

## Key Findings and an Action Plan to Reduce Gun Violence

The following recommendations reflect the thinking of leading law enforcement executives regarding principles and actions that would make a difference in reducing the numbers of deaths and injuries from gun violence. These concepts are based on the following:

- PERF member police executives' responses to our inquiry in which we asked them to name the one law, policy, or program that they believe would have the greatest impact in reducing gun deaths;
- Follow-up interviews of police chiefs, sheriffs, and other subject matter experts, and
- A review of research literature on gun violence.

The recommendations recognize that solving the gun violence problem is not the responsibility of one entity or one level of government. There is a role for everyone on the gun issue: individuals (legal gun owners and non-gun owners alike); law enforcement personnel; prosecutors; judges; state governments; the federal government; family and friends of people who may be in crisis; researchers; the philanthropic community; and the community at large. The recommendations reflect this shared responsibility.

**Some of these recommendations can be implemented immediately. To the extent that they can, law enforcement agencies and other partners should begin taking action now.**

Other recommendations require new federal, state, or local legislation or the involvement of other entities outside of law enforcement. Law enforcement leaders, speaking as experts on the nature and causes of gun deaths in their jurisdictions, should seek opportunities to share their expertise with their communities and legislators and advocate strategies to reduce gun violence.

### The Nature of Gun Violence – Key Findings and Analysis

1. **Gun violence is not a single problem.** The United States has multiple gun violence problems, with different causes, in four major categories:
  - **Suicides** committed with firearms – approximately 22,000 per year;
  - **“Street crime”** -- shootings committed in connection with gang or drug violence, robberies, interpersonal conflicts, or other common incidents – approximately 11,000 fatalities per year;
  - **Domestic violence-related shootings** – approximately 1,000 fatalities per year;
  - **Mass shootings** – 112 fatalities in 2017.

Strategies and programs must be tailored to each of these problems.

2. **Gun violence affects many disciplines.** Gun violence is not only a crime problem. It's a public health problem, an economic problem, and a social problem. All of these perspectives must be taken into account to find solutions. Strategies and programs targeting gun violence must encompass enforcement and prosecution, violence prevention, education, and community engagement initiatives.

3. **Solutions to gun violence are not an “either-or” proposition.** Solutions must address both the proliferation of guns as well as the people who possess or use guns illegally.
4. **The justice system is failing by not holding gun offenders accountable.** In many jurisdictions, police chiefs report that the justice system provides little or no deterrent to illegal gun possession or use. Offenders are frequently arrested over and over again, and the justice system often seems unresponsive to the issue of gun crime and violence.
5. **State and local governments must play a role.** The problem of gun violence will not be solved through federal action alone. States and localities are often in the best position to enact laws and policies that can have the greatest impact on gun violence.
6. **Police and sheriffs’ departments can have an impact.** Combating gun violence requires more than legislative and policy responses. Law enforcement agencies should take effective action by implementing evidence-based enforcement and prevention strategies and vigorously investigating all shooting incidents. Police chiefs and sheriffs should use their role as community leaders to educate the public about local gun violence patterns and serve as advocates for measures that will have an impact.
7. **All Americans can help.** Individuals – gun owners and non-gun owners alike – must take responsibility for combating gun violence, through actions such:
  - Safely securing weapons so they cannot be stolen, discovered by children, or used by persons with a mental illness or other condition;
  - Seeking assistance to ensure that family members or friends who are experiencing a mental health crisis cannot access firearms;
  - And cooperating with police and prosecutors in criminal investigations of gun crime.
  - Reporting lost or stolen weapons to the police.
8. **We need research.** To a large degree, law enforcement agencies are “flying blind,” testing new approaches to gun violence with little research to guide them about which strategies are effective. Approaches to combating gun violence should be informed by rigorous, high-quality research, which should be supported by the federal government, private foundations and others.

## **Actions That Will Have the Largest Impact in Reducing Gun Violence**

### **1. Keep guns out of the hands of people who are legally prohibited from owning them.**

This is PERF’s #1 recommendation because it has the potential to reduce fatalities in all four categories of gun deaths: suicides; street crime; domestic violence-related shootings; and mass shootings.

- What We Know:
  - The National Instant Criminal Background Check System has prevented more than 1.5 million illegal firearms sales since 1998.

- **Still, a lack of timely, complete and standardized reporting of information into the databases that are part of the NICS limits its effectiveness, particularly with respect to information about applicants who have a history of mental illness.**
- Not all background checks can be completed within the three-business day window provided for under current law.
- In most states, the private sale or transfer of a firearm does not go through a background check process.
- Most states do not require gun owners to be licensed or permitted.
- Recommended Approaches:
  - Strengthen the federal **Background Check system** by:
    - Ensuring more **complete, timely, and standardized reporting of information** to the National Instant Criminal Background Check System, **with a particular focus on criminal convictions and drug abuse and mental health data.** (Implementation of the Fix NICS Act should be a priority.)
    - **Requiring background checks for all private sales and transfers** (potentially through Federal Firearms Licensees), to include weapons sold at gun shows and over the Internet.
    - **Increasing the length of time** during which background checks can be completed, so as to minimize “delayed denial” situations.
    - Expanding disqualifying criteria for purchasing a firearm **to include intimate partner domestic violence** (closing the so-called “boyfriend loophole”) and the misdemeanor offense of stalking.
  - States should enact **licensing or permitting systems** for gun owners as another mechanism to help ensure that people who purchase and possess firearms are responsible gun owners.
- Potential Impact on:
  - Domestic violence
  - Everyday gun violence
  - Mass shootings
  - Suicide
- Who’s Responsible:
  - Congress
  - State legislatures
  - Federal Firearms Licensees (gun dealers)

## **2. We can prevent future killings by deterring people from illegally carrying firearms today.**

- What We Know:
  - Many gun criminals have extensive criminal histories, including for illegal gun possession, but do not face significant consequences until they commit a very serious crime.
  - Swift, certain, and proportional punishments can change behavior among some offenders and prevent future, more serious gun crimes.

- Recommended Approaches:
  - States should enact **swift, certain, and proportional punishments** for those charged with illegal possession of a firearm and other gun crimes.
  - Penalties should be modest for first offenses, and should increase significantly for each subsequent offense. The purpose is not to incarcerate large numbers of offenders for long periods of time, but to convey a clear message that illegal carrying of firearms will not be tolerated. The goal is to break up the common pattern of repeated arrests for gun possession, with little or no consequences, eventually leading to an arrest for a homicide or other serious gun crime, with severe consequences.
  - Accountability measures should be supported by an **education campaign** alerting the public to the consequences of illegally carrying firearms.
  - Law enforcement agencies should **work closely with state and local prosecutors**, early in the investigatory process, to build strong cases that can be successfully prosecuted.
  - As part of their focused deterrence strategies, agencies should form **close partnerships with federal officials** on prosecuting high-risk gun offenders in federal court.
  - Agencies should create and support **victim and witness protection programs** to guard against intimidation and to support cooperation with investigators and prosecutors.
- Potential Impact on:
  - Domestic violence
  - Everyday gun violence
- Who's Responsible:
  - State legislatures
  - State and local governments (executive branch)
  - Law enforcement agencies
  - State, local, and federal prosecutors
  - Judges

### 3. What every gun owner must do: Secure guns in the home, and remove guns from homes where they pose an extreme risk.

- What We Know:
  - The ready availability of firearms in the home can dramatically increase the risk of domestic violence homicide.
  - Unsecured guns in the home can also increase the risk of suicide, especially among teens.
  - Some mass shooters, including several school shooters, have used unsecured guns in their homes to commit their crimes.
- Recommended Approaches:
  - Enact and enforce laws (such as Child Access Protection statutes) that mandate the **safe storage of firearms** in homes and vehicles. These laws should be supported by public education campaigns that explain how to safely secure firearms, as well as prosecution of violators.
  - Enact and utilize **Extreme-Risk Protection Order** laws that allow family members or friends to petition the courts to order the temporary removal of firearms from individuals who may be at risk of harming themselves or others.

- Enact and enforce laws that provide for the **immediate surrender of firearms upon conviction** of domestic violence offenses or other disqualifying events under federal law. Agencies should create and train specialized units to enforce protection orders and remove firearms from these offenders.
- Develop and use **lethality assessments tools** for officers responding to the scene of a domestic violence incident to help determine if the victim is at an increased risk of being killed in a subsequent incident. Such tools can complement problem-oriented policing strategies aimed at curbing domestic violence.
- Enact laws requiring gun owners to **report to police the loss or theft of their firearms**.
- Potential Impact on:
  - Domestic violence
  - Mass shootings
  - Suicide
- Who's Responsible:
  - State legislatures
  - Law enforcement agencies
  - Individuals, including family members (both gun owners and non-gun owners)
  - Prosecutors
  - Courts

#### **4. Implement evidence-based policing strategies to target the small number of offenders who are responsible for most gun violence.**

- What we know:
  - A small number of criminals commit a hugely disproportionate number of all gun crimes.
  - Most gun crimes take place in a relatively small number of compact geographic areas.
  - Enforcement strategies that identify and deter these small cadres of gun criminals have proven effective.
- Recommended approaches:
  - Law enforcement agencies should vigorously **investigate non-fatal shootings and gun possession cases**, as a strategy for preventing future shootings and homicides.
  - Agencies should implement **evidence-based enforcement and prevention strategies** that include:
    - Focused deterrence
    - Hot spot policing
    - Directed patrols
    - Problem-oriented policing
  - **Predictive Policing Models** can help agencies more effectively deploy resources to support these initiatives.
  - Efforts to build **community trust and engagement** can help ensure that community members will tell police what they know about gun violence offenders.
- Potential Impact on:
  - Everyday gun violence
- Who's Responsible:
  - Law enforcement agencies
  - Prosecutors

- Community members
- The research community.

## 5. Ballistics technology is extremely powerful. We need to fully utilize it. Connecting guns helps to solve crimes and prevent future offenses.

- What we know:
  - The same weapon is frequently used in multiple gun crimes.
  - Technology is making it easier – and faster – for law enforcement agencies to connect weapons that are used in multiple crimes and to trace them to their original purchaser.
  - Ballistics evidence supports both successful prosecution and the investigation of additional gun crimes.
- Recommended approaches:
  - Law enforcement agencies should **collect ballistics evidence in all shootings**, including random shootings and those in which no one is hit.
  - Agencies should strive to develop the necessary resources or partnerships to **run all ballistics evidence through NIBIN** (National Integrated Ballistics Information Network) and aggressively pursue all investigative leads. The goal should be to submit casings and receive results from NIBIN within 48 hours.
  - Agencies should **test fire all guns they recover** and trace all crime guns through the eTrace system.
  - The ATF's **Crime Gun Intelligence Centers** should be a priority for federal funding, and local agencies should take full advantage of this resource.
- Potential Impact on:
  - Everyday gun violence
- Who's Responsible:
  - Law enforcement agencies
  - ATF
  - Congress

## 6. Reducing the carnage: Limit the availability of high-powered firearms.

- What We Know:
  - In most U.S. cities, semi-automatic pistols have replaced revolvers as the most common weapon used in everyday gun violence.
  - Higher caliber firearms/ammunition cause more physical harm to victims, increasing the chances of serious injury or death.
  - Mass shootings increasingly involve semi-automatic rifles that employ large capacity ammunition magazines.
  - So-called bump stocks, which can easily turn a semi-automatic gun into a near-fully automatic weapon, increase the rate at which the weapon fires. When combined with large capacity ammunition magazines, bump stocks dramatically increase the chances of mass casualties in certain shootings.
- Recommended Approaches:
  - Limit the **capacity of ammunition magazines** to 10 rounds.

- Ban the **sale and importation of bump stocks.**
- Ban the future **sale and importation of military-style weapons that have no purpose except to kill large numbers of people as quickly as possible.**
- Potential Impact on:
  - Everyday gun violence
  - Mass shootings
- Who's Responsible:
  - State legislatures
  - Congress

## 7. Stop guns from entering the black market.

- What We Know:
  - In most gun crimes, the person with the weapon is not the original purchaser.
  - Many crime guns enter the black market through straw purchases, or they are stolen.
  - Once in the black market, crime guns often change hands among a network of gang members or other groups.
- Recommended Approaches:
  - Law enforcement agencies should vigorously investigate and prosecute both individuals and gun dealers who engage in **straw purchases and other illegal gun trafficking schemes.**
  - To guard against gun store burglaries and robberies, there should be **strict physical security standards** at federally licensed firearms dealers.
  - Individuals should be required to **report stolen or lost firearms.** To support the reporting of stolen firearms, there should be public education campaigns to explain how to record identifying information about the firearm (e.g., serial number) and how to report it as stolen.
- Potential Impact on:
  - Domestic violence
  - Everyday gun violence
  - Mass shootings
- Who's Responsible:
  - State legislatures
  - Law enforcement agencies
  - Individual gun owners

## 8. Connecting the dots: Assessing threats to intervene in mass shootings.

- What We Know:
  - Almost all mass shootings are planned attacks that require time and effort to carry out.
  - Offenders typically leave clues, often on social media.
- Recommended Approaches:
  - Develop and use **threat assessment protocols** for individuals who come to the attention of law enforcement as potential mass attack offenders.

- To combat school shootings, school resource officers, teachers and other school personnel **should be trained to look for tell-tale signs of crisis or violence**, and protocols should be established for reporting and following up on those threats.
- Potential Impact on:
  - Mass shootings
- Who's Responsible:
  - Law enforcement agencies
  - Schools

## 9. Verifying what works: Dramatically expand gun violence research.

PERF's final recommendation, like our first, has the potential to reduce fatalities in all four types of gun-related deaths.

- What We Know:
  - As with other complex public health problems, research is vital to understanding gun violence and developing evidence-based strategies that work.
  - A number of Justice Department agencies have funded and conducted significant research on gun violence. However, since 1996, through the so-called "Dickey Amendment," Congress has prohibited the Centers for Disease Control and Prevention from using federal funds "to advocate or promote gun control." The interpretation of this stricture has served to limit the amount and quality of research into gun violence.
  - In the March 2018 spending bill, Congress approved language indicating that the CDC can conduct research into gun violence, although the Dickey Amendment itself remains in effect.
  - Many private foundations have provided funding for gun violence research. However, private funding levels are not sufficient to meet the research needs in this area.
- Recommended Approaches:
  - The federal government, through the CDC and other agencies, should support high-**quality research on evidence-based strategies for combating gun violence.**
  - **Private foundations should continue to support gun violence research.**
  - Law enforcement agencies should work closely with the research community to **engage in research projects** that examine the effectiveness of their gun violence programs and strategies.
  - Special attention should be given to **researching the recommendations** made in this report.
- Potential Impact on:
  - Domestic violence
  - Everyday gun violence
  - Mass shootings
  - Suicide
- Who's Responsible:
  - Congress
  - Philanthropic community
  - Research community
  - Law enforcement agencies