

GOLDEN BEACH, FLORIDA
RESOLUTION NO. 927.95

RESOLUTION NO. 927.95 OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA; ENLISTING THE SUPPORT OF AND ENCOURAGING MEMBERS OF CONGRESS TO AMEND AND CHANGE FEDERAL LAW TO EXPAND THE PROHIBITION AGAINST THE MANUFACTURE AND IMPORTATION OF ARMOR PIERCING AMMUNITION TO ANTICIPATE CHANGES OR IMPROVEMENTS IN TECHNOLOGY AND TO FURTHER LIMIT THE EXCEPTIONS TO THE PROHIBITION; AND TO ENACT EFFECTIVE FEDERAL REGULATION OF THE MANUFACTURE AND DISTRIBUTION OF HYPERDESTRUCTIVE BULLETS; PROVIDING FOR DISTRIBUTION OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the purpose and intent of this resolution is to encourage, promote, advocate and insure the safety and protection of law enforcement officers in the performance of their official duties; and

WHEREAS, in 1986, Congress, in its legislative power to regulate interstate commerce, declared unlawful the manufacture and importation of armor piercing ammunition that was defined to include bullets made entirely of or in combination with certain listed metals or alloys, with limited exceptions, see 18 U.S.C. § 921(a)(17)(B); and

WHEREAS, in 1994 with the enactment of the Violent Crime Control Law Enforcement Act of 1994, and in particular, the provisions of the Public Safety and Recreational Firearms Use Protection Act, the definition of armor piercing ammunition was expanded to include a full jacketed projectile larger than .22 caliber intended for handgun use, (see Pub.L. No. 103-22, 108 Stat. 1796); and

WHEREAS, it has come to the attention of law enforcement officers and agencies, public interest groups and concerned citizens that the statutory prohibition on armor piercing ammunition leaves room for manufacturers to circumvent the ban and does not adequately protect law enforcement officers and citizens from criminal elements; and

WHEREAS, there has been recent media coverage of a domestic manufacturer, Signature Products Corp. ("company"), located in Huntsville, Alabama, that is in the process of manufacturing an armor piercing bullet and a hyperdestructive bullet for handguns, that has produced an outcry and alarm from law-abiding citizens and law enforcement agencies; and

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WHEREAS, the company planned to sell a bullet identified as "Black Rhino" that is made of carbon-based plastics called polymers, rather than of metal prohibited by law, with a convex point design sufficient to penetrate ballistic (bullet proof) vests worn by law enforcement officers; and

WHEREAS, the company also plans to sell a hyperdestructive ammunition for handguns designed to create maximum damage to human tissue upon impact named "Rhino Ammo" that the company claims breaks into thousand of razor-like fragments when it strikes human flesh; and

WHEREAS, there is well founded fear and substantial concern that the sale of Black Rhino and Rhino Ammo, and other such similar bullets, will create havoc and wanton destruction, leaving law enforcement officers and other innocent bystanders and victims vulnerable to serious bodily harm or death; and

WHEREAS, the present statutory definition is not all-inclusive providing opportunities for ammunition manufacturers to circumvent the intent and the spirit of the law prohibiting the manufacture and importation of armor piercing ammunition by producing bullets made of plastic material, that is not prohibited, rather than metal, that is prohibited; and

WHEREAS, the intent and effect of this resolution is to convey a strong, resounding message to our legislators in Congress to amend and change the federal law to expand the scope of the prohibition against the manufacture and importation of armor piercing ammunition to anticipate changes or improvements in technology and to further limit the exceptions to the prohibition; and

WHEREAS, the intent and effect of this resolution is to support further federal regulation of the manufacture and distribution of hyperdestructive bullets such as Black Rhino and Rhino Ammo that will cause a grim path of destruction in the hands of criminals.

NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA:

Section 1. That recitals and findings contained in the preamble to this Resolution are hereby adopted by reference thereto and incorporated herein as if fully set forth in this section.

Section 2. The Town Council of the Town of Golden Beach, Florida enlists the support of and encourages Members of Congress to amend and change federal law to expand the prohibition against the manufacture and importation of armor piercing ammunition to anticipate changes or improvements in technology and to further limit the exceptions to the prohibition.

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Section 3. The Town Council of the Town of Golden Beach, Florida enlists the support of and encourages Members of Congress to enact effective federal regulation of the manufacture and distribution of hyperdestructive bullets.

Section 4. That the Town Clerk is authorized and directed to send copies of this resolution to Senators Bob Graham and Connie Mack, and Congressmen and congresswomen (representing Dade County) Ileana Ros-Lehtiner, Peter Deutsch, Lincoln Diaz Balart, E. Clay Shaw and Alcee Hastings, as well as the office of the Dade County League of Cities.


Section 5. Effective Date. That this Resolution shall become effective upon approval of the Town Council.

The Motion to adopt the foregoing Resolution on first reading was offered by COUNCILMAN MENA, seconded by COUNCILMAN ADDICOTT, and on roll call the following vote ensued:

Mayor Nelson	ABSENT
Vice Mayor Rosenthal	AYE
Councilman Duffner	AYE
Councilman Mena	AYE
Councilman Addicott	AYE

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Golden Beach, Florida this 17th day of JANUARY, 1995.


VICE MAYOR ROSENTHAL


TOWN CLERK/DEPUTY TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY


JON M. HENNING
TOWN ATTORNEY