

# Gun buyers with criminal record likely to offend: study

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(PhysOrg.com) -- A new UC Davis Health System study finds that handgun buyers, if they have any prior criminal record, go on to commit felonies and violent misdemeanor crimes at much higher rates than law-abiding gun owners do. Identifying individuals who legally purchased guns and likely still own them after being convicted of subsequent crimes that prohibit gun ownership could be a valuable violence prevention measure, according to the study.

"The United States works hard to prevent felons, domestic violence offenders and other people with serious criminal [convictions](#) from buying guns," said Garen Wintemute, an emergency medicine physician and director of the UC Davis Violence Prevention Research Program.

"We looked at how often people who have purchased guns legally, then became prohibited from owning them. It was a surprise to find such a significant correlation between minor criminal records among legal handgun purchasers and their subsequent convictions for more serious crimes."

The study, published online in the [Journal of Trauma](#), found that handgun purchasers with no prior criminal history had very low rates of new criminal activity. However, Wintemute and co-author Mona Wright, a research investigator in the Violence Prevention Research Program, discovered that handgun purchasers with prior criminal histories had a nearly 1 in 20 chance of being convicted of a crime that prohibits gun ownership within five years of buying their guns. Among handgun purchasers with no prior arrests or convictions, less than 1 percent were

convicted of a crime that prohibits gun ownership. The study is based on California Department of Justice data from more than 7,000 people who legally purchased handguns in California in 1991.

"For law-abiding gun owners the study's findings are reassuring," said Wintemute. "However, we found that even those with just one prior misdemeanor conviction were more than four times as likely to commit a crime for which gun ownership is prohibited."

Under federal law, people planning to purchase firearms from licensed dealers must first undergo a background check to verify that they are eligible to do so. Felons and people convicted of misdemeanor domestic violence or subject to domestic violence restraining orders are among those individuals who are prohibited from buying or owning a gun.

The study, after taking into account differences in age and sex, found that handgun purchasers with one of these misdemeanor convictions were 4.2 times as likely to commit a crime that prohibits gun ownership. Handgun owners with two prior convictions were 10.4 times as likely, while those with three or more prior convictions were 13.6 times as likely as those with no prior criminal record to be convicted of a crime that prohibited gun ownership. The researchers obtained very similar results when they looked specifically at new convictions for murder, rape, robbery and aggravated assault.

The study also found a strong relationship between age and risk for new criminal activity among handgun purchasers. For gun owners with prior misdemeanor convictions, new convictions for felonies and other offenses that bar gun ownership were 6.1 times as common among people aged 21 to 24 as among those aged 35 to 49.

Comparing handgun purchasers aged 35 to 49 with no prior criminal record to those aged 21 to 24 with three or more prior misdemeanor

convictions, the study authors found that the younger group with criminal records was approximately 200 times as likely to be convicted of a felony or violent misdemeanor.

Equally troubling to the study team was the data on handgun purchasers who had been charged with crimes that prohibited gun ownership but had not been convicted. This was the case for 63 percent of all handgun purchasers with prior criminal histories, and more than 80 percent of those who were later convicted of a crime that prohibited gun ownership. It is a problem that Wintemute argues should be aggressively addressed by prosecutors.

"We recommend that policy makers and law enforcement professionals consider how to address continuing gun ownership among people who purchased guns legally at one time but are now prohibited from owning them because of their criminal convictions," said Wintemute.

According to the study's authors, the findings likely underestimate the incidence of criminal activity among handgun purchasers who no longer can legally buy or possess firearms, particularly outside California. The study did not take into account indictments, restraining orders, unreported convictions or other pending convictions. It also did not include domestic violence misdemeanors if the offense was recorded as non-domestic violence crime. The study did not include people convicted of violent misdemeanors, such as assault and battery or brandishing a firearm, because they are already prohibited from purchasing a gun under California law. However, such people can buy guns in most other states.

Provided by UC Davis

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