

Effects of Policies to Promote Firearm Dealer and Owner Accountability on Firearm Trafficking

Daniel W. Webster, ScD, MPH

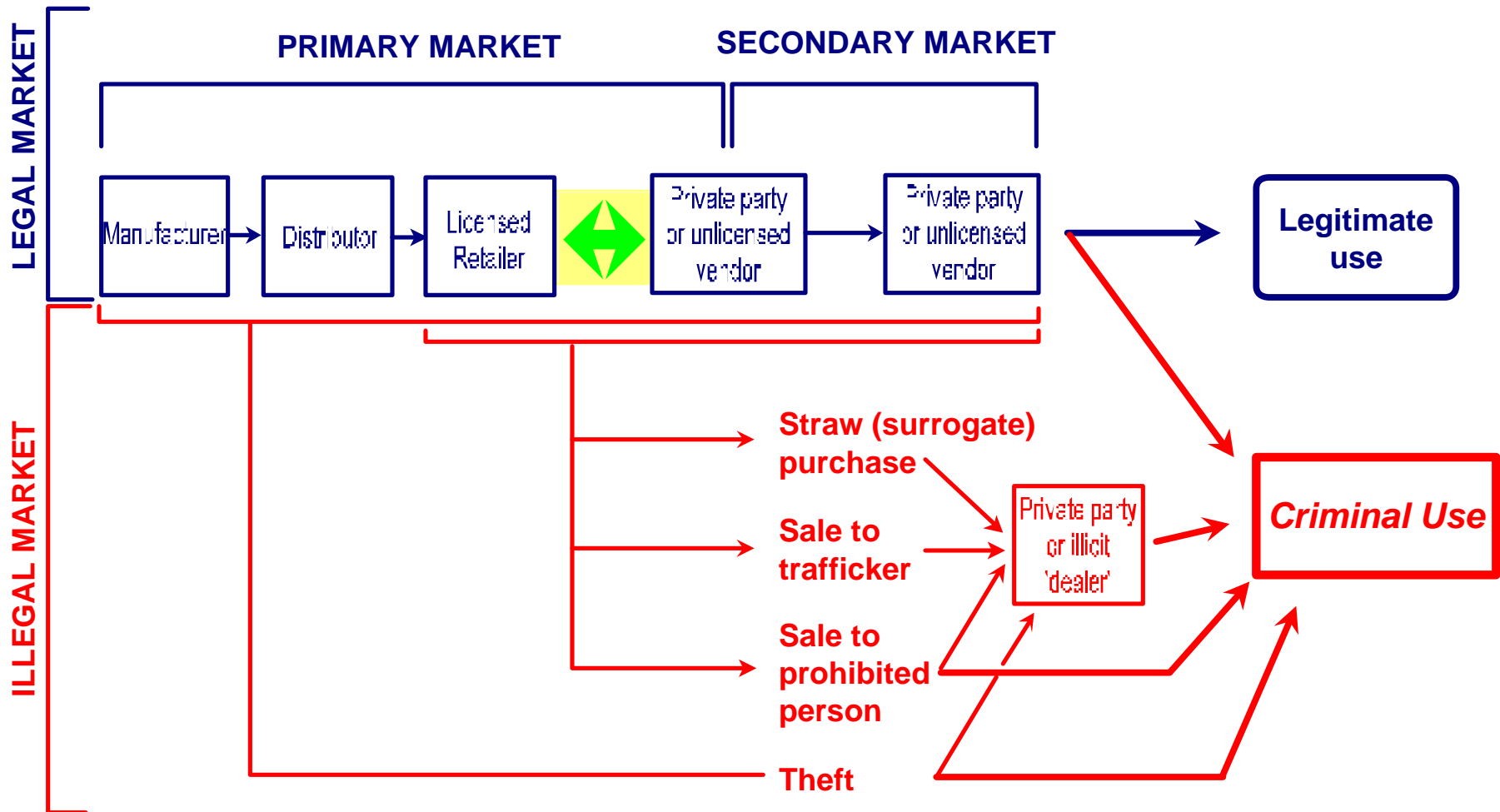
Jon S. Vernick, JD, MPH

Maria Bulzacchelli, PhD

Center for Gun Policy & Research



A View of Gun Markets: How Legal Guns Enter Illegal Commerce



VPRP

Legal-Illegal Gun Market Links

- Licensed dealers most important single channel for illegal gun trafficking (ATF, 2001).
- 1% dealers sell > half of crime guns.
- Not just due to sales volume, client demographics or local crime rates (Wintemute, Cook & Wright, 2005). Due to sales practices?

Increased scrutiny of gun dealers could deter practices that enable criminals to get guns

Longitudinal Studies

- Undercover stings and lawsuits against gun dealers linked with fewer trafficked guns sold by in-state gun dealers (-62% in Chicago and -36% in Detroit; Webster, Vernick, & Bulzacchelli, 2006a).
- Publicity about being nation's leading seller of crime guns prompted voluntary changes in dealer sales practices. Change associated with a citywide 44% reduction in new guns diverted to criminals in Milwaukee (Webster, Vernick, & Bulzacchelli, 2006b).
- Coordinated anti-gun-trafficking initiative in Boston linked with substantial reduction in gun trafficking (Braga & Pierce, 2005)

State regulation of gun dealers

Vernick, Webster, Bulzacchelli, Mair, 2006

- 17 states require gun dealer license
 - 12 issued by local government, 5 by state.
 - 6 have no eligibility requirements.
 - 3 have no record keeping requirements.
- 9 additional states require record keeping and allow police to inspect dealers
- 21 states permit inspection, 2 mandate inspection (MA, RI)
- 24 states – no licensing requirement or record-keeping keeping with law enforcement permission to inspect.

Survey of state and local law enforcement agencies on gun dealer compliance

- Contacted state police or Attorney General's Office in all 50 states and police depts. in at least 1 major city in each of 12 states where local governments issue dealer's license.
- Identified units charged with gun dealer law compliance checks or gun trafficking investigations.
- Faxed or emailed questionnaire in advance of attempted phone interview. Many mailed or faxed back.
- Received no data from 16 no-license states and 2 license states, usually because state or local agencies didn't undertake dealer oversight.
- Those with no compliance activity commonly said "That's ATF's job."

Methods

- Combined data on laws and regs with data on oversight practices and crime gun trace data for cities in YCGII program to trace all guns recovered from criminals in 50 cities for the years 2000-2002.
- $Y = \% \text{ of all recovered guns recovered from criminal} < 1 \text{ year after retail sale by in-state gun dealer, possessor was not retail purchaser.}$
- Cross-sectional analysis and linear regression analysis focusing on comprehensive regulation and oversight.

Survey findings of gun dealer oversight practices

	17 license req. # states	33 no license # states
does inspections / audits	9	6
check inventory, sales recs.	8	0
min. freq. of inspection policy	5	0
ever do undercover stings	5	3
check security measures	6	0

OLS estimates of effects on trafficked guns (sale→crime < 1 yr) sold by in-state retailers

explanatory variable	β	p	β	p
strong dealer oversight laws + regular audits of inventory & sales	-2.76	.012	-2.68	.047
conduct undercover stings	1.35	.159	1.27	.219
private sales regulated			-2.11	.001
1 gun per month law			0.64	.451
discretionary permit-to-purchase licensing			0.01	.992

OLS estimates of effects on trafficked guns (sale→crime < 1 yr) sold by in-state retailers

explanatory variable	β	p	β	p
strong dealer oversight laws + regular audits inventory & sales	-2.68	.048	-2.11	.087
conduct undercover stings	1.27	.219	1.35	.149
private sales regulated	-2.11	.001	-1.21	.040
1 gun per month law	0.64	.451	-0.21	.979
county-level gun ownership			.073	.001

Does trafficking of guns sold in states with weak gun control negate benefits of measures taken by states with comprehensive gun control?

OLS estimates of effects on trafficked guns (sale
 → crime < 1 yr).

explanatory variable	β	p	β	p
proximity to people in states lacking comprehensive gun controls	.019	.219	.023	.110
strong dealer oversight laws + regular audits of inventory + sales	-3.25	.013	-1.98	.117
conduct undercover stings	1.19	.302	1.42	.192
private sales regulated			-2.18	.004
permits to purchase firearms by law enforcement discretion			0.89	.263

OLS estimates of effects on trafficked guns (sale → crime < 1 yr).

explanatory variable	β	p	β	p
proximity to people in states lacking comprehensive gun controls	.017	.253	.019	.195
strong dealer oversight laws + regular audits of inventory & sales + regulate private sales	-3.13	.017	-2.70	.030
conduct undercover stings	1.10	.344	1.39	.208
permits to purchase firearms by law enforcement discretion	-0.49	.479	0.40	.585
county gun ownership proxy			.066	.010

Study Limitations

- Self-report data on gun dealer oversight
- Dealer regs could be correlated with other unmeasured gun laws that might affect trafficking.
- Cross-sectional data did not allow us to see whether gun trafficking *changed* when laws and oversight changed.
- Prevalence of gun ownership likely to determine passage of gun sales regulations and those regs could reduce gun ownership.

Conclusions

- Comprehensive gun sales regulations and oversight associated with fewer trafficked crime guns sold by in-state dealers.
- Isolated regulations, particularly if not enforced, may have little effect on trafficking.
- Restricting bulk sales not associated with intrastate gun trafficking, but could deter interstate trafficking.
- Higher levels of gun ownership facilitate diversion of firearms to criminals even after controlling for state gun sales regs and gun dealer oversight. Whether or not one should control for gun ownership not obvious.