

# Regulation and oversight of gun sales reduces trafficking to criminals

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Comprehensive regulation of gun sellers appears to reduce the trafficking of guns to criminals, according to a study led by researchers at the Johns Hopkins Bloomberg School of Public Health.

Preventing the diversion of guns to criminals is important because 85 percent of guns recovered by police were recovered from criminal suspects who were not the original purchasers of the guns according to prior research from the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). The Hopkins study is the first to gather and incorporate measures of the enforcement of gun sale laws into a study of the effectiveness of those laws. It is available online in the *Journal of Urban Health* and in the just-released July 2009 print edition.

"In the U.S., few states have a comprehensive system to keep firearms sellers accountable," said the study's lead author Daniel Webster, ScD, MPH, and co-director of the Bloomberg School's Center for Gun Policy and Research and associate professor in the Bloomberg School's Department of Health Policy and Management. "Our analysis found that the states with strong regulations and oversight of gun dealers, as well as regulation of private sellers, have far less gun trafficking than do states that lack these measures."

U.S. federal law requires gun dealers to be licensed by the ATF, keep records of sales, and ensure that purchasers have passed a background check. Some states place additional regulations over gun retailers such as mandatory inspections and anti-theft security measures. Federal gun law

also permits private sellers to transfer guns without a background check or record keeping. Fifteen states regulate gun sales by all private sellers and two additional states regulate private gun sales at gun shows.

For the study, researchers examined state laws governing gun sales using data from ATF crime gun traces from 54 U.S. cities. The analysis also included a survey of law enforcement agencies' practices to promote compliance with gun sale laws and data tracing the initial point of sale of guns recovered from crimes. A gun was considered to have been trafficked if it had been purchased within a year of being recovered from a [crime](#) scene unless the criminal was also the legal purchaser of record. The variables examined included: strong gun dealer regulation and oversight; state and local law enforcement agency use of undercover stings of gun dealers; regulation of private gun sales; laws requiring a permit or license to purchase a handgun; and limiting the purchase of guns to one gun per customer per month.

According to the study, cities with the lowest levels of in-state gun trafficking were Santa Ana, CA; Camden and Newark, NJ; New York, NY; and Boston, MA. Each of these cities was in a state that regulates private sales of handguns, four had strong gun dealer oversight and four had discretionary handgun purchase licensing systems. Cities with the highest levels of in-state gun trafficking were Gary, IN; Tucson, AZ; Phoenix, AZ; Albuquerque, NM; and Indianapolis, IN. None of these cities had any of the gun sales accountability measures examined in the study. Overall, in-state gun trafficking was 2 to 4 times higher in cities located in states without these gun sales regulations. The study found no effect on gun trafficking within the state from laws limiting handgun sales to a maximum of one gun per person per month. (The study did not examine the effect of one-gun-per-month laws on interstate trafficking. The findings from prior studies of these laws suggest that they reduce interstate gun trafficking.)

"While some have questioned the ability of gun sales regulations to keep guns from criminals, our findings are consistent with other studies which found that measures intended to enhance gun seller accountability can significantly curtail the flow of new guns to criminals," said co-author Jon Vernick, JD, MPH, co-director of the Center for [Gun](#) Policy and Research and associate professor in the Department of Health Policy and Management.

In 2005, firearms were used in more than 12,000 homicides in the United States, with 84 percent occurring in large- and medium-sized metropolitan areas.

Source: Johns Hopkins University ([news](#) : [web](#))

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