

## VICTORY: SETTLEMENT IN ALLEN V. LOCK N LOAD

In 2014, Brady brought a lawsuit against a Florida gun dealer, Gerald Tanso, who ran a store called Lock N Load. Our clients were the families of two people killed by a mentally ill young man, the son of one of the victims. He shot and killed them while they slept, using a gun that, according to our lawsuit, he obtained in an obvious and illegal straw purchase. A straw purchase is a sale where the actual buyer of the firearm has another person fill out the paperwork and pass the background check in his or her place. In early August, we announced that we reached a great and groundbreaking settlement in this case.

This settlement represents a milestone in holding gun dealers accountable for negligent or irresponsible business practices. Today, Tanso no longer owns Lock N Load, and as part of the settlement he has agreed to never engage in the business of selling firearms again. Also as part of the settlement, Tanso issued a public statement recommending that gun dealers use specific business practices to ensure guns don't end up in dangerous hands. Straw purchases, like the one that happened in this case, could be greatly reduced if gun dealers followed these measures. The recommendations made by Tanso as part of the settlement incorporate numerous parts of Brady's Bad Apple Code of Conduct, like refusing to complete a gun sale until a background check has been completed; developing and implementing security protocols; conducting criminal background checks on potential employees; and notifying law enforcement of suspected illegal or dangerous purchases. We are grateful for pro bono legal support from the law firm of White & Case in this lawsuit.

## Crime Gun Trace Report Update from Oakland, California

Oakland, CA has long held a spot on the list of cities with the worst rates of gun violence. And bad apple gun dealers have a history of plaguing the city. In 2000, one single gun store—out of more than tens of thousands nationwide—was the source of almost half the crime guns recovered in Oakland. That's why Brady has been leading a coalition of gun violence prevention groups in Oakland as part of our bad apple campaign. Recently, we've been speaking with city officials, including the newly-appointed Police Chief, Anne E. Kirkpatrick, about the need to hold bad apple dealers accountable for their impact on their communities. The Chief responded with great enthusiasm and pledged her full support.

Oakland is way ahead of many cities in terms of crime gun tracing. It already traces all crime guns, and the next step is a trace report that identifies the dealers that are flooding the community with crime guns. Brady and the Oakland police have established a productive working relationship. We look forward to continuing our alliance against gun violence with Chief Kirkpatrick.

## Partial victory in Runnels v. KS&E Sports

Officer Dwayne Runnels, an Indianapolis cop, was shot by a criminal who shouldn't have had a gun. His shooter knew he would not be able to pass the background check to purchase a gun. In our complaint, we allege that the shooter and his straw purchaser went together to the gun store, where the shooter picked out his gun. The store let his companion fill out the paperwork and "buy" the gun later that day, without asking appropriate questions about who was the real intended recipient of the gun. A few months later, the criminal pulled out that same gun and used it to shoot Officer Runnels.

Brady's lawyers and Arnold & Porter Kaye Scholer represent Officer Runnels in a lawsuit against KS&E, the gun dealer. KS&E moved to dismiss the case, arguing that an Indiana law provided sweeping immunity for gun dealers and manufacturers whenever a gun they sell is used in crime, regardless of whether the gun company violated the law or was negligent in its practices. In a recent decision, the Supreme Court of Indiana held that the Indiana law did not provide the sweeping immunity urged by the gun industry. The Court agreed with Brady that Runnels can obtain injunctive relief, which could prohibit KS&E Sports from engaging in negligent business practices. However, the Court also ruled that Runnels cannot recover financially in this lawsuit.

**WE HAVE FEBRUARY 2018 TRIAL DATES FOR TWO MORE CASES AGAINST GUN DEALERS, IN NY AND IN TX!**

## **The Economic Impact of Gun Violence**

93 people are killed with guns every day in this country—that's about 34,000 every year. But the impact of bad apple gun dealers goes even further than that tragic human toll. An analysis by the Urban Institute of six cities (Baton Rouge, Minneapolis, Oakland, Rochester, San Francisco, and Washington, D.C.) over ten years showed that both surges in, and high levels of, neighborhood gun violence have a dramatic economic effect on local business and the job market, home values, and homeownership rates.

The most significant findings were in the realm of job creation and business ownership: for example, gun homicide surges in Minneapolis, Oakland, San Francisco and Washington, D.C. reduced the growth rate of new retail and service establishments by four percent. When individuals are faced with lack of job opportunities and wage growth, they are unable to invest in their communities, families, and selves. This, in turn, contributes to the cycle of violence in communities already disproportionately affected by guns.

These economic costs are fueled by bad apple gun dealers who operate irresponsibly and with callous disregard for the law. Most crime guns are sold by the small percentage of federally licensed dealers who supply the criminal gun market by selling guns to straw purchasers and gun traffickers. When these bad apples dealers knowingly contribute to—and even profit from—this crisis, we should demand that they (literally) pay for the damage they've caused.