

Archives

Site Index

Los Angeles Times

ARCHIVES

HELP

Thursday, December 17, 1998

Home Edition

Section: Metro

Page: B-4

SOUTHERN CALIFORNIA / A news summary;

The Local Review / DEVELOPMENTS IN LOS ANGELES COUNTY;

Firearms Seized in Raid on Home; Owner Arrested;

Police seized nearly 200 firearms at a Porter Ranch home and arrested the owner, the culmination of a three-month investigation, police said.

Harry Noroian, of Falcon Crest Lane, was arrested after he allegedly bought guns from undercover detectives in the parking lot of a vacant business in the LAPD's Devonshire Division area, said Det. Steve Mulldorfer, supervisor of the LAPD's Youth Crime Gun Interdiction Detail.

Noroian, 57, was arrested on suspicion of possession of illegal firearms and suspicion of possession of firearms with intent to sell, said Officer Jason Lee. He was released from Van Nuys jail on \$10,000 bond, but he may be charged with a number of additional state and federal offenses, police said.

After the arrest Monday, police searched Noroian's house in an "exclusive, gated community," Mulldorfer said. They found more than \$50,000 worth of weapons, including three assault-style rifles banned by state law and hundreds of ammunition magazines, including drum-type magazines that can hold up to 100 rounds. Police spent nearly 24 hours inventorying the seized property, Mulldorfer said.

Noroian bought and sold weapons at his home and on city streets for at least two years, Mulldorfer said. He had been a licensed gun dealer in Northern California but did not obtain a state or federal license when he moved here, Mulldorfer said.

Police suspect Noroian's customers included people who cannot legally purchase weapons, such as convicted felons, Mulldorfer said.

"If you're dealing out of your car in a parking lot, it could easily wind up in the hands of a criminal," Mulldorfer said.

Police are trying to connect weapons Noroian allegedly sold with crimes, which may lead to future charges. Mulldorfer refused to identify the crimes.

The youth gun detail, which works with the federal Bureau of Alcohol, Tobacco and Firearms, was created by Chief Bernard C. Parks in November 1997.

"Our main mission is to interdict firearms reaching youth under 25 and reduce the injuries and deaths in that population," Mulldorfer said.

Type of Material: News Brief

Descriptors: ARRESTS -- LOS ANGELES; GUNS; STING OPERATIONS;

Copyright (c) 1998 Times Mirror Company

Note: May not be reproduced or retransmitted without permission. To talk to our permissions department, call: (800) LATIMES, ext. 74564. Choose extension 0 for other questions.

If you have a question about your account, [check here](#) or message web.billing@latimes.com. If you have other questions, check [Help](#).

The Los Angeles Times archives are stored on a SAVE (tm) newspaper library system from MediaStream, Inc., a Knight-Ridder Inc. company.

Archives



Site Index



□ □

Technology aimed at guns / Strategy shifts in war on illegal weapons

Sunday, September 6, 1998

BY MARK JOHNSON
Media General News Service

MEMPHIS, Tenn.

In this city, where an assassin murdered Martin Luther King Jr. and Elvis Presley sometimes shot out his television sets, police are going after the guns.

A task force of Memphis and Shelby County police, working with the federal government's authority and money, are using firearms-tracing computers and relentless interviews to map the illegal gun market and find the sources of the

crooks' firepower.

This intensive gun chase is one prong in a new and sweeping national campaign in 27 cities to identify and then smash the illegal gun market. It is a stark shift in strategy, if only because it hasn't been tried before.

"It's almost a movement now," said David Kennedy, a Harvard professor who helped design a juvenile anti-gun strategy in Boston. "The public thought all this anti-trafficking stuff was happening. You sit people down and tell them that nobody was doing anything about criminals selling guns to criminals, and they can't fathom it."

Under a Bureau of Alcohol, Tobacco and Firearms program, police and federal agents in more

than two dozen cities are taking every gun confiscated at a crime scene, whether it was used to kill or just stuck under a car seat, and tracing it to the original buyer. The number of requests submitted to ATF's national tracing center in West Virginia leaped from 80,042 in 1995 to 194,235 last year.

Agents and police want to find the crucial point in a gun's history at which, if it wasn't stolen, it was sold or given to someone who was prohibited from having it.

The ATF program, called the Youth Crime Gun Interdiction Initiative and nicknamed "Yogi," concentrates on reducing the supply of illegal firearms available to juveniles, who have a greater propensity toward violence than adults. The program began in fall 1995 with 17

cities, and President Clinton added 10 more last year. In tracing the guns, several cities are going beyond the computer searches.

Members of the Memphis task force or juvenile court investigators interview every juvenile arrested with a gun. The officers' tenacity has earned them a street reputation. Youths know if they are caught with a firearm, they have to go see "the gun people."

Memphis police Sgt. Dwan L. Gilliom remembers the chill bumps on a scrawny 13-year-old caught at school with a .25-caliber semiautomatic pistol that had passed between him and two friends between classes.

The youngster, ill with a form of hepatitis, complained of the cold as he sat in jail-issue orange and blue surgical "scrubs" in a concrete-walled interview room. He told how he bought the gun from his boss, who ran a shop that sold drug paraphernalia and compact discs and operated an unlicensed pawn shop.

Using the information from the juvenile, the task force investigated and recorded the shop owner making illegal gun sales, then arrested him.

Most interviews, however, are not so productive. The answers usually are vague: a friend, a drug dealer, "an adult junkie with an off-the-wall street name," Gilliom said.

"It's from a crack-head' — that's the first thing they're going to say," said Lt. Alvin Moore of the Shelby County Sheriff's Department.

Youths can't legally buy or own a gun, so the task force is searching for the adult who provided it. Veronica Coleman, the U.S. attorney for the western district of Tennessee, said the program is aimed more at getting guns out of the hands of juveniles than at prosecuting them.

The idea of curbing street violence by cutting off the supply of guns is so obvious as to seem remedial.

"It sounds like common sense, but it's really a new way of thinking for law enforcement," said an ATF agent involved in the program.

Police departments by and large do not tackle gun-trafficking crimes, even though firearms invariably are associated with the worst criminal violence. Local police often view gun trafficking either as the ATF's

jurisdiction or a toilsome task.

"Guns are everywhere. You can't do anything about them." I think that attitude exists in a lot of police departments," said an enforcement official with the U.S. Treasury Department, which oversees ATF.

A police officer who takes a revolver out of a suspect's waistband is concerned about preserving that piece of evidence to prosecute his case. He has both the perpetrator and the gun and little reason to worry about tracing the weapon. Most metropolitan police departments have a narcotics squad, a vice squad and a homicide squad – but no gun squad.

The Yogi program is intended to help shift police officers' thinking on crime guns. The motto could be: Keep anything, trace everything. A gun found in the bushes near a drug corner, a bullet casing from a shootout, or the slug lodged in a front door all can be recorded on computer and potentially matched to crimes and, through tracing and investigation, to the person who bought the gun.

"It's a very different market than drugs," said Jim Cavanaugh, special agent in charge of the ATF's operations in Alabama, Mississippi and Tennessee. "It is the tool of the trade of anybody who wants to be thought of as powerful in the criminal subculture. So whether you're a gang-banger or a Cosa Nostra or an outlaw biker, if you don't have a gun you're a nobody. . . .

"[Guns] are not a usable commodity like a narcotic. They don't get used up. They stay around. They hang out. If they're not recovered by police, they get used in a crime again."

All of which leads to the question of why ATF, given the 'F' in its acronym, has begun only now an all-out assault on the illegal firearms market.

At least part of the answer is that federal agents – and law enforcement in general – previously targeted the people more than the guns. Throughout the 1980s, as gun violence soared, ATF directed its firearms enforcement at repeat offenders, career violent criminals.

"Bad guys use guns," said the Treasury official, explaining the agency's old strategy. "You lock them up, and you eliminate gun crime."

The new approach of tracing every crime gun evolved from the suggestions and work of ATF agents and successful anti-crime efforts in Boston. Massive data collection shattered several broad assumptions about the illegal firearms market that previously stood as conventional wisdom.

The tracing data showed that most firearms trafficking is close to home. In all but two of the original 17 Yogi cities, most crime guns often were bought within the state. Gun trafficking commonly is perceived as an interstate racket dominated by gun-peddling rings. The traces demonstrated that much of the market is small, local deals, such as a felon gang member, barred by law from buying a gun, who gets his girlfriend to do it.

The gun tracing also dispelled the notion that crime guns usually have been stolen. Based on the tracing, ATF estimates that 22 percent to 54 percent of the recovered crime guns traveled from a legitimate dealer to a crime scene — the time-to-crime — in less than three years through some form of illegal trafficking, not theft. Juveniles especially demonstrated a taste for newer weaponry, an ATF report said.

The most significant finding, however, is that with tracing information, law enforcement can dent the illegal gun market. Police and ATF agents in the Yogi cities, using computers and other techniques, are discovering who is selling guns to criminals.

In December 1996, a New York police officer found a .380-caliber semiautomatic pistol in an electrical box. Lab tests matched it to the bullets that killed teen-ager Danny Gonzalez outside a Manhattan nightclub two months earlier. ATF's tracing linked the pistol to Darryl Petteway of Henderson, N.C., who bought 16 other guns in North Carolina when he bought the .380. Using the tracing data, ATF agents found that five more New York crime guns were bought either by Petteway or accomplices who listed the same address.

Petteway had been buying the guns in North Carolina, selling or trading them in New York for cocaine, and returning home with the cocaine and cooking it into crack to sell, according to ATF agents.

Three months ago, Petteway was sentenced to 66 months in prison for selling firearms without a license, conspiracy and narcotics trafficking. Two accomplices pleaded guilty, six are scheduled for trial in November, and two more are wanted by ATF.

"It's like a crossword puzzle; you start developing patterns," said Dominick Polifrone, resident agent in charge of ATF's Fairfield, N.J., office.

In Atlanta, police have identified about 250 cases to investigate from gun-tracing data.

What has drawn criticism is that the tracing work has not yet translated into many prosecutions. The number of firearms-related cases recommended for prosecution by ATF nationally plummeted from 7,458 in 1992 to 3,643 in 1996. Even last year, the first full year of the

Yogi program, the number fell to 3,134.

"They are tracing a lot of guns but not doing much with the data," said Tanya Metaksa, the National Rifle Association's chief lobbyist.

Treasury and ATF officials said because of the novelty of comprehensive tracing, law enforcement only now is turning it into prosecutions.

A major impediment is a lack of personnel, ATF agents said. Polifrone has nearly 20 "blue sheets" hanging on the bulletin board behind his desk. These sheets are possible gun-trafficking cases — clues or suspicious patterns culled from the gun traces. Polifrone, however, doesn't have enough agents to assign these cases.

"We have manpower constraints, and we can't do the job," he said.

In Memphis, the ATF office includes only five agents. Atlanta police didn't create their gun squad until last fall. The gun squad in San Antonio was created by borrowing detectives from the youth crimes division.

The Treasury Department has asked Congress for \$28 million for the Yogi cities next year. That's enough money to put six additional ATF agents in each city.

And now individual states, such as California, Indiana, New Jersey, Maryland and Connecticut, either already are tracing every crime gun in the state or preparing to do so.

"Police departments are beating down ATF's door to get into this game," said Kennedy, the Harvard criminologist.

Gilliom, the Memphis police sergeant, clearly enjoyed his program's reputation for a uniquely aggressive anti-gun effort.

"Who else is doing what we're doing?" he asked.

In not too long, the answer likely will be: lots of places.



Bureau of Alcohol, Tobacco & Firearms
Office of Public Information

ATF News Summary

Wednesday, April 30, 1997

Star Tribune, Minneapolis 4/27/97 p. 1 of 3

Tracking the traffickers

Cops, feds join forces to stop illegal gun sales

By Randy Furst
Star Tribune Staff Writer

In a tiny office next to the police property room, Sgt. Jeff Rugel pulled on a pair of rubber gloves so as not to disturb fingerprints, and opened a batch of brown envelopes containing the daily haul of guns recovered by police on the streets of Minneapolis.

The envelopes contained the usual grab-bag: a rusted handgun found in a yard after the snow melted, a shotgun seized in a crack raid, a 9-millimeter Russian-made pistol taken from a

man on a south Minneapolis street, a pistol left by a passenger in a cab, and an illegal sawed-off shotgun discovered by a landlord.

Rugel and his counterparts in St. Paul, in an effort to solve crimes and put gun traffickers out of business, are working harder than ever to track guns to their sources. They are getting help from the Bureau of Alcohol, Tobacco and Firearms (ATF), which has assigned an agent to each city's police department.

The effort led to federal grand jury indictments last week against three Minneapolis men for their alleged involvement in two sus-

pected schemes to buy six semi-automatic handguns.

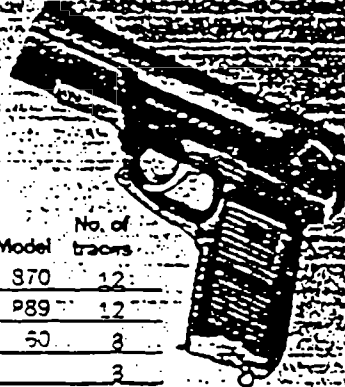
U.S. Attorney David Lillehaug said that more indictments for illegal gun trafficking are expected.

The Twin Cities area has a small but flourishing underground traffic in guns — the tool of gangland confrontations. Such gang actions have turned some city streets into shooting galleries the past couple of summers, with guns often the weapon of choice for robbers, burglars and other felons.

Eight most commonly traced guns

Among guns seized or otherwise obtained by Minnesota law enforcement agencies and submitted to the ATF in 1996, these eight models were most frequently traced back to a retail sale by a Minnesota gun dealer.

Manufacturer	Type of gun	Caliber	Model	No. of tracers
Remington Arms Co.	Shotgun	12 ga.	870	12
Ruger	Pistol	9 mm	P89	12
Marlin	Rifle	22	60	8
Taurus	Revolver	357		3
Lord Engineering	Pistol	380	L380	7
Taurus	Revolver	38	85	6
A A Arms Inc.	Pistol	9 mm	AP9	5
Taurus	Pistol	9 mm	PT92	5



Source:
ATF National
Tracing Center

Star Tribune graphic by Jane Friedmann

Thefts from licensed gun dealers in Minnesota

Beside thefts from homes or cars and illegal purchases, firearms are often stolen from licensed dealers. Here's the breakdown from the past three years:

Theft type	Number of firearms		
	1994	1995	1996
Burglaries	90	64	159
Larcenies*	3	51	21
Others	3	14	9
Robberies	0	2	10
TOTAL	96	131	201

* Primarily shooting

Type and number	Number stolen		
	1994	1995	1996
Pistols	56	43	133
Pistol/derringers	4	2	2
Pistol/revolvers	11	26	45
Rifles	9	37	12
Shotguns	15	23	9
Combination guns	0	0	0
Unclassifiable	0	0	0
TOTAL	96	131	201

Source: Bureau of Alcohol, Tobacco & Firearms National Tracing Center

Star Tribune graphic

Police, feds work to track the illegal gun traffic

For the past year, local police have concentrated their attention on gun suppression operations, and as a result, they say, they are beginning to get a handle on who's hustling weapons.

About 1,500 of the 1,769 guns recovered in 1995 by Minneapolis police were involved in some type of crime, according to police.

St. Paul police recovered 752 guns last year, a 23 percent increase from 1993. The entire increase was in handguns. Many of those guns were generally unreliable and cheap 9mm pistols that sell for around \$100 at gun shops.

Only small operators appear to be working in the illegal local gun market. "I don't think there's a kingpin controlling things, but each of these small traffickers could move up if we didn't stop them," says Rugel. That means keeping an eye on the movement of guns and making quick arrests.

Guns are generally acquired illegally in one of four ways:

➤ **Straw men:** Felons cannot buy guns in Minnesota, so a felon may send a "straw man" — someone with a clean record — to buy guns. During a year of investigations, Minneapolis police have never found a buyer using more than three straw men. Though police say it is difficult to estimate, they say that less than half the illegal trafficking in Minnesota is done by straw men. Last week's indictment involved straw men.

➤ **Home and car burglaries:** Guns taken during home or car burglaries are difficult to trace to the thief, making those weapons more valuable for illegal use.

➤ **Thefts from firearm dealers:** A total of 201 guns were taken in 1996 in thefts in Minnesota from stores or licensed firearm dealers operating out of their homes, according to ATF statistics.

➤ **Individual sales:** Unrecorded sales of guns between individuals can eventually put the weapons in the hands of crooks. "The majority of the time, they are buying them off the street," says Sgt. Manny Granroos, of the Minneapolis police weapons unit. Criminals also sometimes lend or rent their guns to others. The weapons change hands so much that they are difficult to trace.

Going to the source

The hunt for owners of illegal guns often begins with the brown envelopes in the police property room. Rugel and an ATF agent record the information about recovered guns, including serial numbers, and fax the data to the ATF national training center in West Virginia. Within days, the center can often tell police which store sold the gun and who purchased it.

"I'm excited the way the picture is developing from the tracking," said Guy Hummel, ATF assistant special agent in charge of the bureau in St. Paul, which covers a five-state area.

If the original buyer is linked to illegal activity or the gun is involved in a serious crime, Rugel can then begin his own tracing operations. ATF statistics show that while some states have the problem of out-of-state guns, Minnesota doesn't. Gun retailers here are the original sources for a majority of guns recovered by police, said ATF agent Jim Kuboushek. And only 105 guns that were bought from Minnesota retailers wound up elsewhere, according to ATF tracing data.

Gun dealers themselves are rarely involved in criminal activity and often help to stop illegal sales, authorities say. "The vast majority of gun dealers are hard-working, honest folks," Hummel says.

Sgt. Joe Flaherty, a homicide investigator who heads St. Paul's gun suppression program, recalled a recent phone call from a gun store operator, who reported a woman in the store with a shopping list of guns and ammunition about which she knew little. "This one here smells," the dealer told Flaherty. It looked like a straw man purchase, and Fla-

hertry has been called in to investigate. "I believe she was buying weapons for gang members or convicted felons," he said.

Part of the gun suppression program uses a law that took effect last August that provides for a "presumptive" sentence of 18 months for felons found in possession of a gun, even if they have not committed another crime.

"What we saw over and over again in Hennepin County was so much of the gun violence was from repeat offenders," said County Attorney Mike Freeman. "To give us an extra weapon, we pushed the [18-month] minimum for a felon for merely carrying a gun." The county has been pushing such prosecutions hard, but statistics aren't yet available on how many charges have been filed. Tom Frost, director of the Ramsey County attorney's prosecution division, estimated that 30 felons have been charged for possessing guns since Aug. 1 in Ramsey.

Weapons arrests appear to be declining in Minneapolis since the law took effect, said Granroos, who supports the tougher law. While the level of violence remains high, Granroos said he thinks some felons have gotten the word about the crackdown and are only carrying guns when they intend to use them.

Flaherty prepares a weekly "hot sheet" on gun incidents, including shots fired, information about shootings and people suspected of carrying guns. The sheets are given to police to keep in their squad cars, and may lead officers to stop those individuals. "It's another pebble in the pile of ways to hammer the guy who is carrying guns on the street," he said.

In August 1996, Eddie Lee McKay, 26, died in an apparent gang shootout on W. Broadway in Minneapolis. At the scene, police found a 9mm handgun and traced it to a gun store. Two months earlier, the store had sold it to a 22-year-old gang member who had a history of violence but no felony record, according to Rugel. Police say they believe the gang member bought the gun for another member who did the shooting, but have been unable to prove it. The case remains unsolved.



ATF News Summary

Supplemental

Wednesday, July 23, 1997

Supplemental

Youth Crime Gun Clips

Philadelphia Inquirer 7/23/97 p. 1 of 2

EDITORIALS

In the arsenal

*Philadelphia has a couple of new weapons
in the fight to keep guns out of juveniles' hands.*

Two recent events could signal that Philadelphia officials finally are getting serious about keeping guns out of the hands of young thugs.

The city's participation in an expanded federal gun-tracing program and Mayor Rendell's exploration of a possible lawsuit against gun makers are small but significant steps in the right direction.

Philadelphia and nine other cities will share an \$11 million grant to hire and train personnel to track weapons and to install computer links between police departments and the Bureau of Alcohol, Tobacco and Firearms (ATF).

Tracing a gun this way — from gun shop to crime scene — began last year in 17 cities. Since then, law enforcement agencies have traced all 37,589 firearms recovered from crime scenes from last July to the end of April. The findings reinforce what any cop will tell you: It's way past time to crack down on gun sales to youths.

In Washington alone, more than half of 958 guns recovered were in the hands of criminals under age 25, and 550 of those had been sold *legally* in Virginia and Maryland, the ATF reported.

The study explodes the myth that kids steal guns or acquire them randomly; the data prove that organized rings are systemically supplying them. In Milwaukee, 40 guns used in crimes involving youths were traced to a single legitimate buyer, who bought dozens of guns legally, then sold them out of his car to young people.

Some advocates insist that these

findings could help bolster lawsuits against gun makers, such as that filed in Brooklyn, N.Y., by 20 mothers and wives against 47 gun manufacturers. The women contend that the industry is legally liable for flooding the market with guns and virtually assuring an underground trade.

Mayor Rendell is considering suing on behalf of Philadelphia, where unlike the rest of the nation's big cities, gun murders rose 16 percent between 1994 and 1995. It's heartening that the mayor's mulling other approaches to this issue, but it's been disheartening to see Philadelphia lag behind other major cities in decreasing crimes of all sorts. And the reluctance of state lawmakers in Harrisburg to give the city permission to toughen its gun laws has only weakened its hand.

The problem with fixing blame on gun makers or dealers stems from the fact that they cannot control what buyers do with a product — even an inherently dangerous product like a gun — after it is purchased.

But they can take steps to make their products safer, by selling guns in tamperproof boxes and adding trigger locks. In fact, two Maryland counties — Prince George's and Montgomery — recently mandated that trigger locks be included with every handgun sale. It's an idea worth trying here.

Curbing youth access to guns is certainly one duty of lawmakers, but they can't do it alone. This is one issue that should attract every parent, minister, business owner, community leader — and the majority of children who already obey the law.

Program of gun tracing expands

Youth initiative to add 10 cities

BY JIM MASON
Times-Dispatch Staff Writer

Richmond is one of 17 cities participating in a federal anti-crime program intended to keep guns out of the hands of juveniles.

"What this does is give law enforcement officers information that enables them to go after traffickers of illegal guns," said Treasury Undersecretary Raymond W. Kelly.

It's too early to gauge to what extent the tracing of guns confiscated from juvenile offenders has reduced gun-related crimes by teens, "but it certainly has the potential for doing that," Kelly said.

In any event, the Clinton administration plans to expand the year-old pilot program — dubbed "the youth crime gun interdiction initiative" — to 10 more cities, Kelly said yesterday in a telephone interview.

Kelly said \$11 million has been budgeted for the program for fiscal 1998, which begins Oct. 1.

In participating cities, agents of the Department of the Treasury's Bureau of Alcohol, Tobacco and Firearms work with local and state police to trace guns taken from juveniles and young adults arrested for crimes.

One out of 10 guns confiscated by police is from a youth 17 or younger, Kelly said. When offenders ages 18 to 24 are included, that number increases to four out of 10 guns, he said.

The gun of choice for juvenile offenders is a semi-automatic, Kelly said.

In Richmond, between July 1, 1996, and April 30, police and ATF agents traced the guns taken from 58 juveniles who were arrested, according to Bill Bunham, agent in charge of the Richmond ATF office.

One of the juveniles was involved in a homicide, he said.

The guns, Bunham said, were traced to the dealers. "We are finding that a lot of

these guns have been legally purchased and then diverted" to juveniles, he said.

A juvenile can't legally buy a gun in Virginia. To buy one, a person must be 21, must show proof of age and residence, and undergo an instant criminal background check by state police.

"We have arrested several people for buying the guns for juveniles in exchange for money or drugs," Bunham said. That's the major thrust of the program, to go after the illegal gun traffickers, he said.

"We are getting a read on the source of the guns and also how long the guns have been on the streets since purchase and the time from purchase to confiscation," he said.

"It's given us some direction as to the sources of guns and where to focus our enforcement," he said.

The gun tracing information is forwarded by the ATF here and in other participating cities to the National Tracing Center in Falling Waters, W. Va. In turn, local law enforcement offices request gun tracing information from the center.

Participating along with Richmond are Atlanta, Baltimore, Birmingham, Ala., Boston, Bridgeport, Conn., Cleveland, Inglewood and Salinas, Calif., Jersey City, N.J., Memphis, Tenn., Milwaukee, New York, St. Louis, San Antonio, Seattle and Washington.

Kelly said these cities will join the gun-tracing initiative: Chicago, Los Angeles, Detroit, Philadelphia, Houston, Miami, Tucson, Ariz., Minneapolis, Cincinnati, and Gary, Ind.

Richmond Times-Dispatch 9/6/98 p. 1 of 2

page 8

Anti-gun program started here / Traces helping to solve crimes

Sunday, September 6, 1998

BY GORDON HICKEY
Times-Dispatch Staff Writer

The national program aimed at tracing confiscated firearms and attacking the illegal gun market got its start in Richmond.

The city was one of the original 17 chosen in 1995 for the program. Since then 10 more cities have been added.

"I'm the test site," said John Brooks, firearms administrator for the Richmond Police Department. He has a computer in his office supplied by the federal Bureau of Alcohol, Tobacco and Firearms. According to Brooks, this was the first such computer in the United States supplied by ATF.

And, he said, he's been putting it to heavy use.

Since January, he has entered data about more than 900 guns into the ATF system. ATF then tries to trace the guns' sources.

In August alone, Brooks entered information on 148 guns into the system.

"Basically, they're all coming from this area," he said.

The police trace guns seized from people who have them illegally, such as felons or juveniles, or from crime scenes.

The traces also have been used to help solve a murder and a rape, he said. On top of that, several so-called "straw purchasers," people who are buying guns for others who are legally prohibited, have been identified and charged with federal crimes.

The traces also are used to find links between the guns and the people from whom they're seized. For example, he said, one gun traced here was involved in five other traces, either through a common purchaser or the person from whom police took the gun.

Bill Dunham, resident agent in charge of the Richmond office of

ATF, said the goal of the Youth Crime Gun Interdiction Initiative, or Yogi, is simple: "We want to see what the sources of guns are for juveniles, and we want to shut down the sources."

That isn't easy.

Often, guns are too old to be traced. Some are reported stolen, so there's no way to trace them beyond that report.

Also, Congress hasn't made it easy to trace guns. "We are limited by Congress as to what we can computerize," he said. "There are no computer records on purchases."

Those records are on paper and are kept by the dealers. When a dealer goes out of business, he's supposed to turn the records over to ATF, but not all of them comply.

"It makes for a long search," Dunham said.

Why can't gun records be computerized? "[Congress is] afraid . . . big brother, the government, will know

who has guns," Dunham said.

Still, Dunham said the traces are succeeding. He said more than 3,000 guns have been submitted, and ATF has traced 60 percent to 70 percent.

March 6,
1997

35 cents

San Jose Field Office - 408-635 5045

Salinas police follow gun trail

Arms take many paths, they learn

By Leslie Harris
The Californian

A federal program designed to track guns Salinas police seize in crimes has found that suspects get their hands on firearms in many different ways.

The Youth Crime Gun Interdiction Initiative, which began last July, links Salinas police with investigators from the federal Bureau of Alcohol, Tobacco and Firearms. ATF investigators trace guns recovered by serial number, model and caliber in an attempt to spot trends in illegal gun trafficking.

"The premise behind it is, if you have firearm serial numbers you can track it through its holders and sellers to find out about illicit transfer and sale of firearms," said Salinas police Lt. Steve Hood, who heads the department's Violence Suppression Unit. The unit was formed in 1995 through a \$1 million federal grant to reduce youth handgun violence.

Officers also have found that most of the guns recovered are more expensive, powerful firearms than in the past.

"We are seeing large-caliber, large-capacity firearms like 9 millimeters and 45 millimeters with 15-plus magazine capacity," Hood said. Police started noticing the trend about two years ago. "And we also have seen an increase in assault weapons recovered from suspects



TRACKING GUNS: Salinas police Detective Fred Schloss shows confiscated assault weapons. Police and the Bureau of Alcohol, Tobacco and Firearms are studying guns' use.

and used in drive-by shootings.

Most of the traced guns, however, haven't helped pinpoint any person or organized effort supplying most of the guns used in crimes. Hood

said. In Los Angeles and other cities, guns have been traced to a few suppliers, he said.

The majority of the Salinas guns have been passed from person to

person, lawfully purchased and sold illegally by someone who may or may not have criminal intent, stolen, or borrowed from family members and friends without their consent,

police and the ATF said.

Here's how the program works:

- Information about guns recovered in Salinas is relayed to the ATF office in San Jose.

- Investigators there contact the gun manufacturer, who then can identify which company distributed the gun. Distributors can lead investigators to retail stores where the gun was sold, according to Justin Davis, owner of JKD Shooting Sports in Salinas, who said he gets several calls a month from ATF investigators.

- ATF investigators then try to determine how the gun got into the hands of suspects by questioning the gun owner, according to Jess Guy, resident agent in charge at the ATF office in San Jose.

"What we are trying to do is bring the resources of the federal government together with local law enforcement agencies to try to shut off illegal sources of firearms to youth gangs and youth criminals," he said. "The second aspect is to go out and identify those sources of firearms of all criminals and gangs and put them in jail."

Salinas is one of 16 cities nationwide participating in the program. About 1,100 guns recovered by Salinas police officers have been traced through the program, Guy said.

Davis said ATF investigators called last year seeking information on about 10 guns purchased at the store. In February, officers called again for information about 15 guns.

Store records have been kept in a computer since 1993. They show who bought the gun, when it was purchased and information about the buyer, Davis said.

Few Salinas youths use illegal handguns

BY KEVIN HOWE

Herald Staff Writer

Most of the guns used by young criminals are handguns supplied by a friend or relative. Salinas Police Chief Dan Nelson said yesterday.

And most of them are high-quality pistols and revolvers, not "junk guns," Nelson said.

The Salinas Police Department, along with 16 other cities nationwide, took part with the federal Bureau of Alcohol, Tobacco and Firearms in a yearlong study of guns and young criminals, and the results were released over the weekend.

The study indicated that, nationwide, kids get a significant number of crime guns through illegal traffickers, said ATF spokeswoman Tracy Hite.

But that isn't the case in Salinas, Nelson said.

His department took part in the study, he said, because "we

were more interested, when we started, in determining where the guns were coming from."

"We looked and came up with the clear fact that most guns (used in crimes) in this city are not necessarily stolen, but are guns that come from relatives and friends," Nelson said.

"There did not appear to be any organized handgun trafficking in this city, and that was something we were looking for."

The ATF, Hite said, found that:

■ Four out of 10 crime guns recovered by law enforcement are from people age 24 and under.

■ Eight out of 10 crime guns recovered from youths are handguns.

■ Six out of 10 crime guns recovered from youths are semiautomatic pistols.

■ One out of four crime guns recovered from youths had been

sold over the counter within three years of being used in a crime and recovered by police, an indicator, according to the ATF, of illegal firearms trafficking.

■ Most crime guns recovered from youths are from among a small range of firearms types.

■ Youths are obtaining guns from illegal firearms traffickers.

The report, conducted from July 1996 through last April, was "a good project that allows police departments to talk intelligently about where weapons were coming from," Nelson said.

Both he and Hite said most of the guns recovered by police that were associated with a crime were high-quality, name-brand weapons.

"Saturday night specials?" Nelson commented. "Not in this town. That's one reason I haven't been that involved in getting 'Saturday night specials' off the street. Sometimes you get some weapons that are classified as 'junk guns,' but as a rule, that's not the case."

While types of guns favored by criminals differed nationally from Salinas, the lists also differed from city to city, Hite said.

"Some of these are very expensive guns, the types law enforcement desires to use and does

use," she said. "We can't draw a 'junk gun' conclusion from either of these lists."

During the study, Salinas submitted 1,510 trace requests to the bureau, Hite said, tracing the guns from manufacturer to distributor to retailer, to the first legal buyer.

In Salinas' case, Hite said, 61 percent of guns used in crime were possessed by adults, 28 percent by people age 18 through 24, and the remaining 10 percent by juveniles under age 17.

Of the guns traced, 40 percent were semiautomatic pistols and 22 percent were revolvers, she said.

Most guns recovered in the cities covered by the study — Atlanta, Baltimore, Boston, Birmingham, Ala., Cleveland, Memphis, Tenn., Inglewood, Jersey City, N.J., Milwaukee, New York, Richmond, Va., St. Louis, San Antonio, Seattle and Washington, D.C., in addition to Salinas — were purchased within the state they were found, she said.

Salinas had a gun-tracing strategy in place before the federal study started, Nelson said.

Salinas police are asking people who know of illegal gun possession cases to call them at 758-7133. Callers may remain anonymous.

Crime & Crisis

Tracing guns helps track crooks

However, S.A. officer says Texas laws make it easier for criminals to buy, sell

By Bill Hendricks

Express-News Staff Writer

Loose controls on gun sales in Texas make it easier for criminals to buy and sell guns here than in many other states, a San Antonio police lieutenant who supervises weapons investigations said Tuesday.

"What we see is that most of the guns we seize originated locally," said Lt. Mike Akeroyd, who heads the police unit that traces guns taken from crime suspects.

On Monday, President Clinton announced a plan to permanently ban the import of 58 types of military-style assault weapons.

One of the weapons on Clinton's list was a Chinese-made assault rifle that was the most popular crime gun in San Antonio, according to an analysis by the U.S. Bureau of Alcohol, Tobacco and Firearms.

The ban was denounced as "an abuse of presidential authority" by the Firearms Importers Roundtable Trade Group.

The National Rifle Association also said it was not happy with Clinton's ban.

Akeroyd said tracing guns gives police a tool than can help them track a crime gun to the criminals who

might have used it.

"Tracing is limited, but it gives us a place to start," he said. ✓

It's been only in about the last six months, he said, that San Antonio police have been able to attempt tracing every gun its officers seize. ✓

Police now are able to feed information directly to ATF computers, he said. ✓

The computer program has enabled police to get a better understanding of where crime guns come from and how they are used. ✓

But handguns dominated the top 10 list compiled by ATF.

"The weapon of choice seems to be a semiautomatic handgun," Akeroyd said.

Most guns that eventually turn up in the hands of criminals were first sold legally, he added.

While the Brady federal gun control law requires people to undergo a criminal background check before buying a handgun from a licensed dealer, there are few other restrictions in Texas, he said.

Anyone older than 21 who hasn't been convicted of a felony crime can legally buy a handgun in Texas, Akeroyd said.

And anyone older than 18 can legally buy a rifle.

The ATF analysis showed that more than 75 percent of guns seized by San Antonio police originated in Texas.

The real problem for police comes after the first sale, Akeroyd said.

San Antonio Express 4/8/98 p. 3 of 3

page 6

An individual can legally sell a handgun to another individual without recording the transaction, he said.

Weapons that turn up in criminal investigations may have passed from owner to owner after the first, legal sale.

"It becomes like a black hole," Akeroyd said. ✓

Texas' gun laws earned the state a barely passing mark when the nonprofit Center for Handgun Control in Washington graded the states on laws that protect children from gun violence.

When the report was released last September, Handgun Control chairwoman Sarah Brady declared: "It is simply too easy for our children to get their hands on loaded, unlocked handguns."

Her organization reported it graded Texas a "D" because "it allows the carrying of loaded, concealed weapons; it has no juvenile possession law and no local rights so cities and localities can pass tougher gun laws to protect their particular area."

ATF's analysis of gun confiscation reports between July 1, 1996, and April 30, 1997, showed that more than 44 percent of guns seized in San Antonio were taken in weapons offense investigations.

Another 16 percent were seized in drug raids, and slightly over 10 percent were connected to homicide investigations.

The New York Times contributed to this report.

Study takes look at why young people carry guns

BY LINDA KEENE
Seattle Times staff reporter

Sneakers aren't the only status symbols among kids today. Guns are, too.

A report released yesterday by the Bureau of Alcohol, Tobacco & Firearms shows that juveniles who carry guns prefer newer firearms to old ones, especially semiautomatic pistols.

Many acquire the guns out of fear and for self-defense, according to the yearlong study, which included Seattle and 16 other cities.

The study, part of a pilot program called the Youth Crime Gun Interdiction Initiative, traced more than 37,000 guns used in crimes in the cities and found that almost half — four out of 10 — are carried by people 24 years and younger.

Violent crime by youths is dra-

matically increasing, compared to a slight decline in similar crime involving adults.

To help curb juvenile crime, the ATF launched the study to determine where young people get guns, and what can be done to control the problem.

Unfortunately, in Seattle, the results are limited.

"We've got the numbers now, but they don't provide us with any information about where they (guns) come from," said Assistant Chief John Pirak of the Seattle Police Department.

Most of the guns recovered in Seattle were legally obtained in Washington, rather than coming in from another state.

"We found the enemy and it is us," he said.

Just how the guns are passed to

young people is hard to determine, Pirak said, because offenders are unwilling to reveal the sources and tracing ownership is time-consuming. Some juveniles borrow the guns from older people and then return them; others steal the weapons.

But most buy them illegally through a network that police are trying to stop.

Youths carry guns for a variety of reasons, said Pirak, citing fear, ego, feeling of power and status among peers.

In Seattle, 500 weapons have been traced since the study began, Pirak said. Most had not been used in assaults when they were recovered.

Nationally, the findings were more significant. Many of the guns are being illegally diverted to young people soon after being purchased, suggesting that gun trafficking is

more common than guns being stolen or found.

The problem will get worse if police aren't able to control the illegal activity.

"We are entering a time when the population of juveniles will be reaching record levels, setting the stage for a demographic crime bomb," said the study. "We are going to have to be ready with strategies to prevent illicit firearms access to juveniles in order to prevent an explosion in armed violent crime rates."

In Washington, it is illegal for anyone under 21 to buy or possess a gun. It is a federal violation to sell a gun to a juvenile.

The other 16 cities participating in the study are Atlanta; Baltimore; Birmingham, Ala.; Boston; Bridgeport, Conn.; Cleveland; Inglewood,

Calif.; Jersey City, N.J.; Memphis, Tenn.; Milwaukee; New York; Richmond, Va.; St. Louis; Salinas, Calif.; San Antonio; and Washington, D.C.

President Clinton announced plans yesterday to add \$11 million for the program so 10 more cities can be added. They are Los Angeles; Philadelphia; Chicago; Detroit; Miami; Houston; Minneapolis; Cincinnati; Tucson, Ariz.; and Gary, Ind.

"Make no mistake — gun traffickers are funneling guns to lawless youth. We know how they operate and we intend to shut them down." Clinton said in his weekly radio

address.

Clinton said he was disappointed that a Senate committee recently rejected his proposal to require federal firearms dealers to provide child-safety locks.

The president also urged law-enforcement agencies to continue doing background checks on prospective gun buyers, despite the Supreme Court's decision last month to strike down the part of the Brady Law that mandates such checks.

Information from Associated Press is included in this report.

The LIFE of a GUN

A1



This chrome-plated .22 caliber semiautomatic pistol was used to kill a gun dealer in East Wenatchee.

STEVE RICHMAN / THE SEATTLE TIMES

Seattle police trace street guns at a rate of about two a day. Every one has a story.

This is the story of gun No. 630-682, Model J-22.

BY ARTHUR SANTANA, *Seattle Times* staff reporter

Like hundreds of others, this gun entered the illegal street market, which dramatically escalated its cost to society. The price:

- One man's life
- Three young people's futures
- Nearly \$3 million in taxpayer money
- \$52 wholesale

The chrome-plated Jennings .22-caliber semiautomatic pistol is cold to the touch and about as heavy as a cue ball. Loaded, it weighs twice as much.

When it was new, you could see yourself in the luster of its barrel. It is a mere 5 inches long — dubbed a "little pocket pistol" by the man for whom it is named.

Beneath the hollow grip is a small opening where a fully loaded carbon steel clip, about 3 inches long and an inch wide, is shoved into place.

Pull the sliding top back, and an inch of slender steel barrel tip, the diameter of a drinking straw, is exposed. Spring the top forward and one of six .22-caliber bullets with lead slugs the size of a pea is ready to fire.

It is one of 900,000 identical guns made in the past 20 years — one of 79,140 made in

Cont.

The LIFE of a GUN

1989 at a now-defunct California factory.

only thing special about this one is its number: 630-682.

avealed a common path — from factory wholesaler to dealer — until it was bought by a man from Lake Forest Park, just north of Seattle.

For years, it lay tucked in his dresser drawer, hauled out for occasional target practice.

A year ago last week, it was stolen from the man's apartment and used to rob a gun store in East Wenatchee.

An ordinary handgun — worth \$52 wholesale — it was used to put about 45 other weapons on Seattle's street market.

Along the way, it cost a man his life, a family their patriarch, three people their freedom and taxpayers nearly \$3 million.

If guns are born, the life of the Jennings J-22-caliber semiautomatic began in a vat of molten metal at a Los Angeles die-casting company.

The metal for the frame and top slide was poured into casts, hardened and then stamped with a serial number.

It was shipped to Calwestco, in Chino, Calif., where the intricate parts — firing pin and spring, slide retainer, trigger and trigger bar, black plastic grip plates — were pieced together.

received a brushed-chrome finish at a plant before the 2½-inch barrel was

It was test fired, then packed in a small blue box with an instruction sheet.

Some gun experts call the J-22 a "stamp gun" because of its cheap, cookie-cutter assembly. Area retailers sell it new for about \$80. Used, it might sell for \$30 or less.

A May 1996 review of the J-22 in Gun Tests magazine refused to recommend it "due to the large number of malfunctions," and few Seattle-area firing ranges keep it in stock to test fire.

But Bruce Jennings, president of B.L. Jennings, insists it is a quality firearm.

"They do what they're supposed to do," he says. "And that's fire bullets."

It took no more than a few weeks for J-22 No. 630-682 to move from the plant in California to a warehouse in Nevada to a wholesaler in Oregon to a glass case at Sky Valley Gun and Tackle in Monroe, 30 miles northeast of Seattle.

There it sat for 47 days until, on Jan. 6, 1990, Ralph Chard walked in and bought it — "probably for protection," says his daughter, Valerie. Chard, then 30, added it to a collection of rifles he kept at his Lake Park apartment.

Ralph Chard couldn't be reached to tell the story of his J-22. The account that follows was gathered from police reports, court documents, interviews with several law-enforcement officials, and prison interviews with Valerie Chard and Miranda Johnson.

Valerie Chard was 12 when her father brought the J-22 home. She remembers that he stuck the handgun in a dresser drawer in his bedroom, where it mostly sat for the next eight years. "One time, he took us to our grandmother's house in Monroe, and we went out and shot at cans," Chard says.

By the time she was a teenager, Valerie Chard was a kid dancing on the edge of trouble. The oldest of four children, she had an early childhood marked by frequent moves and sexual abuse. Her parents divorced when she was 9, and she bounced between her mother's mobile home in Gold Bar and her father's apartment in Lake Forest Park.

At 14, she broke into a neighbor's home in Snohomish for a pack of cigarettes. She was caught riding in a stolen car. She entered Shorecrest High School, but never made it past 10th grade.

At Shorecrest, Chard made friends with Miranda Johnson, a younger girl who also toyed with the law. Over the next few years, Johnson would twice plead guilty to stealing a car and was arrested on a separate theft charge.

The girls took up with a young-but-veteran criminal. Thomas Davis was 19 at the time and already had an impressive record of arrests. He had stolen a pickup, a Porsche, a motorcycle, a mountain bike and a Corvette.

He had spent time in the Okanogan County Juvenile Detention Center, escaped, but was soon caught and served more than a year. Before another year passed, he again was arrested for stealing another pickup and some credit cards. He went back to jail for 10 months.

At one point, he adopted an alias — Mathew Alex Wilson — a name he would give police and use on bad checks.

"We were always together," Chard says. "We'd drink, hang out with friends in Seattle, smoke weed, break into houses. We'd take anything we could find, money, purses, stereos, guns — anything we could sell real quick."

Davis had been out of jail just three months when, on Jan. 20, 1997, he celebrated his 21st birthday by cruising the Monroe-Sultan area with two friends, looking for churches to rob. He picked up Vicki Lynn Tucker, 39, a Sultan woman who was hitchhiking on Highway 2.

The men beat Tucker, then Davis kicked her out of the car, ran her over and shot her in the head with a sawed-off shotgun as she begged for mercy.

It would be seven months — and another murder — before Davis was charged in Tucker's death.

In the meantime, he grew desperate for money. Chard would later recall that Davis said gang friends told him if he could get his hands on some guns, they would buy them. He wanted the girls to go along.

Both girls knew Davis had killed Tucker. Chard says Davis had threatened to kill her if she ever told.

"That scared me," Chard says. "I knew what he was capable of."

She agreed to drive her beat-up 1979 Mercury Marquis on a gun-scouting mission.

It was mid-February a year ago when the three drove east out of Everett on Highway 2 for four hours. When they pulled into Wenatchee, Davis told Chard to head to neighboring East Wenatchee to a part of town known as Baker Flats, where he knew of a small gun shop.

Sisson Shooters Supplies was tucked away from neighbors, run out of the home of owner Darrel Eugene Sisson. Davis and the girls did a quick case, and figured it would be easy to rob.

Davis told the girls he needed a small, quiet pistol.

"Then Valerie said, 'Well, my dad has one,'" Johnson would later recall. "And Tom said, 'Oh, really?'"

The conversation about obtaining a handgun was quick and private. But it is being echoed across the country as part of a growing trend connecting young people and guns.

In July, the Bureau of Alcohol, Tobacco and Firearms (BATF) released findings of the Youth Crime Gun Interdiction Initiative. The nationwide study examined more than 37,000 gun-trace requests in 17 cities, including Seattle, from July 1996 to April 1997.

A gun-trace request is made by police when a firearm is used in a crime, recovered under a search warrant, turned in as part of a "buy-back" program or found on the illegal street market. The study found a correlation between possession of semiautomatic weapons and youth crime.

For example, for every 10 so-called "crime guns" recovered, six were semiautomatic pistols — the same class of guns as the J-22 — and in the hands of people 24 or younger.

Cont.

The LIFE of a GUN

● How guns were used in Seattle crime

During the study period, Seattle police traced 487 guns and learned the possessor for 336 of them. About 20 percent — or 69 guns — had been in the hands of people 17 or younger.

Memphis, Tenn., showed a higher rate of guns in the hands of young people.

"Twenty percent sounds high," said Lt. Dale Drain, with the Seattle Police Department's gang unit. "But the actual number of individuals is still relatively small compared to the other cities."

In fact, Seattle showed the lowest overall number of crime guns per capita — one per 1,077 people. The worst city was Salinas, Calif., with one crime gun per 74 people.

Since the study began in July 1996, Seattle police have continued to trace crime guns at the rate of about two a day, says Detective Ed Harris of the Seattle Police Department's gang unit.

Valerie Chard made sure her father wasn't home before sneaking into his apartment to get his gun. Once inside, she grew nervous and left empty-handed.

"I really didn't want to find it," she would later say. "I really didn't want to put my hand through any unnecessary hardship."

Davis talked her back around. Together they returned to the apartment. Davis rummaged through Ralph Chard's bedroom and found some rifles. He nabbed five of them but kept looking. Finally he stuck his hand in Ralph Chard's dresser drawer and pulled out the J-22.

At that moment, the little Jennings semiautomatic entered Seattle's street market.

Home burglary and car prowls are among the most common ways legal guns join the illegal market, Harris says. According to the national study, most crime guns recovered in Seattle had originally been purchased legally in Washington state.

"Sometimes, it's as easy as a youth sneaking a gun out of their parents' house," Harris says.

And most of the guns traced follow the rather routine path of the J-22.

Crime	
Firearms offenses	384
Assaults/threats	36
Burglary/theft/fraud	19
Narcotics crimes	18
Robbery	11
Homicide	8
Kidnapping	3

Source: Youth Crime Gun Initiative report from the Bureau of Alcohol, Tobacco and Firearms for period between July 1, 1996 and April 30, 1997.

THE SEATTLE TIMES

Thomas David Davis



Age: 22

Crime: first-degree murder

Sentence: life without parole

Release date: none

Cost of incarceration if he lives to be 73:

\$1.2 million*

The LIFE of a GUN

Miranda Leanne Johnson



Age: 18

Crime: first-degree murder

Sentence: 26 years

Release date: Oct. 21, 2022*

Cost of incarceration: \$991,000*

Valerie Joy Chard



Age: 19

Conviction: second-degree murder

Sentence: 15 years

Release date: Oct. 3, 2010*

Cost of incarceration: \$582,000*

*Estimated



Darrel Sisson, the murder victim, cuddles with his granddaughter, Kayla, in this family photo. Sisson wrote down the license plate of three youthful visitors

cord 1

The LIFE of a GUN

of the traces are real short," said. "It goes from the manufacturer to gun shop to the first maybe a second owner, then in the hands of a criminal."

The day after Davis stole Ralph Chard's pistol, he returned with the girls to East Wenatchee to case the gun store again. They walked through without speaking to Sisson. The owner grew suspicious of the trio — the girls with funky nose rings and Davis with a goatee and crew cut — and kicked them out.

"He said he didn't have time to watch over us," Valerie Chard says. "I think he knew something was going on."

Sisson jotted down the license plate of Chard's Marquis on a gun manufacturer's brochure: "361 DKI Wash. four door." He tucked the paper under the cash register.

The trio spent the rest of that day and night driving and talking.

Johnson mentioned that a potato, pressed to the barrel of a gun, would make a nice silencer. They stopped at a store in Rainier Valley and bought potatoes, then drove to Easton to test her theory. It seemed to work: The firecracker pop of the gun was quieter, muffled.

They headed east for the third time at dawn the next day, Feb. 19. The winding roads were slick with snow as they maneuvered through the small towns dotting Highway 90.

By now, their conversation was sparse. They talked a bit about using a foot-long club they had to knock Sisson unconscious. Chard remembers that Davis rejected the idea; he wanted to use the gun.

"He had a really strong hold over me," Chard says. "I did whatever he said to do. I didn't think I would pull it off, but I felt like I was too far into it."

As they approached East Wenatchee, Davis busied himself in the passenger seat, carving a hole in a potato so it would fit snugly over the muzzle of the gun, which rode in the trunk, tucked into a small, red tool box Chard's grandmother had given her.

Darrel Eugene Sisson was born in Bronson, Kansas. He worked in the apple orchards of Central Washington as a young man, and later herded deer for the department of game.

He raised game birds, then became a game warden. In 1979, after 31 years with the state, he retired to Baker Flats to fulfill a dream of opening a gun store, Sisson's Supplies, like the one his brother owned in California.

Sisson was a longtime member of the Wenatchee Gun Club and the National Rifle Association. He was known locally as an excellent trap shooter.

Friends called him "Jerry." He had one granddaughter, Kayla, 5.

Sisson was alone in his store when Davis and Chard walked in about 11 a.m.

Davis and Chard approached the locked glass case where Sisson kept guns and ammunition. Davis had his hands jammed into the pouch of his hooded sweatshirt. He nodded toward the case, asking to see an ammunition clip for his .22.

Sisson bent toward the case. As was his habit, he was wearing a sidearm but never had a chance to use it. Davis pulled his hand from his sweatshirt, and pointed the J-22, muzzled by a potato, at Sisson's head. He pulled the trigger. The first bullet entered the lower left rear of Sisson's head, jerking him upright. He faced Davis, who fired again.

Sisson fell to the concrete floor behind the counter, breathing sporadically and bleeding badly.

"If he was able to defend himself, he would have," says Sisson's son, Larry. "There's just nothing he could have done."

Davis rammed the J-22 back into his sweatshirt and got to work.

Chard waved Johnson in from her lookout post in the car. The trio began loading guns into the trunk of the Marquis. They moved quickly, from gun case to car and back.

They took handguns, rifles, shotguns and assault rifles, including Uzis, SKSs, AR-15s and a Tec-9 — an illegal firearm that Sisson may have been repairing, says Douglas County Sheriff's Deputy Michael Wagg. They took crates of ammunition, duffel bags filled with bullets. They took holsters, hunting knives, axes and cross bows.

When the trunk of the car could hold no more, they opened the cash register and took \$300.

They stopped occasionally as they worked to see if Sisson was still alive. One of them — authorities never determined which — struck Sisson with a camp hatchet. Chard says it was Davis.

"I remember being in shock. I didn't think that he was really going to do it," Chard says. "No one was supposed to die. It was just going to be a robbery."

Just before Davis stepped into the car, he tossed the J-22 into the trunk with the rest of the guns.

On the drive back, Davis made a cell-phone call and arranged to have his friends meet him at the Rest Inn Motel on Aurora Avenue in Seattle.

Chard backed the Marquis up to the door of the motel room. The three unloaded the stash of stolen guns, dumping some on the bed and leaning others against the walls.

But when Chard found her father's J-22, she placed it in a dresser drawer away from the other guns.

"Tom said he didn't want to sell that gun," Chard would later say. "He said we couldn't sell it because it had a life on it."

Johnson thought it was a bad move. "Personally, I thought the gun should have been sold," she says.

After unloading the trunk, they drove to Kmart, where they bought three boxes of Hefty trash bags, toothpaste, a toothbrush, shampoo and some clothes.

A short while later, they met Davis' friends back at the motel. The two young men selected about 25 guns — mostly handguns — wrapped them in trash bags and loaded them in their car.

The most popular crime gun in Seattle overall was the .38-caliber Smith & Wesson revolver; it accounted for 37 of the 487 guns traced in the BATF study.

But people between 18 and 24 prefer semiautomatic pistols, according to the study.

"I think a lot of it has to do with status and power," says Assistant Chief John Pirak of the Seattle Police Department.

"The majority of the weapons that are coming out in the movies are going to be semiautomatic weapons, not revolvers," agrees Detective Tom Giboney with the Seattle Police Department's property-inspection unit. "Dirty Harry is passé."

The J-22 semiautomatic was the fifth-most-popular crime gun in Seattle, with 10 traces. (The J-22 used on Darrel Sisson was not part of the trace study because the murder took place in Douglas County.)

The day after the gun-store murder, as Valerie Chard was loading the remaining 45 guns back into the Marquis, she retrieved the J-22 and put it in one of the empty trash bag boxes. "It fit," Miranda Johnson would later explain. The three checked out and moved to a Motel 6 in Kirkland.

Davis kept a rendezvous with another contact, who gave him \$5,000 in cash for the guns. Davis gave Chard and Johnson each \$1,500 and kept \$2,000 for himself. Later that day, he bought a blue 1989 Ford Mustang.

cont

The LIFE of a GUN

Sisson's body wasn't found until that morning. The medical examiner said he died from loss of blood. Police found a bloody camp ax, two .22-caliber casings and what appeared to be pieces of potato.

Searching the store, Wagg, the Douglas County deputy, found a tri-folded gun brochure among some invoices next to Sisson's cash register. On it was scribbled, "361 DK1 Wash. four door."

He called it in. The state Department of Licensing said the plate belonged to a green 1979 Mercury Marquis.

A friend of Sisson's told Wagg about the three kids Sisson had tossed out of the store.

A statewide alert was issued for two girls, both with nose rings and reddish-brown hair, for a scruffy-looking young man with a goatee and a Playboy bunny tattoo on his upper left arm, and for Chard's car.

At 9:15 that night, Lake Forest Park Police Officer Dennis Carlson stopped a green 1979 Mercury Marquis to check a bad tail light and a shattered windshield. Chard was driving, and Johnson was with her.

"I thought it was going to be fine," she says. "I was going to get a ticket, everything was going to be fine."

The officer called in the plate, and asked Chard and Johnson for their driver's licenses.

"As I was walking back to my car, it suddenly clicked — this was the car they were looking for," Carlson says. He threw his notepad and pen in the back of his patrol car, his heart racing, and called for backup.

Within minutes, four other Lake Forest Park police cars pulled up, guns drawn.

"I was pretty calm," Johnson remembers. "First they told Valerie to get out of the car. They did that whole thing, you know, yelling to step away from the vehicle, walk 10 paces backwards, get down on the ground. Then it was my turn. I got out of the car and turned around and saw all these cop cars and all these guns pointed right at me."

Chard confessed on the spot. She told police to check the trunk. She told them to take note of the small .22-caliber gun sitting inside an empty trash-bag box. She told them where they could find Davis.

"We had been caught, and there was nothing we could do about it," she says.

"We were going to find out anyway. I knew we had all these guns in the trunk of the car."

Douglas County sheriff's deputies got to Lake Forest Park just after midnight. The car, the girls, 45 guns and several crates of ammunition were in custody.

"I could barely drive my car after they transferred all those guns to my car," Wagg says. Wagg put the J-22 in his trunk as he found it — in the empty trash-bag box.

In the dark hours of that morning, Kirkland police staked out the Motel 6, room No. 113. They watched as Davis left the room and followed him to a nearby Larry's Market. He got out of his car and was walking to a pay phone when they arrested him.

He told police his name was Mathew Alex Wilson and that he was 23.

Ralph Chard's Jennings .22, manufactured eight years before in California, was about to embark on its final journey.

It was taken back to the Douglas County, tagged and placed on a shelf in a property room for a couple of weeks. It was shipped to Olympia for an examination by the state fingerprint-identification lab.

It went back to Douglas County until BATF agent Art Gonzalez drove up from Yakima to pick it up for a gun trace. He sent it to a federal laboratory in Walnut Creek, Calif., where the gun was fired and its ejected bullet casings examined. Tool markings on the spent casings were determined to be the same as the those recovered on the floor of Sisson's gun shop.

Then the gun was fired — for the last time — into a tank of water to prove that the shape of the bullet slugs was consistent with the slugs found at the murder scene.

BATF agents put the spent bullet slugs and casings in a small plastic bag, tagged it number 975-0076, and sent it back to the Douglas County.

It was tagged again, this time as P970448, and strapped to a particle-board wall.

"They knew it was the murder weapon on the night they found it since Valerie told them," Wagg says. "But they had to do this to make sure."

Valerie Chard, now 19, pleaded guilty last April to second-degree murder after agreeing to testify against Davis. She is serving a 15-year sentence at the Washington Corrections Center for Women in Gig Harbor.

Chard was recently fired from a kitchen job at the prison for stealing food to take to her cell. She now is in a drafting program.

"When I get out of here, I'm going to get a job and never come back," she says. "If I could change all of this, I would. I'm sorry that I broke so many hearts."

Johnson, now 18, was not as cooperative during the investigation. She pleaded guilty to first-degree murder and was sentenced to 26 years. She soon will be transferred to an out-of-state prison.

"Of course I regret what I did," she says. "I should never have been there. I would never want to put anyone through that kind of pain again."

Davis pleaded not guilty, claiming he was never at the gun shop on the morning of the murder.

The J-22 used to kill Sisson was brought out of retirement to prove him wrong. It traveled 30 miles from Wenatchee to the county seat at Waterville, where it became No. 92 of 200 exhibits used in a seven-day trial.

Douglas County Prosecutor Steven Clem showed it to the jury. Wagg testified that it was the same gun he'd found in

Chard's car the night of her arrest. BATF agent Gonzalez used a magnifying lens to read the gun's microscopic markings.

"The gun was important in the trial in that . . . it verified the information from Valerie," Wagg says.

Davis, who at 21 had a criminal record that spanned six years and four counties, was convicted July 16 of aggravated first-degree murder and first-degree robbery in Sisson's death.

He was sentenced to life in prison without the possibility of parole.

Four months later, Davis pleaded guilty to aggravated first-degree murder in the January death of the hitchhiker, Vicki Tucker. As part of his plea in that case, he agreed to drop plans to appeal his conviction in the Sisson murder if prosecutors agreed not to seek the death penalty.

He was given a second life sentence.

Ten days ago, Davis was transferred from the Washington Corrections Center in Shelton to the Washington State Penitentiary in Walla Walla. He declined to be interviewed.

Darrel Sisson's relatives sold the guns that were left behind at the store. It was enough to pay Sisson's outstanding business debts.

They rented out the building where Sisson had lived and worked for 17 years.

They buried him in a small cemetery in Wenatchee. His son ordered a flat gray tombstone and had it inscribed: "The Best Dad a Son Could Have."

Cont

The LIFE of a GUN

● Guns used in crime: How major cities rank

Of the 17 major cities studied by the Bureau of Alcohol, Tobacco and Firearms from July 1997 to April 1997, here's the breakdown, from best to worst.

City	Guns recovered from crimes	Population	Ratio of people per crime gun
Seattle	487	524,704	1,077
Inglewood, Calif.	126	111,040	881
San Antonio	1,541	1,067,816	693
Jersey City, N.J.	343	229,039	667
Memphis	947	596,725	630
New York	12,873	7,380,906	573
Boston	1,020	558,394	547
Cleveland	1,189	498,246	419
Birmingham, Ala.	693	258,543	373
Washington, D.C.	1,959	543,213	277
Bridgeport, Conn.	536	137,990	257
St. Louis	1,917	351,565	183
Baltimore	3,803	675,401	178
Richmond, Va.	1,152	198,267	172
Milwaukee	4,011	590,503	147
Atlanta	3,482	401,907	115
Salinas, Calif.	1,510	111,757	74
Total	37,589		

Sources: 1996 population estimates from the U.S. Bureau of the Census; Department of the Treasury; Bureau of Alcohol, Tobacco and Firearms; Youth Crime Gun Interdiction Initiative.

● The five firearms most used for crime in Seattle

Firearms linked to crimes between July 1, 1996, and April 30, 1997.

Type of firearm	Caliber	Manufacturer	Number
Revolver	.38	Smith & Wesson	37
Rifle	-	Winchester	12
Semiautomatic	9mm	Glock	11
Semiautomatic	9mm	Smith & Wesson	11
Semiautomatic	.22	Jennings	10

Source: Youth Crime Gun Initiative report from the Bureau of Alcohol, Tobacco and Firearms.

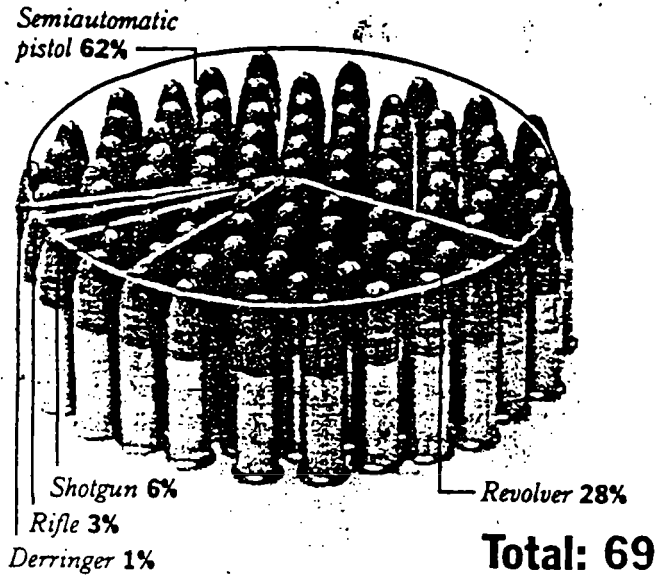
cont.

The LIFE of a GUN

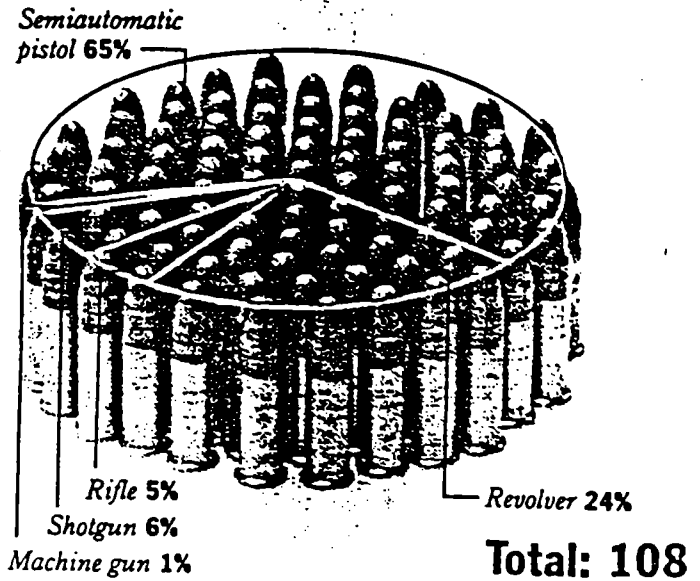
Who has the guns?

The Bureau of Alcohol, Tobacco and Firearms' National Tracing Center was asked to trace 37,589 guns around the country between July 1996 and April 1997, including 487 guns from Seattle. The BATF was able to identify the possessor's date of birth for 336 of the Seattle guns. Here's how those break down:

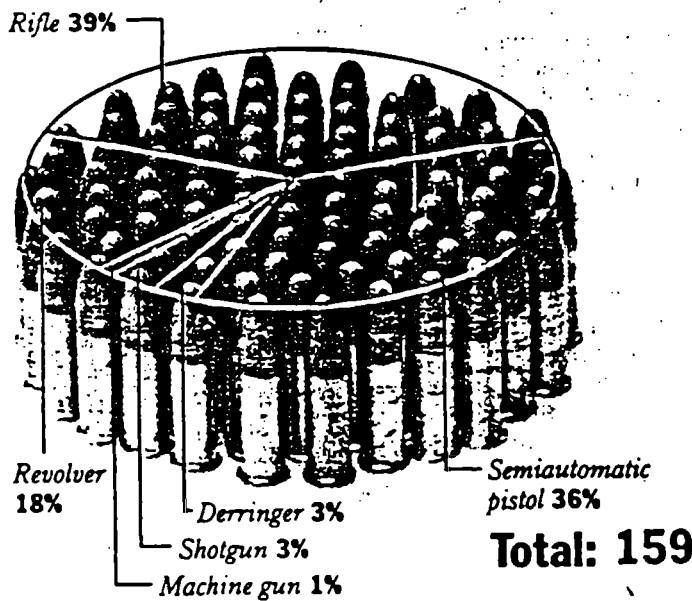
Ages 17 and under



Ages 18 to 24



Ages 25 and up



Note: Figures may exceed 100 percent because of rounding.

Source: Youth, Crime Gun Initiative report from the Bureau of Alcohol, Tobacco and Firearms for period between July 1, 1996 and April 30, 1997.

THE SEATTLE TIMES



DOUGLAS COUNTY SHERIFF'S OFFICE

e 45 stolen guns were found in the trunk of Valerie Chard's car a year ago Friday. The guns are now in an evidence room at the Douglas County Sheriff's Office.

The LIFE of a GUN

Larry Sisson is glad Davis will never be
rain, but he doesn't think it is pun-
t enough: "I believe he should die
fr t he did."

Today, Ralph Chard's stolen J-22
shows its age. The silver luster is
gone. Nicks and scratches cover the
chrome plating. There is a sharp, deep
dent just under the muzzle.

It sits in a small cardboard box in a
room with 13 other boxes in the evidence
room of the Douglas County Courthouse.
In the boxes are the other pieces of evi-
dence, including Sisson's gun brochure —
the piece of evidence that Wagg said
helped Sisson "solve his own murder."

In about three months, it mostly likely
will be destroyed, Wagg said.

"There's no way it will be turned over
to him (Ralph Chard)," Wagg says. Indeed,
although Chard bought the gun legally, he
lost his right to possess it after he was
convicted of an unrelated felony that same
year.

"It could be turned over for department
use or it will be destroyed," Wagg says.

"And since I can't see any of us wanting to
use it, I'm pretty sure it will be destroyed."

"That happens, the gun will be put in a
bag and cut in pieces with a band saw.
We'll throw it in the garbage after that."

sa, Sgt. Rich Adams with the Douglas
County Sheriff's Office. "It's totally useless
as a firearm after we cut it up."

But its legacy will live on.

Of the nearly 100 guns stolen using the
J-22, the fate of the 45 recovered guns
remains unclear. Technically, they belong
to Sisson's estate but may be claimed by
his insurer. Pending that decision, they
remain in the evidence room at the
Douglas County Sheriff's Office.

The 45 other handguns and assault
rifles sold from the Rest Inn Motel on the
night of Sisson's murder likely were sold
to Seattle gang members, Wagg says.

Neither the Seattle Police nor the
BATF will discuss efforts to trace the guns
or find the buyers. Some of the guns may
have been recovered but, Wagg says, "the
vast majority of them are still out there."

"They are going to cost more than
brand-new guns because of their allure,"
he says. "Criminals know they can use
them and not have them traced to them."

The legacy of the J-22 also will cost the
taxpayers.

Davis' trial cost about \$22,000. If he
lives to be 73 — the average life expectan-
cy for a white male in the United States —
it costs the state about \$65 a day, or an
estimated \$1.2 million.

Chard's prison bill will cost an estimat-
ed \$580,000; Johnson's \$990,000.

Don't blame that on the lone .22-caliber
pistol, warns Ken Estes, an owner of Sky
Valley Gun and Tackle in Monroe, where
Ralph Chard bought it eight years ago.

"I legally bought the gun from a dealer,
this man legally bought it from here, and
some man illegally stole it," Estes says.
"Let's stop the home burglaries, not the
sale of guns."

And even Larry Sisson doesn't hold the
gun responsible for his father's death.

"Guns are not the issue here," Larry
said. "It's the old adage: Guns don't kill
people, people kill people. I believe
strongly in that."

So, he says, did his father.

"He really believed that guns weren't
the problem," Larry said. "He thought
people were the problem."

Arthur Santana's phone message number
is 206-515-5684. His e-mail address is
asan-new@seattimes.com

Seattle Times researcher Vince Kueter
contributed to this report.

EDITORIALS

Expand The Law To Trace Illegal Guns

With the start of the federal Youth Crime Gun Interdiction Initiative last year, police here and in 16 other cities began tracking the sources of weapons used in crimes committed by juveniles. So far they have traced 37,000 such weapons, double the number traced a year earlier. The success of this program holds out hope of cutting off the supply of illegal guns to teen-agers.

It's gratifying to hear that President Bill Clinton is now seeking to expand this program to 11 other cities, though he might have helped deal with Missouri's gun problem even more by adding Kansas City to the list. The worth of this program lies in Treasury Department statistics showing that four out of 10 guns recovered by police came from juveniles.

Though juvenile crime has dropped by nearly 3 percent since 1995, this good news is overshadowed by the fact that youngsters continue to kill one another and harm others at an alarming rate. Mr. Clinton says his gun-tracing program must be supplemented by ongoing background checks on those who buy weapons legally. Although the U.S. Supreme Court has struck down part of the Brady anti-handgun legislation, that doesn't mean law enforcement

agencies should ease background checks on those seeking to buy such weapons.

Mr. Clinton also called attention to a second gun problem involving the young, that of teens and children accidentally killing one another after finding a gun in a home. At least twice in the past year, youngsters in the St. Louis area have killed or wounded others after playing with guns discovered either in their own home or in the home of teen acquaintances.

Mr. Clinton says one answer to this second teen-gun problem is a federal law requiring federal firearms dealers to provide child-safety locks. A Senate committee's recent rejection of a gun safety-lock proposal shows how reluctant Congress has been to take on this very sensitive issue. In the absence of such sensible federal legislation, states should feel an obligation to pass their own safety-lock gun law. Such protection

would spare many children from accidental gun deaths.

In Missouri, the issue has been clouded by a debate over whether residents should be allowed to carry concealed weapons. More pressing is the issue of how best to keep guns already in the homes and on the streets out of the hands of children.



Gun Flow to Criminals Laid to Tiny Fraction of Dealers

By FOX BUTTERFIELD

A study performed for the Federal Bureau of Alcohol, Tobacco and Firearms has found a compelling pattern of evidence demonstrating that guns used to commit crimes move quickly from manufacturers to juvenile offenders and older criminals through a relative handful of corrupt dealers.

The finding is particularly significant in light of the bitter gun-control debate in Congress, suggesting that many of the proposed solutions -- child safety locks, for instance, or a ban on the import of high-capacity ammunition clips -- do not address the most important problem: some dealers' repeated sales to criminals or to "straw purchasers" buying on their behalf.

The report found, for example, that a mere 389 federally licensed dealers, of 104,855 such dealers around the country, had sold half of all guns used in crimes in 1996 and 1997 that could be traced by law enforcement to their initial sale.

It also found that more than a fifth of all guns recovered in crimes in those two years had been purchased from a licensed dealer less than a year earlier, and that almost half had been bought from dealers within three years.

In addition, the study concluded that 49.1 percent of guns involved in crimes that could be traced to the original dealer were used in those criminal acts within 50 miles of the sale.

Until recently, it had been widely believed that for the most part, criminals and juvenile offenders stole their guns, and that with 230 million guns in America, there was little that law enforcement could do to stanch the flow to them.

"This report shows that dealing with illegal gun trafficking is not hopeless and that there are a limited number of dirty dealers and detectable patterns of trafficking," said David Kennedy, a senior researcher at the John F. Kennedy School of Government at Harvard University.

The report, prepared for the firearms agency by a researcher at Northeastern University, places special emphasis on what the agency terms "time to crime": the length of time from the first sale by a dealer to the point at which a gun is recovered in a crime. A short time to crime, which the A.T.F. defines as less than three years, is considered an indicator of possible illegal activity by dealers or traffickers, and a time of less than a year a very strong indicator.

Therefore, the study said, it is highly significant that 49.6 percent of all guns traced by the firearms agency in 1996 and 1997 were used in crimes less than three years from their date of purchase.

A scant 110 dealers, or 0.1 percent of the total, each sold more than 50 guns with an average time to crime of less than one year.

The study, by Glenn L. Pierce, co-director of the Center for Criminal Justice Policy Research at Northeastern, provides the most detailed examination to date of the conclusion that a tiny number of dealers are responsible for a disproportionate number of guns used by criminals. That conclusion was suggested in an earlier A.T.F. report and in a report issued this spring by Senator Charles E. Schumer, a New York Democrat who has been among the nation's leading advocates of gun control.

Yesterday Schumer and six co-sponsors introduced in the Senate a bill that would crack down on any dealer to whom at least 25 guns used in crimes were traced in any one-year period. The legislation would allow the firearms agency to conduct an unlimited number of inspections of such dealers' records -- the current limit is one a year -- and would make it easier for the agency to suspend their licenses, a process that is now extremely difficult. In addition, the bill would

prohibit all straw purchases.

Some of the study's most compelling data involved the time to crime of certain kinds of guns. In California, for example, inexpensive, rapid-firing Lorcin 9-millimeter pistols recovered in crimes in 1996-97 were found to have been sold by dealers an average of only 170 days beforehand. Similarly, Lorcin 9-millimeters had an average time to crime of only 202 days in Mississippi, 318 days in North Carolina and 331 days in West Virginia.

Another "fad" gun, popular with criminals and juvenile offenders, is the Hi Point .380. In Georgia, it showed up in crimes an average of 215 days after being sold by a dealer. The average in Indiana was 226 days, and in Illinois 309 days.

"This information shows it is just not a tenable argument for these manufacturers to say they are not aware of what happens to their guns," said Dr. Garen Wintemute, director of the Violence Prevention Research Program at the University of California at Davis.

Firearms manufacturers have repeatedly said they do not know what happens in the use of their guns, and cannot be held accountable for it, because they sell only to wholesalers, who in turn sell to retail dealers.

The manufacturers also contend that even after a crime is committed with one of their guns and they are reached by an A.T.F. official performing a trace through use of the weapon's serial number, they have no way to know what has happened because the firearms agency does not tell them of any crime.

A senior agency official said this argument was not credible. "Every single gun recovered by law enforcement that we trace is a crime gun," the official said. "The manufacturers do not question our agents whether these are crime guns."

The report's finding that 49.1 percent of all crime guns that can be traced to a dealer were used by the criminal within 50 miles of the sale comes as a surprise to specialists. Earlier findings showed that many guns used by criminals in big East Coast cities with strict gun-control laws, like New York, Washington and Boston, were originally purchased in Southern states with lax gun laws, like Florida, Georgia and North Carolina.

The report concludes that this pattern of long-distance trafficking indeed exists, saying a quarter of all guns traced as a result of criminal acts end up more than 500 miles from the original dealer.

But, the report says, there is really a dual pattern of gun trafficking, with an even greater number of guns sold to criminals or straw purchasers by local dealers near the criminals' homes.

The report also provides the first information comparing the role of pawnbrokers who hold Federal firearms licenses with that of regular dealers. Crime guns were traced to only 13 percent of regular dealers in 1996-97, the report found, but were traced to 35 percent of pawnbrokers.

What is unclear is whether the dealers with large numbers of crime guns traced to them are simply stores with a large volume of sales, or whether they instead are simply inclined to be involved in illegal activity. The report also does not distinguish between sales made by dealers in stores and at gun shows.

END

House Passes Bill to Restrict Minors' Abortions

By DAVID E. ROSENBAUM

WASHINGTON -- The House of Representatives voted on Wednesday to make it a Federal crime for an adult to take a minor to another state for an abortion to bypass a parental-notification law in the girl's home state.

It was the third time in three weeks that the House considered an emotional social issue that sharply divides conservatives from liberals. As was the case with gun control two weeks ago and flag burning last week, the abortion debate was dominated by heated oratory, but it seemed unlikely to lead to the enactment of any legislation.

A similar bill was approved by the House last year and died in a Senate filibuster.

Even if the Senate passes the bill this year, the White House has said the President will veto it.

Wednesday's House vote, 270 to 159, was well short of the two-thirds majority needed to override a veto.

More than 20 states have laws that require girls under 18 to notify their parents and, in some states, get their parents' consent before they can have an abortion.

Records show that thousands of women a year travel from states with such laws to those without them to have abortions. Women from Pennsylvania, for example, often go to New York, New Jersey or Maryland; those from Missouri go to Illinois; those from Virginia go to the District of Columbia, and those from Massachusetts go to New Hampshire or Connecticut.

No one knows how many of these cases involve minors who do not want to tell their parents. But some abortion clinics advertise in neighboring states that they do not require parental notification.

"This is criminal, and this practice has to stop," said Representative Tom DeLay of Texas, the Republican whip. "Parents have a right to know."

On the other side, Representative Tammy Baldwin, Democrat of Wisconsin, argued that "there are times when a pregnant teen-ager cannot go to her parents."

There was no disagreement, however, over a point made by Representative Jerrold Nadler, Democrat of Manhattan, who opposed the legislation. "The real purpose of this bill," Nadler said, "is to make it as difficult as possible for a young woman to get an abortion."

The bill would not penalize the girls who had abortions but would subject those who were convicted of taking them across the state line to up to a year in prison.

Both sides recited horror stories. Proponents told of a 12-year-old girl from Pennsylvania who was taken for an abortion to New York by the mother of a boy who had raped her. Opponents told of girls who could not tell their parents of their pregnancies and who were injured in illegal or self-induced abortions.

The opponents emphasized that the measure would apply even to close relatives.

"This bill could throw grandmothers in jail for helping their granddaughters," said Representative Nita M. Lowey, a Democrat from Westchester and a grandmother herself.

In the end, 206 Republicans and 64 Democrats voted for the bill; 14

Limits on Power and Zeal Hamper Firearms Agency

By FOX BUTTERFIELD

BALTIMORE — It was another routine transaction in the deadly business of how criminals get their guns.

In March 1998, a stranger paid 21-year-old Tia Branch \$200, drove her to the Baltimore Gunsmith store near her housing project and showed her a \$700 semiautomatic pistol he wanted. Outside the store, he gave her the money for the gun, and she went back in and bought it. As a convicted felon, he was barred by Federal law from buying a gun.

The sales clerk did not question the young woman, although law-enforcement officials say the clerk should have known from the couple's behavior that it was an illegal straw purchase. Baltimore Gunsmith has made so many similar sales, they say, that the store is responsible for selling 20 percent of the guns used in crimes that the Baltimore police have traced in the last nine years.

Police officers, Federal agents and prosecutors have tried numerous times, using existing gun laws, to shut the place down since 1991. Despite these efforts, it still remains open.

As Congress debates gun control, the gun industry and its supporters often say that the United States has enough gun laws already, that what is lacking is enforcement. But a review of cases like the Baltimore Gunsmith and of the agency charged with enforcing Federal gun laws, the Bureau of Alcohol, Tobacco and Firearms, reveals a much more complicated situation.

The bureau, an arm of the Treasury Department, was created with limited power, has existed under constant threat of attack by

the National Rifle Association, has been kept short-staffed and has to enforce laws often written to make prosecutions difficult.

An examination of the bureau also shows a major distinction in its approach to the job. Historically, it has arrested a sizable number of criminals who use guns in robberies or drug sales, particularly career criminals with three or more convictions. These are considered safe cases that do not arouse N.R.A. opposition.

Until recently, the bureau has

been less aggressive in what is now being recognized as a critical part of gun control: going after illegal gun traffickers and the small number of corrupt dealers, among the 104,855 federally licensed dealers, who supply guns to criminals and juveniles.

While half of all crime guns traced by the A.T.F. in the past two years were linked to just 389 dealers, only 42 dealers were recommended for prosecution last year, and only 19 had their licenses revoked.

"There is not a whole lot of vigor in gun enforcement," said Julius Wachtel, who retired last year after 23 years as a firearms agent. When it comes to investigating dealers, traffickers or gun shows, he said, the agents have a saying: "No cases, no waves. Little cases, little waves. Big cases, big waves. All those years of being hammered by Congress have had a chilling effect."

In an interview, John W. McGaw, the director of the A.T.F., acknowledged: "I virtually never use the term 'gun control' because that would make us anti-gun. Everything we touch is unpopular and controversial, so we have to be very careful to do what Congress has decided we should and be neutral regulators, not take sides in the gun debate."

Under Mr. McGaw, a former director of the Secret Service who became director of the A.T.F. in 1993 after the raid on the Branch Davidian compound near Waco, Tex., the number of gun trafficking cases recommended for prosecution rose to 788 in 1998, up from 533 in 1994.

In keeping with what Mr. McGaw sees as his Congressional mandate, he has formulated a policy of treating gun dealers as "partners," members of the legitimate firearms industry whom agents often rely on for tips on straw purchases or gun traffickers.

The bureau's small size — its 1,631 agents are only 9 more than in 1973 — means it sometimes must forgo investigations, prosecutors say. And the agents must spend much of their time investigating bombings and arsons, as well as enforcing the laws on alcohol and collecting tobacco taxes.

By comparison, the number of agents in the Drug Enforcement Administration has grown to 4,261 today, from 1,370 in 1973.

"This shows that Congress has never decided it is serious about going after gun trafficking the way it is about the war on drugs," said David Yassky, an assistant professor at Brooklyn Law School and a Democratic counsel to the House Judiciary Committee.

"With drugs, we've realized we've got to go all the way up the chain," Mr. Yassky said. "If all you do is arrest the crack addict, we won't get anywhere. But with guns, we only arrest the end user, the shooter."

Federal gun laws underscore the difference in priority between drugs, which are illegal to sell, possess and use, and guns, which start out as legal products, and illustrate the difficulty the bureau faces in pursuing gun control.

A dealer who sells 1,000 or more guns to criminals might get only six months in jail, but for drug dealers there are stiff mandatory minimum prison sentences of up to 25 years, even for selling small quantities.

Undercover purchases are a common tactic of drug agents, but under appellate courts' rulings, firearms agents may not pose as felons buying guns. Agents must use an actual convicted felon in undercover operations, which makes prosecution more difficult because juries are reluctant to believe convicted felons.

In addition, the Firearms Owners Protection Act of 1986, a law championed by the N.R.A. and sponsored by Senator James A. McClure, an Idaho Republican who has retired, and by Representative Harold L. Volkmer, a Missouri Democrat who lost his seat in 1996, raised barriers to prosecutions.

Mr. Volkmer, now living in Hannibal, Mo., said the law was still necessary to rein in what he sees as an overzealous Government agency. In the minds of firearms agents, Mr. Volkmer said: "It's almost like, if you are a gun owner or dealer, you're weird or not legitimate. They believe the only way to resolve violence is to take away our guns."

Mr. McClure did not return phone calls to his office or home seeking comment.

The Origins

From Moonshine To Gun Control

The law limited A.T.F. agents to only one inspection of a dealer a year, reduced record-keeping violations by a dealer from a felony to a misdemeanor — a disincentive for Federal prosecutors in cases where a dealer has forged or destroyed his records to hide evidence — and required prosecutors to prove that dealers who sold guns to criminals or straw purchasers did so "knowingly and willfully," a nearly insurmountable hurdle, lawyers say.

It also prohibited the A.T.F. from establishing any national system of gun registration, which makes tracing the origin of guns used in crimes much more difficult.

"The gun laws weren't very strong to start with," said William J. Vizzard, a retired firearms agent who is now a professor of criminal justice at California State University in Sacramento. "But after McClure-Volkmer they were Swiss cheese."

The firearms bureau's difficulties lie partly in its origins. It was created with little planning when Congress, after the assassinations of the Rev. Dr. Martin Luther King Jr. in April 1968 and of Senator Robert F. Kennedy two months later, hastily passed the Gun Control Act of 1968.

That law required that everybody dealing in firearms be licensed by the Federal Government, and it prohibited convicted felons, illegal immigrants and drug addicts from buying guns. The law gave the Government no power to regulate the manufacture, design or marketing of guns. Indeed, Representative John D. Dingell, a Michigan Democrat who was a member of the N.R.A. board of directors, had the gun industry exempted from the new Consumer Product Safety Commission.

The agency charged with supervising the 1968 law was the Alcohol and Tobacco Tax Division of the Treasury Department. Until 1968, its agents were mainly revenueurs, famous in film lore for tracking down whisky stills, largely in the Southeast. Most of the agents themselves were Southerners who grew up with guns and were likely to be members of the N.R.A.; they had little interest in the new notion of gun control.

Mr. Wachtel, who joined the agency in Phoenix in 1972, the same year it was renamed the Bureau of Alcohol, Tobacco and Firearms, recalled that his first training officer "basically knew nothing about firearms trafficking."

But soon Mr. Wachtel and other new agents began making some alarming discoveries.

"We walked into gun shows and found you could buy a machine gun, which was illegal, without even having to give your name," Mr. Wachtel said. They also stumbled on dealers "who were putting guns on the streets without paper," he said, selling to criminals without keeping the required records. And Mr. Wachtel said they found that traffickers would buy guns in states with lax gun control laws, like Georgia or South Carolina, and then drive them north for resale to criminals in Washington or New York.

In short, by the late 1970's the new agents had an understanding of how guns moved quickly from manufacturers, wholesalers and dealers to criminals. But as they began to make criminal cases, gun industry supporters in Congress held angry hearings into alleged abuses of law-abiding gun owners and dealers.



John W. McGaw,
the A.T.F. director.

2/2

In 1981, President Ronald Reagan, at the urging of the N.R.A., announced the elimination of the A.T.F., and many agents were given layoff notices, until his Administration later reconsidered the action.

And in one of the most famous attacks on the A.T.F., Congressman Dingell, who was influential in the defeat of a gun-control bill in the House on June 18, called firearms agents "a jackbooted group of fascists who are perhaps as large a danger to American society as I could pick today."

In 1979, to protect itself against criticism of this kind, the A.T.F. ordered that any agent who wanted to investigate a gun dealer had to get permission from headquarters in Washington. This policy lasted until the Clinton Administration. Mr. Vizzard remembered "the chilling effect" when he received a reprimand because he was investigating three corrupt dealers concurrently.

David Kennedy, a senior researcher at the John F. Kennedy School of Government at Harvard University and director of the Boston Gun Project, the most successful city-wide program to stop gun trafficking, said of the firearms agents: "These people are heroes, and the only fair thing to say is that they have been systematically kept away from doing a vitally important job."

The A.T.F. operates out of an unremarkable, granite-faced eight-story building in Washington. By mandate of Congress, 25 percent of the bureau's time must be spent on explosives, a priority that gained new urgency after the bombing of the Federal Building in Oklahoma City in 1995. The bombing was directed against the A.T.F. office there in retaliation for the bureau's role in the Branch Davidian raid near Waco.

After the Waco incident, Mr. McGaw, who was popular with Republicans, was appointed director of the A.T.F. He has emphasized training and professionalism as a way to recreate an agency that had its start in moonshine and to give it more of a buttoned-down image like that of the Secret Service or the Federal Bureau of Investigation.

Mr. McGaw's most important initiative has been to quadruple the number of crime guns the A.T.F. traces back to manufacturers and dealers, which has led to a much clearer understanding of the role of illegal dealers and traffickers in helping criminals get their guns. But to make the program more palatable to the N.R.A., which always worries about the Government's keeping information on guns, it has officially been described as an effort to stop the flow of guns

to juveniles.

Mr. McGaw is not one to lead the call for new gun laws, and he makes no apologies for treating gun dealers as partners. Gun trafficking is a victimless crime, he says, where no one calls up to report an illegal sale, so the bureau depends on having good relations with dealers who can tip it off about suspicious activity.

Mr. McGaw said he was surprised when he took over the A.T.F. and found that all its functions "are negatives, are controversial." Even when it investigates white supremacist groups or the bombing of an abortion clinic, the bureau has drawn criticism.

So to avoid attacks on the bureau's budget, he tries to steer a course down the middle. "For our agents, some of the laws may be frustrations," he said, but he added that these impediments "tell us what Congress wants us to do."

The Problem

Quirks in the Law Help the Dealer

Law-enforcement officials first became interested in Baltimore Gunsmith in 1991 when Detective Ed Bochniak of the Baltimore Police Department went to the home of a drug dealer, Anthony Jones, 18, to investigate the fatal shooting of a 13-year-old girl in his bedroom.

In the Jones home, the police found receipts showing that Mr. Jones's cousin, Sheila Kelly, had bought eight guns for \$5,274 from Baltimore Gunsmith, and Ms. Kelly later confessed that Mr. Jones had paid her

to buy them. The guns included a .40-caliber Glock semiautomatic pistol, two 9-millimeter Glock semiautomatic pistols, a 9-millimeter Beretta semiautomatic pistol with a laser sight and a Cobray Streetsweeper shotgun. One of the pistols killed the 13-year-old; another had been used to shoot two drug dealers.

Detective Bochniak turned over the evidence to the A.T.F. office in Baltimore. But when firearms agents recommended prosecution to the United States Attorney's office in Baltimore, they were turned down.

A spokesman for the United States Attorney said he could not discuss the case because no prosecution had been made.

But agents involved in the investigation said they were told the prosecutor feared that the case would be nearly impossible to prove, given the quirks in the gun laws. Under the McClure-Volkmer standard, the agents would have to show that the owner, Anthony A. DiMartino, had sold the eight guns to Ms. Kelly knowing that she was a straw purchaser. In other words, they would have to prove his state of mind.

That would take valuable extra time, the agents were told, and even if by chance Mr. DiMartino was found guilty, the prison sentence would be only a few months, not the kind of high-profile case that ambitious Federal prosecutors usually seek.

With no trial, Baltimore Gunsmith kept selling hundreds of guns that turned up in crimes in the city, the police found, and the A.T.F.'s agents kept trying to catch Mr. DiMartino. In 1996 they mounted an undercover operation. They could not take the easy path, posing as felons, since Federal courts had ruled that the buyer must be an actual felon.

Instead, an agent posing as a waitress and equipped with a hidden tape recorder bought a .22-caliber Beretta pistol at the store, saying she was buying it for a convicted murderer whom Mr. DiMartino knew. Again, the United States Attorney's office declined to prosecute. Even if Mr. DiMartino was convicted, which would be difficult, he might simply transfer his firearms license to his son, who worked in the store, agents say the prosecutor's office told them.

Mr. DiMartino's license was up for renewal at the time. But Mike Campbell, a spokesman for the A.T.F. in Baltimore, said Federal law required the bureau to hold off on any revocation and automatically renew a license during a criminal investigation to insure citizens' rights.

Last March the agency scheduled a revocation hearing, but it was postponed when a firearms agent who had been part of the investigation could not attend because he had been transferred to another city. No new date has been set.

The lawyer for Baltimore Gunsmith, Richard Karceski, said his client had done nothing wrong.

The Blame

Finding Fault With Congress

James Baker, the chief lobbyist for the N.R.A., said that dealers who violate the law "ought to be prosecuted," but that the McClure-Volkmer standards "were put in to protect law-abiding people from well-documented abuses by A.T.F."

"We don't think forcing A.T.F. and the Justice Department to prove a case should prevent effective law enforcement," he said.

But Detective Bochniak, who is now assigned to a special new gun squad, said, "From the point of view of local law enforcement, all this is very frustrating. Whose fault is it? Should people sue the gun dealer, or the A.T.F. that failed to shut the store down?"

The fault, he said, is "in the law, and all the judges and politicians that don't take guns seriously."

Sometimes the oddities of the gun laws can mar even a successful prosecution.

B&E Guns, in Cypress, Calif., is the second largest dealer in the state. Firearms agents

had long been suspicious about B&E Guns, and in 1990 they got the owner's license revoked for forging records of his purchases and sales. But that did not deter the owner, Robert Komor. He simply transferred the license to his wife, Esperanza Juan-Komor, said Tom Makar, the agent who handled the investigation.

In the mid-1990's, more than 200 guns that the A.T.F. had traced to B&E Guns began showing up in murders, robberies and shootings in Southern California. Other guns traced to B&E Guns were being smuggled into Japan and Australia.

The bureau raided B&E Guns, and after its agents pored through the shop's files they found that it had illegally sold about 9,000 guns in less than two years, Mr. Makar said. It was one of the biggest such sales in the United States. The store had improperly accounted for the sale of 3,000 of the guns by listing them as having been sold to other dealers who were unaware of the transactions. There were no records at all for the remaining 6,000 guns, Mr. Makar said, even though manufacturers and wholesalers reported that they had sold the guns to B&E.

It was lucrative, agents said, because a gun with no paper trail could be sold to criminals for double the normal markup.

Despite the seriousness of the case, the United States Attorney's office in Los Angeles last year allowed the Komors' son, Zak Komor, who was the store's manager, to plead guilty to only five counts of causing a false statement to be made in B&E's record books involving just 24 guns. He was sentenced to a year in prison. No one else was prosecuted, and the store is still open.

Michael Brush, Mr. Komor's lawyer, said the A.T.F.'s claim that 9,000 guns were involved was exaggerated. The Komors' mistake, he said, was just "sloppiness in record keeping, not an attempt to put guns in the hands of criminals."

The United States Attorney's office declined to answer questions about the deal, saying the court records were under seal. But several agents familiar with the case said they believed that prosecutors had simply run up against the McClure-Volkmer law, which reduced fraudulent record-keeping by a dealer to a misdemeanor.

Mr. Vizzard, the former A.T.F. agent in Sacramento, says the problems with gun control lie in Congress. He recalled that at Senate Judiciary Committee hearings in 1995 into the deadly standoff between Government agents and white separatists at Ruby Ridge, Idaho, a number of Senators, Democrats and Republicans alike, had grilled Herb Byerly, a firearms agent, on his decision to arrest Randy Weaver, a separatist, after Mr. Weaver had sold an informer two sawed-off shotguns and offered to sell him five more.

If Mr. Weaver had sold only two sawed-off shotguns, said Senator Arlen Specter, Republican of Pennsylvania, "It is a little hard to understand how you can say to this subcommittee that this man has a profile as a gun trafficker."

Watching the hearings on television, Mr. Vizzard said he wondered if Congress took gun crimes seriously. For one thing, selling, or even possessing an unregistered sawed-off shotgun is a felony. But what would the Senators have said, he wondered, if it had been a young boy selling just two vials of crack cocaine? That is punishable by years in prison.

And what would the Senators say now, after the shootings at Columbine High School in Littleton, Colo., last April? Two of the four guns the teen-age killers used — and the ones that claimed the most victims — were sawed-off shotguns. Would the Senators still say, Mr. Vizzard wondered, "only two sawed-off shotguns?"

The New York Times

THURSDAY, JULY 22, 1999

José -

Time article on
gun tracing. - the Susan
Ginsbury initiative.

Leanne

THE ATLANTA MASSACRE

SQUEEZING OUT THE BAD GUYS

How ATF and local police have dramatically turned the tide in the battle against crime guns

By ERIK LARSON

ONCE I WAS A GUN GUY. OR AT least I tried to be. In 1992 and 1993, while researching a book on the forces that propelled guns into the hands of killers, I immersed myself in America's gun culture. I learned to shoot, haunted gun shows and went so far as to get myself a gun dealer's license just to see how easily such licenses could be obtained. The deeper I ventured into the culture, the more it seemed to me that the nation had bent over backward to ensure a brisk flow of guns to felons, wife killers and assorted other lunatics.

Things have changed mightily, although there are still inexplicable gaps in federal regulation. The law, for example, allows gun owners to sell firearms from their personal collection without subjecting the buyer to the kind of criminal background check that a licensed dealer would have to invoke if selling exactly the same gun. This

loophole has turned flea markets and gun shows—and the Internet—into Quick Marts for anyone needing an untraceable handgun. Guns remain exempt from consumer-product safety regulations, although those rules apply to toy guns. And penalties for crooked dealers still fail to recognize the societal costs of illegal gun sales. Says David M. Kennedy, a Harvard expert on gun commerce: "You can get more time for selling crack on a street corner than for putting thousands of guns on the street."

Over the past few years, however, as the public backlash against guns has grown louder and louder, police, federal agents and social scientists have together waged a quiet war against gun crime that has been dramatically successful, albeit in ways that tend to be obscured by such atrocities as last week's shootings in Atlanta. It has been a subtle, deeply nuanced campaign involving tactics as simple as knocking down walls—literally—in field offices of the Bureau of Alcohol, Tobacco and Firearms. Nonetheless, it has caused a tectonic

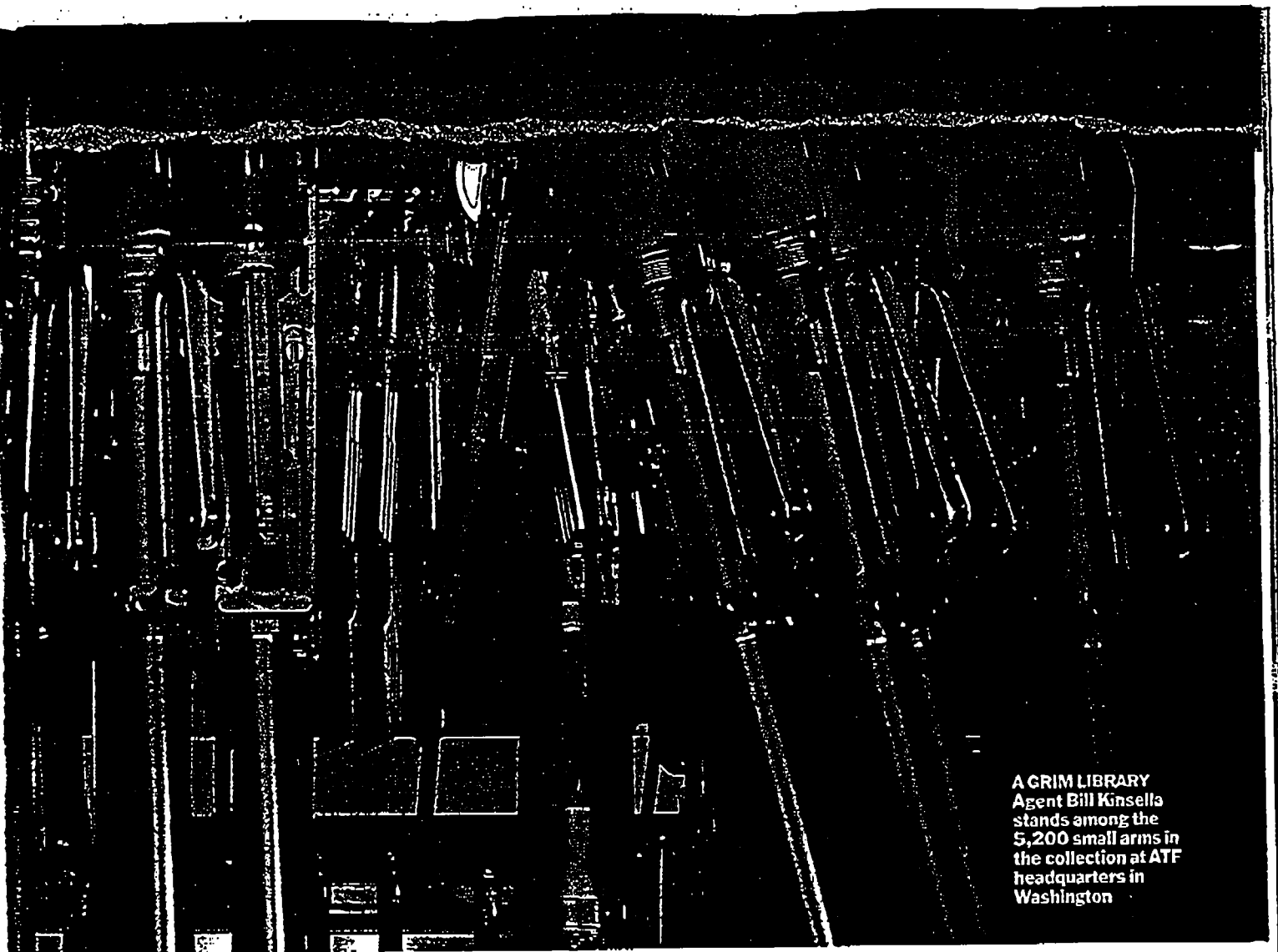
change in how police around the country view gun crime. Now police routinely ask a basic question that, contrary to popular belief, they used to ask only rarely: Where did the bad guys get their guns?

Consider:

► In 1994 America had 198,848 licensed gun dealers. Most were so-called kitchen-table dealers operating out of their homes with virtually no ATF oversight. By the end of last year, the number of licensed gun dealers had fallen to 74,220.

► The sudden decline in the number of dealers contributed to an equally dramatic decline in handgun production. That's significant because street cops and criminologists have long suspected that more guns on the street lead inevitably to more shootings. Between 1993 and 1997, production of pistols, the style of gun most preferred by youthful killers, fell more than 50%, from 2.3 million a year to just over 1 million. The steepest drops occurred in California's notorious "Ring of Fire," a handful of companies that make cheap Saturday night specials.

► Last November the Brady law's "pertinent" provisions kicked in, requiring dealers to run the identity of every buyer through the FBI's National Instant Check



A GRIM LIBRARY
Agent Bill Kinsella
stands among the
5,200 small arms in
the collection at ATF
headquarters in
Washington

System or a comparable state system. As of July 14, the FBI's system alone had denied 50,416 attempted purchases.

► In a concerted effort to track the flow of guns, ATF and police in America's largest cities launched a campaign to trace every crime gun the police recovered, part of ATF's Youth Crime Gun Interdiction Initiative, nicknamed Yogi. The number of guns followed through the bureau's national tracing center increased more than 400%, to 197,537 last year, from 37,181 in 1990. Yogi fractured long-held myths and gave police a much clearer picture of how guns really migrate—so much clearer that at least 20 cities and counties felt empowered to file tobacco-style liability lawsuits targeting the firearms industry. Until lately, says Harvard's Kennedy, "we were blind men groping around in the dark."

Fundamental to these changes was a revolution in the way law-enforcement agencies saw the nation's gun crisis, a revolution born within ATF, the agency gun owners have always loved to hate.

IN THE EARLY 1990S POLICE TYPICALLY asked ATF to trace guns only in specific

cases, often homicides. Popular wisdom held that most crime guns were stolen guns and therefore untraceable. Within ATF, however, a core group of special agents began an effort to encourage police in cities with soaring homicide rates to trace guns more frequently. Despite the sporadic tracing, ATF by the early '90s had accumulated a rich database, though it had the computers and savvy to conduct only the most basic kinds of analysis. In September 1994, the bureau offered researchers at Northeastern University access to its tracing data to see how computers could be used to identify sources of crime guns nationwide. The study came up with a surprising finding: a tiny percentage of dealers—one-half of 1%—accounted for 50% of all guns traced.

In 1995 Kennedy tapped the bureau's records as part of the Boston Gun Project, an experiment to reduce the number of homicides among the city's youth. He analyzed traces of guns recovered in Boston, which a few years earlier had become one of the few cities in the nation to request ATF to trace every single gun recovered by police. "The results were just astonishing," Kennedy says. He recalls

the first meeting when he presented his findings. "I don't think I had ever seen anyone's jaw really drop before," he said.

His study showed, first, that about a third of Boston's crime guns came from federally licensed gun dealers based in Massachusetts. He and his colleagues calculated the time that elapsed between the date a gun was acquired from a dealer and the date it was recovered by police, a measure known as "time-to-crime." Agents had told Kennedy that the faster a gun completed the journey from dealer to crime scene, the more likely it was sold by a trafficker or corrupt dealer. Kennedy's team discovered that about a quarter of the traced guns had a time-to-crime of less than two years, indicating that guns used by Boston's young killers tended to be new guns. This finding dovetailed with what project members had learned in conversations with gang members. They wanted guns, especially semiautomatic pistols, that were "literally still in the shrink wrap," Kennedy says.

When Kennedy's team members sharpened the focus to individual brands, they found that guns traced to one company—Lorcin Engineering, a member of the

THE ATLANTA JOURNAL

Ring of Fire—had a short time-to-crime in 90% of traces.

These were important discoveries. A hopelessness about gun crime had risen, based partly on the belief that most crime guns were stolen, partly on estimates that so many millions of guns were already in the hands of Americans that nothing could stanch their flow to criminals. But the discovery that crime guns were new guns and that many came from in-state dealers suggested that the migration of guns to criminals could be interrupted. And the tracing data produced a road map for how to do it.

Kennedy's computer named names. The data showed, for example, that guns bought by a single customer sometimes turned up in the hands of rival gangs, suggesting that the customer had been a "straw purchaser" who bought guns for resale to felons, kids and others forbidden by law to acquire them directly. The analysis produced the names of licensed dealers to whom an inordinate number of weapons had been traced. "Once you had all the data in one place, this stuff just fell right out," Kennedy says. "It couldn't have been more obvious."

Meanwhile, passage of the Brady law radically changed the rules governing firearms commerce. Previously, anyone purchasing a gun from a licensed dealer had only to fill out ATF Form 4473, which asked a customer a series of questions, including whether he had been convicted of a felony. If he answered yes, he could not buy the gun. If no, the dealer could sell it with a clear conscience, even if the buyer was twitching from a methamphetamine rush. No one bothered to check the answers. The

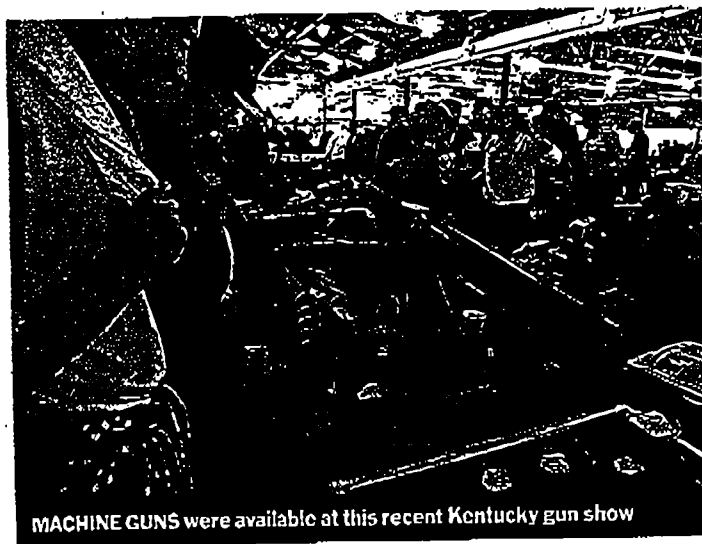
approach was absurd: the nation was asking felons to confess their ineligibility just at the point of purchase. The Brady law required for the first time that someone check the truthfulness of a customer's answers. In the process, police and dealers discovered that many gun-shop customers were convicted felons—which proved that over the years, crooks had come to see li-

three-year licensing fee to \$200. In 1994 additional legislation required, for the first time, that gun dealers had to operate in compliance with municipal and state laws, including zoning ordinances. It also required would-be dealers to notify local police of their intent to open a gun store and to cooperate with ATF investigators seeking to trace firearms. Incredibly, such cooperation had been largely voluntary.

In Boston, New York and other cities throughout the nation, pairs of ATF agents and local cops set out to visit every local dealer listed in bureau files to inform them of their new obligations. The great majority of license holders turned out to be the kitchen-table variety. Most seemed to be hobbyists who merely used their licenses to buy guns at wholesale prices. But across the nation, police and ATF, prodded by the press, discovered kitchen-table dealers who had become conduits to the bad guys, in some cases selling thousands of firearms.

In Boston as in other cities, the joint ATF-police teams took a low-key approach. They asked a few questions and explained the new laws. They did not openly threaten dealers with investigation or prosecution, but the message was there. Of the city's 99 dealers, 82 voluntarily turned over their license or did not renew their application. "I think that tells you that bottom line, maybe they weren't complying," says Paul Evans, Boston's police commissioner. "They couldn't withstand the scrutiny, so they're out of business."

Nationwide, equally dramatic declines occurred. In 1993 Berkeley, Calif., had 34 licensed dealers; in 1996 it had two. Across the Bay, San Francisco knocked its population of dealers from 155 down to 10. Three-



MACHINE GUNS were available at this recent Kentucky gun show

censed dealers as an easy source of guns.

Brady drew intense fire from America's Second Amendment fundamentalists. Meanwhile, in the background, a set of quieter regulations kicked in that further transformed the marketplace.

When I applied for a gun dealer's license in 1992, all I had to do was fill out a questionnaire and pay a \$30 fee. Tens of thousands of Americans did likewise—until 1993, when President Clinton directed ATF to toughen the application process, noting that a driver's license was a lot harder to acquire. In December 1993 the bureau promptly issued new rules that required applicants to submit fingerprints and photographs, and Congress passed legislation boosting the

New Tactics And Squads In the Drive Against Crime Guns

Around the country, police and ATF are coming up with imaginative ways to round up illicit arms



FRESNO, CALIF. Once rarely deployed, antiterror squads now go on routine patrols



RICHMOND, VA. The police's Project Exile exacts a heavy penalty on suspects found possessing guns

HIGHWAY expert

quarters of New York City's dealers gave up their licenses; so did 80% of Detroit's.

What effect this had on gun sales is unclear, but there is tantalizing evidence that the disappearance of these dealers contributed to a sharp reduction in handgun sales across America, particularly the cheap handguns sold by Lorcin and its peers in the Ring of Fire.

By law, manufacturers can sell guns only to licensed distributors, and they can sell them only to licensed dealers. Dealers, therefore, are the manufacturers' most important customers. Nationwide, 125,000 of those customers disappeared. Some dealers—like me—never bought or sold a single gun. Most of them probably sold only a few guns each year. Some sold hundreds, even thousands. The sudden shrinkage surely had an effect on sales and production. Says Andy Molchan, director of the National Association of Federally Licensed Firearms Dealers: "If you have 125,000 dealers who sell just four guns a year, how many guns is that?"

And the figures, though largely unreported by the mainstream press, are surprising. During the period of the sharpest decline in the number of dealers—between 1993 and 1996—overall U.S. pistol production fell nearly 60%, from 2.3 million to just under 1 million. Manufacturers of expensive, well-crafted guns reported only moderate decreases in production. Smith & Wesson, for example, actually saw its production of pistols rise more than 40% between 1993 and 1994, before its sales too began falling. Lorcin, by contrast, reported an immediate decline. In 1993 it produced 341,243 cheap pistols and became for that year the leading pistol producer in the U.S.

In 1996 it manufactured only 87,497, a 74% reduction. Davis Industries, another maker of cheap pistols, experienced an equally precipitous fall.

No one can say whether the decline in dealers and handgun production had an effect on gunshot crime in America. During the same period, however—1993 through 1996—the nationwide total of violent

ed by tracing data, Boston police and ATF attacked the illegal-firearms market. "We were able to shut down about five different traffickers right off the bat," says Jeff Roehm, an ATF official who at the time ran the bureau's Boston field office.

The bulk of the project was devoted to interrupting a street dynamic in which a relatively small core of young, violent gang members had produced a climate of fear that drove gun acquisition. A team of police officers, prosecutors, federal agents and others began meeting with gang members, putting them on notice that henceforth violence by any single member would bring down a concentrated local, state and federal assault on the entire gang. That month, Boston's youth homicide rate began to plummet. The average monthly rate from May through November 1996 was 70% lower than the monthly average before the project began. From June 1996 through June last year, the city had seven months when not a single youth homicide occurred.

But the Boston Gun Project had a more far-reaching effect.

IN 1995, AS THE RESEARCH PHASE OF THE project was just starting, ATF was in the early stages of a post-Waco reorganization under a new director, John Magaw, who set trafficking as the bureau's primary strategic target. At about this time, Harvard's Kennedy and a Treasury Department official, Susan Ginsburg, began an extended conversation that prompted Ginsburg to lobby within Treasury, ATF's parent, for a national program of comprehensive gun tracing. She and ATF's tracing advocates envisioned tracing every single gun recovered



IN MISSOURI Two years of ATF surveillance shut down this shop

crimes committed with firearms fell 20%, the total of handgun homicides 23%. And both rates have continued falling. In 1997, for the first time, the nation's homicide rate fell below that of 1968, the year that marked the initiation of America's three-decade dance with murder.

Other forces contributed. The nation's biggest cities, armed with new tracing data and new confidence that the flow of crime guns could be halted, launched campaigns to get guns off their streets. The Boston Gun Project quickly proved one of the most successful and became a source of hope for cities around the country.

With its initial studies completed, the project got under way in May 1996. Guid-



PATROL Interdiction
confiscated goods



WASHINGTON At the field office, ATF agents review
weapons during an intelligence briefing



FALLING WATERS, W.VA. The resources of cyberspace
are at the fingertips of the National Tracing Center

by police in America's largest cities—a vision that resulted in Clinton's July 1996 launch of the Youth Crime Gun Interdiction Initiative—Yogi—which initially set out to trace every gun recovered in 17 major cities including Atlanta, St. Louis and New York.

The studies produced on a national level the same scale of revelation that Boston had experienced. ATF and city police gun units immediately launched investigations of gun purchasers and dealers whose names appeared repeatedly in ATF's fast-growing tracing database. Every new trace ordered by police enriched the database and enhanced the power of the bureau's Project Lead, a computer-aided system for analyzing traces to generate investigative targets. Most dealers were law-abiding businessmen, but invariably ATF agents using Project Lead uncovered licensed dealers peddling high volumes of guns to gangs and other potential crooks.

High last April might not have prompted a trace request, since the suspects and their guns were found at the scene. But ATF and local police made tracing the Columbine guns a top priority. Today even guns recovered during routine investigations are likely to be traced. By the time Benjamin Smith was identified last month as the likely gunman in a series of hate shootings in Illinois and Indiana, ATF had launched an investigation of the allegedly illegal dealer who sold Smith his guns. In fact, agents searched the suspect dealer's apartment the night before Smith allegedly began his spree.

The case provided an example of a subtle change within ATF. Until recently, direct communication between the bureau's inspectors and its law-enforcement agents was rare. Magaw, as part of his reform effort, placed both functions under the command of the law-enforcement agent who

that he had noticed a recurring newspaper advertisement announcing guns for sale and listing a telephone number. The agent checked with the phone company and found the number belonged to Fiessinger.

ATF launched a formal undercover investigation and on Thursday, July 1, executed a search warrant at Fiessinger's apartment, where agents found 27 guns and rudimentary sales records. Among the names of customers was Benjamin Smith. At the time, the name meant nothing.

The next day, Friday, shortly after 8 p.m., this customer allegedly drove into an Orthodox Jewish neighborhood in Chicago and began shooting. He wounded six men. Shortly afterward, he allegedly drove to Northbrook, Ill., and shot and killed Ricky Byrdson, former head basketball coach at Northwestern University, as he walked with two of his children. By the time police cornered Smith, he had al-

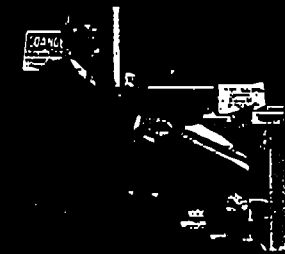
STYLING: LINDA FORD (2)

Searching For Proof

In the firearms and toolmark section of the Washington police department, weapons are tested to determine whether they were used at crime scenes



CATALOGED Marks and measurements are recorded



TEST The water-recovery tank receives a sample shot



RETRIEVAL Bullets from the tank are then examined



COMPUTER IMAGING The system detects links to crime

"One dirty federal firearms licensee can put volumes of guns on the street," Kennedy says. "It's just a fire hose."

THE YOGI PROGRAM QUICKLY PRODUCED leads. Agents discovered, for example, that dozens of crime guns recovered from kids and gang members in Chicago, St. Louis and Washington had all come through a Cape Girardeau, Mo., man who until February 1996 was a licensed dealer. Investigators soon discovered that he had sold about 1,100 firearms to two buyers, who resold them "off paper" at gun shows. These two fingered a man from Nashville, Tenn., who regularly bought their guns and sold them on the streets of Washington. The Nashville man later admitted selling 110 guns. Thirty were recovered by Washington police investigating a wide array of crimes.

Other cases followed, but the Yogi studies had a broader, more subtle effect. Suddenly police throughout the country began asking how guns reached their towns. Five or 10 years ago, agents say, even a massacre like that at Columbine

ran each field office. He went so far as to direct that in some offices the walls dividing cops and inspectors be removed, and that both groups share the same kitchen. He also refocused the inspection mission. Until the past year or so, inspectors dutifully worked their way down the lists of licensed dealers, examining each in turn. Now their first priority is to inspect dealers who draw the most traces. Interestingly, an ATF pilot study found that even when no further investigation occurred, these targeted audits resulted in a 50% reduction of crime-gun traces to those dealers in the year following the inspection.

Last June an inspector auditing the books of a licensed dealer in Pekin, Ill., noticed that the dealer had sold 65 cheap handguns to a single customer named Donald Fiessinger. The inspector passed the tip to a special agent, who then ran the serial number of each gun through ATF's database. He found that one of the guns sold to Fiessinger had been recovered by Illinois state police from a different possessor during a traffic stop in May 1998. In requesting the formal police report on the incident, the agent talked to a state investigator, who mentioned

legedly killed two men and wounded eight.

Later Fiessinger told police that Smith had talked about using one of the guns, a .22-cal. pistol, for hunting.

LAST YEAR ATF EXPANDED THE YOGI TRACING studies to 27 cities. In February ATF added 10 more. Each Yogi city found unique patterns, but nearly all discovered the single biggest source of crime guns was the network of licensed dealers operating within their home states. The most important effect was to replace the hopelessness of the late '80s and early '90s with a confidence that the right measures aimed at the right targets could interrupt the flow of guns to the bad guys.

Suddenly the seemingly intractable debate over gun control became a debate over "crime-gun interdiction." The tracing studies had produced a new middle ground—the crime gun—a rhetorical species no one could love. "It really is a sea change," says Kennedy. "People are now asking the right questions. So when Ben Smith went crazy outside Chicago, they wanted to know where his guns came from. Guess what—they came from an illegal trafficker."

Roger Rosenblatt

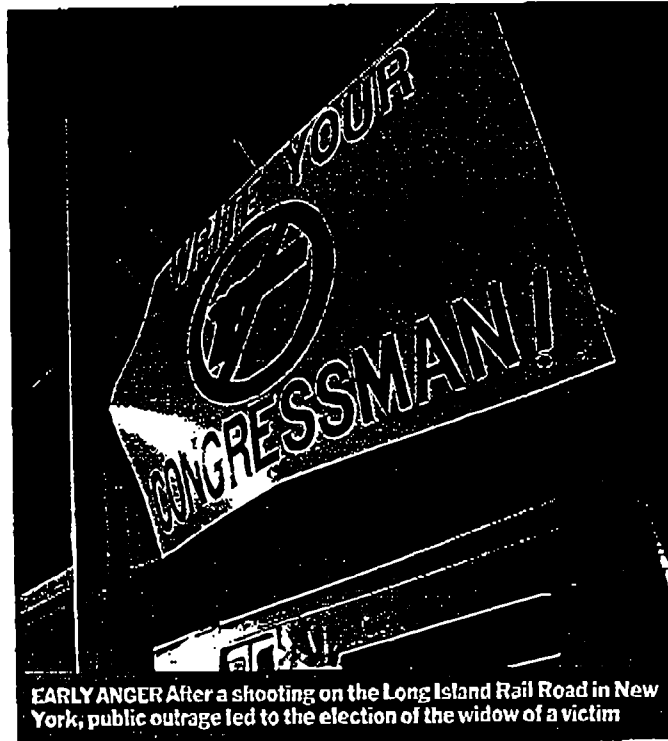
Get Rid of the Damned Things

AS TERRIBLE AS LAST WEEK'S SHOOTING IN ATLANTA WAS, AS TERRIBLE AS ALL THE GUN KILLINGS OF the past few months have been, one has the almost satisfying feeling that the country is going through the literal death throes of a barbaric era and that mercifully soon, one of these monstrous episodes will be the last. High time. My guess, in fact, is that the hour has come and gone—that the great majority of Americans are saying they favor gun control when they really mean gun banishment. Trigger locks, waiting periods, purchase limitations, which may seem important corrections at the moment, will soon be seen as mere tinkering with a machine that is as good as obsolete. Marshall McLuhan said that by the time one notices a cultural phenomenon, it has already happened. I think the country

has long been ready to restrict the use of guns, except for hunting rifles and shotguns, and now I think we're prepared to get rid of the damned things entirely—the handguns, the semis and the automatics.

Those who claim otherwise tend to cite America's enduring love affair with guns, but there never was one. The image of shoot-'em-up America was mainly the invention of gun-maker Samuel Colt, who managed to convince a malleable 19th century public that no household was complete without a firearm—"an armed society is a peaceful society." This ludicrous aphorism, says historian Michael Bellesiles of Emory University, turned 200 years of Western tradition on its ear. Until 1850, fewer than 10% of U.S. citizens had guns. Only 15% of violent deaths between 1800 and 1845 were caused by guns. Reputedly wide-open Western towns, such as Dodge City and Tombstone, had strict gun-control laws; guns were confiscated at the Dodge City limits.

If the myth of a gun-loving America is merely the product of gun salesmen, dime-store novels, movies and the National Rifle Association (NRA)—which, incidentally, was not opposed to gun control until the 1960s, when gun buying sharply increased—it would seem that creating a gun-free society would be fairly easy. But the culture itself has retarded such progress by creating and embellishing an absurd though appealing connection among guns, personal power, freedom and beauty. The old western novels established a cowboy corollary to the Declaration of Independence by depicting the cowboy as a moral loner who preserves the peace and his own honor by shooting faster and surer than the competition. The old gangster movies gave us opposite versions of the same character. Little Caesar is simply an illegal Lone Ranger, with the added element of success in the free market. In more recent movies, guns are displayed as art objects, people die in balletic slow motion, and right prevails if you own "the most powerful hand-



EARLY ANGER After a shooting on the Long Island Rail Road in New York, public outrage led to the election of the widow of a victim

gun in the world." I doubt that any of this nonsense causes violence, but after decades of repetition, it does invoke boredom. And while I can't prove it, I would bet that gun-violence entertainment will soon pass too, because people have had too much of it and because it is patently false.

Before one celebrates the prospect of disarmament, it should be acknowledged that gun control is one of those issues that are simultaneously both simpler and more complicated than it appears. Advocates usually point to Britain, Australia and Japan as their models, where guns are restricted and crime is reduced. They do not point to Switzerland, where there is a gun in every home and crime is practically nonexistent. Nor do they cite as sources criminology professor Gary Kleck of Florida State University, whose studies have shown that gun ownership

reduces crime when gun owners defend themselves, or Professor John R. Lott Jr. of the University of Chicago Law School, whose research has indicated that gun regulation actually encourages crime.

The constitutional questions raised by gun control are serious as well. In a way, the anti-gun movement mirrors the humanitarian movement in international politics. Bosnia, Kosovo and Rwanda have suggested that the West, the U.S. in particular, is heading toward a politics of human rights that supersedes the politics of established frontiers and, in some cases, laws. Substitute private property for frontiers and the Second Amendment for laws, and one begins to see that the politics of humanitarianism requires a trade-off involving the essential underpinnings of American life. To tell Americans what they can or cannot own and do in their homes is always a tricky business. As for the Second Amendment, it may pose an inconvenience for gun-control advocates, but no more an inconvenience than the First Amendment offers those who blame violence on movies and television.

Gun-control forces also ought not to make reform an implic-

it or explicit attack on people who like and own guns. Urban liberals ought to be especially alert to the cultural bigotry that categorizes such people as hicks, racists, psychotics and so forth. For one thing, a false moral superiority is impractical and incites a backlash among people otherwise sympathetic to sensible gun control, much like the backlash the pro-abortion rights forces incurred once their years of political suasion had ebbed. And the demonizing of gun owners or even the NRA is simply wrong. The majority of gun owners are as dutiful, responsible and sophisticated as most of their taunters.

That said, I am pleased to report that the likelihood of sweeping and lasting changes in the matter of America and guns has never been higher. There comes a time in every civilization when people have had enough of a bad thing, and the difference between this moment and previous spasms of reform is that it springs from the grass roots and is not driven by politicians or legal institutions. Gun-control sentiment is everywhere in the country these days—in the White House, the presidential campaigns, the legislatures, the law courts and the gun industry itself. But it seems nowhere more conspicuous than in the villages, the houses of worship and the consensus of the kitchen.

Not surprisingly, the national legislature has done the least to represent the nation on this issue. After the passage of the 1994 crime bill and its ban on assault weapons, the Republican Congress of 1994 nearly overturned the assault-weapons provision of the bill. Until Columbine the issue remained moribund, and after Columbine, moribund began to look good to the gun lobby. Thanks to an alliance of House Republicans and a prominent Democrat, Michigan's John Dingell, the most modest of gun-control measures, which had barely limped wounded into the House from the Senate, was killed. "Guns have little or nothing to do with juvenile violence," said Tom Delay of Texas. Compared with his other assertions—that shootings are the product of day care, birth control and the teaching of evolution—that sounded almost persuasive.

A more representative representative of public feeling on this issue is New York's Carolyn McCarthy, whom gun violence brought into politics when her husband was killed and her son grievously wounded by a crazed shooter on a Long Island Rail Road train in 1993. McCarthy made an emotional, sensible and ultimately ineffectual speech in the House in an effort to get a stronger measure passed.

"When I gave that speech," she says, "I was talking more to the American people than to my colleagues. I could see that most of my colleagues had already made up their minds. I saw games being played. But this was not a game with me. I looked up in the balcony, and I saw people who had been with me all along on this issue. Victims and families of victims. We're the ones who know what it's like. We're the ones who know the pain."

Following upon Columbine, the most dramatic grass-roots effort has been the Bell Campaign. Modeled on Mothers Against Drunk Driving, the campaign plans to designate one day a year to toll bells all over the country for every victim of guns during the previous year. The aim of the Bell Campaign is to get guns off the streets and out of the hands of just about everyone except law officers and hunters. Andrew McGuire, executive director, whose cousin was killed by gunfire many years ago, wants gun owners to register and reregister every year. "I used to say that we'd get rid of most of the guns in 50 years," he tells me. "Now I say 25. And the reason for my optimism is that until now, we've had no grass-roots opposition to the NRA."

One must remember, however, that the NRA too is a grass-roots organization. A great deal of money and the face and voice of its president, Charlton Heston, may make it seem like something more grand and monumental, but its true effectiveness exists in small local communities where one or two thousand votes can swing an election.

People who own guns and who ordinarily might never vote at all become convinced that their freedoms, their very being, will be jeopardized if they do not vote Smith in and Jones out. Once convinced, these folks in effect become the NRA in the shadows. They are the defense-oriented "little guys" of the American people, beset by Big Government, big laws and rich liberals who want to take away the only power they have.

They are convinced, I believe, of something wholly untrue—that the possession of weapons gives them stature, makes them more American. This idea too was a Colt-manufactured myth, indeed, an ad slogan: "God may have made men, but Samuel Colt made them equal." The notion of guns as instruments of equality ought to seem self-evidently crazy, but for a long

time Hollywood—and thus we all—lived by it. Cultural historian Richard Slotkin of Wesleyan University debunks it forever in a recent essay, "Equalizer: The Cult of the Colt." "If we as individuals have to depend on our guns as equalizers," says Slotkin, "then what we will have is not a government of laws but a government of men—armed men."

Lasting social change usually occurs when people decide to do something they know they ought to have done long ago but have kept the knowledge private. This, I believe, is what happened with civil rights, and it is happening with guns. I doubt that it will be 25 years before we're rid of the things. In 10 years, even five, we could be looking back on the past three decades of gun violence in America the way one once looked back upon 18th century madhouses. I think we are already doing so but not saying so. Before Atlanta, before Columbine, at some quiet, unspecified moment in the past few years, America decided it was time to advance the civilization and do right by the ones who know what the killing and wounding are like, and who know the pain.



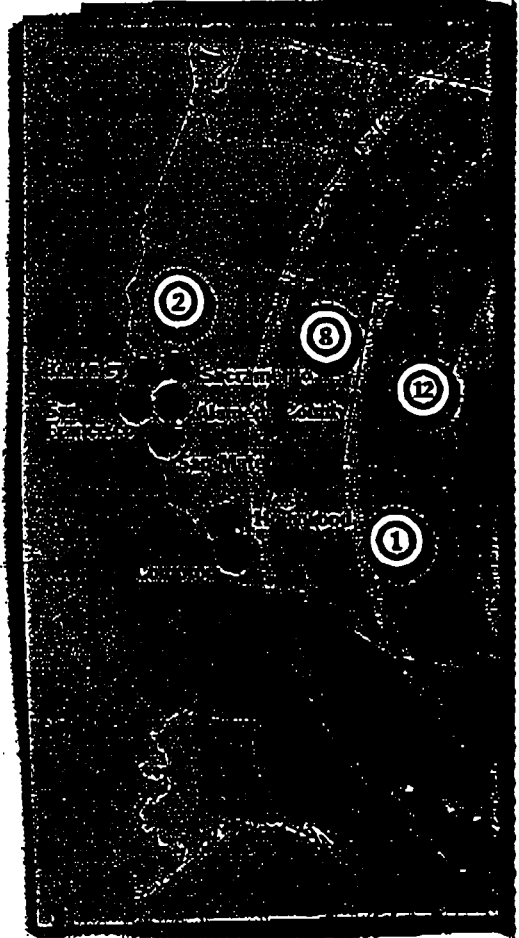
IN MEMORIAM Amid tears for the dead in the Barton rampage, reminders last week that it was the third set of shootings in Atlanta

THE ATLANTA MASSACRE

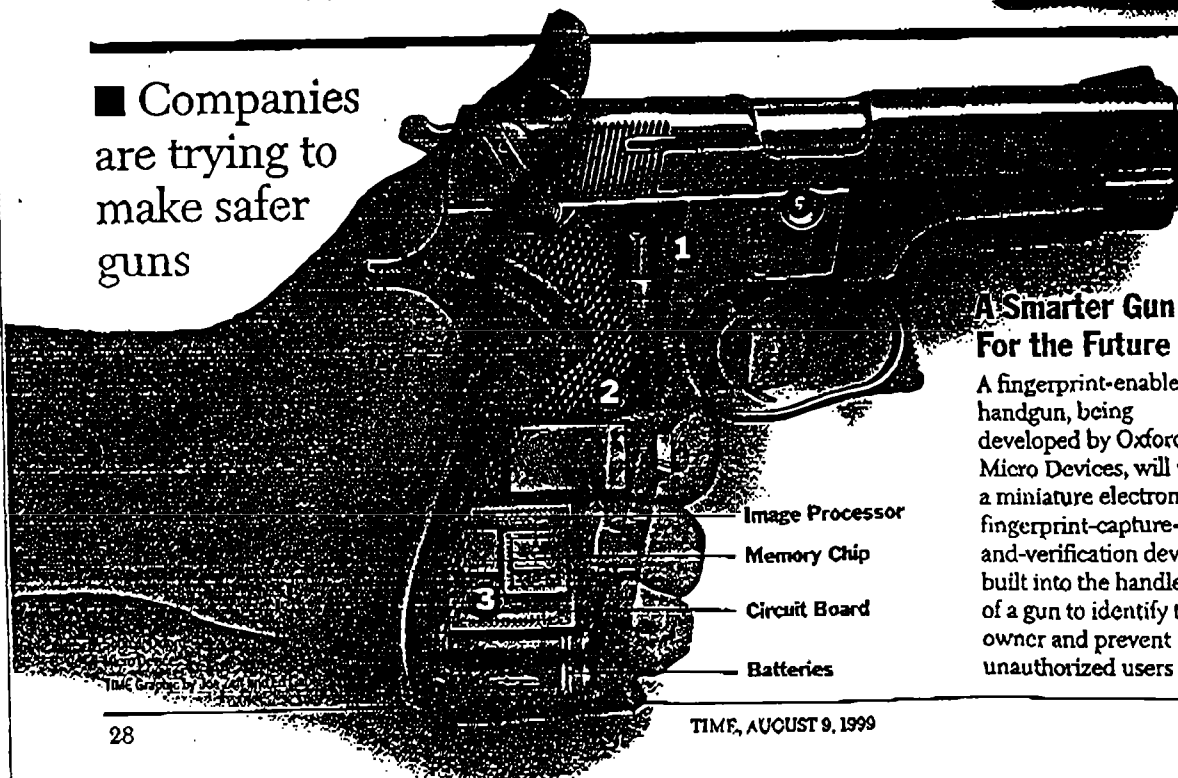
A NATIONWIDE BACKLASH

■ State and local governments are taking aim at the gun industry, either by enacting legislation or by filing lawsuits

- ① **ARIZONA** C.O.P. Governor Jane Dee Hull vetoes a bill that would have prevented cities and counties from enacting gun controls
- ② **CALIFORNIA** Gun purchases are limited to one a month; lawmakers tighten assault-weapons ban. Laws are among the toughest
- ③ **COLORADO** Legislators kill a bill making it easier to win concealed-guns permits; officials mulling new restrictions on the permits
- ④ **CONNECTICUT** A new law allows police to obtain a warrant to confiscate the guns of someone who might injure himself or others
- ⑤ **FLORIDA** Lawmakers withdraw a conceal-carry bill; Governor Jeb Bush hails law stiffening sentences of those who use guns in crimes
- ⑥ **ILLINOIS** New laws force gun owners to keep weapons secured from kids and increase penalties for those who buy guns for criminals
- ⑦ **MICHIGAN** Gun opponents plan a referendum on concealed weapons; lawmakers nix an N.R.A.-friendly conceal-carry bill
- ⑧ **NEVADA** After a longer than expected debate, legislators allow concealed guns in public buildings—but not in schools or airports
- ⑨ **NEW JERSEY** Governor Christine Todd Whitman seeks a law saying dealers can sell only "smart" handguns; the bill passes the senate
- ⑩ **OHIO** Republicans back away from a bill to ban suits against gunmakers, and the Governor says he opposes a conceal-carry law
- ⑪ **TENNESSEE** Legislators ax a bill that would have let faculty members arm themselves on campus but passes a bill to ban gun suits
- ⑫ **UTAH** Anti-gun forces are pushing a referendum on concealed weapons; poll says 80% think only police should have guns in schools



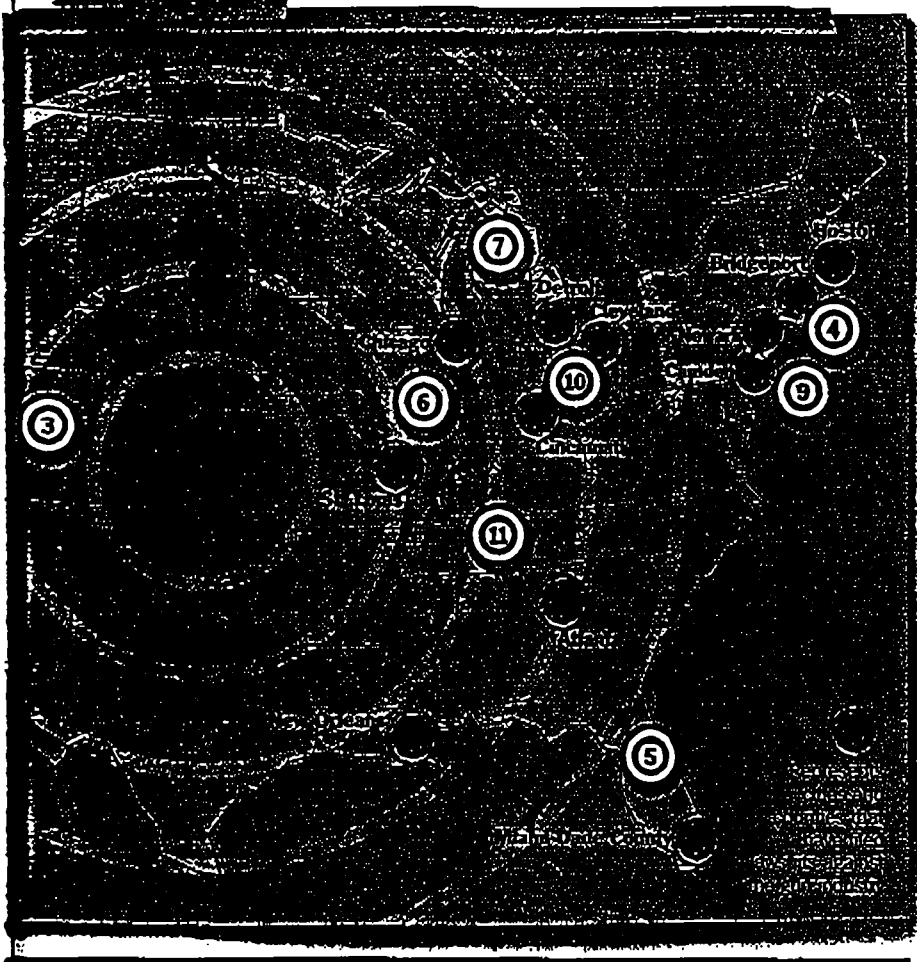
■ Companies are trying to make safer guns



A Smarter Gun For the Future

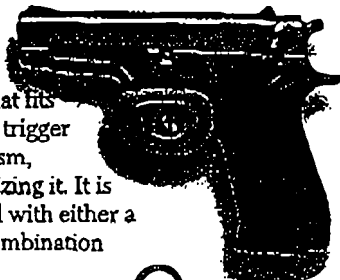
A fingerprint-enabled handgun, being developed by Oxford Micro Devices, will use a miniature electronic fingerprint-capture-and-verification device built into the handle of a gun to identify the owner and prevent unauthorized users

- ① The "latching solenoid" locks the gun's hammer and trigger, preventing unauthorized use
- ② On picking up the gun, the owner's middle finger covers a tiny red button, activating the fingerprint unit on the side of the grip. The finger also wraps over the print sensor, which then scans the fingerprint
- ③ An image-processor chip captures the image from the sensor and, with the memory chip and circuit board, identifies the fingerprint and unlocks the gun

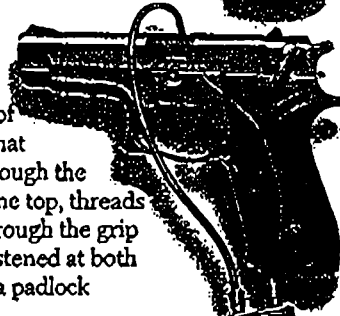


Some Current Safety Devices

The trigger lock is a device that fits over the trigger mechanism, immobilizing it. It is unlocked with either a key or combination



The cable lock consists of a cable that loops through the slide at the top, threads down through the grip and is fastened at both ends by a padlock



■ Guns are becoming a major issue for 2000

BILL BRADLEY has taken the toughest position on guns of any major candidate in recent history. He wants a license-registration system for handguns

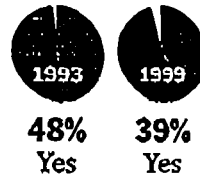
AL GORE would require licenses for buyers but not registration of the weapons themselves. Both want to ban "junk guns," but Gore doesn't attack the N.R.A.

GEORGE W. BUSH signed a law ending Texas' concealed-weapons ban. He supports background checks at gun shows but hasn't pushed for them in Texas

JOHN MCCAIN voted against the Senate bill that would have required background checks at gun shows. He also voted against the Brady bill in 1993

■ TIME/CNN Poll

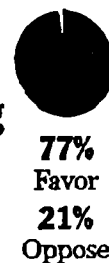
Do you have any guns of any type in your home?



Do you favor or oppose the Federal Government's requiring handgun owners to register each handgun?



Do you favor or oppose the Federal Government's requiring people to get a license in order to legally own a handgun?



Do you have more confidence in the Democrats or the Republicans to handle the issue of gun control?



Would you be more likely or less likely to vote for a candidate who favors stricter gun-control laws?



From a telephone poll of 1,017 adult Americans taken for TIME/CNN on July 14-15 by Yanishevich Partners Inc. Margin of error is ±3.2%. "Not sure" omitted.

ILLEGAL TRAFFICKING ENFORCEMENT: A NEW FRONTIER IN LOCAL FIREARMS REDUCTION EFFORTS

SAN FRANCISCO: East Bay Crackdown on Illegal Gun Dealing

“Crackdown on Dealers Who Arm Criminals U.S. Steps up Enforcement of Gun Laws.”

San Francisco Chronicle, May 31, 1999.

“Grand Jury Accuses 4 of Trafficking Fake License Used in 600 Sales.” *San Francisco Chronicle*, May 29, 1999.

“East Bay Gun Ring Biggest in Nation, BATF Says.” *San Francisco Chronicle*, May 29, 1999.

CHICAGO: Gangs and Guns

“How Gangs Get Guns.” *Chicago Sun Times*, March 8, 1999.

BALTIMORE: Police Target “Straw Purchasers”

“Police Target Illegal Gun Transactions.” *Baltimore Sun*, January 28, 1999.

LOS ANGELES: LAPD Targets Gun Traffickers

“Authorities on Trail of Guns.” *Los Angeles Daily News*, April 12, 1999.

ST. LOUIS: Shutting Down a Gun Trafficking Dealer

“Gun Dealer Pleads Guilty of Illegally Selling Firearms.” *St. Louis Post Dispatch*, May 19, 1999.

MILWAUKEE: MPD Cracks Down on Local ‘Straw’ Purchasers

“Straw Gun Purchases Targeted.” *Milwaukee Journal-Sentinel*, May 9, 1999.

NEW YORK: ATF Traces Lead to More Illegal Firearms

“Trail of Illegal Gun Leads ATF to Unlawful Firearms.” Associated Press (AP), April 25, 1999.

SPRINGFIELD (MA): Federal Sentencing of Gun Trafficker

“Springfield Gun Trafficker Sentenced to Prison, Reports U.S. Attorney.” PRNewswire, June 1, 1999

SEATTLE: The Impact of One Gun Traced by Seattle Police

“The Life of a Gun.” *The Seattle Times*, February 22, 1998.

ATF CRIME GUN TRACING: SUPPORTING ILLEGAL TRAFFICKING ENFORCEMENT EFFORTS

“How Federal Agents Trace Guns.” Associated Press (AP), May 19, 1999.

“With Often Arcane Tools, U.S. Agency Traces Littleton Guns.” *The Washington Post*, April 30, 1999.

“County Linked to U.S. Gun Database.” *The Washington Post*, April 14, 1999.

“Thwarting Gun-Running with a Click of a Mouse.” *Christian Science Monitor*, April 27, 1999.



[SF Gate Home](#)
[Today's News](#)
[Sports](#)
[Entertainment](#)
[Technology](#)
[Live Views](#)
[Traffic](#)
[Weather](#)
[Health](#)
[Business](#)
[Bay Area](#)
[Travel](#)
[Columnists](#)
[Classifieds](#)
[Conferences](#)
[Search](#)
[Index](#)

Crackdown on Dealers Who Arm Criminals U.S. steps up enforcement of gun laws

Monday, May 31, 1999
San Francisco Chronicle
CHRONICLE SECTIONS

Bill Wallace, Chronicle Staff Writer

The indictment of four East Bay residents on federal gun trafficking charges late last week has focused attention on the growing problem of licensed firearms dealers who abuse their position to arm the underworld.

Get a
[printer-friendly](#)
[version](#) of this
article



In the past six years, federal firearms investigators in Northern California have uncovered four major gun trafficking cases in which licensed dealers have sold thousands of guns to members of the underworld -- guns that were later used to commit crimes.

Federal firearms agents say ferreting out cases in which gun dealers working under official licenses sell guns to criminals has become a primary area of concern, with the U.S. Bureau of Alcohol, Tobacco and Firearms making them a major investigative priority.

In its budget proposal to Congress this year, the agency has requested \$12.6 million for enforcement programs designed to reduce the illegal acquisition, possession and use of guns by armed career criminals, firearms traffickers, and those barred from buying firearms under the Brady Bill.

"ATF's top priority is the reduction of violent crime in an effort to protect the public," the bureau's chief in San Francisco, John P. Malone, said earlier this year. "To that end, impacting the

flow of illegal firearms and illegal firearms trafficking in our communities is our focus."

In last week's case, a Hayward man, Sean Patrick Twomey, 31, was indicted for forging a new expiration date on his federal firearms license in order to illegally purchase more than 600 guns for resale in the Bay Area.

Twomey, who was working for a Web page development company in Santa Clara until his arrest by federal firearms agents on May 7, also is accused of counterfeiting a second federal gun license that he used to buy weapons.

At least 50 of the guns were altered, with their serial numbers obliterated to make them more difficult for police and federal agents to trace. The alleged plot was uncovered when some of those guns were seized by police during arrests in San Francisco in September 1997.

When federal agents were asked to trace the guns, they learned of the falsified license documents and began collecting evidence for a criminal case against Twomey and three associates. In the course of the investigation, they discovered that two men who were helping Twomey sell the guns, Jason Jeffries and Cellouse Ham, were both convicted felons who were barred by law from possessing firearms.

During the 18-month investigation of Twomey's ring, agents learned that dozens of the guns he sold had been recovered by police at crime scenes.

Twomey is currently in federal custody, and is scheduled to make his first court appearance in connection with the indictment next Monday.

Alcohol, Tobacco and Firearms agents

uncovered a similar operation in Sacramento three years ago. In that case, an erroneous criminal history check allowed Sahr Jahrvouhey, 27, to obtain a federal dealer's license in March 1993, despite the fact that he had a criminal conviction for a violent crime -- brandishing a gun during a confrontation.

Court documents filed in U.S. District Court in Sacramento show that during the brief period his license was active, Jahrvouhey bought and sold 446 guns -- more than 100 of which were later seized by police investigating serious crimes including homicides, armed robberies and assaults.

Federal agents were not aware of the slipup until a few months later, when San Jose police arrested a group of Vietnamese juveniles in a series of violent armed takeover robberies at Silicon Valley microchip companies. During the arrests, investigators seized 13 guns from gang members and asked the bureau to determine where they had come from.

A series of administrative inquiries led the agents to Jahrvouhey, who was living with his mother in a Sacramento condominium. When Jahrvouhey's probation officer -- accompanied by bureau agents -- called on the gun dealer, they found him in possession of a loaded Glock 9mm semiautomatic pistol and \$13,000 in cash.

In 1997, Jahrvouhey was convicted of lying on his license application and failing to maintain records of the guns he had sold. He eventually was sent to prison for two years.

Among the guns he sold were scores of cheap handguns that are popular among criminals, including at least 19 Intertec 9 semiautomatic pistols like

those used in the Columbine High School and 101 California St. massacres.

That same year, a federal jury in San Francisco put David Wilkins, 28, in prison for nearly six years for his involvement in a trafficking operation that put 225 firearms on the street, 65 of which were later recovered at locations where such crimes as rape, robbery, drive-by shootings and homicide had taken place.

According to an affidavit by bureau Agent Gabrielle Solleder, 18 of those guns turned up in crimes in the Bay Area. Others were taken away from suspected drug dealers in places as far away as Kentucky and North Carolina.

Wilkins, who had a variety of underworld contacts, had worked with his father, Charles, 59, who had legitimately obtained a federal firearms license for use in his business, Chuck's Guns. According to court records, Wilkins would sell guns to his criminal contacts under the counter -- with no questions asked -- while his father would report that the guns had been stolen from his home or car.

Again, federal firearms agents learned about the conspiracy by tracing guns used in criminal activity back to the ostensibly legitimate dealers who last possessed them. When they began checking into the Wilkins' family's story, they determined that the father-son team was acting as a weapons conduit for the underworld.

Charles Wilkins later pleaded guilty to three counts of violating firearms statutes, and was sentenced to four years of probation, six months of home arrest and a \$10,000 fine. The senior Wilkins received a lighter sentence in part because he helped federal agents

persuade his son to plead guilty to more severe charges, thus avoiding the need for a trial.

In a brazen variation on the other cases, federal firearms agents arrested a 32-year-old East Bay resident named Gentry Green for illegal firearms sales in late 1992 after Richmond police spotted him and an associate on a Richmond street corner, literally selling guns out of the trunk of their car.

When agents investigated, they learned that Green, too, had slipped through the cracks of the licensing system. Court records show he had obtained a federal firearms collector's license from the bureau in 1991, even though he had been convicted of carrying a loaded gun in public in San Francisco three years earlier.

In February 1995, Green was sentenced to 15 months in federal prison and three years of probation.

©1999 San Francisco Chronicle Page A13

Chronicle Sections ▼



44 SF Gate





www.sfgate.com

[Return to regular view](#)

Grand Jury Accuses 4 Of Gun Trafficking Fake license allegedly used in 600 sales

Bill Wallace, Chronicle Staff Writer

Saturday, May 29, 1999

©1999 San Francisco Chronicle

URL: <http://www.sfgate.com:80/cgi-bin/article.cgi?file=/chronicle/archive/1999/05/29/MN25843.DTL>

Four East Bay residents have been indicted by a federal grand jury in Oakland on charges of using a falsified federal gun dealer's license to illegally sell more than 600 firearms, at least 50 of which had been altered to make them more difficult to identify.

The indictment, which was returned late Thursday, accuses Sean Patrick Twomey, Jason Jeffries, Cellouse Ham and Kamelah Smedley of conspiracy, dealing guns without a license, making false statements during a firearms transaction and possession of guns with obliterated serial numbers.

Twomey and Jeffries are residents of several Bay Area cities, including Hayward. Ham, who lives in Oakland, is being held in San Quentin prison on unrelated state criminal charges, and Smedley reportedly is a San Leandro resident.

Although the indictment was made public only yesterday, Twomey, 31, was arrested on federal gun charges contained in a sealed criminal complaint on May 7 and has remained in custody since.

Twomey is scheduled to appear in U.S. District Court in Oakland on June 7 for a bail hearing. No initial court appearance has been scheduled for Jeffries, Smedley or Ham.

Federal sources said the case is significant because of the large number of weapons involved and the elimination of serial numbers from many of the guns. Serial numbers allow authorities to trace a gun's chain of ownership, a process that is important in some criminal cases.

When the identifying marks are removed by dealers, investigators consider it likely the weapons are intended for sale to criminals.

The indictment was cited by U.S. Attorney Robert Mueller as evidence of the federal government's attempts to disarm the underworld.

"We all recognize that guns in the hands of convicted felons can lead to violence in our communities," said Mueller, who is responsible for prosecuting federal crimes in coastal counties from Oregon to Monterey.

"While I cannot comment on the specifics of this case, gun trafficking can have a devastating impact on our neighborhoods because of the danger that untraceable guns pose when they fall into the hands of criminals," Mueller said.

Twomey's attorney, Daniel Horowitz, expressed surprise at the indictment Thursday and said he was skeptical about the government's assertion that Twomey was a major gun dealer.

``He's a computer programmer for a Web site development outfit," Horowitz said. ``He has no money or property for bail. . . . If he's such a big gun dealer, why does he have me for an attorney? I'm court-appointed!"

According to a government affidavit, the case began in September 1997 when San Francisco police investigators seized two high-powered Glock pistols without serial numbers during a local arrest.

The police asked the U.S. Bureau of Alcohol Tobacco and Firearms to trace the weapons, and federal firearms investigators were able to restore the serial numbers through laboratory work.

The affidavit, filed by Alcohol, Tobacco and Firearms agent Paul Vallergera, said investigators learned that the guns had been transferred through a number of dealers, but had most recently been shipped to Twomey in Hayward a few months earlier.

Although Twomey had presented what appeared to be a legitimate, legally obtained federal firearms license in order to purchase the guns, the document actually had expired the previous year and had been falsified to look like it was still valid.

The indictment handed up this week says that when investigators checked further, they found that the two Glocks had been contained in one of 22 shipments of guns Twomey had received during a seven- month period.

Twomey and his partners used a small handheld motor tool -- to remove the serial numbers from many of the weapons, the indictment said.

The indictment said Twomey later transferred the weapons to Jeffries and Ham to sell on the street, even though both had previously been convicted of felonies and were prohibited from possessing firearms.

The indictment alleges that Smedley delivered some of the guns to buyers for Twomey; took, with Jeffries, a load of weapons from Hayward to San Francisco for sale; and also allowed Twomey to use her apartment as a mailing address, delivery site and depot for some of the firearms.

©1999 San Francisco Chronicle Page A17

www.sfgate.com[Return to regular view](#)

East Bay gun ring biggest in nation, BATF says

Seth Rosenfeld

OF THE EXAMINER STAFF

May 29, 1999

©1999 San Francisco Examiner

URL: <http://www.sfgate.com:80/cgi-bin/article.cgi?file=/examiner/archive/1999/05/29/NEWS3093.dtl>

In what federal officials say is the nation's largest black-market weapons trafficking case, a Bay Area man is accused of selling as many as 1,000 semiautomatic pistols that have been linked to violent crimes including drug dealing, robbery, drive-by shootings and homicide.

A nine-count indictment by a federal grand jury in Oakland describes the relative ease with which 31-year-old Sean P. Twomey allegedly obtained the guns from wholesalers and then distributed them with the help of convicted felons. Two men and a woman also were indicted.

Twomey, of Hayward, allegedly falsified his expired federal firearms license and used it to buy boxes of guns from legitimate suppliers. He then allegedly obliterated the weapons' serial numbers in an effort to prevent their being traced back to him and sold them at a hefty mark up "all over" the Bay Area, said Tracy Hite, a spokeswoman for the U.S. Bureau of Alcohol, Tobacco and Firearms.

The weapons, which ranged from cheap Lorcin models to expensive Glocks, were later used by criminals in at least three states, said Hite.

Local law enforcement officials have recovered about 40 pistols that have been linked to criminal suspects, said Hite, and "we anticipate the recovery of additional firearms."

Twomey, who was being held in Alameda County Jail in Oakland, has denied the allegations.

"I don't do this," he said, according to his attorney, Daniel A. Horowitz, of Oakland.

Horowitz contended that federal officials were exaggerating the case against his client to capitalize on national outrage over the shooting rampage last month at Columbine High School in Littleton, Colo., where two students killed 12 classmates and a teacher and wounded 23 others before killing themselves.

"I have a few doubts about the size of the endeavor they're alleging," Horowitz said. "I'm very skeptical."

Twomey, according to his court-appointed lawyer, is the divorced father of one child and worked as an Internet Web site designer. He had one misdemeanor conviction "years ago," Horowitz said, but no felony convictions.

The alleged gun trafficker also has no bank account and owns no property, Horowitz added, as well as no money to hire a private lawyer or even post bail.

Federal prosecutors plan to ask that Twomey be held without bail, according to court records.

"While I cannot comment on the specifics of this case, gun trafficking can have a devastating impact on our neighborhoods because of the danger that untraceable guns pose when they fall into the hands of criminals," said U.S. Attorney Robert S. Mueller III.

Investigation lasts 18 months

The indictment follows an 18-month investigation by the BATF and the Organized Crime Drug Enforcement Task Force of the U.S. attorney's office.

It also names Jason Jeffries, 27, who has a felony conviction for unrelated weapons charges; Cellouse Anthony Ham, 24, a convicted felon in custody at Alameda County Jail, and Kamelah Smedley, 25, who was arrested Friday.

The indictment claims the four were in a conspiracy to sell firearms without a license between March and October 1997. The indictment along with other court records and federal officials allege that a single gun ring can set off a chain reaction of violent crime within just a few months.

Initially, Twomey had a federal firearms license, but when it expired in 1996, he falsely extended its date and submitted it to two weapons wholesalers, Southern Ohio Guns International Inc., in Lebanon, Ohio, and Nationwide Sports Distributors, in Southampton, Pa., the indictment alleges.

A supervisor at Southern Ohio Guns said Friday that she knew Twomey had been under investigation but declined to comment on the case. She said the company reported any suspicious customers to federal officials.

The firm, which plays a telephone message advertising a new shipment of telescopic gun sights and Romanian weapons while callers are on hold, sells all kinds of guns, ammunition and accessories.

"We sell a little bit of everything," said the supervisor, who declined to give her name.

No one answered the phone at Nationwide, where a phone message said the firm was closed indefinitely because of computer problems.

Neither firm is charged in the case.

Twomey made 22 purchases of pistols from the two firms during the alleged seven-month operation, with as many as six shipments in a month and as many as 70 guns in a shipment, the indictment says. The packages were sent by United Parcel Service, it says.

On receiving the guns, Twomey and Jeffries allegedly attempted to grind down the manufacturers' serial numbers, it says. They are charged with possessing more than 50 guns with obliterated serial numbers.

Twomey - who allegedly used the alias of Roger Maris, the name of the former New York Yankees slugger - then allegedly disbursed the guns by giving them to Jeffries, whom he knew was a convicted felon, the indictment says.

Jeffries, in turn, transferred at least 25 of them to Ham, whom he knew was a convicted felon, it says.

Ham helped sell the guns, it adds, and Smedley helped deliver them.

Guns on the street in 10 days

The weapons reached the hands of criminals around the Bay Area, and were used in felonious activity within as little as 10 days, said Hite of the BATF.

Some of the cheaper pistols could be bought for about \$50 each wholesale, and more expensive ones for about \$500, said Hite. On the street they typically bring up to three times as much, she said.

The gun ring sold as many as 1,000 pistols, a prosecutor said in a recent court hearing.

But the purported pipeline of pistols got jammed on Sept. 3, 1997, when San Francisco police officers in an unrelated case arrested three suspects for possession of Glocks with obliterated serial numbers, according to an affidavit filed in support of Twomey's arrest.

The police sent the pistols to the BATF, which restored their serial numbers and traced the history of ownership through the agency's National Tracing Center in West Virginia, the country's main tool for tracking guns.

"That tracing operation can make or break a case," said Hite. "It tells us a lot about trafficking patterns."

The center uses the serial numbers to query gun makers about whom they sold the firearms to. BATF agents then contact each subsequent purchaser until they identify the last known owner, said Hite.

One of the Glock pistols seized by the San Francisco cops was originally sold to the Harford County Sheriff's Office in Bel Air, Md., in March 1996.

A year later, the sheriff's office sold the gun to a nearby firearms dealer. Three days after that, it was sold to a Pennsylvania dealer, and a week later to Southern Ohio Guns.

Within 10 days, Southern Ohio had packed the pistol off to Twomey, according to the affidavit.

The BATF had decided not to renew Twomey's firearms license because it had learned that he'd failed to comply with a Hayward city ordinance that barred selling firearms from a residence, the affidavit says.

On Oct. 21, 1997, BATF agents raided Twomey's home, seizing weapons and a tool that could be used to destroy serial numbers, it says.

Jeffries, who was there, told agents he had no idea about any gun dealing, the affidavit says, and no one was arrested.

Investigation continued after raid

But the investigation continued as other law enforcement officials around California had seized guns from suspected criminals and sent them to the BATF, which traced them to Twomey, the affidavit says.

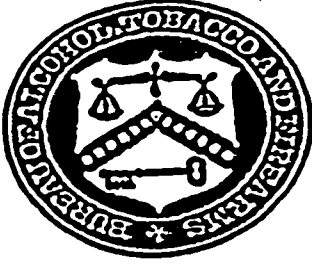
Twomey was arrested May 18 and was indicted Friday in what the BATF called "the largest ongoing gun trafficking case in the United States."

He is to be arraigned before U.S. Magistrate Wayne D. Brazil in Oakland on June 7. No court dates have been set for the other suspects.

The maximum statutory penalty for each conviction for using a false firearms license, or for being a felon in possession of a firearm, is 10 years in prison and a \$250,000 fine.

Officials say trafficking was easy, and weapons were used in crim

©1999 San Francisco Examiner Page A 1



Bureau of Alcohol, Tobacco & Firearms
Office of Public Information

ATF News Summary

Supplemental

Monday March 8, 1999

Supplemental

Chicago Sun Times

3/8/99

p. 1 of 7

How gangs get guns

March 8, 1999

BY JOHN CARPENTER CRIME REPORTER

Last New Year's Eve, Derrick Green walked out of a Broadview gun shop with a .45-caliber semiautomatic pistol and 70 rounds of ammunition.

Nothing wrong with this picture, except the gun was allegedly the 24th Green had bought in the last nine months. Police say nearly all of the guns turned up, with the serial numbers scratched out, in the hands of gang members.

Green, 27, a former Collins High School football standout, allegedly had been making money supplying firepower to the Travelling Vice Lords, a Chicago street gang. Police learned of him through gun traces by the U.S. Bureau of Alcohol, Tobacco and Firearms.

He was arrested on the spot and now faces felony gun charges.

Contrary to popular wisdom, most criminals do not steal their guns or buy them from someone who did. Instead, they buy them from somebody like Derrick Green: a non-felon with an Illinois Firearm Owner's Identification Card who allegedly picks up a little money on the side buying and selling guns.

Since it's illegal to sell handguns in Chicago, gang leaders often send buyers to suburban stores with wads of cash and lethal shopping lists.

The purchases at the gun stores are legal. The transfers to the gang members are not.

Straw buyers are nothing new. But only in recent years did law enforcement officials start to realize the extent of the problem.

In Chicago, more than 10,000 crime guns were traced between Aug. 1, 1997, and July 31, 1998, according to an ATF report. Of those guns, only 98 had been reported stolen.

Since the late 1980s, ATF officials have been urging police to trace all guns seized in order to determine ownership history. Until recently, most detectives would order a federal trace of a weapon only if they were looking for leads in an investigation.

"It took us some time to relate the benefit of tracing all guns," said Scott Pickett, chief of the ATF's Crime Gun Analysis Branch based in West Virginia. Chicago was one of the first major departments to fully embrace comprehensive tracing.

What has emerged is a picture of a shadowy, thriving illegal trade in handguns. It's difficult to get a handle on the trade because the initial purchases usually are legal.

Tim Diaz, a proponent of stricter gun laws and author of the recently published *Making a Killing: The Business of Guns in America*, said tracing has been an eye-opener for law enforcement.

"The most significant thing that we've learned is that it is possible, if you approach it strategically, to understand criminal gun trafficking," Diaz said.

Chicago police Supt. Terry Hillard said the most significant discovery of the gun tracing is that the notion that most criminals' guns are stolen is a myth.

"Most guns that are used in crimes are not stolen," Hillard said. "They come from straw buyers."

Chicago police Gang Unit Cmdr. Harvey Radney was more succinct. Asked where most gang members get their weapons these days, he said: "They buy them."

In hindsight, it should have seemed obvious. There are now so many crimes committed with handguns in Chicago that it stands to reason that all of the guns couldn't have been stolen.

More than 1,500 people in the last three years have been slain in Chicago with handguns. And each year, more than

15,000 robberies, aggravated batteries and aggravated assaults are carried out in the city with handguns.

In a city where it is against the law for all but a small number of people to carry a gun, more than 11,000 guns are seized every year by police.

There is, police say, a steady stream of gun trafficking between Chicago and the suburbs, where gun shops often exist not far from the city line.

Chicago is suing several gun manufacturers and suburban dealers, attempting to hold them financially responsible--to the tune of \$433 million--for the city's cost of dealing with gun violence.

But if Chicago police officers have a keen interest in the supply of guns to criminals, it hits closer to home than any lawsuit.

The last two officers killed in the line of duty were slain with weapons bought by straw buyers, investigators said.

Ezra Evans, 26, of the 12000 block of South Normal, bought 13 handguns over the course of 11 months in 1997 and 1998, all of which were turned over to two members of the Gangster Disciples street gang, police allege.

Nine of those guns were given to the man who controlled narcotics trafficking in a Chicago Housing Authority building in the Stateway Gardens complex, police said.

Michael Cerialle was a rising star in the Chicago Police Department. At 26, he already was trusted to work as a plainclothes officer. On Aug. 15, 1998, he was hiding in bushes with his partner trying to build cases against a drug operation.

Shortly after 3:30 a.m., there was a flurry of activity in front of the CHA building Cerialle was watching, and he remarked to his partner that they may have been spotted.

They had. A 16-year-old carrying a .357-caliber revolver that Evans bought months earlier at Chuck's Gun Shop in Riverdale came out of the building firing, police say.

Cerialle was hit in the abdomen just under his bulletproof vest and died several days later, after a fight for his life during which hundreds of officers went to Cook County Hospital to donate blood.

Less than five months later, it happened again.

Two people under investigation for gun trafficking bought a Ruger 9mm. pistol equipped with a laser sight late last year in Springfield, sources say. It quickly wound up in the hands of James C. Scott, of the 9600 block of South Lowe, police say.

Police say Scott was carrying crack cocaine and feared a devastating third felony arrest when he was pulled over by Morgan Park Tactical Officer John C. Knight on Jan. 9.

Scott ran from the scene at 99th and Parnell. As Knight started to jump out of his unmarked squad to give chase, a tiny orange dot illuminated his forehead. Scott emptied the gun, killing Knight and wounding his partner, according to police.

Scott was arrested at a nearby apartment, and police found a small cache of weapons. He was charged with Knight's murder and has since been charged with the murder of an alleged gang rival--again, police say, the weapon was a 9mm. pistol with a laser sight.

Hillard said the use of the laser sight in Knight's murder is particularly troubling.

"That is military-type technology," he said. "There is no use for that other than killing someone."

But Chicago police officers working in a special unit focused on seizing illegal weapons say they are very familiar with laser sights, having bought several of them from area gun shops. The sights are attached to the barrel of a gun and emit a pinpoint beam of light that illuminates the target, indicating where the gun is aimed.

These gang officers, using three Firearm Owner's Identification Cards with Chicago addresses, posed as gang members and other shady characters as they bought more than 170 guns in about two months. Their purchases, often captured on videotape, laid the foundation for the city's lawsuit against the gun industry.

Officer William Rogers posed as a gang member in some of the purchases. In one case, he said, "I told the guy that someone had come around and started a little trouble, and I needed a little more firepower."

Rogers said the gun dealer showed him several Lorcin handguns as well as a military-style AR-15 rifle with a price tag of \$1,400.

"I just bought them all," Rogers said.

Actually, it was officer Bernard Kelly who bought them, as he was posing as the straw purchaser who had the valid FOID card.

"I said: 'We'll use his FOID card,'" Rogers said.

"It was clearly understood," Kelly said, "that we had nothing but criminal intent."

ATF agent Dave Balkema, one of the officers who arrested Derrick Green, said it is common in straw purchases for gang members to specifically order handguns.

"That's a very typical scenario," Balkema said. "Most of them [straw purchasers] have orders that they are filling."

In another case, a gun dealer suggested hollow-point bullets as ideal for street shootings, since they would be less likely to hit bystanders. Others allegedly suggested ways to avoid attracting the attention of ATF agents.

Details of the undercover operation have been turned over to federal investigators, who sources say are building criminal cases.

Owners of the gun shops named in the lawsuit have declined to comment on the allegations, citing the pending litigation. Gun manufacturers, meanwhile, say they follow the letter of the law and can't be blamed if guns sold legally wind up in the hands of criminals.

"I deal with about 30 wholesalers," said James Waldorf, CEO of California-based Lorcin Engineering Co. "We have zero control of where the wholesaler goes from there."

The government, Waldorf said, should focus on enforcing the current laws and locking up repeat offenders.

"Whatever's wrong, we have laws to deal with it," Waldorf said.

Mayor Daley, meanwhile, is supporting legislation that would limit a person's handgun purchases to one a month or 12 a year. Despite expected opposition from the powerful gun lobbyists, Diaz, the author of the book on guns in America, said the proposal has a chance.

Diaz praised this effort.

"Anything that would make these straw purchasers less efficient would help," he said.

The gun industry is coming under increasing pressure to go along with laws aimed at keeping guns out of the hands of criminals.

But pro-gun lobbyists say their supporters are law-abiding businessmen who are the wrong people to be worrying about.

"We think everybody would be better off if the focus were shifted to the repeat armed offenders," National Rifle Association spokesman Bill Powers said. "Some thug with a gun has absolutely nothing to do with the law-abiding citizen who chooses to own a gun."

James Waldorf, CEO of California-based Lorcin Engineering Co., said the gun industry is already burdened with too many regulations. He said fewer than 1 percent of the guns his company makes wind up in the hands of criminals.

"I consider that to be not a bad number," he said.

"Ninety-nine percent of our weapons are in the hands of honest, legitimate citizens that are not engaged in crime."

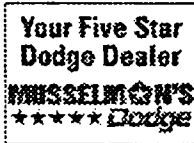
Waldorf, who called the city's lawsuit against his and other companies "bogus," said gunmakers especially cannot be held accountable for whom, individually, guns are sold to. Manufacturers sell to distributors, who then sell to dealers, Waldorf said.

--JOHN CARPENTER



News
Maryland

Talk about it
Discuss this story
E-mail it
Send this story to a friend



Police target illegal gun transactions

Criminals use people without arrest records for purchases; 15 city buyers charged

By Peter Hermann
Sun Staff

Trying to get guns off city streets, Baltimore police are cracking down on what they describe as a widespread but illegal practice of convicted felons recruiting people with clean criminal records to buy firearms.

Detectives say they have traced 13 handguns found at crime scenes to people without arrest records.

They bought the guns at local gun shops and later resold them to convicts, who are barred by law from buying weapons because of their criminal past.

One .45-caliber Glock pistol was linked to three homicides and two shootings. A 9 mm Highpoint was linked to a killing and a shooting. A .380-caliber Davis Industries and .45-caliber Llama were each seized in separate drug raids.

"Make no mistake about it," Police Commissioner Thomas C. Frazier said yesterday, "If you illegally sell or buy guns in Baltimore City, we will come after you. We simply won't tolerate it."

In the past two weeks, police have charged 15 people under the 1996 straw purchase law that makes it a crime for a

Maryland gun owner to sell a handgun to someone else without going through state police, who conduct background checks.

Seven suspects have been arrested, including one yesterday in an early morning raid at a Baltimore County home that turned up a 9 mm handgun.

City police said they seize about 3,000 handguns a year.

The issue of straw purchases came to light in 1991, when a mother who managed a department store jewelry counter walked into a city gun shop and bought \$6,000 worth of high-powered handguns, including a laser-sighted Taurus pistol and an Israeli Desert Eagle Magnum handgun.

The woman gave the weapons to a man who picked out the guns at the counter and gave her the cash to pay for them.

He was later convicted in federal court of fatally shooting a 10-year-old East Baltimore boy who was playing football when a gun battle broke out between rival drug dealers.

Last year, the owner of Baltimore Gunsmith, a shop in Fells Point, was acquitted by a jury of straw purchasing charges.

He had been charged with selling a gun to a woman -- an undercover federal agent posing as a waitress -- at the behest of a convicted murderer.

On Friday, state prosecutors won their first conviction in state court when Richard Sherman, 37, of the 1400 block of N. Milton Ave., pleaded guilty to illegally selling a gun later used to shoot at three police officers in West Baltimore.

He was sentenced to five years in prison.

In an interview with Officer Ed Bochniak of the Violent Crime Task Force, contained in court records, Sherman said he bought three handguns and sold two of them to a convicted drug dealer who sold cocaine at North Milton Avenue and East Oliver Street.

The dealer "said one time that he was gonna shoot this little kid because the kid was in the way," Sherman told Bochniak during an interrogation about the guns. "I don't know whether he did or not."

Sherman's lawyer, James E. Stancil, declined to comment yesterday.

Police said the man Sherman sold the gun to, Edward Myers, 33, has been charged in a warrant under the straw purchase law.

Police said they believe he is in Florida.

Police displayed the seized guns at a news conference yesterday, but they would not detail the shootings linked to the weapons because arrests have to be made.

Police said all those arrested in the past two weeks are alleged purchasers in the transactions.

Bochniak said the guns traced cost between \$200 and \$600 each, and that the purchaser was typically paid an additional \$200 for each gun illegally transferred.

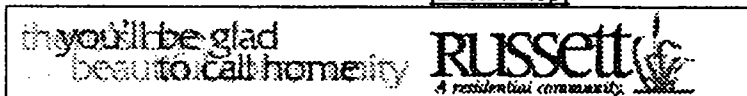
He said city police are working with the state's attorney's office to ensure the cases are prosecuted.

"This is a top priority," Bochniak said.

Originally published on Jan 28 1999

♥ [Talk about it](#) - Discuss this story | ✉ [E-mail it](#) - Send this story to a friend

[\[Back to top\]](#)



[Nation/World](#) | [Maryland](#) | [Business](#) | [Real Estate](#) | [Plugged In](#) | [Opinion](#) | [Obituaries](#) | [Weather](#) | [AP News](#)
[HOME](#) | [NEWS](#) | [SPORTS](#) | [FEATURES](#) | [CLASSIFIED](#) | [ARCHIVE](#) | [TALK](#) | [A & E](#) | [SHOPS & SERVICES](#) | [COMMUNITY](#)

Contact us: Click here to submit feedback, send a letter to the editor, get print subscription information, or place a classified ad.



■ Authorities on trail of guns

■ By Greg Gittrich, Daily News Staff Writer

■ When deputies stopped a Ford Bronco outside a crowded West Hollywood nightclub, they found TV actor Omar Gooding behind the wheel and three handguns missing serial numbers on the seat.

■ Using new, sophisticated technology, ATF agents painstakingly identified the guns and traced them back to a cache of more than 1,200 weapons an illegal immigrant bought with a forged gun dealer's license.

■ In turn, that led them to a 365-pound Northridge man and two other illegal dealers who had sold the weapons to San Fernando Valley gangs, the Mexican Mafia, drive-by shooters, a bank robber -- and Gooding, younger brother of Oscar-winning actor Cuba Gooding Jr.

■ Since then, authorities have recovered 59 of the 1,200 guns in what they say is a shocking story of black market gunrunning in Los Angeles -- a trail of crime facilitated by the ease with which criminals can get weapons.

■ "This is very typical of the type of gun trafficking that's going on right now in Los Angeles," said John Torres, assistant special agent in charge of the Bureau of Alcohol, Tobacco and Firearms' Los Angeles Field Division.

■ "These guns were being used in crimes in the San Fernando Valley, Los Angeles and near San Diego literally within a week after they were purchased illegally. They hit the street extremely quickly. They were brand new and most of them were not small-caliber handguns."

■ Despite a new Los Angeles law that limits buyers to one gun purchase a month as part of a nationwide push for stronger gun laws, thousands of these weapons continue to reach criminals and children, Torres said.

■ Contrary to a long-held presumption, criminals don't need to steal their guns or buy them across state lines, according to a new analysis by the ATF, the most comprehensive study of its kind. Rather, a growing portion of the guns used in crimes taken from juveniles and felons in Los Angeles are less than three years old and bought from gun shops but then resold to people who otherwise couldn't buy them legally.

■ Like the ones that ended up in the Valley.

■ Not so 'Smart Guy'

■ The massive gunrunning ring began unraveling Nov. 25, 1995, at 2 a.m. when sheriff's deputies in the West Hollywood station got an anonymous telephone call.



"We got a report that these guys in a car on Sunset Boulevard had at least one gun," recalled Deputy Mark Gayman.

Gayman and his partner stopped the Ford Bronco parked outside a nightclub on the crowded boulevard. The deputy had no idea the driver was Gooding, a 22-year-old Sherman Oaks actor from TV's "The Smart Guy."

"When the crowd outside the nightclub saw who we were arresting, we nearly had a riot on our hands," Gayman said. "They were throwing bottles and rocks, and yelling the normal stuff at us. We had to call for backup from LAPD and Beverly Hills. It wasn't a good situation."

Inside the Bronco were three handguns, all with obliterated serial numbers.

According to court records, Gooding pleaded no contest to possessing a firearm with an obliterated serial number. He was fined \$500 and placed on probation for 18 months.

Gooding and his publicist declined to comment.

He also refused to tell deputies where he got the guns, two Sundance .25-caliber handguns and a late-model Sterling pistol. Without his help, the chances of tracing the guns taken from Gooding's car looked bleak because the serial numbers appeared to be chiseled off, deputies said.

Nevertheless, Detective Lawrence Hastings forwarded the firearms to the ATF National Tracing Center in West Virginia.

Finding the source

In the following months, federal agents raised the serial numbers on one of the Sundance models, tracing the gun to J&J Loan, a pawn shop on Florence Avenue in Los Angeles.

After reviewing records from the federal firearm license assigned to the shop, Torres said, investigators discovered the handgun was one of 1,200 firearms purchased between May 1995 and March 1996 by the retailer.

The shop, however, had been closed during that entire period, Torres said.

"A former employee, Manuel Sycip, stole the license and doctored it," Torres said. "The shop's owners had no idea what he was doing."

According to court papers, Sycip came to the United States from the Philippines on a special visa in 1991 to obtain medical treatment for his daughter. After the visa expired, he illegally remained in the country and got a job at J&J Loan.

When the owner died, Sycip started his own gun business, federal agents said.

ATF Special Agent Thomas Makar led a search of Sycip's Temple City apartment June 4, 1996. The task force seized 30

firearms, as well as electric grinding tools found "on a vise in a bedroom that had been converted into a firearms and ammunition workshop."

Investigators believe Sycip clamped each gun into the vice and ground off the weapons' serial numbers before peddling them to three main distributors.

The handiwork makes the weapons nearly untraceable and allowed Sycip to sell the guns for as much as seven times the wholesale value, federal agents said.

Between October 1995 and March 1996, Sycip had bought 51 packages from a wholesaler in Sparks, Nev., and paid about \$36,000 in COD charges for the majority of the weapons, according to United Parcel Service receipts seized by the agents.

Investigators also found records detailing illegal purchases from a Selma, Ala., gun dealer.

The stockpile consisted of Jennings 9 mm, Jennings .380-caliber, Sundance .25-caliber and Phoenix Arms^ @Raven .25-caliber handguns -- all made by a ring of notorious gun manufacturers south of Los Angeles.

In August 1996, Sycip pleaded guilty to one count of dealing, importing and manufacturing firearms without a license. He was sentenced to 30 months in state prison and two years of supervised probation, said Assistant U.S. Attorney Robert Borthwick.

Sycip has since returned to the Philippines, but not before providing agents with a trail to follow.

"He kept fairly detailed records of all the transactions. He gave us a pretty clear idea of where the guns were going," Borthwick said.

According to federal investigators, Sycip sold slightly more than 400 weapons to two people who hawked the firearms to gangs throughout Southern California and the Mexican Mafia.

One of those people is dead.

Another is under investigation.

Agents refused to release the names of either suspect and significant details about the cases. "But most of the weapons were going to one guy, Kahir 'Tim' Helo," Borthwick said.

Valley connection

Kahir Helo -- a 365-pound man with lifelong kidney disease and a nickel-and-dime criminal past -- routinely rendezvoused with Sycip in supermarket parking lots across the Valley, purchasing 785 of the handguns, federal agents said.

According to Makar, investigators have a record of more than 200 calls from the Sun Valley gasoline station where Helo worked to Sycip's home.

Helo, 27, sold the guns primarily to Glendale gang members; one of his customers was a bank robber who held up the First Interstate Bank in Escondido on Jan. 31, 1996, officials said.

After surrendering to authorities in September, Helo pleaded guilty to one count of dealing firearms without a license and one count of possession of a firearm with removed or altered serial numbers, officials said.

A medical report submitted to the court in his defense described Helo as "morbidly obese," "very fragile" and "roly-poly" in recent years due to his kidney problems.

Dr. Michael Blumenkrantz claimed incarceration "would result in severe medical and psychiatric trauma," possibly contributing to the gunrunner's "demise."

In a groveling apology letter to a federal judge, Helo sought mercy, saying his crimes were all just a big mistake.

"If you would be able to look into my heart for one second you would see that I don't have the heart of a criminal, but the heart of someone who made a big mistake and regrets it at every waking moment," Helo wrote.

Confined to a federal prison medical center in Springfield, Mo., Helo is serving an 18-month sentence and will be under supervised probation for two years after his release. He receives daily dialysis treatments to keep him alive.

While in prison, he is not eligible for a kidney transplant. He could not be reached for comment.

"To say that Helo received a harsh sentence is absurd," said the ATF's Torres. "I am pleased to say that the system worked in this case."

"Firearms trafficking is an evil crime," he said. "Being the father of two boys, I take it seriously when a firearms trafficker illegally dumps these things on the street for the simple motive of greed."

Tracing crime

Agents continue to search for the remainder of the 1,200 guns. At the time deputies stopped Gooding and found the guns, nothing required them to submit them to the ATF for tracing.

In fact, the Los Angeles County Sheriff's Department and Los Angeles Police Department didn't start tracing all guns used in crimes until last year, and two months ago California became only the second state to pass legislation requiring law enforcement officials to trace every recovered weapon.

It is becoming a national movement.

Startled by the ATF gun trafficking report, President Clinton proposed in February to add more money to the federal budget to enable more cities to perform comprehensive tracing. Currently only 27 cities, including Los Angeles, trace

all recovered firearms.

"We've started submitting more traces to the ATF. It gives us a better picture of what's happening in terms of where the guns are coming from. We also have a better idea where they're ending up," said Detective Steven Muldorfer, commander of the LAPD Gun Unit.

The ATF's Torres said modern computer technology has become "the Achilles' heel of today's gun traffickers," and that Hastings' long shot paid off.

Daily News Staff Writer Peter Hartlaub contributed to this article.

HOW TO HELP Any information concerning illegal firearms purchases or prohibited individuals in possession of firearms can be reported to the ATF at (800) ATF-GUNS.

Copyright © 1999 Daily News Los Angeles

postnet.com



Good evening, St. Louis | Wednesday, May 19, 1999

[Sections](#) | [A&E](#) | [Business](#) | [Communities](#) | [Marketplace](#) | [News](#) | [Sports](#) | [Help](#)
[Path](#) | [Home](#) >> [News](#) >> [Wire feeds](#) >> [Wire story](#)
[Index](#) | [Archives](#) | [Calendar](#) | [Classifieds](#) | [Contact](#) | [Extras](#) | [Forums](#) | [Guides](#) | [News Links](#) | [Search](#)
[Site Map](#) | [Special Reports](#) | [Today's Post](#) | [Traffic](#) | [Weather](#) | [Wires](#) | [Yellow Pages](#)

E-mail this URL to a friend

[Go to:](#) [Previous story](#) | [Next story](#) | [Main view](#)

Gun dealer pleads guilty of illegally selling firearms

May 19, 1999 | 2:20 a.m.

ST. LOUIS (AP) – A St. Louis County gun dealer whose guns have been found at hundreds of crime scenes over the years has pleaded guilty to a charge of illegally selling firearms.

Authorities said Henry J. Cernicek, 71, will be put out of business.

Cernicek, whose shop is in Dellwood, admitted selling and delivering guns to so-called straw purchasers whom he knew were buying the guns for others, probably people ineligible for gun ownership.

Minors and felons are among those ineligible to buy guns.

Court documents said Cernicek accepted down payments and falsified gun purchase forms from straw purchasers and would later deliver the guns to someone else. In at least one case, a straw purchaser filled out two forms claiming two different identities, authorities said.

In "straw" sales, the actual buyer uses someone else to complete the government forms and serve as the official buyer. ATF investigators used undercover agents and informers to document a half-dozen such deals at the shop, the U.S. attorney's office said.

Cernicek could get a prison term when he is sentenced Aug. 5 by Senior U.S. District Judge Stephen N. Limbaugh. Another shop worker also has pleaded guilty and awaits sentencing; and a third worker at the shop also has been charged.

Cernicek's store, the Marshal Gun Shop, stocks hundreds of guns. It has been operating since 1965.

But now Cernicek, a federally licensed gun dealer, has agreed to surrender his license and close up shop, said Assistant U.S. Attorney Thomas Mehan. On Saturday, Cernicek stopped selling guns to retail customers from his shop.

"The bottom line is, we don't want him selling any more guns," Mehan said.

Federal authorities began investigating the shop when the Bureau of Alcohol Tobacco and Firearms traced about 300 guns recovered in crime investigations – mostly during the late 1980s to 1996 – to Cernicek's shop. The guns had all been sold within one year.

Among the guns used for crime was one that a would-be robber used against Cernicek.

In September 1994, 18-year-old Christian L. Winston of Normandy held up the Marshal Gun Shop using a Ruger pistol he got from an acquaintance, who had bought the gun at the store, said Mehan. Winston fired at Cernicek, who returned fire and killed the robber.

A shotgun bought at the gun shop played a minor role in the Lindell Bank & Trust robbery in March 1997, in which a security guard was shot

News forums

- [Bill McClellan](#)
- [Current Affairs](#)
- [DC Connection](#)
- [Editorial Page](#)
- [Faith Forum](#)
- [Greg Freeman](#)
- [Letters from the Editor](#)
- [MediaCheck](#)
- [On Culture](#)
- [Region of Tomorrow](#)
- [Stella Knows](#)

Local Businesses

- [Apparel](#)
- [Auto](#)
- [Community](#)
- [Computers-Internet](#)
- [Dining & Entertainment](#)
- [Health – General](#)
- [Home & Real Estate](#)
- [Hotels & Travel](#)
- [Money & Law](#)
- [Shops & Services](#)
- [Sports & Recreation](#)

[Columnists](#)
[Editorial](#)
[Headlines](#)
[Imagine St. Louis](#)

[Illinois Election Results '99](#)
[Missouri Election Results '99](#)
[AP Wire](#)
[20th Century History](#)

[Education News](#)
[Massacre at Columbine High](#)
[Portraits of St. Louis](#)

[Advanced Search](#)

Bank & Trust robbery in March 1997, in which a security guard was shot and killed by two masked gunmen. The gunmen fled in a stolen van and had planned to switch to another van they had parked in Forest Park. The shotgun in the second van came from the Marshal Gun Shop. The robbers, Norris Holder and Billie Allen, are on death row.

It is illegal for gun dealers to "aid and abet" others in falsifying gun forms and purchasing weapons illegally.

A shop employee, Joseph R. Hamm, 28, of St. Louis, is scheduled to be sentenced next month on similar charges. Cemicek and Hamm are free on bond pending their sentencings.

AP-CS-05-19-99 0302EDT

Go to: [Previous story](#) | [Next story](#) | [Main view](#)

All postnet.com sections... ▾

GO

[Top of the page](#) | [Back to postnet.com home](#)
[E-mail the editor](#) | [About the section](#) | [Toolbox](#)

Subscribe to the [Post-Dispatch](#) | Get [Internet access](#) from postnet.com
[E-mail this URL](#) to a friend | [Advertising information](#)

© 1999 St. Louis Post-Dispatch, [postnet.com](#)

[Sections](#) | [A&E](#) | [Business](#) | [Communities](#) | [Marketplace](#) | [News](#) | [Sports](#) | [Help](#)

[Path](#) | [Home](#) >> [News](#) >> [Wire feeds](#) >> [Wire story](#)

[Index](#) | [Archives](#) | [Calendar](#) | [Classifieds](#) | [Contact](#) | [Extras](#) | [Forums](#) | [Guides](#) | [News Links](#) | [Search](#)
[Site Map](#) | [Special Reports](#) | [Today's Post](#) | [Traffic](#) | [Weather](#) | [Wires](#) | [Yellow Pages](#)



Win up to \$160 in prizes
ST. LOUIS POST-DISPATCH
Great garden contest.

[Click Here!](#)

[Headlines](#)[Wisconsin](#)[Milwaukee](#)[Waukesha](#)[Oz/Wash](#)[Racine](#)[Editorials](#)[Columnists](#)[Features](#)[Obituaries](#)[Yesterday](#)[Letter to editor](#)

'Straw' gun purchases targeted

Police conduct first sweep of suspected buyers, felons

By Jessica McBride
of the Journal Sentinel staff

Last Updated: May 19, 1999

Police made an unprecedented sweep Wednesday night, rounding up suspected "straw buyers" and felons for whom those people are suspected of purchasing guns illegally.

For the first time, police said they were actively targeting suspected straw buyers - people who purchase guns legally for those who cannot - for state prosecution.

"This is the first sweep of its nature," said Capt. David Spenner of the police intelligence division. "There will be more to come."

Criminal charges were issued against the seven suspected straw buyers and felons Wednesday. Another charge was issued previously. Police were looking for six who remained at large.

The cases involve four unrelated incidents of straw buying. Nine guns in all, many cheap and easily concealed "Saturday night specials," were purchased for four felons, it is suspected.

In most cases, police began investigating after guns were recovered during crimes.

"The police love me. Why y'all love me so much?" Sharon D. Lewis, target No. 1, said sarcastically as detectives Michael Grogan and Jack O. Lemke handcuffed her on the sidewalk outside her home in the 2400 block of N. Fratney St.

Lewis, 22, was especially peeved because she had just been released from police custody three hours earlier after getting into a fight. But she had no serious record, enabling her to become a straw buyer. She is suspected of buying a gun for a cousin who might have used the weapon three days later.

The sweep came on the heels of a report that federal gun tracing data showed a West Milwaukee gun dealer, Badger Guns & Ammo, led the nation last year in the number of guns recovered by authorities - almost all during crimes - and traced back to dealers. The store sold more than 1,000 "crime guns" during the past three years. Authorities said they believe the dealer operates legally, but the numbers point toward a straw-buying problem.

Seven of the guns purchased by the people charged Wednesday were bought legally

Photo/Benny Sieu



Photo/Benny Sieu

Neighbors watch Wednesday as police lead Sharon D. Lewis, 22, away during a roundup aimed at "straw buying" of guns. Lewis is accused of buying a gun for a cousin, a felon. The gun was used during a robbery attempt three days afterward.

at Badger, Spenner said. Two guns were purchased at Tom's Military Guns in Fond du Lac, he said.

Authorities said that about 10 straw buyer cases are referred for federal prosecution each year in Milwaukee. The federal Bureau of Alcohol, Tobacco and Firearms investigated most of those cases. Until Wednesday, there were almost no state prosecutions.

Spenner said the new police emphasis on straw buyers was the result of the tracing information. Some of the investigations began last summer, but Spenner said police are particularly emphasizing straw buyer investigations this year. Before the ATF began its tracing project in Milwaukee and 27 other big cities, straw buying cases were too labor-intensive to be productive, he said. Now police can plug a gun serial number into a computer and get a purchaser's name.

Gang Connection

"Many of these individuals are associated with street gangs," Spenner said. "This is a very deliberate effort on their part to gain access to guns so they can continue criminal activities."

Lewis is accused of purchasing a gun at Badger on Feb. 9 for her cousin, Tommie Smith, 27. Smith is a felon.

A man - police are investigating whether it was Smith or someone he passed the gun to - used the gun and tried to rob a stranger just three days later at N. 26th St. and W. Wisconsin Ave. The victim thwarted the robbery by macing the suspect, who dropped the gun and fled. Police traced the gun back to Lewis, who has admitted buying it for Smith, Grogan said.

Smith is being held at Racine Correctional Institution on suspicion of violation of parole. On Wednesday, a criminal charge was issued against him for being a felon in possession of a firearm.

Lewis now faces a rare state charge: furnishing a felon with a firearm, party to a crime. She could receive two years in jail if convicted of the felony.

"I'm just stupid, I guess," Smith said. "I'm about the only female on the east side being arrested for this."

But most of the suspected straw buyers police were seeking Wednesday were charged with the same offense. Milwaukee County Deputy District Attorney Robert Donohoo said that law has hardly ever been used, partly because it can be difficult to prove. Yet he said law enforcement officials met a couple of months ago about straw buying and decided to try using that law because of a lack of legal alternatives.

Questionnaire Change

Grogan said he welcomes a change on the state form required for handgun purchases that will give police another option. Attorney General James Doyle announced plans last week to add a line asking purchasers whether they are buying the weapon for someone else. Lying on the form would be a misdemeanor.

"It will allow us to more effectively conduct our investigations," Grogan said, partly because it would be easier to prove than the felony charge. But Grogan said he wishes that legislators would make lying on the form a felony because people

convicted of misdemeanors are not legally barred from buying guns.

Grogan said straw buyer cases can take a long time.

"Unlike with drugs, owning guns is not illegal," he said.

Consider the investigation that went into the arrest Wednesday of John M. Butler, 23.

Butler, a laborer with no criminal record, drew police suspicion after twice reporting that guns were stolen from him on different days. He had legally purchased the weapons at the Fond du Lac store.

Grogan traced the stolen guns through dealer records and discovered that two were recovered from a reputed gang member and felon named Demorra Rhodes, 24.

Increasingly suspicious that Butler was a straw buyer who had falsely reported the weapons stolen to cover his trail, Grogan went about trying to see whether he could connect Butler and Rhodes. Photographs of the two together were confiscated during a search warrant. Phone records show that Rhodes - who knew a gun had just been recovered - telephoned Butler from jail less than an hour before Butler reported that gun stolen.

Rhodes was charged with being a felon in possession of a firearm during the investigation and was sentenced to probation. It took a few more months to make the case against Butler.

Wearing a shirt with the words "Good vs. Evil" on the back, Butler came out of his house along a tree-shaded street in the 2700 block of N. 55th St. without incident Wednesday. Looking glum, he declined to comment.

This story originally appeared in the Milwaukee Journal Sentinel on May 20, 1999.

[Email](#) / [Print](#) this story

Keyword search:

[JS Online Features](#)

© Copyright 1999, Milwaukee Journal Sentinel. All rights reserved.

Trail of illegal gun leads ATF agents to more unlawful firearms

By DONNA DE LA CRUZ
The Associated Press
04/25/99 1:33 PM Eastern

NEW YORK (AP) -- The life of a .380-caliber pistol, serial number 489195, started out honestly enough. The manufacturer properly sold it to a legitimate gun dealer in Georgia, who in turn sold it lawfully to a Brooklyn man.

But once the pistol got back to New York, its life of crime began. It was sold illegally on the streets and wound up in the hands of a 23-year-old man who didn't have the proper license to carry it. On Jan. 9, 1998, the gun was seized by police when its owner was arrested.

The police had done their job, getting another illegal gun off the streets. Then they turned over data on the gun to the Bureau of Alcohol, Tobacco and Firearms, which did the investigative reporting on the gun.

ATF agents were able to get quick results -- and find information about a raft of illegal weapons -- because of a new computerized center in New York that replaced cabinets full of 3 x 5 file cards.

The agents entered the gun's serial number into a computer at their regional Crime Gun Center. Within seconds, up popped the name of the person who bought the gun in Georgia, his address and telephone number. They also learn the gun was among a batch of 80 firearms that man had bought.

A subsequent investigation led to the man's arrest -- further computer work traces 11 other illegal guns back to the same man. Those guns were all taken off the streets in New York.

Ten years ago, the ATF's battle against illegal guns was much more difficult because police were not obliged to turn over information on guns. And when they did, the information was handwritten on cards stored in file cabinets.

Now, police and the ATF are partners -- the police turn over all information on any illegal gun: its serial number, where they found it, who they took it from.

All that data is given to the ATF -- the agency is taking full advantage of computer technology, its best weapon these days against illegal guns, said ATF Director John Magaw.

"If there is one element that violent crimes often have in common, it is the criminal misuse of a firearm," Magaw said.

"Every time an individual kills or wounds another human being, some of the first questions officers must ask are: 'What kind of firearm was it? Where did the firearm come from? How was it obtained? How did it make its way to this crime? Has it been involved in a shooting crime before?' Magaw said.

The center, which takes information from New York City, neighboring Westchester County, and all of New Jersey, aims to answer all those questions.

Seven days a week, 24 hours a day, the center, manned by agents and National Guard servicemen, records data on illegal guns obtained from the police. The data is also sent to the ATF's National Tracing Center in Falling Waters, W.Va. The center looks much like an everyday office with cubicles and computers, and the background sound of golden oldies piped in softly from the radio.

"The tracing center finds out about a particular make of firearm," said ATF special agent Robert Cucinelli, also the center's coordinator. "They will contact the gun manufacturer, give them the serial number, and get the gun's history. There's always a paper trail to follow."

Once the tracing center gets the information, it's immediately sent back to the gun center, via the computer.

How much faster is it?

"It used to take weeks and months, now it sometimes takes only seconds," Cucinelli said.

Back in New York, agents look at the data to see if there's any patterns: are a lot of illegal guns being confiscated from one particular area? Are they being sold in one neighborhood?

That information is plotted into maps of the city and New Jersey, which provide a startling glance at how prevalent illegal guns are on the streets -- as of March 22, there were 2,468 illegal guns recovered in the city, according to ATF statistics.

A map of the city shows a cluster of red dots in several pockets of Brooklyn and Queens, northern Manhattan and the South Bronx -- that's where illegal guns have been found.

There's also maps of every precinct, and ATF agents can zero in on particular neighborhoods.

"What we want to do eventually is take the precincts, and make a map for each one, print it out, give it to commanding officers to show where their gun recoveries are, and where to concentrate their cops," said ATF special agent Joseph Green, also the spokesman for the agency's New York office.

Agents hit paydirt when the NYPD took the .380-caliber pistol from a 23-year-old man hanging out in a Harlem park on Jan. 9, 1998 -- which led to Alexander Callahan's arrest.

On Jan. 20, 1998, officers making a drug bust seized two firearms in Brooklyn. One of the guns, a 9mm handgun, is traced back to the batch Callahan bought in Georgia.

Between February and October last year, three more illegal guns are found --

one in the hands of a 16-year-old, another used in a shooting -- that all were traceable to Callahan, who has since pleaded guilty to federal firearms violations and is in prison.

"Each recovered crime gun is a piece of a larger puzzle," said Peter Gagliardi, special agent in charge of the ATF's New York office. "When fully tied together, the puzzle provides vital information about armed criminals and how they are acquiring their crime guns."

Gagliardi summed up the gun center's mission as: "one stop shopping for information about crime guns and the criminal behind the gun."

Springfield Gun Trafficker Sentenced to Prison, Reports U.S. Attorney

SPRINGFIELD, Mass., June 1 /PRNewswire/ -- A Springfield man was sentenced to prison last week on nineteen federal firearms charges.

United States Attorney Donald K. Stern and Steven J. Pirotte, Special Agent in Charge of the U.S. Bureau of Alcohol, Tobacco and Firearms in New England, announced that BRIAN K. SMITH, age 29, was sentenced in federal court on Thursday, May 27, 1999, to serve 3 years and 5 months in prison. SMITH had previously pled guilty to a nineteen count Indictment charging him with a variety of federal firearms crimes.

In substance, SMITH admitted illegally obtaining and selling 14 handguns. Specifically, SMITH admitted that he made false statements to obtain the handguns from licensed firearms dealers and that he then illegally distributed the handguns.

In addition, SMITH admitted that he possessed 4 firearms which had the importer's or manufacturer's serial numbers obliterated.

The case was investigated by the U.S. Bureau of Alcohol, Tobacco and Firearms in Springfield. The case was prosecuted by Assistant U.S. Attorney Kevin O' Regan, Chief of Stern's Springfield Office.

The LIFE of a GUN

A1



This chrome-plated .22 caliber semiautomatic pistol was used to kill a gun dealer in East Wenatchee.

STEVE HINGMAN / THE SEATTLE TIMES

Seattle police trace street guns at a rate of about two a day. Every one has a story. This is the story of gun No. 630-682, Model J-22.

BY ARTHUR SANTANA, *Seattle Times* staff reporter

Like hundreds of others, this gun entered the illegal street market, which dramatically escalated its cost to society. The price:

- One man's life
- Three young people's futures
- Nearly \$3 million in taxpayer money
- \$52 wholesale

The chrome-plated Jennings .22-caliber semiautomatic pistol is cold to the touch and about as heavy as a cue ball. Loaded, it weighs twice as much.

When it was new, you could see yourself in the luster of its barrel. It is a mere 5 inches long — dubbed a "little pocket pistol" by the man for whom it is named.

Beneath the hollow grip is a small opening where a fully loaded carbon steel clip, about 3 inches long and an inch wide, is shoved into place.

Pull the sliding top back, and an inch of slender steel barrel tip, the diameter of a drinking straw, is exposed. Spring the top forward and one of six .22-caliber bullets with lead slugs the size of a pea is ready to fire.

It is one of 900,000 identical guns made in the past 20 years — one of 79,140 made in

Cont.

The LIFE of a GUN

1989 at a now-defunct California factory.

only thing special about this one is its number: 630-682.

aveled a common path — from factory dealer to dealer — until it was bought by a man from Lake Forest Park, just north of Seattle.

For years, it lay tucked in his dresser drawer, hauled out for occasional target practice.

A year ago last week, it was stolen from the man's apartment and used to rob a gun store in East Wenatchee.

An ordinary handgun — worth \$52 wholesale — it was used to put about 45 other weapons on Seattle's street market.

Along the way, it cost a man his life, a family their patriarch, three people their freedom and taxpayers nearly \$3 million.

If guns are born, the life of the Jennings .22-caliber semiautomatic began in a vat of molten metal at a Los Angeles die-casting company.

The metal for the frame and top slide was poured into casts, hardened and then stamped with a serial number.

It was shipped to Calwestco, in Chino, Calif., where the intricate parts — firing pin and spring, slide retainer, trigger and trigger bar, black plastic grip plates — were pieced together.

received a brushed-chrome finish at a plant before the 2½-inch barrel was stamped. It was test fired, then packed in a small blue box with an instruction sheet.

Some gun experts call the J-22 a "stamp gun" because of its cheap, cookie-cutter assembly. Area retailers sell it new for about \$80. Used, it might sell for \$30 or less.

A May 1996 review of the J-22 in Gun Tests magazine refused to recommend it "due to the large number of malfunctions," and few Seattle-area firing ranges keep it in stock to test fire.

But Bruce Jennings, president of B.L. Jennings, insists it is a quality firearm.

"They do what they're supposed to do," he says. "And that's fire bullets."

It took no more than a few weeks for J-22 No. 630-682 to move from the plant in California to a warehouse in Nevada to a wholesaler in Oregon to a glass case at Sky Valley Gun and Tackle in Monroe, 30 miles northeast of Seattle.

There it sat for 47 days until, on Jan. 6, 1990, Ralph Chard walked in and bought it — "probably for protection," says his daughter, Valerie. Chard, then 30, added it to a collection of rifles he kept at his Lake Park apartment.

Ralph Chard couldn't be reached to tell the story of his J-22. The account that follows was gathered from police reports, court documents, interviews with several law-enforcement officials, and prison interviews with Valerie Chard and Miranda Johnson.

Valerie Chard was 12 when her father brought the J-22 home. She remembers that he stuck the handgun in a dresser drawer in his bedroom, where it mostly sat for the next eight years. "One time, he took us to our grandmother's house in Monroe, and we went out and shot at cans," Chard says.

By the time she was a teenager, Valerie Chard was a kid dancing on the edge of trouble. The oldest of four children, she had an early childhood marked by frequent moves and sexual abuse. Her parents divorced when she was 9, and she bounced between her mother's mobile home in Gold Bar and her father's apartment in Lake Forest Park.

At 14, she broke into a neighbor's home in Snohomish for a pack of cigarettes. She was caught riding in a stolen car. She entered Shorecrest High School, but never made it past 10th grade.

At Shorecrest, Chard made friends with Miranda Johnson, a younger girl who also toyed with the law. Over the next few years, Johnson would twice plead guilty to stealing a car and was arrested on a separate theft charge.

The girls took up with a young-but-veteran criminal. Thomas Davis was 19 at the time and already had an impressive record of arrests. He had stolen a pickup, a Porsche, a motorcycle, a mountain bike and a Corvette.

He had spent time in the Okanogan County Juvenile Detention Center, escaped, but was soon caught and served more than a year. Before another year passed, he again was arrested for stealing another pickup and some credit cards. He went back to jail for 10 months.

At one point, he adopted an alias — Mathew Alex Wilson — a name he would give police and use on bad checks.

"We were always together," Chard says. "We'd drink, hang out with friends in Seattle, smoke weed, break into houses. We'd take anything we could find, money, purses, stereos, guns — anything we could sell real quick."

Davis had been out of jail just three months when, on Jan. 20, 1997, he celebrated his 21st birthday by cruising the Monroe-Sultan area with two friends, looking for churches to rob. He picked up Vicki Lynn Tucker, 39, a Sultan woman who was hitchhiking on Highway 2.

The men beat Tucker, then Davis kicked her out of the car, ran her over and shot her in the head with a sawed-off shotgun as she begged for mercy.

It would be seven months — and another murder — before Davis was charged in Tucker's death.

In the meantime, he grew desperate for money. Chard would later recall that Davis said gang friends told him if he could get his hands on some guns, they would buy them. He wanted the girls to go along.

Both girls knew Davis had killed Tucker. Chard says Davis had threatened to kill her if she ever told.

"That scared me," Chard says. "I knew what he was capable of."

She agreed to drive her beat-up 1979 Mercury Marquis on a gun-scouting mission.

It was mid-February a year ago when the three drove east out of Everett on Highway 2 for four hours. When they pulled into Wenatchee, Davis told Chard to head to neighboring East Wenatchee to a part of town known as Baker Flats, where he knew of a small gun shop.

Sisson Shooters Supplies was tucked away from neighbors, run out of the home of owner Darrel Eugene Sisson. Davis and the girls did a quick case, and figured it would be easy to rob.

Davis told the girls he needed a small, quiet pistol.

"Then Valerie said, 'Well, my dad has one,'" Johnson would later recall. "And Tom said, 'Oh, really?'"

The conversation about obtaining a handgun was quick and private. But it is being echoed across the country as part of a growing trend connecting young people and guns.

In July, the Bureau of Alcohol, Tobacco and Firearms (BATF) released findings of the Youth Crime Gun Interdiction Initiative. The nationwide study examined more than 37,000 gun-trace requests in 17 cities, including Seattle, from July 1996 to April 1997.

A gun-trace request is made by police when a firearm is used in a crime, recovered under a search warrant, turned in as part of a "buy-back" program or found on the illegal street market. The study found a correlation between possession of semiautomatic weapons and youth crime.

For example, for every 10 so-called "crime guns" recovered, six were semiautomatic pistols — the same class of guns as the J-22 — and in the hands of people 24 or younger.

Cont.

The LIFE of a GUN

● How guns were used in Seattle crime

During the study period, Seattle police traced 487 guns and learned the possessors for 336 of them. About 20 percent — or 69 guns — had been in the hands of people 17 or younger.

Memphis, Tenn., showed a higher rate of guns in the hands of young people.

"Twenty percent sounds high," said Lt. Dale Drain, with the Seattle Police Department's gang unit. "But the actual number of individuals is still relatively small compared to the other cities."

In fact, Seattle showed the lowest overall number of crime guns per capita — one per 1,077 people. The worst city was Salinas, Calif., with one crime gun per 74 people.

Since the study began in July 1996, Seattle police have continued to trace crime guns at the rate of about two a day, says Detective Ed Harris of the Seattle Police Department's gang unit.

Valerie Chard made sure her father wasn't home before sneaking into his apartment to get his gun. Once inside, she grew nervous and left empty-handed.

"I really didn't want to find it," she would later say. "I really didn't want to put it through any unnecessary hardship."

Davis talked her back around. Together they returned to the apartment. Davis rummaged through Ralph Chard's bedroom and found some rifles. He nabbed five of them but kept looking. Finally he stuck his hand in Ralph Chard's dresser drawer and pulled out the J-22.

At that moment, the little Jennings semiautomatic entered Seattle's street market.

Home burglary and car prowls are among the most common ways legal guns join the illegal market, Harris says. According to the national study, most crime guns recovered in Seattle had originally been purchased legally in Washington state.

"Sometimes, it's as easy as a youth sneaking a gun out of their parents' house," Harris says.

And most of the guns traced follow the rather routine path of the J-22.

Crime	
Firearms offenses	384
Assaults/threats	36
Burglary/theft/fraud	19
Narcotics crimes	18
Robbery	11
Homicide	8
Kidnapping	3

Source: Youth Crime Gun Initiative report from the Bureau of Alcohol, Tobacco and Firearms for period between July 1, 1996 and April 30, 1997.

THE SEATTLE TIMES

Thomas David Davis



Age: 22

Crime: first-degree murder

Sentence: life without parole

Release date: none

Cost of incarceration if he lives to be 73:

\$1.2 million*

The LIFE of a GUN

Miranda Leanne Johnson



Age: 18

Crime: first-degree murder

Sentence: 26 years

Release date: Oct. 21, 2022*

Cost of incarceration: \$991,000*

Valerie Joy Chard



Age: 19

Conviction: second-degree murder

Sentence: 15 years

Release date: Oct. 3, 2010*

Cost of incarceration: \$582,000*

*Estimated



Darrel Sisson, the murder victim, cuddles with his granddaughter, Kayla, in this family photo. Sisson wrote down the license plate of three youthful visitors to his store last February. Following that lead, police later arrested the three for

cont.

The LIFE of a GUN

of the traces are real short," he said. "It goes from the manufacturer to gun shop to the first owner — maybe a second owner, then in the hands of a criminal."

The day after Davis stole Ralph Chard's pistol, he returned with the girls to East Wenatchee to case the gun store again. They walked through without speaking to Sisson. The owner grew suspicious of the trio — the girls with funky nose rings and Davis with a goatee and crew cut — and kicked them out.

"He said he didn't have time to watch over us," Valerie Chard says. "I think he knew something was going on."

Sisson jotted down the license plate of Chard's Marquis on a gun manufacturer's brochure: "361 DKI Wash. four door." He tucked the paper under the cash register.

The trio spent the rest of that day and night driving and talking.

Johnson mentioned that a potato, pressed to the barrel of a gun, would make a nice silencer. They stopped at a store in Rainier Valley and bought potatoes, then drove to Easton to test her theory. It seemed to work: The firecracker pop of the J-22 was quieter, muffled.

They headed east for the third time and dawned the next day, Feb. 19. The winding roads were slick with snow as they maneuvered through the small towns dotting Highway 90.

By now, their conversation was sparse. They talked a bit about using a foot-long club they had to knock Sisson unconscious. Chard remembers that Davis rejected the idea; he wanted to use the gun.

"He had a really strong hold over me," Chard says. "I did whatever he said to do. I didn't think I would pull it off, but I felt like I was too far into it."

As they approached East Wenatchee, Davis busied himself in the passenger seat, carving a hole in a potato so it would fit snugly over the muzzle of the gun, which rode in the trunk, tucked into a small, red tool box Chard's grandmother had given her.

Darrel Eugene Sisson was born in Bronson, Kansas. He worked in the apple orchards of Central Washington as a young man, and later herded deer for the department of game.

He raised game birds, then became a game warden. In 1979, after 31 years with the state, he retired to Baker Flats to fulfill a dream of opening a gun store, Sisson's Gun Supplies, like the one his brother owned in California.

Sisson was a longtime member of the Wenatchee Gun Club and the National Rifle Association. He was known locally as an excellent trap shooter.

Friends called him "Jerry." He had one granddaughter, Kayla, 5.

Sisson was alone in his store when Davis and Chard walked in about 11 a.m.

Davis and Chard approached the locked glass case where Sisson kept guns and ammunition. Davis had his hands jammed into the pouch of his hooded sweatshirt. He nodded toward the case, asking to see an ammunition clip for his .22.

Sisson bent toward the case. As was his habit, he was wearing a sidearm but never had a chance to use it. Davis pulled his hand from his sweatshirt, and pointed the J-22, muzzled by a potato, at Sisson's head. He pulled the trigger. The first bullet entered the lower left rear of Sisson's head, jerking him upright. He faced Davis, who fired again.

Sisson fell to the concrete floor behind the counter, breathing sporadically and bleeding badly.

"If he was able to defend himself, he would have," says Sisson's son, Larry. "There's just nothing he could have done."

Davis rammed the J-22 back into his sweatshirt and got to work.

Chard waved Johnson in from her lookout post in the car. The trio began loading guns into the trunk of the Marquis. They moved quickly, from gun case to car and back.

They took handguns, rifles, shotguns and assault rifles, including Uzis, SKSs, AR-15s and a Tec-9 — an illegal firearm that Sisson may have been repairing, says Douglas County Sheriff's Deputy Michael Wagg. They took crates of ammunition, duffel bags filled with bullets. They took holsters, hunting knives, axes and cross bows.

When the trunk of the car could hold no more, they opened the cash register and took \$300.

They stopped occasionally as they worked to see if Sisson was still alive. One of them — authorities never determined which — struck Sisson with a camp hatchet. Chard says it was Davis.

"I remember being in shock. I didn't think that he was really going to do it," Chard says. "No one was supposed to die. It was just going to be a robbery."

Just before Davis stepped into the car, he tossed the J-22 into the trunk with the rest of the guns.

On the drive back, Davis made a cell-phone call and arranged to have his friends meet him at the Rest Inn Motel on Aurora Avenue in Seattle.

Chard backed the Marquis up to the door of the motel room. The three unloaded the stash of stolen guns, dumping some on the bed and leaning others against the walls.

But when Chard found her father's J-22, she placed it in a dresser drawer away from the other guns.

"Tom said he didn't want to sell that gun," Chard would later say. "He said we couldn't sell it because it had a life on it."

Johnson thought it was a bad move. "Personally, I thought the gun should have been sold," she says.

After unloading the trunk, they drove to Kmart, where they bought three boxes of Hefty trash bags, toothpaste, a toothbrush, shampoo and some clothes.

A short while later, they met Davis' friends back at the motel. The two young men selected about 25 guns — mostly handguns — wrapped them in trash bags and loaded them in their car.

The most popular crime gun in Seattle overall was the .38-caliber Smith & Wesson revolver; it accounted for 37 of the 487 guns traced in the BATF study.

But people between 18 and 24 prefer semiautomatic pistols, according to the study.

"I think a lot of it has to do with status and power," says Assistant Chief John Pirak of the Seattle Police Department.

"The majority of the weapons that are coming out in the movies are going to be semiautomatic weapons, not revolvers," agrees Detective Tom Giboney with the Seattle Police Department's property-inspection unit. "Dirty Harry is passé."

The J-22 semiautomatic was the fifth-most-popular crime gun in Seattle, with 10 traces. (The J-22 used on Darrel Sisson was not part of the trace study because the murder took place in Douglas County.)

The day after the gun-store murder, as Valerie Chard was loading the remaining 45 guns back into the Marquis, she retrieved the J-22 and put it in one of the empty trash bag boxes. "It fit," Miranda Johnson would later explain. The three checked out and moved to a Motel 6 in Kirkland.

Davis kept a rendezvous with another contact, who gave him \$5,000 in cash for the guns. Davis gave Chard and Johnson each \$1,500 and kept \$2,000 for himself. Later that day, he bought a blue 1989 Ford Mustang.

cont

The LIFE of a GUN

Sisson's body wasn't found until that morning. The medical examiner said he died from loss of blood. Police found a bloody camp ax, two .22-caliber casings and what appeared to be pieces of potato.

Searching the store, Wagg, the Douglas County deputy, found a tri-folded gun brochure among some invoices next to Sisson's cash register. On it was scribbled, "361 DKI Wash. four door."

He called it in. The state Department of Licensing said the plate belonged to a green 1979 Mercury Marquis.

A friend of Sisson's told Wagg about the three kids Sisson had tossed out of the store.

A statewide alert was issued for two girls, both with nose rings and reddish-brown hair, for a scruffy-looking young man with a goatee and a Playboy bunny tattoo on his upper left arm, and for Chard's car.

At 9:15 that night, Lake Forest Park Police Officer Dennis Carlson stopped a green 1979 Mercury Marquis to check a bad tail light and a shattered windshield. Chard was driving, and Johnson was with her.

"I thought it was going to be fine," she says. "I was going to get a ticket, everything was going to be fine."

The officer called in the plate, and asked Chard and Johnson for their driver's licenses.

"As I was walking back to my car, it suddenly clicked — this was the car they were looking for," Carlson says. He threw his notepad and pen in the back of his patrol car, his heart racing, and called for backup.

Within minutes, four other Lake Forest Park police cars pulled up, guns drawn.

"I was pretty calm," Johnson remembers. "First they told Valerie to get out of the car. They did that whole thing, you know, yelling to step away from the vehicle, walk 10 paces backwards, get down on the ground. Then it was my turn. I got out of the car and turned around and saw all these cop cars and all these guns pointed right at me."

Chard confessed on the spot. She told police to check the trunk. She told them to take note of the small .22-caliber gun sitting inside an empty trash-bag box. She told them where they could find Davis.

"We had been caught, and there was nothing we could do about it," she says.

"We were going to find out anyway. I had all these guns in the trunk of

Douglas County sheriff's deputies got to Lake Forest Park just after midnight. The car, the girls, 45 guns and several crates of ammunition were in custody.

"I could barely drive my car after they transferred all those guns to my car," Wagg says. Wagg put the J-22 in his trunk as he found it — in the empty trash-bag box.

In the dark hours of that morning, Kirkland police staked out the Motel 6, room No. 113. They watched as Davis left the room and followed him to a nearby Larry's Market. He got out of his car and was walking to a pay phone when they arrested him.

He told police his name was Mathew Alex Wilson and that he was 23.

Ralph Chard's Jennings .22, manufactured eight years before in California, was about to embark on its final journey.

It was taken back to the Douglas County, tagged and placed on a shelf in a property room for a couple of weeks. It was shipped to Olympia for an examination by the state fingerprint-identification lab.

It went back to Douglas County until BATF agent Art Gonzalez drove up from Yakima to pick it up for a gun trace. He sent it to a federal laboratory in Walnut Creek, Calif., where the gun was fired and its ejected bullet casings examined. Tool markings on the spent casings were determined to be the same as the those recovered on the floor of Sisson's gun shop.

Then the gun was fired — for the last time — into a tank of water to prove that the shape of the bullet slugs was consistent with the slugs found at the murder scene.

BATF agents put the spent bullet slugs and casings in a small plastic bag, tagged it number 975-0076, and sent it back to the Douglas County.

It was tagged again, this time as P970448, and strapped to a particle-board wall.

"They knew it was the murder weapon on the night they found it since Valerie told them," Wagg says. "But they had to do this to make sure."

Valerie Chard, now 19, pleaded guilty last April to second-degree murder after agreeing to testify against Davis. She is serving a 15-year sentence at the Washington Corrections Center for Women in Gig Harbor.

Chard was recently fired from a kitchen job at the prison for stealing food to take to her cell. She now is in a drafting program.

"When I get out of here, I'm going to get a job and never come back," she says. "If I could change all of this, I would. I'm sorry that I broke so many hearts."

Johnson, now 18, was not as cooperative during the investigation. She pleaded guilty to first-degree murder and was sentenced to 26 years. She soon will be transferred to an out-of-state prison.

"Of course I regret what I did," she says. "I should never have been there. I would never want to put anyone through that kind of pain again."

Davis pleaded not guilty, claiming he was never at the gun shop on the morning of the murder.

The J-22 used to kill Sisson was brought out of retirement to prove him wrong. It traveled 30 miles from Wenatchee to the county seat at Waterville, where it became No. 92 of 200 exhibits used in a seven-day trial.

Douglas County Prosecutor Steven Clem showed it to the jury. Wagg testified that it was the same gun he'd found in

Chard's car the night of her arrest. BATF agent Gonzalez used a magnifying lens to read the gun's microscopic markings.

"The gun was important in the trial in that . . . it verified the information from Valerie," Wagg says.

Davis, who at 21 had a criminal record that spanned six years and four counties, was convicted July 16 of aggravated first-degree murder and first-degree robbery in Sisson's death.

He was sentenced to life in prison without the possibility of parole.

Four months later, Davis pleaded guilty to aggravated first-degree murder in the January death of the hitchhiker, Vicki Tucker. As part of his plea in that case, he agreed to drop plans to appeal his conviction in the Sisson murder if prosecutors agreed not to seek the death penalty.

He was given a second life sentence.

Ten days ago, Davis was transferred from the Washington Corrections Center in Shelton to the Washington State Penitentiary in Walla Walla. He declined to be interviewed.

Darrel Sisson's relatives sold the guns that were left behind at the store. It was enough to pay Sisson's outstanding business debts.

They rented out the building where Sisson had lived and worked for 17 years.

They buried him in a small cemetery in Wenatchee. His son ordered a flat gray tombstone and had it inscribed: "The Best Dad a Son Could Have."

Cont.

The LIFE of a GUN

● Guns used in crime: How major cities rank

Of the 17 major cities studied by the Bureau of Alcohol, Tobacco and Firearms from July 1997 to April 1997, here's the breakdown, from best to worst.

City	Guns recovered from crimes	Population	Ratio of people per crime gun
Seattle	487	524,704	1,077
Inglewood, Calif.	126	111,040	881
San Antonio	1,541	1,067,816	693
Jersey City, N.J.	343	229,039	667
Memphis	947	596,725	630
New York	12,873	7,380,906	573
Boston	1,020	558,394	547
Cleveland	1,189	498,246	419
Birmingham, Ala.	693	258,543	373
Washington, D.C.	1,959	543,213	277
Bridgeport, Conn.	536	137,990	257
St. Louis	1,917	351,565	183
Baltimore	3,803	675,401	178
Richmond, Va.	1,152	198,267	172
Milwaukee	4,011	590,503	147
Atlanta	3,482	401,907	115
Salinas, Calif.	1,510	111,757	74
Total	37,589		

Sources: 1996 population estimates from the U.S. Bureau of the Census; Department of the Treasury; Bureau of Alcohol, Tobacco and Firearms; Youth Crime Gun Interdiction Initiative.

● The five firearms most used for crime in Seattle

Firearms linked to crimes between July 1, 1996, and April 30, 1997.

Type of firearm	Caliber	Manufacturer	Number
Revolver	38	Smith & Wesson	37
Rifle	-	Winchester	12
Semiautomatic	9mm	Glock	11
Semiautomatic	9mm	Smith & Wesson	11
Semiautomatic	22	Jennings	10

Source: Youth Crime Gun Initiative report from the Bureau of Alcohol, Tobacco and Firearms.

cont.

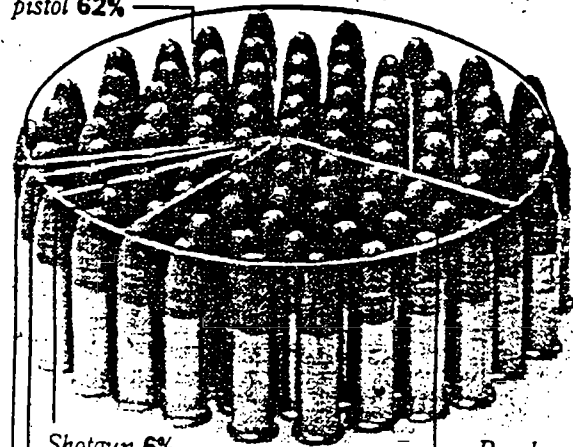
The LIFE of a GUN

Who has the guns?

The Bureau of Alcohol, Tobacco and Firearms' National Tracing Center was asked to trace 37,589 guns around the country between July 1996 and April 1997, including 487 guns from Seattle. The BATF was able to identify the possessor's date of birth for 336 of the Seattle guns. Here's how those break down:

Ages 17 and under

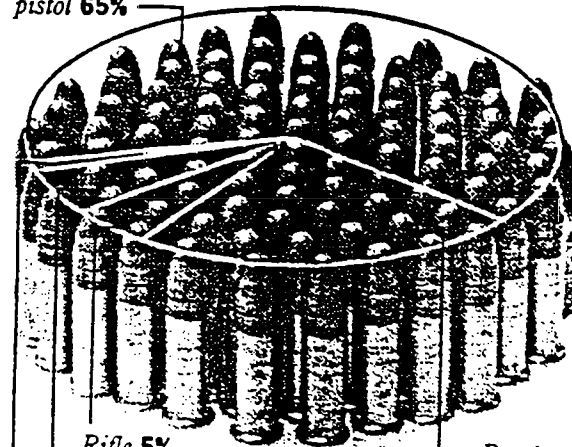
Semiautomatic
pistol 62%



Total: 69

Ages 18 to 24

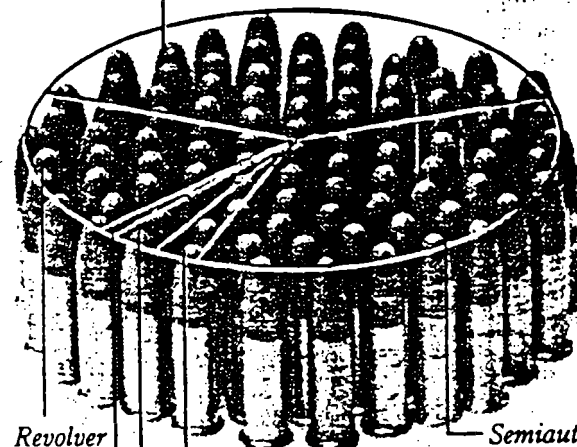
Semiautomatic
pistol 65%



Total: 108

Ages 25 and up

Rifle 39%



Semiautomatic
pistol 36%

Total: 159

Note: Figures may exceed 100 percent because of rounding.

Source: Youth, Crime Gun Initiative report from the Bureau of Alcohol, Tobacco and Firearms for period between July 1, 1996 and April 30, 1997.

THE SEATTLE TIMES

cont



DOUGLAS COUNTY SHERIFF'S OFFICE

ese 45 stolen guns were found in the trunk of Valerie Chard's car a year ago Friday. The guns are now in an evidence room at the Douglas County Sheriff's Office.

The LIFE of a GUN

Larry Sisson is glad Davis will never be f
rain, but he doesn't think it is pun-
t enough: "I believe he should die
fr t he did."

Today, Ralph Chard's stolen J-22 shows its age. The silver luster is gone. Nicks and scratches cover the chrome plating. There is a sharp, deep dent just under the muzzle.

It sits in a small cardboard box in a room with 13 other boxes in the evidence room of the Douglas County Courthouse. In the boxes are the other pieces of evidence, including Sisson's gun brochure — the piece of evidence that Waggs said helped Sisson "solve his own murder."

In about three months, it mostly likely will be destroyed, Waggs said.

"There's no way it will be turned over to him (Ralph Chard)," Waggs says. Indeed, although Chard bought the gun legally, he lost his right to possess it after he was convicted of an unrelated felony that same year.

"It could be turned over for department use or it will be destroyed," Waggs says.

"And since I can't see any of us wanting to use it, I'm pretty sure it will be destroyed."

"That happens, the gun will be put in a and cut in pieces with a band saw. throw it in the garbage after that," say, Sgt. Rich Adams with the Douglas County Sheriff's Office. "It's totally useless as a firearm after we cut it up."

But its legacy will live on.

Of the nearly 100 guns stolen using the J-22, the fate of the 45 recovered guns remains unclear. Technically, they belong to Sisson's estate but may be claimed by his insurer. Pending that decision, they remain in the evidence room at the Douglas County Sheriff's Office.

The 45 other handguns and assault rifles sold from the Rest Inn Motel on the night of Sisson's murder likely were sold to Seattle gang members, Waggs says.

Neither the Seattle Police nor the BATF will discuss efforts to trace the guns or find the buyers. Some of the guns may have been recovered but, Waggs says, "the vast majority of them are still out there."

"They are going to cost more than brand-new guns because of their allure," he says. "Criminals know they can use them and not have them traced to them."

The legacy of the J-22 also will cost the taxpayers.

Davis' trial cost about \$22,000. If he lives to be 73 — the average life expectancy of a white male in the United States — at the state about \$65 a day, or an estimated \$1.2 million.

Chard's prison bill will cost an estimated \$580,000; Johnson's \$990,000.

Don't blame that on the lone .22-caliber pistol, warns Ken Estes, an owner of Sky Valley Gun and Tackle in Monroe, where Ralph Chard bought it eight years ago.

"I legally bought the gun from a dealer, this man legally bought it from here, and some man illegally stole it," Estes says. "Let's stop the home burglaries, not the sale of guns."

And even Larry Sisson doesn't hold the gun responsible for his father's death.

"Guns are not the issue here," Larry said. "It's the old adage: Guns don't kill people, people kill people. I believe strongly in that."

So, he says, did his father.

"He really believed that guns weren't the problem," Larry said. "He thought people were the problem."

Arthur Santana's phone message number is 206-515-5684. His e-mail address is asan-new@seattimes.com

Seattle Times researcher Vince Kueter contributed to this report.

YAHOO! NEWS[Home](#) - [Yahoo!](#) - [My Yahoo!](#) - [Help](#)**AP** Associated Press[Yahoo! Games](#) - play online chess, bridge, spades, backgammon[Home](#) | [Full Coverage](#) | [Top Stories](#) | [Business](#) | [Tech](#) | [Politics](#) | [World](#) | [Local](#) | [Entertainment](#) | [Sports](#) | [Sci](#)**Yahoo! News****AP Headlines**

Wednesday May 19 3:45 PM ET

How Federal Agents Trace Guns

By The Associated Press

At the Bureau of Alcohol, Tobacco and Firearms' tracing center in West Virginia, trucks unload boxes of paper records from federally licensed gun dealers who have gone out of business. Workers scan the handwritten pages onto microfilm - the basic building blocks of the system to trace guns used in crimes.

About half the time, by using these records and making phone calls to manufacturers and dealers, the ATF successfully traces a gun used in a crime to its first retail sale. After that, local police conduct door-to-door interviews to determine how a gun moved from that first owner to a criminal.

How the process works:

A police department faxes or calls in a trace request.

An ATF worker usually begins by checking the gun's style and serial number and calls the manufacturer to find out where and when the gun was shipped. (A few gun makers share computerized sales records with ATF).

Another ATF worker then moves on to whoever handled the gun next, a wholesaler or distributor. Eventually, the trail - if it hasn't gone cold - should lead to the federally licensed dealer who sold the gun to a private individual.

If the federally licensed dealer is still in business, the ATF calls and requests a records check to see who bought the gun. If the dealer is out of business, the ATF searches for the gun's serial number in its microfilmed records.

Glitches occur for many reasons: The microfilmed records may list the same serial number for many guns, because different manufacturers often use the same serial numbers. Or a gun maker has gone out of business. Older guns generally are more difficult to trace because they've gone through more private, unrecorded sales.

The tracing center has no access to the instant background checks done on everyone who tries to buy a gun from a licensed dealer. However, the center does get the records of all multiple sales made by dealers and can check those against traces.

 ☒ Search News Stories ☐ Search News Photos[May 19](#) | [May 18](#) | [May 17](#) | [May 16](#) | [May 15](#) | [May 14](#) | [May 13](#) | [May 12](#) | [May 11](#) | [May 10](#)

YAHOO! NEWS[Home](#) - [Yahoo!](#) - [My Yahoo!](#) - [Help](#)**AP** Associated Press[Home](#) | [Full Coverage](#) | [Top Stories](#) | [Business](#) | [Tech](#) | [Politics](#) | [World](#) | [Local](#) | [Entertainment](#) | [Sports](#) | [Sci](#)**Yahoo! News****AP Headlines**

Wednesday May 19 3:44 PM ET

Details of Federal Gun Laws

By The Associated Press

The federal laws that govern the sale of guns in the United States are designed to funnel most interstate commerce in firearms through federally licensed dealers.

State and local officials can impose additional restrictions, if they choose.

Generally, all those "engaged in the business" of selling firearms must acquire a federal license that requires them to do several things:

- Run a Brady Law background check on anyone who wants to buy a gun to ensure the person is not a convicted felon or otherwise unqualified to own a firearm;

- Keep a record of all purchases and sales back 20 years, and make it available to the Bureau of Alcohol, Tobacco and Firearms if it seeks to trace a gun. When dealers go out of business, they must ship their old records to ATF, a branch of the Treasury Department.

- Report immediately to the ATF all multiple gun sales to one buyer.

The number of federally licensed firearms dealers dropped to just over 100,000 in recent years, from more than 200,000, after the Brady Law set higher fees and tighter restrictions.

After an initial gun sale by a federally licensed dealer, all sales between private individuals not engaged in the business are exempt from the background check and recording requirements.

However, there is no specific definition of "engaged in the business." Collectors and hobbyists are exempt, for example. But a person who sells many guns without a license can often operate for years without ATF discovering him, says Harvard University researcher David Kennedy.

At gun shows - a flashpoint in recent debates in Congress - all licensed dealers must run background checks and keep sales records, just as if they were operating from a store. But private sellers, again, need not run background checks or keep records.

Gun control groups contend some private sellers abuse the system by selling large numbers of guns at shows. The National Rifle Association disputes that, saying there's no proof gun shows are a major source of illegal trafficking.

of business. Older guns generally are more difficult to trace because they've gone through more private, unrecorded sales.

The tracing center has no access to the instant background checks done on everyone who tries to buy a gun from a licensed dealer. However, the center does get the records of all multiple sales made by dealers and can check those against traces.

[Printable text version of this story](#)

[Las Vegas SUN main page](#)

[Click here](#) for problems or questions.
[Read our policy on privacy and cookies.](#) [Advertise on Vegas.com.](#)
All contents © 1996 - 1999 Las Vegas Sun, Inc.
Nevada's Largest Website | 1-702-385-3111



Partner Sites:
[Newsweek.com](#)
[Britannica Internet Guide](#)

With Often Arcane Tools, U.S. Agency Traces Littleton Guns

By David B. Ottaway
 Washington Post Staff Writer
 Friday, April 30, 1999; Page A06

Related Items

Print Edition

[Today's
National
Articles
Inside "A"
Section
Front Page
Articles](#)

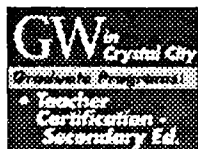
On Our Site

[Top
News/Breaking
News
Politics Section
National
Section](#)

FALLING WATERS, W. Va.—Edward Stely, a federal firearms tracing specialist, waited 28 hours for the call from a colleague at the horrific crime scene in Littleton, Colo.

Stely scribbled down the names and serial numbers: two Savage 12-gauge shotguns, an Intratec TEC-DC9 semiautomatic handgun and a 9mm Hi-Point carbine.

It was 5:30 p.m., April 21 when the detective work began. Stely, 26, and co-worker Amy Southard worked until 1 a.m. April 22, combing through records in computers, boxes and on microfilm here at the Bureau of Alcohol, Tobacco and Firearms National Tracing Center.



They solved only pieces of a puzzle that is still incomplete. The Columbine High School massacre underscored again the deep wrinkles in the government's ability to pin down gun ownership. At a moment when speed was of the essence -- when officers were poised to round up anyone who helped two troubled teenagers obtain weapons used to kill 15 people -- Stely had to proceed down a time-consuming and convoluted trail.

The ATF prides itself in the improvements made in tracking crime guns over the past few years with improved technology and tougher laws. These steps were hard-won victories because the agency has faced opposition at every turn from the National Rifle Association, the powerful weapons lobby.

But the ATF is still forbidden under the 1986 Firearms Owners' Protection Act from establishing a national system in which gun owners register their firearms. Instead, the agency locates owners through a twisted route, collecting records about sales from dealers and

manufacturers. These offer the beginnings of an ownership trail.

With a serial number, tracers such as Stely can determine when and where a gun was made and who sold it. The rest is legwork -- and luck.

In Littleton, 25 ATF agents and local officers are knocking on doors this week, hoping to fill in blanks in the story of how Eric Harris, 18, and Dylan Klebold, 17, collected an arsenal used to kill classmates, a teacher and then themselves.

"There is no big computer database with thousands or millions of American citizens' names," said Forest G. Webb, head of the tracing center. "The perception is that if we were able to collect additional information on gun purchases that we are, in fact, creating a gun registration."

Stely laid the groundwork from his tracing center cubicle. "There was certainly a sense of urgency," he recalled, "but you try to keep your composure about everything."

As soon as the call came in, he turned to the records on more than 200 million firearms transactions ATF has accumulated since 1968. Scads of records have been handed over since 1994, when dealers by the thousands closed after the ATF made it tougher and more expensive to secure a federal firearms license. The regulations effectively reduced the number of licensed dealers from 287,000 in 1993 to 105,000 today.

Stely initially was stumped in tracing the two old shotguns. Scouring through microfilm, he discovered they were made by a defunct manufacturer that had turned over its inventory of serial numbers.

There are 90 million serial numbers -- permanent IDs attached to a weapon -- stored at the center. Pinning down a weapon's number is more complicated than it seems. Each gun manufacturer may have its own numbering system -- so the same number often appears on many different firearms.

Eventually, Stely found the correct numbers and the wholesalers who had handled the shotguns in 1969. He identified the dealer who had first sold one of the shotguns. Then the trail went cold.

Stely and Southard had more luck tracing the 9mm carbine. Southard used records to identify the manufacturer, Hi-Point Firearms in Mansfield, Ohio, then found the guns shipment to a wholesaler and then to a California shop. Southard telephoned the dealer, whom ATF has declined to identify, at home. The dealer offered to go back to her shop to comb through sales records. ATF was able to get information on that gun the same night.

Stely was less fortunate in tracking the TEC-DC9, a used gun that would sell for \$100 to \$150, that night. He tried to telephone the emergency number of Navegar, the gun's maker, in Miami, but there was no answer.

By the time Stely's colleagues telephoned ATF agents in Littleton at 10:30 a.m. Thursday -- 17 hours after the original phone call -- here was what was known:

There was nothing to show who had originally bought the Savage shotguns -- a mystery that would have to be solved through interviews. The Hi-Point had been traced to the California dealer. The TEC-DC9 remained untraced.

Stely would not disclose names of wholesalers or dealers, but the Denver Post has reported that the TEC-DC9 was shipped to Zander Sporting Goods in Illinois, then to a gun shop outside Denver.

Five days later, federal and local investigators determined through gumshoe work that Klebold's girlfriend, Robyn Anderson, 18, bought the two shotguns and the Hi-Point carbine (which sells used for \$85 to \$100) at a gun show.

On Tuesday, the ATF found the person who acted as a go-between to furnish the TEC-DC9 to the teenagers -- a pizza shop co-worker.

Webb says the tracing process could be vastly accelerated by making dealers register all sales.

Still, last year the center had 197,000 trace requests and tracked 52 percent of them to the wholesaler. It lost track of 25 percent of these firearms after reaching the retailer level. The rest it could not trace at all.

Staff researcher Alice Crites contributed to this report.

© Copyright 1999 The Washington Post Company





COUNTY LINKED TO U.S. GUN DATABASE

CRAIG WHITLOCK

WASHINGTON POST STAFF WRITER

Wednesday, April 14, 1999 ; Page M08

The Prince George's County police department has become the first law-enforcement agency in Maryland to link up with a gun-tracing database maintained by the U.S. Bureau of Alcohol, Tobacco and Firearms, giving county officers a powerful new tool to help track the flow of illegal weapons.

The online database, called Project LEAD, contains detailed records of hundreds of thousands of firearms that have been recovered from crime scenes or were seized from people who owned them illegally.

Police will now be able to access the system for a wealth of data about the traced weapons, which they hope will help them solve more crimes and study how guns end up in the hands of criminals.

"What's important from an intelligence standpoint is to find out how these guns are getting into the community," Police Chief John S. Farrell said. "The problem right now is that we're operating from anecdote and supposition on where guns are coming from. We want to have a much more timely sense of where these guns are coming from and what their history is."

Farrell said he has been negotiating about two years with the bureau so Prince George's police could get online access to the federal gun-tracing database, which was created in the early 1990s and adds records on about 240,000 weapons a year.

In the past, Prince George's police could call up the bureau's National Tracing Center in West Virginia to immediately trace specific guns seized in homicides or other major crimes. But in lesser crimes, officers who wanted to trace guns would have to mail in paperwork and wait weeks or months for a response.

Even then, the response provided by the bureau would often be limited. But with the new computer system, police officers will be able to quickly get to a broader array of information. For instance, they will be able to search the database for various clues, such as a list of all

weapons recovered on a certain street block, or the names of specific people who have been cited for illegally possessing a weapon.

"While the gun itself may be important, other information--such as who was arrested with the gun or who was in the same car at the time of the arrest--may be even more important," said Gary Phillips, a firearms examiner with the Prince George's police.

The bureau's agents have been able to access the database from their field offices since 1996, but this is the first time the agency has provided a direct computer hookup to a local law enforcement agency in Maryland. The cost of extending the service to the county is expected to be minimal. Agents have agreed to train Prince George's police officers to use the system during the next six months.

"We think this is really, really going to give investigators an extra ability," said Larry Stewart, the special agent in charge of the Baltimore field office. "The idea is to cut down on the time it takes to trace these guns. The real value is that officers get immediate feedback."

The Prince George's police department was one of the first agencies in Maryland to attempt to trace every gun seized in a crime back to the original buyer. Officers submit information on about 180 guns a month to the bureau.

Occasionally, investigators who submit a gun for tracing find that the weapon has been used in a crime in the past, enabling them to more quickly solve cases. But the main benefit of gun tracing, officers say, is to help them find out how weapons get into the hands of criminals, juveniles and other people who aren't supposed to have them.

"When we've got a 14- or 15-year-old who has committed a homicide, we've got to determine whether that gun came from a burglary, or a relative or wherever," Farrell said. "We've just got to have that information, and we haven't had it in the past. It's really important for us."

Articles appear as they were originally printed in The Washington Post and may not include subsequent corrections.

[Return to Search Results](#)

WashingtonPost.com NEWS STYLE SPORTS CLASSIFIEDS MARKETPLACE

Monitor Site Map

▼ Go

TUESDAY, APRIL 27, 1999

USA

Thwarting gun-running with a click of a mouse

First regional crime gun center in US opens as part of a renewed push by the ATF.

Ron Scherer

Staff writer of The Christian Science Monitor

NEW YORK

Suspicious New York police searched a young man who was hanging around a park. They found him armed with a Lorcin .380, a potent firearm.

It turned out the Lorcin's buyer was not the man arrested but someone else, an Alexander Callahan, who had bought five other guns on the same day in Georgia. The multiple purchase alerted the Bureau of Alcohol, Tobacco and Firearms (ATF) that Mr. Callahan might be involved in gun running.



LOCKING UP THE GUNS:
Police detective Al Grassey looks over a shelf loaded with seized weapons at the Natick Police Department in Massachusetts.
(ALLAN JUNG /METROWEST DAILY /AP)

What tripped up Callahan and two other cohorts was the New Jersey/New York Regional Crime Gun Center, a new ATF weapon in the battle against illegal handguns.

The center, the first of its kind in the United States, is specifically aimed at tracing weapons and looking at patterns involving guns used in crimes.

Officially opened April 13, it provides information to agents trying to crack armed drug gangs. It maps all the sites where guns have been picked up by police. And it centralizes information so police departments can move more quickly.

"Clearly we see cases being solved," says John Magaw, director of the ATF. "The complex and far-reaching cases that will emerge from this expanded yet concentrated effort will have a notable impact

on violent crime."

Atf officials are now talking about setting up another center in the Washington, D.C., area to serve police departments in Virginia, Maryland, and the District.

"My vision is that in three or four years we will see it around the country," says Mr. Magaw.

The latest push is part of a renewed effort by ATF to track guns used in crimes.

Three years ago, ATF began a program in 17 cities to trace every gun used by a youth to commit a crime. Now that program has been expanded to 37 cities. It's likely the system will be used to trace the handgun used in the Littleton, Colo., school shootings, since it's illegal for a youth to buy a handgun.

Antigun organizations applaud the effort, and take some credit for it.

"We have been pushing the ATF to trace more guns and follow the patterns of firearms movement," says Brian Siebel, a senior attorney with the Legal Action Project at the Center to Prevent Handgun Violence in Washington.

In Boston, tracing the sellers of handguns used in crime, says Mr. Siebel, has resulted in vigorous prosecutions over the past two years. As a result, he says, youth shooting deaths have declined dramatically.

Mr. Siebel says the information the ATF gathers on firearm movements might be used in the lawsuits filed against the gun manufacturers. Several cities, such as Chicago and Bridgeport, Conn., are focusing on the distribution methods used by the industry.

Atf officials expect the new center will also aid local police in finding patterns involving guns used in crimes. For example, a local precinct commander can pull up information showing where guns have been found.

"So if officers get a call to go to that area for a crime or disruption, it puts them on a completely different guard and maybe they will send three or four officers instead of one or two," says Magaw.

The New York regional operation is mainly a computer center in a windowless office. Once a day, members of the New York National Guard pick up data on the latest guns seized by the New York Police Department.

This information, such as serial numbers and where the gun was found, is entered into the ATF computers. The data are then sent to the ATF's national gun-tracing center in Falling Water, W.Va.

In the case of the Lorcin, a further computer search discovered that Callahan and his cohorts, including ring leader Lucinda Weatherspoon, had bought a total of 93 guns over six months.

On the gang's next trip to Georgia, a tracking device was attached to Ms. Weatherspoon's Jeep. ATF tracked the vehicle up the East Coast and arrested the gang with 12 guns and 2,000 rounds of ammunition as they entered New York. All three pleaded guilty to federal firearms violations.

So far, the police have recovered 11 firearms sold by the gang. Six of those guns were in the possession of juveniles.

There are times, however, when the ATF computers don't find a match. Magaw says this is because of "loopholes" in the laws that allow individuals to buy guns at flea markets and gun shows without registering them. Recently, President Clinton, in his weekly radio address, called on Congress to enact legislation shutting down such venues.

A spokesman for the National Rifle Association (NRA) says the organization has no statement at this time in light of the shootings in Colorado.

■ Before bookmarking this page in your browser, click [here](#).

■ The URL for this page is:

<http://www.csmonitor.com/durable/1999/04/27/fp2s2-csm.shtml>

[Send Editor E-mail](#) | [Go to Forums](#) | [Get Free E-mail Update](#)

[Home](#) | [Today's Paper](#) | [Archive](#) | [@csmonitor.com](#) |
[Subscriptions](#) | [About Us/Help](#) | [Feedback](#)

(c) Copyright 1999 The Christian Science Publishing Society.
All rights reserved.

Fact Sheet on ATF Enforcement Against Illegal Suppliers of Firearms

The ATF case summaries are intended to serve as examples of the cases ATF investigates and brings to completion against illegal suppliers of firearms to criminals and juveniles. They represent only a tiny sample of the thousands of firearms cases that ATF develops with state and local law enforcement officials and forwards for prosecution each year to federal, state, and local authorities. The case summaries address four types of cases that ATF investigates: illegal sales or transfers of firearms to juveniles and youth; illegal sales of firearms at gun shows and swap meets; sales involving pawn shops; and illegal sales at gun stores. These four case types demonstrate some of the ways that that criminals and juveniles are illegally acquiring firearms.

I. Cases Involving Sales or Transfers of Firearms to Juveniles and Youths

Milwaukee, WI -- Guns for Drugs: A retired security police officer for the U.S. Army purchased a handgun and a Lorcin .380 caliber semiautomatic pistol, which was recovered from a 17 year-old member of the Latin Kings gang in Milwaukee, Wisconsin. ATF traced the weapon through its illegal trafficking information system. ATF learned that the original purchaser might have traded guns in exchange for marijuana. ATF agents set up a sting in which the retired security police officer exchanged four handguns for 1.5 pounds of marijuana. In 1996, the individual was sentenced to a five year prison term by the Federal court after pleading guilty to the use of a firearm during the commission of a drug trafficking crime.

Philadelphia, PA -- Straw Purchase and Sale to Drug Traffickers: In Philadelphia, Pennsylvania, a straw gun purchaser gave AK-47 type rifles to a convicted felon. The felon sold the guns to people who were suspected of being local drug traffickers in a high crime area of North Philadelphia. One of the sales was to a juvenile. The gun purchaser conspired to buy over 50 semiautomatic rifles, boxes of high-powered ammunition, laser sights, high-powered scopes, and 100 round drum magazines. Seven rifles were recovered, some in connection with drug activity, and ATF traced the majority of the recovered weapons to the straw purchaser. Ballistic tests linked one of the rifles to homicides. The defendants were convicted of possession of a firearm in a school zone, firearms trafficking, and other counts. In June 1998, the felon-trafficker received a sentence of 11 years and four months in prison, and the straw purchaser was sentenced to 4 years and nine months in jail.

New York City -- Illegal Resale and Possession by Juveniles: Three New York City individuals legally purchased at least 93 guns from licensed dealers in Georgia and other states. The individuals subsequently resold the guns illegally in New York in 1998 and 1999. ATF traced the guns and was able to arrest the individuals when they returned from a gun-buying expedition with 12 guns and 2,000 rounds of ammunition. Police have recovered 11 firearms sold, and six

were in the possession of juveniles. The three individuals all pled guilty to conspiring to transport firearms from one state to their state of residence. The lead defendant was sentenced to 27 months in prison and the other two defendants received probation.

Kentucky – Unlicensed Seller, Juvenile Buyer, and Interstate Trafficking:

ATF agents learned that a 12-year old boy purchased a firearm at a grocery store in a remote area of Eastern Kentucky. ATF subsequently seized 154 firearms from the store owner who sold the boy the gun. Four of these guns were identified as having previously been stolen. The seller admitted to dealing illegally over 500 firearms at local flea markets and at gun shows in Kentucky, Tennessee, Ohio, and Oklahoma. Due to mitigating factors, the seller entered a pre-trial diversion program in early 1999.

II. Cases Involving Sales of Firearms at Gun Shows and Swap Meets

Trafficking Conspiracy Between FFL and Unlicensed Seller: An El Paso, Texas individual bought and sold numerous firearms at gun shows throughout Texas, Arizona, Nevada, and New Mexico. The ATF investigation demonstrated that the El Paso individual also conspired with FFLs to supply him additional weapons by acting as straw purchasers. One of the straw purchaser FFLs provided the trafficker with over 800 firearms. The trafficker admitted to engaging in over 1600 firearm transactions, and stated that he had supplied over 1200 firearms to a narcotics trafficking organization which is based in Mexico. The trafficker pled guilty to the possession of an unregistered firearm. He was sentenced in March 1998 to 78 months in prison.

Conspiracy Between FFL and Unlicensed Seller; Interstate Trafficking: ATF investigated a Tennessee Federal Firearms Licensee (FFL) who purchased more than 7,000 firearms, altered the serial numbers, and resold them to two unlicensed dealers. The unlicensed dealers transported the guns to North Carolina and sold them in the state at gun shows and flea markets. The firearms were primarily new and used handguns. All three individuals pled guilty to federal firearms violations. The FFL received a 15 month prison sentence for conspiracy to deal in firearms without a license, while the unlicensed dealers were sentenced to 21 and 25 months, respectively, in prison.

Guns to Gang Members through Corrupt California FFL: ATF recovered two 9mm firearms, including an Intratec-9 (TEC-9) gun, and traced them to a FFL in Whittier, California. Over a four year period, the FFL had sold over 1,700 firearms to unlicensed purchasers without maintaining any records. Many sales took place at swap meets in California. The firearms were then sold to gang members in Santa Ana and Long Beach, California. Many of the guns were used to perpetrate crimes of violence, including murder. The FFL and one unlicensed purchaser were convicted and were sentenced to 24 months in prison.

Convicted Felon Buyer: In 1995, an ATF inspector in Pontiac, Michigan, discovered a convicted felon who used a false police identification to buy handguns at gun shows and resold them for profit. Among the firearms purchased were 16 new and inexpensive 9mm and .380 caliber handguns. Detroit police recovered several of the firearms while investigating a domestic disturbance. The defendant pled guilty to numerous Federal firearms violations, and was sentenced to 27 months' imprisonment.

Interstate Trafficking and Multiple Gun Crimes: ATF used its illegal trafficking information system to find and arrest a Cape Girardeau, Missouri man who had illegally sold over 1600 firearms at gun shows throughout Illinois, Missouri, Kentucky, and Tennessee. The weapons were all new and inexpensive models. The trafficker used two other people to distribute most of the firearms. Over 94 of these weapons have been recovered throughout the U.S., and they have been used to commit a variety of crimes. The trafficker was charged with five counts, including the sale of firearms to an out-of-state resident. He pled guilty, and was sentenced in May 1998 to 16 months in prison.

Convicted Felon Trafficker: A convicted felon bought, sold, and traded firearms without a license at gun shows in Eastern Florida. ATF seized over 200 firearms from the felon, including one machine gun. The unlicensed dealer was convicted in July 1998 for the unlawful possession of a firearm as a convicted felon. He was sentenced to 41 months in jail.

Former FFL Sells Firearm to Felon: ATF agents learned that a man who lived outside Columbus, Ohio admitted to selling over 500 used firearms at various gun shows in Ohio over a slightly more than three-year period. The seller would tell prospective buyers at the gun shows that his weapons would be sold "no Brady, and out the door." At least one weapon was sold this way to a convicted felon. ATF had revoked the seller's FFL in January 1994 for sales of firearms to underage buyers and for a failure to maintain proper records. The FFL's mother then tried, unsuccessfully, to become an FFL in his place. The former FFL was convicted of selling and dealing in firearms without a license, and was sentenced to 33 months in jail in April 1999.

III. Sales of Guns Involving Pawn Shops

Convicted Felon Trafficker; Interstate Trafficking in Midwest: In one six month period, a man purchased 57 firearms from pawn shops in Indiana and 20 more from gun stores for one individual. An ATF investigation revealed that the individual transported the guns to Chicago. The gun recipient pled guilty to one count of interstate travel for purposes of dealing in firearms without a license and possession of a firearm by a convicted felon, and admitted to trafficking in at least 25 firearms. In October 1997, he was sentenced to over 19 years in prison.

Police Shootout; Interstate Transportation of Weapons: A New Jersey resident purchased 20 firearms from a pawn shop in Florida, and transported the weapons back to New Jersey for resale. The purchaser had used nine aliases to acquire the weapons. At least 4 of the firearms were used in violent crimes. One involved a shootout with Newark, NJ police officers, and another was recovered during the investigation of the shooting of a New York City Police Captain. The individual pled guilty to the possession of a firearm as a fugitive from justice and to making false statements in the purchase of firearms. He was sentenced to 12 months in prison in September 1997.

IV. Sales of Guns at Gun Stores

Rhode Island FFL Trafficker: A Rhode Island gun dealer pled guilty to firearms offenses involving the purchase of firearms. ATF investigators learned that, on one occasion, the store owner directed the purchaser to falsify the required paperwork, and, on another occasion, the gun store owner sold two long guns without requiring the purchaser to complete any paperwork at all. The owner pled guilty to failing to maintain records of firearms dispositions and failing to operate the gun store in compliance with state and local laws. He was sentenced to four months home confinement followed by 3 years of probation.

FFL Aids Straw Purchaser in St. Louis: A gun store owner in St. Louis, Missouri knowingly sold guns to straw-purchasers and falsified forms for straw purchasers between January 1989 and May 1996. An ATF investigation determined that some 350 firearms which had been recovered at crime scenes had all gone through that gun store. Ironically, one of the guns was used in an attempted hold up of the gun store itself. Other guns which passed through the store had been used in homicides and in the commission of a bank robbery. The owner and two of his employees pled guilty to offenses associated with the scheme, and are awaiting sentencing.

Gun Used in Police Shooting Traced to Interstate Trafficker: In Rochester, New York, ATF agents traced a weapon that was used in a December 1997 shooting of three Rochester, New York Police Officers to an individual who purchased the weapon at a gun shop in Talladega, Alabama. The ATF investigation revealed that between October and December 1997, the NY purchaser had bought 18 firearms from two Alabama gun stores using an Alabama address and identification. The trafficker was arrested in Rochester, NY where he was returning after purchasing an additional 11 guns in the Alabama gun store. The trafficker pled guilty in November 1998 to dealing in firearms without a license and was sentenced to a 60 month prison term.

Guns Provided by Employee of FFL go to Gang Members: Between March and May 1998, a supplier of firearms and his street dealer, who allegedly distributed firearms to members of the 18th Street Gang in Los Angeles, California, illegally transferred at least six machineguns and six handguns. The

supplier of the guns worked for a FFL dealer, and worked at gun shows in California, Arizona, and Nevada. ATF recovered 45 firearms, including nine machineguns as a result of its investigation. Both the supplier and the street dealer were charged in a nine-count indictment on various offenses, including the willful engagement in the business of dealing in firearms without a license and the illegal transfer of machineguns. The supplier was convicted in 1998, and was sentenced to 30 months in prison. The street dealer was separately convicted in 1999, and is scheduled to be sentenced in August .

Weapons Search

The ATF's Tracers Follow Tortuous Path Of the Littleton Guns

Their Low-Tech Tools Take
Them Only So Far; Cops
Are Left to Fill the Gaps

The Role of Telemarketing

By ROBERT TOMSHO
And VANESSA O'CONNELL

Staff Reporters of THE WALL STREET JOURNAL

As the nation's airwaves pulsed with frenzied reports reconstructing every detail of the bloody massacre in Littleton, Colo., Amy Southard and Ed Stely began the painstaking job of re-creating the trail of the guns.

In an age of lightning-fast communication and ubiquitous computer databases, you might think that the two U.S. Bureau of Alcohol, Tobacco and Firearms staff members would be able to trace the ownership of the four guns used by the Littleton attackers with a few swift keystrokes.

Hardly. Many of the investigative tools used by employees at the ATF's National Tracing Center in Falling Waters, W.Va., hark back to the days when eight-track tapes and electric typewriters passed for high technology. Rather than tapping into comprehensive electronic records of gun ownership—in fact, none exist—the young ATF tracers would have to rely on microfilm, handwritten ledgers, dusty paper forms and harried phone calls.

Even those tools often may become useless once a gun is tracked to its initial retail sale by a dealer. Further private sales often aren't documented at all. The trail goes cold.

Indeed, even with the ATF's most vigorous efforts, figuring out how weapons ultimately find their way into the hands of people such as the two teenage killers at Columbine High School usually requires in-person police questioning. That is apparently how the authorities discovered that a girlfriend of one of the two attackers allegedly acquired three of the guns.

Old-fashioned police work also appears to have helped uncover the source of the fourth gun used in the assault. Yesterday, David Thomas, the Jefferson County District Attorney, said investigators have questioned a man suspected of being involved in supplying the fourth gun to the killers. The breakthrough apparently came after ATF agents visited a pizza parlor where the killers had worked.

But the hunt began in a crowded one-story brick building in the West Virginia countryside. And it didn't begin well.

It wasn't until late afternoon Wednesday, April 21, the day after the massacre, that the ATF's National Tracing Center received any details about the Littleton guns. Investigators in Colorado were eager to learn how two suburban teenagers had amassed an arsenal that included a TEC-DC9 semiautomatic pistol, a Hi-Point semiautomatic carbine rifle and two Savage shotguns. But first there was the more critical task of removing the dead, defusing dozens of homemade bombs and tallying the fatalities, which included the two gunmen, Eric Harris and Dylan Klebold, who killed themselves.

The ATF's 40 tracers are stationed in a rural area, across the street from a new residential subdivision. Ordinary trace requests, usually from local police investigating a more conventional murder or burglary, come in by fax. Last Wednesday, ATF field agents urgently called Mr. Stely by phone to dictate the serial numbers from the guns recovered from Columbine High. Manufacturers have been required since 1968 to stamp guns with serial numbers, and they are the foundation of gun tracing.

Mr. Stely and Ms. Southard pulled the Littleton assignment because they were the staffers on duty. While federal agents and local police fanned out across the Denver area, looking for potential witnesses and accomplices, the pair divided up the labor: He took the two semiautomatics; she, the pair of shotguns.

A former bookkeeper who joined the ATF as a "firearm specialist" just last October, Ms. Southard, 24 years old, discovered that the two 12-gauge shotguns thought to have done much of the killing were made in 1969. Far from being in mint condition, they were both sawed off at the stock and barrel to make them easier to conceal and had duct tape wrapped around their handles. Not good, Ms. Southard thought: Old guns are harder to trace because they are more likely to have changed hands many times, and records are more likely to have gaps.

That's been true of old Savage arms. The ATF says it has succeeded in tracing them to their first retail buyer only about 10% of the times the agency has tried. The manufacturer is Savage Corp. of Westfield, Mass. It was one of the country's leading low-priced gun makers in the 1960s. But in the late 1970s, the company hit hard times and was sold by its owner, Black & Decker Corp., to private investors. Many of the biggest names in the gun business, including Smith & Wesson Corp. and Colt's Manufacturing Co., have struggled financially and have had several corporate reincarnations over the decades.

Ronald Coburn, president of the company now known as Savage Arms Inc., says that in the late 1980s a predecessor corporation discontinued the Savage shot-

Please Turn to Page A6, Column 1

PHOTOCOPY
PRESERVATION

Wall Street Journal
4/30/99

ATF Tracers Follow Tortuous Path of Littleton Guns

Continued From First Page

gun and handgun lines and sent all of its files on old guns other than rifles to the ATF. Sure enough, Ms. Southard found that the records had been transferred to microfilm. That information led her by midveining to the name of a long-defunct firearm dealer in California.

It was well past quitting time, and Ms. Southard had been sick for the previous two days, but she didn't think twice about stopping. The events in Littleton had shaken her deeply. "It could have happened anywhere," she says.

Determined to find someone who could lead her to the closed dealership, she used generally available computer databases of addresses and the telephone directory to identify the owner of a hardware store next to the old gun shop's location. Through him, she found the last owner of the gun business.

The former gun dealer had dutifully kept piles of paper records, and he was willing to look through them. But to his and Ms. Southard's disappointment, the records went back only as far as the early 1970s, several years after the Savage was shipped.

Ms. Southard had hit her first dead end.

Weak Links in the Chain

Truckloads of old paperwork arrive every week at the ATF's grocery-store-size tracing center, most of it from gun dealers who are going out of business and are required by law to submit their sales records. In recent years, deliveries have accelerated as tens of thousands of firearm dealers have given up their federal licenses in the face of more stringent regulation by the Clinton administration.

The tracing center's paperwork avalanche is microfilmed and indexed by 140 contract employees. "We're more or less keeping pace, although if you came out here and looked at our dock, you might not think so," sighs Forest Webb, the special agent in charge of the center.

While managing the paper flow poses a daily struggle, the tracing center faces bigger problems from information that never gets into its system. Under federal law, each gun is supposed to leave a paper trail as it passes from manufacturer to wholesaler to retailer, and on to the first retail buyer. In recent years, a few manufacturers have linked their own computers directly to the ATF system, speeding up aspects of some searches.

But much of the paperwork stays with the business that completes it, and once a gun is in a private owner's hands, it may be resold by nondealers without anyone filling out any forms at all.

This patchwork system didn't occur by accident. Invoking the danger of government gun confiscation and other privacy violations, the politically potent National Rifle Association has successfully pressured Congress and the ATF to refrain from collecting anything close to a national database of gun owners.

When the ATF in the late 1970s proposed a computerized system to track guns from manufacturer to buyer, gun-rights advocates in Congress helped deny the agency the necessary funds. Congress reiterates the message annually, when it includes in the appropriations bill covering the ATF language barring the agency from using its money to construct a comprehensive computerized registry of gun data.

Hemmed in by congressional skeptics, the ATF also doesn't systematically amass information from criminal background checks required of all firearm purchasers under federal and state laws. Nor does it systematically collect data that many state and local police departments gather about weapons pawned or stolen within their jurisdictions.

While police tracking a suspect's car can tap into government databases that provide almost instantaneous information, no comparable resources exist for guns. "The gaps are huge, and the ATF must work around them," says David Kennedy, a Harvard public-policy professor who has studied tracing.

A Fortuitous Discovery

With midnight approaching last Wednesday, Ms. Southard began to pursue the other shotgun in earnest. Combing the Savage records, she quickly found the name of the wholesaler that had bought the gun, but after some unanswered phone calls and a recheck of the records, she realized the company had recently gone out of business. In fact, seven huge boxes of its unindexed paper records had arrived at the tracing center just that morning.

Running to the mail dock with a colleague in tow, Ms. Southard began tearing through the boxes, finally finding in the last one a collection of huge ledgers, nearly 1,000 pages apiece. Finding the book for 1969, she began running her finger down the neatly written pages of individual gun sales. Finally, sometime after midnight, she came to the serial number for one of the Littleton shotguns.

"We found it! We found it!" Ms. Southard screamed, as she ran back from the mail room, the massive ledger in hand.

But her excitement quickly faded. She scanned a 20-year-old Rolodex of pre-1975 dealers that the ATF keeps on microfilm. She called businesses with the same last name as the dealer listed in the ledger as having purchased the weapon.

She struck out.

A 'Very Bad Joke'

From his blue cubicle across the room, Mr. Stely was having only slightly better luck tracking the two newer semiautomatic weapons.

The five-year ATF veteran, a 26-year-old father of one son, started his search for information about the black 9-millimeter Hi-Point carbine by calling its maker, Beemiller Inc., in Mansfield, Ohio. The

company's owner, Thomas Deeb, recalls hearing his office phone ring repeatedly around 7 p.m. Wednesday, but he was busy testing a new firing-pin design and let the answering machine pick up.

At 7:30 p.m., his wife, Shirley, called the factory, using their secret code: an alternating series of rings on the company's two lines. When he answered, she told him that the ATF had just called their home with an "extremely urgent" trace request about a Hi-Point 995 rifle.

Following ATF policy, Mr. Stely hadn't revealed the purpose of his trace, but Mr. Deeb says he had "a bad feeling." He and his wife had been following news of the tragedy on television. They had speculated—had prayed, really—that it would turn out that the young killers had used assault weapons with greater bullet capacity than their Hi-Point 10-round capacity.

Beemiller was able to provide Mr. Stely with the wholesaler in Dayton, Ohio, who bought the gun in August 1998 and then resold it to another distributor in Selma, Ala.

"Sick with worry," as Mr. Deeb describes himself, he "tried to look for the only good part" he could find: The gun was relatively new, he told his wife, and "that means it couldn't have been turned around more than a few times." It should be traceable, he thought.

Gene Lumsden, owner of the Selma wholesaler, Walter Craig Inc., remembers answering Mr. Stely's midnight phone call on the second ring, fearing that something might have happened to one of his young grandchildren. The 51-year-old businessman didn't believe his caller was really an ATF staffer; the agency had never called him at home or so late.

"This is a very bad joke to be playing on somebody," snapped Mr. Lumsden. But after demanding Mr. Stely's number and calling him back in West Virginia, Mr. Lumsden realized it wasn't a hoax. He took down the serial number of the Hi-Point his company had acquired last Aug. 17.

Mr. Lumsden's company is a midsize wholesaler and like a growing number of gun distributors, relies on telemarketers to sell firearms. Walter Craig Inc. has a team of about 20 telemarketers, who work the phones to sell to about 800 dealers nationwide, although most are in the South. Manufacturers send their guns to the Selma wholesaler by United Parcel Service, and the telemarketers resell them, often within a few days. "We move some products quickly," Mr. Lumsden says.

Early Thursday morning, Walter Craig's Mr. Lumsden had an employee punch the carbine's serial number into the computer. Up popped the name of a gun and pawn shop in Longmont, Colo.—a "very good customer," Mr. Lumsden says.

Mr. Lumsden's records showed that the Hi-Point carbine was only at the Walter Craig warehouse for about one week before the telemarketer assigned to Colorado deal-

ers resold it to the Longmont store. The carbine was part of a shipment of about seven items, including slings for carrying guns over the shoulder and other hunting accessories, sent by UPS to Longmont.

By 7:40 a.m. his time Thursday, one of Mr. Lumsden's employees had called the tracing center and provided the dealer's name and firearm-license number.

"Is this about Littleton?" the employee asked.

Bending the rules, an ATF colleague of Mr. Stely's confirmed that it was.

Mr. Lumsden says he tried to console the telemarketer who handles the Longmont dealer's account. "Like all the rest of us, she was upset, but as I told her, we have complied with the law," he says. "Sometimes, when it leaves the dealer, transactions take place that we have no control over."

Just Guns

Mr. Stely's efforts to reach Miami-based Navegar Inc., maker of the TEC-DC9 semiautomatic pistol, were unsuccessful. But on Thursday, another ATF staff member traced the gun from Navegar to Zanders Sporting Goods Inc., a mail-order distributor in Baldwin, Ill.

Zanders also sells guns by phone. It employs 10 telemarketers who call on dealers using lists of dealer names and addresses provided by the government. They ship guns often by overnight carrier; most shipments contain just a few guns each.

Zanders bought the TEC-DC9 in 1994, the very year Congress banned the future manufacture of TEC-DC9s, among other assault weapons. (Hundreds of thousands of the assault weapons made before then were left in circulation.) Zanders provided the ATF with the name and phone number of Just Guns, a short-lived gun dealer that once did business in a windowless corner of a dingy retail strip in Westminster, a Denver suburb about 10 miles north of Columbine High School.

Only in business for a month, according to Westminster public records, Just Guns bought the TEC-DC9 on Sept. 5, 1997. Just Guns's former owner, the records show, is Royce Spain; he couldn't be located for comment. According to Bart Eaton, Zanders vice president of sales and marketing, Just Guns, the dealership that bought the TEC-DC9, "wasn't a huge account" for Zanders.

Investigators won't say whether they know how many transactions the gun was subsequently involved in before Mr. Harris and Mr. Klebold brought it with them to the school on the morning of April 20.

By midmorning Thursday, April 22, the tracing center had done all that it could in trying to track the ownership of the four guns. The shotgun trail had exhausted itself, and if there was more to be learned about the newer semiautomatics, it would have to be done through police shoe leather: working the street, going door-to-door and conducting interviews.

When it comes to tracing weapons, "there are some capabilities with technology," says Lt. Jeff Shrader of the Jefferson County Sheriff's Department, "but there always has to be that face-to-face contact."

As a spring storm pummeled Littleton, the trace results were telephoned from West Virginia to an ATF field agent working on the investigation in Denver. There, they were turned over to a team of 35 investigators who have been interviewing hundreds of witnesses about the guns and other aspects of the investigation.

One person they called upon is Larry Russell. The 69-year-old gun dealer has been in the business off and on for years and now operates out of a small storefront that he shares with a burrito maker in Federal Heights, a northern Denver suburb. When Mr. Russell first heard about the Littleton massacre, he rushed to his records and was relieved to find that neither of the killers appeared in his books.

But then, just a few days ago, ATF agents appeared at Mr. Russell's door. Among other things, they asked him about Mr. Spain, the owner of Just Guns, the defunct business in the neighboring town of Westminster that is believed to have once handled the semiautomatic pistol. Mr. Russell says he hasn't seen Mr. Spain recently but, from time to time in the past, has bought TEC-DC9s from him. Mr. Russell says he offered to let the ATF agents see his own records, but they didn't take him up on it. He says the agents told him that they believe the weapon was sold legally by Mr. Spain, but they didn't know where it went from there.

ATF officials wouldn't comment on that, and investigators in Littleton won't say just how far they have succeeded in fully tracing the ownership of the weapons. But they are clearly making progress.

In recent days, authorities have said that they believe that Robyn Anderson, Mr. Klebold's 18-year-old girlfriend, may have purchased the two Savage shotguns and the Hi-Point carbine at one or more area gun shows, where private individuals often sell guns without keeping any records at all.

Although not ruled out as a suspect in the crime, Ms. Anderson has been cooperating with the investigation and is described by authorities as a "witness." Neither she nor her attorney could be reached to comment.

The statements from Jefferson County prosecutors that an arrest may be coming in connection with the TEC-DC9 also shows that the police work on the ground, building on the ATF trace, appears to be paying off. Late yesterday, a spokeswoman for District Attorney Thomas cautioned that the investigation remains fluid and that investigators are still questioning witnesses about the TEC-DC9.

Some of the gun sellers involved in the chain have been shaken by the tragedy. Mr. Deeb, owner of Beemiller, is 49 and has children, though he won't say how many. His factory is believed to have manufactured the Hi-Point carbine used in the shootings. "I have always been drawn to making guns because it is something I really like doing," he says. "But the flip side is that now I am faced with the fact that something I enjoy is somehow bringing pain and suffering."

As for the ATF tracers, their boss, special agent Webb, hints that in weeks to come, their contribution may become even more clear. "The issue doesn't end with us," he says, "but I think that we played an important role in whatever information we gleaned."

—Paul M. Barrett
and Christopher Cooper
contributed to this article.

Wall Street Journal
4/30/99

PHOTOCOPY
PRESERVATION



BY LOIS RAIMONDO—THE WASHINGTON POST

Firearms tracing specialist Edward Stely began tracing Littleton, Colo., guns 28 hours after shooting.

With Often Arcane Tools, U.S. Agency Traces Littleton Guns

By DAVID B. OTTAWAY
Washington Post Staff Writer

FALLING WATERS, W.Va.—Edward Stely, a federal firearms tracing specialist, waited 28 hours for the call from a colleague at the horrific crime scene in Littleton, Colo.

Stely scribbled down the names and serial numbers: two Savage 12-gauge shotguns, an Intratec TEC-DC9 semiautomatic handgun and a 9mm Hi-Point carbine.

It was 5:30 p.m., April 21 when the detective work began. Stely, 26, and

co-worker Amy Southard worked until 1 a.m. April 22, combing through records in computers, boxes and on microfilm here at the Bureau of Alcohol, Tobacco and Firearms National Tracing Center.

They solved only pieces of a puzzle that is still incomplete. The Columbine High School massacre underscored again the deep wrinkles in the government's ability to pin down gun ownership. At a moment when speed was of the essence—when officers were poised to round up anyone who helped two troubled teenagers obtain

weapons used to kill 15 people—Stely had to proceed down a time-consuming and convoluted trail.

The ATF prides itself in the improvements made in tracking crime guns over the past few years with improved technology and tougher laws. These steps were hard-won victories because the agency has faced opposition at every turn from the National Rifle Association, the powerful weapons lobby.

But the ATF is still forbidden under the 1986 Firearms Owners' Protection Act from establishing a

national system in which gun owners register their firearms. Instead, the agency locates owners through a twisted route, collecting records about sales from dealers and manufacturers. These offer the beginnings of an ownership trail.

With a serial number, tracers such as Stely can determine when and where a gun was made and who sold it. The rest is legwork—and luck.

In Littleton, 25 ATF agents and local officers are knocking on doors this week, hoping to fill in blanks in the story of how Eric Harris, 18, and

Dylan Klebold, 17, collected an arsenal used to kill classmates, a teacher and then themselves.

"There is no big computer database with thousands or millions of American citizens' names," said Forrest G. Webb, head of the tracing center. "The perception is that if we were able to collect additional information on gun purchases that we are, in fact, creating a gun registration."

Stely laid the groundwork from his tracing center cubicle. "There was

See TRACE, A7, Col. 1

defendants have been referred for prosecution for gun trafficking in state and Federal courts in the past year, the report said.

Until President Clinton took office, the firearms agency, under pressure from the National Rifle Association and Congress, had only a small program to trace guns used in crimes, and few city police forces tried to find the sources of illegal guns.

Criminologists believe the intensified effort to trace guns is one of the factors that has helped drive crime rates down for seven straight years, though there is no way to quantify its contribution.

The report found that the five guns that moved fastest from dealers to juveniles and young adults and ended up in crimes were all semi-automatic pistols: the Lorcin 9 millimeter, the Smith & Wesson .40 caliber, the Bryco 9 millimeter, the Hi-Point 9 millimeter and the Glock .40 caliber.

Of the guns confiscated from juveniles and young people, 18 percent had been used in homicides, 18 percent in robberies, 28 percent in assaults and 31 percent in drug offenses, among other crimes.

About 40 percent of the investigated cases of trafficking involved 10 or fewer guns, the report said. But one case involved 1,359 guns sold illegally and another 1,600 guns.

As a typical example of trafficking, the report cited a case in which the firearms agency traced three guns recovered in New Jersey, which has strict gun control laws, to a federally licensed dealer in Cleveland operating under less restrictive Ohio laws. Two of the guns had been used in homicides; one was in possession of a juvenile. An investigation found that the dealer had not kept records of most sales and had not performed background checks of purchasers as required by law.

In Philadelphia, the firearms agency successfully prosecuted a trafficker and a straw purchaser he hired to buy more than 50 semi-automatic rifles, including assault rifles, which they sold to drug dealers. In Richmond, a trafficker who was a gang member used a straw purchaser to buy handguns at gun shows from licensed dealers for other gang members that were used in homicides. The trafficker was sentenced to six years in Federal prison.

Study Exposes Illegal Traffic In New Guns

Licensed Dealers Sell Many Used in Crimes

By FOX BUTTERFIELD

As many as one-third of the guns used in crimes by juveniles and up to half of those used by people aged 18 to 24 were purchased within the last three years from federally licensed dealers, showing that large numbers of new guns are being sold illegally, according to a report to be released by the Federal Bureau of Alcohol, Tobacco and Firearms today.

Although the data are intended to aid law enforcement, the report is likely to provide new support for the growing number of cities filing lawsuits against gun manufacturers, charging that the industry markets its products in ways that make it easy for criminals and juveniles to obtain guns. Last week, a jury in Federal District Court in Brooklyn found 15 firearms makers negligent and 9 of them liable in 3 shootings, in the first case in which the gun industry has been found responsible for death or injury caused by its products. The central issue in the case was negligent marketing.

The new report by the Bureau of Alcohol, Tobacco and Firearms found that 51 percent of the guns used in crimes by juveniles and people ages 18 to 24 were acquired by intermediaries acting on behalf of the real buyer. In addition, 14 percent of the guns used in crimes by juveniles and young people were sold by private sellers without Federal firearms licenses and 10 percent were sold at gun shows, flea markets, or through ads in gun magazines, none of which require buyers to show identification or undergo background checks.

A senior Administration official said the report would disprove widespread skepticism that there was an illegal market for firearms used in crimes. In the past, gun makers have argued, with the support of many law enforcement authorities, that most guns used in crimes were stolen rather than purchased new or nearly new by criminals. But the report found that only 35 percent of guns used in crimes by juveniles and young people were stolen.

The report is the second major study by the firearms agency in the past two years that makes use of newly improved methods for tracing guns used in crimes. It reports on

New York Times

2/21/99

PHOTOCOPY
PRESERVATION

DRAFT**Illegal Gun Trafficking****DRAFT**

- One troubling aspect of the Smith case, about which we do not yet have all the facts, is that this killer may have obtained the handguns he used from an illegal gun trafficker.
- We must do more to shut down the illegal market in guns which is supplying criminals and juveniles with guns every day.
- Now a determined killer will do a lot to obtain a gun. But we can do much more to make it difficult and dangerous for criminals to obtain guns illegally.
- By now we have seen and know very well that the illegal market in guns takes many forms -- illegal sales at gun shows, straw purchasing for someone else who can't buy a gun legally, illegal street trafficking and bartering and trading, illegal selling by licensed firearms dealers, private selling to criminals through magazines and the Internet, trafficking in stolen guns, theft of guns from gun stores, and theft by criminals for their own use.
- The President's legislation would attack the illegal market in guns in all its aspects.
- The President's legislation would require that every gun sold at a gun show would be sold with a completed background check and proper records for law enforcement, so illegal traffickers couldn't get around the Brady law and the gun tracing system by buying guns one place then reselling them someplace else without background checks or tracing records.
- The President's legislation would give federal law enforcement the tools they need to investigate illegal gun dealing by licensed dealers, and by gun traffickers. It would allow more ATF inspections of licensed gun dealers to see when suspicious numbers of guns are being sold to one person; it would allow ATF to suspend gun dealer licenses and impose civil fines; it would increase penalties on all varieties of illegal gun traffickers; and it would strengthen the crime gun tracing system by doubling the size of our Youth Crime Gun Interdiction Initiative and allowing the tracing of secondhand crime guns.
- The President's legislation would also restrict handgun purchases to one a month, so illegal traffickers couldn't get around the Brady law and enforcement records by going to stores, buying guns in quantity, and then reselling them without background checks and tracing records.
- The House and Senate so far have accepted only some of these proposals. But they ought to move ahead and pass at least those. They should pass at least the Senate gun show legislation to close the gun show loophole and they should also provide the tools law enforcement needs to stop the illegal trafficking.

Vast Secondary Gun Market Thrives Outside Federal Check System

5-037
GUNS: From A1

System Shot Full of Holes

Congress, NRA Foster Vast Unlicensed Trade

By DAVID B. OTTAWAY
Washington Post Staff Writer

When a 21-year-old white supremacist named Benjamin Nathaniel Smith decided last weekend to go on a shooting rampage, his first stop was a licensed gun store in Illinois.

But the elaborate federal system designed to prevent such people from buying guns worked: The store owner checked Smith's background and refused to sell him guns because he was under a court order to stay away from his girlfriend.

And then the system failed: Smith quickly and easily turned to an unlicensed "private dealer," who sold him used .22-caliber and .380-caliber semiautomatic handguns. The dealer had no obligation

to check Smith's background or make him fill out any federal forms. Police believe that Smith used the guns to kill two men and wound nine others—acts apparently motivated by racism and antisemitism—before fatally shooting himself.

The saga of Benjamin Smith points up the problem America faces in trying to keep handguns out of the hands of violent criminals. Thanks to lobbying by groups seeking to protect the rights of private individuals to bear arms, an estimated 40 percent of the nation's gun market is largely unregulated. The law allows tens of thousands of people to operate freely as private traders of used guns, according to estimates by

See GUNS, A4, Col. 1

academics and gun control advocates.

"There is no federal law that requires any kind of record-keeping when two private individuals make a private sale," said Forest Webb, who heads the National Tracing Center, run by the Bureau of Alcohol, Tobacco and Firearms (ATF).

This vast "secondary market" of used firearms sold by unlicensed private traders is a large unknown to federal and state authorities, Webb said.

That 4.5 million used guns are sold every year in this secondary market, roughly the same number as new firearms sold in the federally regulated retail or "primary market." The used guns are purchased at flea markets, in parking lots outside gun shows, in the homes of collectors, through want ads and gun magazines, over the Internet and among friends. A girlfriend of one of the teenage killers in the Columbine High School massacre in Colorado bought three of the guns used from three unlicensed dealers at a gun show outside Denver.

"Anyone who has a gun can be a source for anyone else wanting a gun," said Philip J. Cook, a professor of public policy at Duke University who has been studying the gun market for 30 years. "Anyone who is entitled to acquire a gun is a potential unregulated seller."

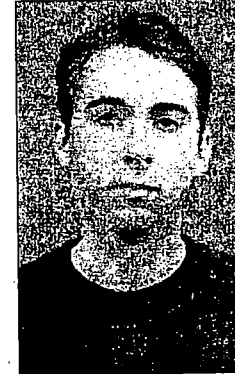
This state of affairs exists largely because Congress, under pressure from the powerful National Rifle Association, has ensured that there is no national system for registering and regulating gun sales the way there is for automobiles.

In 1986, Congress passed legislation narrowly defining a firearms "dealer," who is subject to federal regulations. The legislation restricted the definition to a person who devoted "time, attention and labor to dealing in firearms as a regular course of business" with the intent of making a profit and livelihood from it.

Licensed dealers, known as Federal Firearms Licensees (FFLs), operate under stringent rules. Under regulations issued by the Clinton administration in 1993, licensed gun dealers must be fingerprinted, prove they have legitimate shop premises, register with the local police and pay \$200 for a three-year federal license, plus any



BY MATT DATHOFF—PEORIA JOURNAL STAR VIA ASSOCIATED PRESS



Benjamin Nathaniel Smith, above, went on a shooting rampage in Illinois and Indiana last weekend before killing himself. Donald Fiessinger, shown at left leaving jail after posting bond in Peoria, Ill., was arrested on gun charges after allegedly selling two of the weapons Smith used in the crimes.

4.5 million new guns that are sold annually in the United States pass through a chain of wholesalers and distributors and down, in the great majority of cases, to the 74,000 licensed dealers who operate in the

guns, according to Justice Department officials.

Almost all of these federal procedures and regulations do not apply to the private, unlicensed traders in the secondary market. The law specifically exempts from licensing anyone engaging only in "occasional sales." There is no stated limit on the number of occasional sales.

Unlike FFLs, unlicensed dealers do not have to check on the backgrounds of would-be purchasers or keep records on their sales, though a few states, such as Maryland and Pennsylvania, have imposed their own requirements. Under federal law, unlicensed dealers are required only not to knowingly sell to felons or minors.

The unlicensed loophole explains how Benjamin Smith was so easily able to obtain two guns from a private trader, Donald R. Fiessinger of Pekin, Ill. Fiessinger was arrested Thursday only because federal law enforcement officials happened to be watching him already. He had come under investigation by ATF before Smith's holiday weekend shootings because he had purchased 65 handguns from a licensed dealer and one of his guns

had been seized from another person during a routine traffic stop. Fiessinger, who phoned an ATF agent Tuesday to report that he had sold two guns to Smith, had also advertised weapons for sale in a local newspaper, raising suspicion that he was more than an occasional dealer.

Such investigations of unlicensed dealers are rare. ATF officials say that proving that a private dealer has crossed the line between occasional sales and gun dealing as "a regular course of business" is extremely difficult and requires a long period of surveillance. ATF spokesman Bill Kinsella said that more than 50 percent of ATF undercover investigations at gun shows last year involved unlicensed private dealers and that 88 convictions for illegal trading resulted.

No one knows precisely how many private dealers like Fiessinger are out there. Estimates range up to the tens of thousands. According to gun control advocates, their number likely has grown substantially since the Clinton administration began cracking down in 1993 on licensed dealers, many of whom at that time were fly-by-night opera-

tors selling guns from their car trunks or at home in "kitchen table" deals.

The crackdown reduced the roster of FFLs from 286,531 to 104,727, according to ATF statistics. Private dealers have entered the gap. They constituted 25 percent to 50 percent of those participating in the 4,400 gun shows held last year, according to a Treasury Department study.

A June report on gun crime in 27 cities among people age 18 to 20, published by the departments of Treasury and Justice, noted that they were readily able to acquire used handguns from unregulated private dealers. More than half of the guns used in crimes by people age 20 and younger came from the secondary market, the report states.

In addition to weakening the system of federal background checks on gun buyers, the proliferation of the secondary market and the private traders who operate in it impairs the federal system for tracing guns used in crimes.

Tracing a new gun used in a crime is relatively easy. All of the legally manufactured or imported

primary market. (There are other FFLs, such as collectors, pawnshops and manufacturers, who are not principally involved in new gun sales.)

To trace a new gun, law enforcement officials obtain the serial number from the gun's frame and call it in to the gun's manufacturer, which then tracks the gun to the wholesaler and on to the licensed dealer. The dealer is required to maintain a record of all purchasers.

But for a used gun sold by an unlicensed dealer, law enforcement must follow the same route and then go beyond the first retail purchaser in a difficult search for all subsequent buyers, in effect seeking to establish a "chain of custody" among the private purchasers of a gun. This can prove to be impossible.

The scope of the used-gun problem was outlined in a 1994 national survey of gun owners conducted by the Washington-based Police Foundation. The survey found that 19 percent had obtained their firearms as gifts and that nearly 30 percent had received them from friends or family members. Altogether, 40 percent had obtained a gun through some source other than a regulated gun store or a pawnshop.

None of those guns would trace back to the current owners.

"There are literally millions of guns that enter, exit and reenter commerce," said ATF's Webb, "and we have no way of tracing those guns."

PHOTOCOPY PRESERVATION

Washington Post
7/11/99

'Dragon Man' Sells Guns but Is Looking Askance at Buyers

* * *

Columbine High Killings Made Colorado Dealer a Believer In Registering All Resales

A1

By ROBERT TOMSHO

Staff Reporter of THE WALL STREET JOURNAL

COLORADO SPRINGS, Colo. — With tangles of serpent tattoos cascading down his beefy shoulders, gun dealer Mel Bernstein doesn't look as if he cares what polite society thinks.

Indeed, while most firearms retailers scurried for cover after the April 20 massacre at Columbine High School in Littleton, Colo., Mr. Bernstein stepped into the spotlight, announcing that teenage gunman Eric Harris had come by his Dragon Arms store looking for (but not buying) a fully automatic, M-60 machine gun.

The 53-year-old Brooklyn native then led camera crews outside, where he ripped off a few rounds with one of the mammoth automatic weapons. "All my life, I've wanted to blow minds," says Mr. Bernstein, who is also known as "Dragon Man," because of his motorcycle, which is rigged with a flamethrower.

But lately, the burly biker has started to worry about his gun business—not sales, but some of the buyers. For the first time, Mr. Bernstein says, he is beginning to feel a little edgy.

With annual revenue of about \$600,000, his little blue-collar empire is tucked

among the rolling hills east of town. It boasts a military museum, a paint-ball course, a firing range and a thriving motorcycle machine shop, as well as Dragon Arms, which is licensed to sell everything from cheap handguns to vintage bazookas.

The isolated compound is posted with signs warning visitors not to arrive unannounced after dark. Its dusty entry road is lined with a macabre array of bullet-pocked sedans and bloodied mannequins. "This guy gave Dragon Man a hard time," warns one sign posted amid the fake gore. "This customer asked too many questions," reads another.

"After they see that, a lot of people are afraid to come in," chortles Mr. Bernstein, who drives around town with twin .50-caliber machine guns bolted to the roof of his Suzuki Samurai.

The rebellious son of a New York chiropractor, he quit high school in the ninth grade to collect guns, build motorcycles and ride with gangs. "A lot of them are in jail," Edith Bernstein says of her son's old crowd. "A lot of them are dead."

After surviving an Army stint in Vietnam in 1965 and '66, Mr. Bernstein opened a Long Island motorcycle-repair shop that became widely known for its mail-order

engine overhauls. Drawn by cheaper land and lower taxes, he and his wife, Terry Flanell, moved the business to Colorado in 1982. They stumbled into firearms retailing after accepting a cache of guns as repayment of a business debt.

Although authorities initially conducted surveillance, Dragon Man slowly won them over. He drove Memorial Day convoys of his own vintage military vehicles through town and appeared in the local Christmas parade astride his fire-breathing chopper. Politicians began campaigning at the compound's popular weapons shows, which featured Mr. Bernstein blasting junk cars to kingdom come.

"For a while, there was a mentality that Mel was selling machine guns and grenade launchers on the street, but there is no evidence of that," says Rich Marianos, who heads up the local office of the U.S. Bureau of Alcohol, Tobacco and Firearms. "Mel's not dirty."

Indeed, Mr. Bernstein and his wife try to maintain scrupulous firearms records and, when suspect customers come through the door, they call authorities. They have been "incredibly cooperative," says David Glenn, a Colorado Springs police commander.

Mr. Bernstein's problems haven't involved pricey weapons such as his mortars, Tommy guns, or .50-caliber machine guns, which fetch nearly \$7,000 each. Buyers of such powerful arms must undergo lengthy and intensive background checks.

The trouble has been with cheap, semi-automatic weapons like the 9mm Lorcin pistols that Dragon Arms buys wholesale for \$49 each and sells for \$110. Mr. Bernstein doesn't apologize for carrying such merchandise. "That's where we make the money," he says, adding: "If we don't sell them, they'll just go somewhere else."

But lately, Mr. Bernstein has begun to wish certain customers would shop elsewhere. They are the ones who buy weapons intending to sell them on the street or distribute them to others who can't make legal purchases because of their age or felony convictions.

Often employed by gangs and drug smugglers, such so-called "straw buyers" have spawned calls for tighter legal restrictions and charges that the industry isn't doing enough to police itself.

Mr. Bernstein has occasionally seen straw buyers distributing newly purchased guns to others in his parking lot. Meanwhile, weapons from his shop have turned up in distant criminal investigations and suspicious strangers pull up often enough that Ms. Flanell has begun locking up early when her husband is away.

"I don't want these people here," says Mr. Bernstein, who has refused to do business with some buyers.

One Incident

But sometimes, it's hard to tell.

One of his best customers used to be a mannerly young Army sergeant from

nearby Fort Carson. In 1997, a military court here sentenced the soldier to 15 years in military prison for his involvement in a scheme to transfer weapons purchased at Dragon Arms to a Gary, Ind., street gang.

"The reason they went out there was purely his reputation, his tattoos, his gregarious, P.T. Barnum-type nature," says Scott Thomason, an ATF agent based in Gary who worked the case. "They went to who they thought was the shadiest dealer in town."

Lately, Mr. Bernstein's persona has had other repercussions.

Ms. Flanell, the mother of two young girls, was emotionally devastated by the Columbine killings and the outraged calls she fielded after Dragon Arms was mentioned in news reports and Mr. Bernstein was seen on television. "I don't want to be blamed for something so tragic," she says.

Investigators maintain that the security videos from the store don't show Mr. Harris, who apparently took his own life in the Columbine massacre, along with partner Dylan Klebold. Still, authorities weren't surprised by Mr. Bernstein's claims that Mr. Harris and his friends had indeed been in his store. "He realizes that there is a potential for 260 million Americans to know that he sells arms," says Mr. Marianos, of the ATF, suggesting that Mr. Bernstein likes publicity.

"I might be a showoff, but I'm not a liar," says the Dragon Man, fuming.

New Uncertainty

Still, straw buyers and teenage killers have stirred up deep uncertainty for Mr. Bernstein, who once compared the jolt of a machine gun to the joy of sex.

As it stands, firearms leave a legal paper trail only from the manufacturer to the first retail buyer, so nobody readily knows how many times they change hands after leaving a licensed retailer.

In radical opposition to his industry, Mr. Bernstein now believes that every gun should be registered every time it is bought or sold by anyone. "That's the only way that they are ever going to be able to keep track of everything," he says.

In the meantime, Mr. Bernstein and his wife are discussing whether to renew their federal firearms license when it expires in November. Dragon Man has stopped renting machine guns at his firing range, and he has started stashing loaded weapons for protection around his machine shop.

"You've got to think about what could happen," he says. "It's getting too dangerous."

GOP Tax-Cut Plans May Face Clinton Resistance

By GREG HITT

Staff Reporter of THE WALL STREET JOURNAL

WASHINGTON—Momentum is building on Capitol Hill for a broad-based tax cut, as rival plans emerged from committee chairmen in the House and Senate.

Senate Finance Chairman William Roth, unveiling a plan he hopes will attract bipartisan support, proposed to shave the lowest income-tax bracket to 14%, from 15%. The Delaware Republican's initiative would ripple up the income scale, benefiting all taxpayers regardless of wealth or family status at a cost of more than \$200 billion over 10 years, and perhaps more.

Not to be outdone, House Ways and Means Chairman Bill Archer quickly followed with a more generous—and more partisan-edged—proposal to cut all five income-tax rates across the board by 10%. The Texas Republican's proposal would be slowly phased in, but even so would cost about \$400 billion over 10 years and far more than that when fully implemented.

Cold Water From White House

White House officials reacted with a warning that the GOP is overestimating President Clinton's willingness to compromise on taxes as part of any broader deal this year to divvy up the projected budget surplus. In recent days, Mr. Clinton and the GOP leadership have hinted at a willingness to work together, but this weekend the two camps appeared to be drifting farther apart.

"These are two massive tax cuts that would prevent us from securing the Medicare trust fund for the future, would result in deep cuts in military readiness, and even deeper cuts in education, health, the environment, and other critical national priorities," said Barry Toiv, a White House spokesman.

On NBC television's Meet the Press, Treasury Secretary Lawrence Summers repeated the president's view that budget surpluses should be spent to reduce the federal debt, fund Social Security and provide prescription-drug benefits for Medicare recipients before any tax cuts are provided. "First things first," Mr. Summers said. Mr. Clinton, the secretary said, "will not sign any budget that doesn't put Social Security and Medicare first."

Republican proposals for tax cuts totaling \$700 billion to \$800 billion over 10 years aren't feasible, and Mr. Archer's plan for an across-the-board tax cut "would preclude our chance to do something" about Social Security and Medicare, Mr. Summers said.

Mr. Clinton will confer at the White House today with GOP leaders in a meeting orchestrated by the administration to spur action on a presidential plan to overhaul Medicare. But with the huge surplus serving as a backdrop, tax cuts are sure to come up.

"President Clinton admitted in 1995 that he'd raised taxes on Americans too much, and I agree with him," Mr. Archer said. "Republicans are determined to protect taxpayers, who ultimately get stuck with the bills."

Playing to the Voters

The GOP tax-cut campaign represents an all-out effort to define the party and reach out to voters ahead of the 2000 politi-

cal campaign. Republicans have done little to distinguish themselves from Democrats on spending issues in recent years, and GOP strategists are betting a major tax cut will turn that around, even though polls show most Americans rank the issue behind education and Social Security as national priorities.

Republicans intend to send Mr. Clinton a tax-cut bill before Congress recesses for the summer in early August.

Some Common Ground

Messrs. Archer and Roth will outline in more detail their competing bills this week, but already there are important differences. Besides the varied approaches to a broad-based tax cut, the two lawmakers differ on capital gains. Mr. Roth proposes no cut in the tax on profits from the sale of stocks, bonds and other assets, while Mr. Archer wants to lower the top individual tax on capital gains to 15%, from 20%, for assets held one year. Mr. Archer's capital gains plan would cost about \$50 billion over 10 years out of a package expected to total about \$850 billion.

Mr. Roth's plan is expected to come in closer to \$792 billion for the same period. Both chairmen are proposing to ease the bite of the so-called marriage penalty and to promote a variety of savings, pension, health-care and education tax cuts.

Mr. Roth, in a national radio address Saturday, emphasized the fact his tax bill "incorporates proposals that have significant bipartisan support." His plan to provide broad-based tax relief was under scrutiny by Democratic members of the Senate Finance Committee before the chairman picked it up. For individuals in the 15% tax bracket, the Roth proposal amounts to a 7% tax cut, a spokeswoman said. That percentage declines for those taxpayers further up the income scale. As currently envisioned, the plan would be fully effective Jan. 1, 2001, and wouldn't be phased in.

Mr. Archer's plan is more closely identified as a Republican priority—and presents a sharper wedge with Democrats. Beginning Jan. 1, 2001, the Archer plan would begin to ratchet down all individual income tax rates. When fully implemented, the lowest 15% rate would drop to 13.5%; the highest rate of 39.6% would drop to 35.6%, according to an aide. At 1999 levels, a married couple with adjusted gross income of \$55,700 would receive a \$1,000 tax cut, said Trent Duffy, an Archer spokesman. A single taxpayer with adjusted gross income of \$30,000 would receive a \$510 tax cut.

THE WEAPONS

Most Crime Guns Are Bought, Not Stolen

By FOX BUTTERFIELD

The teen-agers who killed 12 of their classmates and a teacher last week in Colorado got their guns the way most violent juveniles and adult criminals get theirs: by purchasing them from gun dealers or at gun shows or by buying them using friends as intermediaries, law enforcement officials and criminologists say.

The idea that juveniles and adult criminals buy their weapons, usually new guns, from legitimate sources is a finding developed only in the past three years and contradicts what had been the widely accepted view, that they steal their guns, usually older weapons. The traditional view, still advocated by the National Rifle Association, was that because criminals steal their weapons and because there are an estimated 230 million guns in America, there is little anyone can do to stop people from getting access to guns for crimes.

But, David Kennedy, a senior researcher at the John F. Kennedy School of Government at Harvard University, said the new finding "is a quiet revolution that means law enforcement now has practical ways to go after illegal guns." Police departments in several cities, including Boston, New York, Baltimore and Los Angeles, now target the illegal sale of guns the way police have long cracked down on drugs, and the campaigns are credited with sharp drops in violent crime.

The recognition that juveniles and criminals buy their guns comes as a result of tracing guns seized in crimes by the Federal Bureau of Alcohol, Tobacco and Firearms, an effort largely begun during the Clinton Administration.

The firearms bureau reported in February that about a third of guns used in crimes by juveniles were manufactured within the past three years, and half of all guns illegally acquired by young people involved straw buyers, either friends of the offenders or organized rings of gun traffickers.

In another new finding, Senator Charles E. Schumer, Democrat of New York, reported today that 1 per-

cent of Federally licensed firearms dealers sold nearly half of the guns traced to crimes in 1998.

Using data gathered by the firearms bureau, Mr. Schumer found that although about 80 percent of the 104,000 licensed gun dealers did not have a single crime gun traced to their stores last year, 1,160 dealers were the source of 34,626 guns seized in crimes. And 0.1 percent of the dealers, or 137 of them, accounted for more than 13,000 guns traced to crimes in 1998. Some of these dealers each sold more than 1,000 guns that were used in crimes from 1996 through 1998.

"It is clear that a few bad apples

Tracing sales to crack down on violent crime.

are supplying the lion's share of guns to criminals," Mr. Schumer said. "This will allow us to focus on the bad dealers and choke off the pathway of guns as they move from legitimate commerce to children."

A dealer in West Milwaukee, for example, sold 1,195 guns used in crimes in the past three years, the data showed, while one in Riverdale, Ill., a Chicago suburb, was the source of 1,176 crime guns. The firearms bureau did not provide the dealers' names, under the terms of the law allowing it to trace crime guns.

Mr. Schumer and President Clinton have both proposed legislation that would give the firearms bureau more authority to crack down on so-called dirty dealers, stores that either knowingly sell to criminals or that straw buyers have learned will sell guns without asking too many questions. One of their proposals would allow the bureau to conduct more than the current limit of one inspection per year of a gun dealer's records.

Another proposal would permit the

firearms bureau to temporarily suspend the license of dealers who sold guns used in crimes without going through a time-consuming hearing process.

As further examples of the problem, Mr. Schumer said that 15 dealers in Indiana were the source of 5,119 crime guns from 1996 through 1998, 10 dealers in Illinois accounted for 4,287 guns used in crimes during that period, and 15 dealers in Georgia were the source of 3,726 crime guns in three years. Similarly, one dealer in Carson City, Nev., supplied 326 guns used in crimes in 1998, all but two committed outside Nevada.

Gun tracing by the firearms bureau has revealed that three of the four guns used in the attack at Columbine High School in Littleton, Colo., were purchased at Denver-area gun shows by Robyn Anderson, the 18-year-old girlfriend of Dylan Klebold, one of the killers, the Jefferson County sheriff's office said. When she then provided the weapons — two sawed off Savage shotguns and a Hi-Point 9-millimeter semiautomatic carbine — to the teen-agers, she was acting as what one Firearms Bureau agent described today as "a classic straw purchaser."

Young men who are under 18, the legal age to buy handguns, or are barred from purchasing because they have a criminal record, often recruit their girlfriends to buy for them, the agent said. Straw purchasing is a violation of Federal law, and, in many states, a violation of local law.

The firearms bureau has long tracked guns used in notorious crimes, but as more police agencies recognize the importance of gun tracing, the number of guns the bureau traces has climbed to 194,235 guns in 1997, up from 37,181 in 1990. Some dealers with troubled histories do not keep their records, agents say, making tracing more difficult. But as the bureau has become increasingly successful at gun tracing, the National Rifle Association through its supporters in Congress has mounted an effort to get it to purge some of its gun tracing data base.

The New York Times

FRIDAY, APRIL 30, 1999

Surprise on Capitol Hill: No! And Then Billions

By ADAM CLYMER

WASHINGTON, April 29 — For Congress, or even one house of Congress, to refuse to endorse current combat missions is about as unusual as Congress's keeping pork out of an urgent spending bill.

But the House is taking the first of those untrodden paths even as it takes its customary route on the second. On Wednesday night it voted not to endorse the bombing of Yugoslavia.

Today its Appropriations Committee voted to spend more than twice what the Administration sought for the campaign and another billion or so for other neat stuff like base construction.

In the short run, the contradiction may not matter much. But who knows if this war is a short-run conflict? And if it is not, the deep partisan division raises embarrassing warnings for the Clinton Administration.

Ever since it took office, the Administration has paid more attention to the Senate than the House, and hardly any to individual House Republicans. From 1995 through early 1998, President Clinton could occasionally deal with Speaker Newt Gingrich.

But the White House approach was generally to count on the Senate to clean up any mess the House made. And the Senate, where most members can visualize themselves in the Oval Office, is inclined to see virtue in a powerful Presidency, especially for foreign affairs.

That pattern has persisted. Mr. Clinton has talked to Congressional leaders about Yugoslavia, but not to the rank and file. And the White House, concentrating on the other votes on the Wednesday schedule — a bid to withdraw and a demand for consultation before ground troops might be used — was caught napping on the bombing vote.

But that is not the only factor. Representative Tom DeLay of Texas, as majority whip the President's most powerful enemy in Congress, was doing his utmost to turn votes against the bombing, while Speaker J. Dennis Hastert sat quietly, not even casting his "aye" vote early to give a signal of his support for it.

Representative Mary Bono, Republican of California, said that after she had voted to endorse the bombing Mr. DeLay had come up to her and asked: "'Are you sure of this vote? Are you really convicted, because we really need a 'no.''"

She said that she rejected his plea and that he went away, but that she changed her vote to no after talking to others.

Mr. DeLay issued a statement today saying that it was 26 Democratic defections, not his lobbying, that defeated the measure on a tie, 213 to 213. He called it a Democratic miscalculation.

An aide, Mike Scanlon, said: "We talked to members on the floor. We didn't twist any arms. We didn't break any knuckles."

He had a point when he accused Democrats of being overconfident. After 92 Republicans had voted earlier against compelling a withdrawal of troops under the War Powers Resolution, Democrats assumed that

most would consider it logical to endorse the bombing. But 61 of them switched, leaving only 31 Republicans behind the President on the final vote.

The White House seized on the contradictions. Joe Lockhart, the press secretary, termed the results "a muddle." He said: "They did not want to move forward with ground troops. They voted against withdrawing and were deadlocked on the merits of the air campaign. The only thing they seem to agree on is that they want to double the amount of money we should spend on this policy that they can't agree on."

But Republicans interpreted their votes differently. Dick Armey, the majority leader, said in an interview, "I did not want to give them an after-the-fact blessing." He said the day's important message was the demand, which passed, that Mr. Clinton consult before using ground troops.

Mr. Hastert said in another interview, "We didn't whip anybody." He faulted Mr. Clinton for having ignored his advice to come and talk to House members.

Mr. DeLay told the House not to "take ownership" of the war by supporting it. He was telling Republi-

A deep division in Congress raises uneasy warnings.

cans to let the President keep the inevitable blame for himself.

Just as it is unusual for members of Congress not to do the safe thing and vote in favor of a war that has already started (even while complaining about it), it is almost unheard of for Republicans to invoke the 1973 War Powers Resolution, which passed despite them and over President Richard M. Nixon's veto.

But the vote to demand a withdrawal of United States forces from the war in 30 days rested on that act. Although it was defeated, 290 to 139, Republicans backed it, 127 to 92.

Bill Kristol, editor of the conservative Weekly Standard, has accused many in his party of creeping isolationism. Today he called the invocation of the War Powers Resolution "legislation the Republicans have always despised, in order to cut off a military action that is under way and upon whose success American credibility depends, is really appalling, really irresponsible."

This Administration, like its predecessors, regards the resolution as unconstitutional. As the appropriations vote today shows, there is not the faintest inclination to halt financing the war, an undoubted Congressional power.

But House opposition can spread to the Senate. An unwilling Congress dealing with war cannot make it easier. Especially if the public continues to share what Representative David Dreier, chairman of the Rules Committee, today called "the same kind of confusion that exists in the Balkans, that exists in the White House, that exists in the Congress."

With Often Arcane Tools, U.S. Agency Traces Littleton Guns

By DAVID B. OTTAWAY
Washington Post Staff Writer

FALLING WATERS, W.Va.—Edward Stely, a federal firearms tracing specialist, waited 28 hours for the call from a colleague at the horrific crime scene in Littleton, Colo.

Stely scribbled down the names and serial numbers: two Savage 12-gauge shotguns, an Intratec TEC-DC9 semiautomatic handgun and a 9mm Hi-Point carbine.

It was 5:30 p.m., April 21 when the detective work began. Stely, 26, and co-worker Amy Southard worked until 1 a.m. April 22, combing through records in computers, boxes and on microfilm here at the Bureau of Alcohol, Tobacco and Firearms National Tracing Center.

They solved only pieces of a puzzle that is still incomplete. The Columbine High School massacre underscored again the deep wrinkles in the government's ability to pin down gun ownership. At a moment when speed was of the essence—when officers were poised to round up anyone who helped two troubled teenagers obtain

weapons used to kill 15 people—Stely had to proceed down a time-consuming and convoluted trail.

The ATF prides itself in the improvements made in tracking crime guns over the past few years with improved technology and tougher laws. These steps were hard-won victories because the agency has faced opposition at every turn from the National Rifle Association, the powerful weapons lobby.

But the ATF is still forbidden under the 1986 Firearms Owners' Protection Act from establishing a national system in which gun owners register their firearms. Instead, the agency locates owners through a twisted route, collecting records about sales from dealers and manufacturers. These offer the beginnings of an ownership trail.

With a serial number, tracers such as Stely can determine when and where a gun was made and who sold it. The rest is legwork—and luck.

In Littleton, 25 ATF agents and local officers are knocking on doors this week, hoping to fill in blanks in the story of how Eric Harris, 18, and

Dylan Klebold, 17, collected an arsenal used to kill classmates, a teacher and then themselves.

"There is no big computer database with thousands or millions of American citizens' names," said Forest G. Webb, head of the tracing center. "The perception is that if we were able to collect additional information on gun purchases that we are, in fact, creating a gun registration."

Stely laid the groundwork from his tracing center cubicle. "There was

TRACE, From A6

certainly a sense of urgency," he recalled, "but you try to keep your composure about everything."

As soon as the call came in, he turned to the records on more than 200 million firearms transactions ATF has accumulated since 1968. Scads of records have been handed over since 1994, when dealers by the thousands closed after the ATF made it tougher and more expensive to secure a federal firearms license. The regulations effectively reduced the number of licensed dealers from 287,000 in 1993 to 105,000 today.

Stely initially was stumped in tracing the two old shotguns. Scouring through microfilm, he discovered they were made by a defunct manufacturer that had turned over its inventory of serial numbers.

The serial numbers—permanent IDs that are attached to a weapon—were among the 90 million such numbers stored at the center. But even pinning down a weapon's serial number is more complicated than it seems. Each gun manufacturer may

have its own serial number system—so the same number often appears on many different firearms.

Eventually, Stely found the correct numbers and the wholesalers who had handled the shotguns in 1969. He identified the dealer who had first sold one of the shotguns. Then the trail went cold.

Stely and Southard had more luck tracing the 9mm carbine. Southard used records to identify the manufacturer, Hi-Point Firearms in Mansfield, Ohio, then found the guns shipment to a wholesaler and then to a California shop. Southard telephoned the dealer, whom ATF has declined to identify, at home. The dealer offered to go back to her shop to comb through sales records. ATF was able to get information on that gun the same night.

Stely was less fortunate in tracking the TEC-DC9, a used gun that would sell for \$100 to \$150, that night. He tried to telephone the emergency number of Navegar, the gun's maker, in Miami, but there was no answer.

By the time Stely's colleagues telephoned ATF agents in Littleton

at 10:30 a.m. Thursday—17 hours after the original phone call—here was what was known:

There was nothing to show who had originally bought the Savage shotguns—a mystery that would have to be solved through interviews. The Hi-Point had been traced to the California dealer. The TEC-DC9 remained untraced.

Stely would not disclose names of wholesalers or dealers, but the Denver Post has reported that the TEC-DC9 was shipped to Zander Sporting Goods in Illinois, then to a gun shop outside Denver.

Five days later, federal and local investigators determined through gumshoe work that Klebold's girl-

friend, Robyn Anderson, 18, bought the two shotguns and the Hi-Point carbine (which sells used for \$85 to \$100) at a gun show.

On Tuesday, the ATF found the man who sold the TEC-DC9 to the teenagers—a pizza shop co-worker.

Webb says the tracing process could be vastly accelerated by making dealers register all sales.

Still, last year the center had 197,000 trace requests and tracked 52 percent of them to the wholesaler. It lost track of 25 percent of these firearms after reaching the retailer level. The rest it could not trace at all.

Staff researcher Alice Crites contributed to this report.

The Washington Post

FRIDAY, APRIL 30, 1999

Threats Continue To Plague Schools

Scared Students Stay Home

By AMY ARGETSINGER
Washington Post Staff Writer

Phony bomb threats and vague rumors of violence disrupted schools across the Washington region yesterday, forcing evacuations or sweeps of dozens of schools left jittery in the wake of last week's Littleton, Colo., massacre.

None of the whispers or warnings crystallized into real violence. The few tangible incidents reflected, at most, the potential for trouble—a teen arrested for verbal threats in Bowie, a fake bomb found in a Loudoun school, explosive materials surrendered by some Glen Burnie adolescents.

Yet tensions were so high that at four high schools in northern Virginia, hundreds of students refused to show up for class yesterday, frightened off by rumors that violence of some kind would erupt.

None of those four schools had even received a bomb threat yesterday.

School officials—who traditionally have tried to play down bomb scares for fear of inspiring copycats—grappled publicly with the problem of how to deal with this dramatic disturbance of their spring semester.

Even in the absence of actual violence, officials said they were upset by the spate of threats. "It increases the anxiety level of youngsters, who wonder if it is unsafe to

THREATS, From B1

come to school," said Jerome Clark, superintendent of Prince George's County schools, which received two bomb threats yesterday.

Some officials said they were seeing no more bomb threats than usual for this time of year. But most agreed that the shooting and bombing rampage at Colorado's Columbine High School has heightened concerns—and, they speculated, inspired a small number of other children to act out.

"It kind of encourages other kids to express their anger and their frustration," said Edward L. Kelly, superintendent of Prince William County schools.

The threats appeared yesterday in the form of anonymous phone calls, scrawled letters, even graffiti.

The first came before students even set foot in school. A school security officer making a routine check of Fairfax High School shortly before 6 a.m. saw the word "Boom" and the date "4-29" spray-painted on the south side of the building. A door window also had been broken.

Since a thorough bomb sweep was expected to take several hours, Fairfax County Superintendent Daniel A. Domenech decided to send the buses back and close the school for the day, rather than leave the students milling around outside for hours. No bomb was found, and police are continuing to investigate.

Fairfax High was the only school closed for the day, but nearly every school system in the Washington area reported threats that prompted schools to evacuate, if only briefly.

In Anne Arundel County, a 14-year-old boy warned a classmate at Glen Burnie High School—the site of a bomb threat Wednesday—that he was compiling a "hit list." The boy confessed to school officials that some of his friends were making a bomb. County police found possible bomb components—match heads, wires, chemicals and instructions—at the homes of two of his friends, ages 14 and 15. All three boys were arrested.

In Loudoun County, a librarian at Park View High School discovered a black device with a timer attached. Students were evacuated for two hours while authorities searched the building.

Four other Virginia high schools—Stonewall Jackson and Osbourn Park schools near Manassas, Stafford Senior High in Stafford and Liberty High School in Fauquier County—saw as many as one-third of their students skip school yesterday amid rumors of planned bombings and violence.

Earlier in the week, police arrested a 17-year-old Osbourn Park student for threatening to bomb the building, and four Stonewall Jackson students were suspended for spreading rumors about a "hit list" of students.

"You're just thinking, 'When will this end?'" said Rena Stauffer, president of Osbourn Park's parent-teacher organization. "You don't want to send your kids to school in fear."

About a dozen child care centers and private schools in the Maryland suburbs received threatening letters in the mail yesterday, according to Howard County police.

A spokesman for KinderCare Learning Center, which received notes at five facilities, said they contacted authorities immediately but did not evacuate.

School systems' reactions to the threats varied. The District, after evacuating all of its schools Monday in response to one threat, decided not to remove students from four of the five schools that received bomb threats yesterday. In Prince William, officials have not yet evacuated any schools this year despite receiving a handful of threats.

In Montgomery County, officials evacuated all five schools that received threats yesterday, saying they can't take any chances.

Staff writers Victoria Benning, Steven Ginsberg, Maria Glod, Annie Gowen, David Nakamura, Manuel Perez-Rivas, Linda Perlstein, Christina A. Samuels, Liz Seymour, Michael D. Shear, Debbi Wilgoren and Graeme Zielinski contributed to this report.

The Washington Post

FRIDAY, APRIL 30, 1999

Continued From First Page

gun and handgun lines and sent all of its files on old guns other than rifles to the ATF. Sure enough, Ms. Southard found that the records had been transferred to microfilm. That information led her by midevening to the name of a long-defunct firearm dealer in California.

It was well past quitting time, and Ms. Southard had been sick for the previous two days, but she didn't think twice about stopping. The events in Littleton had shaken her deeply. "It could have happened anywhere," she says.

Determined to find someone who could lead her to the closed dealership, she used generally available computer databases of addresses and the telephone directory to identify the owner of a hardware store next to the old gun shop's location. Through him, she found the last owner of the gun business.

The former gun dealer had dutifully kept piles of paper records, and he was willing to look through them. But to his and Ms. Southard's disappointment, the records went back only as far as the early 1970s, several years after the Savage was shipped.

Ms. Southard had hit her first dead end.

Weak Links in the Chain

Truckloads of old paperwork arrive every week at the ATF's grocery-store-size tracing center, most of it from gun dealers who are going out of business and are required by law to submit their sales records. In recent years, deliveries have accelerated as tens of thousands of firearm dealers have given up their federal licenses in the face of more stringent regulation by the Clinton administration.

The tracing center's paperwork avalanche is microfilmed and indexed by 140 contract employees. "We're more or less keeping pace, although if you came out here and looked at our dock, you might not think so," sighs Forest Webb, the special agent in charge of the center.

While managing the paper flow poses a daily struggle, the tracing center faces bigger problems from information that never gets into its system. Under federal law, each gun is supposed to leave a paper trail as it passes from manufacturer to wholesaler to retailer, and on to the first retail buyer. In recent years, a few manufacturers have linked their own computers directly to the ATF system, speeding up aspects of some searches.

But much of the paperwork stays with the business that completes it, and once a gun is in a private owner's hands, it may be resold by nondealers without anyone filling out any forms at all.

This patchwork system didn't occur by accident. Invoking the danger of government gun confiscation and other privacy violations, the politically potent National Rifle Association has successfully pressured Congress and the ATF to refrain from collecting anything close to a national database of gun owners.

When the ATF in the late 1970s proposed a computerized system to track guns from manufacturer to buyer, gun-rights advocates in Congress helped deny the agency the necessary funds. Congress reiterates the message annually, when it includes in the appropriations bill covering the ATF language barring the agency from using its money to construct a comprehensive computerized registry of gun data.

Hemmed in by congressional skeptics, the ATF also doesn't systematically amass information from criminal background checks required of all firearm purchasers under federal and state laws. Nor does it systematically collect data that many state and local police departments gather about weapons pawned or stolen within their jurisdictions.

While police tracking a suspect's car can tap into government databases that provide almost instantaneous information, no comparable resources exist for guns. "The gaps are huge, and the ATF must work around them," says David Kennedy, a Harvard public-policy professor who has studied tracing.

A Fortuitous Delivery

With midnight approaching last Wednesday, Ms. Southard began to pursue the other shotgun in earnest. Combing the Savage records, she quickly found the name of the wholesaler that had bought the gun, but after some unanswered phone calls and a recheck of the records, she realized the company had recently gone out of business. In fact, seven huge boxes of its unindexed paper records had arrived at the tracing center just that morning.

Running to the mail dock with a colleague in tow, Ms. Southard began tearing through the boxes, finally finding in the last one a collection of huge ledgers, nearly 1,000 pages apiece. Finding the book for 1969, she began running her finger down the neatly written pages of individual gun sales. Finally, sometime after midnight, she came to the serial number for one of the Littleton shotguns.

"We found it! We found it!" Ms. Southard screamed, as she ran back from the mail room, the massive ledger in hand.

But her excitement quickly faded. She scanned a 20-year-old Rolodex of pre-1975 dealers that the ATF keeps on microfilm. She called businesses with the same last name as the dealer listed in the ledger as having purchased the weapon.

She struck out.

A 'Very Bad Joke'?

From his blue cubicle across the room, Mr. Stely was having only slightly better luck tracking the two newer semiautomatic weapons.

The five-year ATF veteran, a 26-year-old father of one son, started his search for information about the black 9-millimeter Hi-Point carbine by calling its maker, Beemiller Inc., in Mansfield, Ohio. The

Weapons Search

The ATF's Tracers Follow Tortuous Path Of the Littleton Guns

Their Low-Tech Tools Take
Them Only So Far; Cops
Are Left to Fill the Gaps

The Role of Telemarketing

A

By ROBERT TOMSHO
And VANESSA O'CONNELL

Staff Reporters of THE WALL STREET JOURNAL

As the nation's airwaves pulsed with frenzied reports reconstructing every detail of the bloody massacre in Littleton, Colo., Amy Southard and Ed Stely began the painstaking job of re-creating the trail of the guns.

In an age of lightning-fast communication and ubiquitous computer databases, you might think that the two U.S. Bureau of Alcohol, Tobacco and Firearms staff members would be able to trace the ownership of the four guns used by the Littleton attackers with a few swift keystrokes.

Hardly. Many of the investigative tools used by employees at the ATF's National Tracing Center in Falling Waters, W.Va., hark back to the days when eight-track tapes and electric typewriters passed for high technology. Rather than tapping into comprehensive electronic records of gun ownership—in fact, none exist—the young ATF tracers would have to rely on microfilm, handwritten ledgers, dusty paper forms and harried phone calls.

Even those tools often may become useless once a gun is tracked to its initial retail sale by a dealer. Further private sales often aren't documented at all. The trail goes cold.

Indeed, even with the ATF's most vigorous efforts, figuring out how weapons ultimately find their way into the hands of people such as the two teenage killers at Columbine High School usually requires in-person police questioning. That is apparently how the authorities discovered that a girlfriend of one of the two attackers allegedly acquired three of the guns.

Old-fashioned police work also appears to have helped uncover the source of the fourth gun used in the assault. Yesterday, David Thomas, the Jefferson County District Attorney, said investigators have questioned a man suspected of being involved in supplying the fourth gun to the killers. The breakthrough apparently came after ATF agents visited a pizza parlor where the killers had worked.

But the hunt began in a crowded one-story brick building in the West Virginia countryside. And it didn't begin well.

13

It wasn't until late afternoon Wednesday, April 21, the day after the massacre, that the ATF's National Tracing Center received any details about the Littleton guns. Investigators in Colorado were eager to learn how two suburban teenagers had amassed an arsenal that included a TEC-DC9 semiautomatic pistol, a Hi-Point semiautomatic carbine rifle and two Savage shotguns. But first there was the more critical task of removing the dead, defusing dozens of homemade bombs and tallying the fatalities, which included the two gunmen, Eric Harris and Dylan Klebold, who killed themselves.

The ATF's 40 tracers are stationed in a rural area, across the street from a new residential subdivision. Ordinary trace requests, usually from local police investigating a more conventional murder or burglary, come in by fax. Last Wednesday, ATF field agents urgently called Mr. Stely by phone to dictate the serial numbers from the guns recovered from Columbine High. Manufacturers have been required since 1968 to stamp guns with serial numbers, and they are the foundation of gun tracing.

Mr. Stely and Ms. Southard pulled the Littleton assignment because they were the staffers on duty. While federal agents and local police fanned out across the Denver area, looking for potential witnesses and accomplices, the pair divided up the labor: He took the two semiautomatics; she, the pair of shotguns.

A former bookkeeper who joined the ATF as a "firearm specialist" just last October, Ms. Southard, 24 years old, discovered that the two 12-gauge shotguns thought to have done much of the killing were made in 1969. Far from being in mint condition, they were both sawed off at the stock and barrel to make them easier to conceal and had duct tape wrapped around their handles. Not good, Ms. Southard thought: Old guns are harder to trace because they are more likely to have changed hands many times, and records are more likely to have gaps.

That's been true of old Savage arms. The ATF says it has succeeded in tracing them to their first retail buyer only about 10% of the times the agency has tried. The manufacturer is Savage Corp. of Westfield, Mass. It was one of the country's leading low-priced gun makers in the 1960s. But in the late 1970s, the company hit hard times and was sold by its owner, Black & Decker Corp., to private investors. Many of the biggest names in the gun business, including Smith & Wesson Corp. and Colt's Manufacturing Co., have struggled financially and have had several corporate reincarnations over the decades.

Ronald Coburn, president of the company now known as Savage Arms Inc., says that in the late 1980s a predecessor corporation discontinued the Savage sh 1-

Please Turn to Page A6, Column 1

company's owner, Thomas Deeb, recalls hearing his office phone ring repeatedly around 7 p.m., Wednesday, but he was busy testing a new firing-pin design and let the answering machine pick up.

At 7:30 p.m., his wife, Shirley, called the factory, using their secret code: an alternating series of rings on the company's two lines. When he answered, she told him that the ATF had just called their home with an "extremely urgent" trace request about a Hi-Point 995 rifle.

Following ATF policy, Mr. Stely hadn't revealed the purpose of his trace, but Mr. Deeb says he had "a bad feeling." He and his wife had been following news of the tragedy on television. They had speculated—had prayed, really—that it would turn out that the young killers had used assault weapons with greater bullet capacity than their Hi-Point 10-round capacity.

Beemiller was able to provide Mr. Stely with the wholesaler in Dayton, Ohio, who bought the gun in August 1998 and then resold it to another distributor in Selma, Ala.

"Sick with worry," as Mr. Deeb describes himself, he "tried to look for the only good part" he could find. The gun was relatively new, he told his wife, and "that means it couldn't have been turned around more than a few times." It should be traceable, he thought.

Gene Lumsden, owner of the Selma wholesaler, Walter Craig Inc., remembers answering Mr. Stely's midnight phone call on the second ring, fearing that something might have happened to one of his young grandchildren. The 51-year-old businessman didn't believe his caller was really an ATF staffer; the agency had never called him at home or so late.

"This is a very bad joke to be playing on somebody," snapped Mr. Lumsden. But after demanding Mr. Stely's number and calling him back in West Virginia, Mr. Lumsden realized it wasn't a hoax. He took down the serial number of the Hi-Point his company had acquired last Aug. 17.

Mr. Lumsden's company is a midsize wholesaler and like a growing number of gun distributors, relies on telemarketers to sell firearms. Walter Craig Inc. has a team of about 20 telemarketers, who work the phones to sell to about 800 dealers nationwide, although most are in the South. Manufacturers send their guns to the Selma wholesaler by United Parcel Service, and the telemarketers resell them, often within a few days. "We move some products quickly," Mr. Lumsden says.

Early Thursday morning, Walter Craig's Mr. Lumsden had an employee punch the carbine's serial number into the computer. Up popped the name of a gun and pawn shop in Longmont, Colo.—a "very good customer," Mr. Lumsden says.

Mr. Lumsden's records showed that the Hi-Point carbine was only at the Walter Craig warehouse for about one week before the telemarketer assigned to Colorado deal-

ers resold it to the Longmont store. The carbine was part of a shipment of about seven items, including slings for carrying guns over the shoulder and other hunting accessories, sent by UPS to Longmont.

By 7:40 a.m. his time Thursday, one of Mr. Lumsden's employees had called the tracing center and provided the dealer's name and firearm-license number.

"Is this about Littleton?" the employee asked.

Bending the rules, an ATF colleague of Mr. Stely's confirmed that it was.

Mr. Lumsden says he tried to console the telemarketer who handles the Longmont dealer's account. "Like all the rest of us, she was upset, but as I told her, we have complied with the law," he says. "Sometimes, when it leaves the dealer, transactions take place that we have no control over."

Just Guns

Mr. Stely's efforts to reach Miami-based Navegar Inc., maker of the TEC-DC9 semiautomatic pistol, were unsuccessful. But on Thursday, another ATF staff member traced the gun from Navegar to Zanders' Sporting Goods Inc., a mail-order distributor in Baldwin, Ill.

Zanders' also sells guns by phone. It employs 10 telemarketers who call on dealers using lists of dealer names and addresses provided by the government. They ship guns often by overnight carrier; most shipments contain just a few guns each.

Zanders' bought the TEC-DC9 in 1994, the very year Congress banned the future manufacture of TEC-DC9s, among other assault weapons. (Hundreds of thousands of the assault weapons made before then were left in circulation.) Zanders' provided the ATF with the name and phone number of Just Guns, a short-lived gun dealer that once did business in a windowless corner of a dingy retail strip in Westminster, a Denver suburb about 10 miles north of Columbine High School.

Only in business for a month, according to Westminster public records, Just Guns bought the TEC-DC9 on Sept. 5, 1997. Just Guns's former owner, the records show, is Royce Spain; he couldn't be located for comment. According to Bart Eaton, Zanders' vice president of sales and marketing, Just Guns, the dealership that bought the TEC-DC9, "wasn't a huge account" for Zanders'.

Investigators won't say whether they know how many transactions the gun was subsequently involved in before Mr. Harris and Mr. Klebold brought it with them to the school on the morning of April 20.

By midmorning Thursday, April 22, the tracing center had done all that it could in trying to track the ownership of the four guns. The shotgun trail had exhausted itself, and if there was more to be learned about the newer semiautomatics, it would have to be done through police shoe leather: working the street, going door-to-door and conducting interviews.

When it comes to tracing weapons, "there are some capabilities with technology," says Lt. Jeff Shrader of the Jefferson County Sheriff's Department, "but there always has to be that face-to-face contact."

As a spring storm pummeled Littleton, the trace results were telephoned from West Virginia to an ATF field agent working on the investigation in Denver. There, they were turned over to a team of 35 investigators who have been interviewing hundreds of witnesses about the guns and other aspects of the investigation.

One person they called upon is Larry Russell. The 69-year-old gun dealer has been in the business off and on for years and now operates out of a small storefront that he shares with a burrito maker in Federal Heights, a northern Denver suburb. When Mr. Russell first heard about the Littleton massacre, he rushed to his records and was relieved to find that neither of the killers appeared in his books.

But then, just a few days ago, ATF agents appeared at Mr. Russell's door. Among other things, they asked him about Mr. Spain, the owner of Just Guns, the defunct business in the neighboring town of Westminster that is believed to have once handled the semiautomatic pistol. Mr. Russell says he hasn't seen Mr. Spain recently but, from time to time in the past, has bought TEC-DC9s from him. Mr. Russell says he offered to let the ATF agents see his own records, but they didn't take him up on it. He says the agents told him that they believe the weapon was sold legally by Mr. Spain, but they didn't know where it went from there.

ATF officials wouldn't comment on that, and investigators in Littleton won't say just how far they have succeeded in fully tracing the ownership of the weapons. But they are clearly making progress.

In recent days, authorities have said that they believe that Robyn Anderson, Mr. Klebold's 18-year-old girlfriend, may have purchased the two Savage shotguns and the Hi-Point carbine at one or more area gun shows, where private individuals often sell guns without keeping any records at all.

Although not ruled out as a suspect in the crime, Ms. Anderson has been cooperating with the investigation and is described by authorities as a "witness." Neither she nor her attorney could be reached to comment.

The statements from Jefferson County prosecutors that an arrest may be coming in connection with the TEC-DC9 also shows that the police work on the ground, building on the ATF trace, appears to be paying off. Late yesterday, a spokeswoman for District Attorney Thomas cautioned that the investigation remains fluid and that investigators are still questioning witnesses about the TEC-DC9.

Some of the gun sellers involved in the chain have been shaken by the tragedy. Mr. Deeb, owner of Beemiller, is 49 and has children, though he won't say how many. His factory is believed to have manufactured the Hi-Point carbine used in the shootings. "I have always been drawn to making guns because it is something I really like doing," he says. "But the flip side is that now I am faced with the fact that something I enjoy is somehow bringing pain and suffering."

As for the ATF tracers, their boss, special agent Webb, hints that in weeks to come, their contribution may become even more clear. "The issue doesn't end with us," he says, "but I think that we played an important role in whatever information we gleaned."

—Paul M. Barrett
and Christopher Cooper
contributed to this article.

IRS Is Threatening to Revoke Status Of Hawaii Estate if Trustees Don't Quit

By LEE GOMES

Staff Reporter of THE WALL STREET JOURNAL

The IRS is threatening to revoke the tax-exempt status of Hawaii's Bishop Estate unless its five trustees resign, according to a person who has seen a sealed court filing in Honolulu.

It is the latest development involving the estate, a political and economic powerhouse in Hawaii with assets of about \$10 billion, including a roughly 11% stake in Wall Street's Goldman, Sachs & Co.

The 115-year-old estate has been at the center of a lengthy public furor in Hawaii for what critics charge is a pattern of cronyism at the expense of the native Hawaiian children who are the trust's intended beneficiaries. In recent months, two Bishop Estate trustees have been indicted for alleged kickback plots, while a third is now embroiled in a sex scandal that also led to the suicide of a Bishop Estate attorney.

On Wednesday, five special Bishop Estate trustees filed a sealed document in a Honolulu probate court that said the Internal Revenue Service believes the estate's oversight problems are so severe that its five regular trustees will need to step down. If they don't, according to the person who has seen the filing, the IRS may move to cut off the group's tax-exempt status, a step that could damage the trust's long list of development and investment projects.

The five special trustees who filed the papers had been appointed by a probate judge to deal with a continuing IRS inquiry into the Bishop Estate. Because one of the issues raised by the IRS is the salaries of the estate's regular trustees—who are paid close to \$800,000 a year—the probate judge earlier ruled the regular trustees had a conflict of interest in the matter, and appointed the five special trustees to deal with the IRS. The special trustees have had extensive meetings with IRS officials in recent months.

The report is likely to increase public pressure on the regular trustees to step down—even though they have already repeated their earlier vows not to. A spokesman for the overall estate declined to comment on the latest court filing, saying the IRS matter was still under court seal.

An IRS spokesman also declined to comment, saying the agency doesn't discuss continuing investigations.

Recent disclosures about the Bishop Estate have caused it to lose much of its political support throughout the islands. Critics

of the group say the IRS has ample grounds to question the leadership of a majority of the five trustees.

"They have set a world record for breaches of trust," said Randall Roth, a law professor at the University of Hawaii who has been a leader in the effort to oust the current trustees.

Also this week, there was a new casualty connected to the Bishop Estate controversy: Hawaii's state attorney general, Margery Bronster, who has been conducting a wide-ranging inquiry into the estate and who has gone to court to remove three of the five regular trustees. On Wednesday, the Hawaii Senate declined to reconfirm Ms. Bronster for a new term. Word of the court document stating the IRS's intentions was reported by the Honolulu Advertiser and Honolulu Star-Bulletin.

U.S. Is Closer to Imposing Steel Tariffs Against Japan

WASHINGTON (AP)—The Clinton administration moved closer to imposing punitive tariffs against Japan, with a ruling that producers there illegally priced steel in U.S. markets.

Tariffs of as much as 67% on hot-rolled carbon steel would make the widely used product from Japan more expensive. Already, there are signs of import reductions in anticipation of tariffs.

The federal government is considering similar tariffs against Brazil and Russia. A decision on Brazil has been delayed until July 6. A ruling on Russia is due June 10, but that country may be able to avoid tariffs if its agreement to curb steel shipments to the U.S. is ratified by both countries.

The Commerce Department ruled in February that it had evidence that Japan, Russia and Brazil illegally "dumped" steel—sold it in U.S. markets at prices below production costs or home-market prices. The department yesterday concluded that Japan did indeed dump steel.

Tariffs would be imposed if the U.S. International Trade Commission, an independent fact-finding body, concludes that the dumping has injured or threatens to hurt domestic producers. The commission already has found evidence of such a threat to the U.S. industry and is to make a final ruling in early June.

THE WALL STREET JOURNAL

FRIDAY, APRIL 30, 1999