



CT Against Gun Violence

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ABOUT THE ORGANIZATION

CT Against Gun Violence has been working since 1993 to reduce gun violence through public education and legislative advocacy.

CT Against Gun Violence is a 501(c)(4) organization. CAGV's mission is to identify, develop, and promote passage of legislation designed to enhance gun safety. CAGV will pursue this mission at the local, state of Connecticut, and national levels through the political process.

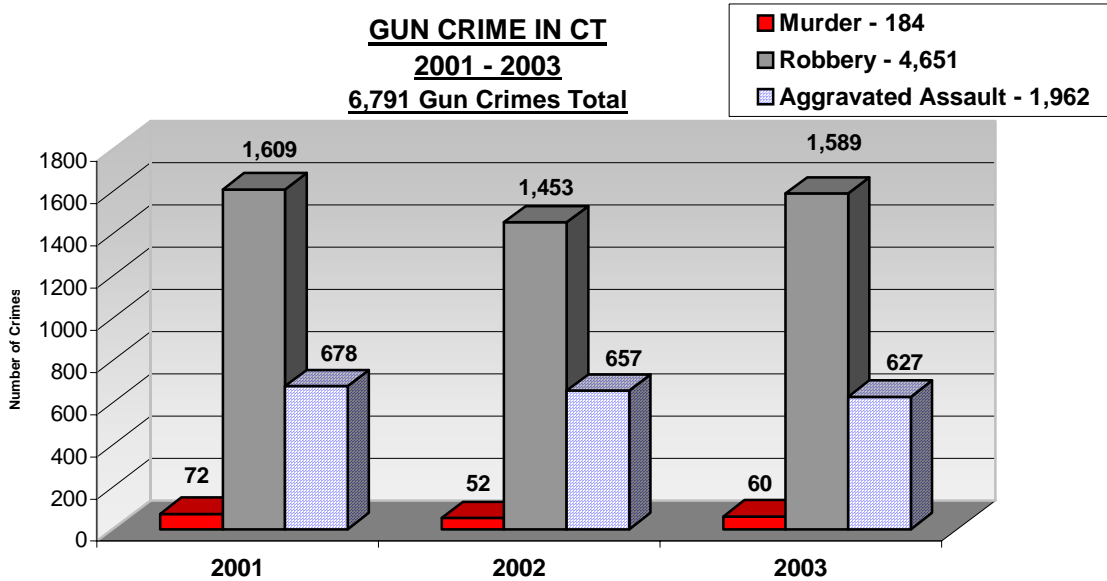
Ron Pinciario and Lisa Labella serve as co-executive directors.



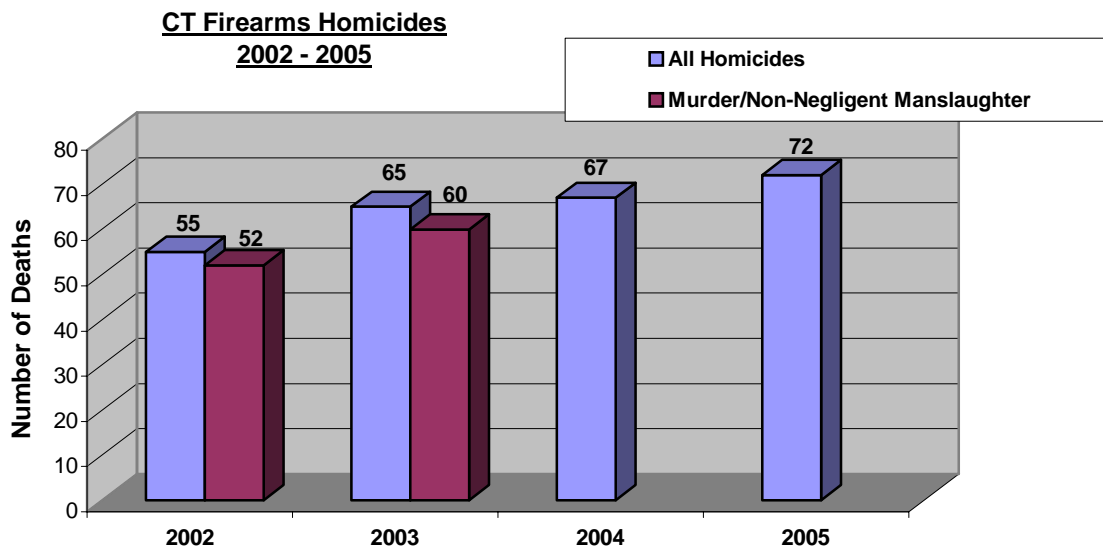
UNDERSTANDING THE ISSUES

CT Gun Crime (2001-2003)

- 184 murders
- 1,962 aggravated assaults
- 4,651 robberies



Firearms homicides are up 10% vs. 2004 and almost 20% vs. 2002.



Murder and nonnegligent manslaughter - the willful killing of one person by another."
 Homicide - injuries inflicted by another person with intent to injure or kill, by any means.



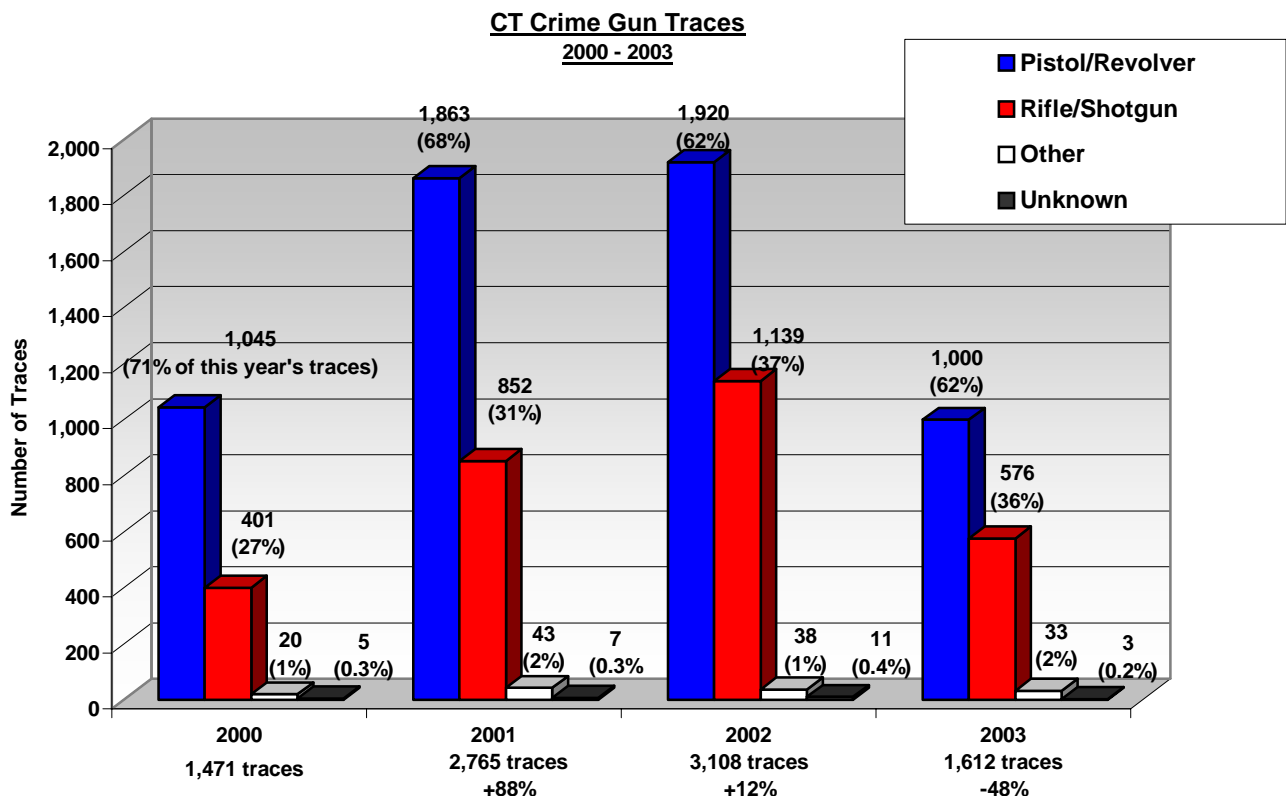
FIREARMS TRAFFICKING

Most gun crimes are committed by felons or other prohibited users. The question that begs to be answered is, "Where did they get the gun?"

Unlike drug sales, all gun sales start with a legal purchase. CT state law requires that purchasers of handguns must receive an authorization from the Department of Public Safety indicating that they are not prohibited from ownership because of felony convictions, protective/restraining orders, or any other disqualifiers. But it is currently not very difficult for prohibited purchasers to get guns. Guns are diverted into the illegal market by traffickers or "straw purchasers" -- people who *can* own guns, and purchase them to sell to people who *cannot*.

When a felon or other prohibited user commits a gun crime, **two** crimes have been committed: the crime being investigated, and the trafficking crime that put that gun in the hands of the criminal.

But the overwhelming majority of gun crimes prosecuted relate to street criminals in possession of firearms. Laws intended to punish illegal trafficking, firearm theft, and corrupt gun dealers are being ignored. In fact, although CT state law requires that all seized and recovered firearms be traced, gun traces in CT dropped by almost 50% in the last year reported by ATF.



This article was written prior to the [US Congress prohibiting ATF from releasing trace](#) data to law enforcement in the manner described. For example, on page 2 the author describes "source areas" and "market areas." Today, law enforcement in a market area could not review tracing reports over a time period to determine source areas; they can only review data for a specific firearm involved in a specific criminal investigation.

Firearms Trafficking 101 Or Where Do Crime Guns Come From?

*Special Agent Mark Kraft
Project Safe Neighborhoods Program
Manager, Bureau of Alcohol Tobacco and Firearms
Office of Training and Professional Development*

On November 21, 1994, Bennie Lee Lawson, who had previously been interviewed by DC Police in relation to a triple homicide, entered Metropolitan Police Headquarters in Washington, DC and asked where the homicide squad was located. By mistake, he ended up in the offices of the cold case squad, a unit comprised of DC Police and FBI agents, which evaluated and reopened unsolved homicide cases. Once inside the office, Lawson produced a fully automatic MAC-11 and opened fire. In the moments that followed, a police officer, Frank Daley, and two FBI agents, Martha Hernandez and Mike Miller, were shot and killed. A third FBI agent was severely wounded by the gunfire, but survived. Lawson eventually took his own life. In the end, law enforcement would be left with little; a dead suspect who was a convicted felon, an unlawfully possessed fully automatic weapon with an obliterated serial number, and one burning question – "How did Bennie Lee Lawson, a convicted felon legally barred from possessing a firearm, get a gun in Washington, DC, where handgun possession is restricted?"

It is important for every community to determine the origin of its crime guns. If law enforcement does not uncover the source of a crime gun, the community they serve is destined to repeat the cycle of violence, as more guns from the same source will repeatedly be used to victimize the public. Law enforcement, galvanized by the tragic events of November 21, 1994, made a point of finding out where Bennie Lee Lawson got his gun. Despite the fact that the serial number had been obliterated, law enforcement was able to partially restore the serial number to five possibilities. ATF's National Tracing Center

quickly advised the investigating agents that only three of those five possibilities were valid serial numbers for a MAC-11. These three serial numbers were traced and the hunt began for the trafficker who diverted that firearm out of commerce and into the hands of a convicted felon.

The ATF Tracing Center contacted the manufacturer of the weapons and asked where they had shipped each of the three firearms. The Tracing Center followed the trail of each gun from manufacturer, through wholesalers, to gun shops in Nashville, Boston and Mobile. ATF special agents were sent to follow the trail of each gun. Boston reported back that the gun matching their serial number was presently in a gun store. Nashville reported back that their gun was in the possession of the original purchaser. Mobile, Alabama reported back that the purchaser of their MAC-11 claimed that the gun had either been stolen or taken by his brother. In a subsequent interview he would confess that he had "straw purchased" the firearm.

ATF defines *firearms trafficking* as the illegal diversion of firearms out of lawful commerce and into the hands of criminals, prohibited persons and unsupervised juveniles. Firearms traffickers are motivated by the profit, prestige and power they obtain by supplying guns to criminals and juveniles who cannot legally obtain them. Firearms trafficking is how drug dealers, gang members and violent criminals get the guns they need to commit violent crimes. Firearms trafficking is how Bennie Lee Lawson obtained the gun he used, despite Federal laws designed to prevent convicted felons from obtaining firearms.

Firearms trafficking is profitable because of the disparity in firearm laws in different jurisdictions. In cities like Washington, Chicago or New York, local statutes heavily restrict handgun acquisition and possession, but violent

crime fuels the demand for easily concealable weapons. The basic law of supply and demand takes effect. For a firearms trafficker who is willing to break the law and exploit the criminal demand for firepower, these are "market areas." By contrast, "source areas" are places where guns are plentiful and more easily obtained. In a "source area" there are numerous gun shops and less restrictive state and local laws regarding firearms possession and acquisition. Guns purchased in "source areas" can be easily sold on the street in a "market area" for two to three times as much as the trafficker paid for the gun. An easily concealable and inexpensive semiautomatic pistol purchased for \$85 in Virginia or North Carolina can be sold for \$150 or \$200 on the streets of New York City or Washington, DC. These same patterns occur within a state, with firearms moving between regions within that state. They also occur internationally when firearms illegally acquired in the United States are trafficked to Canada, Mexico or other countries. Frequently, the same criminal methods used to obtain firearms in Florida that are destined to be trafficked to New York are employed to illegally obtain firearms destined for South America.

Bennie Lee Lawson's gun was purchased in Alabama by a "straw purchaser." Straw purchases are one of the most frequent methods used to divert firearms out of lawful commerce, where they are a heavily regulated commodity, and onto the street, where they are available to anyone. Convicted felons will simply use a friend, a family member or a girlfriend to buy a gun for them. The felon provides the money for the gun, selects the gun, and directs the purchase. The straw purchaser just fills out all of the required paperwork, posing as the buyer. Firearms traffickers, like the firearms trafficker that supplied Bennie Lee Lawson's gun, need straw purchasers to insulate themselves from discovery. The gun trafficker knows that these guns are going to the street and that police will recover some of them. If those firearms are traced, the trafficker does not want their name reflected as the purchaser of the gun. Frequently firearms traffickers will travel from a market area to a

source area and recruit a network of straw purchasers who are residents of that state and who need a few extra dollars. Straw purchasers are not traffickers. They are pawns of the traffickers. They are frequently people desperate for money or drugs. Gun traffickers typically pay straw purchasers \$50 to \$100 per gun or provide them with a \$20 to \$50 rock of crack cocaine in exchange for their services. The person that straw purchased Lawson's gun, an Alabama resident, was paid gas money and beer in exchange for filling out the paperwork and posing as the buyer. The actual purchaser of the gun was a firearms trafficker from the Washington, DC area. The straw purchaser did not know the trafficker, indeed, he never even learned the trafficker's name. There was a casual, informal business relationship that netted tragic results.

Straw purchasers have several key weaknesses. Straw purchasers frequently do not have the financial capability to pay for the guns they straw purchase. It is not unusual in gun trafficking cases to interview a straw purchaser living on public assistance in subsidized housing who has straw purchased \$500 or even \$1,000 worth of firearms with cash provided to them by the firearm trafficker. When interviewed by law enforcement officers they have none of the weapons that they have allegedly purchased. Straw purchasers usually know nothing about the weapons they claim to have bought. They cannot describe the type of weapon, the caliber or even the number of guns they have purchased. Straw purchasers can not account for the guns, but will frequently tell elaborate lies which are hard to disprove. They will claim the guns were stolen or that they held a big party and after the party was over the guns were missing, although they failed to report the theft to police.

Another popular scheme used by gun traffickers involves the use of false or fictitious identification. Federal law requires those individuals purchasing a firearm from a Federally licensed dealer to produce identification, usually a driver's license or a DMV identification card, to verify their identity, age and place of residence.

Federally licensed firearms dealers, commonly referred to as FFL's (Federal Firearms Licensee), cannot sell handguns to persons under twenty-one years of age and can only sell handguns to persons who reside in the same state as the gun dealer . A gun dealer in Georgia cannot legally sell a pistol to a resident of New York or Washington, DC. If gun traffickers from those states want to acquire their guns in Georgia they will frequently obtain false ID that represents that they are Georgia residents. Schemes involving the use of false identification are commonly referred to as "lying and buying" since the purchaser will falsify the required paperwork to obtain the firearms. In these cases the purchaser is the trafficker.

In a typical "lying and buying" case , a trafficker might travel from British Columbia, Canada to Texas, obtain a Texas driver's license with a fictitious name and non-existent address, and use it to buy guns. When police in Canada recover the firearms, they will be traced back to a non-existent person whose address has them residing in a strip mall parking lot. More sophisticated traffickers will actually use identity theft, stealing the identity of a resident of the source state. Once they obtain the identifying information of an unknowing victim (such as his name, address and date of birth) they can have that information put on a driver's license with their picture. This literally becomes a license to traffick in firearms. If the guns are subsequently recovered by police and traced, they will be traced back to the victim of the identity theft who has no clue that firearms have been purchased using his name.

Consider each of the following "lying and buying" scenarios:

- A resident of New York goes to Atlanta, Georgia and gets a false driver's license using his real name and the address of a relative who lives in Atlanta, and uses it to buy pistols and shotguns.
- A convicted felon gets a driver's license with his picture and height and weight, but his brother's name, address and DOB. His brother

is not a prohibited person. The license is obtained without the brother's permission or knowledge.

- A Canadian gets a Florida driver's license in a false name and non-existent address and uses it to buy firearms two to three times a year while on vacation in Tampa. He smuggles the guns back and sells them on the street in Toronto, Canada.

Each case will develop differently because of the trafficker's scheme. Consider what leads would be generated by tracing the firearms in each instance. Also recognize that in each case the gun dealer will likely have no knowledge of what is actually transpiring.

It is important to note that all of the activity described is firearms trafficking. Despite this, the most likely Federal charge to be brought in any of these cases, be it a straw purchase or a lying and buying case, would be false statements to an FFL in connection with the acquisition of a firearm (Title 18 U.S.C., section 922 (a)(6)). There are several reasons that this is worthy of note. The first reason is the improper perception that false statement cases are not trafficking cases. Indeed, there is no "firearms trafficking" statute per se. In fact, the term *firearm trafficking* does not appear anywhere in the Gun Control Act of 1968, as amended. Failure to understand this has caused a perception among some that the Federal Government has failed to address the issue of firearms trafficking, concentrating its prosecution on "mere false statement cases." False statement cases are the most common type of trafficking case in the Federal system. This brings us to the second point. False statement cases don't sound like violent crime. Somehow, providing false information on a form lacks jury appeal, even if it does result in a violent criminal obtaining a gun. This is the key to investigating, and subsequently prosecuting, firearms trafficking cases. As a prosecutor or investigator, you have to get all the blood and carnage of the violent street crimes perpetrated with the trafficked guns into court so the jury can see the immense harm the trafficker has done. He didn't just lie on a form. He put a

gun into the hands of a gang member who used it to shoot a fourteen-year-old child. The straw purchaser who acted as the buyer for Bennie Lee Lawson's MAC-11 didn't just lie on a form, he armed a convicted felon who used it to murder three law enforcement officers.

The problem of bridging the gap between the trafficker and the violent crime committed with the trafficked gun can become even more difficult when the trafficker is an FFL. Because FFL's are in the business of buying, receiving and selling firearms, the very nature of their business can often camouflage their trafficking activities. In addition, FFL's have legal access to thousands of firearms over a period of months. Consequently, they can easily traffick hundreds of guns without anyone noticing.

Federal law requires that all dealers maintain a log of all of the firearms they acquire and dispense. This "A & D book" or "bound book" must contain a detailed description of every firearm they receive, and the name and address of the person they obtained it from and sold it to, as well as the dates of each transaction. If the firearm is obtained from or sold to another licensed dealer they must record the dealer's FFL number. In addition, licensed firearms dealers must maintain copies of ATF forms 4473 (Firearms Transaction Record), identifying each individual purchaser and every gun they purchased.

These record keeping requirements force dishonest dealers to make certain decisions. Some crooked dealers do not record firearms they intend to traffick in their records. This results in the dealers' records not matching the records of suppliers. When the firearms are traced, the dealer cannot account for the guns. Other corrupt FFL's tack trafficked guns onto legitimate sales. After an unwitting customer leaves the gun shop having purchased a Colt revolver, two Intratec 9mm pistols are added to his 4473 and the A&D book now reflects that he purchased them. These guns are later sold "off the books" for a premium. When these guns are traced, they will track back to a customer who did, in fact, buy a firearm from that dealer, just not the gun being traced. Other

ingenious dealer/traffickers have randomly selected names from the obituaries or the phone book, and completed their required records for guns sold on the street using those names. Still others have falsified reports of the guns being stolen or missing from inventory so that they are no longer accountable for these crime guns when they are subsequently recovered and traced.

The discussion of licensed gun dealers who traffick in guns is not meant to suggest that gun dealers are, by their very nature, dishonest. The vast majority of gun dealers are honest, hard working, businessmen who deal in a regulated commodity. Because a dishonest FFL can do a great deal of damage by diverting hundreds, or even thousands, of guns out of lawful commerce and into the hands of criminals without attracting attention to themselves, the issue of crooked dealers must be addressed.

Firearms are diverted from commerce in other ways. Firearms that are stolen pose a significant threat to society in general and law enforcement specifically. Because these weapons are in the hands of criminals, the potential that they will be used to commit further crimes is immense. Law enforcement must deal not only with the risks associated with facing armed criminals, but also with developing ways to limit the firearms thefts that create the threats.

Stolen firearms represent a huge problem, although no one can accurately establish the percentage of the trafficked firearms market they account for, as there is no way to determine how many guns are stolen. Numerous factors contribute to the inability to accurately determine the number of firearms stolen each year. Private citizens are generally not required to keep records regarding their firearms and many do not even maintain a record of the serial number of their firearms. When firearms are stolen from individual's residences, the owners often cannot properly identify them to law enforcement. As a result, many stolen firearms enter illicit markets as stolen, undocumented, and undetectable.

In 1994, Congress created a partial remedy by requiring that all Federally licensed firearms dealers report the theft or loss of any firearms from their inventories to both ATF and local police within forty-eight hours. Since that time, more than 100,000 firearms have been reported stolen and a significant number of them have been subsequently recovered.

The key to understanding firearms trafficking is comprehensive crime gun tracing. This means tracing all firearms recovered by law enforcement that were used in a crime, suspected to have been used in a crime, or recovered in relation to a crime. This not only provides potential leads in that investigation, but also establishes a clear picture of where crime guns originate. While an individual gun trace frequently provides a valuable lead in a particular case, identifying an additional witness or coconspirator and having a database of crime guns that can be evaluated for trends and patterns is also very useful. ATF has identified firearms trafficking operations from observable patterns in trace data. There is no central database of firearm ownership. Indeed, Federal law prohibits such a database. What ATF has, as a result of crime gun traces from law enforcement agencies across the nation and around the world, is a data base containing only information on crime guns. If twenty fire arms all trafficked by the same individual in Texas are recovered in Chicago by different police officers in unrelated crimes, there is very little chance of the trafficker being identified without tracing. Through the comprehensive tracing of crime guns and the analysis of trace data, ATF's Crime Gun Analysis Branch will quickly identify a pattern of twenty crime guns from Texas being recovered in Chicago. This information is valuable to law enforcement officers in both locations.

In the Bennie Lee Lawson case, law enforcement took advantage of the fact that Washington, DC had been tracing all of their crime guns for years. The ATF Tracing Center queried their database for all firearms purchased in Alabama and recovered in Washington, DC. That query identified leads to additional crime

guns and straw purchasers who became witnesses against the trafficker who supplied the gun used to kill three law enforcement officers. The Federal prosecutor in Alabama used the successful trace information to identify trial witnesses, subpoenaing the police officers from the Washington, DC area to testify about the circumstances of each crime gun recovery. The Alabama judge and jury were provided a graphic picture of the harm the trafficker had caused. Based in large part upon this testimony, the judge in the case granted an upward departure and sentenced the trafficker to fifteen years in federal prison.

The story of Bennie Lee Lawson's MAC-11, its journey from commerce to crime, and the subsequent investigation, is both a snapshot of firearms trafficking and a model of law enforcement partnerships. Wanting to make certain that those responsible for putting a murder weapon in the hands of a convicted felon were punished to the fullest extent of the law, the Federal prosecutor in Mobile Alabama, ATF special agents from across the country, FBI and police from Alabama, Maryland, and Washington, DC, all worked together. The results – identifying, prosecuting and incarcerating the firearms trafficker – speak for themselves..

ABOUT THE AUTHOR

Mark Kraft is an eighteen year Federal law enforcement veteran, currently assigned to ATF's Office of Training and Professional Development as the program manager for Project Safe Neighborhoods training. Special Agent Kraft conducted numerous investigations of violent armed offenders and firearms trafficking in the Washington/Baltimore corridor and was a member of the Baltimore Field Division's Special Response Team. He is a frequent speaker on the topics of firearms trafficking and firearms identification throughout the United States, as well as in Canada and Europe.

Article available online at:
http://www.usdoj.gov/usao/eousa/foia_reading_room/usab5001.pdf

CT Post - 11/18/2005

Kingpin dispenses drug lore - Mercado trial testimony brings out Estrada critics

MICHAEL P. MAYKO

BRIDGEPORT — As the city's former drug kingpin, Frankie Estrada knew how important it was to have well-placed friends.

Over the past two days he has detailed this to a federal court jury considering murder and gun charges against Eddie "Tan" Mercado, once Estrada's right-hand man.

For instance, when federal authorities tapped Estrada's telephones, he learned of it from the daughter of a federal court clerk.

"I knew not to get on the phones," he told the jury.

When Estrada needed guns, he would pick out what he wanted from a local gun shop and send in contacts with licenses to buy them. "If they were drug addicts I'd give them cocaine or crack," Estrada said of the buyers.

Whenever he or his lieutenants got locked up in the Bridgeport or New Haven correctional centers, corrections officers who could smuggle drugs or food into them would be contacted.

"We'd give 'em a couple hundred dollars & they'd bring the drugs to the cell," Estrada said.

In the visiting room, officers sometimes looked the other way during a balloon-filled kiss of heroin, which Estrada said he would swallow or cuff (take it as a suppository).

Once, while he was being transported, Estrada said the van swung by his girlfriend's house and stopped long enough so they could have sex in the back.

And whenever he needed legal help, Estrada said he contacted James Ruane, his longtime lawyer and once the president of the state Criminal Defense Lawyers' Association.

"It's good to have a lawyer on standby," Estrada said.

So, Estrada said, when Ruane told him he was having problems with Aida Escalara, a witness in a murder case he was defending, the kingpin ordered Mercado and Billie "The Kid" Gomez to kill her.

"He [Ruane] was a friend in need," Estrada said. "You're always willing to help out a friend."

Estrada said he told Mercado and Gomez that "Aida Escalara was proving a problem to my attorney, Jim Ruane, and he didn't want her to testify in his case."

When the woman was still alive a week later, Estrada said, Ruane called again to see what was happening.

"I told Tan, 'If you find her and take care of her,' I would give him [Tan] 250 grams of heroin," Estrada said. "That's worth \$50,000."

He added: "I figured that would make them move faster, give 'em an incentive."

That night Mercado and Gomez took turns shooting Escalara in an abandoned apartment in the P.T. Barnum housing project. As a result, the murder case Ruane was defending ended in a mistrial. However, his client was convicted at a retrial.

Both Gomez and Estrada have pleaded guilty to participating in the murder.

Sitting through much of Estrada's testimony Thursday was H. James Pickerstein, Ruane's lawyer. He said it's no secret his client is a target of the federal government.

"Mr. Ruane has been dealing with this since the day they searched his office on Feb. 14, 2002," Pickerstein said. "He's been living with this, without the opportunity to defend himself. I urge the government to make a decision out of fairness to Mr. Ruane."

Pickerstein said Estrada's allegations are the product of "uncorroborated testimony from a multi-convicted felon" whose motive is "a get-out-of-jail-free card."

Others, like Shirley and Barbara Holman, who read the Connecticut Post story Thursday in which Estrada linked their family members to drug dealing and firebombings in the P.T. Barnum Housing project, denounced the witness as "a liar," "singing mockingbird," "coward" and "sore loser" during telephone conversations.

"If he can't do the time, he shouldn't have committed the crime," they both said in separate conversations.

On Thursday, Estrada testified that Ruane gave him U.S. Drug Enforcement Administration reports detailing investigative efforts into his multi-million-dollar operation.

"He gave me one that said they were looking for my stamp," Estrada said.

He said that to a drug addict a stamp on a packet of heroin "was like Nike or Reebok" — a logo advising them what they were buying and where it was coming from.

"After that, I stopped using stamps," Estrada said. "When the feds come for you, it's lights out."

They came for Estrada on Nov. 2, 2000. He has been in custody ever since. During that time, he has cooperated with numerous investigations, testified in four trials and once before a grand jury. All this occurred while he awaits sentencing on numerous charges, including racketeering, operating a criminal enterprise, committing violent acts in aid of racketeering and bank fraud. He also forfeited buildings, cars and \$10 million.

"When you got these law-enforcement reports, how would you use them?" Assistant U.S. Attorney Karen Peck asked.

"To avoid detection, to figure out who was giving them information," said Estrada, adding he was supposed to shred them, but he didn't. When Estrada wanted to buy a Main Street building and turn it into Club Innovations, a successful nightclub, Ruane sent him to Samuel Braunstein, a Fairfield lawyer, to set up limited liability corporations, the ex-kingpin said.

When the federal government raided the building they found the DEA documents in Estrada's office. All this was too much for Frederick Pratt, one of Mercado's lawyers.

In cross-examination, he attempted to discount Estrada's story of his relationship with Ruane as a rip-off of "Carlito's Way," a movie starring Al Pacino as a big-time drug dealer, and Sean Penn, as his lawyer who helps him buy a nightclub.

"Did you see 'Carlito's Way?'" Pratt asked.

"I thought it was a good movie," Estrada said. "But it wasn't Pacino's best."

The trial will continue Monday.



U.S. Congress Hampers Efforts to Stop Gun Trafficking

Once again Congress has approved legislation that prohibits the Bureau of Alcohol, Tobacco, and Firearms (ATF) from providing crime gun tracing data to law enforcement agencies and policy-making organizations like CT Against Gun Violence.

Unlike drug sales, all gun sales start with a legal purchase that is documented. CT law requires that when a law enforcement agency recovers a firearm, that firearm must be traced. The agency contacts ATF and reports the gun's brand name and serial number. ATF then contacts the manufacturer, who matches the serial number to sales records to identify the first purchaser. ATF goes down the distribution line, contacting each distributor and dealer to find the final purchaser. This allows law enforcement to investigate the path the firearm took from that person to the crime scene.

Data on traced firearms used to be available from ATF; some reports were even available through their website. The data included the original dealer selling the crime gun, make and model of the gun, and where it was sold. The data could be used to target sources of crime guns, and helped to identify patterns of trafficking. The data did NOT disclose information about the purchaser of the crime gun or any confidential information; only information about the sales of the firearm.

But in 2003 that changed. First, former Attorney General John Ashcroft had the data pulled from the website and forbid ATF to provide it. Then in 2004, Congressional amendments to ATF's Appropriations bills, offered by NRA ally Rep. Todd Tiahrt (R-KS), placed restrictions on ATF prohibiting disclosure of trace data to the public and even to law enforcement agencies.

Information previously disclosed to the public and local and state law enforcement is now purposely withheld. Law enforcement cannot obtain information from ATF on the sources of guns trafficked into their jurisdiction. Obviously, this severely hinders law enforcement's ability to crack down on bad dealers or other sources of illegal firearms. Prohibiting the release of this data protects the unethical within this industry and assists criminals in easily accessing firearms.

ARRESTING THE POSSESSOR DOES NOT SOLVE THE GUN PROBLEM

- ◆ Arrest an Individual - Prevent **0 crime-guns** from entering the community.
- ◆ Arrest a Trafficker - Prevent **37 crime-guns** from entering the community.*
- ◆ Impact Illegal Diversion Schemes - Prevent an average of **354 crime-guns** from entering the community.*

*Source: Following the Gun: Enforcing Federal Laws Against Firearms Trafficking, Dept. of the Treasury, June 2000, p. 13.



WHAT WE CAN DO

- **Close loopholes that allow firearms to flow from legal to illegal markets.**
 - + Reporting of lost/stolen firearms
 - + Comprehensive licensing and registration
 - + Improve enforcement of existing laws
 - + Implement state requirements for dealers
 - + Repeal Tiahrt ATF restrictions

- **Develop state-wide program to address firearms trafficking:**
 - + Trace every recovered crime gun
 - + Enter every cartridge case in NIBIN (national tracing database)
 - + Collect crime gun data at state level for review and sharing
 - + Share “best practices” developed through the Project Safe Neighborhoods program.



2006 LEGISLATIVE SESSION

SUPPORT THE REPORTING OF LOST AND STOLEN FIREARMS

Guns found at crime scenes are often traced to traffickers or "straw buyers." When asked how guns went from their possession to the person who committed the crime, they say that the gun was stolen from them. Since there is no requirement for reporting stolen guns, no prosecution is possible. *Requiring them to report stolen guns would close this loophole.*

Stolen firearms play a prominent role in arming criminals.

- 26% of trafficked firearms had been stolen.
- 21% of armed criminals obtained guns from groups known to steal guns
- From 1999-2000, 1,609 CT firearms were reported stolen.

There is no way to know how many other guns have been stolen but were not reported.

Law enforcement supports closing this loophole:

- **CT Chiefs of Police:** "Currently we're charged with getting guns away from people who cannot possess them legally. All a person has to do is claim it's stolen, and we're hard pressed to prove otherwise."¹
- **Dept. of Public Safety:** "This bill will increase the efficiency of law enforcement authorities conducting investigations."¹
- **Office of the Attorney General:** "Timely reporting of gun thefts would enable police to trace the firearms when information is still fresh and available, making successful prosecution more likely when a stolen gun is used in a crime."²
- **The Bureau of Alcohol, Tobacco & Firearms:** "...addressing stolen firearms is an important part of a firearms trafficking strategy because theft constitutes one means of illegal supply of firearms."³

¹) Public hearing testimony in support of HB 6743, see hearing transcript from 4/1/05.

²) Testimony in support of HB 5067, 2004, Judiciary JF Report.

³) Following the Gun: Enforcing Federal Laws Against Firearms Trafficking, Dept. of the Treasury, June 2000, p. 3.

CT residents support this requirement.

98% of CT residents surveyed*, and 96% of gun owners, supported requiring the reporting of lost or stolen firearms

*Poll conducted by the Center for Research & Public Policy at Sacred Heart University, May 13-May 17, 2003

For the safety of our children and our communities,
All lost/stolen firearms must be reported to the police.



FACTS ON LOST AND STOLEN FIREARMS

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HOW MANY GUNS ARE STOLEN?

	<u>National</u>	<u>CT</u>
Reported (2 years - 1999 & 2000) ¹	286,563	1,609
Total estimated (2 years) ²	1,000,000	5,615

STATES WITH LAWS REQUIRING THAT LOST/STOLEN FIREARMS BE REPORTED:

<u>State</u>	<u>Language</u>	<u>Penalty</u>
New York	Report within 24 hours of the discovery	Fine not to exceed one hundred dollars.
Massachusetts	Report "forthwith"	Suspension or permanent revocation of firearms license (needed to possess/purchase firearms)
Michigan	Report within 5 days after s/he knows of theft	Fine of not more than \$500
Ohio	Report immediately upon discovery	Misdemeanor of the 1 st degree
California	Dealers must report theft within 48 hours	Revocation of licenses

¹ Americans for Gun Safety Foundation. *Stolen Firearms: Arming the Enemy*. Washington, D.C. December, 2002.

² Cook, Phillip J. and Jens Ludwig. *Guns in America: Results of a Comprehensive Survey of Gun Ownership and Use*. Washington, D.C.: Police Foundation, 1996.