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8  
 9 IN THE UNITED STATES DISTRICT COURT  
 10 FOR THE EASTERN DISTRICT OF CALIFORNIA  
 11

12  
 13 **WILLIAM WIESE, et al.,**

14 Plaintiff,

15 v.

16 **XAVIER BECERRA, et al.,**

17 Defendant.

2:17-cv-00903-WBS-KJN

**EXHIBITS 21 THROUGH 28 TO THE  
 DECLARATION OF ALEXANDRA  
 ROBERT GORDON IN SUPPORT OF  
 PLAINTIFF'S MOTION FOR  
 TEMPORARY RESTRAINING ORDER  
 AND PRELIMINARY INJUNCTION**

Date: June 16, 2017

Time: 10:00 a.m.

Courtroom: 5

Judge: The Honorable William B. Shubb

Action Filed: April 28, 2017

# **Exhibit 21**

# Mother Jones

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## This Is the Assault Rifle Used by the Orlando Mass Shooter

Developed for US special operations forces, the weapon is known as the "Black Mamba."

MARK FOLLMAN JUN. 13, 2016 2:45 PM



The MCX "innovative weapon system." *Sig Sauer*

Since the massacre in Orlando early Sunday morning, pro-gun pundits have come out in force to argue that the weapon used in the attack is not an assault rifle. The gun lobby prefers to call these weapons "modern sporting rifles," euphemistic ammo it can fire in an ongoing semantic debate. But make no mistake: What the Orlando attacker used was a weapon of war. It was designed to kill as many people as possible, as quickly as possible. Witness this harrowing audio captured by a bystander outside the Pulse nightclub in which Omar Mateen fires 24 shots in 9 seconds.

According to a federal law enforcement official, the rifle Mateen used to murder and maim more than 100 people was a Sig Sauer MCX. Mateen legally purchased the weapon, similar to an AR-15, on June 4 in Port St. Lucie, Florida, near where he lived.

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Gordon Declaration 00570

(He legally purchased a Glock 17 handgun the following day, which he also carried during the attack.)

**Sig Sauer promotes the MCX as "a complete weapon system for any scenario or environment."**

Sig Sauer bills the MCX as "an innovative weapon system built around a battle-proven core." The company says it "stands as the first rifle to be silenced from the ground up. It also accepts a broad array of accessories, enabling you to build a complete weapon system for any scenario or environment." It has a military-spec

trigger and a magazine capacity of 30 rounds. According to the book Guns of Special Forces 2001-2015, the MCX is known in military circles as the "Black Mamba" and was developed at the request of the US Army's special operations forces.

Although the legal civilian version of the gun fires on semi-automatic, it can be highly lethal. Indeed, like many of his recent predecessors, Mateen was able to unleash a devastating barrage of gunfire. The law enforcement official declined to comment on the total number of rounds fired in the attack. But, he said, it was "obviously a lot."

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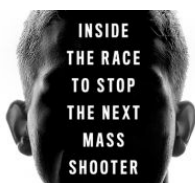


**MARK FOLLMAN**

Mark Follman is the national affairs editor at *Mother Jones*. Contact him with tips or feedback at [mfollman@motherjones.com](mailto:mfollman@motherjones.com).

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Gordon Declaration 00572

# **Exhibit 22**

Case	Location	Date	Year	Summary	Fatalities	Injured	Total Victims	Weapon	Prior signs of possible mental illness	Mental Health	Weapons obtained legally	Where Obtained	Type of Weapons	Weapon details	Race	Gender	Sources	Mental Health Sources	Latitude	Longitude	Type	
Fresno downtown shooting	Fresno, California	4/18/2017	2017	Kori Ali Muhammad, 39, opened fire along a street in downtown Fresno, killing three people randomly in an alleged hate crime prior to being apprehended by police. Muhammad, who is black, killed three white victims and later described his attack as being racially motivated; he also reportedly yelled 'Allahu Akbar' at the time he was arrested, but authorities indicated they found no links to Islamist terrorism.	3	0	3	Other	Unclear		Unknown		handgun	.357 revolver	Black	M	<a href="http://www.dailymail.co.uk/news/article-4443722/Gunman-Fresno-shooting-speaks-jail.html">http://www.dailymail.co.uk/news/article-4443722/Gunman-Fresno-shooting-speaks-jail.html</a> ; <a href="https://www.nytimes.com/2017/04/18/us/fresno-shooting-rampage-kori-ali-muhammad.html?_r=0">https://www.nytimes.com/2017/04/18/us/fresno-shooting-rampage-kori-ali-muhammad.html?_r=0</a>					
Fort Lauderdale airport shooting	Fort Lauderdale, Florida	1/6/2017	2017	Esteban Santiago, 26, flew from Alaska to Fort Lauderdale, where he opened fire in the baggage claim area of the airport, killing five and wounding six before police apprehended him.	5	11	16	Airport	Yes	Among other signs, Santiago had gone to a FBI office in Anchorage and complained that his mind was being controlled by the CIA.	Yes		semiautomatic handgun	Walther 9mm semi-automatic pistol	Latino	M	<a href="http://www.nytimes.com/2017/01/07/us/esteban-santiago-fort-lauderdale-airport-shooting.html?_r=0">http://www.nytimes.com/2017/01/07/us/esteban-santiago-fort-lauderdale-airport-shooting.html?_r=0</a>	<a href="http://www.nytimes.com/2017/01/07/us/esteban-santiago-fort-lauderdale-airport-shooting.html?_r=0">http://www.nytimes.com/2017/01/07/us/esteban-santiago-fort-lauderdale-airport-shooting.html?_r=0</a>				

Case	Location	Date	Year	Summary	Fatalities	Injured	Total Victims	Gun	Prior signs of possible mental illness	Mental Health	Weapons obtained legally	Where Obtained	Type of Weapons	Weapon details	Race	Gender	Sources	Mental Health Sources	Latitude	Longitude	Type		
Cascade Mall shooting	Burlington, WA	9/23/2016	2016	Arcan Cetin, 20, killed a teen girl and three women in the cosmetics section of a Macy's department store at the Cascade Mall. A man was critically wounded in the shooting and taken to Harborview Medical Center in Seattle, where he died. Cetin was apprehended by police a few hours after the shooting while driving a car near his residence.	5	0	5	Other	Yes	According to the Cetin's stepfather he had "mental health issues"; court records showed that he suffered from anxiety and depression.			Rifle			M	<a href="http://www.nytimes.com/2016/09/25/us/mall-shooting-washington-state.html">http://www.nytimes.com/2016/09/25/us/mall-shooting-washington-state.html</a> <a href="http://www.nbcnews.com/news/us-news/arcan-cetin-accused-cascade-mall-shooter-charged-five-counts-murder-n654586">http://www.nbcnews.com/news/us-news/arcan-cetin-accused-cascade-mall-shooter-charged-five-counts-murder-n654586</a>						
Baton Rouge police shooting	Baton Rouge, LA	7/17/2016	2016	Gavin Long, a former Marine who served in Iraq, killed three police officers responding to a 911 call, and wounded three others. He was killed in a shoot-out with other officers responding to the scene. Prior to the attack, Long posted prolifically on social media, where he expressed admiration for the cop killer in Dallas 10 days prior.	3	3	6	Other	Yes	Unclear	Unknown		Two semiautomatic rifles; one semiautomatic handgun	IWI Tavor SAR 5.56 caliber rifle Springfield XD 9, 9mm	Black	M	<a href="http://time.com/4411027/baton-rouge-shooter-gavin-long/">http://time.com/4411027/baton-rouge-shooter-gavin-long/;</a> <a href="http://www.nytimes.com/2016/07/18/us/baton-rouge-shooting.html">http://www.nytimes.com/2016/07/18/us/baton-rouge-shooting.html;</a> <a href="http://www.kansascity.com/news/local/article90266242.html">http://www.kansascity.com/news/local/article90266242.html;</a> <a href="http://www.nola.com/crime/index.ssf/2016/07/gavin_1ong_guns_baton_rouge_po.html">http://www.nola.com/crime/index.ssf/2016/07/gavin_1ong_guns_baton_rouge_po.html;</a> <a href="http://www.motherjones.com/politics/2016/07/copycat-mass-shooters-rising-baton-rouge-munich">http://www.motherjones.com/politics/2016/07/copycat-mass-shooters-rising-baton-rouge-munich</a>						Mass



Case	Location	Date	Year	Summary	Fatalities	Injured	Total Victims	Weapon	Prior signs of possible mental illness	Mental Health	Weapons obtained legally	Where Obtained	Type of Weapons	Weapon details	Race	Gender	Sources	Mental Health Sources	Latitude	Longitude	Type	
Dallas police shooting	Dallas, Texas	7/7/2016	2016	Micah Xavier Johnson, a 25-year-old Army veteran, targeted police at a peaceful Black Lives Matter protest, killing five officers and injuring nine others as well as two civilians. After a prolonged standoff in a downtown building, law enforcement killed Johnson using a robot-delivered bomb.	5	11	16	Other	Unclear	Unclear	Yes	online and or gun show	Semiautomatic rifle, semiautomatic handguns	Izhmash-Saiga 5.45mm (AK-style) semiautomatic rifle with large capacity magazines; Glock 9mm handgun, .25-caliber semiautomatic handgun	Black	M	<a href="http://www.nytimes.com/2016/07/11/us/dallas-shooting-micah-johnson-police.html?_r=0">http://www.nytimes.com/2016/07/11/us/dallas-shooting-micah-johnson-police.html?_r=0</a> ; <a href="http://www.wsj.com/articles/dallas-shooter-purchased-guns-illegally-official-says-1468269720">http://www.wsj.com/articles/dallas-shooter-purchased-guns-illegally-official-says-1468269720</a>					Mass
Orlando nightclub massacre	Orlando, Florida	6/12/2016	2016	Omar Mateen, 29, attacked the Pulse nightclub in Orlando in the early morning hours of June 12. He was killed by law enforcement who raided the club after a prolonged standoff.	49	53	102	Other	Unclear	Unclear	Yes	Shooting center in Port St. Lucie, Florida	Semiautomatic rifle, semiautomatic handgun	Sig Sauer MCX rifle, Glock 17 9mm; high-capacity magazines (30 rounds)	Other	M	<a href="http://www.motherjones.com/politics/2016/06/assault-rifle-used-by-orlando-mass-shooter">http://www.motherjones.com/politics/2016/06/assault-rifle-used-by-orlando-mass-shooter</a> ; <a href="http://wrbl.com/2016/06/13/orlando-police-make-statement-on-mass-shooting/">http://wrbl.com/2016/06/13/orlando-police-make-statement-on-mass-shooting/</a> ; <a href="http://www.slate.com/articles/news_and_politics/crime/2016/06/the_ar_15_and_other_assault_rifles_are_bad_high_capacity_magazines_are_worse.html">http://www.slate.com/articles/news_and_politics/crime/2016/06/the_ar_15_and_other_assault_rifles_are_bad_high_capacity_magazines_are_worse.html</a>					Mass

Case	Location	Date	Year	Summary	Injuries	Total victims	Where	Prior signs of possible mental illness	Mental health	Weapons obtained	Where obtained	Type of weapon	Weapon/detail	Color	Gender	Resources	Mental Health Sources	Latitude	Longitude	Type	
Excel Industries mass shooting	Hesston, Kansas	2/25/2016	2016	Cedric L. Ford, who worked as a painter at a manufacturing company, shot victims from his car and at his workplace before being killed by police at the scene. Shortly before the rampage he had been served with a restraining order.	3	14	17 Workplace	Unclear	Unclear	Yes		Semiautomatic rifle, semiautomatic handgun	Zastava Serbia AK-47-style rifle, Glock Model 22 .40-caliber handgun, high-capacity magazines (30 rounds)	Black	M	<a href="http://www.nytimes.com/2016/02/26/us/shooting-at-plant-hesston-kansas.html">http://www.nytimes.com/2016/02/26/us/shooting-at-plant-hesston-kansas.html</a> ; <a href="https://www.washingtonpost.com/news/morning-mix/wp/2016/02/26/alcoholic-violent-depressed-portrait-of-kansas-shooter-emerges/">https://www.washingtonpost.com/news/morning-mix/wp/2016/02/26/alcoholic-violent-depressed-portrait-of-kansas-shooter-emerges/</a> ; <a href="https://www.washingtonpost.com/news/post-nation/wp/2016/02/26/kansas-gunman-served-protection-from-abuse-order-shortly-before-shootings-sheriff-says/">https://www.washingtonpost.com/news/post-nation/wp/2016/02/26/kansas-gunman-served-protection-from-abuse-order-shortly-before-shootings-sheriff-says/</a> ; <a href="http://heavy.com/news/2016/02/cedric-ford-hesston-kansas-shooting-shooter-facebook-video-firing-rifle-gun-field-ak47-ak47-long-gun-photos-watch-youtube/">http://heavy.com/news/2016/02/cedric-ford-hesston-kansas-shooting-shooter-facebook-video-firing-rifle-gun-field-ak47-ak47-long-gun-photos-watch-youtube/</a> ; <a href="http://fox4kc.com/2016/02/26/kansas-woman-charged-with-providing-guns-to-hesston-shooter/">http://fox4kc.com/2016/02/26/kansas-woman-charged-with-providing-guns-to-hesston-shooter/</a>					Spree

Case	Location	Date	Year	Summary	Deaths	Injured	Total victims	Venue	Prior signs of possible mental illness	Mental health	Weapons obtained	Where obtained	Type of weapon	Weapon/detail	Race	Gender	Resources	Mental Health Sources	Latitude	Longitude	Type	
Kalamazoo shooting spree	Kalamazoo County, Michigan	2/20/2016	2016	Jason B. Dalton, a driver for Uber, apparently selected his victims randomly as he went on a rampage over several hours in three different locations, including five people he shot in the parking lot of a Cracker Barrel restaurant. He was "arrested without incident" at a downtown Kalamazoo bar about six hours after the rampage began.	6	2	8	Other	Unclear	Unclear	Yes		Semiautomatic handgun	9 mm handgun (ammo used unclear)	White	M	<a href="http://www.nytimes.com/2016/02/22/us/kalamazoo-michigan-random-shootings.html">http://www.nytimes.com/2016/02/22/us/kalamazoo-michigan-random-shootings.html</a> ; <a href="http://www.mlive.com/news/kalamazoo/index.ssf/2016/02/4_things_we_know_about_kalamaz.html">http://www.mlive.com/news/kalamazoo/index.ssf/2016/02/4_things_we_know_about_kalamaz.html</a> ; <a href="http://www.mlive.com/news/kalamazoo/index.ssf/2016/02/prosecutor_mass_shooting_suspe.html#incart_river_index">http://www.mlive.com/news/kalamazoo/index.ssf/2016/02/prosecutor_mass_shooting_suspe.html#incart_river_index</a>					Spree
San Bernardino mass shooting	San Bernardino, California	12/2/2015	2015	Syed Rizwan Farook left a Christmas party held at Inland Regional Center, later returning with Tashfeen Malik and the two opened fire, killing 14 and wounding 21, ten critically. The two were later killed by police as they fled in an SUV.	14	21	35	Workplace	Unclear	Unclear	Yes	The suspects purchased their handguns in the United States; the assault rifles were purchased by a third party.	rifles and two semi-automatic pistols were used in the attack. Police found a remote controlled explosive device at the scene of the crime. At the home were 12 pipe bombs, 2,500 rounds for the AR-15 variants, 2,000 rounds for the pistols, and several hundred for a .22 calibre rifle. In the suspects' car were an additional 1,400 rounds for the rifles and 200 for the handguns.	Two semiautomatic AR-15-style rifles—one a DPMS A-15, the other a Smith & Wesson M&P15, both with .223 calibre ammunition. Two 9mm semiautomatic handguns. High capacity magazines.		Male & Female	<a href="http://www.moherjones.com/mojos/2015/12/san-bernardino-shooting-and">http://www.moherjones.com/mojos/2015/12/san-bernardino-shooting-and</a> <a href="http://www.cnbc.com/2015/12/03/san-bernardino-shooting-suspects-rizwan-farook-tashfeen-malik-dead.html">http://www.cnbc.com/2015/12/03/san-bernardino-shooting-suspects-rizwan-farook-tashfeen-malik-dead.html</a> and <a href="http://www.nytimes.com/2015/12/04/us/san-bernardino-shooting.html">http://www.nytimes.com/2015/12/04/us/san-bernardino-shooting.html</a> and <a href="http://www.nytimes.com/2015/12/04/us/weapons-in-san-bernardino-shootings-were-legally-obtained.html?_r=0">http://www.nytimes.com/2015/12/04/us/weapons-in-san-bernardino-shootings-were-legally-obtained.html?_r=0</a>				Mass	

Case	Location	Date	Year	Summary	Deaths	Injured	Total victims	Scene	Prior signs of possible mental illness	Mental health	Weapons obtained	Where obtained	Type of weapon	Weapon details	Race	Gender	Source	Mental Health Sources	Latitude	Longitude	Type			
Planned Parenthood clinic	Colorado Springs, Colorado	11/27/2015	2015	Robert Lewis Dear, 57, shot and killed a police officer and two citizens when he opened fire at a Planned Parenthood health clinic in Colorado Springs, Colorado. Nine others were wounded. Dear was arrested after an hours-long standoff with police.	3	9	12	Workplace	Unclear	The judge in the case has not publicly released Dear's medical and mental health records. As of April 5, 2016, Dear was undergoing a competency evaluation. Dear had a history of disputes with his relatives and neighbors. At a hearing in December 2015, he said, "I am a warrior for the babies."	Unknown	Unclear	Long gun	Reportedly an AK-47 style semiautomatic rifle and others. Authorities had not released details on Dear's weapons as of April 2016.	White	M	<a href="http://www.nytimes.com/2015/11/28/us/colorado-planned-parenthood-shooting.html">http://www.nytimes.com/2015/11/28/us/colorado-planned-parenthood-shooting.html</a> and <a href="http://www.cnn.com/2015/12/09/us/colorado-planned-parenthood-shooting/">http://www.cnn.com/2015/12/09/us/colorado-planned-parenthood-shooting/</a> and <a href="http://www.npr.org/sections/thetwo-way/2015/11/28/457674369/planned-parenthood-shooting-police-name-suspect-procession-for-fallen-officer">http://www.npr.org/sections/thetwo-way/2015/11/28/457674369/planned-parenthood-shooting-police-name-suspect-procession-for-fallen-officer</a> and <a href="http://www.cbsnews.com/news/robert-lewis-dear-planned-parenthood-first-court-appearance/">http://www.cbsnews.com/news/robert-lewis-dear-planned-parenthood-first-court-appearance/</a> and <a href="http://www.denverpost.com/news/ci_29729326/judge-wont-release-all-records-accused-planned-parenthood">http://www.denverpost.com/news/ci_29729326/judge-wont-release-all-records-accused-planned-parenthood</a> and <a href="http://www.esindy.com/IndyBlog/archives/2016/02/17/judge-resists-unsealing-dear-affidavits">http://www.esindy.com/IndyBlog/archives/2016/02/17/judge-resists-unsealing-dear-affidavits</a> ; <a href="http://www.nbnews.com/news/us-news/who-robert-dear-planned-parenthood-shooting-suspect-seemed-strange-not-n470896">http://www.nbnews.com/news/us-news/who-robert-dear-planned-parenthood-shooting-suspect-seemed-strange-not-n470896</a>							

Case	Location	Date	Year	Summary	Injured	Total Victims	Where	Prior signs of possible mental illness	Mental health	Weapons obtained	Where obtained	Type of weapon	Weapon/detail	Race	Gender	Sources	Mental Health Sources	Latitude	Longitude	Type
Colorado Springs shooting rampage	Colorado Springs, Colorado	10/31/2015	2015	Noah Harpham, 33, shot three people before dead in Colorado Springs before police killed him in a shootout.	3	0	3 Other	Unclear	Prior to the rampage, Harpham wrote an "incoherent" blog and rambled "nonsensically" in a YouTube video about mind control techniques and God, according to the Denver Post. He had a history of drug and alcohol abuse.	Yes	Unclear	Two handguns and a rifle	AR-15 rifle, a 9 mm pistol, and a .357 revolver	White	M	<a href="http://www.mothersjones.com/mojos/2015/11/open-carry-mass-shooting-colorado-springs-and">http://www.mothersjones.com/mojos/2015/11/open-carry-mass-shooting-colorado-springs-and</a> <a href="http://www.denverpost.com/news/ci_29059452/colorado-springs-police-confronted-shot-gunman-minutes">http://www.denverpost.com/news/ci_29059452/colorado-springs-police-confronted-shot-gunman-minutes</a> and <a href="http://www.cbsnews.com/news/shooter-in-colorado-springs-rampage-legally-purchased-guns/">http://www.cbsnews.com/news/shooter-in-colorado-springs-rampage-legally-purchased-guns/</a>				Spree
Umpqua Community College shooting	Roseburg, Oregon	10/1/2015	2015	26-year-old Chris Harper Mercer opened fire at Umpqua Community College in southwest Oregon. The gunman shot himself to death after being wounded in a shootout with police.	9	9	18 School	Unclear	Harper-Mercer's mother said in multiple online postings that he had Asperger's syndrome. Harper-Mercer graduated from the Switzer Learning Center, a school for students with special needs, emotional difficulties, autism and Asperger's syndrome.	Yes	From the home he shared with his mother. All were legally obtained by either Harper/Mercer or family members.	Five pistols, one rifle, five magazines of ammunition	9 mm Glock pistol, .40 caliber Smith & Wesson, .40 caliber Taurus pistol, .556 caliber Del-Ton; (ammo details unclear)	Other	Male	<a href="http://www.nytimes.com/2015/10/03/us/chris-harper-mercercer-umpqua-community-college-shooting.html">http://www.nytimes.com/2015/10/03/us/chris-harper-mercercer-umpqua-community-college-shooting.html</a> ; <a href="http://www.latimes.com/nation/nationnow/la-na-nn-chris-harper-mercercer-oregon-shooting-20151002.htmlstory.html">http://www.latimes.com/nation/nationnow/la-na-nn-chris-harper-mercercer-oregon-shooting-20151002.htmlstory.html</a> ; <a href="http://www.huffingtonpost.com/entry/ian-mercercer-father-guns_56116d7ae4b0af3706e12525">http://www.huffingtonpost.com/entry/ian-mercercer-father-guns_56116d7ae4b0af3706e12525</a> ; <a href="http://wate.com/2015/10/02/what-we-know-about-umpqua-community-college-shooter-2/">http://wate.com/2015/10/02/what-we-know-about-umpqua-community-college-shooter-2/</a> ; <a href="http://www.cnn.com/2015/10/02/us/oregon-umpqua-community-college-shooting/">http://www.cnn.com/2015/10/02/us/oregon-umpqua-community-college-shooting/</a>	<a href="http://www.latimes.com/nation/nationnow/la-na-nn-chris-harper-mercercer-oregon-shooting-20151002.htmlstory.html">http://www.latimes.com/nation/nationnow/la-na-nn-chris-harper-mercercer-oregon-shooting-20151002.htmlstory.html</a>			Mass

Case	Location	Date	Year	Summary	Deaths	Injured	Total victims	Year	Prior signs of possible mental illness	Mental health	Weapons obtained (type)	Where obtained	Type of weapon	Weapon/detail	Gender	Age	Resources	Mental Health Sources	Latitude	Longitude	Type
Chattanooga military recruitment center	Chattanooga, Tennessee	7/16/2015	2015	Kuwaiti-born Mohammad Youssef Abdulazeez, 24, a naturalized US citizen, opened fire at a Naval reserve center, and then drove to a military recruitment office where he shot and killed four Marines and a Navy service member, and wounded a police officer and another military service member. He was then fatally shot in an exchange of gunfire with law enforcement officers responding to the attack.	5	2	7	Military	Unclear	Abdulazeez "had suffered for years from depression and possibly from bipolar disorder," according to a representative of the family. (NYT, July 20 2015)	Yes ("some of the weapons were purchased legally and some of them may not have been")	On the internet, via Armslist.com	2 assault rifles; semiautomatic handgun	AK-47, AR-15, and 30-round magazines; 9mm handgun	Other	Male	<a href="http://www.reuters.com/article/2015/07/16/us-usa-shooting-tennessee-idUSKCN0PQ1WY20150716">http://www.reuters.com/article/2015/07/16/us-usa-shooting-tennessee-idUSKCN0PQ1WY20150716</a> ; <a href="http://www.nytimes.com/2015/07/18/us/chattanooga-gunmans-past-scoured-for-extremist-ties.html">http://www.nytimes.com/2015/07/18/us/chattanooga-gunmans-past-scoured-for-extremist-ties.html</a> ; <a href="http://www.wsj.com/articles/chattanooga-shooting-highlights-online-gun-sales-1437435518">http://www.wsj.com/articles/chattanooga-shooting-highlights-online-gun-sales-1437435518</a> <a href="http://www.nytimes.com/2015/07/19/us/chattanooga-attacks-claim-a-5th-military-service-members-life.html">http://www.nytimes.com/2015/07/19/us/chattanooga-attacks-claim-a-5th-military-service-members-life.html</a> ; <a href="http://www.cnn.com/2015/07/17/us/tennessee-naval-reserve-shooting/">http://www.cnn.com/2015/07/17/us/tennessee-naval-reserve-shooting/</a> ; <a href="https://twitter.com/markfollman/status/622105627473477632">https://twitter.com/markfollman/status/622105627473477632</a> ; <a href="http://www.nytimes.com/2015/07/21/us/chattanooga-gunman-wrote-of-suicide-and-martyrdom-official-says.htm">http://www.nytimes.com/2015/07/21/us/chattanooga-gunman-wrote-of-suicide-and-martyrdom-official-says.htm</a>		35.047157	-85.311819	Mass

Case	Location	Date	Year	Summary	Deaths	Injured	Total victims	Year	Prior signs of possible mental illness	Mental health	Weapons obtained	Where obtained	Type of weapon	Weapon/detail	Race	Gender	Sources	Mental Health Sources	Latitude	Longitude	Type
Charleston Church Shooting	Charleston, South Carolina	6/17/2015	2015	Dylann Storm Roof, 21, shot and killed 9 people after opening fire at the Emanuel AME Church in Charleston, South Carolina. According to a roommate, he had allegedly been planning something like that for six months."	9	1	10	Religious	unknown		Yes	Shooter's Choice gun store in West Columbia, South Carolina	Handgun	.45-caliber Glock (model 41, with 13-round capacity magazine)	White	Male	<a href="http://www.motherjones.com/politics/2015/06/dylan-roofs-attorney">http://www.motherjones.com/politics/2015/06/dylan-roofs-attorney</a> ; <a href="http://www.newsweek.com/report-nine-shot-charleston-south-carolina-church-shooting-344235">http://www.newsweek.com/report-nine-shot-charleston-south-carolina-church-shooting-344235</a> ; <a href="http://www.cnn.com/2015/06/19/us/charleston-church-shooting-suspect/">http://www.cnn.com/2015/06/19/us/charleston-church-shooting-suspect/</a> ; <a href="http://www.motherjones.com/politics/2015/06/9-people-dead-mass-shooting-south-carolina-church">http://www.motherjones.com/politics/2015/06/9-people-dead-mass-shooting-south-carolina-church</a> ; <a href="http://www.nbcnews.com/storyline/charleston-church-shooting/fbi-says-dyann-roof-should-not-have-been-sold-gun-n390056">http://www.nbcnews.com/storyline/charleston-church-shooting/fbi-says-dyann-roof-should-not-have-been-sold-gun-n390056</a>		32.788387	-79.933143	Mass

Case	Location	Date	Year	Summary	Injured	Total victims	Weapon	Prior signs of possible mental illness	Mental health	Weapons obtained	Where obtained	Type of weapon	Weapon detail	Gender	Race	Mental Health Sources	Latitude	Longitude	Type
Trestle Trail bridge shooting	Menasha, Wisconsin	6/11/2015	2015	Sergio Valencia del Toro, 27, in what officials say was a random act, shot and killed three people including an 11-year-old girl before turning the gun on himself.	3	1	4 Other	Yes	Yes	While serving in the Air Force, he went to an emergency walk-in clinic because of concerns over his mood swings, and had either sought or been ordered to behavioral health interventions, according to Fox 6 Now. In a 2014 risk assessment with a psychologist at an outpatient clinic in Appleton, Valencia del Toro recalled thinking previously: "If I'm gonna take myself out, I might as well take other people with me." The police report obtained by Fox 6 says that Valencia del Toro had a history of depression, suicidal and occasionally homicidal thoughts, and	Unclear	Two handguns	Details unclear, but after the shooting, police found eight guns in total in Valencia del Toro's home, including handguns, shotguns, and rifles, plus and more than 1,000 rounds of ammunition. He took two weapons and ammunition to the bridge.	Latino	M	<a href="http://fox6now.com/2015/06/11/released-menasha-police-issue-final-report-on-trestle-trail-bridge-shooting/">http://fox6now.com/2015/06/11/released-menasha-police-issue-final-report-on-trestle-trail-bridge-shooting/</a> and <a href="http://www.postrescent.com/story/news/local/2015/06/11/police-gunman-prior-suicidal-homicidal-thoughts/71064874/">http://www.postrescent.com/story/news/local/2015/06/11/police-gunman-prior-suicidal-homicidal-thoughts/71064874/</a> and <a href="http://fox6now.com/2015/05/05/he-was-my-future-husband-fiancee-of-menasha-gunman-says-shes-devastated-for-victims-families/">http://fox6now.com/2015/05/05/he-was-my-future-husband-fiancee-of-menasha-gunman-says-shes-devastated-for-victims-families/</a>			Mass



Case	Location	Date	Year	Summary	Deaths	Injured	Total Victims	Venue	Prior signs of possible mental illness	Mental Health	Weapons obtained	Where Obtained	Type of Weapon	Weapon/detail	Gender	Races	Mental Health Sources	Latitude	Longitude	Type		
Marysville-Pilchuck High School shooting	Marysville, Washington	10/24/2014	2014	Jaylen Fryberg, 15, using a .40-caliber Berretta, shot five students at Marysville High School, including two of his cousins and three friends, killing all but one. Fryberg arranged to meet them for lunch in the school cafeteria by text. Fryberg was reportedly well-liked at the school and there was not believed to be any ill-will between him and his victims. He committed suicide at the scene.	5	1	6	School	Unclear		Fryberg was well-liked and allegedly happy, but was also upset about a girl and had posted emotional social media messages. No definitive signs of mental health problems.	No	Gun was his father's.	Handgun	Beretta .40-caliber handgun	Native American	Male	<a href="http://www.seattletimes.com/seattle-news/fourth-marysville-shooting-victim-dies-as-another-is-laid-to-rest/">http://www.seattletimes.com/seattle-news/fourth-marysville-shooting-victim-dies-as-another-is-laid-to-rest/</a> <a href="http://www.mercurynews.com/crime-courts/ci_26814211/jaylen-fryberg-included-tributes-washington-school-shooting-victims">http://www.mercurynews.com/crime-courts/ci_26814211/jaylen-fryberg-included-tributes-washington-school-shooting-victims</a>	<a href="http://www.newyorker.com/science/maria-konnikova/almost-link-mental-health-gun-violence">http://www.newyorker.com/science/maria-konnikova/almost-link-mental-health-gun-violence</a>	48.050824	-122.17692	Mass

Case	Location	Date	Year	Summary	Deaths	Injured	Total victims	Scene	Prior signs of possible mental illness	Mental health	Weapons obtained	Where obtained	Type of weapon	Weapon/detail	Color	Gender	Resources	Mental Health Sources	Latitude	Longitude	Type
Isla Vista mass murder	Santa Barbara, California	5/23/2014	2014	Elliot Rodger, 22, shot three people to death in the college town of Isla Vista near the University of California, Santa Barbara. He also shot others as he drove around town, and injured others by striking them with his vehicle. He committed suicide by shooting himself in his car as police closed in. Prior to the rampage, Rodger stabbed three people to death at his apartment.	6	13	19	School	Yes	Yes	Rodger was never hospitalized due to mental illness, but had a long history of mental health issues dating back to his childhood, and received treatment from multiple counselors leading up to his rampage. According to The Independent, Rodger had considered suicide but had no history of violence. Just before his rampage, he sent a 137-page manifesto to multiple people.	Yes	Two Sig Sauer P226 semiautomatic pistols and Glock 34 pistol, and hundreds of rounds of ammo. A 6-inch and 8-inch Hunter Boar hunting knives.	White	M	<a href="http://www.sbsheriff.us/documents/ISLAVISTAINVESTIGATIVESTIMMARY.pdf">http://www.sbsheriff.us/documents/ISLAVISTAINVESTIGATIVESTIMMARY.pdf</a> Also: <a href="http://www.cnn.com/2014/05/24/us/santa-barbara-ista-vista-shooting-profile/">http://www.cnn.com/2014/05/24/us/santa-barbara-ista-vista-shooting-profile/</a> and <a href="http://www.cnn.com/2014/05/24/justice/california-shooting-deaths/index.html">http://www.cnn.com/2014/05/24/justice/california-shooting-deaths/index.html</a> and <a href="http://www.independent.com/news/2015/feb/20/elliott-rodger-report-details-long-struggle-mental/">http://www.independent.com/news/2015/feb/20/elliott-rodger-report-details-long-struggle-mental/</a> and <a href="http://www.cbsnews.com/videos/how-was-elliott-rodger-able-to-purchase-weapons/">http://www.cbsnews.com/videos/how-was-elliott-rodger-able-to-purchase-weapons/</a> and <a href="http://www.dailymail.co.uk/news/article-2638922/Santa-Barbara-rampage-killer-bought-three-handguns-legally-gun-shop.html">http://www.dailymail.co.uk/news/article-2638922/Santa-Barbara-rampage-killer-bought-three-handguns-legally-gun-shop.html</a>					Spree

Case	Location	Date	Year	Summary	Deaths	Injured	Total Victims	Setting	Prior signs of possible mental illness	Mental health	Weapons obtained	Where obtained	Type of weapon	Weapon/detail	Race	Gender	Sources	Mental Health Sources	Latitude	Longitude	Type	
Fort Hood shooting 2	Fort Hood, Texas	4/3/2014	2014	Army Specialist Ivan Lopez, 34, opened fire at the Fort Hood Army Post in Texas, killing three and wounding at least 12 others before shooting himself in the head after engaging with military police. Lt. Gen. Mark A. Milley told reporters that Lopez "had behavioral health and mental health" issues.	3	12	15	Military	Unclear	Lopez "had a long history of troubling behavior," according to the Washington Post, including a history of deceiving others, problems in his personal life, and financial difficulties. However, officials found that Lopez exhibited no signals that he could be violent. In the year leading up to the attack, he sought	Yes	Local gun store in Killeen, Guns Galore	handgun	.45-caliber Smith & Wesson handgun	Latino	M	http://www.cnn.com/2014/04/02/us/fort-hood-shooting/ and https://www.washingtonpost.com/news/checkpoint/wp/2015/01/23/army-details-the-downward-spiral-of-the-fort-hood-shooter-ivan-lopez/ and http://www.thedailybeast.com/articles/2014/04/03/soldier-opens-fire-at-fort-hood.html					Mass
Alturas tribal shooting	Alturas, California	2/20/2014	2014	Cherie Lash Rhoades, 44, opened fire at the Cedarville Rancheria Tribal Office and Community Center, killing four and wounding two. After running out of ammunition, Rhoades grabbed a butcher knife and stabbed another person.	4	2	6	Other	Unknown		Unknown		Two handguns and a butcher knife	9mm semi-automatic handgun	Native American	Female	http://www.sacbee.com/news/local/crime/article2603350.html; http://www.csmonitor.com/USA/2014/0223/Alturas-tribal-shooting-Was-embezzlement- eviction-behind-family-revenge-video; http://www.cbsnews.com/news/4-dead-2-injured-at-american-indian-tribal-office-in-northern-california/; http://nativenews online.net/currents/former-tribal-chairperson-custody-mass-murder-cedarville-rancheria-tribal-headquarters/		41.487104	-120.54224	Mass	

Case	Location	Date	Year	Summary	Deaths	Injured	Total Victims	Weapon	Prior signs of possible mental illness	Mental Health	Weapons obtained	Where obtained	Type of weapon	Weapon/detail	Race	Gender	Sources	Mental Health Sources	Latitude	Longitude	Type
Washington Navy Yard shooting	Washington, D.C.	9/16/2013	2013	Aaron Alexis, 34, a military veteran and contractor from Texas, opened fire in the Navy installation, killing 12 people and wounding 8 before being shot dead by police.	12	8	20	Military	Yes	Had told Rhode Island police the prior month that he'd "heard voices"; had been undergoing mental health treatment with Veterans Affairs since August 2013.	Yes	Sharpshooter's Small Arms Range	Sawed-off shotgun, 2 boxes of shells; also a .45-caliber handgun taken from a security guard he shot at the scene.	Remington 870 Express 12-gauge shotgun; Beretta handgun	Black	Male	<a href="http://www.nytimes.com/2013/09/18/us/state-law-stopped-gunman-from-buying-rifle-officials-say.html">http://www.nytimes.com/2013/09/18/us/state-law-stopped-gunman-from-buying-rifle-officials-say.html</a> ; <a href="http://edition.cnn.com/2013/09/17/us/navy-yard-shooting-military-contractors">http://edition.cnn.com/2013/09/17/us/navy-yard-shooting-military-contractors</a> ; <a href="http://www.fbi.gov/washingtondc/press-releases/2013/law-enforcement-shares-findings-of-the-investigation-into-the-washington-navy-yard-shootings/index.html">http://www.fbi.gov/washingtondc/press-releases/2013/law-enforcement-shares-findings-of-the-investigation-into-the-washington-navy-yard-shootings/index.html</a>	<a href="http://bigstory.ap.org/article/13-killed-washington-navy-yard-shooting-rampage">http://bigstory.ap.org/article/13-killed-washington-navy-yard-shooting-rampage</a>	38.874981	-76.99453	Mass
Hialeah apartment shooting	Hialeah, Florida	7/26/2013	2013	Pedro Vargas, 42, set fire to his apartment, killed six people in the complex, and held another two hostages at gunpoint before a SWAT team stormed the building and fatally shot him.	7	0	7	Other	Unclear	His mother told authorities her son had been acting strangely and needed a psychiatric evaluation.	Yes	Florida Gun Center	9mm semi-automatic handgun	Glock 17	Latino	Male	<a href="http://www.miamiherald.com/2013/07/27/v-print/3526078/a-look-at-the-victims-in-the-hialeah.html">http://www.miamiherald.com/2013/07/27/v-print/3526078/a-look-at-the-victims-in-the-hialeah.html</a> <a href="http://www.cbsnews.com/8301-201_162-57595796/pedro-vargas-idd-as-gunman-behind-deadly-rampage-in-hialeah-florida/">http://www.cbsnews.com/8301-201_162-57595796/pedro-vargas-idd-as-gunman-behind-deadly-rampage-in-hialeah-florida/</a> <a href="http://www.miamiherald.com/2013/07/28/3528362/little-about-pedro-vargas-life.html">http://www.miamiherald.com/2013/07/28/3528362/little-about-pedro-vargas-life.html</a>	<a href="http://www.miamiherald.com/2013/08/03/v-print/3539629/hialeah-killer-showed-signs-of.html">http://www.miamiherald.com/2013/08/03/v-print/3539629/hialeah-killer-showed-signs-of.html</a>	25.867011	-80.291463	Mass

Case	Location	Date	Year	Summary	Killed	Injured	Total weapons	Where	Prior signs of possible mental illness	Mental health	Weapons obtained	Where obtained	Type of weapon	Weapon details	Race	Gender	Sources	Mental Health Sources	Latitude	Longitude	Type
Santa Monica rampage	Santa Monica, California	6/7/2013	2013	John Zawahri, 23, armed with a homemade assault rifle and high-capacity magazines, killed his brother and father at home and then headed to Santa Monica College, where he was eventually killed by police	6	3	9	Other	Yes		Yes	Assembled a rifle out of component parts.	Assault rifle, high capacity magazines, antique handgun	.223-caliber semi-automatic assault rifle, about 40 high capacity magazines, "black powder" handgun (likely antique)	White	Male	<a href="http://www.cbsnews.com/8301-504083_162-57589327-504083/john-zawahri-suspected-gunman-in-deadly-santa-monica-shooting-left-farewell-note-police-say/">http://www.cbsnews.com/8301-504083_162-57589327-504083/john-zawahri-suspected-gunman-in-deadly-santa-monica-shooting-left-farewell-note-police-say/</a> <a href="http://www.latimes.com/news/local/la-me-0611-santa-monica-shooting-20130611,0,1490078.story">http://www.latimes.com/news/local/la-me-0611-santa-monica-shooting-20130611,0,1490078.story</a>	<a href="http://www.cbsnews.com/8301-504083_162-57589327-504083/john-zawahri-suspected-gunman-in-deadly-santa-monica-shooting-left-farewell-note-police-say/">http://www.cbsnews.com/8301-504083_162-57589327-504083/john-zawahri-suspected-gunman-in-deadly-santa-monica-shooting-left-farewell-note-police-say/</a>	34.008617	-118.49475	Spree
Pinewood Village Apartment shooting	Federal Way, Washington	4/21/2013	2013	Dennis Clark III, 27, shot and killed his girlfriend in their shared apartment, and then shot two witnesses in the building's parking lot and a third victim in another apartment, before being killed by police.	5	0	5	Other	No		Yes	Unknown	Semiautomatic handgun, shotgun	.40 caliber semi-automatic handgun, pistol grip shotgun	Black	Male	<a href="http://seattletimes.com/html/localnews/2020836119_federalwayshootin.xml.html">http://seattletimes.com/html/localnews/2020836119_federalwayshootin.xml.html</a>		47.312961	-122.33937	Mass
Mohawk Valley shootings	Herkimer County, New York	3/13/2013	2013	Kurt Myers, 64, shot six people in neighboring towns, killing two in a barbershop and two at a car care business, before being killed by officers in a shootout after a nearly 19-hour standoff.	5	2	7	Other	No		Yes	Frank's Guns in Marcy, NY	Shotgun	Unknown	White	Male	<a href="http://poststar.com/news/local/state-and-regional/cops-kill-suspect-in-deadly-mohawk-valley-shooting-rampage/article_15260208-8bf5-11e2-b2d9-0019bb2963f4.html">http://poststar.com/news/local/state-and-regional/cops-kill-suspect-in-deadly-mohawk-valley-shooting-rampage/article_15260208-8bf5-11e2-b2d9-0019bb2963f4.html</a> <a href="https://www.nyspnews.com/article_display.cfm?article_id=29584">https://www.nyspnews.com/article_display.cfm?article_id=29584</a>	<a href="http://poststar.com/news/local/state-and-regional/cops-kill-suspect-in-deadly-mohawk-valley-shooting-rampage/article_15260208-8bf5-11e2-b2d9-0019bb2963f4.html">http://poststar.com/news/local/state-and-regional/cops-kill-suspect-in-deadly-mohawk-valley-shooting-rampage/article_15260208-8bf5-11e2-b2d9-0019bb2963f4.html</a>	43.045601	-74.984891	Spree
Newtown school shooting	Newtown, Connecticut	12/14/2012	2012	Adam Lanza, 20, shot his mother dead at their home then drove to Sandy Hook Elementary school. He forced his way inside and opened fire, killing 20 children and six adults before committing suicide	28	2	30	School	Yes		No	Stolen from mother	Two semiautomatic handguns, one rifle (assault), one shotgun	10mm Glock, 9mm SIG Sauer P226 semiautomatic handgns; 223 Bushmaster XM15-E2S semiautomatic rifle; Izhmash Saiga-12 12-gauge semiautomatic shotgun	white	Male	<a href="http://usnews.nbcnews.com/news/2012/12/14/15911025-2012/12/14/15911025-authorities-id-gunman-who-killed-27-in-elementary-school-massacre?lite">http://usnews.nbcnews.com/news/2012/12/14/15911025-2012/12/14/15911025-authorities-id-gunman-who-killed-27-in-elementary-school-massacre?lite</a> <a href="http://articles.washingtonpost.com/2012-12-14/local/35846977_1_law-enforcement-lanza-brothers-kid">http://articles.washingtonpost.com/2012-12-14/local/35846977_1_law-enforcement-lanza-brothers-kid</a>	<a href="http://usnews.nbcnews.com/news/2012/12/14/15911025-2012/12/14/15911025-authorities-id-gunman-who-killed-27-in-elementary-school-massacre?lite">http://usnews.nbcnews.com/news/2012/12/14/15911025-2012/12/14/15911025-authorities-id-gunman-who-killed-27-in-elementary-school-massacre?lite</a> <a href="http://articles.washingtonpost.com/2012-12-14/local/35846977_1_law-enforcement-lanza-brothers-kid">http://articles.washingtonpost.com/2012-12-14/local/35846977_1_law-enforcement-lanza-brothers-kid</a>	41.412323	-73.311424	Mass

Case	Location	Date	Year	Summary	Injured	Total victims	Where	Prior signs of possible mental illness	Mental health	Weapons obtained	Where obtained	Type of weapon	Weapon/detail	Race	Gender	Sources	Mental Health Sources	Latitude	Longitude	Type
Accent Signage Systems shooting	Minneapolis, Minnesota	9/27/2012	2012	Andrew Engeldinger, 36, upon learning he was being fired, went on a shooting rampage, killing the business owner, three fellow employees, and a UPS driver. He then killed himself	7	1	8 Workplace	Yes		His family worried about his "paranoia and delusions" for at least two years prior, and tried to get him to seek treatment.	Yes	Unknown	One semiautomatic handgun 9mm Glock semiautomatic handgun	white	Male	<a href="http://www.startribune.com/local/171774461.html?refer=y">http://www.startribune.com/local/171774461.html?refer=y</a>	<a href="http://www.startribune.com/local/171774461.html?refer=y">http://www.startribune.com/local/171774461.html?refer=y</a>	44.9773	-93.265469	Mass
Sikh temple shooting	Oak Creek, Wisconsin	8/5/2012	2012	U.S. Army veteran Wade Michael Page, 40, opened fire in a Sikh gurdwara before he died from a self-inflicted gunshot would during a shootout with police.	7	3	10 Religious	Yes		His Army friends once broke into his apartment, fearing he'd commit suicide in the '90s. A psychiatric nurse who lived downstairs from Page said it was "obvious" he had a mental illness.	Yes	Unknown	One semiautomatic handgun 9mm Springfield Armory XDM semiautomatic handgun	white	Male	<a href="http://www.jsonline.com/news/milwaukee/friend-of-page-feared-what-he-might-do-426edmg-165668826.html">http://www.jsonline.com/news/milwaukee/friend-of-page-feared-what-he-might-do-426edmg-165668826.html</a> ; <a href="http://usnews.nbcnews.com/_news/2012/09/10/13785426-officer-arriving-at-sikh-temple-shooting-time-to-use-deadly-force?lite">http://usnews.nbcnews.com/_news/2012/09/10/13785426-officer-arriving-at-sikh-temple-shooting-time-to-use-deadly-force?lite</a> ; <a href="http://articles.latimes.com/2012/aug/08/nation/la-na-nn-sikh-shooting-guns-20120807">http://articles.latimes.com/2012/aug/08/nation/la-na-nn-sikh-shooting-guns-20120807</a> ; <a href="http://www.bbc.co.uk/news/world-us-canada-19183359">http://www.bbc.co.uk/news/world-us-canada-19183359</a>	<a href="http://www.jsonline.com/news/milwaukee/friend-of-page-feared-what-he-might-do-426edmg-165668826.html">http://www.jsonline.com/news/milwaukee/friend-of-page-feared-what-he-might-do-426edmg-165668826.html</a>	42.88585	-87.863136	Mass

Case	Location	Date	Year	Summary	Injured	Total Victims	Other	Prior signs of possible mental illness	Mental Health Sources	Weapons obtained	Where obtained	Type of weapon	Weapon/detail	Gender	Race	Mental Health Sources	Latitude	Longitude	Type		
Aurora theater shooting	Aurora, Colorado	7/20/2012	2012	James Holmes, 24, opened fire in a movie theater during the opening night of "The Dark Night Rises" and was later arrested outside.	12	70	82	Other	Yes	He saw at least three mental health professionals before dropping out of his university.	Yes	Gander Mountain stores in Thornton and Aurora, Colo.; Bass Pro Shop in Denver, Colo.; BulkAmmo.com	Two .40-caliber Glock semiautomatic handguns; 223-caliber Smith & Wesson M&P15 semiautomatic rifle; 12-gauge Remington 870 pump-action shotgun	Two semiautomatic handguns, one rifle (assault), one shotgun	white	Male	<a href="http://www.cbsnews.com/8301-201_162-57497820/james-holmes-saw-three-mental-health-professionals-before-shooting/">http://www.cbsnews.com/8301-201_162-57497820/james-holmes-saw-three-mental-health-professionals-before-shooting/</a> ; <a href="http://www.9news.com/news/article/283503/188/Aurora-shooting-prompts-gun-bills-in-big-states-">http://www.9news.com/news/article/283503/188/Aurora-shooting-prompts-gun-bills-in-big-states-</a> ; <a href="http://www.nytimes.com/2012/07/21/us/shooting-at-colorado-theater-showing-batman-movie.html">http://www.nytimes.com/2012/07/21/us/shooting-at-colorado-theater-showing-batman-movie.html</a> ; <a href="http://www.motherjones.com/politics/2012/07/batman-theater-shooting-updates-dark-knight-rises">http://www.motherjones.com/politics/2012/07/batman-theater-shooting-updates-dark-knight-rises</a>	<a href="http://www.cbsnews.com/8301-201_162-57497820/james-holmes-saw-three-mental-health-professionals-before-shooting/">http://www.cbsnews.com/8301-201_162-57497820/james-holmes-saw-three-mental-health-professionals-before-shooting/</a>	39.709283	-104.82349	Mass
Seattle cafe shooting	Seattle, Washington	5/20/2012	2012	Ian Stawicki, 40, gunned down four patrons at a cafe, and another person during a carjacking nearby, then shot himself as police closed in. (He died later that day in a Seattle hospital.)	6	1	7	Other	Yes	His family said he was mentally ill	Yes	Bull's Eye Shooter Supply in Tacoma, Wash.	Two semiautomatic handguns	Two .45-caliber semiautomatic handguns	white	Male	<a href="http://usnews.nbcnews.com/_news/2012/05/30/11959312-six-killed-in-seattle-shootings-including-suspect?lite">http://usnews.nbcnews.com/_news/2012/05/30/11959312-six-killed-in-seattle-shootings-including-suspect?lite</a> ; <a href="http://www.cbsnews.com/8301-201_162-57445177/seattle-shooting-hero-hurled-stools-at-gunman-ian-stawicki-saved-three-lives/?pageNum=2&amp;tag=contentMain;contentBody;http://content.usatoday.com/communities/ondeadline/post/2012/05/seattle-killer-had-concealed-carry-permit-owned-6-guns/1#.UF19shh">http://www.cbsnews.com/8301-201_162-57445177/seattle-shooting-hero-hurled-stools-at-gunman-ian-stawicki-saved-three-lives/?pageNum=2&amp;tag=contentMain;contentBody;http://content.usatoday.com/communities/ondeadline/post/2012/05/seattle-killer-had-concealed-carry-permit-owned-6-guns/1#.UF19shh</a>	<a href="http://usnews.nbcnews.com/_news/2012/05/30/11959312-six-killed-in-seattle-shootings-including-suspect?lite">http://usnews.nbcnews.com/_news/2012/05/30/11959312-six-killed-in-seattle-shootings-including-suspect?lite</a>	47.603832	-122.33006	Spree

Case	Location	Date	Year	Summary	Deaths	Injured	Total victims	Scene	Prior signs of possible mental illness	Mental health	Weapons obtained	Where obtained	Type of weapon	Weapon/detail	Race	Gender	Resources	Mental Health Sources	Latitude	Longitude	Type	
Oikos University killings	Oakland, California	4/2/2012	2012	One L. Goh, 43, a former student, opened fire in a nursing classroom. He fled the scene by car and was arrested nearby a few hours later.	7	3	10	School	Yes		A former instructor at Oikos described him as "mentally unstable" and "paranoid."	Yes	Bullseye in Castro Valley, Calif	One semiautomatic handgun	.45-caliber semiautomatic handgun	Asian	Male	<a href="http://blog.sfgate.com/eguillermo/2012/04/05/something-still-doesnt-compute-in-the-one-goh-nightmare/">http://blog.sfgate.com/eguillermo/2012/04/05/something-still-doesnt-compute-in-the-one-goh-nightmare/</a> ; <a href="http://www.mercurynews.com/top-stories/ci_20308252/police-respond-shooting-east-oakland">http://www.mercurynews.com/top-stories/ci_20308252/police-respond-shooting-east-oakland</a> ; <a href="http://www.cbsnews.com/8301-504083_162-57408732-504083/gun-used-in-oikos-university-shooting-rampage-was-bought-legally-police-say/">http://www.cbsnews.com/8301-504083_162-57408732-504083/gun-used-in-oikos-university-shooting-rampage-was-bought-legally-police-say/</a> ; <a href="http://berkeley.patch.com/articles/one-l-goh-university-showed-violent-tendencies-before-the-oikos-university-shooting-oikos-university-shooting">http://berkeley.patch.com/articles/one-l-goh-university-showed-violent-tendencies-before-the-oikos-university-shooting-oikos-university-shooting</a> ; <a href="http://blog.sfgate.com/eguillermo/2012/04/05/something-still-doesnt-compute-in-the-one-goh-nightmare/">http://blog.sfgate.com/eguillermo/2012/04/05/something-still-doesnt-compute-in-the-one-goh-nightmare/</a>	<a href="http://berkeley.patch.com/articles/one-l-goh-university-showed-violent-tendencies-before-the-oikos-university-shooting-oikos-university-shooting">http://berkeley.patch.com/articles/one-l-goh-university-showed-violent-tendencies-before-the-oikos-university-shooting-oikos-university-shooting</a> ; <a href="http://blog.sfgate.com/eguillermo/2012/04/05/something-still-doesnt-compute-in-the-one-goh-nightmare/">http://blog.sfgate.com/eguillermo/2012/04/05/something-still-doesnt-compute-in-the-one-goh-nightmare/</a>	37.804381	-122.27082	Mass



Case	Location	Date	Year	Summary	Deaths	Injured	Total victims	Weapon	Prior signs of possible mental illness	Mental health	Weapons obtained	Where obtained	Type of weapon	Weapon/detail	Race	Gender	Community	Mental Health Sources	Latitude	Longitude	Type
Su Jung Health Sauna shooting	Norcross, Georgia	2/22/2012	2012	Jeong Soo Paek, 59, returned to a Korean spa from which he'd been kicked out after an altercation. He gunned down two of his sisters and their husbands before committing suicide.	5	0	5	Other	Yes	His sister worried about his homicidal tendencies; she said his mental health had been deteriorating and that he had threatened to commit suicide with his gun.	Yes	Unknown	One semiautomatic handgun	.45-caliber semiautomatic handgun	Asian	Male	korean-community	<a href="http://www.gwinnettdaily.com/news/2012/feb/23/police-id-4-victims-shooter-in-spa-killing/">http://www.gwinnettdaily.com/news/2012/feb/23/police-id-4-victims-shooter-in-spa-killing/</a> ; <a href="http://www.cbsnews.com/8301-504083_162-57479989-504083/shooting-sprees-in-2012-crimesider-reports-on-some-of-the-countrys-worst-public-shootings-this-year/">http://www.cbsnews.com/8301-504083_162-57479989-504083/shooting-sprees-in-2012-crimesider-reports-on-some-of-the-countrys-worst-public-shootings-this-year/</a> ; <a href="http://chronicle.augusta.com/news/metro/2012-02-22/victims-korean-spa-shooting-near-atlanta-were-2-married-couples-gunman-was">http://chronicle.augusta.com/news/metro/2012-02-22/victims-korean-spa-shooting-near-atlanta-were-2-married-couples-gunman-was</a> ; <a href="http://onlineathens.com/local-news/2012-02-23/mass-shooting-spa-shocks-ga-korean-community">http://onlineathens.com/local-news/2012-02-23/mass-shooting-spa-shocks-ga-korean-community</a>	33.941213	-84.213531	Mass
Seal Beach shooting	Seal Beach, California	10/14/2011	2011	Scott Evans Dekraai, 42, opened fire inside a hair salon and was later arrested.	8	1	9	Other	Yes	He suffered from bipolar disorder, mood swings, and PTSD.	Yes	Unknown	Two semiautomatic handguns, one revolver	.45-caliber Heckler & Koch, 9mm Springfield semiautomatic handguns; 44 Magnum Smith & Wesson revolver	white	Male	carry-guns-.html	<a href="http://laist.com/2011/10/13/seal_beach_shooter_suffered_from_ptsd.php">http://laist.com/2011/10/13/seal_beach_shooter_suffered_from_ptsd.php</a> ; <a href="http://blogs.ocweekly.com/navelgazing/2011/10/hair_salon_seal_beach_shooting.php">http://blogs.ocweekly.com/navelgazing/2011/10/hair_salon_seal_beach_shooting.php</a> ; <a href="http://latimesblogs.latimes.com/lanow/2011/10/seal-beach-shooting-suspect-had-been-ordered-not-to-carry-guns-.html">http://latimesblogs.latimes.com/lanow/2011/10/seal-beach-shooting-suspect-had-been-ordered-not-to-carry-guns-.html</a>	33.741176	-118.10464	Mass

Case	Location	Date	Year	Summary	Deaths	Injured	Total weapons	Where	Prior signs of possible mental illness	Mental health	Weapons obtained	Where obtained	Type of weapons	Weapon details	Ethnicity	Gender	Sources	Mental Health Sources	Latitude	Longitude	Type	
IHOP shooting	Carson City, Nevada	9/6/2011	2011	Eduardo Sencion, 32, opened fire at an International House of Pancakes restaurant and later died from a self-inflicted gunshot wound.	5	7	12	Other	Yes		He was diagnosed with paranoid schizophrenia as a teenager and feared demons were out to get him.	Yes	Purchased from an individual	Two rifles (both assault), one revolver	AK-47 Norinco Arms variant, AK-47 Romarm Cugir variant rifles; .38-caliber Colt revolver	Latino	Male	<a href="http://www.huffingtonpost.com/2011/11/03/eduardo-sencion-ihop-shooter_n_1073677.html">http://www.huffingtonpost.com/2011/11/03/eduardo-sencion-ihop-shooter_n_1073677.html</a> ; <a href="http://www.lasvegassun.com/news/2011/sep/06/report-seven-shot-inside-carson-city-ihop/">http://www.lasvegassun.com/news/2011/sep/06/report-seven-shot-inside-carson-city-ihop/</a> ; <a href="http://www.lasvegassun.com/news/2011/oct/23/nv-gun-laws-rampage-2nd-ld-writethru/">http://www.lasvegassun.com/news/2011/oct/23/nv-gun-laws-rampage-2nd-ld-writethru/</a>	<a href="http://www.huffingtonpost.com/2011/11/03/eduardo-sencion-ihop-shooter_n_1073677.html">http://www.huffingtonpost.com/2011/11/03/eduardo-sencion-ihop-shooter_n_1073677.html</a>	39.163798	-119.7674	Mass
Tucson shooting	Tucson, Arizona	1/8/2011	2011	Jared Loughner, 22, opened fire outside a Safeway during a constituent meeting with Congresswoman Gabrielle Giffords (D-Ariz.) before he was subdued by bystanders and arrested.	6	13	19	Other	Yes		His symptoms pointed to various possible mental illness diagnoses, such as schizophrenia and delusional disorder. He also experimented with pot and hallucinogens.	Yes	Sportsmen's Warehouse in Tucson, Ariz.	One semiautomatic handgun	9mm Glock 19 semiautomatic handgun	white	Male	<a href="http://www.time.com/time/magazine/article/0,9171,2042358,00.html">http://www.time.com/time/magazine/article/0,9171,2042358,00.html</a> ; <a href="http://www.csmonitor.com/USA/Politics/2011/01/10/Why-Jared-Loughner-was-allowed-to-buy-a-gun">http://www.csmonitor.com/USA/Politics/2011/01/10/Why-Jared-Loughner-was-allowed-to-buy-a-gun</a> ; <a href="http://www.nytimes.com/2011/01/09/us/politics/09giffords.html?ref=jaredleeloughner">http://www.nytimes.com/2011/01/09/us/politics/09giffords.html?ref=jaredleeloughner</a>	<a href="http://www.time.com/time/magazine/article/0,9171,2042358,00.html">http://www.time.com/time/magazine/article/0,9171,2042358,00.html</a>	32.221743	-110.92648	Mass
Hartford Beer Distributor shooting	Manchester, Connecticut	8/3/2010	2010	Omar S. Thornton, 34, shot up his Hartford Beer Distributor workplace after facing disciplinary issues, then committed suicide.	9	2	11	Workplace	No		He apparently was driven over the edge by unaddressed, ongoing racism against him at work	Yes	Gun dealer in East Windsor, Conn.	Two semiautomatic handguns	Two 9mm Ruger SR9 semiautomatic handguns	black	Male	<a href="http://www.cbsnews.com/8301-504083_162-20012557-504083.html">http://www.cbsnews.com/8301-504083_162-20012557-504083.html</a> ; <a href="http://www.msnbc.msn.com/id/38535909/ns/us_new-crime_and_courts/t/dead-shooting-conn-beer-distributor/#.UFGJAqRrND4">http://www.msnbc.msn.com/id/38535909/ns/us_new-crime_and_courts/t/dead-shooting-conn-beer-distributor/#.UFGJAqRrND4</a> ; <a href="http://www.foxnews.com/us/2010/08/03/dead-wounded-conn-workplace-shooting/">http://www.foxnews.com/us/2010/08/03/dead-wounded-conn-workplace-shooting/</a>	<a href="http://www.cbsnews.com/8301-504083_162-20012557-504083.html">http://www.cbsnews.com/8301-504083_162-20012557-504083.html</a>	41.775932	-72.521476	Mass

Case	Location	Date	Year	Summary	Injured	Total victims	Weapon	Prior signs of possible mental illness	Mental health	Weapons obtained	Where obtained	Type of weapon	Weapon/detail	Race	Gender	Sources	Mental Health Sources	Latitude	Longitude	Type	
Coffee shop police killings	Parkland, Washington	11/29/2009	2009	Maurice Clemmons, 37, a felon who was out on bail for child-rape charges, entered a coffee shop on a Sunday morning and shot four police officers who had gone there to use their laptops before their shifts. Clemmons, who was wounded fleeing the scene, was later shot dead by a police officer in Seattle after a two-day manhunt.	4	1	5	Other	Yes	He had a history of erratic, bizarre behavior. He once asked his family to get naked for 5 minutes on Sunday; he said he thought the world would end and that he was Jesus.	No	Stolen from an individual in Seattle.	One semiautomatic handgun	9mm Glock 17 semiautomatic handgun; .38-caliber Smith & Wesson revolver	black	Male	<a href="http://seattletimes.com/html/localnews/2010385617_webmansought29.html">http://seattletimes.com/html/localnews/2010385617_webmansought29.html</a> ; <a href="http://www.nytimes.com/2009/11/30/us/30tacoma.html?_r=1">http://www.nytimes.com/2009/11/30/us/30tacoma.html?_r=1</a> ; <a href="http://seattletimes.com/html/localnews/2014155225_clemmons08m.html">http://seattletimes.com/html/localnews/2014155225_clemmons08m.html</a>	<a href="http://seattletimes.com/html/localnews/2010385617_webmansought29.html">http://seattletimes.com/html/localnews/2010385617_webmansought29.html</a>	47.155846	-122.43703	Mass
Fort Hood massacre	Fort Hood, Texas	11/5/2009	2009	Army psychiatrist Nidal Malik Hasan, 39, opened fire on an Army base in an attack linked to Islamist extremism. Hasan was injured during the attack and later arrested.	13	30	43	Military	Unclear	Medical officials at Walter Reed Army Medical Center and the Uniformed Services University of the Health Sciences raised concerns prior to the shooting regarding Hasan's aloof and erratic behavior and extremist Islamic views	Yes	Guns Galore in Killeen, Texas	One semiautomatic handgun	FN Five-seven semiautomatic handgun	Other	Male	<a href="http://seattletimes.com/html/nationworld/2010232219_apusforthoodshooting.html">http://seattletimes.com/html/nationworld/2010232219_apusforthoodshooting.html</a> ; <a href="http://articles.latimes.com/2010/oct/21/nation/la-na-fort-hood-20101022">http://articles.latimes.com/2010/oct/21/nation/la-na-fort-hood-20101022</a> ; <a href="http://thelede.blogs.nytimes.com/2009/11/05/reports-of-mass-shooting-at-fort-hood/">http://thelede.blogs.nytimes.com/2009/11/05/reports-of-mass-shooting-at-fort-hood/</a> ; <a href="http://www.usatoday.com/news/military/story/2012-08-14/fort-hood-rampage-trial/57050394/1">http://www.usatoday.com/news/military/story/2012-08-14/fort-hood-rampage-trial/57050394/1</a>	<a href="http://www.npr.org/templates/story/story.php?storyId=120313570">http://www.npr.org/templates/story/story.php?storyId=120313570</a>	31.201131	-97.77157	Mass
Binghamton shootings	Binghamton, New York	4/3/2009	2009	Jiverly Wong, 41, opened fire at an American Civic Association center for immigrants before committing suicide.	14	4	18	Other	Yes	He apparently harbored growing paranoia toward cops. He also sent a delusional letter to a local TV station right before the shooting.	Yes	Gander Mountain in Johnson City, N.Y.	Two semiautomatic handguns	9mm Beretta, .45-caliber Springfield semiautomatic handguns	Asian	Male	<a href="http://www.nytimes.com/2009/04/12/nyregion/12binghamton.html?pagewanted=all&amp;_r=0">http://www.nytimes.com/2009/04/12/nyregion/12binghamton.html?pagewanted=all&amp;_r=0</a> ; <a href="http://www.nytimes.com/2009/04/12/nyregion/14/nyregion/04hostage.html?pagewanted=all&amp;_r=1&amp;">http://www.nytimes.com/2009/04/12/nyregion/14/nyregion/04hostage.html?pagewanted=all&amp;_r=1&amp;</a>	<a href="http://www.nytimes.com/2009/04/12/nyregion/12binghamton.html?pagewanted=all&amp;_r=1&amp;">http://www.nytimes.com/2009/04/12/nyregion/12binghamton.html?pagewanted=all&amp;_r=1&amp;</a>	42.098687	-75.917974	Mass

Case	Location	Date	Year	Summary	Injured	Total Victims	Where	Prior signs of possible mental illness	Mental health	Weapons obtained	Where obtained	Type of weapon	Weapon/detail	Color	Gender	Sources	Mental Health Sources	Latitude	Longitude	Type	
Carthage nursing home shooting	Carthage, North Carolina	3/29/2009	2009	Robert Stewart, 45, opened fire at a nursing home where his estranged wife worked before he was shot and arrested by a police officer.	8	3	11 Other	Yes		His estranged wife told her workplace that her husband had an "unstable mental state or (was) mentally ill."	Yes	Local sporting goods stores and individuals	One revolver, one shotgun	Winchester 1300 pump-action shotgun; .357 Magnum revolver	white	Male	<a href="http://www.wral.com/news/local/story/9845639/">http://www.wral.com/news/local/story/9845639/</a> ; <a href="http://www.wral.com/news/local/story/4837676/">http://www.wral.com/news/local/story/4837676/</a>	<a href="http://www.wral.com/news/local/story/9845639/">http://www.wral.com/news/local/story/9845639/</a>	35.345802	-79.417054	Mass
Atlantis Plastics shooting	Henderson, Kentucky	6/25/2008	2008	Disgruntled employee Wesley Neal Higdon, 25, shot up an Atlantis Plastics factory after he was escorted out of his workplace for an argument with a supervisor. Higdon shot the supervisor outside the factory before opening fire on coworkers inside. He then committed suicide	6	1	7 Workplace	No		He called his girlfriend two hours before the shooting to say he was going to kill his boss.	Yes	Unknown	One semiautomatic handgun	.45-caliber Hi-Point semiautomatic handgun	white	Male	<a href="http://www.foxnews.com/story/0,2933,371242,00.html">http://www.foxnews.com/story/0,2933,371242,00.html</a> ; <a href="http://www.msnbc.msn.com/id/25393695/ns/us_news-crime_and_courts/t/witnesses-describe-chaotic-scene-ky-plant/#.UFEbHhgspQ">http://www.msnbc.msn.com/id/25393695/ns/us_news-crime_and_courts/t/witnesses-describe-chaotic-scene-ky-plant/#.UFEbHhgspQ</a>	<a href="http://www.foxnews.com/story/0,2933,371242,00.html">http://www.foxnews.com/story/0,2933,371242,00.html</a>	37.76721	-87.557374	Mass
Northern Illinois University shooting	DeKalb, Illinois	2/14/2008	2008	Steven Kazmierczak, 27, opened fire in a lecture hall, then shot and killed himself before police arrived.	6	21	27 School	Yes		After high school, his parents placed him at a psychiatric treatment center. He told friends he left the Army after six months due to a psychological discharge.	Yes	Online and gun retailers in Champaign, Ill.	Three semiautomatic handguns, one shotgun	9mm Glock 19, Hi-Point CF380, 9mm Kurz SIG Sauer P232 semiautomatic handguns; 12-gauge Remington Sportsman 48 sawed-off shotgun	white	Male	<a href="http://www.huffingtonpost.com/jonathan-fast/steve-kazmierczak-the-sec_b_87031.html">http://www.huffingtonpost.com/jonathan-fast/steve-kazmierczak-the-sec_b_87031.html</a> ; <a href="http://www.msnbc.msn.com/id/23171567/ns/us_news-crime_and_courts/college-shooters-deadly-rampage-baffles-friends/#.UFEZnhhgspQ">http://www.msnbc.msn.com/id/23171567/ns/us_news-crime_and_courts/college-shooters-deadly-rampage-baffles-friends/#.UFEZnhhgspQ</a> ; <a href="http://www.nytimes.com/slideshow/2008/02/14/us/0214-SHOOTING_index.html?ref=schoolshooting&amp;gwh=B62598A5487B946A532C5846B4A85156">http://www.nytimes.com/slideshow/2008/02/14/us/0214-SHOOTING_index.html?ref=schoolshooting&amp;gwh=B62598A5487B946A532C5846B4A85156</a> ; <a href="http://www.niu.edu/feb14report/feb14report.pdf">http://www.niu.edu/feb14report/feb14report.pdf</a>	<a href="http://www.cbsnews.com/stories/2008/02/16/national/main3840072.shtml">http://www.cbsnews.com/stories/2008/02/16/national/main3840072.shtml</a>	41.929474	-88.750365	Mass

Case	Location	Date	Year	Summary	Deaths	Injured	Total victims	Weapon	Prior signs of possible mental illness	Mental health	Weapons obtained	Where obtained	Type of weapon	Weapon/detail	Color	Gender	Sources	Mental Health Sources	Latitude	Longitude	Type
Kirkwood City Council shooting	Kirkwood, Missouri	2/7/2008	2008	Charles "Cookie" Lee Thornton, 52, went on a rampage at the city hall before being shot and killed by police	6	2	8	Other	No		No	Taken in burglary and from fallen police officer	One semiautomatic handgun, one revolver	.40-caliber Smith & Wesson Magnum Smith & Wesson Model 29 revolver	black	Male	<a href="http://www.stltoday.com/news/local/crime-and-courts/charles-lee-cookie-thornton-behind-the-smile/article_be96f13c-78b9-11df-bf4c-0017a4a78c22.html">http://www.stltoday.com/news/local/crime-and-courts/charles-lee-cookie-thornton-behind-the-smile/article_be96f13c-78b9-11df-bf4c-0017a4a78c22.html</a> ; <a href="http://www.nytimes.com/2008/02/08/us/08missouri.html">http://www.nytimes.com/2008/02/08/us/08missouri.html</a> ; <a href="http://nl.newsbank.com/nl-search/we/Archives?p_product=SL&amp;p_theme=sl&amp;p_action=search&amp;p_maxdocs=200&amp;p_topdoc=1&amp;p_text_direct-0=11F1CADA291472F0&amp;p_field_direct-0=document_id&amp;p_perpage=10&amp;p_sort=YMD_date.D&amp;s_trackval=GooglePM">http://nl.newsbank.com/nl-search/we/Archives?p_product=SL&amp;p_theme=sl&amp;p_action=search&amp;p_maxdocs=200&amp;p_topdoc=1&amp;p_text_direct-0=11F1CADA291472F0&amp;p_field_direct-0=document_id&amp;p_perpage=10&amp;p_sort=YMD_date.D&amp;s_trackval=GooglePM</a>	<a href="http://www.stltoday.com/news/local/crime-and-courts/charles-lee-cookie-thornton-behind-the-smile/article_be96f13c-78b9-11df-bf4c-0017a4a78c22.html">http://www.stltoday.com/news/local/crime-and-courts/charles-lee-cookie-thornton-behind-the-smile/article_be96f13c-78b9-11df-bf4c-0017a4a78c22.html</a>	38.583386	-90.406783	Mass
Westroads Mall shooting	Omaha, Nebraska	12/5/2007	2007	Robert A. Hawkins, 19, opened fire inside Westroads Mall before committing suicide	9	4	13	Other	Yes		No	Stolen from grandfather	One rifle (assault)	WASR-10 Century Arms semiautomatic rifle	white	Male	<a href="http://www.guardian.co.uk/world/2007/dec/06/usa.usgunviolence2">http://www.guardian.co.uk/world/2007/dec/06/usa.usgunviolence2</a> ; <a href="http://www.npr.org/templates/story/story.php?storyId=16962485">http://www.npr.org/templates/story/story.php?storyId=16962485</a> ; <a href="http://www.independentmail.com/news/2007/dec/08/officials-say-assault-rifles-cause-roughly-same-am/">http://www.independentmail.com/news/2007/dec/08/officials-say-assault-rifles-cause-roughly-same-am/</a> ; <a href="http://www.latimes.com/news/nationworld/nation/lanamail17dec07_0,882178.story">http://www.latimes.com/news/nationworld/nation/lanamail17dec07_0,882178.story</a>	<a href="http://www.guardian.co.uk/world/2007/dec/06/usa.usgunviolence2">http://www.guardian.co.uk/world/2007/dec/06/usa.usgunviolence2</a>	41.258732	-95.937873	Mass

Case	Location	Date	Year	Summary	Deaths	Injured	Total victims	Where	Prior signs of possible mental illness	Mental health	Weapons obtained	Where obtained	Type of weapon	Weapon/detail	Race	Gender	Sources	Mental Health Sources	Latitude	Longitude	Type
Crandon shooting	Crandon, Wisconsin	10/7/2007	2007	Off-duty sheriff's deputy Tyler Peterson, 20, opened fire inside an apartment after an argument at a homecoming party. He fled the scene and later committed suicide.	6	1	7	Other	Unclear	The families of victims filed a wrongful death lawsuit against the county arguing that the police department should have evaluated the gunman's mental health before hiring	Yes	Issued by Forest County Sheriff's Department	One rifle (assault)	AR-15 SWAT semiautomatic rifle	white	Male	<a href="http://www.rivernews.com/main.asp?SectionID=6&amp;SubSectionID=47&amp;ArticleID=368">http://www.rivernews.com/main.asp?SectionID=6&amp;SubSectionID=47&amp;ArticleID=368</a> ; <a href="http://news.google.com/newspapers?id=O-MqAAAAIBAJ&amp;sjid=u0UEAAAAIBAJ&amp;pg=6724,5434155&amp;dq=crandon+shooting&amp;hl=en">http://news.google.com/newspapers?id=O-MqAAAAIBAJ&amp;sjid=u0UEAAAAIBAJ&amp;pg=6724,5434155&amp;dq=crandon+shooting&amp;hl=en</a>	<a href="http://www.rivernews.com/main.asp?SectionID=6&amp;SubSectionID=47&amp;ArticleID=368">http://www.rivernews.com/main.asp?SectionID=6&amp;SubSectionID=47&amp;ArticleID=368</a>	45.571907	-88.902892	Mass
Virginia Tech massacre	Blacksburg, Virginia	4/16/2007	2007	Virginia Tech student Seung-Hui Cho, 23, opened fire on his school's campus before committing suicide	32	23	55	School	Yes	A district court ruled Cho was "an imminent danger" to himself and others as a result of mental illness two years earlier, and directed Cho to seek treatment.	Yes	Purchased variously online and from Roanoke Firearms in Roanoke, Va.	Two semiautomatic handguns	9mm Glock 19, .22-caliber Walther P22 semiautomatic handguns	Asian	Male	<a href="http://www.nytimes.com/2007/04/24/us/24virginia.html">http://www.nytimes.com/2007/04/24/us/24virginia.html</a> ; <a href="http://www.thestandard.com.hk/news_detail.asp?we_cat=9&amp;art_id=42489&amp;sid=13196711&amp;con_type=1&amp;d_str=20070419&amp;fc=10">http://www.thestandard.com.hk/news_detail.asp?we_cat=9&amp;art_id=42489&amp;sid=13196711&amp;con_type=1&amp;d_str=20070419&amp;fc=10</a> ; <a href="http://smartgunlaws.org/mental-health-reporting-policy-summary">http://smartgunlaws.org/mental-health-reporting-policy-summary</a>	<a href="http://abcnews.go.com/US/story?id=3052278&amp;page=1">http://abcnews.go.com/US/story?id=3052278&amp;page=1</a>	37.229573	-80.413939	Mass
Trolley Square shooting	Salt Lake City, Utah	2/12/2007	2007	Sulejman Talovic, 18, rampaged through the shopping center until he was shot dead by police.	6	4	10	Other	Unclear	According to one relative, he was violent and had the mental capacity of a child. (But accounts from others did not indicate this about the shooter.)	Unknown	Purchased variously from Sportsman's Fast Cash in West Valley City, Utah and individuals	One revolver, one shotgun	Mossberg Maverick 88 Field shotgun; .38-caliber Smith & Wesson M36 revolver	white	Male	<a href="http://www.deseretnews.com/article/660205647/Ex-relative-calls-Talovic-vicious-troubled.html?pg=all">http://www.deseretnews.com/article/660205647/Ex-relative-calls-Talovic-vicious-troubled.html?pg=all</a> ; <a href="http://www.cbsnews.com/stories/2007/02/15/national/main2480419.shtml">http://www.cbsnews.com/stories/2007/02/15/national/main2480419.shtml</a> ; <a href="http://www.deseretnews.com/article/660205647/Ex-relative-calls-Talovic-vicious-troubled.html?pg=all">http://www.deseretnews.com/article/660205647/Ex-relative-calls-Talovic-vicious-troubled.html?pg=all</a>	<a href="http://www.deseretnews.com/article/660205647/Ex-relative-calls-Talovic-vicious-troubled.html?pg=all">http://www.deseretnews.com/article/660205647/Ex-relative-calls-Talovic-vicious-troubled.html?pg=all</a>	40.760647	-111.89109	Mass

Case	Location	Date	Year	Summary	Deaths	Injured	Total Victims	Setting	Prior signs of possible mental illness	Mental health	Weapons obtained	Where obtained	Type of weapon	Weapon/detail	Race	Gender	Source	Mental Health Sources	Latitude	Longitude	Type
Amish school shooting	Lancaster County, Pennsylvania	10/2/2006	2006	Charles Carl Roberts, 32, shot 10 young girls in a one-room schoolhouse in Bart Township, killing 5, before taking his own life.	6	5	11	School	No		Yes	Local stores in Nickel Mines, Penn.	One semiautomatic rifle, one shotgun	Springfield semiautomatic handgun; .30-06 Ruger bolt-action rifle; 12-gauge Browning pump-action shotgun	white	Male	<a href="http://news.google.com/newspapers?id=O8oyAAAAIBAJ&amp;sjid=YSUEAAAAIBAJ&amp;pg=6143,1260138&amp;dq=charles+carl+roberts+mentally+ill&amp;hl=en;http://www.msnbc.msn.com/id/15105305/ns/us_news-crime_and_courts/t/th-girl-dies-after-amish-schoolhouse-shooting/#.UFD4SxhgspQ">http://news.google.com/newspapers?id=O8oyAAAAIBAJ&amp;sjid=YSUEAAAAIBAJ&amp;pg=6143,1260138&amp;dq=charles+carl+roberts+mentally+ill&amp;hl=en;http://www.msnbc.msn.com/id/15105305/ns/us_news-crime_and_courts/t/th-girl-dies-after-amish-schoolhouse-shooting/#.UFD4SxhgspQ</a>	<a href="http://www.cnn.com/2006/US/10/03/amish.shooting/index.html">http://www.cnn.com/2006/US/10/03/amish.shooting/index.html</a>	39.9589	-76.0806	Mass
Capitol Hill massacre	Seattle, Washington	3/25/2006	2006	Kyle Aaron Huff, 28, opened fire at a rave afterparty in the Capitol Hill neighborhood of Seattle before committing suicide	7	2	9	Other	No	Police were unable to find any record that he had been treated for mental illness or was on psychiatric medication.	Yes	Various sporting goods stores in Kalispell, Mont.	Two semiautomatic handguns, one rifle (assault), one shotgun	40-caliber Ruger, one other semiautomatic handgun; Bushmaster XM15 E2S semiautomatic rifle; 12-gauge Winchester Defender pump-action shotgun with extended tube and pistol grip	white	Male	<a href="http://seattletimes.com/html/localnews/2002892043_shooter27m.html">http://seattletimes.com/html/localnews/2002892043_shooter27m.html</a> ; <a href="http://seattletimes.com/html/localnews/2002898900_huff30m.html">http://seattletimes.com/html/localnews/2002898900_huff30m.html</a>	<a href="http://seattletimes.com/html/localnews/2002898900_huff30m.html">http://seattletimes.com/html/localnews/2002898900_huff30m.html</a>	47.6229	-122.3165	Mass
Goleta postal shootings	Goleta, California	1/30/2006	2006	Former postal worker Jennifer Sanmarco, 44, shot dead a former neighbor then drove to the mail processing plant where she used to work. Inside, she opened fire, killing six employees before committing suicide.	8	0	8	Workplace	Yes	She was placed on retirement disability for psychological reasons. Fellow employees described her behavior as increasingly bizarre. She believed the Postal Service employees were conspiring	Yes	Pawn shops in Grants and Gallup, N.M.	One semiautomatic handgun	9mm Smith & Wesson 915 semiautomatic handgun	white	Female	<a href="http://www.msnbc.msn.com/id/11167920/ns/us_news-crime_and_courts/t/postal-killer-believed-she-was-target-plot/#.UlxY7kzLwTE">http://www.msnbc.msn.com/id/11167920/ns/us_news-crime_and_courts/t/postal-killer-believed-she-was-target-plot/#.UlxY7kzLwTE</a> ; <a href="http://www.cbsnews.com/stories/2006/02/02/national/main1272077.sht">http://www.cbsnews.com/stories/2006/02/02/national/main1272077.sht</a>	<a href="http://www.msnbc.msn.com/id/11167920/ns/us_news-crime_and_courts/t/postal-killer-believed-she-was-target-plot/#.UNyN5cXhe75">http://www.msnbc.msn.com/id/11167920/ns/us_news-crime_and_courts/t/postal-killer-believed-she-was-target-plot/#.UNyN5cXhe75</a>	34.436283	-119.87144	Spree

Case	Location	Date	Year	Summary	Injured	Total Victims	Setting	Prior signs of possible mental illness	Mental health	Weapons obtained	Where obtained	Type of weapon	Weapon/detail	Race	Gender	Sources	Mental Health Sources	Latitude	Longitude	Type
Red Lake massacre	Red Lake, Minnesota	3/21/2005	2005	Jeffrey Weise, 16, murdered his grandfather, who was a police officer and grandfather's girlfriend. Weise then drove his grandfather's squad car to Red Lake Senior High School and opened fire on the reservation campus, killing another seven people before committing suicide	10	5	School	Yes	No	No	Glock and Remington stolen from grandfather	Two semiautomatic handguns, one shotgun	.40-caliber Glock 23, .22-caliber Ruger semiautomatic handguns; 12-gauge Remington 870 shotgun	Native American	Male	<a href="http://news.google.com/newspapers?id=c4dIAAAAJBAJ&amp;sjid=.XEDAAAIAIAJ&amp;pg=5163,1527281&amp;dq=jeffrey+weise+mental+ill&amp;hl=en">http://news.google.com/newspapers?id=c4dIAAAAJBAJ&amp;sjid=.XEDAAAIAIAJ&amp;pg=5163,1527281&amp;dq=jeffrey+weise+mental+ill&amp;hl=en</a> <a href="http://www.cbsnews.com/stories/2005/03/24/national/main682915.shtml?source=search_story">http://www.cbsnews.com/stories/2005/03/24/national/main682915.shtml?source=search_story</a> ; <a href="http://www.usnews.com/usnews/news/articles/050404/4redlake.htm">http://www.usnews.com/usnews/news/articles/050404/4redlake.htm</a> ; <a href="http://www.foxnews.com/story/0,2933,1511116,00.html">http://www.foxnews.com/story/0,2933,1511116,00.html</a>	<a href="http://www.cbsnews.com/stories/2005/03/24/national/main682915.shtml?source=search_story">http://www.cbsnews.com/stories/2005/03/24/national/main682915.shtml?source=search_story</a>	47.876346	-95.01694	Spree
Living Church of God shooting	Brookfield, Wisconsin	3/12/2005	2005	Living Church of God member Terry Michael Ratzmann, 44, opened fire at a church meeting at a Sheraton hotel before committing suicide.	7	4	Religious	Yes	Yes	Neighbors said he suffered from depression and had a drinking problem.	Gun dealer in Waukesha, Wis.	One semiautomatic handgun	9mm Beretta semiautomatic handgun	white	Male	<a href="http://www.cbsnews.com/2100-201_162-679761.html">http://www.cbsnews.com/2100-201_162-679761.html</a> ; <a href="http://www.foxnews.com/story/0,2933,150255,00.html">http://www.foxnews.com/story/0,2933,150255,00.html</a> ; <a href="http://www.msnbc.msn.com/id/7167861/ns/us_news-crime_and_courts/t/relatives-struggle-answers-after-shooting/#.UN3Scko6JT4">http://www.msnbc.msn.com/id/7167861/ns/us_news-crime_and_courts/t/relatives-struggle-answers-after-shooting/#.UN3Scko6JT4</a>	<a href="http://www.cbsnews.com/2100-201_162-679761.html">http://www.cbsnews.com/2100-201_162-679761.html</a>	43.060567	-88.106479	Mass
Damageplan show shooting	Columbus, Ohio	12/8/2004	2004	Nathan Gale, 25, possibly upset about the breakup of Pantera, gunned down former Pantera guitarist Dimebag Darrell and three others at a Damageplan show before a police officer fatally shot Gale.	5	7	Other	Yes	Yes	He was discharged from the military because he was a paranoid schizophrenic.	Received as a gift from mother	One semiautomatic handgun	9mm Beretta 92FS semiautomatic handgun	white	Male	<a href="http://www.cbsnews.com/2100-201_162-659983.html">http://www.cbsnews.com/2100-201_162-659983.html</a> ; <a href="http://www.knac.com/article.asp?ArticleID=3417">http://www.knac.com/article.asp?ArticleID=3417</a> ; <a href="http://www.blabbermouth.net/news.aspx?mode=Article&amp;newsitemID=86362">http://www.blabbermouth.net/news.aspx?mode=Article&amp;newsitemID=86362</a>	<a href="http://www.cbsnews.com/2100-201_162-659983.html">http://www.cbsnews.com/2100-201_162-659983.html</a>	39.96226	-83.000707	Mass



Case	Location	Date	Year	Summary	Injured	Total victims	Where	Prior signs of possible mental illness	Mental health	Weapons obtained	Where obtained	Type of weapon	Weapon/detail	Color	Gender	Sources	Mental Health Sources	Latitude	Longitude	Type	
Lockheed Martin shooting	Meridian, Mississippi	7/8/2003	2003	Assembly line worker Douglas Williams, 48, opened fire at his Lockheed Martin workplace in a racially motivated attack before committing suicide	7	8	15	Workplace	Yes	His cousin said he was depressed and "going through a lot of things."	Yes	Purchased from an individual	One semiautomatic handgun, two rifles, one derringer, one shotgun	.45-caliber Ruger P90 semiautomatic handgun; .22-caliber rifle with scope, .223-caliber Ruger Mini-14 rifle; 12 gauge Winchester 1300 shotgun; .22 Magnum derringer	white	Male	<a href="http://usatoday30.usatoday.com/news/nation/2003-07-08-miss-shooting-main_x.htm">http://usatoday30.usatoday.com/news/nation/2003-07-08-miss-shooting-main_x.htm</a> ; <a href="http://www.nytimes.com/2003/07/09/us/man-kills-5-co-workers-at-plant-and-himself.html">http://www.nytimes.com/2003/07/09/us/man-kills-5-co-workers-at-plant-and-himself.html</a> ; <a href="http://www.nytimes.com/2003/07/16/us/national-briefing-south-mississippi-death-toll-rises-in-plant-shooting.html">http://www.nytimes.com/2003/07/16/us/national-briefing-south-mississippi-death-toll-rises-in-plant-shooting.html</a>	<a href="http://usatoday30.usatoday.com/news/nation/2003-07-08-miss-shooting-main_x.htm">http://usatoday30.usatoday.com/news/nation/2003-07-08-miss-shooting-main_x.htm</a>	32.376081	-88.68978	Mass
Navistar shooting	Melrose Park, Illinois	2/5/2001	2001	Fired employee William D. Baker, 66, opened fire at his former Navistar workplace before committing suicide	5	4	9	Workplace	No	He had a criminal past, including a sexual assault conviction.	Yes	Some purchased from Pepper Sports in Glen Ellyn, Ill.	Two rifles, one revolver, one shotgun	SKS 1954R, .30-caliber Winchester rifles; 12-gauge Remington pump-action shotgun; .38-caliber revolver	black	Male	<a href="http://articles.chicagotribune.com/2001-02-07/news/0102070122_1_navistar-gun-law-hunting-rifle">http://articles.chicagotribune.com/2001-02-07/news/0102070122_1_navistar-gun-law-hunting-rifle</a> ; <a href="http://www.vpc.org/studies/wgun010205.htm">http://www.vpc.org/studies/wgun010205.htm</a>	<a href="http://articles.chicagotribune.com/2001-02-07/news/0102070122_1_navistar-gun-law-hunting-rifle">http://articles.chicagotribune.com/2001-02-07/news/0102070122_1_navistar-gun-law-hunting-rifle</a>	41.900587	-87.856728	Mass
Wakefield massacre	Wakefield, Massachusetts	12/26/2000	2000	Michael McDermott, 42, opened fire on co-workers at Edgewater Technology and was later arrested.	7	0	7	Workplace	Yes	Psychiatrist guessed he had schizophrenia, but McDermott had researched how to fake a mental illness on the internet. Defense lawyer described history of suicide attempts and mental illness dating back to teen years. Jury rejected his insanity defense.	Yes	Unknown	One semiautomatic handgun, one rifle (assault), one shotgun	.32-caliber Retolaza semiautomatic handgun; AK-47 variant semiautomatic rifle; 12-gauge Winchester 1300 pump-action shotgun	white	Male	<a href="http://www.time.com/time/magazine/article/0,9171,93313,00.html">http://www.time.com/time/magazine/article/0,9171,93313,00.html</a> ; <a href="http://articles.cnn.com/2002-04-22/justice/ctv.mcdermott.trial_1_michael-mcdermott-jury-deliberates-fate-mental-illness?_s=PM:LA">http://articles.cnn.com/2002-04-22/justice/ctv.mcdermott.trial_1_michael-mcdermott-jury-deliberates-fate-mental-illness?_s=PM:LA</a> ; <a href="http://www.nytimes.com/2000/12/27/us/7-die-in-rampage-at-company-co-worker-of-victims-arrested.html">http://www.nytimes.com/2000/12/27/us/7-die-in-rampage-at-company-co-worker-of-victims-arrested.html</a> ; <a href="http://www.vpc.org/studies/wgun010226.htm">http://www.vpc.org/studies/wgun010226.htm</a>	<a href="http://articles.cnn.com/2002-04-22/justice/ctv.mcdermott.trial_1_michael-mcdermott-jury-deliberates-fate-mental-illness?_s=PM:LA">http://articles.cnn.com/2002-04-22/justice/ctv.mcdermott.trial_1_michael-mcdermott-jury-deliberates-fate-mental-illness?_s=PM:LA</a> ; <a href="http://www.boston.com/news/daily/24/mcdermott-verdict.htm">http://www.boston.com/news/daily/24/mcdermott-verdict.htm</a>	42.506484	-71.072831	Mass

Case	Location	Date	Year	Summary	Injured	Total victims	Where	Prior signs of possible mental illness	Mental health	Weapons obtained	Where obtained	Type of weapon	Weapon/detail	Ethnicity	Gender	Sources	Mental Health Sources	Latitude	Longitude	Type
Hotel shooting	Tampa, Florida	12/30/1999	1999	Hotel employee Silvio Leyva, 36, gunned down four coworkers at the Radisson Bay Harbor Inn before killing a woman outside who refused to give him her car. He was arrested shortly after the shootings.	5	3	8 Workplace	Yes	His brother called him "unbalanced" and mentally ill.	Yes	One purchased from Big E's in Tampa, Fla.	One semiautomatic handgun, one revolver	9mm Lorcin semiautomatic handgun; .38-caliber Charter Arms revolver	Latino	Male	<a href="http://www.sptimes.com/News/123000/news_pf/TampaBay/A_year_later_the_str.shtml">http://www.sptimes.com/News/123000/news_pf/TampaBay/A_year_later_the_str.shtml</a> ; <a href="http://www.vpc.org/studies/wgun991230.htm">http://www.vpc.org/studies/wgun991230.htm</a> ; <a href="http://news.google.com/newspapers?id=CSUdAAAIABAJ&amp;sjid=ZaYEAAAAIABAJ&amp;pg=2043,2634069&amp;dq=silvio+leyva+shooting&amp;hl=en">http://news.google.com/newspapers?id=CSUdAAAIABAJ&amp;sjid=ZaYEAAAAIABAJ&amp;pg=2043,2634069&amp;dq=silvio+leyva+shooting&amp;hl=en</a>	<a href="http://www.sptimes.com/News/123000/news_pf/TampaBay/A_year_later_the_str.shtml">http://www.sptimes.com/News/123000/news_pf/TampaBay/A_year_later_the_str.shtml</a>	27.94776	-82.458444	Mass
Xerox killings	Honolulu, Hawaii	11/2/1999	1999	Byran Koji Uyesugi, 40, a Xerox service technician, opened fire inside the building with a 9mm Glock. He fled and was later apprehended by police.	7	0	7 Workplace	Yes	A psychiatrist, testifying for the prosecution, said he suffered from schizophrenia.	Yes	Hunting Supplies of Hawaii (The Armory) in Honolulu, Hawaii	One semiautomatic handgun	9mm Glock 17 semiautomatic handgun	Asian	Male	<a href="http://archives.starbulletin.com/2000/06/02/news/story2.html">http://archives.starbulletin.com/2000/06/02/news/story2.html</a> ; <a href="http://www.vpc.org/studies/wgun991102.htm">http://www.vpc.org/studies/wgun991102.htm</a>	<a href="http://archives.starbulletin.com/2000/06/02/news/story2.html">http://archives.starbulletin.com/2000/06/02/news/story2.html</a>	21.325513	-157.84731	Mass
Wedgwood Baptist Church shooting	Fort Worth, Texas	9/15/1999	1999	Larry Gene Ashbrook, 47, opened fire inside the Wedgwood Baptist Church during a prayer rally before committing suicide	8	7	15 Religious	Yes	His siblings decried him as a paranoid schizophrenic.	Yes	Trader's Village flea market in Grand Prairie, Texas	Two semiautomatic handguns	.380-caliber, 9mm Ruger P85 semiautomatic handguns	white	Male	<a href="http://www.nytimes.com/1999/09/20/us/fort-worth-remembers-those-killed-at-church.html?page-wanted=all&amp;src=pm">http://www.nytimes.com/1999/09/20/us/fort-worth-remembers-those-killed-at-church.html?page-wanted=all&amp;src=pm</a> ; <a href="http://www.nytimes.com/1999/09/18/us/death-in-a-church-the-overview-with-question-of-why-unanswered-forever.html">http://www.nytimes.com/1999/09/18/us/death-in-a-church-the-overview-with-question-of-why-unanswered-forever.html</a> ; <a href="http://www.vpc.org/studies/wgun990915.htm">http://www.vpc.org/studies/wgun990915.htm</a>	<a href="http://www.nytimes.com/1999/09/18/us/death-in-a-church-the-overview-with-question-of-why-unanswered-forever.html">http://www.nytimes.com/1999/09/18/us/death-in-a-church-the-overview-with-question-of-why-unanswered-forever.html</a>	32.693397	-97.470671	Mass

Case	Location	Date	Year	Summary	Deaths	Injured	Total Victims	Where	Prior signs of possible mental illness	Mental health	Weapons obtained	Where obtained	Type of weapon	Weapon details	Race	Gender	Sources	Mental Health Sources	Latitude	Longitude	Type
Atlanta day trading spree killings	Atlanta, Georgia	7/29/1999	1999	Day trader Mark O. Barton, 44, who had recently lost a substantial sum of money, went on a shooting spree through two day-trading firms. He started at the All-Tech Investment Group, where he worked, then went on to Momentum Securities. He fled and hours later, after being cornered by police outside a gas station, committed suicide. (Two days before the spree, he killed his wife and two children with a hammer.)	9	13	22	Workplace	Yes	In letters, he details his deep depression and downward spiral.	Yes	Glock purchased from gun store in Warner Robins, Ga.	Three semiautomatic handguns, one revolver	.45-caliber Colt 1911-A1, 9mm Glock 17, .25-caliber Raven Arms MP-25 semiautomatic handguns; 22-caliber Harrington & Richardson revolver	white	Male	<a href="http://www.independent.co.uk/news/i-dont-plan-to-live-much-longer-just-long-enough-to-kill-the-people-that-greedily-sought-my-destruction-1109610.html">http://www.independent.co.uk/news/i-dont-plan-to-live-much-longer-just-long-enough-to-kill-the-people-that-greedily-sought-my-destruction-1109610.html</a> ; <a href="http://articles.cnn.com/1999-07-30/us/9907_30_atlanta.shooting.06_1_gladys-barton-debra-spivey-barton-note?_s=PM:US">http://articles.cnn.com/1999-07-30/us/9907_30_atlanta.shooting.06_1_gladys-barton-debra-spivey-barton-note?_s=PM:US</a> ; <a href="http://www.vpc.org/studies/wgun90729.htm">http://www.vpc.org/studies/wgun90729.htm</a>	<a href="http://www.independent.co.uk/news/i-dont-plan-to-live-much-longer-just-long-enough-to-kill-the-people-that-greedily-sought-my-destruction-1109610.html">http://www.independent.co.uk/news/i-dont-plan-to-live-much-longer-just-long-enough-to-kill-the-people-that-greedily-sought-my-destruction-1109610.html</a>	33.749099	-84.390185	Spree
Columbine High School massacre	Littleton, Colorado	4/20/1999	1999	Eric Harris, 18, and Dylan Klebold, 17, opened fire throughout Columbine High School before committing suicide	13	24	37	School	Yes	Harris was an alleged psychopath; Klebold was depressed and suicidal.	No	Purchased variously at Tanner Gun Show in Denver, Colo. and from an individual	One semiautomatic handgun (assault), one rifle (assault), two shotguns	9mm Intratec DC-9 semiautomatic handgun; 9mm Hi-Point 995 carbine rifle; 12-gauge sawed-off Savage Stevens 311D, 12-gauge sawed-off Savage Springfield 67H pump-action shotguns	white	Male	<a href="http://www.usatoday.com/news/nation/2009-04-13-columbine-myths_N.htm">http://www.usatoday.com/news/nation/2009-04-13-columbine-myths_N.htm</a> ; <a href="http://www.vpc.org/studies/wgun990420.htm">http://www.vpc.org/studies/wgun990420.htm</a> ; <a href="http://www.slate.com/articles/news_and_politics/assessment/2004/04/the_depressive_and_the_psychopath.html">http://www.slate.com/articles/news_and_politics/assessment/2004/04/the_depressive_and_the_psychopath.html</a>	<a href="http://www.slate.com/articles/news_and_politics/assessment/2004/04/the_depressive_and_the_psychopath.html">http://www.slate.com/articles/news_and_politics/assessment/2004/04/the_depressive_and_the_psychopath.html</a>	39.602107	-104.98773	Mass

Case	Location	Date	Year	Summary	Injured	Total Victims	Where	Prior signs of possible mental illness	Mental Health	Weapons obtained	Where Obtained	Type of Weapon	Weapon/detail	Race	Gender	Source	Mental Health Sources	Latitude	Longitude	Type	
Thurston High School shooting	Springfield, Oregon	5/21/1998	1998	After he was expelled for having a gun in his locker, Kipland P. Kinkel, 15, a freshman at Thurston High, went on a shooting spree, killing his parents at home and two students at school. Five classmates wrestled Kipland to the ground before he was arrested.	4	25	29	School	Yes	Doctors testified that he was a paranoid schizophrenic who suffered from hallucinations.	No	Purchased variously from friend and father, and stolen from father	Two semiautomatic handguns, one rifle	9mm Glock, .22-caliber Ruger semiautomatic handguns, .22-caliber Ruger rifle	white	Male	<a href="http://www.katu.com/news/local/8082147.html">http://www.katu.com/news/local/8082147.html</a> ; <a href="http://www.pbs.org/wgbh/pages/frontline/shows/kinkel/kip/cron.html">http://www.pbs.org/wgbh/pages/frontline/shows/kinkel/kip/cron.html</a> ; <a href="http://www.oregonlive.com/special/index.ssf/2008/05/the_suspect_kipland_kinkels_da.html">http://www.oregonlive.com/special/index.ssf/2008/05/the_suspect_kipland_kinkels_da.html</a> ; <a href="http://articles.cnn.com/2000-01-21/us/kinkel.revisited_1_kip-kinkel-thurston-high-school-oregon-school-shooting?_s=PM:US">http://articles.cnn.com/2000-01-21/us/kinkel.revisited_1_kip-kinkel-thurston-high-school-oregon-school-shooting?_s=PM:US</a>	<a href="http://articles.cnn.com/2000-01-21/us/kinkel.revisited_1_kip-kinkel-thurston-high-school-oregon-school-shooting?_s=PM:US">http://articles.cnn.com/2000-01-21/us/kinkel.revisited_1_kip-kinkel-thurston-high-school-oregon-school-shooting?_s=PM:US</a>	44.046236	-123.02203	Spree
Westside Middle School killings	Jonesboro, Arkansas	3/24/1998	1998	Mitchell Scott Johnson, 13, and Andrew Douglas Golden, 11, two juveniles, ambushed students and teachers as they left the school; they were apprehended by police at the scene.	5	10	15	School	No	Boys displayed unruly and aggressive behavior. They picked on kids and made threats about killing people.	No	Stolen from grandfather and father	Two semiautomatic handguns, two rifles, three revolvers, two derringers	FIE 380, .380-caliber Star semiautomatic handguns; 44 Magnum Ruger, .30-06 Remington 742, 30-caliber Universal M-1 carbine replica rifles; .38-caliber Charter Arms, .357-caliber Ruger Security Six, .38-caliber Smith & Wesson revolvers; 22-caliber Double Deuce Buddie two-shot, 38-caliber Davis Industries two-shot derringers	white	Male	<a href="http://www.nytimes.com/1998/03/29/us/from-wild-talk-and-friendship-to-five-deaths-in-a-schoolyard.html?sec=&amp;spon=&amp;pagewanted=all">http://www.nytimes.com/1998/03/29/us/from-wild-talk-and-friendship-to-five-deaths-in-a-schoolyard.html?sec=&amp;spon=&amp;pagewanted=all</a>	<a href="http://www.vpc.org/studies/wgun980324.htm">http://www.vpc.org/studies/wgun980324.htm</a>	35.82099	-90.668261	Mass

Case	Location	Date	Year	Summary	Injured	Total victims	Where	Prior signs of possible mental illness	Mental health	Weapons obtained	Where obtained	Type of weapon	Weapon/detail	Race	Gender	Sources	Mental Health Sources	Latitude	Longitude	Type
Connecticut Lottery shooting	Newington, Connecticut	3/6/1998	1998	Lottery worker Matthew Beck, 35, gunned down four bosses over a salary dispute before committing suicide	5	1	6 Workplace	Yes	He had been hospitalized for psychiatric reasons and had a history of depression	Yes	Unknown	One semiautomatic handgun	9mm semiautomatic handgun	white	Male	<a href="http://www.nytimes.com/1998/03/07/nyregion/rampage-connecticut-overview-connecticut-lottery-worker-kills-4-bosses-then.html?pagewanted=all&amp;src=pm">http://www.nytimes.com/1998/03/07/nyregion/rampage-connecticut-overview-connecticut-lottery-worker-kills-4-bosses-then.html?pagewanted=all&amp;src=pm</a> ; <a href="http://www.nytimes.com/2000/04/11/us/hole-in-gun-control-law-lets-mentally-ill-through.html?pagewanted=all&amp;src=pm">http://www.nytimes.com/2000/04/11/us/hole-in-gun-control-law-lets-mentally-ill-through.html?pagewanted=all&amp;src=pm</a>	<a href="http://www.nytimes.com/2000/04/11/us/hole-in-gun-control-law-lets-mentally-ill-through.html?pagewanted=all&amp;src=pm">http://www.nytimes.com/2000/04/11/us/hole-in-gun-control-law-lets-mentally-ill-through.html?pagewanted=all&amp;src=pm</a>	41.685633	-72.729838	Mass
Caltrans maintenance yard shooting	Orange, California	12/18/1997	1997	Former Caltrans employee Arturo Reyes Torres, 41, opened fire at a maintenance yard after he was fired for allegedly selling government materials he'd stolen from work. He was shot dead by police.	5	2	7 Workplace	No	He was disgruntled after being fired.	Yes	B&B Gun Sales in Orange County, Calif.	One rifle (assault)	7.62mm AK-47 Chinese variant semiautomatic rifle	Latino	Male	<a href="http://articles.latimes.com/1997/dec/20/news/mn-431">http://articles.latimes.com/1997/dec/20/news/mn-431</a> ; <a href="http://articles.latimes.com/1997/dec/22/local/me-1156">http://articles.latimes.com/1997/dec/22/local/me-1156</a> ; <a href="http://www.vpc.org/studies/wgun971218.htm">http://www.vpc.org/studies/wgun971218.htm</a> ; <a href="http://news.google.com/newspapers?id=DitZAAAABAJ&amp;sjid=LEcNAAAABAJ&amp;pg=6705.2243998&amp;dq=arturo+reyes+torres+caltrans&amp;hl=en">http://news.google.com/newspapers?id=DitZAAAABAJ&amp;sjid=LEcNAAAABAJ&amp;pg=6705.2243998&amp;dq=arturo+reyes+torres+caltrans&amp;hl=en</a>	<a href="http://articles.latimes.com/1997/dec/20/news/mn-431">http://articles.latimes.com/1997/dec/20/news/mn-431</a>	33.787794	-117.853111	Mass
R.E. Phelon Company shooting	Aiken, South Carolina	9/15/1997	1997	Ex-con Hastings Arthur Wise, 43, opened fire at the R.E. Phelon Company in retaliation for being fired after an argument with a supervisor. He attempted suicide by ingesting insecticide, failed, and was executed by the state of South Carolina eight years later.	4	3	7 Workplace	No	An ex-con, he had been freed from prison, although he displayed violent tendencies.	No	Unknown	One semiautomatic handgun	9mm semiautomatic handgun	black	Male	<a href="http://www.vpc.org/studies/wgun970915.htm">http://www.vpc.org/studies/wgun970915.htm</a> ; <a href="http://chronicle.augusta.com/stories/1997/09/18/met_214833.shtml">http://chronicle.augusta.com/stories/1997/09/18/met_214833.shtml</a>	<a href="http://chronicle.augusta.com/stories/1997/09/18/met_214833.shtml">http://chronicle.augusta.com/stories/1997/09/18/met_214833.shtml</a>	33.559859	-81.721952	Mass

Case	Location	Date	Year	Summary	Deaths	Injured	Total Victims	Where	Prior signs of possible mental illness	Mental health	Weapons obtained	Where obtained	Type of weapon	Weapon details	Race	Gender	Sources	Mental Health Sources	Latitude	Longitude	Type
Fort Lauderdale revenge shooting	Fort Lauderdale, Florida	2/9/1996	1996	Fired city park employee Clifton McCree, 41, opened fire on former coworkers he called "racist devils" inside their municipal trailer in an act of revenge after failing a drug test. He then committed suicide.	6	1	7	Workplace	Yes	Co-workers complained about his threats and verbal abuse. His supervisors asked him to get a psychiatric evaluation. He lost his job, which relatives said drove his depression.	Yes	Unknown	One semiautomatic handgun, one revolver	9mm Glock semiautomatic handgun; .32-caliber revolver	black	Male	<a href="http://www.nytimes.com/1996/02/11/us/florida-killer-said-victims-were-racists-police-say.html">http://www.nytimes.com/1996/02/11/us/florida-killer-said-victims-were-racists-police-say.html</a> ; <a href="http://articles.sun-sentinel.com/1996-02-10/news/9602090635_1_million-firearms-multiple-guns-reloading">http://articles.sun-sentinel.com/1996-02-10/news/9602090635_1_million-firearms-multiple-guns-reloading</a>	<a href="http://articles.sun-sentinel.com/1996-02-11/news/9602110026_1_beach-crew-maintenance-fort-lauderdale">http://articles.sun-sentinel.com/1996-02-11/news/9602110026_1_beach-crew-maintenance-fort-lauderdale</a>	26.122308	-80.143379	Mass
Walter Rossler Company massacre	Corpus Christi, Texas	4/3/1995	1995	Disgruntled former metallurgist James Daniel Simpson, 28, opened fire throughout the Walter Rossler Company where he had worked before exiting the building and committing suicide.	6	0	6	Workplace	No	He was likely angry because he was given an assignment at work he didn't like. But acquaintances didn't know why he'd come back and kill.	Yes	Unknown	One semiautomatic handgun, one revolver	9mm Ruger semiautomatic handgun; .32-caliber revolver	unclear	Male	<a href="http://web.caller.com/2000/april/03/today/local_ne/4127.html">http://web.caller.com/2000/april/03/today/local_ne/4127.html</a>	<a href="http://web.caller.com/2000/april/03/today/local_ne/4127.html">http://web.caller.com/2000/april/03/today/local_ne/4127.html</a>	27.823713	-97.417398	Mass
Air Force base shooting	Fairchild Air Force Base, Washington	6/20/1994	1994	Former airman Dean Allen Mellberg, 20, opened fire inside a hospital at the Fairchild Air Force Base before he was shot dead by a military police officer outside.	5	23	28	Military	Yes	He was repeatedly diagnosed with emotional problems during his two years of service.	Yes	Gun dealer in Spokane, Wash.	One rifle (assault)	MAK-90 semiautomatic rifle	white	Male	<a href="http://articles.latimes.com/1994-06-22/news/mn-7137_1_air-force">http://articles.latimes.com/1994-06-22/news/mn-7137_1_air-force</a> ; <a href="http://www.nytimes.com/1994/06/22/us/an-airman-s-revenge-5-minutes-of-terror.html">http://www.nytimes.com/1994/06/22/us/an-airman-s-revenge-5-minutes-of-terror.html</a>	<a href="http://articles.latimes.com/1994-06-22/news/mn-7137_1_air-force">http://articles.latimes.com/1994-06-22/news/mn-7137_1_air-force</a>	47.618645	-117.64836	Mass
Chuck E. Cheese's killings	Aurora, Colorado	12/14/1993	1993	Nathan Dunlap, 19, a recently fired Chuck E. Cheese's employee, went on a rampage through his former workplace and was arrested the following day. He now awaits execution on death row.	4	1	5	Workplace	Unclear	While he was in prison awaiting trial, he started acting bizarre by stripping naked and playing with his feces, apparently to avoid the death penalty. A state doctor testified that Dunlap was faking his mental illness.	Unknown	Unknown	One semiautomatic handgun	.25-caliber semiautomatic handgun	black	Male	<a href="http://www.denverpost.com/news/ci_20218952/aurora-chuck-e-cheese-killers-appeal-cites-mental">http://www.denverpost.com/news/ci_20218952/aurora-chuck-e-cheese-killers-appeal-cites-mental</a> ; <a href="http://abcnews.go.com/US/auroras-massacre-victims-20-year-wait-justice/story?id=16847013">http://abcnews.go.com/US/auroras-massacre-victims-20-year-wait-justice/story?id=16847013</a> ; <a href="http://www.5280.com/magazine/2008/12/politics-killing?page=0.6">http://www.5280.com/magazine/2008/12/politics-killing?page=0.6</a>	<a href="http://www.5280.com/magazine/2008/12/politics-killing?page=0.6">http://www.5280.com/magazine/2008/12/politics-killing?page=0.6</a>	39.754713	-104.83587	Mass

Case	Location	Date	Year	Summary	Injured	Total Victims	Weapon	Prior signs of possible mental illness	Mental health	Weapons obtained	Where obtained	Type of weapon	Weapon/detail	Color	Gender	Sources	Mental Health Sources	Latitude	Longitude	Type
Long Island Rail Road massacre	Garden City, New York	12/7/1993	1993	Colin Ferguson, 35, opened fire on an eastbound Long Island Rail Road train as it approached a Garden City station. He was later arrested.	6	19	25	Other	Yes	Psychiatrists and others said he suffered from racial paranoia and was obsessed with nonexistent conspiracies. His landlord said he had "delusions of	Turner's Outdoorsman in Signal Hill, Calif.	One semiautomatic handgun	9mm Ruger P89 semiautomatic handgun	black	Male	<a href="http://www.nytimes.com/1993/12/12/nyregion/tormented-life-special-report-long-slide-privilege-ends-slaughter-train.html">http://www.nytimes.com/1993/12/12/nyregion/tormented-life-special-report-long-slide-privilege-ends-slaughter-train.html</a> ; <a href="http://www.vpc.org/studies/wgun931207.htm">http://www.vpc.org/studies/wgun931207.htm</a>	<a href="http://www.nytimes.com/1993/12/12/nyregion/tormented-life-special-report-long-slide-privilege-ends-slaughter-train.html">http://www.nytimes.com/1993/12/12/nyregion/tormented-life-special-report-long-slide-privilege-ends-slaughter-train.html</a>	40.726768	-73.634296	Mass
Luigi's shooting	Fayetteville, North Carolina	8/6/1993	1993	Army Sgt. Kenneth Junior French, 22, opened fire inside Luigi's Italian restaurant while ranting about gays in the military before he was shot and arrested by police.	4	8	12	Other	No	He had an abusive father, who committed suicide.	Unknown	One rifle, two shotguns	.22-caliber rifle; two 12-gauge shotguns	white	Male	<a href="http://articles.latimes.com/1993-08-08/news/mn-21847_1_kills-army-french">http://articles.latimes.com/1993-08-08/news/mn-21847_1_kills-army-french</a> ; <a href="http://news.google.com/newspapers?id=0AhPAAAAAIBAJ&amp;sjid=jhUEAAAAIBAJ&amp;pg=6505,2482529&amp;dq=kenneth+junior+french&amp;hl=en">http://news.google.com/newspapers?id=0AhPAAAAAIBAJ&amp;sjid=jhUEAAAAIBAJ&amp;pg=6505,2482529&amp;dq=kenneth+junior+french&amp;hl=en</a>	<a href="http://news.google.com/newspapers?id=0AhPAAAAAIBAJ&amp;sjid=jhUEAAAAIBAJ&amp;pg=6505,2482529&amp;dq=kenneth+junior+french&amp;hl=en">http://news.google.com/newspapers?id=0AhPAAAAAIBAJ&amp;sjid=jhUEAAAAIBAJ&amp;pg=6505,2482529&amp;dq=kenneth+junior+french&amp;hl=en</a>	35.052993	-78.878706	Mass
101 California Street shootings	San Francisco, California	7/1/1993	1993	Failed businessman Gian Luigi Ferri, 55, opened fire throughout an office building before he committed suicide inside as police pursued him.	9	6	15	Other	No	He was down on his luck because of failed business decisions. One acquaintance said, "He was the least likely guy you can imagine doing something like that." His ex-wife said he "hated violence."	Super Pawn and Pacific Tactical Weapons, both in Las Vegas, Nev.	Three semiautomatic handguns (two assault)	Two Intratec DC-9, .45-caliber Colt semiautomatic handguns	white	Male	<a href="http://articles.latimes.com/1993-07-03/news/mn-10731_1_mortgage-business/2">http://articles.latimes.com/1993-07-03/news/mn-10731_1_mortgage-business/2</a> ; <a href="http://www.motherjones.com/print/16316">http://www.motherjones.com/print/16316</a> ; <a href="http://www.vpc.org/studies/wgun930701.htm">http://www.vpc.org/studies/wgun930701.htm</a>	<a href="http://articles.latimes.com/1993-07-03/news/mn-10731_1_mortgage-business">http://articles.latimes.com/1993-07-03/news/mn-10731_1_mortgage-business</a>	37.77896	-122.4192	Mass
Watkins Glen killings	Watkins Glen, New York	10/15/1992	1992	John T. Miller, 50, killed four child-support workers in a county office building before turning the gun on himself. Miller was upset about a court order garnishing his paycheck to cover overdue child-support payments.	5	0	5	Other	Yes	The day before the shooting, he told child-support collection office workers that he was considering suicide. He had been convicted of felonious assault for pointing a revolver at police officers responding to a domestic violence report at this girlfriend's apartment.	Mumford Sports in Litchfield, Ohio	One semiautomatic handgun	9mm Llama semiautomatic handgun	white	Male	<a href="http://www.nytimes.com/1992/10/17/nyregion/shooting-followed-tougher-efforts-to-collect-child-support.html?pagewanted=2&amp;src=pm">http://www.nytimes.com/1992/10/17/nyregion/shooting-followed-tougher-efforts-to-collect-child-support.html?pagewanted=2&amp;src=pm</a> ; <a href="http://www.nytimes.com/1992/10/16/nyregion/gunman-kills-4-who-collected-child-payments.html?pagewanted=all&amp;src=pm">http://www.nytimes.com/1992/10/16/nyregion/gunman-kills-4-who-collected-child-payments.html?pagewanted=all&amp;src=pm</a> ; <a href="http://www.nytimes.com/1992/10/24/nyregion/watkins-glen-called-killings-called-planned.html">http://www.nytimes.com/1992/10/24/nyregion/watkins-glen-called-killings-called-planned.html</a>	<a href="http://www.nytimes.com/1992/10/17/nyregion/shooting-followed-tougher-efforts-to-collect-child-support.html?pagewanted=2&amp;src=pm">http://www.nytimes.com/1992/10/17/nyregion/shooting-followed-tougher-efforts-to-collect-child-support.html?pagewanted=2&amp;src=pm</a> ; <a href="http://www.nytimes.com/1992/10/16/nyregion/gunman-kills-4-who-collected-child-payments.html?pagewanted=all&amp;src=pm">http://www.nytimes.com/1992/10/16/nyregion/gunman-kills-4-who-collected-child-payments.html?pagewanted=all&amp;src=pm</a> ; <a href="http://www.nytimes.com/1992/10/24/nyregion/watkins-glen-called-killings-called-planned.html">http://www.nytimes.com/1992/10/24/nyregion/watkins-glen-called-killings-called-planned.html</a>	42.381056	-76.870578	Mass

Case	Location	Date	Year	Summary	Deaths	Injured	Total Victims	Setting	Prior signs of possible mental illness	Mental Health	Weapons obtained	Where obtained	Type of weapon	Weapon detail	Color	Gender	Resources	Mental Health Sources	Latitude	Longitude	Type
Lindhurst High School shooting	Olivehurst, California	5/1/1992	1992	Former Lindhurst High School student Eric Houston, 20, angry about various personal failings, killed three students and a teacher at the school before surrendering to police after an eight hour standoff. He was later sentenced to death.	4	10	14	School	No		Yes	Local gun retailer	One rifle, one shotgun	.22-caliber sawed-off rifle; 12-gauge pump-action shotgun	white	Male	<a href="http://www.schoolshooters.info/PL/Subject-Houston_files/Nine%20Brie%20Sketches.pdf">http://www.schoolshooters.info/PL/Subject-Houston_files/Nine%20Brie%20Sketches.pdf</a> ; <a href="http://www.appeal-democrat.com/news/school-47104-shooting-eckardt.html">http://www.appeal-democrat.com/news/school-47104-shooting-eckardt.html</a> ; <a href="http://nl.newsbank.com/nl-search/we/Archives?p_product=SB&amp;p_theme=sb&amp;p_action=search&amp;p_maxdocs=200&amp;p_topdoc=1&amp;p_text_direct-0=0EB0D9D91FC593A0&amp;p_field_direct-0=document_id&amp;p_perpage=10&amp;p_sort=YMD_date.D&amp;s_trackval=GooglePM">http://nl.newsbank.com/nl-search/we/Archives?p_product=SB&amp;p_theme=sb&amp;p_action=search&amp;p_maxdocs=200&amp;p_topdoc=1&amp;p_text_direct-0=0EB0D9D91FC593A0&amp;p_field_direct-0=document_id&amp;p_perpage=10&amp;p_sort=YMD_date.D&amp;s_trackval=GooglePM</a> ; <a href="http://www.sfgate.com/crime/article/Death-verdict-OKd-for-school-slaughter-3758444.php">http://www.sfgate.com/crime/article/Death-verdict-OKd-for-school-slaughter-3758444.php</a>	<a href="http://www.schoolshooters.info/PL/Subject-Houston_files/Nine%20Brie%20Sketches.pdf">http://www.schoolshooters.info/PL/Subject-Houston_files/Nine%20Brie%20Sketches.pdf</a>	39.078688	-121.54758	Mass
Royal Oak postal shootings	Royal Oak, Michigan	11/14/1991	1991	Laid-off postal worker Thomas McIlvane, 31, opened fire at his former workplace before committing suicide.	5	5	10	Workplace	Yes		Yes	Local gun store	One rifle	22-caliber Ruger sawed-off semiautomatic rifle	white	Male	<a href="http://www.nytimes.com/1991/11/15/us/ex-postal-worker-kills-3-and-wounds-6-in-michigan.html">http://www.nytimes.com/1991/11/15/us/ex-postal-worker-kills-3-and-wounds-6-in-michigan.html</a> ; <a href="http://www.mlive.com/news/detroit/index.ssf/2011/11/monday_ceremony_marks_20_years.html">http://www.mlive.com/news/detroit/index.ssf/2011/11/monday_ceremony_marks_20_years.html</a>	<a href="http://www.nytimes.com/1991/11/15/us/ex-postal-worker-kills-3-and-wounds-6-in-michigan.html">http://www.nytimes.com/1991/11/15/us/ex-postal-worker-kills-3-and-wounds-6-in-michigan.html</a>	42.48948	-83.144649	Mass



Case	Location	Date	Year	Summary	Deaths	Injured	Total Victims	Setting	Prior signs of possible mental illness	Mental health	Weapons obtained	Where obtained	Type of weapon	Weapon/detail	Race	Gender	Sources	Mental Health Sources	Latitude	Longitude	Type
University of Iowa shooting	Iowa City, Iowa	11/1/1991	1991	Former graduate student Gang Lu, 28, went on a rampage on campus and then committed suicide at the scene.	6	1	7	School	Unclear	He was described as darkly disturbed and isolated.	Yes	Fin & Feather in Iowa City, Iowa	One revolver	.38-caliber Taurus revolver	Asian	Male	<a href="http://www.nytimes.com/1991/11/03/us/gunman-in-iowa-wrote-of-plans-in-five-letters.html?pagewanted=all&amp;src=pm">http://www.nytimes.com/1991/11/03/us/gunman-in-iowa-wrote-of-plans-in-five-letters.html?pagewanted=all&amp;src=pm</a> ; <a href="http://thegazette.com/2011/11/01/gang-lu-shootings-at-ui-remembered-20-years-later/">http://thegazette.com/2011/11/01/gang-lu-shootings-at-ui-remembered-20-years-later/</a> ; <a href="http://www.nytimes.com/1991/11/04/us/iowa-gunman-was-torn-by-academic-challenge.html?pagewanted=2&amp;src=pm">http://www.nytimes.com/1991/11/04/us/iowa-gunman-was-torn-by-academic-challenge.html?pagewanted=2&amp;src=pm</a>	<a href="http://www.nytimes.com/1991/11/03/us/gunman-in-iowa-wrote-of-plans-in-five-letters.html?pagewanted=all&amp;src=pm">http://www.nytimes.com/1991/11/03/us/gunman-in-iowa-wrote-of-plans-in-five-letters.html?pagewanted=all&amp;src=pm</a>	41.660689	-91.530221	Mass
Luby's massacre	Killeen, Texas	10/16/1991	1991	George Hennard, 35, drove his pickup truck into a Luby's cafeteria and opened fire before committing suicide	24	20	44	Other	No	Acquaintances described him as troubled, unstable, combative, and misogynistic. He made convenience store employees "nervous."	Yes	Mike's Gun Shop in Henderson, Nev.	Two semiautomatic handguns	9mm Glock 17, 9mm Ruger P89 semiautomatic handguns	white	Male	<a href="http://www.nytimes.com/1991/10/18/us/portrait-of-texas-killer-impatient-and-troubled.html?pagewanted=all&amp;src=pm">http://www.nytimes.com/1991/10/18/us/portrait-of-texas-killer-impatient-and-troubled.html?pagewanted=all&amp;src=pm</a> ; <a href="http://www.kwtx.com/home/headlines/7048182.html">http://www.kwtx.com/home/headlines/7048182.html</a> ; <a href="http://www.nytimes.com/1991/10/20/weekinreview/dead-23-texans-and-1-anti-gun-measure.html">http://www.nytimes.com/1991/10/20/weekinreview/dead-23-texans-and-1-anti-gun-measure.html</a> ; <a href="http://www.nytimes.com/1991/10/18/us/portrait-of-texas-killer-impatient-and-troubled.html?pagewanted=all&amp;src=pm">http://www.nytimes.com/1991/10/18/us/portrait-of-texas-killer-impatient-and-troubled.html?pagewanted=all&amp;src=pm</a> ; <a href="http://www.vpc.org/studies/wgun911016.htm">http://www.vpc.org/studies/wgun911016.htm</a>	<a href="http://www.nytimes.com/1991/10/20/weekinreview/dead-23-texans-and-1-anti-gun-measure.html">http://www.nytimes.com/1991/10/20/weekinreview/dead-23-texans-and-1-anti-gun-measure.html</a>	31.117119	-97.727796	Mass

Case	Location	Date	Year	Summary	Victims	Injured	Total victims	Where	Prior signs of possible mental illness	Mental health	Weapons obtained	Where obtained	Type of weapon	Weapon/detail	Color	Gender	Sources	Mental Health Sources	Latitude	Longitude	Type	
GMAC massacre	Jacksonville, Florida	6/18/1990	1990	James Edward Pough, 42, opened fire at a General Motors Acceptance Corporation office before committing suicide. (The day prior, Pough killed a pimp and prostitute and injured two others. Those victims are not included in the mass murder count.)	10	4	14	Other	No		Police speculated he had a "grudge" against the people he killed.	Yes	Unknown	One rifle, one revolver	.30-caliber Universal M1 carbine rifle; .38-caliber revolver	black	Male	<a href="http://www.nytimes.com/1990/06/19/us/florida-gunman-kills-8-and-wounds-6-in-office.html">http://www.nytimes.com/1990/06/19/us/florida-gunman-kills-8-and-wounds-6-in-office.html</a> ; <a href="http://www.nytimes.com/1990/06/20/us/hazy-records-helped-florida-gunman-buy-arms.html">http://www.nytimes.com/1990/06/20/us/hazy-records-helped-florida-gunman-buy-arms.html</a> ; <a href="http://www.vpc.org/studies/wgun900618.htm">http://www.vpc.org/studies/wgun900618.htm</a> ; <a href="http://www.nytimes.com/1990/06/19/us/florida-gunman-kills-8-and-wounds-6-in-office.html?page-wanted=all&amp;src=pm">http://www.nytimes.com/1990/06/19/us/florida-gunman-kills-8-and-wounds-6-in-office.html?page-wanted=all&amp;src=pm</a>	<a href="http://www.nytimes.com/1990/06/20/us/hazy-records-helped-florida-gunman-buy-arms.html">http://www.nytimes.com/1990/06/20/us/hazy-records-helped-florida-gunman-buy-arms.html</a>	30.332184	-81.655651	Mass
Standard Gravure shooting	Louisville, Kentucky	9/14/1989	1989	Joseph T. Wesbecker, 47, gunned down eight people at his former workplace before committing suicide	9	12	21	Workplace	Yes		Prior to the shooting, he had voluntarily checked into hospitals for mental problems at least twice and attempted suicide three times.	Yes	AK-47 purchased from Tilford's Gun Sales in Louisville, Ky.	Three semiautomatic handguns (two assault), one rifle (assault), one revolver	Two Intratec MAC-11, 9mm SIG Sauer semiautomatic handguns; AK-47 Chinese variant semiautomatic rifle; .38-caliber revolver	white	Male	<a href="http://nl.newsbank.com/nl-search/we/Archives?p_product=LH&amp;s_site=kentucky&amp;p_multi=LH&amp;p_theme=realcities&amp;p_action=search&amp;p_maxdocs=200&amp;p_topdoc=1&amp;p_text_direct-0=0EB73C025033DC82&amp;p_field_direct-0=document_id&amp;p_perpage=10&amp;p_sort=YMD_date.D&amp;s_trackval=GooglePM">http://nl.newsbank.com/nl-search/we/Archives?p_product=LH&amp;s_site=kentucky&amp;p_multi=LH&amp;p_theme=realcities&amp;p_action=search&amp;p_maxdocs=200&amp;p_topdoc=1&amp;p_text_direct-0=0EB73C025033DC82&amp;p_field_direct-0=document_id&amp;p_perpage=10&amp;p_sort=YMD_date.D&amp;s_trackval=GooglePM</a> ; <a href="http://www.nytimes.com/1989/09/16/us/disturbed-past-of-killer-of-7-is-unraveled.html?pagewanted=all&amp;src=pm">http://www.nytimes.com/1989/09/16/us/disturbed-past-of-killer-of-7-is-unraveled.html?pagewanted=all&amp;src=pm</a>	<a href="http://www.nytimes.com/1989/09/16/us/disturbed-past-of-killer-of-7-is-unraveled.html">http://www.nytimes.com/1989/09/16/us/disturbed-past-of-killer-of-7-is-unraveled.html</a>	38.254238	-85.759407	Mass

Case	Location	Date	Year	Summary	Injured	Total victims	Where	Prior signs of possible mental illness	Mental health	Weapons obtained	Where obtained	Type of weapon	Weapon/detail	Color	Gender	Sources	Mental Health Sources	Latitude	Longitude	Type	
Stockton schoolyard shooting	Stockton, California	1/17/1989	1989	Patrick Purdy, 26, an alcoholic with a police record, launched an assault at Cleveland Elementary School, where many young Southeast Asian immigrants were enrolled. Purdy killed himself with a shot to the head.	6	29	35	School	Yes		Yes	Sandy Trading Post in Sandy, Ore.; Hunter Loan and Jewelry Co. in Stockton, Calif.	One semiautomatic handgun, one rifle (assault)	9mm Taurus semiautomatic handgun; AK-47 Chinese variant semiautomatic rifle	white	Male	<a href="http://www.recorder.net.com/apps/pbcs.dll/article?AID=/20090118/A_NEWS/901170304">http://www.recorder.net.com/apps/pbcs.dll/article?AID=/20090118/A_NEWS/901170304</a> ; <a href="http://news.google.com/newspapers?id=N8IzAAAAIAAJ&amp;sjid=kDIHAAAAIAAJ&amp;pg=6930,6475926&amp;dq=patrick+purdy&amp;hl=en">http://news.google.com/newspapers?id=N8IzAAAAIAAJ&amp;sjid=kDIHAAAAIAAJ&amp;pg=6930,6475926&amp;dq=patrick+purdy&amp;hl=en</a> ; <a href="http://www.time.com/time/magazine/article/0,9171,/_A_NEWS/9011151105.00.html">http://www.time.com/time/magazine/article/0,9171,/_A_NEWS/9011151105.00.html</a>	<a href="http://www.recorder.net.com/apps/pbcs.dll/article?AID=/20090118/A_NEWS/901170304">http://www.recorder.net.com/apps/pbcs.dll/article?AID=/20090118/A_NEWS/901170304</a>	37.957702	-121.29078	Mass
ESL shooting	Sunnyvale, California	2/16/1988	1988	Former ESL Incorporated employee Richard Farley, 39, gunned down seven people at his former workplace. He was later arrested and now sits on death row at San Quentin.	7	4	11	Workplace	Yes		Yes	Various sporting goods and gun stores in Northern California	Two semiautomatic handguns, one rifle, two revolvers, two shotguns	.380 ACP Browning, 9mm Smith & Wesson semiautomatic handguns; Ruger M-77 .22-250 bolt-action rifle with scope; Mossberg 12-gauge pump-action, 12-gauge Benelli semiautomatic shotguns; .357 Magnum Smith & Wesson, .22 Sentinel WMR revolvers	white	Male	<a href="http://articles.latimes.com/1988-02-18/news/mn-43514_1_mr-farley-richard-farley-sunnyvale-public-safety-department">http://articles.latimes.com/1988-02-18/news/mn-43514_1_mr-farley-richard-farley-sunnyvale-public-safety-department</a> ; <a href="http://news.google.com/newspapers?id=uqxAAAAIAAJ&amp;sjid=sDIHAAAAIAAJ&amp;pg=2425,5898911&amp;dq=richard+farley+shooting&amp;hl=en">http://news.google.com/newspapers?id=uqxAAAAIAAJ&amp;sjid=sDIHAAAAIAAJ&amp;pg=2425,5898911&amp;dq=richard+farley+shooting&amp;hl=en</a> ; <a href="http://news.google.com/newspapers?id=FmYzAAAAIAAJ&amp;sjid=WzIHAIAAJ&amp;pg=7028,576811&amp;dq=richard+farley+shooting&amp;hl=en">http://news.google.com/newspapers?id=FmYzAAAAIAAJ&amp;sjid=WzIHAIAAJ&amp;pg=7028,576811&amp;dq=richard+farley+shooting&amp;hl=en</a>	<a href="http://books.google.com/books?id=JiQUkwBnzgYC&amp;pg=PA44&amp;lpq=PA44&amp;dq=richard+farley+ESL+psychological&amp;source=bl&amp;ots=PqxDIDtznK&amp;sig=Kp8vEN7M2AEdRC0KpxVHjXZN7M&amp;hl=en#v=onepage&amp;q=richard%20farley%20ESL%20psychological&amp;f=false">http://books.google.com/books?id=JiQUkwBnzgYC&amp;pg=PA44&amp;lpq=PA44&amp;dq=richard+farley+ESL+psychological&amp;source=bl&amp;ots=PqxDIDtznK&amp;sig=Kp8vEN7M2AEdRC0KpxVHjXZN7M&amp;hl=en#v=onepage&amp;q=richard%20farley%20ESL%20psychological&amp;f=false</a> ; <a href="http://caselaw.findlaw.com/casupremecourt/1295931.html">http://caselaw.findlaw.com/casupremecourt/1295931.html</a>	37.36883	-122.03635	Mass

Case	Location	Date	Year	Summary	Deaths	Injured	Total Victims	Where	Prior signs of possible mental illness	Mental Health	Weapons obtained	Where Obtained	Type of Weapon	Weapon/detail	Race	Gender	Sources	Mental Health Sources	Latitude	Longitude	Type	
Shopping centers spree killings	Palm Bay, Florida	4/23/1987	1987	Retired librarian William Cruse, 59, was paranoid neighbors gossiped that he was gay. He drove to a Publix supermarket, killing two Florida Tech students en route before opening fire outside and killing a woman. He then drove to a Winn-Dixie supermarket and killed three more, including two police officers. Cruse was arrested after taking a hostage and died on death row in 2009.	6	14	20	Other	Yes		Yes		Gun store in Norwood, Ohio; The Oaks Trading Post in Melbourne, Fla.	One rifle, one revolver, one shotgun	Sturm, Ruger Mini-14 semiautomatic rifle; 20-gauge Winchester pump-action shotgun; .357 Ruger Blackhawk revolver	white	Male	<a href="http://articles.latimes.com/1987-04-25/news/mn-990_1_palm-bay-police">http://articles.latimes.com/1987-04-25/news/mn-990_1_palm-bay-police</a>	(Supreme Court of Florida Document) <a href="http://www.murderpedia.org/male/C/images/crus_e_william_b/op-74656.pdf">http://www.murderpedia.org/male/C/images/crus_e_william_b/op-74656.pdf</a>	28.033189	-80.64297	Spree
United States Postal Service shooting	Edmond, Oklahoma	8/20/1986	1986	Postal worker Patrick Sherrill, 44, opened fire at a post office before committing suicide	15	6	21	Workplace	Unclear		Yes		Issued by Oklahoma National Guard, where Sherrill served, for target competition	Three semiautomatic handguns	.22-caliber, two .45-caliber Colt Model 1911-A1 semiautomatic handguns	white	Male	<a href="http://news.google.com/newspapers?id=dm8aAAAAIBAJ&amp;sjid=pyoEAAAAIBAJ&amp;pg=2297,4870051&amp;dq=patrick+sherrill&amp;hl=en">http://news.google.com/newspapers?id=dm8aAAAAIBAJ&amp;sjid=pyoEAAAAIBAJ&amp;pg=2297,4870051&amp;dq=patrick+sherrill&amp;hl=en</a>	<a href="http://newsok.com/sherrill-feared-mental-illness-rejected/article/2177416">http://newsok.com/sherrill-feared-mental-illness-rejected/article/2177416</a>	35.667202	-97.42937	Mass
San Ysidro McDonald's massacre	San Ysidro, California	7/18/1984	1984	James Oliver Huberty, 41, opened fire in a McDonald's restaurant before he was shot dead by a police officer.	22	19	41	Other	Yes		Yes	Unknown	One semiautomatic handgun, one rifle (assault), one shotgun	9mm Browning P35 Hi-Power semiautomatic handgun; 9mm Israeli Military Industries Uzi Model A carbine semiautomatic rifle; 12-gauge Winchester 1200 pump-action shotgun	white	Male	<a href="http://www.utsandiego.com/san-ysidro-massacre/">http://www.utsandiego.com/san-ysidro-massacre/</a> ; <a href="http://www.vpc.org/studies/wgun840718.htm">http://www.vpc.org/studies/wgun840718.htm</a>	<a href="http://www.netimes.com/news/local/article_2ba4343e-7009-54ce-98df-79a23ff8d0d7.html">http://www.netimes.com/news/local/article_2ba4343e-7009-54ce-98df-79a23ff8d0d7.html</a>	32.552001	-117.04308	Mass	

Case	Location	Date	Year	Summary	Total Deaths	Injured	Year	Prior signs of possible mental illness	Mental Status	Weapons obtained legally	Where obtained	Type of weapon	Weapon/detail	Color	Gender	Source	Mental Health Sources	Latitude	Longitude	Type		
Dallas nightclub shooting	Dallas, Texas	6/29/1984	1984	Abdelkrim Belachheb, 39, opened fire at an upscale nightclub after a woman rejected his advances. He was later arrested.	6	1	7	Other	Yes		During his last meal with his wife, he confessed he was depressed and had visited psychiatric hospitals in Belgium.	No	Hines Boulevard Pawn Shop in Dallas, Texas	One semiautomatic handgun	9mm Smith & Wesson 459 semiautomatic handgun	white	Male	<a href="http://books.google.com/books?id=Hr3OBwP-lbUC&amp;pg=PA38&amp;lp=PA38&amp;dq=Abdelkrim+Belachheb+mental&amp;source=bl&amp;ots=D56pgdNnl&amp;sig=grAT08P9HLfPoHvgwIXt8RfPHz0&amp;hl=en&amp;http://www.nytimes.com/1984/06/30/us/6-die-in-dallas-club-as-enraged-man-fires-wildly.html;http://news.google.com/newspapers?id=gKQyAAA-AIBAJ&amp;sjid=WO8FAAAIIBAJ&amp;pg=1236,2915759&amp;dq=abdelkrim+belachheb&amp;hl=en">http://books.google.com/books?id=Hr3OBwP-lbUC&amp;pg=PA38&amp;lp=PA38&amp;dq=Abdelkrim+Belachheb+mental&amp;source=bl&amp;ots=D56pgdNnl&amp;sig=grAT08P9HLfPoHvgwIXt8RfPHz0&amp;hl=en&amp;http://www.nytimes.com/1984/06/30/us/6-die-in-dallas-club-as-enraged-man-fires-wildly.html;http://news.google.com/newspapers?id=gKQyAAA-AIBAJ&amp;sjid=WO8FAAAIIBAJ&amp;pg=1236,2915759&amp;dq=abdelkrim+belachheb&amp;hl=en</a>	<a href="http://books.google.com/books?id=Hr3OBwP-lbUC&amp;pg=PA67&amp;lp=PA67&amp;dq=%22hine+pawshop%22+gun&amp;source=bl&amp;ots=D55vgfTsnk&amp;sig=zDxr5nohKnNQWvLrUFmZUFmZGYQ5ar4&amp;hl=en&amp;sa=X&amp;ei=9WZSUN2FN-XZigKN-oGoCA&amp;ved=0DcQ6AEwAA#v=onepage&amp;q=%22hine%20pawshop%22%20gun&amp;f=false">http://books.google.com/books?id=Hr3OBwP-lbUC&amp;pg=PA67&amp;lp=PA67&amp;dq=%22hine+pawshop%22+gun&amp;source=bl&amp;ots=D55vgfTsnk&amp;sig=zDxr5nohKnNQWvLrUFmZUFmZGYQ5ar4&amp;hl=en&amp;sa=X&amp;ei=9WZSUN2FN-XZigKN-oGoCA&amp;ved=0DcQ6AEwAA#v=onepage&amp;q=%22hine%20pawshop%22%20gun&amp;f=false</a>	32.780105	-96.800008	Mass

Case	Location	Date	Year	Summary	Deaths	Injured	Total Victims	Weapon	Prior signs of possible mental illness	Mental health	Weapons obtained	Where obtained	Type of weapon	Weapon/detail	Color	Gender	Sources	Mental Health Sources	Latitude	Longitude	Type
Welding shop shooting	Miami, Florida	8/20/1982	1982	Junior high school teacher Carl Robert Brown, 51, opened fire inside a welding shop and was later shot dead by a witness as he fled the scene.	8	3	11	Other	Yes			Garcia Gun Center in Hialeah, Fla.	One shotgun	Mossberg 500 Persuader pump-action shotgun with pistol grip	white	Male	<a href="http://www.nytimes.com/1982/08/21/us/gunman-in-miami-kills-8-in-rampage.html">http://www.nytimes.com/1982/08/21/us/gunman-in-miami-kills-8-in-rampage.html</a> ; <a href="http://www.nytimes.com/1982/08/24/us/no-charges-planned-against-miami-man-who-shot-gunman.html">http://www.nytimes.com/1982/08/24/us/no-charges-planned-against-miami-man-who-shot-gunman.html</a> ; <a href="http://www.nytimes.com/1982/10/14/us/florida-city-rescinds-law-on-buying-guns.html">http://www.nytimes.com/1982/10/14/us/florida-city-rescinds-law-on-buying-guns.html</a>	<a href="http://news.google.com/newsapers?id=uuYLA AAAIBAJ&amp;sjid=C1kDAAAAI BAJ&amp;pg=4879,1435085&amp;dq=carl+robert+brown">http://news.google.com/newsapers?id=uuYLA AAAIBAJ&amp;sjid=C1kDAAAAI BAJ&amp;pg=4879,1435085&amp;dq=carl+robert+brown</a>	25.796491	-80.226683	Mass

# **Exhibit 23**



## **International Association of Chiefs of Police Position Paper on Firearm Violence**

The International Association of Chiefs of Police (IACP), an organization of law enforcement executives from around the globe, has long held positions intended to reduce and prevent firearms violence. As police chiefs, it is our duty to protect and serve our communities and display the leadership needed to ensure public safety.

The persistent and pernicious problem of gun violence impacts communities across the United States on a daily basis. Ranging from random shootings and suicides to retaliatory assaults and targeted mass killings, violence committed with firearms universally challenges law enforcement and taxes resources. This insidious problem requires law enforcement to lead a new, coordinated, and dedicated response involving citizens, elected leaders, lawmakers, and the entire criminal justice system

In the years since the terrorist attacks of 2001, over 400,000 American lives have been lost to gun violence.

### **We are clearly facing a crisis.**

In response, the IACP has long advocated for the adoption of common sense policies that will assist in reducing gun violence. These proposals are drawn from the policy positions adopted by the 25,000 members of the IACP over the past several years.

#### **Armor Piercing Ammunition**

The IACP supports legislation and policies that will prohibit the sale or transfer of armor piercing ammunition. In addition, the IACP believes that the process utilized to determine whether a round of ammunition is armor piercing should include performance based testing conducted by the Bureau of Alcohol, Tobacco and Firearms.

#### **Assault Weapons Ban**

First passed in 1994, the assault weapons ban required domestic gun manufacturers to stop production of semiautomatic assault weapons and ammunition magazines holding more than ten rounds except for military or police use. While the ban was in place, it was remarkably effective in reducing



the number of crimes involving assault weapons. In the period of the ban, (1994-2004) the proportion of assault weapons traced to crimes fell by a dramatic 66 percent.

Assault weapons are routinely the weapons of choice for gang members and drug dealers. They are regularly encountered in drug busts and are all too often used against police officers.

The IACP has been a strong supporter of the assault weapons ban since 1992, and our membership has approved several reauthorizations of support in the years since. The membership took this action because we, as law enforcement executives, understand that semiautomatic assault weapons pose a grave risk to our officers and the communities they are sworn to protect.

### **Body Armor**

The IACP supports legislation to prohibit the mail order sale of bulletproof vests and body armor to all individuals except sworn or certified law enforcement officers. In recent years, the safety of law enforcement officers has often been compromised due to the possession of body armor and bulletproof vests by the criminals they were attempting to apprehend. The IACP believes that the sale, transfer, or acquisition of these items should be conducted in person in order to make it more difficult for criminals to acquire and use these items while committing crimes of violence.

### **Concealed Weapons**

The IACP continues to oppose any federal legislative proposals that would either pre-empt and/or mandate the liberalization of individual states' CCW laws pertaining to the carrying of concealed weapons in other states without meeting that state's requirements. This applies to private citizens as well as active, former, and/or federal, tribal, state and local law enforcement personnel. IACP believes it is essential that state governments maintain the ability to legislate concealed carry laws that best fit the needs of their communities.

### **Firearms Enforcement**

The IACP urges Congress to increase resources to better allow state, local and tribal law enforcement agencies and the Department of Justice to enable greater prosecution of individuals for Brady Act violations. In addition, the IACP supports firearms enforcement programs that involve local, state and federal agencies, such as Project Safe Neighborhoods and Project Exile, which have shown significant reductions in firearms-related violent crime.

### **Firearms Offender Registry**

The reduction of firearms-related violent crime has been and continues to be a major goal of IACP. Studies have shown that firearm offenders have a higher recidivist rate for committing other firearms-related violent crime with firearms than the rate for sexual offenders. Therefore, the IACP supports creating a federal registry, similar to the sexual offender registry, for offenders who have been previously convicted of a felony firearm violation or a misdemeanor that involved violent or threatening acts with firearms. At little cost, this registry would have great benefit toward preventing and investigating a myriad of violent crimes, as well as establishing a computerized list of dangerous offenders that could be utilized as a notification system to alert officers of potential danger.

### **Firearm Purchase Waiting Period**

The IACP has gone on record supporting a waiting period for the purchase of a handgun. In the past, waiting periods have not only served as time for a thorough background investigation, but also as an informal cooling off period for handgun purchasers. However, the time needed to perform most background checks has become obsolete due to transition to the National Instant Check Background System (NICS). Nevertheless, the IACP believes there must still be a cooling off period in place before an individual can purchase a handgun. Therefore, the IACP supports legislation to create a mandatory five-day waiting period prior to the completion of a handgun purchase.

### **Gun Show Loophole**

The federal Gun Control Act of 1968 stipulates that individuals “engaged in the business” of selling firearms must possess a Federal Firearms License (FFL). Holders of FFLs are required to conduct background checks and maintain a record of all their firearm sales. Certain gun sales and transfers between private individuals, however, are exempt from this requirement.

Those who would fail a background check can access firearms through these sources. Unlike an FFL, the seller is not required to conduct a background check to determine whether the purchaser is prohibited from purchasing and possessing a gun. Federal, state, local and tribal laws should be enacted to close these loopholes. If all gun sales proceed through an FFL, a single, consistent system for conducting gun sales, including background checks, will be established.

The laws we have in place to ensure gun purchasers go through FFLs are undermined by oversights in the law that allow individuals prohibited from owning firearms to obtain weapons at events such as gun shows without undergoing a background check. The IACP calls on Congress to act swiftly to close these loopholes and preserve the effectiveness of the laws in place.

**Illegal Firearms Trafficking/Firearms Tracing**

The IACP opposes any legislation that would limit or reduce the ability of our nation’s law enforcement agencies to combat the sale of illegal guns. The IACP believes that the ability to trace illegal firearms effectively plays a critical role in law enforcement’s ability to protect communities from the scourge of firearms violence.

The IACP is opposed to the “Tiahrt Amendment” restricts the ATF’s ability to share vital gun trace information with its state and local counterparts, which severely limits the ability of those agencies to conduct critical investigations designed to identify and apprehend corrupt firearms dealers and the traffickers they supply.

The IACP strongly believes that these provisions, and others like them, put our citizens and our officers at risk. Therefore, the IACP strongly supports efforts to repeal the Tiahrt amendment and any piece of legislation containing provisions that would weaken law enforcement’s ability to trace illegal firearms.

**Juvenile Crime Firearms Disability**

The IACP believes that juveniles must be held accountable for their acts of violence. Therefore, the IACP supports the passage of legislation, sometimes referred to as Juvenile Brady, which would permanently prohibit gun ownership by an individual, if that individual, while a juvenile, commits a crime that would have triggered a gun disability if their crime had been committed as an adult.

# **Exhibit 24**

## NATIONAL LAW ENFORCEMENT PARTNERSHIP TO PREVENT GUN VIOLENCE



### PROTECTING COMMUNITIES FROM ASSAULT WEAPONS AND HIGH-CAPACITY AMMUNITION MAGAZINES



#### BACKGROUND ON ASSAULT WEAPONS AND HIGH-CAPACITY AMMUNITION MAGAZINES

Assault weapons were designed for the battlefield and have no place in our communities. These weapons were developed to enable a shooter to rapidly spray-fire multiple rounds at an enemy in combat, not to gun down small children, moviegoers, firefighters – or the law enforcement officers protecting them. This kind of excessive firepower has particular utility in the hands of dangerous people intent on wreaking havoc.



Each of the combat hardware features on assault weapons has a military purpose. For example, a pistol grip stabilizes the weapon and enables the shooter to spray-fire from the hip; a barrel shroud cools the barrel when multiple rounds are fired, preventing the weapon from overheating and allows the shooter to grasp the barrel; a threaded barrel accommodates military accessories such as a flash suppressor or grenade launcher; and a telescoping, folding or detachable stock allows for easier concealment.



High-capacity ammunition magazines dramatically increase a shooter's ability to massacre large numbers of people. Prohibiting the manufacture, transfer and importation of high-capacity magazines that hold more than ten rounds would reduce the number of bullets a shooter could use before having to stop to reload. Reloading can provide a critical window of time in which to take down a shooter, as we saw in Tucson.



#### ASSAULT WEAPONS AND HIGH-CAPACITY AMMUNITION MAGAZINES ARE THE INSTRUMENTS OF MASS SHOOTERS



POLICE EXECUTIVE RESEARCH FORUM



Horrific mass shootings are happening all too often all across our nation. Last December, Adam Lanza forced his way into a Newtown, CT, elementary school and opened fire with a .223 caliber Bushmaster AR-15 semiautomatic assault weapon and multiple 30-round ammunition magazines, killing 26 people, including 20 small children. In July of last year, James Holmes entered an Aurora, CO, movie theater and allegedly used an AR-15 assault weapon equipped with a 100-round drum

magazine to mow down moviegoers, killing 12 and wounding 58 others.<sup>1</sup>

It is hard to imagine a gunman using a firearm equipped with a magazine holding fewer than ten rounds causing the devastation that resulted from an assault weapon equipped with a 100-round drum magazine. A semiautomatic assault rifle with a 100-round drum magazine – or a pistol equipped with a

<sup>1</sup> Goode, Erica, "Rifle Used in Killings, America's Most Popular, Highlights Regulation Debate," *New York Times*, Dec. 16, 2012 (<http://www.nytimes.com/2012/12/17/us/lanza-used-a-popular-ar-15-style-rifle-in-newtown.html?pagewanted=all&r=0>) and Kleinfeld, N.R., "Gunman Took Big Supply of Ammunition to School After Killing Mother at Home," *New York Times*, Dec. 16, 2012 (<http://www.nytimes.com/2012/12/17/nyregion/sandy-hook-school-shooting-in-newtown.html?ref=us>).

30-round magazine – has one purpose: to kill as many people as possible as quickly as possible.

The devastating effects of these weapons are felt by law enforcement as criminals up the ante with firepower in excess of what police officers typically use. Reports from law enforcement leaders around the country indicate that assault weapons are increasingly being used against law enforcement officers. Current restrictions on the release of Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) trace data make it impossible to know exactly how often these firearms are being used in crimes.<sup>2</sup> But according to the Department of Justice, high-capacity ammunition magazines are used in 31 to 41 percent of fatal police shootings, varying across cities analyzed.<sup>3</sup>

## **EFFECTIVENESS OF THE 1994 ASSAULT WEAPONS AND HIGH-CAPACITY AMMUNITION MAGAZINE BAN**

The 1994 assault weapons ban prohibited the manufacture, transfer, sale or possession of new semiautomatic assault weapons and high-capacity ammunition magazines in excess of ten rounds. The ban expired in 2004.

Studies show the 1994 assault weapons ban worked:

- A 2004 University of Pennsylvania study found that, in the nine years after the ban took effect, the percentage of gun crimes involving assault weapons decreased by 70 percent.<sup>4</sup>
- In 1998, four years after the assault weapons and high-capacity ammunition magazine ban was enacted, the percentage of firearms with large-capacity magazines recovered by Virginia police decreased and continued to drop until it hit a low of 9 percent in 2004, the year the ban expired. That figure more than doubled since the ban's expiration, hitting a high of 20 percent in 2010, according to a Washington Post analysis.<sup>5</sup>
- After the ban expired in 2004, 37 percent of police agencies saw increases in criminals' use of assault weapons, and 38 percent reported a noticeable increase in criminals' use of high-capacity magazines, according to a 2010 Police Executive Research Forum survey.<sup>6</sup>

## **NEW LEGISLATION**

The Partnership calls on Congress to pass S.150, the Assault Weapons Ban of 2013, introduced by Senator Dianne Feinstein (D-CA) in the U.S. Senate, and the companion bill, H.R.437, introduced by Representative Carolyn McCarthy (D-NY) in the House of Representatives. The legislation bans the sale, transfer, manufacture and importation of:

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<sup>2</sup> International Association of Chiefs of Police (IACP), *Taking a Stand: Reducing Gun Violence in Our Communities*, Sept. 2007 (<http://www.theiacp.org/PublicationsGuides/TopicalIndex/tabid/216/Default.aspx?id=893&v=1>).

<sup>3</sup> Koper, Christopher S., "An Updated Assessment of the Federal Assault Weapons Ban," National Institute of Justice, U.S. Department of Justice, June 2004 (<https://www.ncjrs.gov/pdffiles1/nij/grants/204431.pdf>).

<sup>4</sup> Koper, Christopher S., "An Updated Assessment of the Federal Assault Weapons Ban: Impacts on Gun Markets and Gun Violence, 1994-2003" ([http://www.sas.upenn.edu/jerrylee/research/aw\\_final2004.pdf](http://www.sas.upenn.edu/jerrylee/research/aw_final2004.pdf)).

<sup>5</sup> Fallis, David S. and Grimaldi, James V., "In Virginia, High-Yield Clip Seizures Rise," *Washington Post*, January 23, 2011 (<http://www.washingtonpost.com/wp-dyn/content/article/2011/01/22/AR2011012204046.html>).

<sup>6</sup> Police Executive Research Forum, *Guns and Crime: Breaking New Ground By Focusing on the Local Impact*, May 2010 ([policeforum.org/library/critical-issues-in-policing.../GunsandCrime.pdf](http://policeforum.org/library/critical-issues-in-policing.../GunsandCrime.pdf)).

- New semiautomatic rifles that can accept a detachable magazine and have at least one military feature, such as pistol grip; forward grip; folding, telescoping, or detachable stock; grenade launcher or rocket launcher; barrel shroud; or threaded barrel.
- New semiautomatic pistols that can accept a detachable magazine and have at least one military feature, including threaded barrel; second pistol grip; barrel shroud; capacity to accept a detachable magazine at some location outside of the pistol grip; or semiautomatic version of an automatic firearm.
- New semiautomatic shotguns that have a folding, telescoping, or detachable stock; pistol grip; fixed magazine with the capacity to accept more than five rounds; ability to accept a detachable magazine; forward grip; grenade launcher or rocket launcher; or shotgun with a revolving cylinder.
- New high-capacity ammunition feeding devices that have the capacity to hold more than ten rounds of ammunition that come in many forms, including a magazine, belt, drum, or feed strip.

The 2013 Assault Weapons Ban excludes any weapon that is lawfully possessed when the bill is enacted; any firearm manually operated by a bolt, pump, lever or slide action; assault weapons used by military, law enforcement, and retired law enforcement; and antique weapons. It also excludes 2,258 legitimate hunting and sporting rifles and shotguns by specific make and model.

Additionally, the new legislation strengthens the provisions of the expired 1994 law by banning dangerous devices designed to circumvent the law, including bump or slide fire stocks, which are modified stocks that enable semi-automatic weapons to fire at rates similar to fully automatic machine guns; “bullet buttons” that allow rapid replacement of ammunition magazines, frequently used as a workaround to prohibitions on detachable magazines; and thumbhole stocks, a type of stock that was created as a workaround to avoid prohibitions on pistol grips.

The 2013 Assault Weapons Ban addresses the millions of assault weapons and large-capacity magazines currently in existence by requiring a background check on all sales or transfers of grandfathered assault weapons and prohibiting the sale or transfer of high-capacity ammunition feeding devices lawfully possessed on the date of enactment of the bill.

## **OUTLAWING ASSAULT WEAPONS AND HIGH-CAPACITY MAGAZINES DOES NOT INFRINGE ON THE SECOND AMENDMENT**

The Assault Weapons Ban would affect only a particularly dangerous class of weapons, and law-abiding citizens will continue to be able to choose from and acquire the vast array of firearm models on the market. In the 2008 case of *District of Columbia v. Heller*, the United States Supreme Court ruled that the Second Amendment protects an individual’s right to possess a firearm. The ruling, however, recognized that “like most rights, the right secured by the Second Amendment is not unlimited,” and listed several categories of restrictions that are presumptively constitutional, such as: laws prohibiting convicted felons or the mentally ill from possessing firearms; laws prohibiting the carrying of firearms in government buildings or schools; laws prohibiting possession of “dangerous and unusual” weapons that are not “in common use at the time.”<sup>7</sup>

## **EXAMPLES OF THE DEVASTATION CAUSED BY ASSAULT WEAPONS AND HIGH-CAPACITY AMMUNITION MAGAZINES**

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<sup>7</sup> *District of Columbia v. Heller*, 554 U.S. 570 (2008).

- In Newtown, CT, on December 14, 2012, Adam Lanza allegedly shot and killed 26 people, including 20 first-grade children, at Sandy Hook Elementary School with an assault weapon and multiple 30-round magazines.
- On August 5, 2012, in Oak Creek, WI, Wade Michael Page killed six people and wounded three others at a Sikh temple with a semiautomatic handgun and three 19-round magazines.
- In Aurora, CO, on July 20, 2012, James Holmes allegedly shot and killed 12 people and injured 58 others at a movie theater. Holmes allegedly used two semiautomatic handguns, a shotgun and an assault weapon equipped with a 100-round drum magazine.
- On January 8, 2011, Jared Loughner shot and killed six people and wounded 13 others in Tucson, AZ, including U.S. Representative Gabrielle Giffords. Loughner fired all 33 rounds from a semiautomatic handgun with a 33-round magazine before being tackled while trying to reload another magazine.
- In Fort Hood, TX, on November 5, 2009, Major Nidal Hasan allegedly shot and killed 13 people and wounded 34 others during a rampage at the Fort Hood military installation. He allegedly used a semiautomatic handgun and 20- and 30-round magazines.
- On April 3, 2009, Jiverly Wong shot and killed 13 people and injured four others at the American Civic Association in Binghamton, NY, firing 99 rounds from two semiautomatic handguns. A 30-round capacity magazine was found at the scene.

## **AMERICANS SUPPORT FOR A BAN ON ASSAULT WEAPONS AND HIGH-CAPACITY AMMUNITION MAGAZINES**

- In a December 2012 poll, 81 percent of registered voters – including 71 percent of gun owners – supported renewing the federal ban on assault weapons.<sup>8</sup>
- In the same December 2012 poll, 72 percent of voters, including 59 percent of gun owners, supported a ban on the sale of high-capacity magazines.<sup>9</sup>
- In a Johns Hopkins University Bloomberg School of Public Health survey, 69 percent of respondents supported a ban on the sale of military-style assault rifles.<sup>10</sup>
- In a January 2013 Washington Post-ABC poll, 58 percent of Americans said they supported a nationwide ban on the sale of assault weapons.<sup>11</sup>

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<sup>8</sup> Douglas E. Schoen, “National Gun Survey,” January 2013 ([http://libcloud.s3.amazonaws.com/9/13/a/1088/schoen\\_summary\\_memo\\_-3.pdf](http://libcloud.s3.amazonaws.com/9/13/a/1088/schoen_summary_memo_-3.pdf)).

<sup>9</sup> Douglas E. Schoen, “National Gun Survey,” January 2013 ([http://libcloud.s3.amazonaws.com/9/13/a/1088/schoen\\_summary\\_memo\\_-3.pdf](http://libcloud.s3.amazonaws.com/9/13/a/1088/schoen_summary_memo_-3.pdf)).

<sup>10</sup> Johns Hopkins Bloomberg School of Public Health Survey, “Majority of Americans Support Dozens of Policies to Strengthen U.S. Gun Laws,” Jan. 28, 2013 (<http://www.jhsph.edu/news/news-releases/2013/Barry-Majority-of-Americans-Support-Policies-to-Strengthen-Gun-Laws.html>).

<sup>11</sup> ABC News/Washington Post Poll, “On Eve of Newtown Recommendations, Most Back New Gun Control Measures, Jan. 14, 2013 (<http://www.langerresearch.com/uploads/1146a1GunControl.pdf>).



# **Exhibit 25**



DEPARTMENT OF THE TREASURY  
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS  
WASHINGTON, D.C. 20226

JUL 06 1989

MEMORANDUM TO: Director

FROM: Associate Director (Compliance Operations)

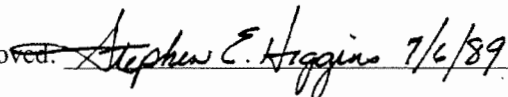
SUBJECT: Report and Recommendation on the  
Importability of Certain Semiautomatic Rifles

The working group has completed its evaluation of the semiautomatic rifles whose importation was suspended pending a determination as to whether these weapons are, as required by 18 U.S.C. § 925(d)(3), of a type "generally recognized as particularly suitable for or readily adaptable to sporting purposes".

Attached for your review and approval is the report and recommendation on the importability of these rifles.

  
Daniel Black

Attachment

Approved:  7/6/89

Disapprove: \_\_\_\_\_

**REPORT AND RECOMMENDATION OF THE ATF WORKING GROUP  
ON THE IMPORTABILITY OF CERTAIN  
SEMIAUTOMATIC RIFLES**

**SUSPENSION OF ASSAULT-TYPE RIFLE IMPORTATIONS**

On March 14, 1989, ATF announced that it was suspending, effective immediately, the importation of several makes of assault-type rifles, pending a decision as to whether these weapons meet the statutory test that they are of a type generally recognized as particularly suitable for or readily adaptable to sporting purposes. The announcement stated that ATF would not approve, until further notice, the importation of AKS-type weapons, Uzi carbines, FN/FAL-type weapons, FN/FNC-type weapons and Steyr Aug semiautomatic weapons. On April 5, 1989, the suspension was expanded to include all similar assault-type rifles.

For purposes of this suspension, assault-type rifles were rifles which generally met the following criteria:

- a. military appearance
- b. large magazine capacity
- c. semiautomatic version of a machinegun

Based on these criteria, ATF suspended action on pending applications and suspended outstanding permits covering certain firearms listed in Attachment 1. These included both centerfire and .22 rimfire caliber firearms. At that time, ATF indicated that the reexamination of these weapons would take approximately 90 days.

This ATF working group was established to conduct the reevaluation of the importability of these semiautomatic rifles. This report represents the findings and recommendations of the working group.

**BACKGROUND**

Section 925(d)(3) of Title 18, United States Code, as amended, provides in pertinent part that:

The Secretary shall authorize a firearm . . .to be imported or brought into the United States . . . if the firearm . . .

(3) is of a type that does not fall within the definition of a firearm as defined in section 5845(a) of the Internal Revenue Code of 1954 and is generally recognized as particularly suitable for or readily

adaptable to sporting purposes, excluding surplus  
military firearms. . .

This provision was originally enacted by Title IV of the Omnibus Crime Control and Safe Streets Act of 1968, and was also contained in Title I of the Gun Control Act of 1968, which amended Title IV later that year. According to the Senate Report on Title IV, this provision was intended to “curb the flow of surplus military weapons and other firearms being brought into the United States which are not particularly suitable for target shooting or hunting.” S. Rep. No. 1097, 90th Cong. 2d Sess. 80, 1968 U.S. Code Cong. and Admin. News 2112, 2167.

Moreover, there is legislative history which indicates that Congress intended the standard to allow the importation of traditional sporting rifles, while excluding military-type rifles. The Senate Report on the Gun Control Act observed that the importation standards “. . . are designed and intended to provide for the importation of quality made, sporting firearms, including . . . rifles such as those manufactured and imported by Browning and other such manufacturers and importers of firearms.” S. Rep. No. 1501, 90th Cong. 2d Sess. 38 (1968). Significantly, the rifles being imported by Browning at that time were semiautomatic and manually operated traditional sporting rifles of high quality.<sup>1</sup>

An explanation of the effect of this section by one of the sponsors of the bill specifically stated that military firearms would not meet the “sporting purposes” test for importation. The mere fact that a military firearm may be used in a sporting event does not make it importable as a sporting firearm<sup>2</sup>.

There is a reference in the Senate Report on Title IV which notes that the importation prohibition “. . . would not interfere with the bringing in of currently produced firearms, such as rifles . . . of recognized quality which are used for hunting and for recreational purposes, or for personal protection.” S. Rep. No. 1097, 90th Cong. 2d Sess. 80, 1968 U.S. Code Cong. and Admin. News 2112, 2167. However, this language is not inconsistent with the expressed purpose of restricting importation to firearms particularly suitable for target shooting or hunting since firearms particularly suitable for those purposes can obviously be used for other purposes such as recreational shooting and personal protection.

The determination of a weapon’s suitability for sporting purposes “rest[s] directly with the Secretary of the Treasury.” 114 Cong. Rec. 27465 (1968) (Statement of Sen. Murphy). While the legislative history suggests that the term “sporting purposes” refers to the traditional sports of target shooting, trap and skeet shooting, and hunting, the statute itself provides no criteria beyond the “generally recognized” language of section 925(d)(3). S. Rep. No. 1097, 90th Cong. 2d Sess. 80, 1968 U.S. Code Cong. and Admin. News 2167. The Senate Report on the Gun Control Act stated:

The difficulty of defining weapons characteristics to meet this target [of eliminating importation of weapons used in crime] without discriminating against sporting quality firearms, was a major reason why the Secretary of the Treasury has been given fairly broad discretion in defining and administering the import prohibition.

S. Rep. No. 1501, 90th Cong. 2d Sess. 38 (1968).

Following enactment of the Gun Control Act in 1968, the Secretary established a Firearms Evaluation Panel to provide guidelines for implementation of the “sporting purposes” test of section 925(d)(3). This panel was composed of representatives from the military, law enforcement, and the firearms industry. The panel focused its attention on handguns and recommended the adoption of factoring criteria to evaluate the various types of handguns. These factoring criteria are based upon such considerations as overall length of the firearm, caliber, safety features, and frame construction. An evaluation sheet (ATF Form 4590) was developed thereafter by ATF and put into use for evaluating handguns pursuant to section 925(d)(3). Attachment 2.

The 1968 Firearms Evaluation Panel did not propose criteria for evaluating rifles and shotguns under section 925(d)(3). Other than surplus military firearms which Congress addressed separately, long guns being imported prior to 1968 were generally conventional rifles and shotguns specifically intended for sporting purposes. Thus, in 1968, there was no cause to develop criteria for evaluating the sporting purposes of rifles and shotguns. Until recently, all rifles and shotguns were approved for importation so long as they were not otherwise excluded by section 925(d)(3). Only rifles and shotguns covered by the National Firearms Act (NFA), 26 U.S.C. S 5845(a) (for example, machineguns and short-barreled rifles and short-barreled shotguns), and surplus military rifles and shotguns had been denied importation.

The Firearms Evaluation Panel did briefly comment on whether a model BM59 Beretta, 7.62mm NATO Caliber Sporter Version Rifle was suitable for sporting purposes. Minutes of the Firearms Advisory Panel, December 10, 1968. Attachment 3. It was the consensus of the Panel that this rifle did have a particular use in target shooting and hunting. Accordingly, it was recommended that importation of the Beretta BM59, together with the SIG-AMT 7.62mm NATO Caliber Sporting Rifle and the Cetme 7.62mm NATO Caliber Sporting Rifle, be authorized for importation. (The Beretta BM59 and the Cetme, the predecessor to the HK91, are two of the rifles whose importation has been suspended. The SIG-AMT is no longer being produced.) However, the Panel recommended that importation of these weapons should include the restriction that they not possess combination flash suppressors/grenade launchers.

The working group found the Panel’s consideration of these rifles to be superficial and unpersuasive. The vast majority of the work of the 1968 Panel was devoted to handguns and the establishment of the factoring criteria for the importation of handguns. Indeed, we found compelling evidence that these rifles are not generally recognized as particularly suitable for sporting purposes.

The first time that ATF looked beyond the restrictions on NFA and surplus military rifles and shotguns and undertook a meaningful analysis under the “sporting purposes” test was in 1984. At that time, ATF was faced with a new breed of imported shotgun. It was clear that the historical assumption that all shotguns were sporting was no longer viable. Specifically, ATF was asked to determine whether the Striker-12 shotgun was suitable for sporting purposes. This shotgun is a military/law enforcement weapon initially designed and manufactured in South Africa for riot control. When the importer was asked to provide evidence of sporting purposes for the weapon, ATF was provided information that the weapon was suitable for police/combat style competitions. ATF determined that this type of competition did not constitute “sporting purposes” under the statute, and that this shotgun was not suitable for traditional sporting purposes, such as hunting, and trap and skeet shooting. Accordingly, importation was denied. Attachment 4.

Thereafter, in 1986, the Gilbert Equipment Company requested that the USAS-12 shotgun be classified as a sporting firearm under section 925(d)(3). After examination and testing of the weapon, ATF found that it was a semiautomatic version of a selective fire military-type assault shotgun. In this case, ATF determined that, due to its weight, size, bulk, designed magazine capacity, configuration, and other factors, the USAS-12 was not particularly suitable for or readily adaptable to sporting purposes. Again, ATF refused to recognize police/combat competitions as a sporting purpose under section 925(d)(3). The shotgun was reviewed on the basis of its suitability for traditional shotgun sports of hunting, and trap and skeet shooting and its importation was denied. Attachment 5. This decision was upheld by the United States District Court in Gilbert Equipment Company, Inc. v. Higgins, 709 F. Supp. 1071 (S.D. Ala. 1989). The case is currently on appeal to the Eleventh Circuit.

These two cases involving shotguns represent ATF's first thorough examination of the suitability of certain combat-type weapons for sporting purposes. In these cases ATF adopted an interpretation of sporting as being limited to certain traditional sports and not simply any lawful activity in which the weapons might be employed.

### ANALYSIS

#### A. Defining the type of weapon under review.

As noted above, section 925(d)(3) expressly provides that the Secretary shall authorize the importation of a firearm that is of a type that is generally recognized as particularly suitable for sporting purposes. The legislative history also makes it clear that the Secretary shall scrutinize types of firearms in exercising his authority under section 925(d). Specifically, in its explanation of section 925(d)(3), the Senate Report on the Gun Control Act stated:

This subsection gives the Secretary authority to permit the importation of ammunition and certain types of firearms--(1) those imported for scientific or research purposes or for use in competition or training under chapter 401 of title 10 of the United States Code; (2) an unserviceable firearm other than a machinegun; (3) those firearms not coming within the purview of the National Firearms Act (26 U.S.C. 5801, et seq.) and suitable for sporting purposes (in the case of surplus military weapons this type is limited to shotguns and rifles) and those taken out of the United States. (Emphasis added.)

S. Rep. No. 1501, 90th Cong. 2d Sess. 38 (1968).

In light of the statutory mandate that types of firearms be scrutinized, the working group first attempted to determine whether the semiautomatic rifles suspended from importation fall within a type of firearm.

The working group determined that the semiautomatic rifles in question are generally semiautomatic versions of true selective fire military assault rifles.<sup>3</sup> As a class or type of firearm they are often referred to as "assault rifles," "assault-type rifles," "military style rifles," or "paramilitary rifles."<sup>4</sup> Since we are only concerned with semiautomatic rifles, it is somewhat of a misnomer to refer to these weapons as "assault rifles." True assault rifles are selective fire

weapons that will fire in a fully automatic mode.<sup>5</sup> For the purposes of this paper, it was necessary to settle on one term that best describes the weapons under consideration, and we will refer to these weapons as “semiautomatic assault rifles.” They represent a distinctive type of rifle distinguished by certain general characteristics which are common to the modern military assault rifle. The modern military assault rifle, such as the U.S. M16, German G3, Belgian FN/FAL, and Soviet AK47, is a weapon designed for killing or disabling the enemy and, as described below, has characteristics designed to accomplish this purpose.

We found that the modern military assault rifle contains a variety of physical features and characteristics designed for military applications which distinguishes it from traditional sporting rifles.<sup>6</sup> These military features and characteristics (other than selective fire) are carried over to the semiautomatic versions of the original military rifle. These features and characteristics are as follows:

1. Military Configuration.

- a. Ability to accept a detachable magazine. Virtually all modern military firearms are designed to accept large, detachable magazines.<sup>7</sup> This provides the soldier with a fairly large ammunition supply and the ability to rapidly reload. Thus, large capacity magazines are indicative of military firearms. While detachable magazines are not limited to military firearms, most traditional semiautomatic sporting firearms, designed to accommodate a detachable magazine, have a relatively small magazine capacity. In addition, some States have a limit on the magazine capacity allowed for hunting, usually 8 rounds or less.<sup>8</sup> That a firearm is designed and sold with a large capacity magazine, e.g., 20-30 rounds, is a factor to be considered in determining whether a firearm is a semiautomatic assault rifle.
- b. Folding/telescoping stocks. Many military firearms incorporate folding or telescoping stocks.<sup>9</sup> The main advantage of this item is portability, especially for airborne troops. These stocks allow the firearm to be fired from the folded position, yet it cannot be fired nearly as accurately as with an open stock. With respect to possible sporting uses of this feature, the folding stock makes it easier to carry the firearm when hiking or backpacking. However, its predominant advantage is for military purposes, and it is normally not found on the traditional sporting rifle.
- c. Pistol grips. The vast majority of military firearms employ a well-defined pistol grip that protrudes conspicuously beneath the action of the weapon.<sup>10</sup> In most cases, the “straight line design” of the military weapon dictates a grip of this type so that the shooter can hold and fire the weapon. Further, a pistol grip can be an aid in one-handed firing of the weapon in a combat situation. Further, such grips were designed to assist in controlling machineguns during automatic fire. On the other hand, the vast majority of sporting firearms employ a more traditional pistol grip built into the wrist of the stock of the firearm since one-handed shooting is not usually employed in hunting or competitive target competitions.
- d. Ability to accept a bayonet. A bayonet has distinct military purposes.<sup>11</sup> First, it has a psychological affect on the enemy. Second, it enables soldiers to fight in close quarters

with a knife attached to their rifles. We know of no traditional sporting application for a bayonet.

- e. Flash suppressor. A flash suppressor generally serves one or two functions. First, in military firearms it disperses the muzzle flash when the firearm is fired to help conceal the shooter's position, especially at night. A second purpose of some flash suppressors is to assist in controlling the "muzzle climb" of the rifle, particularly when fired fully automatic.<sup>12</sup> From the standpoint of a traditional sporting firearm, there is no particular benefit in suppressing muzzle flash. Those flash suppressors which also serve to dampen "muzzle climb" have a limited benefit in sporting uses by allowing the shooter to reacquire the target for a second shot. However, the barrel of a sporting rifle can be modified by "magna-porting" to achieve the same result. There are also muzzle attachments for sporting firearms to assist in the reduction of muzzle climb. In the case of military-style weapons that have flash suppressors incorporated in their design, the mere removal of the flash suppressor may have an adverse impact on the accuracy of the firearm.
- f. Bipods. The majority of military firearms have bipods as an integral part of the firearm or contain specific mounting points to which bipods may be attached.<sup>13</sup> The military utility of the bipod is primarily to provide stability and support for the weapon when fired from the prone position, especially when fired fully automatic. Bipods are available accessory items for sporting rifles and are used primarily in long-range shooting to enhance stability. However, traditional sporting rifles do not come equipped with bipods, nor are they specifically designed to accommodate them. Instead, bipods for sporting firearms are generally designed to attach to a detachable "sling swivel mount" or simply clamp onto the firearm.
- g. Grenade launcher. Grenade launchers are incorporated in the majority of military firearms as a device to facilitate the launching of explosive grenades.<sup>14</sup> Such launchers are generally of two types. The first type is a flash suppressor designed to function as a grenade launcher. The second type attaches to the barrel of the rifle either by screws or clamps. We are not aware of any particular sporting use for grenade launchers.
- h. Night sights. Many military firearms are equipped with luminous sights to facilitate sight alignment and target acquisition in poor light or darkness.<sup>15</sup> Their uses are generally for military and law enforcement purposes and are not usually found on sporting firearms since it is generally illegal to hunt at night.

2. Whether the weapon is a semiautomatic version of a machinegun.

The vast majority of modern military firearms are selective fire, *i.e.*, they can shoot either fully automatic or semiautomatic. Since machineguns are prohibited from importation (except for law enforcement use) the manufacturers of such weapons have developed semiautomatic versions of these firearms.<sup>16</sup>

3. Whether the rifle is chambered to accept a centerfire cartridge case having a length of 2.25 inches or less.



Modern military assault rifles and submachineguns are generally chambered to accept a centerfire cartridge case of 2.25 inches or less.<sup>17</sup> On the other hand, while many traditional sporting rifles will fire a cartridge of 2.25 inches or less, such firearms usually do not have the other military features outlined in Items 1a-h.

These features and characteristics are not usually found on traditional sporting firearms.<sup>18</sup> This is not to say that a particular rifle having one or more of the listed features should necessarily be classified as a semiautomatic assault rifle. Indeed, many traditional sporting firearms are . semiautomatic or have detachable magazines. Thus, the criteria must be viewed in total to determine whether the overall configuration places the rifle fairly within the semiautomatic assault rifle category.

Using these criteria, we determined that, on balance, all of the firearms on the original suspension list are properly included in the semiautomatic assault rifle category, with the exception of the .22 rimfire caliber rifles and the Valmet Hunter. While the .22 rimfire caliber rifles bear a striking resemblance to the true assault rifle, these rifles employ, by and large, conventional .22 rimfire caliber semiautomatic mechanisms.<sup>19</sup> Moreover, they are not semiautomatic versions of a machinegun and contain only a few of the other relevant characteristics. Further, the working group determined that, in general, .22 caliber rifles are generally recognized as suitable for small game hunting. The Valmet Hunter, while based on the operating mechanism of the AK47 assault rifle, has been substantially changed so that it is now akin to a traditional sporting rifle and does not properly fall within the semiautomatic assault rifle category. More specifically, its receiver has been modified and its pistol grips, bayonet, and flash suppressor have been removed. The trigger mechanism has been moved to the rear of the modified receiver to facilitate its use with a traditional sporting stock. Also, its military-style sights have been replaced with traditional sporting-style sights. See Attachment 6.

#### B. Scope of “Sporting Purposes”.

The second step of our process was to determine the scope of “sporting purposes” as used in the statute. This is a critical aspect of the process. The broadest interpretation could take in virtually any lawful activity or competition which any person or groups of persons might undertake. Under this interpretation, any rifle could meet the “sporting purposes” test. A narrower interpretation which focuses on the traditional sports of hunting and organized marksmanship competition would result in a more selective importation process.<sup>20</sup>

To determine the proper interpretation, we consulted the statute itself, its legislative history, applicable case law, the work of the original Firearms Evaluation Panel, and prior interpretations by ATF. In terms of the statute itself, the structure of the importation provisions would suggest a somewhat narrow interpretation. In this regard, firearms are prohibited from importation (section 922(1)) with certain specific exceptions (section 925(d)(3)). A broad interpretation which permits virtually any firearm to be imported because someone may wish to use it in some lawful shooting activity would render the statute meaningless.

As discussed earlier, the legislative history suggests a narrow meaning and indicates that the term “sporting purposes” refers to the traditional sports of target shooting, skeet and trap shooting, and hunting. Moreover, the history discussed earlier strongly suggests that Congress intended the provision to allow the importation of traditional sporting type rifles while excluding military type rifles. There is nothing in its history to indicate that it was intended to recognize every conceivable

type of activity or competition which might employ a firearm. To the contrary, the history indicates that mere use in some competition would not make the rifle a sporting rifle.

Finally, the 1968 Firearms Evaluation Panel specifically addressed at least one informal shooting activity and determined that it was not a legitimate sporting purpose under the statute. The panel addressed what is commonly referred to as “plinking” (shooting at randomly selected targets such as bottles and cans). It was the Panel’s view that “while many persons participated in this type of activity and much ammunition was expended in such endeavors, it was primarily a pastime and could not be considered a sport for the purposes of importation. . .” See Attachment 3.

Based on the above, the working group determined that the term “sporting purpose” should properly be given a narrow reading. It was determined that while hunting has been a recognized rifle sport for centuries, and competitive target shooting is a recognized rifle sport, the so-called activity of plinking is not a recognized sport. Moreover, we believe that reference to sporting purposes was intended also to stand in contrast to military and law enforcement applications. Consequently, the working group does not

believe that police/combat-type competitions should be treated as sporting activities. This position is supported by the court’s decision in Gilbert Equipment Company, Inc., v Higgins, 709 F. Supp. 1071 (S.D. Ala. 1989) and is consistent with prior interpretations of ATF as noted on pages 4 and 5 in discussing the Striker-12 shotgun and USAS-12 shotgun.

### C. Suitability.

The final step in our review involved an evaluation of whether semiautomatic assault rifles are a type of rifle generally recognized as particularly suitable for or readily adaptable to the traditional sporting applications discussed above.

The criminal misuse of semiautomatic assault rifles is a matter of significant public concern and was an important factor in the decision to suspend their importation. Nevertheless, the working group did not consider criminal misuse as a factor in its analysis of the importability of this type of rifle. Instead, the working group confined its analysis to the question of whether this type of rifle meets the test provided in section 925(d)(3).

Rather than criminal misuse, our comprehensive examination of this issue focused on the legal analysis and technical assessment of these firearms discussed earlier. In addition, the working group used the information gathered under Items 1-7 outlined in the next section in determining whether this type of firearm is generally recognized as particularly suitable for sporting purposes. These items take into account technical and marketing data, expert opinions, the recommended uses of the firearms, and data on the actual uses for which the weapons are employed in this country.

In evaluating these firearms, we believe that all rifles which are fairly typed as semiautomatic assault rifles should be treated the same. Therefore, the fact that there may be some evidence that a particular rifle of this type is used or recommended for sporting purposes should not control its importability.<sup>21</sup> Rather, all findings as to suitability of these rifles as a whole should govern each rifle within this type.

This is consistent with the approach taken with respect to handguns since 1968. Although certain handguns may be used or recommended for sporting purposes, they may fall within the type of easily concealable handguns barred from importation by the administrative factoring criteria used by ATF to determine the importability of handguns. Furthermore, a pistol specifically designed for target shooting, but lacking a safety as required by the factoring criteria, would be a type of handgun prohibited from importation as not particularly suitable for sporting purposes for this reason. Finally, just as ATF allows handguns to be modified so as to meet the factoring criteria, a semiautomatic assault rifle could be modified into a sporting configuration and be importable, as was done in the case of the Valmet Hunter referred to earlier.

D. Evaluation of Information from Outside Sources

As part of our comprehensive analysis as to whether semiautomatic assault rifles meet the statutory criteria for importation, the following sources of information were also considered:

1. How has the weapon been advertised, marketed and categorized by the manufacturer and/or importer?
2. How has the use of the rifle been described by firearms technical writers?
3. What is the rifle's reported use by importers?
4. Do hunting guides recommend the rifle?
5. Do editors of hunting magazines recommend the rifle?
6. Is the rifle used in target shooting competitions?
7. Do State game commissions allow the use of the rifle to hunt?

Items 1-6 focus upon how the rifles are marketed, advertised, and recommended for use. Item 7 addresses the legal restrictions pertaining to the use of the weapons for sporting purposes.

The working group reviewed the advertising and marketing literature concerning each of the weapons (Item 1) and reviewed evaluations of the firearms by technical writers (Item 2). In addition, the working group solicited information from the importers of the weapons and other knowledgeable sources (Items 3-6).

Questionnaires were drafted and sent out to licensed hunting guides, State game and fish commissions, local hunting associations, competitive shooting groups, and hunting/shooting magazine editors to determine the extent to which the weapons are used for sporting purposes or recommended for such use. The working group believed that the actual uses of the weapons for sporting purposes would be a factor to be considered in determining whether this type of rifle meets the sporting purposes test.

The review of advertising and marketing literature indicates that these rifles are not generally marketed for hunting or competitive shooting. The review of the technical evaluations revealed that these rifles are not regarded as suitable for these sporting activities.<sup>22</sup>

To the extent that the technical evaluations made recommendations with respect to the use of the rifles suspended from importation, the majority recommended them for law enforcement or military use or for activities such as collecting, plinking, home and self-defense, and combat target shooting. Only 5 of over 50 evaluations reviewed contained recommendations for the use of these firearms for hunting purposes.

The importers were asked to submit information concerning the sporting uses of the semiautomatic rifles they import. Thirty-nine importers were asked to submit this information and 19 responded. In general, their comments were conclusory and stated that their weapons could be used for sporting purposes. A small number of importers, *e.g.*, Gun South, Inc., and Heckler & Koch, Inc., provided more specific data showing the sporting uses made of their firearms by their customers.

Of 3 hunting associations to whom questionnaires were sent, 2 responded. They stated that they place no restrictions on the use of semiautomatic rifles by their members, on the minimum caliber of ammunition used to hunt large game, or on the number of rounds allowed in semiautomatic rifle magazines. However, over 1,800 hunting guides were sent questionnaires and, of these, 706 responded. Over 73 percent of those responding indicated that their patrons used either bolt or lever action rifles for hunting. Only 10 of the 706 guides indicated that their patrons had used any of the rifles whose importation had been temporarily suspended.

Of the 20 hunting/shooting editors to whom questionnaires were sent, 14 responded. Nine of the fourteen editors recommended semiautomatic rifles for use in hunting large game, including 5 who recommended use of any of the rifles subject to the temporary suspension. Eleven of the fourteen editors recommended semiautomatic rifles for target competitions, including 7 who recommended semiautomatic assault rifles for such use.

The recommendations of editors were contradictory. One editor pointed out that what made the assault rifle successful as a military weapon made the semiautomatic version totally unfit for any other use. On the other hand, another editor stated that semiautomatic rifles had certain advantages over conventional sporting rifles especially for the physically disabled and left-handed shooters. While this may be true, there appears to be no advantage to using a semiautomatic assault rifle as opposed to a semiautomatic sporting rifle.

A total of 54 competitive shooting groups were sent a questionnaire and 53 groups responded (some of the responses were from unsolicited groups). Fifty of these groups indicated that they sponsor high power rifle competition events. While none of the groups prohibited the use of the semiautomatic assault rifles in their competitions, none stated that any of the rifles covered by the temporary suspension were used in a specific event.

Finally, the information gathered under Item 7 reveals that most of these weapons could legally be used in most States for most hunting purposes.

The working group reviewed all of the information gathered under Items 1-6 and determined that while these weapons may legally be used for sporting purposes in most States, the evidence was compelling that, as a type of firearm, the semiautomatic assault rifle is not generally recognized as particularly suitable for sporting purposes. The working group found persuasive the technical and expert evaluations of these firearms which generally did not recommend them as particularly suitable for sporting purposes. The group was also impressed by the comments of the hunting guides which showed that these rifles were not widely used for hunting purposes. The comments of the hunting guides are consistent with the opinion of the technical experts who generally do not recommend the rifles for hunting purposes.

The opinions of the editors were fairly divided with respect to the sporting uses of these rifles. The importers generally recommended their own weapons for such uses. The competitive shooting groups indicated that the rifles could be used in certain shooting events. Thus, while there was some evidence that these rifles could be used for hunting and target shooting, there was no evidence of any widespread use for such purposes. The mere fact that they are not generally prohibited from use for sporting purposes does not mean that the rifles meet the test for importation.

### CONCLUSIONS

The working group has dealt with a complex issue, the resolution of which has required the group to take into account interpretations of law, technical assessments of firearms and their physical characteristics, marketing data, the assessment of data compiled from responses to questionnaires and, finally, Bureau expertise with respect to firearms. We fully recognize that particular findings as well as the results will be controversial.

From the cross section of representation within ATF, we have brought to bear our technical, legal, and administrative expertise to resolve the issues in what we believe to be a fair manner, taking into consideration all points of view. While some of the issues were difficult to resolve, in the end we believe that the ultimate conclusion is clear and compelling. These semiautomatic assault rifles were designed and intended to be particularly suitable for combat rather than sporting applications. While these weapons can be used, and indeed may be used by some, for hunting and target shooting, we believe it is clear that they are not generally recognized as particularly suitable for these purposes.

The purpose of section 925(d)(3) was to make a limited exception to the general prohibition on the importation of firearms, to preserve the sportsman's right to sporting firearms. This decision will in no way preclude the importation of true sporting firearms. It will only prevent the importation of military-style firearms which, although popular among some gun owners for collection, self-defense, combat competitions, or plinking, simply cannot be fairly characterized as sporting rifles.

Therefore, it is the finding of the working group that the semiautomatic assault rifle is not a type of firearm generally recognized as particularly suitable for or readily adaptable to sporting purposes and that importation of these rifles should not be authorized under 18 U.S.C. § 925(d)(3).

Based on our evaluation, we recommend that the firearms listed on Attachment 7 not be authorized for importation. For the reasons discussed in this report, we recommend that the firearms listed on Attachment 8 be authorized for importation. These are the .22 rimfire caliber rifles and the Valmet Hunter which we do not believe are properly included in the category of semiautomatic assault rifles. Attachment 9 is a compilation of the responses from the questionnaires. Attachment 10 combines the criteria for identifying semiautomatic assault rifles and the items considered in assessing suitability. Attachments 11 and 12 contain the data compiled for each of the criteria listed in Attachment 10. Finally, Attachment 13 contains the source materials used in locating persons and organizations who were sent questionnaires.

#### NOTES

1. Paul Wahl, ed., Gun Trader's Guide, 13th Edition, (South Hackensack, NJ. 1987), 155-162.
2. Although a firearm might be recognized as "suitable" for use in traditional sports, it would not meet the statutory criteria unless it were recognized as particularly suitable for such use. Indeed, Senator Dodd made clear that the intent of the legislation was to " [regulate] the importation of firearms by excluding surplus military handguns; and rifles and shotguns that are not truly suitable for sporting purposes." 114 Cong. Rec. 13325 (1968) (Statement of Sen. Dodd) [emphasis added].

Similarly, it is apparent that the drafters of the legislation did not intend for "sports" to include every conceivable type of activity or competition which might employ a firearm; otherwise a "sporting purpose" could be advanced for every firearm sought to be imported. For example, in response to Sen. Hansen's question concerning the meaning of "sporting purposes" in the bill which became section 925(d), Senators Dodd and Hansen engaged in the following colloquy:

Mr. HANSEN. Would the Olympic shooting competition be a "sporting purpose?"

Mr. DODD. I would think so.

Mr. HANSEN. What about trap and skeet shooting?

Mr. DODD. I would think so. I would think trap and skeet shooting would certainly be a sporting activity.

Mr. HANSEN. Would the Camp Perry national matches be considered a "sporting purpose?"

Mr. DODD. Yes: that would not [sic] fall in that arena. It should be described as a sporting purpose.

Mr. HANSEN. I understand the only difference is in the type of firearms used at Camp Perry which includes a wide variety of military types as well as commercial.

Would all of these firearms be classified as weapons constituting a “sporting purpose?”

Mr. DODD. No. I would not say so. I think when we get into that, we definitely get into military type of weapon for use in matches like these at Camp Perry; but I do not think it is generally described as a sporting weapon. It is a military weapon. I assume they have certain types of competition in which they use these military weapons as they would in an otherwise completely sporting event. I do not think that fact would change the nature of the weapon from a military to a sporting one.

Mr. HANSEN. Is it not true that military weapons are used in Olympic competition also?

Mr. DODD. I do not know. Perhaps the Senator can tell me. I am not well informed on that.

Mr. HANSEN. It is my understanding that they are. Would the Senator be inclined to modify his response if I say that is true? (27461)

Mr. DODD. It is not that I doubt the Senator’s word. Here again I would have to say that if a military weapon is used in a special sporting event, it does not become a sporting weapon. It is a military weapon used in a special sporting event. I think the Senator would agree with that. I do not know how else we could describe it.

Mr. HANSEN. If I understand the Senator correctly, he said that despite the fact that a military weapon may be used in a sporting event it did not, by that action become a sporting rifle Is that correct?

Mr. DODD. That would seem right to me ..... As I said previously the language says no firearms will be admitted into this country unless they are genuine sporting weapons..... I think the Senator and I know what a genuine sporting gun is.

114 Cong. Rec. 27461-62 (1968).(Emphasis added.)

3. Ken Warner, ed., Gun Digest 1989, (Northbrook, IL 1988), pp. 293-300; William S. Jarrett, ed., Shooter’s Bible, No. 80, (Hackensack, NJ. 1988), pp. 345-363; Edward Clinton Ezell, Small Arms of the World, (Harrisburg, Pa. 1983), p. 844; Pete Dickey, “The Military Look-Alikes,” American Rifleman, (April 1980), p. 31. Also, see generally, Ian V. Hogg, ed., Jane’s Infantry Weapons, 1987-88, (New York 1987); Jack Lewis, ed., The Gun Digest Book of Assault Weapons, (Northbrook, IL 1986).
4. Art Blatt, “Tomorrow’s State-of-the-Art Sporting Rifle,” Guns & Ammo, (July 1981), p. 48; Jarrett, pp. 345-363; Warner, pp. 293-300.
5. Daniel D. Musgrave and Thomas B. Nelson, The World’s Assault Rifles, (Virginia, 1967), p. 1.
6. See generally, Angus Laidlaw, ed., Paul Wahl’s Big Gun Catalog/1, (Bogota, NJ. 1988); Musgrave and Nelson; Hogg; Jarrett; and Warner.

7. Ibid.
8. Arizona, 5 rounds; Colorado, 6 rounds; Michigan 6 rounds; New Hampshire, 5 rounds; New York, 6 rounds; North Carolina, 6 rounds; North Dakota, 8 rounds; Oregon, 5 rounds; Pennsylvania, semiautomatic rifles prohibited; Vermont, 6 rounds.
9. See generally, Hogg; Musgrave and Nelson; Ezell; Warner; Jarrett; Laidlaw; and Lewis.
10. Ibid.
11. Ibid.
12. Ibid.
13. Ibid.
14. Ibid.
15. Ibid.
16. Ezell, p. 844; Dickey, p. 31.
17. Musgrave and Nelson, pp. 11-29; and, see generally, Hogg; and Ezell.
18. Ezell, pp.844-866; and, see generally, Warner; Jarrett; and Laidlaw.
19. See, for example, Walter Rickell, "The Plinker's AK Guns Magazine, (July 1986) p. 21; John Lachuk, "Bantam Battle Rifles," Guns & Ammo, (January 1987), p. 37; John Lachuk, ".22 Erma Carbine," Guns & Ammo, (May 1968), p. 58; Jack Lewis, "Something New: The AK in Twenty-Two," Gun World, (July 1985), p. 32; Roger Combs, "A Most Unique Carbine," Gun World, (December 1985), p. 28; Garry James, "Mitchell Arms AK-22," Guns & Ammo, (November 1985), p. 72.
20. See note 2, colloquy between Senators Dodd and Hansen.
21. Ibid.
22. See generally, bibliography.



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**NOTE:** This information was extracted from the document titled, “**Report and Recommendation of the ATF Working Group on the Importability of Certain Semiautomatic Rifles**”, published in a memorandum to the Director, Stephen E. Higgins from the Associate Director, Daniel R. Black and approved on July 6, 1989.

# **Exhibit 26**



DEPARTMENT OF  
THE TREASURY  
STUDY ON  
THE SPORTING  
SUITABILITY  
OF MODIFIED  
SEMI-AUTOMATIC  
ASSAULT RIFLES

APRIL 1998

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## EXECUTIVE SUMMARY

On November 14, 1997, the President and the Secretary of the Treasury ordered a review of the importation of certain modified versions of semiautomatic assault rifles into the United States.<sup>1</sup> The decision to conduct this review stemmed in part from concerns expressed by members of Congress and others that the rifles being imported were essentially the same as semiautomatic assault rifles previously determined to be nonimportable in a 1989 decision by the Bureau of Alcohol, Tobacco and Firearms (ATF). The decision also stemmed from the fact that nearly 10 years had passed since the last comprehensive review of the importation of rifles, and many new rifles had been developed during this time.

Under 18 U.S.C. section 925(d)(3), the Secretary shall approve applications for importation only when the firearms are generally recognized as particularly suitable for or readily adaptable to sporting purposes (the “sporting purposes test”). In 1989, ATF denied applications to import a series of semiautomatic versions of automatic-fire military assault rifles. When ATF examined these semiautomatic assault rifles, it found that the rifles, while no longer machineguns, still had a military configuration that was designed for killing and disabling the enemy and that distinguished the rifles from traditional sporting rifles. This distinctively military configuration served as the basis for ATF’s finding that the rifles were not considered sporting rifles under the statute.

The military configuration identified by ATF incorporated eight physical features: ability to accept a detachable magazine, folding/telescoping stocks, separate pistol grips, ability to accept a bayonet, flash suppressors, bipods, grenade launchers, and night sights. In 1989, ATF took the position that any of these military configuration features, other than the ability to accept a detachable magazine, would make a semiautomatic rifle not importable.

Subsequent to the 1989 decision, certain semiautomatic assault rifles that failed the 1989 sporting purposes test were modified to remove all of the military configuration features other than the ability to accept a detachable magazine. Significantly, most of these modified rifles not only still had the ability to accept a detachable magazine but, more specifically, still had the ability to accept a detachable large capacity magazine that

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<sup>1</sup> The President and the Secretary directed that all pending and future applications for importation of these rifles not be acted upon until completion of the review. They also ordered that outstanding permits for importation of the rifles be suspended for the duration of the review period. The existence of applications to import 1 million new rifles and outstanding permits for nearly 600,000 other rifles threatened to defeat the purpose of the expedited review unless the Department of the Treasury deferred action on additional applications and temporarily suspended the outstanding permits. (See exhibit 1 for a copy of the November 14, 1997, memorandum directing this review.)

The rifles that are the subject of this review are referred to in this report as “study rifles.”



was originally designed and produced for the military assault rifles from which they were derived. These magazines are referred to in this report as “large capacity military magazines.” Study rifles with the ability to accept such magazines are referred to in this report as “large capacity military magazine rifles,” or “LCMM rifles.” It appears that only one study rifle, the VEPR caliber .308 (an AK47 variant), is not an LCMM rifle. Based on the standard developed in 1989, these modified rifles were found to meet the sporting purposes test. Accordingly, the study rifles were approved for import into the United States.

These modified rifles are the subject of the present review. Like the rifles banned in 1989, the study rifles are semiautomatic rifles based on AK47, FN-FAL, HK91 and 93, Uzi, and SIG SG550 military assault rifles. While there are at least 59 specific model designations of the study rifles, they all fall within the basic designs listed above. There are at least 39 models based on the AK47 design, 8 on the FN-FAL design, 7 on the HK91 and 93 designs, 3 on the Uzi design, and 2 on the SIG SG550 design (see exhibit 2 for a list of the models). Illustrations of some of the study rifles are included in exhibit 3 of this report.

This review takes another look at the entire matter to determine whether the modified rifles approved for importation since 1989 are generally recognized as particularly suitable for or readily adaptable to sporting purposes.<sup>2</sup> We have explored the statutory history of the sporting purposes test and prior administrative and judicial interpretations; reexamined the basic tenets of the 1989 decision; analyzed the physical features of the study rifles, as well as information from a wide variety of sources relating to the rifles’ use and suitability for sporting purposes; and assessed changes in law that might have bearing on the treatment of the rifles.

This review has led us to conclude that the basic finding of the 1989 decision remains valid and that military-style semiautomatic rifles are not importable under the sporting purposes standard. Accordingly, we believe that the Department of the Treasury correctly has been denying the importation of rifles that had any of the distinctly military configuration features identified in 1989, other than the ability to accept a detachable magazine. Our review, however, did result in a finding that the ability to accept a detachable large capacity magazine originally designed and produced for a military assault weapon should be added to the list of disqualifying military configuration features identified in 1989.

Several important changes have occurred since 1989 that have led us to reevaluate the importance of this feature in the sporting purposes test. Most significantly, by passing the 1994 bans on semiautomatic assault weapons and large capacity ammunition feeding

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<sup>2</sup> The study was carried out by a working group composed of ATF and Treasury representatives. The working group’s activities and findings were overseen by a steering committee composed of ATF and Treasury officials.

devices, Congress sent a strong signal that firearms with the ability to expel large amounts of ammunition quickly are not sporting; rather, firearms with this ability have military purposes and are a crime problem. Specifically, Congress found that these magazines served “combat-functional ends” and were attractive to criminals because they “make it possible to fire a large number of rounds without reloading, then to reload quickly when those rounds are spent.”<sup>3</sup> Moreover, we did not find any evidence that the ability to accept a detachable large capacity military magazine serves any sporting purpose. Accordingly, we found that the ability to accept such a magazine is a critical factor in the sporting purposes test, which must be given the same weight as the other military configuration features identified in 1989.

In addition, the information we collected on the use and suitability of LCMM rifles for hunting and organized competitive target shooting demonstrated that the rifles are not especially suitable for sporting purposes. Although our review of this information indicated that, with certain exceptions, the LCMM rifles sometimes are used for hunting, their actual use in hunting is limited. There are even some general restrictions and prohibitions on the use of semiautomatic rifles for hunting game. Similarly, although the LCMM rifles usually may be used, with certain exceptions, and sometimes are used for organized competitive target shooting, their suitability for this activity is limited. In fact, there are some restrictions and prohibitions on their use.

Furthermore, the information we gathered demonstrated that the LCMM rifles are attractive to certain criminals. We identified specific examples of the LCMM rifles’ being used in violent crime and gun trafficking. In addition, we found some disturbing trends involving the LCMM rifles, including a rapid and continuing increase in crime gun trace requests after 1991 and a rapid “time to crime.” Their ability to accept large capacity military magazines likely plays a role in their appeal to these criminals.

After weighing all the information collected, we found that the LCMM rifles are not generally recognized as particularly suitable for or readily adaptable to sporting purposes and are therefore not importable. However, this decision will in no way preclude the importation of true sporting firearms.

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<sup>3</sup> H. Rep. No. 103-489, at 18-19.

## BACKGROUND

### Importation of Firearms Under the Gun Control Act

The Gun Control Act of 1968 (GCA)<sup>4</sup> generally prohibits the importation of firearms into the United States.<sup>5</sup> However, the GCA creates four narrow categories of firearms that the Secretary of the Treasury shall authorize for importation. The category that is relevant to this study is found at 18 U.S.C. section 925(d)(3).

The Secretary shall authorize a firearm . . . to be imported or brought into the United States . . . if the firearm . . .

(3) is of a type that does not fall within the definition of a firearm as defined in section 5845(a) of the Internal Revenue Code of 1954 and **is generally recognized as particularly suitable for or readily adaptable to sporting purposes**, excluding surplus military firearms, except in any case where the Secretary has not authorized the importation of the firearm pursuant to this paragraph, it shall be unlawful to import any frame, receiver, or barrel of such firearm which would be prohibited if assembled. (Emphasis added)

This provision originally was enacted, in a slightly different form, by Title IV of the Omnibus Crime Control and Safe Streets Act of 1968<sup>6</sup> and also was contained in Title I of the GCA, which amended Title IV later that year.

The GCA was enacted in large part "to assist law enforcement authorities in the States and their subdivisions in combating the increasing prevalence of crime in the United States." However, the Senate Report to the act also made clear that Congress did not intend the GCA to place any undue or unnecessary restrictions or burdens on responsible, law-abiding citizens with respect to acquiring, possessing, transporting, or using firearms for lawful activities.<sup>7</sup>

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<sup>4</sup> Pub. L. No. 90-618.

<sup>5</sup> 18 U.S.C. section 922(l).

<sup>6</sup> Pub. L. No. 90-351.

<sup>7</sup> S. Rep. No. 1501, 90<sup>th</sup> Cong. 2d Sess. 22 (1968).

Consistent with this general approach, legislative history indicates that Congress intended the importation standard provided in section 925(d)(3) to exclude military-type weapons from importation to prevent such weapons from being used in crime, while allowing the importation of high-quality sporting rifles. According to the Senate Report, section 925(d)(3) was intended to "curb the flow of surplus military weapons and other firearms being brought into the United States which are not particularly suitable for target shooting or hunting."<sup>8</sup> The report goes on to explain that "[t]he importation of certain foreign-made and military surplus nonsporting firearms has an important bearing on the problem which this title is designed to alleviate [crime]. Thus, the import provisions of this title seem entirely justified."<sup>9</sup> Indeed, during debate on the bill, Senator Dodd, the sponsor of the legislation, stated that "Title IV prohibits importation of arms which the Secretary determines are not suitable for . . . sport . . . . The entire intent of the importation section is to get those kinds of weapons that are used by criminals and have no sporting purpose."<sup>10</sup>

The Senate Report, however, also makes it clear that the importation standards "are designed and intended to provide for the importation of quality made, sporting firearms, including . . . rifles such as those manufactured and imported by Browning and other such manufacturers and importers of firearms."<sup>11</sup> (The rifles being imported by Browning at that time were semiautomatic and manually operated traditional sporting rifles of high quality.) Similarly, the report states that the importation prohibition "would not interfere with the bringing in of currently produced firearms, such as rifles . . . of recognized quality which are used for hunting and for recreational purposes."<sup>12</sup> The reference to recreational purposes is not inconsistent with the expressed purpose of restricting importation to firearms particularly suitable for target shooting or hunting, because firearms particularly suitable for these purposes also can be used for other purposes such as recreational shooting.

During debate on the bill, there was discussion about the meaning of the term "sporting purposes." Senator Dodd stated:

[h]ere again I would have to say that if a military weapon is used in a

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<sup>8</sup> S. Rep. No. 1501, 90<sup>th</sup> Cong. 2d Sess. 22 (1968).

<sup>9</sup> S. Rep. No. 1501, 90<sup>th</sup> Cong. 2d Sess. 24 (1968).

<sup>10</sup> 114 Cong. Rec. S 5556, 5582, 5585 (1968).

<sup>11</sup> S. Rep. No. 1501, 90<sup>th</sup> Cong. 2d. Sess. 38 (1968).

<sup>12</sup> S. Rep. No. 1501, 90<sup>th</sup> Cong. 2d. Sess. 22 (1968).

special sporting event, it does not become a sporting weapon. It is a military weapon used in a special sporting event . . . . As I said previously the language says no firearms will be admitted into this country unless they are genuine sporting weapons.<sup>13</sup>

Legislative history also shows that the determination of a weapon's suitability for sporting purposes is the direct responsibility of the Secretary of the Treasury. The Secretary was given this discretion largely because Congress recognized that section 925(d)(3) was a difficult provision to implement. Immediately after discussing the large role cheap imported .22 caliber revolvers were playing in crime, the Senate Report stated:

[t]he difficulty of defining weapons characteristics to meet this target without discriminating against sporting quality firearms, was a major reason why the Secretary of the Treasury has been given fairly broad discretion in defining and administering the import prohibition.<sup>14</sup>

Indeed, Congress granted this discretion to the Secretary even though some expressed concern with its breadth:

[t]he proposed import restrictions of Title IV would give the Secretary of the Treasury unusually broad discretion to decide whether a particular type of firearm is generally recognized as particularly suitable for, or readily adaptable to, sporting purposes. If this authority means anything, it permits Federal officials to differ with the judgment of sportsmen expressed through consumer preference in the marketplace . . . .<sup>15</sup>

Section 925(d)(3) provides that the Secretary shall authorize the importation of a firearm if it is of a "type" that is generally recognized as particularly suitable for or readily adaptable to sporting purposes. The legislative history also makes it clear that the Secretary shall scrutinize types of firearms in exercising his authority under section 925(d). Specifically, the Senate Report to the GCA states that section 925(d) "gives the

Secretary authority to permit the importation of ammunition and certain types of firearms."<sup>16</sup>

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<sup>13</sup> 114 Cong. Rec. 27461-462 (1968).

<sup>14</sup> S. Rep. No. 1501, 90<sup>th</sup> Cong. 2d Sess. 38 (1968).

<sup>15</sup> S. Rep. No. 1097, 90<sup>th</sup> Cong. 2d. Sess. 2155 (1968) (views of Senators Dirksen, Hruska, Thurmond, and Burdick). In Gun South, Inc. v. Brady, F.2d 858, 863 (11<sup>th</sup> Cir. 1989), the court, based on legislative history, found that the GCA gives the Secretary "unusually broad discretion in applying section 925(d)(3)."

<sup>16</sup> S. Rep. No. 1501, 90<sup>th</sup> Cong. 2d. Sess. 38 (1968).

The Senate Report to the GCA also recommended that the Secretary establish a council that would provide him with guidance and assistance in determining which firearms meet the criteria for importation into the United States.<sup>17</sup> Accordingly, following the enactment of the GCA, the Secretary established the Firearms Evaluation Panel (FEP) (also known as the Firearms Advisory Panel) to provide guidelines for implementation of the "sporting purposes" test. This panel was composed of representatives from the military, the law enforcement community, and the firearms industry. At the initial meeting of the FEP, it was understood that the panel's role would be advisory only.<sup>18</sup> The panel focused its attention on handguns and recommended the adoption of factoring criteria to evaluate the various types of handguns. These factoring criteria are based upon such considerations as overall length of the firearm, caliber, safety features, and frame construction. ATF thereafter developed an evaluation sheet (ATF Form 4590) that was put into use for evaluating handguns pursuant to section 925(d)(3). (See exhibit 4.)

The FEP did not propose criteria for evaluating rifles and shotguns under section 925(d)(3). Other than surplus military firearms, which Congress addressed separately, the rifles and shotguns being imported prior to 1968 were generally conventional rifles and shotguns specifically intended for sporting purposes. Therefore, in 1968, there was no cause to develop criteria for evaluating the sporting purposes of rifles and shotguns.

#### 1984 Application of the Sporting Purposes Test

The first time that ATF undertook a meaningful analysis of rifles or shotguns under the sporting purposes test was in 1984. At that time, ATF was faced with a new breed of imported shotgun, and it became clear that the historical assumption that all shotguns were sporting was no longer viable. Specifically, ATF was asked to determine whether the Striker-12 shotgun was suitable for sporting purposes. This shotgun is a military/law enforcement weapon initially designed and manufactured in South Africa for riot control. When the importer was asked to submit evidence of the weapon's sporting purposes, it provided information that the weapon was suitable for police/combat-style competitions. ATF determined that this type of competition did not constitute a sporting purpose

under the statute, and that the shotgun was not suitable for the traditional shotgun sports of hunting, and trap and skeet shooting.

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<sup>17</sup> S. Rep. No. 1501, 90th Cong. 2d Sess. 38 (1968).

<sup>18</sup> Gilbert Equipment Co. v. Higgins, 709 F. Supp. 1071, 1083, n. 7 (S.D. Ala. 1989), aff'd without op., 894 F.2d 412 (11<sup>th</sup> Cir. 1990).

### 1986 Firearms Owners Protection Act

On May 19, 1986, Congress passed the Firearms Owners Protection Act,<sup>19</sup> which amended section 925(d)(3) to provide that the Secretary "shall" (instead of "may") authorize the importation of a firearm that is of a type that is generally recognized as particularly suitable for or readily adaptable to sporting purposes. The Senate Report to the law stated "it is anticipated that in the vast majority of cases, [the substitution of 'shall' for 'may' in the authorization section] will not result in any change in current practices."<sup>20</sup> As the courts have found, "[r]egardless of the changes made [by the 1986 law], the firearm must meet the sporting purposes test and it remains the Secretary's obligation to determine whether specific firearms satisfy this test."<sup>21</sup>

### 1986 Application of the Sporting Purposes Test

In 1986, ATF again had to determine whether a shotgun met the sporting purposes test, when the Gilbert Equipment Company requested that the USAS-12 shotgun be classified as a sporting firearm under section 925(d)(3). Again, ATF refused to recognize police/combat-style competitions as a sporting purpose. After examining and testing the weapon, ATF determined its weight, size, bulk, designed magazine capacity, configuration, and other factors prevented it from being classified as particularly suitable for or readily adaptable to the traditional shotgun sports of hunting, and trap and skeet shooting. Accordingly, its importation was denied.

When this decision was challenged in Federal court, ATF argued, in part, that large magazine capacity and rapid reloading ability are military features. The court accepted this argument, finding "the overall appearance and design of the weapon (especially the detachable box magazine . . . ) is that of a combat weapon and not a sporting weapon."<sup>22</sup> In reaching this decision, the court was not persuaded by the importer's argument that box magazines can be lengthened or shortened depending on desired shell capacity.<sup>23</sup> The court also agreed with ATF's conclusion that police/combat-style competitions were not considered sporting purposes.

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<sup>19</sup> Pub. L. No. 99-308.

<sup>20</sup> S. Rep. No. 98-583, 98<sup>th</sup> Cong. 1<sup>st</sup> Sess. 27 (1984).

<sup>21</sup> Gilbert Equipment Co., 709 F. Supp. at 1083.

<sup>22</sup> Id. at 1089.

<sup>23</sup> Id. at 1087, n. 20 and 1089.

1989 Report on the Importability of Semiautomatic Assault Rifles

In 1989, after five children were killed in a California schoolyard by a gunman with a semiautomatic copy of an AK47, ATF decided to reexamine whether certain semiautomatic assault-type rifles met the sporting purposes test. This decision was reached after consultation with the Director of the Office of National Drug Control Policy.

In March and April 1989, ATF announced that it was suspending the importation of certain "assault-type rifles." For the purposes of this suspension, assault-type rifles were those rifles that generally met the following criteria: (1) military appearance; (2) large magazine capacity; and (3) semiautomatic version of a machinegun. An ATF working group was established to reevaluate the importability of these assault-type rifles. On July 6, 1989, the group issued its Report and Recommendation of the ATF Working Group on the Importability of Certain Semiautomatic Rifles (hereinafter 1989 report).

In the 1989 report, the working group first discussed whether the assault-type rifles under review fell within a "type" of firearm for the purposes of section 925(d)(3). The working group concluded that most of the assault-type rifles under review represented "a distinctive type of rifle [which it called the "semiautomatic assault rifle"] distinguished by certain general characteristics which are common to the modern military assault rifle."<sup>24</sup> The working group explained that the modern military assault rifle is a weapon designed for killing or disabling the enemy and has characteristics designed to accomplish this purpose. Moreover, it found that these characteristics distinguish modern military assault rifles from traditional sporting rifles.

The characteristics of the modern military assault rifle that the working group identified were as follows: (1) military configuration (which included: ability to accept a detachable magazine, folding/telescoping stocks, separate pistol grips, ability to accept a bayonet, flash suppressors, bipods, grenade launchers, and night sights) (see exhibit 5 for a thorough discussion of each of these features); (2) ability to fire automatically (i.e., as a machinegun); and (3) chambered to accept a centerfire cartridge case having a length of 2.25 inches or less.<sup>25</sup> In regards to the ability to accept a detachable magazine, the working group explained that:

[v]irtually all modern military firearms are designed to accept large, detachable magazines. This provides the soldier with a fairly large ammunition supply and the ability to rapidly reload. Thus, large capacity magazines are indicative of military firearms. While detachable

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<sup>24</sup> 1989 report at 6.

<sup>25</sup> 1989 report at 6.



magazines are not limited to military firearms, most traditional semiautomatic sporting firearms, designed to accommodate a detachable magazine, have a relatively small magazine capacity.<sup>26</sup>

The working group emphasized that these characteristics had to be looked at as a whole to determine whether the overall configuration of each of the assault-type rifles under review placed the rifle fairly within the semiautomatic assault rifle type. The semiautomatic assault rifles shared all the above military assault rifle characteristics other than being machineguns.<sup>27</sup>

The working group also addressed the scope of the term "sporting purposes." It concluded that the term should be given a narrow interpretation that focuses on the traditional sports of hunting and organized competitive target shooting. The working group made this determination by looking to the statute, its legislative history, applicable case law, the work of the FEP, and prior interpretations by ATF. In addition, the working group found that the reference to sporting purposes was intended to stand in contrast to military and law enforcement applications. Consequently, it determined that police/combat-type competitions should not be treated as sporting activities.<sup>28</sup>

The working group then evaluated whether the semiautomatic assault rifle type of firearm is generally recognized as particularly suitable for or readily adaptable to traditional sporting applications. This examination took into account technical and marketing data, expert opinions, the recommended uses of the firearms, and information on the actual uses for which the weapons are employed in this country. The working group, however, did not consider criminal use as a factor in its analysis of the importability of this type of firearm.

After analyzing this information, the working group concluded that semiautomatic assault rifles are not a type of firearm generally recognized as particularly suitable for or readily adaptable to sporting purposes. Accordingly, the working group concluded that semiautomatic assault rifles should not be authorized for importation under section 925(d)(3). However, the working group found that some of the assault-type rifles under review (the Valmet Hunter and .22 rimfire caliber rifles), did not fall within the semiautomatic assault rifle type. In the case of the Valmet Hunter, the working group found that although it was based on the operating mechanism of the AK47 assault rifle, it had been substantially

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<sup>26</sup> 1989 report at 6 (footnote omitted).

<sup>27</sup> The semiautomatic assault rifles were semiautomatic versions of machineguns.

<sup>28</sup> 1989 report at 9-11.

changed so that it was similar to a traditional sporting rifle.<sup>29</sup> Specifically, it did not have any of the military configuration features identified by the working group, except for the ability to accept a detachable magazine.

Following the 1989 study, ATF took the position that a semiautomatic rifle with any of the eight military configuration features identified in the 1989 report, other than the ability to accept a detachable magazine, failed the sporting purposes test and, therefore, was not importable.

Gun South, Inc. v. Brady

Concurrent with its work on the 1989 report, ATF was involved in litigation with Gun South, Inc. (GSI). In October 1988 and February 1989, ATF had granted GSI permits to import AUG-SA rifles. As mentioned previously, in March and April of 1989, ATF imposed a temporary suspension on the importation of rifles being reviewed in the 1989 study, which included the AUG-SA rifle. GSI filed suit in Federal court, seeking to prohibit the Government from interfering with the delivery of firearms imported under permits issued prior to the temporary suspension.

The court of appeals found that the Government had the authority to suspend temporarily the importation of GSI's AUG-SA rifles because the GCA "impliedly authorizes" such action.<sup>30</sup> In addition, the court rejected GSI's contention that the suspension was arbitrary and capricious because the AUG-SA rifle had not physically changed, explaining the argument "places too much emphasis on the rifle's structure for determining whether a firearm falls within the sporting purpose exception. While the Bureau must consider the rifle's physical structure, the [GCA] requires the Bureau to equally consider the rifle's use."<sup>31</sup> In addition, the court found that ATF adequately had considered sufficient evidence before imposing the temporary suspension, citing evidence ATF had considered

demonstrating that semiautomatic assault-type rifles were being used with increasing frequency in crime.<sup>32</sup>

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<sup>29</sup> This finding reflects the fact that the operating mechanism of the AK47 assault rifle is similar to the operating mechanism used in many traditional sporting rifles.

<sup>30</sup> Gun South, Inc. v. Brady, 877 F.2d 858 (11th Cir. 1989). The court of appeals issued its ruling just days before the 1989 report was issued. However, the report was complete before the ruling was issued.

<sup>31</sup> Id.

<sup>32</sup> Id.

Although GSI sued ATF on the temporary suspension of its import permits, once the 1989 report was issued, no one pursued a lawsuit challenging ATF's determination that the semiautomatic assault rifles banned from importation did not meet the sporting purposes test.<sup>33</sup>

### Violent Crime Control and Law Enforcement Act of 1994

On September 13, 1994, Congress passed the Violent Crime Control and Law Enforcement Act of 1994,<sup>34</sup> which made it unlawful, with certain exceptions, to manufacture, transfer, or possess semiautomatic assault weapons as defined by the statute.<sup>35</sup> The statute defined semiautomatic assault weapons to include 19 named models of firearms (or copies or duplicates of the firearms in any caliber);<sup>36</sup> semiauto-matic rifles that have the ability to accept detachable magazines and have at least two of five features specified in the law; semiautomatic pistols that have the ability to accept detachable magazines and have at least two of five features specified in the law; and semiautomatic shotguns that have at least two of four features specified in the law.<sup>37</sup> However, Congress

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<sup>33</sup> After the 1989 report was issued, Mitchell Arms, Inc. asserted takings claims against the Government based upon the suspension and revocation of four permits allowing for the importation of semiautomatic assault rifles and ATF's temporary moratorium on import permits for other rifles. The court found for the Government, holding the injury complained of was not redressable as a taking because Mitchell Arms did not hold a property interest within the meaning of the Just Compensation Clause of the Fifth Amendment. Mitchell Arms v. United States, 26 Cl. Ct. 1 (1992), aff'd, 7 F.3d 212 (Fed. Cir. 1993), cert. denied, 511 U.S. 1106 (1994).

<sup>34</sup> Pub. L. No. 103-22. Title XI, Subtitle A of this act may be cited as the "Public Safety and Recreational Firearms Use Protection Act."

<sup>35</sup> 18 U.S.C. section 922(v).

<sup>36</sup> Chapter 18 U.S.C. section 921(a)(30)(A) states that the term "semiautomatic assault weapon" means "any of the firearms, or copies or duplicates of the firearms in any caliber, known as -, " followed by a list of named firearms. Even though section 921(a)(3) defines "firearm" as used in chapter 18 to mean, in part, "the frame or receiver of any such weapon," the use of "firearm" in section 921(a)(30)(A) has not been interpreted to mean a frame or receiver of any of the named weapons, except when the frame or receiver actually is incorporated in one of the named weapons.

Any other interpretation would be contrary to Congress' intent in enacting the assault weapon ban. In the House Report to the assault weapon ban, Congress emphasized that the ban was to be interpreted narrowly. For example, the report explained that the present bill was more tightly focused than earlier drafts which gave ATF authority to ban any weapon which "embodies the same configuration" as the named list of guns in section 921(a)(30)(A); instead, the present bill "contains a set of specific characteristics that must be present in order to ban any additional semiautomatic assault weapons [beyond the listed weapons]." H. Rep. 103-489 at 21.

<sup>37</sup> 18 U.S.C. section 921(a)(30).

exempted from the assault weapon ban any semiautomatic rifle that cannot accept a detachable magazine that holds more than five rounds of ammunition and any semiautomatic shotgun that cannot hold more than five rounds of ammunition in a fixed or detachable magazine.<sup>38</sup>

Although the 1994 law was not directly addressing the sporting purposes test in section 925(d)(3), section 925(d)(3) had a strong influence on the law's content. The technical work of ATF's 1989 report was, to a large extent, incorporated into the 1994 law. The House Report to the 1994 law explained that although the legal question of whether semiautomatic assault weapons met section 925(d)(3)'s sporting purposes test "is not directly posed by [the 1994 law], the working group's research and analysis on assault weapons is relevant on the questions of the purposes underlying the design of assault weapons, the characteristics that distinguish them from sporting guns, and the reasons underlying each of the distinguishing features."<sup>39</sup> As in the 1989 study, Congress focused on the external features of firearms, rather than on their semiautomatic operating mechanism.

The 1994 law also made it unlawful to possess and transfer large capacity ammunition feeding devices manufactured after September 13, 1994.<sup>40</sup> A large capacity ammunition feeding device was generally defined as a magazine, belt, drum, feed strip, or similar device that has the capacity of, or that can be readily restored or converted to accept, more than 10 rounds of ammunition.<sup>41</sup>

Congress passed these provisions of the 1994 law in response to the use of semiautomatic assault weapons and large capacity ammunition feeding devices in crime. Congress had been presented with much evidence demonstrating that these weapons were "the weapons of choice among drug dealers, criminal gangs, hate groups, and mentally deranged persons bent on mass murder."<sup>42</sup> The House Report to the 1994 law recounts numerous crimes that had occurred involving semiautomatic assault weapons and large capacity magazines that were originally designed and produced for military assault rifles.<sup>43</sup>

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<sup>38</sup> 18 U.S.C. sections 922(v)(3)(C)&(D).

<sup>39</sup> H. Rep. No. 103-489, at 17, n. 19.

<sup>40</sup> 18 U.S.C. section 922(w).

<sup>41</sup> 18 U.S.C. section 921(a)(31).

<sup>42</sup> H. Rep. No. 103-489, at 13.

<sup>43</sup> H. Rep. No. 103-489, at 14-15.

In enacting the semiautomatic assault weapon and large capacity ammunition feeding device bans, Congress emphasized that it was not preventing the possession of sporting firearms. The House Report, for example, stated that the bill differed from earlier bills in that "it is designed to be more tightly focused and more carefully crafted to clearly exempt legitimate sporting guns."<sup>44</sup> In addition, Congress specifically exempted 661 long guns from the assault weapon ban which are "most commonly used in hunting and recreational sports."<sup>45</sup>

Both the 1994 law and its legislative history demonstrate that Congress recognized that ammunition capacity is a factor in determining whether a firearm is a sporting firearm. For example, large capacity ammunition feeding devices were banned, while rifles and shotguns with small ammunition capacities were exempted from the assault weapon ban. Moreover, the House Report specifically states that the ability to accept a large capacity magazine was a military configuration feature which was not "merely cosmetic," but "serve[d] specific, combat-functional ends."<sup>46</sup> The House Report also explains that, while "[m]ost of the weapons covered by the [ban] come equipped with magazines that hold 30 rounds [and can be replaced with magazines that hold 50 or even 100 rounds], . . . [i]n contrast, hunting rifles and shotguns typically have much smaller magazine capabilities--from 3-5."<sup>47</sup>

Finally, it must be emphasized that the semiautomatic assault weapon ban of section 922(v) is distinct from the sporting purposes test governing imports of section 925(d)(3). Clearly, any weapon banned under section 922(v) cannot be imported into the United States because its possession in the United States would be illegal. However, it is possible that a weapon not defined as a semiautomatic assault weapon under section 922(v) still would not be importable under section 925(d)(3). In order to be importable, the firearm must be of a type generally recognized as particularly suitable for or readily adaptable to sporting purposes regardless of its categorization under section 922(v). The

Secretary's discretion under section 925(d)(3) remains intact for all weapons not banned by the 1994 statute.

### The Present Review

Prior to the November 14, 1997, decision to conduct this review, certain members of

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<sup>44</sup> H. Rep. No. 103-489, at 21.

<sup>45</sup> H. Rep. No. 103-489, at 20. None of these 661 guns are study rifles.

<sup>46</sup> H. Rep. No. 103-489, at 18.

<sup>47</sup> H. Rep. No. 103-489, at 19 (footnote omitted).

Congress strongly urged that it was necessary to review the manner in which the Treasury Department is applying the sporting purposes test to the study rifles, in order to ensure that the present practice is consistent with section 925(d)(3) and current patterns of gun use. The fact that it had been nearly 10 years since the last comprehensive review of the importation of rifles (with many new rifles being developed during this time) also contributed to the decision to conduct this review.

### DEFINING THE TYPE OF WEAPON UNDER REVIEW

Section 925 (d) (3) provides that the Secretary shall authorize the importation of a firearm if it is of a “type” that meets the sporting purposes test. Given this statutory mandate, we had to determine whether the study rifles suspended from importation fell within one type of firearm. Our review of the study rifles demonstrated that all were derived from semiautomatic assault rifles that failed to meet the sporting purposes test in 1989 but were later found to be importable when certain military features were removed.

Within this group, we determined that virtually all of the study rifles shared another important feature: The ability to accept a detachable large capacity magazine (e.g., more than 10 rounds) that was originally designed and produced for one of the following military assault rifles: AK47, FN-FAL, HK91 or 93, SIG SG550, or Uzi. (This is the only military configuration feature cited in the 1989 study that remains with any of the study rifles).

We determined that all of the study rifles that shared both of these characteristics fell within a type of firearm which, for the purposes of this report, we call “large capacity military magazine rifles” or “LCMM rifles.” It appears that only one study rifle, the VEPR caliber .308--which is based on the AK47 design--does not fall within this type because it does not have the ability to accept a large capacity military magazine.

### SCOPE OF "SPORTING PURPOSES"

As in the 1989 study, we had to determine the scope of "sporting purposes" as used in section 925(d)(3). Looking to the statute, its legislative history, the work of the Firearms Evaluation Panel (see exhibit 6), and prior ATF interpretations, we determined sporting purposes should be given a narrow reading, incorporating only the traditional sports of hunting and organized competitive target shooting (rather than a broader interpretation that could include virtually any lawful activity or competition.)

In terms of the statute itself, the structure of the importation provisions suggests a somewhat narrow interpretation. Firearms are prohibited from importation (section 922(l)), with four specific exceptions (section 925(d)). A broad interpretation permitting a firearm to be imported because someone may wish to use it in some lawful shooting activity would render the general prohibition of section 922(l) meaningless.

Similarly, as discussed in the "Background" section, the legislative history of the GCA indicates that the term sporting purposes narrowly refers to the traditional sports of hunting and organized competitive target shooting. There is nothing in the history to indicate that it was intended to recognize every conceivable type of activity or competition that might employ a firearm.

In addition, the FEP specifically addressed the informal shooting activity of "plinking" (shooting at randomly selected targets such as bottles and cans) and determined that it was not a legitimate sporting purpose under the statute. The panel found that, "while many persons participate in this type of activity and much ammunition was expended in such endeavors, it was primarily a pastime and could not be considered a sport for the purposes of importation. . . ." (See exhibit 6.)

Finally, the 1989 report determined that the term sporting purposes should be given a narrow reading incorporating the traditional rifle sports of hunting and organized competitive target shooting. In addition, the report determined that the statute's reference to sporting purposes was intended to stand in contrast with military and law enforcement applications. This is consistent with ATF's interpretation in the context of the Striker-12 shotgun and the USAS-12 shotgun. It is also supported by the court's decision in Gilbert Equipment Co. v. Higgins.

We received some comments urging us to find "practical shooting" is a sport for the purposes of section 925(d)(3).<sup>48</sup> Further, we received information showing that practical shooting is gaining in popularity in the United States and is governed by an organization that has sponsored national events since 1989. It also has an international organization.

While some may consider practical shooting a sport, by its very nature it is closer to police/combat-style competition and is not comparable to the more traditional types of sports, such as hunting and organized competitive target shooting. Therefore, we are not convinced that practical shooting does, in fact, constitute a sporting purpose under section 925(d)(3).<sup>49</sup> However, even if we were to assume for the sake of argument that practical shooting is a sport for the purposes of the statute, we still would have to decide whether a firearm that could be used in practical shooting meets the sporting purposes test. In other words, it still would need to be determined whether the firearm is of a type that is generally recognized as particularly suitable for or readily adaptable to practical shooting and other sporting purposes.<sup>50</sup> Moreover, the legislative history makes clear that the use of a military weapon in a practical shooting competition would not make that weapon

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<sup>48</sup> Practical shooting involves moving, identifying, and engaging multiple targets and delivering a number of shots rapidly. In doing this, practical shooting participants test their defensive skills as they encounter props, including walls and barricades, with full or partial targets, "no-shoots," steel reaction targets, movers, and others to challenge them.

<sup>49</sup> As noted earlier, ATF has taken the position that police/combat-style competitions do not constitute a "sporting purpose." This position was upheld in Gilbert Equipment Co., 709 F. Supp. at 1077.

<sup>50</sup> Our findings on the use and suitability of the LCMM rifles in practical shooting competitions are contained in the "Suitability for Sporting Purposes" section of this report.



sporting: “if a military weapon is used in a special sporting event, it does not become a sporting weapon. It is a military weapon used in a special sporting event.”<sup>51</sup> While none of the LCMM rifles are military weapons, they still retain the military feature of the ability to accept a large capacity military magazine.

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<sup>51</sup> 114 Cong. Rec. 27461-462 (1968) (Sen. Dodd).

## METHOD OF STUDY

As explained in the “Executive Summary” section of this report, the purpose of this study is to review whether modified semiautomatic assault rifles are properly importable under 18 U.S.C. section 925(d)(3). More specifically, we reexamined the conclusions of the 1989 report as applied today to determine whether we are correct to allow importation of the study rifles that have been modified by having certain military features removed. To determine whether such rifles are generally recognized as particularly suitable for or readily adaptable to sporting purposes, the Secretary must consider both the physical features of the rifles and the actual uses of the rifles.<sup>52</sup> Because it appears that all of the study rifles that have been imported to date have the ability to accept a large capacity military magazine,<sup>53</sup> all of the information collected on the study rifles’ physical features and actual uses applies only to the LCMM rifles.

### **Physical features:**

The discussion of the LCMM rifles’ physical features are contained in the “Suitability for Sporting Purposes” section of this report.

### **Use:**

We collected relevant information on the use of the LCMM rifles. Although the 1989 study did not consider the criminal use of firearms in its importability analysis, legislative history demonstrates and the courts have found that criminal use is a factor that can be considered in determining whether a firearm meets the requirements of section 925(d)(3).<sup>54</sup> Accordingly, we decided to consider the criminal use of the LCMM rifles in the present analysis.

The term “generally recognized” in section 925(d)(3) indicates that the Secretary should base his evaluation of whether a firearm is of a type that is particularly suitable for or readily adaptable to sporting purposes, in part, on a “community standard” of the firearm’s use.<sup>55</sup> The community standard “may change over time even though the firearm remains the same. Thus, a changing pattern of use may significantly affect whether a firearm is generally recognized as particularly suitable for or readily adaptable to a sporting purpose.”<sup>56</sup> Therefore, to assist the Secretary in determining whether the LCMM rifles presently are of a type generally recognized as particularly suitable for or readily adaptable to sporting purposes, we gathered information from the relevant “community.” The relevant community was defined as persons and groups who are

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<sup>52</sup> Gun South, Inc., 877 F.2d at 866.

<sup>53</sup> The VEPR caliber .308 discussed on page 16 has not yet been imported.

<sup>54</sup> 114 Cong. Rec. S 5556, 5582, 5585 (1968)(“[t]he entire intent of the importation section [of the sporting purposes test] is to get those kinds of weapons that are used by criminals and have no sporting purposes”) (Sen. Dodd); Gun South, Inc., 877 F.2d at 866.

<sup>55</sup> Gun South, Inc., 877 F.2d at 866.

<sup>56</sup> Id.

knowledgeable about the uses of these firearms or have relevant information about whether these firearms are particularly suitable for sporting purposes. We identified more than 2,000 persons or groups we believed would be able to provide relevant, factual information on these issues. The individuals and groups were selected to obtain a broad range of perspectives on the issues. We conducted surveys to obtain specific information from hunting guides, editors of hunting and shooting magazines, organized competitive shooting groups, State game commissions, and law enforcement agencies and organizations. Additionally, we asked industry members, trade associations, and various interest and information groups to provide relevant information.<sup>57</sup> A detailed presentation of the surveys and responses is included as an appendix to this report.

We also reviewed numerous advertisements and publications, both those submitted by the editors of hunting and shooting magazines and those collected internally, in our search for material discussing the uses of the LCMM rifles. Further, we collected importation data, tracing data, and case studies.<sup>58</sup>

Our findings on use are contained in the “Suitability for Sporting Purposes” section of this report.

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<sup>57</sup> **Hunting guides:** Guides were asked about specific types of firearms used by their clients. The guides were an easily definable group, versus the entire universe of hunters. We obtained the names of the hunting guides surveyed from the States.

**Editors of hunting and shooting magazines:** Editors were surveyed to determine whether they recommended the LCMM rifles for hunting or organized competitive target shooting and whether they had written any articles on the subject. The list of editors we surveyed was obtained from a directory of firearms-related organizations.

**Organized competitive shooting groups:** Organized groups were asked whether they sponsored competitive events with high-power semiautomatic rifles and whether the LCMM rifles were allowed in those competitions. We felt it was significant to query those who are involved with organized events rather than unofficial activities with no specific rules or guidelines. As with the editors above, the list of groups was obtained from a directory of firearms-related organizations.

**State game commissions:** State officials were surveyed to determine whether the use of the LCMM rifles was prohibited or restricted for hunting in each State.

**Law enforcement agencies and organizations:** Specific national organizations and a sampling of 26 police departments across the country were contacted about their knowledge of the LCMM rifles’ use in crime. The national organizations were surveyed with the intent that they would gather input from the wide range of law enforcement agencies that they represent or that they would have access to national studies on the subject.

**Industry members and trade associations:** These groups were included because of their knowledge on the issue.

**Interest and information groups:** These organizations were included because of their wide range of perspectives on the issue.

<sup>58</sup> To assist us with our review of the crime-related information we collected, we obtained the services of Garen J. Wintemute, MD, M.P.H. Director of the Violence Prevention Research Program, University of California, Davis, and Anthony A. Braga, Ph.D., J.F.K. School of Government, Harvard University.

### SUITABILITY FOR SPORTING PURPOSES

The next step in our review was to evaluate whether the LCMM rifles, as a type, are generally recognized as particularly suitable for or readily adaptable to hunting and organized competitive target shooting.<sup>59</sup> The standard applied in making this determination is high. It requires more than a showing that the LCMM rifles may be used or even are sometimes used for hunting and organized competitive target shooting; if this were the standard, the statute would be meaningless. Rather, the standard requires a showing that the LCMM rifles are especially suitable for use in hunting and organized competitive target shooting.

As discussed in the “Method of Study” section, we considered both the physical features of the LCMM rifles and the actual uses of the LCMM rifles in making this determination.

#### Physical Features

**The ability to accept a detachable large capacity magazine that was originally designed and produced for one of the following military assault rifles: AK47, FN-FAL, HK91 or 93, SIG SG550, or Uzi.**

Although the LCMM rifles have been stripped of many of their military features, they all still have the ability to accept a detachable large capacity magazine that was originally designed and produced for one of the following military assault rifles: AK47, FN-FAL, HK91 and 93, SIG SG550, or Uzi; in other words, they still have a feature that was designed for killing or disabling an enemy. As the 1989 report explains:

Virtually all modern military firearms are designed to accept large, detachable magazines. This provides the soldier with a fairly large ammunition supply and the ability to rapidly reload. Thus, large capacity magazines are indicative of military firearms. While detachable magazines are not limited to military firearms, most traditional

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<sup>59</sup> One commenter suggests that the Secretary has been improperly applying the “readily adaptable to sporting purposes” provision of the statute. Historically, the Secretary has considered the “particularly suitable for or readily adaptable to” provisions as one standard. The broader interpretation urged by the commenter would make the standard virtually unenforceable. If the Secretary allowed the importation of a firearm which is readily adaptable to sporting purposes, without requiring it actually to be adapted prior to importation, the Secretary would have no control over whether the adaptation actually would occur following the importation.

semiautomatic sporting firearms, designed to accommodate a detachable magazine, have a relatively small magazine capacity.<sup>60</sup>

Thus, the 1989 report found the ability to accept a detachable large capacity magazine originally designed and produced for a military assault rifle was a military, not a sporting, feature. Nevertheless, in 1989 it was decided that the ability to accept such a large capacity magazine, in the absence of other military configuration features, would not be viewed as disqualifying for the purposes of the sporting purposes test. However, several important developments, which are discussed below, have led us to reevaluate the weight that should be given to the ability to accept a detachable large capacity military magazine in the sporting purposes test.

Most significantly, we must reevaluate the significance of this military feature because of a major amendment that was made to the GCA since the 1989 report was issued. In 1994, as discussed in the “Background” section of this report, Congress passed a ban on large capacity ammunition feeding devices and semiautomatic assault weapons.<sup>61</sup> In enacting these bans, Congress made it clear that it was not preventing the possession of sporting firearms.<sup>62</sup> Although the 1994 law was not directly addressing the sporting purposes test, section 925(d)(3) had a strong influence on the law's content. As discussed previously, the technical work of ATF's 1989 report was, to a large extent, incorporated into the 1994 law.

Both the 1994 law and its legislative history demonstrate that Congress found that ammunition capacity is a factor in whether a firearm is a sporting firearm. For example, large capacity ammunition feeding devices were banned, while rifles and shotguns with small ammunition capacities were exempted from the assault weapon ban. In other words, Congress found magazine capacity to be such an important factor that a semiautomatic rifle that cannot accept a detachable magazine that holds more than five rounds of ammunition will not be banned, even if it contains all five of the assault

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<sup>60</sup> 1989 report at 6 (footnote omitted). This was not the first time that ATF considered magazine capacity to be a relevant factor in deciding whether a firearm met the sporting purposes test. See Gilbert Equipment Co., 709 F. Supp. at 1089 (“the overall appearance and design of the weapon (especially the detachable box magazine . . .) is that of a combat weapon and not a sporting weapon.”)

<sup>61</sup> The ban on large capacity ammunition feeding devices does not include any such device manufactured on or before September 13, 1994. Accordingly, there are vast numbers of large capacity magazines originally designed and produced for military assault weapons that are legal to transfer and possess (“grandfathered” large capacity military magazines). Presently these grandfathered large capacity military magazines fit the LCMM rifles.

<sup>62</sup> See, for example, H. Rep. No. 103-489, at 21.

weapon features listed in the law. Moreover, unlike the assault weapon ban in which a detachable magazine and at least two physical features are required to ban a rifle, a large capacity magazine in and of itself is banned.

In addition, the House Report specifically states that the ability to accept a large capacity magazine is a military configuration characteristic that is not "merely cosmetic," but "serve[s] specific, combat-functional ends."<sup>63</sup> The House Report also explains that large capacity magazines

make it possible to fire a large number of rounds without re-loading, then to reload quickly when those rounds are spent. Most of the weapons covered by the proposed legislation come equipped with magazines that hold 30 rounds. Even these magazines, however, can be replaced with magazines that hold 50 or even 100 rounds. Furthermore, expended magazines can be quickly replaced, so that a single person with a single assault weapon can easily fire literally hundreds of rounds within minutes. . . . In contrast, hunting rifles and shotguns typically have much smaller magazine capabilities--from 3-5.<sup>64</sup>

Congress specifically exempted 661 long guns from the assault weapon ban that are "most commonly used in hunting and recreational sports."<sup>65</sup> The vast majority of these long guns do not use large capacity magazines. Although a small number of the exempted long guns have the ability to accept large capacity magazines, only four of these exempted long guns were designed to accept large capacity military magazines.<sup>66</sup>

The 1994 law also demonstrates Congress' concern about the role large capacity magazines and firearms with the ability to accept these large capacity magazines play in

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<sup>63</sup> H. Rep. No. 103-489, at 18.

<sup>64</sup> H. Rep. No. 103-489, at 19 (footnote omitted). The fact that 12 States place a limit on the magazine capacity allowed for hunting, usually 5 or 6 rounds, is consistent with this analysis. (See exhibit 7).

<sup>65</sup> H. Rep. 103-489, at 20.

<sup>66</sup> These four firearms are the Iver Johnson M-1 carbine, the Iver Johnson 50<sup>th</sup> Anniversary M-1 carbine, the Ruger Mini-14 autoloading rifle (without folding stock), and the Ruger Mini Thirty rifle. All of these weapons are manufactured in the United States and are not the subject of this study. In this regard, it should also be noted that Congress can distinguish between domestic firearms and foreign firearms and impose different requirements on the importation of firearms. For example, Congress may ban the importation of certain firearms although similar firearms may be produced domestically. See, for example, B-West Imports v. United States, 75 F.3d 633 (Fed. Cir. 1996).

crime. The House Report for the bill makes reference to numerous crimes involving these magazines and weapons, including the following:<sup>67</sup>

The 1989 Stockton, California, schoolyard shooting in which a gunman with a semiautomatic copy of an AK47 and 75-round magazines fired 106 rounds in less than 2 minutes. Five children were killed and twenty-nine adults and children were injured.

The 1993 shooting in a San Francisco, California, office building in which a gunman using 2 TEC DC9 assault pistols with 50-round magazines killed 8 people and wounded 6 others.

A 1993 shooting on the Long Island Railroad that killed 6 people and wounded 19 others. The gunman had a Ruger semiautomatic pistol, which he reloaded several times with 15-round magazines, firing between 30 to 50 rounds before he was overpowered.

The House Report also includes testimony from a representative of a national police officers' organization, which reflects the congressional concern with criminals' access to firearms that can quickly expel large amounts of ammunition:

In the past, we used to face criminals armed with a cheap Saturday Night Special that could fire off six rounds before [re]loading. Now it is not at all unusual for a cop to look down the barrel of a TEC-9 with a 32 round clip. The ready availability of and easy access to assault weapons by criminals has increased so dramatically that police forces across the country are being required to upgrade their service weapons merely as a matter of self-defense and preservation. The six-shot .38 caliber service revolver, standard law enforcement issue for years, is just no match against a criminal armed with a semiautomatic assault weapon.<sup>68</sup>

Accordingly, by passing the 1994 law, Congress signaled that firearms with the ability to accept detachable large capacity magazines are not particularly suitable for sporting purposes. Although in 1989 we found the ability to accept a detachable large capacity military magazine was a military configuration feature, we must give it more weight, given this clear signal from Congress.

The passage of the 1994 ban on large capacity magazines has had another effect. Under the 1994 ban, it generally is unlawful to transfer or possess a large capacity magazine

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<sup>67</sup> H. Rep. No. 103-489, at 15 (two of these examples involve handguns).

<sup>68</sup> H. Rep. 103-489, at 13-14 (footnote omitted).

manufactured after September 13, 1994. Therefore, if we require the LCMM rifles to be modified so that they do not accept a large capacity military magazine in order to be importable, a person will not be able to acquire a newly manufactured large capacity magazine to fit the modified rifle. Thus, the modified rifle neither will be able to accept a grandfathered large capacity military magazine, nor can a new large capacity magazine be manufactured to fit it. Accordingly, today, making the ability to accept a large capacity military magazine disqualifying for importation will prevent the importation of firearms which have the ability to expel large amounts of ammunition quickly without reloading.

This was not the case in 1989 or prior to the 1994 ban.

It is important to note that even though Congress reduced the supply of large capacity military magazines by passing the 1994 ban, there are still vast numbers of grandfathered large capacity military magazines available that can be legally possessed and transferred. These magazines currently fit in the LCMM rifles. Therefore, the 1994 law did not eliminate the need to take further measures to prevent firearms imported into the United States from having the ability to accept large capacity military magazines, a nonsporting factor.

Another impetus for reevaluating the existing standard is the development of modified weapons. The 1989 report caused 43 different models of semiautomatic assault rifles to be banned from being imported into the United States. The effect of that determination was that nearly all semiautomatic rifles with the ability to accept detachable large capacity military magazines were denied importation. Accordingly, at the time, there was no need for the ability to accept such a magazine to be a determining factor in the sporting purposes test. This is no longer the case. As discussed earlier, manufacturers have modified the semiautomatic assault rifles disallowed from importation in 1989 by removing all of their military configuration features, except for the ability to accept a detachable magazine. As a result, semiautomatic rifles with the ability to accept detachable large capacity military magazines (and therefore quickly expel large amounts of ammunition) legally have been entering the United States in significant numbers. Accordingly, the development of these modified weapons necessitates reevaluating our existing standards.

Thus, in order to address Congress' concern with firearms that have the ability to expel large amounts of ammunition quickly, particularly in light of the resumption of these weapons coming into the United States, the ability to accept a detachable large capacity military magazine must be given greater weight in the sporting purposes analysis of the LCMM rifles than it presently receives.<sup>69</sup>

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<sup>69</sup> A firearm that can be easily modified to accept a detachable large capacity military magazine with only minor adjustments to the firearm or the magazine is considered to be a firearm with the ability to accept these magazines. The ROMAK4 is an example of such a firearm: With minor modifications to either the



**Derived from semiautomatic assault rifles that failed to meet the sporting purposes test in 1989 but were later found importable when certain military features were removed.**

All rifles that failed to meet the sporting purposes test in 1989 were found to represent a distinctive type of rifle distinguished by certain general characteristics that are common to the modern military assault rifle. Although the LCMM rifles are based on rifle designs excluded from importation under the 1989 standard, they all were approved for import when certain military features were removed. However, the LCMM rifles all still maintain some characteristics common to the modern military assault rifle. Because the outward appearance of most of the LCMM rifles continues to resemble the military assault rifles from which they are derived, we have examined the issue of outward appearance carefully. Some might prefer the rugged, utilitarian look of these rifles to more traditional sporting guns. Others might recoil from using these rifles for sport because of their nontraditional appearance. In the end, we concluded that appearance alone does not affect the LCMM rifles' suitability for sporting purposes. Available information leads us to believe that the determining factor for their use in crime is the ability to accept a detachable large capacity military magazine.

Use

In the 1989 study, ATF found that all rifles fairly typed as semiautomatic assault rifles should be treated the same. Accordingly, the report stated "[t]he fact that there may be some evidence that a particular rifle of this type is used or recommended for sporting purposes should not control its importability. Rather, all findings as to suitability of these rifles as a whole should govern each rifle within this type."<sup>70</sup> We adopt the same approach for the present study.

**Use for hunting:**

The information we collected on the actual use of the LCMM rifles for hunting medium or larger game suggests that, with certain exceptions, the LCMM rifles sometimes are used for hunting; however, their actual use in hunting is limited.<sup>71</sup> In fact, there are some

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firearm or a large capacity magazine that was originally designed and produced for a semiautomatic assault rifle based on the AK47 design, the ROMAK4 has the ability to accept the magazine.

<sup>70</sup> 1989 report at 11.

<sup>71</sup> We targeted the surveys toward the hunting of medium and larger game (e.g., turkey and deer) because the LCMM rifles chamber centerfire cartridges and therefore likely would be most suitable for hunting this type of game. We also learned that the LCMM rifles were used to shoot certain varmints (e.g., coyotes and groundhogs), which are generally considered to be pests, not game. Many commented that the LCMM

general restrictions and prohibitions on the use of any semiautomatic rifle for hunting game. Almost half of the States place restrictions on the use of semiautomatic rifles in hunting, mostly involving magazine capacity (5-6 rounds) and what can be hunted with the rifles (see exhibit 7).

Of the 198 hunting guides who responded to our survey, only 26 stated that they had clients who used the LCMM rifles on hunting trips during the past 2 hunting seasons and only 10 indicated that they recommend the LCMM rifles for hunting. In contrast, the vast majority of the guides (152) indicated that none of their clients used the LCMM rifles on hunting trips during the past 2 hunting seasons. In addition, the hunting guides indicated that the most common semiautomatic rifles used by their clients were those made by Browning and Remington.<sup>72</sup> We found significant the comments of the hunting guides indicating that the LCMM rifles were not widely used for hunting.

Of the 13 editors of hunting and shooting magazines who responded to our survey, only 2 stated that their publications recommend specific types of centerfire semiautomatic rifles for use in hunting medium or larger game. These two respondents stated that they recommend all rifles that are safe and of appropriate caliber for hunting, including the LCMM rifles. However, they did not recommend the LCMM rifles based on the Uzi design for hunting big game; these rifles use a 9mm cartridge, which is not an appropriate caliber for this type of game, according to the editors. It is important to note that the LCMM rifles use different cartridges. The LCMM rifles based on the FN-FAL, SIG SG550, and HK91 and 93 designs are chambered for either the .308 Winchester cartridge or the .223 Remington cartridge, depending on the specific model; the LCMM rifles based on the Uzi design are chambered for the 9mm Parabellum cartridge; and the majority of the LCMM rifles based on the AK47 design are chambered for the 7.62 x 39mm cartridge (some are chambered for the .223 Remington cartridge).

Of the five interest and information groups that responded to our survey, three supported the use of the LCMM rifles for hunting. However, one of these groups stated that the

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rifles were particularly useful on farms and ranches because of their ruggedness, utilitarian design, and reliability.

<sup>72</sup> According to a 1996 study conducted for the Fish and Wildlife Service, only 2 percent of big game hunters surveyed used licensed hunting guides. Therefore, it should be noted that the information provided by the guides we surveyed may not be representative of all hunters. However, we believe that the hunting guides' information is reliable and instructive because of their high degree of experience with and knowledge of hunting.

ammunition used by the LCMM rifle models based on the Uzi design were inadequate for shooting at long distances (i.e., more than 100 yards).

Out of the 70 published articles reviewed from various shooting magazines, only 5 contained relevant information. One of these five articles stated that, in the appropriate calibers, the LCMM rifles could make “excellent” hunting rifles. Two of the articles stated that the 7.62 x 39mm cartridge (used in LCMM rifles based on the AK47 design) could be an effective hunting cartridge. One of the articles that recommended the rifles also recommended modifications needed to improve their performance in hunting. None of the articles suggested that LCMM rifles based on the Uzi design were good hunting rifles. Thus, although the LCMM rifles could be used in hunting, the articles provided limited recommendations for their use as hunting weapons.

In their usage guides, ammunition manufacturers recommend the .308 and the 7.62 x 39mm cartridges (used in LCMM rifles based on the FN-FAL and HK 91 designs, and the AK47 design respectively) for medium game hunting. However, the usage guides do not identify the 9mm cartridge (used in the Uzi design rifles) as being suitable for hunting.

A majority of the importers who provided information said that the LCMM rifles they import are used for hunting deer and similar animals. However, they provided little evidence that the rifles were especially suitable for hunting these animals. Two of the importers who responded also provided input from citizens in the form of letters supporting this position. The letters show a wide variety of uses for the LCMM rifles, including deer hunting, plinking, target shooting, home defense, and competitive shooting.

Our review of all of this information indicates that while these rifles are used for hunting medium and larger game, as well as for shooting varmints, the evidence was not persuasive that there was widespread use for hunting. We did not find any evidence that the ability to accept a large capacity military magazine serves any hunting purpose. Traditional hunting rifles have much smaller magazine capabilities. Furthermore, the mere fact that the LCMM rifles are used for hunting does not mean that they are particularly suitable for hunting or meet the test for importation.

**Use for organized competitive target shooting:**

Of the 31 competitive shooting groups we surveyed that stated they have events using high-power semiautomatic rifles, 18 groups stated that they permit the use of the LCMM rifles for all competitions. However, 13 respondents stated that they restrict or prohibit the LCMM rifles for some competitions, and one group stated that it prohibits the LCMM

rifles for all competitions. These restrictions and prohibitions generally were enacted for the following reasons:

1. High-power rifle competitions generally require accuracy at ranges beyond the capabilities of the 9mm cartridge, which is used by the LCMM rifles based on the Uzi design.
2. The models based on the AK47 design are limited to competitions of 200 yards or less because the 7.62 x 39mm cartridge, which is used by these models, generally has an effective range only between 300 and 500 yards.
3. Certain matches require U.S. military service rifles, and none of the LCMM rifles fall into this category.

The LCMM rifles are permitted in all United States Practical Shooting Association (USPSA) rifle competitions. The USPSA Practical Shooting Handbook, Glossary of Terms, states that “[y]ou can use any safe firearm meeting the minimum caliber (9mm/.38) and power factor (125PF) requirements.” The USPSA has stated that “rifles with designs based on the AR15, AK47, FN-FAL, HK91, HK93, and others are allowed and must be used to be competitive.” Moreover, we received some information indicating that the LCMM rifles actually are used in practical shooting competitions.<sup>73</sup> However, we did not receive any information demonstrating that an LCMM rifle’s ability to accept large capacity military magazines was necessary for its use in practical shooting competitions.

A couple of the interest groups recommended the LCMM rifles for organized competitive target shooting.

None of the 70 published articles read mentioned the use of the LCMM rifles in organized competitive target shooting.

All of the major ammunition manufacturers produce .308 Winchester ammunition (which is used in the LCMM rifle models based on the HK 91 and FN-FAL designs) and .223 Remington ammunition (which is used in the HK 93, the SIG SG550, and some of the study rifle models based on the AK47 design) specifically for competitive shooting for rifles. The major manufacturers and advertisers of 9mm ammunition (which is used in the LCMM rifles based on the Uzi design) identify it as being suitable for pistol target shooting and self-defense.

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<sup>73</sup> Merely because a rifle is used in a sporting competition, the rifle does not become a sporting rifle. 114 Cong. Rec. 27461-462 (1968).

A majority of the importers who provided information stated that the LCMM rifles they import are permitted in and suitable for organized competitive target shooting. Two of the importers who responded also provided input from citizens in the form of letters and petitions supporting this position. However, the importers provided little evidence that the rifles were especially suitable for organized competitive target shooting.

The information collected on the actual use of the LCMM rifles for organized competitive target shooting suggests that, with certain exceptions, the LCMM rifles usually may be used and sometimes are used for organized competitive target shooting; however, their suitability for this activity is limited. In fact, there are some restrictions and prohibitions on their use. The use of the rifles in competitive target shooting appears more widespread than for hunting and their use for practical shooting was the most significant. Although we are not convinced that practical shooting does in fact constitute a sporting purpose under section 925(d), we note that there was no information demonstrating that rifles with the ability to accept detachable large capacity military magazines were necessary for use in practical shooting. Once again, the presence of this military feature on LCMM rifles suggests that they are not generally recognized as particularly suitable for or readily adaptable to sporting purposes.

**Use in crime:**

To fully understand how the LCMM rifles are used, we also examined information available to us on their use in crime. Some disturbing trends can be identified, and it is clear the LCMM rifles are attractive to criminals.

The use of LCMM rifles in violent crime and firearms trafficking is reflected in the cases cited below. It should be noted that the vast majority of LCMM rifles imported during the period 1991-1997 were AK47 variants, which explains their prevalence in the cited cases.

**North Philadelphia, Pennsylvania**

From April 1995 to November 1996, a convicted felon used a straw purchaser to acquire at least 55 rifles, including a number of MAK90s. The rifles were then trafficked by the prohibited subject to individuals in areas known for their high crime rates. In one case, the rifles were sold from the parking lot of a local elementary school.

**Oakland, California**

On July 8, 1995, a 32-year-old Oakland police officer assisted a fellow officer with a vehicle stop in a residential area. As the first officer searched the rear compartment of the stopped vehicle, a subject from a nearby residence used a Norinco model NMH 90 to shoot the 32-year old officer in the back. The officer later died from the wound.

El Paso, Texas

On April 15, 1996, after receiving information from the National Tracing Center, ATF initiated an undercover investigation of a suspected firearms trafficker who had purchased 326 MAK90 semiautomatic rifles during a 6-month period. The individual was found to be responsible for illegally diverting more than 1,000 firearms over the past several years. One of the MAK90 rifles that the subject had purchased was recovered from the scene of a 1996 shootout in Guadalajara, Mexico, between suspected drug traffickers and Mexican authorities. Another MAK90 was recovered in 1997 from the residence of a former Mexican drug kingpin following his arrest for drug-related activities.

Charlotte, North Carolina

On May 24, 1996, four armed subjects—one with a MAK90 rifle—carried out a home invasion robbery during which they killed the resident with a 9mm pistol. All four suspects were arrested.

Dallas, Texas

In September 1997, an investigation was initiated on individuals distributing crack cocaine from a federally subsidized housing community. During repeated undercover purchases of the narcotics, law enforcement officials noticed that the suspects had firearms in their possession. A search warrant resulted in the seizure of crack cocaine, a shotgun, and a North China Industries model 320 rifle.

Chesterfield, Virginia

In November 1997, a MAK90 rifle was used to kill two individuals and wound three others at a party in Chesterfield, Virginia.

Orange, California

In December 1997, a man armed with an AKS 762 rifle and two other guns drove to where he was previously employed and opened fire on former coworkers, killing four and injuring three, including a police officer.

Baltimore, Maryland

In December 1997, a search warrant was served on a homicide suspect who was armed at the time with three pistols and a MAK90 rifle.

We also studied import and trace information to learn whether the LCMM rifles are used in crime.

Between 1991 and 1997, there were 425,114 LCMM rifles imported into the United States. This represents 7.6 percent of the approximately 5 million rifles imported during this period. The breakdown of the specific variants of LCMM rifles imported follows:

AK-47 variants:	377,934
FN-FAL variants:	37,534
HK variants:	6,495
Uzi variants:	3,141
SIG SG550 variants:	10

During this same time period, ATF traced 632,802 firearms.<sup>74</sup> This included 81,842 rifles of which approximately 3,176 were LCMM rifles.<sup>75</sup> While this number is relatively low compared to the number of total traces, it must be viewed in light of the small number of LCMM rifles imported during this time period and the total number of rifles, both imported domestic, that were available in the United States. A more significant trend is reflected in figure 1.

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<sup>74</sup> ATF traces crime guns recovered and submitted by law enforcement officials. A crime gun is defined, for purposes of firearms tracing, as any firearm that is illegally possessed, used in a crime, or suspected by law enforcement of being used in a crime. Trace information is used to establish links between criminals and firearms, to investigate illegal firearm trafficking, and to identify patterns of crime gun traces by jurisdiction. A substantial number of firearms used in crime are not recovered by law enforcement agencies and therefore not traced. In addition, not all recovered crime guns are traced. Therefore, trace requests substantially underestimate the number of firearms involved in crimes, and trace numbers contain unknown statistical biases. These problems are being reduced as more law enforcement agencies institute policies of comprehensive crime gun tracing.

<sup>75</sup> The vast majority of LCMM rifles traced during this time period were AK47 variants. Specifically, AK47 variants comprised 95.6 percent of the LCMM rifles traced. This must be viewed within the context that 88 percent of the LCMM rifles imported during this period were AK47 variants.

## Firearms Traces 1991-1997

Year	Total Firearms Traced	Total Rifles Traced	Total Assault <sup>76</sup> Rifles Traced	Total LCMM Rifles Traced
1991	42,442	6,196	656	7
1992	45,134	6,659	663	39
1993	54,945	7,690	852	182
1994	83,137	9,201	735	596
1995	76,847	9,988	717	528
1996	136,062	17,475	1,075	800
1997	194,235	24,633	1,518	1,024
Cumulative Total	632,802	81,842	6,216	3,176

Figure 1

The figures in this table show that between 1991 and 1994, trace requests involving LCMM rifles increased rapidly, from 7 to 596. During the same period, trace requests for assault rifles increased at a slower rate, from 656 to 735. The years 1991 to 1994 are significant because they cover a period between when the ban on the importation of semiautomatic assault rifles was imposed and before the September 13, 1994, ban on semiautomatic assault weapons was enacted. Thus, during the years leading up to the 1994 ban, traces of LCMM rifles were increasing much more rapidly than the traces of the rifles that had been the focus of the 1989 ban, as well as the rifles that were the focus of the 1994 congressional action.

We also compared patterns of importation with trace requests to assess the association of LCMM rifles with criminal involvement. The comparison shows that importation of LCMM rifles in the early 1990s was followed immediately by a rapid rise in the number of trace requests involving LCMM rifles. This is shown in figures 2 and 3.

<sup>76</sup> For purposes of this table, assault rifles include (1) semiautomatic assault rifles banned from importation in 1989 but still available domestically because they had been imported into the United States prior to the ban, (2) domestically produced rifles that would not have qualified for importation after 1989, and (3) semiautomatic assault rifles that were banned in 1994.



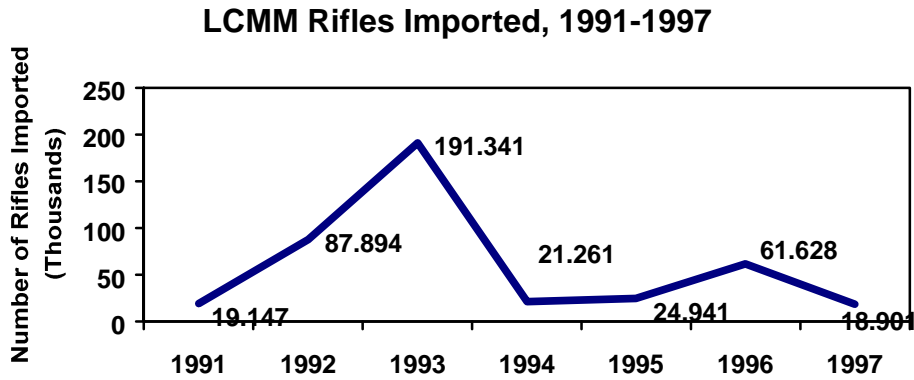


Figure 2

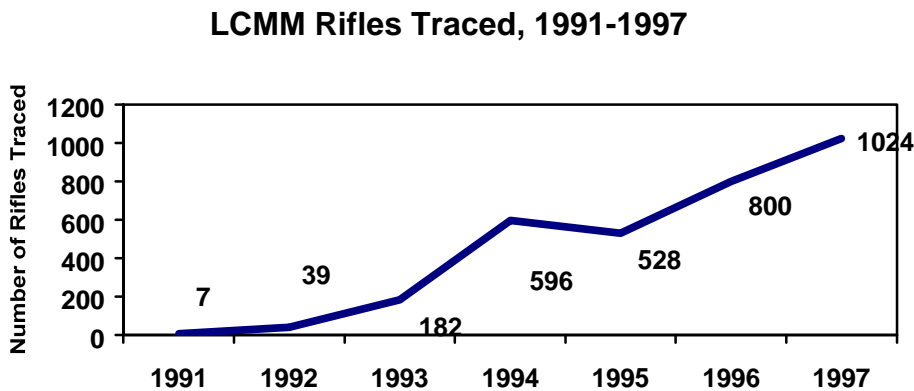


Figure 3

Two aspects of the relationship between importation and trace request patterns are significant. First, the rapid rise in traces following importation indicates that, at least in some cases, very little time elapsed between a particular LCMM rifle’s importation and its recovery by law enforcement. This time lapse is known as “time to crime.” A short time to crime can be an indicator of illegal trafficking. Therefore, trace patterns suggest what the case examples show: LCMM rifles have been associated with illegal trafficking. Second, while LCMM rifles have not been imported in large numbers since 1994,<sup>77</sup> the number of trace requests for LCMM rifles continues to rise. This reflects a sustained and

<sup>77</sup> One reason is that there has been an embargo on the importation of firearms from China since May 1994.

continuing pattern of criminal association for LCMM rifles despite the fact that there were fewer new LCMM rifles available.<sup>78</sup> Moreover, it is reasonable to conclude that if the importation of LCMM rifles resumes, the new rifles would contribute to the continuing rise in trace requests for them.<sup>79</sup>

All of the LCMM rifles have the ability to accept a detachable large capacity military magazine. Thus, they all have the ability to expend large amounts of ammunition quickly. In passing the 1994 ban on semiautomatic assault rifles and large capacity ammunition feeding devices, Congress found that weapons with this ability are attractive to criminals.<sup>80</sup>

Thus, we can infer that the LCMM rifles may be attractive to criminals because in some ways they remain akin to military assault rifles, particularly in their ability to accept a detachable large capacity military magazine.

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<sup>78</sup> The increase in trace requests also reflects the fact that law enforcement officials were making trace requests for all types of firearms much more frequently beginning in 1996. There were 76,847 trace requests in 1995, 136,062 trace requests in 1996, and 194,235 trace requests in 1997. Traces for assault rifles were increasing by approximately the same percentage as traces for LCMM rifles during these years.

<sup>79</sup> In addition to looking at case studies and tracing and import information, we attempted to get information on the use of the LCMM rifles in crime by surveying national law enforcement agencies and organizations, as well as metropolitan police departments. Twenty-three national law enforcement agencies and organizations were surveyed and five responded. Three of the respondents stated they had no information. The other two provided information that was either outdated or not specific enough to identify the LCMM rifles.

The 26 metropolitan police departments surveyed provided the following information:

- 17 departments had no information to provide.
- 5 departments stated that the LCMM rifles were viewed as crime guns.
- 1 department stated that the LCMM rifles were non sporting.
- 2 departments stated that the LCMM rifles were used to hunt coyotes in their areas.
- 1 department stated that the LCMM rifles were used for silhouette target shooting.

<sup>80</sup> H. Rep. No. 103-489, at 13, 18, 19.

### DETERMINATION

In 1989, ATF determined that the type of rifle defined as a semiautomatic assault rifle was not generally recognized as particularly suitable for or readily adaptable to sporting purposes. Accordingly, ATF found that semiautomatic assault rifles were not importable into the United States. This finding was based, in large part, on ATF's determination that semiautomatic assault rifles contain certain general characteristics that are common to the modern military assault rifle. These characteristics were designed for killing and disabling the enemy and distinguish the rifles from traditional sporting rifles. One of these characteristics is a military configuration, which incorporates eight physical features: Ability to accept a detachable magazine, folding/telescoping stocks, separate pistol grips, ability to accept a bayonet, flash suppressors, bipods, grenade launchers, and night sights. In 1989, ATF decided that any of these military configuration features, other than the ability to accept a detachable magazine, would make a semiautomatic assault rifle not importable.

Certain semiautomatic assault rifles that failed the 1989 sporting purposes test were modified to remove all of the military configuration features, except for the ability to accept a detachable magazine. Significantly, most of these modified rifles not only still have the ability to accept a detachable magazine but, more specifically, still have the ability to accept a large capacity military magazine. It appears that only one of the current study rifles, the VEPR caliber .308 (an AK47 variant), does not have the ability to accept a large capacity military magazine and, therefore, is not an LCMM rifle. Based on the standard developed in 1989, these modified rifles were found not to fall within the semiautomatic assault rifle type and were found to meet the sporting purposes test. Accordingly, these rifles were approved for import into the United States.

Members of Congress and others have expressed concerns that these modified semiautomatic assault rifles are essentially the same as the semiautomatic assault rifles determined to be not importable in 1989. In response to such concerns, the present study reviewed the current application of the sporting purposes test to the study rifles to determine whether the statute is being applied correctly and to ensure that the current use of the study rifles is consistent with the statute's criteria for importability.

Our review took another look at the entire matter. We reexamined the basic tenets of the 1989 study, conducted a new analysis of the physical features of the rifles, surveyed a wide variety of sources to acquire updated information relating to use and suitability, and assessed changes in law that might have bearing on the treatment of the study rifles.

This review has led us to conclude that the basic finding of the 1989 decision remains valid and that military-style semiautomatic rifles are not importable under the sporting purposes standard. Accordingly, we believe that the Department of the Treasury correctly has been denying the importation of rifles that had any of the distinctly military

configuration features identified in 1989, other than the ability to accept a detachable magazine. Our review, however, did result in a finding that the ability to accept a detachable large capacity magazine originally designed and produced for a military assault weapon should be added to the list of disqualifying military configuration features identified in 1989.

Several important changes have occurred since 1989 that have led us to reevaluate the importance of this feature in the sporting purposes test. Most significantly, by passing the 1994 bans on semiautomatic assault weapons and large capacity ammunition feeding devices, Congress sent a strong signal that firearms with the ability to expel large amounts of ammunition quickly are not sporting; rather, firearms with this ability have military purposes and are a crime problem. The House Report to the 1994 law emphasizes that the ability to accept a large capacity magazine “serve[s] specific, combat-functional ends.”<sup>81</sup> Moreover, this ability plays a role in increasing a firearm’s “capability for lethality,” creating “more wounds, more serious, in more victims.”<sup>82</sup> Furthermore, the House Report noted semiautomatic assault weapons with this ability are the “weapons of choice among drug dealers, criminal gangs, hate groups, and mentally deranged persons bent on mass murder.”<sup>83</sup>

Moreover, we did not find any evidence that the ability to accept a detachable large capacity military magazine serves any sporting purpose. The House Report to the 1994 law notes that, while most of the weapons covered by the assault weapon ban come equipped with detachable large capacity magazines, hunting rifles and shotguns typically have much smaller magazine capabilities, from 3 to 5 rounds.<sup>84</sup> Similarly, we found that a number of States limit magazine capacity for hunting to 5 to 6 rounds. We simply found no information showing that the ability to accept a detachable large capacity military magazine has any purpose in hunting or organized competitive target shooting.

Accordingly, we find that the ability to accept a detachable large capacity military magazine is a critical factor in the sporting purposes test that must be given the same weight as the other military configuration features identified in 1989.

The information we collected on the use and suitability of the LCMM rifles for hunting and organized competitive target shooting demonstrated that the rifles are not especially suitable for sporting purposes. Although our study found that the LCMM rifles, as a type, may sometimes be used for hunting, we found no evidence that they are commonly used for hunting. In fact, some of the rifles are unsuitable for certain types of hunting.

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<sup>81</sup> H. Rep. No. 103-489, at 18.

<sup>82</sup> H. Rep. No. 103-489, at 19.

<sup>83</sup> H. Rep. No. 103-489, at 13.

<sup>84</sup> H. Rep. No. 103-489, at 19 (footnote omitted).

The information we collected also demonstrated that although the LCMM rifles, as a type, may be used for organized competitive target shooting, their suitability for these competitions is limited. There are even some restrictions or prohibitions on their use for certain types of competitions. In addition, we believe that all rifles which are fairly typed as LCMM rifles should be treated the same. Therefore, the fact that there may be some evidence that a particular rifle of this type is used or recommended for sporting purposes should not control its importability. Rather, all findings as to suitability of LCMM rifles as a whole should govern each rifle within this type. The findings as a whole simply did not satisfy the standard set forth in section 925(d)(3).

Finally, the information we gathered demonstrates that the LCMM rifles are attractive to certain criminals. We find that the LCMM rifles' ability to accept a detachable large capacity military magazine likely plays a role in their appeal to these criminals. In enacting the 1994 bans on semiautomatic assault weapons and large capacity ammunition feeding devices, Congress recognized the appeal large magazine capacity has to the criminal element.

Weighing all this information, the LCMM rifles, as a type, are not generally recognized as particularly suitable for or readily adaptable to sporting purposes. As ATF found in conducting its 1989 study, although some of the issues we confronted were difficult to resolve, in the end we believe the ultimate conclusion is clear and compelling. The ability of all of the LCMM rifles to accept a detachable large capacity military magazine gives them the capability to expel large amounts of ammunition quickly; this serves a function in combat and crime, but serves no sporting purpose. Given the high standard set forth in section 925(d)(3) and the Secretary's discretion in applying the sporting purposes test, this conclusion was clear.

This decision will in no way preclude the importation of true sporting firearms. It will prevent only the importation of firearms that cannot fairly be characterized as sporting rifles.

Individual importers with existing permits for, and applications to import involving, the LCMM rifles will be notified of this determination in writing. Each of these importers will be given an opportunity to respond and present additional information and arguments. Final action will be taken on permits and applications only after an affected importer has an opportunity to make its case.

THE WHITE HOUSE

WASHINGTON

November 14, 1997

MEMORANDUM FOR THE SECRETARY OF THE TREASURY

SUBJECT: Importation of Modified Semiautomatic  
Assault-Type Rifles

The Gun Control Act of 1968 restricts the importation of firearms unless they are determined to be particularly suitable for or readily adaptable to sporting purposes. In 1989, the Department of the Treasury (the Department) conducted a review of existing criteria for applying the statutory test based on changing patterns of gun use. As a result of that review, 43 assault-type rifles were specifically banned from importation. However, manufacturers have modified many of those weapons banned in 1989 to remove certain military features without changing their essential operational mechanism. Examples of such weapons are the Galil and the Uzi.

In recent weeks, Members of Congress have strongly urged that it is again necessary to review the manner in which the Department is applying the sporting purposes test, in order to ensure that the agency's practice is consistent with the statute and current patterns of gun use. A letter signed by 30 Senators strongly urged that modified assault-type weapons are not properly importable under the statute and that I should use my authority to suspend temporarily their importation while the Department conducts an intensive, expedited review. A recent letter from Senator Dianne Feinstein emphasized again that weapons of this type are designed not for sporting purposes but for the commission of crime. In addition, 34 Members of the House of Representatives signed a letter to Israeli Prime Minister Binyamin Netanyahu requesting that he intervene to stop all sales of Galils and Uzis into the United States. These concerns have caused the Government of Israel to announce a temporary moratorium on the exportation of Galils and Uzis so that the United States can review the importability of these weapons under the Gun Control Act.

The number of weapons at issue underscores the potential threat to the public health and safety that necessitates immediate action. Firearms importers have obtained permits to import nearly 600,000 modified assault-type rifles. In addition, there are pending before the Department applications to import more than 1 million additional such weapons. The number of rifles covered by outstanding permits is comparable to that which existed in 1989 when the Bush Administration temporarily suspended import permits for assault-type rifles. The number of weapons for which permits for importation are being sought through pending applications is approximately 10 times greater than in 1989. The number of such firearms for which import applications have been filed has skyrocketed from 10,000 on October 9, 1997, to more than 1 million today.

My Administration is committed to enforcing the statutory restrictions on importation of firearms that do not meet the sporting purposes test. It is necessary that we ensure that the statute is being correctly applied and that the current use of these modified weapons is consistent with the statute's criteria for importability. This review should be conducted at once on an expedited basis. The review is directed to weapons such as the Uzi and Galil that failed to meet the sporting purposes test in 1989, but were later found importable when certain military features were removed. The results of this review should be applied to all pending and future applications.

The existence of outstanding permits for nearly 600,000 modified assault-type rifles threatens to defeat the purpose of the expedited review unless, as in 1989, the Department temporarily suspends such permits. Importers typically obtain authorization to import firearms in far greater numbers than are actually imported into the United States. However, gun importers could effectively negate the impact of any Department determination by simply importing weapons to the maximum amount allowed by their permits. The public health and safety require that the only firearms allowed into the United States are those that meet the criteria of the statute.

Accordingly, as we discussed, you will:

- 1) Conduct an immediate expedited review not to exceed 120 days in length to determine whether modified semiautomatic assault-type rifles are properly importable under the statutory sporting purposes test. The results of this review will govern action on pending and future applications for import permits, which shall not be acted upon until the completion of this review.

2) Suspend outstanding permits for importation of modified semiautomatic assault-type rifles for the duration of the 120-day review period. The temporary suspension does not constitute a permanent revocation of any license. Permits will be revoked only if and to the extent that you determine that a particular weapon does not satisfy the statutory test for importation, and only after an affected importer has an opportunity to make its case to the Department.

William J. Curran



Exhibit 2

STUDY RIFLE MODELS

AK47 Variants:

MAK90*	SA2000
314*	ARM
56V*	MISR
89*	MISTR
EXP56A*	SA85M
SLG74	Mini PSL
NHM90*	ROMAK 1
NHM90-2*	ROMAK 2
NHM91*	ROMAK 4
SA85M	Hunter rifle
SA93	386S
A93	PS/K
AKS 762	VEPR caliber
VEPR	7.62 x 39mm
caliber .308	

FN-FAL Variants:

Saiga rifle	L1A1 Sporter
Galil Sporter	FAL Sporter
Haddar	FZSA
Haddar II	SAR4800
WUM 1	X FAL
WUM 2	C3
SLR95	C3A
SLR96	LAR Sporter
SLR97	
SLG94	
SLG95	
SLG96	

HK Variants:

BT96  
Centurian 2000  
SR9  
PSG1  
MSG90  
G3SA  
SAR8

Uzi Variants:

Officers 9\*  
320 carbine\*  
Uzi Sporter

SIG SG550 Variants:

SG550-1  
SG550-2

- These models were manufactured in China and have not been imported since the 1994 embargo on the importation of firearms from China.

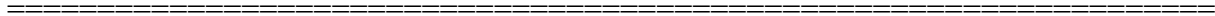
STUDY RIFLES

The study rifles are semiautomatic firearms based on the AK47, FN-FAL, HK 91 and 93, Uzi, and SIG SG550 designs. Each of the study rifles is derived from a semiautomatic assault rifle. The following are some examples of specific study rifle models grouped by design type. In each instance, a semiautomatic assault rifle is shown above the study rifles for comparison.

AK47 Variants



AK47 semiautomatic assault rifle



MISR



ARM



MAK90



WUM 1

Exhibit 3

FN-FAL Variants



FN-FAL semiautomatic assault rifle



L1A1 Sporter



SAR 4800

HK 91 and 93 Variants



HK91 semiautomatic assault rifle



SR9



SAR 8

Exhibit 3

Uzi Variants



Uzi semiautomatic assault rifle



320 carbine

SIG SG550 Variants

The following illustration depicts the configuration of a semiautomatic assault rifle based on the SIG SG550 design. No illustrations of modified semiautomatic versions are available.



SIG SG550 semiautomatic assault rifle

DEPARTMENT OF THE TREASURY  
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

FACTORING CRITERIA FOR WEAPONS

NOTE: The Bureau of Alcohol, Tobacco and Firearms reserves the right to preclude importation of any revolver or pistol which achieves an apparent qualifying score but does not adhere to the provisions of section 925(d)(3) of Amended Chapter 44, Title 18, U.S.C.

PISTOL			REVOLVER		
MODEL:			MODEL:		
PREREQUISITES			PREREQUISITES		
1. The pistol must have a positive manually operated safety device. 2. The combined length and height must not be less than 10" with the height (right angle measurement to barrel without magazine or extension) being at least 4" and the length being at least 6"			1. Must pass safety test. 2. Must have overall frame (with conventional grips) length (not diagonal) of 4 1/2" minimum. 3. Must have a barrel length of at least 3".		
INDIVIDUAL CHARACTERISTICS	POINT VALUE	POINT SUB-TOTAL	INDIVIDUAL CHARACTERISTICS	POINT VALUE	POINT SUB-TOTAL
OVERALL LENGTH			BARREL LENGTH (Muzzle to Cylinder Face)		
FOR EACH 1/4" OVER 6"	1		LESS THAN 4"	0	
FRAME CONSTRUCTION			FOR EACH 1/4" OVER 4"	1/2	
INVESTMENT CAST OR FORGED STEEL	15		FRAME CONSTRUCTION		
INVESTMENT CAST OR FORGED HTS ALLOY	20		INVESTMENT CAST OR FORGED STEEL	15	
WEAPON WEIGHT W/MAGAZINE (Unloaded)			INVESTMENT CAST OR FORGED HTS ALLOY	20	
PER OUNCE	1		WEAPON WEIGHT (Unloaded)		
CALIBER			PER OUNCE	1	
.22 SHORT AND .25 AUTO	0		CALIBER		
.22 LR AND 7.65mm TO .380 AUTO	3		.22 SHORT TO .25 ACP	0	
9mm PARABELLUM AND OVER	10		.22 LR AND .30 TO .38 S&W	3	
SAFETY FEATURES			.38 SPECIAL	4	
LOCKED BREECH MECHANISM	5		.357 MAG AND OVER	5	
LOADED CHAMBER INDICATOR	5		MISCELLANEOUS EQUIPMENT		
GRIP SAFETY	3		ADJUSTABLE TARGET SIGHTS (Drift or Click)	5	
MAGAZINE SAFETY	5		TARGET GRIPS	5	
FIRING PIN BLOCK OR LOCK	10		TARGET HAMMER AND TARGET TRIGGER	5	
MISCELLANEOUS EQUIPMENT			SAFETY TEST		
EXTERNAL HAMMER	2		A Double Action Revolver must have a safety feature which automatically (or in a Single Action Revolver by manual operation) causes the hammer to retract to a point where the firing pin does not rest upon the primer of the cartridge. The safety device must withstand the impact of a weight equal to the weight of the revolver dropping from a distance of 36" in a line parallel to the barrel upon the rear of the hammer spur, a total of 5 times.		
DOUBLE ACTION	10				
DRIFT ADJUSTABLE TARGET SIGHT	5				
CLICK ADJUSTABLE TARGET SIGHT	10				
TARGET GRIPS	5				
TARGET TRIGGER	2				
SCORE ACHIEVED (Qualifying score is 75 points)			SCORE ACHIEVED (Qualifying score is 45 points)		

Exhibit 5

MILITARY CONFIGURATION

1. Ability to accept a detachable magazine. Virtually all modern military firearms are designed to accept large, detachable magazines. This provides the soldier with a fairly large ammunition supply and the ability to rapidly reload. Thus, large capacity magazines are indicative of military firearms. While detachable magazines are not limited to military firearms, most traditional semiautomatic sporting firearms, designed to accommodate a detachable magazine, have a relatively small magazine capacity. Additionally, some States have a limit on the magazine capacity allowed for hunting, usually five or six rounds.
2. Folding/telescoping stock. Many military firearms incorporate folding or telescoping stocks. The main advantage of this item is portability, especially for airborne troops. These stocks allow the firearm to be fired from the folded position, yet it cannot be fired nearly as accurately as with an open stock. With respect to possible sporting uses of this feature, the folding stock makes it easier to carry the firearm when hiking or backpacking. However, its predominant advantage is for military purposes, and it is normally not found on the traditional sporting rifle.
3. Pistol grips. The vast majority of military firearms employ a well-defined separate pistol grip that protrudes conspicuously beneath the action of the weapon. In most cases, the "straight line design" of the military weapon dictates a grip of this type so that the shooter can hold and fire the weapon. Further, a pistol grip can be an aid in one-handed firing of the weapon in a combat situation. Further, such grips were designed to assist in controlling machineguns during automatic fire. On the other hand, the vast majority of sporting firearms employ a more traditional pistol grip built into the wrist of the stock of the firearm since one-handed shooting is not usually employed in hunting or organized competitive target competitions.
4. Ability to accept a bayonet. A bayonet has distinct military purposes. First, it has a psychological effect on the enemy. Second, it enables soldiers to fight in close quarters with a knife attached to their rifles. No traditional sporting use could be identified for a bayonet.
5. Flash suppressor. A flash suppressor generally serves one or two functions. First, in military firearms it disperses the muzzle flash when the firearm is fired to help conceal the shooter's position, especially at night. A second purpose of some flash suppressors is to assist in controlling the "muzzle climb" of the rifle, particularly when fired as a fully automatic weapon. From the standpoint of a traditional sporting firearm, there is no particular benefit in suppressing muzzle flash. Flash suppressors that also serve to dampen muzzle climb have a limited benefit in sporting uses by allowing the shooter to reacquire

Exhibit 5

the target for a second shot. However, the barrel of a sporting rifle can be modified by "magna-porting" to achieve the same result. There are also muzzle attachments for sporting firearms to assist in the reduction of muzzle climb. In the case of military-style weapons that have flash suppressors incorporated in their design, the mere removal of the flash suppressor may have an adverse impact on the accuracy of the firearm.

6. Bipods. The majority of military firearms have bipods as an integral part of the firearm or contain specific mounting points to which bipods may be attached. The military utility of the bipod is primarily to provide stability and support for the weapon when fired from the prone position, especially when fired as a fully automatic weapon. Bipods are available accessory items for sporting rifles and are used primarily in long-range shooting to enhance stability. However, traditional sporting rifles generally do not come equipped with bipods, nor are they specifically designed to accommodate them. Instead, bipods for sporting firearms are generally designed to attach to a detachable "slingswivel mount" or simply clamp onto the firearm.
7. Grenade launcher. Grenade launchers are incorporated in the majority of military firearms as a device to facilitate the launching of explosive grenades. Such launchers are generally of two types. The first type is a flash suppressor designed to function as a grenade launcher. The second type attaches to the barrel of the rifle by either screws or clamps. No traditional sporting application could be identified for a grenade launcher.
8. Night sights. Many military firearms are equipped with luminous sights to facilitate sight alignment and target acquisition in poor light or darkness. Their uses are generally for military and law enforcement purposes and are not usually found on sporting firearms since it is generally not legal to hunt at night.

**[This document has been retyped for clarity.]**

MEMORANDUM TO FILE

FIREARMS ADVISORY PANEL

The initial meeting of the Firearms Advisory Panel was held in Room 3313, Internal Revenue Building, on December 10, 1968, with all panel members present. Internal Revenue Service personnel in attendance at the meeting were the Director, Alcohol and Tobacco Tax Division, Harold Serr; Chief, Enforcement Branch, Thomas Casey; Chief, Operations Coordination Section, Cecil M. Wolfe, and Firearms Enforcement Officer, Paul Westenberger. Deputy Assistant Commissioner Compliance, Leon Green, visited the meeting several times during the day.

The Director convened the meeting at 10:00 a.m. by welcoming the members and outlining the need for such an advisory body. He then introduced the Commissioner of Internal Revenue, Mr. Sheldon Cohen, to each panel member.

Mr. Cohen spoke to the panel for approximately fifteen minutes. He thanked the members for their willingness to serve on the panel, explained the role of the panel and some of the background which led to the enactment of the Gun Control Act of 1968. Commissioner Cohen explained to the panel members the conflict of interest provisions of regulations pertaining to persons employed by the Federal Government and requested that if any member had any personal interest in any matter that came under discussion or consideration, he should make such interest known and request to be excused during consideration of the matter.

Mr. Seer then explained to the panel the areas in which the Division would seek the advice of the panel and emphasized that the role of the panel would be advisory only, and that it was the responsibility of the Service to make final decisions. He then turned the meeting over to the moderator, Mr. Wolfe.

Mr. Wolfe explained the responsibility of the Service under the import provisions of the Gun Control Act and under the Mutual Security Act. The import provisions were read and discussed.

The panel was asked to assist in defining Sporting purposes as used in the Act. It was generally agreed that firearms designed and intended for hunting and all types of organized competitive target shooting would fall within the sporting purpose category. A discussion was held on the so-called sport of Apling. It was the consensus that, while many persons



Exhibit 6

participated in the type of activity and much ammunition was expended in such endeavors, it was primarily a pastime and could not be considered a sport for the purposes of importation since any firearm that could expel a projectile could be used for this purpose without having any characteristics generally associated with target guns.

The point system that had been developed by the Division and another point system formula suggested and furnished by the Southern Gun Distributors through Attorney Michael Desalle, was explained and demonstrated to the panel by Paul Westenberger. Each panel member was given copies of the formulas and requested to study them and endeavor to develop a formula he believed would be equitable and could be applied to all firearms sought to be imported.

A model BM59 Beretta, 7.62 mm, NATO Caliber Sporter Version Rifle was presented to the panel and their advice sought as to their suitability for sporting purposes. It was the consensus that these rifles do have a particular use in target shooting and hunting. Accordingly, it was recommended that importation of this rifle together with the SIG-AMT 7.62mm NATO Caliber Sporting Rifle and the Cetme 7.62mm NATO Caliber Sporting Rifle be authorized for importation. Importation, however, should include the restriction that these weapons must not possess combination flash suppressors/grenade adaptors with outside diameters greater than 20mm (.22 mm is the universal grade adaptor size).

The subject of ammunition was next discussed. Panel members agreed that incendiary and tracer small arms ammunition have no use for sporting purposes. Accordingly, the Internal Revenue Service will not authorize these types of small arms ammunition importation. All other conventional small arms ammunition for pistols, revolvers, rifles and shotguns will be authorized.

The meeting was adjourned at 4:00 p.m.

C.M. Wolfe

Exhibit 7

**STATE FISH AND GAME COMMISSION REVIEW**

STATE RESTRICTION	RIFLE RESTRICTION	MAGAZINE RESTRICTION
Alabama	Not for turkey	
Alaska		
Arizona		Not more than five rounds
Arkansas	Not for turkey	
California		
Colorado		Not more than six rounds
Connecticut*	No rifles on public land	
Delaware	No rifles	
Florida		Not more than five rounds
Georgia	Not for turkey	
Hawaii		
Idaho	Not for turkey	
Illinois	Not for deer or turkey	
Indiana*	Not for deer or turkey	
Iowa	Not for deer or turkey No restrictions on coyote or fox	
Kansas		
Kentucky		
Louisiana	Not for turkey	
Maine*	Not for turkey	
Maryland*		

## Exhibit 7

STATE RESTRICTION	RIFLE RESTRICTION	MAGAZINE RESTRICTION
Massachusetts	Not for deer or turkey	
Michigan	Not for turkey	Not more than six rounds
Minnesota		
Mississippi	Not for turkey	
Missouri	Not for turkey	Chamber and magazine not more than 11 rounds
Montana		
Nebraska		Not more than six rounds
Nevada	Not for turkey	
New Hampshire*	Not for turkey	Not more than five rounds
New Jersey	No rifles	
New Mexico	Not for turkey	
New York*		Not more than six rounds
North Carolina	Not for turkey	
North Dakota	Not for turkey	
Ohio	Not for deer or turkey	
Oklahoma		Not more than seven rounds for .22 caliber
Oregon*		Not more than five rounds
Pennsylvania*	No semiautomatics	

Exhibit 7

STATE RESTRICTION	RIFLE RESTRICTION	MAGAZINE RESTRICTION
Rhode Island	Prohibited except for woodchuck in summer	
South Carolina	Not for turkey	
South Dakota		Not more than five rounds
Tennessee	Not for turkey	
Texas		
Utah	Not for turkey	
Vermont		Not more than six rounds
Virginia*		
Washington	Not for turkey	
West Virginia		
Wisconsin		
Wyoming		

\* Limited restrictions (e.g., specified areas, county restrictions, populated areas, time of day).



DIRECTOR

DEPARTMENT OF THE TREASURY  
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS  
WASHINGTON, D.C. 20226

O:F:S:DMS  
3310

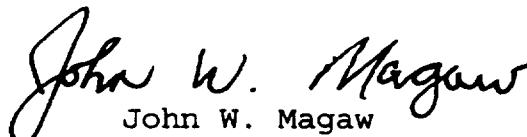
Dear Sir or Madam:

On November 14, 1997, the President and the Secretary of the Treasury decided to conduct a review to determine whether modified semiautomatic assault rifles are properly importable under Federal law. Under 18 U.S.C. section 925(d)(3), firearms may be imported into the United States only if they are determined to be of a type generally recognized as particularly suitable for or readily adaptable to sporting purposes. The firearms in question are semiautomatic rifles based on the AK47, FN-FAL, HK91, HK93, SIG SG550-1, and Uzi designs.

As part of the review, the Bureau of Alcohol, Tobacco and Firearms (ATF) is interested in receiving information that shows whether any or all of the above types of semiautomatic rifles are particularly suitable for or readily adaptable to hunting or organized competitive target shooting. We are asking that you voluntarily complete the enclosed survey to assist us in gathering this information. We anticipate that the survey will take approximately 15 minutes to complete.

Responses must be received no later than January 9, 1998; those received after that date cannot be included in the review. Responses should be forwarded to the Bureau of Alcohol, Tobacco and Firearms, Department HG, P.O. Box 50860, Washington, DC 20091. We appreciate any information you care to provide.

Sincerely yours,

  
John W. Magaw  
Director

Enclosure

ATF SURVEY OF HUNTING GUIDES  
FOR RIFLE USAGE

Page 1 of 2

*Please report only on those clients who hunted medium game (for example, turkey) or larger game (for example, deer) with a rifle.*

*For the purposes of this survey, please count only individual clients and NOT the number of trips taken by a client. For example, if you took the same client on more than one trip, count the client only once.*

1. What is the approximate number of your clients who have ever used **manually operated rifles** during the past two hunting seasons of 1995 and 1996?

\_\_\_\_\_ number of clients.

2. What is the approximate number of your clients who have ever used **semiautomatic rifles** during the past two hunting seasons of 1995 and 1996?

\_\_\_\_\_ number of clients.

3. What is the approximate number of your clients who have ever used semiautomatic rifles whose design is based on the **AK 47, FN-FAL, HK91, HK93, SIG 550-1, or Uzi** during the past two hunting seasons of 1995 and 1996?

\_\_\_\_\_ number of clients.

4. From your knowledge, for your clients who use **semiautomatic rifles**, please list the three most commonly used rifles.

Make

Model

Caliber

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5. Do you **recommend** the use of any specific rifles by your clients?

\_\_\_\_\_ Yes (Continue to #6)

\_\_\_\_\_ No (You are finished with the survey. Thank you.)

An agency may not conduct or sponsor, and a person is not required to respond to, the collection of information unless it displays a currently valid OMB control number.

ATF SURVEY OF HUNTING GUIDES  
FOR RIFLE USAGE

Page 2 of 2

6. If your answer to item 5 is "Yes", please identify the specific rifles you **recommend**.

Make

Model

Caliber

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7. Do you **recommend** the use of any semiautomatic rifles whose design is based on the **AK 47, FN-FAL, HK91, HK93, SIG 550-1, or Uzi**?

Yes (*Continue to #8*)

No (*You are finished with the survey. Thank you.*)

8. If your answer to item 7 is "Yes", please identify the specific rifles whose design is based on the **AK 47, FN-FAL, HK91, HK93, SIG 550-1, or Uzi** that you recommend.

Make

Model

Caliber

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An agency may not conduct or sponsor, and a person is not required to respond to, the collection of information unless it displays a currently valid OMB control number.

## Hunting Guides

case	Number of clients Using			Recommend	
	Manual	Semiauto	AK47 et.al.	Any	AK47 et.al.
A 1	28	0	0	No	
A 2	100	10	0	Yes	No
A 3	18	0	0	No	
A 4	120	40	0	Yes	No
A 5	12	0	0	Yes	No
A 6	80	40	0	No	
A 7	275	25	0	No	
A 8					
A 9	0	0	0		
A 10	0				
A 11	2	5	0	Yes	Yes
A 12	12	0	0	Yes	No
A 13	10	6	0	No	No
A 14	5	7	0	No	
A 15	0	0	0		
A 16	20	0	0	No	No
A 17					
A 18	0	0	0	No	
A 19	17	6	0	No	
A 20	30	8	0	No	
A 21	117	7	0	Yes	No
A 22	160	0	0	Yes	No
A 23	23	1	0	Yes	No
A 24	100	5	0	Yes	No
A 25	210	10	0	Yes	No
A 26	12	4	1	Yes	Yes
A 27	24	3	0	Yes	No
A 28	20	15	0	Yes	No
A 29	4	0	0	No	No
A 30	4	0	0	Yes	No
A 31	100	5	0	No	No
A 32	1	0	0	No	No
A 33			0	No	No
A 34	142	1	0	No	
A 35	78	2	0	Yes	No
A 36	600	200		No	
A 37	20	13	1	No	
A 38	45	15	0	No	
A 39	100	10	0	No	
A 40	80	6	2	Yes	No
A 41	250	25	0	Yes	No
A 42	4	0	0	No	
A 43	14	2	0	No	No
A 44	171	15	0	Yes	No
A 45	54	6	0	Yes	No
A 46	10	6	0	No	
A 47	0	0	0	No	No
A 48	24	0	0	No	
A 49	180	2	0	Yes	No
A 50					
A 51					



case	Number of clients Using			Recommend	
	Manual	Semiauto	AK47 et.al.	Any	AK47 et.al.
A 52	24	16	0	No	
A 53	600	100	12	No	
A 54	18	6	0	No	
A 55	0	0	0	No	
A 56	0	0	0	No	
A 57	40	4	0	No	
A 58					
A 59	40	10	0	No	No
A 60	60	2	0	No	No
A 61	63	4	0	Yes	No
A 62	40	4	0	No	
A 63	8	0	0	Yes	No
A 64	27	1	0	Yes	No
A 65	50	9	0	Yes	No
A 66	35	2	0	No	
A 67	6	0	0	Yes	No
A 68	6	3		No	
A 69	50	20	0	No	
A 70		0	0	Yes	No
A 71	27	1	0	Yes	
A 72	85	0	0	Yes	No
A 73	56	24	0	Yes	No
A 74	25	25	0	Yes	No
A 75	100	20	0	No	
A 76	50	15	3	No	
A 77	15	4	0	No	
A 78	12	0	0	Yes	No
A 79	75	0	0	No	
A 80					
A 81	0	0	0	No	
A 82	0	0	0	No	
A 83	12	4	0	No	No
A 84	40	0	0	Yes	No
A 85	24	0	0	No	
A 86	17	0	0	No	No
A 87	16	3	0	Yes	No
A 88	45	10	0	No	
A 89	11	7	7	Yes	Yes
A 90	35	1	0	Yes	No
A 91	25	2	0	Yes	No
A 92	0	0	0		
A 93	75	40	0	Yes	No
A 94	60	2	0	Yes	No
A 95	26	0	0	No	
A 96	20	0		No	No
A 97	65	11	0	Yes	No
A 98	40	5	0	Yes	No
A 99	26	5	0	No	
A 100	13	2	0	No	
A 101					
A 102	45	6	0	No	No

## Hunting Guides

case	Number of clients Using			Recommend	
	Manual	Semiauto	AK47 et.al.	Any	AK47 et.al.
A 103	120	4	0	No	
A 104				Yes	
A 105	150	50	0	No	No
A 106	80	20	0	Yes	No
A 107	40	0	0	No	No
A 108	10	0	0	No	
A 109	160	40	0	Yes	No
A 110	10	10	0	No	No
A 111	6	0	0	No	
A 112					
A 113	150	150	100	Yes	Yes
A 114	50	25	0	No	No
A 115	19	0	0	Yes	No
A 116	80	3	0	No	
A 117	40	10	0	Yes	No
A 118					
A 119	50	0	0	Yes	No
A 120	0	0	0	No	
A 121	0	0	0		
A 122	120	15	0	Yes	No
A 123	10	0	0	Yes	No
A 124	22	0	0	Yes	No
A 125	40	40	20	No	
A 126	50	10	0	Yes	No
A 127	60	20	0	Yes	No
A 128	14	0	0	No	No
A 129	13	16	4	No	
A 130	80	4	0	Yes	No
A 131	12	2	0	Yes	No
A 132		4	0	Yes	No
A 133	50	26	7	No	No
A 134	12	0	0	No	
A 135	2	10	3	No	
A 136	2	1	1	Yes	No
A 137	28	0	0	Yes	No
A 138	45	10		No	
A 139	46	59	0	Yes	No
A 140			0	Yes	No
A 141	40	10	0	No	No
A 142	70	20	0	Yes	No
A 143	50	3	0	No	No
A 144	60	6	0	Yes	No
A 145	140	0	0	Yes	No
A 146	20	4	1	Yes	No
A 147	10	1	0	Yes	No
A 148	0	0	0	No	No
A 149	37	0	0	Yes	No
A 150			0	Yes	No
A 151	6	10	0	No	No
A 152	110	5	0	No	
A 153	15	17		Yes	No

case	Number of clients Using			Recommend	
	Manual	Semiauto	AK47 et.al.	Any	AK47 et.al.
A 154	18	4	0	No	
A 155	25	3	0	Yes	No
A 156	60	6	3	No	
A 157	20	0	0	No	
A 158	88	46	0	No	No
A 159	68	19	3	Yes	Yes
A 160	25	5	0	No	
A 161	15	0	0	No	
A 162	75	10	0	No	
B 1				No	
C 1	25	0	0	Yes	No
C 2	55	10	6	Yes	Yes
C 3	60	30	0	No	
C 4	80	20	0	No	
C 5	10	0	0	No	No
C 6	25	6	0	No	
C 7	66	10	1	No	
C 8	24	0	0	Yes	No
C 9	10	15	15	No	
C 10	35	15	9	Yes	Yes
C 11			0	No	
C 12					No
C 13	25	10	0	No	
C 14	60	20	0	Yes	No
C 15	20	0	0	Yes	No
C 16	14	0	0	No	
C 17		0	0	Yes	No
C 18	18	25	5	Yes	Yes
C 19	125	50	5	Yes	No
C 20	20	5	2	No	
C 21		0	0	Yes	No
C 22	30	0	0	No	No
C 23	150	20	0	Yes	No
C 24	60	0	0	No	
C 25	16	7	6	Yes	Yes
C 26	300	650	400	No	
C 27	20	15	8	Yes	Yes
C 28	3	5	2	No	
C 29	45	6	0	Yes	No
C 30				No	
C 31	30	0	0	Yes	No
C 32			0	Yes	No
C 33	35	4	0	Yes	No
C 34	25	5	0	Yes	No
C 35				Yes	No

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Q4. Three most commonly used rifles				
case	Make	Other Make	Model	Caliber
A 1				
A 2				
A 3				
A 4	Browning		BAR	300
A 5				
A 6	Remington		742	30.06
A 7	Browning		BAR	30.06, .270, 7MM, 300 Mag
A 8				
A 9				
A 10				
A 11	Remington		740-7400	20, 30
A 12				
A 13	Remington		700	7 mm mag
A 14	Remington		7400	270
A 15				
A 16				
A 17				
A 18				
A 19	Browning			30.06
A 20	Remington		742	30.06
A 21				
A 22				
A 23	Browning		?	300 mag
A 24	Remington			30.06
A 25	Remington			30.06
A 26	Browning		BAR	30.06
A 27	Remington			30.06
A 28		?	?	06
A 29				
A 30				
A 31	Browning		automatics	
A 32				
A 33				
A 34	Remington			.3006
A 35	Browning			7 mm
A 36	Browning			30.06
A 37	Browning		BAR	30.06
A 38	Browning		br	7 mm, 300win, 30.06
A 39	Remington		7600	.270 win, .30-06, .280 rem
A 40	Browning		Bar mark II	300 win mag
A 41	Remington			
A 42				
A 43	Remington		7600	243 - 7 mm mag
A 44				30.06, 300 winmag, .338, 270
A 45	Browning		BAR Automatic	30.06

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Q4. Three most commonly used rifles				
A 46	Browning		BAR	7 mm, 30.06
A 47				
A 48				
A 49				
A 50				
A 51				
A 52	Browning		BAR	7 mm mag/30.06
A 53	Browning		BAR	30.06, 300 wm
A 54	Browning		BAR	30.06
A 55				
A 56				
A 57	Browning		semi-auto	300 mag
A 58				
A 59				
A 60				
A 61	Browning			30.06
A 62	Browning			7 mm
A 63	Browning		BAR	.270 - 300 win mag
A 64	Browning		BAR	30.06
A 65	Browning		semi-auto	.308
A 66	Browning			
A 67				
A 68	Remington		7400	30.06
A 69	Browning			
A 70				
A 71	Browning		Not sure	
A 72				
A 73	Browning		BARR	30.06
A 74	Browning		BAR	300
A 75	Remington		7400 old 752	270 and 30.06
A 76	Browning		BAR	308, 30.06, 300win, 338 win
A 77	Remington			308
A 78	Browning			300, 270, 30.06
A 79				
A 80				
A 81				
A 82				
A 83				30 caliber or bigger for elk
A 84				
A 85				
A 86				
A 87	Browning			30.06 and 7 mm
A 88	Browning		BAR	7 mm, .300, .270
A 89	Other	Russian	SKS	7.62
A 90	Browning			1 or 2 in over 50 years
A 91	Browning			300 win mag

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Q4. Three most commonly used rifles				
A 92				
A 93				
A 94	Browning		BAR	
A 95				
A 96				
A 97	Browning		BAR	300-06-270
A 98	Browning			300, 30.06
A 99	Other	Savage		7 mm
A 100	Browning		?	7 mm mag
A 101				
A 102	Browning	Only 1 I recall	BAR	30.06
A 103				
A 104				
A 105				
A 106	Browning		BAR	300 win mag
A 107				
A 108				
A 109	Browning			30.06
A 110	Remington		700	30.06, 270, 7 mm
A 111				
A 112				
A 113	Other	Weatherby		300 mag
A 114	Browning			7 m mag
A 115				
A 116				
A 117	Browning			
A 118				
A 119				
A 120				
A 121				
A 122	Browning		U/K	.338 mag
A 123				
A 124				
A 125				
A 126	Remington		742	243, 30.06
A 127	Winchester		?	30.06
A 128	Winchester			270, 306
A 129	Browning		BAR	7 mm and 243
A 130	Browning			30.06
A 131	Browning		BAR	.7 mm mag
A 132	Remington			30.06
A 133			AK 47	223
A 134				
A 135	Remington			270
A 136	Browning		BAR	
A 137				

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Q4. Three most commonly used rifles				
A	138	Winchester		30.06
A	139	Browning	BAR	270, 7 mm
A	140	Browning		7 mm
A	141			
A	142	Browning		7 mm mag
A	143			
A	144	Browning		30.06
A	145			
A	146	Browning	BDL	7mg
A	147	Browning	BAR	308
A	148			
A	149			
A	150	Remington		
A	151	Browning	BAR	308
A	152	Remington		various 270 - 338
A	153	Browning		30
A	154	Browning	BAR	7 mm mag
A	155			30.06
A	156	Other	BAR	
A	157			
A	158	Remington	280	280
A	159	Browning		7 mm mag
A	160	Remington	Semiauto	30.06
A	161			
A	162	Browning		30.06
B	1			.308, 30-06, .270
C	1			
C	2	Other	AK-47	Antelope Hunter 30
C	3	Browning	Auto	30.06
C	4	Browning	Bar	7mm
C	5			
C	6			
C	7	Browning		30.06
C	8			
C	9	Other	FN-FAL	308
C	10	Remington	742	30.06
C	11	Browning		306
C	12			
C	13	Remington		.06 - 7mm
C	14	Browning	BAR	7mm
C	15			
C	16			
C	17			
C	18	Ruger	Ranch Rifle	223
C	19	Other	AK47	
C	20	Browning	BAR	300 win mag

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Q4. Three most commonly used rifles				
C 21	Other	Bolt-action or pump		
C 22				
C 23	Browning			30.06
C 24				
C 25	Other	AK47		7.62-39
C 26	Other	HK	93	.308
C 27	Browning		BAR	7mm
C 28	Other	Norinco	SKS Type 56	7.62X39
C 29	Browning		BAR	30.06 -.300
C 30				
C 31				
C 32	Browning			3.06 - 7mm
C 33	Remington			30.06
C 34	Remington		741	.270 - 30.06
C 35	Remington			.270
A 1				
A 2				
A 3				
A 4	Remington		7400	30.06
A 5				
A 6	Browning			30.06
A 7	Remington		700	30.03, 270, 7 mm
A 8				
A 9				
A 10				
A 11	Winchester		100	30
A 12				
A 13	Winchester		70	300 mag
A 14	Remington		7400	30.06
A 15				
A 16				
A 17				
A 18				
A 19	Remington		7400	30.06
A 20	Browning			7 mm mag
A 21				
A 22				
A 23				
A 24	Browning			30.06
A 25	Browning			30.03 to 300 mag
A 26	Remington		Fieldmaster	30.06
A 27				
A 28				
A 29				
A 30				
A 31	Remington		automatics	



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Q4. Three most commonly used rifles				
A 32				
A 33				
A 34				
A 35				
A 36	Remington			270 - 30.06
A 37	Remington		7400	30.06
A 38				
A 39	Browning		BAR	.270 win, 7 mm mag
A 40	Remington		7400	30.06
A 41	Browning			
A 42				
A 43	Browning		BAR	243 - 7 mm mag
A 44				
A 45				
A 46	Remington		1100	12 gauge
A 47				
A 48				
A 49				
A 50				
A 51				
A 52	Remington		7400	30.06
A 53	Remington		7400/742	30.06
A 54				
A 55				
A 56				
A 57	Remington		semi-auto	30.06
A 58				
A 59				
A 60				
A 61	Other	Savage		7 mm mag
A 62	Remington			30.06
A 63	Remington		742	.270 - 30.06
A 64				
A 65	Winchester		semi-auto	.308
A 66	Remington			
A 67				
A 68	Remington		7400	.308
A 69	Remington			
A 70				
A 71	Remington		742	30.06
A 72				
A 73	Remington			30.06
A 74	Remington		7600	30.06
A 75	Browning		BAR	270/338 and 30.06
A 76	Other	AK-47		30
A 77	Remington			30.06

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Q4. Three most commonly used rifles				
A 78	Remington		?	300, 270, 30.06
A 79				
A 80				
A 81				
A 82				
A 83				
A 84				
A 85				
A 86				
A 87	Remington			30.06
A 88	Remington		742, 7400	30.06, .270
A 89	Other	Heckler-Koch	HK91	308
A 90	Remington			
A 91	Remington			30.06
A 92				
A 93				
A 94				
A 95				
A 96				
A 97				
A 98	Remington		760	.300, 30.06, 270
A 99	Browning			7 mm
A 100	Remington		742	30.06
A 101				
A 102				
A 103				
A 104				
A 105				
A 106				
A 107				
A 108				
A 109	Winchester			308
A 110				
A 111				
A 112				
A 113	Remington		700	7 mm mag
A 114	Remington		742 Wingmaster	30.06
A 115				
A 116				
A 117	Remington			
A 118				
A 119				
A 120				
A 121				
A 122				
A 123				

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Q4. Three most commonly used rifles				
A 124				
A 125				
A 126	Ruger		22	
A 127	Marlin		?	.308
A 128	Remington			7 m
A 129				
A 130				
A 131	Browning		BAR	30.06
A 132				
A 133	Ruger		Mini 14	223
A 134				
A 135	Remington			243
A 136	Other	HK 91		
A 137				
A 138	Browning			308
A 139	Remington		742	30.06 - 6 mm
A 140	Remington			30.06
A 141				
A 142	Browning			300 win mag
A 143				
A 144	Browning			7 mm mag
A 145				
A 146	Browning		BDL	300
A 147				
A 148				
A 149				
A 150	Winchester			
A 151	Remington		742	30.06
A 152	Ruger			various 270 - 338
A 153	Winchester			30
A 154	Browning		BAR	30.06
A 155				
A 156	Other	AK-47		
A 157				
A 158	Winchester			338
A 159	Remington			30.06
A 160				
A 161				
A 162	Remington		742	30.06, 270
B 1				
C 1				
C 2				
C 3	Winchester		Auto	30.06
C 4	Browning		Bar	338
C 5				
C 6				

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Q4. Three most commonly used rifles				
C 7	Remington			30.06
C 8				
C 9	Other	Uzi		9mm
C 10	Other	AK-47	Hunter	7.62x39
C 11	Other	Weatherby		300
C 12				
C 13	Winchester			.06 - 7mm
C 14	Browning			300
C 15				
C 16				
C 17				
C 18	Other	AK-47		
C 19	SigArms		550-1	
C 20	Ruger		Mini 14	.223
C 21				
C 22				
C 23	Remington		742	30.06
C 24				
C 25	Other	MAK-90		7.62-39
C 26	Other	HK	91	0.223
C 27	Remington		7400 Series	30.06
C 28	Remington		7600	30.06
C 29	Remington		742	.308 - 3.06
C 30				
C 31				
C 32	Remington			30.06 - 7mm
C 33	Browning			300 win
C 34	Browning			.270 - 30.06
C 35	Browning			300
A 1				
A 2				
A 3				
A 4	Ruger		Mini 14	223
A 5				
A 6	Other	Savage		270
A 7				
A 8				
A 9				
A 10				
A 11				
A 12				
A 13	Browning		A-bolt	270
A 14				
A 15				
A 16				
A 17				

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Q4. Three most commonly used rifles				
A 18				
A 19				
A 20				
A 21				
A 22				
A 23				
A 24				
A 25				
A 26	Other	China	SKS	7.62x37
A 27				
A 28				
A 29				
A 30				
A 31				
A 32				
A 33				
A 34				
A 35				
A 36	Winchester			270 - 30.06
A 37				
A 38				
A 39				
A 40	Ruger			44 mag
A 41				
A 42				
A 43	Ruger			223 - 30.06
A 44				
A 45				
A 46				
A 47				
A 48				
A 49				
A 50				
A 51				
A 52				
A 53	Ruger		Mini-14	.223
A 54				
A 55				
A 56				
A 57	Ruger		semi-auto	35 cal
A 58				
A 59				
A 60				
A 61				
A 62	Ruger		Mini 14	223
A 63				

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Q4. Three most commonly used rifles				
A 64				
A 65				
A 66				
A 67				
A 68				
A 69				
A 70				
A 71				
A 72				
A 73				
A 74	Browning		BAR	30.06
A 75				
A 76	Remington			30.06, 270
A 77	Browning			300
A 78				
A 79				
A 80				
A 81				
A 82				
A 83				
A 84				
A 85				
A 86				
A 87				
A 88				
A 89	Other	Springfield Armory	FNG	308
A 90				
A 91				
A 92				
A 93				
A 94				
A 95				
A 96				
A 97				
A 98				
A 99				
A 100				
A 101				
A 102				
A 103				
A 104				
A 105				
A 106				
A 107				
A 108				
A 109				

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Q4. Three most commonly used rifles				
A 110				
A 111				
A 112				
A 113	Other	All		30.06
A 114	Remington		721	270
A 115				
A 116				
A 117				
A 118				
A 119				
A 120				
A 121				
A 122				
A 123				
A 124				
A 125				
A 126	Browning	Remington	Shotguns	12 gauge
A 127	Remington			.308 or 30.06
A 128	Other	Savage		308
A 129				
A 130				
A 131				
A 132				
A 133	Browning		BAR	7 mm
A 134				
A 135	Browning		742	30.06
A 136	Other	AK 47		
A 137				
A 138				
A 139	Other	Weatherby		300 m
A 140				
A 141				
A 142				
A 143				
A 144				
A 145				
A 146	Ruger		#1	7 mag
A 147				
A 148				
A 149				
A 150	Browning			
A 151				
A 152	Browning			various 270 - 338
A 153				
A 154	Browning		BAR	8 mm mag
A 155				

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Q4. Three most commonly used rifles				
A 156	Other	Uzi		
A 157				
A 158	Browning			300
A 159				
A 160				
A 161				
A 162				
B 1				
C 1				
C 2				
C 3	Browning		Auto	270
C 4	Browning		Bar	300
C 5				
C 6				
C 7				
C 8				
C 9	Other	HK91		
C 10	Browning		BAR	30.06
C 11				
C 12				
C 13	Browning			300
C 14				
C 15				
C 16				
C 17				
C 18				
C 19				
C 20	Other	AK47		7.62 x 39
C 21				
C 22				
C 23	Remington		742	308, 270
C 24				
C 25		M1-A1		.223
C 26				
C 27	Winchester	Various	M1 Garand	30.06
C 28				
C 29			M1A1	30.06
C 30				
C 31				
C 32				
C 33				
C 34				
C 35				



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Q 6. Rifles recommended for clients				
case	Make	Other Make	Model	Caliber
A 1				
A 2	Ruger			30.06
A 3				
A 4	Other	Weatherby	Mark V	300
A 5				30.06
A 6				
A 7				
A 8				
A 9				
A 10				
A 11				
A 12				
A 13				
A 14				
A 15				
A 16				
A 17				
A 18				
A 19				
A 20				
A 21	Winchester			30.06, .270
A 22	Remington		700	7 mm or larger
A 23	Winchester		70	25 to 30
A 24	Remington		710	30.06
A 25		Any make	Bolt action	Does not recommend
A 26	Winchester		70	30.06 or larger
A 27	Other	Weatherby		300
A 28	Other	bolt action		270 and up
A 29				
A 30		hunter's choice		.270
A 31				
A 32				
A 33				
A 34				
A 35	Winchester		70	300 win mag
A 36				
A 37				
A 38				
A 39				
A 40	Remington			30.06 - 300 win mag
A 41				
A 42				
A 43				
A 44				30.06, 300winmag, 338, 270
A 45	Browning		Bolt Action	25.06 - 328

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Q 6. Rifles recommended for clients				
case	Make	Other Make	Model	Caliber
A 46				
A 47				
A 48				
A 49	Other	Weatherby		300 mag
A 50				
A 51				
A 52				
A 53				
A 54				
A 55				
A 56				
A 57				
A 58				
A 59				
A 60				
A 61	Remington		Bolt Action	300 mag
A 62				
A 63	Other	bolt action repeating rifles		30.06 to .338 winmag
A 64	Winchester		70	338
A 65	Remington		bolt action	308,25-06,243,7 mm mag,30.06,22-250,300 mag all
A 66				
A 67	Ruger		#1	7 mm, 30.06, 7 mm mag
A 68				
A 69				
A 70	Other		Bolt Action	30.06
A 71				300 mag
A 72	Other	Any make	Any model	7 mm, 270, 30.06, 25.06
A 73				
A 74	Browning		BAR	300 win mag
A 75				
A 76				
A 77				
A 78	Browning		Bolt action	
A 79				
A 80				
A 81				
A 82				
A 83				
A 84				
A 85				
A 86				
A 87	Remington		700	30.06, 7 mm, 270
A 88				
A 89	Other	Russian	SKS	7.62
A 90	Other	Weatherby		7 mm mag

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Q 6. Rifles recommended for clients				
case	Make	Other Make	Model	Caliber
A 91	Remington		700	7 mag
A 92				
A 93	Winchester		70	300 mag
A 94	Other	Any bolt action		270 or larger
A 95				
A 96				
A 97	Other	Any bolt action		30 or larger, on semiauto same
A 98				
A 99				
A 100				
A 101				
A 102				
A 103				
A 104				
A 105				
A 106	Other	Weatherby		300 magnum
A 107				
A 108				
A 109	Remington		70	7 mm
A 110				
A 111				
A 112				
A 113				
A 114				
A 115				
A 116				
A 117				magnum
A 118				
A 119	Remington		700	7 mm
A 120				
A 121				
A 122				
A 123				
A 124				
A 125				
A 126				300 mag, 338 mag, 30.06
A 127				
A 128				
A 129				
A 130	Remington		700	7 mm magnum
A 131				
A 132	Other	Weatherby		300 mag
A 133				
A 134				
A 135				

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Q 6. Rifles recommended for clients				
case	Make	Other Make	Model	Caliber
A 136				
A 137	Remington		700	7 mm
A 138				
A 139	Browning		BAR	7 m or 270
A 140				
A 141				
A 142				30.06
A 143				
A 144	Browning			from 7 mm mag to 338 mag for deer and elk
A 145	Winchester			30.06
A 146	Browning		BDL	7 mag
A 147	Remington		700 BDL	7 mm
A 148				
A 149				
A 150	Browning		Bolt action	
A 151				
A 152				
A 153	Remington		700	30
A 154				
A 155	Other	Weatherby		300
A 156				
A 157				
A 158				
A 159	Browning	Ruger		243, 30.06, 7 mm mag, 340 weather, .338
A 160				
A 161				
A 162				
B 1				7.62 x 39
C 1	Other	Manually operated		
C 2	Ruger		77	300
C 3				
C 4				
C 5				
C 6				
C 7				
C 8	Remington		700	270
C 9				
C 10	Other	HK	91	.308
C 11				
C 12				
C 13				
C 14	Other	Bolt-action w/ belted mag		Calibers, make and model mean nothing
C 15	Other	Bolt-action		30.06-7mm
C 16				
C 17	Other	Bolt-action		

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Q 6. Rifles recommended for clients				
case	Make	Other Make	Model	Caliber
C 18	Ruger		Ranch Rifle	223
C 19				.243 and larger
C 20				
C 21				
C 22				
C 23	Other	Bolt-action		7mm mag
C 24				
C 25	Other	Savage		7mm mag
C 26				
C 27	Winchester		70	30.06
C 28				
C 29	Winchester		70	30.06 - .338
C 30				
C 31	Winchester		Manual, bolt	300
C 32	Remington		All	270 - 7mm
C 33	Winchester		70	30.06 - .300 win
C 34	Other	Bolt-action		270 or larger for elk and deer
C 35	Other	Bolt-action or semiautos		.270 or larger
A 1				
A 2	Remington			7 mm
A 3				
A 4	Winchester		70	300
A 5				
A 6				
A 7				
A 8				
A 9				
A 10				
A 11				
A 12				
A 13				
A 14				
A 15				
A 16				
A 17				
A 18				
A 19				
A 20				
A 21	Remington		70	30.06
A 22	Winchester		70	7 mm or larger
A 23	Remington		700	25 to 30
A 24	Remington			300 Mag
A 25				
A 26	Browning		A bolt	30.06 or larger
A 27				300 win mag, 30.06 or 270

Hunting Guides

Q 6. Rifles recommended for clients				
case	Make	Other Make	Model	Caliber
A 28				
A 29				
A 30		hunter's choice		.308
A 31				
A 32				
A 33				
A 34				
A 35	Remington		700 BDL	7 mm
A 36				
A 37				
A 38				
A 39				
A 40	Winchester			30.06 - 300 win mag
A 41				
A 42				
A 43				
A 44				
A 45	Remington		Bolt Action	25.06 - 328
A 46				
A 47				
A 48				
A 49				
A 50				
A 51				
A 52				
A 53				
A 54				
A 55				
A 56				
A 57				
A 58				
A 59				
A 60				
A 61	Other	Savage	Bolt Action	7 mm mag
A 62				
A 63				
A 64	Remington		700	300 win mag
A 65	Other	Weatherby		
A 66				
A 67	Remington		Bolt Action	7 mm, 30.06, 7 mm mag
A 68				
A 69				
A 70			Pump	30.06
A 71				7 mm mag
A 72				

Hunting Guides

Q 6. Rifles recommended for clients				
case	Make	Other Make	Model	Caliber
A 73				
A 74	Winchester		7C	300 win mag
A 75				
A 76				
A 77				
A 78	Remington		Bolt Action	
A 79				
A 80				
A 81				
A 82				
A 83				
A 84				
A 85				
A 86				
A 87	Browning			308, 7 mm, 30.06
A 88				
A 89	Other	Heckler-Koch	HK-91	308
A 90				
A 91	Winchester		70	300 mag
A 92				
A 93	Browning		Mark II	300 mag, 280-270-25.06
A 94				
A 95				
A 96				
A 97	Other	Semi-auto		30 cal or larger
A 98				
A 99				
A 100				
A 101				
A 102				
A 103				
A 104				
A 105				
A 106	Remington		700	300 win mag
A 107				
A 108				
A 109	Winchester			300 mag, 30.06
A 110				
A 111				
A 112				
A 113				
A 114				
A 115				
A 116				
A 117				

## Hunting Guides

Q 6. Rifles recommended for clients				
case	Make	Other Make	Model	Caliber
A 118				
A 119	Other	Weatherby		300
A 120				
A 121				
A 122				
A 123				
A 124				
A 125				
A 126				
A 127				
A 128				
A 129				
A 130				
A 131				
A 132	Other	Weatherby		700 mag
A 133				
A 134				
A 135				
A 136				
A 137	Other	Weatherby		300
A 138				
A 139	Remington		742	30.06 or 6 mm
A 140				
A 141				
A 142				7 mm recommended for deer and elk
A 143				
A 144	Other	Weatherby		from 7 mm mag to 338 for deer
A 145	Other	Weatherby		300
A 146	Browning		BDC	300
A 147				
A 148				
A 149				
A 150	Winchester		Bolt Action	
A 151				
A 152				
A 153	Remington		700	7 mm
A 154				
A 155	Other	Weatherby		7 mm
A 156				
A 157				
A 158				
A 159	Winchester	Remington		340 Weather - .338 mag
A 160				
A 161				
A 162				



Hunting Guides

Q 6. Rifles recommended for clients				
case	Make	Other Make	Model	Caliber
B 1				
C 1				
C 2	Browning			300
C 3				
C 4				
C 5				
C 6				
C 7				
C 8	Remington		700	280
C 9				
C 10	Winchester		70	.270
C 11				
C 12				
C 13				
C 14				
C 15				
C 16				
C 17	Other	Pump		
C 18	Other	AK-47		
C 19				6mm
C 20				
C 21				
C 22				
C 23	Other	Bolt-action		.30
C 24				
C 25	Other	Bolt-action		30.06
C 26				
C 27	Ruger		77	.300 win mag
C 28				
C 29	Remington		700	30.06-.338
C 30				
C 31	Remington		Manual bolt	300
C 32	Browning		All	.270 - 7mm
C 33	Ruger		77	30.06 - .300 win
C 34				
C 35				
A 1				
A 2	Winchester			375
A 3				
A 4	Winchester		70	270
A 5				
A 6				
A 7				
A 8				
A 9				

Hunting Guides

Q 6. Rifles recommended for clients				
case	Make	Other Make	Model	Caliber
A 10				
A 11				
A 12				
A 13				
A 14				
A 15				
A 16				
A 17				
A 18				
A 19				
A 20				
A 21	Remington		70	.270
A 22				
A 23	Other	Any bolt action	1-5 shotmag	25 to 30
A 24	Other	Weatherby		300 mag
A 25				
A 26				
A 27				
A 28				
A 29				
A 30				
A 31				
A 32				
A 33				
A 34				
A 35				
A 36				
A 37				
A 38				
A 39				
A 40	Ruger			30.06 - 300 win mag
A 41				
A 42				
A 43				
A 44				
A 45	Winchester		Bolt Action	25.06 - 328
A 46				
A 47				
A 48				
A 49				
A 50				
A 51				
A 52				
A 53				
A 54				

Hunting Guides

Q 6. Rifles recommended for clients				
case	Make	Other Make	Model	Caliber
A 55				
A 56				
A 57				
A 58				
A 59				
A 60				
A 61	Other	Weatherby	Bolt Action	338 mag
A 62				
A 63				
A 64	Other	Weatherby Mark V		300 Wea Mag
A 65	Winchester	Browning		
A 66				
A 67	Winchester	Bolt Action		
A 68				
A 69				
A 70			Bolt Action	7 mm
A 71				
A 72				
A 73				
A 74	Browning		A Bolt	300 win mag
A 75				
A 76				
A 77				
A 78				
A 79				
A 80				
A 81				
A 82				
A 83				
A 84				
A 85				
A 86				
A 87	Other	Weatherby		300, 7 mm, 338
A 88				
A 89	Other	Springfield Armory	FNG	308
A 90				
A 91	Ruger		77	300 mag
A 92				
A 93	Ruger		M77	270, 26-06, 300 mag
A 94				
A 95				
A 96				
A 97				
A 98				
A 99				

Hunting Guides

Q 6. Rifles recommended for clients				
case	Make	Other Make	Model	Caliber
A 100				
A 101				
A 102				
A 103				
A 104				
A 105				
A 106	Browning		1895	45-70 govt
A 107				
A 108				
A 109				
A 110				
A 111				
A 112				
A 113				
A 114				
A 115				
A 116				
A 117				
A 118				
A 119	Other	Savage		270 or 30.06
A 120				
A 121				
A 122				
A 123				
A 124				
A 125				
A 126				
A 127				
A 128				
A 129				
A 130				
A 131				
A 132				
A 133				
A 134				
A 135				
A 136				
A 137				
A 138				
A 139				
A 140				
A 141				
A 142				300 winmag recommended
A 143				
A 144	Remington	Weatherby		from 270 to 338 for deer and elk

Hunting Guides

Q 6. Rifles recommended for clients				
case	Make	Other Make	Model	Caliber
A 145	Remington			270
A 146	Ruger		#1	7 mag
A 147				
A 148				
A 149				
A 150				All bolt action with a round nose point
A 151				
A 152				
A 153				
A 154				
A 155				
A 156				
A 157				
A 158				
A 159				300mag,416Rigby,375mag,270 mag,500 nitroexpress
A 160				
A 161				
A 162				
B 1				
C 1				
C 2	Other	Sako		300
C 3				
C 4				
C 5				
C 6				
C 7				
C 8				
C 9				
C 10	Winchester		100	.308
C 11				
C 12				
C 13				
C 14				
C 15				
C 16				
C 17	Other	Weatherby		243 to 300
C 18				
C 19				
C 20				
C 21				
C 22				
C 23				
C 24				
C 25				
C 26				

Hunting Guides

Q 6. Rifles recommended for clients				
case	Make	Other Make	Model	Caliber
C 27	Springfield		M Garard	30.06 - 308
C 28				
C 29	Browning		A bolt	30.06 - .338
C 30				
C 31				
C 32	Ruger		All	.270 - 7 mm
C 33	Browning		A bolt	30.06 - 300 win
C 34				
C 35				

## Hunting Guides

Q 8. Recommended rifles based on AK47 et.al.					
case	Make	Other Make	Model	Caliber	
A	26	AK47		7.62x37	
A	89	Other	Russian	SKS	7.62
A	113	FN-FAL			
A	159	AK47			
C	2	AK47		Antelope and Varmints and Target Shooters	30
C	10	AK47			7.62x39
C	18	AK47			
C	25	AK47			7.62
C	27	FN-FAL			308
A	26		SKS		7.62x37
A	89	HK91			308
A	113		HK 99		
C	2	AK47		Antelope and Varmints and Target Shooters	243
C	10	HK91			308
C	25		MAK 90		7.62
C	27		Century	L1A1	308
A	89	Other	Springfield Armory	FNG	308
A	113	HK93			
C	10	HK93			223
C	25		M-15		223
C	27	HK91	And clones		308

**Additional Comments by Hunting Guides**

Additional comments:

- (8) The respondent answered questions 1, 2, 3, and 5 with "None of your business." He then stated in question 4: "It's none of your business what kind, make, model or how many guns law abiding citizens of the U.S. own, prefer to shoot."
- (9) The respondent wrote that he was no longer in business but that he had owned a waterfowl operation and upland bird operation (shotguns only). He added that assault rifles were not true sporting rifles and that they should be limited to use by the military and law enforcement agencies. However, he felt that true sporting weapons that can be modified into some "quasi-assault weapons" should not be restricted. He stated that he supported the effort to get military weapons off the streets but did not want the rights of true sportsmen to be affected.
- (10) Although licensed, the respondent did not guide anyone during the past year.
- (11) The respondent stated in question 6 that he recommends any legal caliber rifle that client is comfortable with and that is capable of killing the desired game.
- (12) For question 6, the respondent replied that he didn't recommend any specific make or model, other than whatever his clients are most comfortable using so long as the weapons are legal for the particular game.
- (15) The respondent stated that his organization was solely recreational wildlife watching and photography.
- (17) The respondent did not answer the questions but informed us that it is illegal in Hawaii to hunt turkey with a rifle.
- (23) The respondent stated that the study rifles were more suitable for militants than sportsmen. He added, "If they want to use these weapons let them go back to the service and use them to defend our country, not against it."
- (25) The respondent stated that, in his 35 years of conducting big game hunts, he had never seen any of the study rifles used for hunting. He suggested that the rifles are made to kill people, not big game.
- (26) The respondent recommended bolt-action rifles for his clients but stated that he doesn't demand that they use such rifles. The respondent recommended the study rifles in close-range situations in which there are multiple targets that may pose a danger to the hunter (e.g., coyotes, foxes, mountain lions, and bears).
- (27) The respondent stated that he recommended the study rifles for hunting but not any specific make.



- (32) The respondent said that most of his clients are bow or pistol hunters. He said that there is little if any use for the study rifles in his outfitting service because it focuses on hunts of mountain lions and bighorn sheep. However, he did recommend the study rifles on target ranges and in competitive shooting situations and cited his right to bear arms.
- (35) The respondent recommended bolt-action rifles for his clients.
- (40) The respondent stated that semiautomatic rifles (such as the AK47) and others are useful for predator hunting.
- (41) The respondent said that he recommended only ranges of calibers deemed suitable but not makes and models of specific rifles.
- (44) The respondent recommended the following calibers for hunting without any specific makes or models: 30.06, 300 Win mag, 338, and 270.
- (47) The respondent stated: "You are asking questions about certain makes of assault rifles, but you are going to end up going after ALL semiautomatic guns. I've spent about 21 years HUNTING with shotguns and I've used semiautomatic models. If you go down the list of times that one new law didn't end up being a whole sloo [sic] of other laws I would be surprised. Maybe some face-to-face with these weapons would be a good thing for politicians. If they see how they are used in 'the Real World' then they may make better amendments."
- (49) The respondent specifically recommended the study rifles only for grizzly bears or moose.
- (50) The respondent stated that his business involved waterfowl hunting, which uses only shotguns.
- (51) The respondent replied: "It is my opinion this is a one sided survey, and does not tell the real meaning and purpose of the survey. And that is to ban all sporting arms in the future. The way this survey is presented is out of line."
- (53) The respondent stated: "I recommend to all my hunters that they join the NRA, vote Republican, and buy a good semi-auto for personal defense."
- (57) The respondent stated that most of his clients use bolt-action rifles. He suggested that semiautomatics are not as accurate as bolt-action rifles.
- (58) The respondent stated that the survey did not pertain to his waterfowl hunting business since only shotguns are used. He added that he did not believe semiautomatics in general present any more threat to the public than other weapons or firearms. However, he suggested that cheaply made assault-type rifles imported from China and other countries are inaccurate and not suitable for hunting.
- (59) The respondent stated that he had no knowledge of the semiautomatic rifles beyond 30.06 or similar calibers for hunting. He added that he did not have a use for "automatic" weapons.

- (64) The respondent stated: "We need to look at weapons and determine what the designer's intent was for the weapon. We really don't need combat weapons in the hunting environment. I personally would refuse to guide for anyone carrying such a weapon."
- (65) The respondent recommended the following calibers for hunting: 7mm, 30.06, .308, .708, 25.06, .243, 22.250, and 300 mag. However, he stated that the study rifles are of no use to the sporting or hunting community whatsoever.
- (71) The respondent stated that he mainly hunts elk but did not recommend any additional information about specific firearms except for using 300 mag and 7 mm mag calibers.
- (73) The respondent recommended any bolt-action or semiautomatic in the 30 or 7mm calibers. However, he stated that he doesn't allow his clients to use any models based on assault rifles: "They are not needed for hunting. A good hunter does not have these."
- (78) The respondent recommended bolt-action rifles for hunting, particularly Browning and Remington.
- (80) Although the respondent stated that he does not conduct guides, he did not see a reason to allow any rifles other those manufactured specifically for hunting and sport shooting: "All assault rifles are for fighting war and killing humans."
- (82) The respondent stated that he used shotguns only.
- (84) The respondent said that he did not allow semiautomatic or automatic rifles in his business. He specifically recommended manually operated rifles.
- (90) The respondent stated that all the semiautomatics like AK47s are absolutely worthless and that he found no redeeming hunting value in any AK47 type of rifle. He further explained that the purpose of hunting is to use the minimum number of shells, not the maximum: "I have only known 1 [person] in 50 years to use an AK47. He shot the deer about 30 times. That wasn't hunting, it was murder." He suggested that he would be willing to testify in Congress against such weapons.
- (92) The respondent stated that he had been contacted in error, as he was not in the hunting guide business.
- (98) The respondent recommended any rifle that a client can shoot the best.
- (101) The respondent wrote a letter saying that his business was too new to provide us with useful information about client use; however, he stated that the Chinese AK47 does a proficient job on deer and similar sizes of game and may be the only rifle that some poor people could afford. He said that he is willing to testify to Congress about the outrageous price of certain weapons.
- (102) The respondent did not recommend rifles but recommended calibers .270, 30.06, .300, and 7mm.

- (103) The respondent stated that he had clients who used semiautomatic rifles, but he didn't know which makes or models.
- (104) The respondent recommended any legal weapons capable of killing game, "including the types mentioned under the 2nd amendment."
- (105) The respondent stated that the semiautomatic rifles used by his clients were Remingtons.
- (112) The respondent stated that he could not provide any useful information because his business was too new.
- (113) The respondent recommended whatever is available to knock down an elk. He recommended specific calibers: 30.06, 300, or 338.
- (115) The respondent questioned why anyone would use a semiautomatic firearm to hunt game: "Anyone using such horrible arms should be shot with one themselves. Any big game animal does not have a chance with a rifle and now you say people can use semiautomatic rifles."
- (116) The respondent had had three clients who used semiautomatics with 30.06 and 270-caliber ammunition; however, he didn't know the makes or models.
- (118) The survey questions were not answered, but the respondent wrote: "This is a stupid survey. No one contends they hunt much for big game with an AK47. The debate is over the right to own one, which the 2nd amendment says we can."
- (119) The respondent recommended bolt-action rifles for hunting.
- (121) The respondent stated that he uses only shotguns in his operation.
- (122) The respondent recommended rifles with the calibers of .270 - 30.06 or larger to the .300 mag or .338 mag. However, he said that anything other than a standard semiautomatic sporting rifle is illegal in Colorado, where his business is conducted.
- (123) The respondent, who is a bighorn sheep outfitter, stated that the semiautomatic rifles have no place in big game hunting. He recommended basic hunting rifles with calibers of 270 or 30.06.
- (124) The respondent, who hunts mainly deer and elk, recommended calibers 270, 30.06, 300 mag, 7mm, 8mm, or 338.
- (125) The respondent said that his clients did use semiautomatics, but he didn't have any specific information about which ones.
- (126) The respondent stated that the study rifles should remain in one's home or on private property. He would like to have some for personal use but would not recommend them for hunting. He further expressed his displeasure with the Brady bill and stated that criminals need to be held accountable for their actions.
- (127) The respondent, who hunts mostly elk and deer, said that the AK47 is not powerful enough to hunt elk; however, it may be ideal for smaller game, like deer or antelope. He recommended any rifles of 30.06 caliber or larger for hunting.

- (131) The respondent recommended bolt-action rifles for his clients with calibers .24, .25, 7 mm, or .30. He cited his preference because of fewer moving parts, their ease to fix, and their lack of sensitivity to weather conditions in the field. He added, however, that he had seen the study rifles used with good success.
- (132) The respondent stated that the study rifles are not worth anything in cold weather.
- (133) The respondent recommended handguns for hunting in calibers 41 or 44 mag.
- (136) The respondent did not recommend any rifles by make, but he did recommend a caliber of .308 or larger for elk.
- (140) The respondent recommended any good bolt or semiautomatic in 270 caliber and up. He added: "I feel the government is too involved in our lives and seek too much control over the people of our country. I am 65 yrs old and see more of our freedom lost every day. I believe in our country but I have little faith in [organizations] like the A.T.F."
- (145) The respondent stated: "Don't send these guns out west. Thanks!"
- (148) The respondent did not hunt turkey or deer and had no additional information to provide.
- (149) The respondent said that he recommends specific rifles to his clients if they ask, usually 270 to 7mm caliber big game rifles.
- (150) The respondent recommended Winchester, Remington, or any other autoloading hunting rifle.
- (152) The respondent said that he recommended caliber sizes but not specific rifles.
- (159) The respondent recommended any gun with which a client can hit a target. He stated that the AK47 could be used for hunting and target shooting.
- (174) The respondent recommended bolt-action rifles to his clients.
- (175) The respondent said that most of his deer-hunting clients use bolt-action rifles, such as Rugers and Remingtons, in calibers of 30.06, 270, or 243. In his duck guide service, only shotguns are used.
- (180) The respondent wrote: "We agree people should not be allowed to have semiautomatics and automatics. This does not mean that you silly bastards in Washington need to push complete or all gun control."
- (182) The respondent felt that the survey is biased because it didn't ask about hunting varmints. He stated that many of the study rifles are suitable for such activity.
- (184) The respondent did not recommend single shots or automatics and only allows bolt action or pumps for use by his clients.

- (188) The respondent wrote that the study guns are good for small game hunting: "I have very good luck with them as they are small, easy to handle, fast-shooting and flat firing guns."
- (192) The respondent submitted a letter with the survey: "I do not recommend the use of semiautomatic weapons for hunting in my area. Most of these weapons are prone to be unreliable because the owner does not know how to properly care for them in adverse weather. The FN-FAL, HK91, HK93, and SIG SG550-1 are excellent and expensive weapons very much suited to competition shooting.
- "Have you surveyed the criminal element on their choice of weapons? I suspect the criminal use of the six weapons you mentioned do law-abiding citizens compare a very small percentage to the same weapon used. I realize that even one wrongful death is too many but now can you justify the over 300,000 deaths per year from government supported tobacco?
- "Gun control does not work - it never has and it never will. What we need are police that capture criminals and a court system with the fortitude to punish them for their crimes."
- (198) The respondent stated that this was his first year in and that it was mainly a bow-hunting business.



DIRECTOR

DEPARTMENT OF THE TREASURY  
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS  
WASHINGTON, D.C. 20226

DEC 10 1997

O:F:S:DMS  
3310

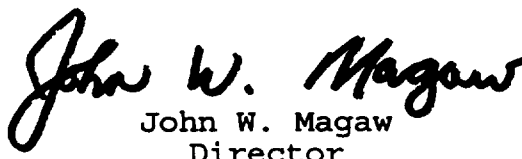
Dear Sir or Madam:

On November 14, 1997, the President and the Secretary of the Treasury decided to conduct a review to determine whether modified semiautomatic assault rifles are properly importable under Federal law. Under 18 U.S.C. section 925(d)(3), firearms may be imported into the United States only if they are determined to be of a type generally recognized as particularly suitable for or readily adaptable to sporting purposes. The firearms in question are semiautomatic rifles based on the AK47, FN-FAL, HK91, HK93, SIG SG550-1, and Uzi designs.

As part of the review, the Bureau of Alcohol, Tobacco and Firearms (ATF) is interested in receiving information that shows whether any or all of the above types of semiautomatic rifles are particularly suitable for or readily adaptable to hunting or organized competitive target shooting. We are asking that your organization voluntarily complete the enclosed survey to assist us in gathering this information. We anticipate that the survey will take approximately 15 minutes to complete.

Responses must be received no later than 30 days following the date of this letter; those received after that date cannot be included in the review. Responses should be forwarded to the Bureau of Alcohol, Tobacco and Firearms, Department HSE, P.O. Box 50860, Washington, DC 20091. We appreciate any information you care to provide.

Sincerely yours,

  
John W. Magaw  
Director

Enclosure



ATF SURVEY OF HUNTING/SHOOTING EDITORS  
FOR RIFLE USAGE

Page 2 of 2

6. If your answer to item 5 is "Yes", please identify the specific centerfire semiautomatic rifles you recommend.

Make

Model

Caliber

---

---

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7. Does your publication recommend **against** the use of any semiautomatic rifles whose design is based on the AK 47, FN-FAL, HK91, HK93, SIG 550-1, or Uzi for use in **high-power rifle competition**?

Yes (*Continue*)  No (*Skip to #9*)

Yes, in certain circumstances. Please explain \_\_\_\_\_

\_\_\_\_\_  
(*Continue*)

8. If your answer to item 7 is "Yes" or "Yes, in certain circumstances", please identify the specific rifles your publication recommends **against** using for **high-power rifle competition**.

Make

Model

Caliber

---

---

---

9. Have you or any other author who contributes to your publication written any articles since 1989 concerning the use of semiautomatic rifles and their suitability for use in hunting or organized competitive shooting? (*Exclude Letters to the Editor.*)

Yes (*Continue*)  No (*You are finished with the survey. Thank you.*)

10. If your answer to item 9 is "Yes", please submit a copy of the applicable article(s). Any material you are able to provide will be very beneficial to our study. Please indicate the publication, issue date and page for each article.

An agency may not conduct or sponsor, and a person is not required to respond to, the collection of information unless it displays a currently valid OMB control number.



**Editors**

Comments:

2. If your answer to item 1 is "Yes," please identify the specific centerfire rifles you recommend:
  - (8) Anything except Uzis.
  - (9) All study rifles except Uzi.
  - (12) See attached articles.
3. Please explain circumstances to question 3: Does your publication recommend against the use of any semiautomatic rifles whose design is based on the AK 47, FN-FAL, HK91, HK93, SIG 550-1, or Uzi for use in hunting medium game (for example, turkey) or larger game (for example, deer)?
  - (12) When the caliber is inappropriate or illegal for the specific game species.
4. Other rifle make recommendations in response to question 4: If your answer to item 3 is "Yes" or "Yes, in certain circumstances," please identify the specific rifles that you recommend against using for hunting medium game (for example, turkey) or larger game (for example, deer)?
  - (12) See attached articles.

The following two items are for the responses to question 6: If your answer to item 5 is "Yes," please identify the specific centerfire semiautomatic rifles you recommend:

Model

- (5) Springfield M1A and Colt AR-15.

Caliber

- (5) 7.62m (M1A) and .223 (Colt).

The following items are for questions 9 and 10 on articles written and the submission of these articles with the survey.

Article 1

- (8) No articles enclosed.
- (9) Semiautomatic Takes Tubb to HP Title.
- (10) No articles attached.

Article 2

- (9) AR-15 Spaceguns Invading Match.



DEPARTMENT OF THE TREASURY  
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS  
WASHINGTON, D.C. 20226

DIRECTOR

DEC 10 1997

O:F:S:DMS  
3310

Dear Sir or Madam:

On November 14, 1997, the President and the Secretary of the Treasury decided to conduct a review to determine whether modified semiautomatic assault rifles are properly importable under Federal law. Under 18 U.S.C. section 925(d)(3), firearms may be imported into the United States only if they are determined to be of a type generally recognized as particularly suitable for or readily adaptable to sporting purposes. The firearms in question are semiautomatic rifles based on the AK47, FN-FAL, HK91, HK93, SIG SG550-1, and Uzi designs.

As part of the review, the Bureau of Alcohol, Tobacco and Firearms (ATF) is interested in receiving information that shows whether any or all of the above types of semiautomatic rifles are particularly suitable for or readily adaptable to hunting or organized competitive target shooting. We are asking that your organization voluntarily complete the enclosed survey to assist us in gathering this information. We anticipate that the survey will take approximately 15 minutes to complete.

Responses must be received no later than 30 days following the date of this letter; those received after that date cannot be included in the review. Responses should be forwarded to the Bureau of Alcohol, Tobacco and Firearms, Department FG, P.O. Box 50860, Washington, DC 20091. We appreciate any information you care to provide.

Sincerely yours,

John W. Magaw  
Director

Enclosure

ATF SURVEY OF STATE FISH AND GAME COMMISSIONS  
FOR RIFLE USAGE

Page 1 of 2

State: \_\_\_\_\_

1. Do the laws in your state place any prohibitions or restrictions (other than seasonal) on the use of **high-power rifles for hunting medium game (for example, turkey) or larger game (for example, deer)**?

\_\_\_\_\_ Yes (*Continue*)      \_\_\_\_\_ No (*Skip to #2*)

1a. If "Yes", please cite law(s) and briefly describe the restrictions.

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2. Do the laws in your state place any prohibitions or restrictions (other than seasonal) on the use of **semiautomatic rifles for hunting medium game (for example, turkey) or larger game (for example, deer)**?

\_\_\_\_\_ Yes (*Continue*)      \_\_\_\_\_ No (*Skip to #3*)

2a. If "Yes", please cite law(s) and briefly describe the restrictions.

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An agency may not conduct or sponsor, and a person is not required to respond to, the collection of information unless it displays a currently valid OMB control number.

ATF SURVEY OF STATE FISH AND GAME COMMISSIONS  
FOR RIFLE USAGE

Page 2 of 2

\_\_\_\_\_  
(Continue)

3. What, if any, is the minimum caliber or cartridge dimensions that may be used for **hunting medium game (for example, turkey) or larger game (for example, deer)?**

Caliber: \_\_\_\_\_ OR Dimensions: \_\_\_\_\_

\_\_\_\_ There is no minimum.

4. Does your commission or state collect any data on the types of rifles used in your state for **hunting medium game (for example, turkey) or larger game (for example, deer)?**

\_\_\_\_ Yes (Continue)      \_\_\_\_ No (You are finished with the survey. Thank you.)

4a. If "Yes", please provide hard copies of any such available data for the past two hunting seasons of 1995 and 1996. Any data that you provide will be most beneficial to our study.

If you would like us to contact you regarding the data, please provide your name and phone number.

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

An agency may not conduct or sponsor, and a person is not required to respond to, the collection of information unless it displays a currently valid OMB control number.

## Survey Fish and Game Commissions for Rifle Usage

STATE	Restrictions		Minimum Caliber or Cartridge		Q5
	Q1	Q2	Q3	Q4	
	HiPwr	Semiauto	Minimum Caliber	Minimum Cartridge	Collect Data
Alabama	Yes	Yes	Any center fire rifle	None	No
Alaska	Yes	No	No Centerfire for big game		No
Arizona	No	Yes	.22 mag or larger		No
Arkansas	Yes	No	None	None	No
California	No	No	See Question 1a	See Question 1a	No
Colorado	Yes	Yes	0.24		No
Connecticut	Yes	Yes			
Delaware	Yes	Yes			
Florida	Yes	Yes	No rimfire for deer		No
Georgia	Yes	No	.22 Centerfire or larger		No
Hawaii	No	No			
Idaho	Yes	Yes	.22 rimfire		No
Illinois	Yes	Yes	None	None	No
Indiana	Yes	Yes	None		No
Iowa	Yes	Yes	not provided		No
Kansas	Yes	Yes	.23 caliber or larger		No
Kentucky	No	No			
Louisiana	Yes	No	.22 Centerfire		No
Maine	Yes	No	.22 mag or larger		No
Maryland	Yes	Yes			
Massachusetts	Yes	No	None	None	Yes
Michigan	Yes	Yes	.23 or larger		No
Minnesota	Yes	No	0.23	1.285"	No
Mississippi	Yes	No	None	None	No
Missouri	Yes	Yes	None	None	No
Montana	No	No	None		No
Nebraska	No	No			
Nevada	No	No			No
New Hampshire	Yes	Yes		above .22 rimfire	No
New Jersey	Yes	Yes	None	None	No
New Mexico	Yes	No	.24 centerfire or larger		No
New York	Yes	Yes	Must be centerfire		No
North Carolina	Yes	No	None	None	No
North Dakota	Yes	Yes	.22 Centerfire or larger		No
Ohio	Yes	No	None	None	No
Oklahoma	Yes	Yes	.22 magnum		No
Oregon	Yes	Yes	.22 or .24 or larger		No
Pennsylvania	Yes	Yes	None	None	No
Rhode Island	Yes	Yes		.229 maximum	No
South Carolina	Yes	No	Must be larger than .22		No
South Dakota	Yes	No	None	None	No
Tennessee	Yes	Yes	.24 or larger caliber		No
Texas	Yes	No	None	None	No
Utah	Yes	No		None	No
Vermont	Yes	No			No
Virginia	Yes	Yes	.23 caliber for deer		No
Washington	Yes	Yes	.240 or larger for coyote		No
West Virginia	No	No		Any centerfire	No
Wisconsin	Yes	No	.22 caliber or larger		No
Wyoming	Yes	No		23/100 bullet dia.	No

**State Fish and Game Commissions**

Restrictions for High Powered Rifles

1a. Please cite law(s) and briefly describe the restrictions.

Alabama

(19) No automatic weapons, no silenced weapons.

Alaska

(23) Bison hunters must use a caliber capable of firing a 200-grain bullet having 2,000 pounds of energy at 100 yards.

Arkansas

(11) No rifles for turkey.

California

(22) Centerfire for big game, 10 gauge or smaller for resident small game.

Colorado

(10) Semiautomatic rifle may not hold more than 6 rounds.

Connecticut

(39) Shotgun only on public lands. Can use any type of rifle on private land.

Delaware

(40) No rifles - shotguns/muzzle loaders only.

Florida

(25) Machine guns and silencers not permitted for any hunting.

Georgia

(29) No hi-power rifles allowed for turkey hunting.

Hawaii

(49) Must have discharge of 1200 foot pounds.

Idaho

(30) No hi-power rifles allowed for hunting turkey.

Illinois

(12) Turkey or deer may not be hunted with rifle. Deer may not be hunted with muzzle loading rifle. No restriction on rifles for coyote, fox, and woodchuck, etc.

Indiana

(34) No hi-power rifles allowed for deer or turkey hunting. Limited restrictions for specified areas.

Iowa

(26) Cannot use rifles for turkey or deer, only shotgun or bow and arrow. No difference if public or private lands. For coyote or fox, there is no restriction on rifles, magazine size, or caliber.

Kansas

(33) Must use ammunition specifically designed for hunting.

Louisiana

(6) No rifles for turkey hunting. Rifles for deer hunting must be no smaller than .22 centerfire.

Maine

(32) No hi-power rifles for turkey and water fowl. Some limited restrictions for specific areas.

Maryland

(42) Some restrictions based on county. They are allowed in western and southern Maryland. Shotguns only in and around Baltimore and Washington, D.C.

Massachusetts

(14) Rifles not permitted for hunting deer and turkey.

Michigan

(27) No turkey hunting with hi-power rifle. No night hunting with hi-power rifle. Deer hunting with hi-power rifle allowed only in lower southern peninsula. Limited restrictions for specific areas.

Minnesota

(13) Caliber must be at least .23. Ammunition must have a case length of at least 1.285". .30 caliber M1 carbine cartridge may not be used.

Mississippi

(15) Restricts turkey hunting to shotguns. However quadriplegics may hunt turkey with a rifle.

Missouri

(5) Rifles not permitted for turkey. Self loading firearms for deer may not have a combined magazine + chamber capacity of more than 11 cartridges.

Nebraska

(43) Allowed and frequently used, but magazine capacity maximum is six rounds.

Nevada

(1) Answer to #3 refers to NAS 501.150 and NAS 503.142. Not for turkey.

New Hampshire

(7) Magazine capacity no more than 5 rounds. Prohibits full metal jacket bullets for hunting. Prohibits deer hunting with rifles in certain towns.

New Jersey

(17) No rifles.

New Mexico

(31) No hi-power rifles allowed for hunting turkey.

New York

(24) No semiautomatics with a magazine capacity of greater than 6 rounds; machineguns and silencers not permitted for any hunting. Limited restrictions for specific areas.

North Carolina

(20) Centerfire rifles not permitted for turkey hunting.

North Dakota

(28) No hi-power rifles for turkey hunting.

Ohio

(3) Prohibits high power rifles for turkey, deer and migratory birds. High power rifles can be used on all other legal game animals.

Oklahoma

(8) Centerfire rifles only for large game. Magazines for .22 centerfire rifles may not hold more than 7 rounds.

Oregon

(2) OAR 635-65-700(1) must be .24 caliber or larger center fire rifle, no full automatic; OAR 635-65-700(2) hunters shall only use centerfire rifle .22 caliber; OAR-65-700(5) no military or full jacket bullets in original or altered form. Limited restrictions for specific areas.

Pennsylvania

(16) Rifles not permitted in Philadelphia & Pittsburgh areas.

Rhode Island

(44) .22 center fire during the summer for woodchucks.

South Carolina

(18) No rifle for turkey, rifle for deer must be larger than .22 caliber

South Dakota

(50) Magazine not more than five rounds.

Tennessee

(37) No hi-power rifles allowed for turkey hunting.

Texas

(21) Rimfire ammunition not permitted for hunting deer, antelope, and bighorn sheep; machine guns and silencers not permitted for hunting any game animals.

Utah

(9) No rifles for turkey hunting.

Vermont

(47) Turkey size less than 10 gauge. Deer/moose/beaver, no restriction on caliber.

Virginia

(48) 23 caliber or larger for deer and bear. No restrictions for turkey. No magazine restrictions, shotgun limited to 3 shells. Restrictions vary from county to county - approximately 90 different rifle restrictions in the State of Virginia based on the county restrictions. Sawed-off firearms are illegal to own unless with a permit, if barrel less than 16 inches for rifle, and 18 inches for shotgun.

Washington

(46) Hunting turkey limited to shotguns. Small game limited to shotguns.



Wisconsin

(36) No .22 rimfire rifles for deer hunting.

Wyoming

(4) Big game and trophy animals, firearm must have a bore diameter of at least 23/100 of an inch.

Restrictions for Semiautomatic Rifles

2a. Please cite law(s) and briefly describe the restrictions.

Alabama

(19) Turkey may not be hunted with a centerfire rifle or rimfire rifle. Semiautomatic rifles of proper caliber are legal for all types of hunting. No restrictions on magazine capacity, except wildlife management areas where centerfire rifles are restricted to 10 round max.

Arizona

(38) Magazine cannot hold more than 5 rounds.

Colorado

(10) Semiautomatic rifle may not hold more than 6 rounds.

Connecticut

(39) Shotgun only on public lands. Any type of rifle can be used on private land.

Delaware

(40) No rifles - shotguns/muzzle loaders only.

Florida

(25) No semiautomatic centerfire rifles having a magazine capacity greater than 5 rounds.

Idaho

(30) No hi-power rifles (including semiautomatic) allowed for turkey hunting.

Illinois

(12) See #1.

Indiana

(34) No hi-power rifles allowed for turkey hunting.

Iowa

(26) Cannot use rifles for turkey or deer, only shotgun or bow and arrow. No difference in public or private land. For coyote or fox, there is no restriction on rifle, magazine size, or caliber.

Kansas

(33) Must use ammunition specifically designed for hunting.

Maryland

(42) Some restrictions. Based on county. Shotguns only in and around Baltimore and Washington, D.C.

Michigan

(27) Unlawful to hunt with semiautomatic rifles capable of holding more than 6 rounds in magazine and barrel. Rimfire (.22 cal) rifles excluded from restrictions.

Missouri

(5) Combined magazine + chamber capacity may not be more than 11 cartridges.

New Hampshire

(7) Turkey may not be hunted with rifles. Rifles may not have magazine capacity of more than 5 cartridges.

New Jersey

(17) No rifles.

New York

(24) No semiautomatics with a magazine capacity of greater than 6 rounds.

North Dakota

(28) No hi-power rifles (including semiautomatics) may be used for hunting turkey.

Oklahoma

(8) See #1.

Oregon

(2) OAR 635-65-700(1) and (2) limits magazine capacity to no more than 5 cartridges.

Pennsylvania

(16) Semiautomatic rifles are not lawful for hunting in Pennsylvania.

Rhode Island

(44) Cannot use semiautomatic during the winter, only during the summer months for woodchucks (during daylight from April 1 to September 30).

Tennessee

(37) No hi-power rifles, including semiautomatics, allowed for turkey hunting.

Vermont

(47) Semiautomatic 5 rounds or less.

Virginia

(48) Semiautomatics are legal wherever rifles can be used. 23 caliber or larger for deer and bear. No restrictions for turkey. No magazine restrictions, shotgun limited to 3 shells. Restrictions vary from county to county - approximately 90 different rifle restrictions in the State of Virginia based on the county restrictions. Sawed-off firearms are illegal to own unless with a permit, if barrel less than 16 inches for rifle, and 18 inches for shotgun. Striker 12 - drums holds 12 or more rounds and is illegal.

Washington

(46) Cannot use fully automatic for hunting.

West Virginia

(45) Cannot use fully automatic firearms for hunting.

**Comments Provided by Law Enforcement Agencies**

- (1) No research.
- (2) No research.
- (3) NOBLE and others forwarded information to a U.S. Senator on circumstances concerning police officers killed or injured by these weapons. No data was provided.
- (4) No research.
- (7) The organization stated: "Most of the data available on guns and crime does not provide the detail needed to identify the types of guns listed. . . . We have conducted several surveys that refer to assault rifles generically, including the Survey of Inmates in State Correctional Facilities 1991, Survey of Inmates in Local Jails 1995, and the Survey of Adults on Probation 1995. The data on assault weapons has not been analyzed in the recently released Survey of Adults on Probation 1995 or in the yet to be released Survey of Inmates in Local Jails 1995.

"Our report Guns Used in Crime includes the results of an analysis of the stolen data from the FBI's National Crime Information Center database. Our analysis was limited to general categories of guns and calibers of handguns. The recent evaluation of the assault weapons ban funded by the National Institute of Justice analyzed a more recent set of the same data with an emphasis on assault weapons. The results of this evaluation were reported in Impact Evaluation of the Public Safety and Recreational Firearms Use Protection Act of 1994."

"BJS [Bureau of Justice Statistics] supports the Firearms Research Information System (FARIS). . . . This database contains firearms-related information from surveys, research, evaluations, and statistical reports. . . . We queried this database for any research on assault weapons. The results of the query include both the reports listed above, as well as several others. Please note that in BJS's report Guns Used in Crime refers to the report Assault Weapons and Homicide in New York City prepared by one of our grantees. While the data are from 1993, the report provides interesting insights into the use of assault weapons and homicide. Another source of data on assault weapons and crime is the FBI's Law Enforcement Officers Killed and Assaulted series, which records the type of gun used in killings of police officers. Several of the reports listed in the FARIS query used these data, including Cop Killers: Assault Weapons Attacks on America's Police, and Cops Under Fire: Law Enforcement Officers Killed with Assault Weapons or Guns with High Capacity Magazines."

- (9) Guns in America: National Survey on Private Ownership and Use of Firearms (May 1997) states: The 1994 NSPOF (National Survey of Private Ownership of Firearms) estimates for the total number of privately owned firearms is 192 million: 65 million handguns, 70 million rifles, 49 million shotguns, and 8 million other long guns.



DEPARTMENT OF THE TREASURY  
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS  
WASHINGTON, D.C. 20226

DIRECTOR

DEC 10 1997

O:F:S:DMS  
3310

Dear Sir or Madam:

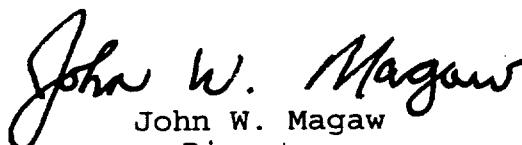
On November 14, 1997, the President and the Secretary of the Treasury decided to conduct a review to determine whether modified semiautomatic assault rifles are properly importable under Federal law. Under 18 U.S.C. section 925(d)(3), firearms may be imported into the United States only if they are determined to be of a type generally recognized as particularly suitable for or readily adaptable to sporting purposes. The firearms in question are semiautomatic rifles based on the AK47, FN-FAL, HK91, HK93, SIG SG550-1, and Uzi designs.

As part of the review, the Bureau of Alcohol, Tobacco and Firearms (ATF) is interested in receiving information that shows whether any or all of the above types of semiautomatic rifles are particularly suitable for or readily adaptable to hunting or organized competitive target shooting.

Although ATF is not required to seek public comment on this study, the agency would appreciate any factual, relevant information concerning the sporting use suitability of the rifles in question.

Your voluntary response must be received no later than 30 days from the date of this letter; those received after that date cannot be included in the review. Please forward your responses to the Bureau of Alcohol, Tobacco and Firearms, Department TA, P.O. Box 50860, Washington, DC 20091.

Sincerely yours,

  
John W. Magaw  
Director

**Comments Provided by Industry Members and Trade Associations**

- (12) The respondent felt that definitions and usage should be subject to rulemaking. The respondent stated that limits on "sporting" use do not take into account firearms technology and its derivative uses among millions of disparate consumers. Millions of gun owners currently engage in informal target competition.

The respondent stated that the firearms are suitable for sporting purposes and that ATF's practice of making "ad hoc" revisions to import criteria disrupts legitimate commerce. The respondent recommends that all changes to criteria should be subject to rulemaking.

- (19) The respondent submitted a brochure and a statement supported by seven letters from FFL's who sell the SLR-95 and 97 and ROMAK 1 and 2. The respondent and all the supporting letters attest to the suitability of these guns for hunting because (1) they are excellent for deer or varmint hunting; (2) they are used by many for target shooting; (3) their ammunition is readily available and affordable; and (4) they are excellent for young/new hunters because of low recoil, an inexpensive purchase price, durability, and light weight, as well as being designed only for semiautomatic fire.

- (20) One respondent submitted results of its independently conducted survey, which consisted of 30 questions. The results of the survey suggest that 36 percent of those queried actually use AK47-type rifles for hunting or competition, 38 percent use L1A1-type rifles for hunting or competition, and 38 percent use G3-type rifles for hunting or competition. Other uses include home defense, noncompetitive target shooting, and plinking. Of those queried who do not currently own these types of rifles, 35 percent would use AK-type rifles for hunting or competition, 36 percent would use L1A1-type rifles for hunting or competition, and 37 percent would use G3-type rifles for hunting or competition.

- (22) The respondent claims that the majority of the study rifles' length and calibers can be used only for sporting purposes. The respondent asserts that the only technical detail remaining after the 1989 decision that is similar to a military rifle is the locking system. After 1989, the imported rifles have no physical features of military assault rifles. All have features which can be found on any semiautomatic sporting/hunting rifle.

However, the respondent writes that the Uzi-type carbines are "not suitable for any kind of sporting events other than law enforcement and military competitions because the caliber and locking system do not allow precise shooting over long distances."

- (23) One respondent, who imports the SAR-8 and SAR-4800 that are chambered for .308 Winchester ammunition, states that neither rifle possesses any of the characteristics of either the 1989 determination or the 1994 law. The respondent states that both are permitted in match rifle and other competitions. The respondent states that only two questions should be considered to determine hunting suitability of a rifle: Whether the caliber is adequate to take one or more game species and whether the gun is safe and reliable. The respondent states that there is no factual or legal basis to conclude that the rifles are not "particularly suitable" for sporting purposes.
- (24) The respondent writes: "The particular firearms differ from other guns that are universally acceptable only in cosmetic ways. There is no functional difference between semiautomatic firearms based on the external features that have been keyed on in an attempt to implement the import restrictions of the 1994 Crime Bill. As further attempts to differentiate functionally identical firearms by these features for the purposes of culling out those that might be politically suitable for an administrative import ban is wrong."
- (25) The respondent writes that the SLG95 was developed exclusively for hunting and competitive shooting. The respondent points out that it is capable of single firing only and cannot be reassembled for use as an automatic weapon. It is made for endurance and accuracy to 300 meters.
- (26) The respondent recommends AK47 variants specifically, but believes all study rifles are suitable or adaptable for sporting. The respondent states that a Galil-chambered .308/.223 with a two-position rear sight, adjustable front sight, or scope mount channel, are reliable, durable, accurate, and suitable for hunting and organized competitive shooting. The respondent states that the Uzi, which chambers 9mm and 40 S&W, two-position rear sight, and an adjustable front sight is suitable for organized competitive target shooting.
- (27) The respondent states that the SIG-SG550-1, in its original configuration, never possessed assault rifle features. The respondent states that it was built as a semiautomatic, not a fully automatic that was converted or modified to semiautomatic. It does have protruding pistol grip, and its ergonomics are geared toward its original design of goal-precision shooting. The respondent says that the name "Sniper" was a marketing decision, and it is extremely popular in .223 competitions. Its price isolates the gun to the competitor/collector.

- (28) Letters from H&K users were submitted in support of their continued importation and use as sporting arms. Specifically, the SR9 and PSG1 were said to be clearly suitable and utilized daily for hunting and target shooting. The respondent states that sport is defined as "an active pastime, diversion, recreation" and that the use of these is all the justification needed to allow their importation. The PSG1 has been imported since 1974, and the SR9 since 1990. The semiautomatic feature dates to turn of the century.

The respondent states that the cost would dissuade criminals from using them. The respondent refers to ATF's reports "Crime Gun Analysis (17 Communities)" and "Trace Reports 1993-1996" to show that the H&K SR9 and PSG1 are not used in crime. In the 4-year period covered by the reports, not one was traced.

- (29) The respondent faults the 1989 report both for not sufficiently addressing the issue of ready adaptability, as well as for the limited definition of sporting purposes. The respondent states that sport is defined as "that which diverts, and makes mirth; pastime, diversion." The respondent says that the NRA sponsors many matches, and personally attests to the FN-FAL and HK91 as being perfectly suitable for such matches. The respondent states that the rifles are also used for hunting deer, rabbits, and varmints. Further, the respondent remarks that the use of these rifles in crime is minuscule.

#### **Importer/Individual Letters**

On January 15, 1998, the study group received a second submission from Heckler and Koch, dated January 14, 1998. It transmitted 69 letters from individuals who appeared to be answering an advertisement placed in Shotgun News by Heckler and Koch. The study group obtained a copy of the advertisement, which requested that past and current owners of certain H&K rifles provide written accounts of how they use or used these firearms. The advertisement stated that the firearms in question, the SR9 and the PSG1, were used for sporting purposes such as hunting, target shooting, competition, collecting, and informal plinking. The advertisement also referred to the 120-day study and the temporary ban on importation, indicating that certain firearms may be banned in the future.

#### **Synopses of Letters:**

1. The writer used his SR9 to hunt deer (photo included).
2. The writer used his SR9 to hunt deer (photo included).
3. The writer used his SR9 for informal target shooting and plinking.
4. The writer used his SR9 for target practice and recreation.
5. The writer (a police officer) used SR9 to hunt. Said that it's too heavy and expensive for criminals.



6. The writer used his SR9 for competition.
7. The writer used H&K rifles such as these around the farm to control wild dog packs.
8. The writer used his SR9 to hunt deer.
9. The writer used his SR9 to hunt, participate in target practice, and compete.
10. The writer used his H&K rifles for informal target shooting.
11. The writer used his SR9 to hunt elk because it's rugged, and to shoot targets.
12. The writer used his SR9 to target practice.
13. The writer used his HK91 to hunt varmints and compete in military rifle matches.
14. The writer does not use the firearms but is familiar with their use for target shooting, hunting, and competition.
15. The writer uses HK firearms for DCM marksmanship competition.
16. The writer used his HK93 for 100-yard club matches and NRA-high power rifle matches.
17. The writer does not own the firearms but enjoys shooting sports and collecting.
18. The writer used his HK91 to hunt deer, boar, and mountain goat and in high-power match competitions.
19. The writer used his SR9 to shoot targets and for competitions.
20. The writer used his HK91 to shoot varmints, hunt small and big game, and shoot long-range silhouettes.
21. The writer used his SR8 to hunt deer, target shoot, and plink.
22. The writer used his HK93 to shoot in club competitions.
23. The writer used his SR9 to shoot targets because the recoil does not impact his arthritis.
24. The writer (a police officer) does not own the firearm but never sees HKs used in crime.
25. The writer used his HKs for target shooting, competition, and collection.
26. The writer does not own the firearms but likes recreational target shooting.
27. Writer does not own the firearms but states, "Don't ban."

28. The writer used his SR9 for hunting deer, varmints, and groundhogs; for target shooting; and for occasional competitions.
29. The writer used his SR9 to hunt deer because it's accurate, rugged, and reliable.
30. The writer used his SR9 to hunt deer and elk.
31. The writer used his SR9 to target shoot.
32. The writer used his SR9 to hunt deer and target shoot.
33. The writer used his HK91 to shoot military rifle 100-yard competitions.
34. The writer used his SR9 for hunting varmints and coyotes, for target shooting, and for competitions.
35. The writer used his SR9 to hunt deer and target shoot.
36. The writer (a former FBI employee) used his SR9 for hunting varmints and for precision and target shooting.
37. The writer used his HK for target shooting and competition.
38. The writer used his SR9 for informal target shooting and plinking and his HK91 for bowling pin matches, high-power rifle competitions, informal target shooting, and plinking.
39. The writer used his SR9 to plink and shoot targets, saying it's too heavy for hunting.
40. The writer has an HK91 as part of his military collection and indicates it may be used for hunting.
41. The writer used his SR9 to target shoot.
42. The writer used his SR9 to hunt deer and target shoot.
43. The writer does not own the firearms but says, "Don't ban."
44. The writer used his SR9 and HK93 for hunting deer, for target shooting, and for home defense.
45. The writer states, "Don't ban."
46. Writer states, "Don't ban."
47. Writer states, "Don't ban."
48. The writer owns an SR9; no use was reported.
49. Writer used his SR9 to compete in club matches and "backyard competitions."
50. The writer used his HK to hunt boar and antelope.

51. The writer states, "Don't ban."
52. The writer (a police officer) does not own the firearms but states that they are not used by criminals.
53. The writer used his HK91 to hunt deer.
54. The writer (a police trainer) says that the PSG1 is used for police sniping and competitive shooting because it's accurate. He says that it's too heavy to hunt with and has attached an article on the PSG1.
55. The writer used her two PSG1s for target shooting and fun.
56. The writer used his SR9 and PSG1 to hunt and target shoot.
57. The writer used his two PSG1s to hunt and target shoot.
58. The writer provides an opinion that the SR9 is used to hunt and target shoot.
59. The writer used his PSG1 for hunting deer and informal target shooting.
60. The writer used his PSG1 to target shoot and plink.
61. The writer states, "Don't ban."
62. The writer used his HK91 to target shoot.
63. The writer used his HK91 to target shoot.
64. The writer (a U.S. deputy marshall) used his SR9 to shoot at the range.
65. The writer used his SR9 to hunt deer and coyotes.
66. The writer used his SR9 to competitively target shoot.
67. The writer used his SR9 to hunt deer and bear.
68. The writer uses military-type rifles like these for predator control on the farm.
69. The writer used his SR9 to target shoot, plink, and compete in DCM matches.

**Comments Provided by Interest Groups**

- (7) Impact Evaluation of the Public Safety and Recreational Firearms Use Protection Act of 1994, Final Report. March 13, 1997.
- (8) Identical comments were received from five members of the JPFO. They are against any form of gun control or restriction regardless of the type of firearm. References are made comparing gun control to Nazi Germany.
- (9) The respondent contends that police/military-style competitions, "plinking," and informal target shooting should be considered sporting. Note: The narrative was provided in addition to survey that Century Arms put on the Internet.

The respondent questions ATF's definition of "sporting" purposes. The respondent contends that neither the Bill of Rights nor the Second Amendment places restrictions on firearms based on use.

- (13) Citing the 1989 report, the respondent states that the drafters of the report determined what should be acceptable sports, thus excluding "plinking."

The respondent states that appearance (e.g., military looking) is not a factor in determining firearms' suitability for sporting purposes. It is their function or action that should determine a gun's suitability. Over 50 percent of those engaged in Practical Rifle Shooting use Kalashnikov variants. Further, citing U.S. vs. Smith (1973), the "readily adaptable" determination would fit all these firearms.

- (14) The respondent states that the vast majority of competitive marksmen shoot either domestic or foreign service rifles. Only 2-3 participants at any of 12 matches fire bolt-action match rifles. If service rifles have been modified, they are permitted under NRA rule 3.3.1.

The respondent says that attempts to ban these rifles "is a joke."

- (15) The respondent states that these firearms are used by men and women alike throughout Nebraska. All of the named firearms are used a lot all over the State for hunting. The AK47 has the same basic power of a 30/30 Winchester. All of these firearms function the same as a Browning BAR or a Remington 7400. Because of their design features, they provide excellent performance.
- (16) The respondent states that the Bill of Rights does not show the second amendment connected to "sporting purposes." The respondent says that all of the firearms in question are "service rifles," all can be used in highpower rifle competition (some better than others), but under no circumstances should "sporting use" be used as a test to determine whether they can be sold to the American public. The respondent states that "sporting use" is a totally bogus question.

- (17) The respondent's basic concern is that the scope of our survey is significantly too narrow (i.e., not responsive to the Presidential directive, too narrow to address the problem, and inadequate to the task). The respondent states, "We do not indicate that our determination will impact modifications made to skirt law. We rely on the opinions of the 'gun press.' At a minimum, the Bureau should deny importation of: any semiautomatic capable of accepting with a capacity of more than 10 rounds, and any semiautomatic rifle with a capacity to accept more rounds than permitted by the State with the lowest number of permitted rounds. Deny any semiautomatic that incorporates cosmetically altered 'rule-beating' characteristics. Deny any semiautomatic that can be converted by using parts available domestically to any of the 1994 banned guns/characteristics. Deny any semiautomatic manufactured by any entity controlled by a foreign government. OR manufactured by a foreign entity that also manufactures, assembles or exports assault-type weapons. Deny any semiautomatic that contains a part that is a material component of any assault type weapon made, assembled, or exported by the foreign entity which is the source of the firearm proposed to be imported."

"A material component of any assault type weapon, assembled or exported by the foreign entity, which is, the source of the firearms proposed to be imported. The gun press has fabricated 'sporting' events to justify these weapons. The manner in which we are proceeding is a serious disservice to the American people."

Attachments: That Was Then, This is Now: Assault Weapons: Analysis, New Research, and Legislation: Assault Weapons and Accessories in America; and Cop Killers. All authored by the Violence Policy Center.

- (30) The respondent states, "At least for handguns, and among young adult purchasers who have a prior criminal history, the purchase of an assault-type firearm is an independent risk factor for later criminal activity on the part of the purchaser."

NOTE: The above study was for assault-type handguns used in criminal activity versus other handguns. The study involved only young adults, and caution should be used in extending these results to other adults and purchasers of rifles. However, the respondent states, it is plausible that findings for one class of firearms may pertain to another closely related class.

- (31) The 1996 National Survey of Fishing, Hunting and Wildlife-Associated Recreation. The publication outlines 1996 expenditures for guide use and percentage of hunters using guides for both big game and small game hunting.

- (32) In a memo from the Center to Prevent Handgun Violence the sections are Legal Background, History of Bureau Application of the "Sporting Purposes" Test, The Modified Assault Rifles under Import Suspension Should Be Permanently Barred from Importation, [The Galils and Uzis Should Be Barred from Importation Because They Are Banned by the Federal Assault Weapon Statute, and All the Modified Assault Rifles Should Be Barred from Importation Because They Fail the Sporting Purposes Test]. The conclusion states: "The modified assault rifles currently under suspended permits should be permanently barred from importation because they do not meet the sporting purposes test for importation under the Gun Control Act of 1968 and because certain of the rifles [Galils and Uzis] also are banned by the 1994 Federal assault weapon law."

**Comments Provided by Individuals**

- (10) The respondent does not recommend the Uzi, but he highly recommends the others for small game and varmints. He feels that the calibers of these are not the caliber of choice for medium or large game; however, he believes that the SIG and H&K are the best-built semiautomatics available.

He can not and will not defend the Uzi, referring to it as a "piece of junk."

The respondent feels that because of their expense and their being hard to find, the study rifles (excluding the Uzi) would not be weapons of choice for illegal activities.

- (11) The respondent questions ATF's definition of "sporting" and "organized shooting." He feels that ATF's definition is too narrow and based on "political pressure."

The respondent feels that the firearms are especially suitable for competitive shooting and hunting and that the restrictions on caliber and number of cartridges should be left to the individual States. He has shot competitively for 25 years.

- (18) The respondent specifically recommends the MAK90 for hunting because its shorter length makes for easier movement through covered areas, it allows for quicker follow-up shots, its open sights allow one to come up upon a target more quickly, and it provides a quicker determination of whether a clear shot exists through the brush than with telescopic sighting.

- (21) The respondent states that the second amendment discusses "arms," not "sporting arms." The respondent further states that taxpayer money was spent on this survey and ATF has an agenda. A gun's original intent (military) has nothing to do with how it is used now. "The solution to today's crime is much the same as it always has been, proper enforcement of existing laws, not the imposition of new freedom-restricting laws on honest people."

**Information on Articles Reviewed**

- (1) Describes limited availability of Uzi Model B sporter with thumbhole stock.
- (2) Describes rifle and makes political statement concerning 1989 ban.
- (3) Describes Chinese copy of Uzi with thumbhole stock.
- (4) Quality sporting firearms from Russia.
- (5) Short descriptions of rifles and shotguns available. Lead-in paragraph mentions hunting. Does not specifically recommend any of the listed weapons for hunting.
- (6) Geared to retail gun dealers, provides list of available products. States L1A1 Sporter is pinpoint accurate and powerful enough for most North American big game hunting.
- (7) Discusses the use of the rifle for hunting bear, sheep, and coyotes. Describes accuracy and ruggedness. NOTE: The rifle is a pre-1989 ban assault rifle.
- (8) Deals primarily with performance of the cartridge. Makes statement that AK 47-type rifle is adequate for deer hunting at woods ranges.
- (9) Discusses gun ownership in the United States. Highlighted text (not by writers) includes the National Survey of Private Ownership of Firearms that was conducted by Chilton Research Services of Drexel Hill, Pennsylvania during November and December 1994: 70 million rifles are privately held, including 28 million semiautomatics.
- (10) Discusses pre-1989 ban configuration. Describes use in hunting, and makes the statement that "in the appropriate calibers, the military style autoloaders can indeed make excellent rifles, and that their ugly configuration probably gives them better handling qualities than more conventional sporters as the military discovered a long time ago."
- (15) Not article - letter from Editor of Gun World magazine discussing "sport" and various competitions. Note: Attached submitted by Century Arms.
- (16) Letter addressed to "To Whom It May Concern" indicating HK91 (not mentioned but illustrated in photos) is suitable for hunting and accurate enough for competition. Note: Submitted by Century Arms.
- (17) Describes a competition developed to test a hunter's skill. Does not mention any of the rifles at issue.
- (18) Not on point - deals with AR 15.
- (19) Describes function, makes political statement.
- (20) Discusses function and disassembly of rifle.
- (21) Not on point - deals with AR 15 rifle.



- (22) Discusses competition started to show sporting use of rifles banned for sale in California. Unknown if weapons in study were banned in California in 1990.
- (23) Not on point - deals with national matches.
- (24) Not on point - deals with various surplus military rifles.
- (25) Deals with 7.62x39mm ammunition as suitable for deer hunting and mentions the use in SKS rifles, which is a military style semiautomatic but not a part of the study.
- (26) Not on point - deals with reloading.
- (27) Not on point - deals with reloading.
- (28) Not on point - deals with AR15 rifles in competition.
- (29) Not on point - deals with the SKS rifle.
- (30) Not on point - deals with national matches.
- (31) Not on point - deals with national matches.
- (32) Not on point - deals with national matches.
- (33) Not on point - deals with national matches at Camp Perry.
- (34) Not on point - deals with national matches at Camp Perry.
- (35) Not on point - deals with 1989 national matches at Camp Perry.
- (36) Not on point - deals with Browning BAR sporting semiautomatic rifles.
- (38) Not on point - deals with AR15, mentions rifle in caliber 7.62 x 39.
- (39) Not on point - deals with bullet types.
- (40) Not on point - deals with reloading.
- (41) Discusses tracking in snow. Rifles mentioned do not include any rifles in study.
- (42) Deals with deer hunting in general.
- (43) Deals with rifles for varmint hunting. Does not mention rifles in study.
- (44) Not on point - deals with hunting pronghorn antelope.
- (45) Deals with various deer rifles.
- (46) Not on point - deals with two Browning rifles' recoil reducing system.
- (47) Not on point - deals with bolt-action rifles.
- (48) Not on point - deals with ammunition.

- (49) Deals with modifications to AR15 trigger for target shooting.
- (50) Not on point - deals with M1 Garand as a target rifle.
- (51) Not on point - deals with reloading.
- (52) Deals with impact of banning semiautomatic rifles would have on competitors at Camp Perry.
- (53) Deals with economic impact in areas near Camp Perry if semiautomatic rifles banned. Reprint from Akron Beacon Journal.
- (54) Deals with training new competitive shooters - mentions sporting use of assault rifles, i.e., AR15.
- (55) Not on point - article about Nelson Shew.
- (56) Not on point - deals with reloading.
- (57) Not on point - deals with shooting the AR15.
- (58) Not on point - article about AR15 as target rifle.
- (59) Not on point - article about well known competitive shooter.
- (67) Not on point - deals with reloading.
- (68) Discusses semiautomatic versions of M14.
- (69) Discusses gas operation.
- (70) Discusses right adjustment on M1 and M1A rifles.
- (71) Discusses M1A and AR15-type rifles modified to remove them from assault weapon definition, and their use in competition.
- (72) Deals with AR15 type rifle.
- (73) Not on point - deals with AR15.
- (74) Not on point - deals with target rifle based on AR15/M16.
- (75) Not on point - deals with SKS rifle.
- (76) Not on point - deals with reloading 7.62x39mm cartridge.
- (77) Not on point - deals with reloading. Mentions 7.62x39mm.
- (78) Not on point - deals with ammunition performance.
- (79) Deals with .223 Remington caliber ammunition as a hunting cartridge.
- (80) Describes M1A (semiautomatic copy of M14) as a target rifle.
- (81) Not on point - deals with bullet design.
- (82) Not on point - deals with ammunition performance.

**Information on Advertisements Reviewed**

- (11) Indicates rifles are rugged, reliable and accurate.
- (12) Describes rifles, lists price.
- (13) Sporting versions of AK 47 and FAL.
- (14) Sporting version of AK 47, reliable, accurate.
- (61) Catalog of ammunition - lists uses for 7.62x39mm ammunition.
- (62) Catalog of ammunition - lists uses for 7.62x39mm ammunition.
- (63) Catalog of ammunition - lists uses for 7.62x39mm ammunition.
- (64) Catalog of ammunition - lists uses for 9mm ammunition.
- (65) Catalog of ammunition - lists uses for 9mm ammunition.
- (66) Catalog of ammunition - lists recommended uses for 9mm ammunition.

# **Exhibit 27**



**Report of the State's Attorney for the  
Judicial District of Danbury on the  
Shootings at Sandy Hook Elementary School and  
36 Yogananda Street,  
Newtown, Connecticut on  
December 14, 2012**

**OFFICE OF THE STATE'S ATTORNEY  
JUDICIAL DISTRICT OF DANBURY  
Stephen J. Sedensky III, State's Attorney**

**November 25, 2013**

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<sup>1</sup> Because of its volume, the Appendix to this report is published as a separate document. Some of the search warrants and reports contained in the Appendix have been redacted to meet court orders, exceptions to the Freedom of Information Act, protect the identity of witnesses, protect records of child abuse or personal identification information.

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## EXECUTIVE SUMMARY

The purpose of this report is to identify the person or persons criminally responsible for the twenty-seven homicides that occurred in Newtown, Connecticut, on the morning of December 14, 2012, to determine what crimes were committed, and to indicate if there will be any state prosecutions as a result of the incident.

The State's Attorney for the Judicial District of Danbury is charged, pursuant to Article IV, Section 27 of the Constitution of the State of Connecticut and Connecticut General Statutes (C.G.S.) Sec. 51-276 *et seq.*, with the investigation and prosecution of all criminal offenses occurring within the Judicial District of Danbury. The Connecticut State Police have the responsibility to prevent and detect violations of the law and this State's Attorney has worked with and relied upon the Connecticut State Police since the incident occurred.

Since December 14, 2012, the Connecticut State Police and the State's Attorney's Office have worked with the federal authorities sharing responsibilities for various aspects of this investigation. Numerous other municipal, state and federal agencies assisted in the investigation. The investigation materials reflect thousands of law enforcement and prosecutor hours. Apart from physical evidence, the materials consist of more than seven-hundred individual files that include reports, statements, interviews, videos, laboratory tests and results, photographs, diagrams, search warrants and returns, as well as evaluations of those items.

In the course of the investigation, both state and federal law enforcement personnel received a large number of contacts purporting to provide information on the shootings and the shooter. Although many times these "leads" would go nowhere, each one was evaluated and often required substantial law enforcement time to pursue. An abundance of caution was used during the investigation to ensure that all leads were looked into, despite the fact that more than 40 such "leads" proved, after investigation, to be unsubstantiated. Information that was substantiated and relevant was made part of the investigation.

It is not the intent of this report to convey every piece of information contained in the voluminous investigation materials developed by the Connecticut State Police and other law enforcement agencies, but to provide information relevant to the purposes of this report. While no report is statutorily required of the State's Attorney once an investigation is complete, it has been the practice of State's Attorneys to issue reports on criminal investigations where there is no arrest and prosecution if the State's Attorney determines that some type of public statement is necessary. Given the gravity of the crimes committed on December 14, 2012, a report is in order.

On the morning of December 14, 2012, the shooter, age 20, heavily armed, went to Sandy Hook Elementary School (SHES) in Newtown, where he shot his way into the locked school building with a Bushmaster Model XM15-E2S rifle. He then shot and killed the principal and school psychologist as they were in the north hallway of the school responding to the noise of the shooter coming into the school. The shooter also shot and injured two other staff members who were also in the hallway.

The shooter then went into the main office, apparently did not see the staff who were hiding there, and returned to the hallway.

After leaving the main office, the shooter then went down the same hallway in which he had just killed two people and entered first grade classrooms 8 and 10, the order in which is unknown. While in those rooms he killed the two adults in each room, fifteen children in classroom 8 and five in classroom 10. All of the killings were done with the Bushmaster rifle.

He then took his own life with a single shot from a Glock 20, 10 mm pistol in classroom 10.

Prior to going to the school, the shooter used a .22 caliber Savage Mark II rifle to shoot and kill his mother in her bed at the home where they lived at 36 Yogananda Street in Newtown.

The response to these crimes began unfolding at 9:35:39 a.m. when the first 911 call was received by the Newtown Police Department. With the receipt of that call, the dispatching and the arrival of the police, the law enforcement response to the shootings began. It was fewer than four minutes from the time the first 911 call was received until the first police officer arrived at the school. It was fewer than five minutes from the first 911 call, and one minute after the arrival of the first officer, that the shooter killed himself. It was fewer than six minutes from the time the first police officer arrived on SHES property to the time the first police officer entered the school building. In fewer than 11 minutes twenty first-grade pupils and six adults had lost their lives.

The following weapons were recovered in the course of this investigation: (1) a Bushmaster Model XM15-E2S semi-automatic rifle, found in the same classroom as the shooter's body. All of the 5.56 mm shell casings from the school that were tested were found to have been fired from this rifle. (2) a Glock 20, 10 mm semi-automatic pistol found near the shooter's body and determined to have been the source of the self-inflicted gunshot wound by which he took his own life. (3) a Sig Sauer P226, 9 mm semi-automatic pistol found on the shooter's person. There is no evidence this weapon had been fired. (4) a Izhmash Saiga-12, 12 gauge semi-automatic shotgun found in the shooter's car in the parking lot outside the school, and which was secured in the vehicle's trunk by police responding to the scene. There is no evidence this weapon had been fired. (5) a Savage Mark II rifle found at 36 Yogananda Street on the floor of the master bedroom near the bed where the body of the shooter's mother was found. This rifle also was found to have fired the four bullets recovered during the autopsy of the shooter's mother.

All of the firearms were legally purchased by the shooter's mother. Additionally, ammunition of the types found had been purchased by the mother in the past, and there is no evidence that the ammunition was purchased by anyone else, including the shooter.

At the date of this writing, there is no evidence to suggest that anyone other than the shooter was aware of or involved in the planning and execution of the crimes that were committed on December 14, 2012, at Sandy Hook Elementary School and 36 Yogananda Street. From the time an unknown male was encountered by the Newtown police outside of the school during the initial response, until well after the staff and children had been evacuated, the thought that there may have been more than one shooter was a condition all responding law enforcement worked under as they cleared the school. Individuals located in the wooded areas surrounding the school

as the searches and evacuations were taking place were initially treated as suspect and handled accordingly (including being handcuffed) until their identity could be determined. The circumstances surrounding all of these individuals were fully investigated and revealed no additional shooters. DNA testing of evidence recovered from both the school and 36 Yogananda Street also revealed no potential accessories or co-conspirators.

It is the conclusion of this State's Attorney that the shooter acted alone and was solely criminally responsible for his actions of that day. Moreover, none of the evidence developed to date demonstrates probable cause to believe that any other person conspired with the shooter to commit these crimes or aided and abetted him in doing so.

Unless additional – and at this time unanticipated – evidence is developed, there will be no state criminal prosecution as result of these crimes. With the issuance of this report, the investigation is closed. Should additional reliable information related to the existence of accessories or co-conspirators come to the attention of the investigators, the investigation will be reopened.<sup>2</sup>

In the course of his rampage the shooter committed a number of crimes in violation of our Connecticut Penal Code. The most significant are those where lives were taken and people were physically injured. In Sandy Hook Elementary School, the crime of Murder under Special Circumstances, in violation of C.G.S. Sec. 53a-54b, was committed twenty-six times and Attempted Murder under Special Circumstances in violation of C.G.S. Secs. 53a-49 and 53a-54b was committed twice as it relates to the two individuals who were shot by the shooter and survived. The crime of Murder in violation of C.G.S. Sec. 53a-54 was committed by the shooter in killing his mother.

The obvious question that remains is: “Why did the shooter murder twenty-seven people, including twenty children?” Unfortunately, that question may never be answered conclusively, despite the collection of extensive background information on the shooter through a multitude of interviews and other sources. The evidence clearly shows that the shooter planned his actions, including the taking of his own life, but there is no clear indication why he did so, or why he targeted Sandy Hook Elementary School.

It is known that the shooter had significant mental health issues that affected his ability to live a normal life and to interact with others, even those to whom he should have been close. As an adult he did not recognize or help himself deal with those issues. What contribution this made to the shootings, if any, is unknown as those mental health professionals who saw him did not see anything that would have predicted his future behavior. He had a familiarity with and access to firearms and ammunition and an obsession with mass murders, in particular the April 1999 shootings at Columbine High School in Colorado. Investigators however, have not discovered any evidence that the shooter voiced or gave any indication to others that he intended to commit such a crime himself.

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<sup>2</sup> It should be noted that potentially important evidence, i.e., a computer hard drive recovered from the shooter's home, as of this date remains unreadable. Additional insight could be gained should efforts to recover data from the hard drive ever prove successful, which at this time appears highly improbable. It is because of this improbability, coupled with the current determination of no accessories or co-conspirators that the case is being closed.

This State's Attorney expresses his sincere sympathy and condolences to the victims of the incident of December 14, 2012, and to their families. He also expresses his appreciation for their continued patience and understanding during the course of the investigation and preparation of this report. He acknowledges and thanks law enforcement, which responded to Sandy Hook Elementary School in minutes and entered the building believing someone could be there ready to take *their* lives as well. He also acknowledges and thanks the staff of the Sandy Hook Elementary School who acted heroically. The combination saved many children's lives.

This report would not have been possible if not for the assistance and cooperation of numerous agencies at the state, local and federal levels of government. The State's Attorney expresses his sincere gratitude and appreciation to all of these agencies and to all of the men and women who contributed so much to this investigation. The assistance of federal authorities has been invaluable. Particularly worthy of special note are the men and women of the Connecticut State Police, and in particular, the Western District Major Crime Squad. The thoroughness and sensitivity with which they conducted their investigation is unmatched in my experience.

## **INTRODUCTION**

On the morning of December 14, 2012, Adam Lanza, the shooter,<sup>3</sup> age 20, went to Sandy Hook Elementary School (also SHES) in Newtown, Connecticut, where he shot his way into the building and killed twenty children and six adults and wounded two other adults, all with a Bushmaster Model XM15-E2S rifle. The shooter then took his own life with a single shot from a Glock 20, 10 mm handgun. From the time the doors of the school were locked at 9:30 a.m. until the time it is believed the shooter killed himself at 9:40:03, fewer than 11 minutes had elapsed.

Prior to going to the school, the shooter used a .22 caliber Savage Mark II rifle to shoot and kill his mother in her bed. This occurred at the home where they lived at 36 Yogananda Street, also in Newtown.

With these unprecedented horrific crimes came a responsibility for an investigation to determine what crimes were committed and, more importantly, if the shooter acted alone. Any person who aided and abetted the shooter or who conspired with him had to be held accountable.

Beginning on December 14, 2012, the Connecticut State Police and the State's Attorney's Office worked in cooperation with the federal authorities sharing responsibilities for various aspects of the case. The federal involvement has been invaluable. Though some evidence is still being examined, there is no indication in the investigation by either state or federal authorities to date that the shooter acted with anyone on December 14, 2012, or had co-conspirators or accessories who could be prosecuted.

In addition to physical evidence,<sup>4</sup> the investigation materials contain over seven-hundred individual files that include reports, statements, interviews, videos, laboratory tests and results, photographs, diagrams, search warrants and search warrant returns as well as evaluations of those items. Investigators interviewed individuals who were present at SHES on December 14, 2012, and witnessed the incident, among them students, staff members, parents of students and neighbors. Special attention and consideration was given to the interviewing of child witnesses, given their traumatic experience. Also interviewed were police officers and other first responders who were present at SHES during the course of the incident itself and in the course of the subsequent search, evacuation of the school and processing of the scenes.

Investigators attempted to obtain as much information about the shooter's life as possible in an effort to determine the reasons or motives for his actions on December 14, 2012. Interviews were conducted with members of the shooter's family, those who knew the shooter or his family throughout his life, as well as teachers and school personnel who had been involved with him and his family over his time in Newtown.

Efforts were made within the limits of privacy laws to gather information on medical consultations and/or treatments the shooter was involved with over the course of his years in Newtown. In doing so, investigators found no evidence to suggest the shooter had taken any

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<sup>3</sup> Throughout the remainder of this report Adam Lanza will be referred to as "the shooter."

<sup>4</sup> Over 270 evidence designations were used, many grouping related items as one number.

medication that would affect his behavior or by any means to explain his actions on December 14, 2012.

An investigation of this magnitude requires careful planning and review. The interviews took substantial time, first to identify which individuals should be interviewed and then to conduct the actual interviews. Physical evidence had to be examined and forensically reviewed. This included ballistics, fingerprint and DNA analysis. Additionally, all of the information collected had to be reviewed and summarized in written statements that have since become a part of the investigation, reflecting thousands of dedicated law enforcement and prosecutor hours.

I had been working closely with the Connecticut State Police, who conducted the state investigation, and federal law enforcement officers since December 2012. Once the investigation was delivered for my review, I took the time to read, digest, evaluate and summarize the material, mindful of the privacy interests involved and the approaching December 14, 2012, anniversary.

The federal authorities have stated that under federal law many of their reports and materials cannot become part of the public record due to rules regarding the dissemination of information obtained pursuant to grand jury subpoenas, sealed search warrants, and federal Freedom of Information law. Therefore, information obtained by federal authorities will not, for the most part, be incorporated into the Connecticut State Police criminal investigation file.

While the reports and materials will not be part of the state investigation record, such materials have been examined and considered by state law enforcement authorities. Based upon a review of all of the documentation, both state and federal, we are left confident at this time that the evidence developed to date does not reveal co-conspirators or accessories. Accordingly, as a result of the investigation to date, there will be no state criminal prosecution of anyone.

### **PURPOSE AND SCOPE OF REPORT**

The State's Attorney's Office for the Judicial District of Danbury is charged, pursuant to Article IV, Sec. 27 of the Connecticut State Constitution<sup>5</sup> and Connecticut General Statutes (C.G.S.) Sec. 51-276<sup>6</sup> *et seq.*, with the investigation and prosecution of all criminal offenses occurring within the Judicial District of Danbury. The Connecticut State Police have the responsibility to prevent and detect violations of the law and this State's Attorney has worked with and relied upon the Connecticut State Police since the incident occurred. The investigation has been

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<sup>5</sup> Connecticut Constitution Article 4, Sec. 27. There shall be established within the executive department a division of criminal justice *which shall be in charge of the investigation and prosecution of all criminal matters*. Said division shall include the chief state's attorney, who shall be its administrative head, and the state's attorneys for each judicial district, which districts shall be established by law. The prosecutorial power of the state shall be vested in a chief state's attorney and the state's attorney for each judicial district.

<sup>6</sup> Sec. 51-276. Division established. There is hereby established the Division of Criminal Justice within the Executive Department, which shall be in charge of the investigation and prosecution of all criminal matters in the Superior Court. The Division of Criminal Justice shall be an agency within the Executive Department with all management rights except appointment of all state's attorneys.

tirelessly conducted by the Connecticut State Police (also CSP) with the assistance of multiple local, state and federal agencies, both in and out of Connecticut.

While no report is statutorily required of the State's Attorney once the investigation is complete, it has been the practice of state's attorneys to issue reports on criminal investigations where there is no arrest and prosecution if the state's attorney determines that some type of public statement is necessary.<sup>7</sup> Given the gravity of the crimes committed on December 14, 2012, a report is in order.

The purpose of this report is to identify the person or persons criminally responsible for the twenty-seven homicides that occurred in Newtown, Connecticut,<sup>8</sup> on the morning of December 14, 2012, to determine what crimes were committed, and to indicate if there will be any state prosecutions as a result of the incident.

Many witnesses to this case have expressed great concern that their identities will be disclosed publicly and make them susceptible to threats or intimidation as a result of their cooperation or connection with the investigation.<sup>9</sup> This cooperation has been essential and greatly appreciated. As a result of the witnesses' concerns, this report will not identify lay witnesses, except where necessary.

Consistent with Public Act 13-311,<sup>10</sup> exceptions to the state Freedom of Information Act<sup>11</sup> and C.G.S. Sec. 17a-101k(a)<sup>12</sup> this report will not list the names of the twenty children killed in

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<sup>7</sup>See for example: Statement of David I. Cohen, State's Attorney for the Judicial District of Stamford/Norwalk, in reference to the February 16, 2009, attack on Charla Nash by the Chimpanzee Named Travis, Issued December 7, 2009; Statement of the State's Attorney for the Judicial District of Stamford-Norwalk Concerning the Fatal Fire on December 25, 2011, at 2267 Shippan Avenue, Stamford, Issued June 8, 2012; and Report of the State's Attorney for the Judicial District of Ansonia-Milford on the Murder of Shangyl Rasim on January 17, 2010, Issued May 24, 2010.

<sup>8</sup> Newtown, Connecticut is within the Judicial District of Danbury.

<sup>9</sup> In fact, some witnesses have had that occur to them.

<sup>10</sup> An Act Limiting the Disclosure of Certain Records of Law Enforcement Agencies and Establishing a Task Force Concerning Victim Privacy Under the Freedom of Information Act.

<sup>11</sup> See C.G.S. Sec. 1-210.

<sup>12</sup> Sec. 17a-101k. Registry of findings of abuse or neglect of children maintained by Commissioner of Children and Families. Notice of finding of abuse or neglect of child. Appeal of finding. Hearing procedure. Appeal after hearing. Confidentiality. Regulations. (a) The Commissioner of Children and Families shall maintain a registry of the commissioner's findings of abuse or neglect of children pursuant to section 17a-101g that conforms to the requirements of this section. The regulations adopted pursuant to subsection (i) of this section shall provide for the use of the registry on a twenty-four-hour daily basis to prevent or discover abuse of children and the establishment of a hearing process for any appeal by a person of the commissioner's determination that such person is responsible for the abuse or neglect of a child pursuant to subsection (b) of section 17a-101g. The information contained in the registry and any other information relative to child abuse, wherever located, shall be confidential, subject to such statutes and regulations governing their use and access as shall conform to the requirements of federal law or regulations. Any violation of this section or the regulations adopted by the commissioner under this section shall be punishable by a fine of not more than one thousand dollars or imprisonment for not more than one year.

Sandy Hook Elementary School, nor will it recite 911 calls made from within the school on that morning or describe information provided by witnesses who were in the classrooms or heard what was occurring in the classrooms.

It is not the intent of this report to convey every piece of information contained in the voluminous investigation materials developed by the Connecticut State Police and other law enforcement agencies, but to provide information relevant to the purposes of this report.

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To conclude that *all* such information, including the basic facts of the incident itself is confidential would prohibit even the disclosure of the children being killed. Such an interpretation would be unworkable and is not taken here. It is concluded though that the C.G.S. Sec. 17a-101k(a) is applicable in the present case and will be applied in the manner described.



## **SANDY HOOK ELEMENTARY SCHOOL - INCIDENT AND RESPONSE**

### **Incident**

On the morning of December 14, 2012, the shooter parked his 2010 Honda Civic next to a “No Parking” zone outside of Sandy Hook Elementary School in Newtown, Connecticut.<sup>13</sup> Shortly after 9:30 a.m. he approached the front entrance to the school.<sup>14</sup> He was armed with a Bushmaster Model XM15-E2S rifle (also Bushmaster rifle), a Glock 20, 10 mm pistol and a Sig Sauer P226, 9 mm pistol and a large supply of ammunition.

The doors to the school were locked, as they customarily were at this time, the school day having already begun. The shooter proceeded to shoot his way into the school building through the plate glass window to the right of the front lobby doors.

The main office staff reported hearing noises and glass breaking at approximately 9:35 a.m. and saw the shooter, a white male with a hat and sunglasses, come into the school building with a rifle type gun. The shooter walked normally, did not say anything and appeared to be breathing normally. He was seen shooting the rifle down the hallway.

Just down the hallway from the main office, in the direction that the shooter was to be seen firing, a 9:30 a.m. Planning and Placement Team (PPT) meeting was being held in room 9, a conference room. It was attended by Principal Dawn Hochsprung and School Psychologist Mary Sherlach, together with a parent and other school staff. Shortly after the meeting started, the attendees heard loud banging. The principal and school psychologist then left the room followed shortly after by a staff member. After leaving the room, Mrs. Hochsprung yelled “Stay put!”

As the staff member left the room, the staff member heard gunshots and saw Mrs. Hochsprung and Mrs. Sherlach fall down in front of the staff member. The staff member felt a gunshot hit the staff member’s leg. Once down, the staff member was struck again by additional gunfire, but laid still in the hallway. Not seeing anyone in the hallway, the staff member crawled back into room 9 and held the door shut. A call to 911 was made and in the ensuing moments the telephone in room 9 was also used to turn on the school wide intercom system. This appears to have been done inadvertently, but provided notice to other portions of the building.<sup>15</sup>

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<sup>13</sup> On December 13, 2012, the student enrollment was 489. Official attendance had not yet been recorded as of 9:30 a.m. on December 14, 2012. The staff for the school is 91, but on December 14, 2012, there were nine staff members absent. The staffing was at 82 for the day.

<sup>14</sup> A more complete description of the school building and the front entrance starts on page A119 of the Appendix. For the purposes of this report, the front of SHES faces north.

<sup>15</sup> Intercom system could be accessed from nine phones located in seven rooms. These telephones and rooms were three phones in the main office, the principal’s office, the nurse’s office (room 57), room 9 conference room, room 29, room 32 and room 60. The “All Call” which opens the intercom to the entire school was accessed by pressing “#0” from the telephones mentioned. The All Call-except quiet rooms was accessed by pressing “#1.”

At the same time the shooter was firing in the hallway, another staff member was at the far east end of the hallway near classroom 1. The staff member was struck by a bullet in the foot and retreated into a classroom.

Both Dawn Hochsprung, age 47, and Mary Sherlach, age 56, died as a result of being shot. Both wounded staff members shot in the hallway were later evacuated to the hospital and survived.

After shooting and killing the two adults and wounding the two others, the shooter entered the main office. The office staff had taken shelter in the office. They heard sounds of the office door opening, footsteps walking inside the office and then back toward the office door. Staff members heard the door open a second time and then heard more gunfire from outside the office. They called 911.

Where the shooter specifically went next is unclear. The evidence and witness statements establish the shooter went down the hallway in an easterly direction ultimately entering first grade classrooms 8 and 10. The order is not definitively known. While in classrooms 8 and 10, the shooter shot and killed four adults and twenty children with the Bushmaster rifle. Twelve children survived, one from classroom 8 and eleven from classroom 10.

The shooter finally killed himself in classroom 10 with one gunshot to his head from a Glock 20, 10 mm pistol. This is believed to have occurred at 9:40:03.<sup>16</sup>

Classroom 8's substitute teacher was Lauren Rousseau, age 30, who was assisted by Rachel D'Avino, age 29, a behavioral therapist. Fifteen children were found by police. Fourteen who were deceased and one who was transported to Danbury Hospital and later pronounced dead. The two adults were found deceased close to the children. In all, seventeen people were killed in classroom 8. A sixteenth child survived and exited classroom 8 after the police arrived.

Classroom 10's teacher was Victoria Soto, age 27. Working with her was Anne Marie Murphy, age 52, a behavioral therapist. Five children were found, with Mrs. Murphy partially covering one child. Four of the five children were deceased. One of the five children was transported to the hospital and pronounced dead. Miss Soto was found deceased in the room near the north wall with a set of keys nearby. Nine children had run out of the room and survived. A police officer found two uninjured children in the class restroom.

In all, eighteen children and six adult school staff members were found deceased within the school. Two more children were pronounced dead at Danbury Hospital. Two other adult school staff members were injured and were treated at nearby hospitals and survived.

The two classrooms on either side of 8 and 10 were numbered 6 and 12. Classroom 6 was on the eastern side of classroom 8 and classroom 12 was on the western side of classroom 10. Staff and students hid in the class restrooms, locking the restroom doors from the inside.

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<sup>16</sup> See the time line in the Appendix starting at page A84.

Throughout the rest of the school, staff and students hid themselves wherever they happened to be at the time they became aware of gunfire. The staff used various ways to keep the children calm, from reading to having them color or draw pictures. Those hiding in rooms closest to the shooter kept silent. Some people were able to escape out of the building prior to the police arrival and went to Sandy Hook center, nearby residences, or received rides from parents going to the school or from passersby.

One staff member heard a loud crashing noise and ran toward the front lobby. As the staff member got closer, bullet holes could be seen and gun powder smelled. Realizing what was going on, the staff member immediately called 911, turned and went back down the hall from where the staff member had come. During the incident, while staying on the line with the 911 operator, this staff member sent other staff to their rooms or had them stay in their rooms and this staff member went about locking doors. The staff member remained in the hallway on the telephone with the 911 operator until the police arrived.

### **Response**

Upon the receipt of the first 911 call, law enforcement was immediately dispatched to the school. It was fewer than four minutes from the time the first 911 call was received until the first police officer arrived at SHES. It was fewer than five minutes from the time the first 911 call was received until the shooter killed himself. It was fewer than six minutes from the time the first police officer arrived on SHES property to the time the first police officer entered the school building.

Below is an abbreviated time line from the first 911 call received to the time the police entered the school building.<sup>17</sup>

9:35:39 - First 911 call to Newtown Police Department is received.

9:36:06 - Newtown Police Department dispatcher broadcasts that there is a shooting at Sandy Hook Elementary School.

9:37:38 - Connecticut State Police are dispatched to SHES for active shooter.

9:38:50 - CSP are informed that SHES is in lockdown.

9:39:00 - First Newtown police officer arrives behind SHES on Crestwood Rd.

9:39:13 - Two more Newtown officers arrive at SHES and park on the driveway near the ball field. Gunshots are heard in the background.

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<sup>17</sup> See page A84 of the Appendix for full time line put together by the Connecticut State Police Western District Major Crime Squad. This time line was compiled from 911 calls, witness statements, police car cameras, police radio and police dispatch transmissions.

- 9:39:34 - Newtown officer encounters unknown male running along the east side of SHES with something in his hand.
- 9:40:03 - Last gunshot is heard. This is believed to be the final suicide shot from the shooter in classroom 10.
- 9:41:07 - Information is relayed as to the location of the last known gunshots heard within SHES, the front of the building.
- 9:41:24 - Newtown officer has unknown male prone on ground, starting information relay regarding possibly more than one shooter.
- 9:42:39 - Newtown officer calls out the license plate of the shooter's car.
- 9:44:47 - Newtown officers enter SHES.
- 9:46:23 - CSP arrive at SHES.
- 9:46:48 - CSP enter SHES.

As the gravity of the situation became known, local, state and federal agencies responded to the scene to assist.

From the time the unknown male was encountered by the Newtown police outside of SHES until after the staff and children were evacuated, all responding law enforcement operated under the belief that there may have been more than one shooter and acted accordingly.<sup>18</sup>

For example, K-9 units were brought in to search the area and officers were posted to act as lookouts to ensure the safety of those evacuating the school building. Some people were located in the areas surrounding the school as the searches and evacuations were taking place. Some of those individuals were treated initially as suspects and handled accordingly, including being handcuffed, until their identities and reason for being there could be determined.

Some of these detentions included:

1. The initial unknown male who turned out to be a parent with a cell telephone in his hand;
2. Two reporters located in the woods around SHES, who were held at gun point by Department of Energy and Environmental Protection (DEEP) police officers until their identities could be determined; and
3. A man from New York who was working in a nearby town and went to SHES after an application on his cell telephone alerted him to the situation at the school. He drove to the firehouse and went up to the school on foot. He was taken from the scene

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<sup>18</sup> In fact, the possibility that there was more than one shooter remained a consideration beyond December 14, 2012. It was only after potential leads were investigated that investigators became confident that the shooter was not aided in any way by others and that no one knew of the shooter's plan prior to December 14, 2012.

of the school in handcuffs and later to Newtown Police Department. It was later determined that he did not have a connection to the shooting and had gone to SHES to see what was going on.

As noted above, on December 14, 2012, there was a concern that there may have been more than one shooter. This was based upon a number of factors:

1. The initial police encounter with the unknown male outside SHES;<sup>19</sup>
2. Reports by school personnel during the shooting on a 911 call of seeing someone running outside the school while the shooting was ongoing;
3. The location of two black zip up sweat jackets on the ground outside of the shooter's car;
4. The discovery of an Izhmash Saiga-12, 12 gauge shotgun and ammunition in the passenger compartment of the shooter's car. A police officer moved this shotgun and ammunition to the car's trunk for safety purposes;
5. Shell casings that were located outside of the school; and
6. The apparent sound of gunfire coming from outside of the school;

The subsequent investigation revealed there were no additional shooters based upon:

1. Searches of the area and examinations of local business security surveillance videos;
2. Persons detained revealed they were not connected to the shootings. In the case of the initial unknown male, he was identified as the parent of a student and had a cell telephone, rather than a weapon, in his hand;
3. Witness interviews which indicated that no witness saw anyone other than the shooter, with a firearm;
4. Witness interviews in which it was determined that a number of SHES staff had escaped from the school through a window and had been running outside the school building during the shootings;
5. The shotgun located in the shooter's car had been purchased by the shooter's mother previously;
6. The two sweat jackets were both C-Sport brand black zip up hooded sweat jackets with no size listed and were located immediately outside the shooter's car;<sup>20</sup> Both are believed to have been brought there by the shooter;<sup>21</sup>
7. The live shotgun shells (other than the one found on the shooter and the ones found in the shooter's car) that were located inside and outside of the school were in locations where first responders had been. Additionally, there were first responders who

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<sup>19</sup> The man was later determined to be the parent of one of the school's children and the item in his hand was a cell telephone.

<sup>20</sup> See the Appendix at page A174.

<sup>21</sup> A parent who arrived at SHES as the shooting was taking place saw the shooter's car parked in front of the school with the passenger side door open and the two sweat jackets on the ground near the car. To the parent, the jackets looked like two black blankets on the ground.

- reported missing live shotgun rounds. Moreover, the shells were found in locations where there had not been reported sightings of any non-law enforcement individuals;
8. There were no expended shotgun shells found in the actual crime scene nor were any expended 12 gauge shotgun pellets or slugs recovered;
  9. The only expended casings located outside of the school building were 5.56 mm casings located just outside the school's front entrance, consistent with the shooter's entry into the school; and
  10. The officer who heard what he believed to be outside gunfire was in a position to have heard the shooter's gunfire coming from window openings in the classroom in which the shooter was firing.

Stopping the active shooter was the first priority. Once that occurred, the location and treatment of the victims, the search for additional shooters, and the safe evacuation of the school were of primary importance.<sup>22</sup> The collection of evidence and the preservation and documentation of the crime scene, while important, came second.

Two command centers were set up, one at the firehouse on Riverside Road and the other at Newtown's Emergency Operations Center, located on the Newtown Fairfield Hills Campus. In the week immediately after the shootings, services to victims' families and victims, as well as support to the investigators in the school were handled out of the firehouse. All other aspects of the investigation not related to the school itself were run out of the Emergency Operations Center.

Investigation responsibilities were handled as follows:<sup>23</sup>

### **Connecticut State Police (CSP)**

**CSP-Western District Major Crime (WDMC)** squad was the lead CSP unit for the entire investigation and acted as the coordinating law enforcement agency for other agencies and units of the CSP.<sup>24</sup> The van unit processed the interior of SHES.

**CSP-Central District Major Crime (CDMC)** squad van unit processed the exterior of SHES, including the shooter's car, and established the temporary morgue<sup>25</sup> with the

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<sup>22</sup> One of the difficulties encountered was the inability of state police radios to operate within SHES.

<sup>23</sup> This report does not include a listing of all of the law-enforcement and non-law enforcement service providers and their actions. In the days and weeks that followed the tragedy, local, state and federal agencies provided help to the Town of Newtown and its families through counseling, funeral protection, traffic control, handling bomb threats as well as many other services. Additionally, the CSP set up an invaluable law enforcement liaison program with the families of the deceased victims in which a state or local police officer was specifically assigned to the family of a deceased victim to provide communication and protection in the days and weeks that followed December 14<sup>th</sup>.

<sup>24</sup> WDMC Squad and Van, as the lead CSP unit, over the course of the week that followed was there for seven days processing the interior scene, the shooter and victims' personal effects, including assisting with the packing and removal of furniture from the immediate scene.

<sup>25</sup> The Department of Public Health provided and set up the portable tent used for the temporary morgue.

OCME to identify and document the decedents prior to their being moved to the OCME in Farmington.<sup>26</sup> CDMC also attended the autopsies at the OCME and did a secondary search of 36 Yogananda Street, as well as photographing doors and locks in SHES.

**Eastern District Major Crime (EDMC)** squad processed the scene at 36 Yogananda Street and were the investigators for the shooting of Nancy Lanza, the shooter's mother.

**CSP-Emergency Services Unit (ESU), Tactical Teams**, were assigned to both SHES and 36 Yogananda Street to handle the clearing of the scenes and rendering them safe.<sup>27</sup>

**CSP – Troop A, Southbury and CSP from other troops and units**, in addition to being first responders, worked to secure the scene and worked with WDMC and the OCME.

**Computer Crimes and Electronic Evidence Unit** handled the seizure and examination of additional electronic evidence from 36 Yogananda Street together with EDMC, CDMC and WDMC.

**CSP - Collision, Analysis and Reconstruction Squad (CARS)** was assigned to produce the sketch maps for both the interior and exterior of the school.

**CSP** - On December 14, 2012, virtually every aspect of the CSP was engaged in the response to SHES and 36 Yogananda Street. For example, included in the first responders were troopers and detectives, not only from Troop A in Southbury, but other troops and units as well, including the Statewide Narcotics Task Force.

**Department of Energy and Environmental Protection (DEEP)** provided first responders at SHES.

**Forensic Science Laboratory, Division of Scientific Services, Department of Emergency Services and Public Protection (DESPP)** examined items seized and collected from SHES and 36 Yogananda Street.

**Office of the Chief Medical Examiner (OCME)** was responsible for investigating the cause and manner of the deaths involved in this case and worked with the CSP in setting up the temporary morgue at SHES that was used to identify and document the deceased prior to their being moved to Farmington.

**Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)** in addition to responding to both scenes, worked on the firearms aspect of the investigation.

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<sup>26</sup> WDMC and CDMC personnel were also assigned and paired with the FBI to conduct interviews and neighborhood canvasses as well as assist with the identification of victims, investigate a report of another shooter at a hospital, as well as prepare search warrants and attend autopsies.

<sup>27</sup> There were numerous law enforcement agencies that worked on the clearing of SHES and the protection of those who were doing the clearing.

**Federal Bureau of Investigation (FBI)** – in addition to responding to the scenes, handled interviewing of witnesses and investigation both at a local level and on a national level. The Tactical Team assisted with the clearing of the school. The Behavioral Analysis Unit (BAU), as part of the search warrant execution for 36 Yogananda Street, was provided with materials for review. They provided their expertise in the preparation of witness interviews. The Victim Assistance Unit worked with victims’ families, victims and witnesses.

**United States Attorney’s Office** was stationed at the Emergency Operations Center overseeing the investigation into the possible commission of federal crimes and the issuance of federal legal process, as well as coordinating the various federal agencies involved in assisting with the state investigation.

**United States Marshals Service, Technical Operations Group** provided technical and investigation assistance.

**United States Postal Service** looked for mail that may have been relevant to the investigation.

**Municipal Police Departments** from around the state assisted throughout the Town of Newtown, including being first responders at SHES, handling calls in town and the tremendous inflow of media and visitors to the Town in the weeks after December 14, 2012.

**Newtown Police Department** in addition to being first responders, worked to secure the scene and assisted WDMC.

**Office of the State’s Attorney, Judicial District of Danbury (SAO)** – oversaw the state investigation, working with the Connecticut State Police. Together with the assistance of the Office of the Chief State’s Attorney, the SAO was stationed at the Emergency Operations Center starting December 14, 2012, and oversaw the legal issues and state aspect of the investigation including search warrant review, child witness issues, working with the federal authorities, etc.

### **SANDY HOOK ELEMENTARY SCHOOL – SCENE INVESTIGATION**

On the afternoon of December 14, 2012, the WDMC and CDMC van units began documenting the crime scene and collecting evidence. The units could not begin this process until the scene was declared safe. The scene processing took seven days.

The scene was thoroughly processed, with the WDMC van unit handling the interior of SHES and the CDMC van unit covering the exterior. This processing included extensive written documentation as well as taking videos and thousands of photographs and measurements. In addition to the recovery of evidence, bullet trajectories were analyzed and documented.

My description of the scene processing starts with the front entrance and moves into the school building itself. This does not necessarily reflect the actual order in which the crime scene was processed. Many descriptions come directly from the investigation reports but are not in quotation marks to ease reading.



The conditions of windows and doors were documented, but some may have been disturbed by police and emergency personnel during the emergency response and protective sweep of the building. Similarly, other items of evidence, such as shell casings, may not have been found in their original positions because, as mentioned previously, the first priority was to locate and neutralize any active shooter, followed by the location and treatment of the victims, the search for additional shooters and the safe evacuation of the school. Only then could evidence collection begin.

## **Interior**

Sandy Hook Elementary School was<sup>28</sup> a one story brick public school building of approximately 66,000 square feet, built in 1954. The building was on Dickinson Drive off of Riverside Road in the Sandy Hook section of Newtown. The front of the building sat in a magnetic northeast direction, but will be considered north for the purposes of this report. See the diagram at page 19.

SHES was rectangular in shape with four hallways in the main building and portable classrooms attached to the rear (south) side which were accessed from the south side of the main building. Classrooms on the exterior walls had even numbers and interior classrooms had odd numbers.

### **- Main entrance**

The main entrance to the school was located next to the large glass window that the shooter shot out to enter the school. A patio area was just before the entrance doors. The entrance to the lobby consisted of two sets of locked full glass doors that opened outwardly using a pull handle. They were separated by a small vestibule. The doors were secured with an electronic locking mechanism. The doors could be opened from the inside with a horizontal push bar across the middle of the door.

The broken area of the window that the shooter shot out measured approximately 35.33 inches wide and 42.5 inches high.<sup>29</sup>

The exterior of the main entrance door way had a call box, buzzer system with a video camera. The call box was installed in 2005. The video camera did not record, but the video could be viewed live on three monitoring systems on the secretaries' desks in the main office, with no recording capabilities. The electronic unlocking of the front doors was done by using a "key button" on any of the three monitoring systems.

Glass shards were located just before and to the side of the outside entrance doors on the patio and plantings in the area and also on the floor in the lobby.<sup>30</sup> Eight expended brass colored 5.56

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<sup>28</sup> SHES was demolished in October and November 2013.

<sup>29</sup> See the Appendix starting at page A168.

<sup>30</sup> See the Appendix at page A169 and A171.

mm bullet casings stamped with “S&B 60 5.56x45”<sup>31</sup> were located in the area outside the broken window and front entrance doors. These were seized.

The front entrance led into the school’s lobby. The lobby measured approximately 28 feet north to south and 36 feet east to west. The southeast corner of the lobby allowed open access to the north hallway of the school. Sixteen brass colored expended 5.56 mm bullet casings were located on the floor within the lobby area and were seized. Furniture in the lobby area had holes consistent with having been struck by a bullet. There were eleven damaged areas consistent with bullet strikes in the lobby.

**- North Hallway**

The hallway on the north side of the building, where the shootings occurred, ran east to west and contained the lobby and main office, inside of which was the nurse’s office. The hallway also contained rooms numbered 1-10, 11A-5 and 12. The bulk of the scene processing occurred in this area. See the diagram on page 19.

The ceiling as in the lobby was 8 feet high. And the width of the hall was 8.5 feet. The even numbered rooms were on the north side of the hallway with classroom 12 being the western most classroom and classroom 2 being the eastern most. The odd numbered rooms were on the south side of the hallway with the main office being the western most room and classroom 1 being the eastern most. East of the main office was a closet labeled “11A-5 storage” and the east of the closet was a conference room identified as Room 9.

The doors in the hallway all locked from the outside with a key. The interior door handles had no locking mechanism. All of the doors opened outwardly toward the hallway. All doors were solid wood with a circular window in the upper half of the door.<sup>32</sup>

All classrooms in the north hallway had a restroom and a closet. The restrooms were uniformly designed, approximately 4 feet 7 inches by 3 feet 6 inches with a solid wood door. The door of each restroom opened inward and away from the toilet. Each restroom door had a knob push button lock on the inside handle and a key lock on the outside handle.<sup>33</sup> The conference room did not have a restroom.

Classrooms in the north hallway 12 and 10, 8 and 6, 6 and 4, and 3 and 5 respectively had an interior door that was shared by the two classrooms.

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<sup>31</sup> The ammunition used by the shooter in the Bushmaster rifle has been described as .223 caliber, 5.56 mm NATO and 5.56 X 45. All of these descriptions are for similar bullets (cartridges) that can be fired from the Bushmaster rifle. The ammunition that the shooter used in this case for the Bushmaster bore the stamp “S&B 60 5.56 X 45” on the base of the cartridges and will be referred to as a 5.56 mm round. The distinction between a .223 cal. and a 5.56 mm is not relevant to this report.

<sup>32</sup> See the Appendix at page A178 for an example of classroom door locks.

<sup>33</sup> See the Appendix at page A177 for an example of restroom door locks.



The bodies of Mrs. Hochsprung and Mrs. Sherlach were located in the western-most area of the north hallway, near the lobby. One brass colored expended 5.56 mm casing was located and seized from the floor in the area of Mrs. Hochsprung and Mrs. Sherlach.<sup>34</sup> In addition to the 5.56 mm ballistics, one 10 mm shell casing was found in the north hallway and was later identified as having been fired from the Glock 20, 10 mm pistol found near the shooter.

- **Conference Room (Room 9)**

Conference room 9 was on the south side of the north hallway on the opposite side of the hallway and approximately 16 feet east of the door for classroom 12. The room had a telephone mounted in the center of the west wall.

- **Classroom 12**

Classroom 12 was located on the north side of the north hallway and was the first classroom east of the front lobby. The classroom door was located 23 feet east of the lobby. The window to the door was covered on the hallway side with dark colored paper that was there from a previous lockdown drill.

- **Classroom 10**

Classroom 10 was located on the north side of the north hallway and was the second classroom east of the front lobby. The hallway door was approximately 27 feet east of classroom 12. The window was not completely covered, but did have a decoration over part of the inside of the window.

The room measured 27 feet east to west and 30 feet north to south with carpeted floors and painted cinder block walls. There were large windows across the north wall, which provided a view into the front (north) parking lot. Fluorescent ceiling lights turned on automatically when the room was entered. As mentioned previously, there was a restroom in the room and a closet. This closet door had no lock. The door that provided access to classroom 12 was on the center of the west wall. This had a key lock on both sides and the door was unlocked. There was a telephone mounted on the south side of the east wall north of the closet. An Emergency Response Packet Plan was hanging on the south wall. The packet was above a map depicting the emergency evacuation route for this classroom.

The classroom door that opened into the north hallway could only be locked with a key from the outside (hallway side). The door was unlocked with no signs of forced entry.

In the window area for classroom 10 there were no less than nine holes consistent with being bullet holes. Investigators conducted a trajectory analysis of the shots that went through the window area of classroom 10. No determination could be made as to whether the shots through the window area were intended for the outside of the building. In other words, it could not be determined whether the shooter, while in classroom 10, had intentionally fired at something or

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<sup>34</sup> See the Appendix starting at page A130 for a description of the ballistics evidence from the north hallway.

someone outside of the building. There was no indication that any shots through the window area of classroom 10 came from outside of the school. All of the evidence indicates that shots went out of the window area of classroom 10 and into the parking area north of the school.

Classroom 10 evidence is further described below.

- **Classroom 8**

Classroom 8 was located on the north side of the north hallway and was the third classroom east of the front lobby, with its entrance door approximately 27 feet east of classroom 10. As with the others, its classroom door opened out into the hallway and could only be locked from the hallway side with a key. The window was not covered. The classroom door to the hallway was unlocked with no signs of forced entry.

The room dimensions and construction were similar to those of classrooms 10 and 12. There was also a restroom in this classroom. The closet door in classroom 8 had no locking device. There were also large glass windows across the north wall providing a view into the front (north) parking lot of the school. There was a wall telephone in the room on the south side of the east wall, north of the closet. An "Emergency Response Plan" packet was hanging on the south wall adjacent to the east side of the entrance door. This packet was above a map depicting the emergency evacuation route for the classroom.

The door that connected into classroom 6 was on the north side of the east wall, had key locks on both sides of the door. The door was unlocked.

Ballistic evidence located in classroom 8 is described in the Appendix at page A134, which includes a total of twenty-four rounds of 5.56 mm ammunition found, of which ten rounds were in one PMAG 30 magazine, thirteen rounds were in another such magazine and one live round was on the floor. There was a third empty PMAG 30 magazine seized. There were a total of eighty expended 5.56 mm casings seized from classroom 8.

- **Classrooms 6 and 4**

Located on the floor of classroom 6 was one live round "Federal Tactical" 12 gauge shotgun slug shell (Exhibit 49). This shotgun shell was made of clear-like plastic and was different in color from the shotgun shell that was seized on the shooter's person. On the floor of classroom 4 was a blue colored 12 gauge slug shotgun shell with the word "Federal Premium Tactical Rifled slug" stamped on the side and "12 GA Made in USA" stamped on the head of the shell (Exhibit 99). This shotgun shell was made of a blue colored plastic and also was different in color from the shotgun gun shell that was seized from the shooter's person.

As mentioned previously, the loose shotgun shells not found on the shooter were in locations where first responders had been and had reported missing shotgun shells. Additionally, there were no witness reports of any persons being seen with firearms other than first responders in those locations, there were no expended shotgun shell casings or projectiles recovered at the scene and the live shotgun shell on the shooter's person and those recovered from his car did not

match any of those recovered from the three locations. No shotgun was recovered from the school. It is believed that these live shells were dropped by first responders.

**- Shooter**

Responding police officers found the shooter in classroom 10 northwest of the hallway entrance dead from a self-inflicted gunshot wound to the head. He was wearing a pale green pocket vest over a black polo style short sleeve shirt over a black t-shirt. He had yellow colored earplugs in each ear. He was wearing black cargo pocket pants, black socks, black sneakers, a black canvas belt and black fingerless gloves on each hand. He had an empty camouflage drop holster that was affixed to his right thigh.

After all of the victims were removed from the school, the shooter's body was removed once all firearms and ballistic evidence were recovered from his person. The body was moved to the OCME on December 15, 2012.

**- Weapons on Shooter and Ammunition in Classroom 10**

The weapons on the shooter together with a description of items seized related to the shooting are contained in the Appendix starting at page A136. On the shooter's person was a loaded semi-automatic Sig Sauer P226, 9 mm pistol and additional ammunition. Located near the shooter was a partially loaded Glock 20, 10 mm semi-automatic pistol that appeared to be jammed.

A Bushmaster Model XM15-E2S rifle was located some distance away from the shooter. The rifle's shoulder strap was attached in the front but disconnected at the butt of the rifle. The disconnected rear portion was the result of a failed nut attachment. It is unknown if the nut failed while the rifle was being used or as the result of being dropped or thrown to the floor.

The Bushmaster rifle was found with the safety in the "fire" position. There was one live 5.56 mm round in the chamber and one PMAG 30 magazine in the magazine well. The magazine contained fourteen live 5.56 mm rounds of ammunition. The rifle did not appear to have malfunctioned when observed by the WDMC van unit, but a CSP-ESU report described the weapon as appearing to have jammed. When tested later, the rifle functioned properly.

Two empty PMAG 30 magazines that were duct-taped together in a tactical configuration and one live 5.56 mm round were found near the rifle.

Officers found two-hundred-fifty-three live rounds on the shooter's body: one-hundred-sixteen 9 mm rounds, seventy-five rounds of 10 mm, sixty-one rounds of 5.56 mm and one 12 gauge shotgun shell. Officers also seized forty-six 5.56 mm live rounds. This consisted of fifteen from the rifle, one from the floor and thirty from the magazine under the body of the shooter, as well as thirteen 10 mm live rounds (nine from the Glock and four from the floor). There were forty-nine expended 5.56 mm casings seized and one 10 mm casing from classroom 10. Total live rounds seized were three-hundred-twelve and total expended casings seized from classroom 10 were fifty.

## **Exterior**

CDMC processed the exterior of SHES.

### **- Shooter's Car**

The shooter's car was found parked in front of the school, west of the front entrance, next to a "No Parking" zone. It was a black 2010 Honda Civic with Connecticut registration 872YEO. The car was registered to his mother, Nancy Lanza, but had been purchased for him.

Recovered from the car was an Izhmash Saiga-12, 12 gauge shotgun with two magazines containing a total of twenty rounds of ammunition.<sup>35</sup> The shotgun and ammunition were originally seen in the passenger compartment of the car and were moved by police to the car's trunk for safekeeping during the initial response and evacuation.

### **- Parking Lot**

There were a number of cars parked in the north parking lot of SHES. Three of these cars were struck by gunfire. None of the cars struck belonged to law enforcement. A total of five strikes to those three cars were identified as having come from classroom 10. It could not be determined whether these shots were intended to go outside of the classroom.

Also found in the north parking lot, was a shotgun shell that was dropped by a first responder.

## **SANDY HOOK ELEMENTARY SCHOOL – AUTOPSY INFORMATION**

Deceased victims were removed from the school building to a large military-style tent located in the north parking lot, near the front of the school. The Office of the Chief Medical Examiner sought to make positive identification of the victims through photos, school records and personal and clothing descriptions.

On Saturday, December 15, 2012, all of the victims were transported to the OCME in Farmington for autopsies; autopsies were performed the same day. The cause of death for all of the victims was determined to have been gunshot wounds; the manner of death was determined to have been homicide.<sup>36</sup>

Evidence collected during the autopsies was turned over to CDMC and forwarded to the Division of Scientific Services for examination. The Evidence Examination section of this report contains a summary of the results.

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<sup>35</sup> A search warrant was obtained for the car. The search warrant return originally reported the amount of ammunition as seventy rounds. This was corrected to twenty rounds and the search warrant return was amended.

<sup>36</sup> Our law defines homicide as the killing of one human being by another human being.

### **36 YOGANANDA STREET, NEWTOWN, CT – INCIDENT AND RESPONSE**

#### **Incident**

Sometime on the morning of December 14, 2012, before 9:30 a.m., the shooter shot and killed his mother, Nancy Lanza, in her bed at 36 Yogananda Street, Newtown. The weapon used was a .22 caliber Savage Mark II rifle. Someone in the area reported hearing “two or three” gunshots in the neighborhood between 8:00 a.m. and 9:00 a.m. That person thought them to be from hunters, though the person indicated the shots did “sound unusually close.”

Between 9:30 a.m. and 10:00 a.m. there was a delivery made to the house. The delivery driver saw no one, did not see any vehicles in the driveway and the garage door was closed. A delivery slip was left and the driver continued on.

The mother was found by police dead in her bed when they entered the house. The rifle was found on the floor next to the bed.

#### **Response**

Once it was determined that the shooter’s car was registered to his mother at 36 Yogananda Street, Newtown, Connecticut, the Newtown police went to the house and evacuated the surrounding homes. The CSP-ESU came to the scene to clear the residence of potential hazards, such as booby traps or trip wires.

### **36 YOGANANDA STREET, NEWTOWN, CT – SCENE INVESTIGATION**

After the body of the shooter’s mother was found and the scene declared safe, the process of obtaining search warrants for the house began, with the first warrant being reviewed and signed by a judge of the Superior Court at 5:29 p.m. on December 14, 2012, at the Emergency Operations Center.<sup>37</sup>

Additional search warrants were approved and issued as the search disclosed additional evidence. The investigation of the shooter’s mother’s killing and the scene processing was done by EDMC and the search for evidence at 36 Yogananda Street related to the shootings at SHES was investigated by both CDMC and WDMC. A list of the items seized from the home is contained in the search warrant returns in the Appendix, with some descriptions in the “Digital Image Report,” starting at page A188 in the Appendix.<sup>38</sup>

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<sup>37</sup> The Judicial Branch and the Honorable John F. Blawie are to be commended for their response to the SHES shootings. Judge Blawie was available at the Emergency Operations Center to review search warrants.

<sup>38</sup> A description of the home is also in the Appendix starting at page A181.



The weapon used to kill Nancy Lanza, the .22 cal. Savage Mark II rifle, was found near her bed and seized. In the chamber of the rifle was a spent .22 cal. shell casing and three live rounds were in the magazine. Three other spent .22 cal. shell casings were found in the room and seized.

The shooter's second floor bedroom windows were taped over with black trash bags. The second floor computer room also had its windows covered. There, investigators found a computer hard drive that appeared to have been intentionally damaged. To date, because of the extensive damage, forensic experts have not yet been able to recover any information from that hard drive.

In a typical criminal case, the investigation would remain open when potentially important evidence was still being examined. Given the improbability of any information being recovered from the damaged hard drive, this outstanding piece of evidence is not preventing the closure of this case now. Should any relevant information related to the existence of any accessory or co-conspirator be obtained from the hard drive, the case will be reopened.

Investigators found a large number of firearms and related items in the home. All firearms involved in these incidents were legally purchased by the shooter's mother over the years. The home also contained many edged weapons, knives, swords, spears, etc. A prescription bottle in the shooter's name for acetaminophen with codeine was found in the mother's bathroom, which was part of the master bedroom.

During the search of 36 Yogananda Street, a global positioning system (GPS) device was located in the shooter's room with various routes in the memory from April 25, 2012, through December 13, 2012. Investigation revealed that the GPS was purchased for the shooter.

The routes taken indicate a number of trips from 36 Yogananda Street to the area of a local theater where a commercial version of the game "Dance Dance Revolution" is located. Over that time period, trips were made that took the driver in the vicinity of some schools in Newtown, including SHES. On December 13, 2012, a trip was recorded from 2:09 p.m. to 2:32 p.m. starting and ending on Yogananda Street and driving in Sandy Hook, which is in the area of SHES, though the route does not indicate the shooter drove up to the school.

Numerous video games were located in the basement computer/gaming area. The list of video games includes, but is not limited to:

- “Left for Dead”
- “Metal Gear Solid”
- “Dead Rising”
- “Half Life”
- “Battlefield”
- “Call of Duty”
- “Grand Theft Auto”
- “Shin Megami Tensei”
- “Dynasty Warriors”
- “Vice City”
- “Team Fortress”
- “Doom”

Other items found and noted for this report are:

- A Christmas check from the mother to the shooter to purchase a CZ 83 firearm;<sup>39</sup>
- A New York Times article from February 18, 2008, regarding the school shooting at Northern Illinois University;
- Three photographs of what appear to be a dead human, covered in blood and wrapped in plastic;
- The book *Amish Grace: How Forgiveness Transcended Tragedy*, Jossey-Bass, 2007, by Donald B. Kraybill, Steven Nolt and David Weaver-Zercher;<sup>40</sup> and
- Photocopied newspaper articles from 1891 pertaining to the shooting of school children

While the vast majority of persons interviewed had no explanation for the shooter's actions, a review of electronic evidence or digital media that appeared to belong to the shooter, revealed that the shooter had a preoccupation with mass shootings, in particular the Columbine shootings<sup>41</sup> and a strong interest in firearms. For example, there was a spreadsheet with mass murders over the years listing information about each shooting.

The review of the electronic evidence also found many things that are on a typical hard drive or memory card that would probably have no relevance to the investigation either because of creation date or subject matter. That being said, the following selected topics or items were found within the digital evidence seized:

- Bookmarks pertaining to firearms, military, politics, mass murder, video games, music, books, Army Ranger, computers and programs, ammunition, candy, economic books
- Web page design folders
- Two videos showing suicide by gunshot
- Commercial movies depicting mass shootings
- The computer game titled "School Shooting" where the player controls a character who enters a school and shoots at students
- Screen shots (172) of the online game "Combat Arms"
- "Dance Dance Revolution" (DDR) game screen shots
- Videos of shooter playing DDR
- Images of the shooter holding a handgun to his head
- Images of the shooter holding a rifle to his head
- Five-second video (dramatization) depicting children being shot
- Images of shooter with a rifle, shotgun and numerous magazines in his pockets
- Documents on weapons and magazine capacity

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<sup>39</sup> The return for the December 16, 2012, search warrant indicates that Exhibit #612 was a check for a "C183." A closer inspection of the check makes it clear that "CZ83" is written. A CZ 83 is a type of pistol. The check reads "Christmas Day" in the check's date section.

<sup>40</sup> In October 2006 a gunman entered a one-room Amish school in Pennsylvania, killed five children and leaving others wounded.

<sup>41</sup> The Columbine High School shootings occurred in April 1999 at Columbine High School in Colorado. Two shooters, in a planned attack, killed a number of students and a teacher and injured others.

- A document written showing the prerequisites for a mass murder spreadsheet
- A spreadsheet listing mass murders by name and information about the incident
- Materials regarding the topic of pedophilia and advocating for rights for pedophiles (not child pornography)<sup>42</sup>
- Large amount of materials relating to Columbine shootings and documents on mass murders
- Large amount of materials on firearms
- Comedy videos
- Music
- Images of hamsters
- Images of Lego creations

### **36 YOGANANDA STREET, NEWTOWN, CT – AUTOPSY INFORMATION**

The OCME performed an autopsy on the body of Nancy Lanza, age 52, on December 16, 2012, at the OCME. The cause of death was determined to be multiple gunshots to the head. The manner of death was homicide.

### **SHOOTER - AUTOPSY INFORMATION**

The autopsy of the shooter was conducted on December 16, 2012, at the OCME. The shooter, age 20, was 72 inches tall and weighed 112 pounds. No drugs were found in the shooter's system. The cause of death was determined to be a gunshot wound to the head. The manner of death was suicide.

### **INVESTIGATION TO DETERMINE ACCESSORIES AND/OR CO-CONSPIRATORS**

The investigation sought to determine if the shooter was aided by or had conspired with anyone to commit these crimes. As detailed above, none of the persons found in the vicinity of SHES on December 14, 2012, played any role in the shootings. Most were attempting to escape the area; others were responding to the school after learning of the shootings. None had any association with the shooter.

Investigators then sought to determine if anyone had conspired with or aided the shooter before the shootings. To that end, investigators examined social contacts, writings, e-mails, internet blogs, telephone records and his general internet presence. One of the internet blogs on which the shooter posted focused on mass shootings and in particular the Columbine shootings. The shooter also exchanged e-mails with others who were interested in the topic of mass shootings. None of these communications, however, related to SHES or in any way suggested that the shooter intended to commit a mass shooting. Thus, the evidence as developed to date, does not demonstrate that any of those with whom he communicated conspired with the shooter or criminally aided and abetted him in committing the murders on December 14, 2012.

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<sup>42</sup> No child pornography was seen on any of the digital media.

**EVENTS AND BACKGROUND INFORMATION LEADING UP TO DECEMBER 14, 2012**

**Recent Background Information**

As of December 14, 2012, the shooter and his mother lived at 36 Yogananda Street. This had been the family home for years, although only the shooter and his mother had resided in the house for an extended time.

Both the shooter's and his mother's bedrooms were on the second floor; the mother occupied the master bedroom.

In November 2012, the mother sought to buy the shooter another computer or parts for a computer for the shooter to build one himself. She was concerned about him and said that he hadn't gone anywhere in three months and would only communicate with her by e-mail, though they were living in the same house. The mother never expressed fear of the shooter, for her own safety or that of anyone else.

The mother said that she had plans to sell her home in Newtown and move to either Washington state or North Carolina. She reportedly had told the shooter of this plan and he apparently stated that he wanted to move to Washington. The intention was for the shooter to go to a special school in Washington or get a computer job in North Carolina. In order to effectuate the move, the mother planned to purchase a recreational vehicle (RV) to facilitate the showing and sale of the house and the eventual move to another state. The RV would provide the shooter with a place to sleep as he would not sleep in a hotel. In fact, during Hurricane Sandy in October 2012, with no power in the house, the shooter refused to leave the home and go to a hotel.

The mother wanted to buy the shooter a CZ 83 pistol for Christmas and had prepared a check for that purchase to give the shooter.

On December 10, 2012, the mother indicated to a friend that the shooter had bumped his head badly, there was some bleeding, but he was okay. This appeared to have occurred at 5:30 a.m. She then prepared for her trip to New Hampshire and cooked for the shooter before she left, leaving him his favorites.

During the week of December 10, 2012, the shooter's mother was out of town in New Hampshire. She arrived home Thursday evening December 13, 2012, at approximately 10:00 p.m.

As mentioned above, the GPS found in the home, revealed that on Thursday, December 13, 2012, the device was used. It recorded a trip from and back to 36 Yogananda Street with a route in the Sandy Hook area of Newtown between 2:09 p.m. and 2:32 p.m. The GPS did not report that the driver drove up to SHES. Presumably this was the shooter driving the black Honda Civic as this would have been the only car available to the shooter and it was reportedly his, having been purchased for him.

## **General Background Information**

Investigators conducted many interviews with persons who knew the shooter and members of his family. As explained above, they did so principally to determine if anyone had conspired with the shooter or aided his crimes. But they also sought to ascertain what might have motivated him to murder children and their teachers and his mother.

The first question was whether the shooter had a reason specifically to target SHES or any student, teacher, or employee. No evidence suggests that he did. In fact, as best as can be determined, the shooter had no prior contact with anyone in the school that day. And, apart from having attended the school as a child, he appears to have had no continuing involvement with SHES.

More generally, those who knew the shooter describe him in contradictory ways. He was undoubtedly afflicted with mental health problems; yet despite a fascination with mass shootings and firearms, he displayed no aggressive or threatening tendencies. In some contexts he was viewed as having above-average intelligence; in others below-average. Some recalled that the shooter had been bullied; but others – including many teachers – saw nothing of the sort. With some people he could talk with them and be humorous; but many others saw the shooter as unemotional, distant, and remote.

What follows are some observations that investigators developed in attempting to determine the shooter's motive.

### **Parents**

The shooter's mother and father Peter Lanza had been married to each other. They moved from New Hampshire to the Sandy Hook section of Newtown in 1998. In addition to the shooter, they had another son Ryan Lanza, who was four years older than the shooter.<sup>43</sup> In 2001 the shooter's parents separated. The children continued to reside with the mother. The parents subsequently divorced. The father remarried in 2011; the mother never remarried.

After college, the brother moved out of state. He reached out to the shooter a few times but the shooter did not respond. As of December 14, 2012, the older brother had not had contact with the shooter since 2010. The brother believed that the shooter and his mother had a close relationship. After his older brother left for college, the shooter reportedly became interested in firearms and at one point considered joining the military.

Both the shooter's mother and father indicated that the shooter was bullied growing up. The father indicated that it was not excessive and concerned his social awkwardness and physical gait. As expanded upon in the Education and Mental Health section below, other witnesses did not recall the shooter being overtly bullied. Nonetheless, the shooter appears to have had few friends growing up.

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<sup>43</sup> Both the shooter's father and brother cooperated fully with the investigation.

The shooter's father saw him regularly until he turned 18. They would go hiking, play video games and other activities. They went shooting twice. The shooter had a cell phone but never used it. Calls all went to voice mail. His father would just e-mail him when he wanted to reach him.

The shooter's relationship with his father deteriorated in the last quarter of 2010 and the father last saw the shooter in that year. After that the father would reach out to the shooter by mail or through e-mails regularly, asking him to join him at various places for different activities. The shooter stopped responding at some point prior to December 2012.

One witness who knew the shooter in 2011 and 2012 said that he rarely mentioned his father or his brother; though he would mention briefly something he did with his father or brother in the past.

While it appears that the shooter's mother did volunteer at SHES, it was when the shooter was a student. There is no indication that she volunteered there in recent years.

The mother took care of all of the shooter's needs. The mother indicated that she did not work because of her son's condition. She worried about what would happen to the shooter if anything happened to her.

One witness indicated that the shooter did not have an emotional connection to his mother. Recently when his mother asked him if he would feel bad if anything happened to her, he replied, "No." Others, however, have indicated that they thought the shooter was close to his mother and she was the only person to whom the shooter would talk.

A person who knew the shooter in 2011 and 2012 said the shooter described his relationship with his mother as strained because the shooter said her behavior was not rational.

The shooter was particular about the food that he ate and its arrangement on a plate in relation to other foods on the plate. Certain types of dishware could not be used for particular foods. The mother would shop for him and cook to the shooter's specifications, though sometimes he would cook for himself. Reportedly the shooter did not drink alcohol, take drugs, prescription or otherwise, and hated the thought of doing any of those things.

The mother did the shooter's laundry on a daily basis as the shooter often changed clothing during the day. She was not allowed in the shooter's room, however, even to clean. No one was allowed in his room.

The shooter disliked birthdays, Christmas and holidays. He would not allow his mother to put up a Christmas tree. The mother explained it by saying that shooter had no emotions or feelings. The mother also got rid of a cat because the shooter did not want it in the house.

### **People Outside the Family**

When the shooter had his hair cut, he did not like to be touched and did not like the sound of clippers, so they were not used much. He would sit with his hands in his lap and always look down, giving one word answers if the cutter tried to engage him in conversation.

Those who worked on the property at 36 Yogananda Street never entered the home. They spoke with the mother outside in the yard or at the bottom of driveway. They were instructed never to ring the doorbell and to make prior arrangements before using power equipment as her son had issues with loud noises. The shooter was observed at times coming and going from the residence.

There were a number of people who knew the mother over the years, some fairly well, who had never met the shooter – although were aware of his existence – and had never been inside her residence.

### **Shooter's Interests**

Over the years his hobbies included building computers,<sup>44</sup> writing poetry and hiking. The shooter worked briefly at a computer repair shop. When he was younger he played the saxophone. The shooter had a cell phone but never used it.

Shooting was a pastime in which the family engaged. Over the years the shooter enjoyed target shooting and would go to a range with his brother and mother. The mother had grown up with firearms and had a pistol permit. The shooter did not. Both the mother and the shooter took National Rifle Association (NRA) safety courses. The mother thought it was good to learn responsibility for guns. Both would shoot pistols and rifles at a local range and the shooter was described as quiet and polite.

He played video games often, both solo at home and online. They could be described as both violent and non-violent. One person described the shooter as spending the majority of his time playing non-violent video games all day, with his favorite at one point being “Super Mario Brothers.”

Another said he used the computer to play games online and communicate. Sometimes the shooter would not respond to e-mails and be unavailable for a couple of weeks. The shooter explained that he was “moping around.” The shooter frequently formatted the hard drive of his computer as a way of “staying off the grid” and minimizing his internet trace.

Initially the shooter did not drive but he eventually got a driver's license and the Honda was purchased for him. The shooter was issued a driver's license in July 2010.

The shooter liked to play a game called “Dance Dance Revolution” (DDR), which is a music video game in which the player stands on a platform, watches a video screen and moves his feet

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<sup>44</sup> By all accounts the shooter was extremely computer savvy.

as directed by the video. A home version of this was seen and photographed in the shooter's home.<sup>45</sup> Several videos of him playing DDR were found on digital media taken from the home.

The GPS found in the home and reportedly belonging to the shooter indicated that he regularly went to the area of a theater that had a commercial version of the DDR game in the lobby. In 2011 and up until a month before December 14, 2012, the shooter went to the theater and played the game. He went most every Friday through Sunday and played the game for four to ten hours.

The shooter was specific about the clothes he wore. He typically wore the same clothing when at the theater: a grey hoodie and slacks. After a snowstorm in 2011 the shooter was not seen at the theater until about February 2012. At that time he seemed more anti-social and no longer played DDR with others.

An acquaintance of the shooter from 2011 to June 2012 said that the shooter and the acquaintance played DDR quite a bit. They would play the game and occasionally see a movie. They did not play first person shooter games at the theater.<sup>46</sup> The shooter had stamina for DDR and never appeared winded unless really exhausted.

The acquaintance said the shooter seemed to enjoy nature and mentioned the possibility of going hiking more than once. The shooter was capable of laughing, smiling and making jokes, though always in a dry fashion. The shooter never mentioned being bullied while growing up. Topics of conversation included world and current events, and included chimpanzee society and how they interacted.

In the course of their conversations, the shooter indicated that he had an interest in mass murders and serial killing. They never spent a lot of time discussing them, but it would be a topic of conversation.<sup>47</sup> There were no conversations about weapons or shooting at a gun range.

### **Shooter – Education and Mental Health**

The following background information is compiled from a variety of sources and may at times appear to be inconsistent. This is a function of the differing perspectives of those interviewed. The information also varied based upon the time period during which the witness knew or associated with the shooter or his family.

The shooter went through the Newtown public school system, though part of seventh grade and part of eighth grade were done at St. Rose of Lima School in Newtown.

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<sup>45</sup> See the Appendix at page A197.

<sup>46</sup> Online first person shooter games that the shooter did play as determined by a search of the digital media in the home, "Combat Arms" and "World of Warcraft" were played on the computer using a keyboard to control the player.

<sup>47</sup> The shooter also wrote about all of these topics. Other topics of discussion included human nature, perception, judgment, morality, lack of control, prejudice, empathy, suicide, mental illness, existential crisis, urban exploration of abandoned areas, hiking and cookies.



While the shooter did attend SHES from 1998 to 2003, the first through fifth grade, he was never assigned to the classrooms where the shootings occurred. The shooter went for walks with his family around and near SHES after he had gotten out of the school. The shooter indicated that he loved the school and liked to go there.

According to some, the shooter was more social when he first moved to Connecticut and was younger. He would attend play groups and parties. The early school years have him portrayed as a nice kid, though sort of withdrawn. He loved music and played saxophone.

As he got older his condition seemed to worsen, he became more of a loner. As the shooter got into the higher grades of middle school, he did not like noise and confusion and began to have issues when he had to walk to different classes. As a result, in high school, the shooter was home schooled for a period of time. Though not in a mainstream setting, he could sit through a quiet lecture. The mother drove the shooter where he needed to go. He did not want to go to events with crowds.

He attended Newtown High School (NHS) with a combination of home schooling, tutoring and classes at NHS and Western Connecticut State University (WCSU). At NHS he was considered a special education student. Having enough credits, the shooter graduated from NHS in 2009. He continued to take classes at WCSU after high school graduation.

Various witnesses made the following observations about the shooter through his school years:

1. In the 2002-2003 school year, when the shooter was in the fifth grade, he was quiet, reluctant, very bright and had good ideas regarding creative writing. He wouldn't necessarily engage in conversation, but wouldn't ignore one. There was no recollection of him being bullied or teased.
2. The fifth grade was also the year that, related to a class project, the shooter produced the "Big Book of Granny" in which the main character has a gun in her cane and shoots people. The story includes violence against children. There is no indication this was ever handed in to the school.<sup>48</sup>
3. In the fifth grade the shooter indicated that he did not like sports, did not think highly of himself and believed that everyone else in the world deserved more than he did.
4. In intermediate school from 2002-2004 he was a quiet shy boy who participated in class and listened. He did not show enthusiasm, extreme happiness or extreme sadness. He was neutral.
5. In the fifth and sixth grades from 2003 to 2004 the shooter participated in concerts at school. He was not remembered by the teacher as having been bullied and the shooter had at least one friend.
6. A sixth grade teacher described the shooter as an average student with A's and B's; homework was never an issue. The shooter never made trouble or distracted others. He had friends and was friendly to others. He was a normal child with no oddities and there were no reports of bullying or teasing.

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<sup>48</sup> See the Appendix starting at page A220.

7. In 2004 while at the intermediate school he was described as respectful and cooperated with others.
8. One person who remembered him from the middle school never saw the shooter bullied.
9. In seventh grade, a teacher described the shooter as intelligent but not normal, with anti-social issues. He was quiet, barely spoke and did not want to participate in anything. His writing assignments obsessed about battles, destruction and war, far more than others his age. The level of violence in the writing was disturbing. At the same time, when asked to write a poem, he was able to write a beautiful one and presented it in public.
10. In the ninth and tenth grades the shooter was reclusive, shutting himself in the bedroom and playing video games all day. In the upper classes the shooter compiled a journal instead of attending physical education.
11. In high school the shooter did not have good social skills. He did not show any signs of violence.
12. In high school the shooter would have “episodes”<sup>49</sup> and his mother would be called to the school. The episodes would last about fifteen minutes each. There were no signs of violence during any of these episodes and the shooter was more likely to be victimized than to act in violence against another.
13. In high school the shooter was not willing to talk much, hard to communicate with and had poor social skills. He often became withdrawn in a social environment. The shooter would have both inclusive class time and leave the class for specialized sessions.
14. At NHS the shooter was in the “Tech Club” in 2007–2008. He was remembered in a variety of ways including as a quiet person who was smart. He wore the same clothing repeatedly and might not speak to you, even if you were talking to him. He was not remembered to have been bullied or to have spoken about violence. The advisor looked out for him and tried to have him included wherever possible. He was also remembered for pulling his sleeves over his hand to touch something. He was not known to be a violent kid at all and never spoke of violence.
15. The shooter had a LAN party<sup>50</sup> at his home in 2008 with Tech Club members; no firearms were seen at the shooter’s home.
16. In terms of video games, the shooter liked to play “Phantasy Star Online” (a role playing game), “Paper Mario,” “Luigi’s Mansion” and “Pikmin.” He also liked Japanese animated films and television.

Over the years from the late 1990s and into the 2000s, the shooter had evaluations of various types, some of which were available to the investigators. In the late 1990s he was described as having speech and language needs. At that time he was also being followed medically for seizure activities. In preschool his conduct included repetitive behaviors, temper tantrums, smelling things that were not there, excessive hand washing and eating idiosyncrasies.

In 2005, the shooter was diagnosed with Asperger’s Disorder and was described as presenting with significant social impairments and extreme anxiety. It was also noted that he lacked empathy and had very rigid thought processes. He had a literal interpretation of written and

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<sup>49</sup> What these episodes were was unclear.

<sup>50</sup> This is a party where attendees eat pizza and play video games.

verbal material. In the school setting, the shooter had extreme anxiety and discomfort with changes, noise, and physical contact with others.

In 2006 the shooter had an overall IQ in the average range. He had no learning disability. Depending on the psychological test taken he could be average, below average or above average. Testing that required the touching of objects could not be done. It was reported that his school issues related to his identified emotional and/or Pervasive Developmental Disorder (PDD) spectrum behaviors. His high level of anxiety, Asperger's characteristics, Obsessive Compulsive Disorder (OCD) concerns and sensory issues all impacted his performance to a significant degree, limiting his participation in a general education curriculum. Tutoring, desensitization and medication were recommended. It was suggested that he would benefit by continuing to be eased into more regular classroom time and increasing exposure to routine events at school.

The shooter refused to take suggested medication and did not engage in suggested behavior therapies.

Over the years his mother consistently described the shooter as having Asperger's syndrome. She had a number of books in the home on the topic. She also described the shooter as being unable to make eye contact, sensitive to light and couldn't stand to be touched. Over time he had multiple daily rituals, an inability to touch door knobs,<sup>51</sup> repeated hand washing and obsessive clothes changing, to the point that his mother was frequently doing laundry.

In 2006, the shooter's mother noted that there were marked changes to the shooter's behavior around the seventh grade. Prior to that, he would ride his bike and do adventurous things such as climbing trees or climbing a mountain. He had stopped playing the saxophone. He had been in a school band but dropped out. He had withdrawn from playing soccer or baseball which he said he did not enjoy.

It is important to note that it is unknown, what contribution, if any, the shooter's mental health issues made to his attack on SHES. Those mental health professionals who saw him did not see anything that would have predicted his future behavior.

## **EVIDENCE EXAMINATION**

### **Electronics**

Examinations of the following seized items were done by the WDMC squad and the Computer Crimes and Electronic Evidence Laboratory of the Department of Emergency Services and Public Protection (DESPP).

Sony PlayStation 2: An older games history was found. Games located included "Dynasty Tactics," "Kingdom Hearts," "Kingdom Hearts 2," "Onimusha," "Dynasty Warriors," and "The Two Towers." The PlayStation 2 games could not be played with others over the internet.

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<sup>51</sup> This included not opening doors for himself because he did not like touching the door handle or other metal objects, often going through a box of tissues a day to avoid the contact.

Xbox: A game history for the console and an indication of an Xbox Live user account were found. Games found in the gaming history included “Call of Duty 2: Big Red One,” “Call of Duty: Finest Hour,” “Dead or Alive 3,” “Halo,” “Halo 2,” “Lego Star Wars,” “MechAssault,” “Mercenaries,” “MGS2 Substance,” “Panzer Dragoon ORTA,” “PSO,” “Shenmue II,” “Spiderman,” “Splinter Cell 2,” “Splinter Cell-CT,” “Star Wars Battlefront,” “Star Wars Republic Commando,” “Tenchu: Return from Darkness,” “The Return of the King,” and “Worms Forts Under Seige.”

It was noted on both of the above items that the gaming history found may not be the complete history of those actually played. No evidence regarding the existence of any accessories or co-conspirators was found.

Xbox 360: Found to be damaged and inoperable.

### **Firearms and Related Evidence**

Of the firearms seized in this case, five are directly involved, four from SHES and one from 36 Yogananda Street.

#### **- History**

All of the firearms below and involved in these cases were legally purchased by the shooter’s mother. Additionally, ammunition of the type used in these cases had been purchased by the shooter’s mother in the past. There is no reason to believe the ammunition used here was purchased by anyone else. The evidence does not show any ammunition purchases by the shooter.

The shooter did not have a permit to carry a pistol, nor had he ever had one. His mother had a valid pistol permit.

A pistol is defined as “... any firearm having a barrel less than twelve inches.”<sup>52</sup> Both the Glock 20, 10 mm and the Sig Sauer P226, 9 mm qualify as pistols. They are firearms and their barrel lengths were less than 12 inches.

#### **- Firearms, Recovered Bullets and Fragments**

Recovered from Shooter’s Honda Civic Outside of SHES

Izhmash Saiga-12, 12 gauge, semiautomatic shotgun: The Izhmash Saiga-12 was found in the shooter’s Honda Civic that was parked outside SHES. It was tested and found to be operable without malfunction. There was no physical evidence indicating this weapon had been fired at SHES, i.e., the bullets, bullet fragments and expended shell casings recovered at the scene and from the OCME could not have been fired from this weapon.

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<sup>52</sup> C.G.S. Sec. 53a-3(18).

Recovered from Classroom 10, SHES

Bushmaster Model XM15-E2S semiautomatic rifle: The Bushmaster rifle was found in classroom 10. The Bushmaster was tested and found to be operable without malfunction. All of the 5.56 mm shell casings from SHES that were tested were found to have been fired from this rifle. All of the bullets and fragments, recovered from SHES and the OCME that were tested, with the exception of those mentioned immediately below, are consistent with having been fired from the Bushmaster rifle.<sup>53</sup> They could not have been fired from the Saiga-12, the Glock 20 or the Sig Sauer P226.

Glock 20, 10 mm, semiautomatic pistol: The Glock 20 was found in classroom 10 near the shooter's body. The Glock 20 was tested and found to be operable without malfunction. It was found to have fired both of the 10 mm shell casings recovered at SHES. It was consistent with having fired the bullet that was recovered from the ceiling of classroom 8 in a location along the trajectory of the suicide shot of the shooter in classroom 10. It could have fired the three bullet fragments recovered from classroom 10. The three fragments together weigh less than one bullet and are presumed to have been parts of the same one bullet. Though all lacked sufficient striate for a positive identification, all had polygonal rifling consistent with the Glock 20. They could not have been fired from the Saiga-12, the Bushmaster or the Sig Sauer P226.

Sig Sauer P226, 9 mm, semiautomatic pistol: The Sig Sauer P226 was found in classroom 10 on the shooter's person. The Sig Sauer P226 was tested and found to be operable without malfunction. There was no physical evidence found indicating that this weapon had been fired at SHES, i.e. casings, bullets and bullet fragments recovered at the scene and from the OCME could not have been fired from this weapon.

The total weight of the guns and ammunition from the shooter at SHES was 30.47 lbs.<sup>54</sup>

Recovered from 36 Yogananda Street, Newtown, CT

Savage Mark II, .22 cal. Long Rifle, bolt action: The Savage Mark II rifle was found on the floor of the master bedroom near the bed where the body of the shooter's mother was found. The rifle was found to be operable without malfunction. The rifle was found to have fired the .22 cal. casing recovered from the rifle's chamber and the three .22 cal. casings found in the master bedroom. The rifle also was found to have fired the four bullets recovered during the autopsy of the shooter's mother.

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<sup>53</sup> "No positive identification could be made to any of the bullet evidence submissions noted ... in 5.56 mm caliber. The physical condition of the bullet jacket surfaces were severely damaged and corroded. They all lacked individual striated marks of sufficient agreement for the identification process. The test fires also exhibited a lack of individual striated marks on the bullet surface for comparison purposes. This condition can be caused by fouling in the barrel of the rifle and the ammunition itself. The Bushmaster rifle cannot be eliminated as having fired the 5.56 caliber bullet evidence examined," quoting from the 6/19/13 Forensic Science Laboratory report.

<sup>54</sup> See the Appendix at page A141.

## **Other Testing**

In the course of the investigation swabbings to test for DNA were taken from various pieces of evidence in the case, both at Sandy Hook Elementary School and 36 Yogananda Street. The purpose was to determine if anyone else had actively been involved in the planning or carrying out of the shootings. These swabbings were tested and compared to known samples in the case and no potential accessories or co-conspirators were revealed by the testing.<sup>55</sup>

## **MISCELLANEOUS INVESTIGATIVE LEADS**

In the course of the investigation, law enforcement personnel received a large number of contacts purporting to provide information on the shootings and the shooter. This applied to both state and federal law enforcement. Information that was substantiated and relevant was made part of the investigation. Other information, after investigation was not substantiated.

Typically someone would call the CSP and leave a message that they had information relevant to the shootings at Sandy Hook Elementary School. In an abundance of caution, a detective was assigned to follow up on every “lead,” regardless of its presumed validity.

Some of the more than forty unsubstantiated leads and information are described below because of their nature or mention in investigation documents.

1. In the December 14, 2012, 7:25 p.m. search warrant for 36 Yogananda Street, paragraphs 8 and 9 read as follows:
  8. That investigators determined that on 12/12/12, an individual logged onto a website called 4Chan.com and anonymously posted “I’m going to kill myself on Friday and it will make the news. be watching at 9:00 am.” That another anonymous individual asked “Where at?” The first individual responded “I live in Connecticut, that’s as much as I’ll say.”
  9. That additionally on 12/14/12, a concerned individual in Texas contacted the Hartford Police Department and reported that her son was playing a video game named ‘Call of Duty’ approximately 20 hours ago. She continued that a gamer with the screen name [RaWr]i<3EmoGirls (hereinafter “User”) stated; “next week or very soon there maybe a shooting at my school and other schools so if i die remember me plz if I don’t get on for 3-5 not including weeks that means i died and im being 100 percent serious.” The User then stated: “something might go bad tomorrow this could possibly be my last moments alive.-.” Finally, User stated, “as far as I know theres a list of ppl that are gunna get shot-. I hope I aint on it.”

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<sup>55</sup> Two of the items examined from outside the building of SHES, one from the shotgun in the shooter’s car and a second from 36 Yogananda Street yielded DNA profiles consistent with the DNA profiles of two victims killed in SHES, one in each. It is strongly believed that this resulted from an accidental transference as a result of the unique circumstances of this case. There is no reason to believe that either victim would ever have come in contact with these items. The DESPP is conducting a separate protocol inquiry in an attempt to determine the reason that the DNA appears on the items.

Both of these leads were immediately investigated by federal law enforcement and found to have no validity and no relation to Newtown.<sup>56</sup>

2. A December 14, 2012, search of the Stamford residence of Peter Lanza, the father of the shooter, was conducted with the FBI. Some illegal fireworks were seized and secured. After consultation with David I. Cohen, the State's Attorney for the Judicial District of Stamford/Norwalk, and based on all of the circumstances involved, this state's attorney has decided to exercise his discretion and not prosecute Mr. Lanza for possession of the fireworks, which are in no way related to the events of December 14, 2012.
3. Dick's Sporting Goods – Police received a lead that the shooter had tried to buy ammunition at a Dick's Sporting Goods store. Store security surveillance videos were recovered and reviewed. None of the individuals depicted in the videos appear to be the shooter or connected to shooter.
4. A person called the police indicating that the shooter had tried to rent a room from her and indicated he was having problems with his mother. This proved to be unsubstantiated after an investigation.
5. Some callers indicated that they chatted with the shooter online in postings. These postings were determined to be false.
6. Numerous citizens in Newtown received calls on their telephones with messages left saying "I am [the shooter's name] and I am going to kill you." It was determined that these calls were made from out of state and the investigation is ongoing. Preliminary investigation results establish that the callers were not associated with the shooter.
7. CSP investigated a lead that the shooter went to Newtown High School before going to SHES. In the course of this investigation one parent refused to let her high school child be interviewed by police and related that a friend of the child had told the child they saw the shooter in the parking lot before the shooting. A review of Newtown High School video did not substantiate this claim.
8. There were reports of the shooter being at SHES on December 12, 2012, that were investigated and found not to be substantiated.
9. A report that a man claimed that while in Oklahoma a woman told him about the planned shooting before the shooting occurred. Federal law enforcement investigated this and found that it could not be true.

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<sup>56</sup> These search warrants were applied for with information that was available at the time. Some of the information was later determined to be inaccurate.

## **DETERMINATIONS OF CRIMES COMMITTED**

In the course of his rampage the shooter committed a number of state crimes. The most significant are those where lives were taken and people were specifically injured.

At Sandy Hook Elementary School, the crime of Murder under Special Circumstances<sup>57</sup> in violation of C.G.S. Sec. 53a-54b was committed twenty-six times. Attempted Murder under Special Circumstances<sup>58</sup> in violation of C.G.S. Secs. 53a-49 and 53a-54b was committed twice as it relates to the two individuals who were shot and survived. These crimes reflect the killings of the children and adults, as well as those physically injured.<sup>59</sup> The crime of Murder in violation of C.G.S. Sec. 53a-54a was committed by the shooter in killing his mother at 36 Yogananda Street.<sup>60</sup>

Also listed are other major crimes committed by the shooter on December 14, 2012.<sup>61</sup>

The major felonies<sup>62</sup> committed by the shooter in this case are:

- Murder with Special Circumstances
- Attempted Murder with Special Circumstances
- Assault in the First Degree<sup>63</sup>

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<sup>57</sup> Sec. 53a-54b. Murder with special circumstances. A person is guilty of murder with special circumstances who is convicted of any of the following: (1)... (7) murder of two or more persons at the same time or in the course of a single transaction; or (8) murder of a person under sixteen years of age.

<sup>58</sup> Sec. 53a-49. Criminal attempt: Sufficiency of conduct; renunciation as defense. (a) A person is guilty of an attempt to commit a crime if, acting with the kind of mental state required for commission of the crime, he: ... (2) intentionally does or omits to do anything which, under the circumstances as he believes them to be, is an act or omission constituting a substantial step in a course of conduct planned to culminate in his commission of the crime.

<sup>59</sup> Though state law as to who is a "victim" in a criminal case is very broad, only those victims mentioned above will be discussed. Connecticut defines a "victim of crime" as an individual who suffers direct or threatened physical, emotional or financial harm as a result of a crime and includes immediate family members of a minor, incompetent individual or homicide victim and a person designated by a homicide victim in accordance with section 1-56r. See C.G.S. Sec. 1-1k.

<sup>60</sup> Sec. 53a-54a. Murder. (a) A person is guilty of murder when, with intent to cause the death of another person, he causes the death of such person or of a third person or causes a suicide by force, duress or deception; except that in any prosecution under this subsection, it shall be an affirmative defense that the defendant committed the proscribed act or acts under the influence of extreme emotional disturbance for which there was a reasonable explanation or excuse, the reasonableness of which is to be determined from the viewpoint of a person in the defendant's situation under the circumstances as the defendant believed them to be, provided nothing contained in this subsection shall constitute a defense to a prosecution for, or preclude a conviction of, manslaughter in the first degree or any other crime.

<sup>61</sup> The investigation has not discovered any evidence that Nancy Lanza was in any way aware of her son's plans.

<sup>62</sup> In any given situation, the facts giving rise to the commission of one crime will suffice to meet the elements of additional crimes. Here the focus will be on the major crimes committed and not go into every possible felony justified by the evidence.



- Burglary in the First Degree<sup>64</sup>
- Risk of Injury to a Minor<sup>65</sup>
- Possession of a Weapon on School Grounds<sup>66</sup>
- Carrying a Pistol Without a Permit,<sup>67</sup>

The crimes listed above all require some type of mental state whether it is a specific intent, knowledge or a general intent to do the prohibited act.

The intent to kill for the crime of murder can be seen in the circumstantial evidence such as the type of weapon used, the manner in which it was used, the type of wounds inflicted and the events leading to and immediately following the deaths, as well as with the shooter intending the natural consequences of his voluntary acts.<sup>68</sup>

Here the intent is clear from the evidence that the shooter intentionally armed himself heavily, drove to SHES, parked in a manner out of direct sight of the front door, shot his way into the building and immediately killed those who confronted him as well as those in classrooms 8 and 10. The evidence found at his home on the digital media further support his intentions to kill, both at the school and with his mother. Further the manner in which he killed his mother reflects the shooter's intent to kill her.

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<sup>63</sup> Sec. 53a-59. Assault in the first degree: Class B felony: Nonsuspendable sentences. (a) A person is guilty of assault in the first degree when: (1) With intent to cause serious physical injury to another person, he causes such injury to such person or to a third person by means of a deadly weapon or a dangerous instrument;... .. or (5) with intent to cause physical injury to another person, he causes such injury to such person or to a third person by means of the discharge of a firearm.

<sup>64</sup> Sec. 53a-101. Burglary in the first degree: Class B felony. (a) A person is guilty of burglary in the first degree when (1) such person enters or remains unlawfully in a building with intent to commit a crime therein and is armed with explosives or a deadly weapon or dangerous instrument, or (2) such person enters or remains unlawfully in a building with intent to commit a crime therein and, in the course of committing the offense, intentionally, knowingly or recklessly inflicts or attempts to inflict bodily injury on anyone, or .....

<sup>65</sup> Sec. 53-21. Injury or risk of injury to, or impairing morals of, children. Sale of children. (a) Any person who (1) wilfully or unlawfully causes or permits any child under the age of sixteen years to be placed in such a situation that the life or limb of such child is endangered, the health of such child is likely to be injured or the morals of such child are likely to be impaired, or does any act likely to impair the health or morals of any such child, or ... .., shall be guilty of a class C felony for a violation of subdivision (1) .....

<sup>66</sup> Sec. 53a-217b. Possession of a weapon on school grounds: Class D felony. (a) A person is guilty of possession of a weapon on school grounds when, knowing that such person is not licensed or privileged to do so, such person possesses a firearm or deadly weapon, as defined in section 53a-3, (1) in or on the real property comprising a public or private elementary or secondary school, or .....

<sup>67</sup> Sec. 29-35. Carrying of pistol or revolver without permit prohibited. Exceptions. (a) No person shall carry any pistol or revolver upon his or her person, except when such person is within the dwelling house or place of business of such person, without a permit to carry the same issued as provided in section 29-28.

<sup>68</sup> State v. Otto, 305 Conn. 51, 66-67 (2012).

Murder with Special Circumstances is met both in the killing of the children and in the killing of more than one person at the same time.

In this case the shooter's mental status is no defense to his conduct as the evidence shows he knew his conduct to be against the law. He had the ability to control his behavior to obtain the results he wanted, including his own death. This evidence includes his possession of materials related to mass murders, his removal of the GPS from his car, his utilization of ear plugs, the damaging of the hard drive and waiting for his mother's return from New Hampshire.<sup>69</sup>

The existence of an extreme emotional disturbance for which there is a reasonable explanation or excuse is also not present in this case.<sup>70</sup> It is clear that the shooter planned his crimes in advance and was under no extreme emotional disturbance for which there was a reasonable explanation or excuse.

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<sup>69</sup> Sec. 53a-13. Lack of capacity due to mental disease or defect as affirmative defense. (a) In any prosecution for an offense, it shall be an affirmative defense that the defendant, at the time he committed the proscribed act or acts, lacked substantial capacity, as a result of mental disease or defect, either to appreciate the wrongfulness of his conduct or to control his conduct within the requirements of the law.

<sup>70</sup> Sec. 53a-54a. Murder. (a) A person is guilty of murder when, ... ..with intent to cause the death of another person, he causes the death of such person or of a third person or causes a suicide by force, duress or deception; except that in any prosecution under this subsection, it shall be an affirmative defense that the defendant committed the proscribed act or acts under the influence of extreme emotional disturbance for which there was a reasonable explanation or excuse, the reasonableness of which is to be determined from the viewpoint of a person in the defendant's situation under the circumstances as the defendant believed them to be, provided nothing contained in this subsection shall constitute a defense to a prosecution for, or preclude a conviction of, manslaughter in the first degree or any other crime.

## CONCLUSION

With the issuance of this report, the investigation is closed.<sup>71</sup> If additional reliable information, related to the existence of others' involvement in the case, comes to the attention of the investigators, it is subject to being reopened. I do not anticipate that occurring. As of now, there will be no state prosecution of anyone as an accessory or co-conspirator.

Many people have asked why the shooter did what he did on December 14, 2012. Or, in the vernacular of the criminal justice system, "Did he have a motive to do what he did?" This investigation, with the substantial information available, does not establish a conclusive motive.


What we do know is that the shooter had significant mental health issues that, while not affecting the criminality of the shooter's mental state for the crimes or his criminal responsibility for them, did affect his ability to live a normal life and to interact with others, even those to whom he should have been close. Whether this contributed in any way is unknown. The shooter did not recognize or help himself deal with those issues. He had a familiarity with and access to firearms and ammunition and an obsession with mass murders, in particular the Columbine shootings.

There is no clear indication why Sandy Hook Elementary School was selected, other than perhaps its close proximity to the shooter's home.

What is clear is that on the morning of December 14, 2012, the shooter intentionally committed horrendous crimes, murdering 20 children and 6 adults in a matter of moments, with the ability and intention of killing even more. He committed these heinous acts after killing his own mother. The evidence indicates the shooter planned his actions, including the taking of his own life.

It is equally clear that law enforcement arrived at Sandy Hook Elementary School within minutes of the first shots being fired. They went into the school to save those inside with the knowledge that someone might be waiting to take *their* lives. It is also clear that the staff of Sandy Hook Elementary School acted heroically in trying to protect the children. The combination saved many children's lives.

November 25, 2013



Stephen J. Sedensky III  
State's Attorney  
Judicial District of Danbury

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<sup>71</sup> There remain some outstanding reports, returns and an evidence examination evaluation to be filed.

## ACKNOWLEDGEMENTS

Over the course of the last eleven months many agencies, governmental and private, have come together to assist the victims' families, victims, first responders, others affected by the crimes, the Connecticut State Police and the State's Attorney's Office for the Judicial District of Danbury.

I wish to thank the below agencies, listed alphabetically, for their investigative work, cooperation and assistance in this investigation. Though I have tried to list all of the agencies that provided assistance to the investigation, I suspect some will be inadvertently left out. For this I apologize.

- Connecticut State Police and in particular Western District Major Crime Squad<sup>72\*</sup>
- Connecticut Intelligence Center (CTIC)
- Bureau of Alcohol, Tobacco, Firearms and Explosives
- Department of Emergency Services and Public Protection Forensic Science Laboratory
- Faculty of Finding Words-Connecticut, A ChildFirst State<sup>73</sup>
- Family & Children's Aid of Danbury<sup>74</sup>
- Federal Bureau of Investigation,<sup>75</sup> including Victim Services and Behavior Analysis units
- Gundersen Health System's National Child Protection Training Center
- Hoboken, New Jersey, Police Department
- Homeland Security
- Municipal police departments in Connecticut
- Newtown Police Department
- Office of the Chief Medical Examiner
- Office of the Chief State's Attorney<sup>76\*</sup>
- State of Connecticut Judicial Branch
- United States Attorney's Office for the District of Connecticut\*
- United States Drug Enforcement Agency
- United States Marshals Service

I would also like to thank the members of the Danbury State's Attorney's Office, in particular, Supervisory Assistant State's Attorney Warren Murray and Inspectors Donald Brown and John Mahoney for their assistance and support.

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<sup>72</sup> The Western District Major Crime Squad under the leadership of Lt. David Delvecchia investigated this case with a thoroughness and sensitivity that is unmatched in my experience.

<sup>73</sup> Connecticut is a ChildFirst state whose one week program Finding Words Connecticut, Interviewing Children and Preparing for Court is funded by the Governor's Task Force on Justice for Abused Children.

<sup>74</sup> Family & Children's Aid of Danbury hosts the Multidisciplinary Investigation Team.

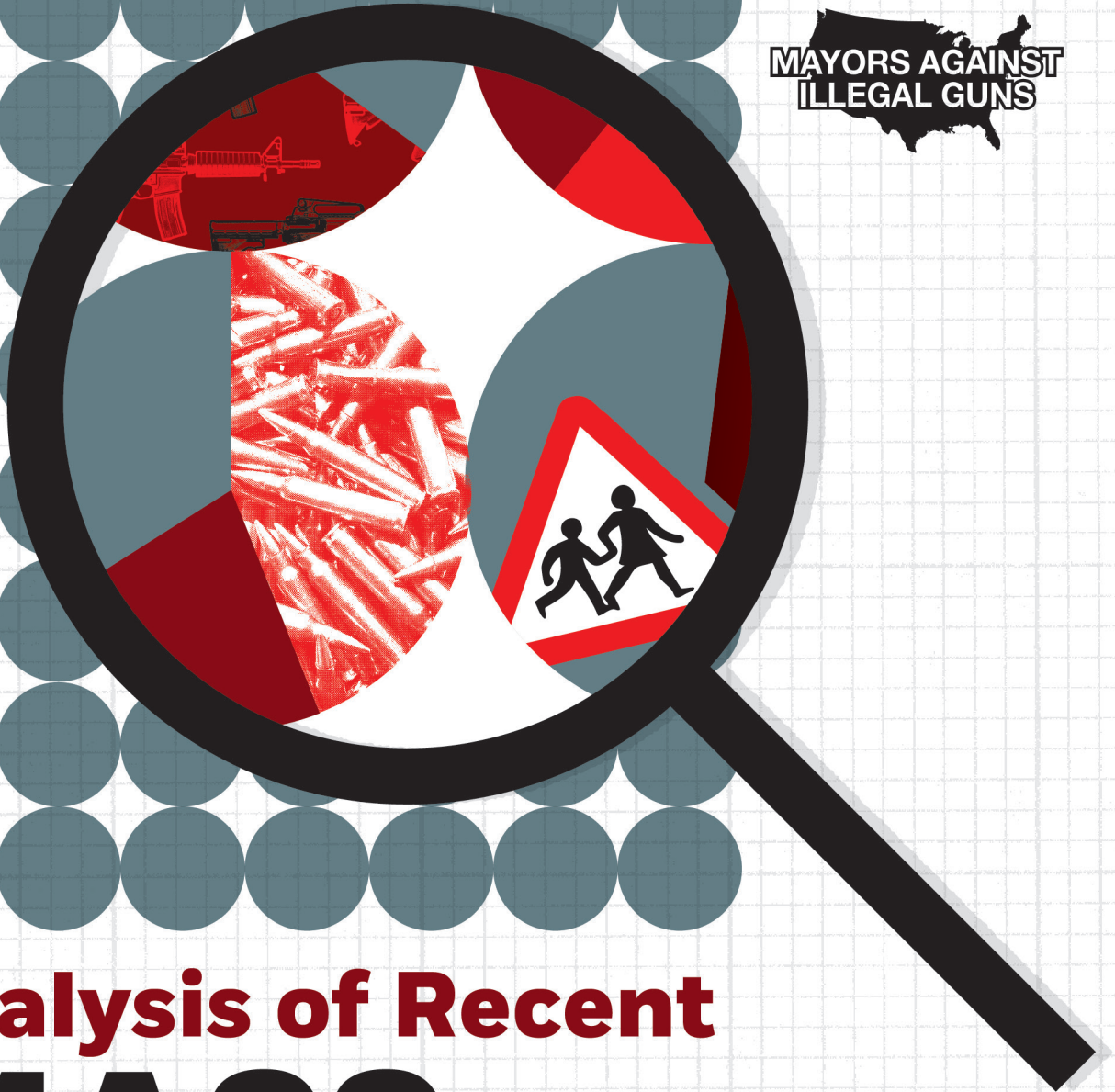
<sup>75</sup> This includes FBI agents across the country who sought out evidence and interviewed witnesses in many states.

<sup>76</sup> Chief State's Attorney Kevin T. Kane's counsel and assistance has been an invaluable asset to me and this case, together with the assistance of those in his office who worked on the case.

\* I am grateful for the suggestions, editing and reviews of the drafts of this report provided by these organizations. Any errors that remain are mine.

# **Exhibit 28**

**September 2013**



**Analysis of Recent**

# **MASS SHOOTINGS**



## ANALYSIS OF RECENT MASS SHOOTINGS

Mayors Against Illegal Guns conducted a comprehensive analysis of every mass shooting between January 2009 and September 2013 that was identifiable through FBI data and media reports. This report describes the **93 MASS SHOOTINGS — ALMOST TWO PER MONTH — THAT OCCURRED IN 35 STATES** in the nearly five-year period. Each description includes the location of the shooting, number of people killed and/or injured, and information on the shooter, gun(s), ammunition, and gun purchase, where available.

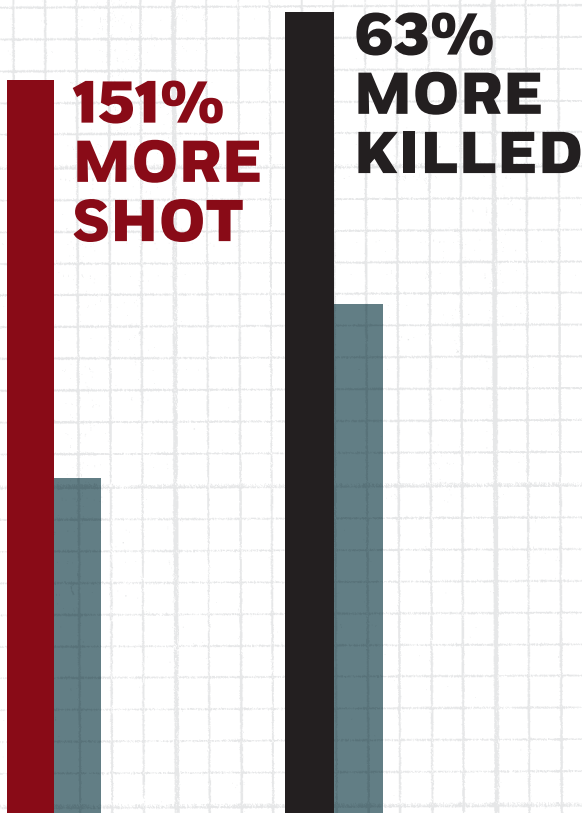
The FBI defines “mass shooting” as any incident where at least four people were murdered with a gun. Mayors Against Illegal Guns reviewed mass shootings in the FBI’s Supplementary Homicide Reports from 2009-2011, the most recent data available, and searched the media for further details about these incidents as well as for mass shootings that occurred in 2012 and 2013.

This survey includes every shooting we identified in which at least four people were murdered with a gun. And the findings reveal a different portrait of mass shootings in America than conventional wisdom might suggest:



**Mass shootings**

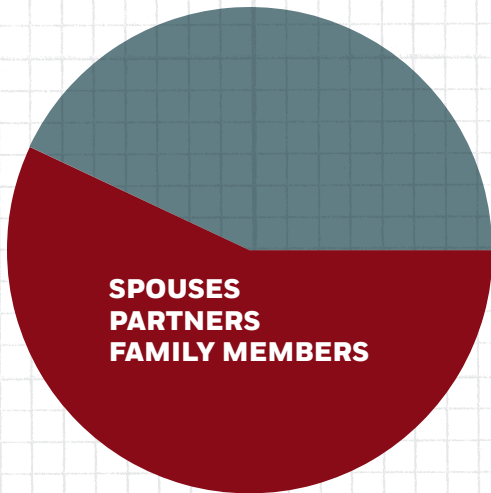
represent a small share of total U.S. firearm homicides. Less than one percent of gun murder victims recorded by the FBI in 2010 were killed in incidents with four or more victims.



**Assault weapons or high-capacity magazines**

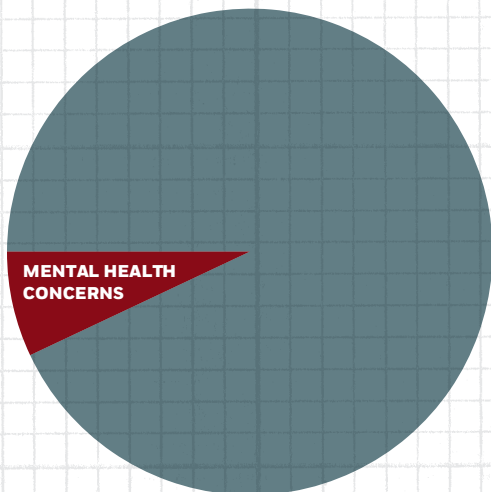
were used in at least 14 of the incidents (15%). These incidents resulted in an average of 14.4 total people shot — 151% more people shot than in other incidents (5.7) — and 7.8 deaths — 63% more deaths than in other incidents (4.8).





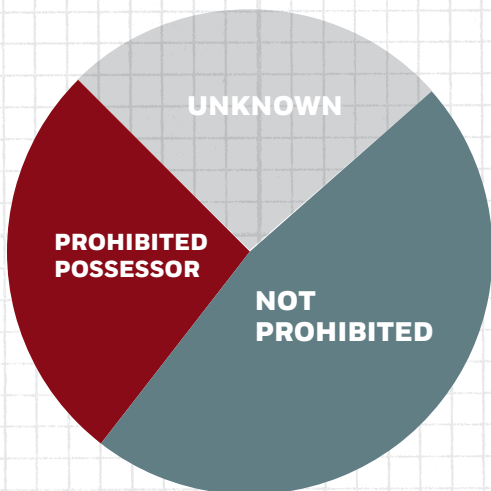
### Domestic or family violence

There was a noteworthy connection between mass shooting incidents and domestic or family violence. In at least 53 of the cases (57%), the shooter killed a current or former spouse or intimate partner or other family member, and in at least 17 incidents the shooter had a prior domestic violence charge.



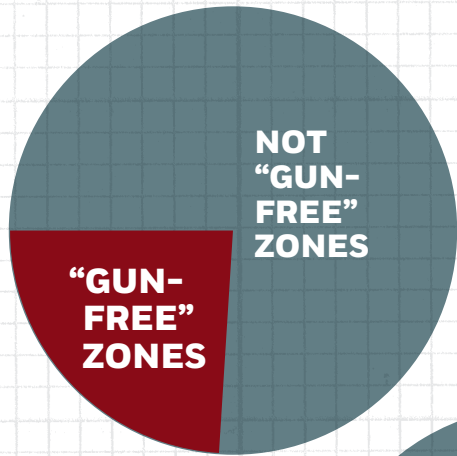
### Mental health

We did not find evidence that any of the shooters were prohibited from possessing guns by federal law because they had been adjudicated mentally ill or involuntarily committed for treatment. In 10 of the 93 incidents (11%), we found evidence that concerns about the mental health of the shooter had been brought to the attention of a medical practitioner, school official or legal authority prior to the shooting.



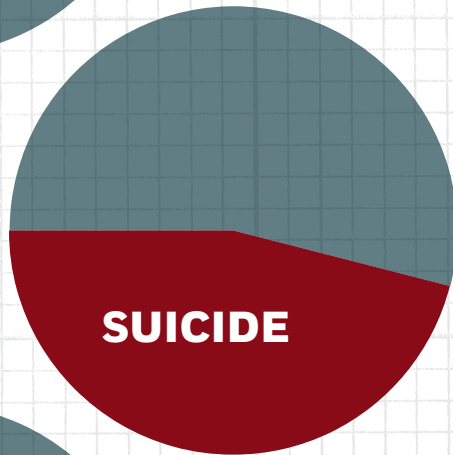
### Role of prohibited possessors

Certain categories of people, including felons, certain domestic abusers, and people adjudicated mentally ill are prohibited by federal law from possessing guns. We had sufficient evidence to judge whether the shooter was a prohibited gun possessor in 75 of the 93 incidents (81%). Of those 75 incidents, 32 (43%) involved a prohibited possessor, and 43 (57%) did not.



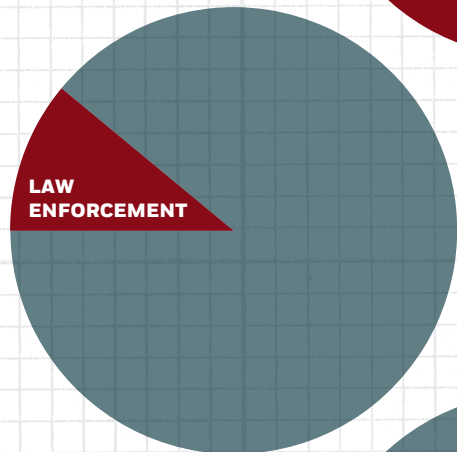
**“Gun-free” zones**

Sixty-two of the 93 incidents (67%) took place wholly in private residences. Of the 31 incidents in public spaces, at least 17 took place wholly or in part where concealed guns could be lawfully carried. All told, no more than 14 of the shootings (15%) took place entirely in public spaces that were so-called “gun-free zones.”



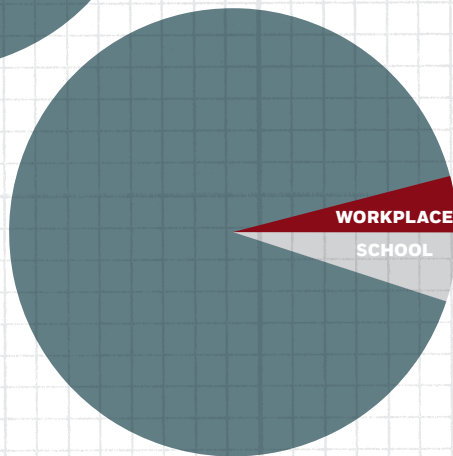
**Suicide**

In 40 of the 93 incidents (43%), the shooter committed suicide during the incident.



**Law enforcement**

In 13 of the 93 shootings (14%), law enforcement or military officers were targeted in the shooting or killed or injured responding to it.



**Workplace and school shootings**

Four of the 93 shootings (4%) occurred at the shooter’s current or former workplace. Four of the 93 shooting incidents (4%) took place in schools, including primary, secondary, and college campuses.

## MASS SHOOTING INCIDENTS JANUARY 2009–SEPTEMBER 2013 (in reverse chronological order)

**Washington, D.C., 9/16/2013:** The alleged shooter, who was a civilian contractor and former non-combat military, killed twelve and wounded three more in an attack on Building 197 at the Navy Yard.

- **SHOOTER NAME:** Aaron Alexis, 34
- **GUN DETAILS:** The shooter arrived with a shotgun and also obtained a handgun from one a security guard that he killed.
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Two days before the incident the shooter passed a National Instant Criminal Background Check System (NICS) at the licensed gun dealer Sharpshooters in Lorton, VA, and purchased the shotgun.
- **PROHIBITING CRITERIA:** The shooter had been arrested at least three times including: in September 2010 in Fort Worth, Texas for shooting a firearm into a neighbor's apartment; in August 2008 in Dekalb County, Georgia for disorderly conduct; and in 2004 in Seattle, Washington for shooting out the tires of another man's vehicle. But court records do not indicate he was convicted in any of these cases, and this record did not prohibit him from buying guns. He had also received treatment for mental health conditions at two VA hospitals beginning in August, 2013 following an incident where he called Newport Rhode Island Police to report hearing voices. But these incidents did not rise to the level of prohibiting from buying guns. And during his military service he was reportedly cited on at least eight occasions for misconduct ranging from traffic tickets and showing up late for work to insubordination, extended absences from work, and disorderly conduct. On account of this the Navy sought to offer him a "general discharge" but he was ultimately honorably discharged through the early-enlisted transition program in January 2011.
- **NOT A GUN-FREE ZONE:** There were armed guards at the Washington Navy Yard, and the shooter was familiar with the premises, so he did not select it as a target on the presumption he would not faced armed resistance. In fact, the shooter reportedly used a gun that he took from a guard after killing him.

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**Crab Orchard, TN, 9/11/2013:** Bennett and his girlfriend Moser killed a woman and three teenagers, apparently during an attempted robbery during a marijuana exchange. The victims' bodies were discovered in a car parked along the side of the road in the Renegade Mountain resort community near Crossville.

- **SHOOTER NAME:** Jacob Allen Bennett, 26 and Brittany Lina Yvonn Moser, 25
- **GUN DETAILS:** Handgun
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** Bennett was prohibited from possessing firearms. In 2010 he received a 6-year prison sentence for charges of theft, forgery, and possession of a handgun during a felony, but was paroled on March 4, 2013. The Cumberland County sheriff's office estimated they had previously arrested Bennett



five times.

- **NOT A GUN-FREE ZONE:** We could find no evidence that permit holders were prohibited from carrying guns in this area. In Tennessee, concealed weapons would be prohibited only if the county or municipality declared itself a gun-free zone.

**Oklahoma City, OK, 8/14/13:** The shooter killed four of his relatives including an infant inside of their family home.

- **SHOOTER NAME:** Daniel Green, 40
- **GUN DETAILS:** .380 semiautomatic handgun
- **AMMO DETAILS:** A box of .380 handgun ammunition was found in the vehicle when the shooter was arrested.
- **GUN ACQUIRED:** One of the victims owned a .380 semiautomatic handgun and kept it hidden in the attic.
- **PROHIBITING CRITERIA:** Green's father told police in an affidavit that his son was schizophrenic, but there is no evidence that Green had been adjudicated mentally ill or had a criminal history that would prohibit gun ownership.

**Dallas, TX, 08/07/2013:** The gunman shot and killed his girlfriend and her daughter, and injured two others; and then in a separate attack shot and killed his estranged wife and her daughter, and injured another two people. He also detonated an explosive but it did not harm anyone.

- **SHOOTER NAME:** Erbie Lee Bowser, 44
- **GUN DETAILS:** .380 pistol
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** The shooter's estranged wife had obtained a protective order against Bowser in February 2011, citing family violence, and he was later arrested for violating the order. The order seems to have expired in February 2012, but would likely have been prohibiting while it was in place. A criminal conviction for domestic violence, which would also likely have been prohibiting, was expunged from his record after he completed a court program for veterans in the summer of 2012. Bowser was a veteran, but he had not served in combat — making him ineligible to enter the program. He apparently lied about his military history in order to enter the program.

**Clarksburg, WV, 07/26/2013:** According to a criminal complaint, the shooter was trying to collect \$10,000 two men owed him for drugs when one of them aimed a handgun at him. He stripped the man of the weapon and used it to kill them both; he then shot and killed a father-son newspaper delivery team that happened to be outside the house.

- **SHOOTER NAME:** Sidney Muller, 27
- **GUN DETAILS:** 9mm Beretta
- **AMMO DETAILS:** Unknown

- **GUN ACQUIRED:** Gun apparently belonged to one of the victims
- **PROHIBITING CRITERIA:** The shooter had been convicted previously for driving under the influence and had been arrested for driving with a suspended license, but was not criminally prohibited from possessing a gun. The shooter was also a veteran of the U.S. Marine Corps and his lawyers indicated he had scored four out of five in Post-Traumatic Stress Disorder testing and had been diagnosed as bipolar. He was reportedly in treatment at the local VA hospital. But there is no evidence his mental illness rose to the level of prohibiting him from possessing guns.

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**Hialeah, FL, 7/16/13:** The shooter killed the two managers of his building, a bystander across the street, and three more occupants before police killed him in a standoff.

- **SHOOTER NAME:** Pedro Alberto Vargas, 42
- **GUN DETAILS:** Glock 17 9mm semiautomatic pistol
- **AMMO DETAILS:** Hundreds of additional rounds were found in Vargas' apartment following the incident.
- **GUN ACQUIRED:** Vargas obtained a concealed weapons permit after completing a two-hour training and four-hour safety course in the fall of 2010 at the Florida Gun Center in Hialeah. In October 2010 he passed a background check and purchased a Glock 17, which was used in the shootings.
- **PROHIBITING CRITERIA:** The shooter had developed a pattern of anonymously harassing his former co-workers online, and was confronted about it three days before the shooting. But there is no evidence Vargas was prohibited from owning a gun.

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**Santa Monica, CA, 6/7/13:** The shooter killed his father and brother, burned down their house, and shot and wounded a passing driver who tried to intervene. He then carjacked another vehicle and made the driver transport him to Santa Monica College, firing at a city bus and police cruiser along the way, injuring three. Once on the college's campus, he shot and killed three people outside and fired 70 rounds at students in the library before he was shot and killed by police.

- **SHOOTER NAME:** John Zawahri, 23
- **GUN DETAILS:** The shooter was armed with a .223 caliber AR-15 assault rifle that did not have a serial number; this type of rifle is prohibited in California. A .44 caliber "black powder" revolver that had been converted to fire .45 caliber rounds and three "Zip Guns," which are illegal to possess, were also recovered.
- **AMMO DETAILS:** The shooter was carrying a duffel bag containing approximately 1,300 rounds of ammunition. He was armed with approximately forty 30-round .223 magazines, which are illegal to purchase, sell, or transfer in the state of California.
- **GUN ACQUIRED:** The assault rifle, high-capacity magazines, and several components to modify the firearms may have been shipped from outside California. The firearms were not registered to the shooter or to his family members.
- **PROHIBITING CRITERIA:** The shooter had a history of mental health issues and had previously been held for a short-term psychiatric evaluation, which would have prohibited him from accessing or possessing a firearm for five years, but the prohibition expired in 2011. The shooter had attempted to buy a firearm in 2011, but a letter from the Department of Justice discovered in his bedroom after the shooting indicated that he had not been eligible to purchase it at that time, likely because of this hospitalization.

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**Fernley, NV, 05/13/2013:** On May 10th, the shooter killed a couple in their home and stole \$3,500 in cash and jewelry. Three days later, he killed two more people and stole a firearm and their vehicle, and then shot and killed another person later that day.

- **SHOOTER NAME:** Jeremiah Bean, 25
- **GUN DETAILS:** NEF Co. Model R92 .22 caliber handgun. The shooter also stole a Smith & Wesson from one of his victims.
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** The shooter had been previously convicted for felony charges of burglary and grand larceny, and finished his parole in December 2012. This criminal record likely prohibited him from possessing firearms.

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**Waynesville, IN, 5/11/13:** The alleged shooter killed four people in a home where methamphetamine was subsequently discovered, leading police to believe the crime was drug-related.

- **SHOOTER NAME:** Samuel Earl Sallee, 55
- **GUN DETAILS:** A Ruger 10/22 .22 caliber rifle was recovered.
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** The alleged shooter, who had been at the location of the homicides just hours before the bodies were discovered, was taken into custody two days after the shooting. He was prohibited from possessing firearms due to several prior felony convictions including for intimidation, drunk driving (on multiple occasions), receipt of stolen property, and battery. Although authorities delayed in charging the shooter with a crime while they tried to determine a motive for the homicides, they charged him with illegal firearm possession.

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**Ottawa, KS, 04/28/2013:** The shooter raped and killed a woman, as well as killing her 18-month old daughter and two men who were with her at a farm in eastern Kansas.

- **SHOOTER NAME:** Kyle Flack, 27
- **GUN DETAILS:** Unknown
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** In 2005 the shooter was convicted of attempted murder in the 2nd degree, having shot a man five times with a pistol, but he only served two years of a five-year sentence and was paroled in July 2009. He was required to register as a violent offender until 2024 and was prohibited from buying guns. His mother also sought mental health treatment on his behalf; her concerns were dismissed, but Flack ultimately submitted to a mental health evaluation.

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**Manchester, IL, 4/24/13:** The shooter broke into a home and killed the grandmother of his child and four of her family members including two young children, apparently related to a cus-



tody dispute over his 3-year-old daughter. The shooter was subsequently killed in a gunfight with law enforcement.

- **SHOOTER NAME:** Rick Odell Smith, 43
- **GUN DETAILS:** All of the victims were killed with a Winchester 20-gauge pump-action shotgun. A .270 Bolt Action Winchester rifle and Ruger carbine rifle were also recovered.
- **PROHIBITING CRITERIA:** The shooter had been previously convicted for felony reckless homicide, which would likely have prohibited from possessing guns, along with drug possession and writing bad checks.

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**Federal Way, WA, 4/21/13:** The shooter killed his girlfriend inside the apartment they shared and then fatally shot two men in a nearby parking lot. When a neighbor called 911, the shooter broke down the man's door with a shotgun and killed him. He was subsequently shot and killed by police.

- **SHOOTER NAME:** Dennis Clark III, 27
- **GUN DETAILS:** .40 caliber semi-automatic handgun and a pistol grip Mossberg 500 pump shotgun. Federal Way Police report that Clark had a permit to carry a concealed weapon and was the registered owner of at least two firearms, including the handgun he used in the shooting.
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** Clark had no criminal convictions but in 2002 had used a BB gun to shoot a girl in the buttocks and back after she broke up with him, resulting in a fourth-degree assault charge that was dismissed. He was charged with misdemeanor criminal trespass in 2003. And in March 2009 he was charged with harming a police dog but the case was dismissed.

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**Akron, OH, 4/18/13:** The shooters killed four people inside a townhouse; the initial motive for the crime was reportedly robbery.

- **SHOOTER NAME:** Derrick Brantley, 21 and Deshanon Haywood, 21
- **GUN DETAILS:** Unknown
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** One shooter, Brantley, was free on bond awaiting trial on felony charges of heroin trafficking. The other, Haywood, was paroled from prison in February 2012 after serving part of a two-year sentence for cocaine trafficking and heroin possession. He immediately violated his parole and was sentenced to 45 days of house arrest. Both were likely prohibited from possessing firearms by their criminal histories.

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**Herkimer, NY, 04/13/2013:** The shooter killed two people and critically wounded one at John's Barber Shop and then killed two more people at Gaffey's Fast Lube, a car care facility. He was killed by responding officers.



- **SHOOTER NAME:** Kurt Myers, 64
- **GUN DETAILS:** According to the police superintendent, Myers used a shotgun. Additional guns and ammunition were found by emergency crews after Myers set fire to the apartment.
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** There is no reason to believe Myers was prohibited him from possessing a gun. He was arrested in 1973 for drunk driving
- **NOT A GUN-FREE ZONE:** Gaffey's Fast Lube does not have a specific policy prohibiting guns and allows permit holders to carry concealed weapons on the premises. John's Barbershop did not reopen following the shooting but the owner of a neighboring business did not recall the barbershop having any explicit firearm policy or ban, which would have been required to prohibit customers from carrying guns on the premises.

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**Albuquerque, NM, 1/19/13:** The shooter killed his parents and three siblings in their home. He then loaded a van with guns and ammunition with the intent to kill his girlfriend's family and die in a shootout at Wal-Mart, according to court documents. Instead, he spent the next day with his girlfriend and her family and went to a church he regularly attended, where he was arrested for murder after speaking with the pastor.

- **SHOOTER NAME:** Nehemiah Griego, 15
- **GUN DETAILS:** AR-15 assault rifle, .22 rifle, and two shotguns
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** The guns had been legally purchased by his parents.
- **PROHIBITING CRITERIA:** As a juvenile, the shooter was prohibited from purchasing firearms, but it was lawful for him to possess long guns like those used in the incident.

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**Tulsa, OK, 1/7/13:** During a robbery the shooters bound the hands of four women in an apartment at the Fairmont Terrace complex and shot each one in the head. The 3-year-old son of one of the victims was in the apartment at the time of the incident but was unharmed.

- **SHOOTER NAME:** Cedric Dwayne Poore, 39 and James Stanford Poore, 32
- **GUN DETAILS:** .40 caliber pistol
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** Both shooters had extensive criminal histories: Cedric Poore received a 35-year prison sentences in 1995 for armed robbery and James Poore received a 12-year sentence in 2000 for armed robbery with a firearm. Both were released in 2011, but likely remained prohibited from possessing firearms.

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**Newtown, CT (Sandy Hook Elementary School), 12/14/12:** The shooter killed his





mother in her home and then traveled to a nearby elementary school where he shot twenty-eight people, killing twenty-six of them, including twenty children, before killing himself.

- **SHOOTER NAME:** Adam Peter Lanza, 20
- **GUN DETAILS:** A Bushmaster .223 assault-style rifle was used in the attack at the elementary school. A 10mm Glock handgun, a 9mm SIG Sauer handgun, and a shotgun were also recovered at the crime scene.
- **AMMO DETAILS:** Lanza was carrying multiple high-capacity clips, reportedly enough ammunition to kill nearly every student at school.
- **GUN ACQUIRED:** The guns were legally registered to Lanza's mother, who he shot and killed earlier in the day and with whom he lived.
- **PROHIBITING CRITERIA:** Under Connecticut law, Lanza would have been prohibited from possessing handguns because he had not reached the legal age, 21. However, he would not have been prohibited from possessing a long gun like the Bushmaster rifle used in the shooting. Lanza's mental health was also scrutinized after the shooting, and while his social isolation had been noted, we did not find evidence that concerns had been brought to the attention of a public authority.

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**Tule River Reservation, CA, 12/8/2012:** The shooter killed his mother and two uncles in the travel trailer where they lived and injured his young son; he then shot his two daughters, one fatally, while fleeing with them from the police. The gunman died after a shootout with police in which he also shot himself in the head.

- **SHOOTER NAME:** Hector Celaya, 31
- **GUN DETAILS:** .38 caliber revolver
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** Celaya had been imprisoned in 2008 for an assault and battery charge and was prohibited from having weapons as a condition of three years' probation. It is likely that this criminal record prohibited him from possessing firearms. He was subsequently arrested multiple times for driving while intoxicated, and was due in court in January 2013 to face a misdemeanor drug possession charge.

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**Detroit, MI, 12/4/2012:** Three adults and one minor were shot to death in a house on the east side of the city before a fire broke out, apparently set by the shooter. There are no reports of arrests or suspects.

- **GUN DETAILS:** Unknown
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** The assailants are unknown.

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**Northridge, CA, 12/02/2012:** The shooter arrived at an unlicensed boarding house on Devonshire street, reportedly in search of his girlfriend, and after a dispute shot and killed four people

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outside.

- **SHOOTER NAME:** Ka Pasasouk, 31
- **GUN DETAILS:** semiautomatic handgun
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** The shooter was prohibited from possessing guns, having been convicted for car theft and felony robbery. While on probation in September 2012, he was arrested again for possession of methamphetamine. According to the district attorney, a prosecutor then released him on probation over the objection of probation officials, who believed he posed a threat to the safety of the community.
- **NOT A GUN-FREE ZONE:** Permit holders were not prohibited from carrying guns in this area.

**New Town, ND, 11/18/2012:** The shooter murdered a woman and her three grandchildren in their home on Fort Berthold Indian Reservation. When confronted by police he stabbed himself in the neck and died of his injuries.

- **SHOOTER NAME:** Kalcie Eagle, 21
- **GUN DETAILS:** .25-06 hunting rifle
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** The rifle did not belong to the shooter; police speculated that it may have belonged to a family member.
- **PROHIBITING CRITERIA:** In March 2012, Eagle was arrested in a stolen pickup truck after a high-speed chase with police. He pled guilty to felony unauthorized use of a vehicle, and was sentenced to a year in jail, with more than three years of supervised probation and more than \$45,000 in fines and restitution. Because of this offense, he was likely prohibited from possessing a firearm.

**Minneapolis, MN, 9/27/12:** The shooter killed six people and injured two at a signage business, from which he was fired earlier in the day, before killing himself.

- **SHOOTER NAME:** Andrew John Engeldinger, 36
- **GUN DETAILS:** Glock 9mm semiautomatic handgun
- **AMMO DETAILS:** Engeldinger fired at least 46 bullets during the shooting. At his home, police recovered packaging for 10,000 rounds of ammunition.
- **GUN ACQUIRED:** Engeldinger purchased the gun used in the shooting one year before at KGS Guns and Ammo in Minneapolis after passing a background check and obtaining a permit-to-purchase. Around the same time, Engeldinger purchased another, similar handgun that police recovered when searching his home.
- **PROHIBITING CRITERIA:** Engeldinger had a concealed carry permit and was not prohibited from possessing a gun. But his family suspected he had paranoid schizophrenia and two years before the shooting they reached out on his behalf to the National Alliance on Mental Illness. Engeldinger did not pursue treatment.
- **ONLINE CONNECTION:** According to Minneapolis Police, Engeldinger may have purchased some or all of his stockpiled ammunition online from out-of-state dealers.



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**Oak Creek, WI, 8/5/12:** The shooter killed six people at a Sikh temple and injured three others, including a responding police officer, before killing himself.

- **SHOOTER NAME:** Wade Michael Page, 40
- **GUN DETAILS:** 9mm semiautomatic handgun
- **AMMO DETAILS:** Page reportedly bought three 19-round magazines when he purchased the gun.
- **GUN ACQUIRED:** Page acquired the gun at a local gun shop a week before the shooting.
- **PROHIBITING CRITERIA:** Page was involved with the white supremacist movement but he does not appear to have been prohibited from purchasing a gun. He received a discharge from the army “under other than honorable conditions” and was demoted from sergeant to specialist, but this did not affect his access to firearms. Federal officials investigated Page’s ties to supremacist groups more than once prior to the shooting, but did not collect enough evidence to open an investigation.
- **NOT A GUN-FREE ZONE:** Nothing restricted the possession of a firearm on the property. Wisconsin state law permits people to carry their guns in temples and other places of worship unless there is a sign or they have been personally notified that carrying firearms is prohibited by the property owner or occupant. Amardeep Kaleka, whose father founded the temple and was killed during the attack, confirmed that there was no such sign on the property.

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**Aurora, Co, 7/20/12:** The shooter killed twelve and wounded fifty-eight in an attack on a suburban movie theater during a midnight screening of Batman.

- **SHOOTER NAME:** James Holmes, 24
- **GUN DETAILS:** Smith & Wesson AR-15 assault-style rifle, Remington 870 12-gauge shotgun, and two Glock .40 caliber handguns.
- **AMMO DETAILS:** Holmes had a 100-round drum magazine for the AR-15 and reportedly only ceased firing with it when it jammed.
- **GUN ACQUIRED:** Holmes acquired the guns at local gun shops.
- **PROHIBITING CRITERIA:** While a student at the University of Colorado, Holmes was treated by the school psychiatrist, who expressed concern about his behavior and referred him to the university Behavioral Evaluation and Threat Assessment (BETA) team. They took no further action and he was never adjudicated mentally ill.
- **ONLINE CONNECTION:** Holmes purchased over 6,000 rounds of ammunition online.

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**Newton Falls, OH, 7/6/12:** The shooter killed his girlfriend, another couple, and their son in two separate shootings, before being cornered by the police and killing himself.

- **SHOOTER NAME:** Robert Brazzon, 55
- **GUN DETAILS:** Unknown
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** Brazzon had previously pled guilty to felony drug trafficking after police seized 47 guns from his home in 1999 (the guns were later returned to Brazzon’s brother and son following a



court petition). But due to Ohio laws that provide for the restoration of felons' firearm rights, it is unclear whether Brazzon was prohibited from possessing firearms at the time of the shooting.

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**Tempe, AZ, 6/2/2012:** The shooter killed his wife and three children inside of their home, then drove the bodies to a location in the Vekol Valley desert, where he lit the car on fire and shot himself. His wife had filed for a divorce earlier in the year but he had not vacated their shared residence. He was also reportedly undergoing treatment for a brain tumor.

- **SHOOTER NAME:** James Butwin, 47
  - **GUN DETAILS:** Two guns were recovered in the vehicle, and the caliber of the shells for one matched those found in the house where the murders took place.
  - **AMMO DETAILS:** Unknown
  - **GUN ACQUIRED:** Unknown
  - **PROHIBITING CRITERIA:** There is no evidence that Butwin was prohibited from owning a gun.
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**Seattle, WA, 5/20/12:** The shooter killed five people in a string of neighborhood shootings that began in a coffee shop, and later killed himself.

- **SHOOTER NAME:** Ian Lee Stawicki, 40
  - **GUN DETAILS:** At least one Para-Ordnance .45 caliber handgun – some reports say he carried two.
  - **AMMO DETAILS:** Unknown
  - **GUN ACQUIRED:** Stawicki legally purchased the weapon used in the shooting in addition to two others.
  - **PROHIBITING CRITERIA:** The shooter was a concealed carry permit holder but had a history of mental illness and arrests. He was twice charged with misdemeanor assault but both cases were dismissed when the victims — his girlfriend and brother — refused to testify. Before the shooting, Stawicki's family attempted to have his concealed carry permit revoked. Stawicki's family had become concerned that his mental health had worsened. However, his family was rebuffed by authorities, who said they had no legal basis to revoke Stawicki's permit on claims about Stawicki's behavior alone.
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**Leivasy, WV, 5/19/2012:** The shooter killed a man after a dispute over a debt for drugs, as well as his girlfriend and their two children.

- **SHOOTER NAME:** James Roy Belknap, 27
- **GUN DETAILS:** Unknown
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** In 2007, Belknap pled guilty on charges of conspiracy to deliver cocaine and was sentenced to 5 years in prison. In exchange, prosecutors dismissed a grand jury indictment charging him with murder. He was therefore prohibited from possessing a gun.

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**Port St. John, FL, 5/15/12:** The shooter attacked her four children — ages 12 to 17 — in her home, killing them before shooting and killing herself. An autopsy indicated that she had a blood alcohol level of .16 at the time of the shooting — twice the legal limit.

- **SHOOTER NAME:** Tonya Thomas, 33
- **GUN DETAILS:** Taurus .38 caliber revolver
- **AMMO DETAILS:** She fired 18-hollow-point rounds during the incident, reloading the gun three times.
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** There is no evidence she was prohibited from possessing a gun. The shooter was charged with misdemeanor battery in 2002 for striking the father of her children but it was later dropped.

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**Gilbert, AZ, 5/2/12:** The shooter, formerly a member of the U.S. Marine Corps and a founder and leader of a border militia group, shot and killed four people including his girlfriend, before killing himself. At the time of the incident he was running for the office of Pinal County Sheriff.

- **SHOOTER NAME:** Jason Todd (“J.T.”) Ready, 39
- **GUN DETAILS:** At least two handguns and a shotgun were recovered from the scene. Six-armor piercing grenades, which may not legally be possessed by civilians, were also recovered.
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** There is no evidence that the shooter was prohibited from owning guns, even though he had a record of dangerous behavior. In 1992, he was arrested for damage to property and aggravated assault with a weapon and pled guilty to simple assault, a misdemeanor. He was court-martialed twice during his military service, the second resulting in a bad conduct discharge in 1996. In 2009, a woman filed an order of protection against him, but it was not active at the time of the shooting. Officers had also responded to multiple domestic violence calls from Ready’s home. Indeed, his girlfriend went to police headquarters on February 28, 2012 to make a complaint and report two domestic violence incidents, but she did not go to court to file for an order of protection.

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**Oakland, CA (Oikos University), 4/2/12:** The shooter killed seven people at a Korean Christian college, where he had formerly been a student.

- **SHOOTER NAME:** One L. Goh, 43
- **GUN DETAILS:** .45 caliber handgun
- **AMMO DETAILS:** Goh was armed with four magazines of ammunition, holding 10 rounds each.
- **GUN ACQUIRED:** The gun was purchased legally in California two months before the shooting.
- **PROHIBITING CRITERIA:** None apparent, though Goh was expelled from the school for disciplinary problems.

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**Norcross, GA, 2/20/12:** The shooter returned to a Korean spa from which he’d been kicked out after an altercation, where he shot and killed two of his sisters and their husbands before committing  
Gordon Declaration 00836



ting suicide.

- **SHOOTER NAME:** Jeong Soo Paek, 59
- **GUN DETAILS:** .45 caliber handgun
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Police reported that he acquired the gun legally.
- **PROHIBITING CRITERIA:** Paek does not appear to have been prohibited, although he had allegedly served two months in jail for assaulting his sister six years earlier. In 2006 she applied for a temporary protection order and described his intention to harm himself or others with guns.
- **NOT A GUN-FREE ZONE:** We could find no indication that the property owner forbade possession of a firearm on their property.

**Villa Park, IL, 1/17/2012:** The shooter killed his girlfriend, her two sons, and her niece while they slept. After leaving the scene of the crime he shot himself and died of his injuries.

- **SHOOTER NAME:** Cedric Anderson, 42
- **GUN DETAILS:** .357 Magnum handgun
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** Anderson has several drug-related offenses dating back to 1990, and in 2008 received probation for possessing a firearm without the required license. On December 29, 2011 was convicted of felony heroin possession, and was awaiting sentencing at the time of the massacre. He was therefore prohibited from possessing a gun.

**Grapevine, TX, 12/25/11:** The shooter killed his estranged wife, two children, and three other family members as they opened their Christmas presents, before killing himself. The shooter's wife had filed for bankruptcy in August 2010 and reportedly separated from him during the proceedings, moving to the apartment complex where the shooting took place.

- **SHOOTER NAME:** Aziz Yazdanpanah, 56
- **GUN DETAILS:** 9mm and .40 caliber handguns
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** The 9mm was purchased in 1996 and registered to the shooter.
- **PROHIBITING CRITERIA:** In 1996, the shooter pled guilty to one count of subscribing to a false income tax return, and was fined \$1000 and placed on three years' probation. But police said the 9mm was legally registered to the shooter and there is no evidence that he was otherwise prohibited from purchasing a gun.

**Emington, IL, 12/16/2011:** The shooter killed her boyfriend and her three children before taking her own life in the backyard of their home.

- **SHOOTER NAME:** Sara McMeen, 30



- **GUN DETAILS:** Semi-automatic pistol
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** There is no evidence the shooter was prohibited from owning a gun. But she reportedly suffered from bipolar disorder and postpartum depression, and did not take any medication. She also had a family history of mental illness and violence. In 1971, McMeen's father shot and killed his wife with a 12-gauge shotgun. He was found not guilty by reason of insanity, and diagnosed with schizophrenia with suicidal and homicidal tendencies.

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**Gargatha, VA, 12/15/11:** The shooter killed two of his children, their mother, and the man she was living with before killing himself. The shooter was reportedly involved in a custody dispute with the woman at the time of her death.

- **SHOOTER NAME:** Esteban Quintero-Gonzales, 37
- **GUN DETAILS:** Unknown
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** There is no evidence the shooter was prohibited from possessing a gun.

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**Bay City, TX, 11/30/11:** The shooter and his wife argued in their mobile home, and when she exited he shot her three times in the front yard, injuring her, before killing his four children aged 2 to 5 and then killing himself.

- **SHOOTER NAME:** Jose Avila-Alva, 24
- **GUN DETAILS:** .22 caliber revolver
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** The handgun was reported stolen in 2010.
- **PROHIBITING CRITERIA:** The shooter was not a legal resident of the U.S., and had been deported to Mexico in 2006 for unlawful entry, which would have prohibited him from purchasing a gun. One week earlier, on November 22, 2011, the shooter's wife filed an assault report against him and was taken to a crisis center by police, but she did not press charges.

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**Greensboro, NC, 11/20/2011:** The shooter shot and injured a married man she had been having an affair with since 2008, injuring him. At some point that morning she also shot four children in her house, including her older son, a niece, a nephew, and a friend, and they all died of their injuries. She then picked up her son from a sleepover, shot and killed him, and turned the gun on herself.

- **SHOOTER NAME:** Mary Ann Holder
- **GUN DETAILS:** .38 caliber handgun



- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** There is no evidence the shooter was prohibited from possessing a gun. The wife of the man the shooter was having an affair with sought a restraining order against her earlier in 2011; the shooter responded by requesting a restraining order against the man and his wife. Both orders had expired.

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**Liberty, SC, 10/14/11:** The shooter killed her ex-husband, two sons, and their step-grandmother. When investigators arrived, she told them one of her sons had committed the homicides and then killed himself, but this story was inconsistent with forensic evidence. Nine days after the shooting she was taken into custody and charged with four counts of homicide. She had reportedly taken out a \$700,000 life insurance policy for her family members with herself named as the beneficiary.

- **SHOOTER NAME:** Susan Diane Hendricks, 48
- **GUN DETAILS:** .380 caliber handgun
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** In April 2006, Susan Hendricks shot and killed Doyle “O’Brian” Teague in her home after he had allegedly entered uninvited and threatened her. No charges were filed against Hendricks at the time, and the case was never closed. There is no evidence that she was prohibited from possessing a gun in 2011.

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**Seal Beach, CA, 10/12/11:** The shooter injured one and killed eight at a hair salon, including his ex-wife, before being taken into police custody.

- **SHOOTER NAME:** Scott Evans Dekraai, 41
- **GUN DETAILS:** Dekraai carried 3 handguns – a 9 mm Springfield, a Heckler & Koch .45, and a Smith & Wesson .44 Magnum – and used at least two in the shooting.
- **AMMO DETAILS:** News articles say Dekraai was carrying “extra ammunition” when the shooting began.
- **GUN ACQUIRED:** All three guns were purchased legally and registered in accordance with California law.
- **PROHIBITING CRITERIA:** Dekraai was subject to a restraining order that specifically prohibited him from possessing guns, but the order expired in 2008. Dekraai had been diagnosed with Post Traumatic Stress Disorder, and during a custody suit his ex-wife had filed court papers claiming that he was mentally unstable and had threatened to kill himself or someone else at least once.

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**Laurel, IN, 9/26/11:** The shooter killed a man, the man’s estranged wife, their two children, and a neighbor. The male victim reportedly had sold the addictive pain-reliever Oxycontin to the shooter, and on the day of the murders they had argued over the price.

- **SHOOTER NAME:** David E. Ison, 46





- **GUN DETAILS:** A .380 caliber handgun was used in the slayings. Another stolen .380 handgun and an AK-47 were recovered during the investigation.
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** The shooter had a lengthy criminal record, including a conviction for armed robbery, which would have prohibited him from possessing a gun, and at the time of the murders was on probation for 10 counts of burglary.

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**Monongalia County, WV, 9/6/2011:** The shooter killed five people and injured one before fleeing from the police and then killing himself.

- **SHOOTER NAME:** Shayne Riggleman, 22
- **GUN DETAILS:** A .30-.30 rifle was used. A second rifle and a .22 caliber pistol were also recovered.
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** In 2008, Riggleman was sentenced to 14 months in prison for armed robbery, an offense that would prohibit him from possessing firearms, though it is possible his rights were restored under West Virginia law. He had also been diagnosed with bipolar disorder and schizophrenia at Chestnut Ridge Hospital and his family had him committed on several occasions.

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**Carson City, NV (IHOP Shooting), 9/6/2011:** The shooter killed four people at an IHOP restaurant, including three National Guard members, before killing himself.

- **SHOOTER NAME:** Eduardo Sencion, 32
- **GUN DETAILS:** A Norinco Mak 90 assault rifle that had been illegally modified into a fully automatic machine gun. A Romarm/Cugir AK-47 type assault rifle and a Glock 26 semiautomatic handgun were also recovered.
- **AMMO DETAILS:** Police recovered 450 rounds of AK-47 ammunition from Sencion's van and "box upon box" of additional ammunition at his home.
- **GUN ACQUIRED:** Five years earlier, the gun had been sold by a private party in California to an unknown buyer.
- **PROHIBITING CRITERIA:** Sencion was taken into protective custody during a mental health commitment in April 2000 but no court order was involved and it remains unclear if a record of the incident was reported to the NICS database.
- **NOT A GUN-FREE ZONE:** IHOP allows individual franchises to determine their own firearm policies, and this franchise allows concealed carrying of firearms on the premises.

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**Marion County, FL, 8/5/11:** The shooter killed the mother of his child in her mother's home, his own 6-year-old sister, and two other acquaintances before setting the building on fire. Court records indicated he had smoked synthetic marijuana laced with cocaine prior to the murders. The gun was not immediately recovered.



- **SHOOTER NAME:** James Edward Bannister, 31
  - **GUN DETAILS:** Believed to be a .38 caliber revolver
  - **AMMO DETAILS:** Unknown
  - **GUN ACQUIRED:** Unknown
  - **PROHIBITING CRITERIA:** There is no evidence that he had a prohibiting criminal record.
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**Wheatland, WY, 7/30/11:** The shooter killed his three sons and his brother and shot and injured his wife before surrendering to police. His wife later reported he had become upset because he wanted to keep the curtains of their home drawn to prevent the neighbors from looking inside.

- **SHOOTER NAME:** Everett E. Conant III
  - **GUN DETAILS:** Two semiautomatic handguns were used in the shooting. A shotgun and a rifle were also recovered.
  - **AMMO DETAILS:** Police testified that about 50 rounds were fired during the incident.
  - **GUN ACQUIRED:** Unknown
  - **PROHIBITING CRITERIA:** The police reported that the shooter did not have a criminal record. There is no evidence to indicate he was prohibited from possessing a gun.
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**Wagener, SC, 7/3/2011:** The shooter apparently went on a murder-suicide rampage, killing his wife, her twin sister, his mother-in-law, and his ex-girlfriend in two different residences before he was confronted by law enforcement and shot himself.

- **SHOOTER NAME:** Kenneth Myers, 47
  - **GUN DETAILS:** A 20-gauge shotgun was used in the massacre. Myers owned numerous weapons including an SKS, AK-47, two 9 mm handguns, a .22 caliber revolver, and a .38 caliber snub-nose pistol.
  - **AMMO DETAILS:** Unknown
  - **GUN ACQUIRED:** Unknown
  - **PROHIBITING CRITERIA:** There is no evidence that the shooter was prohibited from owning a gun. However, he reportedly had a history of violence, having threatened his mother-in-law with a rifle. In a suicide note, he blamed his wife's family for contributing to her drug problem.
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**Grand Prairie, TX, 6/23/11:** The shooter killed his wife and four of her family members at his daughter's birthday party before killing himself.

- **SHOOTER NAME:** Tan Do, 35
- **GUN DETAILS:** Reported to be a handgun
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** Tan Do had a history of domestic violence. His wife had obtained a protective order against him but had withdrawn it earlier that year against the advice of a prosecutor.



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**Medford, NY, 6/9/11:** The shooter killed four people at a pharmacy, Haven Drugs, and stole thousands of hydrocodone pills before fleeing in a vehicle. During the trial he acknowledged that he and his wife were addicted to prescription medication.

- **SHOOTER NAME:** David Laffer
- **GUN DETAILS:** A .45 caliber handgun was used in the shooting. Several other legally registered guns were also recovered from the shooter's home.
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** The gun was legally registered to the shooter, and there is no evidence he was prohibited from possessing a gun. But five months before the shooting, Suffolk County Detective Kenneth Ripp investigated an identity theft claim made by the shooter's mother, who said the shooter had stolen her debit card. After questioning the shooter and his mother, Ripp advised the Suffolk County Pistol License Bureau that the shooter was dangerous and that his guns should be confiscated. Despite Ripp's report, the guns were not removed.
- **GUN-FREE ZONE:** We could find no evidence that Haven Drugs posted a sign or had a policy prohibiting the carrying of firearms. Current employees declined to comment.

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**Yuma, AZ, 6/2/11:** In a series of separate shootings over a five-hour period, a gunman shot and killed his ex-wife, three of her friends, and her attorney, before killing himself.

- **SHOOTER NAME:** Carey H. Dyess, 73
- **GUN DETAILS:** Handgun
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** Dyess's ex-wife alleged there had been domestic abuse and a judge had issued an order of protection against him in 2006, but there is no evidence that he was prohibited from possessing firearms at the time of the shooting.

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**Ammon, ID, 5/11/11:** The shooter killed his two infant children, their mother, and her sister before setting fire to the house and shooting himself. He had separated from the victim several months before the incident, and in the week before the shooting he had sent her harassing text messages.

- **SHOOTER NAME:** Gaylin Leirmoe
- **GUN DETAILS:** .45 caliber handgun
- **AMMO DETAILS:** Eight shots were fired during the shooting.
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** In October 2009, the shooter was charged with misdemeanor battery for domestic violence with no traumatic injury after hitting his girlfriend — the woman he would ultimately kill — at her birthday celebration. The charges were later dismissed. There is no evidence that he was prohibited from possessing a gun.



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**Oak Harbor, Ohio, 4/16/11:** The shooter killed his wife and three children, age 1 to 4, before killing himself.

- **SHOOTER NAME:** Alan Atwater
- **GUN DETAILS:** .22 caliber rifle, shotgun
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** The shooter and his wife separately reported to friends that in the past he had held her against a wall and choked her. But there is no evidence he was prohibited from possessing a gun.

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**Willowbrook, CA, 2/11/11:** Two brothers, their uncle, and their cousin were shot and killed by an unknown assailant on the patio of their home.

- **SHOOTER NAME:** Unknown
- **GUN DETAILS:** Unknown
- **AMMO DETAILS:** Witnesses reported that the shooting was loud and continuous. Police believe a semiautomatic weapon was used.
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** The assailant is unknown.

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**Minot, ND 1/28/11:** The shooter, a Somali national, killed the mother of his child at her home — and then her brother, her mother, and her mother's boyfriend at a nearby home. The murder weapon was never recovered.

- **SHOOTER NAME:** Omar Mohamed Kalmio, 28
- **GUN DETAILS:** Believed to be a handgun.
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** In 2006, Kalmio was convicted of second-degree assault with a dangerous weapon and sentenced to a year in prison, which offense prohibited him from legally possessing a firearm.

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**Tucson, AZ, 1/8/11:** The shooter attacked a constituent event hosted by Congresswoman Gabrielle Giffords, killing six and wounding fourteen, including Giffords, before he was subdued.

- **SHOOTER NAME:** Jared Loughner, 22
- **GUN DETAILS:** 9mm Glock 19 semiautomatic handgun
- **AMMO DETAILS:** 33-round magazine
- **GUN ACQUIRED:** Loughner passed a background check and purchased the Glock handgun at Sportsman's Warehouse in Tucson two months before the attack. Loughner also purchased a Harrington & Richardson shotgun in 2009; this gun was not used in the attack.



- **PROHIBITING CRITERIA:** Loughner had a history of mental illness and drug use. He was rejected from Army enlistment in 2008 after failing a drug test and admitting to drug use on his U.S. Army medical history application form, which should have prohibited Loughner from buying a gun for at least one year. However, Loughner successfully purchased a Harrington & Richardson shotgun in 2009, within a year of his Army rejection. Loughner's purchase of the Glock 19 handgun in 2010 violated the plain intent of federal law, which prohibits someone considered an/to be "unlawful user of or addicted to any controlled substance" from purchasing a gun, but the purchase was still allowed under current enforcement practices. Loughner was also suspended from Pima Community College in 2010 for erratic behavior, and exhibited other signs of mental instability in posts to websites.
- **NOT A GUN-FREE ZONE:** It was lawful to carry a firearm in the area of the shooting. An armed bystander, Joe Zamudio, mistook someone else as the shooter and prepared to fire on him before he was stopped by other bystanders.

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**Boston, MA, 09/28/10:** The shooter killed four and wounded one during a drug-related robbery.

- **SHOOTER NAME:** Edward Washington, 33, and Dwayne Moore, 35, were both charged in the killings. Washington was acquitted. In Moore's first trial, the jury deadlocked 11-1 in favor of his guilt, but he was later convicted in a retrial.
- **GUN DETAILS:** .40 caliber Iberia handgun and 9mm Cobray semiautomatic. The Cobray has not been recovered, but the weapon was identified based on recovered bullets and shell casings.
- **AMMO DETAILS:** 14 rounds fired
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** There is no evidence the shooters were prohibited from possessing guns.
- **NOT A GUN-FREE ZONE:** Any person holding the appropriate license could lawfully carry a firearm in this area. As of 2012 there were an estimated 250,000 concealed weapons permit holders in Massachusetts, and neither state or local law prohibits them from carrying in the city of Boston.

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**Riviera Beach, FL 9/27/10:** The shooter killed his estranged wife and four of his stepchildren in their home, injured one other, and then shot and killed himself.

- **SHOOTER NAME:** Patrick Dell, 41
- **GUN DETAILS:** Handgun
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** In May 2010, the shooter's wife obtained a restraining order, which was active at the time of the shooting and would have prohibited him from owning a gun. In December 2009, Dell has also been arrested on felony aggravated assault, and had been convicted of misdemeanor improper exhibition of a dangerous firearm. Police had responded to 34 calls from the household in the four years preceding the shooting. In April 2008, the shooter's wife had taken out another restraining order against Dell for abusive behavior.

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**Jackson, KY, 9/10/10:** The shooter, reportedly enraged at how his wife prepared his eggs, fatally

shot her, his stepdaughter, and three neighbors. He killed himself when the police arrived.

- **SHOOTER NAME:** Stanley Neace, 47
- **GUN DETAILS:** Shotgun
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** There is no evidence the shooter was prohibited from possessing a gun.

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**Chicago, IL, 9/2/10:** The shooter murdered four individuals execution-style in a garage on South Kildare Avenue. Officials believe he was part of a drug-trafficking crew that had been involved in at least 10 other killings.

- **SHOOTER NAME:** Raul Segura-Rodriguez, 36
- **GUN DETAILS:** Unknown
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** While the shooter was reportedly an experienced criminal, there is no evidence of convictions that would have prohibited him from possessing a gun.

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**Lake Havasu City, AZ, 8/29/10:** The shooter killed his ex-girlfriend, her boyfriend, and three others while they were celebrating her boyfriend's birthday and took his own life later that night.

- **SHOOTER NAME:** Brian Diez, 26
- **GUN DETAILS:** Unknown
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** The gunman's girlfriend had taken out a restraining order against him earlier that year, which would likely prohibit him from purchasing or possessing a gun.

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**Buffalo, NY, 8/14/10:** The shooter opened fire on a group of people outside a bar, killing four and wounding four others.

- **SHOOTER NAME:** Riccardo McCray, 24
- **GUN DETAILS:** Unknown
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** McCray had been arrested earlier that year on felony drug charges and the previous year for having a loaded rifle in his car. If he was found guilty of either crime, he would have been prohibited from possessing firearms.
- **NOT A GUN-FREE ZONE:** We could find no indication that it was unlawful to carry a firearm in the area.



There are an estimated 100,000 concealed weapon permit holders in New York and other than limiting a person's ability to carry when he is under the influence of drugs or alcohol, Buffalo does not add any additional requirements to state law.

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**Lanham, MD, 8/6/10:** The shooter killed two children, their mother, and their paternal aunt in the home where they resided. Police said the shooter was involved in drug trafficking and the victims owed him money.

- **SHOOTER NAME:** Darrell Lynn Bellard
- **GUN DETAILS:** Unknown
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** There is no evidence that he was prohibited from possessing a gun.

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**Manchester, CT, 8/3/10:** The shooter killed eight coworkers at a beer distributor and wounded two others before killing himself.

- **SHOOTER NAME:** Omar Thornton, 34
- **GUN DETAILS:** Two Ruger SR9 9mm handguns
- **AMMO DETAILS:** The shooter allegedly carried two extra magazines and two extra boxes of ammunition with him to the attack.
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** There is no indication that he was prohibited from possessing firearms and the guns he used were registered to him.

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**Hialeah, FL, 6/6/10:** The shooter killed four women, including his wife — who had just separated from him. He injured three others before shooting and killing himself. The shooting occurred in Yoyito-Cafe Restaurant, where the shooter's wife was employed as a waitress, and in the parking lot immediately outside.

- **SHOOTER NAME:** Gerardo Regalado, 38
- **GUN DETAILS:** .45 caliber handgun
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** The shooter had a concealed weapons permit.
- **PROHIBITING CRITERIA:** There is no evidence that the shooter was prohibited from owning a gun. However, relatives said the shooter had abused and terrorized women in the past, and had been imprisoned in Cuba for a particularly violent incident, but he did not have a criminal record in the United States.
- **NOT A GUN-FREE ZONE:** We could find no indication that guns were prohibited in this area. Guns are prohibited in Florida restaurants only in areas primarily devoted to the serving of alcohol.



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**Chicago, IL, 4/14/10:** The shooter who had converted to Islam in prison killed his family for not going along with his conversion, fatally shooting his mother, pregnant wife, infant son, and two nieces, and injuring one other.

- **SHOOTER NAME:** James A. Larry, 33
- **GUN DETAILS:** Shotgun
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** Larry was almost certainly prohibited from purchasing a gun, having recently served a prison term for a weapons charge. He had also recently pled no contest to misdemeanor battery against his wife.

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**Los Angeles, CA, 4/3/10:** The shooter killed four and injured two at a San Fernando Valley restaurant after a dispute with other patrons. He was indicted in a separate investigation for engaging in the business of dealing firearms without a license and possession of a firearm with an obliterated serial number, having sold firearms to an informant working for federal agents the previous year.

- **SHOOTER NAME:** Nerses Arthur Galstyan, 28
- **GUN DETAILS:** Unspecified handgun
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** There is no evidence the shooter was prohibited from possessing a gun.

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**Washington, DC, 03/30/10:** Three gunmen killed four and wounded five in retaliation for another murder.

- **SHOOTER NAME:** Nathaniel D. Simms, 26; Orlando Carter, 20, and unnamed 14-year-old juvenile.
- **GUN DETAILS:** An AK-47 assault rifle and 9mm and .45-caliber handguns
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** The adults were reported to have lengthy criminal histories, which prohibited them from purchasing guns, and the 14-year-old was too young to purchase or own a gun.
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**New Orleans, LA, 3/26/10:** The shooter killed his ex-girlfriend, her sister, and two children.

- **SHOOTER NAME:** Damian Jordan, 22
- **GUN DETAILS:** Handgun
- **AMMO DETAILS:** Unknown





- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** Jordan was likely prohibited from possessing a gun due to a lengthy history of domestic abuse, though he had repeatedly pled down the crimes to simple battery.

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**Appomattox, VA, 1/19/10:** The shooter killed eight family-members and acquaintances and fired at responding police officers – even forcing a helicopter to make an emergency landing – before surrendering. He wore a bulletproof vest during the attack.

- **SHOOTER NAME:** Christopher Speight, 39
- **GUN DETAILS:** High-powered rifle
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** The shooter was a concealed carry permit holder and was not prohibited from possessing a gun.

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**Bellville, TX, 1/16/10:** The shooter, angered after a household argument, fatally shot his mother, stepfather, sister, brother and niece.

- **SHOOTER NAME:** Maron Thomas, 20
- **GUN DETAILS:** Handgun and shotgun
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** There is no evidence the shooter was prohibited from possessing a gun.

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**Madison, WI, 12/3/2009:** The shooter killed two women with whom he was involved in paternity cases, along with their daughters, before shooting himself in his car.

- **SHOOTER NAME:** Tyrone Adair, 38
- **GUN DETAILS:** Two handguns were found inside the vehicle where Adair died, one of which matched the caliber of the ammunition used in the murders.
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Police report that Adair bought a 9mm gun that was advertised on Craigslist. This gun was likely transferred in a private sale.
- **PROHIBITING CRITERIA:** The shooter was prohibiting from possessing firearms due to an active restraining order involving a third woman. He had also been arrested in March 2009 after a domestic incident, but charges were not filed in that case.

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**Lakewood, WA, 11/29/09:** The shooter killed four police officers in a Tacoma Coffee shop, eluding police for two days before being killed as he fled.



- **SHOOTER NAME:** Maurice Clemmons, 37
- **GUN DETAILS:** When he was killed, he was in possession of the handgun of one of the officers he had killed.
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** The shooter was prohibited from purchasing a firearm, having been charged with at least 13 felonies across two states. He had posted bail for raping a child just six days before the attack.
- **NOT A GUN-FREE ZONE:** The police officers were armed at the time of the shooting.

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**Osage, KS, 11/28/09:** The shooter killed his estranged wife, her grandmother, and his two daughters in their home.

- **SHOOTER NAME:** James Kahler, 46
- **GUN DETAILS:** Assault rifle
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** Kahler was charged with a misdemeanor domestic violence assault in March 2009. If convicted, he would have been prohibited from purchasing a firearm.

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**Jupiter, FL, 11/26/09:** The shooter killed his two twin sisters, his aunt, and his cousin's daughter, and injured two other family members, during a Thanksgiving celebration. He eluded capture for over a month before authorities apprehended him.

- **SHOOTER NAME:** Paul Merhige, 40
- **GUN DETAILS:** He used at least two handguns during the shooting.
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Purchased at least six guns (including a .22 caliber handgun and a .40 caliber semi-automatic handgun), a high-powered rifle with a scope, and ammunition from two gun stores in South Florida.
- **PROHIBITING CRITERIA:** The shooter was involuntarily committed to mental health facilities at least three times in the decade before the killing, which prohibited him under federal law from possessing guns. But his records were not submitted to the NICS database. His parents reportedly knew he had ceased taking prescribed psychotropic medication in the weeks leading up the shooting. In addition, his sister Carla Merhige had requested a restraining order against him in 2006, but later withdrew the request. The shooter was able to obtain a concealed weapons permit.

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**Pearcy, AR, 11/12/09:** Three shooters killed five people in their mobile homes and stole wheel rims, televisions, a handgun, and a vehicle. One of the shooters injured a police officer while he was being apprehended several days later.

- **SHOOTER NAME:** Samuel Conway, Marvin Lamar Stringer, and Jeremy Pickney
- **GUN DETAILS:** .22 and .25 caliber handguns



- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** There is no evidence that the shooters were prohibited from possessing guns.

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**Oklahoma City, OK, 11/9/2009:** The shooter or shooters killed four people in a house before setting the building on fire. Two of the victims were pregnant. The crime was premeditated by two conspirators, and related to drugs they sold for one of the victims. It is unclear whether just one or both of the conspirators were present for the shooting, but both were charged with six counts of murder. Tyner surrendered to authorities a week after the killings. Phillips was arrested in Tulsa in April 2010 after allegedly attempting to sell two guns stolen from a police sergeant's home.

- **SHOOTERS:** David Allen Tyner (pled guilty), 31 and Denny Edward Phillips (pled not guilty), 34
- **GUN DETAILS:** Handgun
- **AMMO DETAILS:** Two types of bullet cases were recovered at the crime scene.
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** Phillips was prohibited due to a lengthy criminal history including multiple felony convictions. Phillips was convicted in 1996 for assault with a deadly weapon, and other crimes including a jail escape. He was also convicted in 2010 for possession of a firearm by a felon. He was also convicted of aggravated assault and battery. There is no indication that Tyner was prohibited, though he was reportedly a member of a prison gang.

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**Fort Hood, TX, 11/5/09:** The shooter killed thirteen and wounded thirty soldiers during an attack at the Fort Hood army base.

- **SHOOTER NAME:** Nidal Malik Hasan, 39
- **GUN DETAILS:** A FN Five-seven handgun was used in the attack. A Smith and Wesson .357 revolver also recovered.
- **AMMO DETAILS:** Hasan fired at least 220 rounds of ammunition and had 200 rounds in his pocket when he was detained.
- **GUN ACQUIRED:** Purchased legally at a local gun shop, Guns Galore.
- **PROHIBITING CRITERIA:** The shooter had links with terrorist organizations, but being placed on a terror watch list does not prohibit purchase or possession of firearms under current law.

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**Mount Airy, NC, 11/01/09:** The shooter killed four people outside a television store before eventually surrendering to the police.

- **SHOOTER NAME:** Marcos Chavez Gonzalez, 29
- **GUN DETAILS:** Assault rifle.
- **AMMO DETAILS:** Unknown



- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** The shooter was a prohibited purchaser, having been convicted of kidnapping a minor in 2002.
- **NOT A GUN-FREE ZONE:** It was lawful to carry a firearm in the area of the shooting.

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**Lawrenceville, GA, 08/27/09:** The shooter killed his girlfriend, his daughter, and two others in a domestic dispute.

- **SHOOTER NAME:** Richard Ringold, 44
- **GUN DETAILS:** Unknown
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** There is no evidence the shooter was prohibited from possessing a gun.

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**Kansas City, KS, 6/22/09:** The shooter killed a woman with whom he had been romantically linked and three others at the house where she was staying. He had argued with the woman and followed her to the house.

- **SHOOTER NAME:** Adrian Burks
- **GUN DETAILS:** Unknown
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** The shooter was prohibited from possessing firearms. He had served 10 years in Kansas prisons for robbery, aggravated assault, and burglary. He also fatally shot a man in March 2009, but he was not charged in the incident, which his cousin later described as “self defense.” In April 2009, he was charged with battery and a criminal threat against the sister of the man he killed and was ordered not to possess firearms.

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**Middletown, MD, 04/19/09:** The shooter killed his wife and three children in their home before committing suicide.

- **SHOOTER NAME:** Christopher Alan Wood, 34
- **GUN DETAILS:** .25-caliber handgun
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** There is no evidence the shooter was prohibited from possessing a gun.
- **GREEN HILL, AL, 4/7/2009:** The shooter killed his estranged wife, their teenage daughter, and two other relatives one day before his divorce proceedings were scheduled to take place. He then lit the house on fire and shot himself.
- **SHOOTER NAME:** Kevin Garner, 45



- **GUN DETAILS:** handgun
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** There is no evidence the shooter was prohibited from owning a gun. In divorce documents, however, his wife cited physical and emotional abuse.

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**Graham, WA, 4/4/2009:** After a dispute with his wife in which she told him she was ending their relationship, the shooter returned home and killed his five children. Police believe he then made an unsuccessful attempt to find his wife again and then killed himself in his car.

- **SHOOTER NAME:** James Harrison
- **GUN DETAILS:** Unspecified rifle
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** There is no evidence Harrison was prohibited from possessing a gun. Since 2001 the state had received five complaints about the shooter, including one for abuse in 2007 that stemmed from a slapping incident with one of his children. None of the complaints resulted in a domestic violence conviction. After the shooting, his wife said that she and her children had sustained years of abuse.

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**Binghamton, NY, 4/3/09:** The shooter killed fourteen and wounded four at the American Civic Association where he had been taking English classes before killing himself. He wore a bullet-proof vest during the attack.

- **SHOOTER NAME:** Jiverly A. Wong, 42
- **GUN DETAILS:** 9mm and .45 caliber Beretta handguns.
- **AMMO DETAILS:** Allegedly fired 98 rounds during the attack. At least one magazine with a 30-round capacity was recovered at the scene.
- **GUN ACQUIRED:** The guns were registered to his New York State pistol license.
- **PROHIBITING CRITERIA:** Wong was not prohibited from possessing a gun, and had a New York State concealed carry permit. People who knew Wong said he exhibited no outward signs of mental instability, although a letter he wrote that was delivered to a newspaper after the shooting indicated he was paranoid and suffering from mental illness.

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**Carthage, NC, 3/29/09:** The shooter opened fire at a nursing home where his estranged wife worked, killing eight and injuring three before he was shot and arrested by a police officer.

- **SHOOTER NAME:** Robert Stewart, 45
- **GUN DETAILS:** .357 Magnum handgun and Winchester 1300 shotgun
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** The guns were acquired legally from a local sporting good store.

- **PROHIBITING CRITERIA:** There is no indication the Stewart was prohibited from possessing a gun.
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**Santa Clara, CA, 3/29/09:** The gunman killed five family members and wounded two in an apparent murder-suicide.

- **SHOOTER NAME:** Devan Kalathat, 45
  - **GUN DETAILS:** Two .45 caliber pistols
  - **AMMO DETAILS:** Unknown
  - **GUN ACQUIRED:** Purchased legally weeks before the incident.
  - **PROHIBITING CRITERIA:** There is no indication that Kalathat was prohibited from possessing a gun.
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**East Oakland, CA, 3/21/09:** The shooter used a semiautomatic handgun to kill two police officers after they stopped his car and then fled on foot to an apartment where he killed two SWAT officers with an assault weapon and injured a third before being killed by police.

- **SHOOTER NAME:** Lovelle Mixon
  - **GUN DETAILS:** 9mm semiautomatic handgun and SKS assault-style rifle
  - **AMMO DETAILS:** Police said the assault weapon had a high-capacity magazine.
  - **GUN ACQUIRED:** The shooter took part in a home invasion robbery in Modesto, CA, on February 21 2009 in which a rifle was reported stolen. Police did not comment on whether the stolen rifle was the one used in the shooting.
  - **PROHIBITING CRITERIA:** The shooter had a lengthy criminal history, including a conviction for armed battery, which would have prohibited him from possessing a gun, and he was on parole for assault with a deadly weapon at the time of the shootings.
  - **GUN-FREE ZONE:** Two of the victims were shot on a public roadway — the 7400 block of Macarthur Boulevard in East Oakland — where no state law would have prohibited a citizen with the appropriate permit to carry a gun. All of the police officers killed in the incident were armed.
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**Raytown, MO, 3/16/09:** The gunman shot and stabbed his former girlfriend, her boyfriend, and her two nephews, killing all four.

- **SHOOTER NAME:** Gevante Anderson, 26
  - **GUN DETAILS:** Unknown
  - **AMMO DETAILS:** Unknown
  - **GUN ACQUIRED:** Unknown
  - **PROHIBITING CRITERIA:** There is no evidence the shooter was prohibited from possessing a gun.
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**Miami, FL, 3/15/09:** At a birthday party, the shooter killed his estranged wife, her daughter, her daughter's boyfriend, and the boyfriend's grandmother. He then returned to his house where he set the building on fire and shot and killed himself.



- **SHOOTER NAME:** Guillermo Lopez, 48
- **GUN DETAILS:** Semi-automatic handgun
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** There is no evidence the shooter was prohibited from possessing a gun.

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**Catawba, NC, 3/12/09:** The gunman shot and stabbed a woman and her three children in their home. He later killed himself and his girlfriend after a police chase in Utah.

- **SHOOTER NAME:** Chiew Chan Saevang, 38
- **GUN DETAILS:** Unknown
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** There is no evidence the shooter was prohibited from possessing a gun.

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**Geneva County, AL, 3/10/09:** The shooter killed ten, including four members of his family, before killing himself.

- **SHOOTER NAME:** Michael Kenneth McLendon, 28
- **GUN DETAILS:** Bushmaster AR-15, SKS rifle, shotgun, and .38 pistol
- **AMMO DETAILS:** Police recovered additional ammunition from his vehicle after the shooting.
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** The shooter had no criminal record and there is no indication he was prohibited from possessing a gun.
- **NOT A GUN-FREE ZONE:** It was lawful to carry a firearm in the public intersection and gas station where two of the individuals were shot.

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**Cleveland, OH, 3/05/09:** The shooter killed his new wife and four of her relatives before committing suicide.

- **SHOOTER NAME:** Davon Crawford, 33
- **GUN DETAILS:** At least one semiautomatic handgun.
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** Crawford was likely prohibited from possessing a gun. He was convicted of manslaughter in 1995 and pled guilty to felonious assault with a firearm in 2005, though Ohio enables felons to restore their gun rights so it is possible he was no longer prohibited.

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**Brockport, NY, 02/14/2009:** The shooter killed a nurse in the Lakeside Memorial Hospital

parking lot and a motorist who intervened, and wounded the motorist's girlfriend. The shooter had been fired from the hospital after the nurse filed a sexual harassment complaint against him. He then drove 50 miles and killed another nurse — who had filed a similar complaint against the shooter — and her husband in their home.

- **SHOOTER NAME:** Frank Garcia, 34
- **GUN DETAILS:** .40 caliber Glock handgun
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** There is no evidence that the shooter was prohibited from owning a gun. However, he had applied for concealed carry permits and been denied three times. In his 1995 application, he omitted information about his criminal record — including arrests for criminal possession of a weapon, assault, and harassment. In 2001 and 2006 he made further omissions, and was evaluated as lacking moral character. But in 2007 a judge reversed the denial and granted Garcia a concealed weapon permit.
- **GUN FREE ZONE:** We found no indication that permit holders were prohibited from carrying guns in this area at the time of the incident.

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**Wilmington, CA, 1/27/09:** The shooter killed his wife and their five children before killing himself.

- **SHOOTER NAME:** Ervin Lupoe, 40
- **GUN DETAILS:** Unknown
- **AMMO DETAILS:** Unknown
- **GUN ACQUIRED:** Unknown
- **PROHIBITING CRITERIA:** The shooter did not have a criminal record and there is no indication he was prohibited from possessing a gun.