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WHAT IF

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What if the police investigating a shooting death or assault could determine from a recovered bullet or shell casing who purchased the bullet and when and where it was purchased?

What if people who supplied ammunition to persons who then used it to commit a violent crime could be quickly identified and at least questioned as to how, when and to whom that ammunition was supplied?

What if a data bank could be set up that would allow purchases of ammunition to be recorded by merely swiping an ID card or driver's license and scanning a bar coded ammo box?

What if the data collected by such a system were available to police across the country, on a very confidential basis, subject to strict laws against its misuse?

What if all this could be done without requiring further gun registration or testing and without affecting the price or availability of ammunition to legitimate sportsmen by using, to a large extent, commercial systems already in place?

The answers are addressed in this article. I would appreciate your opinions or suggestions, even if you disagree with the programs proposed. You can contact me at the following address and telephone number: Lawrence J. Fleming, Attorney at Law, 354 Reith Terrace, St. Louis, MO 63122,(618) 482-9050 (office).

- GUNS DON'T KILL PEOPLE,BULLETS DO -

A PROPOSAL FOR AN AMMUNITION DATA BANK FOR USE BY LAW ENFORCEMENT

A. The Wake Up Call

Having practiced criminal law for 35 years, I have seen enough of the consequences of gun violence to last for several lifetimes. I have also become painfully aware of the inadequacies of the investigative tools available to law enforcement officers trying to identify and stop murderers, particularly those committing senseless killings with high tech firearms. Too many of our streets have become jungles of gun warfare, and many resulting murders and assaults are never solved. I have witnessed the fear and

anxiety commonly suffered by good people living in our poorest neighborhoods and trying to shield their children from such dangers on almost a daily basis while also fearing to report what they may know or see. I was, nevertheless, as shocked, frustrated and frightened as most Americans with the recent events involving the "D.C. Sniper" and the initial lack of forensic leads to find the killers and stop the carnage. Moreover, I could not help but observe how the terror of seemingly random killing by unknown assailants has now been brought home to the suburbs and middle class by the saturation media coverage of the events in and around our Nation's Capitol. This was most definitely a wake-up call for me, as I hope it was for many others.

In the sniper case, it was the suspects' own boasting and demands during phone conversations and in notes (together with some excellent police work) that led to their arrests and the seizure of the murder weapon, but only after thirteen shootings, ten deaths, three weeks of terror and an unprecedented commitment of local and federal resources. Had the police been able to immediately develop solid leads from the bullets and the shell casing which they recovered early in the investigation, deaths, investigative time, and terrible community trauma might have been averted. Had the police in Montgomery, Alabama, been able to more quickly identify

and apprehend the suspects in the murder there, the Washington terror, and possibly other shootings, may have been avoided entirely. Unfortunately, the worst may be yet to come as “copy cats” and, indeed, real terrorists, plan similar attacks on other metropolitan areas now that they have seen the ease of escape and level of fear and disruption that can be caused.

These future murderers may not be nearly so stupid and verbose as the two suspects now awaiting trial. Accordingly, this tragic episode has demonstrated that much more is needed in the area of ballistic tracing than is presently available. The present firearm data bank maintained by the BATF, under a contract with a private firm, is extremely expensive, but of little value in murder investigations unless a firearm has been recovered or used in another crime. **What is urgently needed is a program to apply the extraordinary commercial technology we already have to develop a ballistics tracing system which could more directly and more frequently lead to the apprehension of such violent criminals and which, hopefully, would also reduce the now unlimited supply of deadly implements available to them.**

B. Inadequacies of Ballistic “Fingerprint” Bank

The proposed and much discussed national data bank of “ballistic fingerprints” is,

not the answer. Such a data bank, even if it is promptly initiated, will prove to be **much too little, much too late.**

It is **too little** for the obvious reasons that: (1) “gun fingerprinting” of shell casings and “rifling mark identification” of projectiles, despite recent improvements, are still very inexact since modern manufacturing methods have reduced the differences between marks left by identically tooled firearms and some bullets are now designed to fragment making analysis of the projectile quite difficult; (2) a firearm’s “fingerprints” on both shell casings and projectiles can be changed intentionally, by use of an abrasive, such as steel wool, or unintentionally by repeated firing; and, (3) the complexity of collecting, recording and cataloging such “firearm fingerprints” to any useful degree would be overwhelming, and could not be accomplished in any reasonable period of time, if at all. At best, the proposed data bank would include only a minute percentage of the firearms which should be included. These drawbacks, of course, have been and will be asserted by gun lobbyists in opposing any initiative which smacks of gun registration or control, and the fact is, on this issue, they are probably “on target.”

However, the more significant problem with a ballistic fingerprint approach is that it is **too late.** There are already about 250 million

guns out there, many of which have been stolen or otherwise rendered untraceable, and these are the guns most likely to be used in a crime. Had such a program been initiated at the manufacturing level 50 years ago, before the massive production and importation of firearms, it might have some limited usefulness today. But now it will be practically and politically impossible to include even a small fraction of existing guns in a data bank of “ballistic fingerprints.” Many gun owners simply won’t cooperate with any program to test and record their existing firearms and criminals certainly won’t cooperate. To believe that even a small percentage of the tens of millions of guns now traded on the streets would somehow find their way to testing stations is ludicrous. Any such program would be almost completely limited to newly manufactured guns since the present BATF data bank includes only about 800,000 gun fingerprints, less than 1/3 of 1% of existing guns.

Obviously, criminals don’t need newly manufactured firearms to commit their crimes because the existing supply of guns will probably last for another 25 to 50 years. Thus, a program limited to guns manufactured in the future will be of almost no help now. However, to kill or maim with a gun a criminal needs not only the gun but also bullets, and that presents us with another much more feasible approach

to this problem. To paraphrase an old slogan: **“Guns don’t kill people, bullets do.”**

I submit, therefore, that the focus at this time should not be on the traceability of guns, but on the traceability of ammunition, a consumable commodity with a more limited “street life” than guns. In fact, the United Nations addressed this possibility, with reference to international security in reports submitted to the General Assembly in 1999 and in March, 2001¹. The proposals here, however, are limited to domestic law enforcement assistance. What we need for law enforcement is a very confidential national data bank by which the distribution chain and ultimate purchase of bullets could be traced. This could be accomplished in three phases, only the last of which may require some new technology or change in the manufacturing process.

C. Phases of Development

(1) Recording Ammo Purchases Using Existing Systems

Existing systems are clearly available which could provide for

¹ Report on the Problem of Ammunition and Explosives, U. N. Fact Sheet 22, 29 June 1999, A/54/155; Berkol, Schutz and Weary, Marking, Record Keeping and Tracing of Small Arms and Light Weapons, U. N., GRIP, Special Issue, March 2001.

the electronic recording and tracking of ammunition purchases via nationally uniform identification cards and mandatory bar coding of ammunition boxes.

Scanning into a terminal a bar code identifying the ammunition purchased by a particular user should not present a major problem if that information were appropriately coded and printed on the box containing the ammo. Costs could probably be minimized and implementation achieved more quickly if this function were to be contracted out to one of the major credit or debit card companies, since they already have access to terminals in virtually every retail establishment.

Consumers are quite accustomed to having their credit cards and their purchases scanned at the checkout counter, and receiving a monthly statement showing what, when and where they have purchased. Bar coding now produces a detailed description of the product purchased on the customer’s receipt, as well as in inventory records. Similar information on ammunition purchases should be quite easy to collect and recover using existing commercial systems such as those utilized by credit card companies. The information immediately recorded could simply be a number by which all identifying characteristics of the ammunition purchased could be determined and a second

number, such as a drivers license, by which the purchaser could be identified. Typical 12 or 13 digit bar codes should be able to reflect this type of information. The information retained in the data bank, however, would be only the raw numbers recorded unless and until specific identifying data were needed to investigate a particular crime.

Law enforcement officials only would then have the ability to determine from the recorded numbers at least who had purchased ammunition of a particular make, type, and perhaps lot number in a particular locality. Such information alone could provide the police with general leads when the ammunition used in a crime has been determined to be of a specific make and type, particularly an unusual type. For example, there are at least a dozen different types of .38 caliber bullets manufactured by Remington Arms Company alone, so a search of the data bank for numbers corresponding to a particular brand and type could be productive. If the lot number or year of manufacture could be determined from the “headstamp” of a recovered shell casing, as is often already done, this would further narrow the search in the data bank provided it had been included in the code number recorded at the time of purchase.

The “licensing” or recording of a mm unition purchases will undoubtedly evoke

screams of “Big Brother” by the gun lobby and others, but privacy can be protected by stringent limitations on the access to and use of such data base information. Some states, such as Illinois, Massachusetts, New Jersey and New York already restrict and/or record sales of ammunition to persons holding state issued Firearm Owners’ ID cards. This policy has obviously not caused any reduction in gun recreation activities (except, perhaps, by convicted felons and spouse abusers). Hunters, target shooters and gun clubs abound in such states despite the “licensing” or at least identification of ammunition purchases.

Additionally, most states already have magnetic strips or bar coding on drivers licenses and “non-driver ID cards” to facilitate record checks. These electronic identification devices could probably be made uniform or adapted to record purchases of ammunition without the immediate need to issue separate ID cards. In fact, such adaption of existing ID cards may be more politically feasible and cost efficient than requiring gun owners to obtain a new type of card.

It is important to note also that this initial phase could be implemented without imposing any new requirements on the manufacturers of ammunition, other than a system of uniform labeling or bar coding of their ammo boxes. The data describing the ammunition

would merely need to be entirely recorded at time of shipments by the manufacturer and wholesaler, at the time of receipt by the retailer (if this is not already done), and at the time of purchase by the consumer. Obviously, the technology now used by Fed Ex and UPS could be a model for this type of tracking system of the distribution chain. In fact, such couriers might be contracted to perform this function while credit or debit card companies record consumer purchases.

Fears that with such a data bank innocent people would be questioned simply because they supplied or purchased ammunition identical to that used in a crime could perhaps be allayed if more information were required initially to access the data bank than merely the identifying characteristics of the ammo. Such information as the age, race, gender and size (as would usually be available through drivers license records) and a specific reason to suspect a described individual are additional factors which could also be considered. The locality of the purchase may not be significant in many cases, given the mobility of criminals, guns and ammunition, but it could be helpful to some degree in cases involving local street crimes.

However, in order for such a system to be truly effective in criminal investigations, and to avoid inconvenience to innocent

purchasers, refinements of the data bank discussed below would have to be implemented to significantly narrow the suspect field of ammunition purchases to a specific identifying number corresponding to a number on a spent cartridge or bullet recovered from the crime scene. The goal, of course, would be to match the bullet used in the commission of a violent crime to the purchaser of that bullet as a first step in eventually identifying the perpetrator.

(2) Markers on Shell Casings

The necessary narrowing of suspected purchases could be accomplished by a **requirement that at least certain types of “high risk” ammunition manufactured or sold in the United States bear an indelible number or magnetic imprint on the shell casings and an identical number or bar code on the box in which they are sold.** The March 2001 report to the United Nations¹ discussed in some detail the marking techniques which could be employed to do this. The markers, as a first step, could simply correspond to the lot number or run number of the manufacturer, as is often done already on cartridge headstamps. However, since a typical lot of ammunition can contain up to a million

rounds, the size of these lots would have to be substantially reduced, at least insofar as the identification numbers are concerned, by splitting the lots or runs into numerous sub-lots. The boxes of ammunition could be sorted before shipment such that a limited quantity bearing the same number would be shipped to the same wholesaler or retailer. The lot number and other data recorded via a bar code on the box and appearing in some fashion on the shell casings would then be included in the information recorded in the ammunition data bank when the ammunition was shipped to the retailer and again when sold to the consumer.

The system could then be further refined such that **each box and the shell casings contained therein would have a unique identifying number or marker.** A recovered shell casing could then lead directly to the individual who purchased that particular bullet. It would not be necessary to analyze and compare “gun fingerprints” with those that may or may not be within a system such as that is now maintained by the BATF. Each shell casting would, in effect, have a built in “fingerprint” which could be traced to an easily identifiable purchaser rather than a probably untraceable gun.

Shell casings are, in fact, recovered from many crime scenes since most modern firearms eject them. They

are also available when a revolver or other weapon which has retained the shell casings is recovered or seized by the police.

These shell casings should be able to provide a critical lead for investigators in all such cases. However, the present system provides information only to the extent that the gun’s “fingerprint” on the casing has been previously recorded or can be compared with another recovered casing or tested firearm, and even then it does not directly identify a person as a possible lead.

Criminals may attempt to thwart this proposed new system by filing off or demagnetizing the number, or collecting the shell casings after using the weapon; however, in most cases, they will probably not have or take the time to do so. Drive by shootings, botched robberies, and street firefights are seldom very orderly affairs allowing time to “clean up”, and even the methodical D.C. Snipers left at least one shellcasing. Additionally, markings on cartridge headstamps, as presently done, would be extremely difficult to remove, and the March 2001 report submitted to the United Nations suggests ways that markers could be developed which could not be removed. Eventually, making it a crime to possess or distribute ammunition with missing or obliterated numbers, as is now done with guns, could be a further deterrent.

Such a new identification

system would, of course, require some serious initial investment in sorting, marking and shipping machinery, but it would not be impossible, and with some subsidies and assistance by the Government could be accomplished. In the long run it would probably be less expensive, and more cost effective, than the \$27 million annually spent by BATF for “ballistic imaging”. Each of the billions of pieces of currency now printed by the U.S. Mint has a tiny and unique micro number included on it as well as a sequential serial number, and perhaps similar production and recording technology could be applied to ammunition, if it is not already available in the private sector. Once such equipment is in place, the operation and maintenance costs to manufacturers should not be prohibitive.

(3) Tracers in Projectiles

Finally, **the most ambitious identification device would be a tiny microchip, taggant, or titanium strip inserted by the manufacturer in the projectile itself from which an identifying number or marker could be extracted.** Whether or not a shell casings were recovered, the spent projectile would then provide a lead to its purchaser without the need for ballistic imaging.

The technology is probably not there yet to produce such a chip or strip which would sufficiently withstand the

heat and impact of a fired bullet, but this would definitely be something to work toward while shell casing identification is implemented, used and tested for effectiveness. Given our rapidly advancing aerospace and computer technology, the development of such a device should not be impossible. However, since this phase would impact on the manufacturing process itself it may be quite expensive and should probably be deferred, in any event, until results of the first two phases can be evaluated and a reliable cost benefit analysis made.

To some extent, identifying markers are already placed in commercial explosives by U. S. manufacturers and such identifying markers or “taggants” are mandatory in Switzerland. Again, techniques used by the U.S. Mint for including micro markers on bills could perhaps be applied to very small identification strips inserted into bullets and shotgun loads. (Although shotguns are rarely used in unsolved murders and may not be of the same concern to law enforcement.)

D. Issues to be Confronted

(1) Cost

Obviously, developing and implementing data banks and tracking mechanisms for ammunition seem like extreme and costly measures even if existing technology and data systems were employed. However, we are in extreme times and **the cost**

of such measures would, in the long run, probably be far less than the economic impact of episodes such as we have seen in the Washington area which reportedly cost the communities involved hundreds of millions of dollars in additional security, lost productivity and commerce. Maintenance costs may even be less expensive than the amounts presently spent by federal agencies alone for ballistic recording and tracing. The availability of such a system would undoubtedly save investigative time and resources and make law enforcement generally more efficient. It would also help to solve crimes and save lives which, of course, should have no price. The deterrent effect of such measures and the reduced accessibility of criminals to ammunition purchased by others would also be an immeasurable factor.

Finally, the cost of implementing such measures using existing systems could well be borne by the Government, so that hunters and other legitimate gun users would not suffer an increase in the price of their ammunition and manufacturers, wholesalers and retailers would not need to bear the cost of new equipment. As indicated, Phase Three (markers in projectiles) should probably await the results of the first two phases since it would be the most expensive endeavor. **Additionally, as a first step (and perhaps a test of**

effectiveness), the additional marking measures might be limited initially to the ammunition for the handguns most commonly used in murders and assaults, since those weapons account for well over 50 % of such crimes. This would probably include .25, .32, .38, .44, .45 and .357 caliber, as well as 7 and 9 mm ammunition. Of course, such a program limited to “high risk” ammunition would probably not have snared the D.C. Snipers, but it may be more cost efficient, as well as more politically saleable, than including ammunition typically used in hunting rifles and shotguns. In fact, this may be an area of compromise with the NRA and other gun lobbyists, if indeed, such a compromise is needed.

(2) Privacy and Civil Liberties

As previously noted, **the data bank would contain only raw numbers from which more specific information would have to be extracted on a case by case basis,** after identifying markers were recovered. Only then would the identities of suppliers or purchasers be available to investigating officers.

However, to further protect privacy and civil liberties, limiting legislation could provide that information from the ammunition data bank would be **available only to law enforcement and then only upon a court order similar to a search warrant,**

based on a particular criminal investigation specifically identifying a “serious” crime committed, the evidence already recovered and the need for the information which is sought. Poaching or illegal target shooting, for example, should not be considered “serious” crimes warranting access to the data bank. Legislation and court supervision, as well as civil sanctions, could assure that there would be no wholesale distribution of gun owners’ names or personal data or even the type of ammunition they have bought. The Federal Privacy Act and provisions relating to court authorized wire taps are examples of how privacy can be protected.

(3) Innocent Purchases and Effect on Supply

If specific and unique identity devices could be inserted on or in the bullets or shells, purchasers of ammunition could be assured that they would be at no risk that their identities would be disclosed to the police or anyone else unless one of the bullets purchased was found in the body of a victim or at a crime scene. Retailers, of course, would have to assure that ammunition was not sold to anyone whose ID number was not recorded into the system since they may also have to account for ammunition shipped to them and later used to commit a violent crime.

If there were then a reason

why that bullet left the purchaser’s possession, he might be able to disclose when, where and how it left, and possibly who had it when the crime was committed. Hopefully, legitimate purchasers of ammunition would be more reluctant to supply bullets they had purchased to potential criminals knowing the bullets would come back to haunt them if recovered from a body or crime scene. In effect, sellers and purchasers of bullets would be accountable for only those bullets actually used to commit a violent crime. If the bullets were stolen, records of the theft or burglary could also lead to the perpetrator of the murder or assault, just as the records of the Montgomery, Alabama, robbery and murder led to the arrest of the Washington Sniper Suspects. The supply of ammunition to legitimate purchasers, intended for lawful uses, would not be affected, but, hopefully, the supply of bullets available to potential criminals would be curtailed because of the risks involved in providing ammunition to such individuals.

(4) Existing Supplies, Reloading and Bootlegging

There is, of course, a massive supply of ammunition already out there, including military surplus and foreign imports, and reining in this supply could be a massive undertaking. **However, existing unmarked ammunition could eventually be recovered by**

a trade-in program (again financed by the Government), so that legitimate users of firearms would not be penalized. They would simply get new ammo or vouchers for their old ammo. Some of the unmarked ammunition collected could perhaps be put to use by police or the military, which would probably have to be exempted from the marking requirements, but most of it would have to be destroyed. After the trade-in program and an appropriate waiting period, it should be made a crime to possess ammunition without identifying data on it, just as it is now a crime to possess a gun which has a missing or obliterated serial number. An exception may have to be made for very unusual or antique ammunition not available from domestic manufacturers. However, the supplies of unmarked military ammunition, of which there would be a tremendous volume, would have to be subject to more strict security measures to avoid theft, and military surplus ammunition could no longer be sold to the public, unless, of course, it had been marked and was recorded at the time of sale.

Additionally, the practice of individual gun users “reloading” ammunition, could present a problem and may have to be separately regulated in some fashion as would mail order and internet sales of ammunition. These would seem to be the only necessary restrictions on

legitimate gun related activities, and, as such, seem a small price to pay for the protections which such a tracking program would afford. As discussed, *infra*, the sale or transfer of certain ammunition to persons who did not have the necessary ID or specifically marked driver's license could also be prohibited, if it were politically possible to do so against the inevitable opposition of the gun lobby. But even if controls were not placed on these practices, the supply of untraceable ammo would still eventually be relatively small, and certainly far smaller than present unlimited supplies of ammunition available to criminals.

The continued importation of foreign ammunition which did not comply with the tracing requirements could also be a problem which might have to be addressed in trade agreements. Thefts of ammunition would have to take on an enhanced investigative priority similar to the priority now given thefts of drugs and explosives. However, even if a bootleg reloading or ammo smuggling industry developed, which undoubtedly would occur, the overall supply of ammunition to criminals would still be greatly curtailed, particularly if illegal ammo suppliers were prosecuted with the same vigor as illegal drug suppliers are now.

(5) Limitations and Collateral Benefits

Needless to say, **identifying the possible purchaser of ammunition used in a crime will not necessarily solve that crime. However, it would go a long way to provide the police with leads they would not otherwise have.** Once the purchaser of bullets used in a crime was identified, investigators would at least have a starting point to track that bullet, a starting point they do not now have. Other investigative measures, including other forensic sciences and other law enforcement data bases, would still be necessary. The ammunition data bank alone would probably not prove a case in court, but it would certainly assist in identifying suspects. Moreover, as noted, such an information bank would create a personal risk to any purchaser who supplied marked ammunition to a potential criminal. This "risk" could be greatly increased if it were made a crime to supply at least certain types of ammunition to persons who did not have the appropriate ID card or specifically marked drivers license. (Since, it is already a federal crime for convicted felons, drug addicts and spouse abusers to possess ammunition, it may be assumed that they would not be issued such cards.)

Hopefully, the epidemic of street crimes committed with guns would be curtailed by reducing the sources for marked ammunition and by imposing penalties for the possession or distribution of

unmarked ammunition. Similarly, the sale of any ammunition to persons already disqualified under existing laws would be much easier to investigate when that ammunition was used to commit a murder or assault. Consequently, the cost of ammunition to criminals could be expected to greatly increase, just as strict controls and prosecutions have greatly increased the price of illegally sold prescription drugs. This economic factor may, itself, have a deterrent effect on gun crimes in addition to the investigative benefits of this proposal.

E. Comparison of Bullets to Other Products

Creating a national data bank for ammunition may seem like an Orwellian suggestion, but if ammunition is compared with other products which are regulated or recorded the idea is not so far fetched. A quick tour of a supermarket will disclose that there are manufacturers' numbers on everything from toothpaste to instant pudding to lottery numbers on the inside of beverage caps. Cars have long been traceable through VIN numbers and perishable products contain traceable numbers for public health reasons. TVs, cell phones and a host of other products also have serial numbers on them. No one pays attention to these numbers unless there is a problem, such as a recall, and no one screams that civil liberties are violated by keeping track of who has

bought what car or what TV or cell phone. Similarly, no one should care about having recorded numbers on his or her ammunition unless that ammunition is intended to be used in a crime.

Manufacturers of food and cosmetic products obviously do not find it economically prohibitive to print numbers on products which are far less lethal or dangerous than bullets. So, the process of marking bullets with traceable numbers should not be any real impediment, particularly if the Government provides some assistance. Similarly, bar coding has developed into a widely used and inexpensive technology to track almost every product known. In fact, Fed Ex, UPS, and other couriers routinely track millions of packages daily along every step of their routes. These examples indicate that, to a large extent, the recording and tracking technology is available if the political will and commitment can be marshaled to apply this technology to bullets.

Most importantly, it is time to recognize that bullets (and shotgun shells) are a very unique product in that their ultimate purpose is to penetrate the body and end the life of a warm-blooded being, and some bullets are uniquely designed to kill or maim human beings. Target shooting notwithstanding, no other consumer product has this deadly purpose as its primary function. Society clearly has a legitimate

interest in being able to track such lethal products, particularly those used to commit violent crimes, and more particularly if it can do so without violating the privacy rights of legitimate users. It is, indeed, ironic that we have, for decades, strictly regulated and recorded shipments, sales and purchases of prescription drugs, some of them quite benign, but have not even addressed the concept of recording purchases of bullets.

It is even more ironic that an individual who sells even a small quantity amount of marijuana or cocaine to Bozo Badguy, so Bozo can “party” with his neighbors, may face a very long prison sentence. However, if the same person sells Bozo several boxes of 9 mm hollow point bullets, so that he can blow away his neighbors, no one seems to care who the supplier may have been. He has merely sold a legal and uncontrolled product to an individual who would pay for it. Under the present system, he will probably not even be identified, much less called to account, no matter how dangerous he may have known Bozo to be when the bullets were sold.

Obviously, the time has come to allow our information technology to catch up with the technology of high-powered rifles, assault weapons, semi-automatic handguns and long distance laser scopes. Such technology should also be able to focus on those who routinely

supply the bullets used in violent crimes. While the proliferation and traceability of guns may be out of our control, we can and should apply the resources we have to reduce the presently wide open access of criminals to the ammunition they need to commit their murders and assaults.

F. Second Amendment Considerations

Finally, such a recording and tracking system would not prohibit or limit the purchase, ownership, or use of firearms or ammunition any more than do the laws presently on the books. The issuance of ID cards, or the adaption of drivers licenses, to record the purchase of ammunition could still be a matter of State prerogative as long as the cards could be uniformly used to obtain input of the information needed. **There would be no gun registration involved and no one would attempt to interfere with the “right to bear arms” as it presently exists.** Only ammunition actually used in the commission of a crime would be investigated, and only the purchasers and sellers of that particular ammunition, and those to whom it may have been later supplied, would be bothered by law enforcement.

Someone still fearful of the “slippery slope” of the Government having any data on their ownership or use of firearms could, of course, have someone else buy their ammunition as long as that someone were prepared to

account for any bullets he or she purchased which were later used to commit a violent crime. On the other hand, those wishing to collect even an arsenal of guns for self protection, recreation, or other legal purpose and to buy ammunition for those purposes would have no further interference from the Government as a result of such a system. **This proposal merely injects elements of traceability and accountability for a deadly, but legal, product which elements we do not now have. As the NRA has suggested, it targets criminals and those who assist and supply them with ammunition rather than innocent gun owners.**

G. Conclusion

Obviously, I am neither a data engineer, nor a firearms expert, and there are probably obstacles to these proposals as well as other technologies and systems which I have not even considered. Similarly, I am not in a position to estimate the cost of these proposals, nor how many crimes they may solve or prevent. These are matters for real experts and perhaps for an appropriate study or two with input from Law Enforcement, ammo manufacturers and gun owners. However, I offer these suggestions as a common sense approach and one that is certainly more feasible, effective and politically acceptable than the gun "fingerprint" data bank widely discussed. Additionally, such a system

would provide a far more direct and certain link to the perpetrators of violent gun crimes than the ballistic imaging techniques and very limited data bank now employed and funded by the federal Government. **The key feature of this proposal, of course, is the utilization of presently available commercial systems rather than the development of new systems or the dependence on questionable and limited forensic technology.**

Indeed, if we are going to have a ballistics "fingerprinting" system why not use our technology to create foolproof "fingerprints" (via markers) in advance, and give new meaning to the old movie cliché' **"This Bullet Has Your Name On It."**