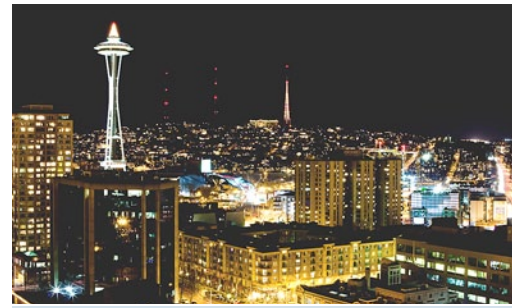


SUBJECT TO DEBATE

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PERF Chiefs Offer Views on Reducing Gun Violence In Wake of Tucson Shootings

IN THE AFTERMATH OF THE SHOOTINGS OF 19 people in Tucson, Arizona on January 8, PERF asked police chiefs to give us their best recommendations about how to reduce gun violence in America.

Specifically, we asked, "What actions by Congress, by the White House, by federal agencies, or by state and local governments, in your view, would have the greatest impact on reducing gun violence in the United States?"

Following are the responses we received:

TUCSON CHIEF ROBERTO A. VILLASENOR: We Need Common Sense Controls on Guns, Strict Background Checks, and Better Mental Health Treatment

Congress, via the appropriate federal regulatory agencies, should evaluate and consider restricting the possession of weapons commonly known as "assault rifles" and excess capacity ammunition magazines for autoloader handguns. While citizens' rights to possess firearms should never be rescinded, common sense should prevail as to the type and purpose of the weapon itself. While violent incidents will undoubtedly continue, the impact of those actions could be minimized.



In addition, the access of criminals and mentally ill citizens to firearms must be strictly controlled. Strict background checks must be completed without fail, regardless of the length of time required prior to sale. The conviction of a felony crime, or commitment to a mental health facility, must be tracked in a comprehensive manner and must permanently prohibit the possession of a firearm. Strict and harsh consequences for prohibited possession must be in place and enforced.

Firearm sales at gun shows must also be closely scrutinized and restricted. The inability to complete comprehensive background checks at those shows leaves a void that is routinely utilized by criminals and mentally ill subjects to purchase firearms.

Improved mental health treatment for all citizens who require evaluation and treatment, regardless of the ability to pay, must be considered in order to identify people prone to violent acts and to prevent those acts from occurring.

MINNEAPOLIS CHIEF TIMOTHY J. DOLAN: We Have Some Tough Decisions to Make, But Let's Not Pretend that More Guns Will Make Us Safer

In my opinion, we need to start looking at gun control measures, but we know that gun control measures are not yet acceptable to the larger voting block of people in the United States. As a result, we accept a certain degree of gun violence. The gun violence that is occurring has not yet shocked



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Thanks to All Who Responded

PERF would like to thank all of the police chiefs who responded to our inquiry about gun violence. If we failed to include anyone's comments, please accept our apologies and let us know, so we can be sure to include your comment in the next issue of *Subject to Debate*.

We Need Reasonable Gun Control Laws, And We Need Very Stiff Penalties for Using a Gun to Commit a Crime

THIS MONTH, *SUBJECT TO DEBATE* INTERVIEWED *PERF* President Charles Ramsey on the issue of gun violence in America. Following is a transcript of that interview:

Subject to Debate: When you think about what happened in Tucson and what happens on the streets of American cities every day with gun violence, how do you think police chiefs should come at this?

Commissioner Ramsey: First of all, let me say that I am not anti-gun; I don't think that all guns should be banned outright. In the first place, I think that approach would be a violation of people's Constitutional rights. And secondly, I don't think it would be practical; it would be like Prohibition. People managed to get alcohol during Prohibition, and they would still manage to get guns if we banned them. Banning guns would just drive the problem underground and create a black market, as opposed to really solving anything.

Having said that, I think our nation needs reasonable gun control laws. Now my idea of what's reasonable is not necessarily the same as what someone else perceives as reasonable. But just for example, I don't think that there is any reason for a private citizen to own an operable assault weapon. I don't see any value or sense in that. I think that the very large-capacity magazines are not necessary. We can debate what that capacity ought to be, but to me, one clip holding 30 rounds is excessive. And I don't see how it would infringe on people's Second Amendment rights to require that they make a report to police if their guns are lost or stolen. Police lose a lot of valuable investigative time trying to trace the history of a gun that was used in a crime. If we know it was stolen, that saves us a lot of time.

I also think reasonable precautions need to be taken to secure a weapon if there are children in a house, so that you don't have accidental shootings. That is a huge issue. We tend to focus on the criminal aspect of gun control, but these negligent or accidental discharges where people end up getting shot or killed are avoidable. We need mandatory instructions regarding the safe handling and storage of firearms.

Another big problem is that we have people who are straw-purchasing. There needs to be a strict penalty for a person who goes into a store, knowing full well that they're purchasing a gun for a person who can't legally purchase a gun, and then they sell or give the gun to that person.

Finally, I think that people who are suffering from a mental illness or have a history of mental illness should be banned from purchasing or possessing firearms. We need a stronger federal

database on this, comparable to the "No Fly" list that's designed to prevent terrorists from boarding airplanes.

These are examples of things that I think are reasonable.

Subject to Debate: You have served in Chicago, Washington, D.C., and Philadelphia, where you've had police officers shot, you've had citizens shot on a daily basis. What do you need to help you reduce gun violence?

Commissioner Ramsey: That gets to the second part of what I think our approach should be. After setting up reasonable limits on gun ownership, the second part is what happens to people who use guns to commit crimes. I think we need to have very, very stiff penalties. For example, if you commit a robbery, the potential for a homicide or serious injury to the victim is much greater if you use a gun in committing that robbery. I think that the fact that you used a gun should give you an automatic 10 to 15 years in prison, in addition to the penalty for the underlying crime. If we were to really start cracking down on the people who use guns to commit crimes, then I think we could start to make some headway.

Law-abiding people will abide by the gun control laws that we establish, but criminals circumvent those laws. So we need to give them very strict sentences for using guns to commit crimes—no ifs, ands, or buts. No probation, no slap on the wrist. Currently we do not have disincentives for criminals to carry guns. We have a society in which part of us wants to punish offenders, but part of us wants to just let people slide. And we worry about the high costs of incarceration. But we can't have it both ways. We've got to have a punishment in place that would make people think twice before they use a gun to commit a crime. It's bad enough to commit a robbery, to strong-arm someone and

take their property, but the odds of a victim being killed are far greater if the robber has a gun. The victim makes a sudden move or says something the robber doesn't like, or in many cases you have a person who is just violent by nature and they've got the gun and they just shoot someone for no reason. To me there's no comparison between committing a crime without a gun and committing a crime with a gun. To treat them in court as if they're the same, to me, is just ridiculous.

Subject to Debate: Have there been any laws in Chicago or D.C. or Philadelphia that you think really made a difference?

Commissioner Ramsey: Chicago and Washington had outright bans on handgun possession until they were struck down by the Supreme Court in 2008 and 2009. But the laws are much



Philadelphia Police Commissioner and
PERF President Charles Ramsey

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weaker in the surrounding jurisdictions. All you needed to do was cross the Chicago city line or the D.C. border to find much weaker regulations. So despite their tough laws, Chicago and Washington have always had large numbers of homicides and other gun crimes. But we don't know how much worse it would have been if the laws in Chicago and Washington had not been in place.

In the case of Philadelphia, I think that the level of gun violence is more severe than in Chicago or D.C., and I think you'd be hard-pressed to find a city that has more of a gun problem than Philadelphia. A little more than 80 percent of our murders are firearms-related. Pennsylvania has very weak gun laws. Pennsylvania is our own "source state" for guns. Most big cities can point to other jurisdictions as the source of their weapons. We don't have to look beyond our own borders in Pennsylvania for that. But again, a big part of our problem is lack of enforcement. In Philadelphia, supposedly there is a five-year mandatory prison term for using a firearm to commit a crime, but that is almost never imposed. The gun charge is dropped, and they go with the penalty for the robbery or the other charges. They drop the supposedly mandatory five-year penalty for using a gun. We've got to stop that, and I believe it ought to be 10 or 15 years, not five years.

Subject to Debate: Is there any common denominator in the weapons that are used by criminals today?

Commissioner Ramsey: When I started my career in policing, we used to recover these guns that we called Saturday Night Specials—cheap firearms, many of them produced overseas, .22-caliber, .32-caliber, very few semiautomatics. Today we're recovering very sophisticated weapons, high-caliber weapons, the 9-millimeters, .40-caliber, .45-caliber guns, assault weapons. I can't tell you the last time I saw what we used to call a Saturday Night Special. The firepower has increased significantly.

Subject to Debate: Do you think that police chiefs need to take a higher profile on this issue, in order to counteract the influence of the National Rifle Association?

Commissioner Ramsey: Most people will admit that the United States has a serious problem with guns. I think the NRA is way too powerful. They give a lot of money to elected officials. Police chiefs have some clout in Congress, but we just don't have as much influence as the NRA and some of these other groups. We don't have the money to spread around like they have, and we don't have the time to spend lobbying on a single issue like they do. That is their issue, and it's all they do.

Yes, we should be more active and we should have our voices heard. Some may say that police chiefs should avoid getting involved in political issues. Sure, guns are a political issue, but we have an obligation to protect our public, and if we see something that prevents us from doing that, we need to take steps to deal with it.

Subject to Debate: Thank you, Commissioner Ramsey.



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the collective public consciousness enough for us to enact serious gun restrictions. An individual's right to bear arms is still more important than the well-being of all.

Changing the tipping point of the public concern for gun control will be very difficult. First, consider the facts around who is being killed by most of the gun violence. It is our poor, underprivileged, and largely minority communities that are most affected. They do not have much of a voice, and there are too many in our society who turn a blind eye in that direction. Secondly, the rhetoric about more guns making us all safer helps justify those feelings. An Arizona state senator, in response to the Tucson shooting, stated on CNN that there is empirical evidence that shows that people are safer where there are more guns. That is likely true when you consider more rural communities, but it is definitely not true in our busy cities.

Those who claim that guns make us safer ignore the obvious. We only have to look at Canada and most other democratic countries where there is good law enforcement to see the positive side of gun control. Cities with populations in the millions in Canada, England, France, Sweden and elsewhere have annual homicide rates comparable to U.S. cities that are a tenth of their size. The starkest contrast might be the comparison of Windsor, Ontario with Detroit. The two cities are actually connected by bridge and a tunnel. Windsor, a city of about 200,000 residents, struggling with large unemployment issues, had absolutely no homicides last year. Detroit had over 360.

Another telling statistic we use in law enforcement is the street price of handguns. The street price of handguns, like the price of illegal narcotics, reflects their general availability. In Canada the street price for a handgun is about \$1,500 (the majority of which are smuggled from the United States), compared to \$100 in the United States.

Our decisions on violence and gun control ultimately come down to individual rights versus the common good. The United States is a great country that is founded on the values of individual rights that are not, nor should they be, easily infringed upon. Today, largely because of the economic crisis, we are struggling to figure out what degree of common good we will each demand when there is a conflict with individual rights. We see those discussions around taxes, health care, Social Security, education, and even guns.

We have some tough decisions, but please let's not pretend that more guns will make us all safer.

PORT ORCHARD, WA CHIEF ALAN L. TOWNSEND: Gun Restrictions Must Be Targeted on Criminals In Order to Obtain Broad Public Support

I represent a suburban community close to Seattle. If someone were to propose a gun control policy that would impact law-abiding citizens, it would not be well-received. In fact, people here would be outraged, because gun rights are important



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to them. And one thing I've learned is that trying to push something through that doesn't represent the mainstream of people of the area is not going to succeed.

Even after the January 23 fatal shoot-out at a Walmart in my city, in which two sheriff's deputies responding to a "suspicious person" call were wounded by a Utah man, I don't believe people's opinions would have changed.

I think what would be acceptable to my community and a step in the right direction is to look at more ways to limit access to guns by persons convicted of crimes and those with mental illness issues. I don't have the research data to know if the people using guns in crimes would have been unable to legally obtain a firearm because of their previous conviction record, but it would be worth looking at. I think the expansion of criminal offenses is well received by the public, as they see criminals as people who shouldn't have guns in the first place.

We are still in the process of tracking the firearm used at the Walmart shooting. Granted, guns can be obtained illegally, but more restrictions on the legal purchase process could benefit us all. Additional waiting periods could be part of that. These types of restraints are a much easier sell in communities like mine.

COLORADO SPRINGS, CO CHIEF RICK MYERS: It's Too Late to Accomplish Widespread Gun Control, But We Can Make It Harder for Criminals to Access Firearms

A key theme that we often hear is that we need to "keep the guns out of the hands of the wrong people." It sounds simple enough, but it's very complicated and hard to accomplish in practice.

Who are "the wrong people"? Past felons, certain past misdemeanants, and persons under treatment for mental illness. But currently we are shut out of many databases regarding mental illness. Many of the high-profile mass shootings we have seen in recent years involve persons who obviously are emotionally or mentally disturbed, so somehow we need to get our hands around this.

We all recognize that the genie is out of the bottle for trying to do widespread gun control, because there are far too many weapons already in circulation. But we can work to make it more difficult for criminals to obtain guns, by tightening the laws and regulations regarding straw purchases and other illegal mechanisms for obtaining guns.

PRINCE WILLIAM COUNTY, VA CHIEF CHARLIE T. DEANE: Laws Are Too Weak on Gun Ownership By Persons Who Have Demonstrated Serious Mental Illness

Laws need to be more restrictive regarding gun purchase/possession by individuals who have demonstrated serious mental illness. In Virginia, an individual must be involuntarily committed to a mental institution or be adjudged incompetent by a court to be



barred from gun ownership. In practice, most people who are detained for mental evaluations agree to a voluntary commitment, thereby avoiding the negative consequences. We have literally talked suicidal individuals out of the pistol that they were holding to their head, only to be required to return the gun following a *voluntary* evaluation.

A few years back, my prosecutor and I unsuccessfully lobbied the Virginia General Assembly to tighten this area of the law.

FORT WAYNE, IN CHIEF RUSTY YORK: Federal Legislation, Over Time, Could Make Us All Safer

While I see no short-term solution to the increasing threat facing our law enforcement personnel or the injury and death caused by the intentional or reckless use of firearms, I think there are legislative changes on the local and national levels that could have an impact:

- The federal assault weapons ban should be reinstated.
- A person should be at least 21 years of age and should have successfully completed a National Rifle Association firearms safety course as a prerequisite to applying for a personal protection (concealed carry) permit.
- The penalty for carrying a handgun without a permit should be a felony for the first offense.
- All firearms held by police agencies, which are no longer needed as evidence and which are unclaimed, should be destroyed. Neither the firearm nor parts of the firearm should be sold or traded.

I realize that my suggested changes may seem at least mildly controversial, but I believe they are very reasonable. I believe that, in time, they would result in a safer environment for our law enforcement officers, a reduction in the number of firearm-related injuries due to accident or negligence, and an overall reduction of the number of firearms on our streets.

SHOW LOW, AZ CHIEF JEFFREY SMYTHE: Arizona Has It Wrong with Its New Gun Law

I think we should again ban assault weapons and high-capacity magazines for both long guns and pistols.

I also think that Arizona has it wrong with its new, looser concealed carry laws for everyone and the new law banning the destruction of confiscated guns. I believe that police agencies jeopardize the public trust when they sell guns, especially pistols, and put them back on the street. Once those guns are in police custody (except for safe keeping), they should be destroyed. The new Arizona law prevents us from doing that.



BAY AREA RAPID TRANSIT POLICE CHIEF KENTON W. RAINEY: We Should Prevent Parolees from Buying Ammunition

How to reduce everyday gun violence? Simple, regulate the sale of the ammunition. A great deal of gun violence is committed by parolees. One of the conditions of their parole is that they are not supposed to be in possession of a firearm. Therefore, they definitely do not need ammunition. We should require anyone who wants to purchase ammunition of a certain caliber to show identification, and we should require the vendor to record the buyers' information, which could be reviewed by the local police agencies. The local police could then come by periodically and check the records, much like pawn tickets. Several cities in California already have this requirement. You would be surprised how many parolees are purchasing handgun ammunition and presenting their identification.

A trial court in Fresno recently struck down a California state law restricting sales of handgun ammunition, saying the law was written too vaguely. But several local cities in California still have their own rules regulating sales of ammunition.



ELIZABETH TOWNSHIP, PA CHIEF BOB MCNEILLY: Here Are Five Things That Should Be Done

First, we should prevent gun sales at gun shows without the appropriate background checks. Anyone can purchase a firearm in the parking lot of a gun show without even showing ID or having a background investigation completed. This makes a joke of background investigations.

Second, pass legislation requiring owners to report guns stolen to police, to prevent "straw purchasing" for those who are legally barred from purchasing their own weapon.

Third, pass legislation preventing one state's license to carry from authorizing a person to carry in another state where he or she can't obtain a license to carry. Florida issues permits to carry to persons who have been denied in Pennsylvania.

Fourth, pass legislation that prohibits open carrying of weapons. We have people who carry a firearm strapped to their side who attend political meetings and other large gatherings. They don't need a permit because the weapon is not concealed.

Fifth, pass legislation that provides serious consequences for selling to someone who appears to be under the influence or to someone who appears to be suffering from mental or emotional illness.



NEWARK, NJ POLICE DIRECTOR GARRY MCCARTHY: The Federal Government Could Do a Lot To Reduce Gun Violence

There are a number of steps that the federal government can take to limit gun violence in this country.

First, reinstitute the assault weapons ban. These are weapons of mass destruction. Coupled with a more lethal bullet, they result in more homicides per shooting incident.

Second, ban high-capacity magazines. The carnage in Tucson was a direct result of lax gun laws and the production of 30-round magazines.

Third, increase the penalty for straw purchases. This is the method by which 70 percent of illegal guns reach Newark.

Fourth, and this is probably the most difficult option, limit production of guns in this country to meet legitimate demand. If legitimate demand (police, military, collectors, hunters, target shooters, etc.) is 100 firearms and 150 are produced, 50 guns each year will go into the illegal market. The gun manufacturers over-produce, resulting in a flooding of the illegal market, facilitated through straw purchases. And guns do not have expiration dates; they stay on the streets.

Fifth, mandate microstamping. No legal gun owner should be afraid of law enforcement being able to track bullets to a previously recorded gun.

Sixth, close the gun show loophole. "Collectors" should be required to conduct background checks on all sales.

Finally, repeal the Tiahrt amendment that limits law enforcement's ability to gain information on firearms trafficking.

These measures would not restrict legal firearm possession, but will make it more difficult for criminals to gain access to guns.



BAINBRIDGE ISLAND, WA CHIEF JON M. FEHLMAN: Criminals Must Be Held Accountable

Gun control and shooting violence are part of the bigger societal issue of not holding individuals accountable and punishing them when they commit crimes. An example of this is the murder of the four Lakewood, Washington police officers on November 29, 2010. The person who committed these murders was on parole and should have been back in custody. He was in possession of a firearm he never should have had, and he ended up taking one of the murdered officers' firearms. The murderer's family helped him hide from police for several days. He was shot and killed by a Seattle police officer when he tried to engage him in a shootout. Every family member who aided this murderer needs to be confined for the rest of their lives.

Prison is not the solution for everyone, but when punishment is dealt out for someone convicted of a crime, we should make the person do the entire sentence. We should eliminate parole for murder, especially those that involve the murder of government officials, police, or firefighters; school shootings; domestic violence; or the furtherance of a gang. If we can't stomach putting someone to death, then lifetime confinement is the next best choice. If we choose to parole a violent offender, make it lifetime parole. The person needs to be monitored for the rest of his life. These are not solutions, but deterrents to those who choose crime as a lifestyle.

For solutions, bring the chiefs of police from around the country to a summit with lawmakers. The boots on the ground are the ones who have the information. Lawmakers need to ask the questions they want from those who deal with this day after day. And when I speak of bringing the chiefs of police together, it



should not just be those from the larger agencies. Gun violence in smaller communities with smaller law enforcement agencies is as impactful, if not more so, than in big cities, due to our limited resources.

GRAND JUNCTION, CO CHIEF JOHN CAMPER: My Department Will Host a Forum to Find the Gaps In Handling High-Risk Mentally Ill Persons

Since Columbine and 9/11, our profession has done an excellent job of addressing the concept of “interoperability” of radio communications and information-sharing among criminal justice agencies at all levels. But where we may still be lacking is interoperability among the government agencies and other entities that are most likely to report incidents or concerns regarding high-risk mentally ill subjects. In nearly all of these mass shootings, there have been past warning signs about the suspect. School officials or fellow students were concerned, or neighbors were fearful, or any number of other entities had expressed alarm about the suspect’s behavior. When that occurs, what is done to mitigate the danger? Are the police notified? Does the local mental health agency have the resources it needs to effectively deal with the illness? Do confidentiality laws place barriers on the communication that needs to take place? In other words, where are the holes in the system?



Our Police Department soon will be hosting a forum for stakeholders in our area who are interested in analyzing these questions. We will include representatives from mental health, the school district, the local college, the housing authority and many other entities that frequently come into contact with high-risk mentally ill subjects.

Congress and the federal government can help provide us with new tools to keep guns out of the hands of the mentally ill, but it will always be up to local agencies to identify those subjects and mitigate the danger that they present.

HOUSTON CHIEF CHARLES A. MCCLELLAND: Consider Mandatory Arrests for Illegal Gun Possession, As We Have with Domestic Violence Situations

I would recommend to the Congress the following strategies:

- Longer mandatory sentences for convicted defendants who commit crimes while in possession of a firearm;
- Mandatory arrest of individuals illegally possessing a firearm, as in domestic violence situations; and
- A stronger mental health component in any firearm legislation, whereby individuals who have a history of mental illness cannot possess a firearm.



HELLAM TOWNSHIP, PA COMMISSIONER TERENCE D. INCH: There Is No Quick Fix, But We Must Impose Gun Controls

I have reluctantly reached the conclusion that gun control has to be imposed. There should be requirements that (1) all firearms be registered to an individual, (2) owners must report the loss or theft of firearms to the police, (3) guns must be stored in secure conditions, and (4) the gun show loophole must be closed.



Information must be shared between agencies regarding suitability to possess arms. Information about failed drug tests and mental illness must be shared.

There is no short-term fix; we need to look long-term to reduce access to guns by criminals. Straw sales should result in severe penalties for those people facilitating access to guns. Gun shops need to take more responsibility when selling arms to apparently unsuitable people.

DILLON, CO CHIEF JOE WRAY: We Need to Look at All of the Issues That Contribute to Violence

Once again, we focus on the issue of guns, not people or violence. If Congress, the White House and especially the media would focus on supporting existing laws concerning all kinds of violence and making sure people are held accountable for their actions, then we wouldn’t narrow the discussion down to a topic that is more political instead of substantive. We should look more closely at mental health issues and the causes of all violence. Why have there been so many funding cuts for mental health, when these incidents like the Tucson shootings show there were changes in the mental state of the perpetrator long before the act of violence—yet there was no place for them to receive help. I don’t see any real advances with curbing the violence associated with guns until there is open and honest discussion of violence in total.



LAFAYETTE, LA SHERIFF MICHAEL W. NEUSTROM: We Need to Help the Mentally Ill— And Curb Their Rights to Firearms

We need to curb the rights of mentally ill persons to own and carry a firearm. We have gone through de-institutionalization, and in my opinion it has only caused more people who are ill to wind up in local jails. There are not enough resources to deal with community supervision of the mentally ill, so they live on the streets and minimally get by, with minor skirmishes with police and local agencies.



Going forward, my agency is going to become more active in developing Crisis Intervention Teams, which are more attentive to these types of problems and individuals. It’s not a perfect solution,

but it's one of the few things I can control from a local perspective. We need to get a better handle on known persons with mental illness and hopefully help them channel their lives and energy in a more productive direction.

**PEABODY, MA CHIEF ROBERT L. CHAMPAGNE:
It's Simple: Limit the Easy Access to Handguns**

I believe the answer is a simple one: limit the quick and easy access to *handguns*. These are most often the fatal weapons of choice of robbers, thugs, gangbangers, and those who commit interpersonal violence. What is the weapon faced by America's police, and the one they gather as evidence daily? The handgun.

It is really a question of having the will to say, "Enough."



**CHIEF THOMAS E. ENGELLS,
UNIVERSITY OF TEXAS MEDICAL BRANCH, GALVESTON:
We Need an Overhaul of the Mental Health System**

I believe the actual and realistic answer is to be found in improved public health and mental health services. The number of drug-addled individuals who are the criminal actors in homicides, mass murder and serial murder is simply startling.



I am not advocating funding the current broken mental health and public health systems at greater levels. Rather, I am proposing a federal approach to the effective redesign of the mental health system at all levels—the city, county, regional, state, and federal levels. We need to use rigorous experiments, carefully analyze the results, and then conduct demanding evidence-based treatments so as to intervene and preempt or prevent this type of criminal activity.

This solution may be just too difficult to implement, because there are too many vested stakeholders with turf issues. But we know in our heart of hearts that dysfunctional individuals exhibit predictable behaviors. We just blind ourselves to those behaviors. The little boy who tortures a puppy or a kitten—we will see him again, often facing a homicide charge.

We have an understaffed resource that could be tasked with this huge multi-decade task: the United States Public Health Service.

**CICERO, NY CHIEF JOSEPH F. SNELL:
Just As We Have Mandatory Reporting of Child Abuse,
We Should Consider Similar Laws for the Mentally Ill**

I do not believe this is strictly a gun issue. I look at New York State and have witnessed a decline in services for the mentally ill. Agencies responsible for dealing with such issues are understaffed and are not proactive in dealing with persons with severe issues. I support a proposal to increase accountability among our mental health professionals and to make it easier for citizens to report persons with



mental health issues. We have seen over and over again that these individuals are known to have problems, but the reporting process is not required.

Just as many states have mandatory reporting for child abuse, we must look at similar legislation for the mentally ill. This would not only involve the mental health sector but also law enforcement. There needs to be a nationwide database that tracks these individuals, once they are reported at the state level. The recent school shootings all have similar profiles.

**EPHRATA, PA CHIEF WILLIAM L. HARVEY:
We Need to Tighten Gun Purchase and CCW Systems**

There is a remarkable similarity between several mass homicide perpetrators: they lied on the ATF purchase questionnaire. We find about this post-incident. Many have had treatment for mental/psychological issues, but it is not reported to the clearinghouses that clear gun purchases and concealed-carry weapon (CCW) permits. We have to change HIPPA patient privacy rights, and the medical/psychological community must have immunity from fear of legal retaliation. If you are rejected from the U.S. military or other governmental positions for reasons that would disqualify you from purchasing or obtaining a CCW permit, this must be disclosed as well.



**KANE COUNTY, IL FOREST PRESERVE DISTRICT
PUBLIC SAFETY DIRECTOR MICHAEL J. GILLOFFO:
Focus on Helping Persons with Mental Illness,
While Thwarting Their Access to Firearms**

It is safe to assume that most mass killers have deep psychological problems, so we should pass laws to identify and treat them, while thwarting their access to firearms. However, individual rights must be preserved, and we should not create a chilling effect on people seeking rehabilitation or treatment. Most mentally ill persons do not commit acts of violence.



I do not advocate more regulatory laws on firearms. We need real repercussions for those that violate laws and put others in physical jeopardy. We also should provide sufficient funds for regulatory and enforcement agencies.

**BRANFORD, CT CHIEF JOHN C. DECARLO:
We Do Not Wish to Criminalize Mental Illness,
Only to Reduce Violence and Victimization**

With one of the highest rates of gun violence in the world, we need to research ways to regulate access to firearms by inappropriate populations. The object is not to criminalize the mentally ill, but to reduce violence and victimization in our communities. Academic/practitioner partnerships should be formed immediately to seek solutions to the problem of gun violence.



**GREER, SC CHIEF DAN REYNOLDS:
We Need Stronger Enforcement, Not New Laws**

I don't believe that more laws to regulate guns and ammunition will produce any appreciable reduction in gun-associated violence. In my opinion, the federal agencies responsible for the enforcement of gun and ammunition regulations and laws should increase their efforts to enforce our existing laws. Laws alone will not reduce violence without aggressive enforcement.



**UNIVERSITY OF MIAMI POLICE CHIEF DAVID A. RIVERO:
Keep Repeat Violent Offenders in Jail**

Having worked in the Homicide Unit of the Miami Police Department for many years and then being in charge of it for a few more years, and having spoken to many murderers, I can safely say that some homicides are impossible to prevent (e.g., lover's quarrel, murder-suicides, etc.). But the rest can be very effectively prevented by ensuring that repeat violent offenders do not get out of jail. It has nothing to do with gun control, as criminals will always find a gun. Rather, it has everything to do with keeping the bad criminals in jail and with ensuring, through performance measurements tools such as CompStat, that police officers are targeting the right criminals.



**DUNWOODY, GA CHIEF BILLY GROGAN:
Serious Consequences Would Deter Some Gun Crimes**

It is almost impossible to prevent a gun crime committed by someone who has some ideological agenda, is mentally unstable, or who is willing to die during the commission of the crime. However, for the majority of other offenders, a serious consequence for the use of a gun during the commission of a crime could be an effective deterrent. The burden falls to each individual state to pass strict laws with serious consequences, based on the level of gun violence in their state, for those who use a gun during the commission of a crime.



**CORSICANA, TX CHIEF RANDY BRATTON:
We Should Have a System for Denying Guns
To Persons Taken into Custody
For a Mental Health Evaluation**

I believe we need, as part of the federal firearms purchasing process, a mental health reporting system requirement for local law enforcement to submit to when subjects are taken into custody for a mental health evaluation. Anyone who has been taken into custody recently for such an evaluation—say, within the last three years—would not be eligible to purchase a firearm. The store

sellers would not be told why the application was denied, just that it was denied. Therefore, there would be no HIPPA violation.

Legislation also needs to be passed limiting the purchase of expanded ammo magazines to sworn law enforcement personnel for official use only.



**WHITEHALL TOWNSHIP, PA CHIEF THEODORE D. KOHUTH:
Police Chiefs Can Offer Facts
But Would Be Wise to Avoid Political Debates**

Most police chiefs and police executives possess strong opinions on all matters related to public safety, reducing gun violence and crime reduction. However, I believe some law enforcement officials have permitted their personal opinions to inappropriately overtake their professional public statements and professional opinions. We must remain above the political fray, and not permit ourselves to be drawn into a political discussion among policymakers, special interests and the public we serve.



We are well positioned to state facts and provide statistics and data related to crime, firearms and public safety. However, a police chief and all police executives must refrain from making public statements which may compromise an ongoing police investigation, jeopardize a pending prosecution, or enter into a political debate or controversy which is best left for the legislative branch of government(s) and advocacy groups on all sides of the issue.

**NATIONAL CITY, CA CHIEF ADOLFO GONZALES:
We Focus on Getting Guns Away from Gang Members**

My experience with the San Diego PD and now with the National City PD is that guns don't kill, people do. What we did in the San Diego gang unit was focus on getting illegal guns off the streets and out of the hands of gang members and criminals on probation and parole.



With the Project Safe Neighborhoods (PSN) project, we have been very active in National City and have recovered more guns than ever before. In 2009 we recovered 21 firearms, and in 2010 we recovered 69 firearms. I believe in education, intervention, prevention, and then enforcement or suppression. Our media campaign with PSN and our community outreach have made a big difference for us. We also continue to conduct compliance checks of parolees and probationers.

We have a special program dealing with domestic violence, since many of our homicides were domestic violence-related. We now have a program that deals with children exposed to DV, and we train our officers to call the DV detectives to the scene and/or the social service counselors that are housed in the PD. We are

spending more time educating our middle-school and junior-high boys and girls about dating relationships and DV issues.

We worked with our DA on a gang injunction that has kept our gang members from associating on the streets and becoming victims or victimizing others. Our working relationships with the “low-rider” community and a gang activist have helped reduce Hispanic-on-Hispanic gang violence. We also increased the size of our police department from 82 to 92 in 2007, and we saw the results of those additional officers working the streets. We had more boots on the streets.

There is no simple answer to reducing gun violence. We need to take a multi-disciplinary approach and consider non-traditional partners.

FRESNO, CA CHIEF JERRY DYER: Gun Offenders Fear Federal Prosecution

California has implemented stringent laws such as “three strikes” and “10/20/Life (Use a gun and you’re done)” to address gun crimes and career criminals. These state laws, although effective, are no longer viewed by criminals as a strong deterrent to carrying or using a gun. Criminals seem to have a greater fear of the federal system, due to longer sentences being imposed, which is why Ceasefire programs are so effective. Congress could enact legislation making it a federal offense for anyone to possess a firearm who is a known gang member, is on probation or parole, has a prior conviction for a weapons offense, or has been deemed by the courts or a licensed psychiatrist to be mentally ill. A minimum five-year sentence could be imposed for simply possessing the firearm, increasing proportionately, based on whether any crimes or injuries occurred during the commission of the crime. And lastly, we could prohibit anyone who is convicted of a gun crime from ever receiving government assistance in the form of financial aid of any kind.

We may also want to increase sentencing laws at the state level for those who have stolen or attempted to sell a firearm illegally.

It would also be beneficial if Congress would allocate funding for the creation of task forces at the local level, consisting of ATF and local law enforcement agencies, for the purpose of tracking down those involved in the illegal sales of firearms. These task forces have been very successful in past years. This would require the complete support of the President and the director of ATF.

UPPER MORELAND TOWNSHIP, PA CHIEF THOMAS NESTEL: Mental Health Professionals Should Be Involved In the Clearance Process for Buying Guns

I have several suggestions:

- 1) There have been enough shooting incidents involving mentally ill persons to justify involvement of mental health professionals in the clearance process for the purchase of firearms.
- 2) In order to assist in changing the social climate which tolerates the possession and use of illegal firearms, persons convicted of

committing a crime with a firearm or being a straw purchaser should forfeit their ability to receive any government subsidy such as SSI, welfare, Social Security, public housing, etc.

- 3) Since the use of DNA has become more prevalent in the investigation of gun crimes, purchasers of firearms should be required to provide a DNA sample to the local police for inclusion in their state database.



PLYMOUTH, MN CHIEF MICHAEL GOLDSTEIN: Longer Prison Terms for Gun Violence Would Have an Impact

While there has been a decrease in violent crime across the United States over the last several years, gun-related crimes and violence are still far too prevalent. Prudent laws currently exist to limit the legal access to firearms, but the illegal possession and trade of firearms continues to frustrate law enforcement and place our communities at risk. The further enhancement of criminal sanctions for gun violence, both federally and in our states, would help.

As an example, during the 2010 Minnesota legislative session, I worked with local legislators on a bipartisan effort to enhance the sentencing guidelines for gun-related crimes on school grounds. The coordinated investigative efforts by federal, state and local law enforcement have paid significant dividends; violent offenders are swiftly apprehended. However, stronger long-term penalties are needed throughout the criminal justice system for gun-related crimes. Repeat violent offenders need to be incarcerated for longer terms to reduce or eliminate their opportunity to reoffend. Greater funding for gun buy-back programs, expanded safe keeping programs (including gun locks, vaults and temporary police storage), and continued educational efforts are also needed.



DELAWARE, OH CHIEF RUSSELL L. MARTIN: Legislators Should Review Laws On Committing the Mentally Ill For Evaluation and Treatment

I can't help but wonder whether we have extended such liberties to the mentally ill that we have limited our efforts to have them committed for evaluations and treatment, at least temporarily. Could legislators revisit how we respond, detain and treat those who are potentially a risk to others? Obviously the mandated treatment would eventually have an impact on the overall costs of treating our mentally ill. I am not convinced that new gun legislation would prevent this recent spate of high-profile assaults.



LACROSSE, WI CHIEF EDWARD KONDRACKI:
Strict Enforcement Is What We Need

What actions by Congress, by the White House, by federal agencies, or by state and local governments, would have the greatest impact on reducing gun violence in the United States?



I believe that no new actions by any of the aforementioned entities can have much impact on reducing gun violence in the United States. Rather than introducing new legislation, all segments of government should strictly enforce existing gun laws. Rather than restricting law-abiding citizens, all entities of government should hold gun-carrying criminals strictly accountable and impose the greatest penalties possible for gun violations.

CITRUS HEIGHTS, CA CHIEF CHRISTOPHER BOYD:
We Need a Mix of Crime Prevention, Enforcement, and Gun Controls

Obviously this is a complex issue with no easy answers. However, I believe a comprehensive approach with the following elements is our best chance to reduce gun violence:



- 1) Early-intervention youth programs with an emphasis on gangs;
- 2) A ban on all assault-type weapons and ammunition and high-capacity magazines;
- 3) Limiting citizens carrying concealed handguns to those whose safety is at imminent risk and who meet high background and training standards; and
- 4) Reforming sentencing laws for gun violations to stringent levels that will have a deterrent effect.

FAYETTEVILLE, NC CHIEF TOM BERGAMINE:
We Need to Increase Our Task Force Partnerships

Law enforcement more than ever needs to continue community policing initiatives such as Operation Ceasefire, and we must enhance our partnerships in task force operations such as the Violent Fugitive Task Force, Violent Crimes Task Force, and Safe Streets Task Force. We have seen significant reductions in violent crimes in our jurisdiction over the past two years.



In addition, we need to find a better way of regulating the sale of weapons at gun shows throughout the United States. Basically a person can buy or sell a gun at a gun show with no follow-up or permits.

LOS LUNAS, NM CHIEF ROY E. MELNICK:
We Need Strong National Policy Applied Equally to All States

The most effective way to reduce homicides committed with guns is to remove as many guns from those persons most likely to commit serious crimes with guns. Each state regulates gun laws differently, from a conservative approach to a liberal approach, depending on what state you reside in. My state of New Mexico borders Arizona and I am faced with the same problems of my neighboring state: very weak gun control laws.



Strong federal gun legislation passed by Congress and supported by the White House with greater restrictions applied nationwide to all states equally would be the most effective way to reduce homicides committed with guns. This should include stricter mandated prison sentences for persons found in violation of federal gun legislation, and greater enhanced penalties for persons convicted of serious violent crimes committed with guns.

NORFOLK, VA CHIEF BRUCE P. MARQUIS:
We Need to Look at Root Causes of Violence, But Reducing the Number of Guns Could Help

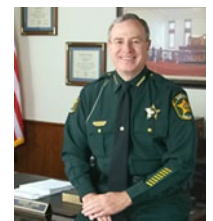
My perception is that the level of violence in our society has increased, and gun violence is only one element of the violence that is present daily. To prevent all homicides, it will be necessary to identify and address the systemic societal issues related to the causes and effects of violence.



That said, I believe that reducing the number of guns manufactured, distributed and purchased may have an effect on gun violence.

POLK COUNTY, FL SHERIFF GRADY JUDD:
We Should Encourage Gun Ownership By Law-Abiding Citizens

We should encourage law-abiding citizens to legally own and possess weapons so they can protect themselves and their families from violent criminals, and we should pass strong "castle doctrine" and "no retreat" laws. Federal, state, and local legislative bodies and criminal justice agencies should hold criminals accountable for their crimes and punish them with incarceration, incapacitating them from committing violent crimes on innocent victims and deterring would-be criminals from committing gun crimes or any other violent crime.



NEW HAVEN, CT CHIEF FRANK LIMON:
Establish Gun Offender Registration, Similar to Current Requirements for Sex Offenders

We should initiate a violent crime gun offender registration initiative—similar to sex offender registration—in order to demonstrate

that individuals who have used guns in crimes are being monitored. While this may not stop people without criminal records from committing violent acts with guns, it would provide a clearer picture to the criminal justice system of who has committed gun crimes, while providing a message to such offenders that they will be monitored.



I believe we should also address gun violence as a public health concern, and should involve professional resources to assist law enforcement in identifying individuals who display a propensity for violence through their actions, for the purpose of interdiction. Tucson was but one example of many cases in which this need for interdiction was apparent but was never acted upon, as no such formal mechanism existed.

Finally, we should have early gun violence detection and threat assessment. Develop a universally accepted model for a database related to violence, in order to establish a method for risk assessment and determine a threshold as to when intervention should be initiated. Schools, for example, provide an excellent environment in which antisocial, sometimes psychopathic behaviors are repeatedly observed, but are not acted upon.

NEWPORT NEWS, VA CHIEF JAMES FOX: We Need a Comprehensive Database on Gun Purchases

We need enhanced prosecution, investigation, and prevention measures at the local, state and federal level. These measures must work in conjunction with one another. An emphasis needs to be placed on federal initiatives that support state and local governments.



The prosecution measures should focus on recidivism (offenders must be incarcerated sooner), on felons in possession of guns, on straw purchases, on targeting known offenders and the mentally ill, etc. The investigation aspect must span from the purchase of the gun to the offense, and cases need to be developed from all points within. The prevention aspect must focus on the culture of the problem, which hopefully will allow for the interruption of a person becoming an offender.

We need stricter permitting and reporting requirements at all levels, which would include background checks, local registration

measures, and sharing of information on persons who cannot buy or possess weapons. A review of problem gun sales should not only focus on the buyer, but also on the retail establishment that sold the gun.


We need a comprehensive review and database regarding who is buying guns, what kind are being purchased, and where they are being stored. There should be one clearinghouse or agency responsible for holding, sharing and maintaining this information.

We should have a comprehensive judicial review at the federal and state level of how gun cases are being adjudicated, and the applicable laws that are currently on the books, to answer these questions: Is there a need for new laws? Are current laws sufficient? Should current laws be revised? Is there a need for local and state governing bodies to mandate the development of a court specifically to hear gun cases and associated gun violence?

LEESBURG, VA CHIEF JOSEPH R. PRICE: I Can't Believe the Founding Fathers Intended the Second Amendment To Result in Today's Gun Proliferation

Clearly, the availability of guns is a major contributor not just to the Virginia Tech and Tucson shootings but to homicides across our country and the current attacks on police. It is difficult for me to conceive that the founding fathers could imagine that the Second Amendment would be used as the justification for guns to be as prolific as they are today and as unregulated. I believe we could have the greatest impact on reducing gun violence through:



- 1) Gun/pistol regulation and restrictions;
- 2) Prohibition of assault weapons/ high capacity magazines. Law enforcement and the military don't carry 30+ round pistol magazines. Assault weapons are designed to kill people, not for hunting.
- 3) Responsible gun ownership. In my jurisdiction, our largest crime problem is larceny from unlocked vehicles. The number of firearms left unsecured in unlocked vehicles is astounding.
- 4) Background checks that require more than just a computer check. 



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PERF Chiefs Offer Views on Reducing Gun Violence In Wake of Tucson Shootings

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FROM THE PRESIDENT:

We Need Reasonable Gun Control Laws,
And We Need Very Stiff Penalties for Using a Gun to Commit a Crime PAGE 2



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