

# The Herald

## Straw purchases lead to arrests

By *SERGIO CHAPA*  
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February 20, 2005 – Luciano Varela was browsing through the aisles of Academy Sports and Outdoors in June when he was approached by a stranger.

The man allegedly asked Varela to buy him a 9mm handgun. He told Varela he would pay for the gun and then give him an extra \$30 for his trouble.

According to court records, Varela did it and then met the man out in the parking lot.

The man gave Varela the money as promised, but asked him for another favor: to buy another gun for him.

Over the next few days, the man had Varela and his wife buy another handgun, a rifle and two semi-automatic assault rifles at various gun shops in Brownsville, Harlingen and Pharr.

On July 2, Varela returned to Academy to buy two more of the same kind of handgun he had just bought days earlier.

But the return visit was a red flag to store employees, who notified agents with the Bureau of Alcohol, Tobacco and Firearms about the suspicious purchase.

Agents interviewed Varela a few days later and arrested him in October on five counts of conspiracy and lying to purchase a firearm.

Varela is now facing 10 years in prison and a \$250,000 fine for the federal criminal charges.

Meanwhile, the man who allegedly put him up to it has not been caught.

Federal officials said the crime occurs nationwide and is known to law enforcement officials as making a straw purchase.

Although exact statistics are not available, ATF officials said the crime is more common in Texas, especially along the U.S.-Mexico border.

ATF spokeswoman Franceska Perot in Houston said Texas is known as a source state for guns because of laws that do not require any state registration to purchase a firearm.

Perot said straw purchases are generally made on behalf of convicted felons or other criminals who are prohibited from owning guns.

But along the border, undocumented immigrants, weapons smugglers and drug dealers increase the number of straw purchases.

Perot said Mexico's gun laws are strict and the allure of the black market for American weapons there is great.

The border has more of this activity, she said of straw purchases. It's so close to Mexico and it's so easy to take them there and make a large profit or trade them for drugs.

Perot said many guns used in violent crimes in Mexico have been traced back to straw purchases made in Texas and the Valley.

Although guns can be purchased legally for gifts to a spouse or relative, Perot said most people do not realize how dangerous it is to buy one for a stranger.

It's just like carrying a bag onto an airplane; you just don't do it for somebody else, she said.

According to a review of grand jury indictments since August, Varela's straw purchase is one of two active cases going through Brownsville's federal courthouse.

A review of the same records shows the man who put him up to it has not been indicted.

The man is described as a light-complected Hispanic male, 35 years old, 5 feet 9 inches tall, 160 pounds and short reddish hair. He was last seen at the Academy parking lot on July 2 driving a gray Ford Taurus.

On Jan. 5, Varela pleaded guilty to lying during the purchase of the first handgun at Academy.

He is expected to be sentenced in the court of U.S. District Judge Hilda Tagle on March 29.

Nancy Herrera with the U.S. attorney's office in Houston said federal prosecutors have a 96 percent conviction rate in firearms violation cases.

Those cases include straw purchases as well as charges against convicted felons or other prohibited persons found in possession of a firearm.

Herrera said those who put people like Varela up to making straw purchases can be charged with illegal possession of a firearm or other related crimes.

Almost 95 to 96 percent of persons convicted of firearms violations are sentenced to prison terms, Herrera said. We mean business.

To reduce gun-related crime, Herrera said the federal government created Project Safe Neighborhoods in 2001.

The group distributes gun locks and develops outreach efforts with local law enforcement officials, among other activities.

Another nationwide campaign, Don't Lie for the Other Guy, directly addresses the issue of straw purchases.

Valley gun store owners said they participate in the campaign and keep an eye out for signs that people are making straw purchases.

Academy manager Rolando Galvan said employees at the firearms counter must go through a course before they can work there.

The course includes a presentation on straw purchases.

There are a lot of signs to look for, Galvan said. Buying the same kind of weapon more than normal, nervousness or they dont know what theyre going to use it for.

Each customer, he said, must also provide valid identification and fill out a federal form that has criminal penalties for lying.

I've turned down so many sales because the paperwork isnt right, Galvan said.

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