



Crime & Punishment

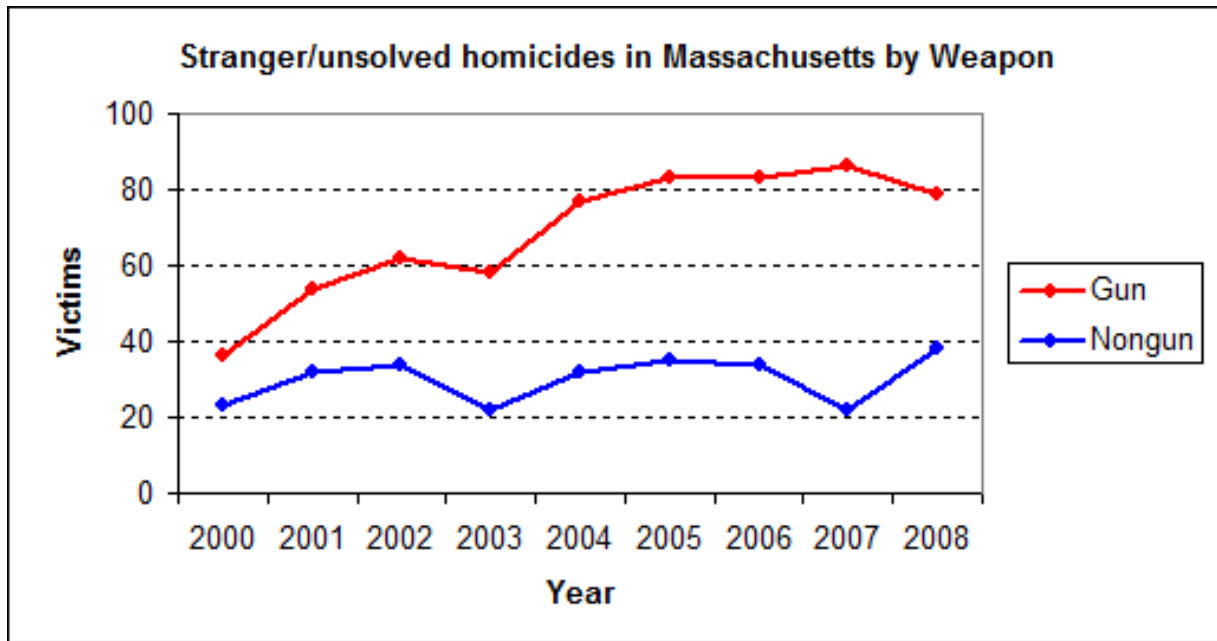
James Alan Fox on criminal behavior and the justice system

GUNS AND GUN LAWS

Gov.'s Gun Bill on Target

Posted by James Alan Fox, Crime and Punishment June 7, 2010 11:30 AM

The recent string of senseless gun killings of innocent children and young adults by gunfire is more than just a short-term spike. Anyone who questions the role of guns in homicides by strangers or unidentified assailants (the type that tend to be committed by street criminals as opposed to those involving family members or acquaintances) needs only to glance at the recent trends distinguished by weapon category. As shown in the figure below, gun homicides by strangers or unidentified perpetrators have doubled statewide since 2000, while those carried out with all other weapons have hardly changed.



This is precisely why the Massachusetts Legislature should move ahead on [House Bill 4102](#). Innocent lives are at stake.

H. 4102 includes a series of measures designed to reduce illegal gun trafficking without violating the Second Amendment rights of law-abiding citizens. Most importantly, the bill would make Massachusetts the fifth state (joining Virginia, Maryland, New Jersey and California) to implement a one-gun-a-month limit on purchasers, although with reasonable exemptions such as for law enforcement, military and security personnel.

Unlike the occasional acquisition by legitimate gun owners, frequent or multiple gun purchases are often associated with weapons distributed illegally. Through so-called straw purchases, individuals legally permitted to buy firearms from a licensed dealer are enlisted to buy weapons for others who are restricted by law from buying a firearm. A one-gun-a-month cap would significantly reduce this type of bulk purchasing that supplies the illegal gun trade.

Of course, H. 4102 bill would only curtail shady transactions from Massachusetts gun dealers, and do nothing to stop the flood of illegal weapons from other states. Based on [2009 ATF trace data](#), 60% of guns associated with criminal activities within Massachusetts come from other states, most commonly New Hampshire and Maine. Years ago, Virginia was a major source of guns trafficked throughout the East Coast, including the Bay State; yet, according to an [analysis](#) of ATF trace reports, that stream largely dried up in 1993 when Virginia passed its one-a-month law.

It would be especially useful, of course, if the frequent source states to our north were to pass restrictions against bulk purchasing. But how can the Commonwealth expect other states to place limits unless we do so first.

It has now been over a year since Governor Patrick sent this legislative package to state lawmakers for consideration, and every month that goes by further extends the opportunity for illegal gun traffickers. At this time, the Senator Cynthia Stone Creem, Chair of the Joint Committee on the Judiciary, is polling the group on H. 4102, with responses expected by late tomorrow afternoon. In the meanwhile, I would love to hear from gun advocates a good reason why anyone, other than traffickers, would need to purchase more than one in a month's time.

Postscript:

As an indication of the significant role of straw purchases in criminal activity, consider this finding from a 2000 ATF report, [Following the Gun: Enforcing Federal Laws Against Firearms Traffickers](#) (p. xi):

"Straw purchasing was the most common channel in trafficking investigations. Almost half of all the trafficking investigations involved straw purchasers. Therefore, although the average number of firearms trafficked per straw purchase investigation was relatively small, 37 firearms, there were nearly 26,000 firearms associated with these investigations."

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