GUN TRACE | REPORT

2017

CITY OF CHICAGO • OFFICE OF THE MAYOR

CHICAGO POLICE DEPARTMENT

GUN TRACE | REPORT

★ ★ ★ ★ 2017

INTRODUCTION

Since 2013, the Chicago Police Department has recovered nearly 7,000 "crime guns" each year. For the purposes of this report, a crime gun refers to a firearm recovered by CPD that was illegally possessed, used, or suspected to be used in furtherance of a crime.[1] The overwhelming majority of these firearms were originally purchased outside of the city limits and brought into Chicago. So far in 2017, CPD is already on pace to exceed last year's gun recoveries. It is self-evident that the availability of illegally circulated firearms in Chicago is directly connected to its deadly street violence. Simply put, each conflict becomes potentially more lethal due to easy access to a gun.[2] In an unfortunate but persistent reality, certain retailers and jurisdictions disproportionately account for the guns trafficked into Chicago that sustain its illegal gun market and associated violent crime.

There is no greater priority for the City of Chicago than the safety and security of its residents. The City of Chicago and Chicago Police Department have partnered with the University of Chicago Crime Lab to examine available firearm trace data and identify the source of each crime gun recovered in order to develop more impactful solutions that address the root causes of gun violence. This is the second such report. In its 2014 report, CPD compiled firearm trace data from 2009 to 2013.[3] This report analyzes available firearm trace data over four years, from 2013 to 2016, spanning almost 15,000 firearms traced back to more than 5,000 federally licensed dealers. Using this data, law enforcement and policymakers have identified the regular sources of crime guns trafficked into Chicago with pinpoint accuracy. More importantly, they are now better equipped to develop policies that will help prevent these guns from getting into the hands of high-risk individuals.

Chicago is in many ways a microcosm of a national epidemic. The United States' gun homicide rate is nearly 20 times higher than any other industrialized nation.[4] Not surprisingly, its rate of gun ownership per capita far exceeds that of these nations as well.[5] The Graduate Institute of International and Developmental Studies in Geneva estimates nearly half of all guns in circulation worldwide are in the United States, although it makes up just over four percent of the global population.[6] As the trace data and illegal firearm recovery numbers demonstrate, Chicago faces a unique predicament in enforcement efforts against illegal gun trafficking. Illinois is surrounded by states that lack comprehensive firearms regulations, with particularly little oversight of secondary sales markets.[7]

In September of 2016, in the midst of an unacceptable spike in gun violence, Mayor Rahm Emanuel announced his comprehensive public safety strategy, with five main pillars[8]:

1. Strengthening law enforcement resources, including hiring 970 new officers, and providing training and technology to support CPD's crime fight;
2. Investments in violence prevention, including evidence-based mentoring, academic support programs, and restorative justice principles in CPS schools;
3. Legislation to address gun violence, including increased criminal penalties for high-risk gun offenders, and licensure requirements for necessary oversight over Illinois gun dealers;
4. Economic development and employment opportunities to treat the root causes of violence, including an expansion of job programming and support services, financial incentives in economically stagnant neighborhoods, and investment opportunities to attract jobs;
5. Building community trust and legitimacy between CPD and the communities that they serve, including sweeping police reform measures, accountability, transparency, and de-escalation training, as well as a new culture of community policing within the Department

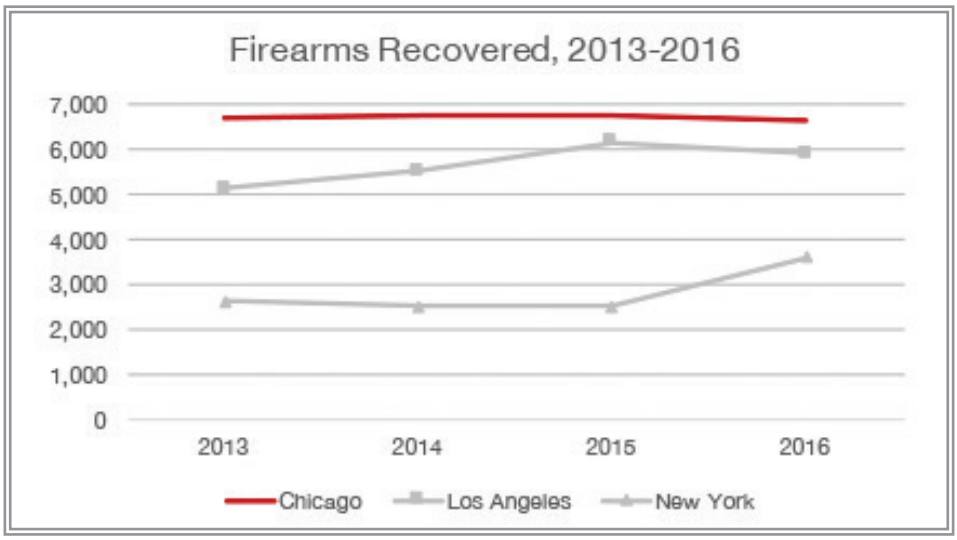
All five pillars of the strategy are essential to address gun violence in Chicago. The Mayor and Superintendent continue to work with community leaders, advocates, researchers, and law enforcement partners to align resources and policies with the City's comprehensive plan. But it is long past time for urgent action on firearm policies that will have a meaningful impact on the illegal gun market. Chicago cannot stem the influx of firearms across its borders alone, particularly given recent limitations on its ability to regulate firearms under local ordinance.[9] Policymakers, law enforcement, and community stakeholders must work together to build a comprehensive system that keeps firearms out of the hands of individuals who are at high-risk for violence. The Illinois legislature is now considering multiple effective proposals, including a pending gun dealer licensing framework that is due for a vote in the coming weeks.[10] In order to be effective, data transparency and enforcement efforts must be regional, and the call for national solutions must persist.

The purpose of this report is to promote informed and intelligent discussion around long-term solutions to the ongoing tragedy that is gun violence in America. This report examines the licensed firearms dealers that are the source for crime guns recovered in Chicago. It further analyzes the amount of time between the original purchases of firearms from dealers to recovery by the Chicago Police Department. Unfortunately, a significant portion of guns bought at dealers surrounding Chicago are being recovered shortly afterwards. The report also looks at the states that are contributing to the 40% of crime guns recovered in Chicago. Not surprisingly, it is the very states with the least restrictive gun laws that are the sources of the guns coming into Chicago and being used to commit crimes.

Finally, recommended solutions are identified to address the clear problem of guns coming into Chicago from other communities and states. It will require effort at regional, state and federal levels, beginning with gun dealer licensing legislation in the state legislature; but there is no doubt that fewer guns in the illegal trafficking market will save lives.

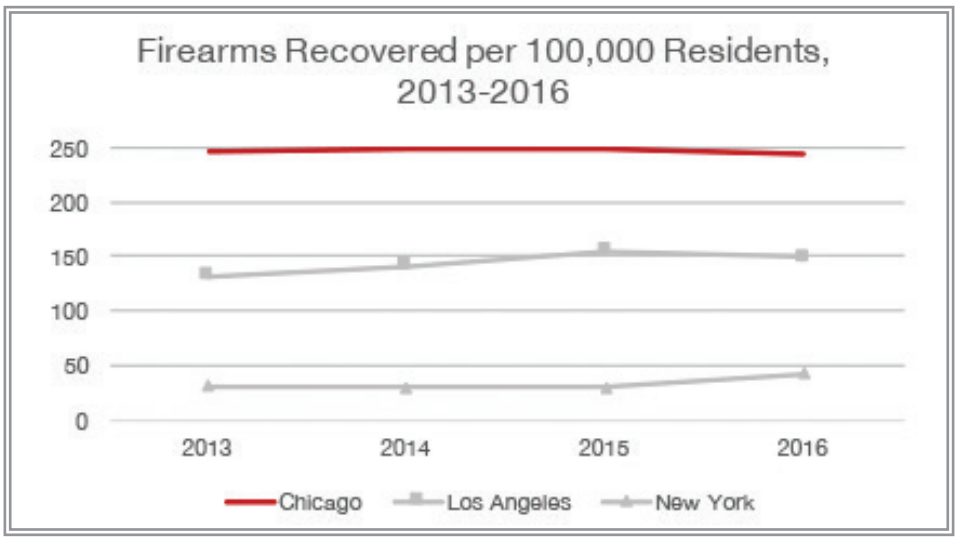
CHICAGO'S ILLEGAL GUN MARKET

Crime gun recovery totals in Chicago continue to outnumber its major metropolitan counterparts: From 2013 to 2016, without adjusting for population density, Chicago's total firearm recoveries outnumbered Los Angeles and New York City each year. For the last four years, CPD's firearm recovery rate has not wavered, with police in Chicago seizing just below 7,000 illegal guns per year.



Note: Excludes weapons obtained through turn-in and buy-back programs.

In 2016, when adjusted for population, Chicago recovered 6 times as many guns per capita as New York and 1.5 times as many guns per capita as Los Angeles. ■

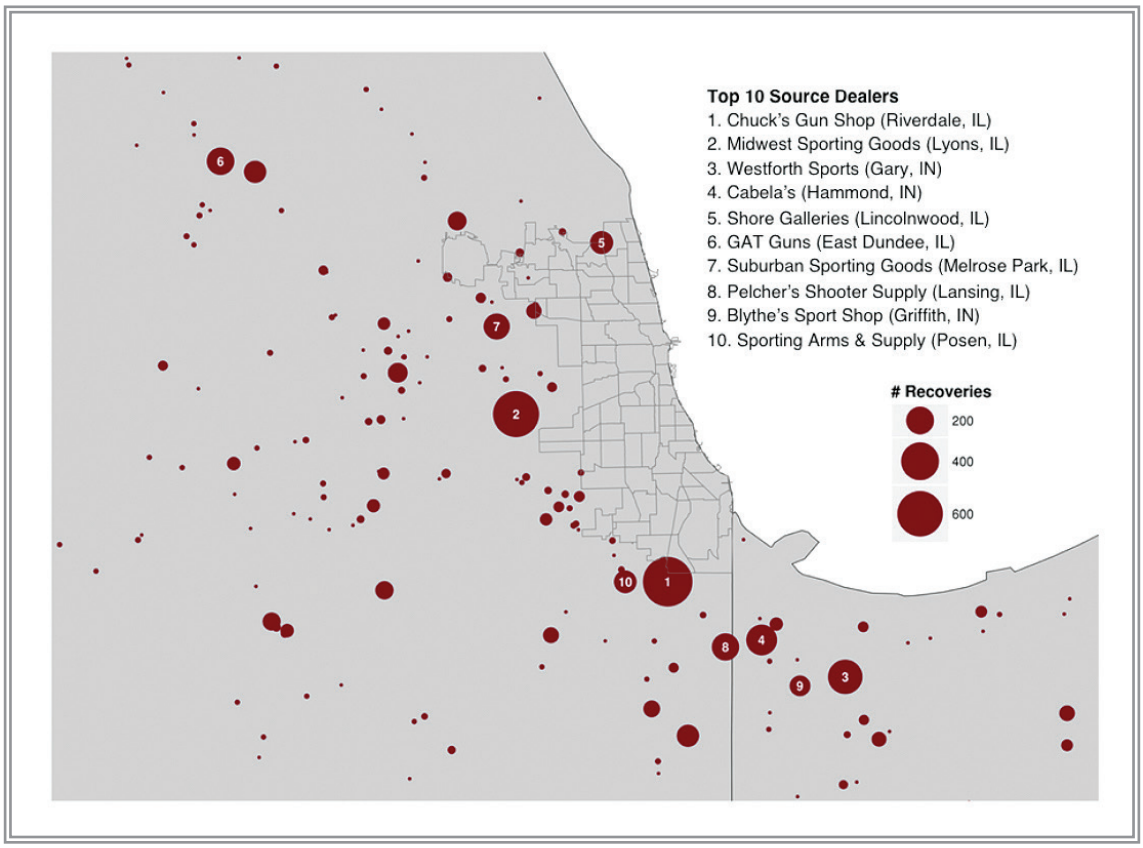


Note: Excludes weapons obtained through turn-in and buy-back programs.

SOURCE DEALERS FOR CRIME GUNS RECOVERED IN CHICAGO

Analyzing available gun traces between 2013 and 2016, federally licensed Illinois dealers primarily located in suburban Cook County were the original point of purchase for approximately two out of every five crime guns recovered in Chicago: This proportion is nearly identical to what was observed in previous trace data from 2009-2013.[11] Despite passing a model gun dealer ordinance in 2014, Chicago still has not licensed a retailer to sell firearms within city limits. Federally licensed firearms dealers ("FFL") in suburban Cook County and Illinois collar counties, as well as several located just across the state border in Indiana, are the primary source of illegal guns seized in Chicago.

Source Dealers of Recovered Firearms Located near Chicago



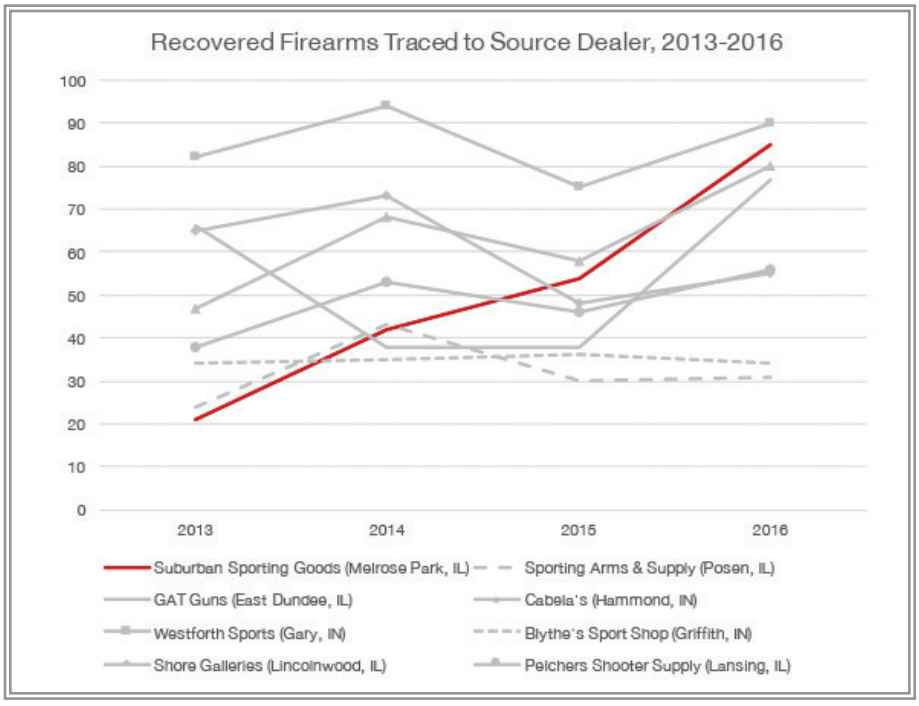
Seven of the top ten source dealers are within Illinois, and six of those seven fall within the Cook County suburbs that border Chicago. The remaining FFL source dealers within the top ten are located in northwest Indiana. Collectively, these ten source dealers make up almost a quarter of the crime guns recovered in Chicago, despite the existence of many other federally licensed dealers in Chicago's vicinity.

For the better part of a decade, Chuck's Gun Shop and Midwest Sporting Goods have consistently remained the top two FFL source dealers for crime guns recovered by police in Chicago. Chuck's Gun Shop and Midwest Sporting Goods continue to provide a strikingly large portion of the total number of traceable crime guns that includes more than 5,000 separate FFL dealers from all 50 states. These two dealers are the retail source of more than one in ten crime guns recovered in Chicago.

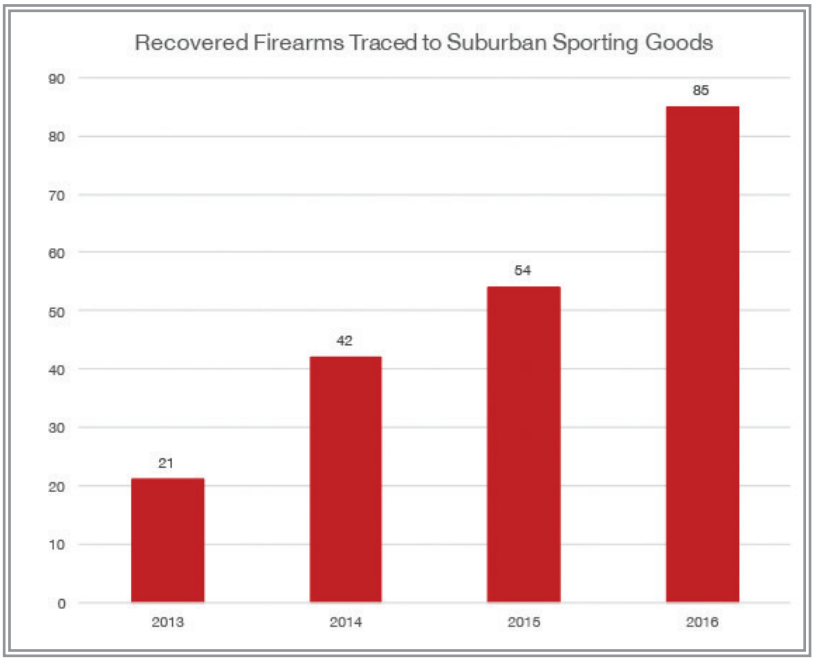
Westforth Sports in Gary, Indiana remains the third largest FFL supplier of crime guns into Chicago from 2013-2016. Cabela's in Hammond, Indiana has moved up to the fourth largest source dealer for crime guns over the past four years, just ahead of Shore Galleries in northern Cook County.

Suburban Sporting Goods in Melrose Park, which as of 2013 was not even among the top ten source dealers, has continuously climbed each year to become the seventh largest source dealer of crime guns over the four-year period from 2013 to 2016.

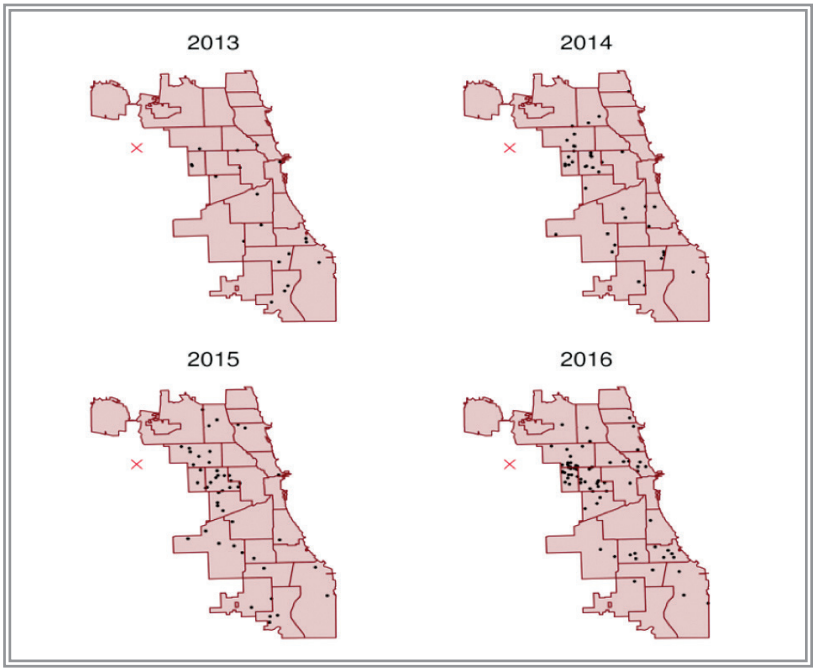
In the City of Chicago's 2014 gun trace analysis, Shore Galleries in Lincolnwood was the fourth largest FFL contributor of crime guns in Chicago.[12] Since that report there has been a notable decrease in the recovery of crime guns traced back to Shore Galleries.



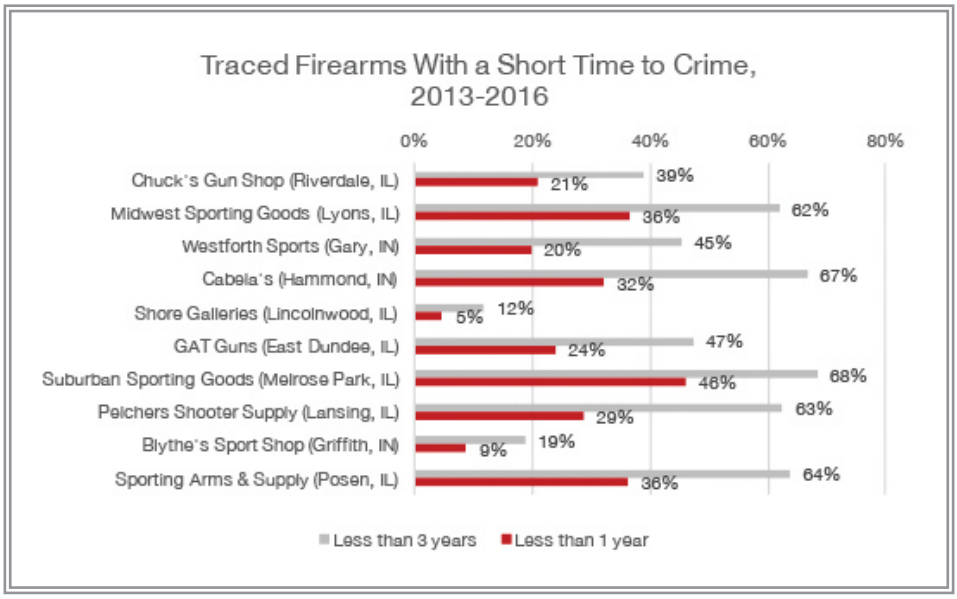
Notably, looking to trace data in 2016 alone, Suburban Sporting Goods was fourth overall in the total number of crime guns traced last year. The number of crime guns traced back to Suburban Sporting Goods increased over 300 percent through the four-year period. As discussed in more detail below, Suburban Sporting Goods also had the lowest average time to crime of any top ten source dealer, suggesting that a portion of direct sales went to straw purchasers and firearm traffickers.



Each black dot below represents the crime gun recoveries that were traced back to Suburban Sporting Goods over the four-year dataset, and the red "X" denotes Suburban Sporting Goods' location in Melrose Park.



Both three-year and one-year "time to crime" analyses were conducted for crime guns traced back to the top ten source dealers. A firearm's "time to crime" refers to *the amount of time that lapsed between the initial retail sale and the subsequent recovery of that firearm by law enforcement.*[13] A shorter time to crime serves as an indicator than illegal trafficking or transfer activity took place before the firearm came into the hands of law enforcement.[14] In addition to the time to crime, law enforcement also look to other factors that indicate a firearm has been illegally trafficked, such as whether the firearm was originally purchased by someone other than the illegal possessor, originally purchased in another state, originally purchased among multiple firearms by the same purchaser, reported lost or stolen, or has an altered or defaced serial number.[15] The more of these factors present, the greater the likelihood that the crime gun involved a straw purchase or other illegal sale before it was seized by police.



The figure above illustrates the percentage of total crime guns traced back to each dealer with a short time to crime. Notably, Suburban Sporting Goods had both the highest three-year and one-year time to crime of any top ten FFL, with almost half of its Chicago crime guns having been recovered within one year of initial sale.

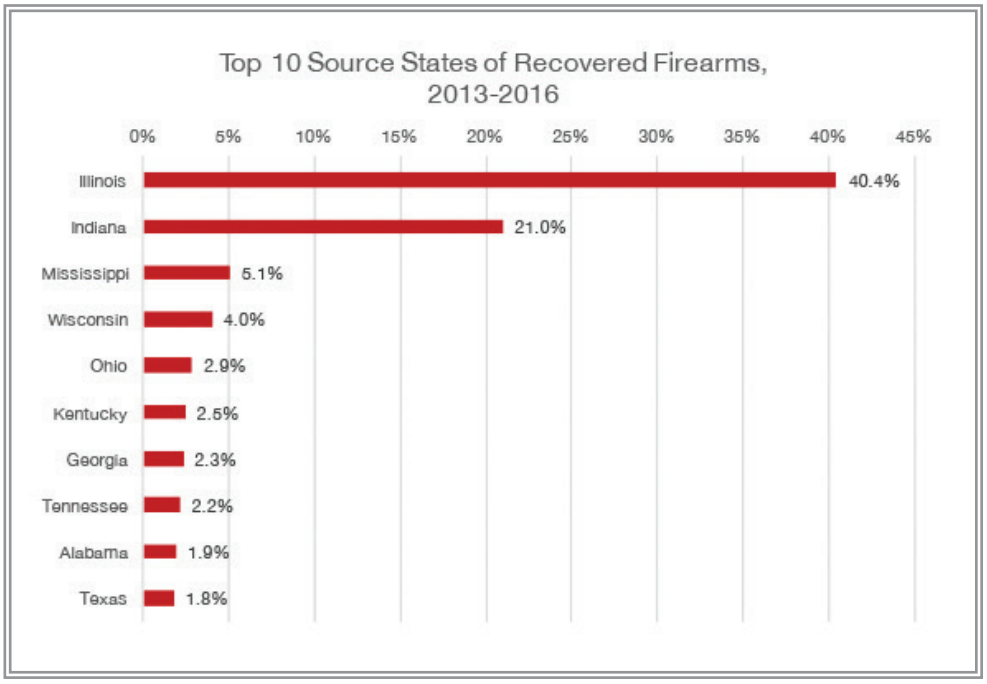
Midwest Sporting Goods continued to surpass Chuck's Gun Shop in short time to crime recoveries. Following the previous release of Chicago Police firearm trace data, in late October of 2015 the Village of Lyons passed an ordinance to regulate gun dealers within its jurisdiction, which includes Midwest Sporting Goods.[16] From 2015 to 2016, Midwest Sporting Goods' shortest time to crime gun recoveries – those of less than one year from point of sale to recovery in a crime – dropped by almost 10 percentage points.[17] While more time and analysis are needed to evaluate the impact of the new ordinance in Lyons, the early results are promising.

Conversely, in Chicago's 2014 gun trace analysis, 19 percent of crime guns traced to Shore Galleries had a time to crime of less than three years.[18] In the current dataset, the number of guns traced to Shore Galleries with a short time to crime has fallen even further, down to an average of 12 percent over the four-year analysis.

Intervention is necessary for those source dealers that consistently sell guns with a short time to crime, as this serves as an indicator that they are routinely dealing firearms to straw purchasers and traffickers. The continued high prevalence of recovered crime guns of recent vintage underscores the need for improved policies to reduce the number of guns that are initially purchased at an FFL, only to quickly enter the illegal market for use in a crime. ■

SOURCE STATES THAT SUPPLY CRIME GUNS RECOVERED IN CHICAGO

With consistent data trends now going back almost a decade, the majority of illegally used or possessed firearms recovered in Chicago are traced back to states with less regulation over firearms, such as Indiana and Mississippi: More than two of every five traceable crime guns recovered in Chicago originate with their first point of sale at an Illinois dealer. The remaining 60 percent of firearms come from out of state, with Indiana as the primary source for approximately one out of every five crime guns.



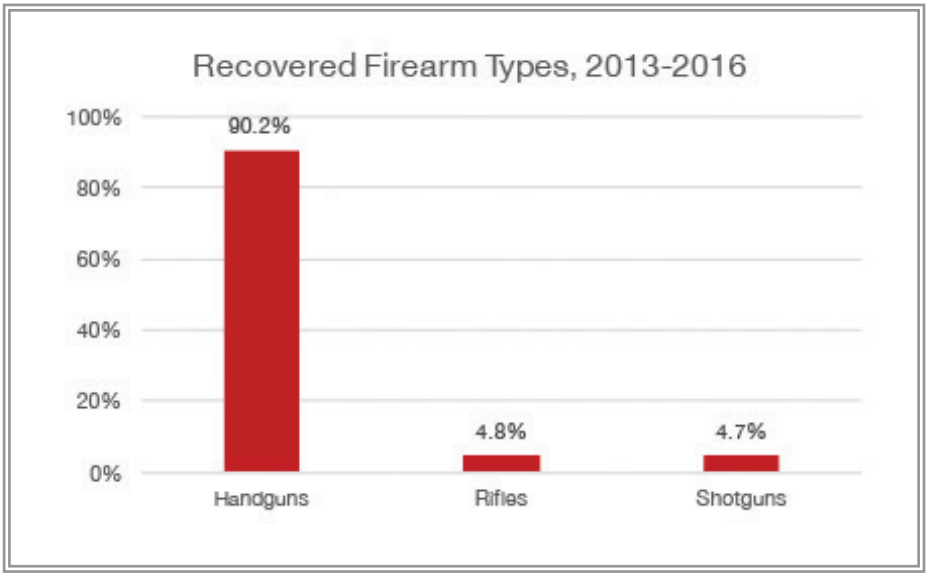
These statistics align closely with those in the prior crime trace analysis that spanned from 2009-2013, demonstrating the consistency with which firearms enter Chicago from states with little or no regulation over FFL dealer sales and secondary sale markets.[19]

This pattern also highlights Chicago's challenge to address illegal guns within a loosely-regulated national gun market. Yet approximately two of every five traceable crime guns recovered in Chicago had its first point of sale at an Illinois dealer. State policies play a correspondingly important role in reducing gun violence. ■

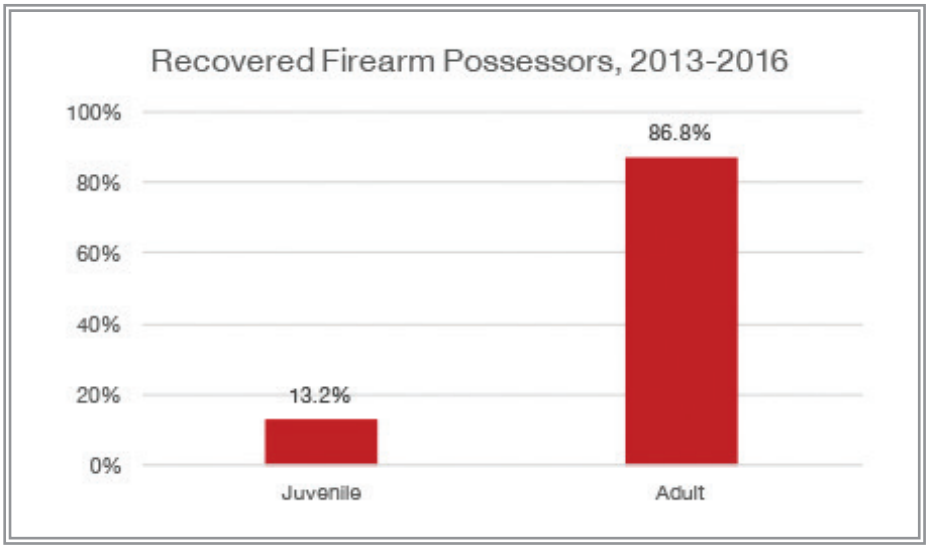
CHICAGO CRIME GUN PROFILE

The vast majority of crime guns were handguns possessed by adults who were not the original purchaser of the firearm, and if arrested, were charged with illegal firearm possession. When analyzing the gun trace data from 2013-2016, some statistical patterns stood out, most of which reinforce commonly held beliefs about the illegal gun market:

- Handguns are overwhelmingly the weapon of choice for committing a gun-related crime in Chicago. More than 90 percent of crime gun recoveries were handguns;

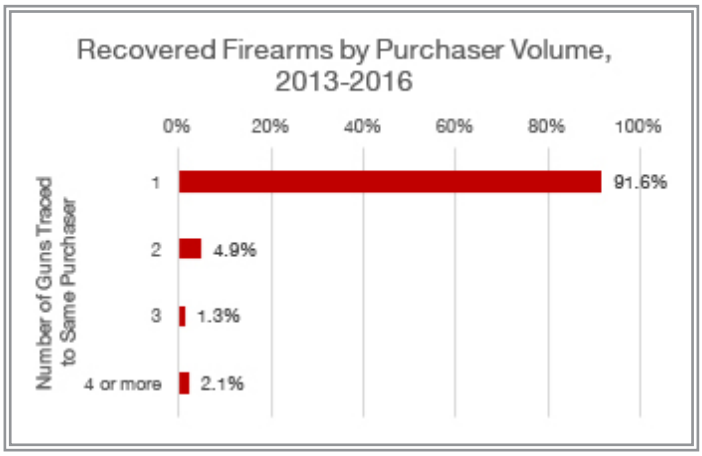


- Roughly 87 percent of the guns were recovered from adults. The average age of a criminal possessor was 29 years old. Over the four-year dataset, the number of juvenile possessors has been trending upwards from approximately 9 percent of those arrested in possession of a firearm, to nearly 13 percent in 2016.



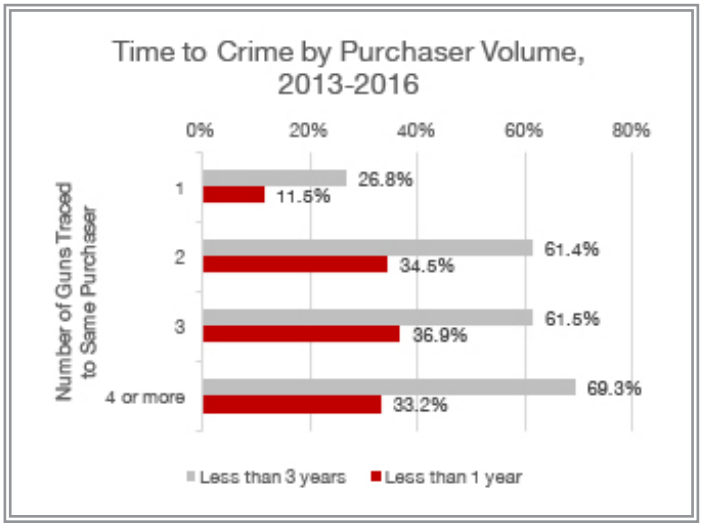
Note: Percentages are for weapons with a known possessor.

- The vast majority (91.6 percent) of Chicago's crime guns that are successfully traced back to an FFL involve someone who has only one crime gun traced back to their name as the original buyer. Approximately eight percent of recovered crime guns traced to a purchaser who had purchased more than one crime gun at an FFL over the four year analysis.



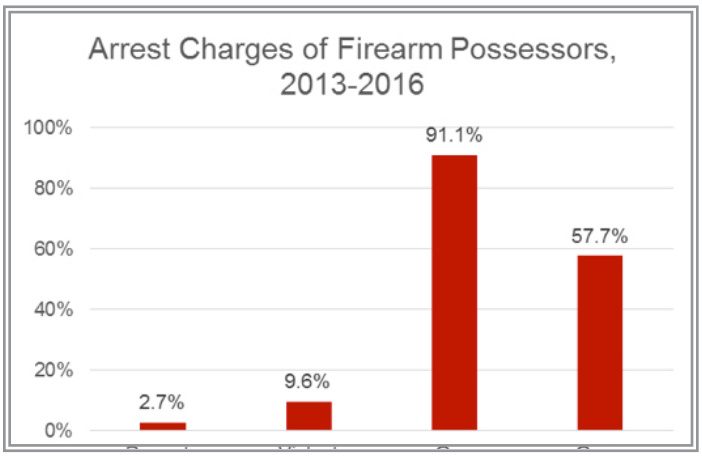
"Recovered Firearms by Purchaser Volume," shows the percentage of crime guns that traced back to individuals who purchased multiple recovered crime guns over the four-year dataset. The figure includes percentages of total recovered crime guns traced to individuals who purchased two, three, four, or five or more recovered crime guns.

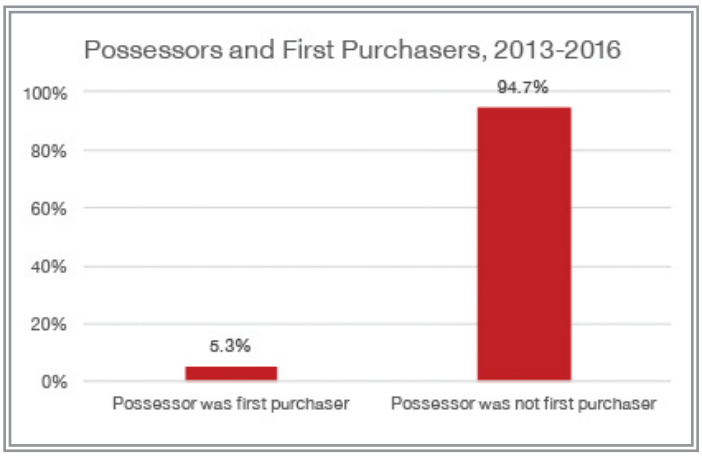
- Notably, within this small population of multiple trace buyers, the overall number of short time to crime guns increased significantly. This is a strong indicator that these buyers may be involved in illegal firearm trafficking.[20]



"Time to Crime by Purchaser Volume," shows the percentage of those crime guns that had a short time to crime, less than three years from initial purchase (grey), and less than one year from initial purchase (red).

- If charges were brought against the criminal possessor, in 91 percent of cases the offender was charged for illegally possessing a firearm; more than half of those arrests were categorized as gang-involved by CPD. Finally, in 95 percent of cases where CPD was able to identify the possessor of the crime gun, that individual was not the original, lawful purchaser of the firearm based upon the ATF record at the initial point of purchase.





Note: Arrest charges reflect the presence of any charge in the indicated category during the arrest of a firearm possessor, only for recovered firearms where a possessor was known and arrested. Gang affiliation is determined by the arresting officer.

The data above serves as a reminder of the vast networks involved in the illegal firearm trade. To address the complexities of the illegal gun market, a comprehensive strategy is necessary that focuses upon continued enforcement and oversight on illegal transfers, straw purchasers, and thieves from the initial point of purchase all the way to the secondary illegal market.

Below several state, regional, and national policy solutions are recommended to aid law enforcement investigations into gun trafficking and provide oversight over the primary and secondary markets for firearm sales. ■

POLICY SOLUTIONS

I. STATE LEVEL SOLUTIONS

Since 2013, when the gun trace data analyzed in this report began, the landscape of firearm regulation in Illinois has shifted significantly. In the midst of a series of court opinions interpreting the scope and extent of the Second Amendment of the United States Constitution,[21] the Illinois General Assembly enacted landmark legislation that created a regulatory framework for the public carry of concealed handguns.[22] The law included broad state preemption over a local government's ability to regulate firearms in many circumstances.[23] The statewide preemption invalidated some important provisions that aided law enforcement investigations, such as the City of Chicago's requirement for registration of firearms.[24] Chicago did maintain its ability to regulate some areas of local firearm law, such as firearm sales and shooting ranges.[25]

Due to the current preemption structure, the Illinois legislature now holds the pen to provide meaningful oversight to stem the flow of illegally trafficked intrastate firearms into Chicago and other local jurisdictions in Illinois. ■

A. Illinois Gun Dealer Licensing, Audits, and Local Law Enforcement Oversight

Trace data going back almost a decade demonstrates that roughly two out of every five of Chicago's crime guns come into the city from Illinois source dealers, making Illinois the single largest source state for Chicago's illegal guns. Passage of the statewide Gun Dealer Licensing Act would provide a critical tool to help deter straw purchasing, implement anti-theft measures, and aid local law enforcement in firearm trafficking investigations. A substantial body of research indicates that state level licensure requirements for firearms dealers lower the number of illegally trafficked firearms within state borders.[26] Due to the difficulty in policing the tens of thousands of secretive transactions that make up the illegal gun market in Chicago, researchers have determined that an effective approach is to focus upon the initial transfer of firearms from the legal to illegal market.[27]

According to ATF data, thefts from gun dealers also contribute to the illegal gun market, and have a direct impact on violent crime.[28] From 2013 to 2016, over 72,000 firearms were reported lost or stolen from FFL dealers nationally.[29] Through that same period, over 1,200 guns were reported lost or stolen from FFL dealers within Illinois.[30] These numbers include burglaries and robberies of FFL dealers, which have increased in recent years. In Illinois, burglaries at FFLs located outside of Chicago almost tripled from 2015 to 2016.[31] From investigative experience, the ATF discerned that guns stolen from FFL's are "almost assuredly destined for criminal use in the immediate area of the theft."[32] To deter and mitigate FFL thefts, ATF issues recommendations to dealers such as installation of alarm and video recording systems, regular inventory and reporting requirements, and properly securing firearms.[33] Without complementary legislation, these recommendations and other safeguards to keep illegally obtained and possessed firearms off the street are completely voluntary.

A 2014 analysis determined that a state licensure requirement over gun dealers had an independent impact on lowering firearm homicide rates.[34] Additionally, the research concluded that permitting audits of gun dealer inventory lowered gun-related homicides.[35] When coupled together, adoption of these two provisions is associated with significantly reduced firearm homicide rates.[36] Among other regulatory and investigatory benefits, both of these provisions are encompassed in the pending Gun Dealer Licensing bill.[37]

It is important to note that all retailers engaged in the business of selling firearms in the United States are required to obtain a federal firearms license. Although one might presume that existing federal regulations render the additional layer of oversight at the state level futile, adding in state and local law enforcement could greatly enhance regulatory enforcement over gun dealers. Since 1986, absent a warrant, Congress has limited ATF's ability to conduct gun dealer inspections to a single annual compliance audit.[39] Citing a lack of resources, the U.S. Office of the Inspector General found that ATF actually inspects a surprisingly small portion, or roughly 5 percent of the more than 50,000 FFLs in the U.S. each year. Finally, federal law also prohibits ATF from requiring FFLs to submit to regular firearm inventory inspections.[40]

Federal law enforcement partners in Illinois could substantially benefit from additional state and local law enforcement assistance and added oversight over firearms dealers. Under the framework proposed in the Gun Dealer Licensing Act, local law enforcement could simply step in and assist where ATF cannot due to manpower or other federal restrictions.This is an especially important tool to address the small subgroup of FFLs that contribute a disproportionate number of guns to the illegal market. ATF's national data demonstrates how significant certain FFLs can be in contributing to the illegal market of firearms, where less than 10 percent of dealers were associated with nearly half of trafficked firearms in a two-year study.[41] CPD data certainly reflects a similar trend, with just 10 dealers making up almost a quarter of all successfully traced crime guns recovered in Chicago.

A joint local and federal effort to oversee Illinois gun dealers can have a demonstrable impact on a very sizeable portion of the firearms recovered from illegal possessors in Chicago. As a result, Mayor Emanuel led the passage of a model gun dealer ordinance in 2014 at the Chicago City Council.[42] Many of the very practical provisions from the Chicago gun dealer ordinance mirror that of the proposed Gun Dealer Licensing Act, such as background checks and training of employees at gun shops, inventory recordkeeping and audit requirements to aid law enforcement, and video camera recording of gun sales and inventory areas to deter straw purchasers and thefts.[43] Given the data trends and research findings, along with the number of lives potentially at stake, there remains a vital need in Illinois for proper oversight over FFL dealers. ■

B. Comprehensive Background Checks on Private Sales in Illinois

Given that roughly 95 percent of crime guns in Chicago are traced back to someone other than the original purchaser, and 91 percent of those crime guns are associated with an arrest against the illegal possessor, CPD's trace data demonstrates the overwhelming rate at which illegal firearms are being exchanged on the secondary illegal market. Taking into account the approximately 7,000 guns that are taken off the street by CPD each year, policy focus must remain on the secondary exchange of firearms, and efforts to prevent those guns from getting into the hands of individuals with a propensity for violence.

Recent research has identified comprehensive background check laws coupled with firearm permit requirements as having an independent impact on lowering illegal firearm transfers.[44] Additionally, in a comprehensive state-to-state study examining a broad range of firearm regulations and their relationship to homicide rates, states with stronger background check requirements had lower firearm fatalities.[45] Finally, the strongest policies shown to lower homicide rates came from states with permit requirements to purchase handguns, coupled with comprehensive background check laws.[46] Illinois already has a statewide permit system, requiring all gun owners to pass a background check and obtain a Firearm Owner's Identification ("FOID") card in order to lawfully purchase and possess a firearm.[47] A FOID card is valid for 10 years before a gun owner must reapply and renew the permit.[48]

Currently, both federal and Illinois law require background checks at all firearm sales that are sold by an FFL dealer.[49] Illinois further requires a state background check on all firearm sales that take place at a gun show.[50] Illinois also mandates that all sellers check a person's FOID card prior to completing the sale or transfer of a firearm, regardless of where the firearm is sold.[51] This removes an important regulatory gap, since it applies to private sales as well.

The Illinois State Police created a system to allow a private seller to call in or electronically check a potential buyer's FOID information to quickly determine whether the buyer can legally purchase a firearm.[53] Upon verification that the buyer is lawfully able to purchase and possess a firearm, the State Police issue the seller a unique approval number, which he or she is required to keep a record of for at least 10 years. The verification system is used to ensure that a buyer's FOID card has not been suspended or revoked.

Failure to conduct a background check through the verification system is a criminal penalty, but only for FFL dealers and gun show vendors.[54] Private sellers are exempt from any criminal penalty for failure to verify that a potential buyer's FOID card is valid before transferring a firearm.[55] Illinois law merely provides what amounts to an incentive for a private seller verifying a person's FOID validity, granting civil immunity to a person who

does take the step to call in a potential gun buyer's FOID to the State Police.[56] The law should instead reflect the importance of ensuring that a gun buyer in a private sale can in fact legally purchase and possess the firearm, and have the appropriate consequence to deter and enforce against illegal transfers on the secondary market.

For example, an estimated 22 percent of national firearm sales take place without any background check.[57] Additional evidence indicates that the secondary sales market is shifting to include greater numbers of online firearm sales. Since 2011, the number of online guns available at armslist.com, an online marketplace, has increased more than twelve-fold, from roughly 12,000 to 148,000 firearms.[58]

Further, a 2012 audit estimated that a mere 30 percent of revoked FOID cards are actually returned to the Illinois State Police.[59] While the State Police has gone great lengths to improve the revocation process in coordination with local law enforcement, this audit finding indicates that many individuals with an ostensibly valid FOID card are actually ineligible to own a firearm. The only way to verify whether a person's FOID card is currently valid at the point of sale is to mandate a simple check with the State Police before all firearm sales, in the same manner that FFL's and gun show vendors already are required to do.

A simple legislative step forward to ensure the legality of secondary private sales in Illinois would be to tie a criminal penalty for failure to verify that a person's FOID card is in fact valid at the time of purchase. Additionally, Illinois already has legislation in place allowing for private transfers to take place on the premises of an FFL dealer, where the FFL dealer verifies the legality of the sale on behalf of the seller with the State Police.[60] Private sale firearm transfers on site at an FFL dealer are not simply permitted, but are legally required in states like California and New York.[61] These states attach a criminal penalty not only on the seller's failure to verify the buyer's legal status to purchase a firearm, but the failure to conduct the sale through a licensed FFL dealer.[62] Based on the recovery rate of firearms by Los Angeles and New York City's respective police departments, this regulation on private sales may help limit the number of firearms illegally circulated in each of these major cities.

By requiring all firearm transfers to be processed at an FFL dealer and creating an enforceable criminal penalty for failure to do so, Illinois can close the private sale loophole and enact a robust, comprehensive background check system that will limit criminal access to firearms on the secondary market. ■

C. Effective Enforcement of Illinois Lost and Stolen Reporting Law

Although data transparency is lacking to fully understand the vast illegal networks involved in the chain of custody of crime guns, combining surveys of convicted gun offenders with the type of trace data included in this report provides an important perspective on the illegal gun markets in and around Chicago.[63] Again, with 95 percent of traces coming back to someone other than the criminal possessor, it is clear that intermediaries involved in secondary market sales play a significant role in placing firearms into the illegal marketplace.

A recent survey of adult offenders in Cook County Jail indicates that the vast majority of illegally used or possessed firearms are obtained through an offender's social network, family, or other personal connections.[64] Only 60 percent of those firearms were actually purchased for cash, the remaining 40 percent were traded, shared, or temporarily loaned to the offender, sometimes due to the fact that the gun was previously used in a crime.[65] It is difficult to track the chain of custody as guns travel through illegal markets, and it is common for investigators to hear a suspected straw purchaser or trafficker assert that the gun was lost or stolen from them – often used as an excuse intended to cut off further investigation.

In 2013, a coalition of law enforcement agencies and anti-violence advocates successfully passed a "lost and stolen reporting" law in Illinois.[66] Lost and stolen reporting laws are designed to mitigate a straw purchaser or illegal firearm trafficker's ability to make false claims to law enforcement when the paper trail or other information can successfully trace a crime gun back to the unlawful seller. The current Illinois law requires a person to report to law enforcement "within 72 hours of obtaining knowledge" of a firearm's loss or theft.[67] Failure to do so is a petty offense, and a Class A misdemeanor for a second or subsequent violation.

The Illinois General Assembly could take simple steps to more effectively enforce and implement the lost and stolen reporting law. First, a violation should result in a criminal offense eligible for arrest, not simply a ticket, and any person who fails to report the loss or theft of multiple firearms should have his or her FOID card suspended or revoked. The current penalty structure allows a gun trafficker to receive multiple violations, keep his or her FOID card, and continue to legally buy guns for dissemination in the illegal market.

Second, as current law stands, there is ample room for straw purchasers and firearm traffickers to skirt law enforcement without citation or conviction. Because law enforcement is required to establish that the person had "knowledge" of the loss or theft, an offender can still misrepresent that he or she did not know the firearm went missing and avoid sanction, even after an outlandish amount of time has passed. A rebuttable presumption should be written into the law that presumes knowledge of a firearm's loss or theft after a reasonable period of time after the firearm goes missing. With this change, if law enforcement can demonstrate that a gun has long been in the illegal stream of commerce, or recovered at a crime scene months or years prior, the person cannot claim ignorance and avoid accountability. Such a measure protects responsible gun owners who are already likely to immediately report a lost or stolen gun.

The above enhancements to the lost and stolen reporting law will ensure that individuals who recklessly or knowingly contribute to the illegal gun market cannot avoid responsibility entirely for the associated violence that occurs, and more importantly, are unable to continue selling firearms to criminals. ■

D. Registration of Firearms to Aid Criminal Investigations

Firearm trace data and accompanying survey studies from convicted gun offenders provide important insight into the illegal gun market in Chicago. One significant finding is the high turnover rate of guns among networks of individuals seeking to avoid accountability for possessing a particular firearm.[68] Crime guns often change hands multiple times, both legally and illegally, in many cases leaving law enforcement in a conundrum to determine the actual chain of custody leading up to a particular crime.[69] A system to track lawful firearm transfers leading up to the illegal sale into the secondary market would greatly improve firearm investigations and help identify violent criminals. It would further protect lawful gun owners who never intended for their firearms to enter into the illegal gun market from unwarranted inquiry or investigation.

Currently, federal law requires an FFL dealer to record the initial gun purchaser's information in a firearms transaction record, along with the make, model, and unique serial number of the gun.[70] ATF then maintains a record of the initial sale information.[71] As discussed above in Section (B), Illinois law requires any subsequent private seller to check the buyer's FOID card and maintain an internal record of the sale for at least 10 years.[72] When a firearm is recovered at a crime scene, however, law enforcement only has access to that initial record of sale at the FFL. In order for the investigation to proceed from the initial buyer, if he or she can be identified and contacted, multiple cooperative witnesses and a great deal of luck are likely required to determine at what point an illegal transfer took place during the life of the crime gun, and who in fact used it to commit the underlying crime.

A firearm registration system to track firearm transfers from one lawful owner to the next would provide an invaluable tool to investigators attempting to trace crime guns back to criminals. Importantly, it would take those who lawfully purchase guns at FFLs and sell them to legitimate buyers on the secondary market out of the investigation. If multiple transactions did in fact take place from the initial point of sale, law enforcement could proceed from the last lawfully recorded transfer. This would provide a substantial benefit to not only crime investigators, but also responsible gun owners who properly assess individuals before selling off a firearm on the secondary market. Further, it would aid in readily identifying straw purchasers whose firearms are purchased at an FFL for immediate sale into the illegal market, thus diminishing the flow of guns to violent criminals who use them in furtherance of senseless gun crimes.

When discussing gun policy, a familiar saying is often repeated: "guns don't kill people, people kill people."

While the statement is primarily used to argue against gun regulations, it ironically strengthens the case for creating a comprehensive system for tracking the chain of custody over firearms. People do kill people, and disproportionately use firearms to do so. Illinois should do everything in its power to develop a regulatory framework that helps law enforcement identify the very people who illegally traffic guns and put them in the hands of violent criminals. ■

II. FEDERAL SOLUTIONS

The Chicago Police Department has consistently traced close to 60 percent of its crime guns to other states. The data speaks for itself, but additional gun offender surveys and time to crime recovery analyses indicate that states with lax gun laws like Indiana and Mississippi are a primary target for gang members and their gun trafficker source buyers.[73] In addition to anecdotal admissions from gang members, researchers compared guns traced to gang members against a non-gang-affiliated comparison group of crime guns, and found that *almost triple the number of crime guns recovered from gang members originally came from Indiana.*[74]

Additional research reinforces a rather obvious economic principle: weaker gun laws in a state increases the export of crime guns, and stronger gun laws in a state increases the import of crime guns.[75] Illinois can and must do better to reduce the flow of guns from in-state FFL dealers. But even with this necessary step forward to regulate in-state firearm sales, Chicago remains uniquely vulnerable to interstate firearms trafficking due to surrounding states with weak regulations over the primary and secondary gun sale markets, including Indiana, Wisconsin, and Kentucky. Not just Chicago, but the nation, needs a national response to meaningfully deter illegal gun trafficking and the subsequent gun violence that follows in its wake.

The table below demonstrates the need for a national, comprehensive solution, by comparing gun regulations in Illinois, California, and New York to the largest source states of crime guns in Illinois identified in this report. The list of regulations in each state include:

- **Permit to Purchase Laws:** a statewide license or permit system is required to purchase a firearm, indicating to law enforcement, FFL dealers, or gun sellers that a person has passed a state and federal background check;

- **Registration of Firearms:** a statewide system to track the transfer of a firearm from one person to the next;

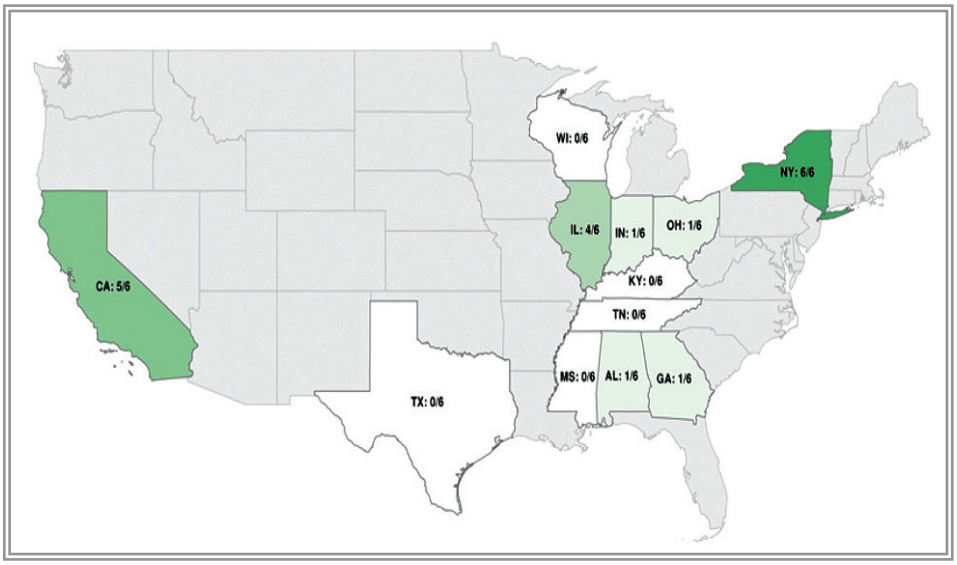
- **Lost and Stolen Firearm Reporting:** a state law requiring a person to report a firearm lost or stolen to authorities within a certain time;

- **Gun Show Background Check:** a state law requiring background checks for any firearm sale on the premises of a gun show;

- **Private Sale Background Check:** a state law requiring background checks for any firearm sale between private individuals (non-FFL dealers, non-gun show vendors);

- **State Gun Dealer Regulations:** a state license requirement for all FFL dealers, providing state and/or local authority and oversight

GUN LAWS IN SELECTED STATES



GUN LAWS IN SELECTED STATES

State	Gun Laws	Permit to Purchase Firearms	Registration of Firearms	Lost and Stolen Background Check	Gun Show Background Check	Private Sale Background Check	State Gun Dealer Regulations
CA	5/6	Yes	No*	Yes	Yes	Yes	Yes
NY	6/6	Yes	Yes	Yes	Yes	Yes	Yes
TOP TEN CONTRIBUTORS TO CHICAGO'S CRIME GUNS							
1 IL	4/6	Yes	No	Yes	Yes	Yes	No
2 IN	1/6	No	No	No	No	No	Yes***
3 MS	0/6	No	No	No	No	No	No
4 WI	0/6	No	No	No	No	No	No
5 OH	1/6	No	No	Yes	No	No	No
6 KY	0/6	No	No	No	No	No	No
7 GA	1/6	No	No	No	No	No	Yes***
8 TN	0/6	No	No	No	No	No	No
9 AL	1/6	No	No	No	No	No	Yes***
10 TX	0/6	No	No	No	No	No	No

* CA - Requires all sales take place with a background check at point of sale of licensed firearms dealer or gun show vendor, and that all sale records be maintained, including thumbprint of purchaser.
** NY – Assault Weapons only, but notice to authorities required upon the transfer or sale of any firearm.
*** AL, GA, IN - Handguns only.

As discussed within the recommendations for state-level solutions, Illinois gun laws are far from perfect. Although Illinois can technically claim four of the six statewide regulations described above, improvements to the private sale background check system and lost and stolen reporting law are needed to make them truly enforceable.[76] Additionally, the system for seizure of revoked or suspended FOID cards – and illegally possessed firearms – requires committed resources and more focused efforts.[77]

When Illinois is compared to the largest source states for crime guns in Chicago, the necessity for a national solution becomes truly apparent. Chicago's source states for crime guns have few if any statewide measures that govern primary and secondary firearm sales, or that help law enforcement identify a potential straw purchaser.[79] By comparison, New York and California have a robust set of regulations to aid gun trafficking investigations and deter straw purchasers.[79] Crime gun recoveries in major cities like Los Angeles and New York City demonstrate the obvious benefits from each state's respective regulatory framework.

Looking beyond Illinois' borders, several straightforward recommendations were set forth in the previous gun trace report in 2014. One recommendation included the establishment of a collaborative gun tracing effort among law enforcement agencies in the Midwest region.[80] Illinois law currently requires all law enforcement agencies to trace each illegally possessed firearm "when appropriate" to the ATF National Tracing Center.[81] A recently enacted state law creates a Violent Crime Intelligence Task Force under the Illinois State Police, which includes priorities for multi-jurisdictional information sharing among law enforcement to help reduce gun violence.[82] Regardless of any legislation, law enforcement agencies can do more to collaborate outside of their jurisdictions both regionally and state-to-state to help identify gun trafficking trends and assist investigations. While this second Chicago Police gun trace analysis only provides a one-way view of crime guns coming into Chicago, it certainly underscores that law enforcement agencies must work together across state borders to meaningfully curtail illegal firearms trafficking.

There are a number of additional federal solutions that will have a direct impact on firearm diversions to criminals and gun-related violence:

- Pass the Gun Trafficking Prevention Act,[83] which includes enforcement measures at every link in the illegal chain of custody of a trafficked firearm;

- Create comprehensive background checks on all firearm sales, regardless of the venue or type of seller;

- Lift ATF restrictions on oversight and enforcement of gun dealers;

- Increase ATF resources, manpower, and enforcement of current firearm trafficking laws;

- Regulate and track online sales of all firearms;

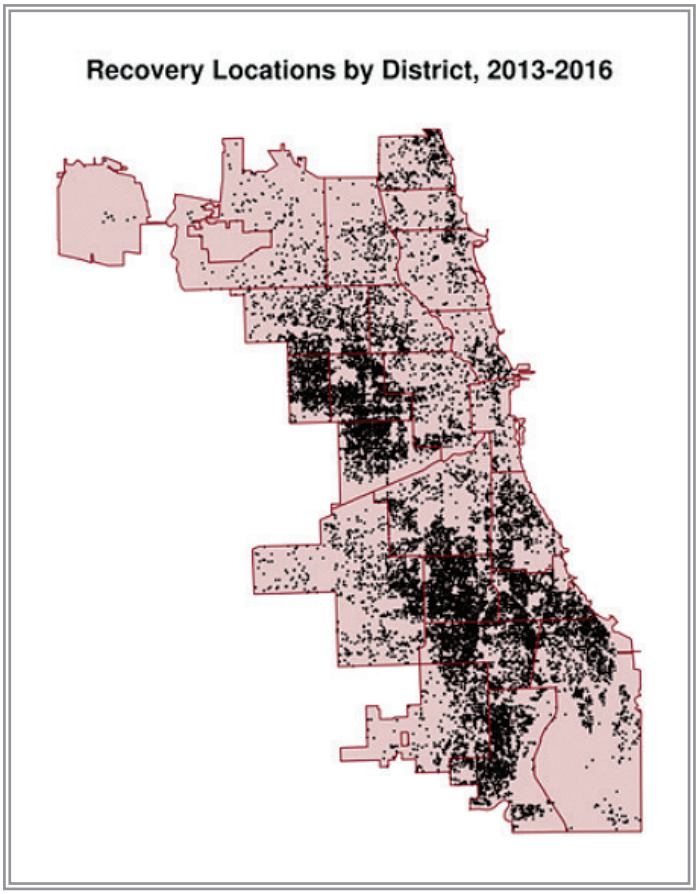
- Lift restrictions on firearm sale recordkeeping, data access, and reporting;

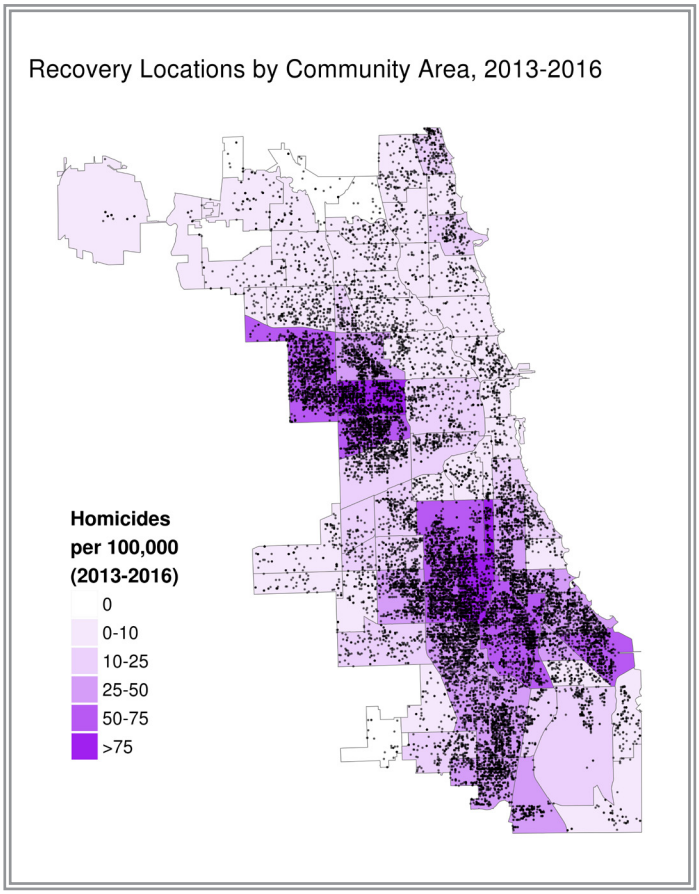
- Increase federal prosecution of gun trafficking and illegal gun possession offenses;

- Increase federal law enforcement collaboration with local and state law enforcement agencies across regions

APPENDIX A:
CHICAGO CRIME GUN RECOVERIES AND COMPARISON HOMICIDE RATES

Not surprisingly, Chicago crime guns are recovered primarily in areas of the City with the greatest concentration of gun violence, corresponding to the need for police to focus on illegal gun possession or use.





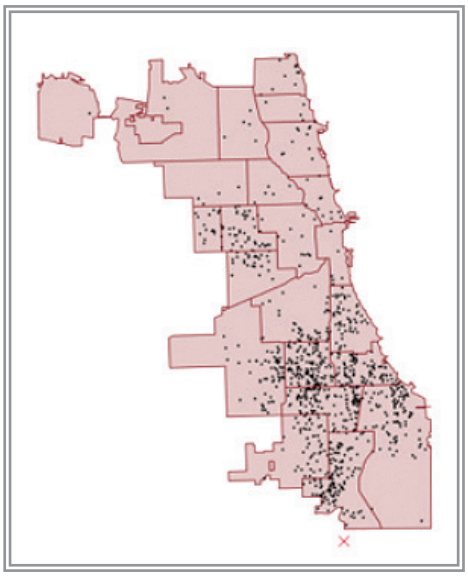
The report examines links between the location of a crime gun's original source dealer and where the traceable gun is actually recovered. Many firearms are ultimately dispersed throughout Chicago. Such dispersion demonstrates the broad network of individuals involved in the illegal secondary gun markets. ■

APPENDIX B:
CHICAGO CRIME GUN RECOVERY LOCATIONS BY INDIVIDUAL SOURCE DEALER

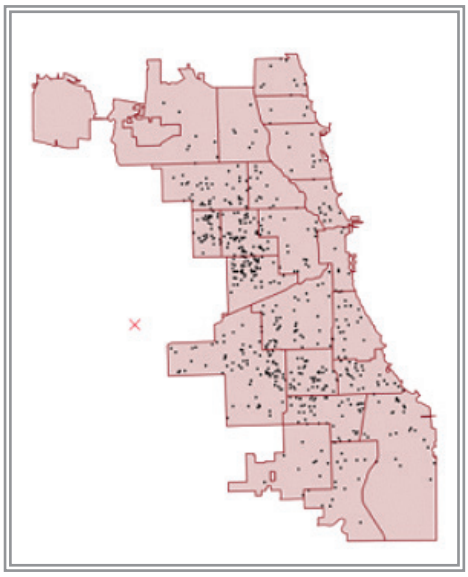
The red "X" below denotes the gun shop's location, and each black dot represents a recovered crime gun.

In parentheticals, the total number of crime guns recovered under the four-year study, and the percentage of those guns recovered within three years, are listed next to each source dealer (Total # of Crime Guns Recovered / Percentage with Time to Crime Recovery Within Three Years).

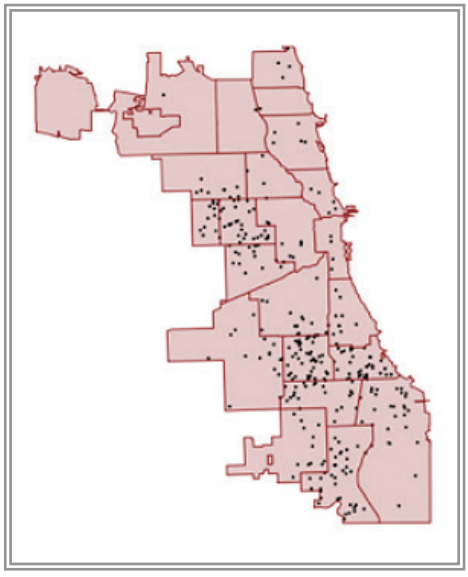
Chuck's Gun Shop
Riverdale, IL (Total Guns 997 / TTC 39%)



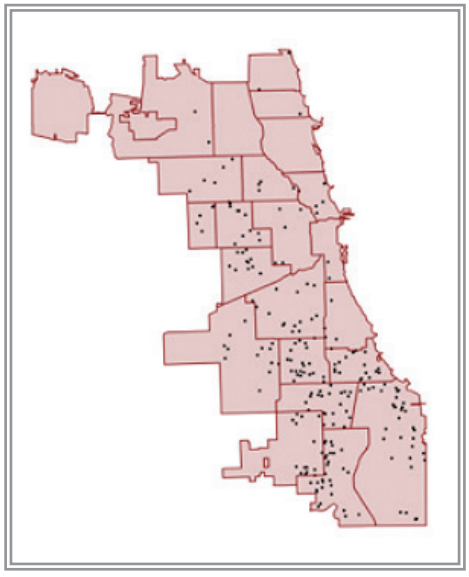
Midwest Sporting Goods
Lyons, IL (Total Guns 676 / TTC 61%)



Westforth Sports
Gary, IN (Total Guns 341 / TTC 45%)

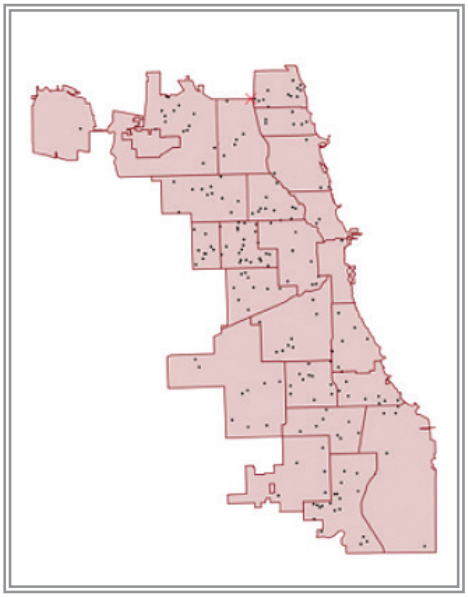


Cabela's
Hammond, IN (Total Guns 253 / TTC 67%)



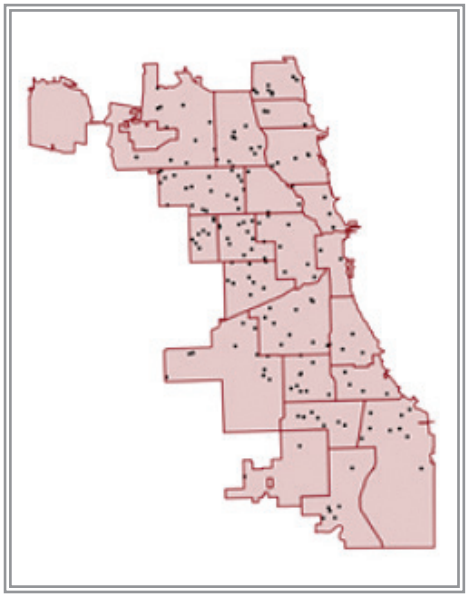
Shore Galleries

Lincolnwood, IL (Total Guns 241 / TTC 12%)



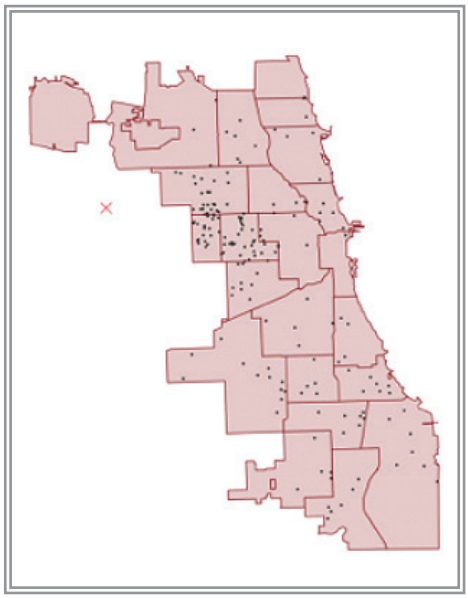
GAT Guns

East Dundee, IL (Total Guns 219 / TTC 47%)



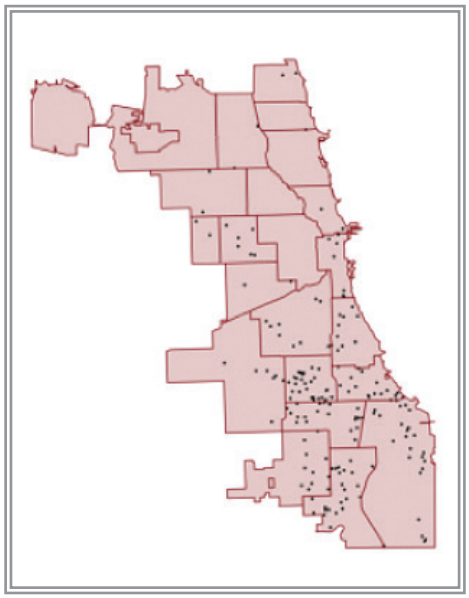
Suburban Sporting Goods

Melrose Park, IL (Total Guns 202 / TTC 68%)



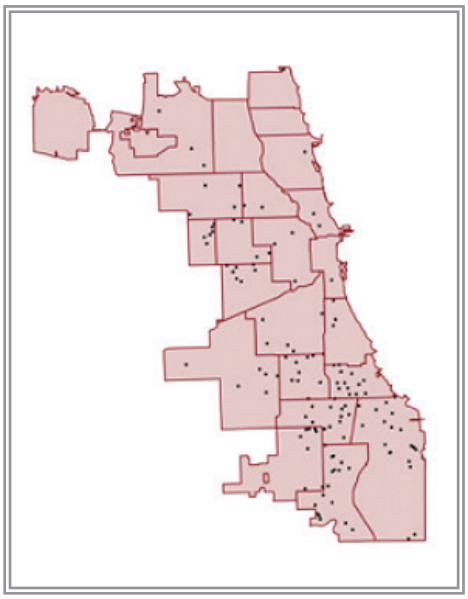
Pelchers Shooter Supply

Lansing, IL (Total Guns 193 / TTC 63%)



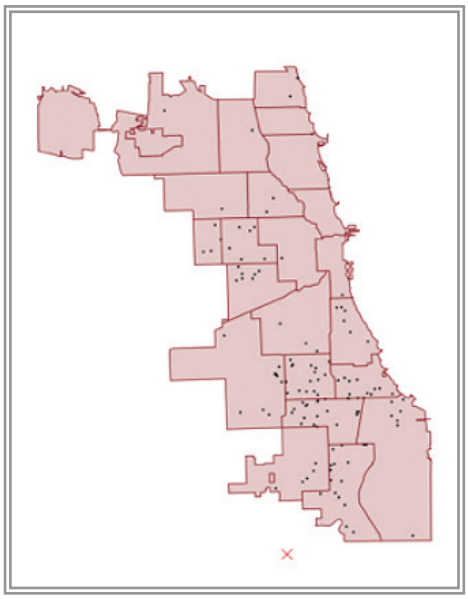
Blythe's Sport Shop

Griffith, IN (Total Guns 139 / TTC 19%)



Sporting Arms & Supply

Posen, IL (Total Guns 128 / TTC 64%)



APPENDIX C:
CROSS-CITY COMPARISONS OF FIREARM RECOVERIES

Firearm recoveries

	Chicago	LA	New York
2011	7,303	6,006	2,883
2012	7,444	4,724	2,779
2013	6,681	5,130	2,624
2014	6,762	5,529	2,510
2015	6,762	6,151	2,508
2016	6,644	5,908	3,583

Recoveries per capita

	Chicago	LA	New York
2011	270	157	35
2012	275	123	34
2013	246	132	31
2014	248	142	30
2015	248	155	29
2016	243	149	42

APPENDIX D:
TOP TEN SOURCE DEALERS OF CRIME GUNS RECOVERED: 2013-2016 AND YEAR BY YEAR

Top 10 source dealers of guns recovered during 2013-2016

FFL Name	City	County	State	# Guns	# Purchasers	# Reported Stolen	% of all eTraced Guns	% short TTC (<3yrs)	% short TTC (<1yr)
CHUCKS GUN SHOP	RIVERDALE	COOK	IL	997	960	43	6.68%	38.85%	20.89%
MIDWEST SPORTING GOODS	LYONS	COOK	IL	676	632	42	4.53%	61.87%	36.50%
WESTFORTH SPORTS	GARY	LAKE	IN	341	319	0	2.28%	45.29%	19.71%
CABELAS	HAMMOND	LAKE	IN	253	232	2	1.70%	66.67%	32.14%
SHORE GALLERIES	LINCOLNWOOD	COOK	IL	241	231	9	1.61%	11.72%	4.60%
GAT GUNS	EAST DUNDEE	KANE	IL	219	188	9	1.47%	47.25%	23.85%
SUBURBAN SPORTING GOODS	MELROSE PARK	COOK	IL	202	185	11	1.35%	68.32%	46.04%
PELCHERS SHOOTERS SUPPLY	LANSING	COOK	IL	193	182	12	1.29%	62.50%	28.65%
BLYTHES SPORT SHOP	GRIFFITH	LAKE	IN	139	138	1	0.93%	18.71%	8.63%
SPORTING ARMS & SUPPLY	POSEN	COOK	IL	128	124	12	0.86%	63.78%	36.22%
				3389		141	22.71%		

Top 10 sources dealers of guns recovered in 2013

FFL Name	City	County	State	# Guns	# Purchasers	# Reported Stolen	% of all eTraced Guns	% short TTC (<3yrs)	% short TTC (<1yr)
CHUCKS GUN SHOP	RIVERDALE	COOK	IL	251	245	9	7.52%	32.80%	15.20%
MIDWEST SPORTING GOODS	LYONS	COOK	IL	129	122	5	3.87%	52.71%	29.46%
WESTFORTH SPORTS	GARY	LAKE	IN	82	79	0	2.46%	39.51%	18.52%
GAT GUNS	EAST DUNDEE	KANE	IL	66	53	0	1.98%	30.30%	18.18%
SHORE GALLERIES	LINCOLNWOOD	COOK	IL	65	64	2	1.95%	12.31%	6.15%
CABELAS	HAMMOND	LAKE	IN	47	45	0	1.41%	78.72%	31.91%
PELCHERS SHOOTERS SUPPLY	LANSING	COOK	IL	38	36	1	1.14%	67.57%	40.54%
BLYTHES SPORT SHOP	GRIFFITH	LAKE	IN	34	34	0	1.02%	20.59%	5.88%
BELLS GUN & SPORT SHOP	FRANKLIN PARK	COOK	IL	34	34	1	1.02%	0.00%	0.00%
RAY OHERRON CO	LOMBARD	DU PAGE	IL	33	33	4	0.99%	18.18%	6.06%
				779		22	23.35%		

Top 10 sources dealers of guns recovered in 2014

	FFL Name	City	County	State	# Guns	# Purchasers	# Reported Stolen	% of all eTraced Guns	% short TTC (<3yrs)	% short TTC (<1yr)
1	CHUCKS GUN SHOP	RIVERDALE	COOK	IL	277	271	9	7.31%	38.55%	25.09%
2	MIDWEST SPORTING GOODS	LYONS	COOK	IL	170	159	10	4.48%	58.33%	35.12%
3	WESTFORTH SPORTS	GARY	LAKE	IN	94	92	0	2.48%	40.43%	10.64%
4	SHORE GALLERIES	LINCOLNWOOD	COOK	IL	73	71	5	1.93%	10.96%	2.74%
5	CABELAS	HAMMOND	LAKE	IN	68	67	1	1.79%	70.59%	35.29%
6	PELCHERS SHOOTERS SUPPLY	LANSING	COOK	IL	53	49	6	1.40%	58.49%	24.53%
7	MIDWEST GUN EXCHANGE	MISHAWAKA	ST JOSEPH	IN	44	44	0	1.16%	18.18%	0.00%
8	RAY OHERRON CO	LOMBARD	DU PAGE	IL	43	42	7	1.13%	21.43%	2.38%
9	SPORTING ARMS & SUPPLY	POSEN	COOK	IL	43	39	9	1.13%	58.14%	27.91%
10	SUBURBAN SPORTING GOODS	MELROSE PARK	COOK	IL	42	41	0	1.11%	47.62%	40.48%
					907		47	23.93%		

Top 10 sources dealers of guns recovered in 2015

FFL Name	City	County	State	# Guns	# Purchasers	# Reported Stolen	% of all eTraced Guns	% short TTC (<3yrs)	% short TTC (<1yr)
CHUCKS GUN SHOP	RIVERDALE	COOK	IL	249	241	12	6.68%	43.72%	25.91%
MIDWEST SPORTING GOODS	LYONS	COOK	IL	198	193	16	5.32%	64.65%	43.94%
WESTFORTH SPORTS	GARY	LAKE	IN	75	73	0	2.01%	45.33%	20.00%
CABELAS	HAMMOND	LAKE	IN	58	57	1	1.56%	62.07%	34.48%
SUBURBAN SPORTING GOODS	MELROSE PARK	COOK	IL	54	52	2	1.45%	66.67%	53.70%
SHORE GALLERIES	LINCOLNWOOD	COOK	IL	48	47	1	1.29%	16.67%	4.17%
PELCHERS SHOOTERS SUPPLY	LANSING	COOK	IL	46	44	1	1.23%	56.52%	10.87%
GAT GUNS	EAST DUNDEE	KANE	IL	38	35	3	1.02%	45.95%	27.03%
CABELAS	HOFFMAN ESTATES	COOK	IL	37	32	2	0.99%	78.38%	29.73%
BLYTHES SPORT SHOP	GRIFFITH	LAKE	IN	36	36	0	0.97%	16.67%	13.89%
				839		38	22.52%		

Top 10 sources dealers of guns recovered in 2016

FFL Name	City	County	State	# Guns	# Purchasers	# Reported Stolen	% of all eTraced Guns	% short TTC (<3yrs)	% short TTC (<1yr)
CHUCKS GUN SHOP	RIVERDALE	COOK	IL	220	219	13	5.40%	40.64%	16.44%
MIDWEST SPORTING GOODS	LYONS	COOK	IL	179	169	11	4.39%	68.72%	34.64%
WESTFORTH SPORTS	GARY	LAKE	IN	90	87	0	2.21%	55.56%	30.00%
SUBURBAN SPORTING GOODS	MELROSE PARK	COOK	IL	85	74	8	2.09%	83.53%	47.06%
CABELAS	HAMMOND	LAKE	IN	80	68	0	1.96%	59.49%	27.85%
GAT GUNS	EAST DUNDEE	KANE	IL	77	66	6	1.89%	58.44%	25.97%
BORDERLINE SHOOTING SPORTS	CRETE	WILL	IL	74	65	2	1.82%	100.00%	59.46%
PELCHERS SHOOTERS SUPPLY	LANSING	COOK	IL	56	55	4	1.37%	67.86%	39.29%
SHORE GALLERIES	LINCOLNWOOD	COOK	IL	55	51	1	1.35%	7.55%	5.66%
BRADIS	CAMBY	MARION	IN	34	34	0	0.83%	35.29%	8.82%
				950		45	23.32%		

APPENDIX E:
TOP TEN SOURCE DEALERS OF CRIME GUNS RECOVERED: 2013-2016 AND YEAR BY YEAR

	State	N	% of all eTraced guns
1	ILLINOIS	6026	40.41%
2	INDIANA	3124	20.95%
3	MISSISSIPPI	756	5.07%
4	WISCONSIN	599	4.02%
5	OHIO	429	2.88%
6	KENTUCKY	368	2.47%
7	GEORGIA	347	2.33%
8	TENNESSEE	322	2.16%
9	ALABAMA	289	1.94%
10	TEXAS	271	1.82%
		12531	84.03%

Top 10 source states for recovered guns, 2013-2016

APPENDIX F:
TYPES OF GUNS TRACED, AND TRACES INVOLVING MULTIPLE BUYERS, 2013-2016

Types of guns recovered, 2013-2016

# Handguns*	% Handguns	# Rifles	% Rifles	# Shotguns	% Shotguns
19789	90.21%	1062	4.84%	1039	4.74%

*Pistols, Derringers, and Revolvers

Gun recoveries by single and multiple purchasers, 2013-2016

# Guns bought by each purchaser	# Purchasers	% of all eTraced Guns	% Stolen	% Short TTC (<3yrs)	% Short TTC (<1yrs)	% Handguns
1	13645	91.63%	1.66%	26.78%	11.55%	93.83%
2	367	4.93%	2.72%	61.39%	34.52%	89.10%
3	65	1.31%	2.05%	61.54%	36.92%	82.56%
4	22	0.59%	3.41%	61.36%	22.73%	87.50%
5 or more	28	1.54%	0.00%	72.37%	37.28%	79.04%

[1] Bureau of Alcohol, Tobacco, Firearms, and Explosives. Fact Sheet – National Tracing Center. (March, 2016). Available at https://www.atf.gov/resource-center/fact-sheet/fact-sheet-national-tracing-center

[2] Cook. The Technology of Personal Violence, 14 Crime & Just. 1 (1991).

[3] City of Chicago – Office of the Mayor & Chicago Police Department. Tracing the Guns: The Impact of Illegal Guns on Violence in Chicago. (May 27, 2014). Available at https://www.cityofchicago.org/content/dam/city/depts/mayor/Press%20Room/Press%20Releases/2014/May/05.27.14TracingGuns.pdf

[4] Richard & Hemenway. Homicide, Suicide, and Unintentional Firearm Fatality: Comparing the United States with other high-income countries. J. Trauma Inj. Infect. Crit. Care 70:238-43 (2011).

[5] Webster & Wintemute. Effects of Policies Designed to Keep Firearms From High Risk Individuals; Annu. Rev. Public Health. 36:21-37 (2015).

[6] Small Arms Survey: Estimating Civilian Owned Firearms. Graduate Institute of International and Developmental Studies, Geneva (2011). http://www.smallarmssurvey.org/fileadmin/docs/H-Research_Notes/SAS-Research-Note-9.pdf

[7] *See* Ind. Code Ann. 35-47-2-14 (Indiana Handgun Dealer's License); Wisc. Admin. Code Just 10.04(1) (Wisconsin does not require state gun dealer license, but requires dealer to report all handgun sales); Ohio Rev Code 2923.20(A)(5) (Ohio Lost and Stolen Reporting Law); OCGA 16-11-129(a) (Georgia prohibits registration of firearms); OCGA 16-11-173(b)(1) (Georgia preempts local regulation of gun shows); OCGA 43-16-2 (Georgia Handgun Dealer's License); Ala. Code Ann. 40-12-143 (Alabama only requires license tax for gun show vendors); Ala. Code 13A-11-78 (Alabama Handgun Dealer's License); *See also* Governing Magazine: Gun Show Background Checks State Laws. January 2016. http://www.governing.com/gov-data/safety-justice/gun-show-firearms-bankground-checks-state-laws-map.html

[8] Press Release 9/22/2016. Office of the Mayor, City of Chicago. Mayor Emanuel Outlines Comprehensive Public Safety Strategy. https://www.cityofchicago.org/content/dam/city/depts/mayor/Press%20Room/Press%20Releases/2016/September/Outlines_Comprehensive_Public_Safety_Strategy.pdf

[9] The Firearm Concealed Carry Act; Public Act 098-0063, Illinois General Assembly (Rep. Phelps/Sen. Forby), eff. July 9, 2013.

[10] *See* Senate Bill 1657 *engrossed;* Illinois General Assembly (Sen. Harmon/ Rep Willis). Available at http://www.ilga.gov/legislation/fulltext.asp?DocName=10000SB1657eng&GA=100&SessionId=91&DocTypeId=SB&LegID=104404&DocNum=1657&GAID=14&Session=

[11] *Author's Note:* The data used in this report represents firearms that were recovered by the Chicago Police Department and successfully traced to a federally licensed firearms dealer based on the firearm's make, model, and serial number maintained in ATF records from the initial point of sale.

[12] City of Chicago, Tracing the Guns: The Impact of Illegal Guns on Violence in Chicago, *supra* note 3.

[13] U.S. Department of Justice, Bureau of Alcohol, Tobacco, and Firearms, National Tracing Center. *ATF Firearms Tracing Guide: Tracing Firearms to Reduce Violent Crime.* (November 2011). https://www.atf.gov/file/58631/download

[14] U.S. Department of the Treasury, Bureau of Alcohol, Tobacco, and Firearms. Following the Gun: Enforcing Federal Laws Against Firearms Traffickers. (June 2000).

[15] Webster & Wintemute. Effects of Policies Designed to Keep Firearms from High-Risk Individuals. Annu. Rev. Public Health 2015. (January 7, 2015). *See also* Bureau of Alcohol, Tobacco, and Firearms. Fact Sheet – Multiple Firearms Sales or Other Disposition Reporting. (March 2016). Available at https://www.atf.gov/resource-center/fact-sheet/fact-sheet-multiple-firearms-sales-or-other-disposition-reporting. (Short time to crime coupled with multiple purchase serves as an indicator of firearms trafficking).

[16] See Village Code of Lyons, Illinois, Title 4, Chapter 4-1-3(E); see also Chicago Tribune, "Lyons OK's Unprecedented Gun Shop Regulations," (Oct. 28, 2015). Available at http://www.chicagotribune.com/news/ct-lyons-gun-shop-ordinance-20151027-story.html.

[17] *See Appendix D:* Analysis of 2013 to 2016 Chicago Police Crime Gun Recovery Data. In 2015, 43.94% of the crime guns traced back to Midwest Sporting Goods were recovered within one year of sale. In 2016, 34.64% of the crime guns traced back to Midwest Sporting Goods were recovered within one year of sale.

[18] City of Chicago, Tracing the Guns: The Impact of Illegal Guns on Violence in Chicago, *supra* note 3.

[19] City of Chicago, Tracing the Guns: The Impact of Illegal Guns on Violence in Chicago, *supra* note 3. *See also* Ind. Code Ann. 35-47-2-14 (Indiana Handgun Dealer's License); Wisc. Admin. Code Just 10.04(1) (Wisconsin does not require state gun dealer license, but requires dealer to report all handgun sales); Ohio Rev Code 2923.20(A)(5) (Ohio Lost and Stolen Reporting Law); OCGA 16-11-129(a) (Georgia prohibits registration of firearms); OCGA 16-11-173(b)(1) (Georgia preempts local regulation of gun shows); OCGA 43-16-2 (Georgia Handgun Dealer's License); Ala. Code Ann. 40-12-143 (Alabama only requires license tax for gun show vendors); Ala. Code 13A-11-78 (Alabama Handgun Dealer's License).

[20] *See* Following the Gun: Enforcing Federal Laws Against Firearm Traffickers, *supra* note 14. *See also* Bureau of Alcohol, Tobacco, Firearms, and Explosives. Fact Sheet – Multiple Firearms Sales Disposition Reporting. (March 2016). Available at https://www.atf.gov/resource-center/fact-sheet/fact-sheet-multiple-firearms-sales-or-other-disposition-reporting

[21] *See* Moore v. Madigan, 702 F.3d 933 (7th Cir. U.S. 2012); People v. Aguilar, 2013 IL 112116 (Ill. S. Ct. 2013)

[22] The Firearm Concealed Carry Act; Public Act 098-0063, Illinois General Assembly (Rep. Phelps/Sen. Forby), eff. July 9, 2013.

[23] 430 ILCS. 65/13.1; 430 ILCS 66/ 90

[24] See Chicago Municipal Code, Article III, Chapter 8-20-110 et seq. (repealed Sep. 11, 2013 but previously pertained to a required Chicago Firearms Permit and registration certificate).

[25] Chicago Municipal Code, Title IV, Chapter 4-144-700 *et seq.* (eff. July 25, 2014); and Title IV, Chapter 4-151-010 *et seq.* (eff. July 6, 2011).

[26] Webster, Vernick, & Bulzacchelli. Effects of State-level Firearm Seller Accountability Policies on Firearms Trafficking. *Journal of Urban Health.* (2009).

[27] Webster. Firearm Seller Accountablity Measures and the Diversion of Guns to Criminals. Johns Hopkins Center for Gun Policy and Research. (2012).

[28] Bureau of Alcohol, Tobacco, Firearms, and Explosive. Congressional Budget Submissions, FY 2018. (May 2017). Available at https://www.justice.gov/file/968946/download.

[29] Bureau of Alcohol, Tobacco, Firearms, and Explosives. Federal Firearms Licensee Statistics Theft / Loss Reports, 2013-2016 Summaries: Firearms Reported Lost and Stolen. Available at https://www.atf.gov/resource-center/data-statistics.

[30] Id.

[31] Id.

[32] ATF, Congressional Budget Submissions, FY 2018, *supra* note 28.

[33] Bureau of Alcohol, Tobacco, Firearms, and Explosives. Loss Prevention for Firearms Retailers. (2016). Available at https://www.atf.gov/firearms/docs/guide/loss-prevention-firearms-retailers/download.

[34]Irvin, Rhodes, Cheney, & Wiebe. Evaluating the Effect of State Regulation of Federally Licensed Firearm Dealers on Firearm Homicide. Am. J. Public Health. (August 2014).

[35] Id.

[36] Id. *See also* Webster, Effects of State-level Firearm Seller Accountability Policies on Firearms Trafficking, *supra* note (xxi).

[37] *See* Senate Bill 1657 *engrossed* (Sen. Harmon/Rep. Willis).

[38] *See* Firearm Owners' Protection Act. Public Act 99-308. (May 19, 1986).

[39] Office of the Inspector General, U.S. Department of Justice, Rep. No. I-2004-005, Inspection of Firearms Dealers by the Bureau of Alcohol, Tobacco, Firearms, and Explosives. (2004).

[40] 111th Congress; Consolidated Appropriations Act 2010, Public Act 111-117 (2009).

[41] *See* Following the Gun: Enforcing Federal Laws Against Firearms Traffickers, *supra* note 20.

[42] *See* Chicago Municipal Code, Title IV, Chapter 4-144-700; (eff. July 25, 2014).

[43] *See* Senate Bill 1657 *engrossed,* Illinois General Assembly.

[44] Webster, Vernick, Bulzacchelli, & Vittes. Recent Federal Gun Laws, Gun Dealer Accountability and the Diversion of Guns to Criminals in Milwaukee." J. Urban Health 89. (2012).

[45] Fleegler, Lee, & Monuteaux. Firearm Legislation and Firearm-Related Fatalities in the United States. JAMA Intern Med. 173. (2013).

[46] Id. See also Webster & Wintemute. Effects of Policies Designed to Keep Firearms From High Risk Individuals, *supra* note (iv).

[47] 430 ILCS 65/ *et seq.*

[48] Id.

[49] Brady Handgun Violence Prevention Act. Public Act 103-159. 103rd Congress. (Feb. 28, 1994); 430 ILCS 65/3(a) & 3.1.

[50] 430 ILCS 65/3(a-5).

[51] 430 ILCS 65/3(a-10).

[52] Id.

[53] 430 ILCS 65/3(b)

[54] 720 ILCS 5/24-3(k)(1)

[55] 430 ILCS 65/3(b); 720 ILCS 5/24-3(k)(1)

[56] 720 ILCS 5/24-3(k)(2)

[57] Miller, Hepburn, & Azrael. Firearm Acquisition Without Background Checks: Results of a National Survey. Annals of Internal Medicine. (Feb. 21, 2017).

[58] *See* ARMSLIST Power Search available at http://www.armslist.com/classifieds/powersearch; (last accessed on Oct. 12, 2017).

[59] State of Illinois, Office of the Auditor General. Management Audit of the Department of State Police's Administration of the Firearm Owner's Identification Act. (April 2012). Available at http://www.auditor.illinois.gov/Audit-Reports/Performance-Special-Multi/Performance-Audits/2012%20Releases/12-ISP-FOID-Act-Mgmt-Full.pdf

[60] 430 ILCS 65/3(a-15)(1)

[61] *See* Cal. Penal Code Article 1, Crimes Relating to Sale, Lease, or Transfer of Firearms, Section 27545; *See also* N.Y. Gen. Bus. Article 39-DDD (898) Private Sale or Disposal of Firearms, Rifles, and Shotguns.

[62] Id.

[63] Cook, Harris, Ludwig, & Pollack. Some Sources of Crime Guns in Chicago: Dirty Dealers, Straw Purchasers, and Traffickers. Journal of Criminal Law & Criminology 104 (2015). Available at http://home.uchicago.edu/ludwigj/papers/JCrimLC%202015%20Guns%20in%20Chicago.pdf

[64] Cook, Parker, & Pollack. Sources of Guns to Dangerous People: What We Learn By Asking Them. Journal of Preventive Medicine 79. (October 2015).

[65] Id.

[66] 720 ILCS 5/24-4.1

[67] Id.

[68] Id.

[69] Cook, Parker, & Pollack. Sources of Guns to Dangerous People: What We Learn By Asking Them, *supra* note 64.

[70] See Bureau of Alcohol, Tobacco, Firearms, and Explosives E-form 4473 (October 2016). Available at https://www.atf.gov/file/61446/download.

[71] Id.

[72] 430 ILCS 65/3(b)

[73] *See* Cook, Harris, Ludwig, & Pollack. Some Sources of Crime Guns in Chicago, *supra* note 63.

[74] Id.

[75] Knight. State Gun Policy and Cross-State Externalities: Evidence From Crime Gun Tracing. Am. Econ. J. Econ. Policy 5. (2013).

[76] *See* 430 ILCS 65/3 & 720 ILCS 5/24-4.1

[77] *See* Management Audit of the Department of State Police's Administration of the Firearm Owner's Identification Act, *supra* note 59.

[78] *See* Ind. Code Ann. 35-47-2-14 (Indiana Handgun Dealer's License); Wisc. Admin. Code Just 10.04(1) (Wisconsin does not require state gun dealer license, but requires dealer to report all handgun sales); Ohio Rev Code 2923.20(A)(5) (Ohio Lost and Stolen Reporting Law); OCGA 16-11-129(a) (Georgia prohibits registration of firearms); OCGA 16-11-173(b)(1) (Georgia preempts local regulation of gun shows); OCGA 43-16-2 (Georgia Handgun Dealer's License); Ala. Code Ann. 40-12-143 (Alabama only requires license tax for gun show vendors); Ala. Code 13A-11-78 (Alabama Handgun Dealer's License)

[79] *See* NY Penal Law 400.00(9) (New York Permit to Purchase); NY Penal Law 400.00(9) (New York Permit must contain each handgun owned); NY Penal Law 265.10(7) (New York firearm owner required to notify authorities upon transfer of firearm); NY Penal Law 400.00(16-a) (New York registration requirement for assault weapons and large capacity ammunition feeding device); NY Penal Law 400.10 (New York Lost and Stolen Reporting Law); NY Gen. Bus. Law 896 & 897 (New York Gun Show Background Checks); NY Gen. Bus. Law Article 39-DDD 898 (New York Private Sale Background Checks); NY Penal Law 265.00(9) (New York Gun Dealer License); Cal. Penal Code 26840, 27540(e), 31615 (California Permit to Purchase; Cal. Penal Code 27545, 28100, 28160 (California Background Check for all firearm transfers, maintain sale record and purchaser information); Cal. Penal Code 25250 (California Lost and Stolen Reporting Law); Cal. Penal Code 27200 (Gun Show Background Checks); Cal. Penal Code 26500 (California State Gun Dealer License)

[80] City of Chicago – Office of the Mayor & Chicago Police Department. Tracing the Guns: The Impact of Illegal Guns on Violence in Chicago, *supra* note 3.

[81] 720 ILCS 5/24-8

[82] See Public Act 100-0003, eff. 1/1/2018 (Sen. Raoul/Rep. Durkin)

[83] H.R. 1475 – Gun Trafficking Prevention Act of 2017 (Rep. Maloney), available at https://www.congress.gov/bill/115th-congress/house-bill/1475

CHASE