



METHODOLOGY OF ONLINE FIREARMS MARKETPLACE INVESTIGATION AND ANALYSIS

1. Posting Analysis

The investigation and analysis seeks to better understand the activity of the online firearm marketplace. It focuses on Armslist.com because it is an online platform that claims to be the “largest free gun classifieds on the web.” Investigators used a software technique to capture data contained in all of the postings on the website from January 1, 2018 to December 31, 2018. This initial dataset contained information and images on each post, such as images of the post, the title of the post, the text in the post, when each posting was listed online, the type of item listed in the posting, the location of the item, and the price.

During the one-year period, a total of 2.6 million postings for firearms and other items such as ammunition, firearm accessories, outdoor gear, and fishing equipment were collected from the website. These included postings that offered items for sale and/or for trade, and that sought to purchase items (so called “want to buy” postings), and were variably posted by either “premium vendors” or “private parties” (see Key Definitions for more information). A statistical software program was then used to identify and remove posts that were exact duplicates. If postings were considered exact duplicates (i.e. all content was exactly the same), then these duplicates were removed -- leaving only a single unique posting. The analysis sought to show the market activity on the site over time since the activity each day would be relevant to how visitors to the site interacted with it and the ads that would be readily available. In that connection, the analysis considered postings to be unique, even if they potentially listed the same firearm for sale, if the posting changed its language in the title or text, or was reposted on a subsequent date, including with a different price or location.

The analysis was further limited to posts about “firearms.” Armslist.com allows users to post limited to six categories of firearms, but only three firearm categories were included in our analysis: handguns, rifles, and shotguns. The data on rifle postings were further analyzed to determine the number of rifles that were “assault-style rifles” by using search terms identical to the terms used to define “assault weapons” in recent legislation, including searching for particular models (i.e., AR-15, AK-47, and XM15) and features (i.e., “pistol /2 grip,” “suppressor,” and “removable /2 stock”). Armslist.com permits users to indicate the action of the rifle and the “assault-style” search was limited to “semi-automatic” actions or else when the action field was left blank, excluding firearms identified by their sellers as manual-action firearms (which includes Bolt Action, Break Open, Lever Action, Pump Action, and Single Shot).

The three other categories of firearms that could be posted on Armslist.com are “NFA firearms,” “muzzle loaders,” and “antique firearms.” In 2018, the total posting for each of those three categories was: 7,908 postings for “NFA firearms,” 14,645 postings for “muzzle loaders,” and 28,080 postings for “antique firearms.” These three categories were excluded based on the legal status of the firearm

types. “NFA firearms” refers to firearms regulated under the National Firearms Act, such as automatic weapons and silencers; federal law requires background checks for all transfers of these items. This analysis also excluded “antique firearms” and “muzzle loaders” because these firearms generally are not regulated by the Gun Control Act -- and no background checks are required for any transfers of these firearms, including by licensed dealers.

2. Investigations

Everytown conducted three investigations to study the online firearms marketplace and measure the effect of requiring, or failing to require, background checks on all gun sales. First, Everytown studied the behavior of 150 unlicensed sellers in seven states to compare the behavior of unlicensed sellers in states that do not require background checks for unlicensed sales to the behavior of unlicensed sellers in states that do. Second, Everytown studied 439 prospective buyers seeking firearms online in four states that do not require background checks on unlicensed sales in order to determine the rate at which individuals who are prohibited from gun possession try to purchase guns online from unlicensed sellers. Third, Everytown studied how transactions were *completed* after a buyer contacted a seller through Armslist.com.

A. Investigation of Online Sellers

The analysis sought to uncover whether a background check law will change how unlicensed sellers indicate a sale will be completed. In that connection, Everytown studied unlicensed seller behavior in four states that do not require background checks for unlicensed sales (Florida, Georgia, Ohio and Tennessee); two states that do require background checks for unlicensed sales (Colorado and Oregon); and one state that requires background checks for unlicensed sales of handguns (by requiring a permit to purchase) but does not do so for unlicensed sales of rifles and shotguns (North Carolina).

Everytown investigators responded to multiple advertisements posted on Armslist.com in each of these states until they successfully spoke to a total of 150 sellers: 20 each in Florida, Georgia, Ohio, Tennessee, Colorado, and Oregon, and 30 in North Carolina. In these communications, investigators expressed an interest in purchasing the advertised firearm and asked the seller to explain the process for completing a sale, including whether the sale would have to be completed by a licensed firearms dealer or otherwise required a background check. If asked, investigators responded truthfully that they were not prohibited from purchasing firearms and would pass a background check if it were required. Investigators then analyzed the communications to determine whether the seller indicated that the buyer would need to follow the requisite law to complete the sale.

B. Investigation of Online Buyers

Everytown investigators sought to determine the rate at which individuals who are prohibited from purchasing firearms attempt to do so online in states that do not require background checks. Investigators posted advertisements for firearms for sale in Florida, Georgia, Ohio and Tennessee. Everytown investigators did not possess any of the firearms being listed for sale nor did they complete any transactions in this part of the research project. Investigators then conducted telephone, text, or email communications with prospective buyers who responded to the advertisements until they were able to verify the identity of 439 individuals, over 100 per state, who expressed interest in purchasing the advertised firearms. Using a variety of public records databases, investigators reviewed the

criminal histories of each of these prospective buyers. Investigators conducted searches of publicly available court records in jurisdictions that contained current or past addresses associated with each prospective buyer and reviewed their criminal histories using identifiers such as name, address, and birthdate to match criminal records with prospective buyers. Investigators then analyzed their age and criminal histories to determine whether the prospective buyers were prohibited from purchasing firearms under federal or state law. Buyers were considered to be prohibited from purchasing or possessing firearms if the analysis of their criminal histories and other information reflected that they were:

- Convicted of a crime punishable by more than one year in prison (18 U.S.C. 922(g)(1));
- A fugitive from justice (18 U.S.C. 922(g)(2));
- An unlawful user of a controlled substance (18 U.S.C. 922(g)(3));
- Subject to a pending, qualifying domestic violence protective order (18 U.S.C. 922(g)(8));
- Convicted of a misdemeanor crime of domestic violence (18 U.S.C. 922(g)(9));
- Under indictment for a crime punishable by more than one year in prison (18 U.S.C. 922(n));
- Under the age required to possess firearms under federal (18 U.S.C. 922(x)(2), (5));
- Prohibited from purchasing or possessing firearms under a state law criminal prohibitor; and/or
- Under the age required to purchase a firearm under state law.

Individuals only were included in the sample of prohibited purchasers if their criminal histories or birth date clearly demonstrated that they were prohibited under federal or state law. Prospective buyers between the ages of 18 to 21 who may be prohibited under relevant state law were not included in the final tabulation because investigators were unable to determine if the prospective buyer fit into an exception to the state law. In addition, where Everytown had doubts as to whether an individual was permitted by law to purchase a firearm, the prospective purchaser was not included. The federal prohibition on firearm possession does not apply if a person has been pardoned for their criminal conviction of had their civil rights and firearm rights restored under state law. (18 U.S.C. 922(a)(20)(B), (33)(B)(ii).) Investigators examined the relevant firearm rights restoration law and conducted outreach in instances where that was a high likelihood of the restoration of rights, excluding anyone from the tabulation whose firearm rights had been restored. In addition to identifying individuals who are prohibited from purchasing or possessing firearms, investigators followed a protocol for notifying law enforcement authorities in appropriate jurisdictions when they were contacted by individuals whose criminal histories suggested that they posed a possible present danger to themselves or others.

C. Purchase of Firearms in Ohio

An investigator completed purchases of firearms offered for sale on Armslist.com by contacting unlicensed sellers who posted advertisements and arranging for face-to-face meetings to complete the transactions. An investigator was able to purchase two firearms --

a handgun and an assault-style rifle -- from two different sellers on Armslist.com. The investigator completed the sales within one and three days of first contacting the sellers, respectively. In both cases, the investigator paid for the firearms in cash and completed the transaction in minutes with no background check. The investigator made video recordings of the transactions, in accordance with relevant state laws.

KEY DEFINITIONS

Firearm Type	Assault-Style Rifle	Everytown defined "assault-style rifle" to include rifles identified by sellers with terms identical to the terms used to define assault weapons in recent federal legislation or describe them in promotional material or media. The category excludes firearms identified by their sellers as manual-action firearms.
	Handgun	Item identified by user as a handgun.
	Rifle	Item identified by user as a rifle, but excluding firearms captured under Everytown's "assault-style rifle" definition.
	Shotgun	Item identified by a user as a shotgun.
Type of Ad	For Sale	User is offering an item for sale.
	For Trade	User is either offering an item or requesting an item for trade.
	Want to Buy	User indicates a particular item(s) they would like to purchase.
Type of Seller	Licensed Dealer	Called "premium vendors" on Armslist.com. These sellers are federally licensed dealers who are legally required to run a background check on all gun sales.
	Unlicensed Seller	Called "private parties" on Armslist.com. Half the US population lives in states with laws requiring background checks on at least some unlicensed gun sales. However, in 2018, a handgun sale by an unlicensed seller could still be completed without a background check in 31 states, and a rifle or shotgun sale (including for assault-style rifles) by an unlicensed seller could be completed without a background check in 37 states.
	Undetermined	Posts where the seller could not be determined as being either a licensed dealer or an unlicensed seller, or was identified as being both.