



NATIONAL FRATERNAL ORDER OF POLICE®

328 MASSACHUSETTE AVE., N.E.
WASHINGTON, DC 20002

PATRICK YOES
NATIONAL PRESIDENT

JIM PASCO
EXECUTIVE DIRECTOR

22 August 2019

The Honorable Patrick J. Leahy
United States Senate
Washington, D.C. 20510

The Honorable Susan M. Collins
United States Senate
Washington, D.C. 20510

Dear Senators Leahy and Collins,

I am writing to you on behalf of the members of the Fraternal Order of Police to advise you of our support for S. 2376, the "Stop Illegal Trafficking in Firearms Act." The legislation which you have introduced will forcefully address the real problem of firearms trafficking.

The bill would criminalize the practice of "straw purchasers"—individuals not prohibited from buying firearms—who provide them to violent criminals, gangs and other criminal organizations. Federal law enforcement currently lacks the tools to effectively combat these purchases because there is no criminal statute prohibiting this practice, forcing prosecutors to rely on laws that prohibit making false statements to Federal Firearm Licensees (FFL). These "paperwork" violations carry no effective deterrent and are very difficult to successfully prosecute. Your bill would clarify current law prohibiting the making of material false statements while buying or attempting to buy a firearm from an FFL.

The bill adds firearms trafficking to the Racketeer Influenced and Corrupted Organizations Act (RICO) along with a forfeiture provisions allowing a court to impose fines equal to twice the amount of the proceeds acquired by the criminal conduct. The bill also authorizes the use of electronic surveillance to investigate straw purchasing activity and directs the U.S. Sentencing Commission to ensure that persons convicted of these offenses are subject to increased penalties.

Your bill would also provide enhanced criminal penalties for those who know or reasonably believe that the individual to whom they are transferring a firearm is prohibited from possessing such a weapon or if they know or reasonably believe the firearm will be used to commit a violent crime or drug trafficking offense. The bill would also expand current law on firearms smuggling by criminalizing the exportation of firearms to foreign countries in furtherance of violent or drug trafficking crimes. This will greatly assist law enforcement in our efforts to reduce weapons and ammunition being provided to foreign drug cartels and other criminal organizations.

We believe your bill provides law enforcement with the tools needed to prevent firearms of all kinds from getting into the wrong hands. The legislation provides, for the first time, real deterrence to straw purchasers who have never faced any serious sanctions for supplying gangs and violent individuals with deadly weapons.

—BUILDING ON A PROUD TRADITION—

On behalf of the more than 349,000 members of the Fraternal Order of Police, we offer our support for S. 2376. Thank you both for your continued leadership and support for our nation's law enforcement officers. If I can be of any additional assistance, please do not hesitate to contact me or Executive Director Jim Pasco, in my Washington office.

Sincerely,



~~Patrick Yoes~~

National President