

## Straw Purchasing Criminals—Crisis in Camouflage

### A Sample Case Study On How The Criminal Justice System 'Plays' Let's Make A Deal With A Straw Purchasers.

#### **8 'straw buyers' charged with gun offenses**

*Philadelphia Inquirer, The (PA) - Wednesday, February 20, 2008*

Author: Dwight Ott, Inquirer Staff Writer

During a recent arrest, a Philadelphia police officer found himself facing an increasingly common danger on the streets: a loaded 9mm handgun.

The weapon was wielded by an ex-convict. Though the man eventually was arrested and disarmed, the threat he wielded was allegedly facilitated by an otherwise law-abiding citizen - his girlfriend.

**Theresa Jones, who authorities said purchased the gun legally, was among eight "straw purchasers" charged yesterday in an ongoing effort begun in December 2006 to crack down on the arms race between criminals and police. One of the handguns recovered had been used to shoot at pursuing officers.**

At a joint news conference, District Attorney Lynne M. Abraham and Police Commissioner Charles H. Ramsey announced that the Gun Violence Task Force had arrested seven people on gun charges and issued a warrant for an eighth.

Most were straw buyers who purchased the firearms for ex-convicts and other lawbreakers. It is illegal for a convicted felon to purchase a firearm. To date, authorities have made 121 arrests and seized 240 firearms.

Yesterday, officials laid out how they had traced the guns' tales, how they were bought, who wound up with them, and how they were recovered.

The alleged straw purchasers - facing charges that include burglary, receiving stolen property, making false statements in connection with a firearm's purchase, tampering with public records and unsworn falsification - were:

- **Jones**, 44, of the 1500 block of Hemberger Way, who is alleged to have gone to a gun shop on two different occasions to make purchases for two different men, one of whom was a convicted felon.
- **William Catanch**, 29, of the 2000 block of Pickwick Street, accused of legally purchasing two .45-caliber handguns and illegally selling them to a convicted drug dealer. The dealer later was arrested on firearms charges.
- **Michael McLaughlin**, 27, of the 4300 block of Devereaux Street, accused of illegally selling two handguns, a .45 and a 9mm, that he purchased legally. One of the guns went to a convicted drug dealer.
- **Vito Baldini**, 29, of the 6400 block of Woodcrest Avenue, who legally purchased three handguns - one 9mm, one .32-caliber and one .40-caliber - that he later illegally sold. None of the weapons has been recovered.
- **David Shakir Williams**, alias Yasir Ali, 25, of the 1900 block of South Juniper Street, charged with illegally selling five handguns on the street, including a 9mm to a convicted murderer and a .45 to a convicted drug dealer.
- **Scott Alessandrine**, 38, of the 6500 block of Cobbs Creek Parkway, who is accused of breaking into a Southwest Philadelphia home and stealing two handguns - a .357 and a 9mm - that he then sold. Neither gun has been recovered.
- **Fatima Butler**, 28, of the 5900 block of North Leithgow Street, who allegedly supplied one gun to a convicted drug dealer, one to a felon and one that turned up in a felon's car during a Camden car stop.

In addition, an arrest warrant has been issued for Sharee Bostic, 24, of the 6700 block of Woodlawn Avenue, accused of purchasing four handguns for a suspect who is awaiting trial for a carjacking in which he allegedly fired at pursuing officers.

Contact staff writer Dwight Ott at 215-854-2797 or [dott@phillynews.com](mailto:dott@phillynews.com).

## Let's go down the list and see how Philadelphia dealt with these criminals.

### • William Catanch

Quote:

William Catanch, 29, of the 2000 block of Pickwick Street, accused of legally purchasing two .45-caliber handguns and illegally selling them to a convicted drug dealer. The dealer later was arrested on firearms charges.

**Docket:** <http://ujportal.pacourts.us/DocketS...erID=201104094>

**Summary:**

<http://ujportal.pacourts.us/DocketS...erID=201104094>

**Arrested January 2008.** It is now **February 2010**, just over 24 months since the arrest. This case finally went to trial in December 2009, where he was found guilty of providing false information, criminal conspiracy, unsworn falsification to authorities, and two counts of unlawful sale of a firearm.

What are the chances he'll see any jail time?

STATUS INFORMATION						
Case Status	Adjudicated	Status Date	Processing Status	Arrest Date	01/28/2008	
		12/15/2009	Awaiting Sentencing			
		12/15/2009	Awaiting PSI			
		12/15/2009	Awaiting PI Completion			
		12/15/2009	Awaiting Sentencing			
		08/01/2008	Awaiting Trial			
		07/26/2008	Awaiting Formal Arraignment			
		07/16/2008	Awaiting Filing of Information			
				Complaint Date:	01/29/2008	
CALENDAR EVENTS						
Case Calendar Event Type	Schedule Start Date	Start Time	Room	Judge Name	Schedule Status	
Formal Arraignment	08/05/2008	11:00 am	505	Trial Commissioner Russell Juell	Scheduled	
Contested Motion Hearing	08/19/2008	9:00 am	504	Judge Frank Palumbo	Moved	
Contested Motion Hearing	09/02/2008	9:30 am	504	Judge Frank Palumbo	Moved	
Contested Motion Hearing	09/22/2008	9:30 am	504	Judge Frank Palumbo	Scheduled	
Trial	09/23/2008	9:00 am	604	Judge Susan I. Schulman	Continued	
Trial	12/04/2008	9:00 am	604	Judge Ellen Ceisler	Continued	
Trial	03/03/2009	9:00 am	604	Judge Ellen Ceisler	Continued	
Trial	05/04/2009	9:00 am	604	Judge Ellen Ceisler	Continued	
Trial	07/06/2009	9:00 am	604	Judge Ellen Ceisler	Continued	
Trial	10/13/2009	9:00 am	604	Judge Ellen Ceisler	Continued	
Trial	12/15/2009	9:00 am	604	Judge Ellen Ceisler	Scheduled	
Sentencing	03/02/2010	9:00 am	908	Judge Ellen Ceisler	Scheduled	

### • Next up (#2) is Michael McLaughlin

Quote:

Michael McLaughlin, 27, of the 4300 block of Devereaux Street, accused of illegally selling two handguns, a .45 and a 9mm, that he purchased legally. One of the guns went to a convicted drug dealer.

**Docket:** <http://ujportal.pacourts.us/DocketS...erID=201038215>

**Summary:** <http://ujportal.pacourts.us/DocketS...erID=201038215>

He pled guilty to conspiracy and two counts of sales to an ineligible transferee.

**His sentence?**

#### Count 1 (sale to ineligible person)

Time Served to 23 Months Confinement  
 AGREEMENT  
 PAY FINE OF ONE THOUSAND DOLLARS.  
 Immediate Parole  
 CP-51-CR-0005928-2008 18§6111§G2 - Confinement  
 Concurrent From Seq. 3  
 CP-51-CR-0005928-2008 18§6111§G2 - Probation Consecutive  
 From Seq. 6

#### Count 2 (sale to ineligible person)

Time Served to 23 Months Confinement  
 AGREEMENT  
 PAY FINE OF ONE THOUSAND DOLLARS.  
 Immediate Parole

Guilty Plea	10/16/2008	Final Disposition
1 / Penalties - Sales of Firearms Schulman, Susan I. Confinement Immediate Parole Complete 20 hours community service Do not own or possess firearms Surrender Firearms Drug screens	Guilty 10/16/2008 Time Served to 23 Months	18§611§G1 10/16/2008
2 / Criminal Conspiracy Engaging - Deliver Firearm After 48 Hours Elapsed Schulman, Susan I. No Further Penalty	Guilty 10/16/2008	18§903§A1
3 / Loans On, Or Lending, Giving Firearms Prohibited Schulman, Susan I.	Nolle Prossed 10/16/2008	18§611§G5A
4 / Penalties - Sales of Firearms Schulman, Susan I.	Nolle Prossed 10/16/2008	18§611§G1
5 / Penalties - Sales of Firearms Schulman, Susan I.	Nolle Prossed 10/16/2008	18§611§G1
6 / Loans On, Or Lending, Giving Firearms Prohibited Schulman, Susan I.	Nolle Prossed 10/16/2008	18§611§G5A
7 / Loans On, Or Lending, Giving Firearms Prohibited Schulman, Susan I.	Nolle Prossed 10/16/2008	18§611§G5A
99.999 / Deliver Firearm After 48 Hours Elapsed Replaced by 18§611§G1, Penalties - Sales of Firearms	Charge Changed 10/16/2008	18§611§G1

**Count 3 (Conspiracy)**

Max of 5.00 Years Probation

5 years

PAY COURT COSTS WITHIN TERM OF PROBATION.

CP-51-CR-0005928-2008 18§6111§§G2 - Confinement Consecutive To Seq. 1

He gets **time served to 23 months?**

**For selling two handguns**, one of which was for a convicted drug dealer, including probation too. 

**Three additional charges were Nolle prossed.**

• **Our 3<sup>rd</sup> Straw Purchaser is Vito Baldini**

Quote:

Vito Baldini, 29, of the 6400 block of Woodcrest Avenue, who legally purchased three handguns - one 9mm, one .32-caliber and one .40-caliber - that he later illegally sold. None of the weapons has been recovered.

**Docket:** <http://ujportal.pacourts.us/DocketS...erID=201043468>

**Summary:** <http://ujportal.pacourts.us/DocketS...erID=200934431>

He pled guilty to **two** charges and the other **five** were nolle prossed.

**His sentence?**

TIME SERVED to 23 months.

IMMEDIATE PAROLE

20 HOURS Community service.

No penalty for the conspiracy charge.

See his actual record (to the right) for yourself:

Trial	Guilty Plea	Date	Final Disposition
1 / Penalties - Sales of Firearms Schulman, Susan I. Confinement Immediate Parole Complete 20 hours community service Do not own or possess firearms Surrender Firearms Drug screens	Guilty	10/16/2008	18§6111§§G1 Time Served to 23 Months 10/16/2008
Linked Offense - Sentence		Link Type	Linked Docket Number
PAY COSTS DURING SUPERVISION GUN COURT Seek WEAPON ORDERED DESTROYED			
2 / Criminal Conspiracy Engaging - Deliver Firearm After 48 Hours Elapsed Schulman, Susan I. No Further Penalty	Guilty	10/16/2008	18§903§§A1
3 / Loans On, Or Lending, Giving Firearms Prohibited Schulman, Susan I.	Nolle Prossed	10/16/2008	18§6115§§A
4 / Penalties - Sales of Firearms Schulman, Susan I.	Nolle Prossed	10/16/2008	18§6111§§G1
5 / Penalties - Sales of Firearms Schulman, Susan I.	Nolle Prossed	10/16/2008	18§6111§§G1
6 / Loans On, Or Lending, Giving Firearms Prohibited Schulman, Susan I.	Nolle Prossed	10/16/2008	18§6115§§A
7 / Loans On, Or Lending, Giving Firearms Prohibited Schulman, Susan I.	Nolle Prossed	10/16/2008	18§6115§§A
99,999 / Deliver Firearm After 48 Hours Elapsed Replaced by 18§6111§§G1, Penalties - Sales of Firearms	Change Changed		18§6111§§G1

• **Our 4<sup>th</sup> Straw Purchaser is David Shakir Williams, aka "Yasir Ali"**

Quote:

David Shakir Williams, alias Yasir Ali, 25, of the 1900 block of South Juniper Street, charged with illegally selling five handguns on the street, including a 9mm to a convicted murderer and a .45 to a convicted drug dealer.

**Docket:** <http://ujportal.pacourts.us/DocketS...erID=201165802>

**Summary:** <http://ujportal.pacourts.us/DocketS...erID=200934439>

He's a REAL winner! Convictions for robbery (inflicting serious bodily injury), and a ton of other charges were nolle prossed. See a pattern?

Holy SHIT! **30 charges related to selling firearms illegally.** I bet they really threw the book at this guy, right? Let's find out. He pled guilty to less than one third of the charges (9/30).

Concurrent sentencing on four charges - Min 46 months, Max 94 months. Concurrent to time now serving. **NO FURTHER PENALTY** for the conspiracy charges...

14 / Penalties - Sales of Firearms Schulman, Susan I. Confinement	Guilty Plea - Negotiated 06/26/2009 Min of 46.00 Months Max of 94.00 Months Other	18§6111§§G1 06/26/2009
SENTENCE CONCURRENT TO ANY NOW SERVING Do not own or possess firearms Surrender Firearms PAY COSTS DURING SUPERVISION 18§3701§§A1 - Confinement 18§6111§§G1 - Confinement		
15 / Penalties - Sales of Firearms Schulman, Susan I. Confinement	Guilty Plea - Negotiated 06/26/2009 Min of 46.00 Months Max of 94.00 Months Other	Concurrent To Seq. 1 Concurrent From Seq. 15 18§6111§§G1 06/26/2009 CP-51-CR-000294-2008 CP-51-CR-0011392-2008
16 / Penalties - Sales of Firearms Schulman, Susan I. Confinement	Guilty Plea - Negotiated 06/26/2009 Min of 46.00 Months Max of 94.00 Months Other	18§6111§§G1 06/26/2009 Concurrent To Seq. 14 Concurrent From Seq. 16 CP-51-CR-0011392-2008 CP-51-CR-0011392-2008
17 / Penalties - Sales of Firearms Schulman, Susan I. Confinement	Guilty Plea - Negotiated 06/26/2009 Min of 46.00 Months Max of 94.00 Months Other	18§6111§§G1 06/26/2009 Concurrent To Seq. 15 Concurrent From Seq. 17 CP-51-CR-0011392-2008 CP-51-CR-0011392-2008
26 / Criminal Conspiracy Engaging - Penalties - Sales to Ineligible Transferee Schulman, Susan I. No Further Penalty	Guilty Plea - Negotiated 06/26/2009	18§903§§A1 06/26/2009
27 / Criminal Conspiracy Engaging - Penalties - Sales to Ineligible Transferee Schulman, Susan I. No Further Penalty	Guilty Plea - Negotiated 06/26/2009	18§903§§A1 06/26/2009
28 / Criminal Conspiracy Engaging - Penalties - Sales to Ineligible Transferee Schulman, Susan I. No Further Penalty	Guilty Plea - Negotiated 06/26/2009	18§903§§A1 06/26/2009
29 / Criminal Conspiracy Engaging - Penalties - Sales to Ineligible Transferee Schulman, Susan I. No Further Penalty	Guilty Plea - Negotiated 06/26/2009	18§903§§A1 06/26/2009
30 / Criminal Conspiracy Engaging - Penalties - Sales to Ineligible Transferee Schulman, Susan I. No Further Penalty	Guilty Plea - Negotiated 06/26/2009	18§903§§A1 06/26/2009

• **Our 5<sup>th</sup> Straw Purchaser is Scott Alessandrine.**

Quote:

Scott Alessandrine, 38, of the 6500 block of Cobbs Creek Parkway, who is accused of breaking into a Southwest Philadelphia home and stealing two handguns - a .357 and a 9mm - that he then sold. Neither gun has been recovered.

**Docket:** <http://ujportal.pacourts.us/DocketS...erID=201038213>

**Summary:** <http://ujportal.pacourts.us/DocketS...erID=201038213>

**Arrests dating back to 2004**, for carrying a firearm on the public streets of Philadelphia (§6108)

**Five charges.** 3 are nolle prossed. The trespassing charge he pled guilty to has no further penalty. Penalty for stealing two firearms, which he sold (they haven't been recovered yet)?

**That's right. Time served to 23 months.**

**IMMEDIATE PAROLE**  
20 Hours community service.

Guilty Plea Trial	06/24/2008	Final Disposition
1 / Burglary Schulman, Susan I.	Nolle Prossed 06/24/2008	18§3502§§A
2 / Theft By Unlaw Taking-Movable Prop Schulman, Susan I. Confinement Immediate Parole CREDIT FOR TIME SERVED Complete 20 hours community service Drug screens Do not own or possess firearms Surrender Firearms COMPLY PAY COSTS DURING SUPERVISION RECIEVE SUBSTANCE ABUSE TREATMENT. 18§3921§§A - Probation	Guilty 06/24/2008 Time Served to 23 Months 06/24/2008	18§3921§§A Consecutive From Seq. 2 CP-51-CR-0005927-2008
Probation GUN COURT CONDITIONS 18§3921§§A - Confinement	Max of 3.00 Years 3 years Consecutive To Seq. 2	CP-51-CR-0005927-2008
3 / Receiving Stolen Property Schulman, Susan I.	Nolle Prossed 06/24/2008	18§3925§§A
4 / Crim Tres-Break Into Structure Schulman, Susan I.	Nolle Prossed 06/24/2008	18§3503§§A1II
5 / Def Tres Posted Schulman, Susan I. No Further Penalty	Guilty 06/24/2008	18§3503§§B1II

• **Our 6<sup>th</sup> Straw Purchaser is Fatima Butler.**

Quote:

Fatima Butler, 28, of the 5900 block of North Leithgow Street, who allegedly supplied one gun to a convicted drug dealer, one to a felon and one that turned up in a felon's car during a Camden car stop.

**Docket:**  
<http://ujportal.pacourts.us/DocketS...erID=201206222>

**Summary:**  
<http://ujportal.pacourts.us/DocketS...erID=201206222>

**Four charges.** Two are withdrawn / dismissed at the preliminary hearing. The other two are nolle prossed.

**Provided three guns to prohibited persons, AND SHE GETS NO PENALTY?!?**

Lower Court Proceeding (generic)		
Preliminary Hearing	10/15/2008	Not Final
1 / Unsworn Fals Auth Written Stmt	Held for Court	18§4904§§A1
2 / Tamper With Public Record/Information	Held for Court	18§4911§§A1
99.999 / Criminal Conspiracy Engaging - Deliver Firearm After 48 Hours Elapsed	Withdrawn	18§903§§A1
99.999 / Deliver Firearm After 48 Hours Elapsed	Dismissed	18§6111§§A1
<b>Proceed to Court</b>		
Information Filed	10/27/2008	Not Final
1 / Unsworn Fals Auth Written Stmt	Held for Court	18§4904§§A1
2 / Tamper With Public Record/Information	Held for Court	18§4911§§A1
99.999 / Criminal Conspiracy Engaging - Deliver Firearm After 48 Hours Elapsed	Disposed at Lower Court	18§903§§A1
99.999 / Deliver Firearm After 48 Hours Elapsed	Disposed at Lower Court	18§6111§§A1
<b>Nolle Prossed</b>		
Trial	07/20/2009	Final Disposition
1 / Unsworn Fals Auth Written Stmt	Nolle Prossed	18§4904§§A1
2 / Tamper With Public Record/Information	Nolle Prossed	18§4911§§A1
99.999 / Criminal Conspiracy Engaging - Deliver Firearm After 48 Hours Elapsed	Disposed at Lower Court	18§903§§A1
99.999 / Deliver Firearm After 48 Hours Elapsed	Disposed at Lower Court	18§6111§§A1

• **Our 7<sup>th</sup> Straw Purchaser is Sharee Bostic.**

Quote:

In addition, an arrest warrant has been issued for Sharee Bostic, 24, of the 6700 block of Woodlawn Avenue, accused of purchasing four handguns for a suspect who is awaiting trial for a carjacking in which he allegedly fired at pursuing officers.

1	07/20/2009	Motion for Parole	Philadelphia County Adult Probation Unit
1	07/29/2009	Order Granting Motion for Parole Parole immediately	Tucker, Leon

**Docket:** <http://ujportal.pacourts.us/DocketS...erID=201024533>

**Summary:** <http://ujportal.pacourts.us/DocketS...erID=201024533>

18 firearms related charges. Pled guilty - Non negotiated. I assume that means there was no plea bargain?

- **Our 7<sup>th</sup> Straw Purchaser is Sharee Bostic (continued).**

6 to 23 months followed by 4 years probation.

It appears Sharee Bostic was granted parole.

*\*\* \*Last but not least is the case of Theresa Jones (the woman profiled in the article above) and you may ask yourself what actually happened to her!*

### **N. Phila. woman gets house arrest for buying guns for convicted felons**

By DANA DiFILIPPO, Philadelphia Daily News  
[difilid@phillynews.com](mailto:difilid@phillynews.com) 215-854-5934

**Theresa Jones illegally bought two guns for felons** years ago, and thugs used the weapons to **kill a teenager, threaten two cops**, deal drugs and possibly commit other crimes.

Yesterday, she went to court to answer for her crime.

Philadelphia Common Pleas Court Judge Leon W. Tucker sentenced Jones, 45, of North Philadelphia, **to six to 23 months of house arrest, followed by seven years of probation, for various gun offenses.**

Jones and her relatives, relieved that she had dodged jail time, hugged her attorney, Glenn Gilman, after Tucker announced the sentence. Because of medical problems and her role as caretaker for five grandchildren, Jones spends most of her time at home and would have found prison a severe hardship, Gilman said yesterday.

The sentence ended a long wait for Jones, who pleaded guilty to the charges against her in July 2008. **Her sentencing was postponed 10 times**, a common stalling tactic when police and prosecutors want to ensure that a defendant will testify against another in other pending cases.

Late yesterday, her sentence hung in limbo because Jones lives in a Philadelphia Housing Authority apartment, which bars people under house arrest, Gilman said. Gilman requested that court officials convert her house arrest into probation, but they refused. **So he will ask a judge today to defer her sentence until she can find and move into a private-sector home, where she could serve house arrest.**

The Daily News profiled Jones' case in a November story about straw-purchasers, that is, people like Jones who commit a felony by buying guns for convicts prohibited from purchasing them.

In 2003, she agreed to buy a gun for a neighbor who wasn't legally permitted to own one, because she wanted money to support her drug addiction. She later bought a second gun for another felon.

Although she never saw either firearm again, investigators traced both back to serious crimes.

**A convicted felon used one to kill Nazir Gary**, 19, of Kingsessing, in 2007; the same thug, weeks later, brandished that gun at two police officers, who were able to wrest it from him before he could fire.

Narcotics officers later **seized the second gun from a drug dealer** nabbed in an undercover sting.

**At the time of her arrest, Jones faced five to 10 years in prison, the mandatory minimum for anyone convicted of straw-buying two or more guns.** But she received a lighter sentence because she cooperated with investigators. <http://www.philly.com/philly/hp/news.../83010602.html>

Guilty Plea - Non-Negotiated	06/26/2008	Final Disposition
Pre-Trial Conference 1 / Tamper With Public Record/Information Tucker, Leon No Further Penalty	Guilty Plea - Non-Negotiated 02/18/2009	185491155A1
2 / Criminal Conspiracy Engaging - Tamper With Public Record/Information Tucker, Leon Probation  Supervision under Gun Court 185611155G4 - Confinement	Guilty Plea - Non-Negotiated 02/18/2009 Max of 4.00 Years 4 years  Consecutive To Seq. 6	18590355A1   CP-51-CR-0005498-2008
3 / Firearm Ownership-Providing False Info Tucker, Leon No Further Penalty	Guilty Plea - Non-Negotiated 02/18/2009	185611155G4
4 / Unsworn Falsification to Authorities Tucker, Leon No Further Penalty	Guilty Plea - Non-Negotiated 02/18/2009	185490455A1
5 / Penalties - Sales of Firearms Tucker, Leon	Nolle Prossed 02/18/2009	185611155G1
6 / Firearm Ownership-Providing False Info Tucker, Leon Confinement  Work  Must not own, Possess or live in a home where Gun Court Parole/Probation Defender to Surrender in Room 1107 on 3-4-09  185491155A1 - Probation 185611155G4 - Confinement 185611155G4 - Confinement	Guilty Plea - Non-Negotiated 02/18/2009 Min of 6.00 Months Max of 23.00 Months 6 - 23 months  Consecutive From Seq. 2 Concurrent From Seq. 7 Concurrent From Seq. 8	185611155G4   CP-51-CR-0005498-2008 CP-51-CR-0005498-2008 CP-51-CR-0005498-2008
7 / Firearm Ownership-Providing False Info Tucker, Leon Confinement  185611155G4 - Confinement	Guilty Plea - Non-Negotiated 02/18/2009 Min of 6.00 Months Max of 23.00 Months 6 - 23 months Concurrent To Seq. 6	185611155G4   CP-51-CR-0005498-2008
8 / Firearm Ownership-Providing False Info Tucker, Leon Confinement  185611155G4 - Confinement	Guilty Plea - Non-Negotiated 02/18/2009 Min of 6.00 Months Max of 23.00 Months 6 - 23 months Concurrent To Seq. 6	185611155G4   CP-51-CR-0005498-2008
9 / Penalties - Sales of Firearms Tucker, Leon	Nolle Prossed 02/18/2009	185611155G1
10 / Penalties - Sales of Firearms Tucker, Leon	Nolle Prossed 02/18/2009	185611155G1
11 / Penalties - Sales of Firearms Tucker, Leon	Nolle Prossed 02/18/2009	185611155G1
12 / Firearm Ownership-Providing False Info Tucker, Leon No Further Penalty	Guilty Plea - Non-Negotiated 02/18/2009	185611155G4
13 / Tamper With Public Record/Information Tucker, Leon No Further Penalty	Guilty Plea - Non-Negotiated 02/18/2009	185491155A1
14 / Tamper With Public Record/Information Tucker, Leon No Further Penalty	Guilty Plea - Non-Negotiated 02/18/2009	185491155A1
15 / Tamper With Public Record/Information Tucker, Leon No Further Penalty	Guilty Plea - Non-Negotiated 02/18/2009	185491155A1
16 / Unsworn Falsification to Authorities Tucker, Leon No Further Penalty	Guilty Plea - Non-Negotiated 02/18/2009	185490455A1
17 / Unsworn Falsification to Authorities Tucker, Leon No Further Penalty	Guilty Plea - Non-Negotiated 02/18/2009	185490455A1
18 / Unsworn Falsification to Authorities Tucker, Leon No Further Penalty	Guilty Plea - Non-Negotiated 02/18/2009	185490455A1

\* \* \* \* \*

**Where is the outrage and righteous indignation from the following groups:**

- **CeaseFire PA**
- **Mayors Against Illegal Guns**
- **Mothers Against Guns**
- **Million Mom March**
- **Heeding Gods Call**
- **Pennsylvanians Against Handgun Violence**
- **Brady Campaign**
- **Violence Policy Center**

**None of the above groups are holding a press conference to call out the judicial system for not punishing these criminals!**

**Why NOT?**

**This single report is symptomatic of thousands of other examples of the failure to apply the laws we now have against these criminals especially those who traffic in firearms.**

**Until we answer these basic elemental problems with the Justice System we cannot hope to identify the problems we face with violent career criminals.**

Original research done by poster **anonymouse** on the internet forums PA Firearm Owners Association (PAFOA)  
<http://forum.pafoa.org/1084904-post-102.html>

**Please see the additional examples cited below:**

### **Firearms violations send Wilksburg woman to halfway house**

**(4/20/2010)** A federal judge sentenced a Wilksburg woman to **five months in a halfway house** and **five months of home confinement** for violating federal firearms laws.

Patrice M. Lewis, 31, pleaded guilty Dec. 15 to making **three "straw purchases"** of guns between October 2003 and April 2004. She bought four pistols, claiming they were for her when she was actually buying them on behalf of other people, prosecutors said.

U.S. District Judge Terrence McVerry sentenced Lewis to three years of probation with the first 10 months to be spent in the halfway house or home confinement.

[http://www.pittsburghlive.com/x/pittsburghtrib/news/cityregion/s\\_677207.html](http://www.pittsburghlive.com/x/pittsburghtrib/news/cityregion/s_677207.html)

### **Voice raised against straw gun buying**

*By Troy Graham, INQUIRER STAFF WRITER*

In 2006, Shawna Matthews was a single, unemployed mother living in public housing when a man she knew only by a nickname offered her \$700 to buy a gun for him.

Matthews took his money and walked into a South Philadelphia gun store. She chose a .40-caliber Smith & Wesson pistol, though she knew nothing about firearms.

"He was a big guy, so I just picked out a big gun," she said in an interview last week.

The next year, Matthews was indicted in federal court for making a "straw" purchase - buying a firearm for someone who cannot legally own a gun.

Straw buyers are a leading source of illegal guns on the streets, and often they are women with clean records working at the behest of boyfriends and acquaintances.

"From my experience, women tend to commit this crime for either love or money, and it's not a very good trade either way," Assistant U.S. Attorney Bea Witzleben said.

The charge carries a five-year maximum sentence, and Matthews, 30, was facing several months in prison.

But when she pleaded guilty, U.S. District Court Judge Anita B. Brody saw an opportunity. She was tired of the parade of women in her courtroom who had made straw purchases without giving thought to the idea that they were arming criminals and breaking the law.

"It got to the point where I felt I had to do more than put somebody in prison," the judge said.

Brody told Matthews to think of a way to spread the word to young women about the consequences of straw buying.

At her sentencing this summer, Matthews said she would be willing to speak out, and she eventually suggested the Job Corps program as a place where she could address young inner-city women.

Last month, Brody, Witzleben, and Cathy Henry, Matthews' public defender, accompanied her to a "female enrichment" gathering at the Job Corps campus in South Philadelphia.

All four women warned the group about the dangers of straw purchasing, but Matthews' story seemed to have the biggest impact.

"I have to tell you, you could hear a pin drop in the room when she started talking," Witzleben said. "You could tell when we were talking to them, some of them may have already done it or had been approached to do it."

Immediately after the presentation, one woman in attendance told a Job Corps staff member that she was planning to buy a gun that weekend for a friend, who assured her she wouldn't get into trouble.

The woman said that she needed the money, but that Matthews had persuaded her not to do it.

"If the judge had put Shawna Matthews in jail for five years, that woman would have bought a gun," Henry said.

Matthews said another woman came up to her after the event and started asking questions. She could tell the woman "was in that situation," but was afraid to admit it.

"Don't do it," she told her. "It's not worth it."

Bernice Lecoin, a Job Corps staff member who organizes the female enrichment group, said many of the students "didn't even know what the term straw purchasing was."

"When Shawna opened up, you could hear it. The audience was like, 'What?' " she said.

Several students described the event as eye-opening.

"The fact is that you could be doing something that you think is so innocent, and it could spiral out of control," said Nikita Joseph, a Job Corps student.

Matthews said she was naive when she bought the gun.

"Now that I think about it, I say, 'Why couldn't he get it himself?' " she said. "At the time, it was just \$700."

Matthews plans to fulfill her required 50 hours of community service by continuing to speak to groups of women. She also received six months of house arrest and five years of probation.

She remains a single mother of four children and, with a felony conviction on her record, has struggled to find work.

The man for whom she bought the gun, Alonzo Wallace, was arrested by Philadelphia police while carrying the weapon. He was charged with being a convicted felon in possession of a firearm. His case is pending in federal court.

The ATF traced the weapon back to Matthews and she promptly confessed.

"My first question was, 'Did he do something with that gun?' " she said.

Luckily for her, the gun was not used in a crime.

Brody said she had never taken such an unconventional approach with a defendant, but she felt that deterrence - a factor considered in any sentence - was not being properly addressed in straw-purchasing cases.

"Deterrence also means putting the word out on the street," Brody said. "I wasn't worried about this particular defendant doing something like this again."

U.S. District Judge Harvey Bartle 3d, the chief judge for the Eastern District of Pennsylvania, supported Brody's idea.

"How do you get the message out into the community about what you're doing in the courtroom?" he asked. "When you can go . . . deliver that message personally, they hear you." <http://www.philly.com/philly/news/local/79879622.html>

**‘And ON, and ON, and ON the repeated refusal to apply the law ‘throughout’ Pennsylvania!!!!**

\*\*\*\*\*The ‘ACTUAL’ laws regarding Straw Purchasing of Firearms are on the last page!

## TITLE 18 (PA CRIMES CODES)

### §6111. Sale or transfer of firearms.

#### (g) Penalties.--

(1) Any person, licensed dealer, licensed manufacturer or licensed importer who knowingly or intentionally sells, delivers or transfers a firearm in violation of this section commits a misdemeanor of the second degree.

(2) Any person, licensed dealer, licensed manufacturer or licensed importer who knowingly or intentionally sells, delivers or transfers a firearm under circumstances intended to provide a firearm to any person, purchaser or transferee who is unqualified or ineligible to control, possess or use a firearm under this chapter commits a felony of the third degree and shall in addition be subject to revocation of the license to sell firearms for a period of three years.

(4) Any person, purchaser or transferee commits a felony of the third degree if, in connection with the purchase, delivery or transfer of a firearm under this chapter, he knowingly and intentionally:

(i) makes any materially false oral statement;

(ii) makes any materially false written statement, including a statement on any form promulgated by Federal or State agencies; or

(iii) willfully furnishes or exhibits any false identification intended or likely to deceive the seller, licensed dealer or licensed manufacturer.

(5) Notwithstanding section 306 (relating to liability for conduct of another; complicity) or any other statute to the contrary, any person, licensed importer, licensed dealer or licensed manufacturer who knowingly and intentionally sells, delivers or transfers a firearm in violation of this chapter who has reason to believe that the firearm is intended to be used in the commission of a crime or attempt to commit a crime shall be criminally liable for such crime or attempted crime.

(6) Notwithstanding any act or statute to the contrary, any person, licensed importer, licensed manufacturer or licensed dealer who knowingly and intentionally sells or delivers a firearm in violation of this chapter who has reason to believe that the firearm is intended to be used in the commission of a crime or attempt to commit a crime shall be liable in the amount of the civil judgment for injuries suffered by any person so injured by such crime or attempted crime.

#### (h) Subsequent violation penalty.--

(1) A second or subsequent violation of this section shall be a felony of the second degree and shall be punishable by a mandatory minimum sentence of imprisonment of five years. A second or subsequent offense shall also result in permanent revocation of any license to sell, import or manufacture a firearm.

(2) Notice of the applicability of this subsection to the defendant and reasonable notice of the Commonwealth's intention to proceed under this section shall be provided prior to trial. The applicability of this section shall be determined at sentencing. The court shall consider evidence presented at trial, shall afford the Commonwealth and the defendant an opportunity to present necessary additional evidence and shall determine by a preponderance of the evidence if this section is applicable.

(3) There shall be no authority for a court to impose on a defendant to which this subsection is applicable a lesser sentence than provided for in paragraph (1), to place the defendant on probation or to suspend sentence. Nothing in this section shall prevent the sentencing court from imposing a sentence greater than that provided in this section. Sentencing guidelines promulgated by the Pennsylvania Commission on Sentencing shall not supersede the mandatory sentences provided in this section.

(4) If a sentencing court refuses to apply this subsection where applicable, the Commonwealth shall have the right to appellate review of the action of the sentencing court. The appellate court shall vacate the sentence and remand the case to the sentencing court for imposition of a sentence in accordance with this section if it finds that the sentence was imposed in violation of this subsection.