

hud NEWS

Department of Housing and Urban Development – Andrew Cuomo, Secretary
Office of Public Affairs, Washington, DC 20410

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FOR RELEASE
10:30 a.m. Thursday
September 9, 1999

PRESIDENT CLINTON ANNOUNCES VIOLENCE-PREVENTION INITIATIVE TO BUY UP TO 300,000 GUNS

WASHINGTON – President Clinton today announced a \$15 million violence-prevention initiative to launch the largest gun buyback program in American history, enabling police departments to purchase up to 300,000 guns from people around the country.

“This national buyback initiative is designed to reduce gun violence and protect families from senseless gun tragedies,” President Clinton said. “Each gun we buy back is one less gun on the nation’s streets.”

Housing and Urban Development Secretary Andrew Cuomo, whose department will fund the gun buybacks that were announced by the President, said: “Guns kill and injure people every day in crimes, in accidents, and in suicides. Buying back guns will save lives and will help build strong partnerships between police and people in communities to work together to reduce gun violence.”

Under the initiative announced today, HUD funds will go to police departments to be used to buy back guns for a suggested price of \$50 each – either in cash or in the form of gift certificates for food, toys, or other goods. At \$50 apiece, police could buy 300,000 guns with \$15 million in HUD funds.

HUD will also provide funds to help administer the buybacks and to study the effectiveness of gun buyback programs, and could provide funding to more police departments in the future if the pilot initiative is expanded.

Each police department participating in the initiative will be eligible to get up to \$500,000 in HUD funds – enough to purchase up to 10,000 guns in a city. While some large cities are expected to seek maximum funding, smaller cities are expected to operate smaller buyback programs.

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Denver Mayor Wellington Webb, who is President of the U.S. Conference of Mayors, attended the White House announcement and expressed the group's support for the gun buyback initiative and the other anti-gun violence measures supported by President Clinton.

"The murder, the mayhem, the senseless deaths of our children and the ridiculous proliferation of firearms on the streets of American cities needs to stop," Webb said. "Gun buybacks are an important step, combined with tougher gun laws, to make our cities safer."

The following also expressed support today for HUD's gun buyback initiative: Senator Paul Sarbanes of Maryland, Ranking Member of the Senate Banking, Housing and Urban Affairs Committee; Senator Frank Lautenberg of New Jersey, Ranking Member of the Senate Budget Committee and a Member of the VA-HUD Appropriations Subcommittee; Senator Barbara Boxer of California, Member of the Budget Committee; Congressman Patrick Kennedy of Rhode Island; Congresswoman Carolyn McCarthy of New York, whose husband was murdered and whose son was badly wounded in a shooting on the Long Island Rail Road; Handgun Control, Inc.; the National Education Association; Physicians for Social Responsibility; the American Public Health Association; the Educational Fund to End Handgun Violence; the National Association of African Americans in Housing; and officials from the Housing Authority of Baltimore City and the Housing Authority of New Orleans.

Several cities around the country have conducted gun buyback programs in recent years, but none has even come close to purchasing 300,000 guns. These local buyback programs have collected anywhere from a few dozen to a few thousand guns.

The gun buyback initiative was one of several steps President Clinton announced at a White House event today with mayors and police chiefs from around the nation. Cuomo, Attorney General Janet Reno, and Treasury Secretary Lawrence Summers also attended the event, in which the President urged Congress to pass a bipartisan juvenile crime bill that would offer greater protection against gun violence. The legislation, which has been passed by the Senate, would close the gun show loophole by mandating a background check for anyone buying a firearm at a gun show, require child safety locks for guns, and bar the importation of large-capacity ammunition clips.

The buybacks are designed to reduce the toll of gun violence, which each week claims an average of 600 lives and injures another 1,800 people in crimes, accidents and suicides around the United States.

To reduce the availability of guns, all guns purchased with HUD funds will be destroyed, unless it is determined that a gun was stolen or is needed for an ongoing law enforcement investigation. Stolen weapons will be returned to their lawful owners.

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The initiative will begin distributing funds to police departments in late November, in time to enable families to replace guns with cash and gift certificates during the holiday season.

HUD will encourage police departments to work with local retailers to provide further incentives, such as special discounts on items purchased with a gun buyback gift certificate.

The basic premise of the gun buybacks is to give people the opportunity, for a limited period of time, to exchange their guns for something of value with no questions asked. There are variations on the inducements offered, but the most successful programs offer money, some type of vouchers or tickets, or food coupons in exchange for weapons.

HUD will use funding from its Drug Elimination Grant Program for the gun buyback initiative. Drug Elimination Grants are used to combat crime in and around public housing developments around the nation.

Police Departments will work in partnership with housing authorities to participate in the gun buyback initiative. Housing authorities will distribute the HUD funds to local police departments to conduct the buybacks.

##

HUD OFFICE OF GENERAL COUNSEL

FACSIMILE TRANSMITTAL SHEET

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COMPANY:	DATE:
	September 15, 1999
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Gun Buyback Information	

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

Attached please find the documentation regarding the buyback program that was released along with the event last week and a copy of the relevant language of the statute indicating that eligible activities include items to address security and protective services. See 42 U.S.C. §11903(a)(2).

MIETRO

THURSDAY, DECEMBER 16, 1999

D.C. Buyback Drew Old, Cheap Guns, Analysis Finds

By PETULA DVORAK
Washington Post Staff Writer

Most of the nearly 3,000 weapons exchanged for a \$100 bill during this summer's gun amnesty program were about 15 years old, many were cheap revolvers barely worth \$30 on the street, and none of the ones tested so far had been used to kill anyone, according to an analysis by the Bureau of Alcohol, Tobacco and Firearms.

The study represents the first comprehensive look at the weapons turned in by

citizens in these "buyback programs," used by many police departments to remove guns from the street.

But while the study appears to validate one frequent criticism of such programs—that the weapons turned in are often old or inoperable or both—District police officials nevertheless called their largest-ever weapons harvest a success on several fronts.

"If it results in one case closed, if one person is put in jail or if one death is prevented, then it was worth the money," said Assis-

tant Chief Brian Jordan. "You can't predict when a gun will be used in a crime."

Seven days' worth of collecting and three months of analysis gave investigators a perspective on what types of weapons are in the District.

According to the report, 44 percent of the guns in the buyback were traced to regional gun shops. Virginia, Maryland and Florida provided the largest numbers of weapons. Some came from California, Texas and even Alaska.

When District police stations opened

their doors in August, offering \$100—from seized drug profits—in exchange for a weapon, Jordan said most of those wanting to get rid of these guns were senior citizens. Among the weapons turned in were six Daisy air rifles and one hand grenade. Some brought old guns wrapped in tea towels. One person turned in a \$3,000 collector's classic, he said.

"We take guns off the street in many ways. This is one way," he said.

Buyback programs—popularized nationwide this decade and offering such tokens

as sports tickets, teddy bears, video games and gift certificate weapons—are often called little impact on violence.

"Gun buybacks are kind of a band-aid approach to gun violence," said John J. Armann, executive director of the Violence Policy Center.

"I think gun violence is a very tangible to people. At the end of the day, these gun buyback programs

See BUYBACK, B5, Col. 1

Shelter Asks for Heart-Warming Gifts



Woman Guilty In 1995 Deal Of 17-Month

*Case of Md. Girl Reopened
By D.C. Medical Examiner*

By RUBEN CASTANEDA
Washington Post Staff Writer

An Arizona woman was found guilty in Prince George's County Circuit Court judge's decision four years ago of a 17-month prison term for the death of her then-boyfriend.

METRO

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D.C. Buyback Drew Old, Cheap Guns, Analysis Finds

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"We take guns off the street in many ways. This is one way," he said.

Buyback programs—popularized nationwide this decade and offering such tokens

as sports tickets, teddy bears, sewing machines and gift certificates in exchange for weapons—are often called a quick fix with little impact on violence.

"Gun buybacks are kind of a hit-and-run approach to gun violence," said Josh Sugarmann, executive director of the Violence Policy Center.

"I think gun violence seems too intangible to people. At the end of the day in these gun buyback programs, there's a tan-

See BUYBACK, B5, Col. 1

Man Asks for Heart-Warming Gifts



Woman Guilty In 1995 Death Of 17-Month-Old

*Case of Md. Girl Reopened
By D.C. Medical Examiner*

By RUBEN CASTANEDA
Washington Post Staff Writer

An Arizona woman was found guilty yesterday by a Prince George's County Circuit Court judge in the beating death four years ago of a 17-month-old Clinton dis-

THE DISTRICT

ATF Analysis Finds \$100 Buyback Drew Old, Cheap Guns

BUYBACK, From B1

gible result—the guns. That makes people feel good.”

But some question whether that good feeling is worth \$300,000.

Jon Vernick, associate director of the Johns Hopkins Center for Gun Policy and Research, suggests money can be used to move higher in the gun trade hierarchy, targeting gun traffickers and straw dealers.

Jordan said such programs and the data they provide are building blocks to other phases of weapons seizures.

Each of the 2,912 guns netted in Operation Gun Tip was analyzed for its origin and history. Because the District analyzes all weapons and it was one of the target cities in a recent ATF gun study, the climate was right for such a unique analysis, said Brad Earman, spokesman

for the ATF.

According to the study, many of the weapons were manufactured before the 1968 Gun Control Act and didn't have the serial numbers that allow the guns to be traced.

Some, 68, had their serial numbers obliterated, a sign they had most likely been stolen. There were 45 guns that had been reported stolen from 17 states, a fact that Earman said proves buyback programs

help target crimes, even if they're not helping solve homicides.

Other criticisms are aimed at the kinds of guns turned in. During the 1994 gun amnesty program, only 56 percent of the weapons were handguns. That increased to 75 percent this year, according to the report.

More than half of all those guns, however, were revolvers.

“That doesn't comport with the

majority of the crime guns out there,” Vernick said.

Some of the guns turned in are on the ATF's most dangerous list, such as the Raven .25-caliber pistol and the Davis .380 pistol. Few were high-powered semiautomatics.

“Someone isn't going to be turning in \$400 weapons, we know that,” Jordan said. “But we are preventing guns from getting in the hands of children.”

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COMMENTS ON THE HUD GUN BUYBACK INITIATIVE

Senator Paul Sarbanes of Maryland, Ranking Member of the Senate Banking, Housing and Urban Affairs Committee: "HUD's Gun Buyback Violence Reduction Initiative is an investment in getting guns off the streets, out of public housing and protecting the lives of adults and children alike. It is a small price to pay for the improved health, safety and well-being of our citizens living in public housing and surrounding communities, instead of paying an even higher price for the medical treatment of the victims of gun crime, caring for children whose parents have been lost to gun violence, and funding the law enforcement efforts needed to investigate and prosecute violent criminals."

Senator Frank Lautenberg of New Jersey, Ranking Member of the Senate Budget Committee and a Member of the VA-HUD Appropriations Subcommittee: Guns in our inner cities are exacting an awful toll. Families are being torn apart, young lives are being stolen, and communities are living in a state of constant fear. HUD's gun buyback program is the sort of aggressive, innovative program that we need to help put a stop to gun violence. This HUD initiative fits well with the crime-fighting goals I envisioned when I wrote the Drug Elimination Grant legislation in 1988."

Senator Barbara Boxer of California, Member of the Budget Committee: "There are nearly 250 million guns in America today. That's almost one for every man, woman, and child in this country. And that's why many local law enforcement officials now consider getting guns off the streets their top priority in reducing crime. I am pleased that the Department of Housing and Urban Development is providing grants to establish local gun buyback programs across the country. This is not a cure for gun violence, but it is a start at helping to keep guns out of the wrong hands and helping local police make our streets safer."

Congressman Patrick Kennedy of Rhode Island: "On their own initiative, communities across the country have launched successful buyback programs to rid themselves of guns and to reduce the senseless violence in their daily lives. I commend HUD for learning from these successes and for helping other communities implement effective buyback programs."

Congresswoman Carolyn McCarthy of New York, whose husband was shot to death and whose son was badly wounded on the Long Island Rail Road: "I commend Secretary Cuomo and the Department of Housing and Urban Development for implementing the Gun Buyback Violence Reduction Initiative. Each gun we buy back is one less gun on the street. What is vital about this program is that guns will be destroyed – not put back in the circle of violence."

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Sarah Brady, Chair of Handgun Control, Inc.: "We support every effort to reduce the number of guns on the streets of our communities. This program demonstrates that HUD understands that easily accessible guns are one of the biggest problems facing the residents of public housing across America. HUD is making an important national commitment to keeping guns out of the wrong hands, especially kids and criminals."

Bob Chase, President of the National Education Association: "There is no single answer to preventing gun violence and keeping our children safe. Voluntary gun buyback programs that provide a means to get some of the weapons off the streets and out of children's homes are a step toward providing our young people with a safe and healthy environment in which to grow and learn."

Arinn Dixon, Associate Director of Policy for Violence Prevention, Physicians for Social Responsibility: "Reducing the number of guns on the street is essential to curbing the epidemic of gun violence in the country. Each gun turned in to a buyback program is one that won't be used to commit a crime, attempt a suicide, or kill unintentionally - it's a gun that won't ever fall into the wrong hands."

Joshua Horwitz, Executive Director of the Educational Fund to End Handgun Violence: "Gun buybacks provide an excellent way for communities to draw attention to the problem of gun violence, which is fueled by the widespread, easy availability of firearms. Gun buybacks are also a catalyst for local communities and neighborhood organizations to work with law enforcement in a collaborative manner. These collaborations can lead to long-term reductions in gun violence."

Dr. Mohammad N. Akhter, Executive Director of the American Public Health Association: "Removing guns from our streets is long overdue; it's a big step toward reducing the level of violence in our communities. HUD is pioneering a new approach. In addition to improving housing opportunities for our citizens, the agency is now taking steps to ensure that both the homes and communities in which we live are safe."

Kevin E. Marchman, President of the National Organization of African-Americans in Housing: "The tragedies in public and private housing that can be traced to the use of firearms show that carefully conducted gun buyback programs can protect the lives of innocent victims of gun accidents and crimes."

Michael Kelly, Executive Director of the Housing Authority of New Orleans: "At the New Orleans Housing Authority, we are beginning to turn the corner on crime and violence in public housing. In concert with similar efforts in other cities, gun buyback initiatives give staff and residents added courage and support to go over the top in continuing to address these serious problems."

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Daniel P. Henson III, Commissioner of the Housing Authority of Baltimore City:

"The anecdotal evidence from Baltimore shows that gun buybacks have been very helpful in reducing crime. There is no doubt that when the number of weapons in a community decreases, there is a corresponding reduction in the use of weapons to commit acts of violence. This is particularly true in domestic situations. However, in the past we have had limited funds to maximize the potential of gun buyback initiatives. I look forward to the opportunity to explore more fully the relationship between the availability of guns and gun violence."

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GUN BUYBACK PROGRAMS IN 1999

Here are summaries, taken from news accounts, of some gun buyback programs around the country conducted this year.

CALIFORNIA

LOS ANGELES – July 1 – Some 100 students at El Sereno Middle School in East Los Angeles went door-to-door selling candy and raised \$4,000 for a gun buy-back program in the area, where gun violence is a serious problem.

DISTRICT OF COLUMBIA

WASHINGTON – August 26 – Two recently concluded gun buyback programs in the District of Columbia have led to calls for a national buyback program. The first focused on public housing complexes in the city's sixth district and collected 602 guns. The second was a two-day citywide program that netted 2,306 firearms.

FLORIDA

LEESBURG – July 31-- Beginning August 7, the City will pay \$25 for any gun handed over by Leesburg residents. "This program is to allow the citizens of our community the opportunity to get rid of any unwanted guns they may have in their home," said Police Corporal Pernell Mitchell. "A lot of accidents with kids and guns have happened inside the home."

GEORGIA

ATLANTA – May 29 – The Southern Christian Leadership Conference is reviving its gun buyback program after a two- year hiatus. Since the buybacks began in 1993, the SCLC has spent \$480,000 to purchase 10,000 guns. Some people refused money, saying they just wanted to get the guns off the street or out of their homes

INDIANA

SOUTH BEND – August 8 – "People do kill people," concluded an editorial in The South Bend Tribune. "But guns, with an efficiency that robs victims of any chance of self-preservation, give remorseless or demented people the power to terrorize society. Thanks to the St. Joseph Regional Health Center's gun buyback" – which collected 177 weapons – "there is a little less of that power on the streets of South Bend."

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NEW YORK

BROOKLYN – June – District Attorney Charles J. Hynes has launched a guns-for-cash program called “Turn it In for a Benjamin,” referring to Benjamin Franklin, whose portrait appears on the \$100 bill. After quickly collecting more than 650 guns, the program was expanded citywide. “659 guns off the street reduces the opportunity for a lot of death and injury,” said Hynes.

OHIO

DAYTON – June 1 – The parents of a student gunned down at Columbine High School in Littleton, Colorado in April shook the hands of Dayton residents standing in line to sell guns back to the police. Police collected about 150 guns in four hours. “If we can keep getting these kinds of crowds, we just might be able to make a change,” said the father, Michael Shoels.

RHODE ISLAND

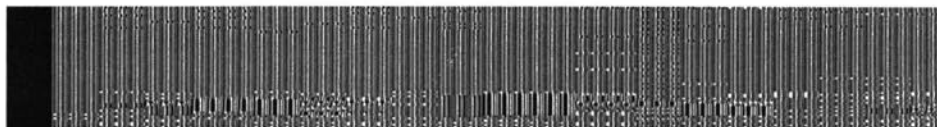
NORTH PROVIDENCE – August 1 – Just one day after the first murder in North Providence in five years, the town’s first gun buyback netted 105 guns, purchased at \$25 each.

WISCONSIN

KENOSHA – May 11 – Some 174 firearms were surrendered to Kenosha law enforcement officials in return for gift certificates and cash, the most successful buyback in the City’s history.

RACINE – June 13 – The Racine Interfaith Coalition collected 107 guns in return for \$50 and \$100 gift certificates at a local mall. Seven of the weapons collected were illegal. Last December, the Coalition bought back 132 guns.

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Posted at 10:51 p.m. EDT Tuesday, October 12, 1999

Penelas orders police to scrap spare guns

BY MARIKA LYNCH
mlynch@herald.com

Miami-Dade County Mayor Alex Penelas has ordered that all excess county police weapons be reduced to scrap metal following a CBS News report that found -- despite good intentions -- that some officers' guns ended up in the hands of criminals.

The news report is a particular embarrassment for Miami-Dade, which has sued the gun industry because of the costs of local gun-related crime.

The network's three-month investigation discovered that four Miami-Dade Police weapons were connected to crimes in Chicago -- including one attempted-murder case where a maintenance worker was shot three times after being mistaken for a gang member.

CBS also found that despite a Miami-Dade County policy that used weapons be kept within the law enforcement community, the guns often turned up in shops where they could be bought by the general public, said CBS correspondent Vince Gonzales.

Penelas, an advocate for gun control who spearheaded the county's lawsuit to compel 26 manufacturers to design safer weapons, said he was disturbed by the finding.

"Quite frankly, this underscores the problem we are having with the gun manufacturers in this country," Penelas said. "We have lax laws in this country that allow almost anybody to purchase a gun on a moment's notice, no questions asked."

Destroying them is the only alternative the county has, he said.

Last year, Miami-Dade County tried to stop the exact practice CBS found. Here's what happened, according to the report aired Monday and Tuesday nights:

The county hired Kiesler Police Supply of Indiana to buy and resell 1,200 guns to others in the law enforcement community. Kiesler, one of the nation's largest gun dealers, was the only company to respond to the county's bid.

Company owner Doug Kiesler, who could not be reached by The Herald for comment Tuesday, said his business screened all the buyers for Miami-Dade's guns to comply with the policy.

TARGETING GUNS: In this Dec. 1998 picture, Metro-Dade Mayor Alex Penelas holds up a revolver that killed a toddler.

NATIONAL ISSUE: U.S. Attorney General Janet Reno announced statistics Tuesday showing that as much as 75 percent of guns used in crimes were obtained illegally.

SEE ALSO:
See the CBS story that prompted Penelas' order.
Column: Teen shooting reflects real face of gun violence
Editorial: Fewer guns, less liability

But CBS traced the weapons. Among the findings: 250 ended up at a farm supply store in Kentucky, and 40 went to Lou's Police Supply in Hialeah, which exported them to Costa Rica for resale to consumers, the owner told CBS.

In a memo written Friday, Penelas asked County Attorney Robert Ginsburg to terminate the company's contract and refer the case to the Miami-Dade state attorney's office, Florida attorney general, and the U.S. Bureau of Alcohol, Tobacco and Firearms.



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CBS NEWS

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CBS NEWS Programs CBS Evening News w/ Dan Rather

Used Guns Get In Wrong Hands

*Police May Have A Clear Policy
But Weapons Still End Up On The Streets*

MIAMI

Tuesday, October 12, 1999 - 09:21 AM ET

(CBS) As CBS News reported in August, most of the major cities suing gun makers are also arms dealers themselves, selling or trading tens of thousands of old police weapons that end up on the streets.

CBS News Correspondent Vince Gonzales continues an investigation into what really happens to old service weapons.

In January, when the mayor of Miami-Dade County, Alex Penelas, filed suit against gun manufacturers, he joined a growing national movement that now includes 27 cities and counties.

"This lawsuit is...a cry for justice on behalf of people who are no longer able to speak for themselves," said Penelas.

Since 1996, the year he took office, 125 young people have died from gunfire in his city, which is why he decided to take on the powerful gun lobby, the mayor says.

Miami-Dade County also sells its old service weapons but with tough restrictions.

"We have a very clear policy, and in fact we have a contract with a police supply company that requires that all of the guns that they take back from us be resold only to public safety or police personnel," Penelas says.

Kiesler Police Supply of Indiana, one of the nation's largest gun dealers, guaranteed in writing last year that more than a thousand Miami-Dade guns would be sold to law enforcement personnel only.

CBS News
Correspondent
Vince
Gonzales
Reports

FEEDBACK
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HELP

CBS News obtained printouts detailing where those guns went. Mayor Penelas had never seen the list.

According to the list, it doesn't look like the guns are staying in the law enforcement community.

"I've been our contract requirements that they be sold only within the law enforcement community," Penelas says.

Kiesler shipped 50 Miami-Dade revolvers to RNJ Guns & Ammo in California. **CBS News** sent a producer and cameraperson undercover to see if the guns were really being sold only to law enforcement personnel.

With no trouble they were able to legally buy two Ruger .38 caliber revolvers. The sales tags said **"police trade-in"** and the serial numbers match those of the Miami-Dade weapons. And while they did have to answer some questions, no one asked if they were law enforcement personnel. The gun store did not return repeated phone calls from **CBS News**.

Kiesler also shipped 41 police revolvers back to Miami. **CBS News** went to Lou's Police Supply for a comment. The owner wouldn't talk on camera, but he told **CBS News** all the police guns were exported to foreign security services. But according to State Department documents obtained by **CBS News**, some of them went to Costa Rica for resale to consumers, a clear violation of the law enforcement-only contract.

And when the guns did go to American law enforcement personnel, some went to police departments but most went to individuals, police officers, prosecutors, even part-time arson investigators, with some buying as many as 25 guns. They're free to sell or trade them to anyone they please and some already have.

The mayor says he may go after Kiesler for breach of contract.

Doug Kiesler who signed the gun deal would not talk to **CBS News** on camera, but he says his company has done nothing wrong. **"We really tried to do the right thing on these guns and it backfired on us,"** he says.

"We will take a very serious look at this and, if necessary, terminate the contract and just destroy our own service guns if we have to," Penelas says.

This is exactly what **CBS News** did with the two Miami-Dade County police revolvers it bought.

For more information on the subject, read Vince Gonzales' previous reports **"When Police Are Arms Dealers"** and **"Police Put Guns On The Street."**

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When Police Are Arms Dealers

*Littleton Sheriff's Office Sells Assault Weapons
Irving, Texas Police Sell Grenade Launchers
Part 1 Of A 2-Part Evening News Series On Guns*

LOS ANGELES

Tuesday, August 24, 1999 - 07:18 PM ET

(CBS) After the shooting at the Jewish Community Center in California, Buford Furrow allegedly killed a postal worker with a 9 mm semi-automatic pistol. The gun was first owned by the Cosmopolis Police

AP Department in Washington state, reports CBS News

Correspondent Vince Gonzales.

"We purchased the gun for evaluation and sold it to a local gun dealer. That gun dealer sold it to a private citizen," says Gary Eisenhower of the Cosmopolis police.

That's not uncommon. According to documents obtained by **CBS News**, law enforcement agencies across the country have sold or traded tens of thousands of their weapons to gun dealers. The dealers then sell the guns to the public - everything from handguns to machine guns.

"I think it's outrageous, putting assault weapons back on the streets - there's no excuse," says Jay Wachtel, a former federal agent who specialized in gun trafficking.

GUNS in AMERICA

INTERACTIVE

Arm Yourself With The Facts

When Columbine High School students returned to school last week, the cheering couldn't erase the memory of what high-powered weapons can do.

At the time of the Littleton massacre, local officials -

weapons?

CBS News
Correspondent
Vince
Gonzales
Reports

GET LOCAL
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At the time of the Littleton massacre, local officials - including the Jefferson County sheriff - condemned assault weapons as having only one purpose: killing people.

But CBS News departments their used weapons dealers.

None of those dealers would consent to an interview, but CBS News has a list of the weapons they bought from law enforcement: 112 handguns, 194 shotguns and 20 assault weapons, including the AR-15, a weapon so deadly it can no longer be imported or manufactured here. That was one of the guns sold by Jefferson County Sheriff John Stone. He told CBS News he didn't know his department sold assault weapons.

"I think my philosophy is going to change on that and those weapons will not be used in any kind of trade-in program," Stone says.

But Stone defends the practice when it comes to handguns. **"Well, it's just like trading in a car or anything else except it's guns. I have no problem with the handguns,"** Stone says.

A handgun first owned by the New York State Police was later used by Richard Leon Browne to murder two store clerks in California. Browne, caught on surveillance tape, is now on death row.

That gun, according to a report, was one of 30 used in crimes which were traced back to New York law enforcement. Now, all used state weapons are destroyed.

The legendary Texas Rangers, the guys in the white hats, and the Texas Highway Patrol are among the biggest arms dealers in law enforcement. According to inventory reports, they've unloaded thousands of handguns, shotguns, rifles and a handful of assault weapons over the last decade.

But the biggest bang for the buck may come from the Irving, Texas, police - the only department we found that sold grenade launchers. The paper trail leads to a licensed firearms dealer in Idaho who is offering them on his Web site for \$3,500 a piece.

"The people who get them are licensed and that's about the best safeguard we can come up with is going through the federal government. They assure us that these people are the proper people to deal with," says David Tull of the Irving, Texas, police.

That licensed weapons dealer in Idaho also promotes, as

a "**must read**," a new novel in which the hero advocates the execution of police officers who enforce gun-control laws.

Buford Furrow was an avid reader of such anti-government books and at one time he was a licensed federal firearms dealer.

All these gun deals - even the grenade launchers - are perfectly legal. The question is - in a country reeling from gun violence - should those who are supposed to protect and serve be selling and trading such deadly weapons?

Part 2: Police Put Guns On The Street

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Police Put Guns On The Street

*Detroit Police Rank No. 1 In The Gun Business
San Francisco, St. Louis, Boston Also Sell Arms*

LOS ANGELES

Wednesday, August 25, 1999 - 08:21 PM ET

(CBS) Big cities are suing gun makers for the cost of gun violence but some of those same cities are contributing to the arming of America.

CBS News Vince

Gonzales reports in Part II of this Eye On America series.

Uzi assault weapon

In 1993, after a gunman with semi automatic weapons killed eight people in a San Francisco high rise, the mayor at the time demanded a ban on assault weapons.

Frank Jordan, former mayor of San Francisco, held up an assault weapon and said that there was absolutely no reason in an urban setting to ever have that kind of a weapon legalized and available.

Just a year later, a drifter with two assault rifles and an Uzi killed a police officer and turned the streets of San Francisco into a war zone. Again there were calls for tougher laws. But while city officials were trying to get guns taken off the streets, the San Francisco Police Department began putting its used weapons back on the streets.

GUNS in AMERICA

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Arm Yourself With The Facts

According to documents obtained by CBS News, over a two-year period San Francisco police sold or traded more than 100 of their assault weapons, including AR-15s and Uzis.

chance
even if we
could make
a buck or
two."
David Kalish
Los Angeles
Police
Department

CBS News
Correspondent
Vince
Gonzales
Reports

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Both of those guns are illegal in California. So they were sold to dealers, including one located in South Central Los Angeles, who resold them to gun shops out of state.

"I think people
Louise Renne

That could be a problem for Renne because San Francisco is suing gun makers for being irresponsible and making it easy for criminals to get guns.

"Will it hurt our lawsuits? I don't think so," adds Renne.

But it can't help the case. In fact **CBS News** has learned that of the major cities suing gun makers, most have been selling or trading their used weapons for years. St. Louis approved a six-figure arms deal just last week.

But of all the cities looked at by **CBS News**, it is Detroit, once the nation's murder capital, that now ranks No. 1 in the gun business.

According to contracts and shipping records, over the last seven years, the Detroit Police Department made nearly a million dollars selling 14 tons of used weapons, mostly handguns, to a Vermont dealer.

In Washington state, money was the reason the budget-strapped Cosmopolis Police Department traded in a 9 mm Glock pistol.

"I can't just destroy it. I'd have to answer to the city council and the citizens for wasting the money somehow," explains Gary Eisenhower of the Cosmopolis Police Department.

It was the same gun that Buford Furrow allegedly used to kill postal worker Joseph Iletto during his shooting rampage earlier this month in Los Angeles.

"There's only one reason these guns were manufactured and made and that was to kill people," says David Kalish of the Los Angeles Police Department.

The Los Angeles Police Department says it is more concerned with saving lives than saving money.

"We don't know where the guns are going to end up, and we just don't want to take that chance even if we could make a buck or two," says Kalish.

So when the Los Angeles Police Department upgrades its arsenal, the old firearms are saved for parts or destroyed along with about 10,000 weapons the city confiscates each year.

Some cities are following Los Angeles' lead. Boston began restricting sales in April. And just before San Francisco sued gun makers in May, police promised to stop selling their used weapons.

"Am I sorry we didn't end the practice sooner? Of course," says Renne.

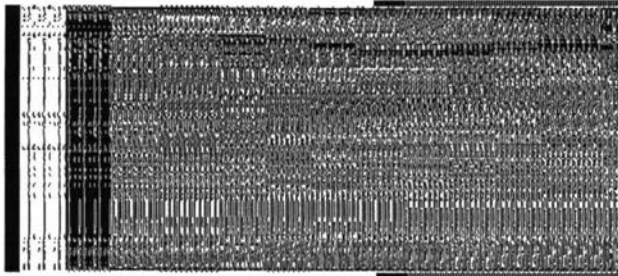
And gun dealers will be sorry if more police start destroying their old firearms. They've been making a killing off buyers willing to pay top dollar for a gun once owned by a cop, especially the most lethal weapons that can no longer be made in the United States.

Part 1: When Police Are Arms Dealers

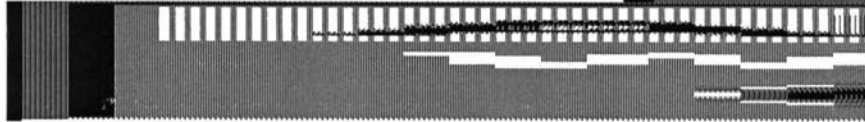
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**Los Angeles Police
Department doesn't sell its
old firearms.**



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Caught In The Gun Maze

Used Miami-Dade Police Revolvers Tied To Crime

LOS ANGELES

Wednesday, October 13, 1999 - 09:30 AM ET

(CBS) CBS News
Correspondent Mince
Gonzales continues his
investigation into what
happens when old service
weapons end up in the
wrong hands.

Since 1990, more than
3,000 police guns have
been tied to crimes.

times.

Minutes later police arrested Louis Morales, reportedly
a member of the Latin Kings, a violent street gang. He
was carrying a Smith & Wesson .38 caliber revolver

The gun was last owned by the Miami-Dade Police
Department. In fact, a CBS News investigation has
found it was one of four former Miami-Dade police
weapons connected to crimes in Chicago in the past
year.

Alleged gang member Chris Frazier was caught with
one of the police guns after shots were fired near a
playground. Another gun was taken from a leged Latin
Kings member Aquileo Migue during a search. And on
New Year's Eve police arrested a minor who was firing
one of the police guns into the air.

Four used Miami-Dade Police revolvers, four crimes,
one Chicago neighborhood.

At an anti-crime march in the same neighborhood, an
angry Chicago Mayor Richard Daley said it could have
been worse. "We have them selling weapons back
in Miami; the weapon ends up in Chicago, and it
kills some young person," said Daley.

Daley wants more cities to follow Chicago's lead.

manhole
covers.

CBS News
Correspondent
Mince
Gonzales
reports.

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"We destroy all the weapons. We do not sell them back. We do not give them back to police; we don't give them back to politicians; we destroy all weapons," according to Daley.

Many police departments sell their used weapons, which then end up in the hands of private citizens, requiring its use by police departments only for law enforcement.

But, as **CBS News** previously reported, it's impossible to keep the weapons in the hands of law enforcement personnel once they've left the control of the Miami-Dade Police Department.

A **CBS News** undercover crew had no trouble buying two restricted Miami-Dade revolvers at a gun store in California.

And the guns used by gang members in Chicago were stolen from a weapons shipment passing through the city's air cargo terminal.

"Having a police weapon used by a criminal - it's just like having a police car driving away from a bank robbery," says Jerry Nunziato, who oversaw the tracing of nearly 700,000 guns when he ran the National Tracing Center for the Bureau of Alcohol, Tobacco and Firearms.

He says trying to restrict used gun sales to law enforcement has never worked. **"It sounds great but...it was just too difficult to put in a policy like that and have it enforced,"** he says. For years, Nunziato says, he watched with concern as the number of old police weapons connected to crimes started to climb.

CBS News obtained a copy of the ATF's firearms trace database through the Freedom of Information Act. **CBS News** found, since 1990, more than 3,000 police guns have been connected to crimes, including 293 homicides, 301 assaults and 279 drug-related crimes.

For example, an undercover ATF agent in Colorado Springs bought a police gun from a convicted drug dealer. And the weapon was traced back to the San Diego Sheriff's Department, which had sold it to a gun dealer.

And two ATF sources tell **CBS News** that old police weapons were in David Koresh's arsenal at Waco. Some of those guns came from the same dealer who last year bought Miami-Dade's weapons and promised to sell them to **"law enforcement only."**

As a result of the **CBS News** investigation,

Miami-Dade's mayor issued a memo recommending that the city change its policy - melt down all old police weapons and turn them into manhole covers, which is what they've been doing for years with guns taken from criminals.

In Chicago, that man shot with a Miami-Dade police revolver wouldn't talk on camera. He's afraid of the gangs and their guns. He has lost his job, along with some use of his right hand, and is in intense pain.

He told **CBS News** his medical bills so far are nearly \$30,000. Miami-Dade sold the gun that shot him for \$75.

Read our previous coverage in **"Used Guns Get In Wrong Hands"**

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FAX TRANSMISSION FROM THE FIREARM INJURY CENTER

To: Bruce Reed, DPC *B Reed*
fax 202 456-5542

From: Robert Schwoch, Information and Communications Coordinator
Medical College 414 257-5576 or home voice/fax 414 483-6156
schwoch@execpc.com

Date: September 17, 1999

No. of pages: 3, including cover

Re: gun buyback research

Message:

Bruce -

The White House Office of Communications suggested that I share with you an advance copy of the enclosed letter to the President. It relates to recent research by our center on gun buybacks. A signed hard copy will follow through regular mail. We are building a press release for Monday around the letter.

I'll follow up today with a phone call to make sure you received this fax and to answer any questions you might have. Though we can't publicly release our complete data or findings until they are formally presented in November, we'd be happy to share them with you privately. We think they'd be of great interest as the HUD buyback program gets up and running.

Bob Schwoch
Firearm Injury Center
Medical College of Wisconsin

Department of Emergency Medicine
Froedert Hospital East
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Firearm Injury Center

September 17, 1999

The President
The White House Office
1600 Pennsylvania Ave., NW
Washington, D.C. 20500

Dear Mr. President:

Your proposal for a national, federally funded firearm buyback initiative coincides with the completion and forthcoming release of the Firearm Injury Center's latest study of factors related to the effectiveness of such buybacks. We are writing to invite you to attend the formal presentation of our findings and to offer our assistance in formulating and evaluating your buyback program.

In looking at firearm buybacks over the past year, our researchers have found that the guns most often captured are not the guns responsible for most deaths. Consequently, we would recommend that you consider a system of incentives for netting the types of guns that most often maim and kill.

Incentives could improve the effectiveness of your program because the most menacing guns in our society are not the so-called assault weapons that bring high prices in a sellback. From a public health standpoint, the firearms most closely associated with fatalities are cheaply made and cheaply acquired handguns with poor reliability and minimal safety features. Their sellback prices are generally low.

Our findings will be presented at two upcoming national conferences: the American Public Health Association annual meeting November 7-11 in Chicago, and the American Society of Criminology annual meeting November 17-20 in Toronto. We believe these presentations would be of significant interest to you in light of your recent proposal.

(more)

Department of Emergency Medicine
Froedter Hospital East
9200 West Wisconsin Avenue
Milwaukee, WI 53226
FAX: (414) 257-8040
www.mcw.edu/fic

(page 2 of 2)

We applaud your decision to include \$1 million in your proposal to study the effectiveness of firearm buybacks. We believe our recent research and forthcoming findings can serve as a caution for your program design and a starting point for your evaluation. Please let us know what we can do to help with your timely effort.

Sincerely,

COPY
Stephen W. Hargarten, MD, MPH
Director, Firearm Injury Center

Richard L. Withers, JD
Associate Director

DRAFT

CC-58,197 FE:WFK

Mr. Max Stier
Department of Housing and Urban Development
Office of the General Counsel
451 Seventh Street, SW
Room 10250
Washington, DC 20410

In re: HUD Gun Buyback Program

Dear Mr. Stier:

This letter is in reference to the September 30, 1999, version of the Notice of Funding Availability for the Gun Buyback Violence Reduction Initiative being undertaken by the Department of Housing and Urban Development (HUD).

First, we thank you for including our previous recommendations regarding the proposed Notice, including our suggestion that all surrendered firearms be destroyed. We note, however, that the proposed Notice does not explicitly condition HUD buyback funding upon satisfying these requirements. Although the Notice sets forth procedures for the disposition of surrendered firearms, see section IV. D. 4. "Disposal of Guns", it appears to make these procedures voluntary. We recommend that the procedures for disposing of firearms should be required as a condition for receiving HUD buyback funding.

If you have any questions, please do not hesitate to contact Walfred A. Nelson, Deputy Assistant Director (Firearms, Explosives & Arson) at 202-927-7940.

Sincerely yours,

DRAFT

Andrew L. Vita
Assistant Director
(Field Operations)

1 FACSIMILE COVER SHEET
DEPARTMENT OF THE TREASURY
OFFICE OF THE UNDER SECRETARY (ENFORCEMENT)
Phone: (202)622-0300
Fax: (202) 622-7301

Date:

Page 1 of

TO:

Deanne

FAX:

456-7028

FROM:

SG

SUBJECT:

facsimile
TRANSMITTAL

to: L. FARMER
fax #: 456-7028
re: MORTG
date: 9/29
pages:

P-622-7301

From the desk of...

MAX I. STIER
Deputy General Counsel
Department of Housing and Urban Dev.
451 7th St. SW, Room 10226
Washington, DC 20410

(202) 708-2236
Fax: (202) 708-4087

Hutchinson

FR-4451-N-05

FOR DEPARTMENTAL CLEARANCE

TO: ADDRESSEES CHECKED BELOW

FROM: Camille E. Acevedo, Assistant General Counsel for Regulations, CLR

SUBJECT: PHDEP Gun Buyback Violence Reduction Initiative, Notice of Funding Availability

YOUR CONCURRENCE/NONCONCURRENCE ON THE ATTACHED SIMULTANEOUS CLEARANCE IS NEEDED BY NO LATER THAN C.O.B. ON September 30, 1999

Many documents are subject to important production deadlines. Where necessary to meet deadlines, the OGC Regulations Division will transmit clearance documents for signature/approval without the participation of late commenting offices. In any such case, the signing officer and the Secretary will be informed that clearance is incomplete. If your office has critical concerns about a document and cannot meet the deadline, it is important that you communicate that fact to the Regulations Division, 708-3055, Room 10276.

Clearance Offices:

A/S Admin	<u>4</u>	CFO	<u>2</u>
A/S CPD	<u> </u>	GNMA	<u> </u>
A/S FH&EO	<u>8</u>	OIG	<u>3</u>
A/S Housing	<u>5</u>	OLR	<u>2</u>
A/S CIR	<u>1</u>	ASFM	<u>3</u>
A/S PD&R	<u>5</u>	OEA	<u> </u>
A/S PIH	<u>15</u>	HUDBCA	<u> </u>
ALJ	<u> </u>	OSDBU	<u> </u>
OPC	<u> </u>	REAC	<u>2</u>
Enforcement Center	<u> </u>	Office of Disability Rights	<u> </u>
OLHC	<u> </u>	CIO	<u>3</u>

OGC: (Carey) (Hutchinson) (Karlson) (Kennedy) (Wilson) (Acevedo) (Hluchyj)

Others (by name):

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Departmental Clearance & Approval Record

**U.S. Department of Housing
and Urban Development
Office of the General Counsel**

Note to Clearing Offices: If your response has not been received by the Deadline Date, the Originating Office may proceed without it.

1. Job Control Number(s): FR-4451-N-05	2. Classification No:	3. Type of Action: ☒ Clearance ☐ Redclearance ☐ Final Clearance ☐ Approval	4. Deadline Date: September 30, 1999
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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-4451-N-08]

Notice of Funding Availability

Public Housing Drug Elimination Program

Gun Buyback Violence Reduction Initiative

AGENCY: Office of Public and Indian Housing, HUD.

ACTION: Notice of Funding Availability (NOFA) for Public Housing Drug Elimination Program Gun Buyback/Violence Reduction Initiative.

SUMMARY: The purpose of this notice is to affirm that gun buyback initiatives are an eligible activity under the public housing drug elimination program and to provide funding information and program guidelines for gun buyback programs. PHAs may reprogram a portion of their FY 1999 PHDEP grant dollars in order to devote such resources to gun buyback/violence reduction initiatives. To encourage PHAs to devote a nationwide total of up to \$10.5 million of their FY99 PHDEP grant funds to gun buyback/violence reduction initiatives in cooperation with local law enforcement agencies, HUD through this notice is making an additional \$4.5 million available for gun buyback/violence reduction initiatives. This \$4.5 million will be awarded on a first-come, first-served basis to PHAs that submit their reprogramming requests in accordance with this notice to provide approximately an additional \$43 dollars for every \$100 of FY 1999 PHDEP funds reprogrammed for gun buyback/violence reduction initiatives.

This notice also provides guidance to PHAs on the use of the additional \$4.5 million of Drug Elimination grant funds that the Department is making available to PHAs to increase the amount available for buybacks and for development, training, implementation, outreach, monitoring and evaluation activities related to the gun buyback/violence reduction initiatives. HUD estimates that this initiative has the potential to remove more than 300,000 guns from circulation.

Contained in the body of this document is further information concerning the purpose of the NOFA, applicant eligibility, available amounts, submission

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INITIALS: (M) DATE: 08/03/12

requirements, and application processing, including how to apply, and how selections will be made.

DATES: Applications may be submitted at any time after publication of this notice. The application due date is November 15, 1999, or until all available funds have been awarded. Eligible applications that comply with the requirements of this notice will be funded on a first-come, first-served basis to the extent funding remains available.

ADDRESSES: To participate in this initiative and apply for funding under this Notice, a housing agency must submit an application to the U.S. Department of Housing and Urban Development, Community Safety and Conservation Division, 451 7th Street, SW, Room 4206, Washington, DC 20410, Attention: Gun Buyback Initiative. Applications may simply consist of a letter of request as long as it contains the information required by this Notice.

FOR FURTHER INFORMATION CONTACT: Cedric Brown, Program Analyst, Community Safety and Conservation Division, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW, Room 4206, Washington, DC 20410, telephone (202) 708-1197 x.4057. Hearing or speech-impaired individuals may access this number via TTY by calling the toll-free Federal Information Relay Service at 1-800-877-8339. Also, please see HUD's website at <http://www.hud.gov/pih/legis/titlev.html> for additional PHDEP information.

SUPPLEMENTARY INFORMATION:

I. Authority.

The Public Housing Drug Elimination Program is authorized under the Public and Assisted Housing Drug Elimination Act (42 U.S.C. 11901 et. seq).

II. Amount Allocated.

Public Law 105-276 (the FY 1999 HUD Appropriations Act) appropriated \$310,000,000 for the Public and Assisted Housing Drug Elimination Program. Of that amount, approximately \$242,750,000 is being made available for PHDEP grants in FY99. Of the total \$310,000,000 appropriated for the Public and

3

1 Assisted Housing Drug Elimination Program, the FY 1999 HUD Appropriations Act
2 also set aside \$10,000,000 for "grants, technical assistance, contracts and
3 other assistance, training, and program assessment and execution".
4 Approximately \$4.5,000,000 of this \$10,000,000 set aside amount is being made
5 available under this notice for development, training, implementation,
6 outreach, monitoring and evaluation activities related to gun buyback/violence
7 reduction initiatives.

8 As discussed in this notice, HUD is encouraging PHAs to reprogram a
9 portion of their FY 1999 PHDEP grant funds to implement and operate gun
10 buyback/violence reduction initiatives in cooperation with local law
11 enforcement agencies. Under this notice, HUD will use the \$4.5 million set
12 aside amount described in the paragraph above to match up to \$10.5 million of
13 the \$242,750,000 of PHDEP grant funds that are reprogrammed to implement and
14 operate gun buyback/violence reduction initiatives. PHAs may request to use
15 PHDEP funds for gun buyback/violence reduction efforts until the established
16 due date, November 15, 1999, or until available funds are exhausted. The
17 Department will no longer approve PHA applications for further gun,
18 buyback/violence reduction initiatives under this notice after the established
19 due date, November 15, 1999, or after available funds have been awarded.

20 III. Background.

21 With almost one gun for every man, woman and child, America is drowning
22 today in a flood of guns and we're paying a heavy price for this
23 proliferation. In 1996, we lost more Americans to gunfire than we lost in the
24 entire Korean War. Currently, over 600 people die in gun-related incidents in
25 the U.S. each week. That's over 30,000 every year. This includes over 1,000
26 accidental deaths and over 18,000 suicides. Another 100,000 are injured
27 annually in non-fatal shootings.

28 Our children pay the highest price. The rate of accidental shooting
29 deaths for children under fifteen in the United States is nine times higher
30 than the other 25 industrialized countries combined. And the great increase

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1 in suicides among teenagers and young adults in the past four decades has been
2 mostly due to an increase in gun related suicides. Easy access to weapons is
3 the single most overwhelming factor contributing to the high rate of gun
4 deaths and injuries in this country.

5 In an effort to curtail the hazards of accidental shootings, suicides,
6 the tragedies of domestic violence, the dangers of gun violence, and the
7 devastating effects that often accompany such acts, police agencies and local
8 community organizations around the country have resorted to various types of
9 gun buyback initiatives. Gun reduction efforts operate on the premise that
10 accidental shootings, unintentional injuries, suicides and violent crimes can
11 be reduced in communities if there are fewer weapons available with which to
12 commit such acts.

13 HUD is sponsoring the initiative announced in this notice through its
14 Public Housing Drug Elimination Program to promote the cooperation of PHAs and
15 local law enforcement agencies in conducting gun buyback initiatives aimed at
16 reducing accidental or unintentional shootings, suicides, domestic violence
17 and other forms of gun violence. HUD is inviting PHAs who are recipients of
18 FY 1999 PHDEP funding to reprogram a portion of their PHDEP funding to
19 implement gun reduction initiatives in their localities. To encourage the
20 participation of PHAs in this initiative, HUD will provide a participating PHA
21 with additional funding to increase the amounts available for gun buybacks and
22 maximize the number of guns taken out of circulation, and for development,
23 training, implementation, outreach, monitoring and evaluation activities
24 related to gun buyback/violence reduction initiatives. Funding being made
25 available for this purpose will be equal to approximately 43 percent of the
26 amount of PHDEP funding the PHA devotes to the gun buyback/violence reduction
27 initiative.

28 In addition to reducing the number of accidental shootings, suicides,
29 domestic and gun violence, gun reductions efforts have other positive aspects
30 for housing and community residents such as:

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5

- * Raising public consciousness about community safety and soliciting neighborhood participation in crime control efforts
- * Acting as a visible deterrent to criminal activity
- * Increasing police presence in communities
- * Establishing stronger bonds between the community and the police, which might aid in more cooperative crime prevention and crime resolutions
- * Increasing trust in the police on the part of the community
- * Affording the community an active role in the fight against accidental shootings, suicides, domestic violence, violent crimes and firearm related criminal activity
- * Involving community businesses as cosponsors of these programs, which could bring about more resources and publicity in support of the gun reduction efforts.

While these factors and reports of the success of gun buyback initiatives have been sufficiently favorable to encourage HUD to undertake this effort, the total amount of HUD assistance being devoted to this effort under this notice is capped at a total of \$10.5 million in Fiscal Year 1999 (FY99) PHDEP program funding, plus the additional \$4.5 million. HUD will sponsor an independent assessment of this initial effort to more accurately and objectively determine the effectiveness of such initiatives before expanding this effort further. PHAs and local law enforcement agencies participating in the initiative under this notice may be contacted to participate in this assessment.

IV. Application Procedures and Requirements.

A. General overview.

PHDEP funds are made available to a PHA to be used in a manner consistent with the PHA's PHDEP plan to address drug-related, violent and criminal activity in and around public housing. Therefore, to participate in this initiative, a PHA must reprogram a portion of the funds in its PHDEP plan

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6

1 for gun buyback/violence reduction activities. Before funds are awarded under
2 this notice, a PHA will have to submit a reprogramming request for HUD
3 approval. HUD will review each reprogramming request as it is received and
4 upon approval of the request will authorize additional funding at a rate of
5 approximately \$43 for every \$100 dollars of FY 1999 PHDEP funding
6 reprogrammed. This represents an additional 43 percent of funding for the
7 PHA's gun buyback/violence reduction. HUD approval will consist of HUD
8 signing off on the reprogramming request and MOU (an executed agreement to
9 carry out the gun buyback initiative) between the PHA and the local police,
10 and having HUD amend the PHDEP grant award to the PHA to support the gun
11 reduction effort.

12 Because of the security issues involved, the gun buyback activities must
13 be conducted by the local law enforcement agency. The FY 1999 PHDEP funds for
14 this gun reduction initiative fall under the category of eligible PHDEP
15 activities of reimbursement of local law enforcement agencies for additional
16 security and protective services, as provided in 42 U.S.C. 11903(a)(2). Funds
17 for activities under this category may not be drawn until the grantee has
18 executed an agreement or Memorandum of Understanding for the additional law
19 enforcement services. The full amount of PHDEP funds that are reprogrammed
20 should be used for the actual buyback costs. HUD also strongly recommends
21 that the additional 43 percent of funding made available be used for gun
22 buyback costs to maximize the number of guns taken out of circulation.

23 In addition to the use of reprogrammed FY 1999 PHDEP funds and the
24 additional funding made available under this NOFA, PHAs may and are encouraged
25 to use funding from other sources, such as contributions from local government
26 or the private sector, for their gun buyback/violence reduction initiatives.
27 PHAs may, for example, negotiate with businesses in the community that
28 vouchers exchanged for guns under the initiative provide an additional
29 discount or value increase when redeemed at that business. PHAs and local law
30 enforcement agencies are also strongly encouraged to seek out and obtain

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community cooperation and resources to leverage the costs of development, training, technical assistance, implementation, outreach and evaluation activities related to the initiative, because a community-wide effort is likely to have the greatest positive impact.

B. Eligible applicants.

PHAs that are 1) recipients of FY 1999 PHDEP funding, 2) devoting a portion of that funding to gun buyback/violence reduction initiatives, and 3) implementing their gun buyback initiatives in cooperation with local law enforcement agencies, as evidenced by letters of intent and executed agreement, may apply for a portion of the additional \$4.5,000,000 TA funding under this notice.

C. Amount of funding per applicant.

Consistent with this notice, HUD will permit each PHA to reprogram up to \$500,000 of their FY 1999 PHDEP funding to gun buyback/violence reduction initiatives. In addition to the amount reprogrammed, PHAs will receive an additional amount of funding equal to approximately 43 percent of the FY99 PHDEP dollars devoted to the gun buyback initiative.

D. Eligible activities.

Police conducting the buyback activity should accept for buyback firearms as defined under Federal, State or local law. The Federal law definition of a firearm is found at 18 U.S.C. 921(a)(3). In deference to local conditions and judgments, HUD will consider a wide range of gun buyback/violence reduction activities, but strongly encourages them to generally follow the guidelines of this section:

1. Form of buyback exchange. HUD encourages these initiatives to offer gift certificates, food vouchers, certificates for merchandise such as toys, or other incentives of value to those who turn in guns, in addition to or in place of cash payments.

2. Amount of value per exchange. HUD suggests value equivalent to \$50 of the HUD assistance provided to be offered for each gun exchanged.

1 Additional value in the form of discounts or extra merchandise made available
2 by businesses participating in the initiative may also be offered.

3 3. Site of gun buyback activities. While PHDEP activities must be
4 planned to reduce drug-related, violent and criminal activity in or around the
5 premises of public housing, perpetrators of gun violence are frequently non-
6 resident predators of public housing. Gun buyback activities, therefore, do
7 not need to be conducted on the PHA premises in order to be effective.
8 However, it is anticipated that the gun reduction effort will have a
9 noticeable impact on reducing the number of guns and the risk of unintentional
10 shootings in the homes and communities of public housing residents.

11 4. Disposal of guns. In general, once the police collect the weapons
12 from the buyback initiatives, the guns must be destroyed so as not to be put
13 back into use or circulation, unless law enforcement needs call for another
14 action, such as preservation of a gun as evidence or a determination of
15 whether a gun was stolen or used in the commission of a crime. If a gun is
16 determined to be stolen, it must be returned to its lawful owner. Guns may
17 not be resold or exchanged for value, except in connection with their
18 destruction and conversion to scrap. Local law enforcement agencies will be
19 expected to include the following procedures in their disposal of firearms
20 obtained under this initiative:

21 (a) Certain firearms defined under the National Firearms Act (NFA), 26
22 U.S.C. 5845(a), e.g., short-barreled shotguns, generally must be registered
23 with the Bureau of Alcohol, Tobacco, and Firearms (ATF). Local police should
24 consult with the ATF where NFA firearms are surrendered in a buyback program;

25 (b) Local police should conduct a search of each of each surrendered
26 firearm in the National Crime Information Center (NCIC).

27 (c) Where available, local police should test each surrendered firearm
28 using an automated ballistics information system such as IBIS or DRUGFIRE.

29 (d) Where appropriate, certain surrendered firearms should be traced.
30 For example, firearms possessed in violation of local law or ordinance, NFA

9

firearms, firearms with an obliterated serial number, or firearms that are determined by local law enforcement to be associated with crime should be traced where possible.

E. Application submission requirements.

Each application for funding under this notice must include the following:

1. A written statement briefly describing which activities in the PHA's PHDEP plan would be reprogrammed, and the resulting reprogrammed amount of FY 1999 PHDEP funding to be used for the gun buyback reduction activities;

2. A brief description of the proposed gun buyback initiative in accordance with the requirements and guidelines of this notice;

3. Letters of intent. A letter of intent signed by the chief of the local law enforcement agency to conduct the gun buyback initiative in accordance with the description submitted, and a letter of intent from the chief executive officer (generally the mayor or county executive) of the unit of local government for the jurisdiction indicating the cooperation and support of the local jurisdiction.

F. Award process.

As HUD receives applications, it will log them in by date and time. HUD will notify each PHA applicant that it is eligible to reprogram its PHDEP funds in the amount indicated in the application until a total of \$10.5 million of FY 1999 PHDEP funding has been designated eligible for reprogramming. Before additional funds are awarded, the PHA will be required to submit its formal programming request describing which activities in the PHA's PHDEP plan are being reprogrammed, and the reprogrammed amount of FY 1999 PHDEP funding to be used for the gun buyback reduction activities. The PHA must also submit an executed agreement with the local law enforcement agency to conduct the gun buyback initiative in accordance with the description in the reprogramming request. Upon approval of the PHA's reprogramming request and executed agreement, HUD will award the additional 43

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1 percent of funding through an amendment to the PHDEF grant agreement.

2 V. Certifications and Findings

3 Environmental Impact. This notice does not direct, provide for assistance or
4 loan and mortgage insurance for, or otherwise govern or regulate, real
5 property acquisition, disposition, leasing, rehabilitation, alteration,
6 demolition, or new construction, or establish, revise or provide for standards
7 for construction or construction materials, manufactured housing, or
8 occupancy. Accordingly, under 24 CFR 50.19(c)(1), this notice is
9 categorically excluded from environmental review under the National
10 Environmental Policy Act of 1969 (42 U.S.C. 4321).

11 Paperwork Reduction Act Statement. The information collection requirements
12 for the Public Housing Drug Elimination Program were submitted to the Office
13 of Management and Budget for review under the provisions of the Paperwork
14 Reduction Act of 1995 (44 U.S.C. 3501-3520) and have been assigned OMB control
15 number 2577-0124. An agency may not conduct or sponsor, and a person is not
16 required to respond to, a collection of information unless the collection
17 displays a valid control number.

18 Federalism, Executive Order 12612. The General Counsel, as the Designated
19 Official under section 6(a) of Executive Order 12612, Federalism, has
20 determined that the policies contained in this notice will not have
21 substantial direct effects on States or their political subdivisions, or on
22 the relationship between the Federal Government and the States, or on the
23 distribution of power and responsibilities among the various levels of
24 government. Specifically, the notice seeks to encourage the undertaking of a
25 specific eligible activity under the Public Housing Drug Elimination Program,
26 and does not impinge upon the relationships between the Federal government and
27 State and local governments. As a result, the notice is not subject to review
28 under the Order.

11

1 Catalog of Domestic Assistance Number.

2 The Catalog of Domestic Assistance number for the Public Housing Drug
3 Elimination Program is 14.854.

4 Dated: _____

5
6 Harold Lucas, Assistant Secretary for
7 Public and Indian Housing

8 [FR-4451-N-05]

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Clinton Offers Gun Buyback Funding

\$15 Million Earmarked to Help Get Guns out of Circulation

President Clinton has proposed spending \$15 million in a nationwide gun buyback effort. (AP Photo)

The Associated Press

WASHINGTON, Sept. 9 — President Clinton has ordered the Department of Housing and Urban Development to provide \$15 million for public housing agencies and city police department to buy back guns in America's inner cities.

The program will give local police departments up to \$500,000 to buy guns in and around public housing projects for a "suggested price" of \$50. The guns will be destroyed, the White House said.

Clinton outlined the program at the White House today, and also announced \$147 million in federal community policing grants to help hire 1,600 new police officers nationwide. Mayors from across the country were

ABCNEWS' Erin Hayes reports on the gun-control law.
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SUMMARY

President Clinton has offered \$15 million in federal funds to buy back guns.

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in attendance.

The White House also released reports today that Clinton says show the effectiveness of administration anti-crime efforts. An update on the Brady gun control law's "instant check" system, which began last November, claims that federal authorities have stopped an estimated 700,000 illegal gun sales.

Goal Is to Retrieve 300,000 Guns

The administration calculated that the \$15 million buyback program should bring in close to 300,000 guns. The money will go to individual public housing authorities, which will work out the buyback plans with local police, the White House said.

The administration said it might recommend that housing authorities hand out gift certificates for goods or services rather than cash, the White House said.

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or services rather than cash, the White House said.

The buyback plan is modeled on local programs in cities such as Washington and New York.

The District of Columbia bought 2,306 guns during an experimental two-day offer last month. That no-questions-asked program took in guns from across the city, not only from neighborhoods near housing projects.

As with the Washington program, the national buyback offer would not include amnesty for any crimes committed with the guns. District of Columbia police are running ballistics tests on the gun haul now, and will try to match guns to crimes and crimes to criminals.

Local Flexibility Is Key to Program

Andrew Cuomo, secretary of Housing and Urban Development, said the national buyback program will give flexibility to mayors to tailor the program to specific needs.

The Brady law and other gun-control laws are having success in keeping new guns out of the hands of those who shouldn't have them, Cuomo said on ABC's *Good Morning America*.

"We have 200 million guns in this country. We have to reduce that number," Cuomo said. "Buying back the guns — people who have guns in the home who don't want them ... is one way to do it."

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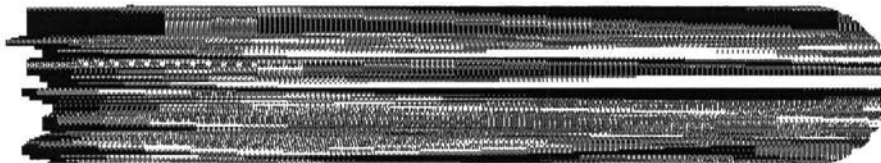
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ILA Research & Information Division

9/9/99

The False Hope Of Gun Turn-In Programs

The District of Columbia, which has the highest homicide rate of any major U.S. city, locked up only two criminals for breaking federal gun laws last year. Yet D.C. officials still managed to receive glowing press reports for their latest crime fighting ploy: paying residents, with no questions asked, \$100 for each gun turned in for destruction during two days in August.

Seeing the headlines, and without bothering to seek any appraisal of the actual effectiveness of turn-in programs, President Clinton rushed to announce a scheme to hand over 15 million taxpayer dollars to other mayors to run their own turn-ins. It was suggested that \$50 be paid for each gun.

Prof. Gary Kleck of Florida State University is among several criminologists who have studied such efforts. He writes, "Support for turn-in programs among government officials yields real political benefits, in the form of favorable press coverage and positive feedback from gun control supporters. . . . Nevertheless, these programs have no demonstrable impact on crime." (Targeting Guns: Firearms and Their Control, Aldine de Gruyter, 1997)

Prof. Kleck and others have cited several shortcomings of gun turn-ins, among them:

** They can result in the disarming of future crime victims who could have used the guns defensively to prevent death, injury or property loss.

** As the Law Enforcement Alliance of America has stated, a "no-questions-asked" policy provides the criminal with a legal and foolproof way in which to dispose of any weapon that has been used in crime.

** The guns turned in usually belong to those people--women, senior citizens, etc.--least likely to commit crimes of violence.

** Many of the guns turned in are cheap handguns purchased for the express purpose of being turned in for profit.

** Paying a "no-questions-asked" minimum "bounty" provides criminals with an incentive to steal guns.

** Low bounties encourage the surrender of cheaper, small-caliber handguns, which in turn encourages their replacement with larger-caliber, more powerful handguns.

** Only a tiny share of the gun stock is eliminated, usually not enough to keep pace with additions to the stock.

** Most people who turn in guns still retain other guns.

** Such programs frequently result in guns being destroyed, rather than being returned to those from whom they were stolen. Clearly, any stolen guns turned in must be returned to their lawful owners. The government shouldn't act as a fence for gun thieves.

George Mason University law professor Daniel D. Polsby noted: "It is implausible that these schemes will actually result in a less-dangerous population. Government programs to buy surplus cheese cause more cheese to be produced without affecting the availability of cheese to people who want to buy it. So it is with guns." ("The False Promise of Gun Control," March 1994, *Atlantic Monthly*)

Posted: 1999-09-09

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NRAILA.org is maintained for the NRA by
[Mainstream Electronic Information Services](#).

Homepage established 1994 by the NRA Institute for Legislative Action
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Date: September 24, 1999

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Senior Administrative Assistant
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No. of pages: 8, including cover

Re: gun buyback research

Message:

Deanne,

Here's an abstract of our buyback study, plus drafts of our presentation posters and a copy of the Milwaukee Journal Sentinel coverage from yesterday. If you need anything else, call or send an e-mail. I receive Medical College e-mail at home and at work and check it often.

Pleasure talking with you. Glad to help. Keep in mind that this is one of six separate studies we've been invited to present at APHA and ASC. You or someone else from your shop might wish to attend one of those conferences. We're one of very few institutions in the country doing this sort of work.

-- Bob

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THURSDAY, SEPTEMBER 23, 1999 — STATE EDITION — WWW.JSONLINE.COM

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SPORTS

Report questions effectiveness of county gun buyback programs

Most weapons turned in weren't the kinds used in killings, suicides, group says

By JESSICA MCBRIDE
of the Journal Sentinel staff

Most guns recovered during buyback programs in Milwaukee County were not the kind usually associated with deaths, according to a new report by the firearm injury center.

The study analyzed 1,200 guns

recovered during two buyback programs — one in 1995 and one in 1996 — in Milwaukee County, the center's director, Stephen W. Hargarten, said Wednesday. The guns were compared with data compiled at the center on the makes and models of guns used to cause deaths — namely suicides and homicides — in the county those years.

The center found that the types of guns recovered in the buybacks and the types associ-

ated with deaths mostly were not the same.

"My concern is that those dollars could be used somewhere else, maybe more effectively," Hargarten said of the buyback efforts, which have been employed in communities across Wisconsin and throughout the country.

The report, which has not yet been officially released, comes on the heels of President Clinton's Sept. 9 announcement ear-

Please see BUYBACK page 18

Buyback/Gun program should shift focus, study says

From page 1

the largest gun buyback program in American history.

But the buyback programs in Seattle and St. Louis mentioned the effectiveness of buybacks. Those studies looked at guns that were voluntarily turned in and found they are not generally the type of guns that cause most gun deaths and serious gun crimes. The Milwaukee study, which the Firearm Injury Center says is the first comparing recovered guns with those used in deaths, now further questions the effectiveness of buyback programs.

Dr. Margarten and Richard A. Withers, the center's associate director, shipped off a letter last Friday to Clinton, urging the president to tailor the government's new efforts toward recovering cheaper pistols, which are used most often to cause deaths and don't usually get turned in at gun buybacks.

"In looking at firearm buybacks over the past year and research has found that the guns most often captured are not the guns responsible for most deaths," Margarten and Withers wrote. "Consequently, we would recommend that you consider a system of incentives for netting the types of guns that most often claim and kill."

The most "lethal" guns in our society are not the so-called assault weapons that bring high

prices in a sell-off, but continued. "From a public health standpoint, the firearms most closely associated with fatalities are cheaply made and cheaply acquired, hand guns with poor reliability and minimal safety features."

The Firearm Injury Center, based at the Medical College of Wisconsin, was founded in 1997 and tracks all firearm injuries and deaths in the state. Margarten also heads the emergency room at Froedert Memorial Lutheran Hospital in Wauwatosa.

Baron Guggenheimer, a White House assistant press secretary, said the White House had received the letter from Margarten and Withers, and he had not received the report, but if they did send it to us we would certainly review it.

Bob Swartz, the center's information and communications coordinator, said the center would send the report to the White House shortly.

Margarten's comments addressed letters previously received from the center's board. The finalized report will be presented in detail at a conference in Chicago in November. Although willing to discuss overall findings, Margarten said he would not release specific numbers or types of guns until that time. He said, however, by way of an example, that the study will report that two-thirds of handguns associated with deaths were pistols, but only

one-third of the guns recovered during the 1993 and 1995 buybacks were pistols.

It's understandable that the individuals who may be at risk for gun violence are criminal activity, but when to give them back, it's a different question. "Those are the high-risk situations that you're finding leads in, or a bad outcome, as opposed to those firearms that have been in closets in households for years."

Law enforcement officers involved in the buybacks said Wednesday that they were interested in learning more about the study's findings and then continued to maintain that the buybacks have been a positive force in the community.

Milwaukee County Sheriff's Sgt. Bob Lopez of the Latino Peace Officers Association said any gun taken from the streets could prevent a death.

"We may not be getting the guns from the people we want," he said. "People on the street who have them are not turning them in, folks out committing crimes. Still, some of the guns taken off the street have been used in crimes. We're getting a lot of rifles, but also over the years people have turned in sawed-off shotguns, Uzis, and other things."

The Milwaukee County buyback has been held every year since 1993. This year, however, it had to be postponed because of

Day and named the weapons. Each person turning in a gun received a \$60 Jewel-O-Gift certificate. The certificates are funded through private donations.

Milwaukee police held their own buyback programs for a brief time during the tenure of former Police Chief Philip Arcola, but those programs were discontinued.

University of Wisconsin-Milwaukee Police Chief Philip Clark, president of the Wisconsin chapter of the National Organization of Black Law Enforcement Executives, said that he doesn't argue with the center's findings.

"I agree with Dr. Margarten that the type of guns that probably cause death, little Ravens and whatnot are not coming in a lot and we don't disagree with that," Clark said. "What we're doing is we're trying to number one, get those guns that might be lying around the house, that the child might accidentally get and injure somebody."

Margarten, however, said accidental deaths from firearms amount for only a couple each year in the county.

"We're after a couple times a year then," Clark said of deaths that might be prevented. "That's enough for us. We're going to continue doing what we are doing."

However, Clark said he was open for suggestions for how to better fund the buybacks.

LEVEL 1 - 1 OF 1 STORY

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September 23, 1999, Thursday Final

*Firearm Injury
Prevention Center -
Preliminary Information
on their study.
9/23/99*

SECTION: News Pg. 1

LENGTH: 1018 words

HEADLINE: Report questions effectiveness of county gun buyback programs
Most weapons turned in weren't the kinds used in killings, suicides, group says

BYLINE: JESSICA MCBRIDE

SOURCE: Journal Sentinel staff

BODY:

Most guns recovered during buyback programs in Milwaukee County were not the kind usually associated with deaths, according to a new report by the Firearm Injury Center.

The study analyzed 1,200 guns recovered during two buyback programs -- one in 1995 and one in 1996 -- in Milwaukee County, the center's director, Stephen W. Hargarten, said Wednesday. The guns were compared with data compiled at the center on the makes and models of guns used to cause deaths -- namely suicides and homicides -- in the county those years.

The center found that the types of guns recovered in the buybacks and the types associated with deaths mostly were not the same.

"My concern is that those dollars could be used somewhere else, maybe more effectively," Hargarten said of the buyback efforts, which have been employed in communities across Wisconsin and throughout the country.

The report, which has not yet been officially released, comes on the heels of President Clinton's Sept. 9 announcement earmarking \$15 million to create the largest gun buyback program in American history.

After that announcement, studies in Seattle and St. Louis questioned the effectiveness of buybacks. Those studies looked at the type of people who typically turn guns in and found they are not generally the type of people -- young men, mostly -- who commit gun crimes. The Milwaukee study, which the Firearm Injury Center says is the first comparing recovered guns with those used in deaths, now further questions the effectiveness of buyback programs.

Hargarten and Richard L. Withers, the center's associate director, shipped off a letter last Friday to Clinton, urging the president to tailor the government's new efforts toward recovering cheaper pistols, which are used most often to cause deaths and don't usually get turned in at gun buybacks.

"In looking at firearm buybacks over the past year, our researchers have found that the guns most often captured are not the guns responsible for most



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The Milwaukee Journal Sentinel September 23, 1999, Thursday

deaths," Hargarten and Withers wrote. "Consequently, we would recommend that you consider a system of incentives for netting the types of guns that most often maim and kill."

The most "menacing guns in our society are not the so-called assault weapons that bring high prices in a sellback," they continued. "From a public health standpoint, the firearms most closely associated with fatalities are cheaply made and cheaply acquired handguns with poor reliability and minimal safety features."

The Firearm Injury Center, based at the Medical College of Wisconsin, was founded in 1997 and tracks all firearm injuries and deaths in the state. Hargarten also heads the emergency room at Froedtert Memorial Lutheran Hospital in Wauwatosa.

Sarah Gegenheimer, a White House assistant press secretary, said the White House had received the letter from Hargarten and Withers "and we have not received the report. But if they did send it to us we would certainly review it."

Bob Swoch, the center's information and communications coordinator, said the center would send the report to the White House shortly.

Hargarten's comments Wednesday reflect preliminary findings from the center's report. The finalized report will be presented in detail at a conference in Chicago in November. Although willing to discuss overall findings, Hargarten said he would not release specific numbers or types of guns until that time. He said, however, by way of an example, that the study will report that two-thirds of handguns associated with deaths were pistols, but only one-third of the guns recovered during the 1995 and 1996 buybacks were pistols.

"It's understandable that the individuals who may be at risk for using the firearm in a criminal activity don't wish to give them back and want to keep them for self-defense," Hargarten said. "Those are the high-risk situations that you're finding ends up in a bad outcome, as opposed to those firearms that have been in closets, in households for years."

Law enforcement officers involved in the buybacks said Wednesday that they were interested in learning more about the center's findings. But they continued to maintain that the buybacks have been a positive force in the community.

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The Milwaukee County buyback has been held every year since 1994. This year's event was held the weekend before Labor Day and netted 108 weapons. Each person turning in a gun received a \$60 Jewel-Osco gift certificate; the certificates are funded through private donations.



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"I agree with Dr. Hargarten that the type of guns that probably cause death, little Ravens and whatnot, are not coming in a lot and we don't disagree with that," Clark said. "What we're doing is we're trying to, number one, get those guns that might be lying around the house, that the child might accidentally get and injure somebody."

Hargarten, however, said accidental deaths from firearms amount for only a couple each year in the county.

"We're after a couple times a year then," Clark said of deaths that might be prevented. "That's enough for us. We're going to continue doing what we are doing."

However, Clark said he was open for suggestions for how to better focus the buybacks.

LOAD-DATE: September 24, 1999

**LEXIS·NEXIS**

A member of the Reed Elsevier plc group

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A member of the Reed Elsevier plc group

A Comparison of Buyback and Fatality-Related Guns

Evelyn M. Kuhn, PhD, Carrie L. Nie, MPH, Mallory O'Brien, MS, Richard L. Withers, JD, Garen J. Wintemute, MD MPH, Stephen W. Hargarten, MD MPH.
Firearm Injury Center, Medical College of Wisconsin, Milwaukee, WI and Violence Prevention Research Program, University of California, Davis, Sacramento, CA.

Objective: To compare guns acquired during buyback programs to those used in firearm fatalities for an urban county during 1994-1996.

Methods: Data for 1188 buyback firearms were provided by the State Crime Laboratory. Data for fatality-related firearms were abstracted from medical examiner, law enforcement agency, and State Crime Laboratory records. Airguns were excluded. There were 475 firearm suicides and homicides. General information was available for 464 guns and specific characteristics for 343 guns.

Results: Ninety-nine percent of 369 police department buyback weapons were handguns, while 70% of 819 county sheriff buyback weapons were handguns. Among 307 homicide firearms, 97% were handguns, and among 157 suicide firearms 70% were handguns.

Among 236 homicide handguns, 65% were pistols compared to 32% of buyback handguns ($p < .001$). Among 107 suicide handguns, 41% were pistols ($p < .06$ compared to buyback). Fifty percent of buyback handguns were small caliber, 47% medium, and 2% large. For fatality-related handguns, 22% were small, 67% medium, and 11% large ($p < .001$). Five manufacturers accounted for 42% of fatality-related handguns compared to only 6% of buyback handguns ($p < .001$). The most commonly identified manufacturer of buyback handguns accounted for 19% of the guns compared to only 3% of fatality-related handguns ($p < .001$). The second most commonly identified manufacturer of buyback guns (9% of total) has been out of business for 24 years.

Conclusions: We found significant differences between firearms obtained by buyback programs compared to those used in fatalities. Buyback programs should consider incentives for acquiring the models of handguns linked to fatalities.

Draft

A Comparison of Buyback and Fatality-Related Guns

Evelyn M. Kuhn, PhD, Carrie L. Nie, MPH,
Mallory O'Brien, MS, Richard L. Withers, JD,
Garen J. Wintemute, MD, MPH,
Stephen W. Hargarten, MD, MPH

Firearm Injury Center, Medical College of Wisconsin
and Violence Prevention Research Program, UC-Davis
Supported In Part by the Joyce Foundation

Background*

- More than 100 gun buyback/exchange programs were conducted in the US between 1992-1996.
- Few remove more than 2% of guns from the host community.
- Gun owners who participate may have fewer risk factors for firearm violence than non-participating gun owners.

* Romero MP, Wintemute GJ, Vernick JS. Injury Prevention. 1998;4:2006-210.

Objective

- To compare characteristics of guns acquired during buyback programs in Milwaukee County, Wisconsin during 1994-1996 to those used in firearm homicides and suicides.

Data

- Data on guns acquired during buyback programs were provided by the Wisconsin State Crime Laboratory.
- Data on firearms used in Milwaukee County homicides and suicides during 1994-1997 were from the Firearm Injury Reporting System (FIRS).

Firearm Injury Reporting System (FIRS) of Southeastern Wisconsin

- Uses **Public Health Model** of host (victim) agent/vehicle (firearm) and environment.
- Collects data on all firearm fatalities from eight SE Wisconsin counties.
 - ▲ Victim data from medical examiners/coroners
 - ▲ Link with environmental data from local law enforcement agencies
 - ▲ Link with firearm information from the Wisconsin State Crime Lab

Buyback Programs

- Buyback programs were conducted both by the Milwaukee Police Department (MPD) and the Milwaukee County Sheriff.
- The MPD buyback obtained primarily handguns, whereas all weapon types were obtained by the Sheriff.

Analysis

- 29 airguns acquired in buyback programs were excluded.
- Only handguns were included in the detailed analysis.
- Justifiable homicide was excluded in the analysis of fatalities.
- Homicide-Suicide events were excluded in the analyses of homicide and suicide handguns.

Number of Buyback Weapons by Year, Milwaukee County

Year	Milwaukee Police Department	Milwaukee County Sheriff	Total
1994	0	55	55
1995	329	0	329
1996	40	764	804
Total	369	819	1188

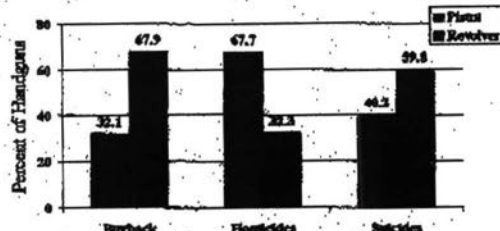
Percentage of Buyback Weapons by Type, Milwaukee County 1994-1996

Type	Milwaukee Police (n=369)	Milwaukee County Sheriff (n=819)	Total (n=1188)
Handgun	99.2	70.2	79.2
Rifle	0.03	12.7	8.8
Shotgun	0.05	17.1	12.0

Firearms Used in Fatalities

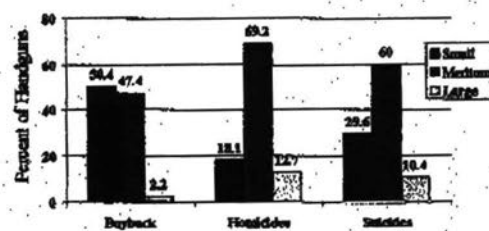
- There were 389 homicides, 181 suicides, and 20 homicide-suicide events between 1994 and 1997 in Milwaukee County.
- Information was available for 384 different firearms used in the homicides and 181 firearms used in the suicides (excluding homicide-suicide events).

Type of Handgun for Buyback Programs Compared to Fatalities*



* P<.001 for buyback vs homicide handguns. P=.07 for buyback vs suicide handguns. Unknown type excluded.

Handgun Caliber for Buyback Handguns Compared to Fatalities*



* p<.001 for buyback vs homicide handguns and for buyback vs suicide handguns. Unknown caliber excluded.

Percentage of Buyback Handguns by Manufacturer* (n=941)

Manufacturer	Percent
Harrington & Richardson	18.6
Iver Johnson / U.S. Revolver	10.7
Rohm	6.1
Raven	5.2
Hopkins & Allen	3.9
RG Industries	3.6
Smith & Wesson	3.5
Colt's Manufacturing Co.	3.0
Jennings Firearms Inc	2.6

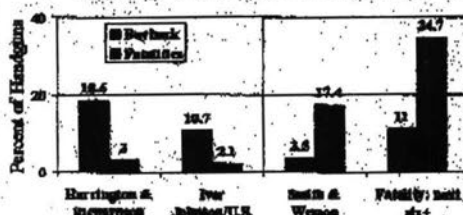
*Manufacturers with 20 or more guns.
Percentages are based on total number of guns.

Percent of Handguns Used in Homicides and Suicides by Manufacturer, Milwaukee County 1994-1997*

Homicides (n=104)	Suicides (n=123)
Smith & Wesson	23.5
Glock	11.5
Taurus	8.7
Jennings Firearms	5.8
S&W	5.8
Raven	4.8
Smith & Wesson	22.0
S&W	9.8
Taurus	6.3
Beretta	5.7
Colt's Manufacturing Co.	5.7
Harrington & Richardson	4.1
Raven	4.1

*Manufacturers with 5 or more guns.
Percentages are based on total number of guns.

Most Common Manufacturers for Buyback Handguns Compared to Handguns Used in Fatalities*



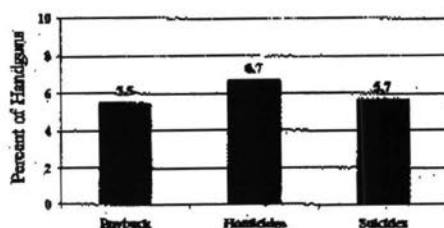
* Homicide-Suicide events are included in fatalities.
+ Sturm Ruger, Taurus, Glock, Beretta, Colt, Raven.

Percent of Handguns Manufactured by "Ring of Fire" Companies*



* Raven, Loran, Davis, Jennings, Phoenix, Bryco, S&W, etc.
P<.001 for buyback compared to homicide handguns;
P=NS for buyback compared to suicide handguns.

Percent of Handguns which are 25 Caliber Ravens*



*Includes Raven MP-25, Raven P-25, Phoenix Raven.
P=NS for buyback compared to homicide or suicide.

Conclusions

- There were significant differences in type of handgun, caliber, and manufacturer distribution for buyback handguns compared to handguns used in homicides and suicides.
- Type and manufacturers of buyback handguns were more similar to those used in suicides than in homicides.

Conclusions (contd.)

- Many of the top manufacturers for the buyback handguns are currently out of business.
- The most common specific model of handgun obtained in the buyback programs (Raven MP-25) has been linked to urban homicides.

Implications

- Buyback programs should consider incentives for acquiring the models of handguns linked to fatalities.

Most Common Manufacturers* for Buyback Handguns (n=941)

Harrington & Richardson	175
Iver Johnson /U.S. Revolver	101
Rohm	57
Raven	49
Hopkins & Allen	37
RG Industries	34
Smith & Wesson	33
Colt's Manufacturing Co.	28
Jeonings Firearms Inc	24

*Over 20 handguns.

Amendment Re: Use of Federal Funds for Gun Buybacks

- I. Amendment Would Turn HUD's Gun Buyback Violence Reduction Initiative Into Congressional Gun Shows
- A. Moreover, any gun not returned to a lawful owner and worth over \$500.00 shall be **auctioned by federal firearms dealers.**
 - B. The Craig Amendment would prohibit federal funds for any gun buyback program unless:
 - 1. all firearms are checked through criminal justice information systems to determine if they are lost or stolen;
 - 2. any firearm determined to be lost or stolen is immediately returned to the lawful owner **at the expense of the entity conducting the buyback program**
 - a) if the firearm has been reported lost or stolen and
 - b) has not been used in a crime and if the lawful owner is not the subject of a criminal investigation
- II. This Amendment Will Stop Responsible Buyback Programs
- A. Gun buybacks are popular with law enforcement because they get guns off the street.
 - B. The amendment will stop this most important part of buyback programs by making the United States re-sell the most dangerous and high-powered weapons collected

★ Vote on
Tuesday night
or Wednesday
on floor

Amendment Re: Use of Federal Resources to Bring or Advise on Certain Civil Liability
Actions

- I. Gun Violence Exacts a Frightening Cost on Our Society
- A. On an average day in this Nation almost 100 people are killed and more than 200 are wounded by guns – National Center for Health Statistics, 1996
 - B. There are more than 600,000 gun crimes committed in the United States each year – Department of Justice, Bureau of Justice Statistics 1994
- II. We Have All Seen the Tragic Stories Behind These Staggering Numbers
- A. Students at Columbine High School gunned down in a murderous rampage
 - B. Office workers in downtown Atlanta shot to death
 - C. Young children at a day care center in California killed by a deranged man with a gun
 - D. And, just yesterday, teenagers and their parents at Wedgewood Baptist Church in Fort Worth, Texas shot and killed with a semi-automatic handgun.
- III. The Federal Government Must Be Able to Use the Courts to Protect Its Vital Interests
- A. The Government often must sue to:
 - 1. Stop polluters and recoup money for the damage they have inflicted
 - 2. Stop illegal discrimination
 - 3. Stop companies from violating consumer protection laws
 - 4. Stop fraud against the Federal Government
 - 5. Stop companies from violating antitrust laws
 - B. The Department of Justice should not be stopped from protecting the Nation's interest in court.
- IV. This Action Exempts Gun Companies from the Legal Responsibilities Everyone Else Must Meet

~~Only 8/12
No lawsuit
No report day~~

AMENDMENT NO. _____

Calendar No. _____

Purpose: To prohibit the use of federal resources for preparing, consulting on, or bringing certain civil liability actions against lawful manufacturers, importers, sellers, and trade associations associated with firearm and ammunition products.

IN THE SENATE OF THE UNITED STATES 106TH Cong., 1st^{AD} Sess.

S. _____

Making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies for the fiscal year ending September 30, 2000, and for other purposes.

**Referred to the Committee on _____
and ordered to be printed**

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. CRAIG

Viz:

- 1 At the appropriate place in the bill, in Title ____, General
- 2 provisions, insert the following new section:
- 3 SEC. ____ USE OF FEDERAL RESOURCES TO BRING OR
- 4 ADVISE ON CERTAIN CIVIL LIABILITY ACTIONS.
- 5 (a) Notwithstanding any other provision of law, none of the
- 6 funds appropriated or otherwise made available under this Act may
- 7 be expended or obligated by a department, agency, or
- 8 instrumentality of the United States, including a State or local
- 9 officer, agent, or employee acting on behalf of the United States, to

1 pay administrative expenses or to compensate an officer, agent, or
2 employee acting on behalf of the United States, in connection with
3 preparing, advising, or consulting on a civil liability action, or
4 bringing a civil liability action, which asserts a right to recover
5 against any firearm or ammunition manufacturer, importer, or
6 seller, or firearm or ammunition industry trade association, by or
7 on behalf of –

8 (1) any unit, instrumentality, department, agency, or
9 authority of the United States, or

10 (2) a State or local officer, agent, or employee acting on
11 behalf of the United States, or

12 (3) a State or local unit of government, or

13 (4) a non-governmental entity or party,

14 for damages, abatement, or injunctive relief resulting from the
15 criminal or (unlawful misuse) of a firearm or ammunition product by
16 the person bringing the civil action or a third party. For purposes
17 of the preceding sentence, the term “firearm or ammunition
18 product” means a firearm (as defined in section 921 [a][3] of title
19 18, United States Code) or ammunition (as defined in section 921
20 [a][17] of such title), or a component part of a firearm or
21 ammunition, that has been shipped or transported in interstate or

1 foreign commerce.

2 (B) This section shall not prohibit the United States from
3 bringing an action against a product seller or manufacturer for
4 breach of contract or warranty as to such products purchased by the
5 United States.

—What about
product defect issue?

AMENDMENT NO. _____

Calendar No. _____

Purpose: To ensure protection of law enforcement and property interests in federally-funded "gun buyback" programs.

IN THE SENATE OF THE UNITED STATES 106TH Cong., 1stST Sess.

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At the appropriate place in the bill, in Title _____ General Provisions, insert the following new section:

SEC. ____ USE OF FEDERAL FUNDS FOR GUN BUYBACKS

(a) ~~None of the funds appropriated or otherwise made available under this Act or any other Act may be expended in connection with any program which offers any form of compensation to any individual in exchange for the surrender of any firearm unless:~~

(1) all firearms surrendered are checked through available criminal justice information systems to determine whether they have been lost or stolen; and

(2) any firearm identified as lost or stolen is immediately returned to the lawful owner at the expense of the entity conducting the surrender program, if:

(A) the firearm—

(i) has not been seized as evidence or forfeited in accordance with law;

(ii) has been reported by the lawful owner as being lost or stolen; and

Shelly Ralston
White House
Deputy Dir. Affs.
Mar. 22-2014
Justice Public Affs.
Carol Horman P-842
Bretcher
Mohal
Kasper
Myon Mark

(Post) 5-26-05
Deborah
Long

1 (B) the lawful owner—
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3 (i) is not the subject of a criminal investigation; and
4

5 (ii) is not prohibited by law from possessing a firearm.
6

7 (b) Any firearm surrendered pursuant to subsection (a) with a fair market
8 value in excess of \$500.00, not otherwise returned under this section, or held
9 as evidence in a proceeding, shall be offered at least once by auction or bid
10 under applicable state, local or federal surplus property rules to qualified
11 federal firearms dealers in the region in which the firearm was surrendered;
12 provided further that the revenue generated from such sales, as well as
13 firearms not otherwise sold, may be retained by the disposing agency for its
14 use or for any other disposition in its discretion; provided further, that no
15 firearm shall be offered by auction or bid if no federal firearms dealer from
16 the region where an offer is to be made can lawfully hold such a firearm in
17 their business inventory.

Report Language

The Committee is extremely concerned that gun buyback programs are ineffective in achieving their stated goals of reducing armed crime and gun accidents. The Committee is further concerned that such programs may result in the destruction of valuable collectible firearms which could be sold for the greater benefit of law enforcement agencies, and may also result in the inadvertent destruction of stolen firearms, which should instead be returned to their rightful owners. This provision addresses these concerns as well as reducing the cost of such programs to state, local or federal taxpayers.

Amendment Re: Use of Federal Funds for Gun Buybacks

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- A. Moreover, any gun not returned to a lawful owner and worth over \$500.00 shall be **auctioned by federal firearms dealers.**
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 - B. The amendment will stop this most important part of buyback programs by making the United States re-sell the most dangerous and high-powered weapons collected

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Tuesday night
or Wednesday
on floor

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 - 3. Stop companies from violating consumer protection laws
 - 4. Stop fraud against the Federal Government
 - 5. Stop companies from violating antitrust laws
 - B. The Department of Justice should not be stopped from protecting the Nation's interest in court.
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Only By
No lawsuit
No report day

AMENDMENT NO. _____

Calendar No. _____

Purpose: To prohibit the use of federal resources for preparing, consulting on, or bringing certain civil liability actions against lawful manufacturers, importers, sellers, and trade associations associated with firearm and ammunition products.

IN THE SENATE OF THE UNITED STATES 106TH Cong., 1stst Sess.

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and ordered to be printed**

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. CRAIG

Viz:

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- 2 **provisions, insert the following new section:**
- 3 **SEC. ____.** **USE OF FEDERAL RESOURCES TO BRING OR**
- 4 **ADVISE ON CERTAIN CIVIL LIABILITY ACTIONS.**
- 5 **(a) Notwithstanding any other provision of law, none of the**
- 6 **funds appropriated or otherwise made available under this Act may**
- 7 **be expended or obligated by a department, agency, or**
- 8 **instrumentality of the United States, including a State or local**
- 9 **officer, agent, or employee acting on behalf of the United States, to**

1 pay administrative expenses or to compensate an officer, agent, or
2 employee acting on behalf of the United States, in connection with
3 preparing, advising, or consulting on a civil liability action, or
4 bringing a civil liability action, which asserts a right to recover
5 against any firearm or ammunition manufacturer, importer, or
6 seller, or firearm or ammunition industry trade association, by or
7 on behalf of -

8 (1) any unit, instrumentality, department, agency, or
9 authority of the United States, or

10 (2) a State or local officer, agent, or employee acting on
11 behalf of the United States, or

12 (3) a State or local unit of government, or

13 (4) a non-governmental entity or party,

14 for damages, abatement, or injunctive relief resulting from the
15 criminal or (unlawful misuse) of a firearm or ammunition product by
16 the person bringing the civil action or a third party. For purposes
17 of the preceding sentence, the term "firearm or ammunition
18 product" means a firearm (as defined in section 921 [a][3] of title
19 18, United States Code) or ammunition (as defined in section 921
20 [a][17] of such title), or a component part of a firearm or
21 ammunition, that has been shipped or transported in interstate or

1 foreign commerce.

2 (B) This section shall not prohibit the United States from
3 bringing an action against a product seller or manufacturer for
4 breach of contract or warranty as to such products purchased by the
5 United States.

—What about
product defect issue?

AMENDMENT NO. _____ Calendar No. _____

Purpose: To ensure protection of law enforcement and property interests in federally-funded "gun buyback" programs.

IN THE SENATE OF THE UNITED STATES 106TH Cong., 1stST Sess.

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At the appropriate place in the bill, in Title _____ General Provisions, insert the following new section:

SEC. ____ USE OF FEDERAL FUNDS FOR GUN BUYBACKS

(a) None of the funds appropriated or otherwise made available under this Act or any other Act may be expended in connection with any program which offers any form of compensation to any individual in exchange for the surrender of any firearm unless:

(1) all firearms surrendered are checked through available criminal justice information systems to determine whether they have been lost or stolen; and

(2) any firearm identified as lost or stolen is immediately returned to the lawful owner at the expense of the entity conducting the surrender program, if:

(A) the firearm—

(i) has not been seized as evidence or forfeited in accordance with law;

(ii) has been reported by the lawful owner as being lost or stolen; and

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Deborah
K. Gandy

Shelly Peters
Nitz
Hearby
Main
Justice
Carol Forman
Gretchen
Michael
H. K. P.
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1 (B) the lawful owner—

2 (i) is not the subject of a criminal investigation; and

3 (ii) is not prohibited by law from possessing a firearm.

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6
7 (b) Any firearm surrendered pursuant to subsection (a) with a fair market
8 value in excess of \$500.00, not otherwise returned under this section, or held
9 as evidence in a proceeding, shall be offered at least once by auction or bid
10 under applicable state, local or federal surplus property rules to qualified
11 federal firearms dealers in the region in which the firearm was surrendered;
12 provided further that the revenue generated from such sales, as well as
13 firearms not otherwise sold, may be retained by the disposing agency for its
14 use or for any other disposition in its discretion; provided further, that no
15 firearm shall be offered by auction or bid if no federal firearms dealer from
16 the region where an offer is to be made can lawfully hold such a firearm in
17 their business inventory.

big issue

Report Language

The Committee is extremely concerned that gun buyback programs are ineffective in achieving their stated goals of reducing armed crime and gun accidents. The Committee is further concerned that such programs may result in the destruction of valuable collectible firearms which could be sold for the greater benefit of law enforcement agencies, and may also result in the inadvertent destruction of stolen firearms, which should instead be returned to their rightful owners. This provision addresses these concerns as well as reducing the cost of such programs to state, local or federal taxpayers.

PATRICK J. LEAHY
VERMONT

United States Senate
WASHINGTON, DC 20510

COMMITTEES:
AGRICULTURE, NUTRITION,
AND FORESTRY
APPROPRIATIONS
JUDICIARY

TO: Deanne Denos
OF: _____
FROM: Amy Rainone
OF: _____

DATE: _____

TIME: _____

7 PAGES (INCLUDING COVER SHEET)

HUD OFFICE OF GENERAL COUNSEL

FACSIMILE TRANSMITTAL SHEET

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Deanne Benos	Douglas S. Kantor
COMPANY:	DATE:
	September 16, 1999
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
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RE:	YOUR REFERENCE NUMBER:
Information on Amendments	

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:



U.S. Department of Housing and Urban Development

GUN VIOLENCE IN PUBLIC HOUSING – A SMALL SAMPLE FROM 1998 AND 1999

Gun violence in public housing across the country has become an all-too-common tragedy. A search of newspaper articles over the years turns up thousands of stories about people who have been killed, people who have been wounded, and families living in fear. Here are brief summaries of a sample of news stories published in 1998 and 1999 about shootings in public housing.

ALABAMA

MONTGOMERY – 1999 – Police statistics show that 16 percent of the city's 32 homicides in 1998 occurred in public housing. In addition, about 12 percent of the city's aggravated assaults in 1998 were reported in public housing projects.

CALIFORNIA

RICHMOND – July 22, 1999 – Gaston Avila, 19, of Richmond was shot to death and three others – including a 15-year-old girl who was nine months pregnant – were shot during a birthday party at the Easter Hill public housing complex.

SAN FRANCISCO – March 31, 1998 – A 27-year-old man was shot to death execution-style in the Sunnydale public housing development. The neighborhood has experienced gun violence in the past. In November, Charles Adams, a 60-year-old retiree, was killed by a stray bullet from a shoot-out between two young men.

CONNECTICUT

BRIDGEPORT – February 1, 1999 – The body of Delmar Epps, 23, was found lying in the road near the Green Homes public housing development, with multiple gunshot wounds.

DISTRICT OF COLUMBIA

WASHINGTON – October 21, 1998 – A 4-year-old girl named Javina Holmes, a resident of the Frederick Douglass Dwellings public housing development, was killed when her 8-year-old brother found a loaded shotgun inside their apartment and began shooting.

-more-

-2-

WASHINGTON – June 21, 1999 – A 55-year-old grandmother, Helen Foster-El, was gunned down by two stray bullets fired by feuding young men as she tried to usher neighborhood children to safety. Parents in the East Capitol Dwellings public housing development said they give their children survival instructions on what to do when shooting erupts, because it happens so often.

FLORIDA

CLEARWATER – May 20, 1999 – LaShonda Denise Williams, 19, was accidentally shot in her Jasmine Court public housing apartment when a revolver that she and her boyfriend were looking at went off. The bullet passed through Williams' neck and came out her shoulder.

LACOOCHEE – November 3, 1998 – Willie Hills Jr., a 2-year-old who lived in the Cypress Manor public housing complex, died at St. Joseph's Children Hospital after being accidentally shot by a his 3-year-old playmate who found a gun in the boy's apartment. It was the third accidental shooting involving a child in Pasco County in 1998.

MIAMI – July 15, 1999 – A resident of the James E. Scott Homes, the largest public housing development in Florida, recounted the story of a boy who was shot by two men driving by in a car while the boy was buying ice cream.

TAMPA – April 1, 1998 – One man was killed and two others were critically wounded during a shootout in the Riverview Terrace public housing development. Police said the incident initially appeared to be a drug deal gone bad, since drugs and guns were found in the car. The slaying was the third homicide in three weeks and the second in two days at Riverview Terrace.

ILLINOIS

CHICAGO – January 19, 1998 – Parents and other residents will escort children to school with the hope of protecting them from gang gunfire in the Cabrini-Green public housing development.

CHICAGO – September 7, 1998 – Lavell Jones, 22, was shot and killed by a Chicago Housing Authority policeman after allegedly threatening the officer with a 9-mm. handgun at the Robert Taylor Homes public housing development.

KENTUCKY

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PATERSON – June 24, 1999 – Benjamin Reyes, 26, was shot in his car by an unknown assailant at the Alexander Hamilton public housing complex. Reyes survived and he and a companion in the car were later charged with possession and distribution of heroin.

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NEW YORK CITY – August 1, 1999 – Gerard Carter, a 28-year-old New York City police officer, died four days after being shot outside a building in the West Brighton Homes, a public housing development on Staten Island. The alleged gunman was Shatiek Johnson, 17. Carter and his partner were attempting to arrest Johnson on charges of shooting a 20-year-old man in July. Johnson was on parole for beating a homeless person to death two years earlier.

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SCHENECTADY – June 20, 1999 – As children played nearby, 21-year-old Shawn Stevens was shot in the abdomen at a playground at the Steinmetz Homes public housing development.

NORTH CAROLINA

ASHEVILLE – June 2, 1999 – A 17-year-old youth died after he was shot at Deaverview Apartments, a public housing development. The suspect is a 16-year-old boy.

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MOUNT PLEASANT – October 10, 1998 – A 46-year-old man broke into a neighbor's apartment at the Pleasant Manor public housing development. He shot and killed 9-year-old Jeremy Barnhart and critically wounded the boy's 14-year-old sister, Cori Barnhart. The gunman, Alan Waterhouse, then returned to his own apartment and, after barricading himself inside for 12 hours, killed himself. Waterhouse was the former boyfriend of the children's mother.

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MEMPHIS – November 12, 1998 – 4-year-old Lildezmon White, who lives in the Lamar Terrace public housing development, was shot in the head after a gun fell from a shelf. The child was hospitalized in the intensive care unit of Le Bonheur Children's Hospital.

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NASHVILLE – July 2, 1999 – Nashville teenager, Eric Harvey Hazelitt, was fatally shot in the chest when gunfire erupted at the John Henry Hale public housing complex in Nashville. Just 14-years-old, Hazelitt was often seen riding his bike, helping older neighbors shop or emptying the trash. Witnesses said Hazelitt got caught in the crossfire of two groups shooting at each other.

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U.S. Department of Housing and Urban Development

GUN VIOLENCE IN PUBLIC HOUSING -- A SMALL SAMPLE FROM 1998 AND 1999

Gun violence in public housing across the country has become an all-too-common tragedy. A search of newspaper articles over the years turns up thousands of stories about people who have been killed, people who have been wounded, and families living in fear. Here are brief summaries of a sample of news stories published in 1998 and 1999 about shootings in public housing.

ALABAMA

MONTGOMERY -- 1999 -- Police statistics show that 16 percent of the city's 32 homicides in 1998 occurred in public housing. In addition, about 12 percent of the city's aggravated assaults in 1998 were reported in public housing projects.

CALIFORNIA

RICHMOND -- July 22, 1999 -- Gaston Avila, 19, of Richmond was shot to death and three others -- including a 15-year-old girl who was nine months pregnant -- were shot during a birthday party at the Easter Hill public housing complex.

SAN FRANCISCO -- March 31, 1998 -- A 27-year-old man was shot to death execution-style in the Sunnydale public housing development. The neighborhood has experienced gun violence in the past. In November, Charles Adams, a 60-year-old retiree, was killed by a stray bullet from a shoot-out between two young men.

CONNECTICUT

BRIDGEPORT -- February 1, 1999 -- The body of Delmar Epps, 23, was found lying in the road near the Green Homes public housing development, with multiple gunshot wounds.

DISTRICT OF COLUMBIA

WASHINGTON -- October 21, 1998 -- A 4-year-old girl named Javina Holmes, a resident of the Frederick Douglass Dwellings public housing development, was killed when her 8-year-old brother found a loaded shotgun inside their apartment and began shooting.

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WASHINGTON – June 21, 1999 – A 55-year-old grandmother, Helen Foster-El, was gunned down by two stray bullets fired by feuding young men as she tried to usher neighborhood children to safety. Parents in the East Capitol Dwellings public housing development said they give their children survival instructions on what to do when shooting erupts, because it happens so often.

FLORIDA

CLEARWATER – May 20, 1999 – LaShonda Denise Williams, 19, was accidentally shot in her Jasmine Court public housing apartment when a revolver that she and her boyfriend were looking at went off. The bullet passed through Williams' neck and came out her shoulder.

LACOOCHEE -- November 3, 1998 -- Willie Hills Jr., a 2-year-old who lived in the Cypress Manor public housing complex, died at St. Joseph's Children Hospital after being accidentally shot by a his 3-year-old playmate who found a gun in the boy's apartment. It was the third accidental shooting involving a child in Pasco County in 1998.

MIAMI – July 15, 1999 – A resident of the James E. Scott Homes, the largest public housing development in Florida, recounted the story of a boy who was shot by two men driving by in a car while the boy was buying ice cream.

TAMPA – April 1, 1998 – One man was killed and two others were critically wounded during a shootout in the Riverview Terrace public housing development. Police said the incident initially appeared to be a drug deal gone bad, since drugs and guns were found in the car. The slaying was the third homicide in three weeks and the second in two days at Riverview Terrace.

ILLINOIS

CHICAGO – January 19, 1998 – Parents and other residents will escort children to school with the hope of protecting them from gang gunfire in the Cabrini-Green public housing development.

CHICAGO – September 7, 1998 – Lavell Jones, 22, was shot and killed by a Chicago Housing Authority policeman after allegedly threatening the officer with a 9-mm. handgun at the Robert Taylor Homes public housing development.

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VIRGINIA

PORTSMOUTH – July 10, 1999 – Linwood Scott killed a 28-year-old woman and himself, ending a 13-hour standoff with police at the Jeffrey Wilson Homes public housing development. The woman, Rene Childers, was one of four hostages held by Scott.

RICHMOND – May 25, 1999 – A 5-year-old boy who lives at the Hillside Court public housing development was shot accidentally in the lower back and admitted to the Medical College of Virginia's hospital.

RICHMOND – July 23, 1999 – A woman was shot in the head and killed at the Gilpin Court public housing development while standing next to a pay telephone.

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42 USCS § 11901 printed in FULL format.

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*** THIS SECTION IS CURRENT THROUGH 106-49, APPROVED 8/17/99 ***

TITLE 42. THE PUBLIC HEALTH AND WELFARE
CHAPTER 124. PUBLIC AND ASSISTED HOUSING DRUG ELIMINATION
PUBLIC HOUSING DRUG ELIMINATION PILOT PROGRAM

42 USCS § 11901 (1999)

§ 11901. Congressional findings [Caution: For provisions applicable prior to Oct. 1, 1999, see note below relating to Oct. 21, 1998 amendments.]

The Congress finds that--

- (1) the Federal Government has a duty to provide public and other federally assisted low-income housing that is decent, safe, and free from illegal drugs;
- (2) public and other federally assisted low-income housing in many areas suffers from rampant drug-related or violent crime;
- (3) drug dealers are increasingly imposing a reign of terror on public and other federally assisted low-income housing tenants;
- (4) the increase in drug-related and violent crime not only leads to murders, muggings, and other forms of violence against tenants, but also to a deterioration of the physical environment that requires substantial government expenditures;
- (5) local law enforcement authorities often lack the resources to deal with the drug problem in public and other federally assisted low-income housing, particularly in light of the recent reductions in Federal aid to cities;
- (6) the Federal Government should provide support for effective safety and security measures to combat drug-related and violent crime, primarily in and around public housing projects with severe crime problems;
- (7) closer cooperation should be encouraged between public and assisted housing managers, local law enforcement agencies, and residents in developing and implementing anti-crime programs; and
- (8) anti-crime strategies should be improved through the expansion of community-oriented policing initiatives.

HISTORY: (Nov. 18, 1988, P.L. 100-690, Title V, Subtitle C, Ch 2, § 5122, as added Nov. 28, 1990, P.L. 101-625, Title V, Subtitle C, § 581(a), 104 Stat. 4245.)

(As amended Oct. 21, 1998, P.L. 105-276, Title V, Subtitle G, § 586(b), 112 Stat. 2646.)

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

A prior § 1190 (Act Nov. 18, 1988, P.L. 100-690, Title V, Subtitle C, Ch 2, § 5122, 102 Stat. 4301) was omitted in the general amendment of Ch 2 of Title V, Subtitle C, Act Nov. 18, 1988 by Act Nov. 28, 1990, P.L. 101-625, Title V, Subtitle C, § 581(a), 104 Stat. 4245. Such section provided for Congressional findings.

42 USCS § 11901

Amendments:

1998. Act Oct. 21, 1998 (on 10/21/98, but applicable beginning upon §10/1/99, as provided by § 503(a) of such Act, which appears as 42 USCS § 1437 note), in para. (2), inserted "or violent", in para. (4), inserted "and violent" and deleted "and" after the concluding semicolon, in para. (5), substituted the concluding semicolon for a period, and added paras. (6)-(8).

Short titles:

Act Nov. 18, 1988, P.L. 100-690, Title V, Subtitle C, Ch 2, § 5121, 102 Stat. 4301; Nov. 28, 1990, P.L. 101-625, Title V, Subtitle C, § 581(a), 104 Stat. 4245, provides: "This chapter may be cited as the 'Public and Assisted Housing Drug Elimination Act of 1990'.". For full classification of this Act, consult USCS Tables volumes.

Act Nov. 18, 1988, P.L. 100-690, Title V, Subtitle C, Ch 3, § 5141, 102 Stat. 4303, provides: "This chapter may be cited as the 'Drug-Free Public Housing Act of 1988'.". For full classification of such Act, consult USCS Tables volumes.

Act March 31, 1994, P.L. 103-227, Title X, Part D, § 1051, 108 Stat. 274, provides: "This part [amending 42 USCS § 11903a] may be cited as the 'Midnight Basketball League Training and Partnership Act'.".

Act Oct. 21, 1998, P.L. 105-276, Title V, Subtitle G, § 586(a), 112 Stat. 1646, provides: "This section [amending 42 USCS §§ 11901-11905, repealing 42 USCS §§ 11906-11909, and adding new 42 USCS §§ 11906-11908] may be cited as the 'Public and Assisted Housing Drug Elimination Program Amendments of 1998'.".

NOTES:

CODE OF FEDERAL REGULATIONS

Office of Assistant Secretary for Housing-Federal Housing Commissioner, Department of Housing and Urban Development--Assisted housing drug elimination program, 24 CFR Part 261.

Office of Assistant Secretary for Public and Indian Housing, Department of Housing and Urban Development--Public Housing drug elimination program, 24 CFR Part 961.

42 USCS § 11902 printed in FULL format.

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TITLE 42. THE PUBLIC HEALTH AND WELFARE
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42 USCS § 11902 (1999)

§ 11902. Authority to make grants [Caution: For provisions applicable prior to Oct. 1, 1999, see note below relating to amendments made by § 586(c) of Act Oct. 21, 1998.]

(a) In general. The Secretary of Housing and Urban Development, in accordance with the provisions of this chapter [42 USCS §§ 11901 et seq.], may make grants to public housing agencies, public housing resident management corporations that are principally managing, as determined by the Secretary, public housing projects owned by public housing agencies, recipients of assistance under the Native American Housing Assistance and Self-Determination Act of 1996, Indian tribes and private, or-profit and nonprofit owners of federally assisted low-income housing for use in eliminating drug-related and violent crime.

(b) Consortia. Subject to terms and conditions established by the Secretary, public housing agencies may form consortia for purposes of applying for grants under this chapter [42 USCS §§ 11901 et seq.].

HISTORY: (Nov. 18, 1988, P.L. 100-690, Title V, Subtitle C, Ch 2, § 5123, as added Nov. 28, 1990, P.L. 101-625, Title V, Subtitle C, § 581(a), 104 Stat. 4246; Oct. 28, 1992, P.L. 102-550, Title I, Subtitle D, § 161(d)(1), 106 Stat. 3719; Oct. 26, 1996, P.L. 104-330, Title VII, § 704(1), 110 Stat. 4051.)
(As amended Oct. 21, 1998, P.L. 105-276, Title II, § 220(1), Title V, Subtitle G, § 586(c), 112 Stat. 2488, 2647.)

HISTORY; ANCILLARY LAWS AND DIRECTIVES

References in text:

The "Native American Housing Assistance and Self-Determination Act", referred to in this section, is Act Oct. 26, 1996, P.L. 104-330, 110 Stat. 4016, which appears generally as 25 USCS §§ 4101 et seq. For full classification of such Act, consult USCS Tables volumes.

Explanatory notes:

A prior § 11902 (Act Nov. 18, 1988, P.L. 100-690, Title V, Subtitle C, Ch 2, § 5123, 102 Stat. 4301) was omitted in the general amendment of Ch 2 of Title V, Subtitle C, Act Nov. 18, 1988, P.L. 100-690, by Act Nov. 28, 1990, P.L. 101-625, Title V, Subtitle C, § 581(a), 104 Stat. 4245. Such section provided for authority to make grants.

Amendments:

42 USCS § 11902

1992. Act Oct. 28, 1992 (effective and applicable on enactment, as provided by § 2 of such Act, which appears as 42 USCS § 5301 note) inserted ", public housing resident management corporations that are principally managing, as determined by the Secretary, public housing projects owned by public housing agencies,".

1996. Act Oct. 26, 1996 (effective on 10/1/97, as provided by § 107 of such Act, which appears as 25 USCS § 4101 note) deleted "(including Indian Housing Authorities)" following "to public housing agencies"; and inserted "tribally designated housing entities,".

1998. Act Oct. 21, 1998 inserted "Indian tribes".

Section 586(c) of such Act (on 10/21/98, but applicable beginning upon 10/1/99, as provided by § 503(a) of such Act, which appears as 42 USCS § 1437 note), designated the existing provisions as subsec. (a) and, in such subsection, inserted the heading, substituted "recipients of assistance under the Native American Housing Assistance and Self-Determination Act of 1996" for "tribally designated housing entities", and inserted "and violent"; and added subsec. (b).

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TITLE 42. THE PUBLIC HEALTH AND WELFARE
CHAPTER 124. PUBLIC AND ASSISTED HOUSING DRUG ELIMINATION
PUBLIC HOUSING DRUG ELIMINATION PILOT PROGRAM

42 USCS § 11903 (1999)

§ 11903. Eligible activities [Caution: For provisions applicable prior to Oct. 1, 1999, see note below relating to amendments made by § 586(d) of Act Oct. 21, 1998.]

(a) Public and assisted housing. Grants under this chapter [42 USCS §§ 11901 et seq.] may be used in public housing or other Federally assisted low-income housing projects for--

- (1) the employment of security personnel;
- (2) reimbursement of local law enforcement agencies for additional security and protective services;
- (3) physical improvements which are specifically designed to enhance security;

(4) the employment of one or more individuals--

(A) to investigate drug-related or violent crime in and around the real property comprising any public or other federally assisted low-income housing project; and

(B) to provide evidence relating to such crime in any administrative or judicial proceeding;

(5) the provision of training, communications equipment, and other related equipment for use by voluntary tenant patrols acting in cooperation with local law enforcement officials;

(6) programs designed to reduce use of drugs in and around public or other federally assisted low-income housing projects, including drug-abuse prevention, intervention, referral, and treatment programs;

(7) where a public housing agency, an Indian tribe, or recipient of assistance under the Native American Housing Assistance and Self-Determination Act of 1996 receives a grant, providing funding to nonprofit resident management corporations and resident councils to develop security and drug abuse prevention programs involving site residents; and

(8) sports programs and sports activities that serve primarily youths from public or other federally assisted low-income housing projects and are operated in conjunction with, or in furtherance of, an organized program or plan designed to reduce or eliminate drugs and drug-related problems in and around such projects.

(b) Other PHA-owned housing. Notwithstanding any other provision of this chapter [42 USCS §§ 11901 et seq.], grants under this chapter may be used to eliminate drug-related crime in and around housing owned by public housing agencies that is not public housing assisted under the United States Housing Act of 1937 and is not otherwise federally assisted, for the activities described in

42 USCS § 11903

paragraphs (1) through (7) of subsection (a), but only if--

(1) the housing is located in a high intensity drug trafficking area designated pursuant to section 1005 of this Act [21 USCS § 1504]; and

(2) the public housing agency owning the housing demonstrates, to the satisfaction of the Secretary, that drug-related or violent activity in or around the housing has a detrimental effect on or about the real property comprising any public or other federally assisted low-income housing.

HISTORY: (Nov. 18, 1988, P.L. 100-690, Title V, Subtitle C, Ch 2, § 5124, as added Nov. 28, 1990, P.L. 101-625, Title V, Subtitle C, § 581(a), 104 Stat. 4246; Oct. 28, 1992, P.L. 102-550, Title I, Subtitle D, § 161(c), (d)(2), 106 Stat. 3718, 3719; Oct. 26, 1996, P.L. 104-330, Title VII, § 704(2), 110 Stat. 4051.)

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HISTORY; ANCILLARY LAWS AND DIRECTIVES**References in text:**

The "Native American Housing Assistance and Self-Determination Act", referred to in this section, is Act Oct. 26, 1996, P.L. 104-330, 110 Stat. 4016, which appears generally as 25 USCS §§ 4101 et seq. For full classification of such Act, consult USCS Tables volumes.

The "United States Housing Act of 1937", referred to in this section, is Act Sept. 1, 1937, ch 896, which appears generally as 42 USCS §§ 1437 et seq. For full classification of such Act, consult USCS Tables volumes.

Explanatory notes:

A prior § 1190 (Act Nov. 18, 1988, P.L. 100-690, Title V, Subtitle C, Ch 2, § 5124, 102 Stat. 4301) was omitted in the general amendment of Ch 2 of Title V, Subtitle C, Act Nov. 18, 1988 by Act Nov. 28, 1990, P.L. 101-625, Title V, Subtitle C, § 581(a), 104 Stat. 4245. Such section provided for eligible activities.

Amendments:

1992. Act Oct. 28, 1992 (effective and applicable on enactment, as provided by § 2 of such Act, which appears as 42 USCS § 5301 note) designated the existing provisions as subsec. (a), added the subsection heading, and in para. (7), inserted "where a public housing agency receives a grant,"; and added subsec. (b).

1996. Act Oct. 26, 1996 (effective on 10/1/97, as provided by § 107 of such Act, which appears as 25 USCS § 4101 note), in subsec. (a)(7), inserted "or tribally designated housing entity" and deleted "public housing" following "nonprofit".

1998. Act Oct. 21, 1998, in subsec. (a)(7), inserted ", an Indian tribe,".

Section 586(d) of such Act (on 10/21/98, but applicable beginning upon 10/1/99, as provided by § 503(a) of such Act, which appears as 42 USCS § 1437 note), in para. (4)(A), substituted "drug-related or violent crime in and around" for "drug-related crime on or about", in para. (6), deleted "and" after the concluding semicolon, in para. (7), substituted "recipient of assistance under the Native American Housing Assistance and Self-Determination Act of 1996" for "tribally designated housing entity" and substituted "; and" for a concluding period, and added para. (8); and, in subsec. (b), in the introductory matter, substituted "drug-related crime in and around" for "drug-related crime

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in" and, in para. (2), substituted "drug-related or violent activity in or around" for "drug-related activity at".