

No. 12-1371

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**IN THE SUPREME COURT OF THE  
UNITED STATES**

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**UNITED STATES, *Petitioner,***

**v.**

**JAMES ALVIN CASTLEMAN, *Respondent.***

***ON WRIT OF CERTIORARI  
TO THE UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT***

**BRIEF OF MAYORS AGAINST ILLEGAL GUNS  
as  
*AMICUS CURIAE* IN SUPPORT OF PETITIONER**

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**INTEREST OF**  
**AMICUS CURIAE**<sup>1</sup>

Mayors Against Illegal Guns (“MAIG”) is a national, bipartisan coalition of mayors working to make America’s communities safer by keeping illegal guns out of dangerous hands and preventing trafficking in illegal guns. Co-founded in 2006 by New York City Mayor Michael Bloomberg and Boston Mayor Thomas Menino, the MAIG coalition comprises more than 1,000 mayors from forty-six states, and includes Republicans, Democrats and Independents from cities and small towns across the nation. The members of MAIG include the chief executives of seven of the country’s ten largest cities as well as Memphis, the largest city in Tennessee and home of the Western District of Tennessee, where the events giving rise to this case took place.<sup>2</sup>

The highest responsibility of MAIG’s municipal leaders is enforcing the law to protect the people they serve. When interpreted in accordance with its clear statutory language, intent, and purpose, 18 U.S.C. § 922(g)(9)—which prohibits any

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<sup>1</sup> This brief is submitted pursuant to Rule 37 of the Rules of the Supreme Court of the United States. Counsel for the Petitioner and Respondent have both consented to this submission. No counsel for a party authored this brief in whole or in part, nor did any such counsel or anyone other than *amicus* make any monetary contribution intended to fund the preparation or submission of this brief.

<sup>2</sup> MAIG’s membership includes the mayors of three other Tennessee cities: Signal Mountain, Oak Ridge, and Maryville. A list of MAIG’s more than 1,000 mayor members is found in the Appendix.

person convicted of a “misdemeanor crime of domestic violence” from possessing a firearm—makes America’s cities and towns safer for domestic violence victims and the law enforcement officers who seek to protect them. MAIG’s coalition members are all too familiar with the costs that society bears when guns are in the hands of convicted domestic abusers.

### **SUMMARY OF ARGUMENT**

The United States Court of Appeals for the Sixth Circuit narrowly interpreted a statute—designed to keep guns out of the hands of convicted domestic abusers—in a manner that contradicts the statute’s clear language and undermines congressional intent and purpose. Both the text and the legislative history are clear: 18 U.S.C. § 922(g)(9) prohibits gun possession by domestic abusers convicted of using physical force, not just strong and violent physical force, against their victims.

Domestic violence is a “substantial public health problem” with significant economic and societal consequences. National Center for Injury Prevention & Control, *Costs of Intimate Partner Violence against Women in the U.S.* 3 (2003), [hereinafter *NCIPC Report*]. There are over 900,000 cases of domestic violence each year in the United States. Bureau of Justice Statistics, *Intimate Partner Violence, 1993-2010* 1 (2012).

All too often, when guns are present in domestic violence situations, the results are deadly. The statistics are staggering:

- Sixty-four percent of women murdered with guns in 2010 were shot to death by a current or former

intimate partner. Press Release, Mayors Against Illegal Guns, *Women and Guns: New Ad and Research Shows How Weak Gun Laws Turn Domestic Abuse Into Murder* (Apr. 3, 2013).

- “Domestic assaults with firearms are approximately twelve times more likely to end in the victim’s death than are assaults by knives or fists.” *United States v. Skoien*, 614 F.3d 638, 643 (7th Cir. 2010) (citing Linda E. Saltzman et al., *Weapon Involvement and Injury Outcomes in Family and Intimate Assaults*, 267 J. AM. MED. ASS’N 3043 (1992)).
- In total, the presence of a gun in domestic violence situations increases the risk of homicide for women by 500%. Jacquelyn C. Campbell et al., *Risk Factors for Femicide within Physically Abusive Intimate Relationships*, 93 AM. J. PUB. HEALTH 1089, 1092 (2003).

This case presents a question of statutory interpretation that is vitally important to keeping guns out of the hands of dangerous domestic abusers: Whether persons like Respondent—a gun trafficker convicted of “intentionally or knowingly” causing bodily injury to the mother of his child—are nonetheless legally entitled to possess firearms despite § 922(g)(9). By plain language, the statute bans the possession of firearms by anyone convicted of a “misdemeanor crime of domestic violence,” including those crimes that have, as an element, “the use or attempted use of physical force.” 18 U.S.C. § 921(a)(33)(A)(ii).

In a decision that undermines the intent of the statute and is at odds with its plain language, the

Sixth Circuit held that § 922(g)(9) did not prohibit Respondent from possessing firearms—despite his domestic assault conviction—because the state assault statute under which he was convicted did not necessarily require the use of “strong and violent” physical force. For the reasons that follow, this attempt to introduce a significant limiting factor into § 922(g)(9) was in error: § 922(g)(9) plainly encompasses misdemeanors that include physical contact short of violent and strong force.

The most straightforward reading of the statute is that it captures domestic abuse crimes involving “any physical force.” *United States v. Nason*, 269 F.3d 10, 18 (1st Cir. 2001). This is because “[a] person cannot make physical contact—particularly of an insulting or provoking nature—with another without exerting some level of physical force,” and not just physical force that can be categorized as both “strong” and “violent.” *United States v. Griffith*, 455 F.3d 1339, 1342 (11th Cir. 2006); *United States v. Smith*, 171 F.3d 617, 621 & n.2 (8th Cir. 1999). Moreover, requiring some heightened amount of force creates an “amorphous legal standard” that is difficult, indeed impossible, to quantify and apply. *United States v. Hays*, 526 F.3d 674, 684 (10th Cir. 2008) (Ebel, J., dissenting). This difficulty is illustrated by the varying and inconsistent interpretations applied by those circuit courts that, like the Sixth Circuit, have required some greater degree of force.

Construing § 922(g)(9) consistently with its plain meaning also furthers congressional intent. Congress enacted the law with a clear goal: to prohibit anyone convicted of a domestic violence

crime from possessing a firearm. In doing so, Congress recognized the verifiable fact that “[f]irearms and domestic strife are a potentially deadly combination nationwide.” *United States v. Hayes*, 555 U.S. 415, 427 (2009). Lawmakers understood the need to craft a unique remedy because, unlike other types of crimes against the person, domestic violence commonly persists over a period of time, with the severity of abuse eventually escalating. Thus, “[i]t is only a matter of time before the violence gets out of hand, and the gun results in tragedy.” 142 CONG. REC. 22,988 (1996) (statement of Sen. Feinstein).

Lawmakers also knew that domestic abusers are often convicted under state misdemeanor assault and battery laws, most of which—consistent with common law tradition—forbid a wide range of offensive contact short of strong and violent force. Congress meant for § 922(g)(9) to cover the conduct encompassed by those laws when it was inflicted in a domestic context, as shown by the selection of statutory language. It is inconceivable that Congress intended at the time of adopting § 922(g)(9) to exclude from the law’s scope the assault and battery laws of twenty-three states that criminalized offensive touching.

In addition to being irreconcilable with the statutory text and legislative intent, the Sixth Circuit’s interpretation of § 922(g)(9) threatens to frustrate the public policy underlying numerous state laws and to undermine the efforts of local governments to protect domestic abuse victims and law enforcement personnel. In recent years, many state and local officials—including mayor members

of *amicus*—have taken steps to ameliorate the significant costs that domestic violence injuries impose on city and state governments. Effectuating the intended meaning of § 922(g)(9) will keep guns out of the hands of convicted abusers and help states and cities combat domestic violence more effectively.

### **ARGUMENT**

Consistent with longstanding prohibitions on firearm possession by those deemed to pose a serious threat—such as convicted felons and the mentally ill—§ 922(g)(9) prohibits gun possession by persons convicted of a “misdemeanor crime of domestic violence.” Such crimes are defined to include crimes that have, as an element, “the use or attempted use of physical force.” 18 U.S.C. § 921(a)(33)(A)(ii). Respondent was convicted of misdemeanor domestic assault in Tennessee and—after federal agents later discovered that he was involved in a gun-trafficking operation—he was charged with two counts of violating § 922(g)(9). But the district court dismissed the counts, and a divided Sixth Circuit affirmed, holding that the relevant Tennessee statute was not a predicate offense under § 922(g)(9). *United States v. Castleman*, 695 F.3d 582, 590 (6th Cir. 2012).<sup>3</sup>

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<sup>3</sup> Misdemeanor domestic assault under Tennessee law prohibits assaulting a person who is in a covered relationship with the perpetrator. TENN. CODE ANN. § 39-13-111(b) (West 2013). Assault under Tennessee law covers someone who “intentionally, knowingly or recklessly causes bodily injury to another,” TENN. CODE ANN. § 39-13-101(a) (West 2013), and “bodily injury,” in turn, “includes a cut, abrasion, bruise, burn or disfigurement, and physical pain or temporary illness or impairment of the function of a bodily member, organ, or

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The Sixth Circuit reasoned that the force required to constitute a “misdemeanor crime of domestic violence” must be “strong and violent” and that Tennessee’s law did not incorporate any such standard. *Id.* at 588. Its opinion furthered a circuit split as to whether § 922(g)(9) encompasses state misdemeanor crimes that broadly prohibit a range of invasive physical contact or whether it covers only the subset of crimes that require strong and violent physical force.<sup>4</sup> As explained below, the approach followed by the Sixth Circuit cannot be reconciled with the text, legislative intent or purpose of § 922(g)(9); it would also have devastating implications for public safety, and would impose onerous costs on cities across the nation.

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mental faculty,” TENN. CODE ANN. § 39-11-106(a)(2) (West 2013).

<sup>4</sup> Three circuit courts have found that § 922(g)(9) covers “crimes characterized by the application of *any* physical force.” *Nason*, 269 F.3d at 18 (interpreting Maine assault law); *accord Griffith*, 455 F.3d at 1345; *Smith*, 171 F.3d at 621 & n.2 (interpreting Iowa assault law). Four courts of appeal have found that § 922(g)(9) requires a degree of force greater than offensive physical contact. *See Castleman*, 695 F.3d at 587; *United States v. White*, 606 F.3d 144, 153 (4th Cir. 2010) (interpreting Virginia assault and battery law); *Hays*, 526 F.3d at 678-79 (interpreting Wyoming assault and battery law); *United States v. Belless*, 338 F.3d 1063, 1068 (9th Cir. 2003) (interpreting Montana assault and battery law). In an immigration case, *Flores v. Ashcroft*, the Seventh Circuit interpreted “crime of domestic violence” in 8 U.S.C. § 1227(a)(2)(E) to require force that is “violent in nature.” 350 F.3d 666, 668, 670-672 (7th Cir. 2003).

**I. THE SIXTH CIRCUIT’S CONSTRUCTION OF § 922(g)(9) IS INCONSISTENT WITH STATUTORY TEXT AND WOULD FRUSTRATE CONGRESSIONAL INTENT.**

**A. *The Sixth Circuit’s Opinion Is Contrary to the Plain Meaning of 18 U.S.C. § 921(a)(33)(A)’s “Use or Attempted Use of Physical Force.”***

The Sixth Circuit’s opinion effectively adds “strong” and “violent” to the text of § 921(a)(33)(A), which in fact requires merely the “use or attempted use of physical force.” See *Lamie v. U.S. Tr.*, 540 U.S. 526, 538 (2004) (“With a plain, nonabsurd meaning in view,” courts may not “read an absent word into [a] statute.”); *Hanover Bank v. C.I.R.*, 369 U.S. 672, 687 (1962) (recognizing that when the plain and ordinary language of a statute is clear, the Court is “not at liberty . . . to add to or alter the words employed to effect a purpose which does not appear on the face of the statute”).

The circuit courts that have similarly imposed a heightened level of force prerequisite have failed to reach any consensus on what is required, demonstrating that no such standard can be found in the text of the statute. The Fourth Circuit required that the force used be “greater than a mere offensive touching, [and] . . . capable of causing physical pain or injury to the victim,” *White*, 606 F.3d at 156, but did not provide guidance as to which factors should be considered when determining whether a

particular use of physical force meets this standard. Imposing a different standard, the Tenth Circuit described what it believed did *not* constitute the “use or attempted use of physical force”—but did not describe what would count. *See Hays*, 526 F.3d at 678-79 (stating that “physical force” does not include swatting away pointed finger, jostling, kissing without consent or causing “indirect” contact, such as throwing snowballs, spitballs, paper airplanes or water without causing harm or injury). An opinion affirming the Sixth Circuit’s heightened force requirement would exacerbate this problem. Courts across the country would have to determine whether the degree of force encompassed by each state’s battery law was sufficiently “strong” and “violent,” potentially reaching varying results and creating inconsistent standards for criminal defendants.

This burden and confusion can be avoided by the simple expedient of interpreting the law as Congress wrote it. Lawmakers are presumed to invoke the common law meaning of the terms they use. *See Astoria Fed. Sav. & Loan Ass’n v. Solimino*, 501 U.S. 104, 108 (1991). At common law, the crime of battery was characterized by the use of unlawful force against another person. *See United States v. Johnson*, 559 U.S. 133, 139 (2010) (citing 2 W. LAFAVE & A. SCOTT, SUBSTANTIVE CRIMINAL LAW § 7.15(a), 301 (1986 and Supp. 2003)); accord BLACK’S LAW DICTIONARY 173 (9th ed. 2009). The concept of unlawful force encompassed all forms of offensive physical contact. *Johnson*, 559 U.S. at 139 (defining common law crime of battery as “intentional application of unlawful force against the person of another” including “offensive touching”); 3 W. BLACKSTONE, COMMENTARIES ON THE LAWS OF

ENGLAND 120 (1768); *Lynch v. Commonwealth*, 109 S.E. 427, 428 (Va. 1921).

When Congress decided to limit § 922(g)(9)'s prohibition to crimes involving the use or attempted use of "physical force," it incorporated the common law definition of unlawful force.<sup>5</sup> As the law's chief Senate sponsor noted in a floor statement, "convictions for domestic violence-related crimes often are for crimes, *such as assault*, that are not explicitly identified as related to domestic violence." *Hayes*, 555 U.S. at 428 (quoting 142 CONG. REC. 26,675 (statement of Sen. Lautenberg)) (emphasis added). There is no indication that Congress intended to limit the scope of the protection provided in this provision to instances of force that were both strong and violent. Indeed, the legislative record establishes that the only type of abuse Congress intended to exclude from this prohibition was abuse that could be characterized as purely emotional, rather than physical. 142 CONG. REC. 26,675 (1996) (statement of Sen. Lautenberg) ("Some argued that the term crime of violence [in the original bill] was too broad" and could be interpreted to include conduct that is only emotionally abusive, such as "cutting up a credit card with a pair of scissors.").

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<sup>5</sup> The Sixth Circuit incorrectly reasoned that Congress would have used the phrase "misdemeanor domestic assault or battery offense" if it had wanted § 922(g)(9) to reach state common-law assault and battery statutes. *Castleman*, 695 F.3d at 588. But in fact, Congress sought to target any forceful act of "[d]omestic violence, no matter how it is labeled." 142 CONG. REC. 22,986 (1996) (statement of Sen. Lautenberg). Moreover, there was no need to use these more technical references when plain meaning terms would accomplish the same result.

If Congress wanted the statute to extend only to crimes involving “strong” and “violent” domestic violence, it would have so specified. Indeed, Congress could have simply incorporated language that it has used when it wished for legislation to cover only such instances, since it has specified the use of “violent . . . acts of domestic violence” elsewhere in the U.S. code. *See* 8 U.S.C. § 1227(a)(2)(E)(ii) (permitting deportation of any alien who engages in credible threats of violence, repeated harassment or bodily injury to a person for whom a protection order was issued and defining such as any injunction issued to prevent “violent or threatening acts of domestic violence”).<sup>6</sup>

**B. *The Sixth Circuit’s Approach  
Unduly Restricts the Scope of the  
Commonly Understood Meaning of  
“Domestic Violence” in § 922(g)(9).***

The Sixth Circuit’s opinion is also at odds with the plain meaning of “domestic violence” in § 922(g)(9) and congressional intent in using the term. Congress intended for § 922(g)(9) to cover the wide range of conduct commonly understood to constitute “domestic violence” without any additional requirement or qualification. *See, e.g.*, 142 CONG.

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<sup>6</sup> *Cf. Whitfield v. United States*, 543 U.S. 209, 216 (2005) (noting that Congress has imposed explicit overt act requirement in twenty-two conspiracy statutes, but not in provisions governing conspiracy to commit money laundering); *Franklin Nat’l Bank of Franklin Square v. New York*, 347 U.S. 373, 378 (1954) (finding “no indication that Congress intended to make this phase of national banking subject to local restrictions, as it has done by express language in several other instances”).

REC. 22,988 (1996) (statement of Sen. Feinstein) (“This amendment looks to the type of crime, rather than the classification of the conviction. *Anyone convicted of a domestic violence offense* would be prohibited from possessing a firearm.”) (emphasis added). *See also* Statement on Signing the Omnibus Consolidated Appropriations Act, 1997, 32 WEEKLY COMP. PRES. DOC. 1935, 2 (Sept. 30, 1996) (“As I had urged, the bill also extends the Brady Bill to ensure that those who commit domestic violence cannot purchase guns.”).

In drafting the legislation, Congress explicitly considered that the presence of firearms in situations of domestic abuse drastically increases the risk of serious injury—and sought to prevent such harm from occurring by passing § 922(g)(9). *See* 142 CONG. REC. 24,648 (1996) (statement of Sen. Lautenberg) (noting that the presence of a firearm increases the risk of serious injury); 142 CONG. REC. 25,002 (1996) (statement of Sen. Lautenberg) (“[T]he difference between a murdered wife and a battered wife is often the presence of a gun.”). Congress also recognized that the then-existing legislative framework prohibited only felons from obtaining firearms, 18 U.S.C. § 922(g)(1) (1994), and was insufficient to establish the desired “*policy of zero tolerance* when it comes to guns and domestic violence.” 142 CONG. REC. 19,415 (1996) (statement of Sen. Lautenberg) (emphasis added).<sup>7</sup>

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<sup>7</sup> Lawmakers also considered that many domestic abusers, if they are charged at all, plead down to a misdemeanor even though they had been charged with a felony. *Skoien*, 614 F.3d at 643; *see also* 142 CONG. REC. 22,988 (1996). Accordingly,  
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Tellingly, at the time § 922(g)(9) was adopted, twenty-three states had assault and/or battery statutes prohibiting both unlawful offensive touching as well as acts of greater force.<sup>8</sup> Were the Sixth

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§ 922(g)(9) was “enacted in order to remedy the nationwide problem that those convicted of a felony involving domestic assault were prohibited from firearms possession while those convicted of a misdemeanor involving domestic assault were not.” *United States v. Barnes*, 295 F.3d 1354, 1364 (D.C. Cir. 2002).

<sup>8</sup> ARIZ. REV. STAT. ANN. §13-1203(A) (1996); S.C. CODE ANN. § 16-3-600 (2013); *Mellen v. Lane*, 659 S.E.2d 236, 244-45 (S.C. 2008) (defining battery in South Carolina); FLA. STAT. ANN. § 784.03(1)(a) (West 1996); GA. CODE ANN. § 16-5-23(a) (West 1996); IDAHO CODE ANN. § 18-903 (West 1996); 38 ILL. REV. STAT. 12-3 (1996) (current version at 720 ILL. COMP. STAT. ANN. 5/12-3(a)); IND. CODE ANN. § 35-42-2-1(1)(a) (West 1996); KAN. STAT. ANN. § 21-3412 (West 1996) (current version at KAN. STAT. ANN. § 21-5413(a)); ME. REV. STAT. tit. 17-A, § 207 (1996); MD. CODE ANN., CRIMINAL LAW § 12(a) (West 1996) (current version at MD. CODE ANN., CRIMINAL LAW § 3-201); *Snowden v. State*, 583 A.2d 1056, 1058 (Md. 1991) (defining battery in Maryland); MASS. GEN. LAWS ANN. ch. 265, § 13A(a) (West 1996); *Commonwealth v. Burke*, 457 N.E.2d 622, 624 (Mass. 1983) (defining assault and battery in Massachusetts); MICH. COMP. LAWS ANN. § 750.81 (West 1996); MICH. COMP. LAWS ANN. § 750.81a (West 1996); *Clarke v. K Mart Corp.*, 495 N.W.2d 820, 824 (Mich. Ct. App. 1992) (defining battery in Michigan); MO. ANN. STAT. § 565.070 (West 1996); MONT. CODE ANN. § 45-5-201 (West 1996); N.H. REV. STAT. ANN. § 631:2-a (1996); N.C. GEN. STAT. § 14-33 (West 1996); *Ormond v. Crampton*, 191 S.E.2d 405, 410 (N.C. Ct. App. 1972) (defining assault and battery in North Carolina); N.M. STAT. ANN. § 30-3-1 (West 1996); N.M. STAT. ANN. § 30-3-4 (West 1996); N.M. STAT. ANN. § 30-3-12 (West 1996); N.M. Stat. Ann. § 30-3-15 (West 1996); R.I. GEN. LAWS ANN. § 11-5-3(a) (West 1996); *Iacampo v. Hasbro, Inc.*, 929 F. Supp. 562, 577 (D.R.I. 1996) (defining assault and battery in Rhode Island); 21 OKLA. STAT. § 642 (2013); *Steele v. State*, 778 P.2d 929, 931 (Okla. Crim.

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Circuit's construction of § 922(g)(9) correct, no misdemeanor domestic battery conviction in these states would ever prohibit an abuser from gun possession, because—as in Castleman's case—the key element of the misdemeanors could be satisfied with less than strong and violent force. It is inconceivable that, in establishing a “zero tolerance” policy and prohibiting “anyone convicted of a domestic violence offense” from possessing a gun, Congress would choose to exclude people in nearly half of the states from the core protection offered by § 922(g)(9). Yet, the Sixth Circuit's opinion effectively concluded that this is precisely what Congress did. *Cf. Hayes*, 555 U.S. at 427. This, alone, is ample proof of the Sixth Circuit's legal error and sufficient grounds for reversal.

Furthermore, well-publicized crimes at the time of § 922(g)(9)'s enactment underscore the societal problem that Congress was attempting to remedy. For example, on February 12, 1996, Benito Oliver fatally shot his girlfriend, Galina Komar, in New York City after terrorizing her for two years. Mr. Oliver had been initially subjected to a restraining order for beating Ms. Komar and

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App. 1989) (defining Oklahoma battery law); TENN. CODE ANN. § 39-13-101(a) (West 1996); TEX. PENAL CODE ANN. § 22.01(a) (West 1996); VA. CODE ANN. § 18.2-57(A) (West 1996); VA. CODE ANN. § 18.2-57.2(A) (West 1996); *Lynch*, 109 S.E. at 428 (defining battery in Virginia); WASH. REV. CODE ANN. § 9A.36.041 (West 1996); *State v. Davis*, 808 P.2d 167, 172 (Wash. Ct. App. 1991), *aff'd*, 835 P.2d 1039 (Wash. 1992) (defining assault in the fourth degree in Washington); W. VA. CODE ANN. § 61-2-9 (West 1996).

menacing her with a butcher knife. Later, Mr. Oliver was arrested on a misdemeanor charge of stalking Ms. Komar and was released just three weeks prior to the shooting.<sup>9</sup> Upon lowering bail in the case, a state court judge noted that while Ms. Komar had suffered some bruising, she had not suffered any disfigurement and suggested that Mr. Oliver would leave Ms. Komar alone if she gave his dog back to him. Far from leaving her alone, Mr. Oliver walked into the auto dealership where she worked, shot and killed her, and then turned the gun on himself.

Congress was certainly aware of this incident, as evidence of the crime was submitted to the Congressional Record on the same day that Senator Lautenberg introduced the bill that would establish

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<sup>9</sup> Under the New York Penal Law in 1996, a person was guilty of stalking “when, with intent to harass, annoy or alarm another person: 1. He or she strikes, shoves, kicks or otherwise subjects such other person to physical contact, or attempts or threatens to do the same; or 2. He or she follows a person in or about a public place or places; or 3. He or she engages in a course of conduct or repeatedly commits acts which alarm or seriously annoy such other person and which serve no legitimate purpose,” N.Y. PENAL LAW § 240.26 (McKinney 1996), or “when: 1. He or she intentionally places or attempts to place another person in reasonable fear of physical injury, serious physical injury or death by displaying a deadly weapon, dangerous instrument or what appears to be a pistol, revolver, rifle, shotgun, machine gun or other firearm; or 2. He or she repeatedly follows a person or engages in a course of conduct or repeatedly commits acts over a period of time intentionally placing or attempting to place another person in reasonable fear of physical injury, serious physical injury or death,” N.Y. PENAL LAW § 120.14 (McKinney 1996).

§ 922(g)(9). See 142 CONG. REC. 5762 (1996) (including, as exhibit, John Leo, *Stupid Court Tricks*, U.S. NEWS & WORLD REP., Mar. 18, 1996). Moreover, public protest followed the incident, demanding that crimes of domestic violence be taken more seriously. Matthew Goldstein, *Judge's Courtroom Tactics Focus of Hearing*, N.Y.L.J., Dec. 17, 1996, at 36. By enacting § 922(g)(9), Congress sought to keep guns out of the hands of domestic violence offenders like Benito Oliver. Had § 922(g)(9) been in effect and understood to include misdemeanors of offensive physical contact, Mr. Oliver may have been prevented from obtaining a firearm.<sup>10</sup>

For all of these reasons, “domestic violence” as used in § 922(g)(9) is best understood as intended by

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<sup>10</sup> There were a number of additional tragic and preventable domestic violence-related murders leading up to the passage of § 922(g)(9), including most notably: Teddy Lee Prichard's shooting of his wife, Sharon, his eight-year-old son Josey and his nine-year-old daughter Cassandra with a shotgun after Sharon had filed half a dozen domestic violence complaints against him; Larry Buttz's shooting of his wife and two children in their beds after his wife had filed a complaint against him for simple assault a month before; Michael Cartier's murder of Kirstin Lardner, daughter of investigative reporter George Lardner, following Cartier's recent conviction for beating up a previous girlfriend; and Terry Douglas Shaifer's killing of his estranged wife outside of his daughter's elementary school after his wife had pressed charges against him for battery several years earlier. *Relatives Say Man Killed His Family Out of Love*, ASSOCIATED PRESS, July 11, 1993; Susan Stocum, *Four Dead in Shooting Following Domestic Violence Complaint*, ASSOCIATED PRESS, Nov. 5, 1996; Tina Rosenberg, *Fatal Attraction*, N.Y. TIMES, Dec. 10, 1995; Wendy Melillo & David Montgomery, *Murder-Suicide: Family's Troubles Took Tragic Turn*, WASH. POST, Sept. 26, 1996, at B1.

Congress—to embrace the broad, common meaning of the term without confinement by analyzing the strength of the violence. Any narrower interpretation would frustrate Congress’s intent to address the full range of conduct that constitutes domestic violence and can lead to such horrific consequences if the abuser has access to a firearm.

**II. THE SIXTH CIRCUIT’S  
INTERPRETATION THREATENS TO  
FRUSTRATE THE PUBLIC POLICY OF  
NUMEROUS STATE AND LOCAL  
GOVERNMENTS AND CREATES  
SUBSTANTIAL PUBLIC SAFETY RISKS.**

**A. *Since 1996, State and Local  
Governments Have Taken  
Substantial Steps to Address  
Domestic Violence.***

Since § 922(g)(9) was enacted, state and local policymakers have actively sought to curb the substantial individual and societal harms caused by domestic violence. In 1996, “only about one-third of the States had criminal statutes that specifically proscribed domestic violence.” *Hayes*, 555 U.S. at 427 (emphasis omitted). But since 1994, “more than 660 new state laws” have been enacted to combat domestic violence. A.C.R. 150, 215th Leg., 1st Ann. Sess. (N.J. 2012).

Today, every state has legislation addressing domestic violence,<sup>11</sup> and there is a broad network of

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<sup>11</sup> See *Domestic Violence in the States: Domestic Violence Legislation*, Domestic Violence, Sexual Assault and Stalking Data Res. Ctr., <http://www.jrsa.org/dvsa-drc/dv-all.shtml> (last continued to the next page

governmental, nonprofit and academic organizations dedicated to addressing the problems caused by such crimes.<sup>12</sup> In addition, the vast majority of municipalities across the country have established a range of services dedicated to addressing issues related to domestic violence, such as victim advocate programs, secure housing options and specialized training for law enforcement agents.<sup>13</sup>

State and municipal governments take the existing federal framework into account when crafting their own policy responses to the domestic violence problem. In 1997, for instance, the Nevada legislature explicitly referenced the then-new federal scheme when it passed a reform package “to

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visited Nov. 19, 2013) (listing domestic violence statutes in every state); *see also* U.S. Department of Health and Human Services, *Navigating the Family Violence Prevention and Services Program* 4 (2012) (“Each state has codified ‘domestic violence’ for civil and criminal remedies with definitions varying across the country.”).

<sup>12</sup> *See Domestic Violence in the States: Domestic Violence Projects*, Domestic Violence, Sexual Assault and Stalking Data Res. Ctr., <http://www.jrsa.org/dvsa-drc/dv-projects.shtml> (last visited Nov. 19, 2013); *State Coalition List*, National Coalition Against Domestic Violence, <http://www.ncadv.org/resources/StateCoalitionList.php> (last visited Nov. 19, 2013).

<sup>13</sup> *See* U.S. Conference of Mayors, *City Responses to Domestic Violence: A 77-City Survey* 3 (2010); *see also* National Institute of Justice, *Practical Implications of Current Domestic Violence Research: For Law Enforcement, Prosecutors and Judges* 1 (2009) (“A total of 77 percent of police departments have written operational procedures for responding to emergency domestic violence calls, and larger departments are most likely to have such written procedures.”).

strengthen Nevada’s domestic violence laws and to provide a more comprehensive approach and response to incidents of domestic violence.” Nevada State Legislature, Leg. Counsel Bureau Research Div., Bill Summary, AB 170, 69th Reg. Sess., at 2 (1997). While debating whether to impose certain enhanced penalties on domestic abusers, lawmakers considered § 922(g)(9)’s firearms ban for those convicted of “misdemeanor crimes of domestic violence” when determining how to more effectively “combat[] violence against women.” *Id.* at 80-81, 94-95. Thereafter, Nevada enacted its prohibition on “battery which constitutes domestic violence,” NEV. REV. STAT. ANN. § 200.485 (2013), and expressly incorporated Nevada’s existing battery statute, *see* NEV. REV. STAT. ANN. § 200.481 (2013)—which, in turn, broadly criminalizes offensive touching, *Hobbs v. State*, 251 P.3d 177, 179 (Nev. 2011).<sup>14</sup> As the Sixth Circuit interpreted § 922(g)(9), however, no one convicted of a misdemeanor domestic battery offense in Nevada would be prohibited from possessing a gun. The Sixth Circuit’s interpretation of § 922(g)(9)

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<sup>14</sup> In *Hobbs*, the Supreme Court of Nevada held that the defendant was properly convicted of “battery which constitutes domestic violence” when—after barging into a nail salon where his ex-girlfriend was receiving a manicure—he screamed at her and spit in her face. 251 P.3d at 178. (The defendant then went into the salon parking lot and smashed the windshield of her car with a rock. *Id.*) The court reasoned that, consistent with common law understandings, “battery is the intentional and unwanted exertion of force upon another,” which includes spitting. *Id.* at 180. Under the Sixth Circuit’s reasoning, however, the statute under which the defendant was convicted would not be a predicate offense under § 922(g)(9).

would undermine the Nevada legislature’s intention in every respect.

**B.     *The Sixth Circuit’s Holding Would Exclude Domestic Violence Crimes in More than Half the States from the Ambit of § 922(g)(9).***

The Sixth Circuit’s holding threatens to undermine state and local efforts to combat domestic violence. Today, the assault and battery laws of twenty-eight states, the federal government and the District of Columbia encompass both unlawful offensive physical contact and more extreme physical force, and would—under the Sixth Circuit’s logic—be excluded as § 922(g)(9) predicate offenses.<sup>15</sup> Other state crimes, including some from Tennessee, also criminalize various forms of offensive physical contact. These include, for example, crimes against unwanted sexual touching, criminal exposure and intentional contact with bodily fluids or waste.<sup>16</sup> All

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<sup>15</sup> See U.S. Br. at 40, App. B, *Johnson v. U.S.*, 559 U.S. 133 (2010) (No. 08-6925).

<sup>16</sup> See, e.g., TENN. CODE ANN. § 39-13-109 (West 2013) (“A person commits the offense of criminal exposure of another to human immunodeficiency virus (HIV), to hepatitis B virus (HBV), or to hepatitis C virus (HCV) when, knowing that the person is infected with HIV, with HBV, or with HCV, the person knowingly . . . [e]ngages in intimate contact with another.”) (criminal exposure); *id.* § 39-13-505 (“Sexual battery is unlawful sexual contact with a victim by the defendant or the defendant by a victim accompanied by any of the following circumstances. . . .”) (sexual battery); see also DEL. CODE ANN. tit. 11, § 601(a) (West 2013) (“A person is guilty of offensive touching when the person: (1) Intentionally touches another person either with a member of his or her body or with any instrument, knowing that the person is thereby likely to cause

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these acts are consistent with the cycle of violence characteristic of abusive intimate relationships, but would not be covered by § 922(g)(9) under the Sixth Circuit's logic.

Reducing the number of crimes that could constitute a § 922(g)(9) predicate offense would allow a greater number of convicted offenders to retain access to firearms. This would put abuse victims at significant risk of violence.

The city of Chicago provides a telling example. In 2006, the city received 204,729 domestic-related calls for help, at an average of 561 calls per day. Leslie Landis, *Assessment of the Current Response to Domestic Violence in Chicago* 3 (City of Chicago Mayor's Office on Domestic Violence 2007). The most commonly reported domestic violence crime was

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offense or alarm to such other person; or (2) Intentionally strikes another person with saliva, urine, feces or any other bodily fluid, knowing that the person is thereby likely to cause offense or alarm to such other person.”) (offensive touching); 18 PA. CONS. STAT. ANN. § 2709(a) (2013) (“A person commits the crime of harassment when, with intent to harass, annoy or alarm another, the person: (1) strikes, shoves, kicks or otherwise subjects the other person to physical contact, or attempts . . . to do the same.”) (harassment); S.D. CODIFIED LAWS § 22-18-26.1 (2013) (“Any person who, with the intent to assault, throws, smears, spits, or causes human blood, vomit, saliva, mucus, semen, excrement, urine, or human waste to come in contact with any other person, is guilty of a Class 1 misdemeanor.”) (intentional contact with bodily fluids or waste); UTAH CODE ANN. § 76-5-102.9 (West 2013) (“Any person who knowingly or intentionally throws or otherwise propels any bodily substance or material listed under Subsection (1) at another person is guilty of a class B misdemeanor.”) (propelling a bodily substance).

simple battery, which under Illinois law includes both offensive touching and more extreme force. 720 ILL. COMP. STAT. ANN. 5/12-3 (West 2013). Domestic battery-bodily harm was also the tenth most-frequent arrest charge, constituting 7,901 arrests—far outweighing aggravated domestic battery arrests (130), physical contact arrests (1,941) and domestic battery with prior domestic convictions (49). Landis, *supra* at 3. If the Sixth Circuit’s opinion were to stand, the vast majority of Chicago’s domestic violence incidents and arrests would not be covered by § 922(g)(9), and those convicted of domestic violence would still be entitled to legally possess firearms under federal law—precisely what Congress sought to prevent.

**C. *The Sixth Circuit’s Holding Would Impose Onerous Burdens on Cities Across the Country.***

Were the Sixth Circuit’s construction of § 922(g)(9) the law imposed nationwide, it would put in harm’s way the municipal officials who respond to domestic violence incidents—including social workers, child welfare officers, and law enforcement personnel—increasing public safety risks and raising the public costs associated with incidents of domestic violence.

Police officers are at particularly high risk when responding to domestic violence calls, especially when firearms are involved. Responses to domestic violence between 2003 and 2012 accounted for over six percent of all situations in which law enforcement officers were feloniously killed. FBI, *Law Enforcement Officers Killed and Assaulted 2012* Table 19, Table 27 (2012); *see also* *Skoien*, 614 F.3d

at 643 (noting that “[a]pproximately 8% of officers’ fatalities from illegal conduct during 1999 through 2008 arose from attempts to control domestic disturbances.”). From 2003 to 2012, more police officers were killed responding to reports of domestic violence than were killed responding to drug-related arrests, burglaries in progress and handling or transporting prisoners combined.<sup>17</sup> FBI, *Law Enforcement Officers Killed and Assaulted 2012* Table 19 (2012). Furthermore, abused women made ninety-six percent more calls to police if their partner used a knife or gun against them, Amy E. Bonomi et al., *Severity of Intimate Partner Violence and Occurrence and Frequency of Police Calls*, 21 J. INTERPERSONAL VIOLENCE 1354, 1360 (2006). This suggests that, when police receive a report of domestic violence, they are more likely to confront a situation that presents a significant threat to their safety.

In addition to fostering the protection of both civilians and municipal officers, state and local efforts to address domestic violence have been driven by the substantial public costs of domestic violence, which are amplified by firearms. The Centers for Disease Control and Prevention (“CDC”) estimates that, of the more than 4.5 million incidents of physical assault by intimate partners each year, medical care is required for roughly 520,000 of them. *NCIPC Report*, *supra* at 15, 29. The average cost to

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<sup>17</sup> Ninety-two percent of law enforcement officers feloniously killed from 2003 to 2012 were killed by firearms. FBI, *Law Enforcement Officers Killed and Assaulted 2012* Table 27 (2012).

treat each incident is \$2,665, *id.* at 29, which is paid for in part by public funds, *see id.* at Table 9.<sup>18</sup> In addition, as a result of intimate partner physical assault, one in six victims reports time lost from paid work, and about one in ten reports lost time from household responsibilities. *Id.* at 18, Table 6, 31, Table 14. The CDC estimates that the overall loss of productivity from such violence is approximately \$900 million dollars nationwide. *Id.* at 31. These costs impose substantial burdens on cities across the country, including those led by *amicus*' members.

State and local lawmakers are acutely aware of these costs. This year, for instance, the Tennessee Economic Council on Women ("TECW")<sup>19</sup> released a

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<sup>18</sup> In 1995, the direct costs of medical and mental health care due to domestic violence were more than \$4 billion. Elizabeth Richardson Vigdor & James A. Mercy, *Do Laws Restricting Access to Firearms by Domestic Violence Offenders Prevent Intimate Partner Homicide?*, 30 EVAL. REV. 313, 314 (2006). Furthermore, "victims of intimate partner and sexual violence make more visits to health providers over their lifetime, have more hospital stays, have longer duration of hospital stays, and are at risk of a wide range of physical, mental, reproductive, and other health consequences over their lifetime than non-victims." Michele C. Black et al., National Center for Injury Prevention & Control, *National Intimate Partner and Sexual Violence Survey: 2010 Summary Report* 61 (2011).

<sup>19</sup> "The One Hundredth General Assembly created the Tennessee Economic Council on Women (TCA § 4-50-101, et seq.) to address the economic concerns and needs of women in Tennessee . . . . The Council consults with and reports to the Governor, the Women's Legislative Caucus, the General Assembly and the pertinent agencies, departments, boards, commissions and other entities of State and local governments on matters pertaining to women." Tennessee Economic Council  
*continued to the next page*

comprehensive report to the Tennessee General Assembly on the economic effect of domestic violence in the state, and the impact is staggering. Testimony from numerous witnesses established that twenty to thirty-seven percent of all women seeking emergency medical care do so as a result of domestic violence. TECW, *The Economic Impact of Violence Against Women in Tennessee* 24 (2013). Overall, when women ages eighteen to sixty-four are victims of domestic violence, they are one and a half times more likely to visit the emergency room, two times more likely to seek mental health care, and six times more likely to seek help for substance abuse, imposing direct costs on the state and raising insurance premiums for all state residents. *Id.* at 24. The report also discussed the productivity losses incurred as a result of the almost 55,000 reported cases of domestic violence against working women in the state in 2012. *Id.* at 31. Indeed, the President of the Cumberland County Plant Managers Association testified that one in five days of work missed by employees was the result of domestic violence. *Id.* at 32.

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Finally, a proper, uniform application of § 922(g)(9) is crucial to ensure the effectiveness of the federal system used to keep prohibited individuals from acquiring guns. Between 1994 and 2012, convictions under the domestic violence prohibitions of § 922(g)(9) have been second only to

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on Women, *The Economic Impact of Violence Against Women in Tennessee* iii (2013).

felonies as a basis for licensed dealers to deny gun sales after running the National Instant Criminal Background Check System (“NICS”). Over that same period, federal, state and local governments have denied an estimated 250,000 gun sales because a would-be purchaser had been convicted of a misdemeanor crime of domestic violence.<sup>20</sup> In total, nearly sixteen percent of the total firearm transfer denials made by the FBI are based on domestic violence. Bureau of Justice Statistics, DOJ, *Background Checks for Firearm Transfers, 2010—Statistical Tables* Table 4 (Feb. 2013).

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<sup>20</sup> Background checks are conducted by the FBI and—in so-called “point-of-contact” states that run their own background checks—by state and local agencies. Between the inception of the NICS system in 1998 and 2012, 101,393 gun sales were federally denied due to a misdemeanor crime of domestic violence conviction. Additionally, 42,459 gun sales were federally denied due to restraining or protection orders for domestic violence, making a total of 143,852 federal denials related to domestic violence. See FBI, *National Instant Background Check System Operations 2012* (2012).

Between 1999 and 2010, state and local agencies issued a total of 945,915 denials, and it is estimated they have issued 150,000 denials in the two years since data was last released. Bureau of Justice Statistics, DOJ, *Background Checks for Firearms Transfers, 2010—Statistical Tables*, Table 2 (Feb. 2013); Mayors Against Illegal Guns, *Felon Seeks Firearm, No Strings Attached* 4 (Sept. 2013). For state and local agencies that reported reasons for these denials, 13.2% were denials for domestic violence reasons—which would represent another 144,000 domestic violence denials. Thus, the combined federal, state and local background check system has almost certainly issued over 250,000 denials due to domestic violence-related criteria since its inception.

Each of these denials represents a potential life—or lives—saved. The Sixth Circuit’s misreading of the statutory text and disregard for the legislative intent must not be permitted to put these lives at risk and disrupt the effective protections afforded to individuals and society by a proper interpretation of § 922(g)(9).

### **CONCLUSION**

For the reasons set forth herein, the decision below should be reversed.

Dated: November 22, 2013

Respectfully submitted,

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**APPENDIX**  
**MEMBERS OF MAYORS AGAINST**  
**ILLEGAL GUNS**

Mayor Samuel Jones, Mobile, AL  
Mayor Johnny Ford, Tuskegee, AL  
Mayor Larry Bryant, Forrest City, AR  
Mayor Arnell Willis, Helena, AR  
Mayor Lawrence Owens, Hughes, AR  
Mayor McKinzie Riley, Wrightsville, AR  
Mayor Marie Rogers, Avondale, AZ  
Mayor Greg Stanton, Phoenix, AZ  
Mayor Mark Mitchell, Tempe, AZ  
Mayor Adolfo Gamez, Tolleson, AZ  
Mayor Jonathan Rothschild, Tucson, AZ  
Mayor Marie Gilmore, Alameda, CA  
Mayor Timothy Knox, Amador City, CA  
Mayor Leon Garcia, American Canyon, CA  
Mayor Wade Harper, Antioch, CA  
Mayor Elizabeth Patterson, Benicia, CA  
Mayor Tom Bates, Berkeley, CA  
Mayor Sherman Schapiro, Blue Lake, CA  
Mayor Raymond Miller, Brisbane, CA  
Mayor Fred Gaines, Calabasas, CA  
Mayor Evan Low, Campbell, CA  
Mayor Jason Burnett, Carmel-by-the-Sea, CA  
Mayor Cheryl Cox, Chula Vista, CA  
Mayor Pro Term Joseph M. Lyons, Claremont, CA  
Mayor Eugene Montanez, Corona, CA  
Mayor Diane Furst, Corte Madera, CA  
Mayor Joseph Krovoza, Davis, CA  
Mayor Gary Davis, Elk Grove, CA  
Mayor Jennifer West, Emeryville, CA  
Mayor Teresa Barth, Encinitas, CA  
Mayor John Reed, Fairfax, CA

Mayor Bill Harrison, Fremont, CA  
Mayor Maria Orozco, Gonzales, CA  
Mayor Dennis Brazil, Gustine, CA  
Mayor Daniel Juarez, Hawthorne, CA  
Mayor Michael Sweeney, Hayward, CA  
Mayor Susan Jones, Healdsburg, CA  
Mayor Connie Boardman, Huntington Beach, CA  
Mayor James Butts, Inglewood, CA  
Mayor Art Madrid, La Mesa, CA  
Mayor Robert Ring, Laguna Woods, CA  
Mayor Dan Hillmer, Larkspur, CA  
Mayor John Marchand, Livermore, CA  
Mayor Bob Foster, Long Beach, CA  
Mayor Eric Garcetti, Los Angeles, CA  
Mayor Rob Schroder, Martinez, CA  
Mayor Mary Ann Lutz, Monrovia, CA  
Mayor Paul Eaton, Montclair, CA  
Mayor Steve Tate, Morgan Hill, CA  
Mayor Alan Nagy, Newark, CA  
Mayor Pat Eklund, Novato, CA  
Mayor Jean Quan, Oakland, CA  
Mayor Gabriel Jimenez, Orange Cove, CA  
Mayor Amy Worth, Orinda, CA  
Mayor Stephen Pougnet, Palm Springs, CA  
Mayor H. Gregory Scharff, Palo Alto, CA  
Mayor Bill Bogaard, Pasadena, CA  
Mayor Luis Molina, Patterson, CA  
Mayor David Glass, Petaluma, CA  
Mayor John Chiang, Piedmont, CA  
Mayor Michael Harris, Pleasant Hill, CA  
Mayor Elliott Rothman, Pomona, CA  
Mayor Ellis Green, Port Hueneme, CA  
Mayor John Richards, Portola Valley, CA  
Mayor Pete Aguilar, Redlands, CA  
Mayor Deborah Robertson, Rialto, CA

Mayor Gayle McLaughlin, Richmond, CA  
Mayor Daniel Clark, Ridgecrest, CA  
Mayor Kevin Johnson, Sacramento, CA  
Mayor Kay Coleman, San Anselmo, CA  
Mayor Patrick Morris, San Bernardino, CA  
Mayor Jim Ruane, San Bruno, CA  
Mayor Edwin Lee, San Francisco, CA  
Mayor Mark Bartel, San Jacinto, CA  
Mayor Chuck Reed, San Jose, CA  
Mayor Stephen Cassidy, San Leandro, CA  
Mayor Jan Marx, San Luis Obispo, CA  
Mayor Gary Phillips, San Rafael, CA  
Mayor Miguel Pulido, Santa Ana, CA  
Mayor Helene Schneider, Santa Barbara, CA  
Mayor Don Lane, Santa Cruz, CA  
Mayor Pam O'Connor, Santa Monica, CA  
Mayor Jill Hunter, Saratoga, CA  
Mayor Richard Schneider, South Pasadena, CA  
Mayor Anthony Silva, Stockton, CA  
Mayor Anthony Spitaleri, Sunnyvale, CA  
Mayor Emmet O'Donnel, Tiburon, CA  
Mayor Carol Dutra-Vernaci, Union City, CA  
Mayor Osby Davis, Vallejo, CA  
Mayor Abbe Land, West Hollywood, CA  
Mayor Christopher Cabaldon, West Sacramento, CA  
Mayor Matthew Applebaum, Boulder, CO  
Mayor Michael Hancock, Denver, CO  
Mayor Randy Penn, Englewood, CO  
Mayor Marjorie Sloan, Golden, CO  
Mayor Carolyn Cutler, Lafayette, CO  
Mayor Bob Murphy, Lakewood, CO  
Mayor Robert Muckle, Louisville, CO  
Mayor Marc Snyder, Manitou Springs, CO  
Mayor Joe Gierlach, Nederland, CO  
Mayor Joyce Downing, Northglenn, CO

Mayor Don Stephens, Salida, CO  
Mayor Andrew Muckle, Superior, CO  
Mayor Stuart Fraser, Telluride, CO  
Mayor Adam Salina, Berlin, CT  
Mayor Bill Finch, Bridgeport, CT  
Mayor Mark Boughton, Danbury, CT  
Mayor Marcia Leclerc, East Hartford, CT  
Mayor Joseph Maturo, East Haven, CT  
Mayor Scott Jackson, Hamden, CT  
Mayor Pedro Segarra, Hartford, CT  
Mayor Daniel Drew, Middletown, CT  
Mayor John DeStefano, New Haven, CT  
Mayor Daryl Finizio, New London, CT  
Mayor Michael Freda, North Haven, CT  
Mayor Richard Moccia, Norwalk, CT  
Mayor Michael Pavia, Stamford, CT  
Mayor Ryan Bingham, Torrington, CT  
Mayor Neil O'Leary, Waterbury, CT  
Mayor Scott Slifka, West Hartford, CT  
Mayor John Picard, West Haven, CT  
Mayor Vincent Gray, Washington, DC  
Mayor Michael Smith, Blades, DE  
Mayor Diane Hanson, Dewey Beach, DE  
Mayor Kenneth Branner, Middletown, DE  
Mayor Dennis Williams, Wilmington, DE  
Mayor Susan Gottlieb, Aventura, FL  
Mayor Jean Rosenfield, Bal Harbour, FL  
Mayor Noah Jacobs, Biscayne Park, FL  
Mayor James Cason, Coral Gables, FL  
Mayor Judy Paul, Davie, FL  
Mayor Cary Glickstein, Delray Beach, FL  
Mayor Bruce Mount, Eatonville, FL  
Mayor Daisy Black, El Portal, FL  
Mayor Kristin Jacobs, Fort Lauderdale, FL  
Mayor Glenn Singer, Golden Beach, FL

Mayor Charles Sanders, Greenwood, FL  
Mayor Joy Cooper, Hallandale Beach, FL  
Mayor Peter Bober, Hollywood, FL  
Mayor Kenneth Schultz, Hypoluxo, FL  
Mayor Gow Fields, Lakeland, FL  
Mayor Patricia Gerard, Largo, FL  
Mayor Barrington Russell, Lauderdale Lakes, FL  
Mayor Richard Kaplan, Lauderhill, FL  
Mayor Howard Schieferdecker, Maitland, FL  
Mayor Tomas Regalado, Miami, FL  
Mayor Carlos Giminez, Miami-Dade County, FL  
Mayor Matti Bower, Miami Beach, FL  
Mayor Oliver Gilbert, Miami Gardens, FL  
Mayor Lori Moseley, Miramar, FL  
Mayor Connie Kreps, North Bay Village, FL  
Mayor John Brady, North Lauderdale, FL  
Mayor Douglas Gibson, Oak Hill, FL  
Mayor John Adornato, Oakland Park, FL  
Mayor Myra Taylor, Opa-Locka, FL  
Mayor Buddy Dyer, Orlando, FL  
Mayor Dominic Persampiere, Oviedo, FL  
Mayor Shelley Stanczyk, Palmetto Bay, FL  
Mayor Frank Ortis, Pembroke Pines, FL  
Mayor Cindy Lerner, Pinecrest, FL  
Mayor Diane Bendekovic, Plantation, FL  
Mayor Thomas Masters, Riviera Beach, FL  
Mayor Philip Stoddard, South Miami, FL  
Mayor Norman Edelcup, Sunny Isles Beach, FL  
Mayor Michael Ryan, Sunrise, FL  
Mayor Daniel Dietch, Surfside, FL  
Mayor John Marks, Tallahassee, FL  
Mayor Jeri Muoio, West Palm Beach, FL  
Mayor Eric Jones, West Park, FL  
Mayor Daniel Stermer, Weston, FL  
Mayor Gary Resnick, Wilton Manors, FL

Mayor Kasim Reed, Atlanta, GA  
Mayor Deke Copenhaver, Augusta, GA  
Mayor Donna Pittman, Doraville, GA  
Mayor Earnestine Pittman, East Point, GA  
Mayor James Thomas, Hinesville, GA  
Mayor Robert Reichert, Macon, GA  
Mayor June Bradfield, McRae, GA  
Mayor Jim Still, Mountain Park, GA  
Mayor Kathie deNobriga, Pine Lake, GA  
Mayor Jere Wood, Roswell, GA  
Mayor Patricia Wheeler, Stone Mountain, GA  
Mayor Ralph Moore, Union City, GA  
Mayor William Kenoi, Hilo, HI  
Mayor Bernard Carvalho, Kauai, HI  
Mayor Alan Arakawa, Wailuku, Maui, HI  
Mayor Jon Crews, Cedar Falls, IA  
Mayor William Gluba, Davenport, IA  
Mayor Donald Arendt, Decorah, IA  
Mayor T. M. Franklin Cownie, Des Moines, IA  
Mayor Roy Buol, Dubuque, IA  
Mayor Edward Malloy, Fairfield, IA  
Mayor Matt Hayek, Iowa City, IA  
Mayor Buck Clark, Waterloo, IA  
Mayor Nancy Chaney, Moscow, ID  
Mayor Joel Fritzler, Carbondale, IL  
Mayor Harriet Rosenthal, Deerfield, IL  
Mayor John Rey, DeKalb, IL  
Mayor Alvin Parks, East St. Louis, IL  
Mayor David Kaptain, Elgin, IL  
Mayor Elizabeth Tisdahl, Evanston, IL  
Mayor Rodney Craig, Hanover Park, IL  
Mayor Michael Howley, Hickory Hills, IL  
Mayor Nancy Roterling, Highland Park, IL  
Mayor Joseph Tamburino, Hillside, IL  
Mayor Gerald Turry, Lincolnwood, IL

Mayor Joseph Broda, Lisle, IL  
Mayor Eugene Williams, Lynwood, IL  
Mayor Ronald Serpico, Melrose Park, IL  
Mayor Christopher Koos, Normal, IL  
Mayor Leon Rockingham, North Chicago, IL  
Mayor Kyle Hastings, Orland Hills, IL  
Mayor Robert Straz, Palos Heights, IL  
Mayor Gerald Bennett, Palos Hills, IL  
Mayor Greg Marston, Pingree Grove, IL  
Mayor George Van Dusen, Skokie, IL  
Mayor Don DeGraff, South Holland, IL  
Mayor Beniamino Mazzulla, Stone Park, IL  
Mayor Laurel Prussing, Urbana, IL  
Mayor Sam Pulia, Westchester, IL  
Mayor Richard Hickman, Angola, IN  
Mayor Mark Kruzan, Bloomington, IN  
Mayor Tom Henry, Fort Wayne, IN  
Mayor Karen Freeman-Wilson, Gary, IN  
Mayor Allan Kauffman, Goshen, IN  
Mayor Dennis Tyler, Muncie, IN  
Mayor Hugh Wirth, Oakland City, IN  
Mayor Peter Buttigieg, South Bend, IN  
Mayor Crosby Gernon, Hiawatha, KS  
Mayor Carl Brewer, Wichita, KS  
Mayor Gene McMurry, Carrollton, KY  
Mayor Bobby Crager, Flatwoods, KY  
Mayor Mary Brown, Fort Thomas, KY  
Mayor Everette Varney, Georgetown, KY  
Mayor George Cheatham, Greensburg, KY  
Mayor William Lammlein, La Grange, KY  
Mayor Greg Fischer, Louisville, KY  
Mayor Berline Sonnier, Basile, LA  
Mayor Kip Holden, Baton Rouge, LA  
Mayor Ron Roberts, DeRidder, LA  
Mayor Robert Grafton, Elizabeth, LA

Mayor Provino Mosca, Harahan, LA  
Mayor Katherine Freeman, Logansport, LA  
Mayor Mitchell Landrieu, New Orleans, LA  
Mayor Rodney Grogan, Patterson, LA  
Mayor Cedric Glover, Shreveport, LA  
Mayor Oda Rockett, Spearsville, LA  
Mayor Cecil LaVergne, Sunset, LA  
Mayor Thatcher Kezer, Amesbury, MA  
Mayor Kevin Dumas, Attleboro, MA  
Mayor William Scanlon, Beverly, MA  
Mayor Thomas Menino, Boston, MA  
Mayor Joseph Sullivan, Braintree, MA  
Mayor Linda Balzotti, Brockton, MA  
Mayor Henrietta Davis, Cambridge, MA  
Mayor Carlo DeMaria, Everett, MA  
Mayor Lisa Wong, Fitchburg, MA  
Mayor Alex Morse, Holyoke, MA  
Mayor Patrick Murphy, Lowell, MA  
Mayor Gary Christenson, Malden, MA  
Mayor Michael McGlynn, Medford, MA  
Mayor Robert J. Dolan, Melrose, MA  
Mayor Stephen Zanni, Methuen, MA  
Mayor Jonathan Mitchell, New Bedford, MA  
Mayor Donna Holaday, Newburyport, MA  
Mayor Setti Warren, Newton, MA  
Mayor David Narkewicz, Northampton, MA  
Mayor Edward Bettencourt, Peabody, MA  
Mayor Daniel Bianchi, Pittsfield, MA  
Mayor Thomas Koch, Quincy, MA  
Mayor Daniel Rizzo, Revere, MA  
Mayor Kimberly Driscoll, Salem, MA  
Mayor Joseph Curtatone, Somerville, MA  
Mayor Domenic Sarno, Springfield, MA  
Mayor Thomas Hoyer, Taunton, MA  
Mayor Susan Kay, Weymouth, MA

Mayor Scott Galvin, Woburn, MA  
Mayor Joseph Petty, Worcester, MA  
Mayor Joshua Cohen, Annapolis, MD  
Mayor Stephanie Rawlings-Blake, Baltimore, MD  
Mayor Victoria Jackson-Stanley, Cambridge, MD  
Mayor Kito James, Capitol Heights, MD  
Mayor Margo Bailey, Chestertown, MD  
Mayor Michael Callahan, Cheverly, MD  
Mayor Andrew Fellows, College Park, MD  
Mayor Brian Grim, Cumberland, MD  
Mayor Sidney Katz, Gaithersburg, MD  
Mayor Peter Benjamin, Garrett Park, MD  
Mayor Judith Davis, Greenbelt, MD  
Mayor David Gysberts, Hagerstown, MD  
Mayor William Sanders, Highland Beach, MD  
Mayor Dennis Scheessele, Indian Head, MD  
Mayor Craig Moe, Laurel, MD  
Mayor Andrew Hanko, New Carrollton, MD  
Mayor Phyllis Marcuccio, Rockville, MD  
Mayor James Ireton, Salisbury, MD  
Mayor Jeffrey Slavin, Somerset, MD  
Mayor Bruce Williams, Takoma Park, MD  
Mayor William Stokes, Augusta, ME  
Mayor Charlotte Warren, Hallowell, ME  
Mayor Michael Brennan, Portland, ME  
Mayor Mark Johnston, Saco, ME  
Mayor Thomas Blake, South Portland, ME  
Mayor Karen Heck, Waterville, ME  
Mayor John Hieftje, Ann Arbor, MI  
Mayor Phil O'Dwyer, Berkley, MI  
Mayor Tim Bishop, Davison, MI  
Mayor John O'Reilly, Dearborn, MI  
Mayor Dave Bing, Detroit, MI  
Mayor James Wiley, Douglas, MI  
Mayor Diane Goddeeris, East Lansing, MI

Mayor Dayne Walling, Flint, MI  
Mayor George Heartwell, Grand Rapids, MI  
Mayor Karen Majewski, Hamtramck, MI  
Mayor Bobby Hopewell, Kalamazoo, MI  
Mayor Virgil Bernero, Lansing, MI  
Mayor Marian McClellan, Oak Park, MI  
Mayor Brenda Lawrence, Southfield, MI  
Mayor William Wild, Westland, MI  
Mayor Paul Schreiber, Ypsilanti, MI  
Mayor Don Ness, Duluth, MN  
Mayor Peter Lindstrom, Falcon Heights, MN  
Mayor R.T. Rybak, Minneapolis, MN  
Mayor Sandy Martin, Shoreview, MN  
Mayor Chris Coleman, St. Paul, MN  
Mayor Harold Sanger, Clayton, MO  
Mayor Michael Hallauer, Houston Lake, MO  
Mayor Sylvester James, Kansas City, MO  
Mayor Arthur McDonnell, Kirkwood, MO  
Mayor Randall Rhoads, Lee's Summit, MO  
Mayor Daniel DiPlacido, Rock Hill, MO  
Mayor Francis Slay, St. Louis, MO  
Mayor Shelley Welsch, University City, MO  
Mayor Cecil Belle, Aberdeen, MS  
Mayor Johnny DuPree, Hattiesburg, MS  
Mayor Robert Boykin, Macon, MS  
Mayor Velma Jenkins, Shuqualak, MS  
Mayor McArthur Straughter, Yazoo City, MS  
Mayor Russell Nelson, Belgrade, MT  
Mayor Sean Becker, Bozeman, MT  
Mayor John Engen, Missoula, MT  
Mayor Terry Bellamy, Asheville, NC  
Mayor Walter Goodenough, Carolina Shores, NC  
Mayor Mark Chilton, Carrboro, NC  
Mayor Mark Kleinschmidt, Chapel Hill, NC  
Mayor Darryl Moss, Creedmoor, NC

Mayor Bill Bell, Durham, NC  
Mayor Barbara Mallett, East Spencer, NC  
Mayor Arthur Schools, Emerald Isle, NC  
Mayor Robert Perkins, Greensboro, NC  
Mayor James O'Geary, Henderson, NC  
Mayor Tom Stevens, Hillsborough, NC  
Mayor Jackie Holcombe, Morrisville, NC  
Mayor Lee Bettis, Jr., New Bern, NC  
Mayor Jaqueline Sergeant, Oxford, NC  
Mayor Nancy McFarlane, Raleigh, NC  
Mayor Victor Varela, Ronda, NC  
Mayor J. Allen Joines, Winston-Salem, NC  
Mayor Dennis Walaker, Fargo, ND  
Mayor Eric Spear, Portsmouth, NH  
Mayor Fred Tagliarini, Aberdeen, NJ  
Mayor Ed Johnson, Asbury Park, NJ  
Mayor Robert Critelli, Atco, NJ  
Mayor Lorenzo Langford, Atlantic City, NJ  
Mayor Mark Smith, Bayonne, NJ  
Mayor Matthew Doherty, Belmar, NJ  
Mayor David Mayer, Blackwood, NJ  
Mayor Raymond McCarthy, Bloomfield, NJ  
Mayor Patrick McHale, Bogota, NJ  
Mayor James Cann, Bordentown, NJ  
Mayor Albert Kelly, Bridgeton, NJ  
Mayor Dana Redd, Camden, NJ  
Mayor Chuck Cahn, Cherry Hill, NJ  
Mayor Michael Blunt, Chesilhurst, NJ  
Mayor Janice Kovach, Clinton, NJ  
Mayor Sophie Heymann, Closter, NJ  
Mayor M. James Maley, Collingswood, NJ  
Mayor Dennis Roohr, Cookstown, NJ  
Mayor Thomas Hannen, Cranford, NJ  
Mayor Kenneth Paris, Delran, NJ  
Mayor James Dodd, Dover, NJ

Mayor Joseph Smith, East Newark, NJ  
Mayor Robert Bowser, East Orange, NJ  
Mayor Antonia Ricigliano, Edison, NJ  
Mayor J. Christian Bollwage, Elizabeth, NJ  
Mayor Carlos Colina, Emerson, NJ  
Mayor Colleen Mahr, Fanwood, NJ  
Mayor Mark Sokolich, Fort Lee, NJ  
Mayor Warren Cooper, Frenchtown, NJ  
Mayor Joseph Delaney, Garfield, NJ  
Mayor Guy Piserchia, Gillette, NJ  
Mayor Gerald Drasheff, Guttenberg, NJ  
Mayor Maria DiGiovanni, Hackettstown, NJ  
Mayor Domenick Stampone, Haledon, NJ  
Mayor Raymond McDonough, Harrison, NJ  
Mayor Rose Heck, Hasbrouck Heights, NJ  
Mayor John DeRienzo, Haworth, NJ  
Mayor Richard Goldberg, Hawthorne, NJ  
Mayor Gary Minkoff, Highland Park, NJ  
Mayor Dawn Zimmer, Hoboken, NJ  
Mayor Timothy McDonough, Hope, NJ  
Mayor Paul Anzano, Hopewell, NJ  
Mayor Wayne Smith, Irvington, NJ  
Mayor Steven Fulop, Jersey City, NJ  
Mayor Michael Ryan, Lake Como, NJ  
Mayor David DelVecchio, Lambertville, NJ  
Mayor John DeSimone, Leonia, NJ  
Mayor Richard Gerbounka, Linden, NJ  
Mayor Mauro Raguseo, Little Ferry, NJ  
Mayor Marc Schreiks, Lodi, NJ  
Mayor Frank Minor, Logan Township, NJ  
Mayor Kenneth Short, Long Valley, NJ  
Mayor Nicholas Russo, Longport, NJ  
Mayor Michael Beck, Lower Township, NJ  
Mayor Robert Conley, Madison, NJ  
Mayor William Laforet, Mahwah, NJ

Mayor Susan Cohen, Manalapan, NJ  
Mayor Michael Fressola, Manchester Township, NJ  
Mayor Victor DeLuca, Maplewood, NJ  
Mayor Frank North, Merchantville, NJ  
Mayor Patrick O'Hagan, Midland Park, NJ  
Mayor James Gallos, Milford, NJ  
Mayor Sandra Haimoff, Millburn, NJ  
Mayor Robert Jackson, Montclair, NJ  
Mayor Dennis Vaccaro, Moonachie, NJ  
Mayor Timothy Dougherty, Morristown, NJ  
Mayor J. Brooke Hern, New Providence, NJ  
Mayor Cory Booker, Newark, NJ  
Mayor Peter Massa, North Arlington, NJ  
Mayor Francis Womack, North Brunswick, NJ  
Mayor Randy George, North Haledon, NJ  
Mayor Linda Schwager, Oakland, NJ  
Mayor Owen Henry, Old Bridge, NJ  
Mayor Dwayne Warren, Orange, NJ  
Mayor James Rotundo, Palisades Park, NJ  
Mayor James Barberio, Parsippany-Troy Hills, NJ  
Mayor Alex Blanco, Passaic, NJ  
Mayor Jeffrey Jones, Paterson, NJ  
Mayor Wilda Diaz, Perth Amboy, NJ  
Mayor Harry Wyant, Phillipsburg, NJ  
Mayor Sharon Robinson-Briggs, Plainfield, NJ  
Mayor Jesse Tweedle, Pleasantville, NJ  
Mayor Donna Moore, Port Norris, NJ  
Mayor Liz Lempert, Princeton, NJ  
Mayor Pasquale Menna, Red Bank, NJ  
Mayor Paul Aronsohn, Ridgewood, NJ  
Mayor Linda Schaefer, Ringwood, NJ  
Mayor Sandy Moscaritolo, River Edge, NJ  
Mayor Dave Fried, Robbinsville, NJ  
Mayor Jamel Holley, Roselle, NJ  
Mayor Joe Accardi, Roselle Park, NJ

Mayor Kevin Glover, Scotch Plains, NJ  
Mayor Michael Gonnelli, Secaucus, NJ  
Mayor Alex Torpey, South Orange, NJ  
Mayor Nicholas Poliseno, Spotswood, NJ  
Mayor Mohammed Hameeduddin, Teaneck, NJ  
Mayor Peter Rustin, Tenafly, NJ  
Mayor Clifton People, Union, NJ  
Mayor Brian Stack, Union City, NJ  
Mayor Joanne Minichetti, Upper Saddle River, NJ  
Mayor Thomas Giordano, Waldwick, NJ  
Mayor Richard Turner, Weehawken, NJ  
Mayor Robert Parisi, West Orange, NJ  
Mayor Shing-Fu Hsueh, West Windsor, NJ  
Mayor John Birkner, Westwood, NJ  
Mayor Julia Allen, Whitehouse Station, NJ  
Mayor Jacqueline Jennings, Willingboro, NJ  
Mayor John McCormac, Woodbridge, NJ  
Mayor Jeffrey Goldsmith, Woodcliff Lake, NJ  
Mayor Keith Kazmark, Woodland Park, NJ  
Mayor Barbara Cottam, Angel Fire, NM  
Mayor Joe Murrieta, Grants, NM  
Mayor Kenneth Miyagishima, Las Cruces, NM  
Mayor Ray Alborn, Ruidoso, NM  
Mayor David Coss, Santa Fe, NM  
Mayor Albert Campos, Santa Rosa, NM  
Mayor Darren Cordova, Taos, NM  
Mayor Gloria Chavez, Tijeras, NM  
Mayor Robert Crowell, Carson City, NV  
Mayor Carolyn Goodman, Las Vegas, NV  
Mayor Gerald Jennings, Albany, NY  
Mayor James Gaughan, Altamont, NY  
Mayor Ann Thane, Amsterdam, NY  
Mayor Peter Porcino, Ardsley, NY  
Mayor Randy Casale, Beacon, NY  
Mayor Matthew Ryan, Binghamton, NY

Mayor James Schoenig, Brewster, NY  
Mayor Eugene Christopher, Broadalbin, NY  
Mayor Byron Brown, Buffalo, NY  
Mayor G. Wayne McIlroy, Carthage, NY  
Mayor Joseph Keegan, Castleton, NY  
Mayor Jerome Kobre, Chestnut Ridge, NY  
Mayor John Lane, Clinton, NY  
Mayor Jeff Katz, Cooperstown, NY  
Mayor Mark Evans, Coxsackie, NY  
Mayor Randy Sterling, Dryden, NY  
Mayor Allan Kasprzak, East Aurora, NY  
Mayor Paul Rickenbach, East Hampton, NY  
Mayor Mitchell Levinn, East Nassau, NY  
Mayor Henry Doerr, Elbridge, NY  
Mayor Jeffrey Kaplan, Ellenville, NY  
Mayor James Matthews, Ellisburg, NY  
Mayor Stephen Sommers, Fabius, NY  
Mayor Mark Olson, Fayetteville, NY  
Mayor John Diamond, Glens Falls, NY  
Mayor Dayton King, Gloversville, NY  
Mayor Jean Celender, Great Neck Plaza, NY  
Mayor Ralph Kreitzman, Great Neck Village, NY  
Mayor Barbara Moore, Greenwood Lake, NY  
Mayor Emery Cummings, Hammondsport, NY  
Mayor Ronald Belmont, Harrison, NY  
Mayor Peter Swiderski, Hastings-on-Hudson, NY  
Mayor Michael Kohut, Haverstraw, NY  
Mayor Natale Tartamella, Head of the Harbor, NY  
Mayor Wayne Hall, Hempstead, NY  
Mayor Richard Beirman, Herrings, NY  
Mayor Joseph Lee, Hilton, NY  
Mayor Shawn Hogan, Hornell, NY  
Mayor Brian Smith, Irvington, NY  
Mayor Svante Myrick, Ithaca, NY  
Mayor Samuel Teresi, Jamestown, NY

Mayor Susan Lopatkin, Kensington, NY  
Mayor Shayne Gallo, Kingston, NY  
Mayor Robert Blais, Lake George, NY  
Mayor Ronald Cooper, Lake Success, NY  
Mayor Anne McAndrews, Larchmont, NY  
Mayor Martin Oliner, Lawrence, NY  
Mayor Carl Luft, Lima, NY  
Mayor Corrine Kleisle, Lyons, NY  
Mayor Barbara Clark, Madison, NY  
Mayor Patricia McDonald, Malverne, NY  
Mayor Dennis Leahy, Maybrook, NY  
Mayor Anthony Sylvester, Mechanicville, NY  
Mayor Terry Grimshaw, Mexico, NY  
Mayor Richard Donovan, Minoa, NY  
Mayor James Purcell, Monroe, NY  
Mayor Jeffrey Oppenheim, Montebello, NY  
Mayor Gordon Jenkins, Monticello, NY  
Mayor Ernest Davis, Mount Vernon, NY  
Mayor Noam Bramson, New Rochelle, NY  
Mayor Mike Bloomberg, New York, NY  
Mayor Peter Blandino, Newark, NY  
Mayor Judith Kennedy, Newburgh, NY  
Mayor Paul Dyster, Niagara Falls, NY  
Mayor Laura Nolan, North Haven, NY  
Mayor Marvin Natiss, North Hills, NY  
Mayor Joseph Maiurano, Norwich, NY  
Mayor Jen White, Nyack, NY  
Mayor Linda Witte, Olean, NY  
Mayor Richard Miller, Oneonta, NY  
Mayor William Hanauer, Ossining, NY  
Mayor Christopher Piccola, Palmyra, NY  
Mayor Paul Pontieri, Patchogue, NY  
Mayor Mary Foster, Peekskill, NY  
Mayor Anthony Fratto, Phoenix, NY  
Mayor Christopher Sanders, Piermont, NY

Mayor Peter Scherer, Pleasantville, NY  
Mayor Robert Weitzner, Port Washington, NY  
Mayor John Bruno, Ravena, NY  
Mayor Daniel Dwyer, Rensselaer, NY  
Mayor Kevin Neary, Richmondville, NY  
Mayor Thomas Richards, Rochester, NY  
Mayor John Durkin, Roslyn, NY  
Mayor Jeffrey Schwartzberg, Roslyn Estates, NY  
Mayor Grant Rohrmoser, Sandy Creek, NY  
Mayor Clyde Rabideau, Saranac Lake, NY  
Mayor Scott Johnson, Saratoga Springs, NY  
Mayor Gregge Harrian, Savona, NY  
Mayor Gary McCarthy, Schenectady, NY  
Mayor John Patterson, Sherman, NY  
Mayor Ken Wray, Sleepy Hollow, NY  
Mayor Karen Strickland, South Dayton, NY  
Mayor Geoffrey Prime, South Floral Park, NY  
Mayor Mark Epley, Southampton, NY  
Mayor Letty Rudes, Speculator, NY  
Mayor Joyce Lobene, Spencerport, NY  
Mayor Dagan LaCorte, Suffern, NY  
Mayor Edward Stewart, Sylvan Beach, NY  
Mayor Stephanie Miner, Syracuse, NY  
Mayor Drew Fixell, Tarrytown, NY  
Mayor Ronald Piloizzi, Tonawanda, NY  
Mayor Louis Rosamilia, Troy, NY  
Mayor A. Martin Petrovic, Trumansburg, NY  
Mayor Beth Greenwood, Tully, NY  
Mayor Michael Esmay, Upper Nyack, NY  
Mayor Theodore Young, Waterloo, NY  
Mayor Michael Manning, Watervliet, NY  
Mayor Brian McCoy, Wayland, NY  
Mayor David Goldsmith, Wesley Hills, NY  
Mayor Scott Burto, West Carthage, NY  
Mayor John Ramundo, West Haverstraw, NY

Mayor Thomas Roach, White Plains, NY  
Mayor Mike Spano, Yonkers, NY  
Mayor Anthony Leone, Yorkville, NY  
Mayor Dan Pillow, Addyston, OH  
Mayor Donald Plusquellic, Akron, OH  
Mayor Bernard Baronowski, Andover, OH  
Mayor Deborah Sutherland, Bay Village, OH  
Mayor Daniel Pock, Bedford, OH  
Mayor Fletcher Berger, Bedford Heights, OH  
Mayor Ben Kessler, Bexley, OH  
Mayor Samuel Alai, Broadview Heights, OH  
Mayor David Seagraves, Brookville, OH  
Mayor William Healy, Canton, OH  
Mayor Tammy Drobina, Carroll, OH  
Mayor Diana Stockmaster, Centerburg, OH  
Mayor Mark Mallory, Cincinnati, OH  
Mayor Frank Jackson, Cleveland, OH  
Mayor Edward Kelley, Cleveland Heights, OH  
Mayor Michael Coleman, Columbus, OH  
Mayor William Armentrout, Creston, OH  
Mayor Gary Leitzell, Dayton, OH  
Mayor Terry Lindeman, Doylestown, OH  
Mayor Gary Norton, East Cleveland, OH  
Mayor Ted Andrzejewski, East Lake, OH  
Mayor James Swoger, East Liverpool, OH  
Mayor Holly Brinda, Elyria, OH  
Mayor Patricia Burnside, Englewood, OH  
Mayor Bill Cervenick, Euclid, OH  
Mayor Thomas Nagel, Fairborn, OH  
Mayor Charles Johnson, Forest Park, OH  
Mayor Gary Middlemus, Frazeeburg, OH  
Mayor Kirk Emmert, Gambier, OH  
Mayor Dave Nelson, Geneva-on-the-Lake, OH  
Mayor Mark Williams, Genoa, OH  
Mayor Alan Zaffiro, Golf Manor, OH

Mayor Ray DeGraw, Grandview Heights, OH  
Mayor Lance Westcamp, Groveport, OH  
Mayor Richard Verga, Harveysburg, OH  
Mayor Clifford Mason, Hebron, OH  
Mayor Lou Bertrand, Hiram, OH  
Mayor Susan Pelkowski, Holloway, OH  
Mayor William Currin, Hudson, OH  
Mayor Rich Blankenship, Ironton, OH  
Mayor Jerry Fiala, Kent, OH  
Mayor Deborah Neale, Lakeline, OH  
Mayor Richard Justice, Lakemore, OH  
Mayor David Berger, Lima, OH  
Mayor Jo Ann Toczek, Linndale, OH  
Mayor Chase Ritenauer, Lorain, OH  
Mayor Patricia Fallot, Louisville, OH  
Mayor Joseph Cicero, Lyndhurst, OH  
Mayor Donald Kuchta, Macedonia, OH  
Mayor Steve Adams, Malvern, OH  
Mayor Jeffrey Lansky, Maple Heights, OH  
Mayor Joe Matthews, Marietta, OH  
Mayor Bruce Rinker, Mayfield Village, OH  
Mayor Robert Schwab, McComb, OH  
Mayor Glenn Holmes, McDonald, OH  
Mayor Richard Cain, Mineral City, OH  
Mayor James Waller, Minerva, OH  
Mayor Susan Renda, Moreland Hills, OH  
Mayor Mike Porter, Mount Gilead, OH  
Mayor Charles Neff, Mount Sterling, OH  
Mayor Jeffrey Wherley, Nellie, OH  
Mayor James Friel, Newcomerstown, OH  
Mayor Daniel Brooks, North College Hill, OH  
Mayor Terrance McConnell, North Kingsville, OH  
Mayor Ed Klco, North Perry, OH  
Mayor Kathy Mulcahy, Orange Village, OH  
Mayor Richard Bain, Pepper Pike, OH

Mayor Billy Spencer, Piketon, OH  
Mayor Timothy Redden, Plymouth, OH  
Mayor David Malone, Portsmouth, OH  
Mayor Daniel Ursu, Richmond Heights, OH  
Mayor William Nibert, Richwood, OH  
Mayor William Flaute, Riverside, OH  
Mayor Earl Leiken, Shaker Heights, OH  
Mayor Patrick Monahan, Shawnee Hills, OH  
Mayor John Smith, Silverton, OH  
Mayor Georgine Welo, South Euclid, OH  
Mayor Matthew Brett, South Russell, OH  
Mayor Warren Copeland, Springfield, OH  
Mayor William Burkhardt, St. Bernard, OH  
Mayor Domenick Mucci, Steubenville, OH  
Mayor Clayton Weller, Sugarcreek, OH  
Mayor Michael Bell, Toledo, OH  
Mayor Susan Infield, University Heights, OH  
Mayor Mary Myers, Verona, OH  
Mayor Doug Franklin, Warren, OH  
Mayor Bradley Sellers, Warrensville Heights, OH  
Mayor Allen Patchin, West Farmington, OH  
Mayor Ann Schreiner, West Millgrove, OH  
Mayor Kim Maggard, Whitehall, OH  
Mayor William Margalis, Wickliffe, OH  
Mayor Richard Bonde, Willowick, OH  
Mayor Susan Farley, Woodlawn, OH  
Mayor Charles Sammarone, Youngstown, OH  
Mayor Jeff Tilton, Zanesville, OH  
Mayor Fred Phillips, Butte Falls, OR  
Mayor Mike Morgan, Cannon Beach, OR  
Mayor Ted Crawford, Dundee, OR  
Mayor Gary Schirado, Durham, OR  
Mayor Kitty Piercy, Eugene, OR  
Mayor Peter Truax, Forest Grove, OR  
Mayor Shane Bemis, Gresham, OR

Mayor Charlie Hales, Portland, OR  
Mayor Christine Lundberg, Springfield, OR  
Mayor Sandra Larson, Veneta, OR  
Mayor James Hopely, Aldan, PA  
Mayor Dwan Walker, Aliquippa, PA  
Mayor Ed Pawlowski, Allentown, PA  
Mayor Charles Wahl, Ambler, PA  
Mayor Gretchen Dosch, Applewold, PA  
Mayor Bernard Killian, Aspinwall, PA  
Mayor Barbara Burke, Auburn, PA  
Mayor Doris Howell, Avondale, PA  
Mayor Alexander Bennett, Baldwin, PA  
Mayor Phillip Ferrizzi, Bally, PA  
Mayor Donald Wunderler, Bath, PA  
Mayor Robin Gochenauer, Bendersville, PA  
Mayor Verncel Creveling, Berwick, PA  
Mayor John Callahan, Bethlehem, PA  
Mayor Robert Myers, Birdsboro, PA  
Mayor Joseph Caugherty, Blairsville, PA  
Mayor Anthony Gross, Blawnox, PA  
Mayor Vincent Liebel, Boswell, PA  
Mayor Marianne Deery, Boyertown, PA  
Mayor Tom Riel, Bradford, PA  
Mayor Kenneth Lockhart, Brentwood, PA  
Mayor Robert Lebo, Bristol, PA  
Mayor David Wonderling, Brookville, PA  
Mayor Lester Ward, Brownsville, PA  
Mayor Anna Marie Quader, Burgettstown, PA  
Mayor Loyce Harpster, Burnham, PA  
Mayor Margaret Stock, Butler, PA  
Mayor David Rhome, Canonsburg, PA  
Mayor Justin Taylor, Carbondale, PA  
Mayor Donald Baumgarten, Castle Shannon, PA  
Mayor Barbara Schlegel, Catasauqua, PA  
Mayor James Perry, Chalfant, PA

Mayor Marilyn Becker, Chalfont, PA  
Mayor Peter Lagiovane, Chambersburg, PA  
Mayor Ronald Lockwood, Cherry Valley, PA  
Mayor John Linder, Chester, PA  
Mayor Paul McKenna, Churchill, PA  
Mayor Richard Lattanzi, Clairton, PA  
Mayor Andrea Estadt, Clarion, PA  
Mayor Harry Kelly, Clarks Summit, PA  
Mayor James Schell, Clearfield, PA  
Mayor John Hartman, Cleona, PA  
Mayor Frank Kelly, Collingdale, PA  
Mayor Daniel Rutland, Colwyn, PA  
Mayor Joseph Carrelli, Conyngham, PA  
Mayor Anthony Celeste, Coraopolis, PA  
Mayor Gail Knauf, Cressona, PA  
Mayor Timothy Carroll, Dallas, PA  
Mayor Helen Thomas, Darby, PA  
Mayor Donald Wachter, Darlington, PA  
Mayor John Lignelli, Donora, PA  
Mayor Thomas Lloyd, Dormont, PA  
Mayor Richard Pope, Dover, PA  
Mayor Josh Maxwell, Downingtown, PA  
Mayor Libby White, Doylestown, PA  
Mayor Philip Krivacek, Duquesne, PA  
Mayor Betty Hays, Eagles Mere, PA  
Mayor Louis Payne, East Pittsburgh, PA  
Mayor Mark Pacilla, East Washington, PA  
Mayor Salvatore Panto, Easton, PA  
Mayor J. Edward Cook, Edgewood, PA  
Mayor Wayne Murphy, Edgeworth, PA  
Mayor Ray Plummer, Ehrenfeld, PA  
Mayor Joseph Cisco, Ellport, PA  
Mayor Anthony Court, Ellwood City, PA  
Mayor Dorothy Quinn, Emsworth, PA  
Mayor Joseph Sinnott, Erie, PA

Mayor Cassandra Coleman-Corcoran, Exeter, PA  
Mayor D. Gary Evans, Factoryville, PA  
Mayor Ronald Besong, Fair Oaks, PA  
Mayor Charles Moore, Falls Creek, PA  
Mayor Olive McKeithan, Farrell, PA  
Mayor Gary McBrien, Felton, PA  
Mayor Robert Frey, Folcroft, PA  
Mayor Nicholas Cost, Forest City, PA  
Mayor Marty O'Malley, Forest Hillsboro, PA  
Mayor Jose Rosado, Fountain Hill, PA  
Mayor Fred Moyer, Freeburg, PA  
Mayor Gerald Yob, Freemansburg, PA  
Mayor James Swartz, Freeport, PA  
Mayor William Miller, Girard, PA  
Mayor Edward Burns, Girardville, PA  
Mayor Charles Hammer, Green Tree, PA  
Mayor Arnie Bowser, Greensboro, PA  
Mayor Ronald Silvis, Greensburg, PA  
Mayor Roy Del Rosario, Hamburg, PA  
Mayor Linda Thompson, Harrisburg, PA  
Mayor Norm Hawkes, Hatboro, PA  
Mayor Ronald Cyphert, Hawthorn, PA  
Mayor Kenneth LaSota, Heidelberg, PA  
Mayor John Hoerner, Highspire, PA  
Mayor Joseph Dodson, Hollidaysburg, PA  
Mayor Betty Esper, Homestead, PA  
Mayor Tim McGuire, Homewood Borough, PA  
Mayor Bradley Miller, Hummelstown, PA  
Mayor Dee Dee Brown, Huntingdon Borough, PA  
Mayor John Zanofti, Hyde Park, PA  
Mayor George Hood, Indiana, PA  
Mayor Nicholas Yanosich, Industry, PA  
Mayor Gerald Croushore, Ingram, PA  
Mayor James Sanders, Jefferson, PA  
Mayor Ed Foley, Jenkintown, PA

Mayor Donald Bosh, Knoxville, PA  
Mayor Sandra Green, Kutztown, PA  
Mayor Dorothy Yazurlo, Laflin, PA  
Mayor Joseph Legnasky, Lake City, PA  
Mayor Rick Gray, Lancaster, PA  
Mayor Christopher Blaydon, Langhorne, PA  
Mayor Jayne Young, Lansdowne, PA  
Mayor Fred Feltenberger, Laureldale, PA  
Mayor Peter Poninsky, Leetsdale, PA  
Mayor Donald Rehrig, Lehighton, PA  
Mayor Albert Montecalvo, Lewis Run, PA  
Mayor Nick Vay, Lincoln, PA  
Mayor John Mark, Liverpool, PA  
Mayor William Hart, Lykens, PA  
Mayor Randy Schlegel, Lyons, PA  
Mayor Thomas Bell, Mahaffey, PA  
Mayor Gerard McGlone, Malvern, PA  
Mayor David Sturgess, Manor, PA  
Mayor Alexander Chelik, Mayfield, PA  
Mayor Terry Bennett, McDonald, PA  
Mayor Weslee Clapper-Krepps, McKean, PA  
Mayor John Soff, Meadville, PA  
Mayor Bob McMahon, Media, PA  
Mayor James Zeger, Mercersburg, PA  
Mayor Ethel Kellerman, Milesburg, PA  
Mayor Thomas Kramer, Millbourne, PA  
Mayor James Dorman, Millmont, PA  
Mayor John Antoline, Monaca, PA  
Mayor Mary Jo Smith, Monessen, PA  
Mayor James Segilia, Moosic, PA  
Mayor Maureen Piselli, Morton, PA  
Mayor Raymond Bodnar, Munhall, PA  
Mayor Stephen Szymusiak, Nanty-Glo, PA  
Mayor Tom Grady, Narberth, PA  
Mayor Anthony Mastrangelo, New Castle, PA

Mayor Joseph Taylor, New Milford, PA  
Mayor Frances Tkach, New Philadelphia, PA  
Mayor Nicholas DeSantis, New Stanton, PA  
Mayor Mary Hetrick, Newport, PA  
Mayor Lee Hall, North Charleroi, PA  
Mayor Thomas Reenock, Northampton, PA  
Mayor Carol Jarvis, Northern Cambria, PA  
Mayor George McCloskey, Norwood, PA  
Mayor Barbara Crudo, Oil City, PA  
Mayor Michele Avvisato, Old Forge, PA  
Mayor Austin Scandiber, Orwigsburg, PA  
Mayor Lewis Cowher, Osceola Mills, PA  
Mayor Geoffrey Henry, Oxford, PA  
Mayor Fred Carpenter, Palmyra, PA  
Mayor William McCall, Parker, PA  
Mayor Ardele Gordon, Parkside, PA  
Mayor Robert Winkler, Penndel, PA  
Mayor Timothy Smith, Perryopolis, PA  
Mayor Michael Nutter, Philadelphia, PA  
Mayor Leo Scoda, Phoenixville, PA  
Mayor Kimberly Brown-Zerbe, Pine Grove, PA  
Mayor Luke Ravenstahl, Pittsburgh, PA  
Mayor Bonnie Heath, Pottstown, PA  
Mayor John Reiley, Pottsville, PA  
Mayor Vaughn Spencer, Reading, PA  
Mayor Dr. Guillermo Udarbe, Ridgway, PA  
Mayor Desiree DeNicola, Roseto, PA  
Mayor Ronald Wagner, Saltsburg, PA  
Mayor Edwin Rosenberry, Saxton, PA  
Mayor Thomas Hufnagle, Sellersville, PA  
Mayor Anthony Hajjar, Seward, PA  
Mayor Robert O'Neill, Sharon Hill, PA  
Mayor Richard Panza, Sharpsburg, PA  
Mayor Bruce Hockersmith, Shippensburg, PA  
Mayor Boyd Paul, Snow Shoe, PA

Mayor William Meyer, Somerset, PA  
Mayor John Reynolds, Souderton, PA  
Mayor James Kennedy, South Coatesville, PA  
Mayor Michael Fritz, St. Lawrence, PA  
Mayor Elizabeth Goreham, State College, PA  
Mayor Thomas Acri, Steelton, PA  
Mayor William Boyd, Stoystown, PA  
Mayor Harold Davis, Strattenville, PA  
Mayor William Davis, Sugar Notch, PA  
Mayor Eric Miller, Summerhill, PA  
Mayor Paul McArdle, Summit Hill, PA  
Mayor David Persing, Sunbury, PA  
Mayor Alaina Breakiron, Sutersville, PA  
Mayor Richard Lowe, Swarthmore, PA  
Mayor Luke Duignam, Tatamy, PA  
Mayor Jay Stover, Telford, PA  
Mayor Charles Harper, Three Springs, PA  
Mayor Kenneth Danser, Timblin, PA  
Mayor Reynold Peduzzi, Trafford, PA  
Mayor Francis Zalewski, Trainer, PA  
Mayor Roger D. Adams, Tremont, PA  
Mayor J. David Cutchineal, Tullytown, PA  
Mayor LeAnn Hritz, Tunnelhill, PA  
Mayor Adam Forgie, Turtle Creek, PA  
Mayor Thomas Micozzie, Upper Darby, PA  
Mayor David Ricupero, Verona, PA  
Mayor Jeffrey Steffler, Wampum, PA  
Mayor Esther Cotner, Washingtonville, PA  
Mayor Richard Starliper, Waynesboro, PA  
Mayor Carolyn Comitta, West Chester, PA  
Mayor Joseph Pignoli, West Conshohocken, PA  
Mayor Gerald Gross, West Easton, PA  
Mayor Ralph Harrington, West Elizabeth, PA  
Mayor Frank Schmidt, West Hazleton, PA  
Mayor John Dindak, West Homestead, PA

Mayor Mary Popovich, West Newton, PA  
Mayor John Henry, West View, PA  
Mayor Dick Vargeson, Westfield, PA  
Mayor James Nowalk, Whitehall Borough, PA  
Mayor Edward Hozza, Whitehall Township, PA  
Mayor Thomas Leighton, Wilkes-Barre, PA  
Mayor John Thompson, Wilkesburg, PA  
Mayor David Perusso, Wilson, PA  
Mayor Larry Markel, Windsor, PA  
Mayor Vincent Tozzi, Yatesville, PA  
Mayor Dolores Jones-Butler, Yeadon, PA  
Mayor John Sanford, Yoe, PA  
Mayor C. Kim Bracey, York, PA  
Mayor Jeffrey Shull, York Springs, PA  
Mayor Joan Derco, Youngwood, PA  
Mayor James Diossa, Central Falls, RI  
Mayor Charles Lombardi, North Providence, RI  
Mayor Donald Grebien, Pawtucket, RI  
Mayor Angel Taveras, Providence, RI  
Mayor Scott Avedisian, Warwick, RI  
Mayor Joseph Riley, Charleston, SC  
Mayor John Rhodes, Myrtle Beach, SC  
Mayor Joseph McElveen, Sumter, SC  
Mayor Darrick Jackson, Timmonsville, SC  
Mayor Thomas Taylor, Maryville, TN  
Mayor A. C. Wharton, Memphis, TN  
Mayor Tom Beehan, Oak Ridge, TN  
Mayor Bill Lusk, Signal Mountain, TN  
Mayor Lee Leffingwell, Austin, TX  
Mayor Tony Martinez, Brownsville, TX  
Mayor Bruce Smiley-Kaliff, Castle Hills, TX  
Mayor Carl Sherman, DeSoto, TX  
Mayor Richard Ward, Hurst, TX  
Mayor Dave Claunch, West Lake Hills, TX  
Mayor Dana Williams, Park City, UT

Mayor William Euille, Alexandria, VA  
Mayor Faye Prichard, Ashland, VA  
Mayor Ron Rordam, Blacksburg, VA  
Mayor Satyendra Huja, Charlottesville, VA  
Mayor McKinley Price, Newport News, VA  
Mayor Paul Fraim, Norfolk, VA  
Mayor Brian Moore, Petersburg, VA  
Mayor Robert Lazaro, Purcellville, VA  
Mayor Dwight Jones, Richmond, VA  
Mayor David Bowers, Roanoke, VA  
Mayor William Sessoms, Virginia Beach, VA  
Mayor Walter Mason, Waverly, VA  
Mayor Thom Lauzon, Barre, VT  
Mayor Miro Weinberger, Burlington, VT  
Mayor John Hollar, Montpelier, VT  
Mayor Christopher Louras, Rutland City, VT  
Mayor Kelli Linville, Bellingham, WA  
Mayor H. Clarence Bauman, Chewelah, WA  
Mayor Garland Walton, Connell, WA  
Mayor Ava Frisinger, Issaquah, WA  
Mayor Ron Poulson, Kalama, WA  
Mayor Frederick McCarthy, Langley, WA  
Mayor Bruce Bassett, Mercer Island, WA  
Mayor David Ferguson, Mesa, WA  
Mayor Daniel Mork, Millwood, WA  
Mayor James Gerwig, Morton, WA  
Mayor Dennis Palmer, Oakesdale, WA  
Mayor Cheryl Temple, Orting, WA  
Mayor Spencer Nichols, Pe Ell, WA  
Mayor Paul Warden, Prosser, WA  
Mayor John Marchione, Redmond, WA  
Mayor Denis Law, Renton, WA  
Mayor Tony Anderson, SeaTac, WA  
Mayor Mike McGinn, Seattle, WA  
Mayor Keith McGlashan, Shoreline, WA

Mayor Matthew Larson, Snoqualmie, WA  
Mayor Dianne White, Stanwood, WA  
Mayor Marilyn Strickland, Tacoma, WA  
Mayor Soo Ing-Moody, Twisp, WA  
Mayor David Acheson, Winthrop, WA  
Mayor JanAlyn Baumgartner, Adams, WI  
Mayor Wayne Schmidt, Algoma, WI  
Mayor William Whalen, Ashland, WI  
Mayor Larry MacDonald, Bayfield, WI  
Mayor Jerome Tepper, Glendale, WI  
Mayor Gene Rosin, Kaukauna, WI  
Mayor Paul Fisk, Lodi, WI  
Mayor Paul Soglin, Madison, WI  
Mayor Justin Nickels, Manitowoc, WI  
Mayor Kurt Sonnentag, Middleton, WI  
Mayor Tom Barrett, Milwaukee, WI  
Mayor Robert Miller, Monona, WI  
Mayor Steve Scaffidi, Oak Creek, WI  
Mayor Charles Peterson, Phillips, WI  
Mayor John Dickert, Racine, WI  
Mayor CoryAnn St. Marie-Carls, Saint Francis, WI  
Mayor Bruce Hagen, Superior, WI  
Mayor John Rusch, Tomah, WI  
Mayor Scott Griffiths, Washburn, WI  
Mayor James Tipple, Wausau, WI  
Mayor Kathy Ehley, Wauwatosa, WI  
Mayor Harrold Howell, Madison, WV