Hartley, Lee, and Lindsay.

Nays – None.

Absent – None.

Thereafter, **Chairperson Banks** called for a vote on said Order as amended:

**ORDINANCE OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI
ESTABLISHING A PUNISHMENT AND FINE FOR PARENTS, GUARDIANS OR
CUSTODIANS OF MINORS UNDER 18 YEARS OF AGE WHO HAVE
COMMITTED A CRIME WITH A HANDGUN AND/OR FOUND TO HAVE
POSSESSION OF A HANDGUN.**

WHEREAS, the City Council of Jackson, Mississippi is committed to reducing violent crimes where handguns, firearms and/or illegal firearms are used; and

PUBLIC SAFETY/PARKS AND ENVIRONMENT
THURSDAY, JUNE 9, 2022 4:00 P.M.

WHEREAS, the City Council of Jackson, Mississippi is dedicated to increasing accountability of parents, guardians and custodians with authority over minors convicted of committing a crime with a firearm, handgun or illegal firearm; and

WHEREAS, the word handgun means a pistol, revolver or other firearm of any description, loaded or unloaded, from which any shot, bullet or other missile can be discharged, the length of the barrel of which, not including any revolving, detachable or magazine breech, is less than 16 inches; and

WHEREAS, this ordinance exempts the possession of handguns by minors in accordance with the statutory exemptions listed below in MS State Law Section 97-37-14,

(1) Except as otherwise provided in this section, it is an act of delinquency for any person who has not attained the age of eighteen (18) years knowingly to have any handgun in such person's possession.

(2) This section shall not apply to:

(a) Any person who is:

i) In attendance at a hunter's safety course or a firearms safety course; or

(ii) Engaging in practice in the use of a firearm or target shooting at an established range authorized by the governing body of the jurisdiction in which such range is located or any other area where the discharge of a firearm is not prohibited; or

(iii) Engaging in an organized competition involving the use of a firearm, or participating in or practicing for a performance by an organized group under 501(c)(3) as determined by the federal internal revenue service which uses firearms as a part of such performance; or

(iv) Hunting or trapping pursuant to a valid license issued to such person by the Department of Wildlife, Fisheries and Parks or as otherwise allowed by law; or

(v) Traveling with any handgun in such person's possession being unloaded to or from any activity described in subparagraph (i), (ii), (iii) or (iv) of this paragraph (a) and paragraph (b).

(b) Any person under the age of eighteen (18) years who is on real property under the control of an adult and who has the permission of such adult to possess a handgun.

PUBLIC SAFETY/PARKS AND ENVIRONMENT
THURSDAY, JUNE 9, 2022 4:00 P.M.

(3) This section shall not apply to any person who uses a handgun or other firearm to lawfully defend himself from imminent danger at his home or place of domicile and any such person shall not be held criminally liable for such use of a handgun or other firearm.

(4) For the purposes of this section, “handgun” means a pistol, revolver or other firearm of any description, loaded or unloaded, from which any shot, bullet or other missile can be discharged, the length of the barrel of which, not including any revolving, detachable or magazine breech, is less than sixteen (16) inches.; and

FURTHERMORE, the punishment and/or fine shall not exceed the allocated punishment provided in MS State Law Section 97-37-17, Weapons Possession on Educational Property.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF JACKSON, MISSISSIPPI that an ordinance to codify a punishment and/or fine for parents, guardians or custodians of minors who are less than 18 years of age:

Section 86-92

- (a) Any parent, guardian or custodian who has knowingly caused, encouraged or aided a minor who is less than 18 years old to possess or carry any handgun, firearm or illegal weapon shall be guilty of a misdemeanor punishable by either a fine up to the sum of One Thousand Dollars (\$1,000) or sentenced to serve up to six (6) months in jail, or both.

THEREFORE, BE IT ALSO ORDAINED THAT THE CITY COUNCIL OF JACKSON, MISSISSIPPI thereby also impose liability on adults who improperly store their firearms, thereby allowing children to access them.

[1] Except as provided in Section 97-37-14, a person commits the infraction of “class-one improper storage of a firearm” if all of the following conditions are satisfied:

- a. the person keeps any firearm within any premises that are under the person’s custody or control;
- b. the person knows or reasonably should know that a child is likely to gain access to any such firearm without the permission of the child’s parent or legal guardian, or in a manner not otherwise permissible under Section 97-37-14; and
- c. the child obtains access to the firearm and thereby causes death or great bodily injury to the child or to any other person.

[2] Except as provided in Section [3], a person commits the infraction of “class-two improper storage of a firearm” if all of the following conditions are satisfied:

- a. the person keeps any firearm within any premises that are under the person’s custody or control;

PUBLIC SAFETY/PARKS AND ENVIRONMENT
THURSDAY, JUNE 9, 2022 4:00 P.M.

b. the person knows or reasonably should know that a child is likely to gain access to any such firearm without the permission of the child’s parent or legal guardian, or in a manner not otherwise permissible under Section 97-37-14; and

c. the child obtains access to the firearm and thereby causes injury other than death or great bodily injury to the child or any other person, or carries the firearm to a public place.

[3] Sections [1] and [2] shall not apply whenever any of the following occurs:

a. the child obtains the firearm as a result of an illegal entry to the premises by any person;

b. the firearm is kept in a locked container or in a location that a reasonable person would believe to be secure;

c. the firearm is carried on the person or within close enough proximity thereto that the individual can readily retrieve and use the firearm as if carried on the person;

d. the firearm is locked with a locking device, as defined in Section [6], which has rendered the firearm inoperable;

e. the person is a peace officer or a member of the armed forces or the national guard, and the child obtains the firearm during, or incidental to, the performance of the person’s duties;

f. the child obtains, or obtains and discharges, the firearm in a lawful act of self-defense or defense of another person;

g. the person who keeps a loaded firearm on any premise that is under the person’s custody or control has no reasonable expectation, based on objective facts and circumstances, that a child is likely to be present on the premises; or

h. liability would be inconsistent with any provision of state or federal law.

[4] Class-one improper storage of a firearm is punishable by a fine of not more than one thousand dollars (\$1,000) or imprisonment of up to six (6) months in jail, or both.

[5] Class-two improper storage of a firearm is punishable by a fine of not more than five hundred dollars (\$500) or imprisonment of up to six (6) months in jail, or both.

[6] A “locking device” means a device designed to prevent a firearm from functioning and that, when applied to the firearm, renders the firearm inoperable.

IT IS THEREBY ORDERED that this ordinance shall be effective and enforceable thirty (30) days after adoption and publication.

Yeas – Banks, Foote, Grizzell, Hartley, Lee, and Lindsay.

Nays – None.

Absent – None.

**PUBLIC SAFETY/PARKS AND ENVIRONMENT
THURSDAY, JUNE 9, 2022 4:00 P.M.**

Chairperson Banks stated said item would be moved to the June 21st Agenda Introduction of Ordinance.

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Chairperson Banks requested discussion items 4 be moved reconsidered on the Agenda:

DISCUSSION: PROPOSED SOLUTIONS FOR THE CRIME EPIDEMIC PERTAINING TO THE YOUTH DEMOGRAPHIC (a) INTENTIONAL INTERVENTION AND PLANNED ENGAGEMENT WITHIN ELEMENTARY SCHOOLS, FULLY CERTIFIED AND TRAINED SCHOOL RESOURCE OFFICERS, MORE AGGRESSIVE TRUANCY ENFORCEMENT. **Chairperson Banks** recognized **Council Member Hartley** who stated that there was a guest present from JPS that he would like to talk about programs at Jackson Public School District to help children be productive and stay out of trouble. **Chairperson Banks** recognized **Dr. Michael Cormack, Deputy Superintendent of Jackson Public School District**, who gave a brief over of the programs for enrichment for those students who have falling behind and those who may need credit enhancement for the secondary scholars. Dr. Cormack mentioned programs such as the following: After School Program, STEM Program and Academics and Performing Arts.

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There being no further business, the meeting was adjourned at 5:21 p.m.

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