

Paper tiger: Massachusetts has a reputation for tough gun laws, but enforcement is another story

A Globe investigation finds more than half of local police departments surveyed never inspect gun shops as required by law

By Sarah L. Ryley Globe Staff. Updated December 10, 2022, 6:07 p.m.



Paul Paradis said that he was stunned when North Brookfield town officials shut down his gun store because he was illegally operating out of a shed next to his house. JOHN TLUMACKI/GLOBE STAFF

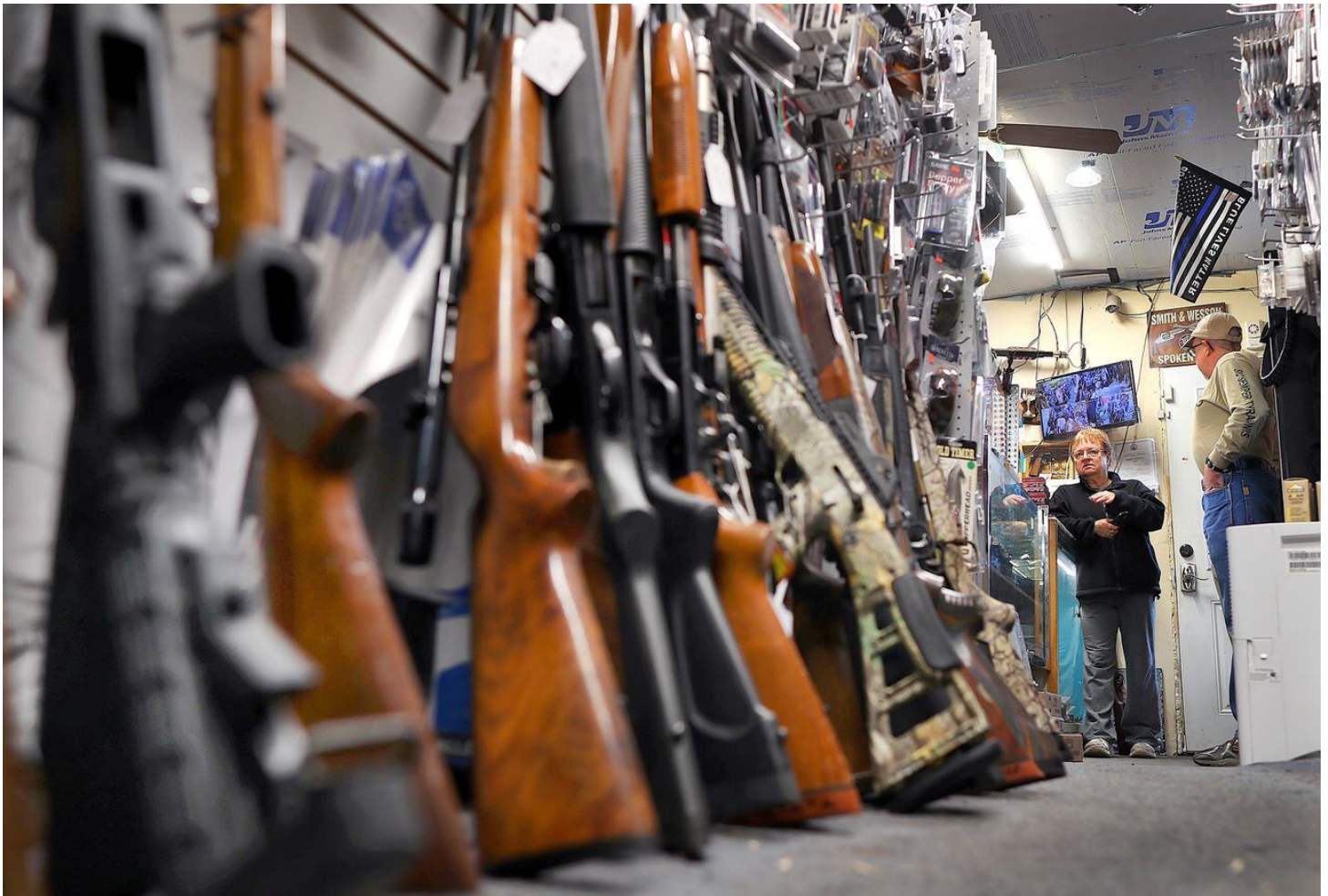
GRANBY — The local police were almost chummy during their annual inspections of Dark Horse Gunsmithing, a gun shop that opened in this small town near Springfield in 2012, owner Max Gaj recalled. The chief or his lieutenant would stroll up to the counter, chat for a bit, and be on their way.

No violations found.

But when federal inspectors visited Dark Horse in 2018, it was a starkly different story: They found an unregistered machine gun in the safe, the first of a litany of federal and state crimes that included selling AR-15-style rifles to straw buyers and failing to record where 119 guns either came from or went.

Gaj and his business partner readily admitted to the charges and spent time in federal prison. But the Granby Police might have put a stop to the crimes years earlier — had they looked harder.

The Legislature made local police the front line in enforcing Massachusetts' gun laws in 1998, when it passed what was hailed as the strictest gun control legislative package in the nation. Police were now required to conduct annual inspections of every dealer's "records and inventory" to make sure the shops are following all state and federal laws.



During a visit from the Globe in November, Paul Paradis estimated that more than 200 guns were crammed inside a shed next to his house where he operated his gun shop, Paradis Firearm Repair & Machining in North Brookfield. His wife, Nancy Paradis (pictured), helped with bookkeeping. JOHN TLUMACKI/GLOBE STAFF

But Globe public records requests to 112 Massachusetts police departments that oversee dealers responsible for 97 percent of the state’s in-person gun sales revealed that the local police in cities and towns across the state are falling down badly on the job.


More than half of the departments — 62 — said they haven’t inspected a single gun dealer since at least 2017. Their jurisdictions have included 235 dealers that reported 356,000 in-state sales since 2017, including some of the state’s busiest gun stores. Police officials in six of those towns admitted they didn’t inspect gun dealers even after federal inspectors from the Bureau of Alcohol, Tobacco, Firearms and Explosives found violations at the shops.

More than half of police departments surveyed say they don't inspect gun dealers

The Globe requested records on inspections and enforcement actions from more than 110 police departments in Massachusetts, based on the number of gun dealers and volume of gun sales in their jurisdictions since 2017. Their responses show that police are falling down badly on their duty to inspect gun dealers every year. Several police departments either didn't respond, or had dealers who were too new to have done an annual inspection.

Inspections Y/N	Police Departments	Dealers	Sales	% Police Departments	% Dealers	% Sales
No	62	235	356,362	25%	34%	54%
Yes, but kept no record	15	45	64,450	6%	7%	10%
Yes, some years or recently started	19	157	115,614	8%	23%	18%
Yes, every year	16	76	99,837	7%	11%	15%
Dept. did not respond to Globe	2	22	12,363	1%	3%	2%
Request not made or inapplicable	132	151	9,698	54%	22%	1%

Source: Inspection figures are from the Globe's records requests and communications with police departments. Dealers and sales figures are from the Globe's analysis of data from the state's Division of Criminal Justice Services, 2017 through Sept. 30, 2022.
JOHN HANCOCK/GLOBE STAFF

 A Flourish table

Another 15 departments, including Granby, said they inspected dealers every year, but kept no record of them. Granby's new police chief, Kevin O'Grady, who inspected Dark Horse in 2015, acknowledged that the inspections were not in depth. He recalled that the chief at the time told him to look for "signage and what was displayed and things like that." He said he wasn't told to check the store's records and inventory, as called for by state law.

"That's the ATF's job," O'Grady said.

But ATF agents, on average, only inspect each shop once every eight years, [according to Brady](#), a gun control advocacy group.

"There's often a passing of the buck, or a misconception, that this is the role that ATF plays; that the federal government is conducting frequent and thorough inspections of the gun industry. And frankly, that's just not the case," said Josh Scharff, an attorney and program director at Brady.

Many police officials said they were completely unaware of the state inspection requirement, and officials in more than a dozen communities said the Globe records request prompted them to launch their own inspection program.

"We were reliant on the ATF to some degree," said Acushnet Chief Chris Richmond, one of the towns that launched a gun shop inspection program after inquiries from the Globe. "That being said, we will be following our own, independent inspection protocol going forward."

Just 16 of the 112 departments surveyed — 14 percent of the total — had records showing that they inspected every gun dealer in their jurisdiction annually since 2017.

A Globe analysis also found police rarely deny gun dealer license applications, or take them away: Only seven applicants have been denied and seven licenses suspended in the last five years. The last revocation was in 2014.

State authorities, for their part, have typically taken a hands-off approach to dealers, current and former firearms officials said. The Firearms Records Bureau, which administers the state's databases of firearms licenses and in-state gun transactions, sends letters to police departments to flag potential violations, but does not have the legal authority to do its own investigations.

And while Governor-elect Maura Healey took a tough stance against gun dealers during her first term as attorney general, those enforcement efforts were all done outside the courts, and she seemed to back off on pursuing violations by local dealers during her second term. Healey has repeatedly declined the Globe's interview requests.



Littleton Police Chief Matthew Pinard (left) listened during a town select board meeting in September as residents expressed their concerns about having so many gun vendors in town. BARRY CHIN/GLOBE STAFF

Even in Littleton, a town of 10,000 where a ramshackle old mill houses [the largest cluster of gun vendors in the country](#) — 80 as of September — the state has not helped much with inspections. Chief Matthew Pinard has said his force has been overwhelmed by the responsibility.

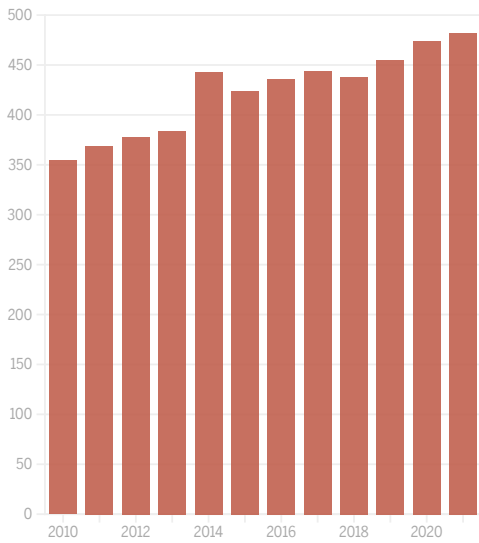
That makes Massachusetts a paper tiger on guns: Lawmakers often boast that the state has among the nation's strictest gun laws, but when it comes to gun dealers, enforcement ranges from weak to nonexistent.

"The laws that they aren't enforcing are laws that are ultimately designed to prevent gun trafficking, to prevent criminal misuse of firearms, and also to aid law enforcement in investigating gun crimes," Scharff of Brady said. "But of course, [a law is] only as good as it's enforced."

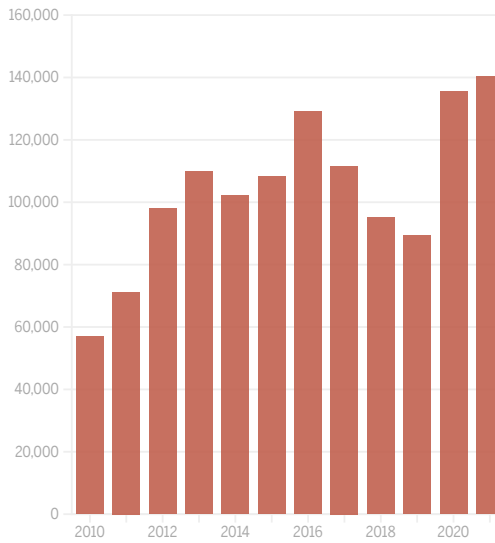
Gun shop sales have nearly tripled in Massachusetts since 2010, state data show, from 57,011 to 140,229 last year, while the number of active dealers' licenses climbed from 354 to 482.

In Massachusetts, gun dealers and gun sales on the rise since 2010

Active dealers licenses



In-state dealer sales



Source: Globe analysis of data from the state’s Division of Criminal Justice Services, 2010-2021, on gun dealer licenses and in-state gun dealer sales. JOHN HANCOCK/GLOBE STAFF

✿ A Flourish chart

The dealers come in every size and variety. The Globe found scores of dealers with no storefront or business hours, and others using addresses of unorthodox locations — such as a cemetery in Norwell and a flower shop in Methuen.

The Methuen dealer, Tony Forgetta, said he uses the flower shop as a base to complete transactions for Massachusetts buyers — his main shop, Gun & Sport North, is 3 miles away in New Hampshire. Gun & Sport North has done at least 2,400 transactions from the Methuen address since 2009, data show.

When Methuen police did their first inspection of the shop, in 2020, Forgetta said he didn’t have keys to get inside because he usually hands off the weapon and paperwork to his customers in the parking lot.



Tony Forgetta of Gun & Sport North, based in Salem, N.H., said he uses a flower shop in Methuen (left) to complete transactions for Massachusetts buyers. A Norwell resident used the address for the town cemetery (right) on his state and federal gun dealers’ licenses, which the dealer now says was a typo. SARAH L. RYLEY/ BOSTON GLOBE

As for the cemetery location, Norwell Police Chief Edward Lee said after receiving the Globe’s request, he called the dealer, who claimed the address was a typo and that he plans to operate out of an office building down the street. But the cemetery address apparently didn’t stop the Norwell Police Department and the ATF from issuing licenses to sell guns from the location last year.

The Globe also found numerous dealers using their home addresses. State law requires gun businesses to operate from “a place that is not a residence or a dwelling.”

North Brookfield Police shut down Paradis Firearm Repair & Machining in November for operating out of a large shed on the owner's property.

The owner, Paul Paradis, made no effort to hide the operation as it grew from its opening in 2008 into a busy gun shop that he said, during a Globe visit in November, had sold 1,092 guns this year. A large blue "Paradis Firearms" sign with a Trump flag sits on his front lawn, and he said local police are among his best customers. He estimated more than 200 guns were crammed inside the jerry-built shed, and another few hundred in a walk-in safe in his basement.



Paul Paradis made no effort to hide that he was running a busy gun shop, Paradis Firearm Repair & Machining, out of a shed next to his house in North Brookfield. JOHN TLUMACKI/GLOBE STAFF

"If there was a problem, you should have said something when we just opened, or sometime in the last 15 years," Paradis said of the town.

All seemed fine, he said, until last year, when a neighbor complained to the town building commissioner about him expanding the shed. When Paradis failed to get a special permit, the local police and state and federal firearm authorities got involved.

North Brookfield Chief Mark Smith said he had no idea Paradis was breaking the rules with his shed until the building commissioner told him, nor did he know of his duty to inspect Paradis until the Globe's request. "We hadn't been on top of it," he said.

Max Gaj of Dark Horse Gunsmithing also said he wishes the police would have been more vigilant in their inspections. It might have kept him out of prison.

Gaj and his former business partner William Scott openly displayed the machine guns and short-barreled rifles and shotguns that they were later criminally prosecuted for on Dark Horse Gunsmithing's social media accounts.



Max Gaj (pictured) and his business partner flaunted many of the improperly registered weapons uncovered by the Bureau of Alcohol, Tobacco, Firearms and Explosives inspectors. A video of Gaj firing a fully automatic Glock handgun (above) became an exhibit in his criminal case. U.S. ATTORNEY OFFICE

In 2016, a comedy troupe even posted a video of themselves with Gaj and Scott as they fired the weapons while joking about murdering Joe Rogan and Lena Dunham. The video went viral.

But no one had ever asked to look at Dark Horse's records or back areas until the ATF came in 2018.

Gaj, who is now married and working for his mother's building design firm, admits he was reckless and foolish in how he managed his gun shop — which he opened when he was 22 — and said he wishes someone had done thorough inspections every year.

“If we had [ATF or the police] come out the first year, the second year ... [when] we only perhaps would have had a handful of issues, they could have straightened us out then,” Gaj said.

“That's not to take away from my responsibility in terms of making sure the books are up to date. But it's just to say, if you want to prevent things like that happening in the future, that's what you should do.”

Although local police are the lead enforcers under the law, many police officials complained to the Globe that the state has given them little guidance on their responsibilities for monitoring gun dealers. So for the past 23 years, their main source of information has been Ron Glidden, a retired Lee police chief and longtime chairman of the state Gun Control Advisory Board.

Glidden said he's not surprised by the Globe's findings. "There was never any guidance as to what you're supposed to inspect," he said. "The calls I get all the time [are], 'Well, what are we supposed to look for?'"

Glidden sends them an inspection checklist that he created 20 years ago. He also gives a one-day class to update local police on firearms laws twice a year. But he said there's so much ground to cover that he only occasionally gets around to talking about inspections.

"Sometimes it's the same departments or same people ... I see coming back over and over again. And then there's some departments, and I won't name them, but there's departments that I haven't seen in 23 years," Glidden said.

Sarah Ryley can be reached at sarah.ryley@globe.com. Follow her [@MissRyley](#).

[Show 149 comments](#)