

Not an 'iron pipeline', but many capillaries: regulating passive transactions in Los Angeles' secondary, illegal gun market

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ABSTRACT

Objectives California has strict firearm-related laws and is exceptional in its regulation of firearms retailers. Though evidence suggests that these laws can reduce illegal access to guns, high levels of gun violence persist in Los Angeles (LA), California. This research seeks to describe the sources of guns accessed by active offenders in LA, California and reports offenders' motivations for obtaining guns.

Setting Los Angeles County Jail (LACJ) system (four facilities).

Methods Random sampling from a screened pool of eligible participants was used to conduct qualitative semistructured interviews with 140 incarcerated gun offenders in one of four (LACJ) facilities. Researchers collected data on firearm acquisition, experiences related to gun violence, and other topics, using a validated survey instrument. Grounded theory guided the collection and analysis of data.

Results Respondents reported possession of 77 specific guns (79.2% handguns) collectively. Social networks facilitate access to illegal guns; the majority of interviewees acquired their illegal guns through a social connection (85.7%) versus an outside broker/unregulated retailer (8.5%). Most guns were obtained through illegal purchase (n=51) or gift (n=15). A quarter of gun purchasers report engaging in a *passive* transaction, or one initiated by another party. Passive gun buyers were motivated by concerns for personal safety and/or economic opportunity.

Conclusions In LA's illegal gun market, where existing social relationships facilitate access to guns across a diffuse network, individuals, influenced by both fear and economic opportunity, have frequent opportunities to illegally possess firearms through passive transactions. Gun policies should better target and minimise these transactions.

INTRODUCTION

Gun violence remains a serious public health issue; the USA had over 11 000 gun homicides and 467 300 non-fatal gun victimisations in 2011.¹ Ongoing policy debates centre on the responsibility of federal and state governments to reduce gun violence, typically through the restriction of firearm possession by people considered most at risk of using guns illegally.² However, such restrictions only affect the supply of guns through the *primary* gun market, leaving the *secondary* market, which operates through both legal and extralegal transactions, largely unregulated.

Some criminal justice policymakers argue that expansion and increased enforcement of gun regulations and penalties will deter illegal transactions in the secondary market—and, by extension, prevent gun offending and reduce gun violence.³ However, in the strict firearm-related law context of California,⁴ where the legal transfer of firearms in the secondary market is subject to the same regulations as in the primary market (see online supplementary appendix I), unreported transactions, often involving prohibited possessors, still constitute the remainder of the illicit, secondary market. Prohibited possessors procure illegal firearms through family, friends, illegal brokers or theft.^{5–7}

To develop more effective gun violence reduction policy interventions, then, we must analyse how the illicit market operates regionally and facilitates access to illegal firearms locally. Prior studies, based on trace data and surveys of retailers, suggest several secondary market supply sources: rogue licensed retailers,^{8–11} interstate trafficking networks,^{12–14} private sales at gun shows,^{9 15} and thefts from residences and/or legal retailers.¹⁶ However, these data sources may not reveal important dimensions of local, secondary gun markets.

This research is especially necessary in Los Angeles County, California, USA (LA), a region with high rates of firearm violence, including homicides and assaults.^{17–19} The current analysis uses semistructured, in-depth interviews conducted with incarcerated gun offenders and builds on a small but robust literature also using interviews^{5 6} with illegal gun possessors, in order to obtain detailed and specific information on local gun markets. Specifically, the study describes how, in the illegal gun market in LA, social relationships facilitate access to guns across a diffuse network of 'capillaries', providing individuals, influenced by both fear and possible economic gain, with frequent opportunities to illegally procure firearms through passive transactions.

METHODS

This study was conducted over 10 months in 2014 at four facilities within the LA County jail system: Men's Central Jail, Twin Towers Correctional Facility, North County Correctional Facility and Century Regional Detention Facility. The Institutional Review Board at the University of California, Irvine approved our study.



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Sample and data collection

At the time of their interview, all participants were at least 18 years old, spoke English and were charged with at least one firearm-related offense, as described in [table 1](#).

Based on rosters provided by the LA County Sheriff's Department, 1549 inmates satisfied the screening criteria for the study. Detainees requiring special handling because of mental health issues or disruptive behaviour (242 or 15.62%) were excluded from interviews. Of the remaining 1307 eligible inmates, 384 were randomly sampled, of which 215 were contacted for participation. Before beginning an interview, verbal consent was obtained from all participants. A total of 140 detainees consented to be interviewed, resulting in a refusal rate of 34.9% (75/215). Interviews lasted between 45 and 120 min, were conducted by trained doctoral students, and covered multiple topics related to firearms. Questions were designed to gain an understanding of participants' access to guns in their communities and their specific knowledge of the illegal gun market, as well as additional topics, such as their experiences related to gun violence and understanding of gun laws. Interviews were audio-recorded, transcribed verbatim, redacting identifying information. Participants received a \$10 jail-issued vending card upon completion of the interview.

Data analysis

Interview transcripts were analysed using modified grounded theory^{20 21} and TAMS Analyzer software V4.47. Five members of the research team applied an iterative coding process to pilot code a set of 50 transcripts, identifying preliminary themes emergent in the data. This process produced a comprehensive codebook with 22 major codes and 98 subcodes. Five team members then coded the entire 140-transcript dataset, discussing coding discrepancies and resolving them by consensus. Recruitment concluded when saturation of the data was reached.

Our final sample (n=140) was a convenience sample of primarily men, charged with firearm-related offenses, while living

in the LA metropolitan area. Because we do not know how representative they are of the larger population, we are focused primarily on the qualitative patterns that emerge from the data, rather than statistical outcomes. [Table 2](#) provides descriptive information of the 140 study participants.

RESULTS AND DISCUSSION

Not an iron pipeline, but many capillaries

Unlike in other regions, like New York²² and Chicago,⁵ where the majority of recovered firearms are obtained through an 'iron pipeline', through which crime guns from states with less restrictive firearm-sales laws flow into states with more restrictive firearm-sales laws, the local gun market in LA is not reliant on interstate channels. Instead, LA's illicit gun market is composed of countless capillaries; both transient and close social connections facilitate gun acquisition in an already highly saturated market, where only a small portion of crime guns come from out of state.²³

We asked our respondents how guns entered their communities and became available for illegal sale. While interviewees described guns as ubiquitous and frequently recirculated in their communities, they were typically unaware of any specific source providing guns to the LA area. Among our sample, only a few respondents were able to discuss specific supply mechanisms within LA's secondary gun market, identifying sources such as gun shows, legitimate gun owners, and police officers as points of supply. Instead, the overwhelming majority of respondents reported their perception that guns were easily available from people within their communities:

Somebody got them stolen. Somebody sold them that had access to being legal to buy a gun, and somehow they sell it to a gang, or it's a gun that's come through the system that's killed somebody or shot somebody before, and just floated through the system. Floated through the system just like money...Come from the police also. (R67)

Moreover, respondents rarely identified one specific individual (or group) they would turn to for a gun; rather, they described access to a number of sources through the activation of appropriate social channels. For instance, when asked how he purchased his gun, the following respondent replied:

They pass, pass, pass down, you know? They just pass down. ... Say for instance we had, uh, been playing basketball, or you know, everybody's tired, and you sitting back like, damn, man, like, I need that, you know, I need that heat. And they're like, oh, I know this dude that probably got one, he got a couple of them, he might want to sell one. (R3)

Interviewees described a diffuse market of readily available guns coming from a variety of sources. We found no evidence of individuals selling illegal guns as their primary vocation. Instead, data revealed that people in a wide array of social roles informally pass guns along:

They get them like on the streets. It's pretty easy. You might meet a guy, you might get a phone call to say, 'Hey, I got this for sale, I know someone who got this for sale. They want such and such, couple hundred.' And, 'Shoot, I'm on my way. Tell him to meet me over here.' It's pretty easy. It's like selling a CD. They're pretty common on the streets. (R56)

Since most of our respondents identified as prohibited possessors, obtaining a gun through informal channels, after a short waiting period, qualified as 'easy', relative to the guaranteed denial of sale at a retail location based on one's criminal record.

Table 1 Breakdown of firearm-related offenses for screening criteria of study participants

Felon with FA PC 29800(A)(1); PC 12021; PC 12021(A)1; PC 12021(C)1; PC 12021(E)	96.51%
Concealed carry FA (vehicle or person) PC 12025(A)1; PC 12025(A)2	41.0%
Prohibited possessor with ammo (PC 30305(A)1)	14.8%
Assault with FA (PC 245(A)(2))	14.5%
Assault with semiautomatic FA (PC 245(B))	2.8%
Carrying loaded FA (PC 12031(A)1)	2.6%
Carrying FA (PC 12020(A))	2.3%
Possession short-barrelled rifle/shotgun (PC 33215)	1.2%
Armed during felony (PC 12022.2)	0.1%
Prohibited transaction (PC 12072(D))	0.1%

The following table shows the breakdown of offenses charged among our screened sample (n=1549), in order of frequency from top to bottom. About 42% of inmates were charged with more than one of these offenses simultaneously, so these numbers do not total to 100%.

Table 2 Demographics of 140 interviewed study participants, January–October 2014

	Male (n=129)		Female (n=11)		Total (n=140)	
	n	Per cent	n	Per cent	n	Per cent
Age (years)						
≤20	12	9.3	3	27.27	15	10.95
21–30	69	53.49	4	36.36	73	52.14
31–40	33	25.58	2	18.18	35	25.0
41–50	9	6.98	1	9.09	10	7.14
≥51	4	3.1	–	–	4	2.86
Missing	2	1.55	1	9.09	3	2.14
Range	19–66		18–44		18–66	
Median age	26		27.5		27	
Mean age	29.21		28		29.12	
Race/ethnicity						
Black/African-American	63	48.84	2	18.18	65	46.43
Hispanic or Latino/a	44	34.11	6	54.55	50	35.71
White	4	3.1	1	9.09	5	3.57
Multiracial	6	4.65	1	9.09	7	5.0
Other	6	4.65	0	–	6	4.29
No response	6	4.65	1	9.09	7	5.0
Education						
Not complete HS	42	32.56	3	27.27	45	32.14
HS diploma/GED	49	37.98	6	54.55	55	39.29
Some college	35	27.13	1	9.09	36	25.71
College degree	1	0.78	–	–	1	0.71
Missing	2	1.55	1	9.09	3	2.14
Gang affiliated						
Yes	62	48.06	4	36.36	66	47.14
Direct gun violence experience (shot and/or shot at)	93	72.09	5	45.45	98	70.0
Indirect gun violence (know someone shot)	68	52.71	7	63.64	75	53.57

HS means high school diploma and GED means general educational developmental test.

Social relationships facilitate access to guns

Collectively, our respondents reported possession of 77 specific guns, the vast majority of which (79.2%) were handguns (see online supplementary appendix II). Further, data revealed that respondents relied heavily on social relationships to facilitate their access to available guns. Table 3 lists transaction-type and social relationship-source information for the guns reported by our respondents.

Although available sources varied somewhat, most gun possessors reported obtaining guns through an illegal transaction (n=51/66.2%) or as a gift (n=15/19.5%). Only three guns were purchased legally, and eight guns were found by respondents in various locations, including an abandoned house, alley or dumpster. Due to incomplete responses or missing information, we were unable to determine the source for a small portion (10.6%) of guns obtained illegally (see online supplementary appendix III).

Social networks play an important role in the acquisition of firearms. In 66 of 77 (85.7%) transactions, respondents obtained their illegal firearms from another individual, while only 11 guns were legally purchased or found. Of these, respondents identified the social source of 59 of 77 (76.7%) transactions, while seven transactions involved unidentified social sources (due to missing data/no response). Only five guns (8.5%) were acquired through extralegal means. Only one was acquired from an outside trafficker: “guys from Vegas [that came] around ‘probably two, three times a week’ with up to a dozen guns (R83)”. Another came from an unregulated sale by a pawnshop owner. This further emphasises the importance of local social networks.

Of the 59 guns acquired through identified social sources, most (50.9%) were acquired through close social connections, including known friends, acquaintances, or friends of friends (third-party connections). Nearly all of these transactions (n=26/86.7%) involved some form of payment. Approximately a quarter (n=15/25.4%) of the transactions involved familial or affective ties such as family member, fellow gang members or romantic partners. In these cases, guns were much more likely to be gifted or otherwise exchanged without expectation of payment or return (n=9/60%). Our respondents nearly all said they had never let someone borrow their gun (these findings differ from earlier work in Chicago, which found gun ‘loans’ to be more frequent).²⁴ In fact, only a single gun was purchased directly from an intimate social connection. Straw purchases constituted the remaining five transactions.

Interestingly, our respondents implied that explicit trust played a minimal role in facilitating some transactions. That is, in nine instances (15.3%) it was sufficient that an individual, basically a stranger, ‘look like they’re from around (R105)’ the community for the transaction to occur. These encounters with strangers were all described as chance meetings, where guns were exclusively purchased or traded in exchange for drugs.

Passive gun transactions and their motivations

The hidden and illicit nature of the illegal gun market suggests that gaining access would require a buyer to initiate a transaction. Furthermore, such gun acquisitions might be expected to be for

Table 3 Transaction-type, initiating party and social network-source information for guns reported by respondents

		Illegal purchase or trade	Gift	Total
Familial/ affective social connection	Family member	1 _A	4 _B	15 (19.48%)
	Fellow gang member	–	3 _A	
	Romantic partner	–	1 _B	
	Straw purchase (legal purchase for prohibited possessor; usually girlfriend)	5 _A	–	
Close social connection	Friend	8 _A	1 _B	30 (38.96%)
		4 _B	1 _C	
		2 _C		
	Acquaintance	5 _A	2 _C	
	Friend of friend (third-party connection)	1 _B	–	
Stranger/no prior social connection	Drug addict (affiliation characterised by drugs)	1 _A	–	9 (11.69%)
		4 _B		
	Strangers from street (no previous direct affiliation)	2 _A	–	
External illegal gun source	Trafficker or outside gang member	2 _A	–	5 (6.49%)
	Retail store (unregulated)	1 _A	–	
		1 _B	–	
	Police	1 _B	–	
Other	Refused or unable to recall social connection source	2 _A	–	7 (9.09%)
		1 _C		
	Missing social connection source	2 _A	2 _A	
Total guns acquired through social connections:		N=51 (66.23%)	N=15 (19.48%)	N=66
% Active transactions (($\sum n_A/N$) \times 100)		64.71%	33.33%	57.58%
% Passive transactions (($\sum n_B/N$) \times 100)		25.50%	60.00%	33.33%
% Missing (unclear)(($\sum n_C/N$) \times 100)		9.80%	6.67%	9.10%

In addition, respondents reported 11 additional guns: 3 (3.90%) were legally purchased and 8 (10.39%) were found unexpectedly.
Transaction-initiation data designated: A (active); B (passive); C (unclear).

explicitly criminogenic purposes. However, a substantial portion of our respondents (25.5%) purchased their firearms through a transaction initiated by another party—what we term a *passive* transaction. Not surprisingly, gang-affiliated respondents were more likely to actively pursue the acquisition of a gun. However, passive transactions were still reported in nearly one-third of all cases compared with 44% of those acquisitions involving non-gang members. Further, in these passive transactions, concerns for personal safety, drug or other economic opportunities influenced respondents' gun purchase decision-making processes (see online supplementary figure S1 in Appendix for schematic diagram of transactions and motivations).

Nearly three-quarters of our interviewees reported first-hand experiences of being shot or shot at. Interviewees often linked their decision to purchase a firearm directly to such an experience, like this interviewee, who described his rationale for purchasing a 9 mm from 'a dude on the street' when the opportunity arose:

I: "What made you want a gun during that period?"

R53: For protection.

I: For protection? And what did you like about the gun?

R53: There wasn't no specific features on the gun that I liked. I just bought it for protection.

I: Was there something that happened that made you feel like you needed it?

R53: Yeah. Getting shot at.

I: Getting shot at. How long after you got shot at did you get the gun?

R53: Like, that same week.

In another interview, a respondent described that despite his initial resistance to purchasing an illegal gun, he eventually changed his mind after being pressed to consider his vulnerability to violence:

Somebody asked me do I want to buy it, I told them no, then they said, what do you do? Do you gangbang? I said no, they said so you walk around here? I'm like yeah, they like, so you walk around here, you don't gangbang? I'm like no. He was like, so what do you do for a living? I'm like well, I do rap. I be in the studios and stuff, and he's like, so you're a rapper and you be having jewelry and everything, you don't have no gun to protect yourself? Pretty much persuade me, bought it, but then I end up going to jail for it. (R99)

In these excerpts, respondents' prior experiences with and knowledge of potential gun violence directly influenced their decision-making processes by increasing their demand for a gun (see online supplementary appendix IV). When presented with unexpected purchasing opportunities, these respondents' spontaneous entrée into the underground market was motivated by fear and concerns for self-protection, not crime.

Drugs also played an important role in whether or not respondents engaged in passive gun purchases. One respondent described how guns and drugs were exchanged as currency:

R34: I got that Glock from one of my homies that owed me money.

I: Okay, so he gave it to you in lieu of cash?

R34: He owed me for a half ounce, which was \$450.00 generally, so he paid me with a Glock.

Another respondent discussed the influence of using drugs on his decision to purchase a gun:

"Well let me check it out." Sure enough I liked it, I had cash on me so I was like, "You know what? I'm gonna buy it." I like the gun, the way it was a nice, clean—nice model. And at that time I thought I needed one. I was just drugged out. My mind was clouded up; I wasn't thinking straight, which I know I didn't need one but I still thought I did. (R95)

Capitalising on an unexpected economic opportunity also motivated many of our respondents' passive firearm purchases. As this interviewee said,

I: And so why did you buy that gun?

R54: It's 50 bucks. I could buy it good and sell it for more... I bought it like more out of just convenience, that it was just like the opportunity was there, and it was—it was like one that was hard to pass up.

I: Mm-hmm. So it wasn't one that you really like sought out, needing a gun?

R54: I didn't really care about it.

Another interviewee described a similarly 'lucky' purchase, through which he acquired a Berretta: "It was just the luck of the draw. I was just out and about, and I ran into him one day, and he told me he had it. I just got it" (R42).

In these examples, gun buyers were primarily motivated by economic opportunity or the collateral consequences of drug use or sales. Further, some acquired a gun only because their preferred currency was not available.

CONCLUSION

Strictly enforced regulation of Federal Firearms License holders has successfully reduced illegal access to guns in LA's primary market.^{4 25} This success, however, has made the secondary market diffuse; guns are seemingly ubiquitous, and illicit access is perceived to be relatively easy and highly desirable for those living in impacted communities. This study improves understanding of LA's secondary gun market and of how existing social relationships facilitate access to illegal guns across a diffuse network that enables regular movement and exchange of guns among individuals. Findings from this research suggest both demand-side and supply-side opportunities for policy interventions: (1) address the underlying motivations of gun possessors and (2) disrupt the source of guns fuelling passive transactions.

Participants in this study acquired illegal firearms most frequently through purchases within their social networks, rather than from outside sources. These transactions occurred in various ways, the most surprising being the 'passive transaction', which was not directly initiated by the gun purchaser. Respondents' fears for their personal safety, and sometimes their desires to capitalise on an economic opportunity, influenced decisions to illegally possess firearms and facilitated passive transactions. These findings reveal the permeability of the boundary between 'gun criminal' and 'victim'. Current gun violence reduction policies aimed at prohibited gun possessors attempt to deter their possession of illegal guns through harsh punitive sanctions, but this fails to account for the complex ways in which exposure to violence and opportunity influences motivation (both passive and active), and consequently, illicit possession, carrying and use.

Further research is needed to understand and address the underlying motivations prompting the initial acquisition of an illegal gun. Particularly, our findings suggest an opportunity for intervention among passive gun buyers, through policies aimed at improving community safety. Conceivably, with less fear for their personal safety, these buyers may refuse the opportunity to passively acquire a gun. This would, in turn, reduce the likelihood of future incidental gun violence, since, despite best initial intentions for purchase, the presence of a firearm increases the likelihood of unanticipated firearm violence and homicide.^{26–28} One example of a successful demand-side intervention is Chicago's Group Violence Reduction Strategy, a gun violence reduction programme incorporating strategies to both reduce gang-initiated violence and improve community–police relations. Participants experienced a 23% reduction in shooting behaviour and a 32% reduction in gunshot victimisation in the year after treatment.²⁹ Another preliminary model, 'Being a Man', is a programme implemented in high-crime neighbourhoods in Chicago that teaches adolescents to navigate perceived slights and instances of potential conflict without resorting to violent means. Programme participation reduced violent crime arrests by 44%.³⁰ Programmes such as these can produce significant reductions in gun violence and improve levels of safety in the community. Moreover, increased investment in

wraparound social services that address the spectrum of challenges faced by those at risk to commit or be victimised by gun violence, such as drug treatment, housing, trauma care and job training, can build healthier neighbourhoods and effectively reduce gun violence in LA and in other cities experiencing high rates of gun violence, as community members are generally more willing to discourage violence when they know that supports are being offered alongside their condemnation of violence.³¹

While addressing underlying motivations of gun buyers may decrease their willingness to participate in passive transactions, more research is needed to better identify the sources of these guns. Presumptively, these guns may come disproportionately from the theft of unsecured (and sometimes unwanted) firearms in homes and automobiles. Some possible policy responses to reduce the number of guns passively available on the market include community-based gun buy-backs and regulatory measures to encourage, and subsidise, gun safes that are well secured (especially during those times of day when legal owners are away from their homes) and thus difficult to remove.

What is already known on the subject?

- ▶ Gun violence continues to be a serious public health problem in the USA, particularly in urban areas like Los Angeles, California, USA.
- ▶ Despite legislative efforts, regulation of the secondary gun market continues to pose difficult challenges.
- ▶ Previous research relies primarily on ATF (Bureau of Alcohol, Tobacco, Firearms and Explosives) and survey data to identify sources of guns within the illegal secondary market.

What this study adds?

- ▶ Uses unique data from qualitative interviews with incarcerated gun offenders.
- ▶ Detailed information about the sources that gun offenders in Los Angeles use to access illegal guns and their motivations for possession.
- ▶ Policy recommendations based on both demand-side and supply-side interventions.

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