

**MULTNOMAH COUNTY BOARD OF COMMISSIONERS  
PUBLIC TESTIMONY SIGN-UP**

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Please complete this form and return to the Board Clerk

\*\*\*This form is a public record\*\*\*

MEETING DATE: 4-18-13

AGENDA ITEM: Gun Ordinances

FOR: \_\_\_\_\_ AGAINST: X

NAME: Chris Cochran

CONTACT INFORMATION (optional):

ADDRESS: \_\_\_\_\_

CITY/STATE/ZIP: Gresham, OR 97080

PHONE: \_\_\_\_\_ EMAIL: mudmonkey13@gmail.com

**IF YOU WISH TO ADDRESS THE BOARD IN PERSON:**

1. Complete this form and submit to the Board Clerk.
2. Presenters are called to testify in the order their form is received. The Presiding Officer may rearrange testimony or may ask Invited Guests or Elected Officials to speak first.
3. Public testimony is limited to **3 minutes or less** per person unless otherwise directed by the Presiding Officer.
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MEETING DATE: 04/18/13

AGENDA ITEM: GUN SAFETY

FOR: you AGAINST: \_\_\_\_\_

NAME: JAN ARTHUR WESTON

CONTACT INFORMATION (optional):

ADDRESS: 9001 SW 9th Drive, PDX 97219-4700

CITY/STATE/ZIP: PDX 97219-4700

PHONE: 503 293-4301 EMAIL: janweston@comcast.net

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MEETING DATE: 4/

AGENDA ITEM: proposed gun measure

FOR: ✓ AGAINST: \_\_\_\_\_

NAME: Rosemary Lewin

CONTACT INFORMATION (optional):

ADDRESS: 601 NE Hazel fern Place

CITY/STATE/ZIP: Portland OR 97232

PHONE: 503 460 2545 EMAIL: \_\_\_\_\_

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MEETING DATE: 4/18/13

AGENDA ITEM: Gun ordinances

FOR: X AGAINST: \_\_\_\_\_

NAME: Grace Groom

CONTACT INFORMATION (optional):

ADDRESS: 2000 30th

CITY/STATE/ZIP: \_\_\_\_\_

PHONE: 503-890-7792 EMAIL: ggroom@hevanet.com

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MEETING DATE: 4/18/13

AGENDA ITEM: PROPOSED COUNTY FIREARMS ORDINANCE

FOR: \_\_\_\_\_ AGAINST: X

NAME: MICHAEL MCCORMICK - GRESHAM CITY COUNCILOR

CONTACT INFORMATION (optional):

ADDRESS: \_\_\_\_\_

CITY/STATE/ZIP: GRESHAM OREGON 97080

PHONE: \_\_\_\_\_ EMAIL: \_\_\_\_\_

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# MULTNOMAH COUNTY BOARD OF COMMISSIONERS

## PUBLIC TESTIMONY SIGN-UP

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MEETING DATE: 4/18

AGENDA ITEM: Firearm Safety Ordinance

FOR: \_\_\_\_\_ AGAINST: X

NAME: Matthew Wand

CONTACT INFORMATION (optional):

ADDRESS: 612 SW 25<sup>th</sup> Cir

CITY/STATE/ZIP: Trousdale, OR 97060

PHONE: (503) 680-8180 EMAIL: matt@wandmailbox.com

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MEETING DATE: \_\_\_\_\_

AGENDA ITEM: R7

NAME: Shannon White FOR: \_\_\_\_\_ AGAINST: X

CONTACT INFORMATION (optional):

ADDRESS: 1225 E. Historic Col river Hwy

CITY/STATE/ZIP: Trenton, OR

PHONE: 503 888-1369 EMAIL: \_\_\_\_\_

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MEETING DATE: 4/18/13

AGENDA ITEM: R1

FOR: \_\_\_\_\_ AGAINST: X

NAME: Glenn White Councilor 3 yes

CONTACT INFORMATION (optional):

ADDRESS: 1225 E. Historic Col river Hwy

CITY/STATE/ZIP: Troutdale, OR 97060

PHONE: 503 888-1369 EMAIL: N/A

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MEETING DATE: APRIL 18, 2013

AGENDA ITEM: GUN ORDINANCE

FOR: \_\_\_\_\_ AGAINST: X

NAME: RICK ASHFORD

CONTACT INFORMATION (optional):

ADDRESS: 2710 N.E. PARK ST

CITY/STATE/ZIP: CORBETT OREGON 97019

PHONE: 503-820-9764 EMAIL: \_\_\_\_\_

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MEETING DATE: \_\_\_\_\_

AGENDA ITEM: R1

FOR: \_\_\_\_\_ AGAINST: X

NAME: Drane Castillo - WHITE

CONTACT INFORMATION (optional):

ADDRESS: 1225 East Historic Columbia River Hwy

CITY/STATE/ZIP: Troutdale OR 97060

PHONE: 503-888-1405 EMAIL: sandyriverpottery@gmail.com

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MEETING DATE: 4/18/13

AGENDA ITEM: GUN CONTROL

FOR: \_\_\_\_\_

AGAINST: X

NAME: GARY BIAZZO

CONTACT INFORMATION (optional):

ADDRESS: PO Box 146

CITY/STATE/ZIP: OR 97045

PHONE: 503-709-1857

EMAIL: GJBIAZZO@COMCAST.NET

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MEETING DATE: 18 APRIL 2013

AGENDA ITEM: R1

FOR: \_\_\_\_\_ AGAINST: ✓

NAME: Norwood Chapman

CONTACT INFORMATION (optional):

ADDRESS: \_\_\_\_\_

CITY/STATE/ZIP: \_\_\_\_\_

PHONE: \_\_\_\_\_ EMAIL: \_\_\_\_\_

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MEETING DATE: 4-18-13

AGENDA ITEM: R. 1

FOR: \_\_\_\_\_ AGAINST: ☒

NAME: Kaye Worman

CONTACT INFORMATION (optional):

ADDRESS: \_\_\_\_\_

CITY/STATE/ZIP: \_\_\_\_\_

PHONE: \_\_\_\_\_ EMAIL: \_\_\_\_\_

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MEETING DATE: 3/

AGENDA ITEM: Fire arms

FOR: X AGAINST:

NAME: Kylie Menagh-Johnson ("Kylie ~~Mina~~ Meena-Johnson")

CONTACT INFORMATION (optional):

ADDRESS:

CITY/STATE/ZIP:

PHONE:  EMAIL:

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MEETING DATE: 4-18-13

AGENDA ITEM: R1

FOR: ☒ AGAINST: ☐

NAME: JIM EMERSON

CONTACT INFORMATION (optional):

ADDRESS: \_\_\_\_\_

CITY/STATE/ZIP: \_\_\_\_\_

PHONE: \_\_\_\_\_ EMAIL: \_\_\_\_\_

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AGENDA ITEM: R1

FOR: \_\_\_\_\_ AGAINST: X

NAME: KAY BRIDGES

CONTACT INFORMATION (optional):

ADDRESS: 4926 SW Corbett Ave #506

CITY/STATE/ZIP: PORTLAND OR 97239

PHONE: 503-671-0218 EMAIL: KAYLBRIDGES@gmail.com

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MEETING DATE: April 18, 2013

AGENDA ITEM: R-1

FOR: \_\_\_\_\_ AGAINST: X

NAME: Robert Gordon

CONTACT INFORMATION (optional):

ADDRESS: \_\_\_\_\_

CITY/STATE/ZIP: \_\_\_\_\_

PHONE: \_\_\_\_\_

EMAIL: \_\_\_\_\_

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**MULTNOMAH COUNTY BOARD OF COMMISSIONERS  
PUBLIC TESTIMONY SIGN-UP**

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MEETING DATE: 4-18-13

AGENDA ITEM: Ordinance 4-18-13

FOR: \_\_\_\_\_ AGAINST: X

NAME: Daniel M. Taylor

CONTACT INFORMATION (optional):

ADDRESS: \_\_\_\_\_

CITY/STATE/ZIP: Portland, OR 97212

PHONE: \_\_\_\_\_ EMAIL: gunsaretools@gmail.com

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Did not  
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**MULTNOMAH COUNTY BOARD OF COMMISSIONERS  
PUBLIC TESTIMONY SIGN-UP**

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MEETING DATE: 4/18/13

AGENDA ITEM: JUVENILE Dept Contract OUT COMMUNITY Detention  
ELECTRONIC Monitoring

FOR: \_\_\_\_\_ AGAINST: \_\_\_\_\_

NAME: Leon KNAAP

CONTACT INFORMATION (optional):

ADDRESS: \_\_\_\_\_

CITY/STATE/ZIP: \_\_\_\_\_

PHONE: \_\_\_\_\_ EMAIL: \_\_\_\_\_

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To:

Board of County Commissioners for Multnomah County, Oregon

Subject:

Proposed new ordinances to Chapter 15 and amending 13.051

April 18, 2013

Commissioners for Multnomah County,

I am a general pediatrician at Oregon Health & Science University. I would like to express my personal support and the support of Oregon Pediatric Society for the proposed new ordinances that address firearm safety in Multnomah County. We feel that this legislation will be an important step to make Multnomah County safer for children.

Gun injuries cause more deaths in children and young adults in this country than cancer, heart disease, and infection combined. Those of us who work with children, and those of us who are parents know that if a child sees an unattended gun, there is a chance that he will pick it up and point it at someone.

You may remember reading about Amina Bowman, an 8 year old girl who was shot in the abdomen last year in her classroom in Bremerton, Washington by a 9 year old student. The boy brought a loaded gun from home. You may have read about Austin Stokes, 12, of Oregon City, who was shot in the head by his 13 year old friend two years ago. The two boys were playing with a shotgun left out from a hunting trip the day before.

Many of us who are parents may recall a time that we unintentionally left something potentially hazardous in the reach of a child. Derek Carlile, a police officer in Marysville, Washington, usually strapped his revolver to his ankle, but one year ago, he left it in his van in the cubby under the dash, behind his wife's purse. His young son found it and shot his 7 year old sister Jenna in the chest. She died the next day. That same month in Tacoma, Julio Segura-McIntosh, 3 years old, shot and killed himself when his parents left a loaded gun under the seat of the car when they stopped for gas. Accidents happen.

Those who know the public health data understand that allowing guns in public places increases the likelihood of tragic death or injury. As pediatricians, we ask that you pass these laws that will help to limit children's access to guns and will hold adults responsible when they do not keep their guns safe from children. For primary care pediatricians, prevention is our core work. We aim to protect children from all things that can harm them. If you pass these laws, you will help us do that.

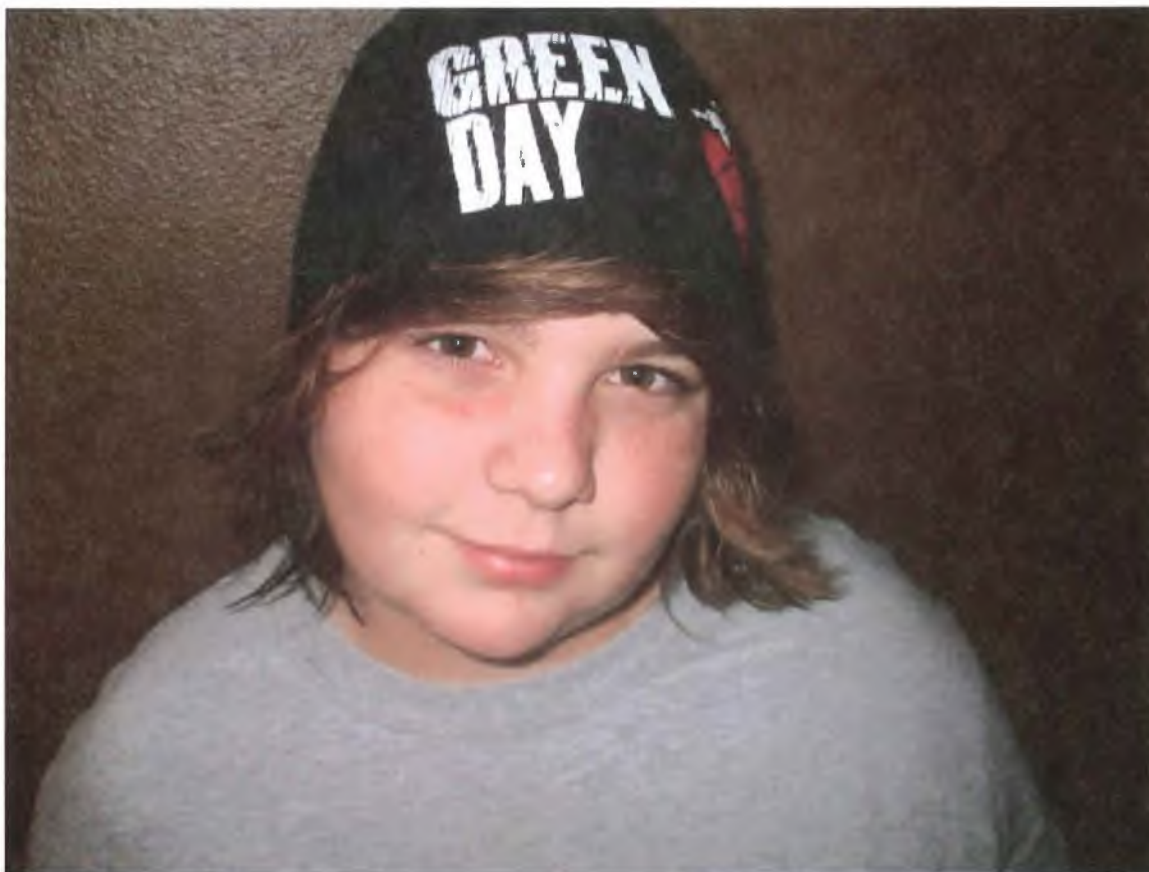
Thank you very much for your consideration. I would welcome any questions you may have.

Melissa Weddle, MD, MPH  
Clinical Associate Professor of Pediatrics  
Oregon Health & Science University





Amina Bowman, 9  
Shot in abdomen at school by 8 year old classmate  
February 22, 2012, Bremerton, Washington  
Survived



Austin Stokes, 12  
Shot in head by 13 year old friend  
January 30, 2011, Oregon City, Oregon  
Survived



Jenna Carlile, 7  
Shot in chest by brother  
March 10, 2012, Marysville, Washington  
Died





Julio Segura McIntosh  
Shot self with gun left in car  
March 14, 2012, Tacoma, Washington  
Died

**MULTNOMAH COUNTY BOARD OF COMMISSIONERS  
PUBLIC TESTIMONY SIGN-UP**

INVITED  
GUEST  
PANEL 3  
#9

Please complete this form and return to the Board Clerk

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MEETING DATE: 9/18/13

AGENDA ITEM: gun violence ORDINANCES (CHAP 15)

AMENDS § 13.051

FOR: (circled) AGAINST:           

NAME: VIRGINIA FELDMAN

CONTACT INFORMATION (optional):

ADDRESS: 11230 SW COLLINA AVE

CITY/STATE/ZIP: PORTLAND OR 97214

PHONE: 503-635-4799 EMAIL: feldmanvic@gmail.com

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TESTIMONY before Multnomah County Commissioners on new ordinances to  
Chap. 15 & amending 13.051. 4/18/13

Thank you. Commissioners.

I'm Dr. Virginia Feldman. Over my 30 years as pediatrician in North Portland, I had the honor to work with forward-looking lawmakers like you, to rise above objections claiming unrestricted rights: so we now have sensible laws for proven health interventions—seat belts, car seats, bike helmets, drug safety caps—greatly reducing deaths & injuries. Why not guns? Interventions do work. JAMA research {1} shows locales with stricter gun laws have lower homicide rates.

Guns have killed or maimed far too many of my wonderful patients, forever crippling their families: kids accidentally shot with guns in homes; my Kaiser colleague—killed at Clackamas with a gun stolen from an unlocked closet. My patients have been both perpetrators and victims of *night-time* gang shootings. State law preemptions prevent you from doing everything we need. But pass what you can, now, and then work with the Legislature to protect us further. (So that an entire family won't be blasted away by a father *known* for domestic violence. So that my young depressed patient can't impulsively kill herself a few hours after easily buying a no-background-checked pistol. (Suicide gestures with drugs are *rarely* fatal—they're *usually* fatal with guns).

Citizens who think guns make them safer are mistaken: children AND adults in homes with guns are over 3x *more* likely to die by that gun—from homicide or suicide. Contrary to exaggerated NRA claims, FBI & Crime Victimization data {2} show guns are used in self-defense in fewer than 0.1% of their 20 million reported crimes. If guns are so great for protection, why do judges and mayors prevent them in court and City Hall? ALL citizens have rights to the same protection.

I was at a recent outdoor rally with lots of kids where men touted assault rifles—I assumed loaded. With such weapons, there can be **no** dialogue, no free speech. Keep our public places clear of such weapons.

Contrary to other NRA claims, children cannot **developmentally** take all the steps required for reliable gun safety: *controlled* studies found no difference in children playing dangerously with versus without NRA education. {3} Perfect locking of home guns provides at least some protection for *young* children.

Please, look at this data, not at misplaced fears or mistaken interpretations of unlimited 2<sup>nd</sup> amendment rights. Limit possession and discharge of loaded guns in public; require stolen-gun reporting; tighten curfews, and prevent kids' access to guns.

Thank you, Dr. Virginia Feldman MD FAAP

1. Fleege, W et al: Firearm Legislation and Firearm-Related Fatalities in the United States. March 6, 2013. doi:10.1001/jamainternmed.2013.1286

2. Langley, M & Sugarman, J. Firearm Justifiable Homicides and Non-Fatal Self-Defense Gun Use: An Analysis of Federal Bureau of Investigation and National Crime Victimization Survey Data, Violence Policy Center, April 2013.

3. Hardy, M. Teaching Firearm Safety to Children: Failure of a Program. Journal of Developmental & Behavioral Pediatrics: April 2002; Volume 23: pp 71-76.

## ONLINE FIRST

# Firearm Legislation and Firearm-Related Fatalities in the United States

Eric W. Fleegler, MD, MPH; Lois K. Lee, MD, MPH; Michael C. Monuteaux, ScD; David Hemenway, PhD; Rebekah Mannix, MD, MPH

**Importance:** Over 30 000 people die annually in the United States from injuries caused by firearms. Although most firearm laws are enacted by states, whether the laws are associated with rates of firearm deaths is uncertain.

**Objective:** To evaluate whether more firearm laws in a state are associated with fewer firearm fatalities.

**Design:** Using an ecological and cross-sectional method, we retrospectively analyzed all firearm-related deaths reported to the Centers for Disease Control and Prevention Web-based Injury Statistics Query and Reporting System from 2007 through 2010. We used state-level firearm legislation across 5 categories of laws to create a "legislative strength score," and measured the association of the score with state mortality rates using a clustered Poisson regression. States were divided into quartiles based on their score.

**Setting:** Fifty US states.

**Participants:** Populations of all US states.

**Main Outcome Measures:** The outcome measures were state-level firearm-related fatalities per 100 000 individuals per year overall, for suicide, and for homicide. In various models, we controlled for age, sex, race/ethnicity, poverty, unemployment, college education, population density, nonfirearm violence-related deaths, and household firearm ownership.

**Results:** Over the 4-year study period, there were 121 084 firearm fatalities. The average state-based firearm fatality rates varied from a high of 17.9 (Louisiana) to a low of 2.9 (Hawaii) per 100 000 individuals per year. Annual firearm legislative strength scores ranged from 0 (Utah) to 24 (Massachusetts) of 28 possible points. States in the highest quartile of legislative strength (scores of  $\geq 9$ ) had a lower overall firearm fatality rate than those in the lowest quartile (scores of  $\leq 2$ ) (absolute rate difference, 6.64 deaths/100 000/y; age-adjusted incident rate ratio [IRR], 0.58; 95% CI, 0.37-0.92). Compared with the quartile of states with the fewest laws, the quartile with the most laws had a lower firearm suicide rate (absolute rate difference, 6.25 deaths/100 000/y; IRR, 0.63; 95% CI, 0.48-0.83) and a lower firearm homicide rate (absolute rate difference, 0.40 deaths/100 000/y; IRR, 0.60; 95% CI, 0.38-0.95).

**Conclusions and Relevance:** A higher number of firearm laws in a state are associated with a lower rate of firearm fatalities in the state, overall and for suicides and homicides individually. As our study could not determine cause-and-effect relationships, further studies are necessary to define the nature of this association.

JAMA Intern Med

Published online March 6, 2013.

doi:10.1001/jamainternmed.2013.1286

**T**HE TOTAL NUMBER OF ANNUAL firearm fatalities in the United States has been stable over the last decade.<sup>1,2</sup> From 2007 to 2010, the range was 31 224 to 31 672 fatalities per year.<sup>1</sup> There is substantial variation in

these years. In 2010, firearms killed 68% of the 16 259 victims of homicide. In the same year, there were 38 364 suicides, of which 51% were by firearms.<sup>1</sup> Beyond the loss of life and nonfatal traumatic injuries, the financial cost of firearm injuries is enormous. In 2005, the medical costs associated with fatal and nonfatal firearm injuries were estimated at \$112 million and \$599 million, respectively, and work loss costs were estimated at \$40.5 billion.<sup>1</sup>

Mass killings such as those in Columbine and Aurora in Colorado, the Wisconsin Sikh temple shooting, and most recently the Newtown, Connecticut, school massacre have renewed debate about the need for more stringent firearm legisla-

**Author Affiliations:** Division of Emergency Medicine, Boston Children's Hospital, Boston, Massachusetts (Drs Fleegler, Lee, Monuteaux, and Mannix); Harvard Medical School, Boston (Drs Fleegler, Lee, Monuteaux, and Mannix); and Harvard School of Public Health, Boston (Dr Hemenway).

## See Invited Commentary

firearm fatality rates among states, however, with the average annual state-based firearm fatality rates ranging from a high of 17.9 (Louisiana) to a low of 2.9 (Hawaii) per 100 000 individuals during

mon. Some have called for more restrictions on gun purchases.<sup>2</sup> Others have called for arming teachers.<sup>4</sup> It is challenging to calculate the exact number of firearm laws: a single law may have multiple parts; laws are potentially passed at the national, state, county, and city level; and there is no repository available for tallying these laws.<sup>5</sup> The factoid that there are “20 000 laws governing firearms”<sup>5</sup> has been erroneously quoted since 1965, but the most recent and reliable estimate, performed in 1999, counted about 300 state firearm laws.<sup>6</sup>

The real question is not about the number of firearm laws but whether the laws ultimately safeguard the citizens they are intended to protect. Although multiple studies have examined the relationship between federal and state firearm laws and homicide and suicide rates, the overall association between firearm legislation and firearm mortality is uncertain and remains controversial.<sup>7,8</sup>

We evaluated whether variations in the strength of state firearm legislation are associated with variations in the rates of firearm fatalities. We examined overall firearm death rates as well as firearm suicide and firearm homicide rates by state, controlling for other factors previously associated with firearm fatalities.

## METHODS

The Boston Children's Hospital institutional review board approved the study.

### DATABASE

We used data from the Web-Based Injury Statistics Query and Reporting System (WISQARS),<sup>1</sup> which provides mortality tables with the numbers of injury-related deaths and mortality rates according to cause (mechanism) and intent of injury (unintentional, violence-related [including homicide and suicide], or undetermined) by year, sex, age, race/ethnicity, and state. These mortality data are compiled by the National Center for Health Statistics, Centers for Disease Control and Prevention (CDC) from multiple cause of death data. The federal government mandates that each state provide information about deaths that occur within its border.<sup>9</sup> Mortality data on nonfirearm intentional deaths (suicides and homicides) were also obtained from WISQARS.

### STUDY POPULATION

We identified all violence-related firearm fatalities between January 2007 and December 2010, and used data on age-adjusted firearm mortality, including suicides (60.9% of firearm-related fatalities) and homicides (39.1% of firearm-related fatalities). Homicides due to legal intervention, unintentional firearm fatalities, and fatalities of undetermined intent (1.1%, 1.9%, and 0.8% of total firearm-related fatalities, respectively) were excluded from the analyses.

### STATE-LEVEL FACTORS

We studied all 50 states. To quantify state-level variation in gun regulations, we used data from the Brady Campaign to Prevent Gun Violence<sup>10</sup> and the Brady Center to Prevent Gun Violence (referred to collectively herein as *the Brady Center*). Working with the Law Center to Prevent Gun Violence (formerly Legal Community Against Violence), the Brady Center has

tracked firearm legislation annually since 2007 and prepared legislative scorecards for every state each year. It divides firearm legislation into 5 categories according to the intended effect: (1) curb firearm trafficking; (2) strengthen background checks on purchasers of firearms beyond those required by the Brady Handgun Violence Prevention Act; (3) ensure child safety; (4) ban military style assault weapons; and (5) restrict guns in public places (**Table 1**). The Brady Act, which went into effect in 1994, requires background checks of potential buyers before a firearm may be purchased from a federally licensed dealer, manufacturer, or importer. Firearm sales are prohibited to convicted felons and fugitives. They are also prohibited to persons with a history of addiction to controlled substances, persons restrained by court order against harassment, those convicted of domestic violence, and those adjudicated as “mentally defective,” among other groups. The Brady Center's fifth category, restricting guns in public places, refers to the absence of laws that would allow guns in public places.

For our primary analysis, we used a simplified approach to create a “legislative strength score” for each state. The legislative strength score was developed before the analyses were conducted. Each state could have enacted up to 28 laws; each enacted law received 1 point. This “1 law = 1 point” score gives each law equal weight. However, the Brady Center also prepares an empirical weight schema for each set of laws, scaling the scores out of 100 points and giving additional weight to laws believed to be more important. In their weighted scoring system, the “strengthen Brady background checks” category (which includes requiring universal background checks on all firearm purchases no matter who sells the firearm and requiring permits to purchase firearms) receives the greatest number of points. We separately analyzed the data using this weighted scoring system. A detailed description of each of the laws and the weighted scoring system is available from the Brady Center.<sup>10</sup>

We used US Census data to capture state-level statistics on factors and characteristics previously shown to be associated with firearm fatalities: race/ethnicity (white, black, Hispanic), sex, living below the federal poverty level, unemployment, college education, and state population density.<sup>6</sup> In addition, we calculated household firearm ownership rates per state using the firearm suicide/total suicide ratio, which is the proportion of all suicides in a state caused by firearms.<sup>11</sup> This ratio has been highly correlated with firearm ownership rates in the United States and other developed nations.<sup>12-17</sup> There are no direct data from 2007 through 2010 on firearm ownership rates in the United States; the last large state-based survey of firearm ownership was performed in 2004 by the CDC's Behavioral Risk Factor Surveillance System.

### OUTCOME MEASURES

Our primary outcome measures were overall firearm-related fatality rates per 100 000 individuals per year. The rates for firearm suicides and firearm homicides were considered separately.

### DATA ANALYSIS

First, we obtained the number of firearm-related suicides and firearm-related homicides for each state. We calculated death rates by dividing the total number of deaths by the state populations each year and adjusting for age. We then divided states into quartiles based on their legislative strength score, with quartile 1 including the states with the lowest scores and quartile 4, the states with the highest scores.

Our study design used an ecological and cross-sectional method. To evaluate the association of firearm-related fatali-



**Table 1. Scoring System for Firearm Legislative Strength Score<sup>a</sup>**

Legislation Intent	Description of Measures
<b>Curb firearm trafficking (9 points)</b>	
Gun dealer regulations (6 points)	State license required for firearm dealers Record keeping and retention by firearm dealers Report records to the state, and state retains records Mandatory theft reporting for all firearms by firearm dealers At least 1 store security precaution required Inspections by police allowed/required to inspect dealer inventories One handgun per month (exceptions possible) Ballistic fingerprinting or require microstamping on semi-automatic handguns Mandatory reporting by firearm owners
Limit bulk purchases (1 point)	
Crime gun identification (1 point)	
Report lost/stolen guns (1 point)	
<b>Strengthen Brady background checks (8 points)</b>	
Universal background check <sup>b</sup> (1 point)	All firearms Handguns only Background check on firearm purchasers at gun shows
Closed gun show loophole <sup>c</sup> (1 point)	
Permit to purchase (5 points)	Permits required to purchase firearms Fingerprinting of applicants required for identification Safety training and/or testing required Extend three-day limit for background checks Permit process involves law enforcement Ammunition purchaser records kept/vendor license required Ammunition Brady check/permit required to purchase
Ammunition regulations (2 points)	
<b>Improve child safety (5 points)</b>	
Childproof handguns (1 point)	Only authorized users are able to operate new handguns
Child safety locks <sup>d</sup> (2 points)	Integrated locks sold on all handguns External locks sold with all handguns Standards on all external locks – child safety locks certified Adults must store loaded guns in inaccessible place or lock the gun
Child access prevention <sup>e</sup> (1 point)	
Juvenile handgun purchases (1 point)	Must be 21 to purchase a handgun
<b>Ban military-style assault weapons (2 points)</b>	
Assault weapons ban (2 points)	Regulation of firearms with military-style features Maximum number of rounds per magazine 15 or less
<b>Restrict guns in public places<sup>f</sup> (4 points)</b>	
No guns in workplace (1 point)	Employers not required to allow firearms in parking lots
No guns on college campuses (1 point)	Colleges are not required to allow firearms on campus
Not carrying a concealed weapon shall issue state (1 point)	Law enforcement is not required to issue a permit to carry a concealed weapon to all individuals who can legally own a firearm
No state preemption of local laws (1 point)	Local governments can enact firearm laws and regulations that are stricter than state laws
<b>Overall possible points, 28</b>	

<sup>a</sup>Table data source, Brady Center State Scorecards.<sup>11</sup>

<sup>b</sup>States receive a point for background checks on either all firearms or handguns only.

<sup>c</sup>States with universal background checks on all firearms not eligible for gun show loophole points.

<sup>d</sup>One point for either integrated or external locks.

<sup>e</sup>If a child in the specified age ranges obtains a stored, loaded gun, the adult owner may be held criminally liable. Any age category receives credit: 16 to 17 years or younger, 14 to 15 years or younger, or 13 years or younger

<sup>f</sup>Points assigned for restriction of guns in public places to trained law enforcement and security and preserve local control over municipal gun laws.

ties (overall, suicide, and homicide) with the legislative strength score as the main predictor,<sup>12</sup> we constructed 3 models for each outcome. In model 1, we computed a Poisson regression, adjusting for age, to evaluate the association between the annual score and firearm fatality rates without further adjustments. In model 2, to account for other socioeconomic factors associated with firearm fatalities, we used a multivariable Poisson regression to adjust for age, race/ethnicity, sex, poverty, unemployment, college education, population density, and rates of nonfirearm suicides and/or nonfirearm homicides. In model 3 we added household firearm ownership rates to the variables included in model 2. Across all 3 models, we analyzed the firearm suicide data by year. Overall firearm-related fatalities and

homicide fatalities were aggregated at the state level over the entire 4-year study period: the small numbers of firearm homicides in 12 states precluded the availability of annual data. These aggregate data were divided to derive a mean annual fatality rate. To evaluate whether weighting the relative significance of specific laws would alter the association of the legislative strength score with firearm fatalities, we ran the multivariable model 2 with the quartiles derived from the weighted Brady score as a separate analysis.<sup>10</sup> We present age-adjusted absolute rate differences, referenced to quartile 1.

To further explore whether some legislative categories may have a greater association with firearm fatalities than other legislative categories, we created a multivariable Pois-

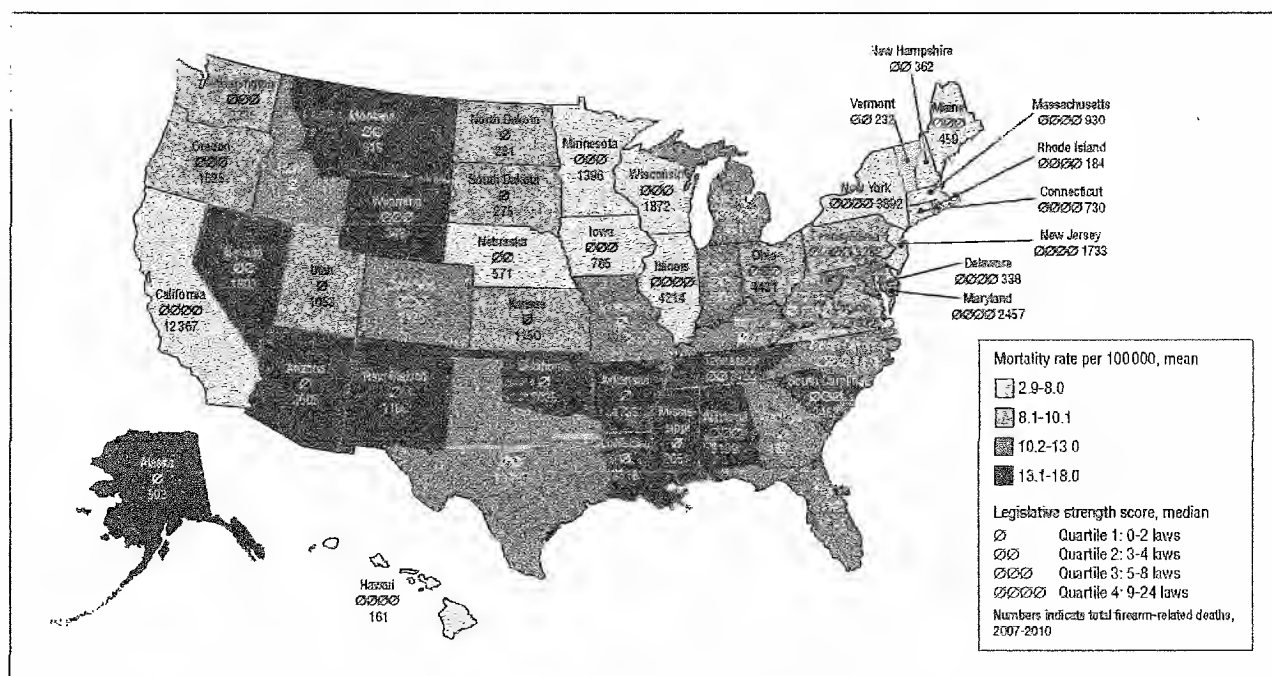


Figure 1. Firearm-related mortality rates, legislative strength scores, and total firearm deaths in the United States, 2007 through 2010.

son regression to evaluate the association of each of the 5 categories of legislation with firearm fatality rates (overall, suicide, and homicide). Similar to model 2, we adjusted for socioeconomic factors and nonfirearm suicides and/or homicides. For all modeling, we used clustered robust sandwich standard error estimates, which allow for intrastate correlation, relaxing the assumption that observations from the same state are independent.

Firearm ownership rates have been associated with firearm suicide and firearm homicide rates in other studies.<sup>8,18</sup> We hypothesized that an important way in which legislation might affect the firearm fatality rate in a state is through changes in firearm prevalence. For example, laws requiring background checks for all gun purchases or raising the purchase age to 21 can be expected to reduce firearm ownership rates. To explore this hypothesis, we conducted a stepwise analysis of firearm ownership. First, we examined the association of the legislative strength score with firearm ownership rates using a simple linear regression with firearm ownership rates as the outcome and the score as the predictor. Then, using simple linear regression, we evaluated whether household firearm ownership rates were associated with overall firearm fatality rates. Then we reanalyzed our multivariable model 3 with linear regression and evaluated the effect of firearm ownership rates on the legislative strength score and overall firearm fatalities using the Sobel-Goodman test.<sup>19,20</sup>

Finally, we examined whether differences between states in their rates of firearm-related fatalities were owing to a replacement effect, ie, the possibility that lower rates of firearm-related fatalities were being replaced with higher rates of nonfirearm-related violent fatalities. We controlled for nonfirearm suicide rates in the suicide regression and for nonfirearm homicide rates in the homicide regression. We performed a Poisson regression with nonfirearm violent fatalities as the outcome and firearm fatalities as the predictor. In addition, we used Poisson regression to evaluate the relationship between legislative strength scores and nonfirearm-related violent fatalities. If these fatalities were associated with firearm legislation, it would suggest that other unmeasured factors affected the rates of both firearm- and nonfirearm-related fatalities.

All of the data analyses were performed using STATA SE, version 11 (StataCorp).

## RESULTS

Between 2007 and 2010, there were 121 084 firearm fatalities in the United States, including 73 702 firearm suicides and 47 382 firearm homicides. The overall firearm fatality rate was 9.9/100 000 individuals per year. The variation between the highest and lowest state-level mortality rates was up to a 6-fold difference (Figure 1 and Table 2). Firearm legislative strength scores per year by state ranged from 0 (Utah) to 24 (Massachusetts) of 28 possible points, with some variation by year (Table 2). The median and range for each legislative strength score quartile were as follows: first quartile, 2 (0-2); second quartile, 3 (3-4); third quartile, 6 (5-8); and fourth quartile, 16 (9-24).

The simple regression model demonstrated that higher legislative strength scores were associated with lower rates of firearm fatalities overall ( $P < .001$ ) (Figure 2A). In the multivariable overall fatality Poisson model, which controlled for state-specific socioeconomic and demographic factors, we found that compared with the referent group of the quartile with the fewest laws, the quartile of states with the most laws had an absolute rate difference of 6.64 deaths/100 000 per year, with an adjusted incident rate ratio (IRR) of 0.58 (95% CI, 0.37-0.92). In the multivariable suicide model, compared with the referent, the quartile with the most laws had an absolute rate difference of 6.25 deaths/100 000 per year, with an adjusted IRR of 0.63 (95% CI, 0.48-0.83). In the multivariable homicide model, compared with the referent, the quartile with the most laws had an absolute rate difference of 0.40 deaths/100 000 per year, with an adjusted IRR of 0.60 (95% CI, 0.38-0.95) (Table 3). In the models including firearm availability, an increased legisla-

**Table 2. State Legislative Strength Scores and Firearm Fatality Rates per 100 000 Individuals per Year, 2007-2010<sup>a</sup>**

Rank	State	Legislative Strength Score	Firearm Fatalities: Mean (SD)		
		Median (range) <sup>b</sup>	Overall	Suicide	Homicide
1	Massachusetts	22.5 (22-24)	3.4 (0.42)	1.7 (0.31)	1.7 (0.18)
2	California	22 (22-23)	8.0 (0.45)	4.0 (0.06)	4.0 (0.45)
	New Jersey	22 (22-24)	4.9 (0.19)	1.9 (0.04)	3.0 (0.27)
4	Connecticut	20 (19-20)	5.1 (0.76)	2.6 (0.40)	2.5 (0.39)
5	New York	19 (19-19)	4.8 (0.18)	2.1 (0.10)	2.7 (0.06)
6	Hawaii	16 (15-16)	2.9 (0.44)	2.3 (0.39)	0.7 (0.08)
	Maryland	16 (15-17)	10.5 (1.20)	4.1 (0.35)	6.3 (1.00)
8	Rhode Island	14 (13-14)	4.1 (0.61)	2.6 (0.70)	1.5 (0.25)
9	Illinois	11.5 (11-12)	7.9 (0.18)	3.3 (0.15)	4.7 (0.22)
10	Michigan	11 (10-11)	10.6 (0.05)	5.6 (0.22)	5.1 (0.22)
11	Delaware	9 (8-9)	9.5 (1.10)	4.6 (0.34)	4.8 (1.20)
12	Pennsylvania	8.5 (8-9)	10.1 (0.24)	5.7 (0.25)	4.3 (0.27)
13	Alabama	8 (8-8)	16.3 (0.73)	9.0 (0.64)	7.2 (0.99)
	North Carolina	8 (7-8)	11.7 (0.44)	7.0 (0.27)	4.6 (0.56)
	Virginia	8 (8-8)	10.1 (0.28)	6.5 (0.33)	3.4 (0.30)
	Washington	8 (8-9)	8.4 (0.12)	6.6 (0.29)	1.8 (0.10)
17	Iowa	7 (3-7)	6.2 (0.87)	5.2 (0.72)	0.9 (0.30)
18	Minnesota	6 (5-6)	6.4 (0.33)	5.2 (0.18)	1.2 (0.22)
	Oregon	6 (6-6)	9.9 (0.64)	8.5 (0.51)	1.3 (0.19)
20	Colorado	5 (5-5)	10.3 (0.54)	8.3 (0.47)	2.1 (0.16)
	Maine	5 (5-5)	8.0 (0.44)	6.8 (0.58)	1.1 (0.09)
	Ohio	5 (4-5)	9.1 (0.70)	5.5 (0.51)	3.6 (0.19)
	South Carolina	5 (5-6)	13.0 (0.24)	7.5 (0.64)	5.4 (0.29)
	Wisconsin	5 (4-5)	8.0 (0.45)	6.0 (0.24)	1.9 (0.34)
	Wyoming	5 (4-5)	15.5 (1.80)	14.6 (1.50)	1.3 (0.004)
26	Georgia	4 (4-5)	12.2 (0.37)	7.2 (0.56)	5.1 (0.58)
	Nebraska	4 (3-4)	7.6 (0.56)	5.2 (0.28)	2.3 (0.40)
	New Hampshire <sup>c</sup>	4 (3-4)	6.4 (0.51)	6.0 (0.86)	NA
	Tennessee	4 (4-4)	14.3 (0.54)	8.9 (0.34)	5.3 (0.44)
	Vermont <sup>c</sup>	4 (4-4)	8.7 (0.75)	7.8 (1.50)	NA
31	Florida	3 (3-4)	11.8 (0.45)	6.9 (0.33)	4.8 (0.48)
	Indiana	3 (2-3)	10.5 (0.36)	6.7 (0.40)	3.8 (0.21)
	Mississippi	3 (3-3)	16.8 (1.10)	9.3 (0.55)	7.4 (0.68)
	Nevada	3 (3-3)	14.9 (0.73)	10.9 (0.35)	3.9 (0.78)
	Texas	3 (3-3)	10.5 (0.21)	6.6 (0.33)	3.9 (0.28)
36	Montana	2.5 (2-3)	14.8 (0.48)	12.8 (0.72)	1.8 (0.41)
37	Arkansas	2 (2-2)	14.5 (0.78)	9.1 (0.52)	5.3 (0.44)
	Kansas	2 (2-4)	9.9 (0.58)	7.0 (0.47)	2.8 (0.41)
	Missouri	2 (2-2)	13.0 (0.56)	7.4 (0.43)	5.5 (0.67)
	North Dakota <sup>c</sup>	2 (2-2)	8.4 (0.16)	7.9 (0.48)	NA
	New Mexico	2 (2-2)	13.8 (0.22)	9.6 (0.26)	4.2 (0.33)
	South Dakota	2 (2-2)	8.2 (1.50)	7.3 (1.50)	0.9 (0.02)
	West Virginia	2 (2-2)	12.7 (1.30)	9.9 (0.88)	2.7 (0.45)
44	Arizona	1.5 (1-2)	13.6 (0.68)	8.9 (0.57)	4.8 (0.89)
	Idaho	1.5 (1-2)	11.8 (0.85)	10.8 (1.00)	1.1 (0.62)
46	Alaska	1 (1-1)	17.5 (2.80)	14.4 (2.70)	3.2 (0.87)
	Kentucky	1 (1-1)	12.6 (0.71)	9.2 (0.36)	3.3 (0.41)
	Louisiana	1 (1-2)	18.0 (0.85)	7.8 (0.54)	10.1 (0.73)
	Oklahoma	1 (1-1)	13.4 (0.41)	9.4 (0.58)	4.0 (0.33)
50	Utah	0.5 (0-1)	9.8 (1.30)	8.8 (1.30)	1.1 (0.19)

Abbreviations: CDC, Centers for Disease Control and Prevention; NA, not available.

<sup>a</sup>Data are from the WISQARS (Web-based Injury Statistics Query and Reporting System)<sup>1</sup> and the legislative strength score.

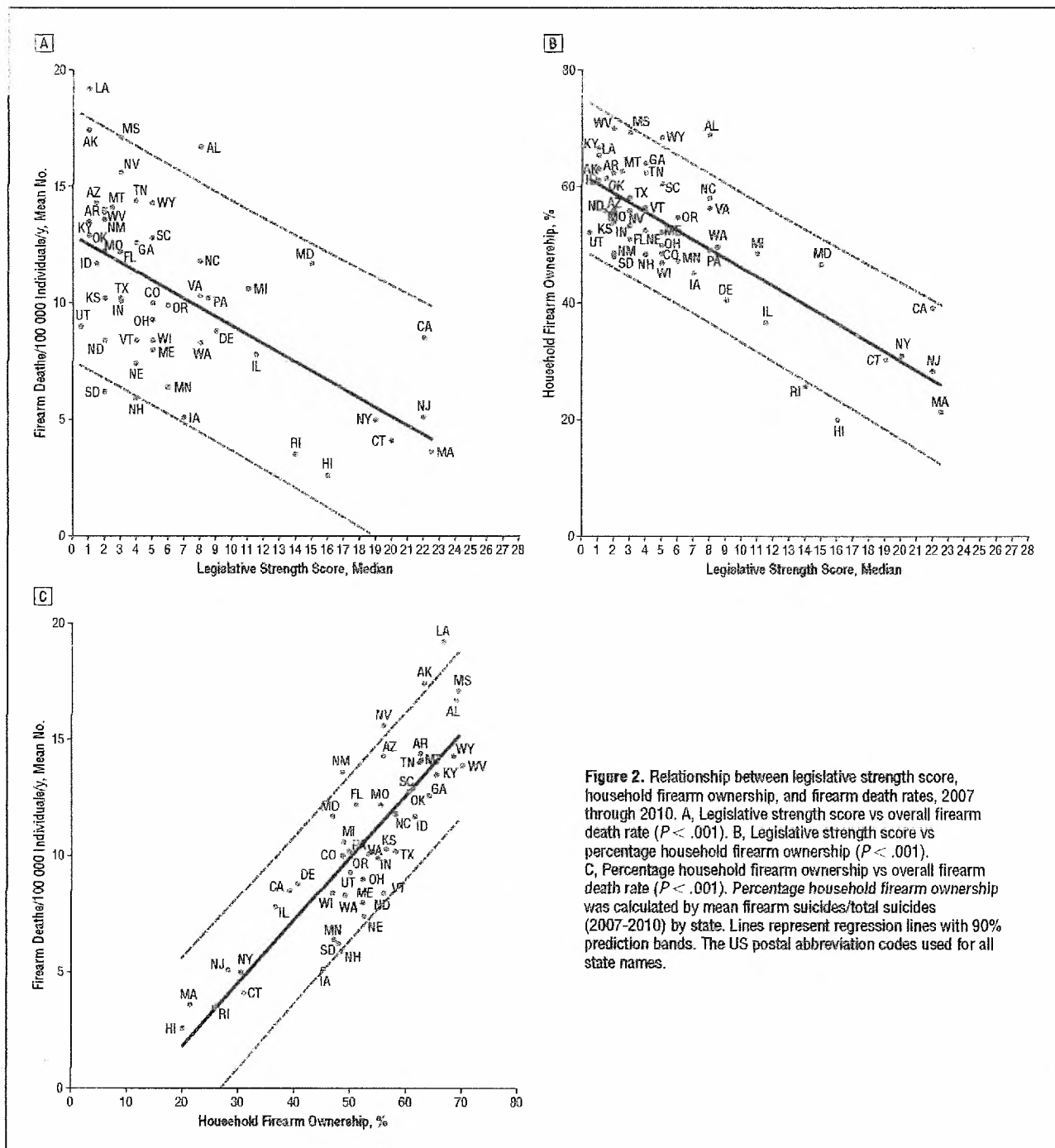
<sup>b</sup>Legislative strength score is the median of the annual scores for 2007 through 2010. The highest legislative strength score received the lowest rank. States with the same legislative strength score are listed in alphabetical order within that score.

<sup>c</sup>State with a low number of annual deaths (<20) from homicide. Mean rate was not available from CDC.

tive strength score trended in the direction of lower firearm homicides but was significant only in quartile 3. Controlling for firearm availability attenuated the association between legislative strength score and firearm suicide. When the Brady Center weighted scores were used as the predictor in the models, the IRRs did not substantially change (data not shown).

For the specific legislative categories, only background checks had a significant relationship across all outcomes, with stronger background checks associated with lower overall firearm fatality rates: a 1-point increase in the background check category had an adjusted IRR of 0.84 (95% CI, 0.78-0.92), lower firearm suicide fatality rates (adjusted IRR, 0.90; 95% CI, 0.87-





**Figure 2.** Relationship between legislative strength score, household firearm ownership, and firearm death rates, 2007 through 2010. A, Legislative strength score vs overall firearm death rate ( $P < .001$ ). B, Legislative strength score vs percentage household firearm ownership ( $P < .001$ ). C, Percentage household firearm ownership vs overall firearm death rate ( $P < .001$ ). Percentage household firearm ownership was calculated by mean firearm suicides/total suicides (2007–2010) by state. Lines represent regression lines with 90% prediction bands. The US postal abbreviation codes used for all state names.

0.94), and lower firearm homicide fatality rates (adjusted IRR, 0.91; 95% CI, 0.84–0.99) (**Table 4**).

Higher legislative strength scores were associated with lower household firearm ownership ( $P < .001$ ) (Figure 2B). Higher percentage of household firearm ownership was associated with higher rates of overall firearm fatalities ( $P < .001$ ) (Figure 2C). The Sobel–Goodman test of mediation demonstrated a significant effect of firearm ownership on the relationship between the legislative strength score and overall firearm fatalities ( $P < .001$ ).

The simple Poisson regression demonstrated no association between firearm-related deaths and nonfire-

arm violent deaths ( $P = .50$ ). There was also no association between legislative strength scores and nonfirearm violence-related deaths ( $P = .20$ ).

## COMMENT

In an analysis of all states using data from 2007 through 2010, we found that a higher number of firearm laws in a state was associated with a lower rate of firearm fatalities in the state. This association was present both before and after controlling for other state-specific and socioeconomic factors. Although the results across quartiles

**Table 3. Change in Firearm Fatality Rates by Legislative Strength Quartile**

Legislative Strength Quartile	Absolute Rate Difference <sup>b,c</sup>	Incident Rate Ratio (95% CI) <sup>a</sup>		
		Model 1 <sup>c</sup>	Model 2 <sup>d</sup>	Model 3 <sup>e</sup>
Overall Firearm Fatalities <sup>f</sup>				
1 (0-2 laws)	0 [Reference]	1 [Reference]	1 [Reference]	1 [Reference]
2 (3-4 laws)	1.48	0.88 (0.74-1.06)	0.92 (0.74-1.10)	0.95 (0.88-1.02)
3 (5-8 laws)	2.96	0.77 (0.63-0.93)	0.88 (0.65-1.19)	0.89 (0.79-1.00)
4 (9-24 laws)	6.64	0.48 (0.36-0.65)	0.58 (0.37-0.92)	1.00 (0.83-1.21)
Firearm Suicide				
1 (0-2 laws)	0 [Reference]	1 [Reference]	1 [Reference]	1 [Reference]
2 (3-4 laws)	1.17	0.85 (0.73-0.99)	0.94 (0.82-1.08)	0.97 (0.94-1.00)
3 (5-8 laws)	2.52	0.78 (0.65-0.93)	0.94 (0.78-1.14)	0.99 (0.96-1.01)
4 (9-24 laws)	6.25	0.34 (0.26-0.43)	0.63 (0.48-0.83)	0.97 (0.92-1.02)
Firearm Homicides <sup>f</sup>				
1 (0-2 laws)	0 [Reference]	1 [Reference]	1 [Reference]	1 [Reference]
2 (3-4 laws)	0.31	0.91 (0.57-1.46)	0.89 (0.71-1.12)	0.83 (0.68-1.08)
3 (5-8 laws)	0.44	0.88 (0.52-1.48)	0.69 (0.46-1.04)	0.65 (0.46-0.93)
4 (9-24 laws)	0.40	0.89 (0.54-1.47)	0.60 (0.38-0.95)	0.79 (0.49-1.26)

<sup>a</sup>Change in firearm fatality rate represented by the incident rate ratio with reference to quartile 1; boldface type indicates a confidence interval that does not overlap 1.

<sup>b</sup>Absolute rate differences are per 100 000 individuals per year with reference to quartile 1.

<sup>c</sup>Absolute rate differences and model 1 are both age adjusted.

<sup>d</sup>Model 2 is adjusted for age and for control variables (state population density; nonfirearm violence-related fatalities; and percentage of the study population that was male, white, black, Hispanic, in poverty, unemployed, and college educated).

<sup>e</sup>Model 3 is adjusted for age and all control variables, including household firearm ownership.

<sup>f</sup>Data aggregated over 4 years for analysis.

**Table 4. Change in Overall Firearm Fatality Rates Associated With 1-Point Increase in Each Legislative Category<sup>a</sup>**

Legislative Category	Overall Firearm Fatalities <sup>b</sup>		Firearm Suicide		Firearm Homicide <sup>b</sup>	
	Absolute Rate Difference <sup>c</sup>	IRR (95% CI) <sup>d</sup>	Absolute Rate Difference <sup>c</sup>	IRR (95% CI) <sup>d</sup>	Absolute Rate Difference <sup>c</sup>	IRR (95% CI) <sup>d</sup>
Firearm trafficking	6.67	1.01 (0.96-1.07)	6.22	1.01 (0.97-1.05)	0.46	0.99 (0.92-1.06)
Strengthen Brady checks <sup>e</sup>	9.80	<b>0.84 (0.78-0.92)</b>	9.42	<b>0.90 (0.87-0.94)</b>	0.41	<b>0.91 (0.84-0.99)</b>
Child safety	5.52	0.87 (0.75-1.00)	5.84	<b>0.86 (0.78-0.95)</b>	-0.32	1.01 (0.89-1.13)
Ban assault weapons	6.35	<b>0.73 (0.59-0.90)</b>	5.37	<b>0.77 (0.67-0.89)</b>	0.97	0.84 (0.66-1.07)
Guns in public places <sup>f</sup>	6.35	<b>0.88 (0.77-0.99)</b>	6.61	<b>0.91 (0.82-0.99)</b>	-0.26	0.94 (0.82-1.09)

Abbreviations: IRR, incident rate ratio; US postal code abbreviations used to indicate individual US states.

<sup>a</sup>The models are adjusted for age and for control variables (state population density; nonfirearm violence-related fatalities; and percentage of the study population that was male, white, black, Hispanic, in poverty, unemployed, and college educated); bold type indicates a confidence interval that does not overlap 1.

<sup>b</sup>Data aggregated over 4 years for analysis.

<sup>c</sup>Absolute rate difference between states with lowest score and those with highest score in given legislative category. Rates are age adjusted and reflect the number per 100 000 individuals per year. Low and high scores in the given categories are as follows: Firearm trafficking low, 0 (20 states); high, 7-8 (CA, MA, and NJ). Strengthen Brady checks low, 0 (33 states); high, 6-7 (CT, HI, MA, and NJ). Child safety low, 0 (21 states); high, 4-5 (CA, MD, MA, and NJ). Ban assault weapons low, 0 (43 states); high, 2 (CA, HI, MA, NJ, and NY). Guns in public places low, 0-1 (10 states); high, 4 (CA, CT, HI, IL, MA, NJ, and NY).

<sup>d</sup>Change in firearm fatality rates, represented by the IRR, between scores 1 point apart in a specific legislative category.

<sup>e</sup>This includes universal background checks and permits to purchase. See Table 1 for further details.

<sup>f</sup>States that do not have laws that allow guns in public places. See Table 1.

2 through 4 of the legislative strength score demonstrated lower firearm fatalities, these results were only significant when the states with the highest scores were compared with those with the lowest scores. It is important to note that our study was ecological and cross-sectional and could not determine cause-and-effect relationship.

Previous studies evaluating the association of firearm legislation and reducing firearm injuries and fatalities in the United States have had mixed results. Most of the studies focused on specific laws, not the aggregate effect of all laws.<sup>21</sup> For example, a study evaluating the Brady Act, which mandates background checks for fire-

arm purchases, found that suicide rates among persons 55 years or older were reduced, but there were no other differential effects of the law.<sup>22</sup> Despite the law's intent, background checks are relatively easily thwarted at gun shows, flea markets, and elsewhere, where a person who would otherwise be prohibited from purchasing firearms can purchase a gun from a private seller without a background check.<sup>23,24</sup>

Studies that have examined the cumulative impact of firearm legislation, rather than single laws, have often focused on the association of legislation and suicide.<sup>25,26</sup> Conner and Zhong,<sup>27</sup> using data across all 50 states from 1999 to 2000, demonstrated that more restrictive firearm laws

were associated with lower rates of suicide. Price et al,<sup>12</sup> using data from 1999 across all 50 states, also found a strong association between restrictiveness of gun laws and firearm suicide but little association with firearm homicide. The association with firearm suicide was not significant after adjusting for household gun ownership levels.<sup>12</sup>

Another important factor affecting suicide is whether guns are stored safely in the home. Guns are the most common method of suicide overall<sup>1</sup> and teen suicide in particular,<sup>28,29</sup> and increased accessibility to loaded, unlocked guns is associated with an increased risk of suicide.<sup>30-33</sup> A case-control study found that safe gun storage practices, which can be required by state law, were associated with a decreased risk of teen suicide and unintentional firearm injuries.<sup>34</sup>

One way that firearm legislation may act to reduce firearm fatalities is through reducing firearm prevalence.<sup>35</sup> Studies have shown a strong connection between gun ownership and firearm suicide<sup>8,36</sup> and firearm homicide.<sup>37</sup> A cross-sectional study of all 50 states from 2001 to 2003 found that higher rates of household firearm ownership were associated with significantly higher rates of homicide.<sup>38</sup> Similarly, rates of suicide are higher in states with greater rates of household firearm ownership.<sup>39</sup>

Although our study found an association between legislation strength, firearm availability, and overall firearm fatalities, the nature of this association should be further characterized. Within a state, culture and attitudes toward firearms may confound the association between firearm ownership and firearm legislation. High levels of gun ownership might be related to both high rates of firearm deaths and a cultural environment in which it is more difficult for a state to enact strict firearm laws. Firearm ownership may also be a mediator of the relationship between the legislative strength score and overall fatalities. The change in the coefficients in the model after the inclusion of household gun ownership rates is consistent with both mediation and confounding.

As is not surprising in a cross-sectional ecological study, we found some heterogeneity in the firearm fatality rates among the states within each level of the legislative strength scores (eg, South Dakota has weak gun control laws and low rates of firearm fatality). Such heterogeneity is to be expected and is the reason to conduct a study that involves all 50 states.

Our study has limitations. First, the legislative strength score, which tallies a single point per law, has not been validated. Neither has the weighted Brady scoring system, and we are unaware of any such scoring systems that have been validated. Our results, which divided states into quartiles of legislative strength, were essentially the same with either of these scoring systems. Second, we examined only deaths by firearms, not nonfatal firearm injuries; fatality was our primary outcome. Approximately 2.6 nonfatal firearm injuries are treated for every fatal firearm injury.<sup>1,40</sup> Third, we were unable to control for the enforcement of firearm laws or the exploitation of loopholes, which may vary between states. Fourth, although we adjusted for many state-based factors associated with firearm fatalities, there may be additional factors not considered in our model that are relevant (eg, city laws and police enforcement). However, we included nonfirearm suicides and nonfirearm homi-

cides in some of our analyses to control for the potential role of additional factors. We found little evidence of substitution—rates of firearm-related deaths were not correlated with rates of nonfirearm violent death in the multivariable model. Fifth, although we found that states with more legislation have lower fatality rates, ie, are “safer” states, in a cross-sectional ecological study we could not determine if the greater number of laws were the reason for the reduced fatality rates. The association could have been confounded by firearm ownership rates or other unaccounted factors.

In conclusion, we found an association between the legislative strength of a state's firearm laws—as measured by a higher number of laws—and a lower rate of firearm fatalities. The association was significant for firearm fatalities overall and for firearm suicide and firearm homicide deaths, individually. As our study could not determine a cause-and-effect relationship, further studies are necessary to define the nature of this association.

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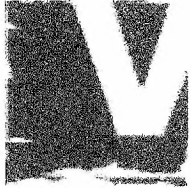
Author Contributions: Dr Fleegler has had full access to all the data in the study and takes responsibility for the integrity of the data and the accuracy of the data analysis. Study concept and design: Fleegler, Lee, and Mannix. Acquisition of data: Fleegler and Mannix. Analysis and interpretation of data: Fleegler, Lee, Monuteaux, Hemenway, and Mannix. Drafting of the manuscript: Fleegler and Mannix. Critical revision of the manuscript for important intellectual content: Fleegler, Lee, Monuteaux, Hemenway, and Mannix. Statistical analysis: Monuteaux and Mannix. Administrative, technical, and material support: Fleegler. Conflict of Interest Disclosures: None reported.

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Violence Policy Center

# **Firearm Justifiable Homicides and Non-Fatal Self-Defense Gun Use**

An Analysis of Federal Bureau of Investigation and  
National Crime Victimization Survey Data

**The Violence Policy Center** (VPC) is a national non-profit educational organization that conducts research and public education on violence in America and provides information and analysis to policymakers, journalists, advocates, and the general public. This study was funded with the support of the David Bohnett Foundation, The Herb Block Foundation, and The Joyce Foundation. This study was authored by VPC Senior Policy Analyst Marty Langley and VPC Executive Director Josh Sugarmann. Past studies released by the VPC include:

*Lost Youth: A County-by-County Analysis of 2011 California Homicide Victims Ages 10 to 24* (March 2013) ♦ *States With Higher Gun Ownership and Weak Gun Laws Lead Nation in Gun Death* (February 2013, annual study) ♦ *Black Homicide Victimization in the United States: An Analysis of 2010 Homicide Data* (January 2013, annual study) ♦ *When Men Murder Women: An Analysis of 2010 Homicide Data* (September 2012, annual study) ♦ *Understanding the Smith & Wesson M&P15 Semiautomatic Assault Rifle Used in the Aurora, Colorado Mass Murder* (July 2012) ♦ *Gun Deaths Outpace Motor Vehicle Deaths in 10 States in 2009* (May 2012) ♦ *Bullet Buttons: The Gun Industry's Attack on California's Assault Weapons Ban* (May 2012) ♦ *American Roulette: Murder-Suicide in the United States* (May 2012, Third Edition) ♦ *"Never Walk Alone"—How Concealed Carry Laws Boost Gun Industry Sales* (April 2012) ♦ *More Guns, More Shootings* (January 2012) ♦ *The Militarization of the U.S. Civilian Firearms Market* (June 2011) ♦ *A Shrinking Minority: The Continuing Decline of Gun Ownership in America* (April 2011) ♦ *Blood Money: How the Gun Industry Bankrolls the NRA* (April 2011) ♦ *Accessories to Murder* (January 2011) ♦ *Drive-by America: Second Edition* (July 2010) ♦ *Lessons Unlearned—The Gun Lobby and the Siren Song of Anti-Government Rhetoric* (April 2010) ♦ *Target: Law Enforcement—Assault Weapons in the News* (February 2010) ♦ *Law Enforcement and Private Citizens Killed by Concealed Handgun Permit Holders—An Analysis of News Reports, May 2007 to April 2009* (July 2009) ♦ *Indicted: Types of Firearms and Methods of Gun Trafficking from the United States to Mexico as Revealed in U.S. Court Documents* (April 2009) ♦ *Iron River: Gun Violence and Illegal Firearms Trafficking on the U.S.-Mexico Border* (March 2009) ♦ *Youth Gang Violence and Guns: Data Collection in California* (February 2009) ♦ *"Big Boomers"—Rifle Power Designed Into Handguns* (December 2008) ♦ *An Analysis of the Decline in Gun Dealers: 1994 to 2007* (August 2007) ♦ *Clear and Present Danger: National Security Experts Warn About the Danger of Unrestricted Sales of 50 Caliber Anti-Armor Sniper Rifles to Civilians* (July 2005) ♦ *The Threat Posed to Helicopters by 50 Caliber Anti-Armor Sniper Rifles* (August 2004) ♦ *United States of Assault Weapons: Gunmakers Evading the Federal Assault Weapons Ban* (July 2004) ♦ *Vest Buster: The .500 Smith & Wesson Magnum—The Gun Industry's Latest Challenge to Law Enforcement Body Armor* (June 2004) ♦ *Bullet Hoses—Semiautomatic Assault Weapons: What Are They? What's So Bad About Them?* (May 2003) ♦ *"Officer Down"—Assault Weapons and the War on Law Enforcement* (May 2003) ♦ *"Just Like Bird Hunting"—The Threat to Civil Aviation from 50 Caliber Sniper Rifles* (January 2003) ♦ *Sitting Ducks—The Threat to the Chemical and Refinery Industry from 50 Caliber Sniper Rifles* (August 2002) ♦ *License to Kill IV: More Guns, More Crime* (June 2002) ♦ *The U.S. Gun Industry and Others Unknown—Evidence Debunking the Gun Industry's Claim that Osama bin Laden Got His 50 Caliber Sniper Rifles from the U.S. Afghan-Aid Program* (February 2002) ♦ *"A .22 for Christmas"—How the Gun Industry Designs and Markets Firearms for Children and Youth* (December 2001) ♦ *Unintended Consequences: Pro-Handgun Experts Prove That Handguns Are a Dangerous Choice For Self-Defense* (November 2001) ♦ *Voting from the Rooftops: How the Gun Industry Armed Osama bin Laden, Other Foreign and Domestic Terrorists, and Common Criminals with 50 Caliber Sniper Rifles* (October 2001) ♦ *Hispanics and Firearms Violence* (May 2001) ♦ *Where'd They Get Their Guns?—An Analysis of the Firearms Used in High-Profile Shootings, 1963 to 2001* (April 2001) ♦ *A Deadly Myth: Women, Handguns, and Self-Defense* (January 2001) ♦ *Handgun Licensing and Registration: What it Can and Cannot Do* (September 2000) ♦ *Pocket Rockets: The Gun Industry's Sale of Increased Killing Power* (July 2000) ♦ *Guns For Felons: How the NRA Works to Rearm Criminals* (March 2000) ♦ *One Shot, One Kill: Civilian Sales of Military Sniper Rifles* (May 1999) ♦ *Cease Fire: A Comprehensive Strategy to Reduce Firearms Violence* (Revised, October 1997)

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## Introduction

Guns are rarely used to kill criminals or stop crimes.

In 2010, across the nation there were only 230 justifiable homicides<sup>1</sup> involving a private citizen using a firearm reported to the Federal Bureau of Investigation's Uniform Crime Reporting (UCR) Program as detailed in its Supplementary Homicide Report (SHR).<sup>2</sup> That same year, there were 8,275 criminal gun homicides tallied in the SHR. *In 2010, for every justifiable homicide in the United States involving a gun, guns were used in 36 criminal homicides.*<sup>3</sup> And this ratio, of course, does not take into account the thousands of lives ended in gun suicides (19,392) or unintentional shootings (606) that year.<sup>4</sup>

This report analyzes, on both the national and state levels, the use of firearms in justifiable homicides. It also details, using the best data available on the national level, the *total* number of times guns are used for self-defense by the victims of both attempted and completed violent crimes and property crimes—whether or not the use of the gun by the victim resulted in a fatality.

Key findings of this report, as detailed in its accompanying tables, include the following.

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<sup>1</sup> The Federal Bureau of Investigation (FBI) defines “justifiable homicide” as the killing of a felon, during the commission of a felony, by a private citizen.

<sup>2</sup> The Federal Bureau of Investigation's Uniform Crime Reporting (UCR) Program collects basic information on serious crimes from participating police agencies and records supplementary information about the circumstances of homicides in its unpublished Supplementary Homicide Report (SHR). The SHR contains more detailed information not available through published UCR data or elsewhere including: the age, sex, and race of victims and offenders; the types of weapons used; the relationship of victims to offenders; and, the circumstances of the homicides. Detailed information (such as weapon used, relationship between the victim and offender, etc) in the SHR is available *only* for the first victim and/or offender in any justifiable homicide or homicide incident. From 2006 to 2010, 97.8 percent of justifiable homicide incidents (1,008 out of 1,031) had just one victim. Recognizing how the data is presented in the SHR and the fact that virtually all justifiable incidents had just one victim, throughout this report justifiable homicide incidents will be referred to as justifiable homicides.

<sup>3</sup> Number of reported justifiable homicides and homicides taken from Federal Bureau of Investigation (FBI) Uniform Crime Reporting (UCR) Program Supplementary Homicide Report (SHR) as tabulated by the Violence Policy Center. It is important to note that the coding contained in the SHR data used in this report comes from law enforcement reporting at the local level. The level of information submitted to the SHR system may vary from agency to agency. While this study utilizes the best and most recent data available, it is limited by the degree of detail in the information submitted.

<sup>4</sup> Source: Federal Centers for Disease Control and Prevention WISQARS database.



### Justifiable Homicides with a Gun Compared to Criminal Gun Homicides

- In 2010, there were only 230 justifiable homicides involving a gun. For the five-year period 2006 through 2010, there were only 1,031 justifiable homicides involving a gun. [For additional information see *Table One: Firearm Justifiable Homicides by State, 2006–2010.*]
- In 2010, 15 states<sup>5</sup> reported no justifiable homicides (Alabama, Connecticut, Hawaii, Idaho, Illinois, Iowa, Montana, New Hampshire, New York, North Carolina, North Dakota, Vermont, West Virginia, Wisconsin, and Wyoming). [For additional information see *Table One: Firearm Justifiable Homicides by State, 2006–2010.*]
- In 2010 for every justifiable homicide in the United States involving a gun, guns were used in 36 criminal homicides. For the five-year period 2006 through 2010, for every justifiable homicide in the United States involving a gun, guns were used in 44 criminal homicides. [For additional information see *Table Two: Circumstances for Homicides by Firearm, 2006–2010.*]

### Relationship of Person Killed to Shooter in Justifiable Homicides

- In 2010, 35.7 percent (82 of 230) of persons killed in a firearm justifiable homicide were known<sup>6</sup> to the shooter, 56.5 percent (130) were strangers, and in 7.8 percent (18) the relationship was unknown. For the five-year period 2006 through 2010, 31.4 percent (324 of 1,031) of persons killed in a firearm justifiable homicide were known to the shooter, 57.0 percent (588) were strangers, and in 11.5 percent (119) the relationship was unknown. [For additional information see *Table Three: Relationship of Person Killed to Shooter in Justifiable Homicides by Firearm, 2006–2010.*]

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<sup>5</sup> In 2010, as in years past, the state of Florida did not submit any data to the FBI Supplementary Homicide Report. Data from Florida was not requested individually because the difference in collection techniques would create a bias in the study results. In addition, according to the FBI, limited SHR data was received from Illinois for 2010. For the five-year period 2006 through 2010, the District of Columbia submitted SHR data only in 2009, during which there were no justifiable homicides in the District.

<sup>6</sup> Relationship categories in which the justifiable homicide victim was known to the shooter are acquaintance, boyfriend, brother, common-law husband, employee, ex-husband, ex-wife, father, friend, girlfriend, husband, in-law, neighbor, other family, other known, son, stepfather, stepson, and wife.



### **Sex of Shooter in Justifiable Homicides by Firearm**

- In 2010, of the 230 firearm justifiable homicides, 89.1 percent (205) were committed by men, 10.4 percent (24) were committed by women, and in one case (0.4 percent) the gender of the shooter was unknown. For the five-year period 2006 through 2010, of the 1,031 firearm justifiable homicides, 91.3 percent (941) were committed by men, 7.3 percent (75) were committed by women, and in 15 cases (1.5 percent) the gender of the shooter was unknown. [For additional information see *Table Four: Sex of Shooter in Justifiable Homicides by Firearm, 2006–2010.*]

### **Sex of Shooters and Persons Killed, Justifiable Homicides by Firearm**

- In 2010, of the 230 firearm justifiable homicides, 98.3 percent (226) of the persons shot and killed were men and 1.7 percent (four) were women. For the five-year period 2006 through 2010, of the 1,031 firearm justifiable homicides, 98.5 percent (1,016) of the persons shot and killed were men and 1.5 percent (15) were women. [For additional information see *Table Five: Sex of Person Killed in Justifiable Homicides by Firearm, 2006–2010.*]
- In 2010, 98.5 percent (202) of the persons killed by a male with a gun in a justifiable homicide were male and 1.5 percent (three) were female. For the five-year period 2006 through 2010, 98.7 percent (929) of the persons killed by a male with a gun in a justifiable homicide were male and 1.3 percent (12) were female. [For additional information see *Table Six: Sex of Shooter and Person Killed, Justifiable Homicides by Firearm, 2006–2010.*]
- In 2010, 95.8 percent (23) of the persons killed by a female with a gun in a justifiable homicide incident were male and 4.2 percent (one) were female. For the five-year period 2006 through 2010, 96.0 percent (72) of the persons killed by a female with a gun in a justifiable homicide incident were male and 4.0 percent (three) were female. [For additional information see *Table Six: Sex of Shooter and Person Killed, Justifiable Homicides by Firearm, 2006–2010.*]

### Race of Shooter in Justifiable Homicides by Firearm

- In 2010, 52.6 percent (121) of the shooters who committed justifiable homicides were white, 44.3 percent (102) were black, 2.2 percent (five) were Asian, none were American Indian, and 0.9 percent (two) were of unknown race.<sup>7</sup> For the five-year period 2006 through 2010, 53.1 percent (547) of the shooters who committed justifiable homicides were white, 40.8 percent (421) were black, 3.3 percent (34) were Asian, 0.4 percent (four) were American Indian, and 2.4 percent (25) were of unknown race. [For additional information see *Table Seven: Race of Shooter in Justifiable Homicides by Firearm, 2006–2010.*]

### Race of Persons Killed in Justifiable Homicides by Firearm

- In 2010, 39.1 percent (90) of persons killed with a gun in a justifiable homicide were white, 60.0 percent (138) were black, none were Asian, 0.4 percent (one) was American Indian, and 0.4 percent (one) were of unknown race. For the five-year period 2006 through 2010, 39.6 percent (408) of persons killed with a gun in a justifiable homicide were white, 58.2 percent (600) were black, 0.4 percent (four) were Asian, 1.1 percent (11) were American Indian, and 0.8 percent (eight) were of unknown race. [For additional information see *Table Eight: Race of Persons Killed in Justifiable Homicides by Firearm, 2006–2010.*]
- In 2010, 67.8 percent (82) of the persons killed with a gun in a justifiable homicide by a white shooter were white, 30.6 percent (37) were black, none were Asian, 0.8 percent (one) were American Indian, and 0.8 percent (one) were of unknown race. For the five-year period 2006 through 2010, 65.1 percent (356) of the persons killed by white shooters were white, 32.7 percent (179) were black, 0.2 percent (one) were Asian, 1.1 percent (six) were American Indian, and 0.9 percent (five) were of unknown race. [For additional information see *Table Nine: Race of Shooter and Person Killed, Justifiable Homicides by Firearm, 2006–2010.*]

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<sup>7</sup> Detailed information (such as race of offender and victim) in the FBI's Supplementary Homicide Report is only available for the first victim and/or offender in the incident. Hispanic ethnicity could not be determined because of the inadequacy of data collection and reporting.

- In 2010, 4.9 percent (five) of the persons killed with a gun in a justifiable homicide by a black shooter were white, 95.1 percent (97) were black, none were Asian, none were American Indian, and none were of unknown race. For the five-year period 2006 through 2010, 7.6 percent (32) of the persons killed by black shooters were white, 92.2 percent (388) were black, none were Asian, 0.2 percent (one) were American Indian, and none were of unknown race. [For additional information see *Table Nine: Race of Shooter and Person Killed, Justifiable Homicides by Firearm, 2006–2010.*]

### Types of Firearms Used in Justifiable Homicides

- In 2010, firearms were used in 83.0 percent of justifiable homicides (230 of 277). Of these: 72.2 percent (166) were handguns; 12.2 percent (28) were shotguns; 3.5 percent (eight) were rifles; and, 12.2 percent (28) were firearm, type not stated. For the five-year period 2006 through 2010, firearms were used in 81.3 percent of justifiable homicide incidents (1,031 of 1,268). Of these: 77.7 percent (801) were handguns; 9.1 percent (94) were shotguns; 4.5 percent (46) were rifles; 8.5 percent (88) were firearm, type not stated; and, 0.2 percent (two) were “other gun.” [For additional information see *Table Ten: Weapon Used in Justifiable Homicides, 2006–2010* and *Table Eleven: Type of Firearms Used in Justifiable Homicides, 2006–2010.*]

### Number of Persons Shot and Killed in Justifiable Homicides by Firearm

- In 2010, of the 230 justifiable homicides involving a firearm: 98.3 percent (226) involved a single person killed in the justifiable homicide; 0.9 percent (two) involved two persons killed in the justifiable homicide; and, 0.9 percent (two) involved three persons killed in the justifiable homicide. For the five-year period 2006 through 2010, of the 1,031 justifiable homicides involving a firearm: 97.8 percent (1,008) involved a single person killed in the justifiable homicide; 1.8 percent (19) involved two persons killed in the justifiable homicide; 0.3 percent (three) involved three persons killed in the justifiable homicide; and, 0.1 percent (one) involved five persons killed in the justifiable homicide.

### How Often are Guns Used in Self-Defense Whether or Not a Criminal is Killed?

While it is clear that guns are rarely used to justifiably kill criminals, an obvious question remains: How often are guns used in self-defense whether or not a criminal is killed?

Pro-gun advocates—from individual gun owners to organizations like the National Rifle Association—frequently claim that guns are used up to 2.5 million times each year in self-defense in the United States.<sup>8</sup> According to the 2004 book *Private Guns, Public Health* by Dr. David Hemenway, Professor of Health Policy at the Harvard School of Public Health and director of the Harvard Injury Control Research Center:

Much discussion about the protective benefits of guns has focused on the incidence of self-defense gun use. Proponents of such putative benefits often claim that 2.5 million Americans use guns in self-defense against criminal attackers each year. This estimate is not plausible and has been nominated as the “most outrageous number mentioned in a policy discussion by an elected official.”

In his book, Hemenway dissects the 2.5 million number from a variety of angles and, by extension, the NRA’s own non-lethal self-defense claims for firearms. He concludes, “It is clear that the claim of 2.5 million annual self-defense gun uses is a vast overestimate” and asks, “But what can account for it?” As he details in his book, the main culprit is the “telescoping and...false positive problem” that derives from the very limited number of respondents claiming a self-defense gun use, “a matter of misclassification that is well known to medical epidemiologists.”<sup>9</sup>

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<sup>8</sup> See, for example: “The Armed Citizen” (“Studies indicate that firearms are used more than 2 million times a year for personal protection...”), *America’s 1<sup>st</sup> Freedom*, National Rifle Association, March 2013; “Bob Costas interrupts football game to bash American gun owners” (“According to criminologist Gary Kleck, 2.5 million Americans use firearms to defend their lives and the lives of their loved ones each year”), Chris W. Cox, NRA-ILA Executive Director (<http://www.nra.org/about-nra-ila/from-the-director.aspx>, downloaded April 8, 2013); and, “Chris Cox’s NRA Armed Citizen: True Stories of Your Right to Self Defense in Action,” (“While the anti-gun media doesn’t want to report the truth about Americans using guns for self-defense as often as 2.5 million times a year, you can read breaking stories of everyday citizens fending off violent criminals in CHRIS COX’S ARMED CITIZEN”), *Armed Citizen E-Newsletter* (<https://www.nra.org/armedcitizen/>, downloaded April 8, 2013). The 2.5 million estimate is the result of a telephone survey conducted by Florida State University criminologist Dr. Gary Kleck, see Hemenway, David, “The Myth of Millions of Annual Self-Defense Gun Uses: A Case Study of Survey Overestimates of Rare Events,” *Chance* (American Statistical Association), Volume 10, No. 3, 1997.

<sup>9</sup> For a more detailed discussion, please see Hemenway, David, *Private Guns, Public Health*, (The University of Michigan Press, 2004), pp. 66-69 and pp. 238-243.

**New Estimates on Self-Defense Uses of Firearms from the Bureau of Justice Statistics'  
National Crime Victimization Survey**

Hemenway notes, and numerous others agree, that the most accurate survey of self-defense gun use is the National Crime Victimization Survey (NCVS) conducted by the Bureau of Justice Statistics. The survey has been ongoing since 1973.<sup>10</sup>

### **Violent Crime**

According to the NCVS, looking at the total number of self-protective behaviors undertaken by victims of both attempted and completed violent crime for the *five-year period 2007 through 2011*, in only 0.8 percent of these instances had the intended victim in resistance to a criminal “threatened or attacked with a firearm.”<sup>11</sup> As detailed in the chart on the next page, for the *five-year period 2007 through 2011*, the NCVS estimates that there were 29,618,300 victims of attempted or completed violent crime. During this same *five-year period*, only 235,700 of the self-protective behaviors involved a firearm. Of this number, it is not known what type of firearm was used or whether it was fired or not. The number may also include off-duty law enforcement officers who use their firearms in self-defense.

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<sup>10</sup> According to the website of the Bureau of Justice Statistics, the National Crime Victimization Survey (NCVS) “is the Nation’s primary source of information on criminal victimization. Each year, data are obtained from a nationally representative sample of about 40,000 households comprising nearly 75,000 persons on the frequency, characteristics and consequences of criminal victimization in the United States. Each household is interviewed twice during the year. The survey enables BJS to estimate the likelihood of victimization by rape, sexual assault, robbery, assault, theft, household burglary, and motor vehicle theft for the population as a whole as well as for segments of the population such as women, the elderly, members of various racial groups, city dwellers, or other groups. The NCVS provides the largest national forum for victims to describe the impact of crime and characteristics of violent offenders,” (see <http://www.bjs.gov/index.cfm?ty=dcdetail&iid=245>).

<sup>11</sup> For “violent crime” the NCVS measures rape/sexual assault, robbery, and aggravated and simple assault (see Bureau of Justice Statistics, “Violent Crime,” <http://bjs.gov/index.cfm?ty=tp&tid=31#summary>).

Self-Protective Behaviors by Type of Crime, 2007–2011				
	Violent Crime 2007–2011		Property Crime 2007–2011	
	Total	Percent	Total	Percent
Total Number of Crimes	29,618,300	100	84,495,500	100
Self-Protective Behavior				
Offered no resistance	12,987,300	43.8	10,162,000	12.0
Threatened or attacked with a firearm	235,700	0.8	103,000	0.1
Threatened or attacked with other weapon	391,100	1.3	38,200	–
Threatened or attacked without a weapon	6,552,900	22.1	421,300	0.5
Nonconfrontational tactics–yelled, ran, or argued	7,768,700	26.2	1,187,100	1.4
Other reaction	1,641,300	5.5	223,400	0.3
Unknown reaction	41,300	0.1	12,200*	–
Property crime–victim not present	~	~	72,348,200	85.6
– Less than 0.1 percent	~ Not applicable			
* Interpret with caution. Estimate based on 10 or fewer sample cases, or coefficient of variation is greater than 50 percent.				
Source: SPECIAL TABULATION, Bureau of Justice Statistics, National Crime Victimization Survey, 2007–2011				



## Property Crime

According to the NCVS, looking at the total number of self-protective behaviors undertaken by victims of attempted or completed property crime for the *five-year period 2007 through 2011*, in only 0.1 percent of these instances had the intended victim in resistance to a criminal “threatened or attacked with a firearm.”<sup>12</sup> As detailed in the table on the previous page, for the *five-year period 2007 through 2011*, the NCVS estimates that there were 84,495,500 victims of attempted or completed property crime. During this same *five-year period*, only 103,000 of the self-protective behaviors involved a firearm. Of this number, it is not known what type of firearm was used, whether it was fired or not, or whether the use of a gun would even be a legal response to the property crime. And as before, the number may also include off-duty law enforcement officers. In comparison, new data from the Department of Justice shows that an average of 232,400 guns were stolen *each year* from U.S. households from 2005 to 2010.<sup>13</sup>

## Comparing NCVS Data to Claims that Guns are Used in Self-Defense 2.5 Million Times a Year

Using the NCVS numbers, for the *five-year period 2007 through 2011*, the total number of self-protective behaviors involving a firearm by victims of attempted or completed violent crimes or property crimes totaled only 338,700. In comparison, the gun lobby claims that during the same *five-year period* guns were used 12.5 million times in self-defense (applying to the five-year period the gun lobby’s oft-repeated claim, noted earlier, that firearms are used in self-defense 2.5 million times a year).

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<sup>12</sup> For “property crime” the NCVS measures household burglary, motor vehicle theft, as well as property theft. Since the survey information is obtained from a sample of households, it does not include property crimes affecting businesses or other commercial establishments. If such crimes are reported to law enforcement, they are included in the FBI’s Uniform Crime Reporting Program. The NCVS includes property crimes affecting victims and household members which were reported and not reported to the police. (See Bureau of Justice Statistics, “Property Crime,” <http://bjs.gov/index.cfm?ty=tp&tid=32>).

<sup>13</sup> “Firearms Stolen during Household Burglaries and Other Property Crimes 2005–2010,” U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, November 2012.

## Conclusion

The reality of self-defense gun use bears no resemblance to the exaggerated claims of the gun lobby and gun industry. The number of justifiable homicides that occur in our nation each year pale in comparison to criminal homicides, let alone gun suicides and fatal unintentional shootings. And contrary to the common stereotype promulgated by the gun lobby,<sup>14</sup> those killed in justifiable homicide incidents don't always fit the expected profile of an attack by a stranger: in 35.7 percent of the justifiable homicides that occurred in 2010 the persons shot were known to the shooter.

The devastation guns inflict on our nation each and every year is clear: nearly 32,000 dead, more than 73,000 wounded, and an untold number of lives and communities shattered. Unexamined claims of the efficacy and frequency of the self-defense use of firearms are the default rationale offered by the gun lobby and gun industry for this unceasing, bloody toll. The idea that firearms are frequently used in self-defense is the primary argument that the gun lobby and firearms industry use to expand the carrying of firearms into an ever-increasing number of public spaces and even to prevent the regulation of military-style semiautomatic assault weapons and high-capacity ammunition magazines. Yet this argument is hollow and the assertions false. When analyzing the most reliable data available, what is most striking is that in a nation of more than 300 million guns, how *rarely* firearms are used in self-defense.<sup>15</sup>

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<sup>14</sup> For an example of the images used by the NRA, see those accompanying “Chris Cox’s NRA Armed Citizen: True Stories of Your Right to Self Defense in Action,” *Armed Citizen E-Newsletter* (<https://www.nra.org/armedcitizen/>, downloaded April 8, 2013).

<sup>15</sup> It is estimated that the total number of firearms available to civilians in the United States is 310 million: 114 million handguns, 110 million rifles, and 86 million shotguns. Krouse, William J., *Gun Control Legislation*, Congressional Research Service, November 14, 2012, p. 8.

State	Number of Justifiable Homicides					
	2006	2007	2008	2009	2010	Total
Rhode Island	0	0	0	0	1	1
South Carolina	5	5	9	6	7	32
South Dakota	0	0	0	0	1	1
Tennessee	10	18	19	10	14	71
Texas	30	38	41	44	44	197
Utah	0	0	0	0	1	1
Vermont	0	0	0	0	0	0
Virginia	4	5	6	9	5	29
Washington	3	3	0	3	2	11
West Virginia	0	0	0	0	0	0
Wisconsin	2	3	4	6	0	15
Wyoming	0	0	0	0	0	0
<b>Total</b>	<b>187</b>	<b>196</b>	<b>205</b>	<b>213</b>	<b>230</b>	<b>1,031</b>

**Table Nine: Race of Shooter and Person Killed, Justifiable Homicides by Firearm, 2006–2010**

Race of Shooter	Race of Person Killed	Number of Justifiable Homicides											
		2006		2007		2008		2009		2010		Total	
White	White	62	60.2%	64	66.0%	71	62.3%	77	68.8%	82	67.8%	356	65.1%
	Black	39	37.9%	31	32.0%	38	33.3%	34	30.4%	37	30.6%	179	32.7%
	Asian	0	0.0%	0	0.0%	1	0.9%	0	0.0%	0	0.0%	1	0.2%
	American Indian	1	1.0%	0	0.0%	3	2.6%	1	0.9%	1	0.8%	6	1.1%
	Unknown	1	1.0%	2	2.1%	1	0.9%	0	0.0%	1	0.8%	5	0.9%
Black	White	9	12.7%	5	6.0%	5	6.8%	8	8.8%	5	4.9%	32	7.6%
	Black	61	85.9%	78	94.0%	69	93.2%	83	91.2%	97	95.1%	388	92.2%
	Asian	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
	American Indian	1	1.4%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	0.2%
	Unknown	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Asian	White	1	25.0%	2	25.0%	5	45.5%	0	0.0%	1	20.0%	9	26.5%
	Black	2	50.0%	6	75.0%	5	45.5%	4	66.7%	4	80.0%	21	61.8%
	Asian	1	25.0%	0	0.0%	1	9.1%	1	16.7%	0	0.0%	3	8.8%
	American Indian	0	0.0%	0	0.0%	0	0.0%	1	16.7%	0	0.0%	1	2.9%
	Unknown	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
American Indian	White	0	0.0%	0	0.0%	1	100.0%	1	100.0%	0	0.0%	2	50.0%
	Black	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
	Asian	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
	American Indian	1	100.0%	1	100.0%	0	0.0%	0	0.0%	0	0.0%	2	50.0%
	Unknown	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
<b>Total</b>		<b>179</b>		<b>189</b>		<b>200</b>		<b>210</b>		<b>228</b>		<b>1,006</b>	

**Table Ten: Weapon Used in Justifiable Homicides, 2006–2010**

Weapon	Number of Justifiable Homicides											
	2006		2007		2008		2009		2010		Total	
Firearm	187	80.3%	196	78.1%	205	83.0%	213	81.9%	230	83.0%	1,031	81.3%
Knife or cutting instrument	31	13.3%	37	14.7%	30	12.1%	29	11.2%	32	11.6%	159	12.5%
Blunt object	3	1.3%	0	0.0%	0	0.0%	3	1.2%	4	1.4%	10	0.8%
Bodily force	3	1.3%	10	4.0%	3	1.2%	8	3.1%	4	1.4%	28	2.2%
Strangulation	1	0.4%	0	0.0%	0	0.0%	0	0.0%	0	0.00%	1	0.1%
Asphyxiation	0	0.0%	0	0.0%	1	0.4%	1	0.4%	0	0.00%	2	0.2%
Unknown	8	3.4%	8	3.2%	8	3.2%	6	2.3%	7	2.5%	37	2.9%
<b>Total</b>	<b>233</b>		<b>251</b>		<b>247</b>		<b>260</b>		<b>277</b>		<b>1,268</b>	

**Table Eleven: Type of Firearms Used in Justifiable Homicides, 2006–2010**

Weapon	Number of Justifiable Homicides											
	2006		2007		2008		2009		2010		Total	
Firearm, type not stated	11	5.9%	9	4.6%	19	9.3%	21	9.9%	28	12.2%	88	8.5%
Handgun	152	81.3%	158	80.6%	162	79.0%	163	76.5%	166	72.2%	801	77.7%
Rifle	10	5.3%	8	4.1%	11	5.4%	9	4.2%	8	3.5%	46	4.5%
Shotgun	14	7.5%	20	10.2%	13	6.3%	19	8.9%	28	12.2%	94	9.1%
Other Gun	0	0.0%	1	0.5%	0	0.0%	1	0.5%	0	0.0%	2	0.2%
<b>Total</b>	<b>187</b>		<b>196</b>		<b>205</b>		<b>213</b>		<b>230</b>		<b>1,031</b>	

**Table Ten: Weapon Used in Justifiable Homicides, 2006–2010**

Weapon	Number of Justifiable Homicides											
	2006		2007		2008		2009		2010		Total	
Firearm	187	80.3%	196	78.1%	205	83.0%	213	81.9%	230	83.0%	1,031	81.3%
Knife or cutting instrument	31	13.3%	37	14.7%	30	12.1%	29	11.2%	32	11.6%	159	12.5%
Blunt object	3	1.3%	0	0.0%	0	0.0%	3	1.2%	4	1.4%	10	0.8%
Bodily force	3	1.3%	10	4.0%	3	1.2%	8	3.1%	4	1.4%	28	2.2%
Strangulation	1	0.4%	0	0.0%	0	0.0%	0	0.0%	0	0.00%	1	0.1%
Asphyxiation	0	0.0%	0	0.0%	1	0.4%	1	0.4%	0	0.00%	2	0.2%
Unknown	8	3.4%	8	3.2%	8	3.2%	6	2.3%	7	2.5%	37	2.9%
<b>Total</b>	<b>233</b>		<b>251</b>		<b>247</b>		<b>260</b>		<b>277</b>		<b>1,268</b>	

**Table Eleven: Type of Firearms Used in Justifiable Homicides, 2006–2010**

Weapon	Number of Justifiable Homicides											
	2006		2007		2008		2009		2010		Total	
Firearm, type not stated	11	5.9%	9	4.6%	19	9.3%	21	9.9%	28	12.2%	88	8.5%
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Shotgun	14	7.5%	20	10.2%	13	6.3%	19	8.9%	28	12.2%	94	9.1%
Other Gun	0	0.0%	1	0.5%	0	0.0%	1	0.5%	0	0.0%	2	0.2%
<b>Total</b>	<b>187</b>		<b>196</b>		<b>205</b>		<b>213</b>		<b>230</b>		<b>1,031</b>	