



Brady Center Takes Utah Dealer to Court for Selling Pistol Grip Shotgun to 18 Year Old Mass Shooter

Attorneys with the Brady Center Legal Action Project are representing Carolyn Tuft, who was shot, and whose 15 year old daughter was killed, in a mass shooting at a popular shopping mall in Salt Lake City, Utah.

On February 12, 2007, at around 6:40 p.m., an 18-year-old Bosnian, Sulejman Talovic, stepped out of his car in the parking terrace of Trolley Square, a popular shopping mall and tourist destination in Salt Lake City, Utah. He was armed with a Mossberg 12-gauge pump action shotgun with a pistol grip, a Smith & Wesson .30 Special handgun, a backpack full of ammunition, and a bandolier of shotgun shells around his waist. He immediately used his arsenal to turn the mall into a war zone. In the parking terrace, he shot and killed Jeffrey Walker, 52, wounded Walker's 16 year old son, A.J. Then Talovic walked into the mall where he turned his shotgun on Shawn Munns, 34, then killed Vanessa Quinn, 29. While terrified shoppers and employees ducked for cover, Talovic fired his shotgun into stores and onto balconies. He entered a card shop, where he shot Carolyn Tuft, 44; Tuft's 15 year old daughter, Kirsten Hinckley; Stacy Hanson, 50; Brad Frantz, 24; and Teresa Ellis, 29. Talovic left the store to reload in the mall's main hallway, then returned to again shoot Tuft, Hinckley, and Ellis. Hinckley, Ellis, and Frantz were killed. After leaving the store he shot at an off-duty police officer, Ken Hammond, who was on the second floor balcony, then fired at other people on the second floor. Police officers traded fire with Talovic inside Pottery Barn Kids, until he was finally killed. In less than 10 minutes, five people were killed, and four were wounded by Talovic. All but one victim was killed with the pistol-grip shotgun.

The lawsuit brought by Tuft contends that the dealer is liable for the shooting of herself and her daughter because the shotgun should never have been sold to Talovic. Federal law prohibits the sale of pistol-grip shotguns to persons under 21, yet a licensed federal firearms dealer, Sportsman's Fast Cash Pawn in West Valley City, Utah, sold the gun to Talovic when he was 18. There is good reason for the law. Pistol grip shotguns have an egregious reputation among law enforcement. As Seattle Police Chief Gil Kerlikowske has said, it is "a weapon not designed for hunting purposes but for hunting people."

Brady Center attorneys Jonathan Lowy and Daniel Vice are co-counsel in the case with Salt Lake City attorney, Mark Williams, of the law firm of Jones Waldo.