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# GUN VIOLENCE PREVENTION

— COLLABORATIVE —

We reached out to all of the candidates in contested races for Mayor, City Council and School Committee to get their views on gun violence prevention in the city of Newton. Below are their responses. **Based on their responses and past actions or statements, we have chosen to endorse the candidates in BLUE.** It should be noted that Newton is incredibly fortunate to have a slate of candidates that all stand for gun violence prevention. The candidates we chose to endorse also acknowledge the need for a holistic approach to GVP, including criminal justice reform, equal access to education, affordable housing, mental health services and social support systems.

**Mayor** - we have not yet endorsed a candidate.

Ruthanne Fuller

Amy Mah Sangiolo

## Councilor At-Large

### Ward 1

Allan L. Ciccone - no response

### **\*Alison Leary\***

**1. In your role as a legislator or as a private citizen, what have you done to help the gun violence prevention movement?**

I was always a strong supporter of tough gun laws and was proud that the Commonwealth of Massachusetts had some of the strongest gun laws in the country. But the turning point for me was the horror of Sandy Hook. My own

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children were 8 and 10 years old in 2012. As a private citizen I became a supporter of Everytown for Gun Safety and Stop Handgun violence.

**2. What role did you play in the passage of 145-21 in the spring of 2021?**

I was a co-docketer (as was every one of my colleagues) of 145-21 - Request for Chapter 30 Amendment to establish regulations for gun establishments. I learned a great deal about best practices and how to craft the most effective ordinance. I was satisfied with the key elements of the ordinance which limited firearm businesses to the specific zoning districts and required a special permit and buffers from sensitive uses.

**3. What is your stance on the complete ban of firearms sales in Newton?**

After learning more about it I concluded that the best decision was not to not completely ban firearm sales but to put restrictive zoning in place. I was persuaded that a complete ban could invite an SJC challenge which could actually unravel the local protections we currently have and get the City involved in a protracted and potentially costly lawsuit.

**4. If elected, what will you do as a City Councilor to reduce the threat of gun violence in our community?**

One course of action is to work on stronger federal laws and treat gun violence as the public health issue it really is. This includes the elimination of funding restrictions on gun violence research, passing red flag laws, requiring the completion of gun safety education courses for gun licenses and most of all listening to the experts. In the unlikely event the City receives an application for a gun store I would use every tool at my disposal to oppose it.

John Oliver

**1. In your role as a legislator or as a private citizen, what have you done to help the gun violence prevention movement?**

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This instance in Newton is my first exposure to the legislation of firearms.

**2. What role did you play in the passage of 145-21 in the spring of 2021?**

I voted for 145-21 as well as the measure to ban firearms in our public buildings as well (there is some ongoing dialog about this topic).

Leading up to my vote on this and related items, I researched the topic and held several discussions with legal professionals on both sides of the issue (i.e., for and against an outright ban). I believe that an important part of the decision making process was having time this time, as well as the discussion of the topic and our options.

**3. What is your stance on the complete ban of firearms sales in Newton?**

Despite my personal desire to ban sales of firearms near residential and other 'sensitive' areas in Newton, ultimately the timing of such a measure is not right due to circumstances outside of our control. The work done with our zoning ordinance should be sufficient to achieve our city's goals, and remain 'under the radar'. We now need to remain vigilant to ensure this holds true over time.

**4. If elected, what will you do as a City Councilor to reduce the threat of gun violence in our community?**

As a member of PS&T, I will be working with NPD to continue understanding their work and approach to working with the City Council and community on furthering efforts to improve safety in Newton - specifically from guns and more broadly.

I am also a supporter of Newton's efforts to investigate how to best pilot a community -responder program.

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## Ward 3

**\*Andrea W. Kelley\***

### **1. In your role as a legislator or as a private citizen, what have you done to help the gun violence prevention movement?**

In my role as a City Councilor, my outreach to residents and constituents around gun violence very much relied upon the credible information from your group and the Giffords Law Center. My votes were also based on my evolving understanding of why restrictions vs. an outright ban would be a more effective path to take. Outreach includes talking to people one on one, speaking up at City Council meetings, email alerts to constituents, newsletter updates, using social media to support that position.

### **2. What role did you play in the passage of 145-21 in the spring of 2021?**

As my own understanding of the ramifications became clearer, I was more vocal and an advocate for gun control, limiting the sites where gun stores could be located in Newton. I believed that the initial, knee-jerk reaction to banning all gun stores in Newton would backfire and a more thoughtful, restrictive approach would likely yield greater success. In talking with my colleagues and constituents, in person, in virtual meetings, in online discussion groups, on social media I was proud to be on this side consistently from an early point.

### **3. What is your stance on the complete ban of firearms sales in Newton?**

Although

I do wish there would be no gun sales in Newton, I don't want to see the City go through legal battles to uphold that, at the risk of time, taxpayer dollars, and the potential for an overturn. Restrictive zoning requirements is the likelier way to approach this.

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#### 4. If elected, what will you do as a City Councilor to reduce the threat of gun violence in our community?

I will continue to stay abreast of best practices elsewhere in the Commonwealth and country, continue to be in favor of gun control and gun violence prevention.

**\*Meryl Kessler\***

#### 1. In your role as a legislator or as a private citizen, what have you done to help the gun violence prevention movement?

From 2013 until 2019, I served as Executive Director of the League of Women Voters of Massachusetts (LWVMA), an organization that has played a long and active role advocating for (and against) legislation on Beacon Hill and has been a leader on policy issues statewide. LWVMA has consistently and strongly supported measures to prevent gun violence, has listed gun violence prevention among its legislative “action priorities” for many years, and is a member of the Massachusetts Coalition to Prevent Gun Violence.

During my time at the helm of LWVMA, we advocated for a variety of measures aimed at preventing gun violence, including:

- In 2014, following the Newtown school shooting and a rise in firearm deaths in Massachusetts, LWVMA supported far-reaching legislation aimed at expanding local control over gun licensing, improving background checks, and ensuring that private gun sales happened through a licensed dealer. I personally visited Beacon Hill to support and lobby for the legislation. [Please see Boston Globe, May 28, 2014, featuring a picture of me at Speaker DeLeo’s press conference announcing the legislation.](#)
- In 2018, following the Parkland shooting, LWVMA advocated for passage of the ERPO (Extreme Risk Protective Order) or “Red Flag” law, which allows judges to suspend the gun license of individuals at risk for committing violence against themselves or others. As part of our advocacy, [the LWVMA Board and I issued a strong statement on the need for gun control on both the state and national levels.](#) We also participated in the March for Our Lives in Boston on March 24, 2018, and organized a voter registration drive (which I personally staffed) as part of the march to

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ensure that every proponent of stronger gun laws is registered to vote.

## 2. What role did you play in the passage of 145-21 in the spring of 2021?

As a candidate for City Council in the spring of 2021, I advocated for the passage of 145-21. As I wrote in my [May Campaign Update](#):

“I strongly and passionately oppose a gun store opening in Newton.... The Council must move quickly to ensure that a gun store does not open at 709 Washington St., where an application for a gun store has already been approved. In April, all 24 city councilors and the mayor took the first step toward achieving this goal by docketing a zoning amendment (#145-21) to establish regulations for gun establishments. If passed before the store commences business, this zoning amendment would not only prevent the Washington St. store from opening, but would also—through a combination of strict zoning, generous buffers, and an augmented special permit review process—empower the City Council to prevent gun establishments from opening elsewhere in the City as well. Unfortunately, the Council, on May 17, failed to pass the version of this ordinance that had been (unanimously) recommended by the Zoning and Planning Committee only the week before. Time is of the essence: **the Council must revisit and pass this ordinance as soon as possible** (preferably at its June 2 special meeting) to ensure that the Washington St. store never opens.”

I am delighted that 145-21 passed, and I am equally glad that the efforts to delay passage did not sideline the ordinance or succeed in taking the Council down the far riskier path of a complete ban.

## 3. What is your stance on the complete ban of firearms sales in Newton?

As I wrote in my [May Campaign Update](#), “In my opinion, the proposed zoning ordinance (which includes enhanced requirements for a special permit) is stringent enough to prevent any gun establishment from opening anywhere in Newton.” As a lawyer and as someone who has followed the issue closely, I believed in the spring and continue to believe that pursuing a complete ban of firearm sales in Newton would be a constitutionally risky strategy that could potentially result in a suboptimal outcome for the City. While I recognize that some knowledgeable people were supportive of a ban, the advice of Giffords Law Center played a critical role in my thinking. Given the strength of 145-21, and the potential downsides of a ban, I do not believe that a complete ban

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would be prudent at this time.

**4. If elected, what will you do as a City Councilor to reduce the threat of gun violence in our community?**

I am a firm believer that passage of 145-21 does not end the fight to prevent gun violence in our community. As I wrote in my [May Campaign Update](#):

“I would urge all of us, as individuals and collectively, to fight for public safety measures to protect people from gun violence at both the state and national level. While we may feel some comfort if we successfully block gun stores in Newton, the larger, pressing national issue of preventing gun violence must still be addressed; none of us is safe from gun violence until all of us are safe.”

As a Councilor, I would urge Newton to take the lead in sharing 145-21 as “model legislation” with other communities interested in regulating the opening of gun stores. Additionally, as a Councilor I would make it a priority to keep my constituents informed about important pending state and federal legislation and opportunities to get involved. And, of course, I will follow closely and work to advance the goals of the NGVPC!

Pamela A. Wright

**1. In your role as a legislator or as a private citizen, what have you done to help the gun violence prevention movement?**

With other members of the City Council, I worked to develop specific zoning for gun shops. I further worked with the planning department, reviewing the specifics and, most importantly, the implications to the neighborhood.

**2. What role did you play in the passage of 145-21 in the spring of 2021?**

I worked with the planning department to determine the implications of allowing a gun shop in specific areas. I visited all the areas, and noted one which would consequently be reduced because of the existence of a Church in a commercial building.

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### **3. What is your stance on the complete ban of firearms sales in Newton?**

I think the issue warrants further discussion. I would like to hear directly at a City Council meeting from both the attorneys who support a total ban (and have offered to defend the city pro bono against any Second Amendment challenges), and those of the Gifford Center, who are wary of any lawsuit. Further, it will be important to hear both sides of the argument at the same time, with the two sides “bouncing questions off of each” as well as the Council, and thus allowing us to dig much deeper into the issues. Lastly, it must be done in public so everyone can benefit from the discussion.

### **4. If elected, what will you do as a City Councilor to reduce the threat of gun violence in our community?**

I support the current requirements that all gun owners must be trained in order to get a permit. I also supported the zoning restrictions to limit gun shops in the city.

## **Ward 5**

### **\*Deborah Crossley\***

#### **1. In your role as a legislator or as a private citizen, what have you done to help the gun violence prevention movement?**

As a city councilor at-large and Chair of the Zoning & Planning committee (ZAP), my role was to lead the effort to get a strong ordinance passed as quickly as possible.

#### **2. What role did you play in the passage of 145-21 in the spring of 2021?**

Without a local ordinance, firearms establishments would have been allowed in any city district zoned for retail business. When we learned about the gun store interested in opening on Washington Street, I reorganized the ZAP agenda, with the full support of councilors and the mayor, to staff and ZAP members to focus on getting a good ordinance in place in advance of an intended permit filing for



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any firearms facility in Newton. I met with the Planning and Law departments staff, council president Albright, the mayor and importantly, various experts in gun violence prevention at the local, state and national levels, which included Newton citizens. We noticed a public hearing with a draft ordinance ahead of the permit filing. That set the clock so that passing an ordinance under the 145-21 docket item - could be retroactive to the public hearing notice date.

I led a public hearing (over 500 attended. Although there was a call to ban the use entirely, experts made the case that strict regulation, via the authority Council has to regulate land use, would be a more permanent and sure approach. I learned that banning guns from within our entire city would be challenged under Constitutional law. All expert advocates for gun violence prevention agreed that Newton would lose.

So the ordinance that passed (145-21) layers rules. First, it limits the zones that may accommodate firearms businesses at all, then imposes buffer distances to sensitive uses, such as schools, residential uses, daycare, parks and playgrounds etc. That left three areas on the map that MAY accommodate the use. However, Importantly, a special permit is required for any kind of firearms business, which is the discretionary process controlled by Council. For this specific use, Council must be able to find that the petitioner meets strict additional criteria including, broadly, that no harm is created by the establishment of such a business.

I was proud of our work (on short notice!) – and confident that in supporting the resulting ordinance, we had created the tools necessary to thwart this use – and that the ordinance can stand up against a challenge.

### **3. What is your stance on the complete ban of firearms sales in Newton?**

Notwithstanding what we learned from the passage of 145-21, a number of councilors continued to push for the outright ban.

What I learned (see above) is that an outright ban would be found unconstitutional, which could ultimately lead to laws that would undo the protections we adopted by strictly regulating land use in Newton. Although some argued that the second amendment to the US Constitution has not been directly challenged on this specific matter, we know that the US federal and Supreme

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Courts have become extremely conservative, that now is not the time to challenge. In addition, if such a challenge failed in the higher courts, it may very well undo national gun violence protection efforts, by challenging local authority to regulate land use.

Again, I am confident that with the layered rules we crafted in the firearms ordinance Council adopted, that Newton has the tools it needs.

**4. If elected, what will you do as a City Councilor to reduce the threat of gun violence in our community?**

In the short term, we not only have the protection of a strong firearms ordinance strictly regulating land use, but can prohibit carrying in public buildings, as is proposed.

However, we must as well address the conditions in our community that can lead to violence in the first place. We have a new police chief whose reputation precede him as a strong and well-respected community leader. We are a relatively very safe city, but still, we can work to eliminate bias and discord by listening to and learning from one another. ‘Community policing’ is partly about police engaging more meaningfully, openly and positively in the community, working together to build community connections, upgrade policies, training, and facilities.. In March of this year the mayor’s Newton Police Task Force published its recommendations, (Click [here](#)). which begins to lay out a framework and strategies for improvement.

**\*Andreae Downs\***

**1. In your role as a legislator or as a private citizen, what have you done to help the gun violence prevention movement?**

As a private citizen I have supported several groups that advocated gun control over the years--and for so many that I can no longer remember them all. Some of my early journalism shortly after the shooting at Columbine High School was on how school administrators could foster a community for students that could (perhaps) prevent students resorting to guns as a way to garner attention. And I continue to be a regular correspondent with our state and federal legislators on

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such matters. I have also worked for, and supported candidates who share my views.

**2. What role did you play in the passage of 145-21 in the spring of 2021?**

I voted for it, and I explained it to constituents in emails and at outdoor events (indoor not being very frequent).

**3. What is your stance on the complete ban of firearms sales in Newton?**

While it would be great to be able to do that, legal experts advised us that a ban could be overturned by the Supreme Court. Short of that, it could attract pro-gun demonstrations to Newton.

**4. If elected, what will you do as a City Councilor to reduce the threat of gun violence in our community?**

I will continue to advocate for sensible gun safety measures at the state and federal level, as well as controls on who can buy guns, and the assault weapons ban.

As Chair of Public Safety, I will support the Police Department's careful screening of those who request firearms licenses, and for firearms safe storage instruction. I will also have regular reporting on police use of force.

I will continue to support Newton's efforts to improve community mental health services, particularly for survivors of trauma.

Rina Getz - no response

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## Ward 6

**\*Alicia Bowman\***

### **1. In your role as a legislator or as a private citizen, what have you done to help the gun violence prevention movement?**

As a private citizen, I have donated to Sandy Hook Promise, Giffords Law Center, March for Our Lives, and Boston's own Louise D. Brown Peace Institute Mother's Day Walk for Peace. I have shown up for vigils and marches for Sandy Hook, Tree of Life Synagogue, Emanuel African Methodist Episcopal Church, Marjorie Stoneham Douglas High School, Pulse Nightclub and so many more.

### **2. What role did you play in the passage of 145-21 in the spring of 2021?**

As a City Councilor, I fully supported moving quickly to reform zoning for firearm retailers. I spent time speaking with local advocates about their positions. I listened while many Newton residents spoke at the two public hearings. I also took the time to respond to the over 700 residents who reached out about the proposed gun store changes and the extra step to keep them informed about City Council actions. Ultimately, the City Council adopted restrictive zoning significantly limiting where a gun store could locate and make all stores subject to a special permit. The zoning establishes buffering for sensitive areas such as schools, parks, religious institutions, residences, and village centers. It also requires that all firearm businesses be granted a special permit from the City Council and that the council could consider additional factors when considering the appropriateness of the location. This is a very strong zoning control and I was happy to fully support these changes.

### **3. What is your stance on the complete ban of firearms sales in Newton?**

Some of the most critical information we received in this process was from organizations that have been advocating about gun safety laws for many years. The Giffords Law Center that stated their support for restrictive zoning over a full ban because of concern that the City would be sued and "A bad ruling in this case could jeopardize reasonable, constitutional, and effective laws that regulate dealers around the country." For this reason, I do not support a full ban on firearm sales in Newton.

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**4. If elected, what will you do as a City Councilor to reduce the threat of gun violence in our community?**

As a City Councilor, I will continue to support the restrictive zoning that was put in place. I will add my voice to those continuing to support strong gun laws in Massachusetts and stronger federal gun laws.

**\*Victoria Danberg\***

**1. In your role as a legislator or as a private citizen, what have you done to help the gun violence prevention movement?**

I am strongly against any gun related stores or activity doing business in the City of Newton. I strongly supported and voted for the anti-gun legislation that was passed by the City Council.

**2. What role did you play in the passage of 145-21 in the spring of 2021?**

I advocated for, supported and voted for the City legislation strongly restricting locations where gun stores may open in the City. What we accomplished with this legislation is reducing the likelihood of any gun store opening in the City of Newton to virtually zero without incurring the strong possibility that the US gun lobby activists would sue the City of Newton over a ban on gun sales in the City. Such a lawsuit, likely in the instance of a complete ban on gun sales, would sap the City's resources of funds needed for other things for years, and, given the current makeup of the Supreme Court, have an uncertain outcome at best.

**3. What is your stance on the complete ban of firearms sales in Newton?**

I have been and am against a complete ban of firearms sales. in Newton for the reason stated above. While I am completely against any gun sales or other gun related business in the City, I am familiar with the tactics of the NRA and other pro-gun lobby groups in the US. They keep close tabs on anti-gun activities in

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every community in the US and are willing and likely to use their muscle to counter legislation that they think the Supreme Court might vote with them on.

Several years ago when I worked on moving the age for purchasing tobacco products in Newton from 18 to 21 years of age, J.P. Lorillard sent an attorney to our Programs and Services Committee meeting to speak against our proposed legislation. This was and is legislation that has already passed in many communities in the US.

There are no communities that I know of that have outright banned gun sales. Newton would be breaking ground in the US on this.

We have effectively stopped any gun stores from opening in Newton with the strong restrictions in place. There is plenty that I would rather do with the City funds we would need to dedicate to fighting a lawsuit over this issue. I am very satisfied with what we have accomplished and not interested in funding a fight likely to reach the US Supreme Court over a complete ban.

#### **4. If elected, what will you do as a City Councilor to reduce the threat of gun violence in our community?**

If re-elected, I will continue to advocate for all gun control legislation, as well as funds for further education for our public safety officials on de-escalation of domestic and other situations where Newton Police are called and asked to intervene and/or de-escalate a dangerous situation. I also support the addition of personnel trained in de-escalation tactics and psychology as I believe that we as a City can benefit from this type of intervention in many cases.

Lisa Gordon

#### **1. In your role as a legislator or as a private citizen, what have you done to help the gun violence prevention movement?**

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I've worked through my legislators at a national level to encourage measures like the Assault Weapons Ban. As a person who has had experience with gun violence and a death (a Newton school student) I have worked in my community with fellow parents to ensure a culture of gun safety.

Additionally, I favor a public health approach to preventing gun violence. Mental health issues, drugs, alcohol, domestic violence, are all contributing factors that add to gun violence in our community. Addressing ancillary concerns is critical to solving gun violence issues.

## **2. What role did you play in the passage of 145-21 in the spring of 2021?**

Once I heard about the intention to open a gun store in Newton, I alerted everyone friends, neighbors, family, and some city councilors and asked what could be done? I started researching policy in other states and forwarding all the information I could find to those that would be able to enact policy.

I called my City Councilors to ensure they would enact city legislation that would prevent gun stores from opening in Newton. One of my Ward 6 City Councilors needed information on where to purchase the yard signs and information about your organization (under the previous name). I sent her all the information about your social media campaign, who to contact, the on-line form for the signs, and all the information she needed on how to publicly campaign against the stores.

Additionally, I participated in the public forums and listened carefully to what our community had to say including those that feel it is a 2<sup>nd</sup> Amendment right to have a gun store. I then researched the background on the Right to Bear Arms and Gun Stores. I wanted to explore all opinions and see what others have written and acted on in relation to this. I became fully educated on these points so I could make an informed decision and discuss my stance in our community with additional knowledge.

## **3. What is your stance on the complete ban of firearms sales in Newton?**

I understand why this is not a favorable position currently. I have read your FAQ and your entire website, and it is clear this is not the time to move forward on a

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ban; however, I do empathize with those in the neighborhoods where stores are currently allowed as psychologically, it is an upsetting concept regardless of the reality of a store opening in any of the locations.

#### **4. If elected, what will you do as a City Councilor to reduce the threat of gun violence in our community?**

Whether I am elected or not, I am a strong proponent of mental health awareness. Our community is impacted by teenage suicides, drug dependency, depression, alcoholism, and other mental health issues. Gun violence can be reduced by starting mental health/mindfulness classes with our children from pre-school through high school. Paying attention to our entire child, both physically and mentally, will help in many areas including the threat of gun violence in our community. I would lead an initiative to encourage our community to have mental health as a core part of our wellness curriculum in schools—despite being a City Councilor and not on the School Committee. With the shortage of mental health professionals, I would explore increasing the number of city-funded mental health counselors and would encourage the Health Department to continue the public meetings and outreach that was started before the pandemic.

Lastly, Massachusetts has some of the strongest gun laws in the country. I would work hard to ensure that these laws are not weakened through future legislation, and I will support elected officials at the state-level who continue to strengthen our laws.

## **Ward Councilors**

### **Ward 1**

#### **\*Maria Scibelli Greenberg**

As you know gun violence is at epidemic proportions. In 2020 gun violence killed nearly 20,000 Americans, more than any year in the past two decades. An additional 24,000 died by suicide with a gun. Mass shootings in every imaginable setting (churches, malls, concerts, workplaces, hospitals etc.) have occurred on a weekly basis. Many of us have become numb to the tragedy and absurdity of



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these senseless deaths. This week we solemnly mark the 20th anniversary of 9/11 where 3,000 people were killed yet nearly fifteen times that number have died of gun violence just last year. For me it was the unimaginable mass shooting at Sandy Hook that left me as emotionally traumatized as the 9/11 tragedy. I was in shock and left with a profound sense of sadness and uncertainty. This incident galvanized my desire to work towards ending gun violence. This is why I decided to be a co-docketer for item #182-21--an ordinance to prohibit the sale and manufacturing of firearms in Newton. My initial reaction to the thought of allowing a gun store in Newton was to say "NO, not in my hometown!" However, after much consultation from the city's law dept and citizens involved in prevent gun violence, I came to realize that the smartest way forward was for the City Council to pass a highly restrictive zoning amendment to establish gun regulations for gun establishments--to restrict firearm businesses only to certain zoning districts, to require a special permit, to provide minimum standards for those uses, applying buffers from sensitive uses and applying additional operational standards and criteria for approval. Ultimately, I voted in favor of this amendment. I now believe and understand that this restrictive legislation is the most strategic method to protect Newton having a gun store and has the ability to withstand a costly, precedent setting, legal challenge in front of a conservative Supreme court.

I pledge to continue to work with organizations like yours Newton Gun Violence Prevention Collaborative, the Giffords Law Center to Prevent Gun Violence and Sandy Hook Promise to eventually put an end to the pandemic of gun violence in our country.

Kevin Riffe

**1. In your role as a legislator or as a private citizen, what have you done to help the gun violence prevention movement?**

I am a strong supporter of preventing gun violence in our society. Gun violence plagues our inner cities, our communities of color, and our gateway neighborhoods where immigrant populations are vulnerable to being victimized.

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We need to take a holistic approach to addressing the underlying conditions feeding the causes of gun violence. We need to take a strong leadership position in prioritizing our resources towards prevention so that we can reach our goal of greatly reducing the damage done to individuals and our communities by gun violence.

**2. What role did you play in the passage of 145-21 in the spring of 2021?**

145-21 was a very unfortunate example of the lack of leadership at City Hall on an important issue for all of us. Communication was not timely, transparent, nor comprehensive. Our current city government failed to lead on this issue in a meaningful way.

Newton residents were pitted against each other with divergent plans, and location zones were suggested in certain neighborhoods that had less effective representation. Larger issues of the constitutionality of some proposals were not effectively addressed or resolved. And finally, a clear, concise, satisfactory solution was never formulated by our city leadership, leaving us with the larger issue still left unresolved. This is not good or effective public policy. This is not leadership. I will work to find answers and bring our citizens together for the best outcome for everyone in our community.

**3. What is your stance on the complete ban of firearms sales in Newton?**

As mentioned above, the question of the constitutionality of a ban was never effectively addressed. While I understand a complete ban holds a strong emotional appeal for some, the unintended consequences of it could reap a number of known and unknown results. This avenue should be thoroughly researched and analyzed further until we reach a point where a reasonable real world assessment with a high degree of probability of the outcome can be reached.

**4. If elected, what will you do as a City Councilor to reduce the threat of gun violence in our community?**

Gun violence in every community must be eliminated. I will work hard in a collaborative effort to build consensus and progressive movement forward on this issue. We must have everyone involved at the table to find a lasting solution for preventing senseless gun violence. No one should live in fear of violence and I

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believe by bringing together our neighbors, our businesses, our city officials, the police, the courts, mental health professionals and others, we can lead the way to a safe and peaceful community for all.

## Ward 3

**James R. Cote**

### **1. In your role as a legislator or as a private citizen, what have you done to help the gun violence prevention movement?**

I bring a unique background to the Newton City Council as the only Veteran, and a person trained extensively in the safe use of small arms weapons. One major takeaway from my many years in the Marines was that gun safety was always priority one, and care was taken to allow only those Marines that met set standing levels of competency. It's because of this training that I have a concern with liberal guns laws that allow those that may not take safety seriously the ability to own firearms. It's important to recognize that Massachusetts has some of the strictest gun laws in the country, and has a unique final check in which the Chiefs of Police make the final yes/no decision on gun permits and ownership. I would never advocate to change this system, and realize that our streets are statistically much safer than those states with liberal laws. To allay the fears of the residents, as a City Councilor I toured the police armory, and verified the type of weapons and security necessary to ensure safety.

### **2. What role did you play in the passage of 145-21 in the spring of 2021?**

I was not a member of the City Council at that time, but felt that the Council did the right thing to avoid court challenges in enacting strict zoning requirements and a Special Permit approval provision. As a 3-term member of the Council, I can attest that the 16 votes necessary to open a Gun Store in Newton would be a political impossibility. As the Council votes in the best interests, and wishes of the public, approving a Special Permit within this docket item is actually a ban, without calling it a ban.

### **3. What is your stance on the complete ban of firearms sales in Newton?**

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Although many would like a ban in the City of Newton, and I would be open to one if it were limited to just handguns such as the legislation in Cambridge. (Many incorrectly believe that Cambridge bans gun stores, they don't, just the sale of handguns.) By not banning the total sale of all guns, the city could escape potential 2<sup>nd</sup> Amendment court challenges. Once in the world of the courts there is no telling what could happen. Given my experience in Council legislative operations and my knowledge of actions taken to date I would say that there already is a ban, but a legal one.

**4. If elected, what will you do as a City Councilor to reduce the threat of gun violence in our community?**

This is a great question and really goes to education and our acceptance of violence as a form of entertainment. First in discussions with the police and others in the approval channel to obtain a gun permit, I would ask that we become more aggressive in finding the "why" that people want a gun permit in the first place. The "why" could offer a good reason for the Chief to deny a permit, as the police could offer to assist people with getting over concerns such as fear of intruders as a reason. Oftentimes, increased home security systems, a loud pet, etc. may solve their problem, and we keep a gun off the street. Also, I would at some point like to see a shift to video games that have a high level of excitement in more of sports, or complete events such as dance competitions, and battles of the bands. It sounds a little out there, but we need to make a shift away from games that create thrills in violent actions. Kids start watching violent video games from an early age and they get more intense as they get older. The big difference in real life is that when you actually shoot someone, they don't come back when the game reboots. Of course, if our neighboring states would take some action on gun control it would certainly lower the risk to Mass residents.

Thank you for the opportunity to offer my opinion.

James R Cote  
508 983-4535  
Candidate for Ward 3 City Councilor

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Julia Malakie

**1. In your role as a legislator or as a private citizen, what have you done to help the gun violence prevention movement?**

Besides supporting the restrictive zoning, while not foreclosing discussion of a ban, I have made every effort to provide information, and explanations of process, to the many people who emailed, and the many more people on the Newton-related Facebook groups and other online forums.

Within minutes of seeing the first emails to the City Council on April 15, I sought and received information from then acting police chief Mintz, and passed on what I learned. I joined Stop Gun Stores in Newton as soon as I became aware of it (I believe the first day), and directed many people to it, for support and lawn signs.

I was an active participant in the online forums as I received information, and to let people know about upcoming city meetings, and understand the process, which was new to many residents who had not previously had much occasion to pay attention to city government.

As someone who's filed a number of public records requests on various topics, I was happy to see others motivated to do so by the lack of clarity about when the administration knew about the gun store, and the mad scramble to draft zoning once the gun store became public. I provided advice about how to improve wording to have a better chance of obtaining results.

Unlike most of the city, my ward, Ward 3, includes or is close to the two areas where gun stores would currently be possible under the new zoning -- Rumford/Riverview and North Street. (I am excluding The Street, whose owners have publicly stated they will not lease to gun stores.) So I created walking tour videos of each to enable people not familiar with these areas to better understand the situation.

Rumford/Riverview: [https://youtu.be/h8KgMTO\\_LWA](https://youtu.be/h8KgMTO_LWA)

North Street: <https://youtu.be/LOPabTaahXM>

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## **2. What role did you play in the passage of 145-21 in the spring of 2021?**

I supported passage of 145-21, including strengthening amendments such as requiring the accompanying adult to be a parent or guardian, having buffer zones extend across city lines, and creating a buffer zone to conservation land as well as parks.

## **3. What is your stance on the complete ban of firearms sales in Newton?**

I have always felt it is disingenuous and contradictory to say we don't need an outright ban because our restrictive zoning with special permit requirement is enough to keep gun stores from opening. If that's true, we have a de facto ban without calling it a ban, which would be just as challengeable, but at the point of denial of a special permit. And statements like that of my opponent Jim Cote, on June 21 on the West Newton Googlegroup, that "Newton will never authorize a gun store Special Permit," and the slightly less explicit assurances by opponents of an outright ban that the current zoning is enough, will make it harder to defend the zoning we passed.

The extra condition:

"The location and operating characteristics of the proposed use promotes, and will not be detrimental to, the public health, safety and welfare of the neighborhood, which may extend into an adjacent municipality, or the City." seems intended to make it all but impossible to approve a special permit for a firearms business. I have tried to imagine what "promotes" would look like -- solar roof, rain garden, free firearms safety lessons, and 10% of revenue goes to the Newton Food Pantry? If there is no way to meet the extra condition, we have a ban and should stop pretending we don't. If there is a way for an applicant to meet the condition, we should acknowledge that we are putting that risk unequally on certain parts of the city.

## **4. If elected, what will you do as a City Councilor to reduce the threat of gun violence in our community?**

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I personally believe people are safer without guns in their house, than with, but that is a decision every family/parent has the right to make for themselves. I will support increased funding for mental health services, whether in the form of additional social workers within the police department, or outside of the NPD.

## Ward 5

**Bill Humphrey\***

### **1. In your role as a legislator or as a private citizen, what have you done to help the gun violence prevention movement?**

In the aftermath of the Sandy Hook shooting, there was a push in Massachusetts to require certain trigger locking mechanisms and open up manufacturers to more liability for civil and state lawsuits, which I supported. I don't think these progressed, unfortunately. I also support the post-Parkland local student opposition to gun manufacturing in Massachusetts. We should not be exporting guns that we don't even allow the sale of within our state. This is just as bad as the European countries that ban guns but freely sell them to the United States.

### **2. What role did you play in the passage of 145-21 in the spring of 2021?**

I advocated for passage of 145-21 over alternatives that I did not feel were strategically sound, and I tried to provide as much communication with my constituents as possible on the various options and their likely upsides or downsides.

### **3. What is your stance on the complete ban of firearms sales in Newton?**

I believe a complete ban on firearms sales in Newton would not survive a US Supreme Court challenge under the current composition of the Court. While I believe in taking on the special interests that represent the global gun

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manufacturing industry, there is not much point in taking that fight entirely on their terms and on their terrain. The strategy for gun sense advocates nationally right now needs to be on changing the composition of the Court and the field of struggle on this issue.

**4. If elected, what will you do as a City Councilor to reduce the threat of gun violence in our community?**

I believe we currently have a relatively low threat of gun violence in Newton, mostly not within municipal control, but I have also said that I do not believe we as a city should be using guns to attempt to promote public safety, whether in traffic stops or mental health crisis interventions. Answering gun violence with more guns is a solution for TV shows, not the real world. We have other options.

Debra Waller - no response

## **Ward 6**

Barry Bergman

**1. In your role as a legislator or as a private citizen, what have you done to help the gun violence prevention movement?**

As a private citizen I have signed petitions in support of banning assault weapons and strengthening gun control

**2. What role did you play in the passage of 145-21 in the spring of 2021?**

I played no role as I was away when news broke about the gun shop and opposition to the gun shop was well underway by the time I returned to Newton.

**3. What is your stance on the complete ban of firearms sales in Newton?**

Unlike a complete ban, the zoning ordinance is the most effective way to stop firearms sales while also being able to stand up to legal challenges.



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**4. If elected, what will you do as a City Councilor to reduce the threat of gun violence in our community?**

The threat of gun violence comes from more than just criminals and gangs. We need to be concerned about those in our community with mental health issues or teens who have been bullied or ostracized from the community. We need to work together as a community to identify those individuals who are at risk for violent behavior and be able to get them the counseling they need. We need to punish bullying of any sort in our schools and be mindful of our behavior to our fellow citizens.

If elected, I will work to establish a close relationship between our schools, our social services staff and our police department to make sure they have the resources to address the potential causes of gun violence along with identifying potential threats. I will also work to uphold the recent zoning ordinances restricting the locations of gun shops.

**\*Brenda Noel\***

**1. In your role as a legislator or as a private citizen, what have you done to help the gun violence prevention movement?**

I have been a vocal advocate throughout my life against guns and the misuse and abuse of guns, I will just stop short of debating the value of the 2<sup>nd</sup> amendment.

**2. What role did you play in the passage of 145-21 in the spring of 2021?**

I was vocal in my support of this item- in the beginning I needed to better understand what the best pathway forward was and comprehend the policy nuances to ensure Newton could obtain the desired results. Once I better understood what was at stake I fully supported this item.

**3. What is your stance on the complete ban of firearms sales in Newton?**

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Once I better understood the downside of the full ban and the risk involved, I actively advocated against the full ban.

**4. If elected, what will you do as a City Councilor to reduce the threat of gun violence in our community?**

After this recent experience I have an increased understanding of how gun stores/gun sales work in our city, the role of the Police Chief, the Mayor and the City Council all play to approve the sale of guns in Newton. Our recently passed ordinance will ensure any gun seller that chooses to pursue a store in Newton will require a special permit that is limited in scope and will make it difficult for a gun store to open in Newton.

In addition, I will actively engage and ask questions to better understand the process and be more informed moving forward. This was also a wakeup call to better understand how many permitted guns are currently in our city and how prevalent gun ownership is in Newton and Middlesex County.

## School Committee

### Ward 6

**\*Shawn P. Fitzgibbons\***

**1. In your role as an elected official or as a private citizen, what have you done to help the gun violence prevention movement?**

In Newton, when my daughter started kindergarten nearly seven years ago, I was shocked to learn that students this young participate in "active shooter drills" (called "lockdown drills"). At that time, my wife and I resolved to meet with the Mayor of Newton to see what could be done to reduce danger from guns - since our students were literally learning to hide from them. Since that time I have conducted research on the availability of guns in Newton, worked with City Councilors and State legislators to figure out how the threat of gun violence can be mitigated in Newton and supported gun safety campaigns. As leader of the

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Democratic Committee in Newton, I helped draw attention to gun safety issues. In my professional role at Massachusetts General Hospital I have supported fundraising for the Center for Gun Violence Prevention. Personally I am a donor to Moms Demand Action for Gun Sense in America. Overall, I have also been a leader in supporting the election of leaders at the federal level who will vote against the NRA and for gun violence prevention. For the most part, change at the federal level is required to improve gun safety in communities like ours. Massachusetts, and Newton, already have among the best laws in the nation that can be passed under current federal law and US Supreme Court interpretation of the constitution as it relates to guns.

## **2. What role did you play in the passage of 145-21 in the spring of 2021?**

I supported the campaign, wrote to elected officials and provided political advice to the leaders of the movement to stop gun stores from opening in Newton. I also helped secure expert speakers from the medical community to testify at Newton City Hall during public hearings. I enthusiastically support any effort to reduce danger from firearms in our city.

## **3. What is your stance on the complete ban of firearms sales in Newton?**

I do not support a full ban on firearms in Newton at this time. Such a ban would likely not be held up in court. Furthermore, if a ban was enacted and then challenged successfully in court, the result could be even worse - with other restrictions being rolled back in Newton, throughout Massachusetts or even nationwide depending on the ruling. Until such a time when the US Supreme Court would act favorably on gun restrictions, it is better to follow the path of using zoning to regulate commercial activity related to guns in our city.

## **4. What role can the School Committee play in reducing the threat of gun violence in our community and, if elected, how would you incorporate gun violence prevention initiatives in the work of the school committee?**

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There are thousands of guns in Newton owned by city residents. As a member of the Newton School Committee, I would enthusiastically support any and all efforts to reduce danger from the firearms in our city. This includes:

1. Education: The prevalence of guns is a serious public health issue. The School Committee can promote and support efforts to educate members of the school community about the dangers of firearms and strategies for staying safe. Specifically, this means improving education among parents, staff and, when appropriate, students about safe storage of guns, the danger of guns, and how the school system can identify and respond to warning signs.

According to Everytown for Gun Safety Research, the majority of gun violence that occurs at a school involves improperly stored firearms owned by friends/family, and unseen or ignored early warning signs. The School Committee can help ensure there are effective, evidence-based threat assessment programs in place to protect students from guns. Such programs should be able to identify threats, determine if a person has access to guns, and ensure the availability of mental health resources to those in need.

2. Advocate for new policies at the local level: The Newton School Committee should also meet with City leaders to assess what more can be done to reduce potential dangers to our students from firearms. This can include partnership with gun violence prevention organizations to continue to develop effective policies to ensure our school community is safe from the threat of firearms.
3. The School Committee should re-evaluate the need for students to participate in lockdown drills. Currently, all students, including those as young as five-years-old, participate in such drills. Trainings that involve students may have a negative impact on their health, if they cause fear or stress. This could be particularly true during the pandemic, where students have already been coping with significant challenges.

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Everytown for Gun Safety does not recommend that students participate in active shooter drills. Instead, "active shooter" response training efforts should focus on adult staff of schools.

4. Endorse and support federal initiatives that, if passed, will allow individual states and municipalities to do more to reduce the danger from firearms.
5. Continue learning: On an ongoing basis, meet with leaders and experts in gun violence prevention to continuously build awareness of initiatives that I could support in Newton as a School Committee member that would continue to reduce and eventually eliminate danger from guns in our community.

Paul F. Levy

1. In your role as an elected official or as a private citizen, what have you done to help the gun violence prevention movement?

I have been publicly and actively involved in the gun violence prevention movement for many years, well before the issue became front-and-center in Newton. As a CEO of a major hospital (Beth Israel Deaconess), I saw all too often the effects of gun violence in emergency room patients, and also direct threats to our hospital and community health center staff. For example:

- Years ago, I publicly called upon all other hospital CEOs to get involved in gun control efforts and to let their opinions be known. Here's a link to one such blog post:

<https://runningahospital.blogspot.com/2012/12/dear-hospital-ceos-commit.html>. The blog was regularly read by over 10,000 opinion leaders and others across the country.

- I publicly put pressure on a private equity firm that owned a hospital to divest its ownership of the company that makes the semiautomatic rifle used in the Newtown, CT, murders:

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<https://runningahospital.blogspot.com/2012/12/would-he-help.html>

- I publicly drew attention to and wrote about the difference in gun control between the US and Australia:

<https://runningahospital.blogspot.com/2015/12/unable-to-shoot-down-helicopters-here.html>

- I collaborated with Boston Mayor Tom Menino on plans to protect our community health centers and hospitals from gun violence.

2. What role did you play in the passage of 145-21 in the spring of 2021?

Recognizing that the City Council might need encouragement to act on this matter, I actively supported (and signed) your group's petition.

3. What is your stance on the complete ban of firearms sales in Newton?

I support the most stringent gun control efforts in Newton that are legal, and I would rely on the City's legal department in this matter.

4. What role can the School Committee play in reducing the threat of gun violence in our community and, if elected, how would you incorporate gun violence prevention initiatives in the work of the school committee?

As the person with ultimate responsibility for ensuring the safety of our hospital staff from the dangers of gun violence, I have specific experience as to the security and safety steps that can be taken in institutional settings like schools and hospitals. I'll bring that experience to bear in Newton, working in close cooperation with all of our City and School leaders as well as the Newton Police Department.

## **Ward 7**

Valerie Pontiff - "No Comment"

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**\*Kathleen Shields\***

**1. In your role as an elected official or as a private citizen, what have you done to help the gun violence prevention movement?**

I think there are two sides to effective gun violence prevention: restricting the availability of these weapons and providing resources to help people who might be inclined to use them for violence. On the first side, I strongly support measures that limit access to firearms purchases, including laws that require stringent background checks, waiting periods, licensing and training. I also support limitations on the possession and sale of higher capacity devices that have little or no justification for use outside of military or law enforcement operations. On the second side, I support increasing funding for mental health resources and accessibility.

**2. What role did you play in the passage of 145-21 in the spring of 2021?**

As one of the adult advisors to Newton's Youth Commission, I consulted with and encouraged several students who were preparing remarks and letters in support of 145-21.

**3. What is your stance on the complete ban of firearms sales in Newton?**

I am a practicing litigator. A key part of my job has always been advising clients about the likely outcomes of their actions and positions if those actions are challenged in court. From a litigation strategy perspective, I do not think a complete ban on firearms sales is the best approach. I think there are significant constitutional issues with that position, and that there would be a reasonable chance of creating legal decisions that would ultimately not be useful for gun control and gun violence prevention efforts overall.

**4. What role can the School Committee play in reducing the threat of gun violence in our community and, if elected, how would you incorporate gun violence prevention initiatives in the work of the school committee?**

I think that the key role for the School Committee on this issue is in ensuring sufficient resources to support our school community's mental health and connectedness. Numerous analyses of school-directed gun violence have

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discussed the importance of providing resources to identify, treat and intervene when members of the school community are exhibiting potential indicators of violence. At a more fundamental level, I see our efforts to improve students' sense of connectedness and belonging in our schools and to improve students' relationships with at least one trusted adult in our buildings as critical steps to decrease the risk of violence in our community.