

## **U.S. Attorney's Report to the District**

### **Violent Crime and Firearms Trafficking**

On October 7, I attended a national summit on violent crime convened by U.S. Attorney General Loretta Lynch in Washington, DC. Violent crime rates have been at historic lows in recent years, but have spiked up in several cities over the last 12 months, including in Sacramento and Fresno. To discuss the problem, the Attorney General gathered about 75 people – mayors, police chiefs, and federal law enforcement officials including over a dozen U.S. Attorneys. We spent a day reviewing data and discussing the causes and symptoms of gun violence, and exploring strategies to address it.

While the violent crime problem is not the same in every jurisdiction, some commonalities are evident. The possession and use of high-capacity firearms by untrained young men is leading to more shooting incidents, more shots being fired per incident, and more injuries.

Most homicides, assaults, rapes and other violent crimes are not within federal jurisdiction and are prosecuted locally. Our primary tools for combatting violent crime are federal narcotics laws and firearms laws that have been on the books for many years. In the Eastern District of California, we are implementing an anti-violent crime strategy that involves working closely with federal, state and local law enforcement agencies to use those federal laws to target and prosecute persons responsible for gun violence in high-crime areas. But another component of our effort is to combat illegal trafficking in high-capacity firearms.

This year we completed the prosecutions of two former police officers who, with the help of a firearms dealer, misused their law enforcement status to obtain and resell for profit firearms that are not otherwise available to the public in California. We are currently prosecuting a man who sold AR-15-style short-barrel machine guns, a silencer, and other weapons to ATF undercover agents in Sacramento, and another man who sold similar weapons to ATF undercover agents in Bakersfield.

California has some of the most restrictive gun laws in the nation, but that has not prevented the recent emergence here of a new type of gun trafficking. Most firearm parts, such as the stock and barrel, are unregulated and can be sold without a license or documentation. The lower receiver of a firearm, which contains the critical firing mechanism and trigger action, is itself regulated as a firearm in federal law. Some companies, to exploit this perceived loophole, are now selling unserialized, nearly-complete lower receivers, with color-coded fillings to guide a purchaser in easily completing the milling process to produce a finished receiver. A purchaser can then legally obtain the other parts and assemble a full AK-15-style semi-automatic assault rifle with no serial number. When this is done repeatedly and for profit, it constitutes illegal firearms manufacturing and trafficking. These high-capacity, untraceable firearms are becoming a weapon of choice among gang members and other criminal elements in California.

Working with ATF, we are attacking this problem. Last year we charged several individuals from the Sacramento area and elsewhere who manufactured and sold large numbers of firearms in this manner. We also brought a civil action seeking to forfeit over 3,800 nearly-complete lower receivers made in Bakersfield. And earlier this month ATF agents arrested a half dozen men from Elk Grove, Stockton and elsewhere who manufactured and sold dozens of unserialized AR-15-style rifles constructed in the same manner. They are also alleged to have built and sold silencers and illegal short-barrel rifles.

At the summit on violent crime in Washington, mayors and police chiefs from across the country requested assistance from federal prosecutors in addressing the problem of gun crime. Our office has long played an important and active role in addressing gun violence in the Eastern District of California, and as this problem continues to evolve, we will continue to develop new strategies to combat it.

If you would like to communicate with our office, contact the main number in Sacramento, or submit a suggestion by clicking on the button below. Thank you.

United States Attorney  
*Benjamin B. Wagner*