

## The Western Psych Shooting: How a Killer Exploited a Loophole in New Mexico Law to Buy Guns

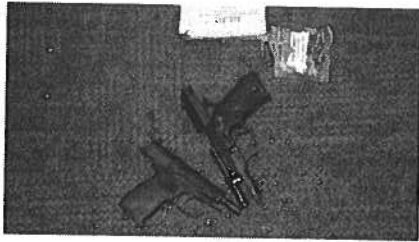
On March 8, 2012, a man shot nine people, killing one, at the University of Pittsburgh's Western Psychiatric Institute and Clinic. Due to a dangerous loophole in New Mexico's gun laws, he was able to avoid a criminal background check by buying the guns he used in the shooting from an unlicensed seller in Albuquerque. The shooter had previously been involuntarily committed to a mental hospital, and was prohibited from buying or possessing guns.

### HE SHOULD HAVE NEVER HAD A GUN

The perpetrator, John Shick, had been involuntarily committed to a mental hospital in Portland, Oregon after assaulting a police officer and resisting arrest in January 2010.<sup>1</sup> Due to this involuntary commitment, he was prohibited from buying or possessing guns under federal law. In fact, he attempted to buy a gun from a gun store in Portland four months before the Pittsburgh shooting, but failed the criminal background check.<sup>2</sup>

A man was shot and killed, and eight others were seriously injured, because a dangerous loophole in New Mexico law gave the shooter easy access to firearms without a background check.

The shooter avoided the background check system by going to an unlicensed seller in New Mexico. The seller posted a classified ad in the *Albuquerque Journal*, offering for sale two handguns.<sup>3</sup> The guns were sold in a strip mall parking lot in Albuquerque. Because the seller was not a licensed gun dealer, New Mexico law did not require that the shooter pass a criminal background check to buy the firearms.



**PISTOL 9mm Makarov. Holster, extra clip & ammo \$385. 2 15 Round Rugger P-series clips \$20. Beretta 9mm \$425**

*The guns John Shick purchased (left) without a background check via an Albuquerque Journal ad (right)*

### THE CONSEQUENCES OF NEW MEXICO'S LAX GUN LAWS

On March 8, 2012, the perpetrator entered the Western Psychiatric Institute and Clinic, pulled the guns from his coat, and opened fire, killing Michael Schaab, 25, a geriatric therapist.<sup>4</sup> He then fired 30 rounds over the next five minutes, shooting eight other people before two responding University of Pittsburgh police officers killed him.



*The scene outside Western Psychiatric Institute and Clinic, March 8, 2012*

A man was shot and killed, and eight others injured, because a dangerous loophole in New Mexico law gave the shooter easy access to firearms without a background check. And here in New Mexico, the seller must live knowing that he unwittingly played a role. Three weeks after the incident, the seller told reporters that "it brought it home to me, that you're selling something that may get into the wrong hands. It's probably in the back of everyone's mind who sells guns. He said that, after the shooting, he would never buy or sell another gun."<sup>5</sup>

<sup>1</sup> Pittsburgh Post-Gazette, "Officials believe Shick should have been committed for an evaluation", March 2012  
<sup>2</sup> Pittsburgh Post-Gazette, "New Mexico man regrets selling guns used in Western Psych shootings", March 2012  
<sup>3</sup> Pittsburgh Post-Gazette, "New Mexico man regrets selling guns used in Western Psych shootings", March 2012  
<sup>4</sup> Pittsburgh Post-Gazette, "Two dead, seven injured in Western Psych shooting", March 2012  
<sup>5</sup> Pittsburgh Post-Gazette, "New Mexico man regrets selling guns used in Western Psych shootings", March 2012