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Newsday (USPS# 388-760) (ISSN# 0278-5587) is published daily except Sunday and Christmas Day by Newsday LLC, 235 Pinelawn Rd., Melville, N.Y. 11747. Periodicals postage paid at Huntington Station, N.Y. Postmaster: Send address changes to 235 Pinelawn Rd., Melville, N.Y. 11747.

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Inside ExploreLI

**TOP STORIES**

# GUN OWNERS FACE

## Legislature passes 'red-flag' bill tied to mental health status

BY MICHAEL GORMLEY  
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ALBANY — The State Legislature on Tuesday passed a “red-flag” bill that would take guns away from legal gun owners who judges determine are mentally ill.

The Democratic-led State Senate passed the key measure 42-21 as well as related gun control measures, mostly along party lines.

The Assembly passed the red-flag law 83-32 and the others measures along party lines.

“I have no more tears and the tears I had were bitter tears,” said Assemb. Charles Lavine (D-Glen Cove). “There is no more time for sanctimonious and hollow offerings of our thoughts and prayers . . . but we remain silent no longer.”

The package also extends the potential waiting period for buying a gun up to 30 days and would ban the arming of teachers as a safeguard against school shootings under a bill sponsored by Sen. Todd Kaminsky (D-Long Beach).

“If thousands of people were dying year after year after year of some disease, we would spare absolutely no cost until we found a cure,” said Sen. Alessandra Biaggi (D-Mount Vernon). “But for gun violence we are told there really is no solution . . . That the right to own guns is more important than the right to live. That, to me, is truly insane.”

Several Republicans said the new Democratic majority is pushing bills that are redundant or will be ineffective in order to suit their liberal base and erode the constitutional right to possess firearms.

“Law-abiding gun owners are some of the strongest advocates for increased mental health services,” said Sen. Pamela Helming (R-Canandaigua). However, “This gun control package pushed today has little to do with public safety and all to do with politics.”



Linda Beigel Schulman of Dix Hills lost her son, Scott Beigel, to gun violence last year in Florida.

Cuomo said he will sign the bills into law but he expects a legal challenge to the red-flag law, which for the first time would do what opponents of gun control have warned about: lead to government taking guns away from citizens despite the Second Amendment right to own firearms.

Cuomo noted the state's 6-year-old SAFE Act already requires mental health background checks and so this new measure is simply an extension. The new bills address legal gun owners who develop mental illness after they obtained firearms. A judge, acting on a concern of a family member or acquaintance, would have to consider the input of physicians. The gun owner has a right to appeal after a judge issues the order.

“There is no culture that says, ‘We think everyone

should have a gun if they are mentally ill,’” Cuomo said.

Linda Beigel Schulman of Dix Hills, whose son, Scott Beigel, was killed in the Parkland, Florida, shooting, was in Albany to watch the bill get passed. After the school shooting, several teachers said they had suspected the shooter was a danger, but there was no legal way to take action.

“If the red-flag law was in effect, my son would be here,” Schulman said.

The red-flag bill would allow a judge to issue an “extreme risk protection order” that would prohibit a person deemed to be a risk from buying or possessing a firearm for as long as a year. There would be hearings and due process to oppose the effort. The order would expire after a year, but could be extended.

Two other measures would

establish a waiting period of up to 30 days for a background check before a firearm could be purchased. Under current federal law, a gun dealer must sell a firearm to a customer after three days even if a background check hasn't been completed.

Another measure would ban “bump stocks,” which can allow a rifle's trigger to be pulled fast to shoot many bullets in seconds.

“New York is mostly catching up to other more liberal states,” said Robert Spitzer, a distinguished professor of political science at the State University of New York at Cortland who wrote “The Politics of Gun Control” on gun laws nationwide. “These actions do lend further momentum to the spreading movement to tighten up gun laws in more states, even including some conservative ones.”

# TOUGHER LAWS

## Bill bans arming schoolteachers

BY YANCEY ROY

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ALBANY — State legislators overwhelming approved on Tuesday a bill that would ban schools from arming teachers, saying adding guns to campuses wouldn't stop the spate of school shootings. The Senate approved the measure, 42-21, the state Assembly, 86-35. Gov. Andrew M. Cuomo has said he would sign the bill into law.

Backers said the arming of teachers would be more likely to lead to more accidental deaths and shooting of bystanders, rather than halting a mass shooter. While other states are considering arming teachers, New York lawmakers said that's the wrong response.

"If you think back to your fourth- or fifth-grade class, where would a loaded gun have been kept in that class where only a teacher and no one else could access it?" said Sen. Todd



State Sen. Todd Kaminsky

Kaminsky (D-Long Beach). "The idea of teachers roaming the halls and looking for an active shooter and coming around a corner facing maybe another student or law enforcement officer, I think you're asking for trouble."

Kaminsky was the main sponsor of the bill, along with another Long Islander, Assemb. Judy Griffin (D-Rockville Centre). Griffin said arming teachers would "increase fear" on campuses but wouldn't in-

crease safety. She noted that the law still allows schools to place a licensed, trained security guard on campuses.

In contrast, Sen. Phil Boyle (R-Bay Shore) opposed the measure, saying: "A well-trained, armed teacher could confront an active shooter, end the threat and save lives, precious minutes before the first police officer could even arrive on the scene."

Some upstate lawmakers said some of their schools are too remote to rely on local police arriving in time to stop a mass shooting.

"I have multiple townships in my county that have no local police at all. No sheriff's substations. No State Police barracks," said Assemb. Andy Goodell (R-Chautauqua), who represents New York's farthest southwest corner. "This bill is making it impossible for a rural school district to protect itself."

## LI gun enthusiasts say law flawed

BY ELLEN YAN

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Long Island gun enthusiasts and store owners described firearm regulations passed by the State Legislature Tuesday as "grandstanding," saying the new rules wouldn't stop lawbreakers but would "create more victims" among law abiders.

"I think they're trying to legislate away bad people and I think it's a deeper issue than that," said Craig Gresh, a Patchogue-based firearms instructor who trains State Police and other law enforcement officers.

The Legislature passed several measures Tuesday, including a "red-flag" bill that would take guns away from legal gun owners who judges determine are mentally ill. The package would also extend the potential waiting period for buying a gun up to 30 days, ban the arming of

teachers and prohibit "bump stocks," which can allow a rifle's trigger to be pulled fast to shoot many bullets in seconds.

Gov. Andrew M. Cuomo has said he will sign the bills into law.

Long Island gun users ridiculed the proposed bump stock ban, saying they could get the same rapid firing result on semi-automatic rifles by using a heavy rubber band.

Citing the cookware sometimes used in bombs, Jason Ciano, 25, a Levittown car insurance analyst, asked, "Should pressure cookers be banned?"

Long Islanders reserved their main concerns for the "red-flag" provision, with several saying the provision makes sense, but they want to know how gun owners would get due process and how to prevent people from falsely accusing their enemies.

"We're going to have to find the fine print," said Stanley L.

Rachelle, co-owner of Empire State Firearms in Port Jefferson Station.

A gun owner can appeal if he or she is deemed to be mentally ill.

As lawmakers approved the bills, Long Islanders pitched their own ideas for gun reform. Rachelle suggested harsher penalties for violations of existing gun laws while Gresh called for full background checks but no prescribed waiting periods.

Deer hunter Jorge Cea, 40, speaking at the Nassau County shooting range in Uniondale, said he has to undergo fingerprint and background checks every two years because of his work with hazardous materials but only needs to pass a background check for a gun once. He said gun owners should be required to go through training and have their backgrounds checked every few years.

## Intel: North Korea, not Mexico border, real threat to U.S.

The Associated Press

WASHINGTON — Directly contradicting President Donald Trump, U.S. intelligence agencies told Congress on Tuesday that North Korea is unlikely to dismantle its nuclear arsenal, that the Islamic State group remains a threat and that the Iran nuclear deal is working. The chiefs made no mention of a crisis at the U.S.-Mexican border for which Trump has considered declaring a national emergency.

Their analysis stands in sharp contrast to Trump's almost singular focus on security gaps at the border as the biggest threat facing the United States.

Top security officials including FBI Director Christopher Wray, CIA Director Gina Haspel and Director of National Intelligence Dan Coats presented an update to the Senate intelligence committee on Tuesday on their annual assessment of global threats. They warned of an increasingly diverse range of security dangers around the globe, from North Korean nuclear weapons to Chinese cyberespionage to Russian campaigns to undermine Western democracies.

Coats said intelligence information does not support the idea that North Korean leader Kim Jong Un will eliminate his nuclear weapons and the capacity for building more — a notion that is the basis of the U.S. negotiating strategy.

"We currently assess that North Korea will seek to retain its WMD [weapons of mass destruction] capabilities and is unlikely to completely give up its nuclear weapons and production capability because its leaders ultimately view nuclear weapons as critical to regime survival," Coats told the committee.

Coats did note that North Korean leader Kim Jong Un has expressed support for ridding the Korean Peninsula of nuclear weapons and over the past year has not test-fired a nuclear-capable missile or

conducted a nuclear test.

The "Worldwide Threat Assessment" report on which Coats based his testimony said U.S. intelligence continues to "observe activity inconsistent with" full nuclear disarmament by the North. "In addition, North Korea has for years underscored its commitment to nuclear arms, including through an order in 2018 to mass-produce weapons and an earlier law — and constitutional change — affirming the country's nuclear status," it said.

The report also said the Islamic State group "remains a terrorist and insurgent threat" inside Iraq, where the government faces "an increasingly disenfranchised public."

The intelligence assessment, which is provided annually to Congress, made no mention of a crisis at the U.S.-Mexico border, which Trump has asserted as the basis for his demand that Congress finance a border wall. The report predicted additional U.S.-bound migration from El Salvador, Guatemala and Honduras, with migrants preferring to travel in caravans in hopes of a safer journey.

In Syria, where Trump has ordered a full withdrawal of U.S. troops, the government of Bashar Assad is likely to consolidate control, with Russia and Iran attempting to further entrench themselves in Syria, the report said. Asked for her assessment, Haspel said of the IS group: "They're still dangerous." She added that they still command "thousands of fighters in Iraq and Syria."

The intelligence agencies said Iran continues to work with other parties to the nuclear deal it reached with the United States and other Western nations. In doing so, they said, it has at least temporarily lessened the nuclear threat. In May 2018, Trump withdrew the United States from that accord, which he called a terrible deal that would not stop Iran from going nuclear.

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