

Mr. Chairman and Members of the Commission:

I appreciate the opportunity to speak with you on behalf of The Virginia Center for Public Safety and the Charlottesville chapter of the Million Mom March of Virginia.

Two days before the tragic event at Virginia Tech, I passed the three year anniversary of the death of my thirteen year old son who was one of 81 children in the state of VA whose death was caused by a firearm in 2004. My son, Kody, died as a result of an accidental shooting.

When I heard the news on the radio about the VT tragedy, a familiar wave of shock overcame me, because I knew what was happening to the families and communities whose loved ones were killed. I was devastated by an event that I know was preventable.

For the last 12 years, I have worked in the field of foster care with adolescents. More than 300 teenagers have come through my group home business. I have been an advocate for youth for many years and since my son's death, I have worked as an advocate for gun safety. As a parent, I wonder why these senseless deaths have occurred and I am struck but the sense that the reason could be - for you - you who are the individuals chosen by Governor Kaine to investigate what changes could bring about a safer future for our children.

Their deaths can be meaningful- have a purpose. They died because the system is flawed and identified loopholes need to be closed. Why should we Virginia Citizens tolerate an environment where criminals and mentally ill people have access to guns? Isn't that an invitation to innocent deaths?

I believe that all guns begin as a legally manufactured item and somewhere along the way, they fall to illegal hands - because background checks are not done - because access to guns is such that 66% of all students between 6th and 12th grade say they can get their hands on a gun within 24 hours. Colleges and universities in Virginia need to keep in place their policies to keep guns off campus. Armed students and professors are not the answer.

Also the VT shooter would have been able to buy a weapon through a gun show purchase - even if his background check at the licensed dealer had denied him the purchase - since of course people are able to buy at shows from people with no criminal background checks required from "unlicensed dealers".

The mental health issues in this case show another loop hole that you can close. The sale of weapons that are not standard for hunting or protection is another issue you can address. The ban on assault weapons needs to be reinstated.

You are the esteemed individuals who have been commissioned to address this tragedy and it is my humble request that in memory of my son and all the others, that the loss of life was not in vain and that the changes that result from this panel's investigation will lead to a safer future for our children.

Thank you.

Kara Gloeckner



DATA INDICATES GUN SHOWS ARE PRIMARY SOURCE OF VIRGINIA CRIME GUNS

Between 2002 and 2005, more than 400 firearms sold at Richmond-area gun shows were recovered in connection with criminal activity. More than 300 of these guns were recovered in the Richmond metropolitan area.¹ As disturbing as these numbers are, they certainly understate the scope of the problem. According to Michael Bouchard, Assistant Director/Field Operations of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), "these figures do not take into account firearms that may have been sold at Richmond area gun shows by unlicensed sellers, as these transactions are difficult to track."²

Between May 2004 and August 2005, ATF agents, along with State and local law enforcement partners, attended eight gun shows in the Richmond, Virginia area. This effort was conducted through the Project Exile Program, the Project Safe Neighborhoods initiative, and the ATF's Violent Crime Impact Team initiative. The goal was to reduce violent crime by preventing the illegal diversion of firearms and to investigate persons who violate Federal firearms laws. To put the investigation in perspective, while more than 5,000 gun shows are held annually in the United States, on average the ATF conducts investigations at only approximately 2% of these shows.³

Preliminary Virginia State Police data shows that enforcement efforts from Richmond-area gun shows during 2004-2005 resulted in the prevention of unlawful sales and the detection of criminal activity. Arrests were made for the following violations of State and Federal laws⁴:

- Making False Statements on ATF Form 4473 (17 violations)
- Felon in Possession of a Firearm (2 violations)
- Straw Purchase of a Firearm (13 violations)
- Possession of Marijuana (5 violations)
- Possession of Cocaine (1 violation)
- Felony Fugitive Apprehension (7 violations)
- Misdemeanor Fugitive Apprehension (5 violations)
- Carrying a Concealed Weapon (5 violations)

¹ Statement of Michael Bouchard, ATF Assistant Director/Field Operations, before the Subcommittee on Crime, Terrorism, and Homeland Security, United States House of Representatives, February 28, 2006

² Ibid.

³ Ibid.

⁴ Letter from ATF Director Carl J. Truscott to Chairman F. James Sensenbrenner, Jr., Committee on the Judiciary, U.S. House of Representatives, November 2005



- Grand Larceny—Theft of Firearm (1 violation)

Subsequently, cases were perfected against 25 defendants on various Federal charges. **Of these cases, 19 have been prosecuted, resulting in 19 convictions.** Six cases were still pending prosecution in Federal court as of February 2006.⁵

One of these cases involved the straw purchase of a handgun at the Showplace Gun Show in Richmond, Virginia, on October 17, 2004. The term “straw purchase” refers to a transaction in which a felon or other prohibited purchaser uses another person, the “straw purchaser,” to execute the paperwork necessary to purchase the firearm. In this case the purchaser admitted to being paid \$100 by an individual to complete the paperwork and buy the handgun. He also admitted to having straw purchased an AK-47 rifle for the same man at the Showplace Gun Show in Richmond on July 10, 2004. Further investigation revealed this man was a ringleader in the “Blue Ridge Crew” street gang and that he was a primary suspect in a murder that had occurred on July 19, 2004 in Richmond. Ultimately, ATF agents determined that the murder weapon used in that slaying was the straw-purchased AK-47 rifle described above. Through this effort, ATF prevented another potential murder weapon from reaching the streets. The investigation also led to a guilty plea to murder by the gang member who was acquiring firearms illegally at Richmond-area gun shows. He has been sentenced to serve 40 years in prison.⁶

In assessing ATF’s Virginia’s operations, Assistant Director Bouchard has stated, “we, along with our law enforcement partners, feel very strongly that our operations at Richmond-area gun shows have reduced violent crime and made the streets of Virginia and America safer consistent with our agency’s mission.”⁷

⁵ Letter from ATF Director Carl J. Truscott to Chairman Howard Coble, Subcommittee on Crime, Terrorism and Homeland Security, U.S. House of Representatives, February 2006

⁶ Statement of Michael Bouchard, ATF Assistant Director/Field Operations, before the Subcommittee on Crime, Terrorism, and Homeland Security, United States House of Representatives, February 28, 2006

⁷ Ibid.