

Expert says requiring background checks for all gun sales would improve safety

September 17 2014, by Dan Heuchert



Given the U.S. Supreme Court's majority stance against efforts to regulate gun availability and ownership, many policies aimed at lessening gun violence have had at best a minimal impact, according to an article by a criminologist in the current issue of the Virginia News Letter, published by the University of Virginia's Weldon Cooper Center for Public Service.

But one policy not used in Virginia and 33 other states would clearly make it more difficult for criminals or unqualified users to obtain guns,

writes Thomas Baker, assistant professor in the L. Douglas Wilder School of Government and Public Affairs at Virginia Commonwealth University: requiring a background check for anyone buying from an unlicensed private seller, including those at gun shows and flea markets.

This could be accomplished simply by the seller contacting a federally licensed firearm dealer to run a check before the transaction and would not be an undue burden on anyone, Baker writes.

Under current law, "Criminals who want to buy guns can simply do so from private sellers, avoiding the background checks that the majority of law-abiding citizens are subjected to when purchasing a firearm," he writes. "It is difficult to defend this lapse in the purchasing and transfer of firearms. Certainly gun rights advocates and gun control advocates can agree that criminals should not have any easy path to acquiring guns."

Under Baker's proposal, the private seller and private purchaser would go to a federally licensed dealer, who would conduct the background check; the purchase could be approved or not based on the outcome of the check. Although some collectors say they worry about the potential difficulty of transferring their entire collections this way, the transfer of multiple firearms to a single buyer could be conducted with a single background check, Baker adds.

All federally licensed dealers at gun shows are legally required to conduct background checks for the sale or transfer of firearms, but unlicensed private citizens use the venues to buy and sell privately owned guns without [background checks](#), Baker notes.

There are more than 4,400 federally licensed dealers in Virginia, and their names, names of their businesses and addresses are easily accessible from the Bureau of Alcohol, Tobacco, and Firearms website.

Virginia's laws governing the sale and transfer of firearms closely mirror the requirements mandated by federal law and are similar to the regulatory situation in many other states, Baker writes. Like 39 other states, Virginia does not mandate a waiting period between purchase and possession. Virginia, like 29 other states, allows the open carrying of firearms without a permit.

Among Baker's recommendations for Virginia policymakers are that efforts to reduce [gun violence](#) should have a clear rationale for how they might be successful and should contain provisions for continued evaluation. Many law-abiding owners fear restrictions on firearms, he writes, so having meaningful data about reducing crime and violence and about the causes of violence is crucial, he concludes.

His article covers only gun violence associated with criminal behavior. Statistics on gun deaths in Virginia show that suicides account for more than double the number of firearm deaths from homicides. The article also does not speculate on the causes of gun-related deaths in the United States nor does it compare [gun](#)-related deaths in the U.S. to other countries with more restrictive firearm policies.

More information: The article is available online:
www.coopercenter.org/publications/VANsltr092014

Provided by University of Virginia

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