

standing guard

By Wayne LaPierre, Executive Vice President

Not Enforcing Existing Gun Laws— That's A Crime

If anybody in Chicago is culpable for the armed carnage on that city's mean streets, it's Mayor Rahm Emanuel, who never misses an opportunity to blame peaceable, law-abiding gun owners for the daily bloodletting by violent Chicago thugs.

Emanuel steadfastly refuses to demand application of tough federal laws that would surgically rid the streets of criminals who currently terrorize many Chicago neighborhoods. And that represents a kind of aggressive political malfeasance.

For Emanuel—a former U.S. congressman, former chief of staff in President Barack Obama's White House and former Bill Clinton White House gun-ban guru—to intentionally blow off federal laws punishing illegally armed violent criminals is especially vile.

The reason is simple. If Chicago citizens knew the extent of existing harsh criminal sanctions and that those laws could readily be applied to prosecute real criminals, Emanuel's endless call for new "gun control" would be seen for what it is: an evil campaign to disarm the innocent. And those federal laws apply equally in every corner of the nation.

That reality goes for New York City Mayor Michael Bloomberg, and for every other mayor signed on to his phony national political machine, Mayors Against Illegal Guns. It also goes for U.S. Attorney General Eric Holder and President Obama.

A January 2013 *Chicago Tribune* story headlined, "U.S. struggles over which gun crimes to prosecute," reported, "Obama's Justice Department has shown little appetite to prosecute what it considers low-level firearms crimes... officials with the department said."

If "low-level" prosecutions of the most violent armed criminals in Chicago were the norm, that city—with thousands of shootings and armed robberies added to its growing number of murders—would

see scores of the worst violent gang members and armed drug dealers sent to prison in sure, swift prosecutions. That's true for every city in America.

But Chicago, with the most vicious armed criminals in the nation, ranks 89th out of 90 U.S. Attorney districts. That ranking comes from Syracuse University's Transactional Records Access Clearinghouse (TRAC), which provides the gold-standard review of federal law enforcement performance.

Given thousands of violent crimes involving armed criminals, including record numbers of murders every year, Chicago has seen pathetically few federal gun-law prosecutions: 63 in fiscal year 2011.

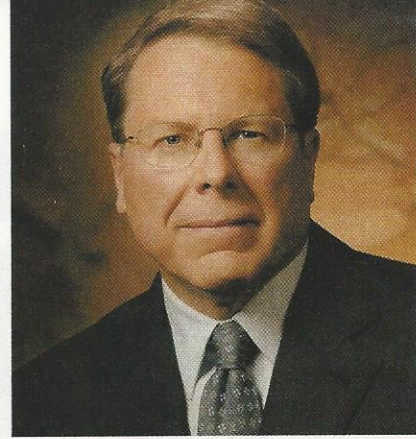
How many of the 506 murders involving firearms in Chicago last year would never have happened had Obama's Justice Department taken criminals off the streets?

A simple look at the law answers that question. Everything real violent criminals do to acquire a firearm is already a serious federal felony. Under federal law, lying to a licensed dealer, lying on the form 4473, and straw sales are all federal felonies that are almost never prosecuted. Holder's Justice Department calls them "paper violations." Yet those are the very crimes that they say demand a "universal background check"—a national registration scheme—for all of us.

So let me cite—from a federal public defender fact sheet—a few of the existing federal statutes dealing with armed criminals once they have their guns. I'll give you the prison term first along with the citations in the United States Code (U.S.C.).

- **10 years**—18 U.S.C. § 922(g)—for possession of a firearm or ammunition by a felon, fugitive, or drug user... And possession means touching a gun, any gun, handgun, rifle or shotgun. Any firearm that Dianne Feinstein would ban for us, is already an illegal gun for violent criminals.

- **10 years**—18 U.S.C. § 922(j)—for possession of a stolen firearm.



- **10 years**—18 U.S.C. § 922(i)—for shipment or transport of a stolen firearm across state lines.
- **10 years**—18 U.S.C. § 924(b)—for shipping, transporting or receipt of a firearm across state lines with intent to commit a felony.
- **5 to 30 years consecutive mandatory minimum sentences**—18 U.S.C. § 924(a)(1)(A)—for carrying, using, or possessing a firearm in connection with a federal crime of violence or drug trafficking.
- **The death penalty or up to life imprisonment**—18 U.S.C. § 924(j)—for committing murder while possessing a firearm in connection with a crime of violence or drug trafficking.
- **15 years mandatory minimum**—18 U.S.C. § 924(e)—for a "prohibited person" who has three prior convictions for drug offenses or violent felonies.
- **10 years**—18 U.S.C. § 924(g)—for interstate travel to acquire or transfer a firearm to commit crimes.

So, if every possible aspect of acquisition, possession, transport, transfer of a firearm by criminals demands harsh and swift punishment under existing law, what is it that Emanuel, Bloomberg and President Obama really want?

To criminalize—then prosecute—everything that we do as law-abiding, peaceable citizens who own and use firearms.

I want to ask a favor. Copy this column and give it to people in the media and to politicians. Put them on notice that their ignorance of law, feigned or real, and their unwillingness to push for prosecution of real criminals using existing federal law cannot be tolerated—EVER! Otherwise these agenda-driven politicians are complicit in criminal violence.

Wayne LaPierre



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