

Loophole protects Columbine 'witness'

Law keeps authorities from charging Anderson for buying killers' guns

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Authorities are still trying to make a case against Robyn Anderson, the Columbine High student who purchased three of the four weapons used by killers Eric Harris and Dylan Klebold.

Until now, Anderson has been described by police as a witness in the case.

But prosecutors and investigators told the Denver Rocky Mountain News that a loophole in federal law has stopped them -- so far -- from charging her with making an illegal "straw purchase" of a firearm.

Federal agents from the Bureau of Alcohol, Tobacco and Firearms confirmed that they are still pursuing an active investigation into one of those weapons -- they won't say which one -- to determine who sold it to her.

"But it's like looking for a needle in a haystack," said Marcus Motte, special agent for the ATF office in Denver.

Agents were able to trace two of the firearms to the seller at the Tanner Gun Show in Denver after an unidentified source tipped agents to the fact that Anderson had purchased those weapons.

When confronted with that information, days after the slayings, Anderson admitted her role. But she told agents all three weapons were purchased in a "private sale."

Agents have not been able to trace one of the guns to a seller, and agents are still looking.

"If it was sold (at the gun show) by a federally licensed firearms dealer, either they didn't fill out the paperwork, in which case the dealer is liable, or the application was falsified by Anderson, which would be a felony," Motte said.

The case has been closely scrutinized.

"We wanted to prosecute her," said Aura Leigh Ferguson, assistant district attorney in Jefferson County. "But (in) ... a private sale ... we couldn't make a case."

Anderson, then 18, admitted to ATF investigators shortly after the April 20 shootings that she bought two shotguns and a 9 mm semiautomatic carbine for Eric Harris and Dylan Klebold at a gun show in metro Denver months before the crime.

Harris and Klebold were 17 at the time, too young to legally purchase the guns.

Two other individuals -- Mark Manes and Phillip Duran -- are facing felony charges for their part in selling the two killers a semiautomatic TEC-DC9 pistol. It is illegal for anyone to sell a handgun to a minor.

Manes has pleaded guilty to the charges and is awaiting sentencing. He could face up to nine years in prison. Charges against Duran are pending.

Many people have questioned why Anderson was never charged for her role in obtaining the other firearms for two minors.

Under the Brady Law, anyone who buys a pistol or a long gun from a licensed firearms dealer must fill out an application and undergo a background check. Circumventing that background check is a violation of federal law.

But that law does not apply to private sales, only to people licensed by the federal government to sell guns.

"(If there) was no application, there was no falsification of any document," Ferguson said.

Calls to Anderson were not returned, and efforts to reach her for comment through other parties were unsuccessful.

Anderson bought the guns at the Tanner Gun Show with money provided by Harris and Klebold.

She was a friend of Klebold's and his prom date days before he and Harris killed 13 people, wounded 23 and committed suicide in the Columbine library.

She said on national television months ago that she knew nothing of the plans by Harris and Klebold to attack the school when she purchased the guns. She has since refused to talk with reporters.

Police said during the early part of their investigation that they considered Anderson a witness, not a suspect, in the case.

But John Kiekbusch, law enforcement division chief for the Jefferson County Sheriff's Department, said in a recent interview that investigators had long wanted to bring charges against the girl for her role.

"As I understand it, it's a loophole in the straw-purchase law that prevents her from being charged," Kiekbusch told the News. "We certainly felt she should have faced charges for what she did."

Ferguson said the district attorney's office "advised" the sheriff's department on the issue but has never been presented a case against Anderson. She said there is no Colorado straw-purchase statute that applies in this situation.

Colorado lawmakers last spring were considering a straw-purchase law aimed at making it a crime to purchase a firearm for another person who could not legally buy a gun themselves. The bill was directed toward convicted criminals who get people with no criminal record buy weapons for them.

But the bill was among several gun-related proposals withdrawn by state lawmakers immediately after the Columbine shootings.

Motte and other agents from the ATF traced all of the firearms used in the killings but were able to locate the final point of sale on only the pistol sold by Manes, and two of the weapons purchased by Anderson.

Larry Russell, a licensed federal firearms dealer, sold the TEC-DC9 in a private sale at the Tanner Gun Show before he obtained his firearms dealers license. But he told police he did not know who he sold the weapon to. Manes came forward to inform authorities of his involvement.

When he pleaded guilty last month, Manes told a judge that he bought 100 rounds of ammunition for the TEC-DC9 for Harris the night before the Columbine shootings.

Authorities said Anderson told them she did not know the identity of the gun seller from whom she bought the weapons. She has said she believed Harris and Klebold wanted the weapons for target shooting or other legitimate reasons.