

“Illegal Guns in Florida’s Cities: Problems and Solutions”

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*Mayors Against Illegal Guns
Office of Mayor John Peyton*

Acknowledgments

- Mayor John Peyton
- Mayors Against Illegal Guns
- United States Drug Enforcement Agency, Jacksonville Field Office
- Bureau of Alcohol, Tobacco, Firearms and Explosives, Tampa Field Division
- United States Attorney's Office Middle District of Florida
- State Attorney's Office, Fourth Judicial Circuit of Florida
- Jacksonville Sheriff's Office
- Office of General Counsel, City of Jacksonville
- Florida Department of Law Enforcement

Presentation Overview

- About Mayors Against Illegal Guns
- Some Facts About Florida
- Problems
- Solutions
- Getting Involved
- Questions and Answers

Mayors Against Illegal Guns: Origins

- Founded April 25, 2006 by 15 Mayors
- Mayors Bloomberg and Menino
- Bi-Partisan Organization
- Over 400 Mayors from 44 States
- 50 Members from Florida
- Conference Held in Jacksonville on March 3, 2008

Mayors Against Illegal Guns: Mission

- Common Goal: Making the Public Safer by Getting Illegal Guns Off Our Streets
- Target Irresponsible Gun Dealers
- Sharing Best Practices
- Developing Innovative Policies
- Support Law Enforcement
- Punish Criminals and Traffickers

Mayors Against Illegal Guns: Mission

- Fight Efforts to Restrict Appropriate Access to Data
- Work to Develop Smarter Technologies
- Support Local and State Initiatives
- Invite Others to Join
- Statement of Principles

Facts About Florida

- Second Amendment Friendly State
- No Purchase Permits Required
- No Limits on Sale
- No Requirement to Report a Lost or Stolen Gun
- No State Inspections
- No Local Control, Broad Preemption

Facts About Florida

- We Are an Exporter of Illegal Guns
 - 152,536 Guns Traced to a Purchaser in 2008
 - 12,206 from Florida (12.5%)
 - # 2 Source State in the Nation
- We are an Importer of Illegal Guns
 - In 2008, 12,143 Were Successfully Traced in Florida.
 - 2,629 Were from Other States (431 from Georgia)
- 66% of All Murders With a Firearm
- Growing Number of Sexual Assaults With a Firearm

Facts About Jacksonville

- Jacksonville Recovered and Traced in 3,048 2008
- (New York City Recovered and Traced 5,913 in 2007)
- Of the 12,143 Traced in Florida, 1,479 had a Duval County Origin
- Dade Lead the State with 1,840

Problems – How Guns Find Their Ways to the Street

- 3 Primary Paths
 - Straw Purchasing
 - Lost and Stolen Firearms
 - Private Collector Gun Show Purchasing
- Too Many Illegal Guns on Our Streets
 - ATF Recovered 17,000 Illegal Guns in Florida in 2007
 - Nearly 75% Hand Guns
 - Assault Weapons: A Small but Growing Percentage

Problems – Federal and State Public Policy Challenges

- Tiahrt Amendments
- Gun Show “Loophole”
- Fire Sales
- Employee Background Checks
- Vulnerability to Terrorists

Problems – What's Tracing?

- Tracing a Firearm: How it Works
 - Law Enforcement Recovers Gun
 - Make, Model, and Serial Number to ATF
 - ATF Contacts FFL Dealer for Record of Sale
 - FFL Dealers Consults His/Her Records
 - Buyer Information then Establishes Patterns
- “Time to Crime”
 - Less Than 2 Years Raise Questions

Problems – The Tiahrt Amendments

- Prohibits ATF from Sharing Aggregate Trace Data with Local Governments
- Prohibits ATF from Requiring Inventories
 - 30,000 Missing Guns from 10% of Dealers
- Requires Record Destructions Within 24 Hours
 - 180 Days During Clinton Administration

Problems – The Gun Show “Loop-hole”

- Federal Firearms License (FFL) Holders Required to Conduct Background Checks
- Occasional Sellers/Private Collectors Are Not
- Cash and Carry
- No Questions Asked

Problems – The Terror Gap

- In 2006, Individuals on the Terror Watch List Obtained Firearms 230 Times
- FBI Released Report on the Violent Gang and Terrorist Organization File (VGTOF)
- Supported by a 2005 Government Accountable Office (GAO) Report
- Notable Examples of Terror Acts (See Handout)

Problems – Fire Sales and No Employee Background Checks

- Bad Dealers Allowed to Convert and Sell Off Inventories
 - No Background Checks Required at Point of Sale
- Gun Stores Are Not Required to Conduct Background Checks on Their Employees
 - Violent Offenders Could Be Behind the Counter

There Is Hope

“ The Second Amendment right is not unlimited. We do not cast doubt on concealed-weapons prohibitions, laws barring possession of firearms by felons and the mentally ill, laws barring firearms in sensitive places like schools and government buildings, and laws imposing conditions on commercial sale of arms.”

Justice Antonin Scalia, United States Supreme Court, *District of Columbia v. Heller*, Majority Opinion

Solutions – Make It Harder for Guns to Get to the Streets

- Limit Straw Purchases
- Close Gun Show Loop Holes
- Report Lost and Stolen Guns
- Craft Common Sense Public Policy by Becoming Active in Washington and Tallahassee

Solutions – Responsible Firearms Retailer Partnership

- Videotaping the Point of Sale for All Firearms Transactions
- Computerized Gun Crime Trace Log and Alert System
- Purchase Declaration
- Deterring Fake ID's
- Consistent Visible Signage



Solutions – Responsible Firearms Retailer Partnership

- Employee Background Checks
- Employee Responsibility Training
- Inventory Checking
- No Sales Without Background Check Results
- Securing Firearms



Solutions – Reform the Tiahrt Amendments

- Local Officials Would Now Have Access to Aggregate Trace Data
- Prohibition on Inventory Checks Continues
- Records Destruction Continues
- Mayors Against Illegal Guns Will Continue to Fight for Reforms

Solutions – Close the Gun Show “Loop-hole”

- In Washington or Tallahassee
 - HR 2324 (Representative Castle, R-DE))
 - S 843 (Senator Lautenberg, D-NJ)
- Require Background Checks Be Performed at Gun Shows on Municipal Property
- Offer Discounts for Tables

Solutions – Report Lost or Stolen Firearms

- Require Lost and Stolen Handguns and Assault Style Weapons Be Reported to Police
 - Theft Must Be Reported Within 48 Hours
 - Second Degree Misdemeanor
 - Maximum \$500 Fine
 - Maximum 60 Days in Jail
 - Add to the List of Prohibited Buyers
- Residential and Commercial

Solutions – Fix the “Terror Gap”

- Support Bi-Partisan Legislation to Close the Gap
 - H.R. 2158 (Representative King, R-NY)
 - S. 1317 (Senator Lautenberg, D-NJ)
 - 865 NICS Checks from 2004-2009

Solutions – Gun Offender Registration

- Similar to Megan's Law
- Working in Baltimore
 - Less than 3% Recidivism Rates
 - Firearm Crimes Decreasing
- Information Made Public
- Social Service Advice Provided
- Inexpensive to Implement
- Second Amendment Friendly

Today's "Ask"

- Join Mayors Against Illegal Guns
- Support MAIG Initiatives
 - Thune Amendment
- Promote the Responsible Firearms Retailers Partnership
- Talk to Your Legislators
- Challenge Assumptions
- Contact Me for Assistance



Thank You!

Questions and Answers