

Crime-Gun Tracing

Gun Flow to Criminals Laid to Tiny Fraction of Dealers

By FOX BUTTERFIELD

A study performed for the Federal Bureau of Alcohol, Tobacco and Firearms has found a compelling pattern of evidence demonstrating that guns used to commit crimes move quickly from manufacturers to juvenile offenders and older criminals through a relative handful of corrupt dealers.

The finding is particularly significant in light of the bitter gun-control debate in Congress, suggesting that many of the proposed solutions -- child safety locks, for instance, or a ban on the import of high-capacity ammunition clips -- do not address the most important problem: some dealers' repeated sales to criminals or to "straw purchasers" buying on their behalf.

The report found, for example, that a mere 389 federally licensed dealers, of 104,855 such dealers around the country, had sold half of all guns used in crimes in 1996 and 1997 that could be traced by law enforcement to their initial sale.

It also found that more than a fifth of all guns recovered in crimes in those two years had been purchased from a licensed dealer less than a year earlier, and that almost half had been bought from dealers within three years.

In addition, the study concluded that 49.1 percent of guns involved in crimes that could be traced to the original dealer were used in those criminal acts within 50 miles of the sale.

Until recently, it had been widely believed that for the most part, criminals and juvenile offenders stole their guns, and that with 230 million guns in America, there was little that law enforcement could do to stanch the flow to them.

"This report shows that dealing with illegal gun trafficking is not hopeless and that there are a limited number of dirty dealers and detectable patterns of trafficking," said David Kennedy, a senior researcher at the John F. Kennedy School of Government at Harvard University.

The report, prepared for the firearms agency by a researcher at Northeastern University, places special emphasis on what the agency terms "time to crime": the length of time from the first sale by a dealer to the point at which a gun is recovered in a crime. A short time to crime, which the A.T.F. defines as less than three years, is considered an indicator of possible illegal activity by dealers or traffickers, and a time of less than a year a very strong indicator.

Therefore, the study said, it is highly significant that 49.6 percent of all guns traced by the firearms agency in 1996 and 1997 were used in crimes less than three years from their date of purchase.

A scant 110 dealers, or 0.1 percent of the total, each sold more than 50 guns with an average time to crime of less than one year.

The study, by Glenn L. Pierce, co-director of the Center for Criminal Justice Policy Research at Northeastern, provides the most detailed examination to date of the conclusion that a tiny number of dealers are responsible for a disproportionate number of guns used by criminals. That conclusion was suggested in an earlier A.T.F. report and in a report issued this spring by Senator Charles E. Schumer, a New York Democrat who has been among the nation's leading advocates of gun control.

Yesterday Schumer and six co-sponsors introduced in the Senate a bill that would crack down on any dealer to whom at least 25 guns used in crimes were traced in any one-year period. The legislation would allow the firearms agency to conduct an unlimited number of inspections of such dealers' records -- the current limit is one a year -- and would make it easier for the agency to suspend their licenses, a process that is now extremely difficult. In addition, the bill would

prohibit all straw purchases. ?

Some of the study's most compelling data involved the time to crime of certain kinds of guns. In California, for example, inexpensive rapid-firing Lorcin 9-millimeter pistols recovered in crimes in 1996 were found to have been sold by dealers an average of only 170 days beforehand. Similarly, Lorcin 9-millimeters had an average time to crime of only 202 days in Mississippi, 318 days in North Carolina and 331 days in West Virginia.

Another "fad" gun, popular with criminals and juvenile offenders, is the Hi Point .380. In Georgia, it showed up in crimes an average of 215 days after being sold by a dealer. The average in Indiana was 226 days, and in Illinois 309 days.

"This information shows it is just not a tenable argument for these manufacturers to say they are not aware of what happens to their guns," said Dr. Garen Wintemute, director of the Violence Prevention Research Program at the University of California at Davis.

Firearms manufacturers have repeatedly said they do not know what happens in the use of their guns, and cannot be held accountable for it, because they sell only to wholesalers, who in turn sell to retail dealers.

The manufacturers also contend that even after a crime is committed with one of their guns and they are reached by an A.T.F. official performing a trace through use of the weapon's serial number, they have no way to know what has happened because the firearms agency does not tell them of any crime.

A senior agency official said this argument was not credible. "Every single gun recovered by law enforcement that we trace is a crime gun," the official said. "The manufacturers do not question our agents whether these are crime guns."

The report's finding that 49.1 percent of all crime guns that can be traced to a dealer were used by the criminal within 50 miles of the sale comes as a surprise to specialists. Earlier findings showed that many guns used by criminals in big East Coast cities with strict gun-control laws, like New York, Washington and Boston, were originally purchased in Southern states with lax gun laws, like Florida, Georgia and North Carolina.

The report concludes that this pattern of long-distance trafficking indeed exists, saying a quarter of all guns traced as a result of criminal acts end up more than 500 miles from the original dealer.

But, the report says, there is really a dual pattern of gun trafficking, with an even greater number of guns sold to criminals or straw purchasers by local dealers near the criminals' homes.

The report also provides the first information comparing the role of pawnbrokers who hold Federal firearms licenses with that of regular dealers. Crime guns were traced to only 13 percent of regular dealers in 1996-97, the report found, but were traced to 35 percent of pawnbrokers.

3x more likely

What is unclear is whether the dealers with large numbers of crime guns traced to them are simply stores with a large volume of sales, or whether they instead are simply inclined to be involved in illegal activity. The report also does not distinguish between sales made by dealers in stores and at gun shows.

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House Passes Bill to Restrict Minors' Abortions

By DAVID E. ROSENBAUM

WASHINGTON -- The House of Representatives voted on Wednesday to make it a Federal crime for an adult to take a minor to another state for an abortion to bypass a parental-notification law in the girl's home state.

It was the third time in three weeks that the House considered an emotional social issue that sharply divides conservatives from liberals. As was the case with gun control two weeks ago and flag burning last week, the abortion debate was dominated by heated oratory, but it seemed unlikely to lead to the enactment of any legislation.

A similar bill was approved by the House last year and died in a Senate filibuster.

Even if the Senate passes the bill this year, the White House has said the President will veto it.

Wednesday's House vote, 270 to 159, was well short of the two-thirds majority needed to override a veto.

More than 20 states have laws that require girls under 18 to notify their parents and, in some states, get their parents' consent before they can have an abortion.

Records show that thousands of women a year travel from states with such laws to those without them to have abortions. Women from Pennsylvania, for example, often go to New York, New Jersey or Maryland; those from Missouri go to Illinois; those from Virginia go to the District of Columbia, and those from Massachusetts go to New Hampshire or Connecticut.

No one knows how many of these cases involve minors who do not want to tell their parents. But some abortion clinics advertise in neighboring states that they do not require parental notification.

"This is criminal, and this practice has to stop," said Representative Tom DeLay of Texas, the Republican whip. "Parents have a right to know."

On the other side, Representative Tammy Baldwin, Democrat of Wisconsin, argued that "there are times when a pregnant teen-ager cannot go to her parents."

There was no disagreement, however, over a point made by Representative Jerrold Nadler, Democrat of Manhattan, who opposed the legislation. "The real purpose of this bill," Nadler said, "is to make it as difficult as possible for a young woman to get an abortion."

The bill would not penalize the girls who had abortions but would subject those who were convicted of taking them across the state line to up to a year in prison.

Both sides recited horror stories. Proponents told of a 12-year-old girl from Pennsylvania who was taken for an abortion to New York by the mother of a boy who had raped her. Opponents told of girls who could not tell their parents of their pregnancies and who were injured in illegal or self-induced abortions.

The opponents emphasized that the measure would apply even to close relatives.

"This bill could throw grandmothers in jail for helping their granddaughters," said Representative Nita M. Lowey, a Democrat from Westchester and a grandmother herself.

In the end, 206 Republicans and 64 Democrats voted for the bill; 14

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THE WEAPONS

Most Crime Guns Are Bought, Not Stolen

By FOX BUTTERFIELD

The teen-agers who killed 12 of their classmates and a teacher last week in Colorado got their guns the way most violent juveniles and adult criminals get theirs: by purchasing them from gun dealers or at gun shows or by buying them using friends as intermediaries, law enforcement officials and criminologists say.

The idea that juveniles and adult criminals buy their weapons, usually new guns, from legitimate sources is a finding developed only in the past three years and contradicts what had been the widely accepted view, that they steal their guns, usually older weapons. The traditional view, still advocated by the National Rifle Association, was that because criminals steal their weapons and because there are an estimated 230 million guns in America, there is little anyone can do to stop people from getting access to guns for crimes.

But, David Kennedy, a senior researcher at the John F. Kennedy School of Government at Harvard University, said the new finding "is a quiet revolution that means law enforcement now has practical ways to go after illegal guns." Police departments in several cities, including Boston, New York, Baltimore and Los Angeles, now target the illegal sale of guns the way police have long cracked down on drugs, and the campaigns are credited with sharp drops in violent crime.

The recognition that juveniles and criminals buy their guns comes as a result of tracing guns seized in crimes by the Federal Bureau of Alcohol, Tobacco and Firearms, an effort largely begun during the Clinton Administration.

The firearms bureau reported in February that about a third of guns used in crimes by juveniles were manufactured within the past three years, and half of all guns illegally acquired by young people involved straw buyers, either friends of the offenders or organized rings of gun traffickers.

In another new finding, Senator Charles E. Schumer, Democrat of New York, reported today that 1 per-

cent of Federally licensed firearms dealers sold nearly half of the guns traced to crimes in 1998.

Using data gathered by the firearms bureau, Mr. Schumer found that although about 80 percent of the 104,000 licensed gun dealers did not have a single crime gun traced to their stores last year, 1,160 dealers were the source of 34,626 guns seized in crimes. And 0.1 percent of the dealers, or 137 of them, accounted for more than 13,000 guns traced to crimes in 1998. Some of these dealers each sold more than 1,000 guns that were used in crimes from 1996 through 1998.

"It is clear that a few bad apples

Tracing sales to crack down on violent crime.

are supplying the lion's share of guns to criminals," Mr. Schumer said. "This will allow us to focus on the bad dealers and choke off the pathway of guns as they move from legitimate commerce to children."

A dealer in West Milwaukee, for example, sold 1,195 guns used in crimes in the past three years, the data showed, while one in Riverdale, Ill., a Chicago suburb, was the source of 1,176 crime guns. The firearms bureau did not provide the dealers' names, under the terms of the law allowing it to trace crime guns.

Mr. Schumer and President Clinton have both proposed legislation that would give the firearms bureau more authority to crack down on so-called dirty dealers, stores that either knowingly sell to criminals or that straw buyers have learned will sell guns without asking too many questions. One of their proposals would allow the bureau to conduct more than the current limit of one inspection per year of a gun dealer's records.

Another proposal would permit the

firearms bureau to temporarily suspend the license of dealers who sold guns used in crimes without going through a time-consuming hearing process.

As further examples of the problem, Mr. Schumer said that 15 dealers in Indiana were the source of 5,119 crime guns from 1996 through 1998, 10 dealers in Illinois accounted for 4,287 guns used in crimes during that period, and 15 dealers in Georgia were the source of 3,726 crime guns in three years. Similarly, one dealer in Carson City, Nev., supplied 326 guns used in crimes in 1998, all but two committed outside Nevada.

Gun tracing by the firearms bureau has revealed that three of the four guns used in the attack at Columbine High School in Littleton, Colo., were purchased at Denver-area gun shows by Robyn Anderson, the 18-year-old girlfriend of Dylan Klebold, one of the killers, the Jefferson County sheriff's office said. When she then provided the weapons — two sawed off Savage shotguns and a Hi-Point 9-millimeter semiautomatic carbine — to the teen-agers, she was acting as what one Firearms Bureau agent described today as "a classic straw purchaser."

Young men who are under 18, the legal age to buy handguns, or are barred from purchasing because they have a criminal record, often recruit their girlfriends to buy for them, the agent said. Straw purchasing is a violation of Federal law, and, in many states, a violation of local law.

The firearms bureau has long tracked guns used in notorious crimes, but as more police agencies recognize the importance of gun tracing, the number of guns the bureau traces has climbed to 194,235 guns in 1997, up from 37,181 in 1990. Some dealers with troubled histories do not keep their records, agents say, making tracing more difficult. But as the bureau has become increasingly successful at gun tracing, the National Rifle Association through its supporters in Congress has mounted an effort to get it to purge some of its gun tracing data base.

Surprise on Capitol Hill: No! And Then Billions

By ADAM CLYMER

WASHINGTON, April 29 — For Congress, or even one house of Congress, to refuse to endorse current combat missions is about as unusual as Congress's keeping pork out of an urgent spending bill.

But the House is taking the first of those untrodden paths even as it takes its customary route on the second. On Wednesday night it voted not to endorse the bombing of Yugoslavia.

Today its Appropriations Committee voted to spend more than twice what the Administration sought for the campaign and another billion or so for other neat stuff like base construction.

In the short run, the contradiction may not matter much. But who knows if this war is a short-run conflict? And if it is not, the deep partisan division raises embarrassing warnings for the Clinton Administration.

Ever since it took office, the Administration has paid more attention to the Senate than the House, and hardly any to individual House Republicans. From 1995 through early 1998, President Clinton could occasionally deal with Speaker Newt Gingrich.

But the White House approach was generally to count on the Senate to clean up any mess the House made. And the Senate, where most members can visualize themselves in the Oval Office, is inclined to see virtue in a powerful Presidency, especially for foreign affairs.

That pattern has persisted. Mr. Clinton has talked to Congressional leaders about Yugoslavia, but not to the rank and file. And the White House, concentrating on the other votes on the Wednesday schedule — a bid to withdraw and a demand for consultation before ground troops might be used — was caught napping on the bombing vote.

But that is not the only factor. Representative Tom DeLay of Texas, as majority whip the President's most powerful enemy in Congress, was doing his utmost to turn votes against the bombing, while Speaker J. Dennis Hastert sat quietly, not even casting his "aye" vote early to give a signal of his support for it.

Representative Mary Bono, Republican of California, said that after she had voted to endorse the bombing Mr. DeLay had come up to her and asked: "Are you sure of this vote? Are you really convicted, because we really need a 'no.'"

She said that she rejected his plea and that he went away, but that she changed her vote to no after talking to others.

Mr. DeLay issued a statement today saying that it was 26 Democratic defections, not his lobbying, that defeated the measure on a tie, 213 to 213. He called it a Democratic miscalculation.

An aide, Mike Scanlon, said: "We talked to members on the floor. We didn't twist any arms. We didn't break any knuckles."

He had a point when he accused Democrats of being overconfident. After 92 Republicans had voted earlier against compelling a withdrawal of troops under the War Powers Resolution, Democrats assumed that

most would consider it logical to endorse the bombing. But 61 of them switched, leaving only 31 Republicans behind the President on the final vote.

The White House seized on the contradictions. Joe Lockhart, the press secretary, termed the results "a muddle." He said: "They did not want to move forward with ground troops. They voted against withdrawing and were deadlocked on the merits of the air campaign. The only thing they seem to agree on is that they want to double the amount of money we should spend on this policy that they can't agree on."

But Republicans interpreted their votes differently. Dick Arme, the majority leader, said in an interview, "I did not want to give them an after-the-fact blessing." He said the day's important message was the demand, which passed, that Mr. Clinton consult before using ground troops.

Mr. Hastert said in another interview, "We didn't whip anybody." He faulted Mr. Clinton for having ignored his advice to come and talk to House members.

Mr. DeLay told the House not to "take ownership" of the war by supporting it. He was telling Republi-

A deep division in Congress raises uneasy warnings.

cans to let the President keep the inevitable blame for himself.

Just as it is unusual for members of Congress not to do the safe thing and vote in favor of a war that has already started (even while complaining about it), it is almost unheard of for Republicans to invoke the 1973 War Powers Resolution, which passed despite them and over President Richard M. Nixon's veto.

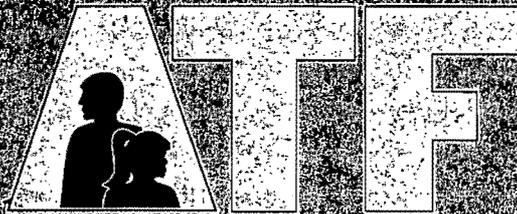
But the vote to demand a withdrawal of United States forces from the war in 30 days rested on that act. Although it was defeated, 290 to 139, Republicans backed it, 127 to 92.

Bill Kristol, editor of the conservative Weekly Standard, has accused many in his party of creeping isolationism. Today he called the invocation of the War Powers Resolution "legislation the Republicans have always despised, in order to cut off a military action that is under way and upon whose success American credibility depends, is really appalling, really irresponsible."

This Administration, like its predecessors, regards the resolution as unconstitutional. As the appropriations vote today shows, there is not the faintest inclination to halt financing the war, an undoubted Congressional power.

But House opposition can spread to the Senate. An unwilling Congress dealing with war cannot make it easier. Especially if the public continues to share what Representative David Dreier, chairman of the Rules Committee, today called "the same kind of confusion that exists in the Balkans, that exists in the White House, that exists in the Congress."

Crime Gun Trace Reports (1999) National Report



The Youth Crime Gun
Interdiction Initiative

November 2000

Department of the Treasury
Bureau of Alcohol, Tobacco and Firearms



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