



NATIONAL POLICING INSTITUTE

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Keeping Firearms Out of the Wrong Hands

Addressing Theft and Diversion Through
Reporting of Lost and Stolen Firearms

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About the Project

The Joyce Foundation commissioned the National Policing Institute (NPI) to assess and produce a report on mandatory reporting laws for lost and stolen firearms and how law enforcement agencies are currently using, enforcing, and encouraging compliance with such laws. The project supports the Joyce Foundation's efforts to identify barriers and inform policymakers and law enforcement leaders on best practices related to the enforcement of reporting lost and stolen firearms. It also addresses one of NPI's key goals—to reduce violent crime involving firearms through community engagement, evidence-based interventions, and collaborative law enforcement initiatives.

Across the nation, policymakers and law enforcement agencies have turned to different legal and policy approaches to address gun violence and the movement or “diversion” of firearms from the legal to the illegal market—where criminals and those who are prohibited by law from having firearms may obtain them. State laws mandating reporting of lost and stolen firearms are intended to address the issue of criminal access to firearms, yet very little is known about implementation best practices and challenges. This study, likely the first to assess implementation and design questions across the states, finds that changes are needed to realize much of the benefit these laws were intended to provide.

The study findings suggest that alternative approaches emphasizing incentives and behavioral change over punitive measures may be more effective than the current penalty-focused approach in many state policies. The study encourages consideration of enhanced civil liability provisions and educational initiatives to promote awareness and compliance with reporting laws among firearm owners and sellers. Additionally, it underscores the effectiveness of targeted awareness campaigns and problem-oriented policing strategies in deterring firearm-related offenses such as straw purchasing.

Methodology

NPI conducted the study using a mixed-methods approach. This included a review of the literature and state policies, structured interviews with law enforcement executives and leaders, a focus group of law enforcement leaders and staff from various states and agencies, and informal interviews with law enforcement experts. The individuals interviewed included those with knowledge of criminal justice information systems, investigative methods, firearms and related crime, and gun policy research.

This study offers a rare opportunity to examine the design and implementation of crime policies, rather than solely focusing on the outcomes of the policies. NPI believes that implementation research and science are underutilized and play an important role in balancing quantitative and qualitative approaches and findings.

Acknowledgments

NPI wishes to acknowledge the input, guidance, and feedback provided by various law enforcement executives, commanders, and investigators who participated in interviews, the focus group, or follow-up contacts. Multiple NPI Executive Fellows, former federal and local law enforcement executives, and subject matter experts also provided insights and additional information regarding policing practices related to firearm theft, investigations, recovery, and reporting. NPI also acknowledges input from the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and the Federal Bureau of Investigation's Criminal Justice Information Services (CJIS) Division.

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Executive Summary

The Joyce Foundation commissioned the National Policing Institute (NPI) to assess and produce a report on mandatory reporting laws for lost and stolen firearms and how law enforcement agencies are currently using, enforcing, and encouraging compliance with such laws. This report supports the Joyce Foundation's efforts to identify barriers and inform policymakers and law enforcement leaders on best practices related to the enforcement of reporting lost and stolen firearms.

Across the nation, policymakers and law enforcement agencies have turned to different legal and policy approaches to address gun violence and the movement or "diversion" of firearms from the legal to the illegal market, where criminals and those who are prohibited by law from having firearms may obtain them. State laws mandating reporting of lost and stolen firearms are intended to address the issue of criminal access to firearms, yet very little is known about implementation best practices and challenges. This study, likely the first to assess implementation and design questions across the states, finds that changes are needed to realize much of the benefit these laws were intended to provide. Specifically, the results of this study suggest that:

- Mandatory reporting laws for lost and stolen firearms may be designed or applied in ways that dilute their potential impact.
- Some penalties may have limited or no potential for deterrence, may undermine the importance or significance of reporting or the law itself, and contribute to concerns over criminal justice fines and fees.
- The laws appear to lack the necessary support of clear implementation approaches and input and support of state and local law enforcement.

However, the study does not find that the laws serve no purpose or that they should be abolished or abandoned. Instead, the study proposes alternative approaches emphasizing incentives and behavioral change over punitive measures. It advocates for enhanced civil liability provisions and educational initiatives to promote awareness and compliance

with reporting laws among firearm owners and sellers. Additionally, it underscores the effectiveness of targeted awareness campaigns and problem-oriented policing strategies in deterring firearm-related offenses such as straw purchasing.

Furthermore, the study provides more than 20 recommendations to be considered by government and policy leaders, law enforcement, and communities. These recommendations include:

- Reconsidering small or low penalties, such as fines, and considering alternatives, such as enhanced liability provisions and restrictions on future registrations and licensing (where applicable) that may be more powerful than the threat of fines for violators.
- Considering the issue of intent in failures to report or lack of knowledge of the reporting requirement and consider offering liability protections in future civil action associated with the firearm's loss or theft when timely reporting has occurred.
- Requiring firearm sellers to provide notice of the mandatory reporting law, stipulate the information required for reporting, and establish responsibilities of law enforcement receiving reports of lost or stolen firearms.
- Ensuring that national systems for sharing information on stolen and recovered firearms are utilized consistently.
- Considering innovative programs, including state-level, publicly accessible, and searchable stolen firearms databases to allow prospective purchasers to ensure that the firearm they may be purchasing from a private seller has not been reported stolen and providing federal funding to support innovative approaches.
- Reviewing firearm recovery protocols for law enforcement to ensure that all recovered firearms are checked against the National Crime Information Center (NCIC) as soon as possible after recovery.
- Improving training and outreach to law enforcement, firearm sellers, and owners to promote compliance with the law and ways of reducing theft, including safe storage requirements and guidance.
- Prioritizing further research into firearm theft and mandatory reporting laws through additional or set-aside research funding from federal grant-making organizations.

Firearm Thefts in the United States

The question of how many criminals gain access to firearms through theft—either by stealing the firearm themselves or receiving a firearm that was stolen by someone else—is an important one to be answered. The U.S. Department of Justice’s Bureau of Alcohol, Tobacco, Firearms and Explosives’ (ATF) 2023 National Firearms Commerce and Trafficking Assessment (NFCTA) provides a well-supported summary of firearm theft, noting:

Theft is a significant avenue through which firearms are illegally diverted from lawful commerce and ownership into criminal hands. The primary source of stolen firearms is theft from private citizens’ vehicles, homes, and persons. A substantially smaller number of firearms are stolen from federal firearms licensees (FFLs)¹ and carriers during shipment. While more than 95% of stolen guns originate via thefts from private citizens [...], FFL and commercial shipping thefts are nevertheless a direct source of crime guns (Part V, p. 1).

Although ATF’s (2023) NFCTA highlights the likelihood of significant underreporting of firearm thefts in part due to a lack of a national reporting requirement, it points to the 2016 National Criminal Victimization Survey (a household survey conducted by the U.S. Department of Justice), finding that about 75% of private gun thefts are reported to law enforcement. Although at first glance this rate is higher than the 35.2% reporting rate for all property crimes, there is a possibility that the high rates of reported gun thefts stem from a social desirability bias in the survey where respondents erroneously indicated they did report stolen firearms for impression management because they knew they were supposed to report the theft of firearms (Larson, 2019). The actual rate of reporting gun thefts is likely lower.

¹An individual who is licensed to engage in the business of manufacturing, importing and/or dealing in firearms. Persons must be licensed by ATF to engage in the business of firearms. (Source: ATF.gov)

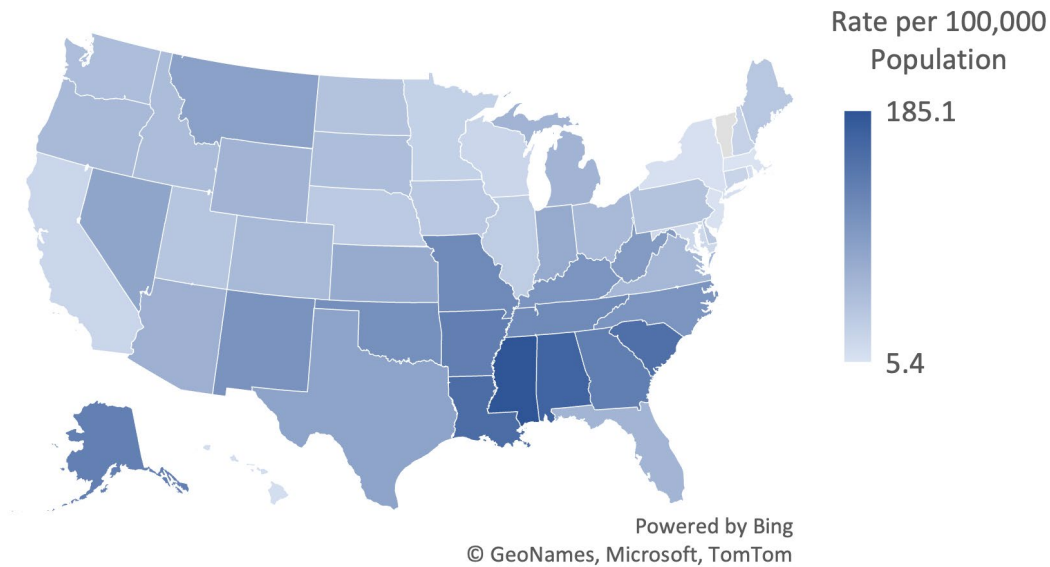


Figure 1. Average Number of Stolen Firearms in private thefts per year, 2017 - 2021

ATF's NFCTA also provides important details about the reported thefts from private persons (as opposed to FFLs and shipping carriers), which averaged about 205,000 per year from 2017 through 2021. Most incidents involved the theft of a single firearm. Reported thefts were not distributed equally across the United States, with 62% occurring in the South, followed by the Midwest at 18.2%, the West at 14.5%, the Northeast at 4.4%, and 2.5% in other or unknown regions. This relative ranking remained stable across all five years reviewed by the ATF. ATF's NFCTA calculated the rate of stolen firearms per 100,000 population for all states (Figure 1) from 2017 through 2021, illustrating the higher theft rate among southeastern states.

ATF's (2023) NFCTA further reveals that pistols represented 71% of firearms reported stolen from private individuals. In terms of reported firearm recoveries, ATF's NCFTA indicates that nearly 92% of stolen firearms were recovered in the same state from which they were stolen. ATF's NCFTA concludes by pointing out that while theft is a serious problem, most crime guns are not obtained directly as a result of theft. However, firearm theft plays an indirect role in trafficking and diversion to the underground firearms market. In addition, ATF (2024) found that firearms in 15.7% of trafficking cases involving private person theft and 6.6% of trafficking cases involving FFL theft were used in a shooting.

How Criminals Gain Access To Firearms

Though criminals tend to gain access to firearms through multiple methods, there is little consensus on which method contributes to the largest share of crime guns.² Firearms recovered and successfully traced by U.S. law enforcement agencies can shed light on where crime guns originate. The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF, 2023) reports that “traced crime guns typically originate from the legal supply chain of manufacture (or import), distribution, and retail sale.” ATF notes that when following a firearm through the initial sale and the legal supply chain, there could be one or many transactions (including theft and other illegal transactions) that occur before the firearm is recovered by law enforcement. Because one or many of those intermediate transfers may occur outside the regulated processes (including crime, private sales, etc.), it is often difficult to know how a firearm ultimately became a crime gun.

One method for understanding how offenders obtain their crime guns is to ask them directly. However, this method only highlights the hidden nature of intermediate transfers prior to a gun being used in the commission of a crime. Using several surveys of jail and prison inmates conducted by statisticians on behalf of the U.S. Department of Justice, Cook (2018) found only about 4% of inmates obtained the gun they used in the commission of their crimes by theft directly. Instead, the surveys found 10% of inmates indicated they purchased their crime gun directly from a licensed dealer (gun store or pawn broker). An additional 70% obtained guns through family, friends, or “street sources” such as fences, drug dealers, brokers who sell guns, and gangs. The underground street markets sourced approximately one-third of respondents’ crime guns and it is likely that some of these guns stemmed from thefts or other illegal (and potentially undocumented) transactions prior to the final transaction to the inmates.

The Significance of Stolen Guns as a Source

Policy reports often assert the significance of stolen guns as a source of crime guns. For example, the Center for American Progress (2017) states, “Stolen guns often end up being used in the commission of violent crime.” It is plausible that gaining access to an untraceable gun with which to commit a crime is a possible, if not likely, motivation for firearm theft. These claims often draw on data as well as theory. The Center for American

² ATF defines a “crime gun” as “any firearm used in a crime or identified by law enforcement as suspected of having been used in a crime.” (Source: NATIONAL FIREARMS COMMERCE AND TRAFFICKING ASSESSMENT (NFCTA): Crime Gun Intelligence and Analysis Volume Two)

Progress (2017) further reports that over six years, “9,736 guns that were recovered by police in connection with a crime and traced by ATF had been reported stolen or lost from gun stores,” averaging 1,622 crime guns per year that could be confirmed stolen from FFLs.

In contrast to these claims, scientific papers attempting a rigorous assessment of the causal impact of lost and stolen firearms on subsequent gun crimes tend to report high uncertainty and skepticism that the scale of impact of stolen firearms in violent crime is large. Scholars have pointed out that crime guns traceable to theft, which may seem alarmingly high in absolute terms, are a small percentage of the total volume of stolen guns and crime guns. Cook (2018) reports from inmate surveys that approximately 4% of inmates report getting their crime guns from burglary (p. 368). Webster and Vernick (2013) rely on the 2004 Survey of Inmates in State Correctional Facilities (SISCF) to estimate the same quantity and found that 10% of offenders had stolen the gun used in their most recent crime (p. 110). They did, however, find that 37.5% of offenders reported having received a gun from a street or black-market supplier.³ Meanwhile, the 1,622 crime guns per year confirmed stolen by FFLs amount to 0.4% of the gun trace requests ATF receives.⁴ More recent data suggests thefts of firearms is increasing, especially from motor vehicles (O’Toole, Szkola, & Burd-Sharps, 2022). In an assessment of NIBRS crime data from small-to large-size cities in 38 states, the researchers estimated 77,000 guns were reported stolen in 2022. Of those, slightly over half were stolen from cars. In comparison, approximately 45% of gun thefts in 2010 were from burglaries and a quarter were from motor vehicles. The increased gun thefts might contribute to a growing share of crime guns (Khalil, 2017), especially in states with more lax gun laws that could facilitate owners leaving guns in vehicles and into states with more strict gun laws (Knight, 2013). Donohue and colleagues (2022) report cities located in states that implement right-to-carry laws experience increased violence after the laws are implemented. The increased violence appears to stem from an increase of gun thefts in the cities after the right-to-carry laws make access to guns easier for theft. This suggests the gun thefts might contribute more directly to violence in cities where access to firearms to steal is more available.

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³ Reiss and Roth (1993) originate a bolder claim, repeated by Braga and Gagliardi (2013), that “only about one of every six firearms used in a crime was obtained legally” (Reiss & Roth, 1993, p. 269; Braga & Gagliardi, 2013, p. 143). But this estimate was acknowledged by its original proponents even thirty years ago as being “dated and imprecise” (Reiss & Roth 1993, p. 270).

⁴ ATF received 384,515 gun trace requests on average per year between 2017 and 2021. The number of trace requests increased each year over that period (Bureau of Alcohol, Tobacco, Firearms and Explosives, 2023 Part III, p. 1).

Policy Objectives of Lost and Stolen Reporting Obligations

The Giffords Law Center (2023) states that “laws requiring gun owners and dealers to report lost or stolen guns can significantly help prevent gun trafficking.” Everytown for Gun Safety (n.d.) produced an analysis that found law enforcement in states that require reporting lost or stolen guns can respond more quickly to gun thefts and better identify theft patterns. In states that have passed laws requiring mandatory reporting of lost and stolen firearms, how well-tailored the laws are to their objectives has been a topic of legislative debate. In some states, the passage of lost and stolen reporting obligations was politically contentious.

Debates in state legislatures preceding the passage of laws requiring mandatory reporting of lost and stolen firearms reveal the policy intent of these laws and the concerns of the laws’ opponents. Legislators supporting penalties for failing to report lost and stolen firearms see these laws as a way to combat “straw purchases” and penalize straw purchasers.⁵

For example, Delaware State Senator Margaret Rose Henry stated,

“We hope it helps keep our streets safer by combating those so-called ‘straw purchasers’ who buy guns, often in quantity, sell them to criminals, and then miraculously discover that they’re missing.”

Another Delaware lawmaker, Representative Michael Barbieri, supported this position and further stressed that the Delaware law ought not to impact responsible gun owners:

“For the vast majority of law-abiding gun owners, this bill will have very little impact on their lives. For those engaged in straw purchases, this bill helps law enforcement with police investigations and gives them one additional tool to combat straw purchases. It is another small step toward keeping dangerous weapons out of the hands of those who should not have them.”⁶

⁵ A “straw purchaser” is a person who is not the “actual buyer” of the firearm; that is, a person who obtains a firearm for another person. (Source: Federal Firearm Licensee Quick Reference and Best Practices Guide, ATF Publication 5300.15, Revised December 2021.)

⁶ PBS. (2013). Reporting a lost gun now law in Delaware. WHY. <https://why.org/articles/reporting-a-lost-gun-now-law-in-delaware/>

Opponents of these legislative measures, however, expressed skepticism on two fronts: first, that lawful gun owners would not feel the negative impacts, and second, that the laws would be effective in their intended purpose of deterring and punishing straw purchasers. Colorado State Senator Jim Smallwood, speaking against the Colorado legislation, articulated both points:

“The gun is already missing. It’s already in the hands of people we don’t want it in. How is that going to reduce gun violence? We’ve set a new bar in creating criminals in our state. Who are the criminals? Somebody who got robbed.” (CBS Colorado, 2021)

Colorado Senator Bob Gardner echoed Senator Smallwood’s sentiments, stating that “reporting a firearm as stolen won’t save a life—but failing to do so may make a criminal out of everyday Coloradans if this bill becomes law.” (Miller, 2021)

It can be argued that mandatory reporting of lost and stolen firearms

- 1** To deter would-be straw purchasers by making it difficult and risky to use the excuse that the firearm was lost or stolen, should a firearm that was straw purchased be recovered by law enforcement and traced back to the straw purchaser. Presumably, there is a reasonable limit to the number of times one can report stolen firearms without raising suspicions of law enforcement. The failure to report the loss or theft is a violation of law. It may also bring the purchaser to the attention of law enforcement.
- 2** To make law enforcement aware of the loss or theft so when law enforcement encounters the firearm at a scene or on a person, the responding officer(s) may be aware the firearm has been reported lost or stolen, leading to an investigation and the possible return of the firearm to its rightful owner.
- 3** To provide greater ability for policymakers and researchers to understand the role that firearm losses and thefts may play in crime, violence, and other harms (including suicides and accidental deaths).
- 4** To encourage safe firearm storage as a means to deter theft and reduce harm.

The Impact of Mandatory Reporting of Lost and Stolen Firearms

Scholarly studies give reason to question the theory that the intention to commit future gun crimes is likely the strongest motivation for firearm theft and that untraceable guns are difficult to obtain. Economic analyses have found that the licit and illicit trade in guns follows patterns common to other commodities, driven by the economic value of guns and regulatory conditions in different markets (Squires, 2021). The implication of these studies is that profit may be a stronger motivator for firearm theft than the desire to obtain a gun for use in a crime. As for the obtainability of untraceable firearms, Cook's (2018) inmate surveys find that friends and family are the most common source for inmates' crime guns (between 31.6% and 45.4% across multiple surveys). Webster and colleagues (2013) found this number to be 39.5% based on a 2004 Survey of Inmates in State Correctional Facilities (SISCF). This suggests that straw purchasing is a much more significant source for the "last link" than theft for crime guns (i.e., to reach the offender).⁷

Some evidence suggests that several gun laws, including mandatory reporting of lost and stolen firearms, can deter interstate gun trafficking for criminal offending. Webster and colleagues (2013) used ATF gun trace data to measure the number of firearms recovered at crime scenes that were in different states than where the firearms were initially sold. In a regression analysis that controlled for several factors (e.g., overall rates of gun ownership, bordering states with strict or lenient gun laws, bordering Mexico or Canada), the researchers found mandatory reporting of lost and stolen firearms was significantly associated with less interstate gun trafficking. In other words, states with mandatory reporting laws tended also to report lower rates of crime gun exports to other states. Other gun laws that were significantly associated with fewer crime guns recovered across state borders include requiring fingerprinting with permits, discretionary purchase permits, strong dealer regulation, regulating private sales, and penalties for straw purchasers.

Ultimately, the existing studies and policy analyses leave much uncertainty about the impact of gun theft on subsequent illegal gun activity. Proponents of stronger reporting obligations and controls to prevent firearm theft or loss can cite untraceable crime guns and high volumes of stolen guns in the United States as evidence that theft facilitates

⁷Some sources differentiate straw purchasing from acquisition of firearms through family and friends. See, e.g., Webster, Meyers, & Buggs, 2014, p. 6.

access to crime guns for potential offenders. Measures of extended “time-to-crime” also bolster this argument. Cook et al. (2015) found that “guns carried by gang members tend to be quite old—over ten years old on average—and to have changed hands many times.” (p. 723) This makes it more likely that loss or theft will have occurred at some point in the life course of the gun, whether or not loss or theft occurred in the last link.

More research and data on the impact of lost and stolen firearms—and the impact of lost and stolen reporting requirements—would be helpful. In 2023, a RAND systematic review assessed the evidence for the effects of different firearm policies on suicide, violent crime, unintentional injuries and deaths, mass shootings, police shootings, defensive gun use, hunting and recreation, and the gun industry (Smart, 2023). This review found no studies that met the evaluation design criteria to confidently assess the impact of lost and stolen firearm reporting laws on any of the selected outcomes (Smart, 2023). An agenda-setting review of the evidence on gun policy in the Annual Review of Public Health reached an identical conclusion (Rosenberg, 2021, p. 28), as did prior systematic reviews conducted by RAND. Importantly, the RAND studies concluded that the data could not support any assessment of policy impact, as it yielded inconclusive or minimal effects. In addition, literature varies in quality depending on the outcome of interest. Studies using natural experiments, such as implementing new gun laws, might present more rigorous analyses of crime gun traces and associated outcomes, like short time-to-crime and moving across state lines over time. However, improved data quality and stronger methodological designs can enhance the causal assessments of mandatory reporting laws of lost and stolen firearms and should be considered as the research progresses.

Some evidence suggests that behavioral nudges can help increase compliance with laws that require reporting. One randomized control trial found that reporting loss and theft increased when signed letters by government officials were sent to purchasers during the ten-day waiting period informing them of the seriousness of gun crimes and their responsibility to report them if lost, stolen, or sold (Ridgeway et al., 2011). The assumption was that law-abiding individuals who took legal avenues to purchase firearms could be swayed by specific deterrence messaging. Purchasers who received the letter reported their gun stolen at a rate of 18 guns per 1,000, more than twice the rate of people who did not receive the letter. This finding suggests that simple messaging can modify gun owner behaviors.

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State-Level Lost and Stolen Firearm Reporting Obligations

Private gun owners, in contrast to FFLs,⁸ are not required by federal law to report lost or stolen firearms. Private gun owners are subject only to reporting requirements by their city and/or state of residence, if any. The legal reporting responsibilities vary by state and in some cities.

What Must Be Reported and When

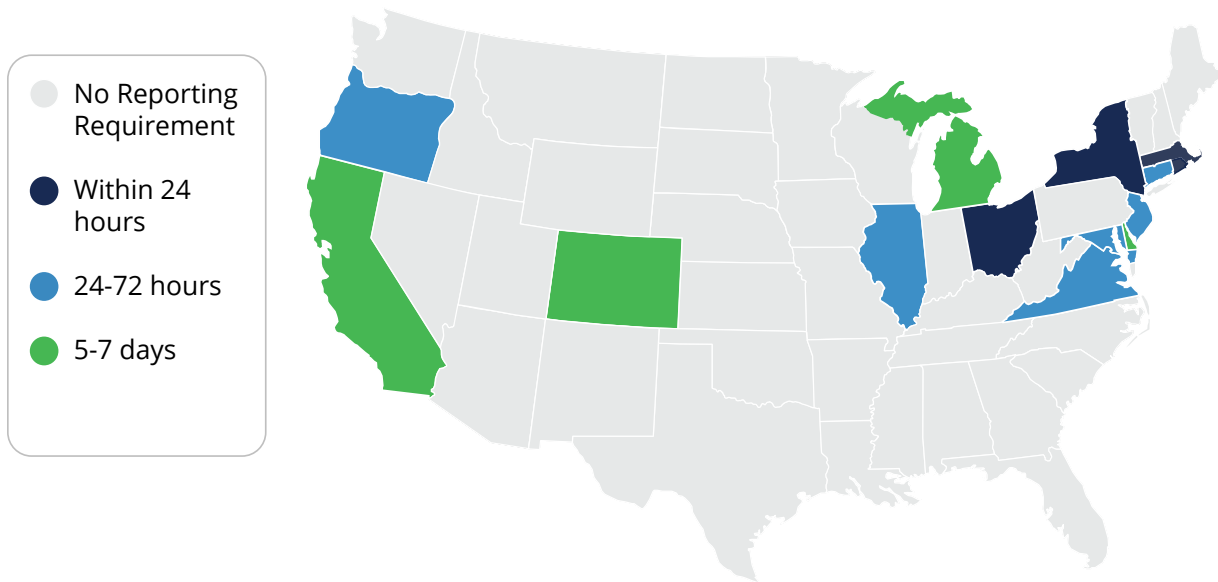
Figure 2 shows the states that have mandatory reporting laws in place as of December 2023. Fifteen states and the District of Columbia require firearm owners to report loss or theft of firearms to law enforcement. These reporting obligations vary by state in key respects, including the required timeline for reporting and the penalty for non-compliance. There are also smaller differences in the details of these state statutes. For example, Maryland requires the reporting of loss or theft of handguns, assault rifles, and certain other firearms, and Michigan only requires that individuals report theft, not loss.

Washington State has no mandatory reporting requirement; however, firearm owners may be subject to criminal liability if their lost or stolen firearm is obtained by a prohibited person or used in a crime. Reporting the firearm stolen within five days of when the victim knew or should have known of the crime eliminates this liability.⁹

⁸ According to ATF (2023), FFLs are required to report any firearm stolen or lost from their inventory within 48 hours of discovery to ATF and to their local law enforcement agency (18 U.S.C. § 923(g)(6)).

⁹ Washington State's Initiative Measure No. 1639 (see https://www.sos.wa.gov/assets/elections/initiatives/finaltext_1531.pdf)

Figure 2: State Reporting Requirements¹⁰



Reporting Requirements	State/Jurisdiction
Immediate or within 24 hours	District of Columbia, Hawaii, Massachusetts, New York, Ohio, Rhode Island
Within 36 hours	New Jersey
Within 48 hours	Virginia
Within 72 hours	Connecticut, Illinois, Maryland, Oregon
Within 5 days	California, Colorado, Michigan
Within 7 days	Delaware

¹⁰ Cal. Penal Code §§ 25250, 25255, 25260, 25270; Colo. Rev. Stat. § 18-12-113; Conn. Gen. Stat. § 53-202g; Del. Code Ann. tit. 11, § 1461; Haw. Rev. Stat. § 134-29; 720 Ill. Comp. Stat. § 5/24-4.1; Md. Code Ann., Pub. Safety § 5-146; Mass. Gen. Laws ch. 140, § 129C; Mich. Comp. Laws § 28.430; N.J. Stat. Ann. § 2C:58-19; N.Y. Penal Law § 400.10(1); Ohio Rev. Code Ann. § 2923.20(A)(7); Or. Rev. Stat. § 166.397 (effective September 25, 2021); 11 R.I. Gen Laws § 11-47-48.1; Va. Code Ann. § 18.2-287.5.

Requirements to Inform Firearm Purchasers and Owners

States that have mandatory reporting laws have adopted a variety of strategies to inform firearm owners of their obligation to report, including legal paperwork, education, public service announcements, and community outreach efforts. Most states rely on multiple communication channels to reach firearm owners to inform them of their duty to report.

Penalties for Violating the Laws

The fifteen states with lost and stolen firearm reporting legislation sanction non-compliance differently. Eight states' laws prescribe penalties for infractions resulting in petty offenses and fines.¹¹ However, many of these states categorize first offenses as petty offenses. At least two states that prescribe a fine on the first offense do not set a

Most states rely on multiple communication channels to reach firearm owners to inform them of their duty to report.

minimum, only a maximum, and another state has set the first offense fine at \$25.00. Ana Thallas, whose daughter Isabella Joy Thallas was murdered with a stolen firearm not reported to law enforcement, commented to Colorado media, "I am going to be perfectly honest, \$25 is nothing," she said. "It's nothing." (Reinke, 2023) Even for second and third offenses, some states prescribe a fine or categorize these repeat offenses as misdemeanors. The subject of penalties is revisited later in this report. Eight states prescribe criminal penalties that may result in jail time for intentional non-reporting.¹² Some states fall into both groups because they impose progressive sanctions for multiple

infractions. Oregon's statute prescribes the first offense as a Class B misdemeanor, which is punishable by up to six months in jail and establishes a presumption of negligence by failing to report or report on time.

Responsibilities of FFLs and Law Enforcement Agencies Receiving Reports of Lost or Stolen Firearms

The states with mandatory reporting laws do not limit legal responsibility to gun owners alone. Several statutes detail the responsibilities of firearms dealers, sellers, and agencies receiving reports of lost and stolen firearms. California, Massachusetts, and New York require FFLs to notify local law enforcement in their jurisdiction, whereas the federal

¹¹ Colorado, Connecticut, Delaware, Illinois, Massachusetts, Michigan, New Jersey, and Rhode Island.

¹² Colorado, Connecticut, Delaware, Illinois, Massachusetts, New York, Ohio, and Oregon.

reporting requirement for FFLs only requires notification that goes to ATF. Maryland and Massachusetts require that gun dealers inform purchasers of the reporting requirements for lost and stolen firearms. Colorado, Hawaii, New York, and the District of Columbia have reporting requirements that specify what information about the firearm must be provided to law enforcement. Eight states specifically detail the responsibilities of law enforcement agencies receiving reports of lost and stolen firearms.¹³ These requirements include entering information into national databases such as the National Crime Information Center (NCIC)¹⁴ and state law enforcement databases. Reporting requirements written into the state statutes are summarized in Figure 3 below.

Figure 3: State-level Reporting Requirements

State	Sellers are legally obligated to inform purchasers of reporting responsibility	The law specifies information about the firearm that must be provided	The law specifies the obligations of law enforcement agencies receiving reports	None specified
CA		●	●	
CO		●	●	
CT			●	
DE				●
HI		●	●	
IL			●	
MD	●		●	
MA	●			
MI				●
NJ				●
NY		●	●	
OH				●
OR			●	
RI				●
VA			●	
DC		●		

¹³ Colorado, Connecticut, Hawaii, Illinois, Maryland, New York, Oregon, and Virginia.

¹⁴ The National Crime Information Center, more commonly known as NCIC, is a computerized database of documented criminal justice information available to virtually every law enforcement agency nationwide, 24 hours a day, 365 days a year. NCIC provides law enforcement agencies with instant access to information about property and people. The NCIC property files contain records of stolen articles, boats, guns, license plates, parts, securities, and vehicles. (Source: <https://archives.fbi.gov/archives/news/testimony/the-fbis-national-crime-information-center>)

Federal Lost and Stolen Firearm Reporting Obligations

According to ATF, from 2017 through 2021, fewer than 5% of firearm thefts involved FFLs and commercial shipping, though ATF acknowledges that “FFL and commercial shipping thefts are nevertheless a direct source of crime guns.” Sixty-two percent of firearms stolen

from FFLs and commercial shipping during those years were recovered within one year of the date of the theft. (ATF, 2023)

The richness of this data is an indication of all that might be learned about the unregulated gun market if there were national-level data systematically collected on lost and stolen firearms from individual gun owners. However, there is no federal law mandating reporting from individual gun owners.

ATF began investigating all FFL thefts in 2018, expanding its investigation beyond FFL thefts involving multiple firearms. The agency reports on these thefts in detail, publishing a wealth of law-enforcement-relevant information (ATF, 2023). The information reported covers, among other topics, the volume of single weapon thefts versus multiple weapon thefts; the distribution of theft from FFLs by state and rates of theft of all weapons sold by state; recovery rates of stolen weapons by state; and the types of firearms most frequently stolen. The richness of this data

is an indication of all that might be learned about the unregulated gun market if there were national-level data systematically collected on lost and stolen firearms from individual gun owners. However, there is no federal law mandating reporting from individual gun owners.

Challenges Associated with Mandatory Reporting of Lost and Stolen Firearms— Law Enforcement’s Perspectives

Several apparent challenges are associated with mandatory reporting of lost and stolen firearms. These challenges include awareness, understanding of requirements and purpose, penalty provisions within the laws, and design, application, and implementation issues.

To identify and understand the challenges, the National Policing Institute (NPI), in addition to reviewing the literature on firearm theft, recoveries, and loss and theft mandatory reporting, conducted multiple structured and unstructured interviews with law enforcement executives, command staff, and investigators. NPI also held a virtual focus group with executives, commanders, and investigators from five different municipal or county agencies, including agencies considered small to midsize and at least one major city agency from states that have a statute requiring mandatory reporting of firearm loss and theft. Two agencies had multiple participants, and three agency participants have served in law enforcement agencies in more than one state or jurisdiction, including one former ATF agent now serving in a local agency. NPI invited agency representatives from states that do not have mandatory reporting, though none could attend the virtual focus group. Focus group participants were provided with a summary of information on mandatory reporting laws in the states and a high-level agenda to help them prepare. Agencies were invited to bring data from their agency regarding lost and stolen firearm reports, recoveries, and related details. In addition, nearly a dozen current and former law enforcement officials from local, state, and federal agencies were interviewed regarding the mandatory reporting laws, firearm theft generally, firearm-related crime response and recovery protocols, information systems used for tracking and sharing information within and across states, and other investigatory methods and processes. Following some of these interviews, officials were asked to review and provide feedback or clarification on the report and its findings.

The Frequency of Loss and Theft Reporting and Recovery of Stolen or Lost Firearms

When asked about their experiences with lost and stolen firearm reporting, none of the agencies reported that it was a significant problem in their jurisdiction, and none reported a significant volume of lost or stolen firearm reporting or recoveries. More than one participant reported no reports of lost firearms. The executive from the largest agency participating, which serves a population of more than one million people, reported that the agency had received only 29 reports of lost firearms for the year as of November. Without exception, the participants noted stolen firearm recoveries as routine, but none reported it to be a significant issue. Because we know that firearm thefts do not occur evenly across the states and cities, these findings are not entirely surprising. Even in places where gun violence occurs regularly, agencies may not believe that lost or stolen firearms are a major driver of their gun crime problems or concerns. In terms of stolen firearm recoveries, focus group participants maintained that they did not see a high volume of stolen firearms—or firearms reported as stolen—being recovered at crime scenes. Two participants mentioned that when stolen firearms are recovered in their jurisdiction, they are most often from another state. ATF (2023, 2024), in contrast, reported a significant number of

In more than one instance, the interviews revealed that little to no investigation is done by the agency taking the report of a lost or stolen firearm unless the firearm theft was part of a more serious offense such as robbery or burglary.

in-state recoveries as opposed to out-of-state recoveries. However, the convening participants' experiences with out-of-state firearms recoveries reflect similar trends in other jurisdictions, including Chicago (Cook et al., 2015) and Boston (Braga, 2017; Hureau & Braga, 2018), especially for gang-related recoveries.

Resources Limitations and Triage

During structured interviews with agency representatives (not associated with the focus group), interviewees raised the issue of staffing. In more than one instance, the interviews revealed that little to no investigation is done by the agency taking

the report of a lost or stolen firearm unless the firearm theft was part of a more serious offense such as robbery or burglary. This may be particularly true when the reporting party has limited or no details or identifying information regarding the firearm, including serial number, make, model, etc.



Reporting System and Data Challenges

These agencies also mentioned challenges with reporting systems that track the incident overall but have limited, if any, ability to track specific property associated with offenses. ATF (2023) points out that “no uniform methodology applies to law enforcement reporting when a firearm used in a separate crime is identified as having been stolen from a private citizen. Consequently, data regarding the use of stolen private firearms to commit other crimes is incomplete.” Data collection and tracking issues make it challenging to understand the prevalence of the problem, to report on investigative outcomes such as recoveries, and to share information with state and federal authorities regarding stolen or lost property. In fact, it is not clear that all law enforcement agencies consistently report stolen firearms to NCIC,¹⁵ lost firearms to NCIC,¹⁶ or consistently check NCIC when a firearm is found or recovered from a person or scene.

¹⁵ Records for serially numbered weapons that are stolen may be entered into the file if a theft report has been made. Agencies must have documentation (electronic or hard copy) on file to support a gun entry. Only the agency holding the theft report and having primary jurisdiction over the place of actual theft, [...] may make an NCIC system entry. (NCIC Operations Manual 2022, Gun File) (<https://isp.illinois.gov/LawEnforcement/GetFile/d112a2d9-b81a-4354-9a3b-31720eee5573>)

¹⁶ A record for a lost or missing weapon may be entered in the NCIC System if the entering agency has supporting documentation. (NCIC Operations Manual 2022, Gun File) (<https://isp.illinois.gov/LawEnforcement/GetFile/d112a2d9-b81a-4354-9a3b-31720eee5573>)

Privately Manufactured Firearms (PMFs) and “Ghost Guns”

One focus group participant did explain that while stolen firearm recoveries are not a significant problem, the issue of privately manufactured firearms (PMFs) or “ghost guns” is a more significant concern and that PMFs are “90%” of their crime guns now. The agency explained that over approximately the past eight years, the problem of ghost guns has grown significantly, and today, “every kid has a ghost gun.” Because ghost guns and most PMFs are unserialized and because these firearms are very unlikely to be reported when stolen, tracking them, and understanding the associated problems is very difficult. According to ATF, the number of suspected PMFs recovered by law enforcement agencies and submitted to ATF for tracing increased by 1,083% from 2017 (1,629) to 2021 (19,273). A PMF that is unserialized cannot be entered into or checked against NCIC because a serial number and firearm make are required data elements for submitting an NCIC query or making an NCIC entry. A recent study of California firearm recoveries provides insight into the growing and varied recoveries of PMFs. The study found that PMFs are thought to have been introduced into California’s criminal gun market around 2015-2016 and,

as of 2021, represented about 20% of all recoveries (Laqueur et al., 2023). Laqueur and colleagues noted that PMFs may serve as a more likely and growing source of crime guns over theft.

Importantly, more than one participant echoed the concerns of some state legislators’ commentary about the laws penalizing those who are victims of gun theft or loss who may not report or report within the timeframe required by the law (if any).

Support for the Law Among Law Enforcement

During the focus group, NPI asked about participants’ views on the usefulness of mandatory reporting of lost or stolen firearms. Participant responses at times seemed more focused on gun policies and gun control, problems law enforcement and political leaders should be addressing (e.g., rising juvenile crime and violence), and the small number of stolen firearms

being recovered. When prompted about whether mandatory reporting might deter straw purchasers, for example, participants expressed doubt about how effective they could be in deterring criminals. One participant described the laws as “feel-good legislation.” Importantly, more than one participant echoed the concerns of some state legislators’ commentary about the laws penalizing those who are victims of gun theft or loss who may not report or report within the timeframe required by the law (if any).

Whole of Community Responsibility

The final area of consensus among participants seemed to be around community responsibility and approaches to addressing firearm theft and the broader issues that mandatory reporting is designed to address. Specifically, participants seemed to point to the community's role in encouraging safe storage of firearms to prevent theft, FFL and FFL-affiliated group campaigns designed to deter straw purchasing, and community messaging. However, there was shared doubt among participants that such efforts are measurable or have a significant impact on gun violence. A comment by one participant received support among the group, "Those who can be deterred are going to be deterred, but if they want to do wrong, they will do it."

Prevention and Problem-Oriented Policing Approaches

Associated with the discussion of community responsibility, the focus group and NPI review of the literature identified several examples of community- and problem-oriented policing approaches that may support or encourage reporting and/or reduce opportunities for theft and other crimes associated with firearms.

Save-A-Casing Program

Law enforcement agencies, including the Wichita, Kansas, Police Department; the Milwaukee, Wisconsin, Police Department; and the Albuquerque, New Mexico, Police Department, have implemented a program called "Save-A-Casing," designed to recover stolen firearms more quickly. The program asks gun owners to place two spent casings inside an envelope that is marked with the make, model, caliber, and serial number of their firearm. If the firearm is ever lost or stolen, the owner can provide officers with the two spent casings when reporting the theft. When officers are provided the spent casings, they will be entered into the National Integrated Ballistic Information Network (NIBIN).

NIBIN only captures and stores evidence from fired ammunition components as part of a criminal investigation. Agencies are partnering with local gun ranges and FFLs to promote the program. This program may encourage voluntary reporting by capturing important necessary reporting details before theft or loss, by educating owners on the importance and, where applicable, the requirement to report, and potentially increasing the owner's confidence and the likelihood of recovery.

Ohio Stolen Gun Portal

The Ohio Attorney General's Office has established the Ohio Stolen Gun Portal, a searchable website that allows the public and others to identify and recover stolen firearms. The portal can be used when buying a firearm and may serve as a deterrent to theft-for-profit schemes. The portal, updated every 24 hours, uses serial numbers to

identify matches between a firearm reported stolen and a firearm being considered for purchase. Once a match is made, the law enforcement agency that handled the stolen firearm reporting is notified that a match has been made, allowing them to investigate and recover the firearm (Ohio Attorney General's Office, 2021). This program may deter financially motivated thefts of firearms, a motivation that research suggests may be more prevalent than theft for purposes of committing further crimes. The state of Florida appears to have a similar database available and open to public use.

Law Enforcement Perceptions of Theft Motivations, Markets, and “What Works”

Reviewing interview and focus group participant feedback allowed for several observations about how mandatory reporting laws are viewed and understood, how the extent or inter-relatedness of the problems (e.g., gun loss and theft theory of relationship to straw purchasing and trafficking) are understood, and how the evidence of what works and what does not is understood or accepted in law enforcement. Focus group participants appeared to view the problem of lost and stolen firearms from the perspective of firearm owners as victims. Participants did not share support for the theory that there are a large number of lost and stolen firearm claims that are tied to firearm trafficking through straw purchasing schemes or that stolen firearms are supplying the illicit market that fuels gun violence. Though a full consensus was not reached on the feedback or sentiments shared, the information, when combined with what data and research tell us about the issues, can be useful in considering reforms, new policies, and enhanced efforts to prevent gun crime and violence.

In summary, state and local law enforcement feedback suggests the following:

A need to provide data, transparency, agency briefings, and training to state and local law enforcement on the extent and nature of the diversion of firearms into the illegal markets and what can work to deter, prevent, and respond to diversion effectively.

A need to clarify the purpose of mandatory reporting laws and how they are expected to address firearm trafficking and the movement of firearms into the illicit market where criminals and other persons who cannot legally obtain a firearm may be able to gain access.

A need to explore, test, and encourage broader community and problem-oriented responses to firearm theft and related concerns, such as straw purchasing and the transfer of firearms from the legal to the illegal marketplace.

A need to address implementation expectations, challenges, barriers, and opportunities within the policy design phase and after, to ensure that the logic model supporting the policy is comprehensive and realistic.

Conclusions

Timely reporting of firearm thefts to law enforcement makes sense. It allows law enforcement an opportunity to investigate, and it may improve the chances that a stolen firearm can be recovered and returned to its owner before it is sold into the illicit firearm market or used in a crime. Reporting lost firearms to law enforcement is also beneficial, as it may improve the chances that found or recovered firearms will be returned to their rightful owners.

Statutory requirements to report lost and stolen firearms are intended to ensure that law enforcement is made aware of all firearm losses or thefts soon after owners become aware for purposes of investigation, recovery, and return. Statutory requirements to report lost or stolen firearms may also make it difficult for a straw purchaser or person who makes another type of illegal transfer of the firearm to claim that the firearm was lost or stolen instead of admitting the illegal transfer—essentially painting themselves as victim versus perpetrator.

However, this study suggests that when proposals to establish mandatory reporting of lost or stolen firearms are made, they may not always be conceived, described, or applied in the most effective ways. In some cases, these laws may be established in a manner that dilutes their potential for impact, the penalties seem to undermine the importance of reporting while adding to the problem of fines and fees in the criminal justice system, and many proposals are seemingly made in the absence of clear processes for implementation and without the full support of law enforcement, who must enforce the laws.

Our findings suggest that when proposals to establish mandatory reporting of lost or stolen firearms are made, they may not always be conceived, described, or applied in the most effective ways.

Fundamentally, there may be a significant challenge regarding the public's and law enforcement's views of the law. There is no evidence to suggest that most victims of firearm theft, or most people who lose firearms, intentionally fail to report the theft or loss or that most who claim theft or loss do so for purposes of obscuring criminal activity. It is also likely or reasonable to assume that there are many more firearm owners who are victims of theft or who have lost a firearm than those who intentionally fail to report or who claim loss or theft to obscure their criminal activity. Therefore, it is plausible that

a larger number of firearm owners who are victims of theft or who have experienced a loss may be subjected to the penalties of the law—for failing to report or to report in a timely manner—because of a lack of awareness of the theft or loss, or ignorance of the requirement to report losses or thefts. This is not to suggest that the laws should be without a penalty provision or that the inclusion of a penalty would not deter some from making illegal transfers with the idea of claiming the firearm was stolen or lost if their illegal transfer is discovered.

Given these challenges, alternative approaches that favor incentives and behavioral change are worth considering. Support for these ideas can be found in at least two places. First, when searching the internet for “lost and stolen firearm reporting,” one can observe a multitude of law offices and organizations with posted material advising people to report stolen or lost firearms to law enforcement and to be aware of the requirements to do so. These materials do not emphasize fines or even criminal sanctions in some cases. More often, these materials emphasize the benefit of reporting in potentially limiting civil and criminal liability and keeping law enforcement from contacting (or visiting) the reporting party. Tying sanctions for violations (or repeated violations) to enhanced civil liability or the possibility of future ineligibility to own or possess a firearm may be worth considering instead of fines and petty offense charges. To address concerns shared by some legislators

Requiring sellers to inform firearm purchasers of their responsibilities is not only low-cost and without substantial burden but is also common sense.

and experts who oppose mandatory reporting laws, enhanced civil liability provisions may need to be balanced with provisions to protect those who simply had no knowledge of the law and those who failed to report in a timely manner without malice or intent to violate the law.

Other means of behavior modification, including education and awareness, should be leveraged to improve reporting compliance. Only a small number of states with mandatory reporting

requirements make clear what information is beneficial or required to report a firearm lost or stolen, such as serial number, make, model, etc. Clarifying this and orienting purchaser education or tools around these requirements and how they are used when needed may improve reporting or the quality of information reported. One example of a helpful form for firearm owners is the ATF Form 3312,¹⁷ which allows firearm owners to document critical information that can be useful to law enforcement should the firearm be stolen. Similarly, only two states require sellers to inform purchasers of their reporting responsibilities. Requiring sellers to inform firearm purchasers of their responsibilities is not only low-cost and without substantial burden but is also common sense.

¹⁷<https://www.atf.gov/firearms/docs/guide/personal-firearms-record-atf-p-33128/download>



Second, the scientific literature suggests that deterrence can be an important tool and alternative for addressing problems such as straw purchasing schemes. Specifically, a study conducted in areas of a major city that experienced higher firearm sales and recoveries of likely straw-purchased firearms involved sending a letter from law enforcement officials during a mandatory waiting period notifying the purchaser that law enforcement has a record of their purchase and reminding purchasers of their requirement to record future transfers of the firearm (including thefts). The campaign was premised on the idea that straw purchasers, who generally have a clean criminal record, may be deterred, considering their likely desire to avoid criminal violations and avoid the attention of law enforcement. The study found that:

... the rate at which guns are reported stolen for those who received the letter is more than twice the rate for those who did not receive the letter[...]. The percentage of guns reported stolen in these neighborhoods is high, indicating a high rate of true gun theft, a regular practice of using stolen-gun reports to separate the gun buyer from future misuse of the gun, or some blend of both. Simple, targeted gun law awareness campaigns can modify new gun buyers' behaviors (Ridgeway et al., 2011).

Approaches that may be more likely to succeed in deterring straw purchases include those that are specifically targeted to where straw purchasing is thought to be more prevalent, using ATF data that is accessible to law enforcement agencies and consistent research findings. These data can advise local law enforcement where straw purchases are more likely to occur and where firearms that were likely straw purchased (indicated by short time-to-crime TTC) are often recovered. These data are available to law enforcement down to the specific FFL and community level. Similarly, data exists in many state and local law enforcement systems to assist states, counties, cities, and others in knowing where firearm thefts from private persons are most prevalent. This detail would allow federal and local authorities to prioritize responses and tailor efforts to address firearm diversion, similar to the approach used by Ridgeway et al. in their test of methods to deter straw purchasers in Los Angeles (2011).

As supported by Laqueur et al. (2023), the rapid yet uneven proliferation of privately manufactured firearms (PMFs) and PMF recoveries may overtake the concerns of stolen firearm reporting and straw purchasing altogether. The threat posed by PMFs (particularly those that are unserialized) is substantial and should not be obscured by concerns over what may become a much smaller problem in the near future.

Lastly, law enforcement agencies and officers should, as with any new policy or law, be given the information and training needed to understand the requirements of mandatory reporting laws, why the requirement was established, and how the law or policy will address public safety specifically. They should also be given clear guidance and support in implementing the law effectively. As became evident during interviews, the focus group, and informal interviews, many in law enforcement believe these laws are not likely to be effective. Some law enforcement focus group participants echoed the concerns of legislators in opposition to the laws and industry views¹⁸ that enforcement of the laws may penalize and further harm those who have been victimized by theft.

Regardless of the approach taken by states to develop or enhance mandatory reporting statutes, much can be done to address the problems of stolen firearms and straw purchasing, including as previously mentioned. Problem-oriented policing (POP), an evidence-based problem-solving framework for law enforcement, holds promise in preventing theft and other criminal activity. A systematic review of 34 evaluations of problem-oriented policing programs found “strong and consistent evidence that POP is an effective strategy for reducing crime and disorder” (Hinkle et al., 2020).

¹⁸<https://www.nraila.org/campaigns/2019/virginia/lost-or-stolen-firearms/>



Recommendations

There are a variety of steps that policymakers, law enforcement leaders, community organizations, and businesses can take to improve mandatory reporting laws and to prevent and respond to firearm theft and the diversion of firearms into the illicit marketplace. Below are recommendations for a variety of leaders and agencies.

Policymakers

- States and other local governments that have no mandatory reporting law or ordinance for lost and stolen firearms should consider establishing a requirement for prompt reporting of lost or stolen firearms to local law enforcement agencies while taking the following additional recommendations into consideration.
- States and other local governments considering the establishment of or that already have a mandatory reporting law should consider the following:
 - *Penalties for failure to report or to report in a timely manner.* Feedback from law enforcement officials confirms that minor penalties result in lower or no enforcement because of resource limitations, demands for attention towards higher priority, felony and other serious crimes, and criminal justice system diversion for low-level offenses. Given the encouragement of justice system reformers to move away from fines and fees for violations of laws, enhanced liability provisions and restrictions on future registrations and licensing (where applicable) may be more powerful than the threat of fines and incarceration for violators.
 - *Take steps to address the absence of intentionality.* To improve legitimacy and address a concern that has been raised in legislative and other debates over the law, consideration should be given to the issue of intent in failures to report or lack of knowledge of the reporting requirement. Those who do report in a complete and timely manner and who were legal owners and possessors of the firearm that is lost or stolen could benefit from liability protection in future civil action associated with the firearm's loss or theft.
 - *Requirements that improve awareness and compliance.* Laws should be developed or amended to include requirements for FLLs and other sellers to provide notice of the mandatory reporting law, information required for reporting, and responsibilities of law enforcement receiving reports of lost or stolen firearms. Such notice could originate from the state or local law enforcement agency and include crime prevention tips. FFLs should be required to retain the purchaser's acknowledgment of receipt of the reporting requirements.
 - *Require the use of NCIC by law enforcement.* Entering a stolen firearm into the FBI's National Crime Information Center (NCIC) can allow the agency recovering the firearm to be aware that it is stolen, from where, and what agency to contact for investigation, assuming the recovering agency also checks NCIC for a record. However, feedback from law enforcement officials and research suggests that requiring local law enforcement to enter all lost and stolen firearms into the NCIC in a timely manner may be critical to successful recoveries and national estimates of theft and loss of firearms. Statewide protocols for crime gun recoveries may benefit from including or requiring an NCIC check in addition to other processing steps.

- Establish a state-level, publicly accessible, and searchable stolen firearms database to allow prospective purchasers to ensure that the firearm they may be purchasing from a private seller has not been reported stolen. This type of system can make profit-motivated theft schemes less attractive, encourage more reporting of stolen and lost firearms, and assist with recoveries. Though many believe that stolen firearms travel out of state, tracing data indicates that 92% of crime guns are recovered within the same state they are reported stolen from (ATF, 2023).
- States and other local governments should consider the role that unserialized privately manufactured firearms (PMFs) play, their rapid proliferation and recoveries at crime scenes, and how these firearms may fit into or avoid requirements for reporting lost and stolen firearms. PMFs that are serialized may be more effectively reported when lost or stolen versus those that are unserialized.
- States and other local governments should consider the resource and operational impacts of these laws and ordinances on law enforcement. Ensuring that law enforcement leaders, prosecutors, and judges understand the purposes and necessity of the law or ordinance is essential.



Law Enforcement

- Consider implementing problem-oriented policing strategies to address firearm thefts, particularly thefts from individual owners. The Center for Problem-Oriented Policing (popcenter.asu.edu) is a helpful tool for law enforcement and should be consulted along with other resources. Specific problem-oriented policing strategies described in this report include the Save-A-Casing program and stolen firearm registries such as those in Ohio and Florida.
- Protocols for responding to calls involving lost or stolen firearms should be reviewed to ensure that officers understand reporting responsibilities for owners and the law enforcement agency. Specifically, if enough information is available to officers about the firearm, it should be a requirement to submit the firearm details to NCIC as soon as practical, either directly or through a state system.
- Local law enforcement agencies should ensure that their reporting methods and systems can accurately count stolen firearms and distinguish stolen firearms from other items stolen in property crimes, such as theft from auto or burglary. Though National Incident-Based Reporting System (NIBRS) non-compliant reporting systems may accomplish this for many, some law enforcement agencies do not yet have NIBRS-compliant systems.
- Firearm recovery protocols for law enforcement should be reviewed to ensure that all recovered firearms are checked against NCIC as soon as possible after recovery.
- Law enforcement officers should be provided education and training related to firearm theft and associated schemes (in particular, straw purchasing) and how law enforcement patrol and investigative responses can play a role in effectively addressing them.
- Law enforcement agencies should develop community outreach and education programs to encourage safe storage of firearms at all times. This includes avoiding leaving firearms in vehicles and using locks and/or secure storage when storing a firearm in a vehicle is necessary.
- Law enforcement agencies should develop community outreach and education programs to promote documenting and retaining information on firearms owned by members of the community so if a firearm is lost or stolen, they are prepared to share the make, model, description, serial number, etc., with law enforcement. Even in places where the Save-a-Casing program is not developed, it may be useful to encourage owners to retain two casings for each firearm they own.

Federal Authorities

- The U.S. Department of Justice (DOJ) should consider encouraging and providing funding support for additional state agencies to establish publicly accessible stolen firearm databases or portals. The DOJ should collaborate with the states that establish such systems to explore the creation of a national network of connected state databases or portals to provide a federated search capability, allowing prospective purchasers to search across multiple states with a single query.
- The FBI, working in coordination with ATF and the United States Attorney's Law Enforcement Coordinating Committees, should develop and disseminate clear information about the NCIC Gun File¹⁹ to municipal law enforcement and how it can and should be used. In addition, DOJ, its law enforcement, and state and local law enforcement supporting components should encourage consistent and timely reporting of stolen firearms in NCIC as well as NCIC checks on all recovered firearms.
- The National Institute of Justice (NIJ) should prioritize research on the role that firearm thefts play in gun violence and safety and on evaluations of mandatory reporting laws.
- The DOJ, Bureau of Justice Assistance, and Office of Community-Oriented Policing Services should consider the use of grant funding and training or technical assistance to encourage agencies to develop Save-A-Casing programs and stolen firearm databases or portals.

Community Organizations and Businesses (including Federal Firearms Licensees²⁰ (FFLs))

- Community organizations, businesses, and FFLs should provide outreach to firearm owners and purchasers on safe storage, documentation required for reporting a stolen firearm, state and local mandatory reporting laws for lost and stolen firearms, and the reasons for the requirement.
- Universities, institutes, and independent researchers should partner with states and local agencies to assess and evaluate the implementation and impact of mandatory reporting laws. Importantly, while evaluating impact is important, it may be even more essential to evaluate how the laws are implemented within local communities and relevant law enforcement agencies.

¹⁹The NCIC Gun File "contains records of stolen weapons; recovered (abandoned, seized, or found) weapons; lost or missing weapons; or weapons that have been used in the commission of a felony. Information in the Gun File includes the serial number, caliber, make, type, and model of the weapon listed, if available. Only criminal justice agencies can enter records into the Gun File." (Privacy Impact Assessment for the National Crime Information Center, November 2022)

²⁰An individual who is licensed to engage in the business of manufacturing, importing and/or dealing in firearms. Persons must be licensed by ATF to engage in the business of firearms. (Source: ATF.gov)

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