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## ANOTHER DAY, ANOTHER MASSACRE

*Pretending to regulate has consequences*



*For Police Issues by Julius (Jay) Wachtel.* “He didn’t stand out — because if he did, I would’ve never sold him the gun.” [That’s what the Endicott, New York gun dealer said](#) about the youth who bought a rifle at his store in January.

It wasn’t an ordinary rifle. After passing the required background check, Payton Gendron, 18, walked out with a Bushmaster XM-15, an AR-15 style assault weapon that fires the .223 caliber cartridge. As we’ve often pointed out, these immensely powerful projectiles can inflict fatal wounds nearly anywhere they strike (“[Going Ballistic](#)”). Some States, including California and New York, have enacted so-called “assault weapons bans” that supposedly tone things down. These “solutions” are ridiculously half-hearted. For example, to limit ammunition capacity, [New York laws](#) restrict the XM-15 and its brethren to fixed, ten-round ammunition magazines. But as the dealer pointed out, “any gun can be easily modified if you really want to do it.” And that’s what Gendron reportedly did, obtaining a kit by mail-order that, after a bit of installation, allowed the weapon to accept removable, high-capacity magazines, thus turning it back into a true implement of war.

Gendron resided with his parents and siblings in [Conklin](#), a southern New York town of about 5,000 residents. On Friday, May 13 he got in his car and made the two-hundred-plus mile drive to Buffalo. Along with the XM-15, he brought along a Savage rifle, [which he got as a birthday gift](#) from his parents two years earlier, and a shotgun. (We saw a photo of the birthday celebration, including the gun box, online.)

On arrival Gendron promptly cased the store. He was back the next afternoon. Carrying the XM-15, Gendron exited his car and began firing. He shot four persons on



his way into Tops, killing three. On entering he encountered the security guard, Aaron Salter, Jr., a retired Buffalo cop. Mr. Salter fired his handgun, but the bullet bounced off his assailant's body armor. Gendron shot and killed Mr. Salter. He then went on to murder another six persons and wound two. When confronted by police Gendron put the gun to his head. But he ultimately surrendered.

Gendron was inarguably consumed by racial animus. His many media posts included [an online “manifesto”](#) that espouses white supremacy, touts racist “replacement theory” and praises prior massacres. Having apparently long prepared for what he considered to be an inevitable event, Gendron set out his murderous intentions in stunning detail, from shooting the security guard whom he expected to run across to murdering Black shoppers. And as it turned out, all but two of the persons he shot were indeed Black.

Gendron used a helmet-mounted camera [to stream the slaughter on Twitch](#). Although the video was quickly taken down, copies wound up on Twitter. We've viewed the two-minute-plus clip. Far too grisly to post, it graphically depicts several shootings. Authorities announced that “positive identification of many of the victims has been delayed by the severity of their wounds.” And that the wounds *were* highly severe – that, after all, is what assault rifles are intended for – is clearly evident from the toll of ten dead and three wounded.

So what's the solution? As we mentioned in “[A Stitch in Time](#),” early intervention is obviously essential. Many jurisdictions allow police and family members to seek judicial orders that direct troubled persons to give up their guns (“Red Flag” [I](#) and [II](#)). When issued, these prohibitions can be entered in databases that gun dealers must check before transferring firearms. Still, a qualified someone must take the initiative and expend the necessary time and effort to seek an order. And agreeable judge must be present on the other end. It's an intensive process, and results aren't guaranteed.

It's been suggested that monitoring social media could identify likely killers in advance (see, for example, “[When a ‘Dope’ Can't be ‘Roped’](#)”). Of course, time is of the essence. And the sheer volume of postings can make for an overwhelming task. Artificial intelligence measures can supposedly help cull the wheat from the chaff. But using A.I. in an unfocused fashion raises serious concerns about privacy.

Sometimes, though, we become aware of problematic individuals, such as the three characters profiled in “[Preventing Mass Murder](#)”, *before* they strike. While Gendron was much younger than Bowers, Sayoc or Beierle, like them he was not an ordinary sort. Described by a former classmate as “a little bit of an outcast,” Gendron turned up in “a full hazmat suit” when classes resumed post-pandemic. More significantly, as his high-school days came to an end, Gendron ran his mouth in a way that led teachers to call in the cops. On *him*.

How did *that* come about? Students had been asked to discuss their post-graduation plans. There are several versions of what Gendron said when his turn came up. [In one](#), he supposedly announced that he longed to commit a murder-suicide. [In another](#), that “he wanted to do a shooting, either at a graduation ceremony, or sometime after.” Whether it was his personality, or his delivery, or (most likely) a combination of the two, Gendron’s comments didn’t come across as the “joke” he would later insist was intended. State troopers responded and took him in for an involuntary mental health evaluation.

In your writer’s “career” as a student and, much later, as a college instructor, nothing like that ever happened. Not even close. But that assumedly rare event happened to Gendron. After spending a day and a half in the hospital, he was released. Best we can tell, nothing further was done, and he graduated on schedule. And about a year later he spent nearly a grand on his XM-15.

We made our attitude about assault weapons quite clear in “[Ban the Damned Things!](#)” But it’s also “quite clear” that not even California, whose gun laws are supposedly the strictest in the nation, is ready to take these unusually lethal weapons out of circulation. Apparently, neither are the Feds. In fact, a Ninth Circuit panel [recently ruled](#) that California’s prohibition on the sale of semi-automatic rifles to persons under 21 violates the Second Amendment. So we simply keep pretending. Instead of addressing the underlying problem – [the lethality of the projectiles fired by assault rifles](#) – we place half-hearted limits on magazine capacity and prohibit hand grips and such. And when young men such as Gendron, and [Nikolas Cruz](#) (he murdered seventeen with an AR-15 type gun), and [Adam Lanza](#) (he murdered twenty-six with an AR-15 type gun), and [Patrick Crusius](#) (he killed twenty-three and wounded an equal number with an AK-style rifle) laugh at these “restrictions” and commit their unspeakable deeds, we shrug our shoulders and comment about the, um, “rarity” of the events.

Neither Cruz nor Lanza were supposedly motivated by race. Crusius, though, had [posted extensive hateful racial comments online](#) (his scorn was directed at Mexican

immigrants.) All three clearly suffered from severe psychological problems. [According to his lawyers](#), Crusius, who still awaits trial, had been mentally disabled throughout high school. Still, none of these characters were ever involuntarily committed. Just like Gendron, each remained legally qualified to buy and possess guns. Crusius and Cruz reportedly bought theirs at retail (Lanza used his mother's rifle.)

We suspect that in the end, Gendron's obsession about race – and, likely, Crusius' – will be understood not necessarily as the *cause* of the massacres but as a reflection of the shooters' deep-seated mental problems. That's not to excuse their murderous acts but to highlight the immense difficulty of effectively regulating the acquisition and possession of firearms, let alone assault rifles. As long as we continue to allow these highly lethal weapons to be sold, ill-intentioned persons will continue to acquire and misuse them. It's *guaranteed*.