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Yes to Armor-Piercing Bullets for Civilians

by Benedict D. LaRosa

On March 3, Sens. Frank Lautenberg (D-N.J.), Charles Schumer (D-N.Y.), Jon Corzine (D-N.J.), and Rep. Eliot Engel (D-N.Y.) introduced the Protect Law Enforcement Armor Act in their respective venues to ban the new Five sevenN pistol (FN 5.7) made by Frabrique Nationale Herstal, a Belgian arms manufacturer. Efforts to ban the gun in New Jersey and Massachusetts are also afoot. Why? Because of its supposed easy concealability and the supposed ability of its 5.7 mm ammunition to penetrate bulletproof vests worn by police. These members of the House and Senate explained that only police and members of the military ought to possess such “assault pistols” and that there is no legitimate reason for civilians to own the gun.

What precipitated this new round of legislation? Last November, the Department of Homeland Security issued a safety alert on the pistol saying that Connecticut police had seized one from a drunk-driving suspect and indicated that its bullets were “advertised as being able to penetrate 48 layers of Kevlar [material used in body armor] at 50 meters.” A month later, police in Camden, New Jersey, found another pistol in the possession of a suspected drug dealer.

Other than the fact that criminals occasionally use guns when perpetrating crimes, which has been well known since the invention of firearms, it is difficult to understand all the fuss. The gun itself is approximately 8 inches long, hardly an easily concealable size. The caliber of the ammunition is barely bigger than a .22-caliber bullet, which until recently, was the smallest diameter for a bullet. The length of the cartridge is just over an inch (28 mm), again small by modern standards.

Although the FN 5.7 pistol can fire armor-piercing ammunition — the type that will penetrate a modern bulletproof vest — so can any other pistol on the market, many firing much larger and more powerful projectiles. According to Title 18, U.S. Code Section 922, since 1986 no one may manufacture or import armor-piercing ammunition for civilian use, nor may manufacturers or importers sell or deliver such ammunition to civilians without the permission of the attorney general. But should that be so?

First, a word about bulletproof vests. In reality, there is no such thing. “Bullet-resistant” is a more accurate term for modern body armor. The degree of resistance depends on the materials used, how they are layered, the caliber and make of the bullet, the powder load of the cartridge (which affects its speed), and other factors, such as weather.

That said, why can't civilians have access to armor-penetrating bullets? Don't criminals, who are more apt to attack civilians than armed and trained police, sometimes wear body armor when committing crimes? Remember the North Hollywood, California, shootout in February 1997? Two heavily armed men wearing body armor shot 7 civilians and 11 policemen as they attempted to escape after robbing a Bank of America branch. Armor-piercing ammunition in the possession of either armed civilians or police would have ended their escape attempt much sooner and with less injury.

More recently, last month David Hernandez Arroyo killed two people and wounded several police officers in Tyler, Texas, before police shot him dead. One of his victims was 50-year old Mark Wilson, a citizen licensed to carry a concealed weapon. Wilson, who came to the aid of others attacked by Arroyo, shot Arroyo several times in the chest. But Arroyo was wearing body armor so Wilson's bullets didn't incapacitate him. Although Wilson saved the lives of others by distracting Arroyo, he himself was killed. If he had been using armor-piercing ammunition, he would be alive today.

As usual, gun-control measures cost more innocent lives than they save. This one is no exception. Instead of banning the FN 5.7 or any other gun, legislators should remove barriers to the civilian possession and use of the latest technology in weaponry. The life they save may be yours.

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