

May 7, 2021

Newton City Council  
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Dear Mayor Fuller and Members of the City Council,

On behalf of Giffords Law Center to Prevent Gun Violence, the nonprofit gun violence prevention organization led by former congresswoman and survivor, Gabby Giffords, **I write to offer our support for the proposed ordinance regulating gun dealers that seek to operate in the community.** This ordinance would zone gun dealers to safe locations in the city, and impose other measures to deter and detect illegal gun sales and thefts. It will undoubtedly improve the public safety of the residents of Newton and surrounding communities.

**We support the approach the city is taking to zone dealers to areas where their presence poses a lower risk. Despite the claims of gun extremists, firearms dealers do present risks to a community.** They are high-value targets for criminals, and have often been magnets for break-ins, theft, and destruction of property. According to an [ATF Special Agent](#), “When people break into homes or businesses, guns are often the target. ... [O]f the commodities that we find that people that are involved in criminal activity are looking for, guns are very high on the list.” Gun thefts have been on the rise nationally, and while [Massachusetts has lower rates of gun thefts](#) from dealers than most other states thanks, in part, to its comprehensive statewide regulations, after years of declines, gun thefts from dealers in 2020 reached [peak levels](#) not seen since 2014.

**The presence of gun dealers is incompatible with places where children and families frequent as well as other locations that have been targets of violence, such as houses of worship.** One academic study suggests that firearms dealers may attract individuals engaged in criminal activity to the areas in which they are located, not only because they are a high-value target for theft, but also because of firearms dealers’ willingness to sell to “straw purchasers” who illegally buy for others.<sup>1</sup> Another [study](#) analyzed ATF data showing that guns “are often found to have been used for criminal purposes not far from the gun dealer where they were first obtained.” Based on the above evidence, the presence of firearms dealers in residential neighborhoods and near sensitive areas may endanger the public (and decrease the public’s sense of safety) by increasing the risk of criminal activity and violent crime.<sup>2</sup>

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<sup>1</sup> Garen Wintemute, “Firearm Retailers’ Willingness to Participate in an Illegal Gun Purchase,” *Journal of Urban Health* 87, no. 5 (2010): 865-878.

<sup>2</sup> See *Friedman v. City of Highland Park*, 784 F.3d 406, 412 (7th Cir. 2015) (law that reduces the “perceived risk from a mass shooting, and mak[es] the public feel safer as a result” provides “a substantial benefit”).

**Parents should have the freedom to determine when and how to expose their children to guns.** If a gun store is located along a walking route to a school, playground, child care facility, library, or park, this becomes impossible. Zoning gun dealers away from these areas and ensuring that unsupervised minors may not enter gun stores puts these decisions back in the hands of parents, not gun dealers.

**Finally, this ordinance will help ensure that guns sold by dealers in the community do not end up in the hands of people who commit crimes.** Requiring guns to be safely stored during non-business hours will help prevent gun store burglaries after-hours. Unlike jewelers who routinely lock up their inventory at night, many dealers leave their guns unsecured which enables criminals to [drive their cars into storefronts and make off with numerous](#) guns quickly, before law enforcement arrives. Stolen guns are often used in subsequent crimes. An [analysis](#) of more than 23,000 stolen firearms recovered by police between 2010 and 2016 found that the majority of these weapons were recovered in connection with crimes, including more than 1,500 violent acts such as murder, kidnapping, and armed robbery.

For the foregoing reasons, Giffords Law Center strongly supports the proposed ordinance which would enact reasonable and effective regulations of gun dealers.

Sincerely,



Allison Anderman  
Senior Counsel

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#### ABOUT GIFFORDS LAW CENTER

For over 25 years, the legal experts at Giffords Law Center to Prevent Gun Violence have been fighting for a safer America by researching, drafting, and defending the laws, policies, and programs proven to save lives from gun violence.