



MAJOR CITIES CHIEFS ASSOCIATION

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Victims and First Responders:
The Critical Need for Gun Trafficking Legislation

Introduction

Thank you Ranking Member Cummings, Representative Maloney, Representative Rigell, and distinguished Members of Congress. I appear before you today because the trafficking of illegal firearms in our Nation's cities must be addressed by Congress— gun trafficking is a volatile catalyst for crime and violence in America.

I have been in law enforcement for 44 years, and I have seen gun carnage of all kinds. I speak to you as Commissioner of the Philadelphia Police Department, the President of the Police Executive Research Forum, and as President of the Major Cities Chiefs Association – representing the 63 largest police departments in the Nation – where gun violence takes its greatest toll. With me here today is my colleague, Greg Suhr, Chief of Police of the San Francisco Police Department and fellow member of the Major Cities Chiefs Association. The cities and communities we represent across the Nation are no stranger to the threat of gun violence as a result of illegal firearms trafficking. We are here today to sound a call to action.

America's leaders must recognize the need for more sensible gun policy. Major Cities Chiefs support the a comprehensive legislative strategy that includes a universal background check, strengthening the National Instant Check System to include mental health information, and a ban on assault weapons, high capacity magazines, and sales of ammunition over the internet, among other critical measures. Such reforms are long overdue, and

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we commend you for this measure – to stop gun trafficking through the prevention of straw purchasing.

Straw Purchasers

Currently, there is no Federal statute specifically prohibiting straw purchasing and law enforcement officials need the critical tools provided by this bill. The current “paperwork” violation of a false statement on gun purchase forms does little to deter or stop anyone.

Straw purchasing is a national problem pervading every major city in America. This “free pass” to buy guns is used by gangs, local drug dealers and transnational gangs and cartels. It’s an easy avenue and loophole to acquire guns.

Straw purchasers are individuals recruited and paid to buy firearms for professional criminals who use those guns as tools of their trade. Straw purchasing gets around the Brady background checks and the worst criminals are thus able to buy weapons indirectly from gun dealers. So long as straw purchasing is rampant, it will defeat the entire National Instant Check System. Typically, transactions involve the purchase of only a relatively small number of firearms per sale. The result is that criminals are able to use third party buyers to elude the background check and thus obtain firearms outside of the law.

Law enforcement officials across the Nation have disparaged at the lack of legal tools available to stop gun crime, and this legislation to curb straw purchasing is an essential step forward.

Influence Nationwide

Having served as a police officer in the cities of Chicago, Washington D.C., and Philadelphia, and as President of the Major Cities Chiefs, I have witnessed the results of gun trafficking across America.

In my own city of Philadelphia last fall, my police officers teamed up with Federal ATF agents to arrest 17 criminals and charge them with illegally selling firearms. Confiscated firearms included assault weapons like semi-automatic handguns and AK-47s. 72 weapons were seized making it the biggest raid in recent history in our city. What we stopped in Philadelphia

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occurs every day across the Nation as untold numbers of guns are acquired by violent criminals through straw purchasing.

Last October in New York City 16 suspects were arrested in upper Manhattan and charged with trafficking in firearms. The 16 individuals reportedly sold more than 100 illegal guns – weapons most likely bought from gun dealers in other states. The suspects were apprehended in a sting operation where undercover officers posed as the buyers.

In Los Angeles in June 2011, 9 defendants were arrested as part of an undercover operation targeting gun traffickers in the San Fernando Valley. The defendants were part of a network which illegally distributed acquired firearms. Charges included conspiracy to deal in firearms without a license, and transfer of an unregistered machine gun in violation of the National Firearms Act.

In Laredo, Texas last September, a total of 7 people were convicted of the minor offense of making false statements in connection with firearms purchases. They certified on forms that they were the true buyers of the firearms, but they were actually paid to purchase the firearms for others. Some of the firearms were shipped to a licensed gun dealer to attempt to make the transfer legal. This happens every day and must be addressed by a new Federal statute to stop straw purchasing.

Support for the Gun Trafficking Prevention Act of 2013

I applaud Representatives Maloney, Cummings, Meehan, and Rigell in their dedication to work together in order to pass legislation that will give law enforcement officials the critical tools necessary to combat gun trafficking in America's cities.

The bill will make a difference in three ways that really matter to law enforcement.

First: By enacting a criminal statute specifically prohibiting straw purchasing, the bill helps to stop the “source” of the illegal gun flow. Until the flow of guns to gangs and cartels can be stopped, we will not make progress in our struggle with gun violence.

Second: The bill proposes substantial penalties. Violators of the new law can be imprisoned up to 20 years and conspirators up to 10 years. This will



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deter many and remove from the streets those who are convicted. These legal tools are long overdue in our struggle with gun violence.

Third: By specifically making straw purchasing a Federal crime, the bill commits federal resources for its implementation and enforcement. Chiefs and Sheriffs in major cities and local governments welcome this aid and added resource as a much needed support for a fight in which we are overwhelmed.

Conclusion

The Gun Trafficking Prevention Act of 2013 is a critical first step toward comprehensive reform of gun laws. Together we can stop the unchecked escalation of gun trafficking throughout the Nation and ensure our country's improved safety.

We commend the Members of Congress who now propose these measures and we pledge our support to pass this bill. As a lifelong cop and now Commissioner of one of America's great cities, I thank you for all you do to safeguard the public we are sworn to serve.

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