

GUNS-IDEAS

TO: Bruce Reed, Barbara Chow
FROM: Leanne, Deanne, Sarah
DATE: July 13, 2000
SUBJECT: Gun Strategy

This is the legislative proposals portion of the Gun Strategy Report that we will discuss at Friday morning's 9:30 meeting. Many of these proposals have already been introduced in past Administration gun bills; however, there are a handful of new ones that we should review. We have indicated in the attached document which proposals are new and which are old.

NEW IDEAS:

- Require all firearms transactions to go through FFLs.
- Arrest as basis for identifying prohibited person.
- Unlicensed dealers.
- New straw purchase violation for FFLS.
- Congress should reinstate controls on the sale of ammunition.
- Congress should enact legislation to prohibit anyone under indictment on felony charges from possessing a firearm.
- Denying access to guns by anyone convicted of a serious violent misdemeanor.
- Require manufacturers and importers to test fire cartridges and enter the gunprints into NIBIN.
- Congress should enact legislation requiring a second, "hidden" serial number on all firearms.
- Congress should remove the existing restrictions on centralizing ATF records.
- Firearms safety board.
- Require domestically manufactured guns to meet at least the same standards as imported guns.
- .50 caliber sniper rifles.

secured—locked and unloaded—so that children and other unauthorized persons cannot access them. The campaign will be released in June 2000. In addition, the Departments of Treasury and Justice will work with non-governmental organizations to promote a “parents asking parents” safety message program that encourages parents to ask each other about the accessibility of guns in homes their children visit. (AI 23)

The Department of Justice and ATF will also provide training and technical assistance to communities to implement safe firearms handling and storage programs. In 1998, ATF’s Miami Field Division, in cooperation with the Broward County Hospital District and Board of Education and with the endorsement of the local U.S. Attorney’s Office, developed an innovative firearms safety program, CARGO (Communities Addressing Responsible Gun Ownership). The program combines personnel from healthcare, ATF and other law enforcement agencies, and the school district to provide firearms safety education to students, parents and teachers in the schools. ATF plans to expand its firearms safety outreach activities through its Field Divisions. (AI 24)

Firearms-Related Suicide

Strong evidence suggests that access to guns greatly increases the risk of suicide. We need to take steps to develop effective firearms-related suicide prevention strategies. To do this, it is important to develop a greater understanding of the problem of gun suicide. This can be done by combining the methods used to study firearms-related violence in general with those used by public health professionals to study suicide prevention. In particular, we need to develop our capacity to learn about the frequency and characteristics of suicides committed with firearms, including suicide risk factors, such as a history of domestic violence, child abuse, depression, alcohol or drug abuse, arrests, and traumatic loss, as well as the kinds of guns involved, their storage and history of ownership. We also must learn a great deal more about how firearms purchase or access is related to suicidal behavior, so that we can develop effective intervention and prevention strategies. The Departments of Justice and Treasury plan to work with the Department of Health and Human Services and to participate in the Surgeon General’s National Suicide Prevention Initiative, as appropriate, to help develop a comprehensive understanding of firearms-related suicide and effective prevention strategies. (AI 25)

LEGISLATIVE PROPOSALS

Even with enhanced collaboration between federal, state and local law enforcement, implementation of the innovative strategies presented in this report, and increased funding to combat gun violence, the effectiveness of any national strategy to reduce gun violence will be limited unless and until legislation is enacted that corrects major deficiencies in our federal firearms laws. Accordingly, the final section of this report sets out legislative measures that would support the efforts we are undertaking on every front to reduce gun crime and violence.

Common sense federal legislation such as the Brady Act has contributed significantly to keeping guns out of the wrong hands. The success of this and other measures has led to a broader recognition by law enforcement, the American public, gun manufacturers, and gun owners that

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sensible measures to regulate firearms can and will make a difference in reducing gun crime and violence and saving lives.

Our federal gun laws, the development of which is described in Appendix E, are still inadequate to address gun crime and violence fully. There are critical gaps that must be filled, and additional measures that will greatly assist our communities in reducing gun violence and keeping guns out of the wrong hands. Last year, the Administration proposed a comprehensive gun bill, the Youth Crime Gun Enforcement Act. Many of its provisions were included in the legislation that passed the Senate in May of 1999, including a provision to close the dangerous loophole in our laws that permits felons and other prohibited persons to buy guns at gun shows with no background checks or records to permit crime gun tracing. The House did not adopt the gun show legislation; however, the juvenile justice bill that passed in the House included some other important firearms provisions.

Congress should immediately resume work on the gun legislation to fight gun violence and close the gun show loophole. This legislation would not interfere with those sportsmen, hunters and other law-abiding Americans who wish to buy and use firearms for lawful activities.

A. **Tougher Criminal Penalties For Those Who Violate the Federal Firearms Laws**

Existing law does not always provide adequate penalties for violations of the current federal gun laws. In this section we describe legislative proposals that would assist law enforcement by providing tougher federal penalties.

- OLD ■ **Expand criminal penalties for armed career criminals.** The Armed Career Criminal Act (ACCA) imposes a minimum 15-year prison term for felons found in unlawful possession of a firearm who have three prior convictions for violent felonies or serious drug trafficking offenses. Congress should amend the ACCA to allow up to two violations of the felon-in-possession law to be included as predicate offenses for sentence enhancement under the ACCA. Persons who have been convicted of a single violent felony or serious drug offense, and twice convicted of violating the felon-in-possession statute, have demonstrated a propensity for violence that justifies enhanced sentencing under the ACCA. The ACCA should also be amended to include as predicates acts of juvenile delinquency that, if committed by an adult, would constitute serious drug trafficking offenses.
- OLD ■ **Strengthen the criminal penalties for gun kingpins.** Existing criminal penalties for illegal firearms trafficking are inadequate. Gun kingpins may traffic in hundreds of firearms, yet the penalty for engaging in the business of dealing in firearms without a license carries a maximum penalty of five years' imprisonment. Given the seriousness of the offense, the maximum penalty should be increased to ten years' imprisonment. The United States Sentencing Commission should also be directed to review and amend the Federal sentencing guidelines to provide an appropriate enhancement for trafficking

violations that involve more than 50 firearms. Under current guidelines, someone who traffics five guns would receive the same penalty as someone who traffics 500.

- OLD ■ **Increased penalties for firearms conspiracies.** Since criminals working together generally do more harm than criminals working alone, persons who conspire to violate the firearms laws should be punished by the same maximum term that applies to the substantive offense that was the object of the conspiracy. Congress should enact legislation to increase the penalties for firearms conspiracies.
- OLD ■ **Include gang-related offenses as RICO predicates.** The Racketeer Influenced and Corrupt Organizations (RICO) statute provides an important tool for combating criminal enterprises. Congress should enact legislation including certain gang-related firearms offenses as RICO predicates.
- OLD ■ **Tougher criminal penalties for serious FFL recordkeeping violations that aid gun trafficking.** Under existing law, recordkeeping violations by FFLs are generally punished as misdemeanors, with a maximum penalty of one year in prison. This penalty is woefully inadequate where the FFL's recordkeeping violations aid and abet the unlawful transfer of a firearm. The GCA should be amended to make the most serious recordkeeping violations committed by FFLs punishable by up to 10 years' imprisonment.
- OLD ■ **Increase existing penalties for those who transfer handguns to juveniles, and those juveniles who unlawfully possess handguns.** The penalties for juveniles who unlawfully possess handguns, and persons who unlawfully transfer handguns to juveniles, should be increased. Under current law, a juvenile who unlawfully possesses a handgun is subject only to probation for a first offense, and a person who unlawfully transfers a handgun to a juvenile is punished only by a misdemeanor penalty. The law should be amended to increase these penalties. First-time juvenile offenders should be subject to a misdemeanor penalty for possessing a handgun. Adults who unlawfully transfer handguns to unauthorized juveniles should be subject to 5 years' imprisonment.
- Agency still checking ■ **Provide a criminal penalty for structuring transactions to avoid reporting multiple handgun sales.** In some cases, firearms dealers assist illegal traffickers by advising them how to structure firearms sales to avoid the multiple sales reporting requirement. Structuring handgun transactions to avoid the multiple sales report requirement impedes ATF's ability to combat illegal trafficking of handguns, and should be made unlawful.
- OLD ■ **Penalize individuals who transfer firearms when they have reasonable cause to believe the gun will be used to commit a crime of violence or drug trafficking crime.** Current law makes it illegal to transfer a firearm "knowing" that the firearm will be used to commit a crime of violence or drug trafficking crime. This crime should not be limited to instances in which the transferor has actual knowledge that a crime of violence or drug trafficking crime will be committed, but should also apply to individuals who have

"reasonable cause to believe" that this gun will be used in such a crime. Congress should amend the GCA to clarify that it is a felony to transfer a firearm if the transferor has reasonable cause to believe that the firearm will be used in a crime of violence or drug trafficking crime.

- OLD
- **Extend the statute of limitations for National Firearms Act (NFA) prosecutions.** Because the National Firearms Act (NFA) is included within the Internal Revenue Code of 1986, the statute of limitations for prosecutions of criminal violations of the NFA is 3 years. This period is much shorter than the general statute of limitations applicable to federal criminal violations, which is five years. Congress should enact legislation extending the statute of limitations for NFA violations (such as the unlawful transfer of explosive bombs or short-barreled shotguns) from three to five years.

B. Keeping Guns Out of the Wrong Hands

In this section, we describe several legislative proposals, many of which have already been passed by either the House or Senate, that would assist law enforcement in fighting gun violence by keeping guns out of the wrong hands.

1. *Extending the Brady Act's Protections to the Secondary Market*

Under current law, the two key tools that keep guns out of the wrong hands—the Brady Act background check and the tracing of crime guns—apply only to the “primary market” of sales by *licensed* dealers. The *secondary market* in guns—which involves sales by non-licensed individuals—evades these controls entirely. This gap creates a fundamental weakness in our ability to keep guns out of the wrong hands. Legislation is needed to make secondary market sellers follow the same simple but effective rules that apply to licensed dealers.

Although the size of the secondary market in firearms is difficult to quantify, it is estimated that about two million guns are sold each year at gun shows, trade shows, flea markets, and in individual private transactions by unlicensed individuals. Indeed, more than 4,000 gun shows are held each year in this country, and between 25-50 percent of sellers at gun shows are unlicensed, as are almost all firearms vendors at flea markets. Nonlicensees cannot initiate a NICS check and have no obligation to find out whether a purchaser is a felon, fugitive, or other prohibited person. They also are not required to keep any record of their firearms transactions. As a result, huge numbers of guns are sold anonymously, creating a ready supply of firearms for criminals and firearms traffickers. Moreover, guns entering this unregulated market cannot be traced if they later are recovered at a crime scene. We must take steps to close the legislative loopholes that allow the secondary market in firearms to serve as a source of guns to criminals and other prohibited persons.

- OLD
- **Close the gun show loophole.** At a minimum, Congress should enact the legislation the Senate passed last year requiring all firearms transactions at guns shows to go through

FFLs and be subject to Brady Act background checks and FFL recordkeeping requirements. This legislation would not shut down gun shows; it would merely prevent felons, stalkers, prohibited gang members, and other persons not allowed by law to possess guns from anonymously acquiring firearms at gun shows with "no questions asked."

- **Require all firearms transactions to go through FFLs.** Gun shows are only the most visible manifestation of a much larger problem—the unregulated, anonymous sale of firearms by unlicensed sellers who have no obligation to perform background checks or keep any records of sales. So long as criminals and other prohibited persons can get firearms in the secondary market, our ability to keep guns out of the wrong hands will be limited, and until law enforcement can readily trace crime guns sold in the secondary market, enforcement of the laws will be unnecessarily difficult. Congress should enact legislation requiring all firearms transactions (with certain exceptions for intrafamily transfers and bequests) to go through a licensed dealer. This would ensure that these transactions are subject to the background check requirements of the Brady Act and the recordkeeping requirements that enable the tracing of crime guns

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2. Closing Loopholes in the Brady Act

Although the Brady Act has been remarkably successful in stopping the flow of firearms from FFLs to prohibited persons, some limitations in the current law need to be fixed so that it can achieve its full promise of preventing criminals from obtaining guns from licensed dealers.

- **Provide law enforcement with adequate time to conduct background checks.** The current Brady Act provides that if NICS cannot complete a background check within three business days, the FFL may transfer the firearm despite the incomplete check. This is true even where NICS has information, such as a felony arrest record, that suggests that the purchaser may in fact be prohibited.

In the vast majority of cases, NICS checks are completed in a matter of seconds. However, approximately three percent of background checks remain unresolved after ten calendar days. Currently, the delay usually occurs because the system locates a felony arrest, but cannot determine—because of incomplete state files—whether the individual was actually convicted. If state or local law enforcement officials do not provide information about the disposition of an arrest to the FBI within three business days, the firearm may be transferred. If NICS thereafter determines that the purchaser was in fact prohibited, and the firearm has already been transferred, the FBI immediately refers the matter to ATF to verify the purchaser's prohibited status and take prompt action to retrieve the firearm. Because of public safety considerations, ATF gives these "delayed denials" top priority. Obviously, reliance on the retrieval mechanism is a poor substitute for preventing a prohibited person from acquiring a firearm in the first place. Congress should amend the Brady Act to give law enforcement adequate time to complete Brady background checks.

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(but ATF might
like to strengthen)

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- **Arrest as basis for identifying prohibited person.** Since the Brady Act's permanent provisions took effect, there have been over 5,000 "delayed denials," in which the FBI has verified conviction after the three business days provided by law, and another 75,000 "default proceeds," in which the FBI could not definitely resolve the background check within the statutory period, and has not yet verified conviction. A significant number of these unresolved background checks are likely to involve prohibited persons and turn into "delayed denials," presenting a serious public safety threat and posing an unnecessary safety risk to law enforcement officials who retrieve the illegally acquired firearms from prohibited persons.

Under the interim Brady provisions, local enforcement officials used felony arrests without disposition information as a basis for denying the sale, at least until disposition records were obtained. Congress should amend the Brady Act to authorize denying firearms transactions on the basis of arrest records under the permanent provisions of the Brady Act. This would impose little hardship on law-abiding gun buyers, especially since the Brady Act provides for an appeal process for all persons denied a gun purchase.

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- **Close the state permit loophole.** The Brady Act contains a state permit loophole that allows FFLs to transfer a firearm to anyone holding certain types of state firearms permits, without initiating a NICS check at the time of sale. Since the holder of a state permit may qualify for an exemption for up to five years, firearms may be transferred to individuals who have become prohibited—for example, by committing a felony—between the time the permit was issued and the time of sale. Under existing law, the dealer has no way of ensuring that the state permit holder is not a disqualified person. State permits that are not immediately and effectively revoked when a person becomes prohibited should not substitute for a Brady Act check. Congress should enact legislation to close the state permit loophole in the Brady Act.

3. *Reducing Illegal Trafficking in Firearms*

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- **One handgun a month.** Current federal law does not prevent an individual from purchasing an unlimited number of firearms, including handguns, from a licensed dealer, making it easy for a trafficker to purchase large quantities of firearms and resell them to criminals, unauthorized juveniles, and other prohibited persons. Handguns are a favorite weapon of gun traffickers and criminals. When the citizens of South Carolina and Virginia recognized that traffickers stocked up on handguns in their states and sold them elsewhere, the state legislatures moved to limit handgun purchases to one per month. Virginia has reported success with its one-handgun-a-month law. Since enactment, Virginia has dropped from first to eighth in the ranking of states that serve as a source of guns seized at crime scenes in the Northeast. According to a 1996 study published by the American Medical Association, the percentage of guns traveling from Virginia to the Northeast fell from approximately 35 percent to approximately 15 percent of guns that were used in crime.

A federal one-gun-a-month law will eliminate the need for a piecemeal approach to stopping gun trafficking by imposing a uniform rule. Congress should enact legislation limiting each individual to one handgun purchase a month, with reasonable exceptions for those with a legitimate reason to acquire multiple handguns in a short period of time.

- **Unlicensed dealers.** Given the critical role that licensed dealers play in combating gun trafficking, it is important that dealers not evade the requirement that they obtain a license. Current law is needlessly complex and often makes it difficult to prosecute dealers who operate without a license. A firearms dealer is required to have a federal firearms license only if he or she is "engaged in the business" of dealing in firearms, which requires a showing that the dealer "devote[s] time, attention and labor to dealing in firearms as a regular course of trade or business with the principal objective of livelihood and profit through the repetitive purchase and resale of firearms."¹⁷ The term "principal objective of livelihood and profit" requires proof that the dealer's intent in selling or disposing of firearms is predominantly to obtain livelihood and pecuniary gain, and not to improve or liquidate a personal firearms collection or sell firearms as a hobby.

It is often difficult to establish conclusively that an unlicensed dealer is not selling guns to liquidate or improve a personal collection or as a hobby. This has forced law enforcement to resort to other firearms charges to attack firearms trafficking by unlicensed vendors. Congress should amend the GCA to provide a more straightforward and realistic definition of when an individual is engaged in the business of dealing in firearms.

- **New straw purchase violation for FFLs.** A "straw purchase" occurs when the actual buyer of a firearm uses another person, the "straw purchaser," to execute the paperwork necessary to purchase a firearm from an FFL. Prohibited persons and violent gang members often use straw purchasers to acquire guns from FFLs.

It is a felony for an individual to certify that he is the actual purchaser of a firearm when in fact he is buying the firearm as a "straw purchaser" for the actual purchaser. However, it is not a violation of the GCA for the FFL to knowingly transfer a firearm to a straw purchaser. Instead, law enforcement authorities must rely on charges of aiding and abetting a false statement, or recordkeeping violations. Congress should enact legislation making it unlawful for any FFL to transfer a firearm, knowing that the person completing the required paperwork is not the actual purchaser of the firearm.

- **Require common and contract carriers to report stolen or lost guns.** Federal firearms laws currently do not require common carriers to report firearms thefts to ATF. Nonetheless, a few carriers report thefts voluntarily, and between 1996 and October 1999,

¹⁷ 18 U.S.C. § 921(a)(21)(C).

these carriers reported over 10,000 firearms lost or stolen. Since only a few carriers currently report losses, actual losses were likely far greater.

Congress should enact legislation requiring common and contract carriers to report to law enforcement authorities the theft or loss of any firearm within 48 hours of discovery. This requirement would be consistent with the current reporting obligation placed on FFLs, and would assist law enforcement authorities in solving thefts and in tracing stolen guns.

- **Require licensees to submit a multiple sales report to ATF whenever a person buys two or more handguns from a single licensee within a 30-day period.** Current law requires a licensee to submit a multiple sales report to ATF whenever a person buys 2 or more handguns from a single licensee within a 5-day period. This data provides useful intelligence in the fight against illegal gun trafficking. However, traffickers can easily circumvent this requirement by buying one handgun from a given dealer in 6-day intervals. The GCA should be amended to more accurately capture multiple purchase information.
Agency still checking
- **Allow law enforcement authorities to use the forfeiture laws to combat gun trafficking.** Current forfeiture laws offer only limited assistance in combating gun trafficking. Congress should enact legislation that would provide for forfeiture of vehicles used to commit gun trafficking crimes, and the proceeds of such offenses. The law should also be amended to authorize civil forfeiture of firearms used to commit or facilitate any crime of violence or felony under Federal law.
Agency still checking?
- **Congress should enact legislation to increase the tax imposed by the National Firearms Act.** The National Firearms Act (NFA) imposes a \$200 tax upon making and transferring "gangster-type" weapons such as machine guns, short-barreled shotguns, and destructive devices. The tax has not been increased since the NFA's enactment in 1934. Although the tax was originally intended to deter people from making or transferring such weapons, it has clearly not kept up with inflation and now has minimal deterrent value.
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4. Reducing Illegal Access to Firearms by Juveniles and Youth

Keeping guns out of the hands of juveniles has been one of the Administration's top priorities. However, our current laws are still inadequate to keep guns from unauthorized children. The number of children who are shot each day, and the number of juvenile gun murderers confirms this tragic reality. The legislative proposals described in this section would help law enforcement authorities prevent access to guns by juveniles and youth.

- **Raise the minimum age for handgun possession.** The Youth Handgun Safety Act should be amended to raise the minimum age for handgun possession to 21. The same exceptions that currently apply to juveniles would apply to persons between the ages of 18 and 21. They could temporarily possess a handgun if they needed it to hunt or farm or in
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connection with a job, so long as they were authorized to have the handgun by responsible individuals (such as parents, employers, or the owners of the premises where the temporary possession occurs).

- **Prevent youth access to semiautomatic assault rifles and large capacity ammunition feeding devices.** Current law prohibits juveniles from possessing assault pistols, but allows them to possess assault rifles and large capacity ammunition feeding devices manufactured before the effective date of the Assault Weapons Ban in 1994. This dangerous loophole should be closed by prohibiting the possession of all semiautomatic assault weapons and large capacity magazines by persons under age 21.
- **Congress should reinstate controls on the sale of ammunition.** The GCA should be amended to reinstate the controls on ammunition sales that were repealed in 1986. Persons engaged in dealing in ammunition should be required to get a federal license, keep transfer records, and check a purchaser's ID to ensure that he or she is of legal age. Children should not be allowed to purchase ammunition.

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New Idea *

5. *Denying Convicted Criminals Access to Guns*

It is a matter of common sense that persons convicted of certain violent crimes should not be allowed to possess or receive firearms. The GCA has always made it unlawful for convicted felons to get or possess guns. However, current law does not go far enough in denying access to firearms to those convicted of violent crimes. The following proposals would assist us in preventing criminals from obtaining guns in the legal market.

- **Keeping guns from convicted felons.** The GCA prohibits convicted felons from receiving or possessing firearms, but a loophole in existing law allows potentially dangerous individuals who have been convicted of felonies to possess firearms if their civil rights have been restored under State law. Several States have laws that automatically restore firearms privileges immediately upon completion of a felon's sentence, or within a fixed time period thereafter. Federal law should not allow dangerous individuals to possess firearms. Instead, the GCA should be amended to recognize a State restoration of firearms privileges only where the restoration is based on an individualized determination that possession of a firearm by the felon does not present a threat to public safety.
- **Congress should enact legislation to prohibit anyone under indictment on felony charges from possessing a firearm.** Under current law, it is unlawful for any person under felony indictment to ship, transport, or receive a firearm, but it is not unlawful for such a person to continue to possess firearms that he or she received prior to being indicted. This is true even if the person has been indicted for committing a violent felony, including murder. Individuals who are under indictment on felony charges should not be allowed to continue to possess firearms.

Agency still checking?

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 ■ **"Juvenile Brady."** As the number of juvenile homicide victims has increased, so too has the number of juveniles adjudicated delinquent for violent crimes such as murder, rape, and robbery. Today, those adjudications do not prevent juveniles from acquiring guns once they become adults. The Brady Act should be amended to treat violent juveniles and violent adults the same for purposes of determining whether they can buy a gun. Individuals who have been adjudicated delinquent for an act that would have been a violent felony if committed by an adult should be permanently prohibited from possessing or acquiring firearms - regardless of their age when they committed the crime.
- New Idea *
 ■ **Denying access to guns by anyone convicted of a serious violent misdemeanor.** In 1996, Congress enacted legislation that made it unlawful for anyone convicted of a domestic violence misdemeanor to possess a gun. This legislation ensures that anyone who has been convicted of violently assaulting his or her spouse or child can no longer lawfully obtain a firearm. However, the current prohibition is too narrow. For example, it may not cover an individual who has been convicted of a misdemeanor crime of violently assaulting a girlfriend with whom he has never cohabited - or a complete stranger, for that matter. Moreover, recent data suggests that persons with a history of violent misdemeanor convictions pose a significant risk for future serious violent crime.

In light of the recent research in this area, consideration should be given to prohibiting the receipt or possession of firearms by individuals with misdemeanor criminal histories that demonstrate a propensity for violence. This would include a conviction for an offense classified as a misdemeanor under Federal or State law that has as an element the use or attempted use of physical force, or the threatened use of a deadly weapon.

6. Enhancing ATF's Ability to Trace Crime Guns and Use Ballistics Technology

Gun tracing has helped us make great strides in solving crimes and attacking gun trafficking. There are, however, numerous gaps and areas for improvement in the current tracing system. Filling these gaps and making these improvements are crucial to our anti-trafficking enforcement efforts. The following legislative proposals will assist law enforcement in tracing crime guns and using ballistics technology to its fullest extent.

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 ■ **Tracing secondhand guns.** When FFLs sell secondhand firearms, these guns are often not traceable because they have passed through several non-licensed purchasers before the FFL acquires and resells them. This creates a significant gap in ATF's ability to trace secondhand guns that are used in crime. Congress should enact legislation requiring licensees to report limited information to ATF about secondhand guns that they acquire from nonlicensees. This would include information about the make, model, manufacturer/importer and serial number of the firearm; however it would *not* include identifying information about the unlicensed sellers or purchasers of the guns. Such legislation would enable ATF to complete a significant number of crime gun traces that

cannot be completed today, thus assisting state and local law enforcement officials in solving crimes.

- **Require manufacturers and importers to test fire cartridges and enter the gunprints into NIBIN.** When a gun is fired, an identifiable "gunprint" is left upon the fired cartridge. If a firearm's "gunprint" is recorded in a central system, then forensics firearms examiners can electronically compare thousands of specimens in a fraction of the time it would take to compare them manually. In effect, the system provides law enforcement agencies with the ability to link one or more seemingly unrelated shooting incidents to a single firearm.

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Idea *

The current federal ballistics system contains only 500,000 images out of an estimated 200 million guns. If gunprints were routinely entered into the system before a gun is sold, our ability to trace guns that are used in crimes would be greatly enhanced. Indeed, this ballistics information could provide law enforcement leads even when only a bullet casing – and not a gun – is recovered at a crime scene. Manufacturers and importers should be required by law to test fire cartridges and enter the gunprints into NIBIN.

- **Increase criminal penalties for transactions involving firearms with obliterated serial numbers.** The current maximum penalty for knowingly transporting, shipping, possessing or receiving a firearm with an obliterated or altered serial number is five years imprisonment. Like stolen guns, firearms with obliterated or altered serial numbers indicate an intent to use the weapon for a criminal purpose. Congress should enact legislation strengthening the criminal penalties for transactions involving firearms with obliterated serial numbers, and increase the maximum penalty for such offenses to ten years imprisonment - the same as the current penalty for transactions involving stolen guns.

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- **Congress should enact legislation requiring a second, "hidden" serial number on all firearms.** ATF recently proposed a regulation that would prescribe minimum height (3/32 inch) and depth (.005 inch) requirements for serial numbers. These new requirements would make it more difficult to obliterate serial numbers. However, further legislation is needed to require manufacturers to include a second "hidden" serial number on all firearms.

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- **Allow dealers voluntarily to submit old records to ATF's National Tracing Center.** Under current law, once a licensee's records are more than 20 years old, the licensee can either retain the records or destroy them. However, the law does not allow the licensee to transfer these old records to ATF. Some licensees would prefer not to destroy old records – which would make the guns identified in them untraceable if the guns were later used in a crime – and would prefer to transfer them to ATF. The law should be amended to allow FFLs voluntarily to submit old business records to ATF.

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- New *
Idea
- **Congress should remove the existing restrictions on centralizing ATF records.** Legal restrictions in the Treasury Department's appropriations acts, as well as a provision added to the GCA in 1986 by FOPA, prohibit ATF from consolidating or centralizing FFL firearms acquisition and disposition records. These statutory restrictions hinder ATF's ability to trace crime guns through licensee records and should be repealed.

7. *Enforcing Dealer Compliance with Tracing and Firearms Laws*

Combating trafficking depends critically on dealer cooperation: FFLs must check for appropriate identification, initiate the check on a purchaser's background required by the Brady Act, and maintain the records that enable crime gun tracing. FFLs are required to report multiple sales of handguns, respond to ATF trace requests within 24 hours, keep detailed acquisition and disposition records, and follow all applicable state and local regulations and laws, including zoning ordinances. In addition, FFLs may not knowingly transfer firearms to prohibited or underage persons, or knowingly transfer handguns to persons who do not reside in the state where the FFL is licensed.

The great majority of dealers abide by these requirements and contribute to our attack on illegal trafficking. For a small number of dealers, however, this may not be true. ATF investigative and crime gun trace information shows that the firearms used in crimes can be traced to a relatively small number of dealers. ATF has already taken steps, consistent with its current authority, to increase regulatory oversight of these dealers. However, there are still several legislative constraints on ATF's authority to regulate FFLs. Legislation to lift these constraints would allow ATF to better ensure compliance by licensed firearms dealers.

- OLD
- **Allow ATF to inspect licensees more than once a year.** Current law significantly impedes ATF's ability to regulate FFLs by limiting ATF to one warrantless recordkeeping inspection within a 12-month period. Multiple compliance inspections of an FFL within a one-year period are often necessary for adequate ATF supervision, particularly if a licensee has a poor compliance record. Congress should enact legislation allowing ATF to conduct up to three compliance inspections of an FFL in the course of a year.
 - **Termination of licenses of FFLs who have been convicted of felonies.** Under current law, a licensee convicted of a felony may continue to conduct business under his or her license until appeal rights are exhausted. This loophole jeopardizes public safety by allowing convicted felons to continue buying and selling large quantities of firearms in interstate commerce pending the resolution of their appeals. Congress should amend the GCA to provide for the automatic termination of a federal firearms license upon the licensee's felony conviction.
 - **Provide additional administrative remedies for licensee violations.** Under current law, the only administrative remedies available to deal with FFL violations are revocation or
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denial of licenses, the issuance of a warning letter, or holding a warning conference. Certain violations of the GCA, such as the failure to timely record information in required records, may not warrant license revocation or denial, but may merit stronger action than a mere warning. The law should be amended to provide new administrative sanctions to allow ATF to impose sanctions on all violations by FFLs and deter licensees from further violations. These new administrative remedies should include license suspension and civil monetary penalties.

- OLD ■ **Allow ATF to establish FFL security standards.** The theft of firearms from licensed dealers is a growing problem that contributes to the number of firearms available to juveniles, youth gangs and criminals. In 1998 and 1999, licensees filed reports on over 5,000 losses or thefts, involving 27,287 firearms. ATF currently lacks authority to establish security standards for licensed dealers to cut down on opportunities for these thefts. Congress should enact legislation requiring FFLs to store their inventories securely.
- OLD ■ **Separate license for gunsmiths.** As the federal firearms licensing provisions are presently structured, there is no distinction between licenses issued to gunsmiths and those issued to firearms dealers. The establishment of separate licenses for firearms dealers and gunsmiths will allow an assignment of inspection priorities that will promote regulatory efficiency and significantly reduce inspection costs. Congress should enact legislation establishing a separate Federal firearms license for gunsmiths.

C. Preventing Gun Accidents and Suicides

Except for the sporting purposes requirement for imported firearms, federal firearms law has paid scant attention to safety in firearms ownership or design. We must do much more to ensure that those who buy guns will use and store them safely, and that new guns are equipped with safety devices to prevent accidental shootings.

1. Safety Training and Safe Access

- OLD ■ **Licensing handgun purchasers.** First and foremost, we must do everything possible to make sure that those who buy guns know how to handle and store them safely. Every gun owner throughout the nation should have gun safety training before being permitted to buy a gun. To further this goal, individuals seeking to buy a handgun should be required to obtain a photo license establishing that the individual has successfully passed a certified safety course or exam and passed a background check at the time the license is issued.

Congress should pass legislation establishing a system of state-based licenses for handgun purchases. State participation would be optional, not mandatory, and could be supported by federal funding. For states that choose not to participate in the licensing scheme, a federal mechanism would be established to issue licenses. In addition to assuring that

only those who have demonstrated knowledge of the safe and responsible handling, use and storage of a firearm can buy a handgun, thereby reducing the number of gun accidents, licensing will help prevent felons and other prohibited persons from acquiring firearms in the secondary firearms market. Licensing also provides an ideal avenue for owners to learn the law and regulations regarding firearms and enhance cooperation with law enforcement.

- OLD
- **Child access prevention.** There are an estimated 200 million guns in America today; 65 million are believed to be handguns. Many of these weapons are easily accessible to our children. Forty percent of American households contain at least one gun. Children are present in at least one-quarter of these homes. Half of all guns kept in the home are kept loaded; one third are kept loaded and unlocked. In the last 10 years, more than 2,300 American children fourteen and younger died from unintentional shootings, and thousands more were injured.

Enactment and enforcement of Child Access Prevention (CAP) laws can reduce accidental deaths and injuries from firearms misuse by children, as well as juvenile firearms suicide rates. Often referred to as "safe storage laws," CAP laws are designed to prevent children from obtaining unsupervised access to guns. They require adults either to store loaded guns in a place reasonably inaccessible to children, or use a lock or other device to render the gun inoperable. The laws hold gun owners criminally responsible if a child obtains an improperly stored gun and uses it in an act of violence.

CAP laws save lives. A recent study reported in *The Journal of the American Medical Association* demonstrated that state CAP laws reduced unintentional shooting deaths of children by an average of 23 percent. In 1989, Florida became the first state to pass a CAP law. Since then, fifteen additional states and five cities have enacted similar legislation.¹⁸ The federal government should do the same. Congress should enact federal child access prevention legislation.

- OLD
- **72-hour waiting period for handgun purchases.** Contrary to popular belief, the Brady Act does not require a waiting period before transferring a firearm. Such a "cooling off" period would help prevent crimes of passion and rash suicides by ensuring that individuals who desire to purchase a handgun must wait at least a reasonable period before obtaining possession of the gun. Such a waiting period will reduce the incidence of gun purchases made in unbalanced emotional states of extreme anger or depression. Congress should

¹⁸ In addition to Florida, California, Connecticut, Delaware, Hawaii, Iowa, Maryland, Minnesota, Nevada, New Jersey, North Carolina, Rhode Island, Texas, Virginia, and Wisconsin have enacted state CAP laws. Elgin and Aurora, Illinois; Houston, Texas; Wichita, Kansas; and Baltimore, Maryland also have passed laws that make it a crime for an adult to leave a loaded firearm where it is accessible by children.

amend the Brady Act to provide a mandatory 72-hour waiting period for the sale of a handgun.

2. Regulating Firearms Design and Marketing

Despite the deadly impact of firearms in our society, no federal agency, including ATF or the Consumer Product Safety Commission (CPSC), has authority to ensure that domestically manufactured firearms meet product safety or design standards and that guns are reasonably safe for their intended use. When the CPSC was established in 1972, it was specifically denied regulatory authority over firearms and ammunition.¹⁹ And as noted above, ATF has no authority to impose safety standards on domestically manufactured firearms.

An important step in preventing firearms violence is to ensure that guns are designed to be as safe as reasonably possible. The fact that guns do *intentional* harm does not mean that they cannot be designed to avoid *accidental* harm.

Firearms manufacturers frequently redesign their products to suit perceived consumer preferences. Guns are often re-engineered to increase firepower or ammunition capacity, or to decrease gun size or weight to render them more concealable. Manufacturers even change the "look" of a gun to make it appear more threatening.

Yet manufacturers have not been quick to take advantage of existing safety features, nor have they made major strides in developing new safety devices. For example, not all handguns have firing pin locks that prevent them from firing if dropped. Nor are most guns designed with magazine disconnectors, which reliably (but only temporarily) disable the weapon to help prevent accidental discharge. Loaded chamber indicators, which could prevent accidents by indicating when a gun is loaded, are not included in most gun designs. Handguns are not ordinarily designed to make it difficult for small children to activate the trigger, although such devices first appeared in firearms in the 1880s. None of these features are currently required before these products can be sent into the stream of commerce.

- **Firearms safety board.** The federal government should take the lead in protecting Americans from the risks posed by the prevalence of firearms. Toward that end, Congress should establish a Firearms Safety Board. One of the Board's most important duties would be to collect systematic information about the causes of firearms accidents, such as the number of non-intentional shootings caused by the shooter being unaware that the gun was loaded; or the number of firearms accidents that occur because a gun fired when dropped; and the number of accidental deaths or injuries that result from low trigger resistance, which can cause a gun to fire unintentionally or allow a small child to pull the trigger. The systematic collection of this information will assist the effort to study the causes and possible solutions of accidental shootings.

¹⁹ The CPSC does have jurisdiction over air and pellet guns, which are not considered "firearms" under the Gun Control Act.

New
Idea *

This Board would also be empowered to recommend that the Secretary of the Treasury set mandatory safety and marketing standards; recall defective firearms that present a serious safety hazard; take immediate action to stop the sale or distribution of firearms or ammunition found to pose an imminent hazard; monitor industry compliance with design standards; require that manufacturers or importers furnish safety regulators with pre-marketing notification of new firearms technology and firearms products; and disseminate information to the public about particular firearms. In evaluating firearms safety and design standards, the proposed firearms safety board should consider various regulatory schemes for other products, while at the same time recognizing the unique properties of firearms and the firearms industry.

- OLD ■ **Safety locks.** Reducing firearms violence requires that guns be safely stored. Under current law, FFLs are required to have gun storage or safety devices *available* for sale at their premises, but are not required to *provide* them with each firearm. These devices should not be optional. Congress should enact legislation requiring licensees to provide a secure gun storage or safety device, such as a triggerlock, or gun lockbox, with every firearm sold to an individual. Use of these devices would help prevent misuse of guns by children and other unauthorized persons.

- OLD ■ **Large capacity ammunition feeding devices.** Since 1994, federal law has banned the manufacture of large capacity ammunition feeding devices. However, current law contains a significant loophole, which allows devices manufactured on or before September 13, 1994, to be imported. Given the vast, worldwide supply of large capacity ammunition feeding devices, this loophole creates a major enforcement problem and should be closed. Congress should enact legislation banning the importation of all large capacity ammunition feeding devices.

- New Idea * ■ **Require domestically manufactured guns to meet at least the same standards as imported guns.** Because federal law does not require domestically manufactured guns to meet the "sporting purposes" test applied to imported firearms, domestic manufacturers continue to make poorly constructed "Saturday night specials" that are not suitable for target shooting or other sporting purposes. These handguns are often the weapon of choice for youths and criminals, and are often used in crimes. The Secretary of the Treasury should be granted the authority to apply factoring criteria, including safety standards, to domestically made handguns.

- New Idea * ■ **.50 caliber sniper rifles.** Some .50 caliber sniper rifles can kill a person a mile and a half away and do not appear to be generally suited for sporting purposes. ATF will review whether .50 caliber sniper rifles meet the sporting purposes test for imported firearms. In addition, Congress should pass legislation banning domestically manufactured .50 caliber sniper rifles.

CONCLUSION

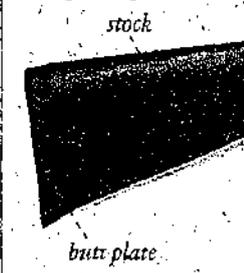
Firearms violence continues to exact a terrible toll on our nation. There are far too many firearms-related deaths and injuries, due in significant part to the ease with which criminals and other prohibited persons can acquire guns. The problem cannot be solved through any one approach, by any one government agency, or by any one segment of society. We must work together to eliminate the scourge of gun violence from our national life.

Attacking gun violence simultaneously on all fronts does work. This Administration has made significant progress in reducing firearms violence through its successful implementation of the Brady Law; its close collaboration with state and local law enforcement in investigating and prosecuting gun criminals; and its focused effort to keep unauthorized juveniles and other prohibited persons away from guns. Reductions in gun violence have been achieved where communities have adopted focused, comprehensive, and innovative strategies to attack their gun violence problems. Given appropriate resources, and common sense legislation to close the loopholes that hinder our efforts, the National Strategy will enable us to continue on the course charted by this Administration and help end the tragedy of gun violence in America.

AMERICA'S WEAPONS OF CHOICE

Owning guns is part of the bedrock of American culture. A year of sensational shootings has generated a fierce new debate about the place of guns in society. At the same time, however, gun violence is statistically on the decline. An overview of firearms in the United States:

Short-range firearm with a smooth bore that discharges shells containing numerous pellets of a single slug

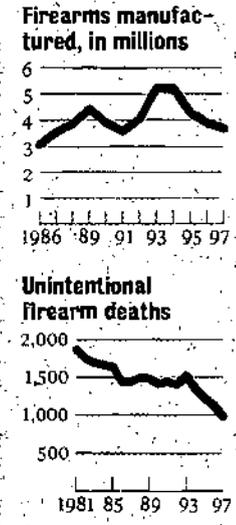


PISTOL

Single-chambered firearm that can be held with one hand. Each pull of a semi-automatic pistol fires a complete cycle, ejecting the shell casing and reloading another round from the magazine. The trigger must be released and pulled with each cycle.

Smith & Wesson .40 caliber

PISTOLS Manufactured	
1986	692,977
1997	1,036,077
Exported	
1986	16,657
1997	44,182

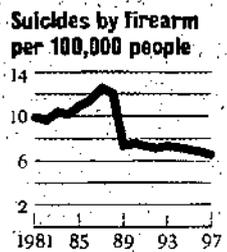
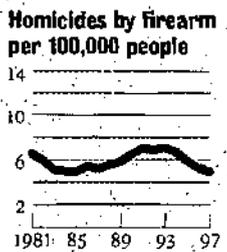


Federal gun laws

- Minimum age for purchase of a long gun: 18; handgun: 21.
- People who may not possess firearms: those indicted/convicted of certain crimes; fugitives; drug addicts; illegal aliens; those dishonorably discharged from military; those with certain restraining orders; those judged mentally defective.
- Manufacturing ammunition that defeats body armor is illegal.

Top firearms traced to crimes, 1998

MANUFACTURER	TYPE	CALIBER	TRACES
Smith & Wesson	Revolver	.38	8,096
Lorcin Engin.	Pistol	.380	5,746
Ruger	Pistol	9mm	4,594
Raven Arms	Pistol	.25	4,520
N. China Indus.	Rifle	7.62	4,224
Mossberg	Shotgun	12ga	3,970
Smith & Wesson	Pistol	9mm	3,968
Smith & Wesson	Revolver	.357	3,849
Davis Industries	Pistol	.380	3,350



REVOLVER

Firearm with a multichambered cylinder that rotates around an axis when the hammer is cocked

Smith & Wesson model 19 .357 magnum

REVOLVERS Manufactured	
1986	734,650
1997	370,428
Exported	
1986	103,890
1997	63,656

A revolver fires one round for each pull of the trigger

RIFLE

Firearm with spiral grooves in the bore that cause a bullet to rotate when fired. Used mainly for long-range shooting by soldiers and sportsmen.

A Week of Murders in Los Angeles

In Los Angeles, more than four people a day are killed by guns—more than in New York but not as many as in Chicago. Last week brought not only the Furrow case but 22 other homicides. Among them:

Fri., Aug. 6
1 Sunny Elijah Peralez, 8, shot in the head as he stood in the doorway of a

relative's home. Declared brain dead.
2 Brian David Harris, 15, shot while sitting in the back

seat of a car. Possibly gang-related.
3 Bruce Battle, 31, shot and killed on a street corner.

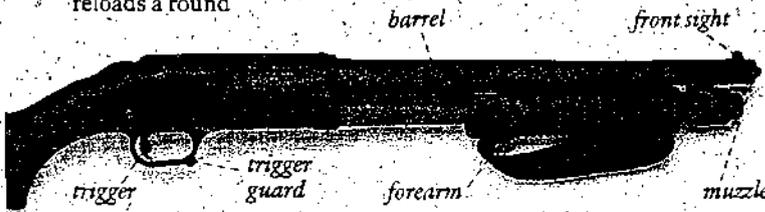
Sun., Aug. 8
4 Male Hispanic adult shot and killed in an alley. Motive unknown.
5 José Luis Salinas, 21, shot and killed after exiting his vehicle. Killing believed to be gang-related.



Friends of Oscar Pacheco at his murder site

Pump-action shotgun has manually operated forearm that chambers, ejects and reloads a round

Semiautomatic shotgun allows for a complete firing cycle with one pull of the trigger



SHOTGUNS Manufactured		Exported		Mossberg 12-gauge shotgun
1986	641,482	1986	58,943	
1997	915,978	1997	86,263	

Firearm deaths per 100,000 people*

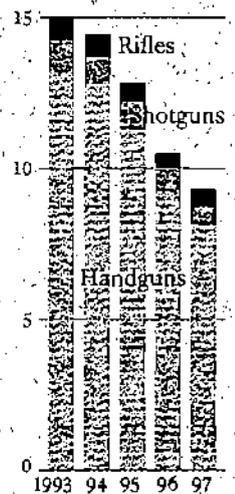
SELECTED COUNTRIES	
United States	15.22
Brazil	14.15
Mexico	12.07
Finland	6.86
France	6.35
Australia	2.94
Germany	1.57
England & Wales	.46
Japan	.07

Percent of homicides using firearms

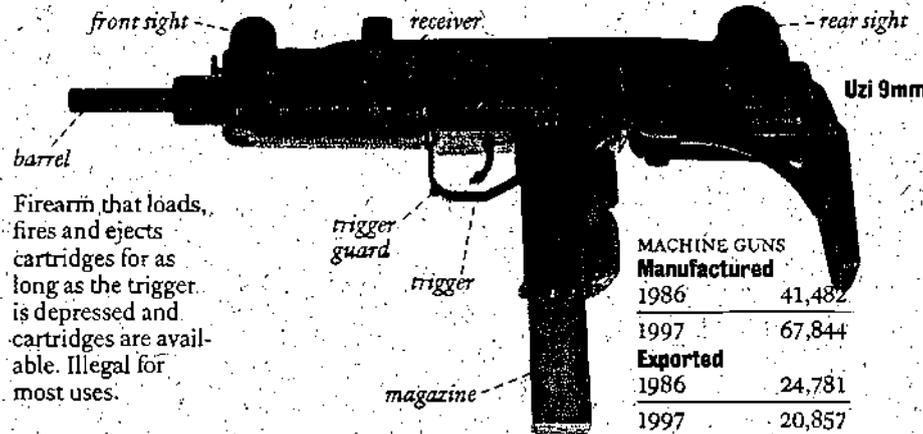
STATES WITH THE HIGHEST RATES, 1997	
District of Col.	80%
Mississippi	79
Louisiana	78
Maryland	78
West Virginia	76
Tennessee	76

LOWEST RATES, 1997	
North Dakota	17%
Delaware	31
Iowa	31
Hawaii	33
Wisconsin	42
Nebraska	48

Murders by firearm in thousands



MACHINE GUN



Firearm that loads, fires and ejects cartridges for as long as the trigger is depressed and cartridges are available. Illegal for most uses.

MACHINE GUNS Manufactured	
1986	41,482
1997	67,844
Exported	
1986	24,781
1997	20,857

BULLETS

Hollow-point, soft-point and expanding bullets Designed with a cavity in the nose to expand on impact without passing through target. Such a cartridge is used in hunting to kill game instantly, as well as for self-defense and police operations.



Round-nose bullets Elongated design with radiused nose. Designed with less deadly force.

Hollow-point bullets



Wadcutter bullets Feature a cylindrical design and a flattened front end at right angles to their axes. These bullets are intended to cut paper targets cleanly and easily for accuracy in scoring.

Full-metal jackets Design in which bullet jacket encloses most of the core. Used for military and target shooting.

Armor-piercing bullets Designed to penetrate armor plate. Constructed with tungsten or steel cores.

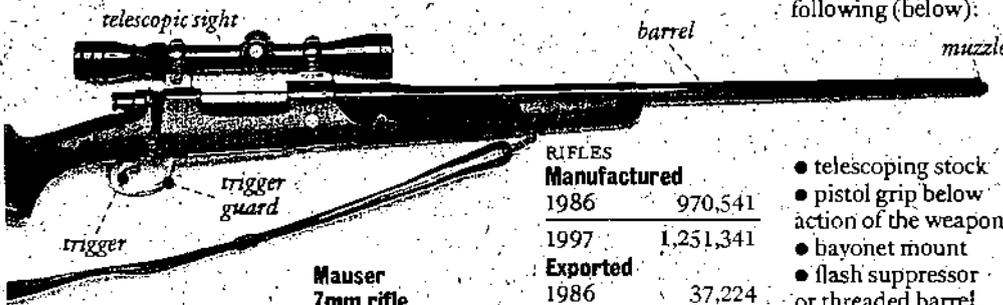


Shotgun shell

Bolt-action rifle is loaded, cocked and unloaded manually

Semiautomatic rifle features inner mechanism that chambers, fires and ejects a round

Assault rifle has a detachable magazine and at least two of the following (below):



Mauser 7mm rifle

RIFLES Manufactured	
1986	970,541
1997	1,251,341
Exported	
1986	37,224
1997	76,626

- telescoping stock
- pistol grip below action of the weapon
- bayonet mount
- flash suppressor or threaded barrel
- grenade launcher

Mon., Aug. 9

6 Mohammed Abdul Khaled, 26, shot and killed while working as a night clerk, an apparent robbery.

7-10 Victor Lopez, 42, Jaime Pacheco, 48, Oscar Pacheco, 37,

Andy Pacheco, 14, shot and killed at a home, allegedly by a former boyfriend of one of the home's residents who was upset over a broken relationship.

Tues., Aug. 10
11 Joseph Ito, 39, postal worker

shot and killed by Buford Furrrow Jr. **12** Clarence Henry Forrest, 24, shot and killed in a gang-related incident.

13 Wayne Alvarez, 24, shot and killed. Motive unknown.

Wed., Aug. 11

14 Edward Rojas, 36, shot and killed by officers when he pulled a gun after a car chase.

Thurs., Aug. 12
15 Deandre Win-dom, 19, shot and killed. Motive unknown.

GUNS IN AMERICA

WHAT MUST BE DONE

AFTER IT WAS OVER, AFTER THE SWAT TEAMS HAD swept in and the suspect had fled, after the screams and the tears, a little boy too young to know his letters wanted to thank the men who rescued him from the shooter. Handing his mother a green crayon and a piece of blue construction paper, 4½-year-old Nathan Powers started dictating. "Thank you policemen," Nathan said, "for saving us from the gun because you're our friend."

For saving us from the gun. Nathan had been in day care at the North Valley Jewish Community Center in Granada Hills, an outlying Los Angeles community, last Tuesday morning, when Buford O. Furrow, Jr.—loner, hater, white supremacist—came through the front door. Armed, authorities say, with an Uzi (he had four other assault weapons back in his van); Furrow opened fire, spraying the day-care center's lobby with 70 rounds. Five were wounded; as the gunman escaped, he used a Glock 9mm pistol to kill a letter carrier, 39-year-old Joseph Iletto. Once again, the nation asked why—why an armed man had brought sudden death to a place that ought to be safe.

At the end of the century ancient forces (hate, heartbreak, reversals of fortune, inexplicable demons) and newer ones (busy and broken families, Hollywood, the Internet, videogames and music) can, alone or in concert, produce explosions of violence. Few terrible acts like Furrow's can be traced to a single cause, and as the body count mounts and the country tunes in to a depressing series of shootings-of-the-week, there is plenty of blame to go around. In the NEWSWEEK Poll, majorities blame poor parenting (57 percent) and violence in the media (52 percent). Seventy-two percent believe intense media coverage makes people feel more endangered than they really are. But from Littleton, Colo., to Atlanta to Granada Hills, there has been one common link in the chain of violence: firearms, which are growing ever more lethal.

NOT AGAIN: Police help the day camp's children out of harm's way during the Granada Hills rampage



GAN ALBEKI/HALABAN—SABA

Just as it won't do to act as if a single bill can fix all our problems, it won't do to shrug off the role guns play

Madmen will always do mad things; we can never legislate evil out of existence; people kill people with broomsticks and bombs and their bare hands. Yet the facts are inescapable: there are more than 200 million guns in circulation in the United States, and more than a third of American households have one. Though our gun-related death rate has been mercifully falling overall, we still lose an average of 87 people a day to firearms. We lead the industrialized world in the rate at which children die from guns. Three years from now, gunfire may surpass cars to become the leading cause of unnatural death in the United States.

The debate over firearms has been polarized for too long. Millions of law-abiding people own and enjoy guns. But criminals and the disturbed and even confused kids often use firearms, too, to tragic and devastating effect. Reflexive liberals tend to want to ban all guns, and portray their owners as rednecks who don't seem to care that gangbangers and hatemongers can get their hands on firepower. At the other extreme, entrenched gun lobbyists appear to believe that virtually any regulation is a threat to their constitutional rights. They fear, they say, an eventual "knock at the door" that will bring a government confiscation of their weapons.

America, or at least the sensible center where most of us stand, has had enough—of this senseless violence, and of this circular debate. For more than a generation, we've watched as the great and the pedestrian have died in the line of fire. Though it won't do to act as though, in the emotional aftermath of yet another shooting, a sweeping ban or a single bill will keep more tragedies from happening, it also won't do to shrug off the deadly role guns play.

So what must be done? It is time, as Franklin Roosevelt said long ago, to try *something*. The anti-gun movement must accept that the United States realistically will not, and should not have to, abolish handguns or any reasonable sporting weapon. At the same time, the pro-gun forces ought to acknowledge that the Second Amendment is not unconditional and be open to reasonable restrictions. If the warring camps can make that tentative peace, there may be a path out of this bewildering debate.

We must slow the flow of guns into a market that too often seems to serve criminals, who shouldn't get guns, rather than hunters and hobbyists, who should. Those who cherish their firearms might consider judging every possible regulation by the following standard: is a loss of convenience, of privacy or of a cate-

gory of gun worth the price if the reform has a chance of keeping a firearm away from somebody—a criminal, or maybe a kid—who shouldn't have it?

It will be a difficult argument to win; guns are in our blood. For millions of us the whiff of cordite is intermingled with the smells of home and family: of hunting dove, ducks or deer. For others a pistol seems to offer security in a dangerous world. The roots of the

culture run deep, back to the Bill of Rights. The Founders believed that the right to bear arms and to form grass-roots militias was a safeguard against another tyrannical government. Hence the Second Amendment: "A well-regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed." It was the beginning of an undeniably romantic mythology. Militiamen and

minutemen threw off the British yoke; the pioneers settled the frontier with long rifles, and the West was home to towering, gun-toting cowboys.

TAKING ROOT: *Though the gun myth begins with the Revolution, the Civil War and Samuel Colt's marketing genius made firearms broadly popular*

The truth, however, is more complicated. Emory University historian Michael Bellesiles has shown that from the Revolution to about 1850, no more than a tenth of the population owned guns. So how did guns seep into the culture? Samuel Colt and the Civil War. Colt was an impresario, targeting his company's firearms at middle-class anxieties about self-defense by giving his guns names like "Equalizer." Then came the real boom: Fort Sumter. Between 1861 and 1865, guns went into mass production, and both Union and Confederate soldiers kept their weapons after Appomattox. Suddenly there was widespread ownership, and an industry to feed a growing market. If we separate legend from history, guns can be seen not just as inviolate relics of the Revolution but as what they are: products.

And products are something we often need to regulate, be they cars, lawn mowers or pharmaceuticals. It's time to apply consumer-product safety standards to firearms (Saturday-night specials, for example, ought to have to meet minimum safety requirements). We should always be wary of relying on government, but it's reasonable to weigh the Second Amendment against the common good and risk more bureaucracy; even property owners have to submit to zoning. "No federal appellate court or the Supreme Court has ever ruled you can't put some limits on the Second Amendment," says Tom Diaz, a senior policy analyst at the Violence Policy Center. Here are proposals that ought to be part of the debate. They are not exhaustive. But each has a reasonable chance of slowing the flow of guns from the law-abiding to the potentially dangerous.

COLT REVOLVERS

PAST and PRESENT

Have been in the Past
Are at the Present
Will be in the Future—
The Standard of the Firearms World

For the reason that they are manufactured for use

Catalogue "Revolvers" describes this and all other models. Mailed free on request.

COLT PATENT FIREARMS MFG. CO.
HARTFORD, CT. U.S.A.
15a Pall Mall, London, S.W.



If we separate legend from fact, guns are not relics of the Revolution but products that can be regulated

Require background checks on all sales and transfers. The Brady bill requires an instant background check when someone purchases a firearm from a licensed dealer. The law has kept hundreds of thousands of felons and other prohibited purchasers (fugitives, those who were committed to a mental institution by a court, the military's dishonorably discharged, those with a record of domestic abuse) from buying guns at a legitimate source. More can be done: the country needs to build a reliable database that won't let felons slip through the system. It's especially important to pay attention to the "secondary market," that largely unregulated universe of private sales and gun shows, where, in many cases, guns change hands without a record. By some estimates 40 percent of American firearms transfers take place in the secondary market, and in virtually every state anyone can sell firearms at gun shows or flea markets without conducting a background check on the buyer. (The Glock Furrow used to kill the postal worker, for example, came from this netherworld.) All sales and transfers of guns should require a check. Will that keep one guy from swapping or selling with someone else off the books? No. But this would make it harder for the nefarious to obtain guns openly.

Enforce what's on the books. Credit the National Rifle Association for pushing this common-sense solution. Born in Richmond, Va., Project Exile encourages police and prosecutors to strictly enforce federal gun laws. Among other things, it's illegal to carry a gun when you're in possession of drugs. But for years, authorities didn't make such gun cases a priority. In Richmond, prosecutors started using these statutes, cracking down on people who are likely to use guns in a crime. It's worked: Richmond has seized 512 guns and sent 215 violators to jail. Meanwhile, the homicide and robbery rates have fallen about 30 percent each.

Ban assault weapons—for real. We've been here before, and the lessons from that battle shed light on the tricky terrain ahead. The Uzi Furrow probably used in Granada Hills can no longer be legally imported to the United States, but was obviously available. Gun control wouldn't have stopped him. Still, assault weapons have few sporting purposes. With their folding stocks and pistol grips, they resemble their military ancestors, which were designed to lay down a lot of ammunition very quickly over a small field of fire. In 1994, when the federal ban on assault

weapons passed, many manufacturers slightly modified their models to get around the law and went back to market. Gun enthusiasts argue that this is cosmetic debate, that we want to ban guns that look sinister when all semiautomatics are deadly in the wrong hands. One answer is to follow California and ban the sale, manufacture and import of semiautomatics with the capacity to hold more than 10 rounds, and prohibit features—like high-capacity magazines, flash suppressors, bayonet lug nuts—

that attract the criminal and the irresponsible.

License owners and register all guns. To ears unaccustomed to the nuances of the gun debate, this could sound innocuous, or at worst bureaucratic. But proposals to establish a gun registry, either state by state or nationally, raise gun owners' most fundamental fears. Still, licensing could operate along the same lines as the DMV: to drive a car, you need to pass a minimal test. There are potential perils; authorities might be distant, or abusive, or inattentive. But licensing could improve gun safety, particularly for beginners.

Registration pushes the most buttons. The gun lobby says the government shouldn't know who owns a firearm, and on Second Amendment grounds it has a point. Bill Clinton isn't likely to confiscate guns, but some president in the distant future might. Still, all rights have to be balanced with the need for public order, and registration



UNDER FIRE: As the body count rises, the sensible center has had enough

is one sure-fire way of shutting off a line of supply to criminals. Why? If all sales of firearms have to be logged in a registry, then the typical gun owner who gets his firearm legitimately knows the government has a record of his acquisition. He may then be much more careful about what happens to that gun for fear that crimes committed with it would bring the police to his door. Would it stop underground gun traffic altogether? No, and the NRA says the measure would create "massive civil disobedience." But registration could help keep guns from slipping, through a careless private sale or swap, into a criminal's grasp.

On the morning after the shootings in Granada Hills, parents of children at the day camp arrived early, determined not to flinch in the face of hate, or of guns. "We're not going to let anyone scare us," one father said. Bringing sanity to the gun wars, and safety to our schools and public places, will take the same flinty courage. The road will be rough and long, the battles pitched and confusing, the compromises difficult and costly. But let us begin.

THE GUN WAR COMES HOME

The shooting victims of today's headlines are not distant leaders, but schoolchildren and office workers. Political emotions are rising, and for the first time, the debate over firearms may become a central part of a presidential campaign. **BY HOWARD FINEMAN**

GOV. GEORGE W. BUSH IS A hunter, and a Second Amendment man. He signed a bill that allows Texas citizens to carry concealed weapons, and another that bars Texas cities from suing gun manufacturers. So there was a moment of dread in the Bush camp last week when the news spread of the arsenal Buford Oneal Furrow Jr. had brought with him in his van. According to police, Furrow had seven guns, one a custom-made assault rifle with an XS-15 shooting mechanism. At first, investigators thought he might have used it to wound five people in a Los Angeles Jewish community center, or to kill a Philippine-born letter carrier nearby.

Every gun has a history, and this one was potentially explosive. Federal officials quickly traced the XS-15 mechanism to a company in Maine owned by one Richard Dyke. Until last

month, he was Bush's state finance director in Maine. He's an ally of top Bush political supporters; he had flown down to Austin, Texas, to take part in a luncheon with the governor. And, as bad luck would have it, Dyke's company bears an unfortunate name: Bushmaster Firearms. "We were looking at a public-relations nightmare," said one Bush adviser. By Friday, police said that Furrow, in fact, had used other weapons in his arsenal: an Uzi and a Glock 9mm pistol. Even so, Democrats thought they had found a way to attack the Republican presidential front runner. The gun-control issue, Sen. Chuck Schumer of New York told NEWSWEEK, "could be the No. 1 chink in George Bush's armor."

The guns in the schools and the streets have touched off a war in the world of politics. It's not the first of its kind, but it's the first that could end up as a central feature of a presidential campaign. In the new NEWSWEEK Poll, 78 percent of voters said that gun control would be an "important"

factor in their choice of a president. After the Kennedy and King assassinations in the '60s, gun control surfaced as an issue, and did so again after the attempt on Ronald Reagan's life in 1981. But this time the emotional driving force is different, and arguably more powerful: the continuous loop of murderous assaults on children in schools, workers at computer terminals and unassuming citizens in the streets. This time, it's not about distant victims, but about your kids and co-workers.

As a result, state legislatures are passing new gun-control measures once thought impossible to enact. Congress, when it returns from recess next month, will debate new curbs with a new sense of urgency—or at least the kind of made-for-cable hysteria designed to excite each party's grass roots in time for the 2000 election. Bill Clinton and his attorney general, Janet Reno, are proposing sweeping new measures. Al Gore and Bill Bradley, vying for the Democratic nomination, are offering dueling gun-control proposals. Republican contenders, meanwhile, stand shoulder to shoulder with the gun lobby, as do most—though not all—GOP leaders on Capitol Hill. And all the while the National Rifle Association gains members, launches new ad campaigns and girds for an electoral Armageddon next year. "We'll be ready," NRA spokesman Bill Powers told NEWSWEEK. "We will see you all on Election Day."

The American people, as usual, are more



A LONG WAR: James Brady, who was wounded with Reagan, and Clinton call for tougher gun laws

sensible and centrist than the political insiders who use overwrought rhetoric to build their get-out-the-vote lists. The NEWSWEEK Poll shows that even most gun owners are in favor of some significant new gun-control measures. According to the poll, 81 percent of non-gun-owners want all handgun owners to register with the government—but, surprisingly, so do 66 percent of gun owners. The same with mandatory courses on gun safety: 88 percent of non-owners favor it, but so do 80 percent of owners. There is near-universal support for child-safety locks on guns, and for a waiting period to allow background checks for all handgun purchases. There's even substantial support among gun owners—45 percent in the poll—for requiring the owners of hunting rifles to register with the government.

But voters also know what gun-control hard-liners refuse to admit: that gun control is no panacea. Asked in the poll to identify "the most effective" deterrent to violent incidents, only 18 percent said "stricter gun control." By

comparison, 33 percent said the best answer was to pay closer attention to antisocial behavior, and 23 percent favored increasing security in schools and offices. Only a third of the public thinks that stricter gun-control laws would reduce violent crime "a lot."

That realistic view is supported by the facts investigators have compiled in the Furrow case. Every one of the seven guns in his possession, NEWSWEEK has learned, was legally in circulation. They were all first sold by a licensed retail dealer. Two were purchased by Furrow from licensed dealers at least two years ago, according to officials of the U.S. Bureau of Alcohol, Tobacco, and Firearms. The Glock semiautomatic pistol that authorities say Furrow used to kill the postal worker also followed a legal chain of custody. It was purchased in 1996 by the police department in Cosmopolis, Wash. The department swapped it at a firearms store in town. The store's owner sold it to a legal buyer, and that buyer gave it to a friend, who sold it at a gun show to Furrow in early 1988. Furrow, a senior ATF investigator

told NEWSWEEK, apparently bought the four other weapons in similar fashion.

Chillingly, Furrow from 1992 to 1995 held a federal firearms license, which allowed him to buy and sell guns across state lines. He also would have been eligible to apply for a permit to own fully automatic weapons such as machine guns. At the time, officials now know, Furrow was deeply involved with white-supremacist groups, but officials couldn't have denied him the license on that basis. ATF officials are looking into what trafficking in guns—if any—Furrow conducted. He didn't renew the license.

Still, by the time he went on his L.A. rampage, Furrow was legally barred from having any guns at all. Convicted in May of assaulting mental-health workers last fall, Furrow served 165 days in jail. As a felon, he was prohibited by federal law and by a Washington state court order from possessing firearms. State officials had the discretionary authority to search his home and arrest him if he still had any guns. They reportedly were planning a search, but too late.

Rather than make the case for new laws,

reliable. Democrats want to broadly define a "gun show," requiring permits for any event at which more than 50 guns are displayed for sale by two or more people. "That's absurd," says the NRA's Powers. "I'd need a federal permit to sell my grandfather's gun collection."

But wars have started over less. The NRA has been on alert for months, running infomercials on late-night cable featuring chairman Charlton Heston and other actors. Membership is up nearly 500,000,

and now approaches 3 million. But the NRA seems to be circling the wagons as much as reaching out. In a new video project, for example, NRA camera crews in Britain, Australia and Canada have been filming citizens turning in their firearms to comply with strict new anti-possession laws: It's the ultimate nightmare for Second Amendment True Believers: the dread moment when the government comes to "take up the guns." "We have video of people lining up to turn in their ancestors' old shot-

guns," says Powers. "It's frightening." On the Hill, meanwhile, the NRA already has picked out its targets, among them influential and wavering Republicans on the House Judiciary Committee such as George Gekas of Pennsylvania and Howard Coble of North Carolina.

Congress, gridlocked as usual, is likely to pass the buck to where it always stops in American politics, and where it really belongs: the next presidential campaign. On the Democratic side, Gore and Bradley are

'I Think the Real Target Is the Second Amendment'

The NRA's top strategist on the right to bear arms, the battle over guns and a solution to the crisis of violence

WAYNE LAPIERRE, executive vice president of the National Rifle Association, serves as the group's top strategist and as one of the gun lobby's leading hard-liners. In a conversation with NEWSWEEK's Jon Meacham, Howard Fineman and Matt Bai last week—three days after the Los Angeles shootings—LaPierre stoutly defended the NRA's positions and laid out its vision of how to deal with violence. Excerpts:

NEWSWEEK: Are people right to be saying "Why do we have guns? Why can't we do something about this violence?"

LAPIERRE: Absolutely. I think we all share that same emotion of stopping violence and stopping these horrible tragic situations. They're unimaginable. I think what we differ about is what will stop them. I've watched this debate for 20 years, and the reality of politics in Washington has become completely detached from the reality of crime and

violence with guns on the streets. We know what would make an immediate, dramatic impact on stopping violence with guns ... Confront these criminals with guns directly. Confront the gun dealers directly. Confront the felons trying to buy guns directly and get them off the streets.

So you think the problem is not with the laws, but with enforcing them.

There's a deliberate effort by this administration and by the Department of Justice not to enforce the laws on the books and not to prosecute any of these cases. They ridicule programs like Project Exile [the Richmond, Va., effort to prosecute felony gun cases and lock up offenders, supported by the NRA]. And they're getting people killed every day on the streets of this country by not doing it. Instead they're going to concentrate on cutting off guns at the source. Well, I mean, give me a break. They can try that for the next 50 years, and criminals that want

guns are still going to get them.

I really don't believe that there's a criminal in the United States that cares about a one-gun-a-month law. What they would care about is if tomorrow morning [Attorney General] Janet Reno would hold a press conference side by side with the NRA and say, "We just approved \$100 million for additional prosecutors and additional enforcement people. And I can guarantee you tomorrow night, if you're out on the street with a gun and a felony record, if you're a violent juvenile with a record with a gun, if you're carrying guns and selling drugs, if you're walking into a school with a gun—I can guarantee you 100 percent of the time you're going to be prosecuted and spend time in the federal penitentiary." That would have an impact.

Why are you so opposed to licensing gun owners?

People believe they have a constitutional right and a freedom



BY THE LINE LAPIERRE

to own guns in this country. And they don't want their names on government lists. They know what the next step is. It's a knock on the door confiscating their guns. And, you know, they're not going to

21%

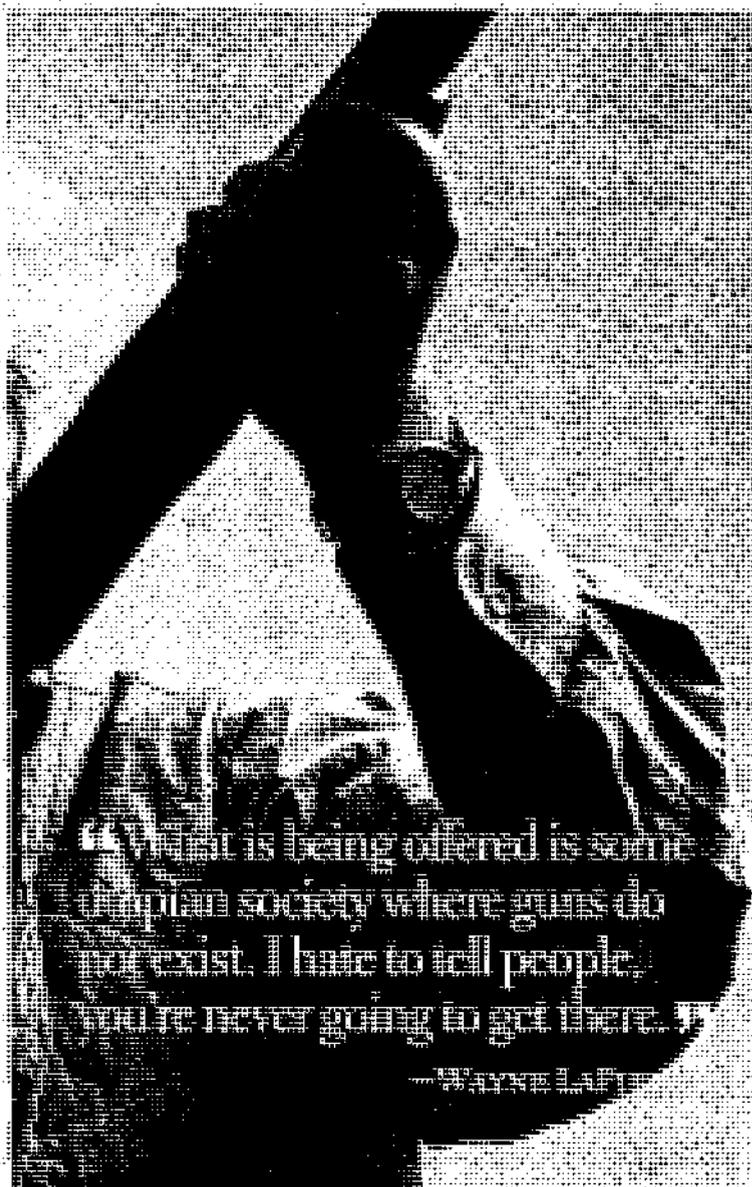
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gun-control advocates of long standing, though Bradley was the first to make it a centerpiece of this year's campaign. Gore, who once represented gun-toting Tennessee, occasionally threw the NRA a vote in Congress, but as vice president he was a leading force in passing the assault-

weapons ban and limits on the ability of felons to own guns. Bradley supports registration of all handguns; Gore would require anyone who wanted to buy a handgun to first obtain a picture ID license. "The differences are dime thin," insists one Gore adviser. But by avoiding outright gun regis-

tration—the reddest of red flags to the NRA—Gore may be trying to save face with voters in key swing states such as Kentucky, Missouri, Ohio and Tennessee, where many gun owners are Democrats.

The GOP "presidentials" are the mirror opposite: genuinely devoted to gun rights,



stand in line and submit to that. What purpose is there for the government to compile a list of who has guns in their homes in this country? Why does Janet Reno need a list?

I'll tell you what's going to

happen with a registration system and a licensing system: a lot of duck hunters' guns are going to suddenly fall off the canoe into the water. They're never going to register them and they're never going to li-

cense them ... You're going to have massive civil disobedience on a scale that you've never seen. Why do they want to pass a law that puts the American public in that position?

Why do you think they want to do it?

I think the real target is the Second Amendment. I don't think it has anything to do with crime. I don't think it has anything to do with stopping violence. I think the ultimate target is to take away the freedom and take away the Second Amendment.

Why do you think they want to do that?

I don't know. Let them tell you why.

How about stricter bans on assault weapons, like California just enacted?

They don't want to say they want to ban all semiautomatic firearms in America, because they know they'd get a huge uproar from Americans all over the country that own and use them. So what they say is, "We want to ban these bad guns as opposed to these good guns." Well, I hate to tell them, but they all shoot the same. And that's why the NRA says, "You guys are a bunch of hypocrites." You know, if you want to ban guns, just say it.

Are you willing to compromise on gun laws?

I think there have been 20,000 compromises [that is, 20,000 laws on the books already].

This latest crime happened in California, and it has some of the toughest gun laws in the country. Crazy people and criminals don't care what the gun laws are. And the problem is that what is being offered is some utopian society where guns do not exist. And I hate to tell people, you're never going to get there.

The countries that have bans, you can still get guns. If you've got cash in your hands, it's just like drugs, the guns are there. It's the honest people, who fill out the forms, abide by the paperwork, and have to live with the bans.

How do you think this issue will play in the 2000 campaign?

I think the Democrats want to ban guns and I think the Republican candidates, from what I've seen pretty much, want to stand for the freedom. And I think the Republicans are much tougher than the Democratic candidates I've seen on enforcement and prosecutions.

The Democrats are on the wrong side of that. When you get on the wrong side of freedom and people's rights, you're on the wrong side politically and I think they're going to find it hurts them at the polls.

The American public is seeing through a lot of this stuff. I've been getting swamped everywhere I go by the American public going, "You're right, don't cave in." And we'll see who's right. I believe that the public is with us.

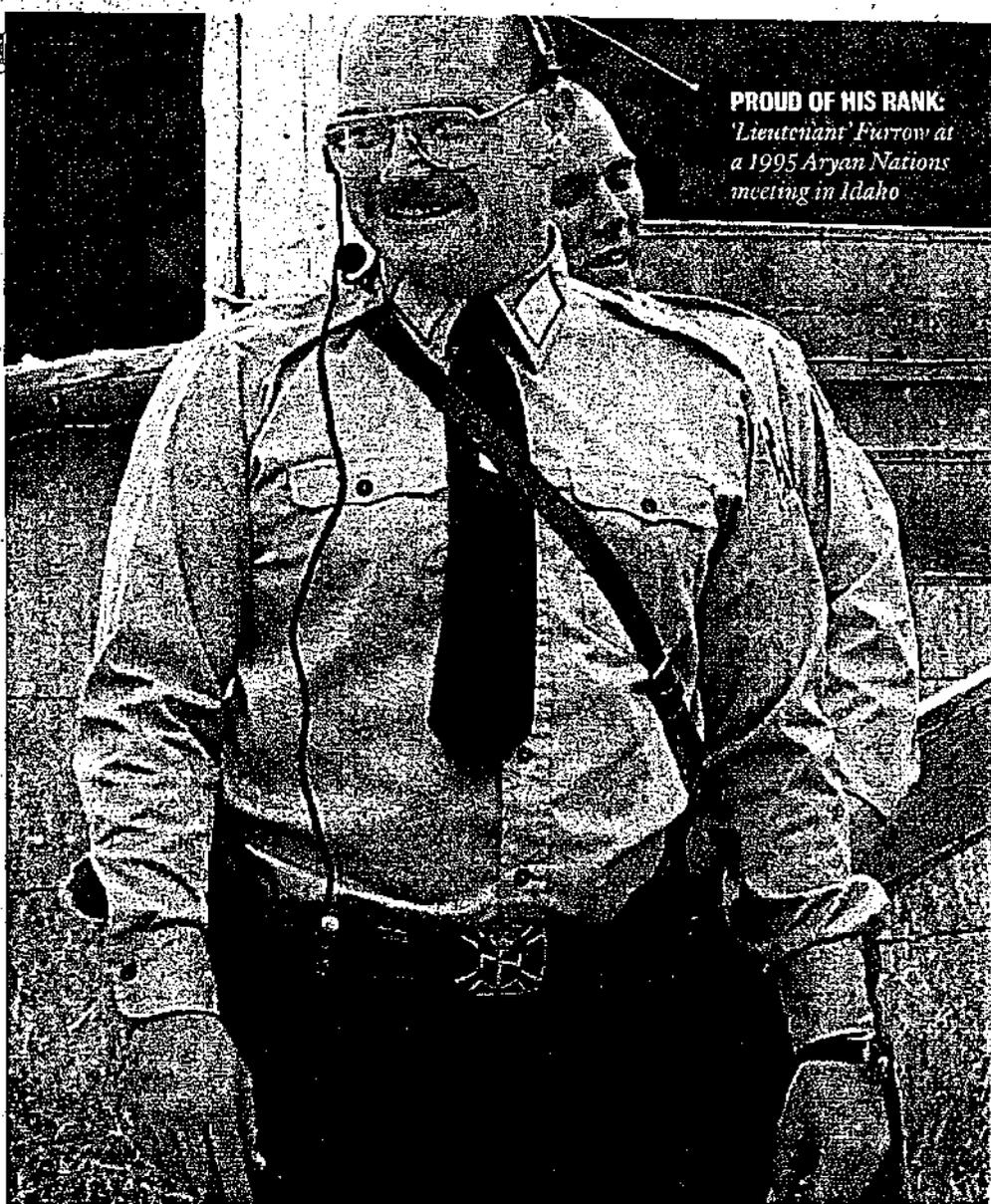
comfortable with the gun-show crowd—and scared to death of crossing the NRA. In Ames, Iowa, last weekend, Republican candidates were dense on the ground, scouring for votes at the GOP straw poll. If the shooting in L.A. registered much, it wasn't noticeable in the tents outside the Hilton Coliseum. A good example of the GOP attitude is Elizabeth Dole, who began her campaign this spring with a well-advertised swipe at the gun lobby. It wasn't so much what she said—she opposes assault weapons and favors safety locks—as the forum in which she said it: on her first swing through New Hampshire. But these days she doesn't mention guns. When asked if the GOP risks alienating voters with its stance on guns, she retreats into a lecture on the evils of pornography on the Internet.

But the candidate with the most at stake—and hardest hand to play—is George W. Bush. Texas is the proud homeland of the American gun culture, and Bush knows how to heft a shotgun, and actually hit a quail with it. He was proud to sign a “concealed carry” law in 1995, and in the Texas Legislature earlier this year followed the NRA line supporting only instant checks at gun shows. In the semiotics of national politics, these are the kinds of signals that would help Bush secure the GOP’s “base” if he’s lucky enough to be the party’s nominee next year. But at the same time Bush’s strategists are obsessed with ensuring that he is competitive—if not a winner—in states such as California and New York. That means appealing to women in the suburbs. And soccer moms don’t generally carry guns.

So it’s not surprising how the Bush campaign decided to deal with Richard Dyke when they first learned about the company he owned. When he’d come down for lunch, he was known only to top Bush campaign officials as a “businessman” and CEO of “Dyke Associates.” Then the Democratic “opposition researchers” vetted the luncheon lists, and discovered his gun company. Soon thereafter, reporters started calling him. Soon after that, Dyke quit the Bush campaign. It didn’t matter that Dyke had never talked with Bush about guns, or that the governor had had no idea what Dyke did for a living. The title “gun manufacturer” was enough. “I didn’t want him to carry my baggage,” Dyke told NEWSWEEK. The feeling was mutual: no one tried to talk him out of leaving.

With MARK HOSENBALL and MICHAEL ISIKOFF in Washington, DAVID BROOKS in Iowa, TARA WEINGARTEN in Los Angeles and GREGORY BEALS in New York

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PROUD OF HIS RANK:
Lieutenant Furrow at a 1995 Aryan Nations meeting in Idaho

A VISITOR FROM THE DARK SIDE

The accused L.A. gunner drove into town on a high of delusion and self-destruction. **BY ANDREW MURR**

DOWN ON HIS LUCK AND MAD at the world, Buford Oneal Furrow Jr., 37, decided to drive to Los Angeles and go hunting for Jews. The way police tell it, on Aug. 7 he bought a used Chevrolet van in Tacoma, Wash., and stocked it with five assault rifles, two pistols, 6,000 rounds of ammunition and a flak jacket.

Furrow cased several well-known Jewish institutions, including the Simon Wiesenthal Center, but decided security was too tight. He finally chanced onto the North Valley Jewish Community Center in suburban Granada Hills, Calif. On Aug. 10, authorities say, he walked in and opened fire, wounding a receptionist, a camp counselor and three little boys. Then he roared off



A PATTERN OF HATE: Debra Mathews, on the right in this 1986 photo of three women in KKK robes, married

Furrow in 1995; they split up in 1997.

Richard Kelly Hoskins's book 'War Cycles/Peace Cycles' was found in Furrow's van.

Below left, postal worker Joseph Iletto was shot dead because he was a federal employee and nonwhite. Below right, LAPD officers at the scene of Iletto's murder in suburban Chatsworth.



"She was the Jackie O of the neo-Nazi movement," says a staffer with the Anti-Defamation League. In 1995, Furrow and Mathews were "married" at Hayden Lake and settled down in Metaline Falls, Wash.

It didn't last, neighbors say, because Furrow is a control freak with an uncontrollable temper. He and Mathews split up sometime in 1997, and Furrow, who had been working as a tractor mechanic, lost his job. He moved to western Washington, got another job and tried unsuccessfully to patch things up with Mathews. He began to drink heavily and fantasize about suicide and mass murder. In October 1998 he slashed his thumb and arm in what seems to have been an act of self-mutilation. Several days later he went to Fairfax Hospital in Kirkland, Wash., and tried to check in. When he threatened two women staffers with a knife, the police were called and he was arrested. Charged with second-



and, after carjacking a Toyota, spotted mailman Joseph Iletto, 39, making his rounds in nearby Chatsworth. Deciding that Iletto was a good "target of opportunity" because he was a federal employee and nonwhite, Furrow shot him nine times with a Glock pistol. After that, investigators said, he got a haircut, bought a new shirt and went looking for a prostitute.

The next morning, after an \$800 cab ride from L.A. to Las Vegas, Furrow strolled into an FBI office and reportedly said, "You're looking for me—I killed the kids in Los Angeles." He was wrong about that: all five shooting victims from the Jewish center survived. But that was a gift of fortune, not of the violent misfit who, sources say, confessed to attacking them.

Furrow is not unintelligent. He is a graduate engineer who worked for several years on the B-2 stealth-bomber project for Northrup Grumman Corp. before his life began to spin out of control. He has a longstanding obsession with guns and kept a number of them, despite the fact that since May, when he became a convicted felon, he was prohibited from owning firearms. Last year, evidently near the end of his rope,

Furrow tried to get help at a psychiatric hospital outside Seattle. The encounter turned nasty; Furrow pulled a knife and was charged with assault. "Yesterday, I had thoughts that I would kill my ex-wife and some of her friends, then maybe I would drive to Canada and rob a bank. I wanted police to shoot me," he wrote in a statement to police at the time. "Sometimes I feel like I could just lose it and kill people. I also feel like I could kill myself."

What distinguishes Furrow from other stressed-out loners is his avowed belief in the violent racism and anti-Semitism of the American Nazi movement. Furrow was a member of Aryan Nations, the notorious neo-Nazi group based in Hayden Lake, Idaho. According to a former federal informant interviewed by NEWSWEEK, Furrow showed up at Hayden Lake as early as 1989. By the mid-'90s, despite his lack of police or military experience, he was made a security guard and was videotaped wearing the uniform of an Aryan Nations "lieutenant." He got to know Richard Butler, founder of Aryan Nations, and he met Debra Mathews, widow of a neo-Nazi leader who died in a 1984 shoot-out with the FBI.

degree assault, he served 165 days in jail and was released last May.

The issue now is what may have prompted Furrow to run amok in Los Angeles last week: Was he just another angry loser going over the edge, or did his race-war fantasies inspire him to kill? A more basic question is how he avoided going to a psychiatric lockup when there was so much evidence of his capacity for violence. The answer is simple: Furrow chose to plead guilty to the assault charge rather than plead not guilty by reason of insanity. As a result, the court sentenced him to jail as an ordinary offender. Meanwhile, his ideology clearly played a role. Last week police found a book by Richard Kelly Hoskins in Furrow's van. Hoskins is well known among neo-Nazis for dreaming up the Phineas Priesthood, a mythical underground that sets out to kill Jews, nonwhites and homosexuals. A Phineas Priest is a lone avenger who risks martyrdom for the cause—someone like Buford Furrow, perhaps, a hero in his own mind.

With MARK HOSENBALL in Washington, D.C., BRAD STONE in Olympia, Wash., and TARA WEINGARTEN and ANA FIGUEROA in Los Angeles



CLOUDS OVER GUN VALLEY

The industry that armed generations of Americans now finds itself battered by lawsuits—and at odds with the greatest gun lobby of them all. **BY MATT BAI**

THEY CALL IT GUN VALLEY, THE hilly patch of New England that winds along the Connecticut River up into New Hampshire. It was here, drawn by the Revolution-era Springfield Armory, that men like Horace Smith, Daniel Wesson and Samuel Colt came to arm a new nation. For nearly two centuries, shifts of skilled laborers churned out the rifles and carbines that won two world wars, as well as the standard-issue revolvers for generations of soldiers and beat cops. They did it so quietly that hardly anyone knew they existed.

Today, the industrial-age factories are little changed: workers still sit at tin desks twisting and clicking new revolvers into place, at a rate of about four an hour, while the smoldering stench of forged metal drifts over the valley. But in just about every other way, life in Gun Valley is not what it was. As fewer people shoot for sport, profits are drying up quicker than the parched river. Old-line companies find themselves marketing cheap handguns and assault rifles in an effort to compete with renegade suppliers. Lawsuits are raining down on the industry, and public opinion has turned squarely against it. More than 200 years after the Revolution, Gun Valley is now the site of another popular revolt—this time, against the gunmakers themselves.

Change doesn't come easily to a business that still uses gravel to smooth out gunmetal. But it's coming. Determined to survive, the notoriously secretive gunmakers are preparing for a more friendly and public approach, putting their spokesmen on TV and reaching out to critics. Just last week, at a summit with officials from the Bureau of Alcohol, Tobacco and Firearms, gun execs signaled they may now be willing to monitor their sales more closely to cut down on illegal traf-

ficking—a key demand of the 24 municipalities now suing the industry.

But before gunmakers can hammer out a truce with their enemies, they may have to fight their friends: the National Rifle Association. The NRA has boycotted gun companies before, with devastating effect, and the group has let it be known that it will not tolerate concessions that might jeopardize Second Amendment rights. "The biggest problem the industry has is the NRA," says an industry lobbyist. "There's going to come a point where they're going to have to sit down and say to the NRA: 'No, this is not how it's going to be.'"

Like so much of life in Gun Valley, the industry's relationship with the NRA has eroded over time. For decades, the organization served as a kind of marketing apparatus for the gunmakers, wooing generations of gun owners while the industry itself remained invisible. In the 1970s, when handguns flooded the market and gun control became a hot issue, the NRA acted as a shield for the manufacturers, fending off foes while the companies kept up brisk production.

But in relying on its customers to represent its interests on Capitol Hill, the gun industry put its fate in the hands of a group that sounded increasingly extreme. Fearing a backlash against the industry, some gunmakers talked openly of regulating their own products—only to find that the lobbying giant they helped create could turn on them with a vengeance. After a California school shooting in 1989 prompted calls for restrictions on semiautomatic weapons, one of the Gun Valley companies—Sturm,

Ruger—called instead for limits on high-capacity ammunition clips. NRA members boycotted the company, bleeding it of crucial business. When Colt's former CEO, Ron Stewart, suggested in an industry newsletter two years ago that the licensing of gun owners might be inevitable, a furious NRA rallied its members: Colt reeled, and Stewart retired.

The skirmishes between some gunmakers and the NRA broke into open warfare after cities such as Chicago and New Or-





TROUBLED TIMES: Making peace with its enemies won't be easy for the beleaguered gun industry. Gunmakers discussed with ATF (above) everything from reforming sales practices to requiring gun locks. But some compromises could rattle Heston and the NRA.

leans began suing the industry last year, claiming that gunmakers negligently distribute guns to criminals. Several companies tried to find a middle ground; meeting with mayors to head off lawsuits and striking a deal with President Clinton to put safety locks on new handguns.

Angered by the concessions, the NRA demanded unity in the gun lobby, but the reformers wouldn't listen. "Lemmings are

united in their march to the sea," observes Richard Feldman, who led the negotiations with the White House for the American Shooting Sports Council. "The industry isn't there to protect the Second Amendment. It's there to stay in business." The NRA set its sights on getting Feldman fired, and eventually had its way. Industry hardliners aligned with the NRA went even further: they had the ASSC itself disbanded.

Industry leaders are nearly desperate for a way to stop the current wave of senseless shootings. For one thing, the gunmakers are just plain tired of watching the news and wondering if they might have made the murder weapon. "I feel the way you do if you found out that somebody from your hometown committed a horrible act," says Jeff Reh of Beretta USA. More to the point, there's the fear that all the ugly publicity is poisoning the jury pool. "I don't want a jury of 12 people deciding public policy because no one's given them a better solution," says Paul Jannuzzo, Glock's vice president and general counsel. Jannuzzo is floating his idea for a modified one-gun-a-month law, where buyers of multiple guns could take one gun home after clearing a standard instant background check, but could get the rest only after a waiting period and a more thorough vetting.

Other proposals will soon be on the table. A critical element of the lawsuits involves the industry's two-tier distribution system; gunmakers ship their wares to distributors but make no effort to find out where those guns are ultimately sold. In their meeting with ATF officials, gunmakers offered to change that, although exactly how is unclear. "We are committed to doing more," says industry spokesman Bob Delfay. The gunmakers are also willing to keep a sample casing from every gun sold, so agents can quickly match bullets used in crimes to the right guns.

The catch is that the industry insists Congress give the ATF additional money to lead these initiatives. And, even if that happens, it could put the gunmakers on another collision course with the NRA. While gun execs have worked closely with ATF agents in recent years, the NRA distrusts the agency; it once branded ATF agents "jackbooted thugs," provoking former president George Bush to resign his NRA life mem-

bership. NRA chief Wayne LaPierre warns bluntly that any company that agrees to too much compromise risks a boycott. It's a miserable choice for any corporate boss: take your chances on an angry jury or a desperate Congress—or incur the wrath of the NRA. "If you take responsible leadership on this issue, they will beat you up unmercifully," Feldman says. "It does not feel good." In Gun Valley these days, very little does. ■

THE NEW AGE OF ANXIETY

Whether they live in a leafy suburb or an inner city, parents can no longer pretend that their children are immune from the threat of guns. The challenge is to make kids feel secure—but also aware of the real risks. **BY BARBARA KANTROWITZ**

IT IS INDEED AN ANXIOUS season—nowhere more than in Littleton, Colo., where students return this week to Columbine High School. Some, like junior Lance Kirklin, whose face was shattered by a bullet in the massacre last spring, bear physical scars of the tragedy. Others carry wounds in their hearts. Parents in Littleton say they are determined to protect their children. “We’re trying very hard to make it as normal as possible,” insists the mother of junior Diana Cohen. But will things ever be “normal” again, in Littleton or anywhere else?

Columbine—and Paducah and Granada Hills—sounded the alarm for parents around the country. Whether they live in the inner city or the most serene suburb, they now know that their kids are not immune from the threat of guns. “The places you used to think were safe have been violated by these random acts of violence,” says Kathy Thomas, a mother of three from Thousand Oaks, Calif. “I certainly don’t want my kids to live in fear.” Parents worry about how schools will protect their children and aren’t sure how to begin the uncomfortable but essential dialogue with their kids about the risks of guns. In that task they face “a terrible dilemma,” says

Neil Guterman, a professor of social work at Columbia University and an expert on children and violence. “They have to convey a sense of safety and security to their children and, at the same time, not hide the truth.”

Although 81 percent of those surveyed in the NEWSWEEK Poll think there has been

an increase in gun-related incidents at schools lately, violence in the classroom has actually declined dramatically in this decade. Schools are among the safest places children can be. The National School Safety Center reports that last year there were just 25 violent deaths (including 15 at Columbine), compared with an average of 50 in the early 1990s. Only a tiny fraction of all homicides involving school-age children occur in or around schools, according to the federal Centers for Disease Control and Prevention.

But it’s also true that guns are a serious threat to kids. “People are too worried about school,” says Kevin Dwyer, president of the National Association of School Psychologists. “I think they need to be more worried about the avalanche of guns in the community.” According to government statistics, 4,223 children were killed by firearms in 1997, many of them in accidents while playing at friends’ homes in their own neighborhoods. Thousands more were injured by guns. Some experts predict that firearm-related injuries could soon replace car crashes as the leading cause of death for young children.

More and more people seem to be getting that message. In the NEWSWEEK Poll, 64 percent of parents of kids under 18 were somewhat or very concerned that their





SEEKING SOLACE: A small boy clings to an adult following the Aug. 10 shooting at the North Valley Jewish Community Center

children might get hurt or into trouble while visiting the homes of friends who own guns. "I lived in New York City for 14 years and felt safer there because nobody had a gun in the house, but here people have rifles," says Debra Leonard, a physician who lives in rural Bethel Township, Pa. "I tell my kids nobody can protect themselves from a gun if it's not locked up in a cabinet, so they should leave the [friend's] house and call me to pick them up if anyone ever handles a gun."

Unlike some parents, Leonard did allow her two sons to play with toy guns. "Our children have water guns and cowboy guns," she says. "If you don't give them guns, they build them. My younger boy was a Lego maniac, and he built guns out of Legos." In fact, there's no evidence that playing with toy guns turns kids into killers. Many studies confirm Leonard's experience, that children—particularly boys—will turn anything available (a carrot, even a piece of spaghetti) into a weapon. "Toy guns are a minor issue," says Kathleen Heide, a criminologist at the University of South Florida. "The real concern should be helping kids deal with negative feelings and resolving conflicts." But the problem is that younger children often think real guns are toys. Parents should make sure their kids understand the distinction between play guns and weapons that kill.

Staying alert is the best defense. Karen Kaul, the mother of a third grader in subur-

Discussing the Dangers

Consider a child's age and development when talking about guns and violence. Here's some advice from experts:

- **Young children** Reassure them. They don't realize death is permanent or understand the difference between real and fake violence.
- **Elementary school** Explain the dangers of weapons. Encourage them to talk about worries, and limit exposure to media violence.
- **Early adolescence** As kids become more independent, keep a dialogue going so you're on top of potential problems.
- **Teens** Boys suffering from depression are at risk for suicide. Don't dismiss dramatic changes in behavior as "phases."

ban Wilmette, Ill., took quick action recently when she overheard the younger brother of one of her daughter's playmates say he was going to get a gun from his house. Although it turned out to be a BB gun, "I called the parents, and they talked to the kids about it," Kaul says.

Experts advise tailoring information about guns and violence to the age of the child. Youngsters under 6 may have heard news about shootings on TV, and worry that they are directly in the line of fire. "Adults should be saying very emphatically that they are doing everything they can to keep kids safe," advises Betsy McAlister Groves, director of the Child Witness to

Violence Program at Boston Medical Center. And, she says, limit their exposure to violent images on television and in the movies. Slightly older kids, from about 6 to 10, "may sound more sophisticated than they actually are," McAlister Groves says. "Talk to them, reassure them." Young adolescents, from about 11 up, are more able to understand real risks and statistics.

At all ages, McAlister Groves says, "allowing kids to voice their worries is very important." The worst thing a parent can do is fail to provide an opportunity for children to talk. "We tend to think that if they don't talk about it, it will get better, but that's not the right message," she says. "They might think it's something that frightens us," and that would only increase their own fears.

The wave of gun violence has irrevocably altered the national self-image and should be a wake-up call to parents. "People had their confidence shaken and their complacency dispelled this past year," says Cornell University's James Garbarino, who has studied children and violence for years. "There is a growing recognition that the epidemic of youth violence has now reached a point where virtually every school contains boys who are troubled, angry and violent enough, who have access to weapons and violent scenarios and images, to become the next tragedy. I think people are now understanding that in their hearts—and minds."

No one is safe anymore. That's the lesson Lance Kirklín learned last April at Columbine High School. One bullet dug a crater in his cheek, and he faces four more operations. Still, he says he's not worried that such a cataclysmic tragedy will strike Littleton twice. Should people in the rest of the country be scared? "Yes," he says. "It will definitely happen again." Parents everywhere can only hope that he's wrong.

With ERIKA CHECK, ELIZABETH ANGELL, SHERRY KEENE-OSBORN in Littleton, DONNA FOOTE in Los Angeles and bureau reports

MOURN FOR THE KILLERS, TOO

A 17-year-old survivor of the massacre in Littleton, Colo., reflects on the horror and on her own campaign for 'reasonable' gun control. **BY DEVON ADAMS**

THIS YEAR, I WENT BACK TO SCHOOL EARLY. MY JUNIOR year at Columbine High School officially begins this week. But last Friday, I was back in the building to show incoming freshmen around. The idea was basically to have fun—and we did. The serious part of the program was to let the freshmen know that there are people they can turn to when they have questions, or if they're in some kind of trouble. We finished last year at another school, but I've been inside Columbine several times since April, when Eric Harris and Dylan Klebold killed a teacher, 12 kids and themselves. The library, where the worst bloodshed

occurred, has been sealed off by a wall of lockers and replaced by a temporary library. By now, I've walked past the lockers so many times that I almost forget what's behind them. It looks so normal, and I think that's healthy. If the new kids see us treating the area as normal, then they won't be spooked by it.

Columbine has been the biggest part of my life since I was an incoming freshman. I'm glad I have two more years here—in a way, I never want to leave. And I never want to forget the people who died, including Eric and Dylan. I think we should mourn all of them. Dylan was my friend, and I still don't understand why he did it. At first, I blamed myself; I could have been a better friend. But then I began to see that all of society was to blame. Eric and Dylan were constantly ridiculed by many kids. And it was too easy for them to obtain guns.

Not long after the shooting, I joined a new, bipartisan organization called SAFE Colorado; the acronym stands for Sane Alternatives to the Firearms Epidemic. Our goal is to obtain reasonable gun legislation. We need to find compromises. Some people say background checks on gun purchasers should be completed within 24 hours. Others say five days. I think there's a happy medium: three days. Finding out if someone is dangerous takes more than 24 hours but less than five days.

Littleton is not the Wild West. It's more like a typical American suburb. I know that some of my friends' parents have handguns in the house, though I have never seen them because they are locked up. I don't want to outlaw all guns. I can even see someone having a handgun in the home for protection. But we need restrictions on automatic guns with a dozen or more bullets in their clips. The

only purpose for that kind of gun is to kill lots of people quickly. I also think guns should be licensed, just like cars. And the minimum age for gun purchasers should be raised from 18 to 21—the drinking age. If you're not responsible enough to drink alcohol, you're not responsible enough to buy a gun.

Last July, a group of us from SAFE went to Washington, D.C., to lobby for gun legislation, including an end to unregulated sales at gun shows. We talked to the president and the vice president, but half of Colorado's congressional delegation turned a deaf ear to us. My lobbying experience has left me disappointed in politicians. They just don't get it—that 13 young people die every day in this country from gun violence. And they don't seem to care that 70 to 80 percent of Americans support reasonable gun legislation.

I'm also saddened by a lot of the news coverage of Columbine. Some reporters respected our grief, but many were insulting. As one TV reporter primped for the camera, he was heard to say: "Do I look devastated enough?" And even people who hated Dylan and Eric were appalled by the magazine cover that called them "The Monsters Next Door." They were our friends, too: They were just kids. But someone had to make monsters out of them.

After the shootings, it was reported that Eric and Dylan wanted to kill nonwhite students and athletes, but many of their victims didn't fall into either category. One of them was a dear friend of mine, Rachel Scott. She was no athlete, she was a theater person. Rachel was beautiful, inside and out. She

was a hard worker with a great sense of humor. After I got out of the school on the day of the shooting, I watched the news coverage on TV, trying to find out who had been shot. I saw videotape of students running past a body on the ground. All you could see clearly was the victim's hair, but that was enough. I had helped to cut Rachel's hair, so I knew she was the one lying there. The sad thing is that Rachel would have been a perfect friend for Eric and Dylan, if only they had known her well, because she would have accepted them. I still can't believe they meant to kill her.

And now the shooting in Los Angeles. It was horrible enough that, at the age of 17, I had to run for my life from my own high school. It is even more hideous when guns are turned against preschoolers. This must stop, and it must stop now.

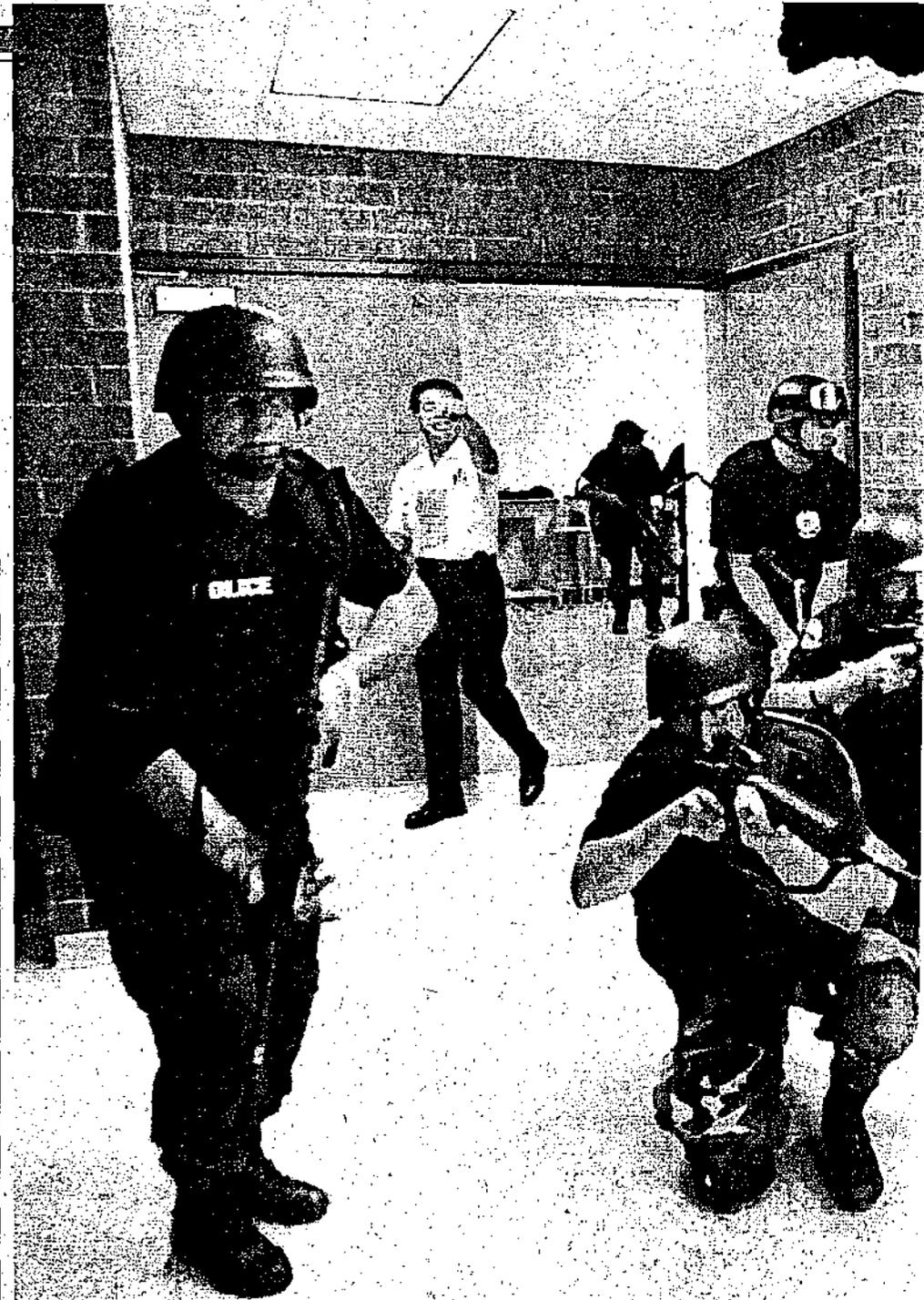


COLUMBINE'S LEGACY: 'We should mourn all the people who died, including Eric and Dylan'

Desperate to protect kids and calm parents, schools are using SWAT teams, banning book bags and teaching students to get along. Will it work? **BY CLAUDIA KALB**

IT HAS BEEN ONLY A FEW MONTHS, but life has changed radically at Permian High in Odessa, Texas. Last May, when the dismissal bell rang out the old academic year, students were Jane and John Anonymous, and the closest thing to surveillance was a couple of security guards passing through the hallways. Last week, when students returned for the new year, they stepped into the new age of high-tech school safety. Every student is now required to wear a computer-coded ID badge. Seventeen surveillance cameras monitor the parking lot and school entrance. And "black boxes," some (no one knows which) containing cameras with audiotape, had been installed in some classrooms by engineers from Sandia National Laboratories, which designs security systems for the U.S. Mint and FBI. Permian, which has 2,100 students, isn't an especially dangerous campus. Still, "we're never satisfied," says principal Brian Rosson. "We're taking proactive steps to make this as safe a place as it can be."

But can any measure guarantee safety? That is the question plaguing administrators as school doors open across the country. Overall, school violence has declined this decade. But the mantra "It can't happen here" was buried once and for all with Columbine's young victims. The recent school shootings have forced a growing number of officials to take sometimes desperate measures to assure parents, teachers and students that *something* is being done to deter violence—even if there is no consensus on the programs' effectiveness. The range of strategies is enormous—from installing metal detectors for guns to training school personnel to identify alienation and hostility before they spin out of control. "There's been a shift from general security to crisis management," says Pete Blauvelt, head of the National Association of School Safety. "The recent shootings have kicked the anxiety meter up 50 or 60 notches."



SCHOOLS O

In their effort to prevent disaster, some schools are adopting a near-militaristic approach. Fire drills are mere child's play compared with student rehearsals for armed intruders. "They know if I come on the P.A. and say 'we're in a lockdown situation' ... to clear the hallways, get away from the windows and get down on the floor," says Sharon

Cross, principal of Schaumburg High in suburban Chicago, which instituted the drills last winter. "It means someone's life is in danger." The kids aren't the only ones getting ready. Local SWAT teams case the three-story building in the evening and on weekends, uncovering every last nook and cranny. Could a student hide here? Could a

SWAT TEAM: Officers stage a drill at a Pittsburgh school in response to the shootings in Littleton and Los Angeles



our production into turmoil." But the detectors are still far from routine: Evanston Township High outside Chicago considered them, but decided they'd be too intrusive. It opted instead for surveillance equipment. The four-story building is now being equipped with 500 video cameras in 47 stairwells and 81 exterior doors. The cost: \$1 million. "Some people think we're doing this to spy on them," says Kathy Miehl, an Evanston administrator. "But you don't spend that kind of money without a very compelling reason. In the end, it's for safety."

But some experts on school safety wonder whether the pricey high-tech route is the answer. Columbine, for instance, had an armed security guard on the premises. And although video cameras might help with deterrence, they're not going to stop a determined killer. Nor can they solve the problems of bullying, harassment, and alienation—which seem to have triggered many of the recent school shootings. Jan Hughes, an educational psychologist at Texas A&M University, worries that an overemphasis on surveillance can make kids feel targeted. That can increase the very alienation that lies at the root of so much youth violence. "[Surveillance] creates an environment where students don't feel that school is a place for them," says Hughes. "Rather than making them feel more comfortable, it makes them feel less secure." Hughes says schools should take a more personal approach to safety by building trusting relationships between teachers and students.

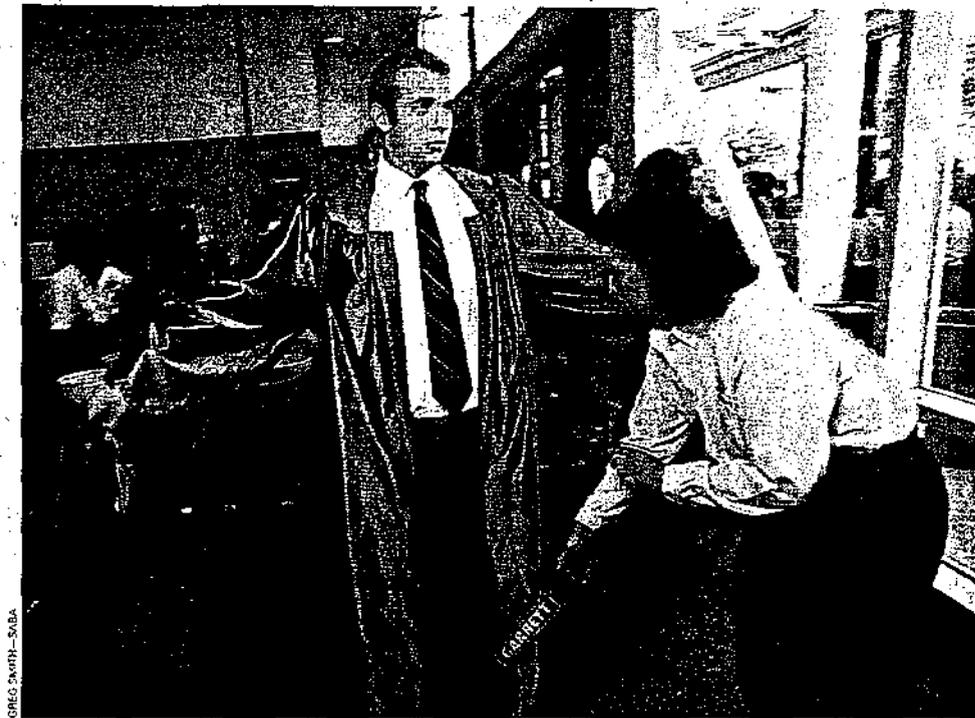
GARY FRAMPTON/AP

They're trying to do just that at Heath High School in Paducah, Ky., where administrators are identifying adults from faculty members to custodians to cafeteria workers whom students trust, then teaching them how to counsel the kids. "You can put up all the fences and guards you want," says Heath principal Bill Bond. "But when a kid pulls a gun and starts firing, all the prevention measures in

N THE ALERT

gunman flee there? In Pittsburgh, SWAT teams took aim in the hallways of Brashear High last week, staging a mock emergency. Other schools are installing telephones and even panic buttons in classrooms. Many are hiring security officers, some armed, to monitor the comings and goings of students between classes.

City schools, like those in Los Angeles, have had metal detectors for years. But schools well outside urban terrain are now buying the machines, too—at \$2,500 apiece. At Garrett Metal Detectors in Garland, Texas, school orders have quadrupled since April, says Jim Dobrei, director of sales and marketing: "When Columbine hit, it threw



SECURITY CHECK: A Houston high-school student gets frisked with a metal detector prior to graduation ceremonies last May

the world are virtually useless. It's got to be prevented in kids' hearts." Almost 2,000 miles away, students at St. Genevieve Catholic High School in California's San Fernando Valley will spend the first week of school talking about how to build character and the importance of relationships. "We're not doing metal detectors," says principal Dan Horn. "We're doing welcome mats."

One program that many schools find effective in reducing violence is peer mediation. At Waterford Mott High in Michigan, the program has shown remarkable results. Before it was instituted, as many as 40 fights a year broke out at the school. But last year peer mediators resolved more than 90 disputes between students: only one ended in a fight. Such interpersonal approaches can start even in elementary school. At the Douglas School in the rural town of Princeton, Ill., kindergartners are learning to communicate with each other through "peace circles," where they air grievances and offer praise. The program, PeaceBuilders, has gotten high marks from researchers—and from the little people, too. "By being a peacebuilder," says Ryan Gosnell, 6, "you are making the school a better place."

But as with metal detectors and cameras, even the best-intended communication ap-

proaches are far from perfect. A recent study of 84 popular violence-prevention programs, including PeaceBuilders, gave just 10 an A; more than half received a C or D, many because they concentrated too heavily on providing information rather than on helping kids develop interpersonal skills. Other well-meaning attempts to stop violence before it happens also fail to live up to their promise. In Florida, Cheryl Catchings and her son Jo Jo started an anonymous teen tip line, Speak Out, after Jo Jo, an African-American, was jumped by a truck full of white boys on a gang initiation ritual. The

program is now active in 10 Florida counties and administrators in other states are interested in setting up Speak Out lines of their own. But Wesley Mitchell, chief of police for the Los Angeles Unified School District, says their local hot line has typically been used not for productive tips, but to harass fellow students. "It doesn't work," he says.

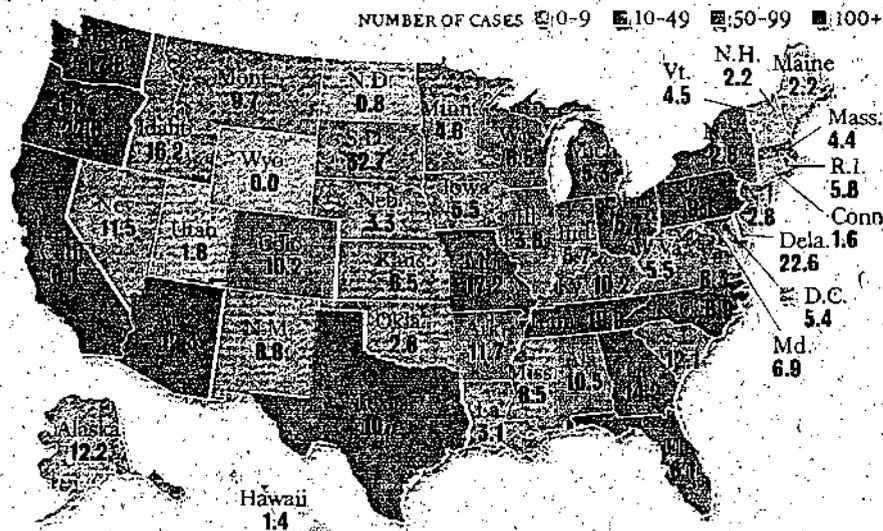
Even at Columbine, where a community has united in tragedy, there is no consensus on how to prevent the violence from recurring. The school now has 16 new surveillance cameras, and students must wear ID tags at all times. Parents are being recruited as hall monitors, and administrators are suggesting a dress code that bans hats and camouflage clothing. (In the immediate aftermath of last April's shooting, the school banned black trench coats.) But, says Kurt Bigelow, president of the newly formed Columbine Alumni Association, "all of the ideas that we have come up with wouldn't have prevented what happened April 20." In a country where a quarter of students say guns are easily accessible at home, expecting any measure to make a school invulnerable is unrealistic. There is no technological fix to the threat of school violence, and measures that strike at the root causes of youth violence have a long way to go. For schools, after all, are products and reflections of the society they serve.

With JOHN DAVENPORT, DONNA FOOTE in Los Angeles, BETH DICKEY in Melbourne, Fla., SARAH DOWNEY and STEVER RHODES in Chicago, SHERRY KEENE-OSBORN in Littleton and JEFF GREEN in Detroit

Students and Guns: A Better Report Card

Federal statistics released last week showed that 3,930 students were expelled during the 1997-98 school year for bringing firearms to school—down roughly 30 percent from the previous year.

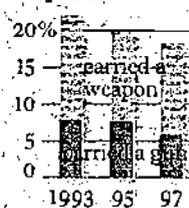
Student gun-related expulsions, 1997-98
NUMBER OF STUDENTS EXPELLED PER 100,000



Students and violence, 1997

8.5% said they have carried a weapon at school
7.4% said they were threatened or injured with a weapon at school
4.0% said they felt too unsafe to attend school

Students who said they have ...



IN THE LAST 30 DAYS. SOURCES: U.S. DEPT. OF EDUCATION, JOURNAL OF THE AMERICAN MEDICAL ASSOCIATION

ALL CARNAGE, ALL THE TIME

The media say they're just doing their job: the shootings are news, and people want to watch. So why is the public so mad at the messengers? **BY RICHARD TURNER**

JOURNALISTS USED to be cast as magpies, or canaries, or even wise old owls. Let's just say that these are not the dominant ornithological metaphors right now. "The norm in this day and age seems to be the news media circling like vultures, each hoping to be the first to feast on the gory details of a story," a city court judge in upstate New York wrote last month, refusing to give the press a transcript of a preliminary hearing in a rape and murder trial.

Parents and alumni at Columbine High School planned to form a "human chain" around the school this week to keep the media away from the students. Large majorities of those polled by NEWSWEEK say they believe media coverage encourages copycat killings (88 percent) and makes people feel more endangered than they really are (72 percent). There've been other charges: all-mayhem-all-the-time desensitizes us to violence. It intrudes on private moments. It gives dysfunctional losers an opportunity to go out in a blaze of glory, and facilitated Buford Furrow Jr.'s horrific "wake-up call." It almost feels as if the infotainment empire is producing these shootings, providing a stage for the psychos to walk onto as if making an appearance on "The Jenny Jones Show."

To journalists, the complaints are troubling but double-edged. "They reward us by watching," laments Fox News vice president John Moody, "then complain about what they see." And, media types say, they are ever-vigilant about practicing restraint. CNN says it made sure not to show the children's faces as they left the building hand in hand last week. The Chicago Sun-Times played the Columbine shootings inside the paper the next day, saying it wanted to protect young children and prevent copycat crimes. Last spring, local TV stations in Los Angeles were properly contrite when they cut away from regular programming (one from "Animaniacs") to cover a police pursuit, only to have the suspect



SAFETY VALVE: Some television news editors now delay the broadcast of 'live' coverage by several seconds to avoid the unwitting transmission of on-screen carnage

shoot himself in the head on camera. Some news outlets have begun using a several-second delay on "live" coverage so they can pull the plug.

But rigid, across-the-board guidelines aren't going to happen, executives say. Neither is walking away from these stories. "You can just whitewash it, or try to minimize the terrible things that are going on," says Jeff Wald, news director of KTLA-TV in Los Angeles. "[But] the public has to know about these things. They're newsworthy... this is the unfortunate reality going on in the country right now."

News outlets also tend to blame other news outlets. The print people blame the TV people; the network news people blame the cable people. And indeed, news consumers in the 1990s need to recognize that there's no media monolith out there. Everybody's product is different. Sure, 24-hour cable-news channels get mind-numbingly repeti-

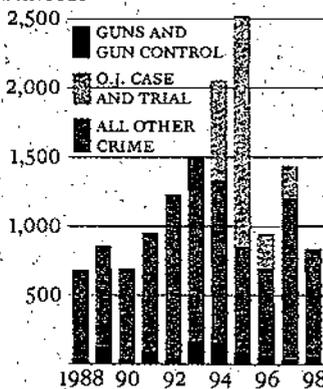
tive, but their audiences are tiny: fewer than a million homes normally tune in to the three services. Ratings for last week's shooting spiked to 2.5 million (compared with the 12.3 million that viewed the post-Littleton "20/20" episode). That's still out of nearly 100 million TV households. They're niches for news junkies. So common sense applies: punch the remote, monitor the kids. Or go elsewhere: when everybody was complaining about John Kennedy Jr. overkill, The New York Times never once gave the story the lead position on its front page, subordinating it to tax cuts and Israel. But no, the tabloids and local TV stations, duking it out in the ratings and on the newsstands, won't renounce their mantra, "If it bleeds, it leads." And sells.

The big three networks, by contrast, do little live coverage, and they aired fewer crime stories last year than in any year since 1990, according to consultant Andrew Tyn-dall. But they're especially starved for big,

TV Crime Time

Time devoted to gun issues pales next to network coverage of crime and the long-running O. J. Simpson saga.

Air time spent on crime topics
MINUTES



NETWORKS ARE ABC, CBS AND NBC. SOURCE: MEDIA STUDIES CENTER

sweeping news events. Like the news magazines, they've cut back on certain plain-vanilla stories in favor of more news-you-can-use about health, education, religion, entertainment. But they still retain their chops for get-me-rewrite news, and their infrastructures of reporters around the world. So when a big story breaks, they swarm all over it. The news magazines particularly like it if a story is imbued with the Zeitgeist, a little bit of everything. And these days, you can add one more element—perched ravenously on a dead tree, perhaps. The media are part of the story, too.

With ESTHER PAN

Public outcry and government scrutiny have entertainers dialing down the violence. What will a softer pop culture look like? **BY JOHN LELAND AND CORIE BROWN**

THE ENTERTAINMENT industry loves to say it influences people. Television and radio stations promise advertisers that they can shape consumer preferences in shampoo or soft drinks. Stars use their celebrity to publicize causes like AIDS, research or famine relief. But when it comes to the influence of violence in some movies, television, music and videogames on behavior, the same people get prickly. In the wake of recent atrocities, the industry has turned typically defensive. Sumner Redstone, chairman of Viacom International Inc., raised the battle cry at a conference of cable-TV professionals in June. "I'm outraged by a lot of what we hear blaming the media for what's going on," he argued. "I don't think we have anything to be ashamed of."

Now some entertainers and executives—most of whom would speak only anonymously—say this armor is starting to come down. In private, they are willing to talk about an evolving sense of responsibility. "I am more sensitive than a year ago because of what is in the air," says the head of one major film studio. "Not that I believe [violent entertainment] causes street violence. But there is validity to the idea that it is a contributing factor, along with guns." A recent Writers Guild conference devoted a panel to discussing the recent carnage. They called it "Guns Don't Kill People, Writers Do."

This hand-wringing coincides with pressure from government and the public. In a new NEWSWEEK Poll, 78 percent of respondents said violence in the media deserved "some" or "a lot" of the blame for the recent mass shootings, a higher percentage



A LOWER

than blamed the increased availability of guns (70 percent). Last week the Federal Trade Commission began a \$1 million investigation into the marketing of violent entertainment and games to children. "I don't want to take on Washington," says one studio head. "We've passed on three projects recently that were too violent."

The Motion Picture Association of America is pressing all its members to

staunch the gratuitous flow of blood. Besides rating films, the trade group approves all advertising, including trailers and Web sites. "We've taken a hard look at guns" in ads, says the MPAA's Bethlyn Hand. "And quite frankly, that's a result of Littleton. Before that we'd let you have four guns on a poster. Now you can have one." The guidelines are equally stern, if less clear, concerning gore. The board occasionally bounces



PICTURE
START

BODY COUNT

ads for showing too much blood on a knife. How much is too much? "We allow a trickle," says Hand, "and not a stream."

The public's appetite for destruction may also be waning. In the mid-1990s, Schwarzenegger, Stallone and Willis filled summer screens with an orgy of blood. But as the movies got dumber, audiences turned elsewhere. Only the cyberpunk hit "The Matrix" carries a high body count this

season. "The Blair Witch Project," the summer's horror hit, shows no violence on the screen. "The public, through ticket sales, showed it is no longer interested in that," says Peter Strauss, president of Lions Gate Films, whose movies include "Gods and Monsters" and "Affliction." The irony, says Mark Amin, chairman of Trimark Pictures, which specializes in B fare, is that "we have to create more violent versions of

our movies to please the Japanese market."

Black-oriented movies and rap music have been years ahead in the movement to disarm, likely because African-American communities felt the pain of random violence before the rest of the country. After the rash of 'hood movies like "New Jack City" and "Menace II Society" in the early 1990s, filmmakers and producers turned their focus to a larger slice of black life. This



TAPESTRY OF VIOLENCE: (Clockwise from top) A hair-pulling fight breaks out on a Jerry Springer show in 1997, a still from the videogame *Quake III* and rapper Tupac Shakur the day after he was shot in 1994



year's big releases, "The Wood" and the upcoming "The Best Man," are middle-class relationship movies. Hip-hop, led by acts like Lauryn Hill, has taken a similar step back from the brink. Though Eminem and DMX still spin murder raps, today's thugged-out emcee offends more with sex than violence. "I think everybody paused when Pac and Biggie died," says Snoop Dogg, whose nefarious narratives have toned down, though still merit parental discretion. "I know that kids are listening to my [lyrics] and taking it seriously."

Now the rest of the industry is catching up, making swift, but limited changes. Disneyland recently removed all violent videogames, and the parent company dropped plans for a movie based on R. L. Stine's kiddie-horror "Goosebumps" books. Miramax/Dimension Films, a division of Disney, reworked and toned down the script for the upcoming "Scream 3," one of several films feeling the post-carnage heat.

"They are sanitizing the violence," the film's director Wes Craven told the Writers Guild conference. "They aren't afraid of what the kids are going to do, but what the government is going to do."

At CBS-TV, producer Mark Johnson has been developing a gritty cop series called "Falcone." He screened the pilot, which included two violent scenes, for network president Leslie Moonves a week after Littleton. "I don't know if it would have bothered us before," says Moonves. "But we had a visceral reaction to someone pulling out a submachine gun." Instead of slotting the series in his fall schedule, Moonves held it as a midseason replacement. Johnson considers the show a victim of bad timing. "I told the director, 'Don't hold back, when he shot [the two violent] scenes. I thought it would sell better if it pushed the envelope. Today, I certainly wouldn't have done the same thing. Violence doesn't sell."

The makers of violent videogames, similarly, have responded by building in parental controls. Parents can now set the ultra-bloody Kingpin: Life of Crime, for example, to run at a lower level of brutality; kids need a password to change levels. "That was totally a direct response to Columbine," says Doug Lowenstein, president of the Interactive Digital Software Association.

This urge to purge violence could have an esthetic downside. The violent benchmarks of the '90s—Quentin Tarantino's "Reservoir Dogs" and "Pulp Fiction," the cinematically graphic raps of N.W.A., the HBO shows "Oz" and "The Sopranos"—have been some of the decade's most bracing and relevant art. They were unsettling. But the alternative, so far, has been soulless sex movies like "Eyes Wide Shut" and the bland pop of Ricky Martin.

Of course, the cleansing may not be permanent. "Everyone is pulling back for a while, letting the politicians claim a victory over Hollywood," says one producer of art-house movies. "Then it's back to business as usual." The real reason there are no "Die Hard"-style gunfests this summer, says Paul Dergarabedian, a box-office analyst, comes down to two words: "Star Wars." No studio wanted to put its potential blockbuster against George Lucas's sure thing. The market for mayhem, he adds, is cyclical. Even now, says Barry Diller, chairman of the USA Network, the public bloodlust is not slaked. In 1998, Diller toned down the high-rated "Jerry Springer Show" in response to public outcry. "The shock," he says, "was how many local stations called us to complain about what we did. They didn't feel any responsibility."

They may have to now, at least for a while. The French director Jean-Luc Godard once said, in response to a complaint about gore, "No, that's not blood; it's red." After the recent brutal events, such nonchalance comes harder, both inside Hollywood and out. No one wants to look like the cigarette manufacturers, who testified that their product did not cause cancer. The public is calling the media carnage blood. And they are seeing red.

With DEVIN GORDON, ALLISON SAMUELS
and MARK MILLER

THE PSYCHE OF A 'GUNOCRACY'

Firearms are icons of freedom and power, 'equalizers' in an egalitarian country. Can we change our myths and break this troubling bond? **BY ROBERT JAY LIFTON**

BENEATH THE MURDEROUS BEHAVIOR OF BUFORD O. Furrow Jr. flows a dark undercurrent that deforms the American psyche: our unique bond with the gun. That bond readily lends itself to zealotry, the dangers of which become all the more terrifying in our age of high, unregulated technology. The historian Richard Hofstadter once said that after a lifetime studying the American experience, what he found most deeply troubling was the country's inability to come to terms with the gun and its association with the warrior subcul-

ture. Indeed, the gun has become close to a sacred object, revered by many as the essence of American life.

The sources of our "gunocracy" date back at least to the Revolutionary War and our romanticized visions of citizen militias, which place the gun at the center of our national creation myth. That mythology was elaborated in heroic frontier tales and given more recent expression in Western movies, such as the John Wayne film sagas. Through the flux of people and ideas, the gun remained entrenched as an essential aspect of our identity—the icon of freedom, power and the rights of the individual. In that way, the gun has filled much of the psychological vacuum created by the absence of a traditional American culture. Looked upon early as the "equalizer," it became an important vehicle for our sense of ourselves as an egalitarian people.

The contemporary resurgence of paramilitary groups has been accompanied by fierce resistance to political efforts to impose the mildest kind of gun control. And this is not surprising, since even God, as envisaged by these groups, is gun-centered ("Our God is not a wimp" is one popular slogan). The violence committed in his name is likely to be performed on behalf of a "white race" supposedly endangered by Jews, blacks and homosexuals.

Whatever the social dislocations that fuel such racist ideology, the gun is always available to provide an absolute solution. The gun is crucial, as well, to the enactment of vengeance, so central to the martyrology of the racial right. Furrow lived with the widow of Robert Mathews, who formed a racist group called the Order and was killed in a gunfight with the FBI. The Order, in turn, took its name from a novel by William Pierce, "The Turner Diaries," about a revolutionary martyr who helps to overthrow a

Zionist-controlled American government and wipe out nonwhites. Seeking to avenge other martyrs of the racial right, Timothy McVeigh timed the 1995 Oklahoma City bombing to coincide with the second anniversary of the government's ill-advised attack in Waco, Texas, on the Branch Davidians—and on the very same day that Richard Snell, a leading figure in a number of far-right groups, was executed for murder.

Killers like Furrow and McVeigh have long since upgraded their arsenals from flintlock rifles and Colt pistols to assault weapons and fertilizer bombs. The latter are lethal enough, but we should not delude ourselves into believing that weapons worship stops there. Aum Shinrikyo, the fanatical Japanese cult that released sarin gas in the Tokyo subways in March 1995, killing 12 people and injuring 5,000, has another lesson to teach us. Its guru and his disciples had no equivalent tradition of gunocracy to draw upon. They turned quickly to weapons of mass destruction, producing chemical and biological stockpiles and trying to acquire nuclear weapons, as well. Such ultimate weapons are in no way outside the imagination of the American racial right: all are embraced in "The Turner Diaries," in which the destruction of most of the world's population is achieved by nuclear "cleansing." In other words, the worship of the gun can be extended to weaponry of any



BRIAN WANDER BRING—LOS ANGELES TIMES/AP

A VIGIL: Parents await news of their 7-year-old son at the North Valley Jewish Community Center

kind, including that which may destroy everything.

Besides fanatics and mentally disturbed people (Furrow appears to be both), many ordinary Americans have also become caught up in the cult of the gun. For them, it is not a jarring source of violence but as much an accepted part of the landscape as forests and rivers. Such people often resist controls over the objects they revere. But human beings are capable of modifying their own mythologies. After the tragedies in Littleton, Colo.; Atlanta, and now Los Angeles, Americans have shown signs of a change in their feelings about guns, seeing them increasingly as more dangerous than sacred. That kind of collective psychological shift is necessary if we are ever to transcend the crippling fraternity of the gun.

ROBERT JAY LIFTON, M.D., is Distinguished Professor of Psychiatry and Psychology at John Jay College of the City University of New York. His new book, "Destroying the World to Save It: Aum Shinrikyo, Apocalyptic Violence, and the New Global Terrorism," will be published by Metropolitan Books in October.

Bush wins easily in Round One, but Forbes may yet give the GOP a bare-knuckled brawl

Cornfield Coronat



BY DAVID BROOKS

THE SONG SAID IT ALL. "LIFE IS good," went the chorus in George W. Bush's tent in Ames, Iowa, on Saturday night, "and I'm gonna keep it that way." A well-heeled crowd of Republicans shimmied and cheered as the Texas governor danced with his wife, Laura, and jocularly wrapped his arms around the country guitarist. For the Republican front runner the Iowa straw poll was history, victory was in the bag and everything was just fine.

How long will the big smiles last? Bush, who had been sailing with seeming invincibility toward the Republican nomination thanks to the voluminous support of party elders and money titans, faced some actual voters in Iowa. The results were impressive, but they also suggested this campaign

is about to enter a new and far more competitive phase. Bush won 31.3 percent of the straw-poll vote. Steve Forbes, who rewrote the book on conspicuous campaign consumption, followed with an acceptable but not overwhelming 20.8 percent.

Forbes has a target now. In 1996 the publisher waged a relentlessly negative campaign against front runner Bob Dole. This time the warrior with the nerdy exterior may prove to be just as willing to spend his millions to tear down his opponent—suggesting, for starters, that Bush is an intellectual lightweight, simply not up to the challenge of facing a Democratic nominee.

The Bush people are spoiling for the fight. They believe that Americans are sick of harsh, partisan attacks. As they see it, the candidate who counterpunches does better than the candidate who tries to land the

first blows. Look for them to decry the politics of division and call on all Republicans to rally behind the one man who seems able to get the GOP faithful what they desperately want: the White House.

The brawl will be fascinating. While Bush is the paragon of the Republican establishment, Forbes is the paragon of the conservative establishment. The two forces are not the same thing. The Republicans may want to read Forbes magazine, but they don't want Forbes for president. They are pragmatic business types who want to win, and who distrust hot social issues like abortion; the conservatives consider themselves champions of an ideology that is saddled with lily-livered opportunists. The conservatives are headquartered in think tanks like the Heritage Foundation and among the right-wing commentators Steve