Part IV.

Firearms Sold Legally in the District of Columbia

FIREARMS SOLD LEGALLY IN THE DISTRICT OF COLUMBIA

1. THE CHANGE IN THE LAW

On September 24, 1976, in part due to a wave of handgun related violence, legislation was passed in the District of Columbia designed to "freeze" the handgun population in the city. The new law required re-registration of all legally registered firearms and imposed strict registration requirements for all future registrations. The law had the effect of significantly restricting legal handgun possession by the general public.

2. LEGAL FIREARMS SALES IN THE DISTRICT

The law did not preclude legal sales of firearms by Federally licensed firearms dealers (FFLs) located in the District to lawful registration permit holders or to those exempt from registration requirements *(e.g., Metropolitan Police Officers)*. Firearms recovered under the buy-back program were traced back to sales from five different FFLs. The majority of these sales were conducted by a single FFL many years ago. This licensed dealer stopped selling firearms and discontinued their license more than ten years ago. When an FFL terminates their firearms business and their license is not renewed, they are referred to as Out of Business Dealers, or OOB.

The OOB dealers in the District accounted for 51, or approximately 7% of the firearms successfully traced back to the last retail dealer of record[1]. Twenty nine of these buy-back firearms were traced to purchases made at the one dealer. The firearms traced back to this dealer had an average street age of 27.23 years.

In any trace study, the single largest source FFL draws the interest. In this case, the interest is doubled because the dealer was, for many years, selling firearms legally in the center of a city with a reputation for having a virtual ban on civilian firearm possession. It should be noted in this report does not suggest that the firearms sales at the dealer *(who by policy is not identified)* were not conducted legally.

[1] In this report, the last dealer of record includes both dealers for whom records existed reflecting the actual retail sale and dealers from whom the retail disposition records could not be obtained *(e.g., the dealer's records were incomplete or lost)*. By using trace results from all retails dealers, a better reflection of source states and approximate street age could be determined.

3. A STUDY OF ONE DEALER

The OOB records on file at the National Tracing Center indicate that the dealer began selling firearms as early as 1952. Both longguns and handguns were sold. Until the 1999 buy-back program, 117 firearms had been recovered in crimes and traced back to the dealer since 1990[1]. The recoveries consisted of 105 handguns and 12 longguns.

The fact that a firearms dealer licensed in the District of Columbia was the largest source dealer identified in the study supports the axiom that most illicit firearms possessors seek the path of least resistance. National trace studies reflect that the majority of recovered crime guns trace back to the States in which they are recovered. They also reflect that for States with more restrictive laws on possession and/or purchase, the locally obtained firearms are often older and are more likely to have changed hands many times after their original retail sale.

Of the 117 firearms traced back prior to the 1999 buy-back program, 85 were also recovered in the District. The most recent sale involving any of these 85 firearms occurred on June 2, 1976, more than 23 years ago. The retail sale involved a Charter Arms .38 caliber revolver that was recovered in 1998 by the Metropolitan Police Department for an unlawful possession violation.

It is unknown whether the revolver stayed in the District for those 22 years or moved around the country and was recovered by coincidence here many years later. Eleven of the firearms traced to the single District of Columbia dealer were recovered and traced from as far away as Tennessee and Missouri.

Because the majority of the 117 firearms were recovered in the District, could be inferred that these firearms may have stayed in or around the city for all of those years. This appears to be further supported by the additional 16 that were recovered in Maryland and the five that were recovered in Virginia. In all, 106, or 91%, of the firearms stayed in or returned to the Washington Metropolitan area.

The gun buy-back program created a vehicle by which more of these firearms could be taken out of circulation.

Although it cannot be determined how many firearms the dealer actually sold over the years, further review of the OOB records provides some insight into the nature of the sales after the 1976 change in the law in the District. A 1979 inspection conducted by ATF reported that between February 16, 1977 and February 15, 1978, 45 rifles, 85 shotguns and 14 revolvers were sold to the public. The report reflected 33 rifles, 56 shotguns and 8 revolvers in the store's inventory.

[1] 1990 is as far back as the National Tracing Center's Firearms Tracing System can produce trace request and results information reliably regarding this licensed dealer.