

## COMBATting THE ILLEGAL GUN TRADE

All illegal guns begin as legal guns. Strong controls on legal guns are essential to preventing the diversion of legal guns to illegal markets. Remember: if we do not know who owns which guns, we have no effective control.

### Guns Used in Crime in Canada

- Across Canada, the types of firearms recovered by police tend to reflect the firearms in circulation in that area. Rifles and shotguns account for a significant proportion of those recovered in crime.
  - For example, between 2007 and 2010, the Toronto Police Services seized a total of 559 intact rifles and shotguns as crime guns;<sup>1</sup> at least 25 of the 129 crime guns the Halifax Regional Police and Halifax RCMP seized in 2010 were non-restricted long guns, all from domestic sources.<sup>2</sup>
- Gang-related gun crime is only one part of the problem associated with the misuse of firearms. Handguns figure prominently in gang-related violence.
- More than half the police officers shot and killed in Canada over the past 40 years – and nearly 80% in the last decade alone – have been killed with rifles and shotguns.<sup>3</sup>
- Rifles and shotguns are the guns most often used in the murders of women, in suicides, and accidents, because they are the guns most often in the home.

### Controls over legal guns are essential to preventing diversion and choking off the illegal supply.<sup>4</sup>

- **Firearms registration helps reduce the diversion of legal guns into illegal markets and combat the illegal gun trade.** With registration, police are in a position to differentiate between legal and illegal firearms. Without this information, police cannot identify trafficked or smuggled firearms and consequently cannot charge individuals with illegal possession of illicitly acquired firearms. There are numerous examples of the long-gun registry helping to combat the illegal gun trade:
  - In March 2011, a licenced gun dealer from Sainte-Béatrix, QC was criminally charged for illegally selling 63 guns—including long guns—to Montreal street gangs. Police began their investigation after three guns that previously belonged to this individual were used in gang crimes.
  - In December 2010, Sarnia Police apprehended a man suspected in the theft of three guns after an individual tried to register them.
- **Firearm registration increases accountability, therefore helps enforce the legal obligation to report lost or stolen guns, and encourages safe storage, which will help reduce gun theft.** Legally owned guns are sometimes still improperly stored, and are lost or stolen, from homes, cottages **Error! Bookmark not defined.** and vehicles<sup>5</sup> – and even businesses.
  - Every year, about 3,000 firearms are reported stolen in Canada<sup>6</sup>.
  - For the country as a whole, Statistics Canada reports that in 2006, *“over 3,100 incidents during which at least one firearm was reported stolen ... three-quarters [of which] were rifles or shotguns (73%) ... About half (47%)... were taken during the course of a break and enter, usually in a residence....”*<sup>7</sup>
  - In rural areas such as ‘cottage country,’ it is almost exclusively long guns that are stolen,<sup>8</sup> while in intermediate-sized cities such as Calgary<sup>9</sup> and Ottawa it is closer to half.<sup>10</sup> Even in Toronto, rifles and shotguns account for nearly half of the guns reported stolen, and one-quarter of those stolen and subsequently recovered by the police.<sup>11</sup>
  - Registration also allows police to trace firearms easily to their rightful owner. Between 1974 and 2008, 40,000 long guns and 33,000 prohibited weapons were stolen from Canadian residences. In 2010, more than 111,000 firearms were in police custody, either for public safety reasons or after criminal use. Of these, 87,000 were long guns.<sup>12</sup>
- Some of these stolen guns have been involved in homicides: at least 10 in 2006 alone.<sup>13</sup>
  - William and Helene Regier were killed by a farmer’s gun stolen from a neighbouring barn, by a man wanted for murder in Huron County, Ontario, in July 2007.

- A stolen handgun was recovered in Toronto's 2005 Boxing Day shooting which killed 15 year-old Jane Creba.
- Louise Russo is now disabled after being caught in the crossfire in a Toronto shooting. The gun used was stolen from a collector.
- **The information contained in the long-gun registry is critical in the investigation and prosecution of firearms offences.**
  - Police say that each and every response raises the possibility of the presence of a firearm and a corresponding risk to the safety of the public (for example, a victim of domestic violence) and officers. While the information in the long gun registry may not be perfect—it has been weakened by the Conservative's successive amnesties—they prefer to have more information rather than less. We know that the DNA and the fingerprint databank do not have information on all Canadians, but it is still used on a regular basis to support criminal investigations.
  - While the gun registry does not prevent all tragedies, it has provided useful tools to help police bring criminals to justice. It allows police to trace firearms easily to their rightful owner, a potential lead for investigators searching for a suspect following a violent occurrence.
  - The gun registry has provided over 18,000 affidavits to support the prosecution of firearms-related crime.<sup>14</sup> For example, two men were identified and convicted as accessories to the murder of four RCMP officers in Mayerthorpe, Alberta, in part because a registered gun was left at the scene of the crime.

<sup>1</sup> Toronto Police Service's *Annual Statistical Report(s)* for 2007 through 2010, in the "Crime Gun - Firearm Type" and "Crime Gun - Firearm Classification" Tables, available at <http://www.torontopolice.on.ca/publications/#reports> For 2007 through 2010 inclusive, a total of 3,256 crime guns were seized; 363 of them were classified as non-restricted rifles or shotguns.

<sup>2</sup> Jennifer Taplin and Alex Boutilier, "Police: Guns home-sourced," *Metro News*, May 16, 2011 <http://www.metronews.ca/halifax/local/article/861250--police-guns-home-sourced>

<sup>3</sup> Sara Dunn, "Police officers murdered in the line of duty, 1961 to 2009," *Juristat*, Fall 2010, Statistics Canada, <http://www.statcan.gc.ca/pub/85-002-x/2010003/article/11354-eng.htm> RCMP, *Canadian Firearms Program Evaluation*, 2010 <http://www.rcmp-grc.gc.ca/pubs/fire-feu-eval/t2a-eng.htm>

<sup>4</sup> Heemskerck, Tony and Eric Davies "A Report on the Illegal Movement of Firearms in British Columbia," November 2008.

<sup>5</sup> The Guardian, "Firearm among items stolen from unlocked vehicles in Montague [PEI], say RCMP," *The Guardian*, January 14, 2011 <http://www.theguardian.pe.ca/News/Local/2012-01-14/article-2864538/Firearm-among-items-stolen-from-unlocked-vehicles-in-Montague.-say-RCMP/1>

<sup>6</sup> RCMP, "Feature Focus: Youth Gangs and Guns," part of their *2006 RCMP Environmental Scan*, <http://www.rcmp-grc.gc.ca/pubs/yg-ja/gangs-bandes-eng.pdf>

<sup>7</sup> Mia Dauvergne and Leonardo De Socio, "Firearms and Violent Crime," *Juristat*, 28(2), 2008, Statistics Canada, <http://www.statcan.gc.ca/pub/85-002-x/2008002/article/10518-eng.htm>

<sup>8</sup> See for example Sudbury Star. (2009) "Total of 17 guns stolen from five cottages, OPP say," *Sudbury Star* December 23, 2009 <http://www.thesudburystar.com/ArticleDisplay.aspx?e=2233393&archive=true> Only one was a handgun.

<sup>9</sup> CBC News, "Number of guns recovered in Calgary jumps," CBC News, September 3, 2008 <http://www.cbc.ca/news/canada/calgary/story/2008/09/03/calgary-guns.html> "Officers have recovered 35 firearms (16 handguns and 19 long arms), so far in 2008 compared to a total of 34 for all of last year."

<sup>10</sup> Justin Sadler, "Ottawa Gun Stats," *Ottawa Sun*, March 7, 2011 <http://www.ottawasun.com/news/ottawa/2011/03/07/17527226.html> About half the crime guns the Ottawa Police recovered in the past several years are long guns, and half of those (and thus 25% of all the recovered crime guns) are from domestic sources.

<sup>11</sup> Toronto Police Service's *Annual Statistical Report(s)* for 2007 through 2010 inclusive, "Types of Firearms Stolen and Recovered in Toronto" Tables in each. 44 rifles were reported as stolen to the Toronto Police, and 35 shotguns, for a total of 45% of the 176 stolen weapons that would actually be deemed as firearms; and of the 15 (13%) of the 115 stolen firearms the Toronto Police Service recovered between 2007 and 2010 were rifles and 14 (12%) were shotguns (and another 14 (12%) were sawn-off shotguns).

<sup>12</sup> Joint Statement on Firearms from the Canadian Association of Police Boards (CAPB), the Canadian Police Association (CPA), and the Canadian Association of Chiefs of Police (CACP), May 2010.

<sup>13</sup> The RCMP reports that 10 of the 61 firearms the police recovered in 2006 that had been used in homicides had been reported as stolen; see *Canadian Firearms Program Evaluation*, 2010, 'Statistical Overview,' <http://www.rcmp-grc.gc.ca/pubs/fire-feu-eval/t2a-eng.htm>

<sup>14</sup> RCMP, (2010); RCMP, Canadian Firearms Program. (2009) Commissioner of Firearms 2008 Report. Ottawa: RCMP.