

Senator Lindsey Graham (R-SC)

“Proposals to Reduce Gun Violence: Protecting Our Communities While Respecting the Second Amendment”

Dr. Webster’s responses are written in italics.

Written questions for:

Dr. Daniel Webster:

1. You mention your analysis of a survey of prison inmates, which concluded that nearly 80 percent had acquired their guns from “unlicensed private sellers.” You suggest that these transfers are currently exempt from background checks. This raises a couple of questions:
 - a. Did your analysis look at the states in which those acquisitions occurred? *The data reported were not stratified based on whether the crime occurred in a state that required background checks for private handgun sales or not because the survey did not ask the offenders to identify the state in which the firearm originated or was purchased. Our research and others has shown that guns commonly flow from states with lax gun sales laws, most of which do not regulate private transactions of firearms. When we did stratify the data based on whether the state where the crime occurred regulated private handgun sales or not, we found that criminals in states with no background checks for private handgun sales were more likely than offenders in states where private handgun sales were regulated to have acquired their handgun from a licensed dealer (16.8% vs. 8.5%) or a friend, family member, or at a gun show/flea market (44.1% vs.38.3%). Conversely, offenders in states where private handgun sales were regulated were more likely than offenders in states where private handgun sales are not regulated to have acquired their handgun through the black market that includes interstate gun traffickers (44.3% vs.29.2%).*
If not, given that a number of states do require background checks or purchase permits for at least some private gun sales, how can you know whether those inmates’ transactions actually were exempt from background checks? *We could not determine with certainty whether each handgun acquisition was in a state that did or did not regulate private handgun sales, but we do know from ATF traces of crime guns that the large majority of guns recovered from criminals in states that do not regulate private handgun sales were initially sold within the state where the guns were involved in crime.*
 - b. Did your study analyze whether those inmates’ decisions were related to the existence or non-existence of any background check system, at either the federal or state level? *No, the inmates were not asked why they acquired their handguns from their sources.*
2. You mention your study of Missouri, based on information on firearms traced in the state. Is the ATF tracing system designed to collect statistics for academic research, or to

provide the history of individual firearms for investigative purposes? *To provide the history of individual firearms for investigative purposes.*

Does the trace system provide a random sampling of firearms used in crime? *No.*

Is it even limited to firearms actually used in crime? *Not always.*