

Gun Violence: Regional Problems, Partnerships, and Solutions

Findings and Recommendations from Four Regional Summits and a Survey of Police Executives





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National Gun Violence Research Center

Police Executive Research Forum



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Contents

Foreword	. v
Executive Summary	1
Key Findings and Recommendations	
Introduction	. 7
SIDEBAR: Gun Violence Statistics	
SIDEBAR: National Policy Debates	
The Report in Three Parts	. 9

PART 1.

Regional Gun Violence Summits	. 10
Minneapolis, MN: 2013 Regional Summit to Combat Gun Violence and Crime	
Portland, OR: 2014 Regional Summit to Combat Gun Violence and Crime	14
Las Vegas, NV: 2014 Regional Summit to Combat Gun Violence and Crime	15
SIDEBAR: ATF's NIBIN and "Real-Time" Crime Gun Intelligence Centers	16
Milwaukee, WI: 2014 Midwest Interstate Coalition Gun Violence Reduction Summit	18

PART 2.

Summary of Gun Summit Discussions, by Topic	20
Discussion Themes	21
Discussion Topic Summaries	22
Reframing the Issue of Gun Violence as a Public Health Issue	22
Tools for Officers to Prevent Violence by Persons with Mental Illness and Other Risk Factors	23
Gun Policy and Access to Firearms	25
Sources of Crime Guns: Private Purchases, Gun Shows, and Straw Purchases	26
A Call for Universal Background Checks	27
Other Laws that Target High-Risk Persons	28
Local and State-Based Reforms	29
A Regional Approach to Reducing Gun Violence	32
Using Technology to Share Data and Disseminate Information	33
The Fusion of Crime Gun Technologies	33

PART 3.	
Guns, Public Health, And Mental Illness:	20
An Evidence-Based Approach For State Firearms Policy	
Evidence-Based Policy Recommendations Survey of Police Executive Policy Preferences and Current Practices	
Temporary Firearm Prohibitions	
When Should Police Have the Authority to Remove Firearms?	
Gun Violence Restraining Orders	
Agency Protocols, Programs, and Partnerships	
Summary	
Conclusion	
What Were the Key Discussion Themes?	
Depoliticize Gun Violence Reduction Efforts	
Mental and Behavioral Health Issues Must Be Addressed	
Background Checks Must Be Expanded	
A Community Approach Is Critical	
Data Sharing and Joint Task Forces Are Important Strategies	44
What Are the Next Steps for Chiefs and Other Local Officials?	44
What Are the Next Steps for the National Gun Violence Research Center? SIDEBAR: A Summary of the Evidence and Recommendations from the Consortium for Risk-Based Firearm Policy	
About PERF	51
About The Joyce Foundation	
APPENDIX A. Participants at the "Regional Summit to Combat Gun Violence and Crime" Hosted by the Cities of Minneapolis and Milwaukee January 10, 2013, Minneapolis, MN	53
APPENDIX B. Participants at the PERF Summit "Regional Summit to Prevent Gun Violence and Crime" February 18, 2014, Portland, Oregon	56
APPENDIX C. Participants at the PERF Summit "Regional Summit to Prevent Gun Violence and Crime" May 15, 2014, Las Vegas, Nevada	
APPENDIX D. Participants at the 2014 Midwest Interstate Coalition Gun Violence Reduction Summit September 11, 2014, Milwaukee, WI	60

Foreword By Chuck Wexler

To better understand regional issues and perspectives about gun crime and violence, the Police Executive Research Forum, with support from the Joyce Foundation, held four regional summits and surveyed law enforcement leaders on gun violence reduction strategies. The summits were held in Minneapolis, MN; Portland, OR; Las Vegas, NV; and Milwaukee, WI in 2013 and 2014. The survey of PERF's member police executives from around the nation was conducted from December 2014 to February 2015.

Throughout the four summits, one message came through especially clearly: We must find a way to "de-politicize" gun crime issues and generate a national conversation about gun crime as a public health issue, not an issue of violating anyone's Second Amendment rights.

Some of the information offered by the summit participants is shocking – such as a neighborhood in Milwaukee where residents were not even calling police to report hearing shots fired 86 percent of the time, because it was such a common occurrence. Even more frustrating, as Milwaukee Police Chief Edward Flynn noted, misdemeanor gun crimes in Wisconsin never result in an individual being prohibited from buying or owning a gun. So even a criminal with 20 or more misdemeanor firearms convictions could legally purchase and own a gun in Wisconsin.

Some of the information is illuminating, such as the Minneapolis Police Department's successful efforts, recounted by former Chief Tim Dolan, to reduce bank robberies and street robberies by deploying surveillance cameras and gunshot detection technology in downtown areas.

The discussions also provided hope by demonstrating that criminal justice professionals, working with elected officials, can bring about reasonable changes in gun laws that do reduce gun crime in their jurisdictions.

All of the presentations and conversations were of value – helping us clarify what works, what could work, and what legislators, elected officials, criminal justice professionals, and community leaders can do to reduce gun crimes, make neighborhoods and regions safer, and provide opportunity and hope to the next generation of community members.

Chuck Wexler is Executive Director of the Police Executive Research Forum.

Executive Summary

Police chiefs have a front-row perspective on the toll that gun violence takes on our communities, and they have decades of experience with policies and strategies for reducing gun crime. Law enforcement voices are critical to the national debate over how we address the more than 30,000 people who are killed each year by firearms.¹

With support from the Joyce Foundation, the Police Executive Research Forum (PERF) – a Washington, DC-based research organization – conducted a research project to obtain information about gun violence strategies from law enforcement leaders across the U.S.

PERF convened four regional summits (in Minneapolis; Portland, OR; Las Vegas; and Milwaukee) in which nearly 200 police chiefs, sheriffs, prosecutors, mayors, researchers, public health professionals, and government officials provided their perspective on strategies for reducing gun crimes. PERF also conducted a national survey of police leaders from more than 250 agencies in early 2015 to assess support for some of the ideas discussed in the summits. The following summarizes our findings and recommendations.

Key Findings and Recommendations

1. Universal Background Checks

FINDING: There is overwhelming support among police executives for universal background checks.

RECOMMENDATION: Police chiefs, elected officials, and community leaders should work with their state and local governments to require universal background checks for firearms sales.

Many police officials at the PERF regional summits said that one of the largest obstacles to reducing gun violence is the easy availability of firearms to gang members and criminal offenders. "The gangsters that we deal with, it's so easy for them to get a gun," said Ken Duilio of the Portland Police Bureau. "They can make a phone call or send a text message, and in 30 minutes will have an illegal gun."

Police officials said that one reason criminal offenders can obtain guns easily is that there are large holes in the national system for conducting criminal background checks on gun purchasers. Gun sales by persons other than federally-licensed gun

^{1.} G. Wintemute. "The Epidemiology of Firearm Violence in the Twenty-First Century United States," The Annual Review of Public Health 38 (2014). http://www.annualreviews.org/doi/pdf/10.1146/annurev-publhealth-031914-122535

dealers do not require a background check under federal law. This allows guns to pass easily from the legal to the secondary market where they can be acquired by prohibited persons.

For example, Chicago Police Superintendent Garry McCarthy, who spent most of his early career in the New York City Police Department, said he believes New York City has less gun crime than Chicago because New York State has stricter state laws than those in Illinois, including a requirement for universal background checks.

Chicago Police Superintendent McCarthy said,

In 2012, the Chicago Police Department recovered more than twice as many guns as the Los Angeles Police Department, and seven times as many guns as the New York City Police Department. But because of the weak gun laws in Illinois, no matter how many guns the police take off the streets, there continues to be a ready supply of illegal guns for criminal offenders in Chicago.

"There is a slow-motion mass murder of our young people, and it's done with high-quality, high-capacity firearms, often purchased privately without any background checks."

- Milwaukee Police Chief Edward Flynn

"The system for regulating guns is broken. Gun advocates have intentionally broken it."

-Former Minneapolis Police Chief Tim Dolan

These comments, and similar ones by other police chiefs and mayors at the PERF summits, are not merely anecdotal. In 2013, following the shooting of 20 young children and six adults at the Sandy Hook Elementary School in Newtown, Connecticut, PERF asked its member police chiefs and sheriffs whether they support legislation to require background checks for all gun sales, and 95 percent of the responding law enforcement officials said they do support such legislation.²

However, police chiefs and mayors at the PERF summits expressed frustration that Congress did not enact universal background checks or other elements of President Obama's gun violence reduction plan following the Sandy Hook shootings, and said that state legislatures and local governments may offer greater opportunities for stricter laws on background checks and other issues.

Seventeen states and the District of Columbia have extended background check requirements beyond federal law to various degrees – for example, by requiring background checks for all gun sales at gun shows, or requiring background checks for all transfers of handguns or of all firearms.³

Thus, participants at the PERF summits generally see state and local governments as offering better opportunities for action on background checks and other gun policy reforms.

 [&]quot;PERF Members Express Support for Key Elements of Obama Gun Violence Plan." Subject to Debate, a Police Executive Research Forum newsletter. January-February 2013. http://www.policeforum.org/assets/docs/Subject_to_Debate/Debate2013/ debate_2013_janfeb.pdf

^{3. &}quot;Universal Background Checks and the Private Sale Loophole Policy Summary." Summary of State Law. http://smartgunlaws.org/ universal-gun-background-checks-policy-summary/#state

2. Strategies to Keep Guns from High-Risk People

FINDING: There was broad support at the PERF summits, and in the survey of police executives conducted for this project, for temporary prohibitions on gun ownership by persons who are in crisis due to a serious mental illness or who have a history of violence.

RECOMMENDATION: Police chiefs, elected officials, and community leaders should call on state and local legislators to approve measures to remove firearms from persons with documented histories of dangerous mental illness, domestic violence, or violent crimes.

The national survey of law enforcement executives produced the following findings:

- **Gun Violence Restraining Orders**: 81 percent of police executives surveyed said they would support laws creating a civil restraining order process, in which private citizens or law enforcement officials could petition courts to request that firearms be temporarily removed from a family member or intimate partner who poses a credible risk of harm to himself or herself, or to others. In addition, the restraining order would prohibit new purchases of firearms by that person for the length of the restraining order.
- **Dangerous mental illness:** 96 percent of survey respondents said they support legislation to temporarily ban firearms purchases or possession by persons who have had a short-term involuntary hospitalization, with a clinical finding of being a danger to oneself or others.
- Violent misdemeanors: 92 percent of survey respondents support temporarily barring gun ownership from persons convicted of a violent misdemeanor, such as one involving the use of a deadly weapon, the use of force, the threat of force, or stalking. (Federal law already bans gun possession by persons convicted of felo-ny-level crimes.)
- **Restraining orders for domestic violence:** 94 percent of responding police executives support a temporary ban on firearms ownership for a person under a temporary restraining order for domestic violence. (The prohibition would be for the length of time of the restraining order.)

Speaking at a PERF summit, Sherwood, OR Police Chief Jeff Groth said that homicides and suicides often result from situations involving domestic violence and/or mental illness. "Because of the circumstances people find themselves in, they lose their temper, there is a gun present, and suddenly we have a shooting," he said.

The first Gun Violence Restraining Order law was enacted in California in 2014, "after police near Santa Barbara said they were unable to confiscate weapons from a man who later went on a rampage and killed six people, despite concern from his family that he was in poor mental health and might become violent," according to a news account of the measure.⁴

^{4. &}quot;California governor signs 'gun violence restraining order' law." Reuters, Sept. 30, 2014. http://www.reuters.com/ article/2014/09/30/us-usa-california-gun-control-idUSKCN0HP2JD20140930

3. Police Engagement with the Community and Other Agencies

FINDING: Police leaders said that gun violence is not a problem that the police can solve on their own. The community and other government agencies must be involved in a coordinated, multi-faceted approach. For example, police agencies increasingly are creating teams of officers and mental health workers to prevent violence by (or against) persons with mental illness.

RECOMMENDATION: Police executives, elected officials, and community leaders should think of gun violence as an issue that is not exclusively a matter for police, and they should develop more comprehensive approaches to preventing situations that result in shootings.

Law enforcement leaders see better results when they work in partnership with members of the community. Several described efforts to shift officers from citywide special units to neighborhood-based beats, so that they can get to know community members and build relationships of trust. The goal is to build positive relationships so that community members will share information about gun violence and other crime in their neighborhood.

Moreover, different neighborhoods often have different causes of violent crime. For example, in one area, crime may be a function of gang activity, while in another neighborhood, domestic violence may be a larger factor. Community policing strategies help to identify these differences and devise targeted prevention and intervention approaches.

Community-wide initiatives also include preventing violence against people with mental illness, as well as preventing violence by mentally ill persons. Police executives noted that their officers often come into contact with individuals experiencing a mental health crisis. In some of these cases, mentally ill persons try to commit "suicide by cop" – i.e., they threaten officers with a weapon in an attempt to force the officers to shoot them. In other cases, they simply behave erratically and dangerously – such as standing on a street corner and brandishing a knife – and are unable to respond coherently to officers' commands.

The Portland Police Bureau created a Behavioral Health Unit, in which officers work with mental health workers to identify and help mentally ill persons who come into frequent contact with the police. Such "Crisis Intervention Teams" (CITs), made up of specially trained police officers and mental health workers, are a best practice in policing. CIT officers are trained to provide a more effective response than regular patrol officers when mentally ill persons are behaving in a threatening way, and the team members also become familiar with the mentally ill persons in the community and help them to obtain treatment services.

These types of initiatives require police to work with other agencies and community groups. Such efforts can have an important impact in reducing gun violence and suicides by mentally ill persons, as well as by persons with drug or alcohol addictions, developmental disabilities, or other conditions that may cause them to behave unpredictably.

Others at the PERF summits suggested considering whether a public health approach may help address local gun violence issues. For example, instead of focusing solely on criminal justice responses, officials should emphasize the public health and medical costs of gun violence. "Dealing with gun violence after it occurs is too late, from the public health perspective," said Milwaukee County District Attorney John Chisholm. "They're in the emergency room already."

4. Technologies for Reducing Gun Violence

FINDING: ATF's National Integrated Ballistic Information Network (NIBIN), used to its full capabilities, can help local police agencies link multiple crimes that were committed with the same gun, which often is helpful in identifying suspects and increasing the number of charges that can be made against repeat offenders. Police also report successes when they combine NIBIN with other technologies, such as eTrace, ATF's Internet-based firearms tracing and analysis tool, which can track a recovered firearm from its manufacturer or importer to a wholesaler or retailer, and then to a purchaser.⁵ This system can help police develop investigative leads. Automated gunshot detection systems have also helped police to identify when and where guns have been fired, and identify potential footage from neighborhood security cameras.

RECOMMENDATION: Police executives, elected officials, and community leaders should support joint initiatives between their local police and federal agencies, including ATF, to identify repeat offenders and reduce gun crime. Local police also should take advantage of new technologies in policing that have proved effective in reducing gun violence and apprehending offenders.

Participants stressed the benefits of collaborative law enforcement strategies based on data. Gun Crime Intelligence Centers in Denver, Chicago, and Milwaukee enable ATF and local police to process ballistic evidence quickly and comprehensively in order to identify suspects and build cases. For example, shell casings recovered at nonviolent crime scenes are given the same high priority for ballistics analysis as casings recovered at serious violent crime scenes, because evidence from *any* of the cases might prove critical to linking cases and identifying a suspect. If an offender uses a gun to commit an act of vandalism, for example, the shell casing from the vandalism might be the one that links him to other, more serious crimes, if a security camera happens to record the offender's image at the scene of the vandalism.

This type of ballistics analysis, conducted through the ATF's National Integrated Ballistic Information Network (NIBIN), can be extremely effective in identifying suspects, particularly if it can be conducted quickly. Milwaukee Police Chief Ed Flynn said that since the Milwaukee Police Department began using NIBIN in 2013, it has entered 1,600 shell casings into the system, and the results helped the department to link more than 360 incidents and develop 160 cases.

Information from NIBIN and gun traces can be shared across agencies to identify sources of crime guns, trafficking patterns and repeat offenders. For example, NIBIN information from multiple jurisdictions can be used to link a shooter to multiple shootings, and prosecutors can use that data as evidence to strengthen prosecutions and trial presentations, and increase the charges and sentences sought for

^{5.} https://www.atf.gov/resource-center/pr/etrace-internet-based-firearms-tracing-and-analysis.

defendants, by providing additional evidence regarding the offender's likely involvement in other crimes.

Police officials said that a number of police technologies have implications for reducing gun violence, and they are most effective when they are used together. For example, Chief Flynn said that a gunshot detection system installed in a 3-squaremile area of Milwaukee revealed that 86 percent of gunfire incidents were never reported to the police; because gunfire was considered so commonplace, people didn't bother to call the police. The gunshot detection system helped police identify a house that was being used to sell guns illegally, because customers were stepping outside to test-fire the guns.

"We made several arrests and seized several firearms, and entered the casings we recovered there into NIBIN, and 28 percent of those [firearms] had been used in two or more offenses. The number of firearm incidents in that area was reduced by 42 percent in one year. Now that's significant."

- Milwaukee Police Chief Edward Flynn

In Minneapolis, former Police Chief Tim Dolan said the Police Department coordinated its gunshot detection technology with its neighborhood security cameras, so that the cameras automatically pan toward the direction of gunfire. This increases the likelihood that offenders' images will be captured on video following a crime involving a gunshot.

Conclusion

Effective policing strategies are critical to addressing our nation's high number of gun crimes, yet police chiefs and other local officials have lost faith in the ability of the federal government to act. Law enforcement leaders overwhelmingly agree that they need stronger gun policies to keep guns from dangerous persons, starting with background checks on all gun sales. They also agree with the need to temporarily remove firearms from high-risk individuals, and they are turning to state and local elected officials for action.

Beyond policy reform, they are also testing local and regional approaches that offer promise to law enforcement agencies across the country to reduce gun violence, including enhanced community engagement and better use of technology, and summits like the ones used in this study may be an important way to share these approaches. As states and municipalities consider new policies and distribution of resources, this compilation of voices of people working on the front line to stop gun violence can greatly inform the debate.

Introduction

The Police Executive Research Forum (PERF) is a Washington, DC-based policing research organization and national membership association of chief executives of state and local law enforcement agencies in the United States and around the world. For 38 years, PERF has brought together police leaders, local and federal officials, academics, and other experts at the national level to develop best policies and practices and explore policing issues.

PERF operates the National Gun Violence Research Center ("the Center"), with support from The Joyce Foundation. Its mission is to produce and disseminate

Gun Violence Statistics

Every day, people throughout the United States feel the impact of gun violence. In 2013,⁶ there were 8,454 homicides by firearms in the United States, which accounted for 60 percent of all homicides that year.⁷ But the most common cause of death from firearm violence was suicide, which made up 64 percent of all firearm deaths.⁸

The United States has had a number of mass shootings take place in the last 30 years, and a recent FBI study of those incidents between 2000 and 2013 indicated that they are on the rise in the U.S.⁹ The results of this violence are tragic and receive a good deal of news media attention, but fewer than 1 percent of the gun murder victims recorded by the FBI in 2010 were killed in incidents with four or more victims.¹⁰

In addition to the personal toll that gun violence takes on victims and their families, gun crime is a drain on the United States' economy. Some estimates indicate that the total costs of gun violence – including medical, criminal justice, and other costs – could be more than \$100 billion per year.¹¹ PERF's analysis of the cost of gun violence, released in April 2012, found that even using the most conservative formula proposed by Cohen and Piquero (2009), gun violence cost the United States more than \$57 billion in 2010.^{12, 13, 14}

^{6.} At the time of this writing, 2013 is the most recent year for which full national data is available.

^{7.} U.S. Department of Justice, Federal Bureau of Investigation. Uniform Crime Report, 2013. Expanded Homicide Data Table 8 Accessed: http://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2013/crime-in-the-u.s.-2013/offenses-known-to-law-enforcement/expanded-homicide/expanded_homicide_data_table_8_murder_victims_by_weapon_2009-2013.xls

^{8.} G. Wintemute. "The Epidemiology of Firearm Violence in the Twenty-First Century United States," The Annual Review of Public Health 38 (2014). http://www.annualreviews.org/doi/pdf/10.1146/annurev-publhealth-031914-122535

^{9.} U.S. Department of Justice, Federal Bureau of Investigation. "A Study of Active Shooter Incidents in the United States Between 2000 and 2013" 2014. http://www.documentcloud.org/documents/1304981-fbi-study-on-mass-shootings.html#document/p1

^{10.} Eyder Peralta, "Most Gun Deaths Happen Outside of Mass Shootings," National Public Radio, February 1, 2013. http://www.npr.org/ blogs/thetwo-way/2013/02/01/170872321/study-most-gun-deaths-happen-outside-of-mass-shootings

^{11.} Cost calculated from Cohen, Cohen, Rust, Steen & Tidd. Willingness-To-Pay for Crime Control Programs. Criminology, Vol. 24, Issue 1. 2004. http://onlinelibrary.wiley.com/doi/10.1111/j.1745-9125.2004.tb00514.x/abstract

^{12.} Cohen, Mark A., and Alex R. Piquero, "New Evidence on the Monetary Value of Saving a High Risk Youth," *Journal of Quantitative Criminology*, Vol. 25, No. 1, March 2009, pp. 25–49. See also Heaton, P., "Hidden in Plain Sight: What Cost-of-Crime Research Can Tell Us About Investing in Police." Rand Corporation. (2010). Available online at: http://www.rand.org/pubs/occasional_papers/OP279.html

^{13.} Police Executive Research Forum. "Gun Violence in America: One Week, Six Cities, and the Implications," (2012). http://policeforum. org/library/crime/PERFPresentationonGunViolence.pdf

^{14.} Mother Jones. "What Does Gun Violence Really Cost?" (2015) http://www.motherjones.com/politics/2015/04/true-cost-of-gun-violence-in-america

research and policy guidance for local, state, and federal law enforcement agencies regarding the prevention and reduction of gun crime, as well as the police response to gun crimes that are committed.

The Joyce Foundation is a Chicago-based organization that supports public policy development in a number of areas, including education and the environment. The Foundation has supported research on gun violence prevention since 1993.

PERF convened four regional gun summits in 2013 and 2014 that provided an opportunity for police executives, researchers, public health professionals, and federal, state and local government officials to discuss the challenges they face as they work to reduce gun crime. The discussions at these summits reflected a growing recognition that gun violence has an impact on everyone and is not isolated to one block, one neighborhood, or one city. These meetings brought together stakeholders who examined public policies and the most current gun crime research findings, identified areas where collaboration can take place and where resources can be shared, and discussed practical strategies for reducing gun crime. This report provides a comprehensive summary of the summits.

National Policy Debates

Recent efforts to enact federal laws to reduce gun crime and related violence while protecting the rights of legitimate gun owners have not been successful. President Obama's 2013 attempt to advance national legislation, outlined in his "*Now Is the Time*" report, followed the Sandy Hook Elementary School shootings in Newtown, Connecticut.¹⁵ The President called for closing loopholes in the national system for conducting background checks in order to determine whether gun purchasers have serious criminal records or other factors that disqualify them from purchasing firearms under existing federal law. He also called for a ban on military-style assault weapons and high-capacity firearm magazines.¹⁶ Despite widespread public support for those measures, the legislation failed in the Senate by a vote of 55–45 (60 votes were required to pass).

State and Local Initiatives

Legislation at the state and local levels has attempted to address gun violence through a variety of methods, including universal background checks; restricting firearm purchases for at-risk populations; banning assault weapons and high-capacity magazines; developing new law enforcement strategies and policies; and implementing gun violence restraining orders. Results have been mixed. Since the Sandy Hook mass shooting, the states have enacted 242 new firearms laws. Of these, 99 strengthen gun laws, 88 weaken gun laws, and 55 were "minimal impact" laws.¹⁷

^{15.} The White House. "Now is the Time: The President's Plan to Protect Our Children and Our Communities by Reducing Gun Violence." January 16, 2013. http://www.whitehouse.gov/sites/default/files/docs/wh_now_is_the_time_full.pdf

^{16.} Jennifer Steinhauer. "Senator Unveils Bill to Limit Semiautomatic Arms." The New York Times, January 24, 2013. http://www.nytimes. com/2013/01/25/us/politics/senator-unveils-bill-to-limit-semiautomatic-arms.html

^{17.} Law Center to Prevent Gun Violence, Summary of Enacted Laws Since Newtown, Jan 22, 2015, http://smartgunlaws.org/summary-of-enacted-laws-since-newtown/

The Report in Three Parts

Part 1 of this report provides an accounting of stakeholder agencies represented at each of the regional summits and descriptions of presentations by guest speakers. The sites were Minneapolis, MN; Portland, OR; Las Vegas, NV; and Milwaukee, WI. There is also a sidebar synopsis of the ATF's presentation on its National Integrated Ballistic Information Network (NIBIN) efforts to speed information exchange with local police agencies.

Part 2 is organized by topics, representing the subjects most often discussed at all four summits. Some speakers presented demographic overviews of their locales to make a point, some discussed lessons learned, and many spoke bluntly about what must be done to reduce gun crime.

Part 3 provides the results of a PERF survey to gauge police leaders' support for various gun violence reduction policies. More than 250 police executives responded to the survey and provided their views on a set of policy recommendations developed in 2013 by the Consortium for Risk-Based Firearms Policy, which includes the nation's leading researchers, practitioners, and advocates in the fields of gun violence prevention and mental health.

PART 1 Regional Gun Violence Summits



PERF worked with mayors and other elected officials, **law enforcement executives**, researchers, prosecutors, public health experts, and others to organize and convene four regional gun summits.

The summits were held in:

- Minneapolis, MN (January 2013)
- Portland, OR (February 2014)
- Las Vegas, NV (May 2014)
- Milwaukee, WI (September 2014)

These meetings brought together stakeholders to discuss public policies, current gun crime research findings, and practical strategies for reducing gun crime. PERF worked closely with the hosts and participants to develop a substantive agenda based on the specific issues and challenges facing the stakeholders in each region.

The following table shows the percent of violent crimes committed with a firearm, nationally and in each of the states where the meetings were hosted.

	Total # of Homicides	Percent of Homicides committed with a firearm	Total # of Robberies	Percent of Robberies committed with a firearm	Total # of Aggravated Assaults	Percent of Aggravated Assaults committed with a firearm
United States	12,253	69 percent	312,461	40 percent	659,363	22 percent
Minnesota	110	55 percent	3,674	31 percent	6,870	18 percent
Oregon	78	55 percent	2,215	19 percent	4,946	12 percent
Nevada	157	55 percent	5,170	36 percent	9,786	17 percent
Wisconsin	157	66 percent	4,811	49 percent	9,195	23 percent

2013 Percent of Violent Crimes Committed with a Firearm¹⁸

Below are descriptions of each gun summit, with a summary of jurisdictions, participants, and keynote presenters.

^{18.} Data compiled from 2013 UCR Crime Report, FBI. Tables referenced: "Murder," Table 20; "Robbery," Table 21, and "Aggravated Assault," Table 22. http://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2013/crime-in-the-u.s.-2013/violent-crime/violent-crime-topic-page/violentcrimemain_final

MINNEAPOLIS, MN

2013 Regional Summit To Combat Gun Violence and Crime

"Every year since 2006, non-fatal shootings and gun recoveries have been on the rise. We continue to increase the number of guns we seize, yet we're still having more and more shootings."

– Minneapolis Police Chief Janeé Harteau (\Rightarrow)

Overview



Minneapolis hosted the first summit on January 10, 2013, and it provided the model for the three summits that followed. Participants included federal and local law enforcement executives from the ATF; the police departments of Milwaukee, Minneapolis, Chicago, St. Paul, Duluth (MN), and Chaska (MN); and the Ramsey County and Hennepin County Sheriffs' Offices. U.S. Rep. Keith Ellison (D-MN); local legislators; mayors from several cities including Milwaukee, Minneapolis, and Kansas City (MO); and academics also participated.

Chief Janeé Harteau of the Minneapolis Police Department presented gun violence statistics for the city. She noted that "in 2012, there were 179 non-fatal shootings and 41 homicides. Of the non-fatal shooting victims, 51 percent were between 1 and 24 years old, and 73 percent of the homicides were committed with a firearm. Additionally, the Minneapolis Police Department inventoried 658 guns as evidence in 2012, a 28-percent increase from the previous year."

The summit keynote speakers included Dr. Mary Kay Balchunas, Chaplain of the Children's Hospital of Wisconsin, who described her personal connection to gun violence. She spoke about her son, a Wisconsin Department of Justice Special Agent who was killed in the line of duty. From her unique perspective as a mother of an officer killed by gun violence and as the Chaplain of the Children's Hospital of Wisconsin, Dr. Balchunas conveyed how gun violence affects the families and friends of victims.

Dr. Christopher Koper, co-director of the Center for Evidence-Based Crime Policy at George Mason University, made a presentation titled "Combating Illegal Guns on a Local Level with an Evidence-Based Approach." He examined several successful strategies that local police departments use, including targeting persons at high risk for committing gun violence, and hot spots policing. Dr. Koper said that proactive, multi-faceted strategies that target specific crimes, criminals, and places, along with partnerships with federal agencies, tend to be more successful than traditional responses. Problem-solving tactics (such as offering social services, nuisance abatement, and code enforcement initiatives) and targeted investigations also worked to reduce gun violence, he said.

Dr. Daniel Webster, Director of the Center for Gun Policy Research at Johns Hopkins University, spoke on "Research to Advance Effective Gun Policies: Implications for Minnesota and Wisconsin." He pointed to the evidence behind current prohibitions for possessing firearms (such as convictions for serious crimes or a history of mental illness) and said those conditions should be expanded to enhance public safety. He and other research colleagues found that in the 13 states with the lowest standards for legal gun ownership (which includes Wisconsin), only 40 percent of individuals incarcerated for committing violent crimes with guns were legally prohibited from possessing the gun that they used to commit the crime. Further, nearly 30 percent of these offenders would not have been able to possess legal guns if their state had stricter firearm prohibitions in place. He also presented research indicating that raising standards for legal gun ownership led to reductions in violence.

Dr. Webster next discussed policies designed to prevent diversions of guns to prohibited persons and the research evidence behind these policies. These policies include universal background check requirements, permit-to-purchase handgun laws, strong gun dealer regulation and oversight, undercover sting operations, lawsuits against gun dealers whose irresponsible actions endanger the public, mandatory reporting of lost or stolen guns, and "junk gun" restrictions. Each of these policies was associated with lower levels of guns diverted to criminals in one or more studies.

Webster provided specific suggestions for how police can build evidence for new gun policies. The suggestions included: 1) tracking the criminal histories and ages of gun offenders; 2) tracking penalties offenders receive for illegal gun possession; 3) gathering and sharing information about federally licensed gun dealers who may be acting irresponsibly, through crime gun traces, surveillance, and debriefings; 4) using eTrace to identify repeat purchasers of crime guns; and 5) investigating and documenting barriers to deterring illegal gun transfers.

These issues were discussed at a panel discussion moderated by PERF Executive Director Chuck Wexler. Panel participants included Milwaukee Mayor Tom Barrett; Minneapolis Mayor R.T. Rybak; Oregon, WI Police Chief and former President of the Wisconsin Chiefs of Police Association Doug Pettit; Chaska, MN Police Chief and IACP Firearms Committee Chair Scott Knight; and Captain Jason Smith of the Milwaukee Police Department Fusion Center.

Because this summit took place in the aftermath of the Sandy Hook Elementary School massacre in Newtown, CT in December 2012; the Accent Signage shooting in Minneapolis in September 2012; the Sikh Temple shooting in Oak Creek, WI in August 2012; and the Aurora, CO movie theater shooting in July 2012, participants focused on the causes of mass shootings and prevention strategies. Participants also discussed universal background checks; restrictions on data-sharing on gun purchasing and gun crime; legislation to expand restrictions on gun purchasing and possession by persons with mental illness; and effective policing strategies to combat gun violence in urban areas.

PORTLAND, OR 2014 Regional Summit To Combat Gun Violence and Crime

"Gang violence and mental illness are at the heart of our gun violence problem. Unfortunately, there is a tragic intersection between mental illness and gun violence in our community."

– Portland Police Bureau Chief Mike Reese (\Rightarrow)

Overview



Nationwide, over the decade ending in 2012, 60.5 percent of all deaths from firearms violence are suicides, not homicides. Over the past 30 years, suicide has exceeded homicide even when firearms homicide rates were at their highest.¹⁹ In Oregon, suicides account for an even greater percentage of firearms violence; suicides with guns accounted for 83 percent of all firearm fatalities. Thirty seven percent of people who committed suicide with a firearm had previously been diagnosed with mental illness.²⁰

This topic was discussed throughout the day, specifically the impact of gun availability on suicide rates and individuals experiencing a mental health crisis.

Dr. Daniel Webster, Director of the Center for Gun Policy Research at Johns Hopkins University, addressed the summit and focused on how criminals obtain firearms (noting their reliance on private transfers, where background check and record-keeping requirements are generally lacking). He also described his new research indicating the harmful impact of Missouri's repeal of its law that had required permits to purchase handguns and had required background checks prior to all handgun transfers. Following the repeal of this law, diversions of guns to criminals increased twofold and firearm homicide rates increased 25 percent. His research systematically ruled out alternative explanations by controlling for changes in such factors as policing levels, incarceration rates, poverty, unemployment, and



^{19.} G. Wintemute. "The Epidemiology of Firearm Violence in the Twenty-First Century United States," The Annual Review of Public Health 38 (2014). http://www.annualreviews.org/doi/pdf/10.1146/annurev-publhealth-031914-122535

^{20. &}quot;Violent Deaths in Oregon: 2012, Suicide, Homicide, Undetermined, Legal Interventions, and Unintentional Firearm Deaths Investigated by Law Enforcement and Medical Examiners." Oregon Health Authority. https://public.health.oregon.gov/ DiseasesConditions/InjuryFatalityData/Documents/NVDRS/Violent-Deaths-%20in-%20Oregon-%202012.pdf

new public policies. The change in law was associated with approximately 50 additional murders per year in the state.

Josh Horwitz, Executive Director of the Coalition to Stop Gun Violence and a representative of the Consortium for Risk-Based Firearms Policy, gave a presentation on the findings and recommendations from the Consortium's 2013 report, "Guns, Public Health, and Mental Illness: An Evidence-Based Approach for State Policy." (A detailed overview of the Consortium's recommendations is provided on pages 46-49 of this report.)

The predominant issues at this summit were universal background checks and the role that mental illness plays in gun violence. Prior to the Portland summit, both the Oregon and Washington State legislatures had been debating implementing universal background checks for all gun sales. The summit was convened prior to the enactment of Initiative-594, a Washington State bill to close the gun show and private purchase loophole, which enabled citizens to purchase a firearm from a private seller without undergoing a background check. In November 2014, 60 percent of Washington State voters passed Initiative-594, requiring that background checks be conducted for all firearms purchases within Washington State. Oregon's legislature passed a similar measure in 2015.

LAS VEGAS, NV

2014 Regional Summit To Combat Gun Violence and Crime

"Our Firearms Section's pledge to me was that they would recover one gun every single day, and I think we are almost there. So the guns are here, and by guns I mean the illegal guns and prohibited persons with firearms."

- Las Vegas Metropolitan Police Deputy Chief Al Salinas

Overview

On May 15, 2014, PERF and the Las Vegas Metropolitan Police Department co-hosted the Las Vegas Regional Summit to Combat Gun Violence and Crime. There were 45 participants representing jurisdictions in Arizona, Colorado, Nevada, Wisconsin, and California, including the police departments in Las Vegas, Tucson, Denver, Reno, Sparks (NV), and Grand Junction (CO). Participants included PERF board members and other police chiefs, sheriffs, and other police executives; representatives from the Pima County (AZ) District Attorney's Office; academics; and leaders from ATF.

Denver, Tucson, and Las Vegas police officials presented gun violence statistics in their jurisdictions and noted that gun violence is increasing, even though homicide numbers were stable or declining. Dr. Shannon Frattaroli of the Johns Hopkins Center for Gun Policy Research, a member of the Consortium for Risk-Based Firearm

continued on page 17

ATF's NIBIN and "Real-Time" Crime Gun Intelligence Centers

"Any law enforcement action that removes a shooter from the streets, we consider to be crime gun intelligence."

> – Jim Needles, Firearms Operation Division Chief, ATF Denver Field Division²¹ (\rightarrow)

The Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) is using the National Integrated Ballistic Information Network (NIBIN) in innovative ways to support and enhance gun crime investigations.

NIBIN automates firearm ballistic information and stores it in the Integrated Ballistic Information System (IBIS) database. Trained NIBIN technicians scan the images of bullet shell casings that are either recovered from test firing a crime gun in the lab, or that are recovered at a crime scene, into the NIBIN database. Technicians then search the database and compare the image of the



newly recovered shell casing to the other casing images that are saved in the system. NIBIN searches yield a "hit," or potential match, if images of other bullet casings with similar markings are found, indicating the bullets may have been fired from the same firearm.

Linking shell casings from crime guns or different crime scenes can help provide additional leads to solve crime. NIBIN gives police agencies the ability to quickly connect multiple crimes that previously might not have been linked through traditional investigative leads. NIBIN also allows for intelligence and data-sharing across jurisdictional boundaries. Once police arrest a shooter who has been linked to multiple shootings through NIBIN matches, prosecutors can use that data as evidence to strengthen prosecution strategies, trial presentation, and the charges and sentences sought, by providing additional evidence regarding the offender's likely involvement in other shootings.

Denver's Crime Gun Intelligence Center

In 2012, the ATF partnered with the Denver Police Department to create the first Crime Gun Intelligence Center (CGIC). The stated purpose of the CGIC is to "produce actionable crime gun intelligence in a timely manner." The ATF's goal is to use ballistic intelligence to quickly target the small percentage of shooters in the community who are actively committing gun violence, and to identify the source of their crime guns.

Based on the implementation of this effort and initial indicators of success, the CGIC model is being used in other major urban areas. PERF, thought the National Gun Violence Research Center, is evaluating the impacts of the Denver initiative and two of its replication efforts, in Chicago and Milwaukee.

The key phases of this approach are highlighted below.

Phases to Implementing NIBIN Effectively

- 1. Comprehensive Collection of Evidence
- 2. Timeliness
- 3. Investigative Follow-up
- 4. Feedback Loop

The *comprehensive collection of evidence* involves collecting **all** shell casings recovered from **all** crime scenes and crime guns. According to ATF officials, this includes guns or shell casings recovered at scenes involving "celebratory' gun fire to 'stop-sign shootings' to murder." Importantly, evidence collection and

^{21.} At the time of the summits, Special Agent Jim Needles was at the ATF Denver Field Division. He is currently the Assistant Special Agent in Charge of the Chicago Field Division.

Policy, presented findings and recommendations from the Consortium's study, "Guns, Public Health, and Mental Illness: An Evidence-Based Approach for State Policy."

These recommendations focus on proposals to enact and enforce prohibitions on gun possession by persons with serious mental illness and other at-risk individuals – including those convicted of a violent misdemeanor or domestic violence offense, substance abusers, and multiple DUI offenders. Dr. Frattaroli called on states to implement gun violence restraining orders that would allow family members to ask police to seize an at-risk individual's gun, if the individual is considered a danger to himself or herself or to others.

Jim Needles, then-Chief of the Firearms Operations Division for the Denver Field office of the ATF,²² discussed "New Models of Crime Gun Investigations," which described an ATF initiative to reduce gun violence by using the National Integrated Ballistic Information Network (NIBIN), the Integrated Ballistic Information System (IBIS) database, and eTrace systems. His presentation illustrated the usefulness of ballistic crime gun evidence and the importance of regionally sharing this data that targets violent firearms offenders. (See the detailed overview of the use of NIBIN to assist in linking suspects to gun crimes on page 16).

As noted in the violent crime table on page 11, Nevada is below the national average for the percentages of homicides, robberies, and aggravated assaults that are committed with a firearm. From 2009-2013 there were 12,040 guns recovered by the Las Vegas Metropolitan Police Department.²³

data entry should not be prioritized based on the type of incident. Shell casings recovered at violent crime scenes should not take precedence over casings recovered from non-violent crime scenes, as these incidents linked together may yield important details on the identity of the shooter.

The second phase is *timeliness*. The first hours after a violent crime are critical for law enforcement. Rapid turnaround time is essential to solving cases and preventing future gun crime. The quicker the data can be generated and evaluated, the quicker police investigators can identify leads that result in arrests. Prior to the implementation of the CGIC model, there were lengthy turnaround times (sometimes over a year) for entering and receiving information on ballistic evidence. Ballistic evidence was largely being used as evidence for prosecuting a case, rather than solving it. By immediately entering the information and acting on instantaneous potential matches, additional investigative leads are provided in real-time.

The third phase is *follow up*. Analysts should provide this timely intelligence to investigators for immediate follow up. Investigators should follow up on the preliminary NIBIN hits to identify links and shooters before the intelligence is outdated.

The fourth phase is implementing a *feedback loop*. Everyone involved, from the officer who collected the shell casings to the NIBIN analysts and investigators, should know that they contributed to a successful investigation, arrest, and/or case prosecution. This feedback lets everyone know that their work actually produces results and is important, which will encourage them to keep up their efforts.

^{22.} Jim Needles is currently the ATF's Assistant Special Agent in Charge in the Chicago Field Division.

^{23.} Las Vegas Metropolitan Police Department Crime data

Summit participants said there is a need for universal background checks, cited challenges with gun shows and "straw purchasing" of firearms on behalf of persons who cannot legally purchase a gun, and crime gun identifying and tracing technologies. Topics also included the need for officers to receive crisis intervention training for situations involving persons with mental illness, and disseminating information on prohibited possessors and at-risk individuals to police officers on the street.

MILWAUKEE, WI

2014 Midwest Interstate Coalition Gun Violence Reduction Summit

"Our statistics say that from 2008–2012, in Milwaukee, African-Americans are seven and a half times more likely to be a victim of gun violence than whites.²⁴ That is the tragic reality. We can't ignore that."

- Milwaukee Mayor Tom Barrett

Overview

On September 11, 2014, PERF, the Milwaukee Police Department, and the Milwaukee Mayor's Office co-hosted the 2014 Midwest Interstate Coalition Gun Violence Reduction Summit. There were 55 participants from Wisconsin, Minnesota, and Illinois jurisdictions, including the police departments in Milwaukee, Minneapolis, Chicago, Madison, Racine, and St. Paul. Participants included chiefs, sheriffs, local prosecutors from Milwaukee and Hennepin County (MN), and representatives from the ATF, as well as the mayors from Milwaukee, Minneapolis, Oak Creek (WI), Racine, and suburban Milwaukee towns.

Milwaukee Police Chief Ed Flynn, Chicago Superintendent Garry McCarthy, and Minneapolis Chief Janeé Harteau presented gun violence statistics from their cities and strategies that their departments are using to reduce gun violence. Chief Flynn noted, "We have had the highest percentage of firearm homicides since 2007; 93 percent of our homicide victims have been killed with a firearm this year." As shown in the table on page 11, Wisconsin is above the national average for the percentage of robberies and aggravated assaults committed with firearms.

Superintendent McCarthy said that Chicago's violence is directly linked to the prevalence of illegal guns in the city. In 2012, the Chicago Police Department recovered more than twice as many guns as the Los Angeles Police Department and seven times as many guns as the New York Police Department.²⁵

^{24.} Milwaukee Police Department Crime data

^{25.} Chicago Police Department, "Tracing the Guns: The Impact of Illegal Guns on Violence in Chicago." City of Chicago–Office of the Mayor, 2014. http://www.cityofchicago.org/dam/city/depts/mayor/Press%20Room/Press%20Releases/2014/ May/05.27.14TracingGuns.pdf

Each of the executives acknowledged that while using gun tracing technology and adjusting departmental strategy are important in reducing gun violence, working with their communities was an equally important element.

As in the Portland summit, Josh Horwitz, Executive Director of the Coalition to Stop Gun Violence and a representative of the Consortium for Risk-Based Firearms Policy, highlighted California's Gun Violence Restraining Order (GVRO), approved by the legislature in 2014. The GVRO allows for a petitioner – a family member or law enforcement official – to request a temporary restraining order that prohibits an at-risk



Milwaukee Mayor Tom Barrett, PERF Executive Director Chuck Wexler, and Minneapolis Mayor R.T. Rybak

individual's possession of a firearm because the petitioner believes that person is a danger to himself or herself or to others.

ATF Firearms Operations Chief Jim Needles discussed the benefits of using NIBIN, IBIS, and eTrace technologies as investigative tools when conducting crime gun investigations. Chief Flynn and Superintendent McCarthy said that partnering with the ATF and regional law enforcement agencies has helped their departments to develop leads and conduct more effective crime gun investigations.

This summit included several city mayors. Mayor Steve Scaffidi of Oak Creek, WI detailed the Sikh Temple active shooter incident on August 5, 2012, in which the killer of six people had purchased the weapon legally.

Other mayors spoke of the need to pursue gun violence prevention legislation at the local level because of the lack of national leadership on these issues.

PART 2

Summary of Gun Summit Discussions, by Topic



"We in this room know that the solution is not arresting more people. It's about arresting the right people, and it's about having significant laws that are going to back up and facilitate the reduction of gun violence. The question is – how do we get there?"

– Chicago Police Superintendent Garry McCarthy (\rightarrow)

As described in Part 1, the Police Executive Research Forum (PERF), through its National Gun Violence Research Center, co-hosted four regional gun summits that provided a forum for stakeholders – law enforcement executives, researchers, public health experts, and elected officials – to discuss the challenges they face daily as they work to reduce gun crime. The summit participants offered different perspectives on the impact that gun violence has on everyone in their communities.

Criminal justice experts discussed an array of issues, including community and regional cooperation, data sharing, new technologies, background checks, access to guns, legislation, mental health issues, and suicides by firearm.

"We are a country that's afraid to have conversations about difficult subjects," said Oak Creek, WI Mayor Steve Scaffidi. "We run away from them because they make us uncomfortable. To see what happened in Sandy Hook upsets me to my core. We should all be doing something to make sure that never happens again. Elected officials have to be braver. We have to speak up on something that's so important."

Discussion Themes

Following is a summary of major points discussed by participants in the summits.

- The issue of gun violence needs to be reframed as a public health issue.
- Jurisdictions need a better way to address mental illness and prevent persons with behavioral health issues who are a danger to themselves or others from having access to firearms (without stigmatizing all individuals who have mental and behavioral health challenges).
- There is often a link between gang activity and youth gun violence. Jurisdictions should develop programs to connect police officers with youths in these communities and develop relationships with grassroots advocacy groups.
- Gun policies, such as requiring universal background checks on all firearms transactions, combined with enforcement approaches such as monitoring gun shows and enforcing laws against straw purchases, are important to reducing illegal access to firearms and gun violence.



• Regional approaches involving data-sharing and joint task forces, and the fusion of different technologies, are important strategies for reducing gun violence. There is a need to share data about offenders and eTrace and NIBIN data on crime guns, because violent gun crime crosses jurisdictional lines, especially in large metropolitan areas.

One theme was the importance of communication: sharing information about violent gun offenders and crime reduction strategies with neighboring communities, and providing more compelling messages to the public about gun violence.

Discussion Topic Summaries

In the pages that follow, we present the views of the police chiefs, elected officials, and other criminal justice experts who participated in the summits and whose ideas about strategies for reducing gun violence are based on years of experience.

Reframing the Issue of Gun Violence as a Public Health Issue

"This is not an attack on the Second Amendment; this is about preventing guns from getting into criminals' hands."

- Chicago Police Superintendent Garry McCarthy

When people discuss new legislation to prevent sales of guns to felons, they invariably discuss it as a political problem. But people who deal with the consequences of gun violence daily – the people who participated in these summits – said that instead of discussing gun violence as a political problem, discussing it as a public health problem will more likely bring about changes in thinking and actions.

Milwaukee County District Attorney John Chisholm spoke to this point, saying, "We know the data. We know the demographics. We know where our victims come from; we know where our offenders come from; and they are largely from the same demographic. The biggest challenge for police and prosecutors is addressing offenders before they commit the act. Dealing with gun violence after it occurs is too late from the public health perspective. They're in the emergency room already."

As Hillsboro, OR Police Chief Lee Dobrowolski (\rightarrow) said: "We should try approaching gun violence from a public health perspective as opposed to the law enforcement perspective. We need an advocacy group that can engage the mental health community and other groups that understand that this is a serious public health issue, rather than a legal issue."

Beaverton, OR Police Captain Jeff Williams said, "Law enforcement executives are the public safety advisors to our elected officials, whether it is a mayor, city council, or the state legislature. Many times, we come to them with a criminal justice message and a criminal justice solution about how to solve a crime problem. Over the last couple of years, it seems like the criminal justice message isn't as appealing as the public health



message with our elected officials. We're seeing that with some of our drug issues. If we only speak about making arrests and putting offenders in jail, it doesn't resonate. If we can get good statistics on gun violence and talk about the cost to our communities, that could be a more effective way to appeal to our elected officials."

Minneapolis Mayor Betsy Hodges said, "If people are not persuaded by the fact that young people are dying, they may be persuaded by the fact that this actually has an impact on your bottom line. The economics of our city would be far better if our high-crime neighborhoods were as safe as every other part of our city."

Participants at the PERF Summits compared the gun violence issue to issues that have been successfully reframed, such as campaigns against drunk driving. And Chicago Police Superintendent Garry McCarthy, noting that public attitudes have changed about cigarette smoking, wondered if similar changes are possible regarding gun violence.

How to be most effective in reframing the issue of gun violence?

Experts said that one approach that works is to provide factual information, such as research indicating that a gun in the home is more likely to be used to kill or injure someone in a domestic homicide, suicide, or unintentional shooting than to be used in self-defense.²⁶

Participants also recommended searching for information that everyone can agree on, and focusing on successes, not failures. For instance, according to the Bureau of Justice Statistics, the rate of gun homicides has dropped by a third since 1993, while the number of nonfatal gun crimes has decreased by 69 percent.²⁷

Tools for Officers to Prevent Violence By Persons with Mental Illness and Other Risk Factors

"Training officers on how to deal with the mentally ill will make everyone safer. It's going to make our men and women in uniform safer, and it's probably going to increase our awareness of people who may be at risk of hurting themselves or hurting community members."

- Reno, NV Police Chief Steve Pitts

Police executives from across the country noted that their officers often come into contact with individuals experiencing a mental health crisis, and they stressed the need to increase officer training on how to respond effectively to the immediate situation and also to intervene to help the mentally ill person.

Police encounters with mentally ill persons occur so often that many police departments have special training and units designed to reduce the chances that police will need to use force, particularly when the mentally ill person is brandishing

^{26.} Hemenway, David. PhD. "Risks and Benefits of a Gun in the Home" American Journal of Lifestyle Medicine (2011). DOI: 10.1177/1559827610396294. http://www.iansa.org/system/files/Risks percent20and percent20Benefits percent20of percent20a percent20Gun percent20the percent20Home percent202011.pdf

Michael Planty Ph.D., Jennifer Truman Ph.D., "Firearm Violence, 1993-2011." U.S. Department of Justice, Bureau of Justice Statistics, May 7, 2013. NCJ 241730. http://www.bjs.gov/content/pub/press/fv9311pr.cfm

a weapon or otherwise behaving erratically and dangerously. The goal is to de-escalate the tensions in these encounters, calm the mentally ill person, "slow the encounter down" in order to provide time for additional officers and a supervisor to arrive at the scene, and avoid any actions that might cause the person to pose an immediate threat that must be stopped with police use of force.

The Portland, OR, Police Bureau created a Behavioral Health Unit in which officers work with mental health partners to identify and help mentally ill persons who come into frequent contact with the police.²⁸ The Police Bureau has also recently signed a memorandum of understanding with local mental health service providers to partner on providing better services to individuals with behavioral health issues. "The aim," said former Bureau Chief Mike Reese, "is to get them into appropriate treatment and care, and out of contact with the police and the criminal justice system."

Many sheriffs, who incarcerate individuals with mental health challenges, deal with these issues on a daily basis. In Washington County, OR, for example, the county's jail has a special pod for mentally ill inmates, and how to deal with persons with mental health issues is always a top issue for jails.

In Multnomah County, OR, District Attorney Rod Underhill (\Rightarrow) said his office has designated a specific prosecutor to handle cases involving persons with mental health issues, including all involuntary commitment hearings. Gun dispossession is an issue that comes up in some of these hearings, he said, so having a dedicated prosecutor helps his office to handle those cases effectively. Underhill also said that by having a dedicated deputy DA to handle cases involving mental illness, his office is in a better position to work on local and statewide legislative issues in that area.



Suicide by firearm is another significant issue. Former Portland Police Bureau Chief Mike Reese noted that Oregon ranks ninth in suicide rates in the United States compared to other states,²⁹ and Multnomah County and the city of Portland have experienced a doubling of attempted suicides over the last 10 years. "We have a very broken mental health system, and our police officers are at the front line of dealing with people who are severely mentally ill," he said.

Gun suicides in some smaller cities are more prevalent than violent crime. As Sherwood, OR Police Department Captain Ty Hanlon said, "We see a high rate of suicides. It's compounded by the mental illness issues that we see on a daily basis."

Joshua Horwitz, Executive Director of the Educational Fund to Stop Gun Violence, noted that when discussions turn to mental illness and gun violence, the focus has been on how mental illness affects mass shootings. "However, the strongest association between violence and mental illness is with suicide," Horwitz said. "The challenge is to effectively and constitutionally create prohibitions of gun ownership that don't increase stigma against those who are mentally ill, most of whom will never be violent to themselves or others. We definitely want people with

^{28.} Additional information about the Portland Police Bureau's Behavior Health Unit is available at https://www.portlandoregon.gov/police/62135.

^{29.} Centers for Disease Control and Prevention, "QuickStats: Age-Adjusted Suicide Rates by State – United States, 2012." http://www.cdc.gov/mmwr/preview/mmwrhtml/mm6345a10.htm

mental illness to get the treatment they need, and at the same time, we don't want them to have access to firearms if in fact they are presently a danger to themselves or others. So do we prohibit those who are compliant with their treatment and medications from buying firearms? We don't want to raise stigma around the people who are seeking mental health treatment. The balanced approach is not to prohibit people from possessing firearms based solely on a mental health diagnosis. Rather, the determinative factor should be whether a person is at an elevated risk of dangerous behavior."

Gun Policy and Access to Firearms

"The gangsters that we deal with, it's so easy for them to get a gun. It surprises me. They can make a phone call or send a text message, and in 30 minutes will have an illegal gun."

-Gang Enforcement Sergeant Ken Duilio, Portland Police Bureau

A major topic in the PERF Summits was the easy access to firearms by criminal offenders. Many of the participants said that despite advancements in crime gun investigations and gun tracing technology, police will not be able to solve the gun violence problem until there are stronger gun policies that increase penalties and reduce gun trafficking and the availability of firearms on the street. Sergeant Duilio of the Portland Police Bureau said that stricter punishment for juveniles and adults who buy or possess guns illegally will help police be more effective on the street.

Retired Minneapolis Police Chief Tim Dolan assessed the situation: "The system for regulating guns is broken," he said. "Gun advocates have intentionally broken it. We are not the only country in the world that has social issues like dealing with citizens with mental health issues. But we are the only civilized country that encourages people to bring matches to very flammable situations. This is where we are broken. The ATF is hamstrung, and our laws focus on keeping guns on the street."

"We need to muster the political will to reduce gun violence in our communities," said Rep. Keith Ellison (D-MN). He called for the reinstatement of an assault weapons ban; implementation of a comprehensive background check on all gun sales, including sales via the Internet and at gun shows; and limiting ammunition purchases and the amount of ammunition that can be carried at a given time. He also called for prohibitions to prevent persons experiencing a mental health crisis from buying and carrying firearms.

Chicago Police Superintendent Garry McCarthy, who began his career in the New York City Police Department, said that New York City has less gun crime than Chicago, because New York State has many gun laws that Illinois lacks, including an assault weapons ban; a high-capacity magazine ban; a requirement for universal background checks; and a three-year mandatory minimum sentence for illegal possession of a loaded firearm.

Sources of Crime Guns: Private Purchases, Gun Shows, and Straw Purchases

The challenges of illegal purchases of firearms at gun shows, private purchases of firearms, and "straw purchases" (gun purchases by persons who can legally purchase a weapon for themselves, but who do so on behalf of felons or other persons who are legally barred from firearms ownership) were mentioned frequently during the summits. Numerous participants said that felons, gang members, and others who are barred by law from owning firearms can easily obtain firearms without having to go through a background check. Another point was that felons are using social networks to solicit and obtain firearms that were purchased in states with lenient gun laws.

Monitoring Gun Shows. Tucson, AZ plainclothes officers monitor gun shows and often recognize individuals they see through the Police Department's Gang Squad or Major Offenders Unit. "Anecdotally, we know that a lot of our major players frequent gun shows," said Tucson Police Chief Roberto Villaseñor. "However, there are no statistics that we can point to and say, for example, that 40 percent of our violent crimes involve guns that were traced back to a purchase at a gun show, because those records just don't exist, unless the guns are sold by federally-licensed firearms dealers."

<u>**Gray Market.</u>** Guns used to commit crimes in the United States and cartel guns in Mexico come from what has been dubbed the "Gray Market." In many states, no law prohibits a person from buying multiple firearms and reselling them. Bernard J. Zapor, retired ATF Special Agent in Charge of the Phoenix, AZ office, said that individuals could purchase 20, 50 or more firearms. Persons with felony conviction records that make them ineligible to legally purchase firearms pay someone to buy them. "When an individual buys mass quantities of firearms, it stands out as possible firearm trafficking, particularly if the purchaser is a young female," Zapor said. "There have been cases where young women without criminal histories are paid or intimidated to make firearms purchases on behalf of the trafficker."</u>

Straw Purchases. Dane County, WI Sheriff Dave Mahoney said: "We need to severely penalize those who are engaged in straw purchases, and those who are facilitating the transfer of illegal guns on our streets among other criminals. There is not a Second Amendment right to own a firearm if you are a convicted felon. Period."

Private sales. Retired ATF Special Agent Zapor said that if the U.S. Congress were to pass a law requiring that all firearm sales be handled by a licensed dealer, it would sharply curtail crime gun trafficking. Under such a law, if a person wanted to make a private sale of firearms to another individual, the buyer and seller would be required to go to a licensed firearms dealer and pay the licensee a small fee to observe and document the transaction and maintain a disposition book with complete records. The individual making the purchase would need to go through an NICS check. "If such a proposal were to take effect," Zapor said, "the Gray Market would die."

<u>University of Chicago's Underground Gun Market Study.</u> Police agencies often find it difficult to trace the entire history of a gun recovered at a crime scene

or otherwise confiscated by officers. "The ATF has a great handle on the first retail sale of a firearm," said Mark Jones, University of Chicago Crime Lab Law Enforcement Advisor and PERF consultant. "They also have a great handle on what happens when guns are recovered by police. The mystery for all of us is what happens in between." The University of Chicago Crime Lab is conducting a five-city study of underground gun markets.

Based on jail interviews of detainees with histories of illegal gun possession and use, the Crime Lab has learned that the "old" model of straw purchasing – in which a girlfriend or other friend of a felon buys weapons on behalf of the felon – is being eclipsed by newer patterns. "What people are doing now is getting guns through their social networks," Jones said. He noted that Indiana has comparatively lax gun laws, while Illinois has a firearms owner ID card system that makes it more difficult to buy large quantities of guns without attracting attention from the police. "We need to have universal background checks in this country, because it would shut off the Gray Market almost immediately if all transactions had some sort of official scrutiny," Jones said.

A Call for Universal Background Checks

"There is a slow-motion mass murder of our young people, and it's done with high-quality, high-capacity firearms, often purchased privately without any background checks, against the backdrop of laws that are sometimes far too lenient, allowing the widespread distribution of guns."

– Milwaukee Police Chief Ed Flynn (\rightarrow)

At the PERF summits, police executives and elected officials said that the majority of their constituents believe that requiring universal background checks on all firearms transactions is an important gun violence reduction tool. A Washington Post-ABC News poll taken in 2013 found that 91 percent of respondents would support a law requiring background checks of persons buying guns at gun shows, and 82 percent said they would "strongly support" such a law.³⁰ (Gun purchases from Federal Firearms Licensed (FFL) dealers are already subject to background checks.)³¹

Approximately 40 percent of gun sales are made without any background check, which provides unchecked access to felons, domestic violence abusers, dangerously mentally ill persons, and others who are barred by federal law from owning firearms, according to the Coalition to Stop Gun Violence, a group of 47 national organizations, including the American Academy of Pediatrics, the American Psychiatric Association, the American Public Health Association, the Children's Defense Fund,



^{30. &}quot;Would you support or oppose a law requiring background checks on people buying guns at gun shows?" The Washington Post, Post-ABC Poll- Obama and Politics, The Catholic Church, Gun Control. April 12, 2013 http://www.washingtonpost.com/ page/2010-2019/WashingtonPost/2013/03/12/National-Politics/Polling/question_10030.xml

^{31.} Federal Firearms Regulations Reference Guide. https://www.atf.gov/files/publications/download/p/atf-p-5300-4.pdf

the National Association of School Psychologists, the National Urban League, the U.S. Conference of Mayors, and the YWCA. 32

Soon after the fatal shootings of 20 children and 6 adults in December 2012 at the Sandy Hook Elementary School, President Obama, in his 2013 State of the Union address, called for Congress to pass a universal background check bill that would cover all gun sales in America. Congress, however, failed to approve that bill and other gun-related proposals.

At one of PERF's Summits, Racine, WI Mayor John Dickert voiced frustration about the failure to pass such a law. He said citizens of his town are confused as to why this is still an issue. "How anyone could disagree with our police and sheriffs, who are saying that they need background checks because it helps take firearms away from criminals, is beyond me," he said.

Summit participants said that the lack of a comprehensive universal background check requirement contributes to gun violence within their jurisdictions. This discussion was a focus for Washington State residents attending the Portland summit. Nine months after the Summit was held, Washington State voters approved Initiative 594, which closed the gun show and private purchase loophole. The Initiative requires that officials conduct background checks for all firearms purchased within the state.

Oregon State Senator Ginny Burdick said that outside of the political arena, there is consensus on universal background checks. In November 2000, she joined two sheriffs in proposing a ballot measure to require background checks at gun shows, which passed statewide by 62 percent. This, she noted, is in a state with nearly 50-percent gun ownership. "I just ask you to keep that in mind as you approach this issue," she said. "Try everything you can to de-politicize it and look at it as a public health and safety issue. There is widespread public support, including in the gun-owning public, for reasonable legislation that doesn't even come close to interfering with anybody's Second Amendment rights."

Other Laws that Target High-Risk Persons

"Some gang members could have 20 to 30 misdemeanor arrests," he said, "but if they don't have that felony conviction, there's nothing we can do. They can't be denied a permit, and they're free to carry a firearm."

- Yakima, WA Police Chief Dominick Rizzi (→)

Since an assault weapons ban, a high-capacity magazine ban, a requirement for universal background checks, and a three-year mandatory minimum sentence for illegal possession of a loaded firearm were enacted in New York State, gun recoveries in New York City have gone down, as has gun crime, including murders, according to Chicago Police Superintendent Garry McCarthy, who worked for 25 years in the NYPD before



^{32. &}quot;Universal Background Checks," Coalition to Stop Gun Violence. http://csgv.org/issues/
taking the top police jobs in Newark, NJ and then Chicago. McCarthy said he is pushing for similar laws in Illinois and for a shift in criminal justice policies so that gun offenders will serve time in prisons and jails, rather than the current emphasis on incarcerating drug offenders.

"We should lighten up on that 26 percent of people in jail for drug offenses, and start increasing the 3.8 percent of incarcerations for people who are carrying firearms," he said. "In Chicago over the last three years, we've arrested about 12,000 fewer people a year and gotten better results on the street. This is about arresting the right people," he said.

One of Milwaukee's challenges is the need for a felony-level gun possession charge, said Milwaukee Police Chief Ed Flynn. He noted that a second arrest for marijuana possession in Wisconsin is a felony, but someone could be arrested 10 times for carrying a gun, and it will always be a misdemeanor. He asked: "What's wrong with this picture?"

Yakima, WA Police Chief Dominick Rizzi also cited a growing problem with documented gang members who have only non-felony convictions and thus are eligible for concealed-carry permits. "Some gang members could have 20 to 30 misdemeanor arrests," he said, "but if they don't have that felony conviction, there's nothing we can do. They can't be denied a permit, and they're free to carry a firearm."

Another significant problem is the easy availability of a firearm in circumstances where a homicide or suicide may be likely. Sherwood, OR Police Chief Jeff Groth cited two situations where this is often an issue: domestic violence and mental illness. "Because of the circumstance people find themselves in, they lose their temper, there is a gun present, and suddenly we have a shooting. These things shock every community, but I can tell you when something like that happens in a smaller community, it's a big deal."

Eugene, OR Police Chief Pete Kerns said that easy availability of firearms can endanger police officers. "A couple of years ago, a Eugene police officer was murdered by a woman with a severe life-long mental health condition, who never should have had a firearm, but did," he said. "In another incident, in November 2013, a Eugene police officer was in a hand-to-hand fight with a suspect. That suspect – who should never have had a gun – pulled it on the officer, and our officer survived that by shooting and killing the suspect."

Minnesota and Wisconsin are among the states that have passed legislation dealing with domestic violence and guns. Maplewood, MN Police Chief Paul Schnell said that elected officials were able to reach consensus on this type of gun violence prevention law because keeping guns out of the hands of domestic abusers is something most people can agree on.

Local and State-Based Reforms

Some attendees voiced frustration with the federal government's lack of action on reducing gun violence, and advocated local and state-based reforms.

Vancouver, WA Police Chief James McElvain suggested seeking solutions from a logical perspective vs. an emotional one. He said that gun rights organizations have

been successful in making their message emotionally charged by suggesting that guns will be confiscated from law-abiding people.

Boise Police Chief Mike Masterson pointed out that "gun control" has become a general term, and that when people hear it, "everybody perceives that we are trying to take their guns away from them." He called for sharpening the message and scaling it down, and specifying who exactly is targeted by gun regulations – e.g., felons and other serious offenders, and persons with documented histories of mental illness. "Then maybe law-abiding gun owners will say, 'Oh, they're not talking about me. I can support that.'"

Milwaukee Mayor Tom Barrett called for police and local officials to look for actions they can take on their own. "If we couldn't change this nation's thinking on gun laws after Sandy Hook, it's not going to change," he said. "We appealed to Washington after Sandy Hook and got nowhere. Somehow, we have to take a different approach, and we have to do it ourselves, because the cavalry is not coming from Washington and it's not coming from Madison."

Minneapolis Senior Government Relations Representative Melissa Lesch said that legislators with a background in policing can bring "a fresh face and perspective" to gun violence legislation and can have an impact on state legislation.

Community Approaches to Reducing Gun Violence

"On the issue of gun violence prevention, we all need to be working together. We can't treat this purely as a law enforcement problem. We've all been to meetings where somebody says, 'We can't arrest our way out of this problem.' I think that is crystal clear. We need 'smart policing,' community engagement and community interventions, and the right public policies. All of those things have to work together."

-Nina Vinik, Joyce Foundation Program Director (\Rightarrow)

Many participants at the PERF summits said that the focus of efforts to reduce gun crime should be on local communities, and on the particular characteristics of neighborhoods with high rates of gun violence. Partic-

ipants called for strategies to connect police officers with youths in the community, developing relationships with grass roots advocacy groups, and coordinating efforts by various governmental agencies to deliver services to areas with high rates of gun violence.

Such efforts to change a community's culture – to interrupt the intergenerational gang violence and provide pro-social alternatives – will require new ideas and approaches.

Portland Office of Youth Violence Prevention Policy Manager Tom Peavey spoke about the "snitch code," and his department's difficulties in changing the reluctance by many community members to give police investigators information about gun-related incidents.

Multnomah County, OR Deputy District Attorney Eric Zimmerman made suggestions for appealing to youth who might find gang membership and the

"no-snitching" attitude alluring. "I think the focus needs to be on the younger generation, not the older ones who are already in that negative lifestyle," he said. "That needs to be done by reaching down when they're younger, and showing them that it's not cool to go to prison. It's not cool to carry guns around. It's not cool to deal drugs. But it is cool to go out and play sports, get involved in your school, go on to college, and have a successful life."

Milwaukee Police Chief Ed Flynn said that to engage the community, he reduced the number of plainclothes officers and special units. Instead, the Milwaukee Police Department established a more visible presence in areas with gun violence, repainting unmarked cars to standard black and white, and putting plainclothes officers back in uniform. Most task forces were combined with other tactical units to create a new neighborhood task force. This unit was, in his words, "data-driven, not informant-driven." The unit's efforts also focused on working closely with the districts. "People in the community will accept enforcement from cops they recognize and know differently than they will from cops they don't know, who are seen as invading their neighborhoods," he said.

Engage Police in the Community

Community-oriented policing is not only better for the communities, but also for police officers, Flynn said. "We doubled down on the number of people in the districts. We doubled down on foot beats, bicycle patrols, and anything that put cops in contact with people. We found that if you are in a cruiser all night long, you are going from social dysfunction to more social dysfunction, from human misery to more human misery. That is not good for an officer's mental health. However, if you take that officer out of a patrol car and put them on a foot beat for a while, or have that officer spend a little time on a bicycle, they're in the same neighborhood day after day, with people who are nice to them. Officers need that positive reinforcement from the community. Otherwise it's always a crisis, you're always responding to a call for service, and their decisions are often making some community members angry."

Flynn also pushed responsibility down the chain of command to district commanders, because he wanted to build the organization around the districts. "The organization I inherited was built around special units, but community members don't live in special units," he said. "They live in neighborhoods located in districts. They want a community cop."

Beloit, WI, Police Chief Norm Jacobs said that his community is ready to address issues of gun violence. "After our seventh homicide this year, I've got a community willing to step up and do something about it," he said. "They're looking for help, and they have a pretty open mind, as open as I've ever seen, about the violence in our different segments of our community."

In fact, Chief Jacobs said that an issue he is facing is that some community members think that only the police can solve the problem. "The FBI Safe Streets Task Force came to Beloit 15 years ago and helped eliminate organized drug trafficking there," Jacobs said. "Now what I see is just plain violence with our community members. It doesn't have to involve drugs. It's just young persons who have grown up with a culture of violence." While police are a key part of anti-violence strategies, he said, "it will take a community to deal with that."

Minneapolis Police Chief Janeé Harteau talked about her department's efforts to focus on crime hot spots that have different characteristics. One neighborhood may have high levels of domestic violence, while another has crime that stems from extreme poverty, and the response to each must be different.

"So what we're trying to do is really get down into the weeds and look at what caused the hot spot," Harteau said. "Why does it exist? What are the underlying issues, and what are the strategies that will address those issues? And it's not always a police response. But police are usually the first point of contact, so we can connect people with services and try to bring them to the table where we devise the solutions."

A Regional Approach to Reducing Gun Violence

"We have to network. Our cities expect to see law enforcement working together."

-Boise Police Chief Mike Masterson (\rightarrow)

While summit participants agreed that a localized, community approach is a critical component of gun violence reduction, they also called for regional approaches to data-sharing and joint task forces. They cited a need to share data about offenders and guns, because violent gun crime crosses jurisdictional lines, especially in large metropolitan areas. And representatives from smaller jurisdictions said they are influenced by crime from big cities, because it eventually flows into their areas.

North Las Vegas police officials described meetings in which federal and local agencies in the Las Vegas area take a regional approach to combating gang violence and setting priorities for prosecutions. Then-Sheriff Douglas Gillespie of the Las Vegas Metropolitan Police Department, who retired in 2015, was crediting with spearheading this effort, which includes the FBI; ATF; DEA; the cities of Henderson and North Las Vegas; the U.S. Attorney's Office; the Clark County District Attorney's Office; and the school district police. The group meets about every other month to talk about problem offenders, such as convicted felons who are making the decisions in gangs. The various federal partners, including the ATF, FBI and DEA, are able to leverage their assets to help.

Racine, WI Mayor John Dickert said that whether it's drug sales or gun sales, "Crime is a business, and if we make it tough for them to do business, then they're going to leave my community. The problem is, we're a region and we are all communities, and what we don't want them doing is just moving to another region. So this is a larger issue."

West Milwaukee Police Chief Dennis Nasci agreed, saying, "We all have to realize that we have to share the data." Almost 90 percent of the crime in West Milwaukee is committed by people from other jurisdictions, he said. "We sometimes say, 'It's not my problem,' but it really is," Chief Nasci said. "It is your problem, and whether it's in Racine or Madison or Green Bay, we've got to share our information."



Using Technology to Share Data and Disseminate Information

There was a strong interest among summit participants in sharing data, such as lists of local offenders who are prohibited from owning firearms, and making that information accessible to patrol officers. Such databases can enable officers to make an arrest and seize a weapon immediately if they witness a prohibited possessor with a firearm. And information shared at the patrol level, not just among investigators or regional task force members, can increase officer safety.

Technical issues can be troublesome, according to Las Vegas Metropolitan Police Deputy Chief Al Salinas, who said that his department's computer systems gather information in narrative sections, but the software cannot search narratives, such as looking for the word "gun."

Another major issue, said Las Vegas Metropolitan Police Department Sheriff Joe Lombardo, is the lack of a database that would allow patrol officers to determine whether people have mental health issues that disqualify them from gun possession under current federal law.

Amelia Cramer, Chief Deputy of the Pima County, AZ Attorney's Office, presented what might be termed a "win-lose" situation. On one hand, Arizona state law mandates that all information about prohibited possessors, including adjudications of mental illness, be reported to the National Instant Criminal Background Check System (NICS) database. This helps to prevent sales of guns to prohibited persons by licensed gun dealers. That information, however, does not go out to patrol officers.

"When a guy gets pulled over for a traffic stop and has a gun in the rack in the back of his truck, if the officer knows he's a prohibited possessor, he could seize the weapon," Chief Deputy Cramer said. But the reality is that officers do not have access to that information.

In San Francisco, ATF Field Division Special Agent in Charge Joe Riehl spoke about the challenges of obtaining a comprehensive collection of crime gun data to analyze firearms violence issues. To facilitate Compstat-type analyses of gun violence, the ATF office is working to make an array of databases compatible. The ATF office also has frequent firearms review meetings, such as the one with Stockton police officials, focusing on all the shootings in that city. This not only helps with patrol strategies, but also helps build a methodology for how to target firearms violence. "The challenges we face when we have multiple jurisdictions in such areas as Oakland and Richmond," Riehl said, "is compiling all that data into one place so that you can get a clear picture."

The Fusion of Crime Gun Technologies

"No technology needs to stand alone." - Former Minneapolis Police Chief Tim Dolan (→)

The police departments in Milwaukee, Chicago, and Denver have Crime Gun Intelligence Centers that use NIBIN, IBIS, eTrace, and other technologies, such as license plate readers and gunshot detection systems, in



their investigations.³³ Prosecutors use the evidence generated by these technologies to improve cases and obtain longer prison sentences for known shooters. Other participants stressed the importance of having all of a department's available technology work together to produce actionable intelligence that leads to crime gun user prosecutions.

Former Minneapolis Police Chief Tim Dolan spoke about the value of using multiple technologies to investigate crimes. He described how his department coordinated its neighborhood security cameras with the gunshot detection system, so that the cameras automatically pan to the direction of gunfire when gunshots are detected by ShotSpotter. Thus, police can obtain video of people leaving the area immediately after guns are fired. When they combined the gunshot detection data and video, and "advertised" it, letting the public know the police had this capability, they experienced a reduction in crime.

Dolan noted that downtown Minneapolis had not had a bank robbery in almost six years. The Minneapolis Police Department installed cameras on downtown street corners, which made an immediate difference, he said. The police department also worked with businesses to incorporate direct feeds of their security cameras to the police. Dolan said that the police department also shared a radio channel with the Downtown Improvement District ambassadors. The ambassadors are city employees who patrol, pick up trash, and give directions. Using technology and working with local businesses made a difference, Dolan said. The last time a bank was robbed, police were able to make arrests immediately and publicize security camera photos of the crime to deter others. There has been a reduction in street robberies as well, and the public's perception of safety is improved.

Milwaukee Assistant Police Chief Jim Harpole said that when the department first started using NIBIN, the turnaround time was months. The NIBIN machine in Milwaukee was not able to handle the volume of shell casings and guns. The next closest NIBIN equipment was 75 miles away in Madison. "The Milwaukee Police Department had to limit the casings and guns that we could process through our equipment," Harpole said. "This meant that critical guns and shell casing that were possibly connected to other crimes were not getting tested." With ATF's assistance,

the Department acquired additional NIBIN equipment that is located in the MPD Fusion Center, with its own trained examiners. "Our NIBIN turnaround time decreased dramatically – from months to days – and our firearms investigations improved," Harpole said. "We have had a great success connecting guns and casings to multiple shootings, people, and crime crews."

Denver Police Crime Lab Director Gregg LaBerge (\rightarrow) said that NIBIN data help police to set priorities for investigations. For example, if NIBIN reveals that the same gun was used over the course of several weeks in several shooting incidents, and that the incidents are increasing in severity, the department can assign a high priority to identifying the owner of the gun and making an arrest before the gun is used to kill someone. The



^{33.} A Crime Gun Intelligence Center is a regional gun crime hub where officials from several federal and local law enforcement agencies work together to accelerate investigations and link crimes to one another.

Denver Police Department enters all available data on gun crimes into NIBIN quickly, and runs searches for NIBIN hits daily, he said.

Milwaukee Police Chief Ed Flynn said that his department has had significant successes with NIBIN and eTrace. Since the Milwaukee Police Department began using NIBIN in 2013, it has entered 1,600 shell casings into the system, which allowed the department to link more than 360 incidents and develop over 160 cases. The department has three cases involving links to six or more incidents of gunfire, and one case that was linked to a firearm arrest in Canada.

Flynn said that new technologies are often more effective when used together. "When we first installed a gunshot detection system to cover three square miles, we found out 86 percent of our gunfire incidents were not reported to the police," he said. "Can you imagine living in a neighborhood where gunfire is considered so routine that nobody calls the cops? We were able to develop a case against a house in that area that was clearly selling guns, because customers were going outside and test-firing them in the neighborhood. We made several arrests and seized several firearms. We entered the casings we recovered there into NIBIN, and 28 percent of those entries had been used in two or more offenses. The number of firearm incidents in that area was reduced by 42 percent in one year. Now that's significant."

PART 3

Guns, Public Health, and Mental Illness: An Evidence-Based Approach For State Firearms Policy



Evidence-Based Policy Recommendations

The Consortium for Risk-Based Firearm Policy, a group of the nation's leading experts in public health, mental health, and gun violence prevention, came together in 2013 to develop policy recommendations to reduce gun violence. The goal was to develop evidence-based gun violence prevention policy recommendations to reduce access to firearms by people who are at an increased risk of dangerous behavior.³⁴

Survey of Police Executive Policy Preferences And Current Practices

To follow up on the discussions from the regional summits, PERF, working through its National Gun Violence Research Center, conducted an exploratory survey of law enforcement executives' opinions on the Consortium's state policy recommendations. The survey also sought to obtain information about current firearm laws that exist across the country and how these laws have an impact on agency practices.

PERF sent the survey to 582 police executives across the United States; 266 agencies from 42 states returned completed surveys, for a response rate of 46 percent.

Temporary Firearm Prohibitions

The survey included a series of questions to gauge the level of support for or opposition to the Consortium's state-based policy recommendations.

First, responding police executives were asked if they would support or oppose laws that temporarily prohibited individuals from purchasing or possessing firearms for specific timeframes and behaviors pertaining to mental health and criminal conduct. (Because convicted *felons* are already barred from owning firearms under federal law, the questions pertain to expanding such prohibitions for various types of *misdemeanors*.)

^{34.} Consortium for Risk-Based Firearm Policy (December 2013). Guns, Public Health and Mental Illness: An Evidence-Based Approach for State Policy. http://www.efsgv.org/wp-content/uploads/2014/10/Final-State-Report.pdf

Overwhelming majorities of respondents supported prohibitions on gun ownership for individuals exhibiting dangerous mental health issues (96 percent), who had violent misdemeanor convictions (92 percent), or who were subjects of domestic violence restraining orders (94 percent).

The majority of agencies responding to the survey overwhelmingly supported temporary prohibitions on possessing firearms for individuals undergoing short-term involuntary hospitalizations, being the subject domestic violence restraining orders, and holding violent misdemeanor convictions.

Specifically, 96% of respondents supported the temporary prohibition for individuals from purchasing or possessing firearms if the person "had a short term involuntary hospitalization, with a clinical finding of being a danger to one's self or other."

Such firearm prohibitions as "if an individual was convicted of a violence misdemeanor, such as one involving the use of a deadly weapon, the use of force, the

Exhibit A

For each of the policies described in the table below, please indicate your level of support or opposition. Even if your jurisdiction has enacted a similar law, please indicate your personal level of support or opposition for the laws as proposed below.

Would you support or oppose a law that temporarily prohibited individuals from purchasing or possessing firearms for the timeframes indicated below, if he/she...

	Strongly support	Support	Neither support or oppose	Oppose	Strongly oppose
had a short-term involuntary hospitalization, with a clinical finding of being a danger to oneself or others. (Prohibited for a time period of at least 1 year and up to 5 years, dependent on clinical re-evaluation)	72 percent	24 percent	3 percent	1 percent	.4 percent
was convicted of a violent misdemeanor, such as one involving the use of a deadly weapon, the use of force, the threat of force, or stalking. (Prohibited for at least 10 years)	66 percent	26 percent	4 percent	4 percent	-
was under a temporary restraining order for domestic violence. (Prohibited for the length of the restraining order)	69 percent	25 percent	4 percent	2 percent	—
had been convicted of 2 or more DWI or DUI offenses within a 5-year period. (Prohibited for at least 5 years)	19 percent	19 percent	39 percent	19 percent	3 percent
had been convicted of 2 or more misdemeanors involving a controlled substance in a period of 5 years. (Prohibited for at least 5 years)	27 percent	35 percent	24 percent	14 percent	1 percent

threat of force or stalking " received 92% support, and 94% supported "firearm prohibitions if an individual was under a temporary restraining order for domestic violence."

Most respondents (62 percent) support temporary firearms ownership prohibitions for persons with 2 or more misdemeanor drug convictions in a 5 year period.

Fewer police executives supported gun ownership prohibitions related to DWI/DUI.

Only 38 percent of respondents supported prohibitions for persons convicted of two or more DWI or DUI offenses within a 5-year period, while 22 percent opposed it and 39 percent said they neither supported nor opposed it.

When Should Police Have the Authority to Remove Firearms?

An overwhelming majority of police executives who responded to the PERF survey support policies that enable police to remove firearms from individuals who pose a threat of harm to themselves or others in emergency situations.

The survey asked respondents a series of questions regarding the removal of firearms in situations where individual may be a danger to themselves or others. 90 percent of law enforcement executives said they would support a law that "authorized law enforcement officials (police, sheriffs, and/or prosecutors) to remove firearms from any individual who poses *an immediate threat of harm* to self or others. In emergency situations, this authority could be exercised without a warrant."

Several respondents raised concerns, however, about who would make the determination of whether or not someone is a danger to himself or others – officers, courts, or family members.

Many respondents said that there should also be a provision to protect officers from liability when they seize an owner's weapon under such a law.

Gun Violence Restraining Orders

A large majority of respondents (81 percent) support a civil restraining order process by private citizens.

Respondents were asked if they "would support or oppose a law that created a new civil restraining order process for private citizens to petition the court to request that firearms be temporarily removed and new firearm purchases be prohibited (for the length of the restraining order) from a family member or intimate partner who poses *a credible risk* of harm³⁵ to self or others." Eighty-one percent of respondents

^{35.} For example, in determining a "risk for violence" or "risk imminent personal injury to himself, herself, or others," the California and Connecticut Gun Violence Restraining Orders list the following behaviors: (1) the history of use, attempted use, or threatened use of physical force by the subject of the petition against another person; (2) any prior arrest of the subject of the petition for a felony offense; (3) any history of a violation by the subject of the petition of an emergency protective order; (4) documentary evidence, including, but not limited to, police reports and records of convictions, of either recent criminal offenses by the subject of the petition that involve controlled substances or alcohol or ongoing abuse of controlled substances or alcohol by the subject of the petition; and (5) evidence of recent acquisition of firearms, ammunition, or other deadly weapons.

said they would support this type of legislation, while only 9 percent would oppose such a law.

A few respondents were concerned about the possibility of abuse of restraining orders.

While the majority of respondents were in favor of this civil restraining order, a few who were opposed, strongly opposed, or neutral expressed concerns about family members abusing this type of restraining order.

Respondents also noted that this is especially risky if those people are required by their job to carry and use a firearm. If they are falsely accused, they risk losing their job or being disciplined at work if they are prohibited from carrying a firearm.

A few respondents said that they would be in favor of this restraining order only if there were a judge or other outside entity involved to review each case. The burden would then be off the police to issue these restraining orders. These respondents felt that some sort of oversight or investigation would be needed to ensure that the restraining order system was not being abused.

A number of respondents noted concerns about officer safety when they retrieve weapons from those subjected to this type of restraining order. They said that specific policies and protocols are necessary and should be in place before officers begin enforcing such orders and seizing weapons.

A large majority of respondents also support ensuring that a process is in place for returning legal firearms after a temporary prohibition.

Respondents were asked if they would support legislation to establish a process for returning all legal firearms that were taken from an individual at the conclusion of the temporary prohibition. The number supporting this law was 85 percent, with only 3 percent opposing it. Several respondents said that each circumstance should be treated on a case-by-case basis. One respondent noted that the conclusion of a temporary prohibition does not necessarily mean an individual is fit to possess firearms. Another respondent preferred that the legislation contain a requirement that the agency releasing the legal firearms confirm that the individual is clear of any other warrants or prohibited statuses prior to that release.

Agency Protocols, Programs, and Partnerships

Most agencies do not have a formal program, protocol, or partnership for confiscating firearms from prohibited persons.

Finally, the survey asked police executives about any official protocols, programs, or partnerships they have to proactively identify and remove firearms from individuals who are prohibited from purchasing or possessing them. As shown in the table below, the majority of agencies (61 percent) reported that they did not have such protocols, programs, or partnerships. A little more than one quarter -26 percent – reported having some type of protocol in place, while 10 percent reported participating in partnerships with other agencies. An example provided by several California police agencies was the partnership with the California Department of Justice to recover firearms from persons prohibited from possessing weapons for



mental health commitments, domestic violence, or other felonies. Some agencies mentioned designated firearm crime investigation units and coordinated partnerships via task forces that target illegal possession and use of firearms at the local, state, and federal levels.

Summary

Survey Highlights

- Most police executives who responded to the PERF survey support gun possession prohibitions for individuals exhibiting dangerous mental health issues; who are subjects of domestic violence restraining orders; or who have violent misdemeanors convictions.
- Fewer respondents support prohibitions related to substance abuse and DWI/ DUI misdemeanor convictions.
- An overwhelming majority of respondents support policies that enable police to remove firearms from individuals who pose a threat of harm to themselves or others in emergency situations.
- A majority of respondents support a civil restraining order process by private citizens.
- A few respondents expressed concern about the possibility of abuse of restraining orders.
- The majority of respondents also support ensuring a process is in place for returning legal firearms after a temporary prohibition.
- Most agencies do not have a formal program, protocol or partnership for confiscating firearms from prohibited persons.

Conclusion

"The only surefire way for nothing to change is to assume that nothing will change."

- Former Minneapolis Mayor R.T. Rybak

This report summarizes police leaders' perspectives on efforts at local and regional levels to reduce gun violence and crime. While gun violence has been generally declining for more than 20 years, the United States still endures far higher homicide rates that do other developed countries.³⁶ Police chiefs and other law enforcement officials are on the front lines of gun violence daily, so it makes sense that they are the ones who should have leadership roles on this issue, especially given the fact that efforts at the federal level have stalled and criminals are still obtaining firearms.

What Were the Key Discussion Themes?

Several discussion themes emerged during the four summits.

Depoliticize Gun Violence Reduction Efforts

First, police leaders agree that gun violence reduction measures need to be depoliticized. Gun violence should be discussed as a public health issue rather than a Second Amendment issue. We must work together to stop criminals from obtaining guns, while continuing to protect the rights of law-abiding citizens.

Mental and Behavioral Health Issues Must Be Addressed

The federal government and states lack laws that would prohibit many at-risk persons from obtaining firearms. Leaders agree that there should be better enforcement of existing laws barring gun possession by felons, misdemeanor domestic violence offenders, persons subject to court orders regarding domestic violence or stalking, persons who have been committed to a mental institution, and other disqualifiers. Partnerships with mental health care providers and increased mental health and crisis intervention training for police officers could help reduce gun

^{36.} Michael Planty Ph.D., Jennifer Truman Ph.D., "Firearm Violence, 1993–2011." U.S. Department of Justice, Bureau of Justice Statistics, May 7, 2013. NCJ 241730. http://www.bjs.gov/content/pub/press/fv9311pr.cfm

violence and suicides committed with a firearm, as well as increase officer safety. In states that have passed legislation permitting the temporary removal of firearms from persons in crisis (or Gun Violence Restraining Order laws), procedures are needed for acting on this legislation locally.

Background Checks Must be Expanded

Second, background checks must be expanded to include private purchases of firearms at gun shows, on the Internet, or through other means outside of federally licensed gun dealers. A national survey of prison inmates showed that nearly 80 percent of the individuals who had used a handgun during a crime had not obtained that gun through a federally licensed dealer.³⁷

In an effort to close this loophole, some states are passing measures that require universal background checks for firearms purchases. Oregon became the eighth state, plus the District of Columbia, to require background checks for all purchases when Governor Kate Brown signed SB941 into law in May 2015.³⁸ Voters in Washington passed Initiative 594 in November 2014.³⁹ The other states are California, Colorado, Connecticut, Delaware, New York and Rhode Island.

A Community Approach Is Critical

A localized community approach is a critical component of gun violence reduction. Jurisdictions should develop programs to connect police officers with youths in the community and develop relationships with grass roots advocacy groups, especially in large metropolitan areas.

Data Sharing and Joint Task Forces Are Important Strategies

Because gun crime is not limited by jurisdictional boundaries, federal, state, and local agencies must work together to combat gun violence and crime. Partnerships such as ones like the Gun Crime Intelligence Centers in Denver, Chicago, and Mil-waukee are reducing firearm homicides significantly.

What Are the Next Steps For Chiefs and Other Local Officials?

Police chiefs and other local officials have lost faith in the ability of the federal government to act to reduce gun violence. Advocates are taking gun violence reduction

^{37.} Daniel Webster et al., "The Case for Gun Policy Reforms in America." John's Hopkins Center for Gun Policy and Research. October, 2012. Page 6. http://www.jhsph.edu/research/centers-and-institutes/johns-hopkins-center-for-gun-policy-and-research/ publications/WhitePaper020514_CaseforGunPolicyReforms.pdf

Michele Richinick, "Oregon becomes eighth state to expand background checks on all gun sales." Newsweek, May 12, 2015. http://www.newsweek.com/oregon-becomes-eighth-state-require-background-checks-all-gun-sales-330970

^{39.} Victoria Cavaliere, "Washington state voters approve measure to expand gun background checks." *Reuters*, November 5, 2014. http://www.reuters.com/article/2014/11/06/us-usa-elections-washington-guncontrol-idUSKBN0IQ02P20141106

measures to their state legislatures. Several states have passed or are considering laws to protect domestic abuse victims and to keep firearms out of the hands of people exhibiting dangerous behaviors. Police officials are credible voices who can offer their expertise to inform those debates.

What Are the Next Steps For the Gun Center and Its Work?

PERF, through the National Gun Violence Research Center, will continue its efforts to work with police agencies nationwide to identify, document, and share practices to reduce gun violence. The Center will publicize emerging trends and issues in combating gun violence. It will continue working with agencies to maximize the use of trace and ballistics data as investigative tools.

As former Minneapolis Mayor R.T. Rybak said at the 2013 Minneapolis Regional Gun Summit, "The only surefire way for nothing to change is to assume that nothing will change." PERF believes that these summits provided a dialogue for progress. PERF hopes that this report will help to build partnerships among law enforcement officials and other stakeholders and elected officials to give police the tools they need to reduce gun violence in our communities.

A Summary of the Evidence and Recommendations from the Consortium for Risk-Based Firearm Policy

By Josh Horwitz

Firearm violence takes a tragic toll on society. There are more than 74,000 firearm injuries⁴⁰ and 32,000 deaths⁴¹ – nearly two-thirds of which are suicides⁴² – each year in the United States. Effective solutions to reduce gun violence demand a comprehensive, evidence-based strategy. The Consortium for Risk-Based Firearm Policy (Consortium), a group of the nation's leading experts in public health, mental health, and gun violence prevention, came together in March 2013 to address this complex issue. These esteemed researchers, practitioners, and advocates developed evidence-based gun violence prevention policy recommendations to reduce access to firearms by people who are at an increased risk of dangerous behavior. Included below is a summary of this evidence and the corresponding policy recommendations. Additional detail is presented in the full Consortium Report: *Guns, Public Health, and Mental Illness: An Evidence-Based Approach for State Firearm Policy.*⁴³



Josh Horwitz, Executive Director of the Educational Fund to Stop Gun Violence

I. Consortium Recommendation Summary

The discourse after horrific mass shootings often centers on the link between gun violence and mental illness. While research shows mental illness is strongly associated with suicide,^{44, 45} the majority of mentally ill individuals will never be violent toward others.^{46, 47, 48} There are certain times when mentally ill persons are at increased risk of interpersonal violence, such as the time period surrounding an involuntary hospitalization,^{49, 50} but most people with common mental illnesses are not more violent than the general population without mental illness.⁵¹ Mental illness alone accounts for a very small proportion of

40. Hoyert, D. L., & Xu, J. (2012). Deaths: preliminary data for 2011. Natl Vital Stat Rep, 61(6), 1-65.

^{41.} Centers for Disease Control and Prevention, Web-based Injury Statistics Query and Reporting System. (2011). 2011, United States Firearm Deaths and Rates per 100,000. Retrieved August 27, 2014, from http://www.cdc.gov/injury/wisqars/fatal_injury_reports.html

^{42.} National Center for Injury Prevention and Control, CDC. (2012). 2002–2012, United States Suicide Firearm Deaths and Rates per 100,000. *Fatal Injury Reports 1999-2012, for National, Regional, and States (RESTRICTED)*. Retrieved October 24, 2014, from http://www.cdc.gov/injury/ wisqars/fatal_injury_reports.html

^{43.} Consortium for Risk-Based Firearm Policy. (2013). Guns, Public Health and Mental Illness: An Evidence-Based Approach for State Policy. Retrieved from http://www.efsgv.org/wp-content/uploads/2014/10/Final-State-Report.pdf

^{44.} Brown, G. K., Beck, A. T., Steer, R. A., & Grisham, J. R. (2000). Risk factors for suicide in psychiatric outpatients: a 20-year prospective study. *Journal of consulting and clinical psychology*, 68(3), 371–377.

^{45.} Malone, K. M., Haas, G. L., Sweeney, J. A., & Mann, J. J. (1995). Major depression and the risk of attempted suicide. *Journal of Affective Disorders*, 34(3), 173–185.

^{46.} Teplin, L. A., McClelland, G. M., Abram, K. M., & Weiner, D. A. (2005). Crime victimization in adults with severe mental illness: comparison with the national crime victimization survey. *Archives of general psychiatry*, *62*(8), 911–921.

^{47.} Elbogen, E. B., & Johnson, S. C. (2009). The Intricate Link Between Violence and Mental Disorder Results From the National Epidemiologic Survey on Alcohol and Related Conditions. *Archives of General Psychiatry*, *66*(2), 152–161.

^{48.} Van Dorn, R., Volavka, J., & Johnson, N. (2012). Mental disorder and violence: is there a relationship beyond substance use?. Social Psychiatry and Psychiatric Epidemiology, 47(3), 487–503.

^{49.} Choe, J., Teplin, L., & Abram, K. (2008). Perpetration of violence, violent victimization, and severe mental illness: balancing public health concerns. *Psychiatric Services*, *59*(2), 153–164.

^{50.} McNiel, D., Weaver, C., & Hall, S. (2007). Base rates of firearm possession by hospitalized psychiatric patients. *Psychiatric Services, 58*(4), 551–553.

^{51.} Swanson, J. W., Holzer, C. E., Ganju, V. K., & Jono, R. T. (1990). Violence and Psychiatric Disorder in the Community: Evidence From the Epidemiologic Catchment Area Surveys. *Psychiatric Services*, 41(7), 761–770.

societal violence (about 4%),⁵² therefore policies must address other risk factors for dangerousness in order to reduce overall violence in society.^{53, 54} Aside from mental illness on its own, stronger predictors for interpersonal violence – including homicide – are a history of violence (violent misdemeanor crime convictions⁵⁵ and domestic violence^{56, 57, 58}), drug abuse,⁵⁹ and alcohol abuse.^{60, 61} The Consortium recommends that states expand current federal firearm prohibitions to include these broader risk factors for dangerousness. Policies addressing these criteria provide a comprehensive approach to gun violence prevention that is true to the evidence and does not stigmatize mental illness alone as the root cause of violence.

1. Mental Health Risk Factors for Dangerousness

Evidence shows that while mental illness on its own is not a strong predictor for violent behavior toward others, there are certain times when the mentally ill are more prone to violence: the first episode of psychosis, and the time period just before and after an involuntary hospitalization, for example.^{62, 63} Mental illness *is* strongly associated with self-harm, and common mental illnesses such as depression can increase risk of suicide.^{64, 65} Risk of suicide and access to firearms is particularly dangerous; 90% of attempted suicides by firearm are fatal.⁶⁶ Evidence-informed policies restricting access to firearms during these periods of crisis may be effective. See below for the Consortium's recommendations regarding mental health risk factors for dangerousness.

Recommendation #1:

Current state law should be strengthened to temporarily prohibit individuals from purchasing or possessing firearms after a short-term involuntary hospitalization. Concurrently, the process for restoring firearm rights should be clarified and improved.

^{52.} Swanson JW, McGinty EE, Fazel S, Mays VM (2014). Mental illness and reduction of gun violence and suicide: bringing epidemiologic research to policy. *Annals of Epidemiology*, S1047-2797(14)00147-1. doi: 10.1016/j.annepidem.2014.03.004. [Epub ahead of print].

^{53.} Swanson, J.W., Robertson A.G., Frisman L.K., Norko M.A., Lin H.J., Swartz M.S., Cook P.J. (2013). Preventing Gun Violence Involving People with Serious Mental Illness. *Reducing Gun Violence in America: Informing Policy with Evidence and Analysis*, 33–51.

^{54.} Appelbaum, P., & Swanson, J. (2010). Law & psychiatry: gun laws and mental illness: how sensible are the current restrictions?. *Psychiatric Services*, *61*(7), 652–654.

^{55.} Wintemute, G. J., Wright, M. A., Drake, C. M., & Beaumont, J. J. (2001). Subsequent criminal activity among violent misdemeanants who seek to purchase handguns. JAMA: The Journal of the American Medical Association, 285(8), 1019–1026.

Campbell, J. C., Webster, D., Koziol-McLain, J., Block, C., Campbell, D., Curry, M. A., ... & Laughon, K. (2003). Risk factors for femicide in abusive relationships: Results from a multisite case control study. *American journal of public health*, 93(7), 1089–1097.

Zeoli, A. M., & Webster, D. W. (2010). Effects of domestic violence policies, alcohol taxes and police staffing levels on intimate partner homicide in large US cities. *Injury prevention*, 16(2), 90–95.

Campbell, J. C., Glass, N., Sharps, P. W., Laughon, K., & Bloom, T. (2007). Intimate partner homicide review and implications of research and policy. *Trauma, Violence, & Abuse, 8*(3), 246–269.

^{59.} Boles, S. M., & Miotto, K. (2003). Substance abuse and violence: A review of the literature. Aggression and Violent Behavior, 8(2), 155-174.

^{60.} Elbogen, E. B., & Johnson, S. C. (2009). The Intricate Link Between Violence and Mental Disorder Results From the National Epidemiologic Survey on Alcohol and Related Conditions. Archives of General Psychiatry, 66(2), 152–161.

^{61.} Webster, D. W., & Vernick, J. S. (2009). Keeping firearms from drug and alcohol abusers. *Injury Prevention*, 15(6), 425-427.

^{62.} Choe, J., Teplin, L., & Abram, K. (2008). Perpetration of violence, violent victimization, and severe mental illness: balancing public health concerns. *Psychiatric Services*, *59*(2), 153–164.

^{63.} McNiel, D., Weaver, C., & Hall, S. (2007). Base rates of firearm possession by hospitalized psychiatric patients. *Psychiatric Services*, 58(4), 551–553.

^{64.} Brown, G. K., Beck, A. T., Steer, R. A., & Grisham, J. R. (2000). Risk factors for suicide in psychiatric outpatients: a 20-year prospective study. *Journal of consulting and clinical psychology*, *68*(3), 371–377.

^{65.} Malone, K. M., Haas, G. L., Sweeney, J. A., & Mann, J. J. (1995). Major depression and the risk of attempted suicide. *Journal of Affective Disorders*, 34(3), 173–185.

^{66.} Miller, M., Azrael, D., & Hemenway, D. (2004). The epidemiology of case fatality rates for suicide in the northeast. *Annals of emergency medicine*, 43(6), 723–730.

2. Other Risk Factors for Dangerousness

As the majority of interpersonal violence is related to factors other than mental illness alone, the Consortium recommends a risk-based approach to reducing violence, looking at other risk factors for dangerousness. A history of violence,^{67, 68} including violent misdemeanor convictions⁶⁹ and perpetration of domestic violence,^{70, 71, 72} is the strongest predictor of violence toward others. A study of legal handgun purchasers determined that those with a violent misdemeanor conviction were at least 8 times as likely as those with no prior criminal history to be convicted of a new violent offense; those with more than two violent misdemeanor convictions were 10 times as likely as those with no prior criminal history to be convicted of a future violent offense.⁷³ Research also shows that respondents to domestic violence protection orders have high levels of previous criminal justice system involvement – including nondomestic violence related criminal activity.⁷⁴

Individuals who abuse alcohol are at increased risk of homicide and suicide,⁷⁵ and research also shows that firearm owners are more likely to abuse alcohol.^{76, 77, 78, 79} Studies also show that illegal use of controlled substances is related to an increased risk of violence.^{80, 81, 82, 83, 84} The cognitive impairment associated with drug use also makes it difficult to avoid violent conflict.^{85, 86, 87} See below for the Consortium's recommendations regarding these other risk factors for dangerousness.

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- 73. Wintemute, G., Drake, C., Beaumont, J., Wright, M., Parham, C. (1998). Prior misdemeanor convictions as a risk factor for later violent and firearm-related criminal activity among authorized purchasers of handguns. *The Journal of the American Medical Association, 280*(24), 2083–2087.
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- 75. Rivara, F. P., Mueller, B. A., Somes, G., Mendoza, C. T., Rushforth, N. B., & Kellermann, A. L. (1997). Alcohol and illicit drug abuse and the risk of violent death in the home. *JAMA: The Journal of the American Medical Association*, 278(7), 569–575.
- 76. Wintemute, G. J. (2011). Association between firearm ownership, firearm-related risk and risk reduction behaviours and alcohol-related risk behaviours. *Injury prevention*, 17(6), 422–427.
- 77. Miller, M., Hemenway, D., & Wechsler, H. (2002). Guns and gun threats at college. Journal of American College Health, 51(2), 57-65.
- 78. Miller, M., Hemenway, D., & Wechsler, H. (1999). Guns at college. Journal of American College Health, 48(1), 7–12.
- 79. Miller, M., Hemenway, D., & Wechsler, H. (2002). Guns and gun threats at college. Journal of American College Health, 51(2), 57-65.
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- Friedman, A. S. (1999). Substance use/abuse as a predictor to illegal and violent behavior: A review of the relevant literature. Aggression and Violent Behavior, 3(4), 339–355.
- 82. Auerhahn, K., & Parker, R. N. (1999). Drugs, alcohol, and homicide. Studying and preventing homicide: Issues and challenges, 97-114.
- 83. Borges, G., Walters, E. E., & Kessler, R. C. (2000). Associations of substance use, abuse, and dependence with subsequent suicidal behavior. American Journal of Epidemiology, 151(8), 781–789.
- 84. Boles, S. M., & Miotto, K. (2003). Substance abuse and violence: A review of the literature. Aggression and Violent Behavior, 8(2), 155-174.
- 85. Miller, M. M., & Potter-Efron, R. T. (1990). Aggression and violence associated with substance abuse. *Journal of Chemical Dependency Treatment*, 3(1), 1–35.
- Davis, W. M. (1996). Psychopharmacologic violence associated with cocaine abuse: Kindling of a limbic dyscontrol syndrome?. Progress in Neuro-Psychopharmacology and Biological Psychiatry, 20(8), 1273–1300.
- 87. Friedman, A. S. (1999). Substance use/abuse as a predictor to illegal and violent behavior: A review of the relevant literature. Aggression and Violent Behavior, 3(4), 339–355.

^{67.} Cook, P. J., Ludwig, J., & Braga, A. A. (2005). Criminal records of homicide offenders. JAMA: The Journal of the American Medical Association, 294(5), 598-601.

^{68.} Wintemute, G. J., Wright, M. A., Drake, C. M., & Beaumont, J. J. (2001). Subsequent criminal activity among violent misdemeanants who seek to purchase handguns. JAMA: The Journal of the American Medical Association, 285(8), 1019–1026.

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Campbell, J. C., Webster, D., Koziol-McLain, J., Block, C., Campbell, D., Curry, M. A., ... & Laughon, K. (2003). Risk factors for femicide in abusive relationships: Results from a multisite case control study. *American journal of public health*, 93(7), 1089–1097.

Recommendation #2:

States should enact new prohibitions on individuals' ability to purchase or possess a firearm that reflect evidence-based risk of dangerousness.

- Violent misdemeanants (at least ten years)
- Respondents to temporary domestic violence restraining orders (duration of the order)
- Those convicted of two or more DWI or DUIs in a period of five years (at least five years)
- Those convicted of two or more misdemeanor crimes involving controlled substances in a five-year period (at least five years)

3. Periods of Crisis

As the evidence shows, there are many factors that increase an individual's risk of dangerous behavior. However, there is currently no mechanism to temporarily suspend firearm access on a case-by-case basis when a person is dangerous to self or others, but they have not been convicted of a prohibitory crime. As such, law enforcement and concerned family members need tools to temporarily prohibit firearms access during these periods of crisis. Connecticut⁸⁸ and Indiana⁸⁹ have discretionary gun-removal tools for law enforcement, and California⁹⁰ became the first state in the country to pass a law providing family members with a similar option. See below for the Consortium's recommendations regarding these periods of crisis.

Recommendation #3:

Develop a mechanism to authorize law enforcement officers to remove firearms when they identify someone who poses an immediate threat of harm to self or others. States should also provide law enforcement with a mechanism to request a warrant authorizing gun removal when the risk of harm to self or others is credible, but not immediate. In addition, states should create a new civil restraining order process to allow family members and intimate partners to petition the court to authorize removal of firearms and temporarily prohibit firearm purchase and possession based on a credible risk of physical harm to self or others, even when domestic violence is not an issue.

^{88.} Conn. Gen. Stat. § 29-38c

^{89.} Ind. Code Ann. § 35-47-14

^{90.} Assembly Bill No. 1014. (2014). Retrieved from California Legislative Information AB-1014 Gun violence restraining orders: https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB1014

About PERF

The Police Executive Research Forum (PERF) is an independent research organization that focuses on critical issues in policing. Since its found-ing in 1976, PERF has identified best practices on fundamental issues such as reducing police use of force, developing community policing and problem-oriented policing, using technologies to deliver police services to the community, and evaluating crime reduction strategies.



PERF strives to advance professionalism in policing and to improve the delivery of police services through the exercise of strong national leadership, public debate of police and criminal justice issues, and research and policy development.

In addition to conducting research and publishing reports on our findings, PERF conducts management studies of individual law enforcement agencies, educates hundreds of police officials each year in a three-week executive development program, and provides executive search services to governments that wish to conduct national searches for their next police chief.

All of PERF's work benefits from PERF's status as a membership organization of police officials, academics, federal government leaders, and others with an interest in policing and criminal justice.

All PERF members must have a four-year college degree and must subscribe to a set of founding principles, emphasizing the importance of research and public debate in policing, adherence to the Constitution and the highest standards of ethics and integrity, and accountability to the communities that police agencies serve.

PERF is governed by a member-elected president and board of directors and a board-appointed executive director. A staff of approximately 30 full-time professionals is based in Washington, D.C.

To learn more, visit PERF online at www.policeforum.org.

About The Joyce Foundation

The Joyce Foundation works with grantee partners to discover, develop, and advance innovative and effective policy solutions for the central challenges of our time.

The Joyce Foundation

With a focus on the Great Lakes region and also achieving national impact, Joyce strives to improve quality of life, promote community vitality, and achieve a fair society. The Foundation seeks quality education for all children, expansion of economic opportunity, and a truly representative democracy that serves the public interest. Joyce supports strategies to reduce gun violence, clean up and restore our natural environment, and enrich our communities with diverse, thriving arts and culture.

A growing body of research shows that strong gun laws correspond with lower rates of gun death and injury. The Foundation's Gun Violence Prevention Program supports efforts to build awareness about the problem of gun violence in America, and to educate the public, policy makers and the media about commonsense policies that improve public health and safety.

The Foundation also supports policies and practices that help law enforcement combat gun crime and violence and ensure their safety. Working with grantees like the Police Executive Research Forum, the Foundation is helping to facilitate efforts by the law enforcement community to strengthen the nation's response to gun violence.

Research supported by the Joyce Foundation also helps to understand and explain the link between access to firearms and suicide, the risk firearms pose to children, and the sources of illegal guns. Access to data and sound research on gun violence are critical to the development of effective public policies to reduce firearm injuries and deaths.

APPENDIX A

Participants at the "Summit to Combat Gun Violence and Crime" Hosted by the Cities of Minneapolis and Milwaukee January 10, 2013, Minneapolis, MN

Chief William Blair Anderson St. Cloud, MN Police Department

Deputy Chief Kris Arneson Minneapolis Police Department

Chaplan Mary Kay Balchunas Children's Hospital of Wisconsin

Program Coordinator Alyssa Banks City of Minneapolis, Health Department

Judge Toddrick Barnette Hennepin Co., MN District Court

Mayor Tom Barrett City of Milwaukee, WI

Chief Kevin Benner Brooklyn Center, MN Police Department

Sheriff Matt Bostrom Ramsey Co., MN Sheriff's Office

District Attorney John Chisholm Milwaukee Co., WI District Attorney's Office

County Attorney John Choi Ramsey Co., MN Attorney's Office

Assistant Chief Matt Clark Minneapolis , MN Police Department

Chief Michael Davis Brooklyn Park, MN Police Department Mayor Dan Devine City of West Allis, WI

Captain Pete Deitzman Hennepin Co., WI Sheriff's Office

Commissioner of Public Safety Ramona Dohman State of Minnesota

Ret. Chief Tim Dolan Minneapolis, MN Police Department

Program Coordinator Aria Duax Wisconsin Anti-Violence Effort (WAVE)

U.S. Congressman Keith Ellison 5th Congressional District, MN

Criminal Division Chief Nicole Engisch U.S. Attorney's Office, MN

Chief Ed Flynn Milwaukee Police Department

County Attorney Mike Freeman Hennepin Co., MN Attorney's Office

Deputy Chief Eddie Frizell Minneapolis Police Department Acting Special Agent in Charge Alden (AJ) Fry Alcohol, Tobacco, Firearms, and Explosives, St. Paul Field Division

Deputy Chief Travis Glampe Minneapolis Police Department

Director of Program Development Sheryl Goldstein PERF

Director Jennifer Gonda City of Milwaukee Department of Intergovernmental Relations

Assistant Chief James Harpole Milwaukee Police Department

Chief Janeé Harteau Minneapolis Police Department

Chief Pete Helein Appleton, WI Police Department

Chief Gregory Hestness University of Minnesota Police Department

General Counsel Micah Hines State of Minnesota, Office of the Governor

Mayor Sly James City of Kansas City, MO

Council President Barbara Johnson Minneapolis City Council, Ward 4

Mayor Elizabeth Kautz City of Burnsville, MN

Deputy Criminal Chief Carol Kayser U.S. Attorney's Office, MN, OCDETF & Guns

Mayor Dave Kleis City of St. Cloud, MN

Chief Scott Knight Chaska, MN Police Department Associate Professor Chris Koper, PhD. George Mason University, VA Center for Evidence-Based Crime Policy

Chief Charles LaGesse Superior, WI Police Department

Government Relations Representative Melissa Lesch City of Minneapolis

Mayor Larry MacDonald City of Bayfield, WI

Assistant Special Agent in Charge Jeffrey Magee Alcohol, Tobacco, Firearms, and Explosives, Milwaukee Field Office

Executive Director Heather Martens Project Minnesota

Commissioner of Health Gretchen Musicant City of Minneapolis

Representative Joe Mullery Minnesota House of Representatives, District 59A

Chief Dennis Nasci West Milwaukee, WI Police Department

Director Mallory O'Brien City of Milwaukee, Homicide Review Commission

Brian O'Keefe Wisconsin Department of Justice, Division of Law Enforcement Services

County Attorney Pete Orput Washington Co., MN Attorney's Office

Chief Charles Padgett West Allis, WI Police Department

Chief Doug Pettit Oregon, WI Police Department

Chief Gordon Ramsay Duluth, MN Police Department Mayor R.T. Rybak City of Minneapolis

Chairman Don Samuels Minneapolis City Council

Deputy Chief Leo Schmitz Chicago Police Department

Susan Segal City of Minneapolis, City Attorney

Captain Jason Smith Milwaukee Police Department, Intelligence Fusion Center

Chief Tom Smith St. Paul Police Departent

Sheriff Rich Stanek Hennepin Co., MN Sheriff's Office

Program Director Nina Vinik The Joyce Foundation, Chicago, IL

Program Officer Scott Wang The Joyce Foundation, Chicago, IL First Assistant County Attorney Brent Wartner Washington Co., MN, Attorney's Office

Co-Director and Associate Professor Daniel Webster John's Hopkins University, Center for Gun Policy and Research

Executive Director Chuck Wexler PERF

Mayor Tim Willson City of Brooklyn Center, MN

Chief Noble Wray Madison, WI Police Department

Chief Richard Wyffels Alexandria, MN Police Department

Deputy Assistant Director Bernard J. Zapor Bureau of Alcohol, Tobacco, Firearms, and Explosives, Washington D.C.

APPENDIX B

Participants at the PERF Summit "Regional Summit to Prevent Gun Violence" February 18, 2014, Portland, Oregon

Captain Christopher Ankney

Las Vegas, NV Metropolitan Police Department

Captain Brad Arleth Spokane, WA Police Department

Executive Director Mitch Barker WA Association of Sheriffs and Police Chiefs

Assistant Chief Carmen Best Seattle, WA Police Department

State Senator Ginny Burdick Oregon District 18

Chief Cliff Cook Bellingham, WA Police Department

Commander George Burke Portland Police Bureau

Assistant Chief Mike Crebs Portland Police Bureau

Captain Chris Davis Portland Police Bureau

Special Agent in Charge Doug Dawson Alcohol, Tobacco, Firearms, and Explosives, Seattle, WA

Chief Lee Dobrowolski Hillsboro, OR Police Department

Ret. Chief Tim Dolan Minneapolis Police Department Resident Agent in Charge Colene Domenech Alcohol, Tobacco, Firearms, and Explosives, Portland, OR

Sergeant Ken Duilio Portland Police Bureau

Captain Karl Durr Eugene, OR Police Department

Deputy Chief Jim Ferraris Salem, OR Police Department

Sergeant Jose Gonzalez Portland Police Bureau

Chief Jeff Groth Sherwood, OR Police Department

Assistant Chief Donna Henderson Portland Police Bureau

Captain Dave Hendrie Portland Police Bureau

Captain Ed Herbert Port of Portland Police

Executive Director Josh Horwitz Coalition to Stop Gun Violence

Chief Craig Junginger Gresham, OR Police Department

Sergeant Cathe Kent Portland Police Bureau Chief Pete Kerns Eugene, OR Police Department

Chief Phil Klahn Port of Portland Police

Officer Travis Law Portland Police Bureau

Commander Mike Leloff Portland Police Bureau

Captain Rod Light Yakima, WA Police Department

Administrative Assistant Kandi Marks Portland Police Bureau

U.S. Attorney Amanda Marshall U.S. Attorney's Office, Portland

Chief Michael Masterson Boise, ID Police Department

Chief James McElvain Vancouver, WA Police Department

Undersheriff Tim Moore Multnomah Co. Sheriff's Office

Chief Jerry Moore Salem, OR Police Department

Undersheriff Jeff Mori Washington Co. Sheriff's Office

Lieutenant Art Nakamura Portland Police Bureau

Assistant Chief Larry O'Dea Portland Police Bureau

Chief Al Orr Tigard, OR Police Department

Community Relations Coordinator Sherman Patterson Minneapolis Police Department

Policy Manager Tom Peavey Office of Youth Violence Prevention, Portland, OR

Supervisory Special Agent Thomas Jones FBI, Portland, OR Chief Jim Pryde Gladstone, OR Police Department

Chief Michael Reese Portland Police Bureau

Chief Dominick Rizzi Yakima, WA Police Department

Lieutenant John Scruggs Portland Police Bureau

Chief Bret Smith Canby, OR Police Department

Senior Deputy Kirsten Snowden Multnomah County District Attorney's Office

Chief Deputy Chuck Sparks Multnomah County District Attorney's Office

Assistant Chief Mark Timpf Tucson, AZ Police Department

District Attorney Rod Underhill Multnomah County District Attorney's Office

Assistant Special Agent in Charge Jose Vazques Alcohol, Tobacco, Firearms, and Explosives, Portland, OR

Program Director Nina Vinik The Joyce Foundation, Chicago, IL

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Captain Pat Walsh Portland Police Bureau

Commander Sara Westbrook Portland Police Bureau

Captain Jeffrey Williams Beaverton, OR Police Department

Deputy District Attorney Eric Zimmerman Multnomah County District Attorney's Office

APPENDIX C

Participants at the PERF Summit "Regional Summit to Prevent Gun Violence" May 15, 2014, Las Vegas, Nevada

Chief Brian Allen Sparks, NV Police Department

Captain Chris Ankeny Las Vegas Metropolitan Police Department

Detective Frank Bien Las Vegas Metropolitan Police Department

Assistant Special Agent in Charge David Booth Alcohol, Tobacco, Firearms, and Explosives, Denver, CO

Sergeant Zachary Burns Las Vegas Metropolitan Police Department

Director Chuck Callaway Las Vegas Metropolitan Police Department

Chief John Camper Grand Junction, CO Police Department

Chief Joe Chronister North Las Vegas, NV Police Department

Chief Deputy District Attorney Amelia Cramer Pima County District Attorney's Office

Legislative Fiscal Manager Paulina de Haan City of Milwaukee

Ret. Chief Tim Dolan Minneapolis Police Department

Chief Jose Elique

University of Nevada - Las Vegas Police Department

Detective James Fink Las Vegas Metropolitan Police Department

Commander Mark Fleecs Las Vegas Metropolitan Police Department

Dr. Shannon Frattaroli John's Hopkins Center for Gun Policy and Research

Assistant Chief James Harpole Milwaukee Police Department

Detective Breck Hodson Las Vegas Metropolitan Police Department

U.S. Marshal Christopher Hoye III U.S. Marshal's Office, District of Nevada

Investigative Specialist Mary Humphrey Las Vegas Metropolitan Police Department

Chief Criminal Deputy Kellie Johnson Pima County District Attorney's Office

Law Enforcement Advisor Mark Jones University of Chicago Crime Lab

Chief James Ketsaa Clark County, NV Schools Crime Lab Director Gregg LaBerge Denver Police Department

Assistant Sheriff Joseph Lombardo Las Vegas Metropolitan Police Department

Captain Matthew McCarthy Las Vegas Metropolitan Police Department

Deputy Chief Tom Miller Sparks, NV Police Department

Chief of Firearms Operation Division Jim Needles Alcohol, Tobacco, Firearms, and Explosives, Denver, CO

Detective Dustin Orth Las Vegas Metropolitan Police Department

Chief Steven Pitts Reno, NV Police Department

Special Agent in Charge Joe Riehl Alcohol, Tobacco, Firearms, and Explosives, San Francisco, CA

Captain Justin Roberts North Las Vegas, NV Police Department Lieutenant Jay Roberts Las Vegas Metropolitan Police Department

Deputy Chief Al Salinas Las Vegas Metropolitan Police Department

Lieutenant Ray Stieber Las Vegas Metropolitan Police Department

Assistant Chief Mark Timpf Tucson, AZ Police Department

Chief Roberto Villaseñor Tucson, AZ Police Department

Program Director Nina Vinik The Joyce Foundation, Chicago, IL

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Captain Anthony York Clark County, NV Schools

Captain Ken Young Clark County, NV Schools

Special Agent in Charge Bernard J. Zapor Alcohol, Tobacco, Firearms, and Explosives, Phoenix, AZ

APPENDIX D

Participants at the 2014 Midwest Interstate Coalition Gun Violence Reduction Summit September 11, 2014, Milwaukee, WI

Senior Policy Aide Nicole Archbold City of Minneapolis, MN

Mayor Tom Barrett City of Milwaukee, WI

Executive Director Jeri Bonavia Wisconsin Anti-Violence Effort (WAVE)

Deputy County Attorney David Brown Hennepin Co. Attorney's Office

Deputy Inspector Michael Brunson Milwaukee Police Dept.

Vice President Mark Buetow Milwaukee Police Association

District Attorney John Chisholm Milwaukee County District Attorney's Office

Legislative Fiscal Manager Paulina de Haan City of Milwaukee

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Mayor John Dickert City of Racine, WI

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Chief Janeé Harteau Minneapolis Police Department

Captain Timothy Heier Milwaukee Police Department

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Assistant Special Agent in Charge Joel Lee Alcohol, Tobacco, Firearms, and Explosives, Milwaukee Office

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Sheriff David Mahoney Dane County, WI Sheriff's Office

Assistant Chief of Police Bill Martinez St. Paul, MN Police Department

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