

# MISSING THE MARK ON MARYLAND GUN VIOLENCE

2013:  
Data & Arguments on Gun Policy for the  
Maryland General Assembly

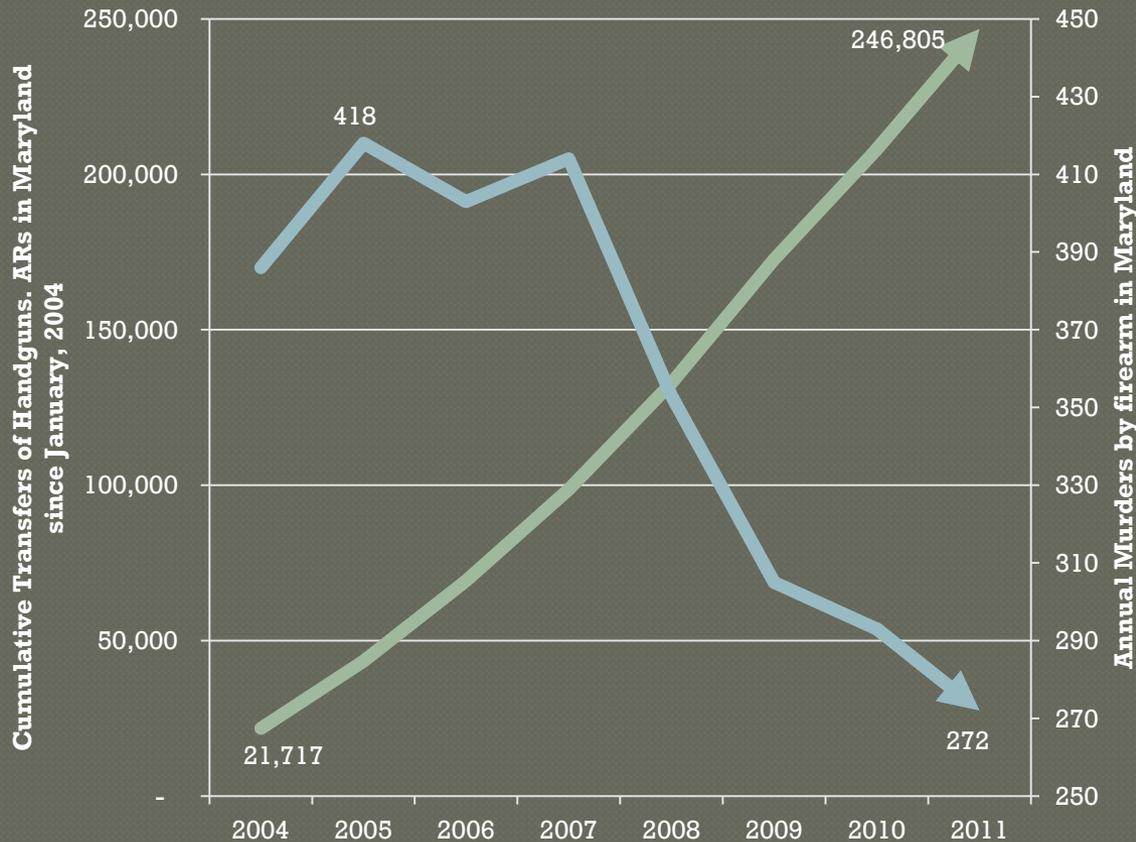
# Common Sense Revisited

Over-heated rhetoric diminishes law-making.  
Gun crime data are under-utilized.

# Annual Gun Murders

vs.

## Maryland-Regulated Gun Sales, '04-'11



Handguns & Assault Rifles

Nearly 250K

Killings

1/3

**Sources:** (A) Maryland State Police Annual Reports; (B) FBI Uniform Crime Reporting Program, Supplemental Homicide Table 20

**Notes:** Federal Assault Weapons Ban expired in Sept., 2004. For this entire period, 2004-2011, Maryland-regulated weapons included all handguns and designated assault rifles. All primary and secondary sales during this period, excluding law enforcement, required background checks and approval by Maryland State Police. The state has no gun show or private sale exemption for handguns or designated assault rifles. Reliable estimates for illegal sales of any firearms are not

# What about the Missouri study on handgun permits to purchase?

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- Webster, D. W., Vernick, J. S., & Bulzacchelli, M. T. (2009). Effects of state-level firearm seller accountability policies on firearm trafficking. *Journal of Urban Health, 86*(4), 525–537.
- But BATFE and the Congressional Research Service have said traces don't show how often specific types of guns are used in crimes, traced guns aren't representative of guns used in crimes, most guns used in violent crimes aren't traced, and most traced guns haven't been used in violent crimes.

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- In fact, Webster and colleagues admit these limitations!

“First, the cross-sectional study design precludes an assessment of whether changes in gun control laws prompt subsequent changes in crime gun exports. Longitudinal crime gun trace data could not be obtained, as many of the state laws of interest were in place before crime gun tracing become common practice.... Second, our outcome data does not include all crime gun exports. Not all crime guns are submitted to the ATF for tracing. In 2009, gun traces could not be completed for nearly 40% of crime guns due to insufficient or incorrect data. Third, *although reducing the diversion of guns to criminals is a key objective of some gun control laws, there is currently insufficient research to discern the degree to which reductions in diverted guns affects gun violence, and it appears as though some have had no impact.*” [emphasis added]

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Daniel Webster and colleagues:

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Excerpt from their 2013 book on Johns Hopkins Press (pg. 119)

# Perils of Mandatory Minimums When Paired With...

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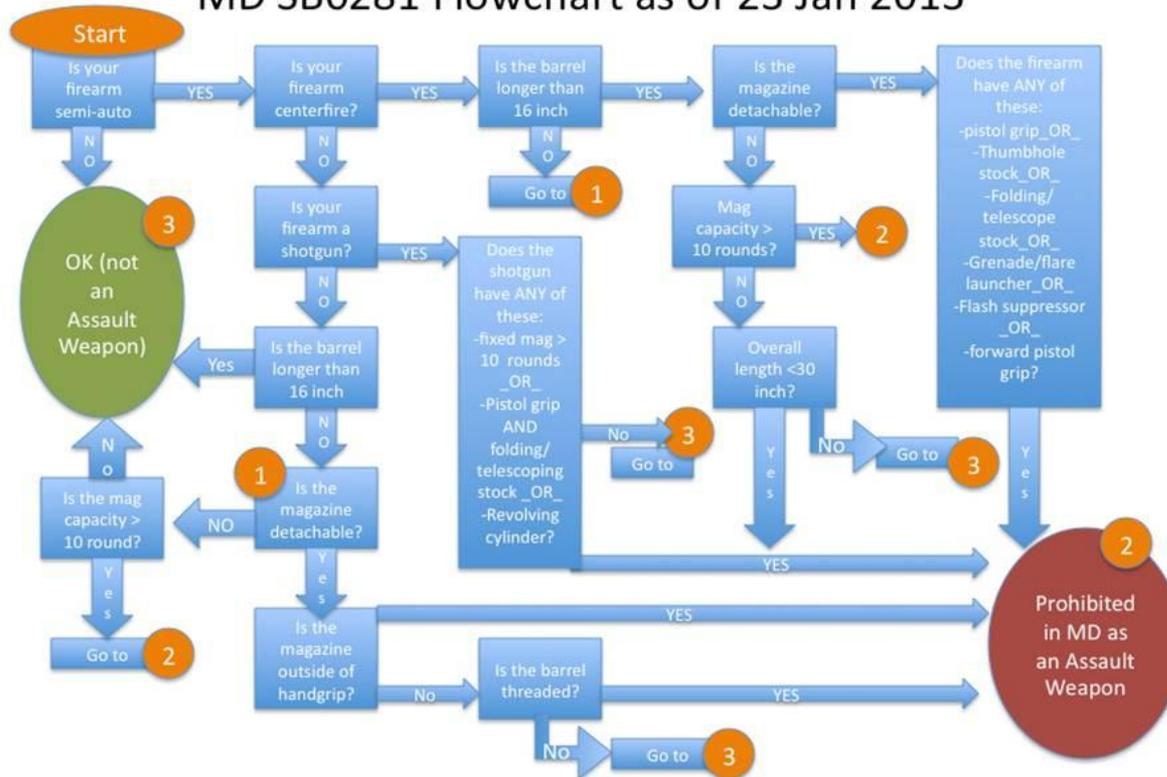
... Maximum Confusion

# Is my gun an “Assault Weapon”?

Tortured ‘12-point’ test is a confusing morass

(with a mandatory 3-yr. prison term attached if you get it wrong)

MD SB0281 Flowchart as of 23 Jan 2013



\*Detachable = AMMUNITION FEEDING DEVICE THAT CAN BE REMOVED READILY FROM A FIREARM WITHOUT REQUIRING DISASSEMBLY OF THE FIREARM ACTION OR WITHOUT THE USE OF A TOOL, INCLUDING A BULLET OR CARTRIDGE.

# The Folly of Copy Cat 'Features Test'



Based upon SB281/HB294 before any amendments

## All are *same* model rifle with the same functionality

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- ◉ Same semi-auto action, centerfire ammunition, detachable magazines, rate of fire, etc.
- ◉ Same potential lethality/utility for hunting, defense purposes
- ◉ Superficially different stocks, handles, accessories, “vibes”

Would “assault weapons ban” prevent  
the summer Olympics Games from  
being held in Maryland?



...under the terms of SB281/HB294 as introduced.

# How many in Maryland now?

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Estimated Md-regulated “assault weapons” in private hands at close of 2013.

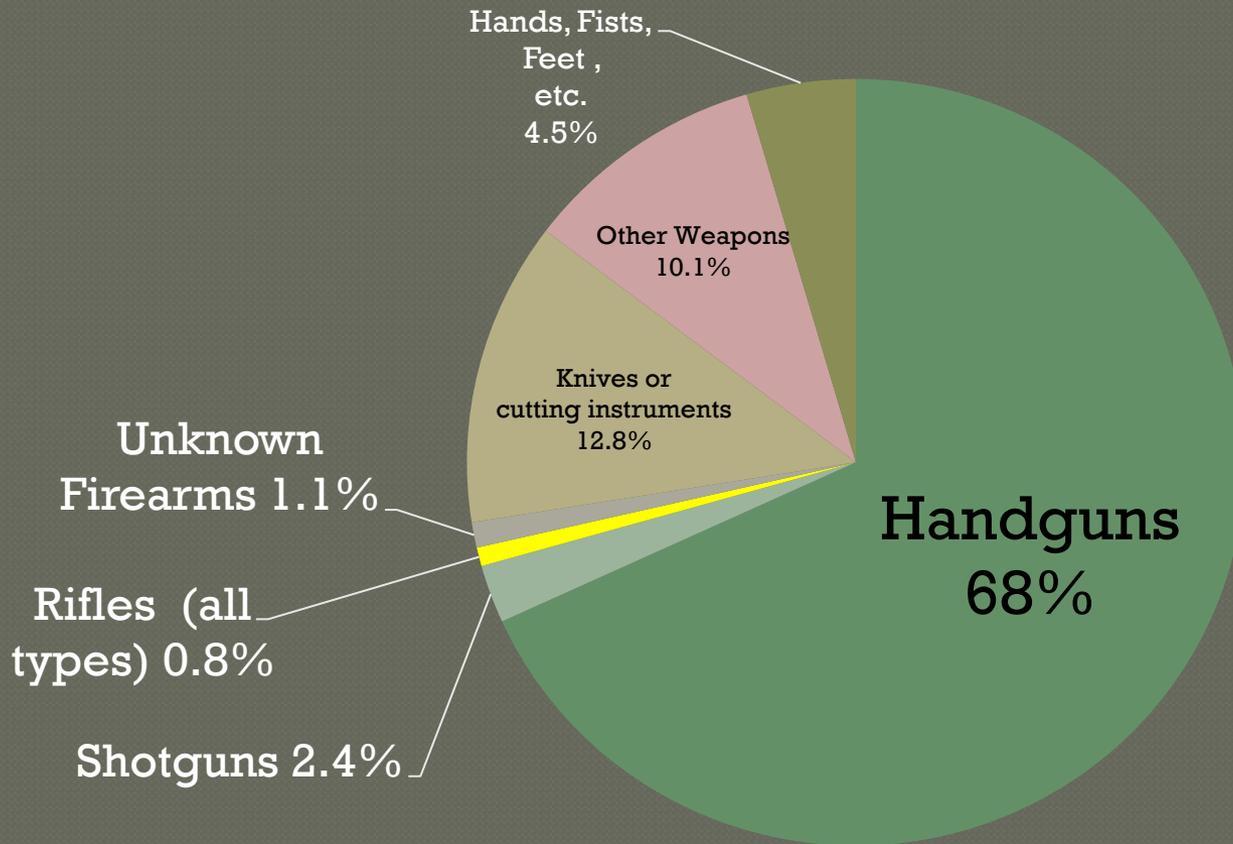
**Maryland State Police: Approx. 46,900**

Under vastly expanded definitions and after 11 months of panic-buying in response to ban threat?

**Over 100,000 grandfathered AWs is a conservative estimate.**

# RELATIVE HARM?

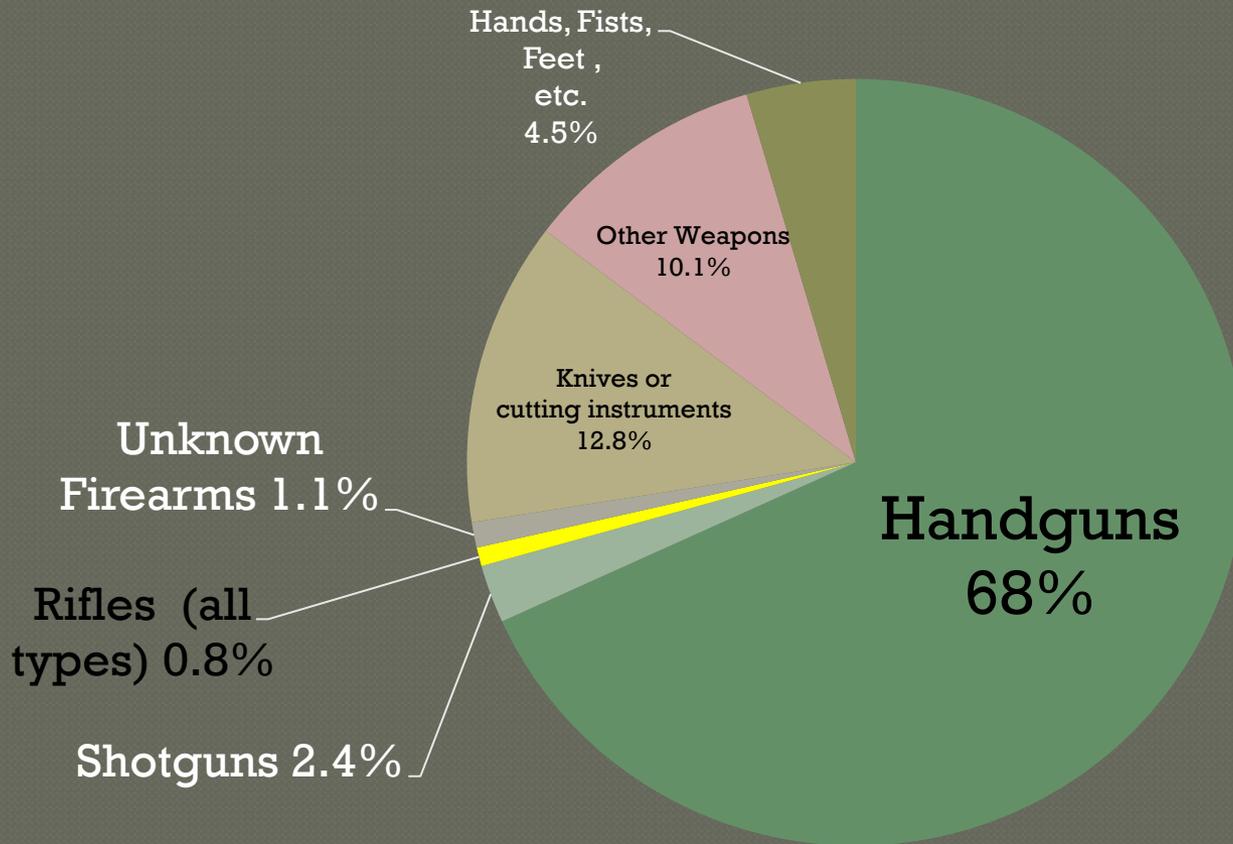
## Maryland Murders by Instrument, '04-'11



Source: FBI Uniform Crime Reports, 2004-2011, Table 20, Maryland

# RELATIVE HARM?

## Maryland Murders by Instrument, '04-'11



Source: FBI Uniform Crime Reports, 2004-2011, Table 20, Maryland

Since 2004 (yr. federal AWB expired)

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Nearly 4,000 murders in Maryland

Annual average by rifle (*all types*)?

Fewer than four.

Source: FBI Uniform Crime Reports, 2004-2011, Table 20, Maryland

## Since 2004 (yr. federal AWB expired)

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For every (rare) murder by rifle in Maryland,  
there were...

**>5 murders**  
**by “hands, fists, feet”**  
(no weapon)

Source: FBI Uniform Crime Reports, 2004-2011, Table 20, Maryland

## Since 2004 (yr. federal AWB expired)

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For every (rare) murder by rifle in Maryland,  
there were...

> 16 murders  
by knife

## Since 2004 (yr. federal AWB expired)

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For every (rare) murder by rifle in Maryland,  
there were...

>86 murders  
by handgun

Since 2004 (yr. federal AWB expired)

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1 : 5 : 16 : 86

There is no crisis of rifle violence  
in Maryland

# Advocates over-promise, claim correlation is causation, omit caveats and exceptions:

## DO GUN LAWS WORK?

America's gun violence epidemic does not have to be an inevitable fact of life. Because strong gun laws are clearly associated with lower gun death rates, legislators should work to save lives in their communities by enacting smart gun laws.

### TOP 10 STATES WITH THE *strongest gun laws*

1. California
2. New Jersey
3. Massachusetts
4. Connecticut
5. Hawaii
6. New York
7. Maryland
8. Illinois
9. Rhode Island
10. Michigan

### TOP 10 STATES WITH THE *lowest gun death rates*

1. Hawaii
2. Massachusetts
3. Rhode Island
4. New York
5. New Jersey
6. Connecticut
7. Minnesota
8. Iowa
9. California
10. Maine

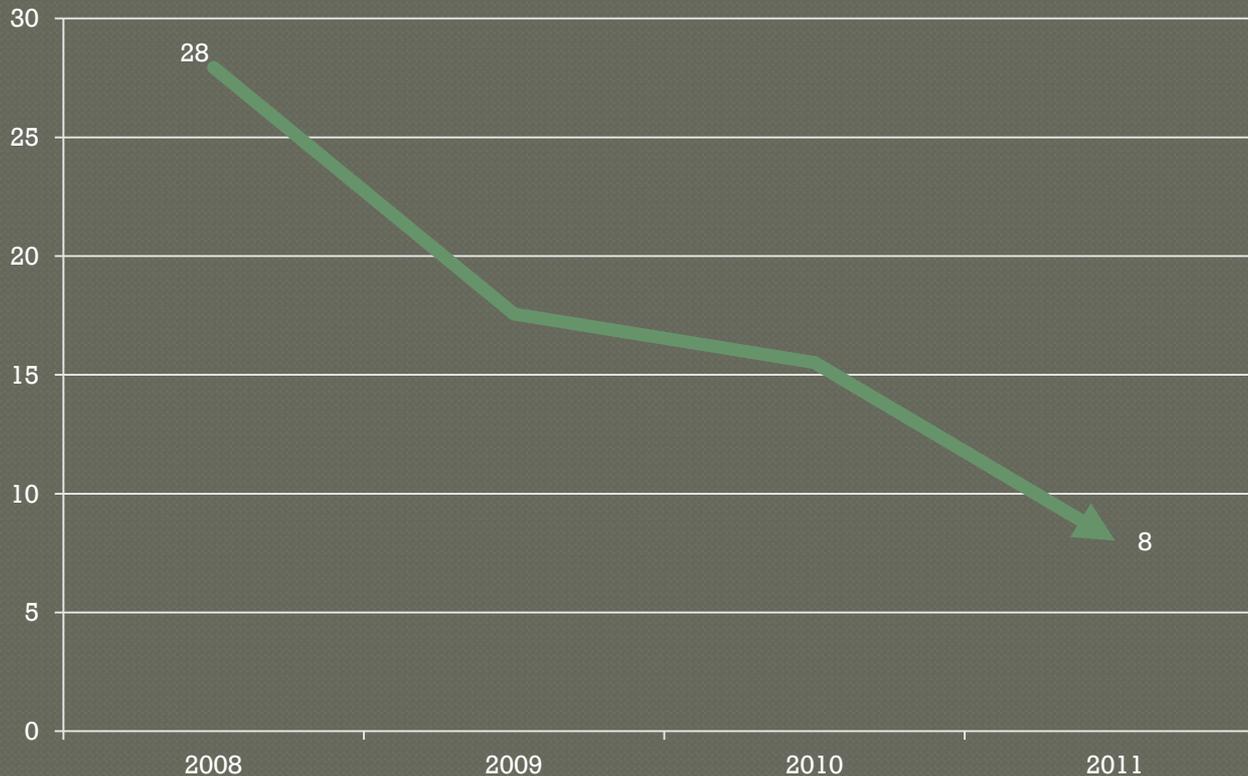
*7 states*  
**HAVE BOTH**

Source: Marylanders to Prevent Gun Violence

Yet Maryland has 4<sup>th</sup> highest per capita homicide rate, tied with South Carolina (UCR 2011), despite already having among the strictest gun control laws in the nation.

# Why so few Maryland gun arrests?

**Arrests per 100 Guns Seized  
by the Two Major Gun Task Forces in Md.**



**Source:** Data derived from  
Maryland State Police  
Annual Report, 2011

Baltimore Gun Tracing Task Force,  
Maryland Firearms Interdiction Task Force

# Bottomline on licensing, bans

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The *Post* editorial board view on Governor O'Malley's gun control proposals included this sentence:

*“Granted, discrete legislative moves in individual states are unlikely to change the behavior of criminals or their ability to procure firearms.” (Jan. 15, 2013)*

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# Conclusion

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*The governor's gun control package is a solution to a problem Maryland doesn't have (rifles)—and promises no solution to the problem Maryland does (concentrated urban violence from repeat offenders with illegal handguns).*

*Gun bans, fingerprinting and licensing punish only the law-abiding; and they deceive the public with scientifically baseless claims of gains in safety.*