OFFICERS GUNNED DOWN

A REPORT BY THE BRADY CENTER TO PREVENT GUN VIOLENCE
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Officers Gunned Down:
How Weak Gun Laws Put Police at Risk

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The Brady Center to Prevent Gun Violence is a national non-profit organization working to reduce the tragic toll of gun violence in America through education, research, and legal advocacy. Through its program Gun Industry Watch, the Brady Center’s Legal Action Project works to monitor and publicly expose gun industry practices that contribute to gun violence, with the goal of bringing about life-saving industry reform. The programs of the Brady Center complement the legislative and grassroots mobilization efforts of its sister organization, the Brady Campaign to Prevent Gun Violence and its network of Million Mom March Chapters.

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If you have questions about any part of this report, or would like a copy, please write to Gun Industry Watch, Brady Center to Prevent Gun Violence, 1225 Eye Street, N.W., Washington D.C. 20005. The report is also available at www.bradycenter.org/gunindustrywatch.
Table of Contents

Executive Summary ........................................................................................................... 1

I. Weak Gun Laws Fuel the Criminal Gun Market &
   Endanger Law Enforcement Officers ........................................................................ 3
   A. Assault Weapons & Assault Clips Endanger Law Enforcement ....................... 4
   B. No Background Check Sales and the Gun Show Loophole
      Endanger Officers .............................................................................................. 5
   C. Sales by Corrupt Gun Dealers Endanger Law Enforcement .......................... 6
      Sales to Gun Traffickers .................................................................................... 7
      Sales to Straw Purchasers .............................................................................. 8
      The Tiahrt Amendments Facilitate Gun Violence ............................................ 9
      The PLCAA Protects Irresponsible Gun Dealers ......................................... 9

II. Weak U.S. Guns Laws Facilitate Mexican Drug Cartel Violence &
    Violence Against Law Enforcement Officers ...................................................... 11
    A Path Forward ..................................................................................................... 14

Appendix – Fatal Officer Shootings, 2009–2011 ......................................................... 17
Executive Summary

Officer Jillian Smith was shot and killed while shielding an 11-year-old girl from gunfire. Sergeant Timothy Prunty was shot to death in an ambush as he stood next to his patrol car outside a convenience store. Officer Matthew Tokuoka and Sergeant Anthony Wallace were shot and killed in front of their families by a man both officers had previously arrested. Special Agent Jaime Zapata was forced off the road and shot to death in Mexico. Officer John Falcone was shot and killed on a downtown street by a man who had just killed his wife and who then killed himself.

These are just a few of the deadly incidents of gun violence against law enforcement officers in recent years. Since 2009, at least 122 law enforcement officers have been shot and killed, with an average of one officer shot and killed every week during that time.

Fatal shootings in the line of duty are increasing. 2010 saw a 24% increase in officer deaths by gunfire over the previous year, and 2011 is on track to be even bloodier.

Since the beginning of 2011, there have been at least thirty officer deaths by gunfire. This report explores many of the reasons why gun violence against law enforcement has persisted and is now increasing.

Weak Gun Laws Fuel the Criminal Gun Market & Endanger Officers’ Lives

It is far too easy for dangerous people to obtain guns in America as a result of loopholes in federal gun laws and weak – often nonexistent – state gun laws.

Weak gun laws: 1) allow the easy availability of assault weapons and assault clips, which have been used against law enforcement officers with increasing frequency since the federal Assault Weapons Ban expired in 2004; 2) allow dangerous people to buy firearms at gun shows without Brady background checks; and 3) place severe constraints on law enforcement that allow corrupt gun dealers to fuel the criminal gun market without punishment.

Last year “marked the deadliest year for law enforcement in nearly two decades.” “That’s obviously very worrisome. This year we’re unfortunately on track to exceed the numbers we saw last year.”

- U.S. Attorney General Eric Holder
This report details officer shootings with assault weapons and assault clips, with straw purchased and trafficked guns, and with guns possessed by prohibited purchasers.

Weak U.S. Guns Laws Facilitate Mexican Drug Cartel Violence & Violence Against Law Enforcement Officers

Weak gun laws that arm criminals in the United States are also arming Mexican drug trafficking organizations, with disastrous consequences for law enforcement officers in Mexico and in the U.S.

In 2011, we saw the first gun death of a U.S. agent in Mexico since 1985. We have also seen recent shootings of U.S. law enforcement agents with straw purchased and trafficked guns bought in this country that were meant to arm Mexican drug trafficking organizations.

A Path Forward

We need common-sense gun laws that make it harder for dangerous people to get deadly weapons. Policy solutions to help reduce the bloodshed against law enforcement and our communities include:

- Banning the sale of assault weapons and assault clips that turn firearms into weapons of war,
- Closing the gun show loophole that allows gun sales without background checks to dangerous criminals,
- Enacting one handgun per month restrictions that limit bulk sales of handguns to straw buyers and gun traffickers,
- Strengthening federal law to allow felony prosecutions of gun dealers who knowingly sell to straw purchasers buying guns for traffickers,
- Repealing gun industry protections that make it harder for law enforcement to do their jobs by protecting corrupt gun sellers, including repealing the so-called Protection of Lawful Commerce in Arms Acts that shields gun dealers from civil liability for supplying criminals with guns and repealing the Tiahrt Amendments that hinder the Bureau of Alcohol, Tobacco, Firearms and Explosives’ (ATF’s) ability to inspect, sanction, or shut down rogue gun dealers.
I. Weak Gun Laws Fuel the Criminal Gun Market & Endanger Law Enforcement Officers

It is far too easy for dangerous people to obtain guns in America. Every day in this country guns claim 84 lives and wound nearly 200; every year more than 30,000 people die and over 70,000 are injured by guns.\(^2\) These numbers include the dozens of law enforcement officers who are killed and many more who are injured by guns each year.

Loopholes in federal law, and weak – often nonexistent – state gun laws, allow criminals and gun traffickers to buy limitless supplies of firearms, including military-style assault weapons and assault clips from gun dealers, and to buy guns from unlicensed sellers without even a Brady background check.

At the behest of the gun lobby, Congress has carved out special protections for the gun industry that make it more difficult to enforce gun laws. These special interest protections enable corrupt gun dealers to profit from gun sales to traffickers and straw purchasers, without fear of punishment or liability. As a result, felons, minors, the dangerously mentally ill, domestic violence misdemeanants, and other persons prohibited from owning or possessing guns, are able to obtain deadly weaponry to use against the public and law enforcement officers.

Gun violence against law enforcement officers has increased markedly in recent years. 2010 saw a 24% increase in officer deaths by gunfire over the previous year,\(^3\) and 2011 is on track to be an even bloodier year. Since the beginning of 2011, there have been at least 30 officer deaths by gunfire.

Section I of this report explores many of the reasons why gun violence against law enforcement has persisted, and is now increasing, including:

- The ready availability of military style assault weapons and assault clips;
- The ease of buying weapons without a Brady background check;
- Restrictions on law enforcement that allow corrupt gun dealers to fuel the criminal gun market without punishment; and
- Federal legislation that protects irresponsible gun dealers.
A. Assault Weapons & Assault Clips Endanger Law Enforcement

Assault weapons are semiautomatic versions of fully automatic guns designed for military use. They unleash extraordinary firepower, as they can be equipped with assault clips containing 20, 30, 50, or even 100 rounds, allowing a shooter to kill many people in a short amount of time without reloading.

Since the federal Assault Weapons Ban expired in 2004, police in major cities have reported a resurgence of assault weapon use in crime, especially among drug traffickers and gangs. Officers are at particular risk from these weapons because of their high firepower.

ATF recorded an 11% increase in crime gun tracings of AK-47-type assault weapons from 2005 (the first full year after the federal Assault Weapons Ban expired) to 2008. Similarly, a Washington Post investigation found that the Assault Weapons Ban led to a steep decrease in the number of assault clips traced to crime, followed by a huge increase in assault clips traced to crime after the Assault Weapons Ban expired.

ATF’s analysis of crime guns show that assault weapons “are preferred by criminals over law abiding citizens eight to one” and “[a]ccess to them shifts the balance of power to the lawless.” ATF concluded that assault weapons “are not generally recognized as particularly suitable for or readily adaptable to sporting purposes” and instead “are attractive to certain criminals.”

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Assault Weapon & Assault Clip Violence Against Law Enforcement Officers

**Cleveland, Ohio, Jan. 20, 2011.**
Police Officer Anthony Sauto was shot with a Mac-9 equipped with a 30-round assault clip. Officer Sauto was treated and released from the hospital.

**West Memphis, Arkansas, May 20, 2010.**
Officer Thomas William Evans, 38, pulled over a vehicle and Sergeant Brandon Paudert, 39, arrived shortly after to provide back-up. A struggle ensued, followed by gunfire that left both officers dead. Officer Evans was shot 14 times and Sergeant Paudert was shot 11 times with an AK-47.

**Nye County, Nevada, Apr. 26, 2010.**
Deputy Ian Deutch, 27, arrived at the scene of a reported crime and was immediately shot by a suspect with an SKS rifle. He was struck three times in the abdomen and died from his injuries.

**Penn Hills, Pennsylvania, Dec. 6, 2009.**
Officer Michael Crawshaw, 32, was shot and killed in an ambush while responding to a call. The suspect fired an AK-47, fatally striking the officer in his patrol car.

**Pittsburgh, Pennsylvania, Apr. 4, 2009.**
Officers Paul Sciullo, 36, and Stephen Mayhle, 29, responded to a domestic disturbance. Officer Sciullo was shot in the face with a shotgun, followed by a shot to the chest. The suspect then shot Officer Mayhle multiple times with an AK-47, with a fatal shot to the head. Officer Eric Kelly, 41, then responded to the scene. The suspect continued firing his AK-47, mortally wounding Officer Kelly.
A Justice Department researcher found that "assault weapons account for a larger share of guns used in mass murders and murders of police, crimes for which weapons with greater firepower would seem particularly useful." Palm Beach County Sheriff’s Lieutenant Mike Wallace echoed this, stating that assault weapons "seem[] to be the weapon of choice right now. It’s a weapon of war, and the function is to kill and maim. When somebody gets hit with that, it causes horrendous damage." Many police departments have had to outfit their officers with assault weapons to prevent officers from being outgunned. A survey of about 20 police departments conducted by the International Association of Chiefs of Police (IACP) revealed that since 2004, all of the agencies have either added assault weapons to patrol units or replaced existing weapons with military-style assault weapons. "We’re in an arms race," said Police Chief Scott Knight, chairman of the firearms committee of IACP.

B. No Background Check Sales and the Gun Show Loophole Endanger Officers

The Brady Law requires that every person who wishes to buy a gun from a licensed gun dealer undergo a background check to determine whether the buyer is a criminal or otherwise prohibited. The law has stopped about 2 million firearm purchases by prohibited purchasers from licensed gun dealers, but the law has a major gap.

Under federal law and the law of many states, criminals and gun traffickers can obtain guns no questions asked, without background checks or paperwork, from unlicensed private sellers. About 40% of all gun sales are made without background checks, frequently at gun shows. Not surprisingly, no-check sales have been exploited as a major supply source for criminals who want guns, often with deadly consequences for law enforcement officers.
Officer Shootings With Guns Sold Without Background Checks From Gun Shows

Officer Timothy Brenton, 39, was sitting in the passenger seat of a patrol car with Officer Britt Sweeney discussing a just completed traffic stop when a vehicle pulled alongside the patrol car and an occupant opened fire. Officer Brenton was killed instantly. Officer Sweeney was grazed in the back by one shot, but was able to get out of the patrol car, return fire several times at the fleeing vehicle, and call for additional units. Days later, detectives confronted a person of interest in the shooting. The man pulled a gun and was shot and wounded before being taken into custody.

One year after the shooting, federal agents conducted a series of stings against men thought to be illegally dealing firearms at Washington gun shows, including David Devenny, who is alleged to have sold the gun used to kill Officer Brenton in a no-check sale. Federal prosecutors contend Devenny told ATF investigators that he sold the gun used to kill officer Brenton and wound his partner at a gun show in Puyallup, Washington. The sale occurred a week before the shooter is alleged to have used it to in an unprovoked attack against the police officers.

Devenny is alleged to have been buying large numbers of handguns from licensed dealers then reselling them through private sales. He was arrested in an ATF case unrelated to Officer Brenton’s shooting after agents came to believe he had sold guns to a convicted felon and a domestic violence perpetrator. Having met Devenny at a gun show, an undercover ATF agent went to Devenny’s home to buy two handguns, according to the criminal complaint.

The agent told Devenny he had a friend who wanted a gun but was told he couldn’t buy one because of a domestic violence conviction. Devenny allegedly offered that the undercover agent’s friend could instead “buy (a gun) from somebody like me that don’t give a (expletive).” “What I don’t know I don’t care about,” Devenny told the undercover agent. “It’s don’t ask don’t tell. If I don’t know then there’s nothing wrong with it.” According to the complaint, Devenny went on to admit that he sold the weapon used to kill “that cop and wounded that -- that lady cop.”

C. Sales by Corrupt Gun Dealers Endanger Law Enforcement

A small percentage of gun dealers are responsible for the majority of guns traced to crime, with 57% of crime guns originating from just 1% of gun dealers. But restrictions on law enforcement work in tandem with bad federal legislation, like the Protection of Lawful Commerce in Arms Act (“PLCAA”) and the Tiahrt Amendments, to protect these corrupt dealers, allowing them to continue to supply the criminal gun market and avoid punishment.

Severe constraints on ATF’s ability to enforce the law prevent the Bureau from promptly shutting down lawbreaking gun dealers who arm straw purchasers, gun traffickers, and other prohibited individuals. The standard for revoking a gun dealer license is extremely high and difficult to meet. It also can
take several years to complete the revocation process. This means that corrupt dealers can continue to profit from their supply of the criminal gun market, while further jeopardizing public safety and our nation’s law enforcement officers.\textsuperscript{23}

**Sales to Gun Traffickers**

Weak U.S. gun laws make it easy for traffickers to divert guns from the legal market to the criminal market.

This is because corrupt gun dealers are protected by federal law that places no limits on bulk handgun sales, which are the type of sales that best facilitate trafficking, and ATF is prohibited from requiring gun dealers to conduct inventory audits.\textsuperscript{24}

Firearms that dealers claim were lost or stolen from their shops are frequently trafficked and prized by criminals because the guns are virtually untraceable.\textsuperscript{25}

Gun traffickers frequently buy firearms in bulk in states with weak gun laws, and export them to locations with stronger gun laws where they are sold to criminals.\textsuperscript{26}

Handguns sold in multiple sales accounted for 20% of all handguns sold and traced to crime in 2000.\textsuperscript{27} Federal law enforcement authorities have long regarded the purchase of multiple handguns by a single buyer in a single transaction as an “indicator” that the buyer intends to traffic the guns to the illegal market.\textsuperscript{28}

For this reason, if someone buys two or more handguns in a five-day period, federal law treats the purchase as suspect, and it must be reported to ATF.
Sales to Straw Purchasers

Straw purchases occur when a buyer uses an intermediary to purchase a firearm from a federal firearms licensee.

Under current law, dealers generally can be prosecuted for engaging in sales to straw buyers only by relying on charges of aiding and abetting a false statement by the purchaser, or for record-keeping violations that were felonies prior to 1986 but are now classified as misdemeanors.29


Milwaukee police officers Bryan Norberg, 22, and Graham Kunisch, 27, stopped Julius Burton, 18, for riding his bicycle on the sidewalk. Burton opened fire on the officers from short range, firing into their heads and seriously injuring them. Burton used a Taurus .40-caliber pistol that was allegedly straw purchased one month earlier from Badger Guns of West Milwaukee, Wisconsin.

It is alleged that Jacob D. Collins, 21, bought the Taurus for Burton because Burton was too young to purchase a handgun from a licensed gun dealer. The complaint in the Brady Center’s civil case on behalf of the police officers alleges that the sale was an obvious straw purchase: Burton picked out the gun - news reports state that Burton told Collins “That’s the one I want” when pointing to the Taurus, they paid in cash, and Collins initially answered ‘no’ on the gun purchase Form 4473 when it asked if he was buying the gun for himself. The store clerk allowed Collins to change his answer and then sold him the gun.

Collins pleaded guilty in federal court to making false statements on the 4473. He received a 24-month prison sentence. Burton was charged in state court with attempted murder and received an 80-year prison sentence.

Houston, Texas, Sept. 21, 2006.

Houston Police Officer Rodney Johnson, 40, was shot and killed by Juan Quintero, 34, a prohibited purchaser. Johnson stopped Quintero for speeding and placed him under arrest for not having a license. Quintero was patted down subsequent to arrest, handcuffed, and placed in the backseat of the patrol car. Quintero then used a 9 mm handgun concealed in his waistband to shoot Johnson seven times as he filled out a booking sheet. Four of the shots were to the back, three were to the head. Officer Johnson had missed the gun during the pat down. Quintero was sentenced to life in prison without parole for Officer Johnson’s murder.

The complaint in the civil case on behalf of Officer Johnson brought by the Brady Center alleges that the murder weapon was illegally sold by Carter’s Country, a prominent Texas gun dealer, to Quintero’s wife, Theresa Lynn Quintero, in a straw sale for her husband, Juan Quintero, who was prohibited from purchasing firearms due to his status as a felon and illegal immigrant, and picked out the gun, but store employees allowed his wife, a U.S. citizen, to fill out the required paperwork for its purchase.
Since federal prosecutors generally do not expend limited resources prosecuting misdemeanors, most dealers caught violating federal law usually escape criminal prosecution. The rarity of gun dealer prosecutions dramatically skews the incentives when dealers are faced with straw purchasers and gun traffickers offering cash for firearms, leading many to make illegal sales.

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The Tiahrt Amendments Facilitate Gun Violence

The Tiahrt Amendments are riders that have been attached to appropriations legislation since 2004, making it harder for law enforcement to prevent gun violence.

They do this in a number of ways, including by prohibiting ATF from requiring gun dealer inventory audits, which protects the minority of gun dealers who supply the criminal gun market; severely limiting ATF’s authority to disclose crime gun trace data to the public, which previously helped police pinpoint the source of crime guns and understand trafficking patterns; and codifying the practice of destroying certain background check records after 24 hours, which makes it easier for corrupt dealers to falsify background check records to hide a knowing transfer of a gun to a prohibited person.

The PLCAA Protects Irresponsible Gun Dealers

The so-called Protection of Lawful Commerce in Arms Act (PLCAA) protects irresponsible gun dealers who supply the criminal gun market by attempting to limit the civil liability of gun dealers and manufacturers who arm criminals. It also treats gun violence victims, including law enforcement officers, as second class citizens, depriving them of the full rights to seek civil justice that are enjoyed by those injured by any other product or activity.

The PLCAA purports to radically alter state law, essentially overruling decisions by numerous courts holding that gun dealers, distributors, and manufacturers can be held liable under state common law for injuries caused by their negligent sale of guns.
Officers Killed by Prohibited Purchasers

Indianapolis, Indiana, Jan. 23, 2011.
Officer David Moore, 29, pulled a vehicle over and instructed its driver, Thomas Hardy, to exit the car. Hardy, a 60-year-old parolee, immediately started shooting.

He fired four shots, paused, then fired three more times. Moore was shot four times – in the chest, the leg, and twice in the head – and never had a chance to unholster his weapon.

Officer John Maguire, 60, was shot and killed when he responded to a robbery at a local department store. One suspect opened fire, striking Officer Maguire four times in the torso.

The shooter was on parole for attempted murder and his criminal history also included a number of other armed robberies and assaults.

Officers Gregory Richards, 42, Tina Griswold, 40, Ronald Owens, 37, and Sergeant Mark Renninger, 39, were shot and killed by a violent felon while sitting in a coffee shop. The suspect walked directly to the table where three of the officers sat, and shot and killed Officer Griswold and Sergeant Renninger.

He then drew a second weapon, shooting and killing Officer Owens. Officer Richards, who was standing in line to buy coffee, became involved in a physical fight with the suspect, during which Officer Richards was able to shoot the suspect once in the torso. The suspect was then able to gain control of Officer Richard's weapon and shoot and kill him. The suspect fled and was later shot and killed by a Seattle police officer.

Jersey City, New Jersey, July 16, 2009.
Detective Marc DiNardo, 37, was shot and killed and four other officers were injured while attempting to apprehend two suspects wanted for armed robbery. Detective DiNardo was shot in the face and Officer Michael Camacho was shot in the neck. The three other officers sustained minor injuries from the shooting.

It was later determined that the suspect who shot the officers was a violent career criminal who had recently been released from prison after serving five years for weapons possession charges that Detective DiNardo had arrested him on.
II. Weak U.S. Guns Laws Facilitate Mexican Drug Cartel Violence & Violence Against Law Enforcement Officers

By exploiting our weak gun laws and amassing arsenals of U.S. supplied weapons, Mexican drug cartels are fighting an escalating war that has killed approximately 50,000 in Mexico and poses an increasingly grave security risk to the U.S.  

Violence stemming from the narcotics trade in Mexico accounted for 15,273 deaths in 2010 alone. Over 2,000 Mexican law enforcement officers were killed during 2007 and the first half of 2008, and the violence is also threatening U.S. law enforcement officers.

With the expiration of the federal Assault Weapons Ban in 2004 making it even easier for gun traffickers to obtain military-style assault weapons in the United States, the trafficking of high-firepower guns has soared in recent years. For example, investigations have found “traffickers purchasing 10, 20, 30 or 40 AK-47-style rifles at a time from gun shops in the Phoenix area.” By May 2010, ATF had inputted information on “69,808 firearms recovered in Mexico from 2007 to 2009, and it appeared a majority of these firearms have a nexus to the United States.”

Mexican President Felipe Calderon has fought to end trafficking by cartels that are fighting for control of drug routes to the U.S., worth billions of dollars, but vast numbers of firearms continue to pour across the Mexican border from the U.S. In an address to Congress, President Calderon called on the United States to reinstate the Assault Weapons Ban that expired in 2004, stating, “Today, these weapons are aimed by the criminals not only at rival gangs but also at Mexican civilians and authorities. And with all due respect, if you do not regulate the sale of these weapons in the right way, nothing guarantees that criminals here in the United States with access to the same power of weapons will not decide to challenge the American authorities and civilians.”

“Today, these weapons are aimed by the criminals not only at rival gangs but also at Mexican civilians and authorities. And with all due respect, if you do not regulate the sale of these weapons in the right way, nothing guarantees that criminals here in the United States with access to the same power of weapons will not decide to challenge the American authorities and civilians.”

-Mexican President Calderon, calling on the U.S. Congress to reinstate the expired Assault Weapons Ban
In their fight for control of these lucrative routes, Mexican drug cartels have been exploiting weak U.S. gun laws that allow gun traffickers and criminals easy access to high firepower weapons. It is not surprising that Mexican criminals look to the U.S. for easy access to guns, as Mexico’s laws, unlike those in the U.S., make it difficult for criminals to get guns.

Traffickers supplying the Mexican drug cartels amass their arsenals by exploiting the same weaknesses and loopholes in our gun laws that criminals in the U.S. use to get weapons, as discussed in more detail in Section I, including:

• **Assault Weapons and Assault Clips**: Under federal law and the law in many states, including Texas and Arizona, civilians can easily and legally purchase military style assault weapons, as well as military surplus .50 caliber sniper rifles that can shoot through armored vehicles. Recent data shows a surge in seizures of assault rifles and .50-caliber guns, and according to ATF, cartels favor more powerful weapons like AK-47s, AR-15s, and FN 5.7 mm caliber pistols, known in Mexico as “Cop Killers” because they can pierce body armor. ATF commented, “You’re looking at the same firepower here on the border that our soldiers are facing in Iraq and Afghanistan.”

Because of the proliferation of guns sold by U.S. gun dealers to gun traffickers, ATF has proposed that gun dealers in states that border Mexico be required to report multiple sales of certain rifles, to be able to track gun trafficker purchases of large quantities of military-style assault rifles. The Brady Center supports this proposal. Current law allows the purchase of unlimited numbers of semiautomatic assault rifles from U.S. gun dealers with no required reporting of such sales to law enforcement.

• **No Background Check Sales**: Under federal law, and state law of border states like Arizona and Texas, criminals and gun traffickers can obtain guns no questions asked, without background checks or paperwork, from unlicensed sellers at gun shows and elsewhere.

• **Restrictions on Law Enforcement**: Weak federal gun laws protect corrupt gun dealers and hamstring federal law enforcement. ATF generally cannot revoke a federal firearms license without proving years of repeated violations, and the standard of proof required for license revocations is difficult to meet. This enables the same gun dealers to repeatedly sell to traffickers.
Violence Against U.S. Law Enforcement Officers

**Mexico City, Mexico, Feb. 15, 2011.**

U.S. Immigration and Customs Enforcement Special Agents Jaime Zapata, 32, and Victor Avila, Jr., were assigned to the U.S. Embassy and traveling in Mexico when they were forced off the road. Presumed cartel members opened fire, fatally wounding Agent Zapata and injuring Agent Avila, who was shot twice in the leg.

Zapata was the first U.S. agent killed in Mexico since 1985. Authorities say the pistol used to shoot the agents was purchased in Texas. Three men from Texas are facing federal weapons charges, although none related to Zapata's death. Law enforcement believe that on another occasion the men tried to sell dozens of weapons to the Zetas drug cartel, which recently saw one of its alleged bosses arrested in connection with Zapata’s death.50

**Rio Rico, Arizona, Dec. 14, 2010.**

Border Patrol Agent Brian Terry, 40, was shot and killed while attempting to apprehend a group of armed subjects who had been robbing illegal immigrants as soon as they crossed the border from Mexico to Arizona.

Two of the guns recovered at the scene of Agent Terry’s murder were part of a Phoenix-based sting operation targeting major Mexican drug trafficking organizations. The shooting has engendered controversy, as it is alleged that federal prosecutors and ATF permitted 1,998 guns to be purchased and retained by suspected straw buyers in the hope that a major case could be built. While the truth of those allegations are disputed and unconfirmed, it is undisputed that if firearms laws were stronger by prohibiting multiple sales and requiring responsible sales practices, these gun sales could not have been legally completed.

Other weapons from the sting were recovered in May 2010, when a Customs and Border Protection agent confronted an armed band of criminals along the U.S. side of the border. The suspects fled but some of the guns they left behind were traced back to weapons purchased in the sting.51
A Path Forward

Law enforcement is an inherently dangerous job, but our weak gun laws compound the risk. We make it far too easy for dangerous people to acquire deadly weapons to use against our officers. Yet Congress has failed to strengthen our gun laws, even while officer shootings continue to rise – and 2011 has already seen multiple officer fatalities per week by gunfire. However, there are effective policy solutions that will reduce the bloodshed and help keep our officers safe, including:

- **Banning Assault Weapons and Assault Clips**: Assault weapons and assault clips have no sporting purpose and are valued by criminals because they allow the firing of 20, 30, 50, or even 100 rounds, without reloading, allowing shooters to kill many people in a short amount of time. They have been used against law enforcement officers numerous times.

  Under the federal Assault Weapons Ban, the manufacture and sale of new assault weapons and high-capacity assault clips was banned from 1994–2004. Legislation has been introduced in the U.S. House of Representatives and the U.S. Senate to reinstate the ban on assault clips. Rep. Carolyn McCarthy introduced H.R. 308 and Sen. Frank Lautenberg introduced S. 32, the Large Capacity Ammunition Feeding Device Act, in the 112th Congress, to restrict sales to civilians of these military-style magazines. The Brady Campaign supports this legislation.

- **Closing the Gun Show Loophole**: There is no sound reason why a prohibited purchaser who could not legally buy a gun from a licensed dealer should be able to buy a gun, without a background check, from a “private” seller. Yet federal law has a gaping loophole, under which non-licensed sellers may sell guns without a background check. Eighteen states and the District of Columbia have taken steps to close the gun show loophole, with several requiring background checks on all gun sales. Unlicensed sellers need only take their guns to a licensed dealer to run the check and complete the sale. The Brady Campaign supports legislation in Congress to close the gun show loophole.

  Model legislation in California requires that every gun sale must first be run through the state’s background check system. Unlicensed sellers need only take their guns to a licensed dealer to run the check and complete the sale. The Brady Campaign supports legislation in Congress to close the gun show loophole.
• **Reducing Trafficking with One Handgun a Month Laws**: Current federal law allows persons to buy unlimited numbers of guns in any purchase, even though only gun traffickers would need to buy so many guns at once.

Congress should enact a law similar to those enacted in California, Maryland, and Virginia, restricting handgun purchases to one-per-month per purchaser. A Brady Center study published in the Journal of the American Medical Association found that Virginia’s law reduced crime guns trafficked from Virginia; before the law, 38% of guns originating in the Southeast and traced in the Northeast were sold in Virginia, but after the law Virginia’s share was reduced to 16%. However, because gun traffickers can use new “source” states when a state law is enacted, a federal law is needed. Had this law been in place in Mississippi, the gun that killed Chicago Police Officer Thomas Wortham likely would not have been sold to the gun trafficker.

• **Reducing Straw Purchasing**: As straw purchases are a common method for criminals to obtain guns, federal law should be stronger to prevent these sales. Under current law, dealers generally can be prosecuted for engaging in sales to straw buyers only by relying on charges of aiding and abetting a false statement by the purchaser, or for record-keeping violations that were felonies prior to 1986 but are now classified as misdemeanors.

Congress should enact legislation making it a felony for any licensed dealer to transfer a firearm knowing that the person completing the paperwork is not the actual purchaser. This type of legislation may have saved Houston Police Officer Rodney Johnson’s life.

• **Repealing the PLCAA**: The so-called Protection of Lawful Commerce in Arms Act protects irresponsible gun dealers who supply the criminal gun market by attempting to limit the civil liability of gun dealers and manufacturers who arm criminals. Additionally, state law is radically altered, essentially overruling decisions by numerous courts holding that gun dealers, distributors, and manufacturers can be held liable under state common law for injuries caused by their negligent sale or design of guns. This allows gun dealers to continue to supply the criminal gun market, with disastrous effects on law enforcement. The PLCAA should be repealed.
• **Repealing the Tiahrt Amendments & Strengthening ATF**: ATF is severely hindered in its ability to inspect, sanction, or shut down rogue gun dealers. One of the gun lobby’s top priorities is to enact legislation that would further restrict ATF’s ability to shut down rogue gun dealers.

The Bureau’s authority to revoke dealer licenses should be strengthened and it should be given new authority to inspect dealers more frequently, temporarily suspend dealer licenses, levy civil penalties, and bring felony charges against dealers for record-keeping violations that often occur when dealers engage in off-the-books gun sales. Senator Kirsten Gillibrand (D-NY) introduced legislation in 2009 that would strengthen ATF enforcement against gun dealers who arm criminals with deadly weapons and would give law enforcement new tools to undercut gun trafficking organizations.
Appendix – Fatal Officer Shootings, 2009–2011

Weak U.S. gun laws contribute to numerous officer shootings and deaths each year. The following is a list of some of the fatal incidents of gun violence to law enforcement officers that occurred since 2009, many of which were perpetrated by prohibited purchasers or other individuals who should not have had guns. The list totals a staggering law enforcement officer 122 deaths since 2009.

Buckeye, Arizona. May 1, 2011. Police Officer Rolando Tirado was shot and killed and another officer was critically wounded as they attempted to break up a disturbance while working an off duty assignment. The officers were shot at by three gunmen. Officer Tirado succumbed to his wounds while the second officer was transported to a local hospital in critical condition.

St. Louis, Missouri. April 24, 2011. Police Officer Daryl Hall, 34, was off-duty and at a nightclub when he heard gunshots outside. When he went outside to investigate he encountered at least one gunman. Hall identified himself as a police officer, pulled out his own gun and ordered the man to drop his weapon. The gunman refused, police said. Gunfire erupted between Hall and the gunman, with a nightclub security guard also opening fire. When it was over, Hall had been fatally shot in the neck and arm.

Johnson County, Texas. April 23, 2011. Deputy Clifton Taylor, 31, was shot and killed after he and other deputies responded to a domestic disturbance call. Upon arriving at the scene, the deputies were told that the subject was in a storage shed. As Deputy Taylor approached the shed, the subject opened fire and hit him three times. Deputy Taylor died shortly afterward.

Eugene, Oregon. April 22, 2011. Officer Chris Kilcullen, 42, was shot and killed during a vehicular pursuit of a female suspect. He had attempted to stop the woman for a traffic violation, but the woman fled. Officer Kilcullen, who was on his department motorcycle, pursued the subject. As he indicated for the woman to pull over she fired a weapon at him, fatally wounding him. The woman continued to flee and was pursued to a rural area where she finally stopped. She remained in her car for several hours until finally being taken into custody.

Kalamazoo, Michigan. April 18, 2011. Officer Eric Zapata, 35, was shot and killed after responding to reports of a shots fired call. Another officer had also responded to the call and approached a man standing on a porch. As the officer asked the man if he had heard any shots, the man suddenly pulled out a gun and exchanged shots with the officer. The subject then ran in between two houses where he confronted Officer Zapata. More shots were exchanged and Officer Zapata was fatally struck in the head and chest.
Bowie County, Texas. April 18, 2011.

Deputy Sherri Jones, 54, was shot and killed in a courthouse as she moved a prisoner from a courtroom to a transport van. The prisoner attacked her and fatally shot her with her own gun. The prisoner then stole the transport van and fled to Arkansas where he was taken into custody. 65

Trumann, Arkansas. April 12, 2011.

Patrolman Jonathan Schmidt, 30, was shot and killed as he and his sergeant made a traffic stop. The driver was placed under arrest, and as Patrolman Schmidt opened the rear passenger door to remove the second male passenger the man lunged at him and immediately opened fire. Patrolman Schmidt was shot in the neck. 66

Keokuk County, Iowa. April 4, 2011.

Deputy Eric Stein, 38, was shot and killed as he and two other officers attempted to question a man about an incident that had occurred the previous night. The officers were fired upon as soon as they approached the rural home. The shooter has a violent history going back as far as 1996 when he was charged with stalking, carrying illegal weapons, driving with a suspended license and possession of a controlled substance. Records show that the shooter was acquitted in 1997 by reason of insanity after undergoing a psychiatric evaluation at the Iowa state mental hospital. Records also show that he was convicted in 1999 of assault on a police officer and served a 90-day jail sentence. 67


As officers arrived at the scene of a pawn shop robbery they were immediately fired upon by a suspect from inside the store. The suspect then ran from a side door and continued firing. Sergeant James Timothy Chapin, 51, arrived at the scene and the suspect fired at his patrol car. The patrol car struck the suspect and Sergeant Chapin exited. As he pursued the man on foot, he was shot in the head and killed. Other officers continued to return fire and shot the suspect before taking him into custody. One other officer was shot in the back; the round was stopped by his vest. 68

Athens–Clarke County, Georgia. March 22, 2011.

Officers were investigating a carjacking and kidnapping when Officer Tony Howard stopped a vehicle containing the suspect. The suspect exited and shot Officer Howard in the face and upper body before fleeing on foot. Officer Elmer Christian, 34, was then shot through the window of his patrol vehicle. Officer Christian was killed and Officer Howard is recovering from his injuries. The shooter, a felon, was sentenced to 12 years in prison in 1997 for armed robbery and was released in 2009. 69

Officer Craig Birkholz, 28, and Officer Ryan Williams responded to an emergency call at a home. When they approached, a suspect opened fire from a window striking both officers with a powerful deer rifle. Officer Birkholz was killed, Officer Williams survived wounds to the chest and shoulder. His K-9 partner, Grendel, was also injured.  


Police Officer Andy Dunn, 30, was on patrol when he attempted to stop and question a male riding a bicycle. As he approached, the suspect opened fire killing Officer Dunn. The shooter has an extensive criminal history that includes retail theft, menacing, assault and other crimes.  


Two deputies from the Buchanan County Sheriff’s Office responded to a larceny call at a local business. When they arrived, they were shot by a suspect with a rifle. Both deputies were able to radio for assistance and take cover from the sniper. Deputies William Stiltner, 46, and Cameron Justus, 41, along with members of the Virginia State Police, responded to assist. As a perimeter was established to contain and search for the shooter, Deputies Stiltner and Justus were shot and killed by a high-powered rifle. The suspect fled into the woods. When he was located, he refused orders to get on the ground and then drew a handgun, so police shot and killed him.  


Officer Jay Sheridan, 27, was shot and killed as he and other officers served a fugitive arrest warrant on Mark Hasty. As the officers entered the mobile home where Hasty lived, he opened fire, fatally wounding Officer Sheridan. Tennessee Department of Corrections records show that Mark Hasty was in prison from 2001 until 2005 after twice violating probation on a conviction for incest.  

St. Louis, Missouri. March 8, 2011.

Deputy Marshal John Perry, 48, was shot in the head and killed, and two other officers were injured by gunfire, while serving a warrant. Deputy Marshal Perry, Deputy Marshal Theodore Abegg, and St. Louis police officer Jeff Helbling went to the wanted man’s home to serve the warrant for assault and drug possession. The suspect opened fire on them, striking all three officers.  


Police Officer David Crawford, 46, and another officer responded to a report of a suspicious person after a citizen observed a male walking through his backyard with a broken brick in his hand. Officer Crawford canvassed the area and found the subject. As he approached, he was shot multiple times at close range. He died from his injuries, the third St. Petersburg officer slain in the line of duty in 30 days.

Officer John Falcone, 44, was shot and killed after responding to a shots fired call. When he arrived at the scene he encountered Lee Welch holding his 3-year-old daughter and waving a gun. Welch fled, still holding the child, with Officer Falcone in pursuit. Officer Falcone was able to rescue the child before engaging in a struggle with Welch as other officers arrived at the scene. During the struggle, Officer Falcone was fatally shot in the head before Welch committed suicide. The suspect's wife, Jessica Welch, was found in a nearby car with a fatal gunshot wound to the head. Jessica had alleged years of domestic abuse and a judge had recently issued a restraining order preventing Lee Welch from having any contact with Jessica due to a prior domestic incident in which it was alleged he slammed her head against a wall.


Deputy Marshal Derek Hotsinpiller, 24, was shot and killed while serving a warrant with Deputy Marshals Alex Neville and Fred Frederick and members of the West Virginia State Police. The suspect named on the warrant, Charles E. Smith, was wanted on federal drug and weapons charges. Upon making entry, the deputies were fired upon by Smith who was armed with a shotgun. All three deputies were struck by the blast and returned fire, killing the suspect. Deputy Hotsinpiller sustained a fatal wound to the neck, and Deputy Neville and Deputy Frederick are recovering from their injuries.

Mexico City, Mexico. February 15, 2011.

U.S. Immigration and Customs Enforcement Special Agents Jaime Zapata, 32, and Victor Avila, Jr., were assigned to the U.S. Embassy and were traveling between Mexico City and Monterrey when they were forced off the road, presumably by members of the Zetas drug cartel. The cartel members opened fire, fatally wounding Agent Zapata and injuring Agent Avila, who was shot twice in the leg.

Holmes County, Florida. February 2, 2011.

Colonel Greg Malloy, 44, was shot and killed in Holmes County while assisting local law enforcement agencies in tracking a man wanted for murder.


Sergeant Tom Baitinger, 48, and Officer Jeffrey Yaslowitz, 39, were shot and killed, and U.S. Deputy Marshal Scott Ley was injured, while attempting to serve a warrant on a suspect wanted for aggravated battery against his wife. The suspect had failed to show up for trial. Several members of a regional task force had gone to the home to question a family member about the man's whereabouts. The officers were informed that the man was in the attic and possibly armed. Officer Yaslowitz had just finished his shift and was en route home when he volunteered to respond to the call. After unsuccessfully attempting to talk the man out of the attic, Officer Yaslowitz and Deputy Marshal Ley made entry into the attic and were immediately shot. The suspect then fired from the attic, striking Sergeant Baitinger, who was providing cover.

Officer David Moore, 29, pulled a vehicle over and learned that it was stolen from running the plates. Officer Moore exited his vehicle and instructed the other driver, Thomas Hardy, to exit his. As both men stood outside, Hardy, a 60-year-old parolee, immediately started shooting. He fired four shots, paused, then fired three more times. Moore was shot four times – in the chest, the leg, and twice in the head – and never had a chance to unholster his weapon. Hardy then fled the scene and about 50 minutes later robbed a Dollar General store. He was apprehended and has been charged with murder for Officer Moore’s death, armed robbery and possession of a firearm by a felon. Moore died three days later from his injuries.

An affidavit states that the night before the shooting, Hardy was given the murder weapon by a man nicknamed Boo. Boo had traded crack cocaine for two guns and said he gave one to Hardy because he did not need both.81


Detectives Roger Castillo, 41, and Amanda Haworth, 44, were shot and killed while serving a warrant for murder on Johnny Simms, a 22-year-old career criminal and felon. Simms shot and killed the two officers using a .40 caliber Glock handgun stolen from a night club.82


Officer Larry Nehasil, 48, was shot and killed while conducting surveillance on two suspects wanted in connection with several burglaries and home invasion robberies. After observing the men break into a home, Officer Nehasil and other undercover officers attempted to arrest them. One of the robbers, David Bowling, fled out of the back door and opened fire with a .45 caliber handgun he had just stolen, striking Officer Nehasil. Despite being wounded, Officer Nehasil returned fire and killed him. The other robber, Terry Bowling, David’s older brother, was arrested.83


Officer Christopher Matlosz, 27, was on patrol when he stopped his car to speak with Jahmell Crockman, 19. As they spoke, Crockman drew a handgun and shot Officer Matlosz three times, killing him, while he sat in his police car. One month before the shooting, a bench warrant was issued for Crockman for failing to appear at an arraignment for possessing hollow-point bullets.84 Crockman is also charged with the October 2010 murder of a 20-year-old man.85


Chief Ralph Painter, 55, was shot and killed after responding to a local car stereo shop in which a man was attempting to take a car that did not belong to him. When Chief Painter made contact with the man, a struggle ensued and the man was able to disarm and fatally shoot Chief Painter, then exchanged shots with other responding officers before being wounded and taken into custody.86
Clark County, Ohio. January 1, 2011.

Deputy Sheriff Suzanne Hopper, 40, was shot and killed after responding to a call of a window being shot out at a trailer park. Deputy Hopper was taking photographs at the scene when a man opened the door to his trailer and fired one shot at her with a shotgun, killing her. Additional deputies and officers from area police departments arrived at the scene and surrounded the trailer. A standoff ensued in which dozens of shots were fired between the suspect and officers, during which a police officer was wounded and the suspect was killed.  


Police Officer Jillian Smith, 24, was shot and killed after responding to an apartment on a report of an earlier domestic dispute. The male had already left the apartment when she arrived. Officer Smith was taking the female’s report when the male returned unexpectedly. As the man opened fire, Officer Smith positioned herself to shield the woman’s 11-year-old daughter, saving the girl but receiving fatal gunshot wounds. The man then chased the woman to a bedroom where he murdered her before killing himself. 

Atlanta, Georgia. December 27, 2010.

Corporal Chadwick LeCroy, 38, of the Georgia State Patrol was shot and killed after a short vehicle pursuit. He attempted to stop a vehicle with a broken headlight and the driver of the vehicle fled until the car crashed. As Corporal LeCroy approached, the suspect opened fire three times, striking him once in the neck. The suspect then stole Corporal LeCroy’s patrol car and fled the scene.


Officer John Maguire, 60, was shot and killed when he responded to a robbery at a local department store. Two men exited the store with a bag filled with jewelry and headed to the third suspect in a get-away car. Officer Maguire confronted one of the suspects in the parking lot. During this on-foot pursuit, the suspect, Domenic Cinelli, opened fire, striking Officer Maguire four times in the torso. Officer Maguire returned fire and killed Cinelli. Cinelli was on parole for attempted murder for shooting a security guard during a Boston jewelry store robbery in 1985 for which he was sentenced to three terms of 15 years to life. Cinelli’s criminal history also included a number of other armed robberies and assaults.

Dougherty County, Georgia. December 23, 2010.

Lieutenant Cliff Rouse, 39, was shot after responding to an armed robbery at a convenience store. He was shot once in the leg and once in the abdomen, just below his bulletproof vest.


Border Patrol Agent Brian Terry, 40, was shot and killed while attempting to apprehend a group of armed subjects who had been robbing illegal immigrants as soon as they crossed the border from Mexico to Arizona. Agent Terry and several other agents were attempting to arrest the group when shots were exchanged between the suspects and agents.

Deputy Brandon Coates, 27, was shot and killed while making a traffic stop. The shooter fled but was later found with a fatal self-inflicted gunshot wound.  


Deputy Sheriff Dewayne Crenshaw, 62, was shot and killed after responding to a call of a domestic dispute at a home. When Deputy Crenshaw and another deputy arrived at the scene they encountered a male subject outside, and as they made contact with him, he fatally shot Deputy Crenshaw.  


Trooper David DeLaittre, 23, was shot and killed while conducting a traffic stop. The suspect fled after opening fire and killing DeLaittre. The suspect was later found dead in his vehicle.  


Retired Chicago police officer Stephen Peters, 44, called police after discovering that his vehicle had been broken into and the speakers were stolen. Officer Michael Flisk, 46, an evidence technician with the Chicago Police Department, arrived on the scene and was processing the garage where the car was parked when the suspect, Timothy Herring, Jr., 19, returned. Herring shot both men in the body and head, killing them. At the time of the murders, Herring was on parole for an armed robbery he committed when he was 16. He has also been charged with attempted murder in an unrelated shooting that took place in June 2010.  


Deputy Sheriff Samuel Brownlee, 43, was shot and killed while attempting to capture a suspect following a high-speed chase.  

Greene County, Georgia. November 14, 2010.

Chief Deputy Kevin Roberts, 48, was shot and killed at his home by the target of a narcotics investigation the sheriff’s office was undertaking. The subject went to his home and knocked on the door on a Sunday morning. When Chief Deputy Roberts answered he was fatally shot by the man, who then killed himself.  


Wildlife Conservation Officer David Grove, 31, responded to reports of ongoing shooting and poaching near Gettysburg National Military Park. He stopped a suspected poacher, Christopher L. Johnson As Officer Grove handcuffed Johnson, a struggle ensued and Officer Grove was shot with a .45 caliber handgun four times. The suspect, a convicted felon, fled with the handcuff still on his left wrist.

Officer Ryan Bonaminio, 28, was shot and killed after stopping a driver suspected of hit-and-run. The driver fled from the vehicle with Officer Bonaminio in pursuit. Officer Bonaminio slipped and fell, at which point he was struck on the head with a metal pipe and disarmed. The suspect then shot Officer Bonaminio twice in the head.100


Officer Chris Wilson, 50, was shot and killed while assisting officers from the San Diego County Probation Department and U.S. Marshals Service in conducting a compliance check at an apartment. Officer Wilson and the other officers responded to the scene and had begun searching the apartment when someone opened fire from behind a closed bedroom door, killing Officer Wilson.101


Sergeant Timothy Prunty, 44, was shot and killed in an ambush attack as he was standing next to his patrol car outside a convenience store. Another car pulled into the parking lot and the driver opened fire on him. Though he was struck by several rounds, he was able to return fire before collapsing, protecting a civilian in the process. The shooter, who is believed to have shot at a security guard earlier in the day, was charged with first degree murder in connection with Sergeant Prunty's death and attempted murder for the attempted shooting of the security guard.102


Sergeant Thomas Alexander, 57, was shot and killed while responding to a burglary. A woman had called 911 to report the sound of breaking glass. Sergeant Alexander was the first officer to arrive at the scene and begin searching the home. The three suspects were hidden inside and opened fire as he was conducting the search. Responding deputies heard the shots as they arrived and took one of the suspects into custody inside the home. The two other suspects were apprehended a short time later.103


Officer Matthew Tokuoka, 39, and Sergeant Anthony Wallace, 32, were ambushed and killed. Officer Tokuoka, who was off-duty, was in his car with his family when he stopped to talk to Sergeant Wallace who was standing outside his vehicle. Sergeant Wallace's mother was visiting him in Alaska and was accompanying him on a ride along at the time. A man who the two officers had arrested several times in the past walked up to the officers and opened fire. Sergeant Wallace was shot first and Officer Tokuoka went to render aid and was then shot. The suspect fled to his house and barricaded himself inside while SWAT teams responded. The suspect surrendered after remaining barricaded for two days.104

Kane County, Arizona. August 26, 2010.

Deputy Brian Harris was shot and killed while tracking a burglary suspect in the desert. As Deputy Harris and another officer tracked the man's movements, Deputy Harris was fatally struck by rifle fire. The man had set up an ambush under a tree and fired the fatal shot from several feet away. A
large manhunt was initiated in which the suspect exchanged fire with other officers multiple times.105

Greene County, North Carolina. July 28, 2010.  Deputy Jon Willis, 31, was shot and killed while responding to a domestic disturbance call. As Deputy Willis entered the home, a male subject came out of a bedroom and opened fire, striking him twice. The subject then committed suicide.106

Chandler, Arizona. July 28, 2010.  Police Officer Carlos Ledesma, 34, was shot and killed while conducting an undercover operation. Officer Ledesma was working the operation with two other officers who were injured in the shooting.107

Taylor, Michigan. July 23, 2010.  Corporal Matthew Edwards, 31, was shot and killed while responding to reports of a burglary in progress at an apartment complex. He and his partner encountered a man in the parking lot fitting the description of the suspect, and as Corporal Edwards was speaking to him, the subject suddenly produced a handgun and fatally shot him. Corporal Edwards' partner returned fire and wounded the suspect.108

Chicago, Illinois. July 18, 2010.  Officer Michael Bailey, 62, had just returned home from his shift on a mayoral protection detail, and was still in uniform, when as many as three male subjects approached and attempted to rob him of his vehicle. He identified himself as a police officer and exchanged shots with the suspects, resulting in his death.109

Chicago, Illinois. July 7, 2010.  Officer Thor Soderberg, 43, was shot and killed when he was returning to his vehicle at the end of his shift. He struggled with a male subject who approached from behind and was able to gain control of his service weapon, fatally shooting him in the face, head and back. The shooter, a convicted felon, then fled and attempted to commit an armed robbery nearby. Other officers inside the police facility responded and exchanged gunfire with the 24-year-old man, wounding him. He has been charged with first-degree murder, attempted murder and armed robbery.110

Tampa, Florida. June 29, 2010.  Officers Jeffrey Kocab, 31, and David Curtis, 31, were shot and killed while attempting to make an arrest during a traffic stop. Officer Curtis stopped a vehicle because it did not have a visible license plate. He called for an additional unit to assist him because a male passenger in the car was wanted on a misdemeanor charge for writing a bad check. He and Officer Kocab then attempted to arrest the suspect, who drew a weapon and shot both officers at close range.111

Officer Craig Shaw, 37, was shot and killed after responding to a shooting call at a local apartment complex where a man had just been murdered. As the officers approached the suspect, he suddenly turned and opened fire, fatally wounding Officer Shaw.\(^\text{112}\)


Trooper Wesley Brown, 24, was shot and killed while working an off duty security detail at a restaurant. Earlier in the evening Trooper Brown had escorted a patron out of the restaurant who had refused to pay a bill. Trooper Brown was standing in the parking lot talking on his cell phone when the man returned and fatally shot him without warning. Brown was not in uniform, but he was wearing a jacket that displayed the word "police," and had parked his marked police car in front of the restaurant. He was killed just a few feet from the cruiser. The shooter "knew this was a trooper," a spokesman for the Prince George's County Police Department said.\(^\text{113}\)


Officer Travis P. Murphy, 29, was shot and killed when he confronted a suspect who had fled the scene of a shots fired call earlier in the night. Officer Murphy, along with several officers, responded to the scene and started searching for the man on foot. Officer Murphy encountered the suspect and was shot 10 times in the legs and lower abdomen.\(^\text{114}\)


Officer Thomas William Evans, 38, pulled over a vehicle occupied by a father and son, and Sergeant Brandon Paudert, 39, arrived shortly after to provide back-up. During the stop the officers had the occupants, Jerry and Joseph Kane, exit the vehicle. A struggle ensued, followed by an exchange of gunfire. Officer Evans was shot 14 times and Sergeant Paudert was shot 11 times with an AK-47 wielded by 16-year-old Joseph Kane. The Kanes fled, with Jerry driving the getaway car. They were later located in a Walmart parking lot. There, they were killed in a shootout with other officers. Crittenden County Sheriff Dick Busby and his chief, W.A. Wren, were wounded in that incident.\(^\text{115}\)


Officer Thomas Wortham, 30, was leaving his parents' home when four men approached and attempted to rob him of his motorcycle. Officer Wortham identified himself as a police officer, drew his service weapon and fired at the suspects, but was fatally shot in the abdomen. His father, a retired Chicago police sergeant, witnessed the shooting and exchanged shots with the suspects, one of when had a conviction from 2009 for unlawful use of a weapon.\(^\text{116}\) The gun used to kill Officer Wortham was trafficked to Chicago from Mississippi by a gun trafficker.\(^\text{117}\)

Rockdale County, Georgia. May 8, 2010.

Deputy Brian L. Mahaffey, 28, was shot and killed as he and other deputies attempted to serve a warrant at a residence. The suspect, who was wanted for rape, aggravated assault and kidnapping, burst out of a closet and shot Deputy Mahaffey twice.\(^\text{118}\)

1 Officer Killed.
4 Officers Injured

Officer Brian Huff, 42, was shot and killed while responding to a report of gunshots at a vacant home. Several officers had surrounded the home, which was known to be a drug house, in response to the initial 911 call. When Officer Huff and the other officers entered the house, they were immediately met with gunfire. Officer Huff was fatally wounded and four other officers suffered non-life threatening wounds.

Maplewood, Minnesota. May 1, 2010.

1 Officer Killed

Sergeant Joseph Bergeron, 49, was shot and killed while attempting to question two men in connection with an earlier carjacking. As he exited his patrol car, one of the men, Jason J. Jones, approached him and immediately opened fire, fatally wounding him. Sergeant Bergeron died at the scene.

Nye County, Nevada. April 26, 2010.

1 Officer Killed

Deputy Ian Deutch, 27, was shot and killed as he and another deputy responded to a shooting call. A woman had called 911 and then fled from her home to seek safety in a nearby casino. As Deputy Deutch and his partner arrived in the casino’s parking lot, the shooter, who had followed her there, opened fire on the officers with an SKS rifle. Deputy Deutch was struck three times in the abdomen, with the rounds penetrating his vest. Deputy Deutch was a six year veteran of the Sheriff’s office, but had spent the previous year in Afghanistan with the Nevada National Guard. The day of the shooting was only his second day back at the Sheriff’s office since returning from war.


1 Officer Killed

Patrolman James Kerstetter, 43, was shot and killed after responding to a call that a woman’s neighbor had exposed himself to her child and kicked in a window in her home. The suspect opened fire on officers after they located him at his residence, killing Patrolman Kerstetter.


1 Officer Killed.
1 Officer Injured

Police Officer James Bonneau, 26, and another officer were responding to a domestic disturbance report when the suspect opened fire, killing Officer Bonneau and wounding the other officer. The suspect was shot and killed by the officers.

Quachita Parish, Louisiana. March 6, 2010.

1 Officer Killed

Corporal J.R. Searcy, 33, died from a gunshot wound he received two days earlier after responding to an assault call. It was reported that a suspect had tried to run people over with his vehicle. When the deputies arrived, they confronted the suspect and ordered him to put his hands up; as he did this he pulled a handgun that he had concealed behind his back and opened fire, striking Corporal Searcy twice.
Minkler, California.  February 25, 2010.

Several officers were sent to a mobile home to serve a warrant on Ricky Ray Liles, who was suspected of arson and of shooting at local homes and businesses. As the officers entered the suspect’s home, Liles opened fire, killing Deputy Joel Wahlenmaier, 48, and injuring Deputy Mark Harris. Another officer, Javier Bejar, 28, was killed in the attack as he stood several hundred yards from the mobile home.\(^{125}\)

Chattahoochee Hills, Georgia.  February 15, 2010.

Lieutenant Michael Vogt, 56, was killed when Robert Cook, a man he had arrested previously, did not want to be arrested again for driving drunk. Police say Lieutenant Vogt was in his car when Cook fired at him with an AR 15 automatic assault rifle.\(^{126}\)

Atlantic City, New Jersey.  February, 10, 2010.

Officer Kevin Wilkins, 31, was accidentally shot and killed as he attempted to install a rubber grip on his service pistol. He removed the magazine but did not remove the round from the chamber. As he installed the grip the weapon discharged and he the round struck him in the face.\(^{127}\)


Lieutenant Eric Shuhandler, 42, stopped a vehicle and as he approached the passenger side, the occupant fired a single shot, striking Lieutenant Shuhandler in the face, killing him. The two men in the car were located minutes later and a 50-mile high-speed chase ensued, with several units pursuing the car through Phoenix-area communities. The suspects fired several rounds and threw objects from their vehicle at the pursuing officers, but were eventually arrested.\(^{128}\)


Captain Chad Reed, 33, of the Dixie County Sheriff’s Office, was shot and killed in a shootout with a man wanted for murdering two women and shooting two others. Following the murders and shooting of the women, the Sheriff’s Office put out an alert for the suspect and his vehicle. The vehicle was spotted in Dixie County. When deputies began to follow it, the driver suddenly pulled into a gas station and an occupant opened fire on the deputies.\(^{129}\)


Trooper Paul Richey, 40, was shot and killed when he and another trooper responded to a domestic disturbance call. As Trooper Richey and the other trooper approached the house, a male voice called from a window for them to return to their cars. The troopers then ordered the man to show himself and at that point Trooper Richey was hit in the neck with a rifle round fired from the window of the residence. The suspect then murdered his wife before committing suicide.\(^{130}\)


Deputy Josie Fox, 38, was shot in her neck and killed while attempting to stop a vehicle connected to a car theft investigation.\(^{131}\)

Special Deputy Marshal Stanley Cooper, 72, was shot and killed when a man entered the lobby of the Lloyd D. George Federal Courthouse in Las Vegas and opened fire with a shotgun. A U.S. deputy marshal was also wounded. The suspect was pursued across the street by several deputy marshals and was shot and killed in the ensuing gunfight with the officers.  


Deputy Walter Kent Mundell, 44, and Sergeant Nick Hausner responded to a domestic call at a house where a man was fighting with his daughter and brother. The man produced a previously concealed gun and fired ten rounds at the officers. The suspect’s brother and daughter put themselves at risk to pull Sergeant Hausner, who was shot once, out of the line of fire. Deputy Mundell was shot multiple times and died from his wounds seven days later.  


Captain Dennis Cagle, 56, responded to the scene of a robbery in progress at a local grocery store. He was shot once in the stomach upon entering the store, and died from the injury three days later.  


Deputy Charles Brown, 38, responding to a 911 call was shot to death by an armed suspect. When officers arrived, 36-year-old Jerry Lee Pace, Jr., was armed and resisted instructions. Pace fired his gun, and officers fired back, killing Pace. Deputy Brown succumbed to his wounds a short time later.  


Officer Michael Crawshaw, 32, was shot and killed in an ambush while responding to a call. He was the first officer to arrive on the scene and parked several houses away to wait for backup. As he waited he reported to dispatchers that he heard gunfire from inside the home and he then unholstered his weapon. Moments later a suspect exited the home and immediately opened fire with an AK-47, fatally striking Officer Crawshaw as he sat in his patrol car. The suspect fled the scene but was apprehended a short time later. A preliminary investigation determined the suspect had gone to the home to collect on a drug debt and had murdered an occupant of the home prior to opening fire on Officer Crawshaw.  


Officer Philip Davis, 33, made a traffic stop, during which the suspect opened fire, fatally wounding Officer Davis. The suspect fled the scene and was arrested two hours later.  


Officer Gregory Richards, Sergeant Mark Renninger, Officer Tina Griswold, and Officer Ronald Owens were shot and killed by a violent felon, Maurice Clemmons, in an ambush attack while sitting inside a coffee shop. All four officers had just finished a call and went to the coffee shop to complete paperwork. Sergeant Renninger, Officer Owens and Officer Griswold were seated at a table and...
Officer Richards was in line waiting to order coffee. The suspect entered the shop, walked directly over to the table where the three officers were sitting, drew a 9 mm handgun and shot Officer Griswald, killing her. The suspect then shot Sergeant Renninger, killing him. The suspect’s weapon jammed and he became involved in a physical fight with Officer Owens. During the struggle, the suspect drew a second weapon, and shot and killed Officer Owens. Officer Richards, hearing the shots, moved toward the suspect and became involved in physical fight with him. During the struggle, Officer Richards was able to shoot the suspect once in the torso, before the suspect was able to gain control of his weapon. The suspect then shot Officer Richards, killing him. The suspect fled the location, prompting a two day manhunt. He was shot and killed by a Seattle police officer.138

**Las Vegas, Nevada. November 19, 2009.**

| 1 Officer Killed |

Officer Trevor Nettleton, 30, was shot and killed by several robbery suspects in his garage. He had returned home from his shift and was working in the garage when the individuals entered and confronted him.139

**Seattle, Washington. October 31, 2009.**

| 1 Officer Killed, 1 Officer Injured |

Officer Timothy Brenton, 39, was sitting in the passenger seat of a patrol car with Officer Britt Sweeney discussing a just completed traffic stop when a vehicle pulled alongside the patrol car and an occupant opened fire. Officer Brenton was killed instantly. His trainee officer was grazed in the back by one round. She was able to get out of the patrol car, return fire several times at the fleeing vehicle, and call for additional units. Days later, detectives followed up on a tip about a vehicle that matched the description of the vehicle seen at the incident. The detectives confronted a person of interest as he stepped outside. The man pulled a gun and was shot and wounded before being taken into custody.140

**Winston–Salem, North Carolina. October 7, 2009.**

| 1 Officer Killed, 1 Officer Injured |

Sergeant Mickey Hutchens, 50, responded to backup another officer at a call that a woman’s ex-husband was harassing her at her workplace. When officers arrived on the scene, they encountered the man behind a restaurant. He was wanted on several warrants and fled with both officers in pursuit. A struggle ensued during which the suspect pulled out a handgun and opened fire, striking both officers. Hutchens was killed.141

**Sedgwick County, Kansas. September 28, 2009.**

| 1 Officer Killed |

Deputy Brian Etheridge, 26, was shot twice after arriving at a house where a larceny was reported. The suspect, a 27-year-old male, was spotted about a quarter-mile from the shooting and was wounded as he exchanged gunfire with law enforcement officers. He also died from his wounds.142

**North St. Paul, Minnesota. September 7, 2009.**

| 1 Officer Killed, 1 Officer Injured |

Officer Richard Crittenden, 57, was shot and killed after he and another officer responded to a domestic disturbance call. A male subject had gone to the home of a woman who had a protective order against him. Officer Crittenden and an officer from the Maplewood Police Department arrived, and as they were conducting an investigation, the suspect attempted to attack the female. Officer Crittenden tried to protect her and during a struggle the suspect was able to gain control of Officer Crittenden's service weapon. He then opened fire,
striking Officer Crittenden, who was killed. The Maplewood officer suffered a gunshot wound to her wrist, but was able to return fire and kill the suspect.143

Georgetown, Delaware. September 1, 2009.

Patrolman Chad Spicer, 29, was shot and killed as he and his partner attempted to stop a vehicle that had been involved in a shooting a short time earlier. The suspect’s vehicle suddenly stopped and the patrol car came to a stop next to it. A rear-seat passenger in the suspect vehicle fired a single shot from inside the vehicle, striking Patrolman Spicer in the face. A ricochet from the round also struck his partner in the neck. The shooter and the driver of the vehicle fled on foot while a third passenger remained on the scene and attempted to provide medical aid to the two officers. The suspect who fired the shot was arrested a short time later and the second suspect turned himself in several days later.144


Officer Jesse Hamilton, 29, was shot and killed after responding to a domestic disturbance call. He had responded to the scene approximately 20 minutes earlier, and as he interviewed a female on the porch he learned that the male subject was armed with a handgun. Moments later the man emerged from the home and shot him.145


Corporal Michael Roberts, 38, was shot and killed while investigating a suspicious person. He noticed the man pushing a shopping cart along the roadway and stopped to question him. During questioning, the man began to struggle with Corporal Roberts. The suspect produced a handgun and struck Corporal Roberts several times before shooting him once in the chest. Corporal Roberts’ sergeant pulled up as the man began to flee. The man then pulled an AR-15 rifle from his shopping basket, pointed it at the sergeant, and fled on foot. When the suspect was apprehended, he was found to be armed with three handguns and the rifle.146


Deputy Sheriff Robbie Whitebird, 23, and Deputy Sheriff Marvin Williams, 43, were shot and killed while attempting to serve an arrest warrant. Williams, Whitebird, and an officer from the Seminole Nation Lighthorse Police Department were approaching the front door of the target location when they were fired on. Both deputies were struck by the gunfire and killed.147


Sergeant David Kinterknecht, 41, along with other officers, was dispatched to a home after a report of domestic violence. As the complainant was speaking to the officers, the suspect opened fire from a garage adjacent to the house. Sergeant Kinterknecht was struck in the chest. Two other officers were also shot and wounded. The suspect then committed suicide.148

Border Patrol Agent Robert Rosas, 30, was shot multiple times and killed while on patrol along the border. Agent Rosas was following a group of suspicious individuals and had radioed for backup. The group split up before the backup agents arrived and Agent Rosas began to follow one of the smaller groups. Three suspects were arrested in San Jose, California the following day. Four additional suspects were arrested in Mexico two days after the shooting. The 17-year-old suspect believed to have shot Agent Rosas was apprehended and sentenced to 40 years in prison.¹⁴⁹


Detective Marc DiNardo, 37, and four other officers were shot while attempting to apprehend two suspects wanted for armed robbery. The officers approached the apartment where the suspects were located and demanded that the occupants come out. When no one answered, the officers used a battering ram to enter, with Detective DiNardo in the lead. Once inside, they were immediately fired upon. Detective DiNardo was shot in the face and Officer Michael Camacho was shot in the neck. Three other officers were injured, although not seriously. Five days later, Detective DiNardo passed away from his injuries.¹⁵⁰

It was later determined that the male suspect who shot the officers was a violent career criminal who had recently been released from prison after serving five years for weapons possession charges that Detective DiNardo had arrested him on.¹⁵¹


Sergeant Joseph Harris, 46, and another deputy were conducting a stakeout due to a rash of recent cabin burglaries. The deputies attempted to take a man into custody when they observed him breaking into a home. Sergeant Harris and the suspect were both fatally wounded in the ensuing shootout. An investigation revealed that the killer was wanted in British Columbia, Canada, for a 1972 double murder of two campers.¹⁵²


Deputy Sheriff Shane Detwiler, 31, was shot and killed as he and a state trooper searched a mobile home after responding to the scene of a shooting. The initial shooting occurred when a female occupant of the mobile home fired at a utility worker who was attempting to shut the home's water off. Deputy Detwiler and two troopers responded to the scene and took the female into custody. Deputy Detwiler and one of the troopers then began to search the home for other occupants. When they reached the back bedroom, the woman's husband opened fire, fatally wounding Deputy Detwiler.¹⁵³


Officer Henry Canales, 42, was shot and killed while conducting an undercover investigation into the sale of stolen televisions. He and another officer were meeting with a group of suspects in a drug store parking lot. As money was exchanged one of the suspects opened fire, fatally wounding Officer Canales.¹⁵⁴

Assistant Chief Joseph Cannon, 50, was shot and killed while making a traffic stop. After learning that the vehicle was stolen, he requested backup. As Assistant Chief Cannon approached the vehicle, he was shot once in the chest.155


Trooper Joshua Miller, 34, was shot and killed and Trooper Robert Lombardo was shot and injured while attempting to apprehend a kidnapping suspect. Police responded to a report of a protection from abuse order violation involving a weapon. As police arrived, the suspect took a 9-year-old boy from his mother at gunpoint and fled the location in a vehicle, leading to a 40 mile vehicle pursuit. The suspect’s vehicle was eventually stopped by members of the Pennsylvania State Police. Trooper Miller and another trooper approached the car in an attempt to rescue the boy, but the suspect opened fire, striking Trooper Miller in the neck and leg, and striking his partner in the arm. The troopers were able to return fire, killing the suspect. While Trooper Miller and his partner were engaged in the gun battle, two other troopers were able to rescue the boy.156


Officer Brandon Sigler, 26, was shot while investigating a disorderly incident in the parking lot of an apartment complex. Officer Sigler was off duty and working as a courtesy officer at the complex at the time of the shooting.157


Lieutenant Gregory Jonas, 59, was shot in the back of the head and killed while patrolling a public housing complex. Police charged Lemuel Antwan Houston with the slaying. Police say Houston did not want to get caught with a gun.158


Officer Alejandro Valadez, 27, was shot and killed while investigating reports of gunfire. As he and his partner were questioning several individuals, a vehicle drove up and an occupant opened fire, striking Officer Valadez once in the leg and once in the head.159


Deputy Sheriff Warren York, 44, and Deputy Sheriff Burton Lopez, 44, were following up on a domestic assault report and located the suspect in the parking lot of a gun club. The deputies had a brief conversation with the suspect, informing him that he was going to be arrested, and as the deputies attempted to handcuff him he resisted arrest. One of the deputies fired their Taser and when the cycle ended, the suspect immediately drew a concealed handgun and opened fire. During the exchange of gunfire, Deputy Lopez was mortally wounded. The suspect then climbed into his truck to escape. Deputy York jumped inside in an effort to pull the suspect from the vehicle, but was shot and mortally wounded. The suspect fled the scene and opened fire on more deputies during a vehicle pursuit. His vehicle was rammed by deputies, causing it to flip over, and when he exited he again fired at the deputies, who returned fire, killing the suspect.160

A Henry County Sheriff's Deputy responded to a call of a man waving around a shotgun outside his trailer. When that deputy arrived, he was shot and seriously wounded by the suspect. Officer William Dexter Hammond, 38, responded to the officer down call, and when he arrived, the suspect shot and killed him with a rifle. Responding deputies also were fired upon when they arrived. They returned fire, killing the suspect.\textsuperscript{161}


Detective Rickie Allen Pearson, 29, was shot and killed and another detective was shot and injured as they attempted to apprehend a suspect wanted for murder. Detectives responded to the scene after receiving reports of a man shooting a gun on a wooded path. When they arrived, they found the vehicle of the murder victim nearby. The suspect was located in the woods, where he was firing his rifle. The suspect refused to surrender and fired at the deputies. The Lenoir County Sheriff's Department SRU was dispatched to the scene and located the suspect with the help of a North Carolina Highway Patrol helicopter. As the officers approached to take him into custody, the suspect opened fire, which led to a gun battle in which Detective Pearson was fatally wounded and a second detective suffered a gunshot wound to his neck.\textsuperscript{162}


Officers Paul Sciullo, 36, and Stephen Mayhle, 29, responded to a domestic disturbance call involving a mother and son. When they arrived, Officer Sciullo walked into the house with Officer Mayhle behind him. Officer Sciullo asked about the disturbance and inquired about weapons in the house. As Officer Sciullo was talking to a female in the home, he was shot in the face with a shotgun, followed by a shot to the chest. Officer Mayhle retreated out of the house and turned to fire at the suspect; he fired 11 shots, striking the suspect several times, but the suspect was wearing a bullet resistant vest. The suspect then produced an AK-47 and shot Officer Mayhle multiple times, with a fatal shot to the head.

Officer Eric Kelly, 41, who was off-duty and returning home after his shift, heard the call and responded to the scene. The suspect, who was now firing an AK-47 from the window of his home, shot and mortally wounded Officer Kelly as he exited his vehicle and attempted to aid Officers Mayhle and Sciullo. Despite being mortally wounded, Officer Kelly was able to call in the shooting and direct responding officers to the location. The responding officers were fired upon by the suspect. One officer was shot in the hand and another officer suffered a broken leg while rescuing Officer Kelly, who was taken to a local hospital where he died from his wounds.

The suspect, who was armed with several guns and protected by a bullet resistant vest, engaged responding patrol and SWAT officers in a gun battle in which over 100 rounds were fired. After a four-hour standoff in which he was shot several times in the legs and vest, he surrendered. He was arrested and charged with three counts of aggravated homicide and assault.\textsuperscript{163}

Four officers were killed and a fifth was injured by a suspect with an extensive violent criminal history who was on parole for assault with a deadly weapon. Officer John Hege, 41, and Sergeant Mark Dunakin, 40, were shot and killed during a traffic stop when the suspect opened fire. He then fled on foot, leading to an intense manhunt by dozens of officers from the Oakland Police Department, California Highway Patrol, and Alameda County Sheriff’s Department.

The Oakland Police Department received an anonymous tip that the suspect was barricaded inside an apartment building. Officers attempted to negotiate with him but when that failed, a SWAT team was sent in to apprehend him. As the SWAT officers approached, the suspect opened fired with a rifle, killing Sergeant Ervin Romans, 43, and Sergeant Daniel Sakai, 35, and wounding a third officer. Officers returned fire, killing the 26-year-old suspect.164


Deputy Chad Mechels, 33, responded to a home to check on the well-being of an individual. After arriving, he was shot and killed. The suspect, a 19-year-old male, called 911 to report he had shot Deputy Mechels and then fled the scene. He was taken into custody later that day.165


Officer John Pawlowski, 25, and his partner responded after a cab driver called 911 to report a dispute. The cab driver had told the suspect that he was going to call the police, to which the suspect responded "If you call police, I shoot you plus the police." When the officers arrived, the cab driver pointed out the subject. Officer Pawlowski and his partner approached and asked the suspect, who had his hands in his pockets, to show his hands. The suspect did not comply and immediately opened fire with a handgun, shooting through the pocket of his coat. One round struck Officer Pawlowski in his bullet resistant vest, and a second round struck him in the chest, just above his vest, mortally wounding him. Officer Pawlowski’s partner and a third officer engaged the suspect in a gun-battle, in which one officer was grazed.166
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The policy change was made pursuant to a Justice Department appropriations rider that was made final through regulation, Section 616 of P.L. 108–447, 118 Stat. 2915, then made final by regulation. 69 Fed. Reg. 43892, July 23, 2004, codified at 28 CFR § 25.9(b)(ii).


Id.


52 The states include California, Colorado, Connecticut, Florida, Hawaii, Illinois, Iowa, Maryland, Massachusetts, Michigan, Minnesota, Nebraska, New Jersey, New York, North Carolina, Oregon, Pennsylvania, and Rhode Island.

53 Cal. Penal Code §§ 12072(d), 12802, 12804.


57 See ATF, Commerce in Firearms in the United States 22 (Feb. 2000).

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