

THE LOWDOWN

Sheriff Charles S. Blackwood

Late last month, the General Assembly voted to override Governor Roy Cooper's veto of Senate Bill 41, Guarantee 2nd Amendment Freedom and Protections, effectively repealing state laws regarding issuance of pistol purchase permits by NC sheriffs. As a result, my office immediately stopped processing applications. Many people felt this change was an unsettling loss in the fight for better gun control. I want to share some of the policies and technologies used to keep guns out of the wrong hands and to hold accountable those who use them with criminal intent.

Although North Carolinians no longer need a permit to purchase a pistol, the laws regarding carrying concealed handguns remain unchanged. Orange County residents wishing to carry a concealed handgun must complete an eight-hour handgun safety class approved by the state's Criminal Justice Education and Standards Commission. Residents must then come to my office to apply for a concealed handgun permit, and my staff determines whether the applicants are eligible to receive one.

Despite some misunderstanding, Senate Bill 41 does not deregulate gun sales. A firearms dealer must complete an instant background check on a buyer at the time of purchase. Known as a NICS check, this process is designed to reveal if the purchaser has any automatic disqualifiers. Examples of such disqualifiers include conviction of a crime punishable by more than a year in prison, a dishonorable discharge from the armed forces, or being the subject of certain court orders regarding intimate partner violence or danger to a child. If the NICS check reveals any disqualification, the dealer will deny the sale.

Private purchases or transfers do not require a background check; however, it is illegal to knowingly transfer a handgun to a person who cannot lawfully possess it.

Of course, people intent on carrying or using weapons sometimes steal weapons if they cannot legally purchase them. Unfortunately, many people do not store their legally acquired guns safely. Perhaps they want the weapon readily at hand; unfortunately, thieves know the accessible hiding spots. The same principle applies to the locations where motorists stash weapons – under the seat, in the center console, or in the glove compartment. Thieves check these places first. Please contact my office for a free gun lock or more information about safe firearm storage.

Some people who cannot legally possess weapons seek to purchase them through unlawful means. A 2019 Department of Justice survey found that 43 percent of

criminals purchased their weapons on the black market. Another eleven percent had someone else buy the weapon(s) for them; this practice is known as a straw purchase. The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) formed a network of Crime Gun Intelligence Centers in 2016. This interagency collaboration collects, analyzes, and shares information about guns encountered by law enforcement, including guns used in crimes, and those that are lost, found, or of concern in domestic violence situations. The Intelligence Centers identify links using eTrace, a secure network that attempts to trace guns back to the point of last legal purchase. Studying these links can help develop leads that may link a suspect to a firearm, identify patterns that reveal firearms trafficking, and determine who engages in straw purchases.

The ATF's Crime Gun Intelligence Centers also use the National Integrated Ballistic Information Network (NIBIN) as part of their violent crime reduction strategy. This technology helps investigators match ballistics evidence from separate crime scenes to reveal connections. When someone discharges a weapon, the firing pin strikes the shell casing causing an explosion, which propels the bullet forward down the barrel. Meanwhile, the extractor hooks the casing and pulls it from the chamber, ejecting it from the weapon. Both actions mark the shell casing in a unique fashion. In perhaps overly simplistic terms, each gun has a fingerprint it transfers to the shell casing. NIBIN scans and compares ballistic evidence from shooting scenes and recovered firearms, building a list of similar results. Trained technicians then work to determine whether the identified connection can be confirmed as a match. In fiscal year 2022, NIBIN locations acquired over 631,000 pieces of evidence and generated over 189,000 leads. The NIBIN technology efficiently processes such volume, which will continue to increase as more agencies submit evidence.

Society continues to wrestle with balancing Second Amendment freedoms against the right to live safely in our communities. There are no obvious or easy answers. Please know I am working here in Orange County, and across the state through my involvement with the North Carolina Sheriffs' Association, to study the problems and find opportunities to propose workable solutions. I welcome your thoughts and ideas.