



FACT SHEET ON VIRGINIA'S ONE-HANDGUN-A-MONTH LAW

- Virginia's One-Handgun-a-Month law was enacted in 1993 with the support of Democratic Governor L. Douglas Wilder, former Delegate (and current Republican Governor) Bob McDonnell, a coalition of law enforcement groups, and local business interests. The legislation was passed by strong bipartisan majorities in both chambers of the General Assembly: 60-40 in the House and 35-4 in the Senate.
- The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) has stated, "The acquisition of handguns in multiple sales can be an important trafficking indicator."¹
- One-Handgun-a-Month laws are particularly effective in stopping illegal bulk purchases by straw purchasers. The ATF has described straw purchases as follows:

Straw purchases are one of the most frequent methods used to divert firearms out of lawful commerce, where they are a heavily regulated commodity, and onto the street, where they are available to anyone. Convicted felons [or other individuals prohibited under federal law from purchasing firearms] will simply use a friend, a family member or a girlfriend to buy a gun for them. The felon provides the money for the gun, selects the gun, and directs the purchase. The straw purchaser just fills out all of the required paperwork, posing as the buyer. Firearms traffickers...need straw purchasers to insulate themselves from discovery. The gun trafficker knows that these guns are going to the street and that police will recover some of them. If those firearms are traced, the trafficker does not want their name reflected as the purchaser of the gun. Frequently firearms traffickers will travel from a market area to a source area and recruit a network of straw purchasers who are residents of that state and who need a few extra dollars. Straw purchasers are not traffickers. They are pawns of the traffickers. They are frequently people desperate for money or drugs. Gun traffickers typically pay straw purchasers \$50 to \$100 per gun or provide them with a \$20 to \$50 rock of crack cocaine in exchange for their services.²

Virginia's One-Handgun-a-Month law prevents individual straw purchasers from buying an unlimited number of handguns during each visit to a federally licensed firearms dealer, thereby impeding the volume of handguns that traffickers can resell illegally on the secondary market.

- A 1996 article in the *Journal of the American Medical Association* examined Virginia's law and found "evidence that limiting the purchase of handguns to no more than one per month is an effective means of disrupting the illegal interstate transfer of firearms."³ The authors of the article noted:

Analysis of the [ATF] firearms trace database shows a strong, consistent pattern in which guns originally obtained in the Southeast are less likely to be recovered as part of a criminal

investigation and traced back to Virginia if they were purchased after the Virginia law went into effect. There was a 65% reduction in the likelihood that a gun traced back to the Southeast would be traced to Virginia for guns recovered in the Northeast Corridor; a 70% reduction for guns recovered in either New York or Massachusetts; and, a 35% reduction for guns recovered anywhere in the United States.⁴

- The Virginia State Crime Commission analyzed the effect of Virginia's One-Handgun-a-Month law in 1996 and found that it "had its intended effect of reducing Virginia's status as a source state for gun trafficking." According to the Commission:

The [ATF] has dropped Virginia from first to eighth on its list of East Coast source states for guns used in criminal activity ... A key concern for Virginia's law enforcement agencies is that illegal gun trade leaving Virginia can be a mechanism for bringing illegal drugs into the state, as weapons often are exchanged for drugs instead of money.⁵

- Since the law was enacted, Virginia residents have been able to apply for waivers if they wish to purchase more than one handgun per month. In 1996, a Virginia Department of State Police report confirmed that only 8% of applications for multiple handgun purchases had been denied since the enactment of the law.⁶ The Virginia State Crime Commission looked at this data and determined, "It can be concluded that law-abiding gun purchasers in Virginia are not unduly burdened by Virginia's one-gun-a-month law."⁷ Since that time—between January 1, 1996 and December 31, 2009—the Virginia State Police have received 3,788 applications for multiple handgun purchase waivers and denied only 365 (10%) of those applications.⁸

¹ Bureau of Alcohol, Tobacco and Firearms, The Youth Crime Gun Interdiction Initiative, "Crime Gun Trace Reports: 1999," November 2000.

² Special Agent Mark Kraft, Bureau of Alcohol, Tobacco, Firearms and Explosives, "Firearms Trafficking 101 or Where Do Crime Guns Come From?" *Firearms Interdiction: A Technical Assistance Newsletter from the International Association of Chiefs of Police*, Vol. 2, Issue 3, Fall 2006, p. 3.

³ Douglas S. Weil and Rebecca C. Knox, "Effects of Limiting Handgun Purchases on Interstate Transfer of Firearms," *Journal of the American Medical Association*, June 12, 1996, Vol. 275, No. 22, p. 1761.

⁴ Douglas S. Weil and Rebecca C. Knox, "Evaluating the Impact of Virginia's One-Gun-A-Month Law," The Center to Prevent Handgun Violence, August 2, 1995.

⁵ Report of the Virginia State Crime Commission, "Study of Virginia's Law on Handgun Purchase Limits," House Document No. 28, Richmond, Virginia, 1996, p. 7.

⁶ Superintendent M. Wayne Higgins, Virginia State Police, "Consent Forms Received by the Department of State Police for the Firearms Transaction Program: Update for the State Crime Commission," July 1995.

⁷ Report of the Virginia State Crime Commission, p. 7.

⁸ Freedom of Information Act request from Virginia Center for Public Safety to Department of State Police, February 19, 2010.