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Ammunition Registration Unworkable

by Benedict D. LaRosa

California, the land of innovative gun-control schemes, is at it again. This time the focus is on regulating ammunition — preferably out of existence — within the state.

Democratic State Senator Joseph Dunn has introduced Senate Bill 357, which would require that all handgun ammunition sold or taken into California carry a unique serial number for tracking purposes. At first, the number was to be engraved on the bottom of each bullet (the projectile portion of a cartridge) and on the inside of each cartridge casing (the portion in which the bullet is seated until it is fired). As of this writing, legislators are considering changing the location of the engraved serial number to the bottom of the cartridge and side of each bullet after manufacturers pointed out that enforcers would have to disassemble each cartridge to determine whether it complied with the law. The bill would also register ammunition purchasers and make possession of unserialized ammunition illegal.

Backers tout the proposed law as — yes, you guessed it — another crime-control measure, claiming that its purpose is “to give law enforcement a tool to solve handgun crimes.” Opponents see it for what it is — a gun-control measure aimed at reducing handgun ownership in the state.

Proponents argue that the cost of compliance would be only a half cent per round. According to the Sporting Arms and Ammunition Manufacturers Institute, however, the cost of numbering each cartridge going to California with a unique identification number would be prohibitive. It would increase the cost of ammunition from pennies to several dollars per round, require new production facilities and equipment, negate the economy of scale ammunition manufacturers depend on to make their product cost-effective, and require three weeks to produce what now takes one day.

The bill’s sponsors reply that the law would apply only to handgun ammunition and, therefore, should not place too great a burden on manufacturers. This is deceptive because most ammunition used in rifles can also be fired from handguns, thereby forcing manufacturers to number almost all ammunition to avoid possible violations. In the end, it would make more sense

for ammunition manufacturers not to sell to California dealers than to undergo the expense and time of complying with the new law for one state. The predictable result: gun control. After all, if you can't get ammunition for your gun, it becomes about as useful as a rock.

There are several reasons why this law would be ineffective in fighting crime. Even if the serial number is applied to the casing as well as the bullet, not all handguns leave casings behind as evidence at the scene of the crime. Although semi-automatic pistols eject spent casings, revolvers do not. In a revolver, they are retained within the cylinder until they are manually removed. A criminal using a revolver is more likely to leave the scene of a crime expeditiously than to take precious time to remove and drop the spent casings there, regardless of whether the ammunition is marked, but especially so, because the scene of the crime is no place to linger. But wouldn't criminals be apt to reload at the crime scene to fire off more rounds? Rarely. Most revolvers hold 5 or 6 rounds. According to FBI statistics, the number of rounds fired by each participant during the average gunfight is 3.5. Therefore, there is no need to reload at the scene of the crime and drop spent casings. Besides, most crimes involving guns don't result in gunfights; they are generally one-sided events with one or two rounds fired, again with no need to remove spent casings and reload the revolver at the crime scene.

Wouldn't criminals use the more sophisticated semi-automatic pistols, which eject spent casings? Not necessarily. Semi-automatics cost more, require more training to use, and are more apt to jam. Chances are, the average criminal who uses a handgun will have a small, easily concealable model such as a snub-nosed (two-inch barrel) revolver. You can bet if this bill becomes law many criminals who now use semi-automatic pistols will switch to revolvers, or pick up the one or two spent casings at the scene of the crime, time permitting.

Even if casings or bullets are left at the scene, how do you know who fired them? The original purchaser may have sold, given, or otherwise disposed of the ammunition, only for it to fall into the hands of criminals somewhere down the line. Go to any shooting range, for example. The place is littered with spent casings. If only marked ammunition is sold in California, don't be surprised if a lot of these spent casings end up in the hands of criminals who will drop them at crime scenes to mislead investigators. Also expect registered ammunition to become high on the list of stolen items. Then again, an enterprising crook could always purchase unmarked ammunition out of state and smuggle it into California.

Another way to circumvent the proposed law would be to use reloading equipment to make unmarked ammunition. There are literally millions of unmarked bullets and reloadable casings on the market, and thousands of people who do their own reloading. Who knows how long it would take to consume what's already available, to say nothing of what would be brought into the state clandestinely after the passage of such a law? Disassembling marked rounds and reassembling them as unmarked is always an option, though hardly necessary, because of the other options mentioned above.

No one is even sure investigators would be able to read the engraved serial numbers on spent bullets and casings, given the pressures and deformation they undergo when they are fired and strike targets of various hardness.

In addition, the bill makes no exception for cartridges going to law enforcers and the military within California, making ammunition to these entities either prohibitively expensive or unattainable.

In 1986, Congress repealed the federal law regulating ammunition because it had proved unworkable, time consuming, and unproductive in solving crimes.

The California legislators supporting this bill are not unintelligent or naive. They are well aware of the bill's drawbacks as a crime-fighting tool regardless of where they ultimately decide to place the serial number. Like the now-discredited ballistic-fingerprinting scheme, ammunition serial-numbering will prove another failed attempt at crime control, and may even lead to increased crime. However, it will accomplish the end for which it is intended — more gun control.

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