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MISSOURI COMMITTEE for FIREARMS SAFETY

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POLICE OPINIONS ON FIREARMS REGULATIONS
AND THE GUN CONTROL ACT

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A survey conducted by
the Law Enforcement Section

ACQUISITIONS

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INTRODUCTION

Federal legislation proposed to the 1980 Congress advocated opposite points of view. The Volkmer-McClure bills would dilute the powers of the U.S. Bureau of Alcohol, Tobacco and Firearms in the control of firearms sales and regulation. The Kennedy-Rodino bills would strengthen the powers of the department and broaden regulations providing more control of firearms sales and possession, particularly on the concealable handgun. Police administrators in Missouri were requested to respond to 26 questions on specific issues as embodied in the bills.

The police were asked to indicate how they felt about eleven of the proposals advocated by the Volkmer-McClure bills as supported by the Gun Owners of America and the National Rifle Association's Institute for Legislative Action. Fifteen questions related to the proposals of the Kennedy-Rodino bills tightening regulations as supported by the National Coalition to Ban Handguns, the Handgun Control, Inc., and the National Alliance of Handgun Control Organizations. The questions did not indicate their relationship to either of the bills. However the questions were grouped in two blocks: those pertaining to the Volkmer-McClure bill in Congress and those pertaining to the Kennedy-Rodino bill. Eighty-nine police department responses were received out of 400 solicited. The respondents represented departments serving a population of 1,979,830 or over 40 percent of the State.

Considering the total number of "yes" responses as to whether the police would support a specific policy regarding the regulation on firearms, 77 percent of the issues advocated by the Kennedy-Rodino bills were favorably supported by the police. Only 48 percent of the proposals by the Volkmer-McClure bills received police support. These percentages were calculated by totaling the number of "yes" responses to the bill related questions and dividing it by the total number of possible "yes" responses to those questions. The results seemed to indicate that many police were unaware that the questions dealt with actual issues in two opposing bills. It is therefore necessary to take each question and observe the responses to it. On the whole, however, it appeared that the police supported more control and regulations on firearms rather than any effort to deregulation.

POLICE OPINIONS ON SPECIFIC ISSUES OF FIREARMS REGULATIONS

Legislation designed to weaken regulation: Only five of the proposals

weakening the Gun Control Act of 1968 had a majority of the police supporting them. There was support for a 90 day comment period on any new rules to allow for Congressional review, a legislative veto provision on any rules and regulation pertaining to firearms, prevention of unwarranted confiscation of firearms which are not specifically proven to be related to any suspected illegal activity, expand interstate firearms sales to all states (not just contiguous), and remove interference with interstate commerce prohibiting transporting a firearms through states when the individual is in accordance with Federal regulation and regulations of the state from which he is traveling and the state to which he is going.

Ninety -one percent of the police departments objected to liberalizing the definition of "dealer" to permit those who sell firearms out of their home to do so with no license. The majority responded negatively to the proposals which would have insured that no type of firearms registration rules may be issued by the federal departments; permit a person whose firearms were seized, and who was never charged with anything or was cleared of charges, to sue for the return of the firearms and to have the government pay the person's legal charges if he wins; remove the recordkeeping and licensing requirement for retail ammunition sales;

and delete from the category of persons prohibited from possession of firearms those "under indictment".

Legislation designed to strengthen regulation: Over 90 percent of the police wanted strict regulation on five issues. These would require a purchaser of a handgun to appear before a licensed dealer and provide appropriate data which the dealer must verify with law enforcement authorities, make the manufacturer to maintain records by serial number and to receive periodic reports from all dealers and to insure the accuracy of such reports by making audits. Eighty-two percent supported the banning of commerce in Saturday night specials through banning the manufacture, importation, assembly, sale, transfer, and distribution of parts for these firearms. Seventy-five percent supported raising permit and license fees to no less than what it costs to process, issue and monitor proper licensing. Eighty-four percent would prohibit pawn dealers to deal in handguns.

The majority of the police supported all other issues proposed by the Kennedy-Rodino bills. These included support for establishing a broad-based and independent commission to examine the handgun marketplace and determine within one year whether the criteria should be revised regarding transportation, require the purchaser of a handgun to wait a maximum of 21 days before delivery, require individuals who transfer a handgun to do so only through

a licensed dealer, facilitate tracing a handgun through the manufacturer rather than a Federal bureau, prohibit handgun owners from loaning or renting their handguns to anyone, except for use in their presence or on their premises, transfer all aspects of firearms enforcement from the Treasury Department to the Department of Justice, and to provide for a victim compensation program consisting of Federal grants to support federally approved State programs. In no issue proposed for improved regulation did a majority of the police respond negatively.

Summary: The responses by the police seem to indicate that there can be no simplistic response which can deal properly with the question of handgun violence control. It is not whether the police want more or less handgun control or government regulation as asked by the politician. It is necessary to deal with a specific issue on how the regulation of handgun sales is to be conducted. Unfortunately the issue of handgun violence has been brought to a "gun vs anti-gun" confrontation by the pro-gun and the handgun control forces. The issues are complicated and must be dealt with individually. The issue is not anti-gun or pro-gun. The issue is handgun violence and handgun regulation. The police at least have their opinions on how to deal with the issue and they do not appear to be in favor of a weaker gun control law.



**The University of Missouri
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Mr. Eugene P. Schwartz, former executive director of the Metropolitan Youth Commission in St. Louis for seven years, is program coordinator for the Police Science Study Program of the University of Missouri at St. Louis Extension Division.

Mr. Schwartz, who received his B. A. degree in psychology at the University of California (Berkeley) and his master's degree in social work at the University of Wisconsin, has done post-graduate work in community organization at Columbia University.

Before serving with the St. Louis youth commission, Mr. Schwartz was director of the Tacoma-Pierce County (Washington) Mental Health Association and community services consultant with the Wisconsin State Division for Children and Youth working with urban and rural communities. Before that, Mr. Schwartz served four years with the Milwaukee County Child Welfare Division.

Mr. Schwartz has lectured in community organization and planning and was the registered agent for the St. Louis Metropolitan Police-Juvenile Officers Association. He also served on a Congressional research advisory committee and represented the National Conference of Public Youth Agencies at the U.N. Congress on Crime and Delinquency in Stockholm in 1965.

(Mr. Schwartz retired from the University of Missouri-St. Louis after ten years of service as program coordinator, lecturer and consultant in social service and administration of justice.)

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