

SETTLEMENT WITH TEXAS GUN DEALER!

In 2015, The Brady Center [brought a lawsuit](#) against a Texas dealer, Pioneer Pawn, and its owners, Pamela and Robert Furr. We represented Sandra Mata, the wife of Rudy Mata, who was killed by his son-in-law using a Glock handgun that he had pawned then retrieved from Pioneer Pawn the day of the shooting. Rudy was an acclaimed local rockabilly star and beloved family man before he was murdered in 2012. This settlement represents a significant victory in Brady's program to reform gun dealers across the country and encourage them to implement more responsible, comprehensive policies to prevent potentially dangerous sales.

In our lawsuit, we alleged, among other things, that Pioneer Pawn negligently transferred a gun to Mata's son-in-law despite the fact that he told an employee that he intended to commit a murder. To resolve the case, Pioneer Pawn agreed to adopt certain store policies, including adopting written store policies setting forth when employees may or must deny a firearm sale or pawn redemption; requiring employees to affirmatively assess whether customers are under the influence of alcohol or drugs, or are mentally unstable; requiring employees to report remarks, actions, or other indicators that a customer may be prohibited from purchasing a firearm, even if a background check results in a "proceed"; requiring employees to promptly report certain information to management and law enforcement; requiring employees to review trace requests from the ATF; and implementing mandatory training once a year for all employees who handle firearms.

We are grateful to the pro bono legal support provided by the law firm of Paul, Weiss, Rifkind, Wharton & Garrison LLP and Albon Head, Jr. of Jackson Walker, LLP in Fort Worth, TX.

NEW CASE FILING: Luke v. A Pawn Shop

Brady filed a new case this February! We represent the family of Joshua Higbee, who was murdered during a workplace shooting spree two years ago in Kansas. The shooter who killed Higbee also murdered two others and injured fourteen more. Brady sued A Pawn Shop, located in Newton, Kansas, for allegedly transferring an AK-47 assault-style rifle and a semi-automatic handgun to a straw purchaser who gave the guns to the felon who ultimately used them in the shooting that killed Higbee. The complaint alleges that the store transferred these firearms, despite numerous indications that it was an illegal straw sale. A straw sale is an illegal sale where the purchaser completing the paperwork is not the actual buyer and intended user of the firearm, thereby undermining the background check process. Brady is co-counsel for the Plaintiff with the law firm of Shamberg, Johnson & Bergman in Overland Park, Kansas and Kansas City, MO.

UPDATE: Brady FOIA Lawsuits Against ATF

In the [last edition](#) of the Bad Apple Bulletin, we told you that Brady sued the Trump administration after our FOIA requests about the results of gun store inspections and a leaked memo about ways to weaken regulations of gun dealers went unanswered. In February, we [released a report](#) analyzing the documents we received that related to the secret ATF white paper. [The documents](#) confirmed that the white paper was heavily influenced - and partially written - by the gun lobby. Brady provided these documents to CNN, which exclusively [broke the story](#) nation-wide on February 14. We have started receiving documents from the ATF, the agency responsible for licensing and

conducting inspections of federal gun dealers, regarding our second FOIA request that asked for records of certain gun dealer inspections. Many of those records show a troubling pattern of gun dealers repeatedly violating federal gun laws and regulations yet being allowed to continue selling guns. We look forward to sharing more details about these documents in coming months.

Private Sector Takes Action To Improve Gun Sales Practices

In the past eight weeks, major gun retailers have announced voluntary reforms on the types of guns that they sell, and to whom. Notably, Dick's Sporting Goods and Walmart, two of the largest sellers of guns and ammunition in the United States, both announced that they would change store policy and refuse to sell a firearm to anyone under the age of 21 at their locations across the country. Kroger supermarkets and L.L. Bean followed suit just days later. Dick's also announced that it would immediately discontinue sales of military-style assault weapons and large capacity magazines, and pledged to never carry bump stock devices, as well. In a rare move for a corporation, Dick's went even farther and [called on politicians](#) to take action and implement common-sense gun reform in Congress. (Note that Walmart ended its sales of assault weapons in the aftermath of the Sandy Hook massacre. They also do not sell large capacity magazines, bump stocks, or similar accessories.)

But gun sellers aren't the only ones getting involved - major financial and investment firms are shaking up the way that companies have traditionally done business in the firearms industry, as well. Just this week, Bank of America announced that the bank would no longer lend money to manufacturers that make assault-style guns. In the weeks following the Parkland shooting, BlackRock, the world's largest global investment management company, [released a statement](#) that it would not only offer new investment options that did not own gun company stocks, but also promised to engage with gun manufacturers and sellers to discuss their business practices. BlackRock posed questions to manufacturers and sellers to determine if they were selling guns responsibly, preventing guns from being sold to criminals, and considering or investing in safety research and development. Citigroup, one of America's "big four" banks, said it plans to prohibit new gun retail clients from selling firearms to anyone who hasn't yet passed a background check, not sell to those under 21, and not sell large capacity magazines and bump stocks.

Crime Gun Tracing Bill Works Its Way Through California Legislature

Brady's 28 California chapters are the sponsors of an important gun violence prevention bill to help stop the flow of crime guns into CA cities. Existing state law requires police and sheriffs departments to report any recovered crime guns to the California Department of Justice (CADOJ). This bill would extend this requirement to all law enforcement agencies and require them to enter the data within seven days. This bill also requires the CADOJ to prepare and submit a report on compliance to the Legislature by July 1, 2020. The bill recently unanimously passed out of the State Assembly Public Safety committee, thanks to the work of our chapters.