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Massacre Renews Focus on Gun Buys

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Under federal and Arizona law, a mentally ill person is barred from purchasing a gun if a court has deemed that person a danger. And in hindsight, there is evidence of Mr. Loughner's disturbed mental state.

At Pima Community College, Mr. Loughner had five contacts with campus police. The school suspended him last year and said he couldn't return unless he obtained clearance from a mental-health professional that indicated his presence wouldn't pose a danger to himself or others.

But a federal law-enforcement official on Sunday said there was no evidence Mr. Loughner had been under any court-ordered treatment, which is one clear route to barring someone from buying a gun. Officials said he bought his gun legally Nov. 30 at a Tucson outdoor-sports store after a full background check.

"You can be diagnosed paranoid schizophrenic and buy a gun," said an official with the Bureau of Alcohol, Tobacco, Firearms and Explosives. "A judge has to find you mentally ill before you are prohibited."

The shooting sparked debate Sunday on gun laws' adequacy. Arizona's are among the least restrictive in the U.S., but Republican lawmakers argued that no new laws would have stopped Mr. Loughner. Democrats countered that it is at least legitimate to examine how Mr. Loughner obtained a weapon.

In the 2007 shootings at Virginia Tech, which resulted in the deaths of 33 people, gunman Seung-Hui Cho had been considered dangerous by a court and ordered to get outpatient treatment. That information wasn't forwarded to the federal database maintained by the Federal Bureau of Investigation used by gun stores in conducting background checks, and should have stopped him from buying a gun.

In the wake of the Virginia Tech shootings, Congress passed a law providing financial incentives to encourage states to submit such court records.

Other recent shootings have brought few changes. Army Maj. Nidal Hasan, awaiting trial after a 2009 shooting spree at Fort Hood, Texas, passed a background check to buy a pistol at a Texas gun shop even though he was on terrorism investigators' radar for contacting a radical Islamist cleric. Such information doesn't show up in background checks. In the wake of the shooting, which killed 13 people, legislation restricting gun sales to people involved in terror probes failed to pass.

Mr. Loughner was arrested for drug possession in 2007; the case was "dismissed with prejudice" and further details of the arrest weren't available Sunday. Under federal law, people addicted to a controlled substance are prohibited from buying a gun, said Joshua Horwitz, executive director of the Coalition to Stop Gun Violence. But the addiction would have to be reported to the relevant state or federal database.

Paul Helmke, president of the Brady Campaign to Prevent Gun Violence, a gun-control group, said lawmakers should consider expanding the definition of mental illness when it comes to barring individuals from buying guns, and possibly require purchasers to submit references. "Before a teenager gets a job at McDonalds, he has to give a couple of references and they call a teacher or neighbor," Mr. Helmke said. "But to buy a gun, nobody calls anybody."

Advocates for the mentally ill have traditionally balked at additional restrictions for those who haven't been classified as a danger by a court.

Mr. Helmke criticized Congress for allowing the federal assault-weapon to expire in 2004. It barred dealers from selling magazines holding more than 10 rounds. A federal law-enforcement official said Mr. Loughner's used a magazine with about three times that capacity. "Without that extended magazine you would not have seen the body count as high," the official said.

At least six states ban high-capacity magazines, including California, New York and New Jersey. California has additional mental-health restrictions, such as requiring psychotherapists to immediately report anyone who communicates a serious threat of physical violence against a reasonably identifiable victim or victims.

Gun activists say those added restrictions likely wouldn't have made a difference in this case.

Chris Knox, a spokesman for the Firearms Coalition, a for-profit, loose-knit coalition of gun activists, said restrictions such as ammunition limits wouldn't have prevented Saturday's killings. "I am not that good [at using a gun], and even I can do a magazine switch in under a second and a half," he said. And even if the shooter had been prohibited from legally buying a gun, "he would have been able to obtain it through illegal channels."

—*Evan Perez contributed to this article*