



# THE VIRGINIA CENTER FOR PUBLIC SAFETY

Independence from Gun Violence

## FACT SHEET ON VIRGINIA'S GUN SHOW LOOPHOLE

- Under Virginia law, Federal Firearms Licensees are required to perform criminal background checks on individuals purchasing firearms. However, this law does not apply to individuals who make “occasional” gun sales as a “hobby.” These “private sellers” can sell a firearm to anyone at a Virginia gun show—no questions asked.
- Between 22 and 35% of the firearms sellers at Virginia gun shows do not possess a Federal Firearms License and are not required by law to perform background checks on purchasers.<sup>1</sup>
- Background checks work. Background checks by licensed dealers prevented 2,668 illegal gun transactions in Virginia in 2005.<sup>2</sup>
- The Virginia Tech Review Panel has recommended that Virginia legislators close the gun show loophole, stating, “In an age of widespread information technology, it should not be too difficult for anyone, including private sellers, to contact the Virginia Firearms Transaction Program for a background check that usually only takes minutes before transferring a firearm.”
- Gun shows are the second leading source of crime guns recovered in firearms trafficking investigations nationwide, behind only corrupt federally licensed dealers.<sup>3</sup>
- Between 2002 and 2005, more than 400 firearms sold at Richmond-area gun shows were recovered in connection with criminal activity. More than 300 of these guns were recovered in the Richmond metropolitan area.<sup>4</sup>
- More than 5,000 gun shows are held annually in the United States. The ATF conducts investigations at only approximately 2% of these shows.<sup>5</sup>

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<sup>1</sup> Virginia State Police, Criminal Justice Information Services Division

<sup>2</sup> Virginia State Police, *2005 Facts and Figures*

<sup>3</sup> U.S. Dept. of Treasury, Bureau of Alcohol, Tobacco and Firearms, *Following the Gun: Enforcing Federal Laws Against Firearms Traffickers*, June 2000

<sup>4</sup> Statement of Michael Bouchard, ATF Assistant Director/Field Operations, before the Subcommittee on Crime, Terrorism, and Homeland Security, United States House of Representatives, February 28, 2006

<sup>5</sup> Ibid.