

**GUNS** AND

**CONTROL**

**A NONPARTISAN GUIDE  
TO UNDERSTANDING**

**MASS PUBLIC SHOOTINGS,  
GUN ACCIDENTS, CRIME,  
PUBLIC CARRY, SUICIDES,  
DEFENSIVE USE, AND MORE**

**GUY SMITH**

**FOUNDER,  
GUN FACTS PROJECT**



# Foreword

By Lt. Col. Dave Grossman, US Army (ret.)

YOU HOLD IN YOUR HANDS the single best scientific, statistical analysis available on the issue of guns and gun control. If you truly desire “just the facts” and not propaganda on this critical subject, then *this* is the book for you.

As you read through this book, you will begin to understand the Herculean task that Guy Smith has set for himself in assembling this body of data. Allow me to explain some complexities about guns and violence to illustrate why Guy’s distillation is important.

First is the subject of media violence and its impact on violence in our society. This topic was just too far outside Guy’s scope in writing this book. Guy has done a great job covering the subject of “media contagion” (his suggestion that we are really looking at “competition killers,” instead of mass murders, is brilliant), and we both recommend my book, *Assassination Generation*, for more information on that aspect of the subject.

Additionally, I co-authored the book *Control: Exposing the Truth About Guns* with Glenn Beck (which made the *New York Times* Best Sellers list), and I think we did a good job of covering the nexus between media violence and violence in our society. It would make a great companion to this book, if you would like more information.

One other aspect of the complexity associated with the task that Guy Smith has set for himself is the impact of medical technology holding down the murder rate. Over any period of time, the murder rate (the raw number of dead people) completely under-represents the problem, because the medical community is saving ever more lives.

## 2 • GUNS AND CONTROL

In 2002, Anthony Harris and a team of scholars from the University of Massachusetts and Harvard published a landmark study in the journal *Homicide Studies* which concluded that medical technology advances since 1970 have prevented approximately three out of four murders. That is, if we had 1970s-level medical technology, the murder rate would be three or four times higher than it is today.

One medical expert told me that he believes tourniquet use alone, in the last decade, may have cut the murder rate in half. Today, every cop and EMT carries a tourniquet on their person, whereas ten years ago none of them did. If a cop slaps on a tourniquet and saves a life, he has also prevented a murder. If twenty police officers a day (among the half-million on duty, between the three shifts, working in these violent times every day) slap on a tourniquet and prevent a murder, then we have cut the murder rate roughly in half.

The aggravated assault rate is a better measure, but that data is easy to “fudge.” Where do you draw the line between aggravated assault and “simple” assault? It can be like “grade inflation” in our schools.

When we compare money over any period of time, we talk in terms of “inflation adjusted dollars.” And when we look at murders over any period of time, we need to speak in terms of “medically adjusted murders.” If we did this one thing, it would completely change how we view the problem of violent crime in our nation, and around the world.

Unfortunately, that UMass/Harvard study is just one data point. Until we begin to track “medically adjusted murders” like we do “inflation adjusted dollars,” it will be very hard to calculate this aspect into the hard statistical data that Guy has integrated in this singular, remarkable book.

The point of my missive is to demonstrate what a superb job Guy Smith has done in compiling the available facts and data in this specific area. Parsing out the media violence issue, setting aside the impact of medical technology for future researchers, and focusing with laser precision on taking what is available, Guy has given *you*, the reader, the information that you need to come to intelligent, informed conclusions on this critical subject.

In the end, facts are facts, and facts are important. *That* is something we can all agree on.

Our society cannot have an adult conversation about guns, crime, violence, and gun control unless we work with real, true, solid data. Information. Facts. And *this* book is the place to find those precious commodities

Whatever your position on these critical subjects, I implore you to not just read, but *study* this book. The solution to our nation’s problems cannot be found in emotions. But the facts to be found in this book can aid us

greatly in the worthy endeavor of leading our nation to a better and safer place. *That* is something else we can all agree on, and Guy Smith has given us an invaluable resource to assist in that endeavor.

—Dave Grossman  
Author of *On Killing*, *On Combat*,  
and *Assassination Generation*



# Foreword

By David T. Hardy, Former Associate Editor of  
*the Arizona Law Review*

A RECENT FAD HAS BEEN to announce that we need to have a “serious conversation” about firearms violence and gun control. The truth is that we have been having that conversation, at a very serious level, for nearly half a century. Serious criminological work on that issue began in the 1970s, with major contributions by professors of criminology and statisticians—David Bordua, Alan Lizzotte, Gary Kleck, and John Lott, among others. All these concluded that few, if any, forms of gun control were associated with lower rates of violence.

One might ask, after half a century of research and publication, what could Guy Smith add to the issue?

The answer is (with all due respect to his predecessors): He is very, very, readable. His predecessors were technical authors, writing largely for an audience of the same. Their creations were scientific, technical, and usually quite long. We read them (as, alas, I am sure they read my own efforts) for work, not for enlightenment.

In contrast, Guy’s book is something that an intelligent reader can understand, without setting aside a week to read and imperfectly grasp. Reading it is a pleasure rather than a duty. That makes *Guns and Control* exceptional—no, make that unique—in the field of criminology and gun control.

6 • GUNS AND CONTROL

That readability makes it useful both to readers and to friends they may wish to inform. If a person wants a serious conversation on gun control, this book should be the starting point. Unless the points Guy Smith makes can be answered, it will also be the ending point.

—David T. Hardy  
Former Associate Editor  
of the *Arizona Law Review*

# Introduction

*complexity, n. The mother of reinvention*

TO PRACTICALLY PLAGIARIZE *The Hitchhikers Guide to the Galaxy*, let's say that guns and gun control policy are complicated. Really complicated. You just won't believe how vastly, hugely, mind-bogglingly convoluted gun policy is. It is nitpicky, muddled by vastly different and constantly changing laws, warped by cultural variations (national and regional), muddled by political opportunists, lied about by politicians, and driven by fear on all sides. In short, an intellectual mind-bender of galactic proportions.

I'm here to help you wrap your brain around the topic without it bursting in the process.

For more than twenty years, I have traversed and explored the gun control sciences. It started as many intellectual pursuits do, with the observation of something that did not make much sense to me. Most science does not begin with a shout of "Eureka!" but with someone like me muttering, "Well, that's odd."

In my younger years, the nightly news often contained gut-wrenching accounts of homicides, followed instantly by representatives of gun control groups decrying the society-ending plague of guns. But in the non-rural, high-tech county in which I lived, nobody could recall the last time anyone—aside from a burglar—was shot. Indeed, I was twenty years old before the first shooting death occurred in my hometown, and that was by a police officer in an indisputable act of self-defense from a crazed, knife-wielding attacker. In other words, what I witnessed in real life was utterly different than what the evening news portrayed.

One of the worst things that can happen to someone with an education and career experience in research design is to have their interest piqued, for it drags them off into ever-deepening quests for more data, more complex analysis, and the eventual realization later in life that it is unwise to start relaying acquired knowledge at social gatherings. Starting with one small statistical datapoint and the associated misinformation on the topic of guns and homicides, I dug deeper, and deeper, and deeper. This minor bit of insight unleashed a massive time-suck, an insatiable monster of curiosity. Secondary research soon led to primary research. This quickly led to my hard drive being overwhelmed with national crime databases and international suicide stats. It evolved to email contacts with criminologists, participation in forums with constitutional scholars, and an ever-increasing education in propaganda analysis.

It also led to a humorous marital moment. My wife (God rest her soul) emerged from the bedroom one Saturday morning to discover me feverishly *rat-a-tatting* on my computer keyboard, the dual monitors decorated with spreadsheets and data visualizations. When she asked what I was doing at my desk at eight o'clock on a Saturday morning, I sheepishly replied, "I'm doing multivariate regressions on FBI supplemental homicide tables." Fortunately, she just smiled in that special way spouses of geeks do instead of filing for divorce.

Over time, I found an audience that craved unpolluted insight about guns and gun violence. It started with the humble objective of identifying and debunking bad information on the topic of gun control policy in an effort to get politicians to quit lying (I failed). Over time my activities expanded to publishing both the bad and the good information that was available, distilling the critical data, and explaining it for clarity (I succeeded). Ultimately, I stitched together far-flung pools of data, incorporated analysis, and visually presented the realities about guns and gun control in order to expand public perspective (I kinda excelled).

The process taught me a few undeniable things:

**THE FIELD AIN'T FOR WIMPS:** Gun policy covers a lot of turf. It may not contain as many disciplines as global climatology (quite seriously, that field has everything from astrophysics to zoology), but it does have quite a few—criminology, statistics, sociology, psychology, mental health management, cultural studies, and more. If you want to understand who is being dishonest in gun control debates, watch to see which of these topics they avoid discussing.

**NUMBERS REALLY, REALLY, REALLY MATTER:** Start talking to the average voter about population-proportional statistical variations of, well, anything, and their eyes will glaze over before they faceplant into the carpet. Yet such numbers are critical to understanding some of the most basic issues surrounding gun control policy, and are even more so in gaining uncluttered perspective. That has been a big part of my job—distilling and then presenting the realities of guns and gun control without having to first force-feed black coffee into my audience.

**PEOPLE LIE AND OFTEN USE NUMBERS TO DO SO:** Gun control is ideology-driven politics, regardless of which side of the debate one might reside on. Some politicians have openly and routinely fed the public ample amounts of bovine byproduct in order to push an agenda, and they have done so using an amazing array of substandard stats based on inappropriate data sources, abysmal methodologies, and outright misdirection.

**NOTHING IS CONSISTENT:** I often have to discuss cultural attitudes as a contributing factor to gun misuse, and thus what policies might work. My favorite joke while speaking to audiences is that if you take one thousand National Rifle Association (NRA) members and put them in a room full of guns, the only death will be from boredom after listening to them yammer on and on about which makes, models, calibers, grip styles, and finishes they like best. But if you take one thousand members of competing inner-city street gangs and put them in a room full of guns, nobody is getting out alive. Likewise, throughout gun studies there is little consistency across regions, nations, cultures, laws, limits, or restrictions. This inconsistency is used by various groups to misarticulate reality and push their proposals into law.



THIS BRINGS US BACK TO the reason this book is in your hands. Getting your brain around all that complexity via web research would be perilous. Relying on seemingly trustworthy sources, such as medical schools that routinely commit criminology malpractice, would lead to less understanding, not more. Forget about the policy groups, be they pro- or anti-gun, for the meager art of omission is sufficient to create ignorance disguised as education and lead you away from practical insight.

This book exists so you can come to grips with the subject of guns and their control without hourly trips to Starbucks. It will explain the varied topics that are in perpetual debate, examine what is reliably known and not well known, provide high-level perspective, and dive into detail where

appropriate. It will also expose many places where the politicians and policy groups have managed to muddy our intellectual waters in order to frighten voters and, in the process, ease them past critical thinking.

Illuminate, triangulate, illustrate, and in the process, create a better-informed voter.

### **A note about data used in this book**

The reader will notice a startling lack of “studies” being cited throughout this tome, but instead will see ample tables and charts presenting pure data from nearly pristine sources like the Federal Bureau of Investigation’s (FBI) Uniform Crime Statistics, the Centers for Disease Control’s (CDC) mortality and injury databases, and summaries of those sources by the Bureau of Justice Statistics.

There are a few reasons for me being so downright strict in my data selection. Foremost, the raw data from these sources is often complete, inarguable, and very illustrative of reality. Whereas some artful research studies creatively use data to portray fiction, the raw data is untainted by intellectual dishonesty. Another advantage is that you do not have to take my word about anything since the same data from the same sources is available through any web browser. You can go look up the details yourself and it isn’t hard at all. Lastly, politicians with agendas will have a really hard time denying the presentations herein. They will anyway, but when asked “what is your objection to the FBI’s Uniform Crime Reporting data?” their argumentative nature rapidly abates.

But, alas, not all answers can come from these sources. I do have to rely on a handful of surveys and studies to bring clarity. For example, the FBI can tell us how many gun murders there were last year, but those statistics say nothing about how guns get into the hands of street gang members. When looking for added clarity, I rely primarily on work done by criminologists. It is their field of expertise, as opposed to, say, a pediatrician. In some instances, I have used survey data, such as those concerning gun ownership or defensive gun use rates. Surveys are direct data acquisitions and do not rely on mathematical adjustments, so despite problems with surveys in general (which I disclose herein), they add quality insight for your benefit.

In short, I wanted to provide you, the astute and rational reader, with the real numbers, unfiltered, unadjusted, and un-politicized.

### **A note about policy**

If you expect to find proof points about gun control policy, either for or against, or if you expect me to tell you what legislation is or is not advisable, you will be disappointed.

Don't get me wrong. After studying guns, violence, and policy for over twenty years, I have more than a few opinions. But you don't need anyone's opinions, even mine. What you need is the data presented in simple terms so you can wisely make your own policy and politician choices. The NRA and Everytown for Gun Safety will gladly give you plenty of opinions. I give you the straight dope so you can decide while being fully informed.

### **A note about funding**

The Gun Facts project has none.

The Gun Facts project is slightly poorer than a frugal monk. When I formalized the project, I set a rule against accepting money from policy organizations. We have been offered money by a national gun policy outfit, and we have also been offered lucre from the largest state affiliate of a different national gun policy organization. We turned them both down—and it hurt because their combined cash would have more than quadrupled the Gun Facts project's annual donations. All of Gun Facts's operating capital comes from fans. The average one-time donation is less than twenty dollars. Some donors make an automatic monthly contribution, but the average recurring tithe is under ten dollars.

In short, we are always close to broke. But the alternative is to accept money from groups on a mission. That could open the gateways of Heck and tempt them into dictating the outcome of our research or censoring our analysis and publishing. It would also allow some large swath of the public to disbelieve anything we say because we are “in the pockets” of “the gun lobby” or “the gun control lobby.”

Who needs those headaches?

### **A note for nitpickers**

Before complaints can be filed, understand a few things about this book:

- Every book takes time to write. For a complex subject like this, that duration can be long. If the data presented is not up-to-the-minute inclusive, this is one possible reason.
- Not all data sources are consistent. As you will see in one chapter, the FBI online tools for extracting crime data changed, and not for the better, making some data extracts possible only through 2014. And detailed tables concerning crime were available for 2017 but not 2018. Aside from these calamities, I tried in all cases to use the most recent data on which I could lay my digital hands.
- Even old data can be useful. When showing perspective on an issue, historical data is often quite sufficient. If one maps robbery data

## 12 • GUNS AND CONTROL

between countries from 1980 through 2005, odds are extremely good that—in the absence of an observable trend—2006 through today is likely similar.

- In many instances I report simple regression results. Unless otherwise mentioned, all regressions achieve a 95 percent confidence level and probability values (p-values for the statistically savvy)  $\leq 0.05$ .
- I do not present multivariate analysis for multiple rational reasons. These reasons include (a) that high-level information is what the public at large desires, (b) this takes huge amounts of time which publishing deadlines disallow, and (c) since I am not trying to prove or disprove any point, simple regressions are sufficient to increase understanding of most topics.

## CHAPTER 1

# Gun Availability

*You cannot commit a gun crime without a gun.*

*Fifty-four percent of counties in the United States have zero murders, much less gun homicides.*

GUNS AND THEIR AVAILABILITY ARE a classic coin metaphor. Guns are indeed used to commit crimes. They are also used to prevent crimes. They can contribute to accidental deaths but are unlikely to do so if precautions are taken.

The problem with modern discussions about the mere availability of guns is that all competing factions see it as a one-sided coin, an object that has never existed. To understand how private ownership of guns affects society, you have to flip the coin . . . repeatedly.

### **The critical take-aways**

- There is weak correlation between guns per capita and homicides
- Gun violence is strongly associated with specific geographies and subcultures
- Few guns used for crime come from retail sources, but many come from underground networks

**Availability and confounding variables**

I have a long-running joke I give when speaking to audiences:

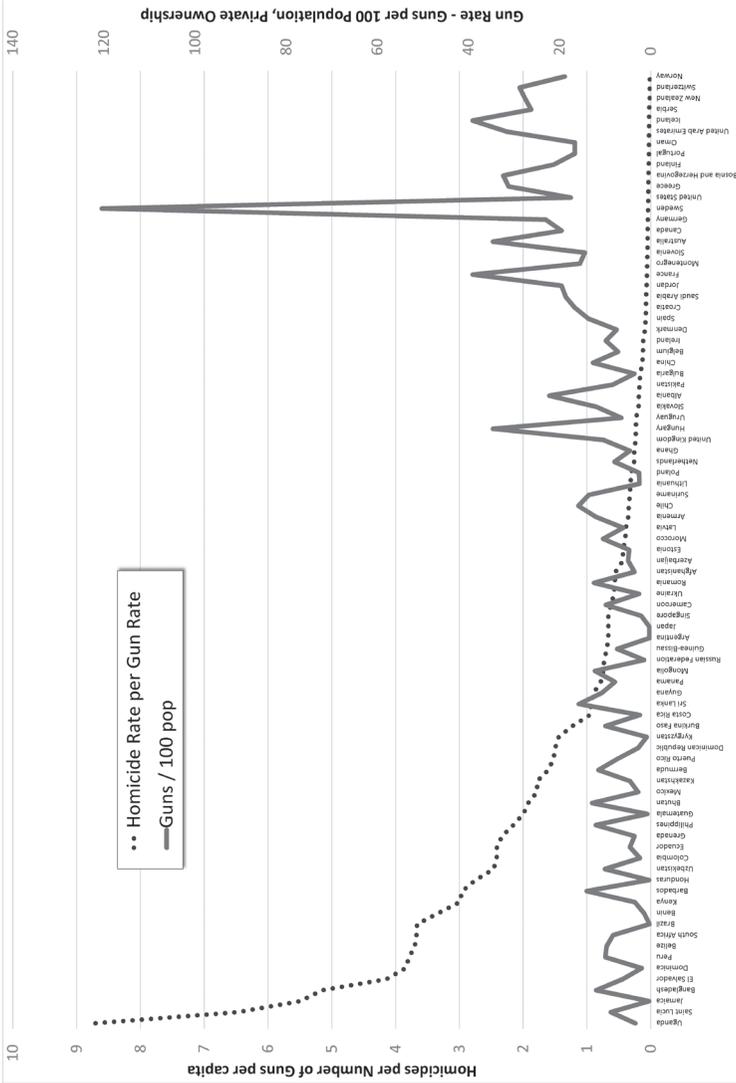
*Last time I checked, the annual NRA convention was about seventy thousand members. These are people that own guns and know how to use guns. They are in a confined space with lots of guns. But nobody gets killed. Now, take seventy thousand garden variety street gang members and put them into the same building with the same stockpile of guns. You'll need plenty of mops and buckets to clean up the blood.*

The point of this exaggerated contrast is to demonstrate that the mere availability of guns is not deterministic to their misuse. Other factors are at play. In this particular and silly comparison, there is a clear difference in the cultural values of the two groups. NRA members are largely “law and order” types. Street gang members have little or no respect for any law, and from crime statistics, no respect for gun laws. Two heavily armed groups but with very different cultural norms produce two very different outcomes. Likewise, comparing the homicidal tendencies of the United States, which has the highest per capita gun ownership rate in the world, with the Falkland Islands or Yemen (the second and third gun ownership *rate* countries<sup>1</sup>) would present equally confusing results.

Despite these complications, looking at countries around the world provides both insight and statistical landmines. To get a handle on all these gruesome details, let's look at dead people.

Criminologists who have explored guns and policy tend to focus most ardently on homicides. The reason is that there is little debate over whether a person is dead from one country to another, whereas the definitions for assault, robbery, rape, and other acts of violence vary quite a bit. That being said, an “honor killing” might be ignored in Afghanistan and thus not be tallied in crime statistics, but the same act would earn a court-ordered lethal injection in Texas. By and large, however, the major classifications for what constitutes a homicide are consistent across borders and the United Nations Office on Drugs and Crimes tries to keep global definitions and the resulting data aligned as much as is humanly possible.

If the availability of guns was a major factor in public endangerment, then in theory—and with all other factors being equal—the countries with the highest rate of private gun ownership should have the most bloodshed. But all other factors are far from being equal.



Ownership rate: Small Arms Survey 2017; Homicide rate: United Nations Office on Drugs and Crime

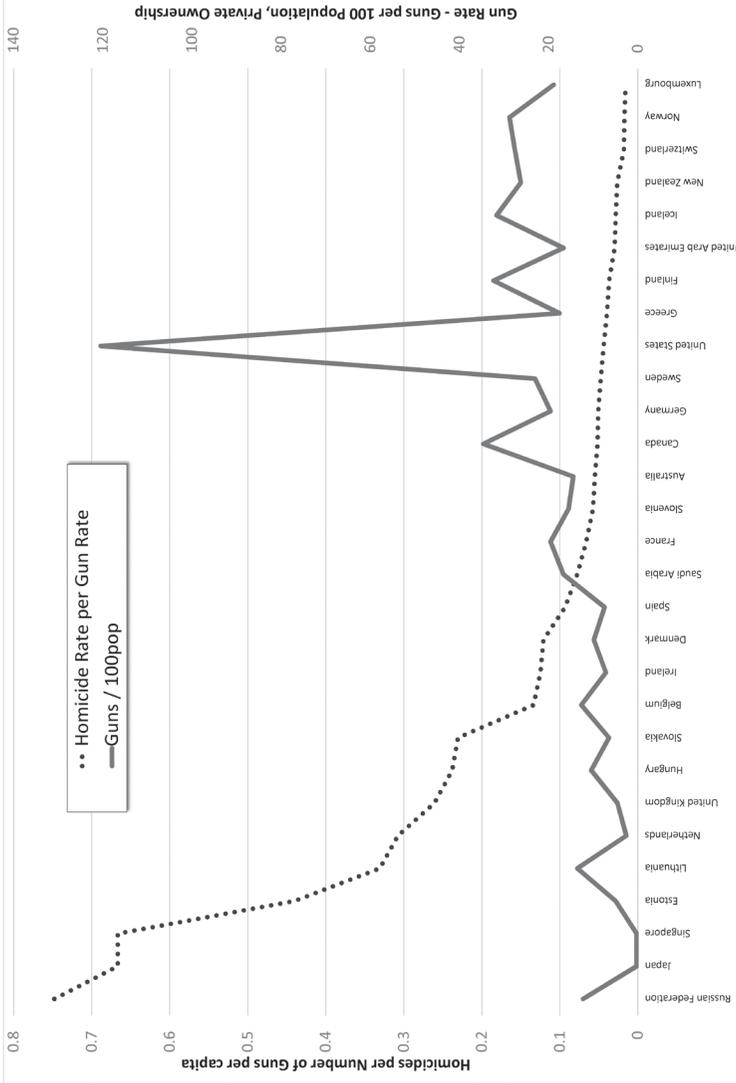
The huge spike in gun ownership rates on the right side of the chart is the United States. The homicide rate (murders per one hundred thousand people) per gun ownership rate for each country is plotted from the highest—Uganda at 31,262% the rate of the United States—to the lowest—Luxembourg, where homicides appear to be an afterthought in the course of day-to-day life.

But this comparison is loaded with problems. Small population countries, especially with frontier living circumstances, can have a very high gun ownership rate and be so sparsely populated that there is little chance to murder anyone. Poor countries can have very low gun ownership rates due to their poverty but have high homicide rates, as witnessed by the Rwanda Massacre in 1994 where machetes were a primary weapon and upwards of a million people died. To get a clearer picture, we need to compare countries with similar status in the world.

But what constitutes a similar “status”?

Some advocacy groups think comparing “rich” nations is appropriate. It is not. “Rich” is a slippery term. Does it mean total gross domestic product? If that were the criteria, the United States (number one GDP) would be compared to China (number two GDP). Those nations have vastly different ways of dealing with social issues and China’s crime data collection and reporting routines are a little suspect. Per capita GDP—the average amount of wealth per person—at first sounds like a possibility, but this mixes Luxembourg and Norway with Macau and Qatar. Oil dictatorships with small populations have high per capita GDP, but all the wealth is held by a very small part of the population.

As our somewhat absurd NRA and gang example illustrated, there needs to be some cultural alignment as well as economic similarities. Cultural sophistication is often associated with both economic development (e.g., industrialization) and education. A common measurement is a “socioeconomic index” which encapsulates both. Though imperfect, as is everything, it gets us to a much closer approximation of cultural sensibilities toward sociability and antisocial behaviors. It also provides quite a surprise.



**Ownership rate: Small Arms Survey 2017; Homicide rate: United Nations Office on Drugs and Crime**

Looking at just the top 25 percent of nations on the socioeconomic index,<sup>2</sup> we again see some things that are surprising and not surprising at all. It is predictable that the modern and dictatorial Russia heavily restricts private gun ownership and also has a higher homicide rate per owned gun than all contenders. Japan has some of the strictest gun control in the world, and thus is tied with Singapore for the lowest gun ownership rate, and this makes their homicides/gun appear artificially high. But after that, the picture begins normalizing and we see a disconnect from gun ownership and homicide rates, with the United States finally logging into position number twenty-one in terms of the number of murders per gun in circulation. This too is a little misleading because the United States has the second highest homicide rate and the highest gun ownership rate. Still, the correlation between gun availability and overall homicide rate is weak (an  $R^2$  value—common statistical measure of correlation—of 0.1, where zero means no correlation and one means perfect correlation). But even when we reduce this list to just North American nations and those in Western, Northern, and Southern Europe (eliminate Asia and Eastern European issues) the picture remains the same.

This brings to the fore an ugly reality, namely that there are many ways of committing homicide. Humans are inventive creatures and over time we have discovered and invented many, many ways of violating the sixth commandment. We have created technologies that are taking us to different planets, and we have thought up thousands of ways of killing. These are mankind's two claims to fame—the intelligence to advance ourselves while simultaneously eliminating one another. Ever since Cain got annoyed with Abel and whacked in his head with a rock, people have committed homicides. In countries with few guns, killing can be routine and stones are just one of the tools handy for the job. This “substitution of means,” different ways of achieving a specific outcome, applies to murder and becomes more apparent when we look at Hungary, a country with a homicide rate half that of the United States, yet they own less than one tenth the number of guns per capita. Homicidal Hungarians show some preference for knives and axes, paralleling the Rwandan machete fondness.

### **The other side of the coin—prelude**

Guns can be used offensively and defensively. I devote a complete chapter to that side of the coin, but defensive gun uses (DGUs) are worth mentioning now due to the confusing homicide comparisons above, and the other confusing violent crime statistics later.

One criminologist<sup>3</sup> gathered together a dozen surveys and studies conducted by various academics, polling companies, and news organizations. The average number of American DGUs per year was slightly below two million. This criminologist's own study concluded there were 2.5 million DGUs, and his estimate wasn't even the highest of the group. A deeper dive into survey respondents also produced an estimate that four hundred thousand of these DGUs prevented death or serious injuries. This illuminates one open and eternal question about guns, namely how many murders are prevented using a gun when compared to how many murders are committed with them. Another highly unsettling question explored in the DGU chapter is if a lack of guns might be an endangerment to any subsegment of a population, in particular to women. But for now, we'll focus on the availability of guns and the harm they can cause.

### **Where is the gun violence and who is doing it?**

As we dive specifically into American use and misuse of the available gun supply, we'll see that our NRA vs. gang duality is not misplaced. Much of American gun play is highly isolated. In fact, one research organization discovered that in their year of study, 54 percent of counties in America had no homicides whatsoever and that 2 percent of US counties had 51 percent of the nation's homicides.<sup>4</sup> This agrees with original research done by the Gun Facts Project where we found:

1. The top twenty cities for homicides ...
2. Had 7 percent of America's population, but ...
3. Produced 21 percent of its murders

Whenever you see a massive skewing of the location for homicides, we can begin to explore what variables are at play. Since 72 percent of American homicides in 2017 involved guns, this will tell us much about the nature of guns and their use in violence—homicides, assaults, and robberies.

### **A big note about gun ownership rates**

One bedevilment in the gun research is knowing how many guns there are. This applies to the national stockpile. It applies to state-level estimates. It applies to even rough guesses about how many households have one or more guns.

The fact is nobody knows for certain. Some people think the lack of gun registration in America is a bug, others think it is a feature. For our purposes, it is a minor nightmare but one we can work around.

Until recently, two of the three major tracking polls (Gallup, ABC, and Pew) that measured household gun ownership noted that the level of ownership had been more or less steady for a couple of decades. The third poll showed a declining rate of household ownership. When it was discovered that the third poll was surveying everyone, not just registered voters, they adjusted their process and came to the same conclusion as the other two polls.

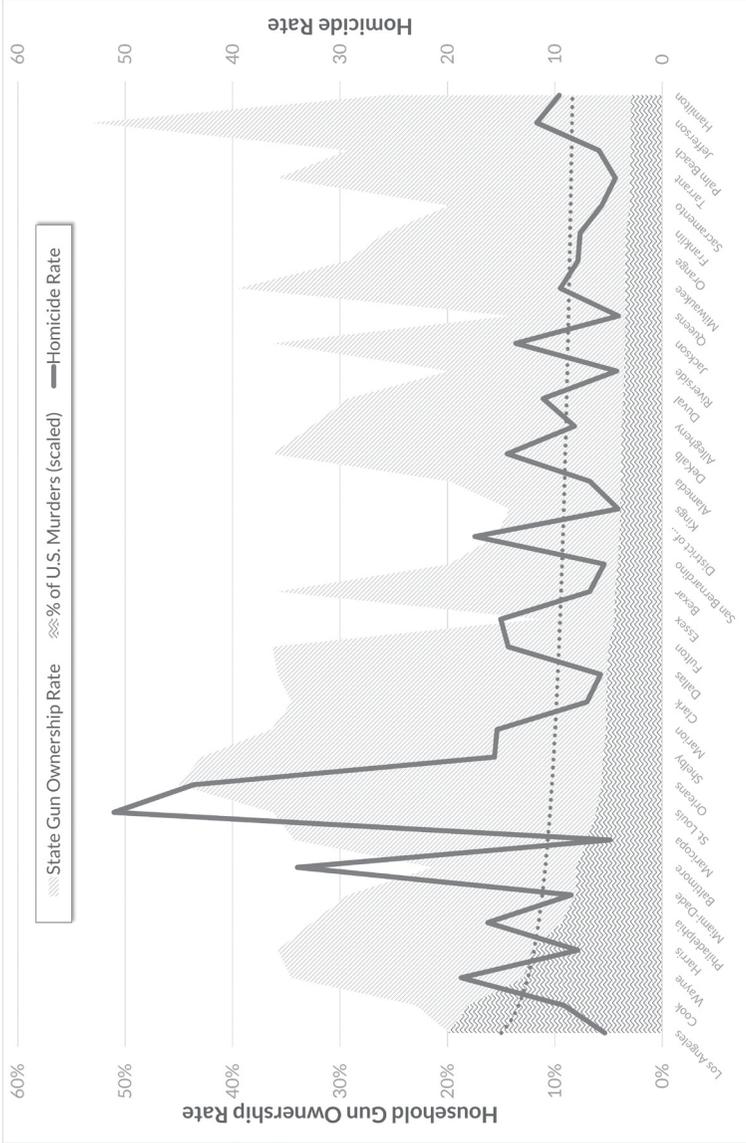
This lack of precision has led to no end of confusion for the public, and the confusion will not abate soon. Most trending polls that ask people about their gun ownership have two problematic issues:

**SAMPLE SIZE:** Everyone is on a budget, and polling companies survey as few people as possible to keep costs under control while maintaining reasonable statistical confidence. But when your survey 1,500 people in fifty-one jurisdictions (fifty states plus Washington, D.C.) that is roughly thirty people per state, which is statistically insubstantial.

**HONESTY:** One study<sup>5</sup> noted that nearly 9 percent of respondents simply refused to answer questions about their gun ownership. Historically, women have reported household gun ownership rates at levels significantly lower than men do. Odds are that convicted felons who are prohibited from owning guns don't answer questions about gun ownership honestly. Nor would illegal immigrants. The point is that gun ownership rates estimated by surveys are approximations and given the common factors I just listed, possibly on the low side.

That the various surveys are in rough agreement about the rate of gun ownership provides moot comfort. The validity of gun ownership rates becomes a bit more dicey if we explore county-level data, because a reliable estimate of gun ownership in California includes the high rate of ownership in the central valley (largely rural and agricultural) and San Francisco (which has no public gun stores at all but had twenty-five firearm homicides in 2018). This concern properly noted, let's look at the top counties in the United States and their propensity toward murder. From this you will also get a sense about how various policy groups cherry-pick locations to study to suit their goals.

For our purposes, I averaged the state-wide household gun ownership rates from two different studies<sup>6</sup> to estimate gun availability and used county level data from the FBI's Uniform Crime Reporting databases for 2014 (the last year for which the FBI's older reporting system has data and made it possible to dump data by regions).



**State gun ownership rates: Average of Behavioral Risk Factor Surveillance System (BRFSS) and YouGov survey; Crime: FBI Uniform Crime Reporting**

In 2014, Los Angeles County—home to deep “gangsta” subcultures—led the nation in terms of total homicides. In that year, L.A. had a homicide rate double the average of all other counties in the US (5.4 incidents per 100,000 people against a national average of 2.8). But of the most homicidal counties—the ones shown in the chart are the top thirty-five entries—L.A.’s homicide *rate*, not the raw body count, is less than half of the other counties (for example’s sake, Baltimore had a homicide rate of 34.0; Orleans, Louisiana 43.6; Wayne, Michigan 18.7, etc.). With about ten million people in L.A. County, this divergence between the *total* number of bodies and bodies per capita (homicide rate) is easily understood.

Baltimore County in Maryland has nearly the same gun ownership rate as L.A. (21.4 percent for Maryland; 19.8 percent for California) but has a homicide rate six times higher. Essex County, New Jersey, if it shares the state’s average gun ownership rate of 11.3 percent, has a homicide rate of 15.1 compared to Jefferson County, Alabama’s 11.7 homicide rate, despite Jefferson’s whopping 53.1 percent assumed gun ownership rate. The chart and these instant comparisons show that there is little correlation between what we think are the likely *legal* gun ownership rates and their use in murder (for the more ardent statistics junkies; using the  $R^2$  test, we see an exceptionally weak 0.08 correlation between homicide rates and gun ownership and the p-value is quite high at 0.5, and a 0.01 correlation between the percentage of national murders in any given county and gun ownership).

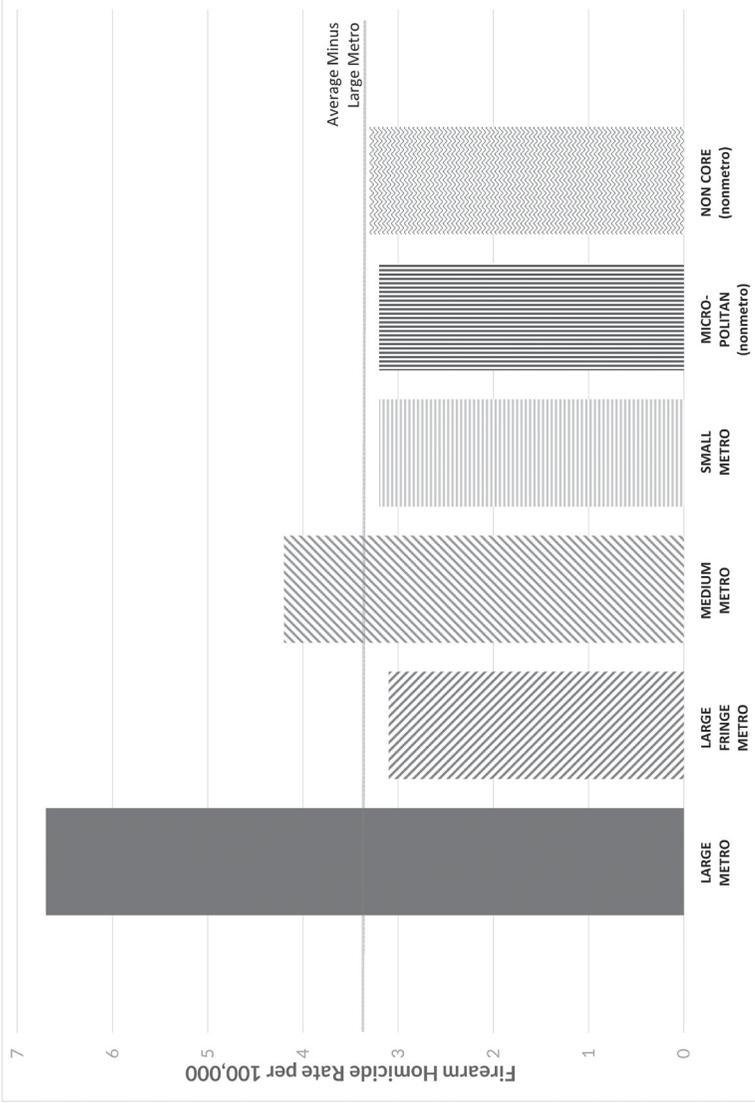
You likely noticed that one major assumption in these surveys of gun ownership is that the respondents were reporting *legal* gun possession. Welcome to the messy world of illegal gun possession, illegal gun sources, and the ever-clearer view of why NRA and Crips members are very different people.

### **Street crime and its gun sources**

Living an urban lifestyle comes with risks, aside from rats, politicians, and other unsavory creatures.

One of the added hazards of life in the big city is getting shot. Firearm homicides are a full 97 percent higher in major metro areas than all other degrees of urbanization. Your odds for getting plugged are cut in half if you simply drive a short distance from a big city (“Large Metro Area”) and into the adjoining suburbs (“Large Fringe Metro”).

The reasons for this are manifold. First, there is simply more opportunity for both street crime and spontaneous violence, such as a fist fight erupting outside of a bar. In America, violent crime is about 23 percent higher in the



*CDC WONDER Compressed Mortality for 2016*

top 20 percent of cities (ranked by population) than the bottom 20 percent. Your typical ATM mugger or liquor store bandit thrives in Houston (robbery rate 205 incidents per hundred thousand people with over 2.3 million folks living there) but would go hungry in Carson City (32.7 robbery rate of fifty-five thousand souls). Mere population convivence drives much of crime, and this includes gun crime.

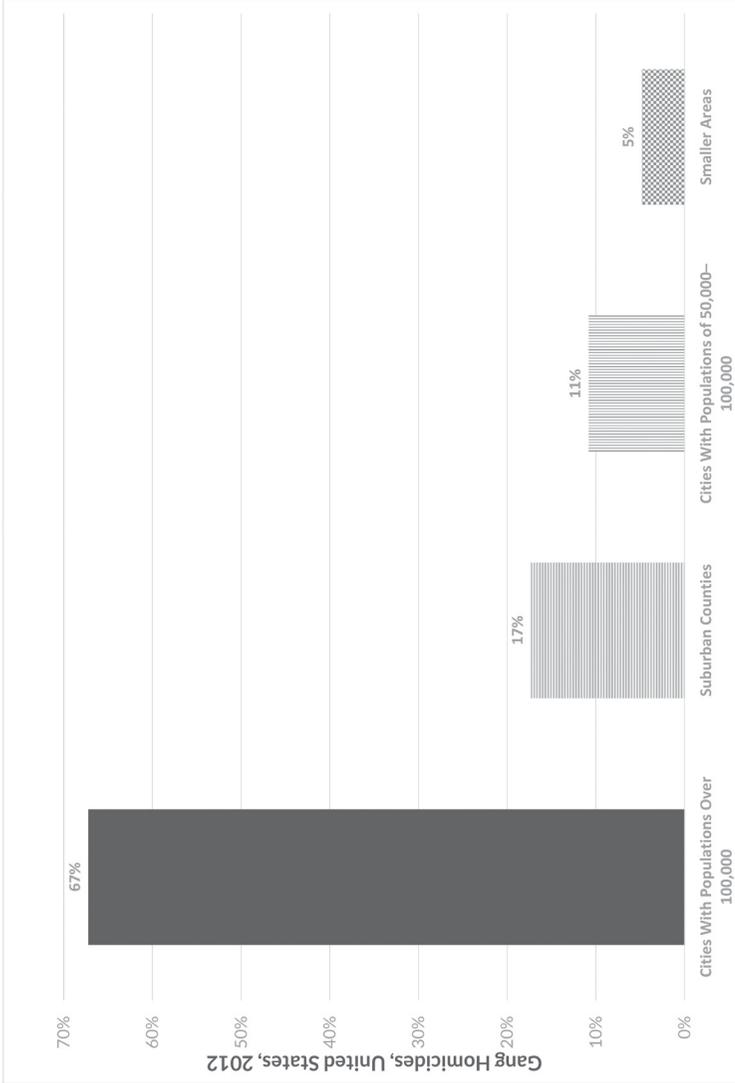
Another reason is street gangs. Just as suicides have some very specific demographics (see the next chapter, *Suicide and Guns*, for many sad details) so too do gangs and urbanization. Street gangs inhabit and conduct homicides—primarily with firearms—mainly in the big cities of America.

Some politicos counter by correctly asserting that other nations have lower homicide rates but also have street gangs. These same grandstanders then incorrectly blame gun availability as the primary culprit. The picture is a bit more complicated than that, though in the final analysis, it does show how and why guns enter into the picture with American cities, gangs, and gun homicides.

Foremost, America has a significant gang participation problem. There are no absolute international comparisons concerning street gangs, but a number of criminologists across the globe have made local estimates about the number of gang members in this-or-that city. The ratio of street gang members in American cities, compared to cities abroad, is staggering. Chicago, Illinois has a population about one third that of London, England. However, Chicago has a street gang participation rate that is 314 times higher than London's (5.56 percent vs. 0.02 percent). And Chicago is not alone. Memphis, Tennessee's gang participation rate is about double that of Glasgow, Scotland and ten times that of Auckland, New Zealand. And even relatively mild-mannered Cincinnati, Ohio has more than seven times as many street gang members as Madrid, Spain. Way back in 2012, the National Gang Center estimated that there were over 850,000 gang members in the United States and that 80 percent of them were in large metro areas.

That 850,000 was about 0.3 percent of the nation's population. Depending on the year, this 0.3 percent of the population commits 6-8 percent of the violent crimes, according to the Bureau of Justice Statistics.

Frightening as those mass participation rates may be, there is another less quantifiable aspect to American street gangs, namely their attitude toward violence. In the United States, street gang members commit homicides over amazingly trivial issues. *Ear Hustle* is a very popular podcast recorded in California's San Quinten Prison. In one episode, an inmate told his story about the murder that led to his incarceration. He was a member of one



***"Measuring the Extent of Gang Problems"; National Gang Center, 2012***

gang (let's say Gang-X). While in a bodega, another person came in and jokingly suggested that the future inmate was actually a member of rival Gang-Y.

So, he shot him. All for the frivolous assertion of being in a rival gang.

This, in part, explains why homicides, and thus firearm homicides, are so tightly packed into major metropolitan areas. The high concentration of potential victims (gang and non-gang members alike), the oversized number of street gang members, and the subculture belief that killing someone over insignificant things creates both a high demand among gang members for firearms and the willingness to use them. Adding to this deadly mixture is that violent offenders tend to be repeat offenders. One homicide detective in Oakland, California, confiding to me off-the-record, said that a typical gang member he busted for murder was also the lead suspect in two other murders. One newspaper report from Oakland confirms this, placing a gang member as the suspect for three cold case files.<sup>7</sup>

In the bigger cities, we face a situation of homicide cubed—many potential victims, much higher gang violence, and all the thugs are repeat offenders.

One question, though, is “How do gang members and common criminals get their guns?” After all, if one is a repeat offender and their previous conviction is serious, then they are typically prohibited from possessing a bullet much less a gun. Indeed, this may be the core question because thus far we have established:

- General availability of guns is not predictive of gun violence population wide.
- Large metropolitan areas with street gangs log a disproportionate amount of violent crime and gun crime.

### A NOTE ON CONFOUNDING DATA

One problem with American criminology data is an adherence to “confirmation.” When one rolls through the 2017 FBI Uniform Crime Statistics, they will see that only 6.4 percent of firearm homicides are ascribed to gang activity. You will also notice that more than 43 percent of homicides have “unknown” circumstances and 20 percent are specifically classified as “arguments.” Another 12.7 percent did not have a classification (the data was blank).

I once asked a detective in Oakland, California about this (and if you are wondering why I know so many cops in Oakland, it comes from living there for over fifteen years). Barely paraphrasing, he told me:

If I get called to a scene, and there is a body in an ally, face down with an entry wound in the back of the skull, and the victim is wearing Bloods colors in Crips territory, then I *know* this was a gang-related homicide. But without witnesses, I have to log it as “unknown.” If witnesses reported hearing two men shouting at one another right before a gunshot was heard, then I can log it as an “argument” homicide. But it was likely an argument about gang conflicts.

The point, as we continue to explore this topic, is that we see the split between direct measurement and strict crime-scene analysis. One agency, using survey techniques, reports that gangs commit violence at a rate much higher than the general populace, but the overly-strict FBI data is under-reporting the reality.

The source of guns for all crimes is largely underground and changing the laws about how guns are retailed made this number grow.

Source of firearm			
Purchased or traded from—	1997– Before NICS	2004– After NICS	
		14.0%	11.3%
Retail store	8.2%	7.3%	-0.9%
Pawnshop	4.0%	2.6%	-1.4%
Flea market	1.0%	0.6%	
Gun show	0.8%	0.8%	
<b>Family or friend</b>	<b>40.1%</b>	<b>37.4%</b>	
Purchased or traded	12.6%	12.2%	
Rented or borrowed	18.9%	14.1%	
Other	8.5%	11.1%	
<b>Street/illegal source</b>	<b>37.3%</b>	<b>40.0%</b>	<b>2.7%</b>
Theft or burglary	9.1%	7.5%	
Drug dealer/off street	20.3%	25.2%	
Fence/black market	8.0%	7.4%	
<b>Other</b>	<b>8.7%</b>	<b>11.2%</b>	

Firearm Violence, 1993–2011; Bureau of Justice Statistics, 2013

The Bureau of Justice Statistics (BJS) periodically studies where guns used in violent crimes come from. This tells us much about the availability of guns, but also how criminals go about getting them. Using the extreme NRA vs. gang comparison that opened this chapter, we might expect that criminals—including the street gang members causing the disproportionate

number of violent crimes—would obtain their guns however they could, including from non-legal sources. Indeed, in all years where the BJS has been documenting crime gun sources, this has been the case with a *minimum* 40 percent of crime guns coming from completely unregulatable underground supplies. By contrast, only 9.9 percent came from gun stores and pawnshops.

But this doesn't tell the whole story. Another 37.4 percent of crime guns were acquired through "family or friends," also called "acquaintance transfers" by other law enforcement agencies. In here we have an unknown quantity of guns that were transferred to known prohibited persons. These illegal and intentional transfers may have been one gang member trading to another. It could be a family member knowing that it was illegal to give an ex-con cousin a spare pistol. It also includes the notorious, though statistically rare, "strawman" purchase, where a prohibited person convinces a friend or family member to buy a gun for them at a retailer.

This means the range of intentionally illegal gun acquisitions of crime guns goes from 40 percent to 77 percent. Even using just the lower percentage for perspective, the great gobs of crime guns are completely unaffected by legislation controlling retail access.

Before we continue with that not-so-amazing revelation, we should ponder the 2.3–2.7 percent shift of crime guns from trail to underground sources between 1997 and 2004. In 1998, just after the older data in the table above, the National Instant Check System (NICS) went live. This is the "background" check the federal government established to prevent criminals from buying guns at gun stores, pawn shops, or any licensed dealer, including your "gun nut" brother-in-law who buys and sells collectable pistols for fun and profit and has a Federal Firearms License (FFL) to make it all legal. The NICS system also affects gun stores and other FFL dealers who sell guns at gun shows—if you buy a gun from them at a gun show, you will go through a background check.

Between these two years of measurement, one before and one after NICS went into effect, a little less than 3 percent of criminal acquisitions stopped being made at retail outlets and started being made in underground markets. One could argue that all NICS did was move the problem from a point of traceability (sales records at gun stores) to completely untraceable black markets.

Another aspect of the underground gun markets is that many of the guns are "recycled." This tidbit is both important and frustrating. Guns are durable. So durable in fact that the lion's share of guns brought to "gun buybacks" are positively antique. I have watched the goings on at six gun

“buybacks” and have seen people walk away with cash or gift certificates in exchange for firearms evidentially handed down from a great grandfather, a little rusty but still operational. This degree of durability means that once a gun leaks into the underground markets, it can have many “owners” in a relatively short amount of time. It also keeps the transaction price low, around \$250 per gun, using a weighted average cost reported in one study of Chicago criminals.<sup>8</sup> The problem is that we really do not know how many times an underground gun passes from one owner to the next. If, as some criminologists suspect, a gun can have a dozen or more owners, then the need to add more guns to the underground market is small. As such, further restrictions on retail availability of guns might have a negligible effect on the number of guns used in crime.

Gun durability and the recycling of guns in underground networks also helps to explain the long amount of time between when a gun is sold at a licensed gun store and when it is recovered at a crime scene, and the short amount of time from when a street criminal acquires a gun and when they are caught with it. It takes almost forever for a gun to make the journey, but a thug caught with a gun got it very recently.

The Bureau of Alcohol, Tobacco, Firearms, and Explosives (BATF) often reports on the “time to crime,” which is the amount of time between when a gun is sold by a federally licensed retailer (e.g., gun store, Walmart, Cabela’s, etc.) and when it is recovered at a crime scene. In 2017, the average “time to crime” was 9.3 years. Our older study from Chicago, noted above, using BATF tracing data, showed that only 6.6 percent of crime guns were retailed within six months of use. In short, very few criminals acquire their guns at gun stores in general, much less buy them and use them shortly thereafter.

But the underground market is different. In black markets, criminals can find and acquire guns quickly enough and buy them at discounted prices. In one small and localized study,<sup>9</sup> the average time from when a criminal acquired a gun and when it was recovered was two months on average. That is 112 months from when the gun was sold at retail and only two months from when it was acquired off the streets. This helps illustrate that for the bulk of gun violence, moderating the retailing of guns has little to no effect. Criminals in poor neighborhoods do not travel to the closest Bass Pro Shop and pay full retail for a brand-new gun. Instead they exercise their local networks to find a ten-year-old gun—typically one with obliterated serial numbers and likely used by other criminals in other crimes—and buy it for a half to one third the price of new hardware.

### A NOTE ABOUT TRACE DATA

A “BATF trace” is when a local law enforcement agency recovers a gun, then asks the Bureau of Alcohol, Tobacco and Firearms to identify the original owner, the person who bought the gun at retail. Though trace data is robust enough for getting your mind around some gun topics, BATF trace information has more than a few quirks which leads trace data to be of slightly flimsy value.

Foremost, not every gun traced is a crime gun. For example, one rural county with a very low population suddenly leapt up the charts one year in terms of traced guns. But the county did not have a crime spree. It did have an avid gun collector who passed away from old age, and the local authorities (for reasons unknown) decided to do a trace on every gun in his collection, which numbered in the hundreds. For the year in question, this county looked like the gun crime capital of America.

Likewise, not all gun crimes have a recovered gun. As I have already mentioned, guns are recirculated in underground markets and a homicide weapon can find a new owner after the killing is done. Other times a murder weapon is deposited in the nearest lake or river, never to be recovered or matched to a crime. And in other instances, the murderer keeps the gun but is never caught.

Like the FBI crime reporting system, there are many instances in which the crime associated with the traced gun has unknown circumstances. For 2017, 43 percent of gun homicides could not be categorized for any particular circumstance, which makes the associated tracing a half-empty glass.

All this said, BATF trace data still provides a clear enough lens into the misuse of guns to make headway in understanding the realities of guns and their control.

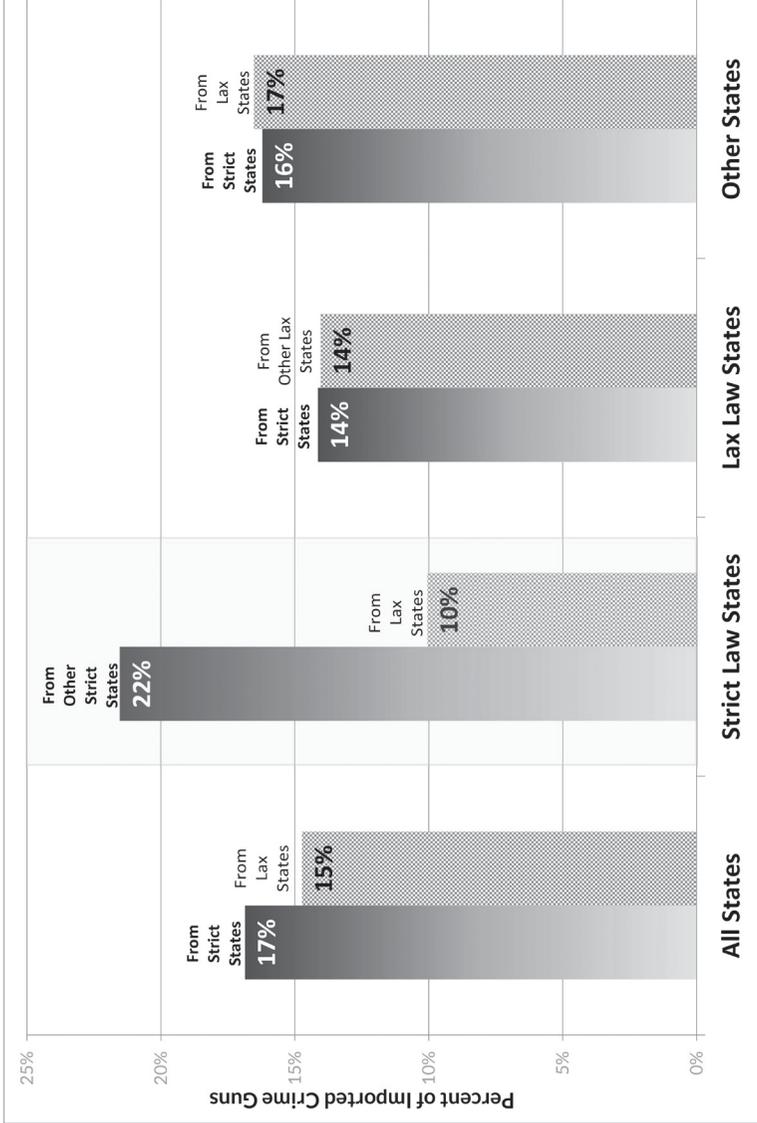
Some people of the political caste have hypothesized that active gun runners are buying guns in states where laws are not strict and transporting them into states where gun sales laws are much more so. However, the data shows this to not be the case. The BATF reports annually on what guns are traced and for what crimes they were confiscated. According to their 2017 report, only 0.6 percent of traced guns were recovered in “weapons trafficking” offenses. In fact, weapons trafficking is nineteenth on the list of crimes from which guns were recovered, far below the number one

reason—prohibited persons being in possession of a weapon—which occurs forty-two times more often. This, of course, is incomplete as these are just the people who were caught trafficking guns. But the tiny number exposes the rather small fraction of crime gun movement that derives from intentional trafficking.

Where it gets most interesting is the source and destination states. The BATF annually documents the states in which crime guns were originally retailed and those in which they were later recovered. On average across all states, 65 percent of crime guns were originally retailed in the same state from which they were recovered, and most of the rest came from immediately neighboring states. It is this “adjacent state” effect that creates a distorted view about imported guns. About 11 percent of Americans move each year, and several estimates show that about only 40 percent of those folks move a hundred or more miles away. Based on the current US population and the pollster estimates of a 40 percent household gun ownership rate, this divides out to about 5,755,000 people in gun-owning households that relocate a fair distance away, but most relocate either in the same state or *neighboring states*. Thus, a gun legally purchased in State-X has a high probability of legally being relocated to State Y, and most of the time when it crosses state lines, it is to the next state over. Sometime after the household and the gun have relocated, the gun may be legally sold in State-Y. It is later on, after the gun was legally transported into another state, that these guns slip into the underground.

Buried in this data is one non-obvious quirk. Long ago, the Gun Facts project used the same BATF data from an earlier year (2013) and checked the to’s and from’s of each state, and then benchmarked each state using a gun control wish list published by the Brady Campaign to Stop Gun Violence (now renamed the Brady Plan). We were testing if the allegedly “strict” slate of laws favored by gun control groups had any bearing on the interstate transportation of guns. Much to our surprise, states with very strict gun control laws imported most of their crime guns from other states with strict laws, not from states with “lax” gun control laws.

This is not as sinister as it seems. Many states with stricter laws are in the same region. Since most people who relocate do so in under a hundred miles—those moving across state lines and bringing their guns with them, and later those guns leak into the underground market—it’s probable that those guns end up in other nearby or neighboring strict-law states. For example, Connecticut, New Jersey, Maryland, New York, and Massachusetts are all nicely clustered in the far northeastern corner of the lower forty-eight,



*Firearms Trace Data, BATFE for 2013; Gun control state rankings, Brady Campaign 2013 State Scorecard; Top 10 strict and lax states, except Hawaii*

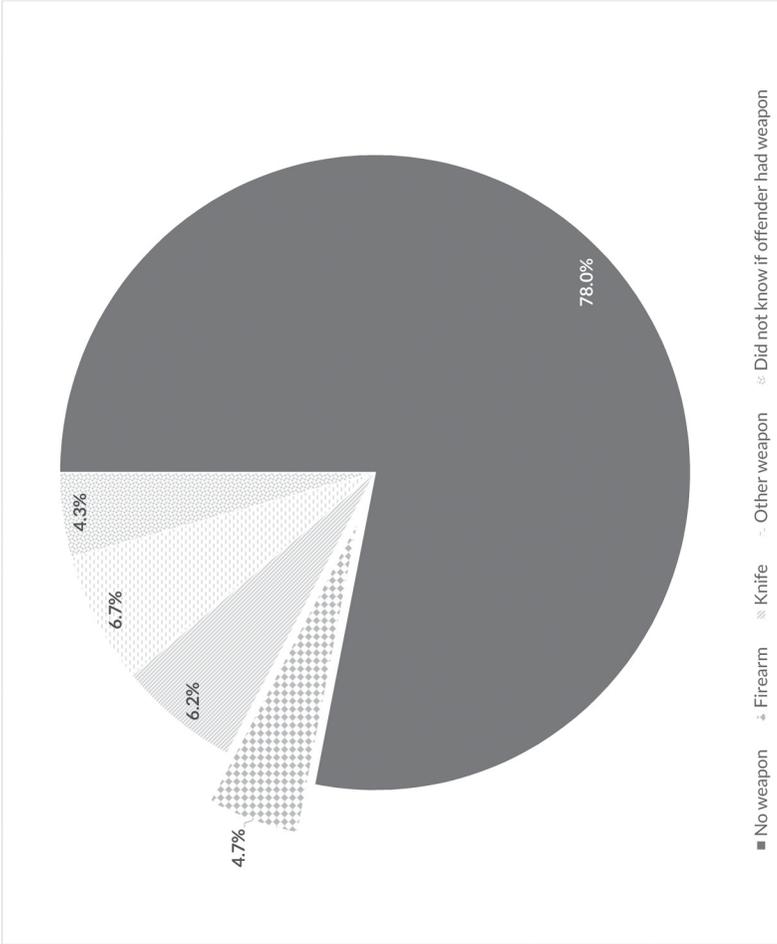
and these states also occupied five of the top six places on the Brady list of states with strict gun control. It is quite natural and normal for guns legally acquired in one of these five states, each with strict gun control laws, to relocate with their owners to a nearby state with similar strict laws.

The sobering summary is that most gun crime occurs at the street level, and so does most crime gun acquisition. In our bigger and rougher cities, older guns leak into underground markets—via theft, known illegal transfers, unintended illegal transfers, and even mass burglary of gun stores. That last category is of growing concern as enterprising criminals have discovered that driving a truck through the front window of a gun store late at night is a fast way to get a lot of guns, and in turn make a buck selling them into the underground. Nearly nine thousand guns were stolen from, or lost by, Federal Firearms Licensees in 2018.

Street crime is not the only source of crime and thus not the only place where guns are misused. We need to explore other vectors to see if general gun availability is a problem or not. One good place to look is intimate partner violence, when a man or a woman loses their cool and assaults someone close to them.

There are more than a few reasons why this is a compelling area to explore. First, these events are largely done at home. As we saw with public polling, around 40 percent of American households have a gun. If having a gun in the house was either a catalyst for violence or merely a convenient tool for such, then guns would figure into a lot of domestic injuries and deaths. This “convenience” aspect is the critical part. Without a gun present, we might expect a substitution of means, such as strangling, beating, or knifing an intimate partner.

What we find is a rather mixed perspective about the use of guns in domestic violence. Unfortunately, much of government crime reporting does not allow us to filter all of the aspects of domestic violence. For example, in a BJS report on homicides between intimate partners, we have little clarity on whether the people were cohabitating (it is unsurprising that firearm homicide between ex-spouses occurs at a higher rate than married couples, but a little surprising that ex-wives shoot and kill ex-husbands in 75 percent of these murders-between-exes instead of using other tools besides guns, whereas men shoot and kill their ex-wives in only 71 percent). The cohabitation element is important because the hypothesis is that having a gun around instigates or facilitates violence, so you would want to measure situations where the perpetrator and victim were in the same house. Otherwise, a murder would be more likely planned than spontaneous.



**Intimate Partner Victimization: Attributes of the Victimization, 1993-2011; Bureau of Justice Statistics**

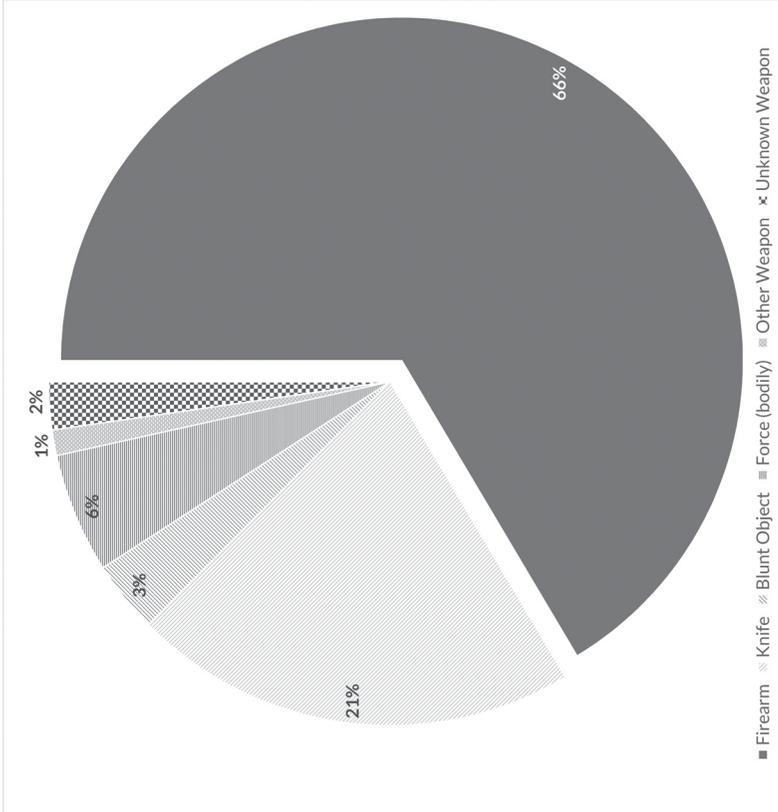
Using the most recent BJS report<sup>10</sup> on *nonfatal* domestic violence, and the approximately 980,000 physical attacks between intimate partners (domiciled and otherwise), we see that gun play enters into the picture only a small portion of the time.

On the flip side, however, when it comes to the nearly 1,500 homicides between husbands and wives (to narrow the view to likely cohabitating couples), firearms dominate the means of choice for committing mariticide or uxoricide.

All physical assaults between intimates	979,660
All homicides	14,748
Intimate homicides	1,487
Intimate gun homicides	892
Intimate husband/wife gun homicides	461

But despite the horror of the idea of a husband or wife killing the other, we need to put this into some perspective. For the year 2010, in which we could triangulate all the data, the rough breakdown is that a little more than 3 percent of all US homicides were when a spouse shot their “till death do us part” partner.

But this is just one type of crime, and criminals are not limited in the scope of their shenanigans. If the general availability of guns led to crime, there would be a solid covariance between the number of firearms and crime—when the gun supply goes up in a state, or in a country, the general crime level rises. But such correlation doesn’t really exist. In 2017, for violent crimes in general, the covariance is a staggeringly small 0.02, and not much larger for property crimes at 0.06. In specific categories of violent crime, it is high—0.12 for robberies and 0.19 for burglaries. Though it makes sense that robbers benefit from having guns as a tool of their trade, and for burglars to want to defend themselves from armed homeowners (or to steal homeowner guns), if the availability of guns encouraged crime, one would expect much more significant alignment. But we do not see such.



***Intimate Partner Victimization: Attributes of the Victimization, 1993-2011; Bureau of Justice Statistics***

But that is just one side of the coin—the perpetration of gun violence against people, innocent and otherwise. We must ask if the net availability of guns has any social benefit. This more illuminating data on the availability of guns will be covered in the chapter on defensive gun uses.

**The spin**

- Misuse of guns is not a factor of availability. It is a factor of intent, which is influenced by culture and subculture. People making an “availability” claim have not looked below the surface.
- Violent crime is committed everywhere, but homicides are not. Gun play in order to kill is confined to subsets of the population and concentrated in larger cities. It is not a generalized problem.
- Where guns are acquired for criminal use is very important, but some policy groups do not discuss this.
- There is no “iron pipeline.” BATF trace data shows that most crime guns are recovered from the same state where they were originally sold and most of the rest come from neighboring states, likely through legal migration.
- Guns are misused nearly everywhere in one way or another. You may live in a county with no homicides, but that doesn’t mean there were not armed robberies and threats from hotheads.

**By the numbers: gun availability**

Unknown	The total number of guns in the United States, though estimated to be around 393 million per the Small Arms Survey.
43%, 46%, 42%	Household with guns according to Gallup, ABC, and Pew polls.
73%, 41%, 26%	Guns used in homicides, robberies, and aggravated assaults compared to other weapons.
197%	Firearm homicide rate for large metropolitan areas compared to the average of all other degrees of urbanization.