

Firearm-Related Activity in Massachusetts 2018-2019



Massachusetts Executive Office of Public Safety and Security

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Charles Baker, Governor

Terrence Reidy, Secretary of the Executive Office of Public Safety and
Security

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Overview

Section 18 ¾ of Chapter 6A of the Massachusetts General Laws mandates that a report be completed by the Executive Office of Public Safety and Security (EOPSS) detailing the prevalence of firearm-related crimes, the number of arrests, prosecutions, and points of origins of these illegal firearms. This report will provide statistics on the state of illegal firearms in the Commonwealth for the time period of 2018-2019 to determine if recent laws have had an effect on the number of illegal firearms in the Commonwealth, the number of crimes committed with a firearm, and prosecutions related to these violations. The exact statute reads:

(10) to develop a biennial report to be sent to the clerks of the House of Representatives and Senate, the House and Senate committees on ways and means and the House and Senate chairs of the joint committee on public safety and homeland security not later than March 1 of every even-numbered year. The report shall contain, but not be limited to, the following information: (i) statistics related to firearms crimes; (ii) arrests and prosecutions of firearms-related offenses, to serve as an examination of the effectiveness of the commonwealth's firearms-related regulations; (iii) aggregate data on the source of firearms that have been confiscated and identified as being used in a crime or in an attempted or completed suicide during the report period, including aggregate information on the manufacturer, state of origin and last known point of sale, transfer, loss or theft of such firearms; (iv) an explanation of substantial changes in state and federal firearms-related laws and firearms-related statistics in the commonwealth; and (v) the effectiveness of section 128B of chapter 140.

Methodology and Data Collection

Currently, the data requested is not located within a single data set. For this report, crime statistics and arrest statistics were compiled by utilizing National Incident Based Reporting System (NIBRS) data, which is voluntarily submitted to the Executive Office of Public Safety and Security and ultimately to the FBI by local, state, campus, and hospital police agencies. NIBRS data includes the nature and types of specific offenses in the incident, characteristics of the victim(s) and offender(s), types and value of property stolen and recovered, and characteristics of persons arrested in connection with a crime incident; not all police agencies submit crime data using NIBRS. In addition to NIBRS agencies, individual data sets were obtained from the Boston and Lawrence Police Departments as they are the largest agencies reporting summary data as of 2019. It should be noted that in NIBRS data, it is possible to report multiple offenses, crimes, victims and weapons within one incident. For this report, data shall be reported as the total number of crimes where firearms were utilized during all the offenses, unless otherwise noted. Information about homicides with a firearm and suicides with a firearm was compiled from the Massachusetts Office of the Chief Medical Examiner (OCME). In order to examine case statuses and prosecutions of firearm cases, data was received from the Massachusetts Trial Court. Information about firearms confiscated or recovered was received from the Bureau of Alcohol, Tobacco Firearms and Explosives (ATF), as well as the Commonwealth Fusion Center (CFC).

Going forward, EOPSS will continue to work with municipal police departments, the Massachusetts State Police (MSP), the Commonwealth Fusion Center (CFC), and federal partners to maintain a dataset where this information may be more readily available. In addition, the Massachusetts State Police utilize a data collection tool in the Criminal Justice Information Services (CJIS) environment to collect data on firearm recoveries and seizures in the Commonwealth. This system within CJIS allows law enforcement to enter data in the field in relation to the criminal incidents and the firearms associated with crimes. In addition to this report, the Massachusetts State Police also publish an annual report regarding firearms used in crimes based upon this new collection tool.

Limitations of the Data

As mentioned above, it is difficult to locate and merge data that does not reside within a structured data environment. In 2018 and 2019, some agencies were still converting from UCR to NIBRS. For the purpose of this report, agencies that failed to submit data or are not contributing NIBRS data were excluded for the crime and arrest statistics portion of this report, unless otherwise noted. For this report, NIBRS statistics were available for 327 Massachusetts police agencies. However, utilizing NIBRS data in addition to, data submitted by Lawrence and Boston results in over 97% of the permanent population of Massachusetts residing in the jurisdiction of a police organization included in this report.

With respect to prosecution, criminal charges involving firearms were examined for the years 2018-2019. It should be noted that this will not reflect all firearms-related arrests from this time frame, but only those resulting in prosecutions completed during these years, as some of the 2018-2019 arrests will not yet have been adjudicated.

Statistics on Firearm-Related Crimes

Since in some cases, it is possible to convert NIBRS data to UCR data, this methodology was utilized to provide a count of Homicides, Robberies and Aggravated Assaults with a Firearm across the Commonwealth for all agencies that submitted either NIBRS or UCR data. These are the only three categories where it is possible to extract weapons data in UCR. The number of Robberies with a Firearm decreased by over 200 crimes between 2018 and 2019 and is down from over 1,400 incidents in 2016.

Figure 1: NIBRS Data Converted to UCR		
Crime Type	2018	2019
Homicide with a Firearm	95	87
Robbery with a Firearm	1,001	799
Aggravated Assault with a Firearm	1,768	1,692
Total	2,864	2,578
Data Source: MA UCR / NIBRS Data		

For the time period 2018-2019, there were 10,721 crimes in which firearms were utilized. In 2018, 5,630 crimes were committed with a firearm, while in 2019, 5,081 crimes were committed with a firearm. When reporting NIBRS, the FBI allows for 15 crime types to include a reference to the use or presence of a firearm. However, when Boston collects data, it does not impose limits on which crimes can be reported as having involved a firearm. Boston reported 1,432 offenses in 2018 but when converted to NIBRS standards, 1,306 were counted for this report. Similarly, in 2019, Boston reported 1,206 offenses and 1,042 were used in this report. When looking at the data, Boston had multiple cases of vandalism with a firearm or calls for investigate property, which were recoded as weapons offenses for this report to correspond with NIBRS categorization; whereas NIBRS agencies would either not have included these incidents or coded it as a weapons offense. It should be noted that the statistics represent criminal incidents and do not necessarily reflect that an arrest occurred. For example, an incident in which an unknown individual fires shots into the air and no arrest is made would be counted in NIBRS data as a weapons offense, even though no offender information is known and as a result, no arrest is made.

Figure 2: Firearm-Related Crimes 2018 - 2019			
Crime Type Using NIBRS Categories	2018	2019	Total
Murder and Nonnegligent Manslaughter	95	91	186
Negligent Manslaughter	0	2	2
Kidnapping/Abduction	60	63	123
Rape	26	21	47
Sodomy	0	5	5
Fondling	4	6	10
Aggravated Assault	1,861	1,848	3,709
Extortion/Blackmail	6	8	14
Robbery	1,022	870	1,892
Weapon Law Violations	2,556	2,381	4,937
Grand Total	5,630	5,295	10,925
Data Sources: MA NIBRS statistics, Boston PD data & Lawrence PD data. Data is a count of crimes where a firearm was listed as the weapon involved.			

As can be seen in Figure 2, Weapon Law Violations were the most frequent incident type. These incidents are typically for violating laws related to the manufacturing, selling, purchasing, transporting, possessing, concealing, or using of firearms. Common incidents within this category are arrests for Unlawful Possession of a Firearm, and incidents of shots fired. Aggravated Assaults were the second most frequent incident type with 3,709 reports. These incidents encompass non-fatal shootings, threats with a firearm, and pistol whippings. The remaining crime type with a significant number of firearms used was Robberies, with 1,892. Robberies encompass street, commercial, home invasion and carjacking robberies. While capturing

homicide data utilizing NIBRS data is possible, for this report it was also assessed utilizing OCME data to go into in greater depth and is detailed later in this report.

Sorting the firearm data by reporting agency reveals that the larger cities have more crimes with firearms, even when considering it on a per capita basis. Boston reported 2,348 crimes, followed by Springfield (1,593), Worcester (653), Brockton (465), New Bedford (355), Lawrence (324), Holyoke (307), Lynn (292), Fall River (289), and Lowell (258). (See Appendix Table 1 for a complete Town / City list.) All of these Cities were in the top ten for the preceding two-year period, yet all of their current totals were less than the 2016-2017 total with the exception of Springfield who had an increase of approximately 100 incidents. When rates of firearm incidents for 2019 are calculated per 100,000 residents, the numbers are fairly similar, although Springfield moves to the first position with a rate of 484.1/100,000; followed by Holyoke (388.27), Brockton (244.52) and Lawrence (193.16). Boston drops down to the 12th position when utilizing this method, while the small towns of Adams, Dunstable, Beckett, Webster & Truro moved into the top 20 on a per capita basis.

Figure 3: Agencies with over 100 Crimes with Firearms 2018 - 2019

Agency	2018	2019	Total	2019 Population	2019 Rate per 100,000
Boston	1,306	1,042	2,348	698,941	149.08
Springfield	846	747	1,593	154,306	484.10
Worcester	332	320	652	184,945	173.02
Brockton	232	233	465	95,287	244.52
New Bedford	199	156	355	94,613	164.88
Lawrence	169	155	324	80,243	193.16
Holyoke	151	156	307	40,178	388.27
Lynn	159	133	292	94,449	140.82
Fall River	148	141	289	89,066	158.31
Lowell	135	123	258	111,423	110.39
Haverhill	92	86	178	63,935	134.51
Pittsfield	100	74	174	42,268	175.07
Chicopee	79	84	163	55,293	151.92
Fitchburg	67	69	136	40,621	169.86
Chelsea	67	62	129	40,496	153.10
Cambridge	59	63	122	119,908	52.54

Data Source: MA NIBRS Data. Population figures obtained from the US Census Bureau.

Historical NIBRS Data

In order to determine if the 2018-2019 data is comparable to other years, NIBRS incident data was examined going back to 2010. This dataset does not contain the Boston and Lawrence data, so while the numbers may be lower, they will be consistent across years and in this case represent the number of incidents with firearms, as well as the number of crimes with a firearm. The numbers remain very consistent across the time-period with the last 3 years being below the ten-year average.

Year	Number of Incidents	Number of Crimes
2010	3,533	4,472
2011	3,237	4,108
2012	3,321	4,132
2013	3,549	4,504
2014	3,355	4,232
2015	3,340	4,238
2016	3,445	4,387
2017	3,365	4,240
2018	3,327	4,155
2019	3,281	4,104
Total	33,753	42,572
Average	3,375	4,257

Data Source: MA NIBRS Data. NIBRS data allows for 1 incident to have multiple crimes. This is often the case when a violent crime has multiple victims; this would result in 1 incident counted as multiple crimes.

Homicides and Suicides with a Firearm

Homicides and suicides with a firearm were examined to determine the prevalence of firearm-related deaths in the Commonwealth. Looking at the last five years, the average number of homicides with a firearm is 101 per year, while the average number of suicides is 140. On average, over 230 lives are taken with a firearm every year in the Commonwealth, with the average age of a homicide victim being approximately 32 years old, and the average age of a male committing suicide with a firearm is 54.5 years old. The average age of females committing suicide with a firearm is lower, where the 2018-2019 average was 48.6 and the prior two-year period was 44. Firearm-related deaths are far more common among males. Over the last two years, 91.4% of suicides with a firearm have been committed by men, while 90% of victims fatally shot by others have been men.

Death Type	2015	2016	2017	2018	2019	Total	5 year Avg.
Homicide	98	102	109	106	91	506	101.2
Suicide	115	138	162	144	135	694	138.8
Total	213	240	271	250	226	1200	240

Data Source: OCME Data

When looking at where these homicide incidents were taking place during 2018-2019, only three cities had more than 10 firearm-related homicides: Boston (86), Springfield (33), and Worcester (10). (See Appendix Table 2 for a complete list.) Boston breaks down the city into police precincts. The precincts of B2, B3 and C11, which make up the neighborhoods of Roxbury, Mattapan and Dorchester each also had over 10

homicides with a firearm. B2 (Roxbury), accounted for 16, while B3 (Mattapan and North Dorchester), had 26 homicides and C11 (Dorchester) had 11 fatal shootings. (For a full list of Boston district homicides, see Appendix Table 2B).

Boston Shootings Data

Among the reporting agencies, Boston had the most firearms used in crimes, the most deaths, and readily publishes data on shootings, so this data was chosen to be examined in further detail. For the past five years, on average, 225 individuals have been shot in Boston per year. These numbers have remained fairly consistent over the five-year span. 2018 resulted in the fewest non-fatal shootings, while 2019 had the fewest homicides and total shootings.

Figure 6: Boston Shootings 2015 - 2019							
Shooting Type	2015	2016	2017	2018	2019	Total	5 Year Average
Homicide	33	35	44	48	28	188	37.6
Non-Fatal	213	191	215	154	163	936	187.2
Total Shootings	246	226	259	202	191	1124	224.8

Data Source: Boston Police Department - Boston Regional Intelligence Center

Firearm-Related Arrest Statistics

NIBRS data contains clearance information along with the firearm data. An incident can be “cleared” in several ways. The most common way for a case to be cleared is with an arrest: the charging either of an adult or juvenile. Another way a case can be cleared is by “exceptional clearance.” When a case is cleared exceptionally, an arrest does not take place despite probable cause existing to make such an arrest. Reasons for an exceptional clearance may include: death of an offender, the decision of the prosecutor not to go forward, the offender is in custody in another jurisdiction, the victim refuses to cooperate, or a juvenile is handled without being brought into custody. In 40.7% of the offenses submitted, an arrest was made or the offense was cleared exceptionally. This is consistent with the 2017 – 2018 data when 39.4% of cases were cleared.

Figure 7: NIBRS Clearance Statistics 2018 - 2019				
Clearance Type	2018	2019	Total	% Cleared
Cleared By Arrest	1,742	1603	3,345	40.5%
Exceptional Clearance	9	4	13	0.2%
Total Cleared	1,751	1,607	3,358	40.7%

Data Source: NIBRS data

Prosecutions for Firearm Charges

For the time period of 2018-2019, 20,690 criminal charges related to firearms were brought forward in the Commonwealth: 10,683 in 2018, and 10,007 in 2019. This is an increase of over 3,000 charges as compared to 2017 – 2018.

Court Type	2016	2017	2018	2019	Total
Firearm Charges	8,451	8,912	10,683	10,007	38,053

Data Source: MA Trial Court

Crime Guns in Massachusetts

M.G.L. c. 140, § 131Q requires the entry of recovered crime guns into the Commonwealth Fusion Center’s Crime Gun Tracking System. The law directs firearms licensing authorities within the Commonwealth to annually report to the Colonel of the Massachusetts State Police certain data related to crime gun seizures within their jurisdiction. For the years 2018 and 2019, information was submitted on 3,643 firearms and arrests were made in approximately 73% of the seizures.

Arrest Made	2018	2019	Total
Yes	1,381	1,285	2,666
No	464	498	962
Unknown	13	2	15
Total	1,858	1,785	3,643

Origins of Firearms

When a firearm is recovered in Massachusetts, agencies have the option of running a trace via the ATF. Agencies may request traces for crime guns, or guns turned over to police. A trace can determine the place of production, as well as legal points of sale for the firearm. The ATF traced 1,979 guns recovered in Massachusetts in 2018 and established a source state in 1,299 cases. In 2019, the ATF traced 1,933 guns and established a source state in 1,267 cases. In 729 cases over the two years, the ATF determined the source state was Massachusetts. Other originating states that had a substantial number of traces were:

Source State	2018	2019	Total
Massachusetts	414	315	729
New Hampshire	189	214	403
Maine	98	114	212
Florida	83	94	177
Georgia	69	86	155
Vermont	41	48	89
Virginia	43	38	81
Ohio	32	29	61
North Carolina	30	30	60
South Carolina	29	34	63

It is often believed that the bulk of crime guns coming into the Northeast are brought up from the southern states. Including Massachusetts, 62% of traced firearms came from within New England. Of the 3,912 firearms traced, 3,153 (80%) were determined to be handguns (pistol, revolver or derringer). Based upon these recoveries, the leading calibers also corresponded to handguns, with the exception of the shotgun:

- 9mm (1097)
- .22 cal (491)
- .380 cal (378)
- .40 cal (409)
- .45 cal (285)
- .38 cal (260)
- 12 Gauge (195)

One measure that is often examined after a crime is how long after the original purchase of the firearm was it used in a crime. For 2018, the average for Massachusetts was 12.04 years, while the national average was 8.8 years. For 2019, the Massachusetts average was 10.58 years, while the national average fell to 8.29 years. Of the traced firearms in Massachusetts in 2018, 895 had a time-to-crime of 3 years and over; 152 firearms had a time-to-crime of one year or under.

Firearm Licenses

Firearm licenses were examined several ways and all displayed similar trends across the years. When reviewing new applications for the years 2010-2019, 2013 had significantly higher applications than every other year with 41,427 applications; the next-highest year was 2017 with 31,862 applications. It should be noted that nationwide, 2013 had the highest number of National Instant Criminal Background Check System (NICS) checks in the history of the program according to the FBI, which would be indicative of higher gun sales nationwide. 2018 had just over 20,000 new applications and 2019 had almost 23,000. During the years, 2018-2019, over 175,000 applications for firearm licenses were received and as of 1/3/20, over 427,000 licenses were active in the Commonwealth.

Figure 11: Firearm License Applications 2018 - 2019				
License Type	Application Type	2018	2019	Total
Firearms Identification Card	New	1,309	1,531	2,840
Resident Class A Large capacity License to Carry Firearms	New	19,063	21,365	40,428
Resident Class B Non-Large Capacity to Carry Firearms	New	0	0	0
Resident License to Possess a Machine Gun	New	67	81	148
Total New License Applications		20,439	22,977	43,416
Firearms Identification Card	Renewal	2,498	2,650	5,148
Resident Class A Large capacity License to Carry Firearms	Renewal	49,765	77,178	126,943
Resident Class B Non-Large Capacity to Carry Firearms	Renewal	0	0	0
Resident License to Possess a Machine Gun	Renewal	253	88	341
Total Renewal Applications		52,516	79,916	132,432
Total Applications		72,955	102,893	175,848

Data Source: MA Firearm Records Bureau

Active on:	Class A LTC	Class B LTC	FID Card	Total
01/05/16	342,622	3,879	34,243	380,744
01/03/17	377,838	2,498	33,716	414,052
01/02/18	397,548	2,018	32,046	431,612
01/03/19	402,135	0	29,200	431,335
01/03/20	401,922	0	25,605	427,527

Data Source: MA Firearms Record Bureau

Firearm Sales

According to the Firearms Records Bureau data, firearm sales increased each year from 2006 to 2013, from 41,160 sales in 2006 to 110,350 sales in 2013. After 2013, the number of sales decreased to 102,081 in 2014 while 2015 produced 108,290 sales. The 2016 numbers are the highest the Firearms Record Bureau has recorded while the 2017 numbers were more consistent with data from 2013-2015. The numbers continued to decrease in 2018 and 2019 with dealer sales below 100,000. Since the Massachusetts Gun Transaction Portal went live on March 15, 2015, well over 125,000 personal transfers have been recorded.

Transaction Type	2016	2017	2018	2019
Firearms Dealer Sales	129,077	111,641	95,216	89,277
Personal Transfers (Gun Portal)	23,008	25,064	25,898	24,104

Data Source: MA Firearms Records Bureau

Changes in State and Federal Statutes

Progress in Compliance with the NICS

Prohibition on Bump Stocks and Trigger Cranks

Section 52 of Chapter 110 of the Acts of 2017, enacted November 3, 2017, made it illegal to possess bump stocks or trigger cranks in the Commonwealth as of February 1, 2018. Bump stocks were defined by the legislation as “any device for a weapon that increases the rate of fire achievable with such weapon by using energy from the recoil of such weapon to generate a reciprocating action that facilitates repeated activation of the trigger,” and trigger cranks were defined as “any device to be attached to a weapon that repeatedly activates the trigger of the weapon through the use of a lever or other part that is turned in a circular motion; provided, however, that “trigger crank” shall not include any weapon initially designed or manufactured to fire through the use of a crank or lever.”

The legislation established that bump stocks and trigger cranks would be considered machine guns, but that even a machine gun license would not permit an individual to possess such an item. Accordingly, a person

in possession of a bump stock or trigger crank will now be exposed to criminal prosecution in the same manner as if he or she were unlawfully in possession of a machine gun.

Combatting the Illegal Trafficking of Firearms

Effectiveness of section 128B of Chapter 140

Data Sources:

NIBRS Data: National Incident Based Reporting System, MA Executive Office of Public Safety. Massachusetts is currently equipped to collect NIBRS data from 317 agencies. NIBRS captures the nature and types of specific offenses in the incident, characteristics of the victim(s) and offender(s), types and value of property stolen and recovered, and characteristics of persons arrested in connection with a crime incident. MA agencies submit their data through an online portal managed by Beyond2020. The data is stored in a repository also managed by Beyond2020. The data was queried by EOPSS on February 27, 2018.

Homicides & Suicides with a Firearm Data: OCME Database, MA Office of Chief Medical Examiner. Data was queried from the MA OCME database via the Adapt Analytics Platform.

Prosecution Data: MassCourts Case Management System, MA Trial Court. Charges were selected from the MGL where firearms were mentioned.

Firearm Origin Data: Firearms Tracing System, Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives, Office of Strategic Intelligence and Information. Available from: <https://www.atf.gov/firearms/docs/undefined/2016tracestatsmassachusettspdf/download>

Census Data: State & County Quick Facts, US Census Bureau. Available from: <http://quickfacts.census.gov/>

Firearm Licensing Data: Massachusetts Gun Transaction Portal, MA Department of Criminal Justice Information Services, Firearms Records Bureau. Data was queried from databases to determine the number of firearm sales, as well as the number of active firearm licenses.