

Gun Control: Facts and Myths

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Each year, more than *twenty-thousand* guns are taken into custody by law enforcement agencies in Southern California, with ten thousand being seized by LAPD alone. Data from a recent study indicates that about one-third of the guns confiscated by Los Angeles police officers are associated with a violent crime or drug arrest. Most of the remaining guns come from persons who draw attention for traffic infractions or other relatively minor reasons and are then arrested for concealed carry or possessing a loaded weapon in a public place. While such conduct usually incurs little in the way of a penalty, it cannot simply be dismissed as benign, as those arrested often have criminal records. Innocent citizens usually keep their firearms at home, while gang members and other unsavory characters carry guns on the street. As cops well know, the only difference between an arrest for illegal possession and a homicide may be “two minutes”.

Sergeant Joe Friday would have said that in Los Angeles, these are the *facts*. But in criminal justice it seems that the *myths* usually prove the more resilient. Here are three nominations:

Myth number 1: *Guns used in crime don't come from gun dealers.* In fact, many guns recovered by police come directly from a store. A recently published study that I authored, which tracked gun recoveries for several years, reported that fourteen percent of guns seized by Los Angeles police were confiscated from their original retail buyer. This may seem like a small figure unless the total number of guns seized is considered. Dealer corruption also emerged as a substantial problem. Federal gun trafficking casework revealed that large quantities of guns were sold “out the back door” to criminals and street vendors by corrupt dealers, who either fudged their paperwork or kept no records at all. These episodes often involved substantial quantities; in one case, more than 3,000 guns within two years. It was also apparent that guns are routinely acquired by “straw buyers” who for friendship or a small fee make purchases on behalf of other persons – such as criminals and juveniles – who cannot legally buy guns on their own. And while no formal study of the misuse of ID to buy guns exists, the practice is well known to Federal agents, who frequently encounter individuals and small groups that use stolen or fictitious identification to make repetitive purchases at gun stores.

Myth number 2: *Saturday night specials are the biggest problem.* When I first got into the gun-law enforcement business more than twenty years ago, a “Saturday-night special” was a cheap .22, .25 or .38 caliber handgun. But times have changed. At present, the 9mm. pistol, whose projectile carries four to ten times (or more) the lethal power of these lesser weapons, is the most commonly manufactured *and seized* handgun in the U.S. For about \$150-\$175 it is possible to legally buy one, brand new. Although these relatively inexpensive, large-caliber handguns may not meet everyone's standards of safety or esthetics, for the price they have remarkable heft and accuracy. Conversations with gun manufacturing insiders revealed that concerns about legislation and litigation were two of the principal reasons that caused them to ramp-up production of the larger, more durable

handguns. Given such pressures and the imperatives of commerce, it seems inevitable that the quality – and lethality – of guns available to the public will continue to increase. Is this a consequence that gun-control advocates intend?

Myth number 3: *Highly lethal weapons can be legislated out of existence by picking on external characteristics.* Gun makers have made it abundantly clear that defining a “bad gun” by focusing on features such as the presence of a handgrip merely invites a slight redesign. If assault weapons are “bad”, it must be because they are especially *lethal*. A weapon’s lethality is primarily due to the kinetic energy and composition of its projectile. Other factors such as accuracy at range and cyclic rate of fire are also important. So it is unproductive to consider banning “assault weapons” unless we are free to evaluate the danger posed by *all* large-caliber semi-automatic rifles, whose rounds can easily penetrate protective garments commonly worn by police.

Thirty years after Sergeant Joe and his trusty sidekick interrogated their last con-man at Parker Center, we face circumstances that were then unimaginable. To safeguard and honor the Second Amendment, and to help protect us from its consequences, gun makers keep cranking out - and we keep buying - better and more deadly hardware. What myths will sustain us thirty years into the future?