

BRIEF ANALYSIS

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No Smoking Guns: Answering Objections to Right-to-Carry Laws

Since 1986 the number of states in which it is legal to carry concealed weapons has grown from nine to 31, representing 49 percent of the country's population. Should we feel safer?

Opponents of right-to-carry laws predicted a sharp decline in public safety because minor incidents would escalate into killings and more children would be victimized by more guns in irresponsible hands. Further, critics claimed that criminals would be undeterred by any increase in armed citizens. Indeed, they claimed that right-to-carry laws would increase crime rather than deter it. Experience has proven them wrong.

What objections do the critics offer?

Objection #1: Citizens are safe enough without handguns. Criminals commit 10 million violent and 30 million property crimes a year. Hospital emergency rooms treat an estimated 1.4 million people a year for injuries inflicted in violent attacks, according to a recent Department of Justice study.

Since the U.S. Supreme Court and lower courts have held that the police are not obligated to protect individuals from crime, citizens are ultimately responsible for their own defense. Carrying a handgun allows millions to effectively provide for their own protection.

Objection #2: Concealed weapons do not deter crime. In choosing their crimes, criminals weigh the prospective costs against the benefits. If criminals suspect that the costs will be too high, they are less likely to commit a crime. The possibility of a concealed

weapon tilts the odds against the criminal and in favor of the victim. A survey of 1,847 felons in 10 states found them more concerned about meeting an armed victim than running into the police.

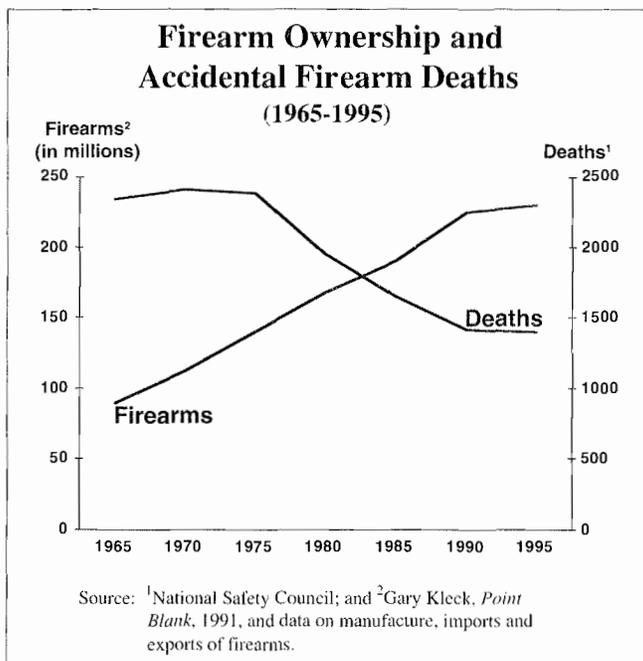
Their concern is well founded. Victims use handguns an estimated 1.9 million times each year in self-defense against an attack by another person, according to a survey conducted by Florida State University criminologist Gary Kleck. Studies have found that robbery and rape victims who resist with a gun cut the risks of injury in half.

Moreover, a study by economists John Lott and David Mustard of the University of Chicago, published in the January 1997 *Journal of Legal Studies*, examined the impact of concealed carry permits. Using data from all 3,054 U.S. counties between 1977 and 1992, the study found that:

- Concealed handgun laws reduced murder by 8.5 percent, rape by 5 percent and severe assault by 7 percent.
- Had right-to-carry prevailed throughout the country, 1,600 fewer murders, 4,200 fewer rapes and 60,000 fewer severe assaults would have occurred during those 15 years.

In addition, the deterrent effect of concealed handgun laws proved highest in counties with high crime rates. For example, FBI statistics showed that in counties with populations of more than 200,000 (typically the counties with the highest rates of violent crime), laws allowing concealed carry produced a 13 percent drop in the murder rate and a 7 percent decline in rapes.

Case Study: Vermont. Vermont has long had the least restrictive firearms carry laws, allowing citizens to carry guns either openly or concealed without any permit. Vermont also has maintained one of the lowest violent crime rates in the country. For example:



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- In 1980, when murders and robberies in the U.S. had soared to an average of 10 and 251 per 100,000 population, respectively, Vermont's murder rate was 22 percent of the national rate and its robbery rate was 15 percent.
- In 1996 Vermont's rates remained among the lowest in the country at 25 percent of the national rate for homicide and 8 percent for robbery.

Objection #3: Right-to-carry laws boost killings on impulse. Widespread gun availability was supposed to lead to a "wild-west" mentality with more shootings and deaths as people vented their anger with pistols instead of fists. Yet FBI data show that, as a share of all homicides, killings that resulted from arguments declined. In addition:

- Dade County, Fla., kept meticulous records for six years, and of 21,000 permit holders, none was known to have injured an innocent person.
- Since Virginia passed a right-to-carry law, more than 50,000 permits have been issued, not one permit holder has been convicted of a crime and violent crime has dropped.

Moreover, those who have broken the rules have lost their privilege to carry a gun.

- Texas has revoked or suspended nearly 300 permits for minor violations like failure to conceal or carrying a gun in a bar.
- Between 1987 and 1995, Florida issued nearly 300,000 permits, but revoked only 19 because the permit holder had committed a crime. That's one crime per 14,000 permit holders during a nine-year period, an incredibly low rate compared to a criminal arrest rate of one per 14 Americans age 15 and older each year.

Objection #4: Concealed carry puts guns in untrained hands. Before issuing a concealed carry permit, most states require that the applicant prove he or she has been thoroughly trained, with:

- 10 to 15 hours emphasizing conflict resolution.
- A pre-test and a final test covering the laws of self-defense and the consequences of misuse of deadly force.

- A stress on gun safety in the classroom and on the firing range.
- A stringent shooting accuracy test which applicants must pass each time they renew their permit.

Of course, a person who has only a split second to decide whether to use deadly force can make a mistake. However, only about 30 such mistaken civilian shootings occur nationwide each year. The police kill in error three times as often.

Objection #5: Concealed carry increases accidental gun deaths. The Lott-Mustard study found no increase in accidental shootings in counties with "shall issue" right-to-carry laws, where authorities have to issue the permit to all who meet the criteria. Nor have other studies. Nationally, there are about 1,400 accidental firearms deaths each year — far fewer than the number of deaths attributable to medical errors or automobile accidents. The national death rate from firearms has declined even while firearm ownership has almost doubled in the last 20 years [see the figure], and 22 more states have liberalized right-to-carry laws:

- The fatal firearm accident rate has declined to about .5 per 100,000 people — a decrease of more than 19 percent in the last decade.
- The number of fatal firearms-related accidents among children fell to an all-time low of 185 in 1994, a 64 percent decline since 1975.

Conclusion. Concealed carry laws have not contributed to a big increase in gun ownership. Nor has allowing citizens the right to carry firearms for self-protection led to the negative consequences claimed by critics. In fact, these laws have lowered violent crime rates and increased the general level of knowledge concerning the rights, responsibilities and laws of firearm ownership.

Putting unarmed citizens at the mercy of armed and violent criminals was never a good idea. Now that the evidence is in, we know that concealed carry is a social good.

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