

**THE ECONOMIC TOLL OF GUN VIOLENCE:
HOW OUR NATION BEARS THE COSTS**

HEARING
BEFORE THE
JOINT ECONOMIC COMMITTEE
OF THE
CONGRESS OF THE UNITED STATES
ONE HUNDRED SEVENTEENTH CONGRESS
SECOND SESSION

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JULY 20, 2022
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THE ECONOMIC TOLL OF GUN VIOLENCE: HOW OUR NATION BEARS THE COSTS

WEDNESDAY, JULY 20, 2022

UNITED STATES CONGRESS,
JOINT ECONOMIC COMMITTEE,
Washington, DC.

The hearing was convened, pursuant to notice, at 2:33 p.m., in Room 1300, Longworth House Office Building, Hon. Donald S. Beyer Jr., Chairman, presiding.

Representatives present: Beyer, Trone, Pocan, Schweikert, and Estes.

Senators present: Lee.

Staff: Ismael Cid-Martinez, Kevin Corinth, Chelsea Daley, Sebi Devlin-Foltz, Ron Donado, Tamara Fucile, Owen Haaga, Erica Handloff, Colleen Healy, Jeremy Johnson, Adam Michel, Alex Schunk, Isabel Soto, Ivan Torrez, Emily Volk, and Brian Wempte.

OPENING STATEMENT OF HON. DONALD BEYER JR., CHAIRMAN, A U.S. REPRESENTATIVE FROM THE COMMONWEALTH OF VIRGINIA

Chairman Beyer. Good afternoon. We will come to order.

I would like to welcome everyone to the Joint Economic Committee's hearing titled, "The Economic Toll of Gun Violence: How Our Nation Bears the Costs."

I want to thank each of our distinguished witnesses for sharing their expertise today. And I now would like to turn to my opening statement.

It is abundantly clear that the United States is facing a gun violence crisis that is unique in its deadliness and its scale. While mass shootings capture international attention, the use of guns in homicides, suicides, and accidental shootings impose widespread and long-lasting costs.

Loss or injury to gun violence is immeasurable, but the economywide harms are real and calculable. According to new estimates from Everytown for Gun Safety, gun violence costs our economy more than half a trillion dollars every year. This is a staggering figure, one that is both gut-wrenching and entirely avoidable. To put it in context, at more than half a trillion dollars, gun violence costs our economy more than the national GDP of nearly 90 percent of the countries in the world.

From healthcare to education, business development to housing, the toll of gun violence is borne by survivors, their families, and our entire economy. Each year, gun violence costs survivors and their families more than \$1 billion in just initial healthcare costs,

hospital care. It contributes to worse mental health outcomes, including higher rates of diagnosed psychiatric disorders in both survivors and their families. For children exposed to a fatal school shooting in their local area, antidepressant use increases significantly for years following an incident.

Gun violence burdens our broader health system, stretching its capacity and taxing our frontline healthcare workers. And because treatment for firearm injuries cost more than double that of other types of hospital care, this epidemic further stretches our public insurance programs.

Gun violence has also been shown to negatively impact the educational and life outcomes of children, particularly in instances of school shootings. Students that experience these incidents experience more frequent school absences and have a greater chance of repeating a grade, and they are less likely to graduate from high school or attend college.

Gun violence reduces new business development and directly hurts job growth. Areas that experience gun violence are more likely to see businesses scale back and fewer new businesses form. Research has shown that one additional gun homicide in a neighborhood results in 80 fewer jobs the following year.

Just gunshots being fired, even if there are no injuries, reduces home values, and because home ownership is the primary way to build wealth in this country, this has the power to reduce economic opportunities for generations.

Tragically, we know that the economic toll of gun violence is rising. As firearm deaths, gun injuries, and mass shootings have increased in recent years, the gun industry has made money hand over fist.

During the worst of the pandemic, gun sales spiked, leading to record high profits for the top two gun makers. As sales have surged, so too has gun violence.

The Bureau of Alcohol, Tobacco, Firearms, and Explosives documented a connection between pandemic gun sales and increased violence, and found that guns sold in 2020 were more likely to wind up at a crime scene within a year of purchase than in any previous period.

And like a storm creating its own weather, increased gun violence spurs a corresponding increase in gun sales. For example, it is a well documented trend that gun sales rise after mass shootings.

Investors also anticipate this effect, which drives up the share prices of gun and ammunition companies. For example, shares of the two largest gun companies rose more than the market average in the immediate aftermath of the massacres in Sandy Hook, Connecticut, San Bernardino, California, and Parkland, Florida.

This self-perpetuating cycle is not an accident. After gun purchases plateaued in the early 2000s, the gun industry took action to revive sales, lobbying for the successful passage of legislation that granted gun manufacturers and sellers immunity from legal accountability for the harms caused by their product.

The immunity provided by the Protection of Lawful Commerce in Arms Act is markedly different from the treatment of nearly all other industries. While other industries can be held accountable for

products or practices that result in harm to consumers, gun manufacturers cannot. For example, tobacco companies were famously held accountable for the harms caused by smoking, which led directly to changes in the way tobacco products are marketed and sold.

Protection from accountability has facilitated the launch of a new and booming market for increasingly lethal weapons. In the past, gun companies focused their marketing efforts almost exclusively on the sale of guns for hunting and recreational shooting purposes. Yet their marketing tactics have shifted in recent years. Manufacturers now push guns for personal protection, self-defense, and concealed carry. This has created a new civilian market for products that had previously been seen exclusively as weapons of war. The firearm industry has met the growing demand by flooding the market with more lethal weapons.

The human toll of gun violence is unbearable, but so too is the economic one. Today, the United States will spend \$49.3 million—today—\$49 million on just the medical care, first responders, ambulances, police, and criminal justice services related to gun violence. And \$49 million tomorrow. We will pay this price, tomorrow, the next day, and every day thereafter until we as a Nation decide to address this epidemic.

Last month, for the first time in nearly 30 years, Congress, in a bipartisan fashion, took action to curb violence—gun violence. This an important step, but more is needed.

To address the growing violence and the significant costs, we must work together to pave a more peaceful path forward.

I would also like to submit our new report, “The Economic Toll of Gun Violence,” for the record.

[The information referred to appears in the Submissions for the Record on page 31.]

[The prepared statement of Chairman Beyer appears in the Submissions for the Record on page 28.]

Chairman Beyer. Now I would like to turn it over to Senator Lee for his opening statement if he is here.

Okay. The Senate is voting, so we will wait for Senator Lee, but I can turn it over to the ranking member.

Would you like an opening statement, sir?

Representative Schweikert. Actually, I won’t be as eloquent as Senator Lee, but he is in the middle of a vote.

And, Mr. Chairman, I have actually shared this with you. I fear often we are squandering decades of reputation of the Joint Economic Committee of being about the math. And the fact of the matter is, if we are going to lay out the math, we need to understand every possibility of what is the inputs. And if my brothers and sisters on the left think input is firearm manufacturers, great. Vacuous, but great.

Look, the fact of the matter is suicide rates—or homicide rates jumped 29 percent in 2020 alone. What was going on societally at that time? What happened societally?

I am going to show some charts here that, when we adjust for suicide rates, there is a problem in our society, and the body’s hunger to politicize it instead of distill the math, distill the math, distill the math, and then get to an honest solution that makes our

society safer. And I don't know if the politicization of a once honorable committee that did the math is the path to get there.

When it is my question time, I will walk through the math and see if I can drive us to a place where we could actually work on policy that makes society safer instead of more political.

And, with that, I yield back.

[Charts submitted by Representative Schweikert appears in the Submissions for the Record on page 49.]

Chairman Beyer. Thank you, Mr. Schweikert. And I too look toward that, and would love to rebuff any thought that this committee is anything less than mathematically high integrity and honorable.

And, with that, let me now introduce our four distinguished witnesses.

Ms. Sarah Burd-Sharps is the senior director of research at Everytown for Gun Safety Support Fund. Everytown is the largest gun violence prevention organization in the United States. Ms. Burd-Sharps' research on gun violence is featured in multiple New York Times articles and other national publications.

Ms. Burd-Sharps previously served as the co-director of the Social Science Research Council's Measure of America, where she studied economic equity and social justice. She earned a master's in international affairs from Columbia University.

Dr. Chethan Sathya is the associate trauma director and a pediatric trauma surgeon at Cohen Children's Medical Center. This is the largest Level 1 trauma center in the State of New York, treating children from across the five boroughs of New York City, Westchester, and Long Island.

Over the course of his career, Dr. Sathya has treated gunshot victims in places like Toronto, Chicago, and now New York City. He is also an assistant professor at the Zucker School of Medicine at Hofstra, and serves as the director of Northwell Health Center for Gun Violence Prevention.

Dr. Sathya completed med school and surgical residency at the University of Toronto, and then attended Northwestern University for his pediatric surgery fellowship. Dr. Sathya holds a master's degree in clinical epidemiology from the University of Toronto, and completed a global public health program at the Dalla Lana School of Public Health in Toronto.

Mr. Ryan Busse is a proud outdoorsman, gun owner, and a former firearms executive who helped build one of the industry's most iconic gun companies. He has been nominated several times by industry peers for his prestigious Shooting Industry Person of the Year Award, and has also served as an adviser for the U.S. Senate Sportsmen's Caucus.

Mr. Busse is the author of the book "Gunfight: My Battle Against the Industry that Radicalized America," and now serves as a senior adviser at the Giffords Law Center to Prevent Gun Violence. Mr. Busse resides in Montana.

Ms. Amy Swearer is a legal fellow with the Meese Center for Legal and Judicial Studies at The Heritage Foundation, focusing her recent work on firearms and the second amendment.

Prior to joining The Heritage Foundation, Ms. Swearer served as an associate of the Charles Koch Foundation. She is a graduate of

the University of Nebraska where she received her bachelor of science in criminal justice and her juris doctor degree.

Welcome all of you. Thank you so much for being here. And we will begin with Ms. Sarah Burd-Sharps, your testimony, and then we will continue.

Ms. Sharps, you have the floor.

Ms. Burd-Sharps, can you make sure that that microphone is on, please.

Ms. Burd-Sharps. I apologize. I thought it was.

Chairman Beyer. Okay. Thank you.

STATEMENT OF SARAH BURD-SHARPS, SENIOR DIRECTOR OF RESEARCH, EVERYTOWN FOR GUN SAFETY SUPPORT FUND, NEW YORK, NY

Ms. Burd-Sharps. There we go.

So my name is Sarah Burd-Sharps. I am the senior director of research at Everytown for Gun Safety Support Fund.

With tragic and numbing regularity, we hear of shootings on our streets, in grocery stores, schools, hospitals, and too many other places. Each day in the United States, roughly 300 people join the toll of those killed and injured with guns.

Without a doubt the human cost of gun violence is the people who are taken from us, and survivors who are wounded is the most devastating.

But examining the serious economic consequences of gun violence offers a wider lens for understanding just how extensive and expensive this crisis is.

Our hope is that this research will help guide you and your colleagues as you weigh different actions to build safer communities.

To garner this understanding, we worked with the leading U.S. health economists, researching the cost of many types of injuries, to analyze highly detailed Federal and State data sets and extensive peer-reviewed research.

We would like to submit the report and the methodology for the record.

As Chairman Beyer just said, we found that the unrelenting epidemic of gun violence is costing our Nation \$557 billion a year, year after year. While not everyone directly experiences gun violence, we all pay an economic price for this epidemic, and the government share of these costs, paid for by taxpayers, is \$12.6 billion every year. That is nearly \$35 million tax dollars each day that could instead help pay for secure firearm storage education, community violence intervention programs, and other efforts proven to prevent this violence from occurring in the first place.

This \$557 billion estimate is conservative. It starts with the costs at the scene of a shooting, such as emergency care and police investigations. It continues to the longer term physical and mental health care survivors need, lost earnings of those killed or disabled, and criminal justice costs. And it puts a dollar value on the pain and lost well-being of victims and their families, but it doesn't even begin to include the wider ripple effects on whole communities.

If you talk to any superintendent, mayor, or even pediatrician in a town that has experienced a shooting, they can produce a long list of costs that extend far beyond the narrow items we are count-

ing. These include costs to address the trauma of children who don't want to go back to school, to neighborhood businesses and home values, and the larger reverberations on all of those who live in a community where gun violence happens.

Using our conservative estimate, the annual cost for overall gun violence in the U.S. averages \$1,700 for every resident. However, in States with stronger gun laws, the economic toll is less than half this amount.

For example, Mississippi has long been challenged by high levels of gun homicide, suicide, and unintentional shootings. It has the weakest gun laws in the country. At an average cost of over \$3,300 per resident each year, Mississippi has the second highest per resident cost of gun violence. This is a steep burden for Mississippians.

On the other hand, Massachusetts has the lowest rate of gun deaths and some of the strongest gun laws in the Nation. The average cost for Massachusetts is \$503 per resident. This is the lowest outlay in the U.S., allowing Massachusetts and its residents far more dollars to invest in essential public goods, like schools and workforce development, and in building healthier, safer, more sustainable communities.

Following each major shooting incident, some key in on mental health as a primary cause, yet the U.S. is not an outlier in rates of mental illness compared to our peer nations. Where we are an outlier is in gun violence. Our gun death rate is 13 times higher than these other high-income countries.

Our research shows we are spending precious funds on a preventable epidemic that brings nothing of benefit and plenty of heartbreak. We place ourselves at a severe economic disadvantage in the global economy with these enormous outlays.

Thank you again, Chairman Beyer, Vice Chair Heinrich, and members of the committee, for allowing me to testify today. I look forward to your questions.

[The prepared statement of Ms. Burd-Sharps appears in the Submissions for the Record on page 52.]

Chairman Beyer. Thank you very much.

We will now hear from Dr. Sathya.

STATEMENT OF DR. CHETHAN SATHYA, M.D., PEDIATRIC GENERAL AND THORACIC SURGEON, COHEN CHILDREN'S MEDICAL CENTER; DIRECTOR, CENTER FOR GUN VIOLENCE PREVENTION AT NORTHWELL HEALTH; ASSISTANT PROFESSOR, ZUCKER SCHOOL OF MEDICINE AT HOFSTRA, NEW YORK, NY

Dr. Sathya. Thank you.

Chairman Beyer, Ranking Member Lee, and members of the committee, thank you for inviting me here today. It is a true honor.

My name is Chethan Sathya. I am a pediatric trauma surgeon, and I am an NIH-funded firearm injury prevention researcher, and I work for Northwell Health, the largest health system in New York. I am also fortunate to lead our Northwell Health Center for Gun Violence Prevention, which our CEO, Michael Dowling, launched three years ago to help energize the healthcare sector around this public health crisis.

Throughout my career in Chicago and New York, I have had the unfortunate fate of treating multiple kids with bullet wounds, and seeing firsthand the eyes of the inconsolable loved ones.

This is not a political issue to me. This is not about the Second Amendment. It is very important to understand that this is about firearm safety for me and making our communities safer and saving our patients.

In the last year, so in the last six, seven months, we have seen more kids with bullet wounds at our children's hospital already than any other year total in our entire history. And I have seen kids who have pulled guns that were not stored safely in the household and accidentally shot their parents, their best friend. I have seen kids who have tried to commit suicide, and I have seen kids who were involved in gang-related firearm homicide. I have seen the whole spectrum just in the last month.

You know, we recently had a kid, two weeks ago, who was walking down the street, studying, got shot in the neck, she is now paralyzed. We see this day in and day out.

There is a spectrum of gun violence when we talk about this issue, and we need to acknowledge that this affects each and every community in America no matter where you live.

It is important to also point out that the costs are borne most directly by victims and their families. As we begin this conversation about the financial cost of gun violence, it is really important to acknowledge that.

My main message is that if we want to take a public health approach to address this crisis, we need more research and data. At the same time, there are tangible steps we can take based on the evidence we have. So my testimony is going to focus largely on the costs associated with providing medical care to victims of gun violence, and I hope that this will underscore the need to act.

Let me begin very broadly with the big picture. Even without a fully funded effort to research the causes, efforts, and treatments for gun violence, a few things are clear. Gun violence is incredibly expensive, treating firearm injuries is far more expensive than treating other injuries, and among our peers, only the American health system bears this level of cost.

So first with respect to direct hospital costs. As you mentioned with the indirect costs, you know, this epidemic is costing our country hundreds of billions of dollars. When it comes to initial medical care alone, we spend \$1.1 billion per year on gun violence, and 84,000 patients come to a hospital every year for this issue. The large bulk of that is paid for by public payer insurance, Medicare, Medicaid, and 20 percent of that comes from private insurers.

Second, treating gunshot injuries is way more expensive than any other type of injury, and this is an important concept to understand. I invite any of you to come to the trauma bay to see what it is like to treat a child or an adult with a bullet wound, versus a stab wound, versus a car accident. It is just devastating. The amount of damage that one bullet causes, especially in a child whose organs are all next to each other, very close to one another, cannot be described, and you have to come and see it firsthand. For that reason, it is obvious that it is a more expensive injury than any other trauma that we see.

There was a study in 1997 that actually showed that for gunshot wounds, on average, just the surgical costs amount to \$154,000 per year, and only \$12,000 for a stab wound. Let that settle in. And when it comes to motor vehicle accidents, the cost to care for a child who has a firearm injury is five times that of a kid who comes in with a motor vehicle accident. So it is by far more expensive. And for inpatient stays in general, the cost is three times that of the inpatient stay for any other disease.

And third, there is no comparison when it comes to our American counterparts—our peer nations. Of all other developed countries, our gun homicide rate is 25 times higher, our gun suicide rate is 8 times higher, and our unintentional firearm rate is 6 times higher. More than 80 percent of all firearm deaths happen in America when you look at the worldwide developed world.

These statistics, of course, don't even touch on the hidden cost of gun violence with respect to victims and their long-term issues, law enforcement, neighborhoods, and the trauma to our society as a whole.

I would like to conclude by emphasizing that minimizing the economic burden that firearm injuries put on the health system is not enough. We must reduce the potential for firearm injuries in the future, through more research, better care, and evidence-based policy changes.

As you mentioned earlier, you know, we shouldn't pretend to know what we don't, but we need the resources to be able to understand this further.

There is no single solution. I am confident that if we can build consensus based on our common mission to keep our children safe, make our communities safer, and together be responsible gun owners, that we can make a difference. I know we can prevent our fellow Americans from ending up on the operating table in the first place.

Thank you.

[The prepared statement of Dr. Sathya appears in the Submissions for the Record on page 56.]

Chairman Beyer. Dr. Sathya, thank you very much.

I now recognize Mr. Busse for his testimony.

STATEMENT OF RYAN BUSSE, AUTHOR OF GUNFIGHT, FORMER FIREARMS INDUSTRY EXECUTIVE, SENIOR ADVISOR, GIFFORDS, KALISPELL, MT

Mr. Busse. Thank you to the members of the committee for inviting me here today.

My name is Ryan Busse. I grew up on a ranch where guns were an integral part of our lives. When we had time to have fun, it often involved guns, hunting and shooting with my brother, my father, my friends. Guns were also tools for work and for protection. For me, firearms came to represent important parts of my culture, something quintessentially American.

But I was also taught that responsibility and safety are required to maintain this freedom. My dad insisted on this every time we touched a gun. Today I teach my own boys the same things.

I got a job in the firearms industry after I graduated from college. I helped build a gun company, and I was nominated for the most prestigious industry awards.

For the first part of my career, the industry insisted on the same responsibility that my dad had taught me. In fact, prior to the mid-2000s, the industry would not allow any tactical gear to be displayed in the main portions of industry trade shows, because the industry knew that proliferating that sort of gear was dangerous in a complex democracy like ours.

AR-15s and inexpensive pistols were outliers and represented only a very small fraction of gun sales. But by 2007, that self-imposed responsibility was almost gone, and everyone adhered to the same messaging, praising anything that sold more guns and attacking anything or anyone that might slow sales.

Even after mass shootings, we were to cheer the “hell no” everyone knew would be the response to any proposal, no matter how modest. Everyone knew the debate around these proposals would create profitable sales booms and nothing else mattered.

The industry transformation was dramatic. Before 2007, gun sales never exceeded 8 million units in a single year, with almost no sales of AR-15s. By 2016, the industry was selling more than 16 million guns. And between January 1, 2020, and January 7, 2021, the industry sold more than 22 million guns.

Most of those were handguns, and about 4 million were AR-15s. This represents a tripling of annual sales in less than 15 years. This expansion has produced huge increases in profits, with Smith & Wesson alone recently reporting an annual profit of more than \$243 million.

When people talk about our national challenges and what has changed in this country, no rational person can look past this monumental transformation in the gun market. This growth made fortunes for some. It also brought modernization to the gun industry.

Inexpensive, polymer-framed handguns became the primary focus for most gun companies. Business pressure sped investments that increased efficiencies, leading to much lower prices for what we call commodity handguns. These are the same guns that are now flooding into urban areas of our Nation.

These guns are cheap to make, many with hard costs of less than \$100 each, but with average retails of more than \$400.

As profits increased, companies found more freedom to maneuver on price. When dips in the market happened, prices could be lowered to spur sales. Sometimes manufacturers even gave away guns to keep up volumes. It was not uncommon to see buy 3, get 1 free offers that drove prices even lower.

I saw this happen dozens, if not hundreds of times in my career. I never heard anyone question the proliferation of what low-cost guns might do to this country.

Growth pressures from the industry also meant that dealers and sales practices that should have received far more scrutiny were excused in order to maintain volume. No one was supposed to slow down or ask questions because doing so would slow sales. This is why there has been such vehement opposition from the industry to confirming an ATF Director. A good regulator will ask questions.

I wrote a book about my time in the industry, about my battles to confront all this, about how our country has changed. The experiences that inform the book, and my experiences since the book came out, have taught me much that is important for this hearing today.

First, balancing gun ownership with responsibility is absolutely central to the well-being of our democracy. I hear it from people across the country every day.

Second, and very importantly for this committee, the feedback to my book proves to me that there are millions of gun owners who want to maintain their rights but also want to be a part of the solution. They welcome reasonable policies that address the changed realities of guns and gun violence in America. They are tired of the loud extremists hogging the mike.

Third, we need to move forward on policies like universal background checks and raising the minimum age of purchase on long guns to 21. The vast majority of gun owners agree.

I am one of these gun owners. I am here today to represent the people who understand that we cannot exist in a country where rights are not balanced with responsibilities and regulation. We cannot continue to allow profits to outweigh the rights of all citizens in places like Uvalde, in Buffalo, and Highland Park in Chicago.

I am here to say that I know much has changed over the past 15 years because I lived it, and it is high time we do some rebalancing to address these changes.

Thank you for having me, and I welcome your questions.

[The prepared statement of Mr. Busse appears in the Submissions for the Record on page 64.]

Chairman Beyer. Mr. Busse, thank you very much.

I now recognize Ms. Swearer for your testimony.

**STATEMENT OF AMY SWEARER, LEGAL FELLOW, THE
HERITAGE FOUNDATION, WASHINGTON, DC**

Ms. Swearer. Chairman Beyer, Ranking Member Lee, and distinguished Members of the Congress, my name is Amy Swearer, and I am a legal fellow at The Heritage Foundation. A major focus of my scholarship is the Second Amendment and gun policy.

I am not an economist, but it doesn't take an economist to tell you that gun violence has an enormous negative impact on the Nation's economy. Of course, it does.

At the end of the day, though, what this committee wants isn't a debate over the total dollar amount we can attribute to gun violence. Instead, you want to know who is responsible for it—for those costs and what Congress can do to save lives and lower the economic burden. In other words, this is fundamentally a gun policy hearing, just like the dozens of other gun policy hearings held on Capitol Hill in recent years.

In that respect, my testimony should sound fairly familiar. The reality of gun violence, who causes it, and what to do about it hasn't changed just because we put an economic spin on the question.

To summarize, lawful gun owners are largely not the ones at fault for gun violence or its costs. On the contrary, the protective

economic value they provide is underacknowledged and underappreciated.

The bulk of gun violence costs are due to criminal actions, which are most often committed by unlawful gun owners. Yes, a small minority of lawful gun owners will, at some point, use their legally purchased and possessed firearms to commit crimes. But the overwhelming majority of them will never harm themselves or others with their guns and will never add a single cent to the overall economic burden of gun violence.

On the contrary, most violent crimes, including gun crimes, are committed by a small number of serial offenders who are often prohibited from possessing firearms but who obtain them anyway through illegal or informal channels.

It is not just that lawful gun owners aren't the problem or that they, as a class, are unfairly blamed for crimes they don't commit. It is that to whatever extent a few lawful gun owners may be responsible for gun violence and its economic costs, other lawful gun owners foot their bill and then some.

The research is clear that Americans use their guns defensively far more often than many people realize, somewhere between 500,000 and 3 million times a year. And those defensive gun uses are not just about gun owners protecting their property. Often those lawful gun owners save lives, sometimes many lives.

Consider the 22-year-old who just this week fatally shot a would-be mass shooter at an Indiana mall, one of three armed citizens who stopped active shooters in just the last two months without any injuries to themselves or others as a result of their defensive actions.

This is not an uncommon outcome for defensive gun users. Based on the research and my experience with The Heritage Foundation's Defensive Gun Use Database, victims who use firearms to defend themselves or others from criminal actions are rarely injured. When they are injured, the majority of the time, those injuries are relatively minor, especially compared to how serious they might otherwise have been.

The chronology of those injuries is important. Most of the time those injuries occur before the defensive gun use, meaning the defensive gun use stopped the victimization and limited the economic impact of crimes that were already in progress.

Not only do lawful gun owners regularly thwart crimes, but there is a lot of evidence that every year a good number of criminals are deterred from committing a good number of crimes precisely because they are afraid victims might be armed. It turns out, many criminals are rational actors who don't like it when people shoot back.

Despite this, commonly proposed gun control policies nonetheless often assume that lawful gun owners comprise the bulk of the problem. And some of those policies are, frankly, just unconstitutional.

At the same time, many of the policies that would be most effective at combatting gun violence don't fit neatly into the current national narrative, but they would save lives and lessen the economic impact of gun violence.

My written testimony is far more in-depth, and I hope you read it, but I will highlight just one avenue that is particularly relevant for this committee.

Gun violence is inextricably linked to social capital; that is, to all of the various elements of associational life, like our connections with our families, our jobs, communities, and civic institutions.

Americans are often best served by government simply getting out of their way, especially when it comes to private, voluntary associations.

But from a Federal policy perspective, one solution to the decline in social capital is to promote economic growth and employment, which increase family stability and individual connectedness through the workplace. And I hope we talk more during this hearing about how exactly to accomplish this. And I also hope we talk more about better enforcing existing laws, expanding access to and options for mental health treatment, and encouraging responsible gun ownership without preemptively hindering gun owners from defending themselves.

Congressmen, none of these are new solutions, but this isn't a new problem or even a new conversation about an old problem. The analysis is the same because the problem is the same. I hope the response is different. And I look forward to your questions.

[The prepared statement of Ms. Swearer appears in the Submissions for the Record on page 66.]

Chairman Beyer. Ms. Swearer, thank you very much.

Now let me recognize the ranking member, the lead from the U.S. Senate, Senator Lee, for your opening statement.

**OPENING STATEMENT OF HON. MIKE LEE, RANKING MEMBER,
A U.S. SENATOR FROM UTAH**

Senator Lee. Thanks so much, Mr. Chairman. And thanks to each of you for being here and agreeing to testify in front of this hearing.

Violent crime is on the rise in communities all across our great country. Suicides and other deaths of despair are themselves at record highs. Homicides are climbing again, and meanwhile, police officers are retiring at unprecedented rates.

Meanwhile, mass public shootings in Uvalde, Texas, in Highland Park, Illinois, have renewed the national conversation about how we can stop the evil perpetrated in these horrific events.

Mass shooters who carry out highly visible acts of violence are fueled by an evil desire to inflict on others the extreme despair and isolation that they suffer themselves. And it is our collective responsibility to understand why deadly violence is increasing and how best to address its root causes.

Research from my staff on the Joint Economic Committee shows that most mass public shooters are suicidal, and they are less likely to have significant connections to family or to other people at work. They tend to live in communities where violence is concentrated and where their support systems have, for one reason or another, unravelled.

Similar trends are true for the less talked about but more prevalent violence that is reflected in the 29 percent increase in the

homicide rate in 2020, and the decades' long rise in suicide and other deaths of despair.

These findings on the role of supportive families and communities suggest that the circumstances that lead to violence go far beyond the simple presence of a firearm. Nonetheless, every time a horrific event occurs, like the shootings in Uvalde and Highland Park, for example, then we immediately hear demands from the same one-size-fits-all gun control mandates from Washington that many have pushed for many decades. And yet policies to stop violent crime must be faithful to the Constitution and must not inadvertently harm the very citizens we are trying to protect, especially those who are law-abiding.

At its core, the Second Amendment guarantees the right to keep and bear arms, to defend one's family and community. My staff estimates that defensive gun use helped avoid more than \$120 billion in crime last year alone. Limiting our fundamental rights under the Second Amendment makes us less secure, not more. Addressing our violence epidemic will not be achieved through top-down rules from Washington but with the much harder work of reversing the decline in social capital in communities across America.

We should look to community-led solutions focused on cultivating stable, two-parent families, strengthening employment opportunities, boosting institutional trust, enforcing laws that are already on the books, and supporting local programs that help those at highest risk for violence. While far more daunting than proposals to simply restrict access to firearms, these solutions would be far more effective at preventing violence and providing support to struggling individuals in our communities.

The decades' long decline in violent crime has ended. Deaths of despair are increasing and mass public shootings continue to scar our communities. Understanding the causes of increased violence is more urgent than ever.

I hope that our conversation today considers how we might alleviate the childhood trauma, isolation, lack of stable employment, and low levels of community trust that contribute to increased acts of violence.

Family and civil society breakdown come with dangerous consequences. Confronting the underlying causes of violent crime must play a key role in our efforts to keep American communities safe and prosperous.

Thank you, Mr. Chairman.

[The prepared statement of Senator Lee appears in the Submissions for the Record on page 29.]

Chairman Beyer. Senator, thank you very much.

I now will begin a round of questioning. Let me begin.

Ms. Burd-Sharps, I am a very proud American, and I love the idea of American exceptionalism, you know, how we have been the source of innovation, the longest lived democracy. We have so many Nobel Prize winners, we are the melting pot.

But you also pointed out that our gun death rate is 13 times higher; our homicide rate, 26 times than our peer high-income nations. Is there any connection, any possible connection between American exceptionalism in gun deaths with all the other things that we consider so wonderful about our country?

Ms. Burd-Sharps. So often after shootings people look for solutions, and sometimes people talk about, it is a mental health problem, it is video games, it is whatever. And I would say that most of our—all of our peer nations, in Europe, in Australia, in Japan, and Canada, also have these video games and the same—very similar rates—challenges in mental health and rates of mental illness.

What they don't have is more civilian guns than citizens, and that is a huge challenge that we face. We are exceptional in many ways, amazing ways, but that is a way in which we are exceptional that we really have to look into.

Chairman Beyer. Let me just continue. Ms. Swearer, I think, makes the very credible argument that the lawful gun owners are not the cause of the gun violence in America. At the same time, when we have 400 million guns in America, we look and say the homicide rate in Germany is one-tenth what ours is, in the U.K. it is one-fortieth of what ours is.

Let's avoid cause and effect. Is there at least a correlation between the number of guns we have and the homicide rates we have?

Ms. Burd-Sharps. So let's remember that, according to CDC data, 60 percent of gun deaths in a year are from suicide, just under 40 percent are from homicide, and then there is 1 percent from mass shootings, and 1 percent from unintentional shootings.

So if you look at what is happening in the course of a year, 60 percent of those gun deaths are from suicide. And, you know, the lethality of guns is absolutely contributing to half of suicides in this country being with a gun.

Chairman Beyer. Thank you.

Dr. Sathya, you talk about, of the ones who survived, in a Harvard study, 71 percent were unintentional. I think Ms. Swearer said 1 percent of the gun deaths were unintentional. But things like safe storage laws, improvements to firearm safety technology, universal screening would all make a difference.

Why has it been impossible for Democrats and Republicans to find a middle ground on things like gun safety storage?

Dr. Sathya. Thank you, Chairman, for the question. I think at its core, I will refer to what I said earlier in that this is a public health issue. You know, we treat kids and families from both sides of the political aisle. And at the end of the day, after we treat their children with bullet wounds, they all want the same thing. Gun owners are our biggest supporters in our efforts to approach this as a public health issue.

Listen, we did it with tobacco use, we did it with motor vehicle collisions, we did it with HIV, stigmatized issues. We took a public health approach, we focused on safety, and we were able to transcend politics.

It is important that we are using a lot of the words, violence and mass shootings together. When we talk about gun violence, we are talking about firearm-related injury, and it could be homicide, suicide, or unintentional injury.

And I agree with what everyone is saying, we should not confuse these as the same, but it doesn't mean that we shouldn't act when we can. And each of these requires different interventions and solutions.

Chairman Beyer. Thank you.

Mr. Busse, again, Ms. Swearer says a mind-blowing number of guns are stolen from lawful gun owners. My local police would say it is the first thing they look for when they break into a house, many from unattended vehicles.

You come from the gun industry. We heard earlier that 3 percent of gun owners own half of all the guns. Why, with so many gun owners, so many NRA members agreeing to commonsense middle-ground, noninvasive gun-safety measures, like locking up your guns, why has it been so hard to get a single Republican to find some way to move forward?

Mr. Busse. Thank you for the question, Chairman. It is my assessment, after having been inside the industry, that the very sort of “hell no” attitude that has propagated through the NRA and through the firearms industry, “hell no” to universal background checks after Sandy Hook, “hell no” to raising the minimum age of buying AR-15s to 21, that same attitude has wound throughout the DNA of the Republican Party and the GOP.

And so these things that poll high, 82 percent on background checks and almost as high on raising the minimum age, when we go to attack those things as a society, we are not attacking this, what I—the analogy I use is, if it is a very small pebble laying on the ground, it looks like you ought to be able to pick it up and toss it over the fence.

The problem is, is when you bend down to pick it up, it is attached to a much larger rock, that is attached to a much larger mountain. And that rock and that mountain are the politics and the approach of the GOP that have the same “hell no” attitude to making these highly—highly accepted poll very high through gun owners. Instead of accepting those and doing the responsible thing, we say “hell no” to those too.

So those simple policies that poll high are attached to something much more difficult.

Chairman Beyer. Great. Thank you all very much.

Let me now recognize the Senator from Utah, Senator Lee, for his questions.

Senator Lee. Thank you, Mr. Chairman.

Ms. Swearer, I would like to start with you if that is all right.

I am struck by the connection between suicides and mass shootings. They go together. In fact, more than 70 percent of mass shooters have some indication that they intend to commit suicide before or during the attack or they are otherwise suicidal before carrying out the attack.

This problem does appear to be bigger than guns. Certainly, mass shootings, by definition, involve guns, but it is a pretty narrow subset of—very narrow subset of those who have guns that carry out these particular types of attacks.

And as we have seen with the rise of drug overdose deaths and resurgent violent crime, our country is in the midst of a crisis in which our culture appears to lack the once really robust support of families and other points of community contact, things amounting to what we refer to as social capital.

So mass shootings, suicides, and violent crime are, in many respects, symptoms of these deeper problems.

How can focusing on underlying causes, things like highlighting the importance of loving two-parent families, help us to prevent more tragedies?

Ms. Swearer. Well, thank you for your question, Senator. It does so because when you address these underlying causes, one, you remove the problems of sort of going after the bulk of gun owners who are not part of this problem. But when you focus on the underlying causes, you are now dealing with issues of human flourishing generally. You are solving problems or at least addressing problems that are much broader than firearms.

You know, the stat has already been thrown out at least once today. Only half of suicides are conducted with—or committed with firearms. So even if you take away all firearms and assume that no one else kills themselves without firearms who otherwise would, you still have a very significant problem.

It is the same thing with violence generally. It is the same thing with, as you mentioned, these mass shooters, who are overwhelmingly suicidal and dealing with other deeper, underlying issues.

When you address those issues, you are now addressing those parts of humans that are not flourishing. You are making society better on the whole and you are doing so in a way that doesn't go after people who are law-abiding, who are not ever going to be a danger to themselves or others.

So on the whole, it is just a more economic and efficient way of dealing with societal problems, is getting at those root causes, instead of trying to play whack-a-mole, you know, going after things on the surface.

Senator Lee. All right. If one could attach a value of zero to gun ownership and if one could somehow separate constitutional protections and assume the ability of government to enforce to a 100 percent degree any gun ban, one can imagine a world in which that sort of thing might proceed. But, of course, we do have constitutional protections.

And one of the reasons we have constitutional protections, dating back more than two centuries in our country, dating back many centuries more than that under the English Bill of Rights, is because they do have some utility. That is why the Constitution did make that compromise, that bargain, understanding that some people would misuse them, but there was some utility to it, and that Americans should be able to avail themselves of that right.

Can you tell us something about the benefits that you see attached to gun ownership and defensive gun use? For example, what would be the dangers to the personal safety and self-defense interests that we have as citizens from undermining the constitutionally protected right to bear arms?

Ms. Swearer. Senator, the Second Amendment, as I think you suggest, is premised on this right of self-defense, whether it is self-defense against tyrants or self-defense against criminals when the government can't or won't be there to protect you.

You know, in terms of what that means to the benefit of individual gun owners, you know, again, a stat that has already been thrown out, there are 400 million firearms in this country.

When you go after and restrict the abilities of lawful gun owners in a way that doesn't—especially when those ways don't also ad-

dress the ways in which criminals are getting their firearms, or disarming criminals, you have now essentially limited the ability of law-abiding Americans to fight back, without going after the other segment of those 400 million firearms that are still going to be in the hands of people who are bent on criminal acts of violence.

So if you think of it as like a scale with the cost and benefits of gun violence, you are removing the part that is beneficial while not doing anything to address the part that adds to the economic burden.

So, again, you want to make sure that any sort of gun policy is focused on those more narrow channels through which criminals are getting their firearms, through which criminal actions actually happen, without broadly restricting the rights and abilities of law-abiding Americans.

Senator Lee. Thank you. I see my time is expired.

Chairman Beyer. Thank you, Senator, very much.

I now recognize the distinguished gentleman from Wisconsin, Mr. Pocan.

Representative Pocan. Thank you, Mr. Chairman. And thank you to the witnesses.

Let me start, Mr. Busse, so you were an executive at a gun company. You know, when you hear all the numbers and you read about this, I mean, this is almost exclusively a United States problem, and yet I don't think we exclusively have that much more of a rate of suicide or anything else, and yet the gun deaths just stand out so significantly.

Can you describe a little bit about the business model of the modern gun manufacturing industry? And specifically, I have got to imagine this is talked about at some point. You know, in 2020, I think 3.6 million rifles were manufactured or imported to the United States and only a hundred thousand were exported. I mean, this is distinctly a United States problem. Can you just talk about that marketing model?

Mr. Busse. Well, the marketing model has changed dramatically, again, in the past 15 years, really kicking off in 2007.

Prior to that, the industry itself, as I noted earlier, would not allow any tactical gear, such as the gloves and hats and bulletproof vests—researched and worn by the Buffalo shooter, some of it by the Uvalde shooter—none of that was allowed even to be displayed or discussed or sold in the firearms industry in its own large trade show every year.

That was a voluntary prohibition. It is not that it was illegal. It was voluntary. And it was voluntary because they were a group of responsible people who were in the industry then, who knew that, again, propagating those things throughout society and the marketing schemes that would follow to sell them, could lead to very dangerous outcomes. And I think we are now living with those dangerous outcomes.

Likewise, even during the assault weapons ban, which is much discussed, 1994 to 2004—September 13, 2004 it sunsetted—AR-15s were perfectly legal during that period. Most people don't understand that. Assault weapon was defined as a gun like an AR-15 with additional features on it. And so the industry, during that 10

years, could have sold hundreds of thousands, millions, of AR-15s, and yet they did not.

They did not because, again, there was a voluntary prohibition. It was relegated to the darker halls of the industry. Those things were not sold and marketed in any kind of numbers, more than about 50- to 100,000 a year versus about 4, 4.5 million now. Again, it was voluntary.

Much like our politics 15 or 18 years ago, there were lines of decency across which company executives knew not to step.

We have now removed all of that, and the only thing that matters—we have introduced essentially quarterly capitalism into our politics and into the gun market. The only thing that matters is winning the next election or making the next gun sale. The only thing.

So any sort of voluntary prohibition about decency, about how we advertise, about selling guns to kids, about AR-15 manufacturers by the hundreds now, about tactical gear, using sex and everything else to sell to very troubled young men, that is all gone.

Is it illegal? No. Is it immoral? Absolutely.

Representative Pocan. The second question I was going to ask specifically on the AR-15, you know, that huge increase in the sales. You know, I am from Wisconsin and, you know, everyone who runs for office puts multiple photos of the animals they have, you know, killed that season to show, you know, how tough they are.

Mr. Busse. I am right there with them.

Representative Pocan. Yes. I mean, literally, everyone from every party, I mean, how many, you know, deer you can have dead in your brochure tells you how you are going to do in the election cycle.

But I don't know many people who actually use an AR-15. And yet I just went to Smith & Wesson AR-15, it is like the hunting, hunting they are selling it for. But it is really not that tradition.

I understand when, you know, the Constitution was written, people had muskets, so they didn't have to worry about the weapons that we have now. They never even would have imagined that. But can you just talk a little bit more about specifically the AR-15 and how it is being marketed?

Mr. Busse. When the AR-15 became both political symbol and tool to grow the industry, again in 2007, 2008, the industry undertook very expensive marketing studies to try to ascertain how it could make the gun and the marketing of the gun more acceptable in the general public. And the marketing came back and said, we essentially need to apply sporting terminology to this, because the general public approves of sporting terminology.

I am one of those people who have the deer pictures with my kids, my family does, all of my friends do. That is a very accepted form of firearms ownership across much of the country, one that I enjoy very much.

When the firearms industry undertook this marketing, it came back, and the NRA and the National Shooting Sports Foundation said, we have settled on a name that will be acceptable to the general public. We are not going to call them assault rifles. That is

verboden. We are not going to call them AR-15s. We are going to call them modern sporting rifles.

And that is the terminology that is used today. They are called modern sporting rifles. Are there some that are used for hunting purposes? Yes. A tiny percentage. Most of them are not used for sporting.

The gun that was used by Kyle Rittenhouse was a Smith & Wesson M&P Sport. The gun that was used in the Parkland shooting was a Smith & Wesson M&P Sport. I could go on and on and on. These are not sporting guns.

Representative Pocan. Okay. Thank you.

I yield back.

Chairman Beyer. Thank you, Mr. Pocan.

I now recognize the gentleman from Arizona, Mr. Schweikert.

Representative Schweikert. Thank you, Mr. Chairman.

Okay. Title of our hearing, Economic Toll. And I am trying to get my head around, because I have an interesting interest on—I keep, you know, sitting here looking at the charts and data. Even the doctor actually said something that was sort of fascinating, sort of the different categories he ends up dealing with.

And I am going to first do some charts. Ms. Swearer, I am going to actually ask couple questions of you, but my goal here is not to figure out how many dead animals, though, that is actually—being from Scottsdale, that is actually, for us, a little creepy. But we have a lot—but we have a dozen indoor shooting ranges in my district, and some of them cost a fortune to become a member of them.

But I am looking at the suicide data on the sheets broken out by States. And let me do this, just so I can sort of get my head—I am one of those people that almost needs a prop. And I got to compliment, I believe much of this data is coming from Everytown, and it has been quite useful or easy to use.

Our total firearm bad acts—suicides, homicides—and then we have been trying to set up an axis here on restrictions in those States. Okay. Good chart, good data.

But then when we actually started to try to normalize say suicides, particularly if I will normalize for functionally five Southern States that actually have some very unusual, you know, data on their, you know—excuse me.

If I normalize for suicides, and I pull the suicides out, and then I come back and normalize for what I am seeing—and I know I am going a little geeky, but if I were to pull those five Southern States out, my homicide rates are actually distributionally pretty random out there.

I mean, it is not like I am seeing that the axis of, here is States with firearm restrictions, and I am then seeing a skewing thing. Those States have dramatically less bad acts, other than suicide. It is just—it is not in the data. And that lets us sort of understand, we got, in some ways, maybe a bigger problem than we understand.

You know, how do you basically—if our goal here is a safer society, more prosperous society, less economic damage, am I looking at a world where I need to completely rethink our debate on firearms and firearm violence?

Is it maybe we go back to the 1950s and we are having training in school. States like Arizona, 25-plus years ago, we legalized concealed carry, but we asked you to go through training. And there were predictions we would see substantially more bad acts, and that didn't happen in the data.

Illinois, Florida, dramatically different restriction rules, both complex populations, substantially different, you know, numbers in some of the bad acts with firearms.

What can we do as a society to deal with the suicide numbers that just—if you look at these suicide numbers, they rip your heart out.

I have an academic article, which is somewhat above my head but I have been trying to read it, that is talking about—trying to analyze these young men who have been involved in mass shootings and how many of them have been displaying suicidal tendencies.

I am just—Ms. Swearer, what am I thinking wrong? If this were—we were having a truly honest debate and we were white boarding this and saying our intention is to make society safer, what would we be breaking out? What would we be looking at?

Ms. Swearer. I am sorry, can you—I am not sure I understand the question.

Representative Schweikert. Am I wrong to be thinking that suicide prevention is where a bunch of capital goes? Training on knowing that, how to use your firearm, how to keep it safe, that you don't grab a firearm and start cleaning it until you have gone through the proper procedures.

I mean, those of us that grew up with this, we have rules, and how many young people are out there running around with a firearm that have no blanking idea how it works.

I mean, if I were to come and say, here is a dozen things, what makes society—what are you seeing out there in literature that would make us safer?

Ms. Swearer. I think I understand the question a little bit better. I am going to pull off of some of the things you have already mentioned.

So you talked about mass shootings in particular and suicide prevention. I think you are correct, to a large extent, mass shooters are suicidal and they are showing signs of being a danger to themselves or others. While mass shootings are considerably a small part of the problem, they have an outsized effect on both the—sort of the national conversation and the way we feel about public safety, so it does matter.

But what that tells us for prevention is that a lot of these individuals are showing signs of being a danger to themselves or others, that there are methods for targeted intervention or even just generalized suicide prevention that are more likely to lower those rates and to allow for intervention, you know, other than just broad gun control measures.

Representative Schweikert. And, look, I know I spoke too long, and thank you for your patience, Mr. Chairman, but there is also some fascinating discussion here on both the homicide rates but also if we could understand why does a State like Massachusetts have such a amazing low number on suicides but also some

other States that actually have very open firearm laws also have terrific—it turns out there is complexity here. And if we are going to be intellectually honest, we need to bathe into that complexity. I yield back.

Chairman Beyer. Thank you, Mr. Schweikert, very much.

Let me introduce the winner of yesterday's primary in Maryland, the distinguished gentleman from Maryland, Mr. Trone.

Representative Trone. Thank you very much.

Mr. Chairman and Senator Lee, thank you for holding this hearing today. We appreciate it very much.

I would like to start off with a question for Ms. Swearer, our Republican witness. And I have been a gun owner—shotguns, rifles—grew up on a farm, hunted all my life, taking gun safety courses, and certainly would be supportive of owning a firearm.

Could you tell me how many times in America an AR-15 has been used in self-defense of someone's home?

Ms. Swearer. Do I know the exact number? No, not off the top of my head.

Representative Trone. Any number you have at all?

Ms. Swearer. I know that it happens. I would refer you to—

Representative Trone. It happens? Where does that number come from.

Ms. Swearer. Our Defensive Gun Use Database in my research and experience researching defensive gun uses. Though I would say, to a large extent, a lot of defensive gun uses happen in public where people are generally not carrying around AR-15s. So you will probably see—and you should expect to see the same distribution in terms of types of firearms—

Representative Trone. But we really don't see anywhere ever where someone is using an AR-15 to defend their home. That hasn't happened, has it, really.

Ms. Swearer. Yes, it has.

Representative Trone. Maybe that guy was a narco. Maybe he was a narco. Maybe he was fighting other narcos, but—

Ms. Swearer. No, sir. I can think of a time, actually, within the last couple of weeks from Largo, Florida, where an individual used an AK-47 to defend his home, lawfully, as he is not facing charges, the sheriff has said he is not facing charges, against multiple intruders. So this does happen and I think far more often than individuals realize.

Representative Trone. We are going to find out. And we have asked for a study to be made on that, because I don't think it happens too doggone often.

And the AR-15 is for human hunting. That is what it is for, human hunting. And as Dr. Busse said, it's about sports rifles—

Ms. Swearer. Then why do law enforcement officers generally have them? Are they going around hunting humans?

Representative Trone. Because they are law officers who are taking care of humans that are going down a wrong path. So I take my time back. We are all finished, you and I. Human hunting.

Now, Mr. Busse, you spoke about working for a prominent, you know, gun company, and what has happened behind closed doors and financial gain, and companies that did the right thing for

many, many years, and then they said, hey, there is easy profit here, and we hit our quarterly numbers.

Why don't you just give us a quick—real quick—a couple of quick steps that we should be doing here to help take back the industry from the lobbyists, et cetera, that are supporting the other party, as you talked about, who are just there, not for protecting hunters. And, certainly, the idea of a constitutional protection, that has no utility now in today's world. There is no utility of a constitutional protection for having an AK-47 in your home. That is a zero. And that is a farce.

So talk about exactly how we can hold the gun industry and those who stand to benefit from it accountable.

Mr. Busse. I appreciate the question. And like you, I grew up on the farm. I appreciate the guns I own. I want to keep owning them. I think things that we can do—people like you and I who grew up understand that guns are a very serious thing, very serious. We should not treat them—we should not regulate them as if they are cans of Coke or some other consumable thing in a grocery store. These things are much more serious. They—as my father taught me, as he handed me a gun, this can cause death in an instant.

So we need to start regulating them as if they are serious, not—over the last 15 or 18 years across much of the country, we have reduced regulations. We haven't increased them.

And I know people tire of this example, but if you were to take the same population and triple the amount of cars on the highway, you would not reduce regulation to make society function better with triple the amount of cars. Yet something as serious as a gun—which I appreciate and own and want to continue to own—I consider my plea for responsible regulation to be the pro-gun position, because responsible gun owners who want to maintain their rights, want to do these sorts of things to hold other gun owners and the industry accountable so that we can maintain those rights.

Representative Trone. I feel the same way. I am pro-gun. There is no question about it. But I am not pro-gun human hunting guns. That is a different type of gun for a different mission.

I would like to ask, the legislation we have done recently on guns, which is really mental health legislation, and we are very pleased that that happened, that is going to make major differences, I believe, in our mental health and our schools in particular.

And, Doctor—let's have Ms. Burd-Sharps speak to us a quick second. What else do we need to add to that to help us on the mental health and our schools? Ma'am?

Ms. Burd-Sharps. I think that the Bipartisan Safer Communities Act is tremendous, and support to schools is really important. I think that—you know, But there are many other things that we need to do, including more accountability for secure storage so that, you know, people can't get access to—that people are storing this gun securely; that we are having awareness campaigns so that everybody knows to secure their guns securely; and that people, gun owners are held accountable when, for instance, a child gets access to a gun. Those are beyond the mental health realm, but

that is incredibly important, particularly for young people in this country.

Representative Trone. Thank you. I yield back.

Chairman Beyer. Mr. Trone, thank you very much.

Now let me move on to our distinguished gentleman from Kansas, Mr. Estes.

Representative Estes. Well, thank you, Mr. Chairman. And thank you for our witnesses for being here today.

You know, over the past two years, we have seen violence spiral out of control across the country, both in major metropolitan areas as well as along the southern border. This is a serious problem and it must be addressed.

But this rise in violent crime is not because of a sudden increase in firearms. For almost 30 years, crime rate was trending down while gun ownership was increasing.

2020 marks the recent rise in violence and homicides across the Nation. I don't think it is a coincidence that this rise followed the repeated slogans like defund the police and open borders.

Today, violent crime is up more than 40 percent from last year in New York City. And in L.A., murders are on track to top a 15-year record. Defunding the police has been a disaster for Americans living in our largest cities.

And the corresponding wave of drug-related crimes caused by open border policies from the Biden administration are making a bad problem much worse. In 2021, drug overdose deaths in the United States reached an all-time high up 17 percent from the prior year. And Fentanyl, which continues to pour across the border, is now the leading cause of death for Americans 18 to 45.

We urgently need to address the underlying causes of violence. That starts with giving our law enforcement the proper respect they deserve for keeping the peace and by making sure that violent criminals are sentenced properly by district attorneys.

The recent attacks on police officers have been horrific. Over 141 officers shot, 27 of those being ambush-style attacks so far in 2022. It is no wonder why more than 2,100 cops have resigned or retired this year in New York City. Over 500 of those occurring just in June.

We can't reverse the past two year trend in shooting and homicides if we don't have any police. If we are going to have a real conversation about ways to reduce violence within our communities, we have got to include ending anti-cop hostility. It is time we get back to law and order in the country. We must prosecute violent criminals and we must secure the border.

Ms. Swearer, in a hearing earlier this year before the Senate, you were cutoff before—while discussing some data about rogue prosecutors. What role do they have to play in reducing violent crime in Chicago and other cities that may have seen a spike in crime?

Ms. Swearer. Thank you, sir. I think it is two things. So, first of all, whenever you are not prosecuting crimes, when you are not entering that—those small minority of individuals who are responsible for a majority of violent crime are incarcerated or meaningfully punished and are off the streets, they continue to be re-released, they continue to be out there facilitating a lot of these

same violent crimes over and over again. And at the same time, when they are not being punished, it at the very least does not disincentivize them and often incentivizes them to commit violence because they understand that there is not going to be a serious punishment for those offenses.

So it is problematic both from a very practical standpoint, but also from the theoretical standpoint of signaling to them that their offenses are not going to be taken seriously.

Representative Estes. How do firearms help women protect themselves from violent attacks?

Ms. Swearer. They, in many respects, equalize their—excuse me—their ability against their assailants. So women especially compared to male attackers—and I say this as a fairly athletic woman myself—you know, we tend to be a little bit undersized and less physically capable against larger opponents.

You know, firearms—again, whether it is a woman, whether it is anybody, whether it is a man, someone who is suffering from, you know, some sort of physical handicap, it greatly increases their ability to defend themselves, and a lot of times to do so at a distance and often without even having to fire that gun. Just the mere threat of it is enough to, you know, deter and to back people off. But it is, you know, capable of being used for when that is not sufficient.

Representative Estes. Right, right. Yes. I mean, as we have talked about, you know, and the whole context of this hearing was talking about the economic impact of violence. And, obviously, we need to address the gun violence issue. But I think a lot of that allows people to have weapons for their self-defense; make sure that we support the police in their role in helping protect our communities, protecting our country. So I appreciate your time.

And I will yield back, Mr. Chairman.

Chairman Beyer. Mr. Estes, thank you very much. I want to point out, by the way, the open borders is a Republican slogan, not a Democratic one.

I want to thank all of you for joining me in this important conversation about the staggering economic cost that gun violence imposes on our Nation and for pointing out that it is complex.

While the total losses caused by gun violence are incalculable, the economic cost of gun violence cascades through our economy in real and measurable ways. We all agreed on that. As we heard today, no one is left unaffected by this epidemic. While Americans feel the pain of these losses, gun manufacturers exploit fear and prejudice to capitalize on these tragedies, earning record profits at the expense of human lives.

Congress has recently taken an important step toward gun reform, but this alone is not nearly enough. There is much more work to be done so that—keep Americans safe from gun violence and its economic toll.

Thanks to each of our panelists for their contribution to this critical and outgoing discussion. As you do this important work, we rely on your expertise.

And thank you as well to my colleagues for being part of this discussion and sharing your wisdom. The record will remain open for three business days.

This hearing is adjourned.
[Whereupon, at 3:44 p.m., Wednesday, July 20, 2022, the hearing
was adjourned.]

SUBMISSIONS FOR THE RECORD

PREPARED STATEMENT OF HON. DONALD BEYER JR., CHAIRMAN,
JOINT ECONOMIC COMMITTEE

RECOGNITIONS

This hearing will come to order. I would like to welcome everyone to the Joint Economic Committee's hearing titled "The Economic Toll of Gun Violence: How Our Nation Bears the Costs."

I want to thank each of our distinguished witnesses for sharing their expertise today.

Now, I will turn to my opening statement.

OPENING STATEMENT

It is abundantly clear that the United States is facing a gun violence crisis that is unique in its deadliness and scale.

While mass shootings capture international attention, the use of guns in homicides, suicides and accidental shootings imposes widespread and long-lasting costs.

Loss or injury to gun violence is immeasurable, but the economy-wide harms are real and calculable.

According to new estimates from Everytown for Gun Safety, gun violence costs our economy more than half a trillion dollars every year.

This is a staggering figure, one that is both gut-wrenching and entirely avoidable.

To put it in context, at more than half a trillion dollars, gun violence costs our economy more than the national GDP of nearly 90 percent of countries in the world.

From health care to education, business development to housing, the toll of gun violence is borne by survivors, their families and our entire economy.

Each year, gun violence costs survivors and their families more than \$1 billion in just initial hospital care.

It contributes to worse mental health outcomes, including higher rates of diagnosed psychiatric disorders in both survivors and their families.

For children exposed to a fatal school shooting in their local area, antidepressant use increases significantly for years following an incident.

Gun violence burdens our broader health system, stretching its capacity and taxing our frontline health care workers.

And because treatment for firearm injuries costs more than double that of other types of hospital care, this epidemic further stretches our public insurance programs.

Gun violence has also been shown to negatively impact the educational and life outcomes of children, particularly in instances of school shootings.

Students that experience these incidents experience more frequent school absences and have a greater chance of repeating a grade, and they are less likely to graduate from high school or attend college.

Gun violence reduces new businesses development and directly hurts jobs growth.

Areas that experience gun violence are more likely to see businesses scale back and fewer new businesses form. Research has shown that one additional gun homicide in a neighborhood resulted in 80 fewer jobs the following year.

Just gunshots being fired—even if there are no injuries—reduces home values.

Because homeownership is the primary way to build wealth in this country, this has the power to reduce economic opportunities for generations.

Tragically, we know that the economic toll of gun violence is rising.

As firearm deaths, gun injuries and mass shootings have increased in recent years, the gun industry has made money hand over fist.

During the worst of the pandemic, gun sales spiked, leading to record-high profits for the two top gunmakers.

As sales have surged, so too, has gun violence.

The Bureau of Alcohol, Tobacco, Firearms and Explosives documented a connection between pandemic gun sales and increased violence: It found that guns sold in 2020 were more likely to wind up at crime scenes within a year of purchase than in any previous period.

And like a storm creating its own weather, increased gun violence spurs a corresponding increase in gun sales.

For example, it is a well-documented trend that gun sales rise after mass shootings.

Investors also anticipate this effect, which drives up the share prices of gun and ammunition companies. For example, shares of the two largest gun companies rose

more than the market average in the immediate aftermath of the massacres in Sandy Hook, Connecticut; San Bernardino, California and Parkland, Florida.

This self-perpetuating cycle is not an accident.

After gun purchases plateaued in the early 2000s, the gun industry took action to revive sales, lobbying for the successful passage of legislation that granted gun manufacturers and sellers immunity from legal accountability for the harms caused by their product.

The immunity provided by the Protection of Lawful Commerce in Arms Act is markedly different from the treatment of nearly all other industries. While other industries can be held accountable for products or practices that result in harm to consumers, gun manufacturers cannot.

For example, tobacco companies were famously held accountable for the harms caused by smoking, which led directly to changes in the way tobacco products are marketed and sold.

Protection from accountability has facilitated the launch of a new and booming market for increasingly lethal weapons.

In the past, gun companies focused their marketing efforts almost exclusively on the sale of guns for hunting and recreational shooting purposes.

Yet their marketing tactics have shifted in recent years. Manufacturers now push guns for personal protection, self-defense and concealed carry.

This has created a new civilian market for products that had previously been seen exclusively as weapons of war. The firearm industry has met the growing demand by flooding the market with more lethal weapons.

The human toll of gun violence is unbearable. So, too, is the economic one.

Today, the United States will spend \$49.3 million on just the medical care, first responders, ambulances, police and criminal justice services related to gun violence.

We will pay this price tomorrow, the next day, and every day thereafter until we, as a Nation, decide to address this epidemic.

Last month, for the first time in nearly 30 years, Congress took action to curb gun violence. This is an important step, but more is needed.

To address the growing violence and its significant costs, we must work together to pave a more peaceful path forward.

Now, I would like to turn it over to Senator Lee for his opening statement.

PREPARED STATEMENT OF HON. MIKE LEE, RANKING MEMBER,
JOINT ECONOMIC COMMITTEE

Violent crime is on the rise in communities across America. Suicides and other deaths of despair are at record highs, homicides are climbing again, and police officers are retiring at unprecedented rates. Meanwhile, mass public shootings in Uvalde, Texas and Highland Park, Illinois have renewed the national conversation about how we can stop the evil perpetrated in these horrific events.

Mass shooters who carry out highly visible acts of violence are fueled by an evil desire to inflict on others the despair and isolation they suffer themselves. It is our collective responsibility to understand why deadly violence is increasing and how to address its root causes.

Research from my staff on the Joint Economic Committee shows that most mass public shooters are suicidal, and they are less likely to have connections to family or work. They tend to live in communities where violence is concentrated, and where their support systems have unraveled.

Similar trends are true for the less talked about—but more prevalent—violence that is reflected in the 29 percent increase in the homicide rate in 2020, and the decades-long rise in suicide and other deaths of despair.

These findings on the role of supportive families and communities suggest that the circumstances that lead to violence go far beyond the simple presence of a firearm.

Nonetheless, every time a horrific event occurs, like the shootings in Uvalde and Highland Park, we immediately hear demands for the same one-size-fits-all gun control mandates from Washington that many have pushed for decades. Yet policies to stop violent crime must be faithful to the Constitution and must not inadvertently harm the very citizens we are trying to protect.

At its core, the Second Amendment guarantees the right to keep and bear arms, to defend one's family and community. My staff estimates that defensive gun use helped avoid more than \$120 billion in crime last year alone. Limiting our fundamental rights under the Second Amendment makes us less secure, not more.

Addressing our violence epidemic will not be achieved with top-down rules from Washington, but with the much harder work of reversing the decline in social capital in communities across America. We should look to community-led solutions focused on cultivating stable, two-parent families, strengthening employment opportunities, boosting institutional trust, enforcing laws already on the books, and supporting local programs that help those at highest risk for violence.

While far more daunting than proposals to simply restrict access to firearms, these solutions would be far more effective at preventing violence and providing support to struggling individuals in our communities.

The decades-long decline in violent crime has ended. Deaths of despair are increasing, and mass public shootings continue to scar our communities. Understanding the causes of increased violence is more urgent than ever.

I hope that our conversation today considers how we might alleviate the childhood trauma, isolation, lack of stable employment, and low levels of community trust that contribute to increased acts of violence.

Family and civil society breakdown come with dangerous consequences. Confronting the underlying causes of violent crime must play a key role in our efforts to keep American communities safe and prosperous.

Thank you.



The Economic Toll of Gun Violence

The loss to the victims, families and communities affected by gun violence cannot be calculated, but the harms caused by gun violence cascade through the rest of our economy in real and measurable ways. The economic toll creates costs for families, communities and society overall.

- Gun violence injuries cost victims and their families more than \$1 billion each year in initial direct medical costs alone.
- Exposure to gun violence negatively effects educational attainment, leading to worse lifetime outcomes for children.
- Increased school security measures in response to gun violence cost more than \$3 billion each year, straining school budgets.
- Gun violence harms local economies by slowing business development and decreasing housing prices.

From health care to education and business formation to housing, the economic effects of gun violence are lasting and significant. Available research likely underestimates the economic toll of gun violence, leaving sections of costs undercounted or unaccounted for entirely. However, looking at the known costs gives insight into the wide scope of the economic impact of gun violence and huge losses it creates.

Gun violence generates over \$1 billion in direct health care costs for victims and their families each year

Gun violence is associated with significant health care costs, both in the immediate aftermath and in the long-term, due to the physical and mental tolls that it causes. A [study](#) by the Government Accountability Office found that each year firearm-related injuries cause 30,000 initial in-patient hospital stays that cost an average of \$31,000 each and 50,000 initial emergency room visits that cost an average of \$1,500 each, for a total annual cost of over \$1 billion. However, this is likely a significant underestimate because it does not include physician costs, which could increase total costs by about 20%.

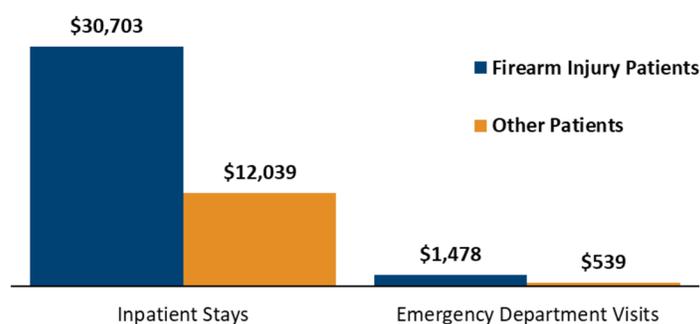
Gun injuries put enormous financial burdens on survivors and health care providers. For those who required initial hospital care and survived their injuries, up to 16% require re-admittance at least once in the first year post-injury, costing an additional \$8,000 to \$11,000 per patient. In fact, survivors of gun-related injuries see their health care spending [increase](#) by nearly \$2,500 per month on average for the year following the injury, with spending soaring by over \$25,000 in the first month alone.

The Economic Toll of Gun Violence

For victims of fatal firearm injuries, medical costs [totaled](#) \$290 million in 2020 and cost an average of \$9,000 per patient. Much of these costs are paid for by public health insurance providers, such as Medicaid, creating significant, avoidable costs for these programs.

Firearm Injuries Cost Over Two Times More Than Other Hospital Care

Average cost of initial hospital care by injury type, 2016-2017



Source: Government Accountability Office, *Firearm Injuries: Health Care Service Needs and Costs*



In addition to the direct cost of medical care for gun-related injuries, the mental and emotional impacts of exposure to gun violence can cause significant health effects down the road, which further add to health care costs. For survivors of gun violence injuries, psychiatric disorders [increase](#) by 200% in the month after injury. For children exposed to a fatal school shooting in their local area, antidepressant use [increases](#) by 21% in the two years following the incident. Treatment of these conditions, through therapy or medication, can be long-term and expensive, with [spending](#) for all mental health treatment reaching \$225 billion in 2019 alone.

Gun violence also impacts victims' families. One [study](#) found that family members of survivors sustaining a nonfatal gun-related injury saw a 12% increase in the incidence of psychiatric disorders when compared to families who experienced no such injury.

Gun violence negatively impacts educational attainment, worsening outcomes for students

Gun violence has been shown to negatively impact the educational and life outcomes of children in school, particularly in instances of school shootings. A [study](#) of school shootings in Texas found that in schools that experience a shooting the absence rate rises by 12%, and chronic absenteeism increases by 28%. In the two years following a school shooting, the rate of grade repetition more than doubles.

The Economic Toll of Gun Violence

Gun violence at schools negatively impacts school-level proficiency. Children who survived the Sandy Hook elementary school shooting saw [decreased](#) test scores in math and English. In California, high school students who remained enrolled after being involved in a school shooting saw [lower test scores](#) on standardized tests.

Even after they leave school, students impacted by school shootings continue to suffer the harmful effects. Experiencing a school shooting in grades 10-11 [reduces](#) the likelihood of graduating high school by age 26 by 4% and makes students 10% less likely to attend any college. For those that do attend college, students who experienced a school shooting are then 15% less likely to receive a bachelor's degree by age 26.

While all students are affected, Black and lower-income students experience relatively larger effects than their peers. This can contribute to race and income-based gaps in education and beyond that exacerbate economic disparities long term.

Gun violence also affects students who were not directly involved but who were a part of the communities that were impacted. In Connecticut, after the Sandy Hook elementary school shooting, other schools in Sandy Hook's district saw decreased test scores in math and English in the years following the 2012 attack. Similarly, after the "Beltway Sniper" attacks in the D.C.-metropolitan area in 2002, school-level proficiency [significantly decreased](#) at schools that were in a five-mile radius of the attack. School proficiency levels declined by 2 to 5% at the elementary schools that were close to the violence in 2002.

Increased security strains school budgets

In response to rising gun violence, many schools have opted to undertake the process of 'hardening' their schools, implementing costly new security measures in an attempt to prevent tragedies like school shootings. However, hardening requires schools to divert educational funds towards school security products and services. In 2021, U.S. schools and colleges [spent](#) \$3.1 billion on these measures, up [from](#) \$2.7 billion in 2017. This total is expected to increase an average of 8% each year and does not include the billions spent on the addition of armed law enforcement officers to school campuses.

School hardening also takes a toll on state and federal budgets. In the wake of the Uvalde tragedy alone, many states have proposed increases in funding in order to help schools pay for these increased security measures. Iowa's governor [announced](#) a \$100 million investment in school safety funding to implement new protective measures, and Ohio's governor [announced](#) \$4.8 million in grants to help schools improve their buildings' security. Federal spending for school security is also growing in response to school shootings. Reports indicate that since 2018 schools have spent [\\$150 million](#) in federal dollars on school safety and security.

Business growth slows in response to gun violence

Gun violence hurts local economies by significantly reducing the growth of new businesses and the number of jobs these businesses provide. The Urban Institute found that gun violence [reduced](#) local business growth by 4%. This is consistent with past research, which found that increased gun violence is associated with businesses scaling back and the reduction in new

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business formation. Together, this results in fewer jobs in neighborhoods impacted by gun violence, exacerbating the economic harm. In Minneapolis, Minnesota, for example, one additional gun homicide in a neighborhood in a given year resulted in [80 fewer jobs](#) in the next year.

Business owners in the study associated this setback in growth with the [costs](#) they must incur to protect their business. These costs include camera systems, Plexiglas, bulletproof windows, motion sensor lights, bars on doors, security staff and other security strategies. There are also costs caused by behavioral changes by business owners and residents reacting to increased gun violence that reduce sales. These costs include businesses closing earlier in the day, residents avoiding shopping during night hours, residents relocating and people avoiding moving to the high gun violence neighborhoods. While the Urban Institute study looked specifically at areas considered “high-crime,” increasing violence has been [shown](#) to affect low-crime areas as well, as fear of victimization harms business growth and development.

Increasing gun violence slows housing price growth and harms neighborhoods

Higher rates of gun violence can also have negative impacts on the housing market by affecting the perceived desirability of areas. A [study](#) by the Urban Institute found that in some higher crime cities, a surge in area gun homicides led to a slowing of home value appreciation by nearly 4%. Meanwhile a surge in gunshots decreased the home value growth by 3.6%. In two cities, each additional gun homicide was found to decrease the average home value by over \$20,000. In Philadelphia, a similar [study](#) compared housing prices before and after a homicide, the vast majority of which involved a firearm, and found that each homicide decreased nearby home prices by 2.3%.

The residents in these higher-crime cities report that increased incidences of violence lead to increased relocation away from the area and higher vacancy rates, leading to lower home prices. Absentee homeownership also decreases homes values, as absentee owners are more likely to neglect property and allow it to deteriorate.

Gun violence creates significant costs and current research likely underestimates its toll

While gun violence creates huge visible costs through loss of life, injury and destruction, it also generates significant economic costs. Gun violence costs individuals, communities and society billions each year, and because current research likely underestimates the full economic toll of gun violence, the true economic burden is likely much higher.

A near ban on federal funding on gun violence research hindered data collection for more than two decades. Starting in 1996, the [Dickey Amendment](#) was added annually to the Congressional spending bill to prevent federal funds from being used to advocate or promote gun control. The Dickey Amendment effectively prevented health agencies, including the Centers for Disease Control and Prevention and the National Institutes of Health, from using federal money to conduct any gun violence research. This amendment stayed in place until 2018 when Congress clarified that health agencies could pursue gun violence research and then appropriated \$25

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million for the following year. Despite these new resources, funding remains inadequate for the scope of the problem.

As Congress seeks to address the crisis of gun violence, a renewed commitment to research would expand upon the many known economic costs of gun violence and demonstrate the opportunities for effective reform.

The Role of Social Capital in Preventing Mass Public Shootings

JEC REPUBLICANS | JULY 20, 2022

Ranking Member Mike Lee (R-UT)

Joint Economic Committee Republicans

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EXECUTIVE SUMMARY

The United States is unique in our Second Amendment right to keep and bear arms. This right and the resulting hundreds of millions of guns already in circulation in the U.S. necessitate a more nuanced dialog that appreciates the role of social capital in mass public shootings—particularly the effects of community, family, and work. A mass public shooting—four or more victims, not the result of an underlying crime—is an attack on the public places where Americans gather for worship, education, and work.

Key Points

- Mass public shootings are relatively rare, accounting for approximately 1 in 200 homicides in 2017, the deadliest year on record for mass public shootings. In 2020, they accounted for 1 in 2,500 homicides.
- Individuals who commit mass public shootings tend to be disconnected from their communities, not employed, and suffer from trauma during difficult childhoods, which each make coping with stressful situations more challenging.
- Violence Project data show that 72 percent of mass shooters are suicidal either immediately before the attack or intended to die as part of the attack.
- Almost all the increase in mass public shootings since 1990 can be attributed to increased suicidality among shooters, a trend that is also present in the general population.

INTRODUCTION

The United States is unique in our Second Amendment right to keep and bear arms. This right and the resulting hundreds of millions of guns already in circulation in the U.S., necessitates a more nuanced dialog about what can be done to address mass public shootings. After several horrific mass shootings this year, Congress passed a series of reforms that will make it more difficult for some individuals to legally obtain a firearm and expands funding for related mental health services. The focus on restricting access to guns risks losing sight of the underlying causes of these acts of mass violence. Towards this aim, this report investigates the underappreciated role of social capital in mass public shootings—particularly the effects of community, family, and work.

Mass public shootings (and instances of mass public violence more broadly) are attacks on America's centers of social capital, public places where Americans gather for worship, education, work, and other shared activities. These shootings are also perpetrated by people who lack their own connections to community and social support. Using the Violence Project Mass Shooting Database, we find that 71 percent of mass public shooters are disconnected from community, 35 percent have childhood trauma, and 72 percent are suicidal, suggesting that some of the same forces driving increased suicides are also driving mass shootings.¹

In light of these results, any discussion of mass public shootings that does not seriously contend with the underlying social causes of these horrific events will fall short of meaningfully reducing instances of mass public violence. A renewed focus on cultivating vibrant, inclusive communities and healthy, loving families could help lower the probability any given individual will choose mass violence and increase the probability someone close to the would-be shooter could successfully intervene.

This report specifically investigates mass public shootings—defined as a public shooting of four or more people that is not a result of other underlying crime. Mass public shootings have increased over time, rising from an average of 2 per year from 1966 through 1990, to an average of 6 shootings per year in the last decade (2012-2021). In their deadliest year

¹Jillian Peterson and James Densley, "Mass Shooting Database Version 5," The Violence Project, 2022, <https://www.theviolenceproject.org/mass-shooter-database/>; JEC Calculations.

(2017), mass public shootings still comprised a small, 0.54 percent of all homicides.²

This report proceeds by discussing evidence on individual-level characteristics of mass public shooters, covering community involvement, connection to work, childhood trauma, and suicidality. It then discusses how mass public shootings fit into the fuller context of violence overall, and finally, concludes.

INDIVIDUAL-LEVEL SOCIAL CAPITAL AND MASS PUBLIC SHOOTERS

An individual's personal relationships, community connections, and upbringing can have a direct effect on the probability he will engage in mass violence. James Alan Fox and Jack Levin, criminal behavior researchers, find that virtually all mass murderers lack emotional support from family and friends.³ Declining prevalence of shared communities and the related rise in suicidal tendencies can help explain part of the rise in mass public shootings.

Using Version 5 of the Violence Project's Mass Shooter Database, this section uses detailed information on the perpetrators of mass public shootings to investigate their family structure, childhood experiences, community involvement, employment status, and suicidality. The data include 181 mass shooters in the U.S. from 1966-2022 (last updated May 2022), an average of 3 shootings each year. The counted shootings include those that are associated with a public location, have four or more victims, and are not the result of criminal activity or other commonplace circumstances.⁴

² Peterson and Densley, "Mass Shooting Database Version 5;" Centers for Disease Control and Prevention, National Center for Health Statistics, National Vital Statistics System, Underlying Cause of Death 1999-2020 on CDC WONDER Online Database, released in 2021, Multiple Cause of Death Files, 1999-2020, <http://wonder.cdc.gov/ucd-icd10.html>; JEC Calculations.

³ James Alan Fox and Jack Levin, *Extreme Killing: Understanding Serial and Mass Murder* (Los Angeles, Thousand Oaks, California: Sage Publications, 2015).

⁴ The technical definition comes from the Congressional Research Service and defines mass public shootings as, "a multiple homicide incident in which four or more victims are murdered with firearms—not including the offender(s)—within one event, and at least some of the murders occurred in a public location or locations in close geographical proximity (e.g., a workplace, school, restaurant, or other public settings), and the murders are not attributable to any other underlying criminal activity or commonplace circumstance (armed robbery, criminal competition, insurance fraud, argument, or romantic triangle)." William J. Krouse and Daniel Richardson, "Mass Murder with Firearms: Incidents and Victims, 1999-2013," Congressional Research Service, 2015, <https://sfp.fas.org/crs/misc/R44126.pdf>; Peterson and Densley, "Mass Shooting Database Version 5;" JEC Calculations.

Our analysis of the data from the Mass Shooter Database confirms findings from criminology, sociology, and psychology literature that unhealthy childhoods, significant trauma, lack of community, and disconnection from employment are common among mass shooters. Each of these factors together increase the likelihood of suicidal tendencies, and in extreme cases, engagement in mass public shootings.

Family, Childhood, and Mental Health

Family and modeled behavior during childhood are important determinants of an individual's mental health and can shape how someone reacts in periods of high emotional distress.⁵ Trauma from inter-family violence, general instability, or neglect can leave children to develop unhealthy coping mechanisms or push them into a cycle of isolation later in life. Psychiatric research, including work done by the Department of Health and Human Services and the Secret Service, suggests a strong link between mass violent acts and the environment in which individuals grow up, especially through the channel of developmental brain chemistry.⁶

The literature largely focuses on adverse childhood experiences (ACEs) including, domestic violence, sexual abuse, neglect, parental death or suicide, bullying and other experiences that can result in trauma. Among mass public shooters, 35 percent experienced significant childhood trauma and 48 percent have experienced significant trauma at any point, as an adult or a child. A comparable rate of significant childhood trauma (four or more ACEs) in the general population is 16 percent, about half the rate among mass shooters.⁷

Nationally, the most common ACE is divorce which is reflected in the perpetrator data with 14 percent of shooters (since 2000) growing up in

⁵ Michael J. Meaney and Moshe Szyf, "Environmental Programming of Stress Responses through DNA Methylation: Life at the Interface Between a Dynamic Environment and a Fixed Genome," *Dialogues Clin Neurosci*, 7(2) 2005:103-23, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3181727/>.

⁶ Tania Josiane Bosqui, Ciarán Shannon, Bridget Tiernan, Nicola Beattie, John Ferguson, and Ciaran Mulholland, "Childhood Trauma and the Risk of Violence in Adulthood in a Population with a Psychotic Illness," *Journal of Psychiatric Research*, 54, 2014, 121-125, <https://pubmed.ncbi.nlm.nih.gov/24694670/>; Bryan Vossekuil, Robert A. Fein, Marisa Reddy, Randy Borum, and William Modzeleski, "The Final Report and Findings of the Safe School Initiative: Implications for the Prevention of School Attacks in the United States," U.S. Secret Service, 2002, <https://www.ojp.gov/ncirs/virtual-library/abstracts/final-report-and-findings-safe-school-initiative-implications>.

⁷ "Adverse Childhood Experiences (ACEs)," Centers for Disease Control and Prevention, November 5, 2019, <https://www.cdc.gov/vitalsigns/aces/index.html>.

a single-parent home and 26 percent being a child of divorce. In the general population, 23 percent of U.S. children were raised by a single parent in 2021 and 25 percent of children will experience a divorce by their parents.⁸ While mass public shooters are no more likely to grow up in broken homes, higher rates of criminal involvement in general, including violent crime, are closely associated with growing up in a single-parent home. This result is confirmed by a wide range of studies but measuring the causal effect of family structure with certainty is difficult in the absence of compelling counterfactuals.⁹

It seems that experiencing trauma-inducing events—of which family stability and structure is one component—is an important factor in mass public shooter’s histories. The presence of domestic violence, drug use, and physical or emotional abuse can all contribute to the development of an individual without the proper mechanisms to deal with intense emotions and isolation. In 65 percent of cases of mass public shootings (for which data are available), the perpetrator experienced a social stressor that they were unable to handle—trouble with a romantic partner or employment, perceived failure at school, or loss of a loved one.¹⁰ Individuals who do not experience significant trauma and grow up in a loving, two-parent home tend to be better equipped to manage life’s challenges.¹¹

⁸ Due to changing rates of single-parent families and divorce, we restrict the population to after 2000 for a more comparable sample. Stephanie Kramer, “U.S. Has World’s Highest Rate of Children Living in Single-Parent Households,” Pew Research Center, December 12, 2019, <https://www.pewresearch.org/fact-tank/2019/12/12/u-s-children-more-likely-than-children-in-other-countries-to-live-with-just-one-parent/>; Vanessa Sacks and David Murphey, “The Prevalence of Adverse Childhood Experiences, Nationally, by State, and by Race or Ethnicity,” Child Trends (Table 2. Prevalence of Individual ACEs, Nationally and by State, February 12, 2018), <https://www.childtrends.org/publications/prevalence-adverse-childhood-experiences-nationally-state-race-ethnicity>.

⁹ Janique Kroese, Wim Bernasco, Aart C. Liefbroer, and Jan Rouwendal, “Growing Up in Single-Parent Families and the Criminal Involvement of Adolescents: A Systematic Review,” *Psychology, Crime & Law* 27, no. 1, June 11, 2020:1-15, <https://doi.org/10.1080/1068316x.2020.1774589>; Cynthia Harper and Sara McInahan, “Father Absence and Youth Incarceration” *Journal of Research on Adolescence*, 14(3), 2004, 369-397, <https://onlinelibrary.wiley.com/doi/abs/10.1111/j.1532-7795.2004.00079.x>; Timothy Carney, “Of Course Fatherlessness Contributes to Violent Crime, Including Mass Shootings,” *Restoring America*, May 26, 2022, <https://www.washingtonexaminer.com/restoring-america/community-family-of-course-fatherlessness-contributes-to-violent-crime-including-mass-shootings>.

¹⁰ Peterson and Densley, “Mass Shooting Database Version 5,” JEC Calculations.

¹¹ Ian Rowe, “The Power of the Two-Parent Home Is Not a Myth,” The Thomas B. Fordham Institute, January 8, 2020, <https://fordhaminstitute.org/national/commentary/power-two-parent-home-not-myth>.

Isolation and Community

Strong communities can help produce happy, well-adjusted people, support individuals who are struggling, and serve as a substitute for those who may lack a stable family environment. Conversely, a lack of strong social ties, familial or otherwise, can have detrimental effects on an individual's mental, financial, and physical health.¹² Among mass public shooters, 71 percent of perpetrators either have no evidence of community involvement or recently withdrew from their community. Without a supportive community, social stressors and past traumas can become more challenging to process. Feelings of alienation from their surroundings may explain why 43 percent of shooters attack a community, place, or people with whom they are familiar.¹³

Fewer social connections and less community involvement may also explain a portion of the rise in mass public shootings over time. Robert Putnam, among many others, has documented the decline in Americans' associational life, beginning around the 1970s.¹⁴ During this peak of social capital in the 1970s, an annual average of less than one mass public shooting was perpetrated by someone who was recently withdrawn from or had no community involvement. The number of these shooters with no community rises to an annual average of 3.8 over the last decade (2012-2021). Shootings by individuals with no community involvement have increased more than twice as much as shootings by individuals with some community involvement.¹⁵

The most common source of regular, non-family social connection is work, which can provide an important social network and sense of purpose, in addition to economic stability. Like disconnection from community, unemployment or nonemployment is common among mass public shooters; 57 percent of prime working-age shooters (25 to 54 years old) are not employed at the time of the incident.¹⁶ The

¹² "What We Do Together: The State of Associational Life in America," Joint Economic Committee, May 2017, https://www.jec.senate.gov/public/_cache/files/61670ee8-74de-497a-8516-4cf6502d52d4/1-17-what-we-do-together.pdf; Anna S. Wong, Jillian C. Kohler, "Social Capital and Public Health: Responding to the COVID-19 Pandemic," *Global Health* 16, 2020, <https://doi.org/10.1186/s12992-020-00615-x>.

¹³ Peterson and Densley, "Mass Shooting Database Version 5," JEC Calculations.

¹⁴ Robert D. Putnam, *Bowling Alone: The Collapse and Revival of American Community*, New York, Simon & Schuster, 2000; Robert D. Putnam and Shaylyn Romney Garrett, *The Upswing: How America Came Together a Century Ago and How We Can Do It Again*, New York, Simon & Schuster, 2020.

¹⁵ Peterson and Densley, "Mass Shooting Database Version 5," JEC Calculations.

¹⁶ Peterson and Densley, "Mass Shooting Database Version 5," JEC Calculations.

nonemployment rate among shooters is nearly 5 times higher than the 12.1 percent average rate for all prime age men from 1966 to 2021.¹⁷ Employment is also the most commonly listed shooting motive (22 percent of cases) in the Violence Project survey. A lack of steady employment or recent loss of a job can have a destabilizing effect on individuals. These results confirm what other survey data show, that men disconnected from work are less satisfied, less happy, more stressed, and more depressed than their employed counterparts.¹⁸

Vibrant communities and workplaces may also have benefits beyond those imparted on the individual. Close communities could be naturally more aware of troubled individuals in their midst and more likely to intervene. In 44 percent of mass public shootings, the shooter communicated to a third-party his intent to do harm. Called "leakage," the tendency of attackers to intentionally or unintentionally inform others of their plans may be even higher in certain circumstances than the Violence Project data suggest. Adam Lankford, Krista Grace Adkins, and Eric Madfis find that 80 percent of perpetrators of the deadliest mass public shootings (from 1998 to 2018) leaked their intent to commit mass violence.¹⁹ The U.S. Secret Service finds that leakage is highest (81 percent) among school shooters, who tend to be the youngest perpetrators of mass public shootings.²⁰

Due to high rates of leakage, under the right circumstances, an active community can prevent a tragedy from ever occurring. Madfis shows that between 2000 and 2009 at least 195 instances of school-related mass violence were prevented, compared to 46 successful active shooter incidents.²¹ Such a high number of interrupted attacks could be due to the combined effect of leakage and the regular interaction in schools. In

¹⁷ Organization for Economic Co-operation and Development, Employment Rate: Aged 25-54: Males for the United States [LREM25MAUSA156S], retrieved from Federal Reserve Bank of St. Louis, <https://fred.stlouisfed.org/series/LREM25MAUSA156S>.

¹⁸ "Reconnecting Americans to the Benefits of Work," Joint Economic Committee, October 27, 2021, <https://www.jec.senate.gov/public/index.cfm/republicans/2021/10/reconnecting-americans-to-the-benefits-of-work>.

¹⁹ Adam Lankford, Krista Grace Adkins, and Eric Madfis, "Are the Deadliest Mass Shootings Preventable? An Assessment of Leakage, Information Reported to Law Enforcement, and Firearms Acquisition Prior to Attacks in the United States," *Journal of Contemporary Criminal Justice*, 35(3), 2019, 315-341, <https://doi.org/10.1177/1043986219840231>.

²⁰ Bryan Vossekuil, Robert A. Fein, Marisa Reddy, Randy Borum, and William Modzeleski, "The Final Report and Findings of the Safe School Initiative: Implications for the Prevention of School Attacks in the United States," U.S. Secret Service, 2002, <https://www2.ed.gov/admins/lead/safety/preventingattacksreport.pdf>.

²¹ Eric Madfis, *How to Stop School Rampage Killing: Lessons from Averted Mass Shootings and Bombings*, Cham, Springer International Publishing, 2020.

addition to other benefits of community, leakage in an environment with regular association and high social trust can lead to a higher rate of attack prevention and provide one possible path for preventing acts of mass violence.

Suicide

Closely related to trauma, isolation, and lack of community involvement is suicidality, which can also help explain mass public shootings and their increase over time. Traumatic events, especially early in life, make coping with other challenges in life more difficult. Without adequate community support, these individuals can become isolated, and lose meaning and belonging, which all compound to increase suicidality.²²

The rate of suicidality in the general population is just a fraction of that among mass public shooters. Seventy two percent of shooters were suicidal before the attack or intended to die as part of the attack. In 2020, reported suicidality for U.S. individuals was highest between the ages of 14 to 15 years old at 13.9 percent. Among U.S. adults (18+) only 4.9 percent of individuals have thought seriously about suicide.²³ In line with rates of community involvement, 41 percent of mass public shooters showed a marked sign of increased isolation before the shooting. This is nearly double the 22 percent of all U.S. adults who report often or always feeling lonely.²⁴

For the past two decades, general population suicide rates have been rising, a shift that could be a contributing factor to the recent increases in mass shootings. Figure 1 shows a five-year moving average of shootings by suicidal individuals and those not reported to be suicidal.

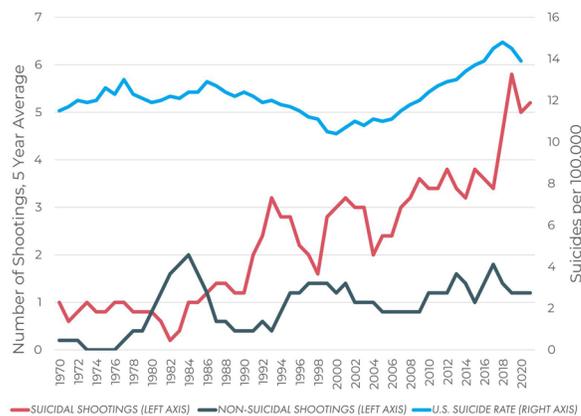
²² Shatel Francis, "Exposure to Violence Linked to Suicidal Behavior," Partnership Against Domestic Violence, 2021, <https://padv.org/exposure-to-violence-linked-to-suicidal-behavior>; Raffaella Calati, Chiara Ferrari, Marie Brittner, Osmano Oasi, Emilie Olié, André F Carvalho, and Philippe Courtet, "Suicidal Thoughts and Behaviors and Social Isolation: A Narrative Review of the Literature," 245, 653-667, February 15, 2019, doi:10.1016/j.jad.2018.11.022; Lauren B. Fisher, James Overholser, Josephine Ridley, Abby Braden, and Cari Rosoff, "From the Outside Looking In: Sense of Belonging, Depression, and Suicide Risk," *Psychiatry*, 78(1), 29-41, 2015, <https://www.tandfonline.com/doi/full/10.1080/00332747.2015.1015867>.

²³ Substance Abuse and Mental Health Services Administration, "Key Substance Use and Mental Health Indicators in the United States: Results from the 2020 National Survey on Drug Use and Health," HHS Publication No. PEP21-07-01-003, NSDUH Series H-56, 2021, <https://www.samhsa.gov/data/sites/default/files/reports/rpt35325/NSDUHFRRPDEWHTMLFiles2020/2020NSDUHFRRPDEW102121.pdf>.

²⁴ Bianca DiJulio, Liz Hamel, Cailey Muñana, and Mollyann Brodie, "Loneliness and Social Isolation in the United States, the United Kingdom, and Japan: An International Survey," Kaiser Family Foundation, August 30, 2018, <https://www.kff.org/report-section/loneliness-and-social-isolation-in-the-united-states-the-united-kingdom-and-japan-an-international-survey-section-1/>.

The Figure shows that almost all the increase in mass shootings can be attributed to increased suicidality in the population—suicide-related shootings increase from an annual average of less than 1 in the 1970s to an annual average of about 4 in the last decade. Non-suicide-related shootings have remained relatively constant over time.

Figure 1: Suicide- and Non-Suicide-Related Mass Public Shootings, and Suicide Rate, 1970-2021



Source: Mass Shooting Database Version 5; CDC WONDER, Injury Intent and Mechanism; JEC Calculations.

Like the demographics of mass public shooters, the rate of general suicide is highest among non-Hispanic white men (making up 62 percent of all suicides in the U.S.).²⁵ Figure 1 also shows that suicide-related mass public shootings began rising a decade before general rates of suicide began picking up, so one should not over-interpret the relationship with general trends in suicide. However, since 2000, the rise of general suicide has tracked the rise in suicide-related shootings and highlights the importance of addressing loneliness, community

²⁵ Sally Curtin, "Vital Statistics Rapid Release," November 2021, <https://www.cdc.gov/nchs/data/vsrr/VSR016.pdf>; JEC Calculations.

involvement, and suicidal thoughts as part of addressing the rise in mass shootings.

INFREQUENCY OF MASS SHOOTINGS

Although weak social capital appears to play an important role in mass shootings, the motives and environment that could lead a person to take another life, let alone multiple lives, are inherently multifactor and hard to quantify—especially since such events have historically happened infrequently.

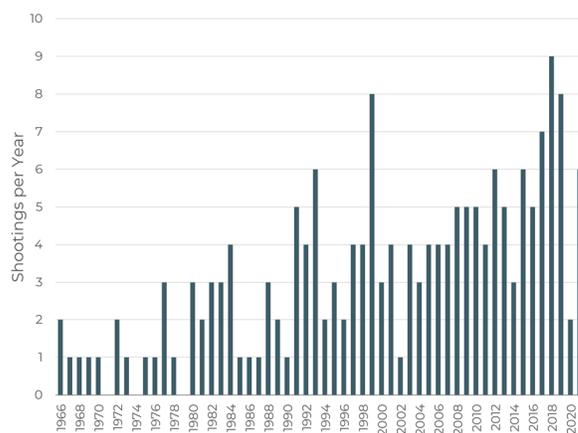
From 1966 through 2021 there were an average of 3 mass public shootings that killed an average of 23 people per year. Figure 2 shows the number of shootings in the Mass Shooter Database has increased over time; rising from an average of 2 per year from 1966 through 1990, to an average of 6 shootings per year in the last decade (2012-2021).

Even at their elevated levels, mass public shootings are comparatively rare. On average, there were 13,460 gun-related homicides per year over the last decade, 37,250 gun-related deaths—suicides make up the majority of gun-related deaths—and 18,413 all-cause homicides. In 2017, the deadliest year for mass public shootings, they made up 0.73 percent of gun-related homicides, 0.27 percent of gun-related deaths, and 0.54 percent of all-cause homicides.²⁶ In 2020 there were 2 mass public shootings, killing 9 people or 0.04 percent of all homicide victims. Using a broader definition of mass murder that includes non-public, gang-related, familicide, and other instances where 4 or more people were shot and killed, the deadliest year in the last two decades (2019) for all-cause mass killings accounted for just 1.2 percent of all homicides.²⁷ While mass public shootings are undeniable tragedies that deserve policymakers' attention, the much larger human toll of all-cause homicides—which increased 29 percent in 2020—is a tragedy on a different scale.

²⁶ Centers for Disease Control and Prevention, National Center for Health Statistics, National Vital Statistics System, Underlying Cause of Death 1999-2020 on CDC WONDER Online Database, released in 2021, Multiple Cause of Death Files, 1999-2020, <http://wonder.cdc.gov/ucd-icd10.html>; JEC Calculations.

²⁷ James Alan Fox and Jack Levin, *Extreme Killing: Understanding Serial and Mass Murder* (Los Angeles, Thousand Oaks, California: Sage Publications, 2015), 164; AP/USATODAY/Northeastern University Mass Killing Database.

Figure 2: Mass Public Shootings, 1966-2021



Source: Mass Shooting Database Version 5, JEC Calculations.

The relatively small number of mass public shootings also presents a challenge for researchers trying to identify causes and similar challenges for public safety officers trying to stop the next shooting. Drawing any conclusions with certainty is a challenge when so few instances each year are distributed across a vast country with unquantifiable differences. This is especially true when assessing individual and community characteristics, such as mental state, upbringing, or motivations.

There is also not one single factor that can, with any certainty, predict whether someone will commit an act of mass violence. The data we do have show that many perpetrators of mass shootings have certain characteristics in common, such as a higher likelihood of nonemployment, an unstable childhood, or isolation from community. These characteristics also describe millions of Americans who do not commit violent acts. Due to the complexity of identifying potential perpetrators, immediate solutions are also difficult to identify. Addressing underlying social ills, such as increased isolation, declining

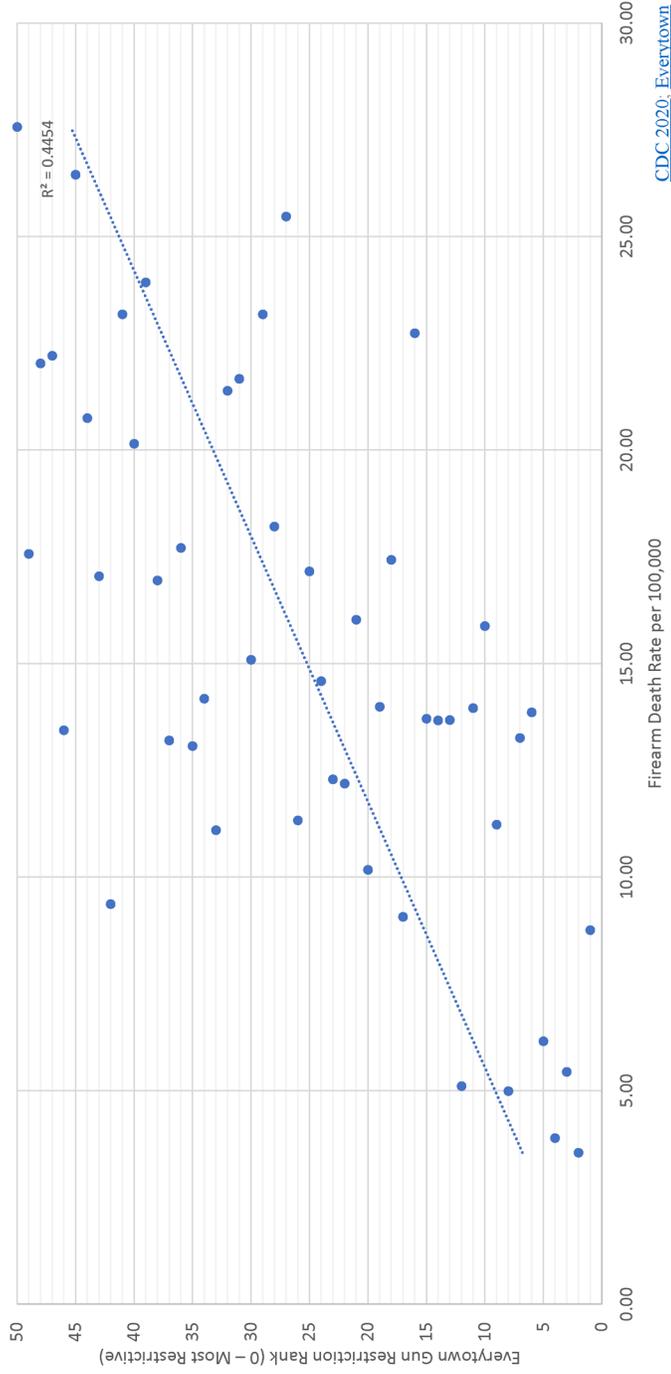
social trust, and weak community ties, requires a longer-term agenda, focused further upstream.

CONCLUSION

The Social Capital Project has demonstrated the importance of family, community, the institutions for youth education, and connections to work. Fostering these and other dimensions of Americans' associational life is imperative in its own right, but the evidence presented above suggests there may be another reason. If strong communities and families can help prevent mass public violence, the goal of reinvigorating America's declining social capital is all that much more important. Strong communities and loving families are an important part of the response to mass public shootings.

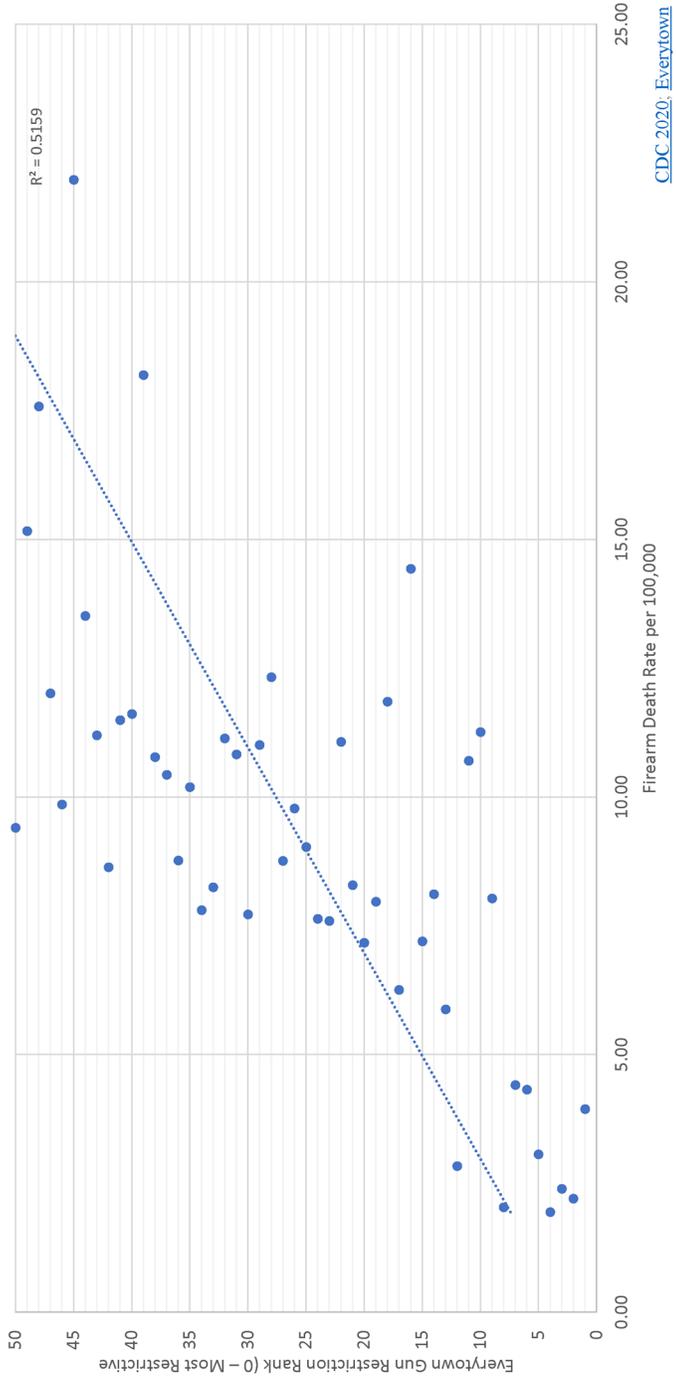
Isabel Soto
Adam N. Michel
Joint Economic Committee

Gun Restriction Rank Against Total Firearm Death Rate (Everytown)

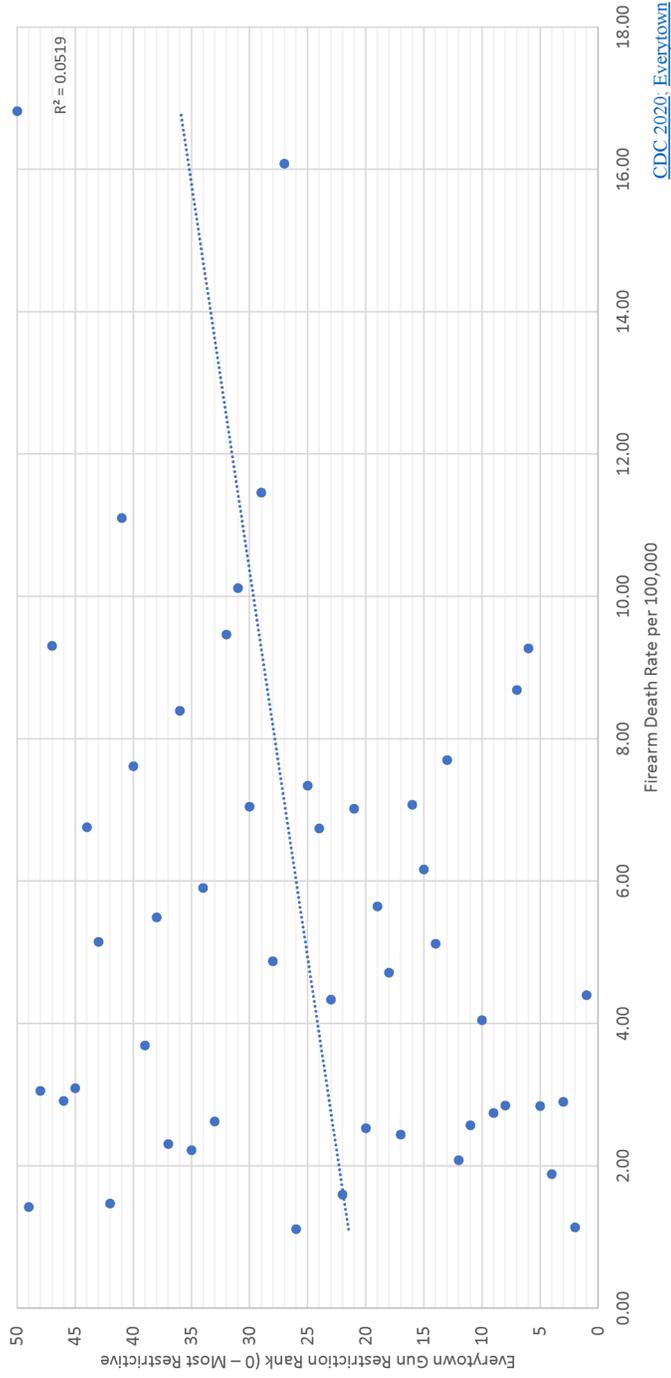


July 2022

Gun Restriction Rank Against Firearm Suicide Rate (Everytown)



Gun Restriction Rank Against Firearm Homicide Death Rate (Everytown)



CDC 2020; Everytown

July 2022



Testimony of Sarah Burd-Sharps
Senior Director of Research
Everytown for Gun Safety Support Fund

Joint Economic Committee Hearing on
The Economic Toll of Gun Violence: How Our Nation Bears the Cost

July 20, 2022

Good afternoon, Chairman Beyer, Vice Chair Heinrich, and members of the committee. It is an honor to appear before you to testify on the economic cost of gun violence in the United States.

My name is Sarah Burd-Sharps, and I am the senior director of research at Everytown for Gun Safety Support Fund, the largest gun violence prevention organization in the United States.

With tragic and numbing regularity in America, we hear of shootings on our streets, in grocery stores, schools, hospitals, and too many other places. Each day in America, roughly 300 people join the toll of those killed and injured with guns, lives cut short or forever altered by gun violence.¹

While not everyone directly experiences gun violence, we all pay an economic price for this epidemic.

Without a doubt, the human cost of gun violence—the people who are taken from us and survivors who are wounded—is the most devastating. No dollar amount could ever fully convey the cost of gun violence for families, survivors, and communities. But examining the serious economic consequences of gun violence offers a wider lens for understanding just how extensive and expensive this crisis is. Our hope is that this research will help guide you and your colleagues as you weigh different policies and actions to build safer communities.

To garner this understanding, Everytown for Gun Safety Support Fund worked with the leading health economist researching the cost of various types of injuries, Ted R. Miller, along with his Pacific Institute for Research and Evaluation (PIRE) colleagues David I. Swedler and Bruce A. Lawrence, and Kathryn Schnippel Bistline, formerly at Everytown, to calculate the economic cost of gun violence in the United States. This work is based on gun death data from the CDC, nonfatal gun hospitalization data from the Agency for Healthcare Research and Quality of the HHS, as well as direct hospital records, and peer-reviewed research that establishes costs for police investigations, court salaries, incarceration, ambulance and EMT, mental health services, and more.

¹ Everytown for Gun Safety Support Fund, “EveryStat: United States,” accessed July 2022, <https://everystat.org/>.



We found that the unrelenting epidemic of gun violence is costing our nation \$557 billion annually.² To put that into perspective, that works out to the equivalent of 2.6 percent of our gross domestic product³ on gun violence each year. Year after year.

And the government share of these costs—paid for by taxpayers—is \$12.6 billion each year.⁴ That’s \$12.6 billion dollars that could cover proven community violence intervention programs, suicide prevention efforts, the implementation of life-saving gun safety laws, and other efforts that prevent this violence from occurring in the first place.

This \$557 billion is a conservative estimate. It represents the lifetime costs associated with gun violence starting at the scene of a shooting and continuing on to the long-term physical and mental health care and criminal justice and other costs. It also includes estimates for the quality-of-life lost over a victim’s lifespan for pain and suffering, as is common in jury awards for injury and accident cases.⁵

It does not even begin to include the wider ripple effects on whole communities. And those wider costs are not marginal. If you talk to any school superintendent, Mayor, or trauma surgeon in a town that has experienced a shooting, they can produce a long list of costs that extend far beyond the immediate items we are counting. These include costs to address the trauma of children who don’t want to return to school, costs to neighborhood businesses and home values, and the larger reverberations on all those who live in a community where gun violence happens or share an identity with someone who was the target of a shooting, whether it’s domestic violence survivors, LGBTQ+ individuals after the 2016 shooting at Pulse nightclub, or Black people after the shooting in Buffalo two months ago.

This \$557 billion price tag breaks down to costs in the following basic areas:

- \$2.8 billion in medical costs (out-of-pocket from families, employer-covered costs, government programs);
- \$11 billion in police and criminal justice costs (government costs borne by taxpayers);
- \$0.5 billion in costs to employers;
- \$53.8 billion in work-loss (forgone earnings of those killed or disabled); and

² Everytown For Gun Safety Support Fund, “The Economic Cost of Gun Violence,” July 2022, <https://everytownresearch.org/report/the-economic-cost-of-gun-violence/>.

³ Everytown analysis of Q4 2019 (Line 1: “Gross Domestic Product”) data from the US Bureau of Economic Analysis, “National Income and Product Accounts, Table 1.1.5. Gross Domestic Product,” June 29, 2022, <https://apps.bea.gov/iTable/?reqid=19&step=2#reqid=19&step=2&isuri=1&1921=survey>.

⁴ Everytown For Gun Safety Support Fund, “Methodological Note for the Economic Cost of Gun Violence,” July 2022, <https://everytownresearch.org/report/methodological-note-cost-of-gun-violence/>. Government costs paid for by taxpayers fall into six categories: medical and mental health care for firearm injuries; emergency transport; police response; criminal justice; Medicaid for general (non-firearm-related) healthcare; and federal Supplemental Security Income.

⁵ Everytown For Gun Safety Support Fund, “Methodological Note for the Economic Cost of Gun Violence,” July 2022, <https://everytownresearch.org/report/methodological-note-cost-of-gun-violence/>.



- \$489.1 billion in quality-of-life costs.⁶

The annual cost for overall gun violence in the United States is \$1,698 for every resident, combining the directly-measurable costs plus losses incurred by survivors and their families, employers, the government, and society more broadly. However, in states with stronger gun laws, the economic toll of gun violence is less than half this amount, whereas in states where gun laws are weaker and gun injuries and fatalities are higher, gun violence costs residents double or more this amount.⁷

For example, Mississippi has long been challenged by high levels of gun violence.⁸ It has the weakest gun laws in the country.⁹ At an average cost of **\$3,323 per resident** each year, Mississippi has the second-highest per resident cost of gun violence in the US.¹⁰ This is an incredibly high burden for Mississippians.

On the other hand, in Massachusetts—which has the lowest rate of gun deaths¹¹ and some of the strongest gun laws in the nation¹²—residents carry a far lighter burden. The average cost of gun violence is **\$503 per resident**, the lowest outlay from gun violence in the US,¹³ allowing the state and its residents to allocate far more dollars to productive investments.

Following each major shooting incident, some key in on mental health as a primary cause. Yet research shows clearly that the US is not an outlier in terms of rates of mental illness when compared to Europe, Australia, Canada, our peer nations; we all face very similar challenges and rates. Where we are an outlier is in the toll of gun violence: our gun death rate is 13 times higher¹⁴ and our gun homicide rate is 26 times higher¹⁵ than these peer high-income nations. We place ourselves at a severe economic disadvantage in the global economy with these enormous outlays. This is money that could be invested in essential public goods like education, workforce development, and in building healthier, safer, more sustainable communities.

Proven investments such as local street outreach programs that mediate conflicts or hospital programs that engage and support patients after a violent injury, save lives and save money. An analysis of

⁶ Everytown For Gun Safety Support Fund, “The Economic Cost of Gun Violence,” July 2022, <https://everytownresearch.org/report/the-economic-cost-of-gun-violence/>.

⁷ Everytown For Gun Safety Support Fund, “The Economic Cost of Gun Violence,” July 2022, <https://everytownresearch.org/report/the-economic-cost-of-gun-violence/>.

⁸ Everytown for Gun Safety Support Fund, “EveryStat: Mississippi,” accessed July 2022, <https://everystat.org/#Mississippi>.

⁹ Everytown for Gun Safety Support Fund, “Everytown Gun Law Rankings,” accessed July 2022, <https://everytownresearch.org/rankings/>.

¹⁰ Everytown For Gun Safety Support Fund, “The Economic Cost of Gun Violence,” July 2022, <https://everytownresearch.org/report/the-economic-cost-of-gun-violence/>.

¹¹ Everytown for Gun Safety Support Fund, “EveryStat: Massachusetts,” <https://everystat.org/#Massachusetts>.

¹² Everytown for Gun Safety Support Fund, “Everytown Gun Law Rankings,” accessed July 2022, <https://everytownresearch.org/rankings/>.

¹³ Everytown For Gun Safety Support Fund, “The Economic Cost of Gun Violence,” July 2022, <https://everytownresearch.org/report/the-economic-cost-of-gun-violence/>.

¹⁴ Everytown analysis of the most recent year of gun deaths by country (2015 to 2019), GunPolicy.org (accessed January 7, 2022).

¹⁵ Everytown analysis of the most recent year of gun homicides by country (2013 to 2019), GunPolicy.org (accessed January 7, 2022).



Richmond, California's Operation Peacemaker found that over five years, the program saved the city over \$535 million.¹⁶ Likewise, Sacramento, California's Advance Peace program found that for every dollar spent on efforts to end cyclical and retaliatory gun violence, the city saved between \$18–41 dollars due to reduced services needed to respond to this violence.¹⁷ These are just a few examples of communities that have invested in these programs and experienced considerable savings as a result of the deaths and injuries prevented.

Our research clearly shows we are spending precious funds on a preventable epidemic that brings nothing of benefit and plenty of heartbreak and shattered lives. While we are so grateful for the actions Congress took recently to address gun violence, there is still much more we can do to reduce the cost of this epidemic—both human and financial.

With 110 lives taken and \$1.5 billion spent every day, there is no time to waste.

Thank you again, Chairman Beyer, Vice Chair Heinrich, and members of the committee, for allowing me to testify today. I look forward to your questions.

Article Links Submitted by Ms. Sarah Burd-Sharps:

<https://everytownresearch.org/report/the-economic-cost-of-gun-violence/>

<https://everytownresearch.org/report/methodological-note-cost-of-gun-violence/>

¹⁶ Rachel Huguet et al., "Cost Benefit Analysis: Operation Peace Maker," 2016, https://www.advancepeace.org/wp-content/uploads/2017/04/6-USC_ONS_CBA.pdf.

¹⁷ Jason Corburn and Amanda Fukutome-Lopez, "Outcome Evaluation of Advance Peace Sacramento, 2018–2019," March 2020, <https://www.advancepeace.org/wp-content/uploads/2020/04/Corburn-and-F-Lopez-Advance-Peace-Sacramento-2-Year-Evaluation-03-20-20.pdf>.



Testimony by Dr. Chethan Sathya before the Joint Economic Committee of the United States Congress

Hearing: “The Economic Toll of Gun Violence: How Our Nation Bears the Costs”

[Chethan Sathya, MD, MSc](#)

Director, Center for Gun Violence Prevention at Northwell Health
Associate Medical Director, Trauma and Pediatric General and Thoracic Surgeon
at Cohen Children’s Medical Center
Assistant Professor of Surgery, Donald and Barbara Zucker School of Medicine at
Hofstra/Northwell Health

July 20, 2022

Introduction

Chairman Beyer, Vice-Chair Henrich, Ranking Member Lee, and members of the committee, thank you for inviting me to speak with you today. My name is Chethan Sathya and I am a pediatric trauma surgeon at Northwell Health, the largest private employer and largest hospital system in New York State, with 21 hospitals, more than 850 outpatient facilities, and nearly 16,000 physicians.

In addition, I am an assistant professor of pediatrics and surgery and an NIH-funded firearm injury prevention researcher. And over the last three years, I have led Northwell Health’s Center for Gun Violence Prevention, which is a first-of-its-kind convener of hospitals nationwide that conducts research and promotes a public health approach to gun violence.

I am here this afternoon to talk to you about the enormous toll that gun violence takes. First and foremost, gun violence affects victims and their families. Before we discuss the economic impact, it’s important we acknowledge that.

Over the course of my career I have treated gunshot victims in my hometown of Toronto, Chicago, and now New York City. I will never be able to describe the pain that I have seen and continue to see on a regular basis – on the faces of my patients and in their families’ eyes. And I would not even try to quantify the sense of loss mothers, fathers, siblings, and partners feel when their loved one loses their life or has their life altered forever.

I also want to emphasize that when we do talk about the financial cost of firearm injuries, the studies that do exist are retroactive; they obviously capture costs already incurred. While it’s important to have as much information as possible about those costs, minimizing the economic burden that firearm injuries put on the health system is not enough. We must reduce the potential

for firearm injuries in the future, through more research, better care, and evidence-based policy changes.

Overall, I believe in a public health approach to address the gun violence epidemic. That means our singular goal must be to reduce gun violence, and we must approach that challenge from every possible angle, with data and evidence as our north star. Only a multi-faceted strategy that addresses every risk factor – for every type of gun violence, including homicide, suicide, and accidental discharge – at the individual level, the neighborhood level, and the population level can help us make progress.

Today I would like to advance the discussion by talking to you about the economic cost of gun violence on the health system as a whole. I hope my testimony will inform your approach to taking real action to reduce gun violence and firearm injuries overall.

In particular, while there are a number of different steps Congress should take, I hope my testimony underscores the need for significantly more funding for research on gun violence and funding to prevent and treat firearm injuries.

For example, one recently released Harvard Medical School study of the cost of medical care after non-fatal firearm injuries “emphasize[d] the importance of screening for firearm safety by frontline clinicians” as one underutilized measure to save lives.¹ The concept of universal screening, or assessing many or all patients who interact with the healthcare system for firearm injury risk, has not been widely studied.

Thanks to Congress’ decision to lift the two-decade, de-facto freeze on government funding for gun violence research, Northwell Health is in fact leading a \$1.4 million universal screening pilot within our health system.^{2 3} As part of that pilot, clinicians in our health system are counseling patients who have access to firearms on safe storage practices, providing them with gun locks, and connecting those at risk of gun violence to support services.

We need much more innovative research, because no matter your views on specific policy solutions, I strongly believe that the comparative lack of funding for research is undermining our collective mission to reduce firearm injuries.

We do have some rigorous analyses of the financial cost of gun violence to the healthcare system, and I will discuss some of them. But overall, this is an under-researched issue; last year, the Government Accountability Office (GAO) concluded that “there is no complete information on the health care costs of gun injuries. National data allow for estimates of the costs of initial

¹ Zirui Song *et al.*, “Changes in Health Care Spending, Use, and Clinical Outcomes After Nonfatal Firearm Injuries Among Survivors and Family Members,” *Annals of Internal Medicine*, [June 2022](#).

² American Psychological Association, “A thaw in the freeze on federal funding for gun violence and injury prevention research,” [April 1, 2021](#).

³ Northwell Health, “Northwell receives \$1.4M NIH grant to establish gun violence prevention screening,” [September 22, 2020](#).

hospital treatment and some first-year costs, but less is known about costs the more time passes from the injury.”^{4 5}

Generally, those of us in the healthcare space identify three types of financial costs associated with gun violence: immediate, long term, and quality-of-life estimates, or estimates of how gun violence affects other outcomes, like education and earning potential. Beyond healthcare, experts have argued that the cost of the criminal justice system and law enforcement can also be counted as a consequence of gun violence.⁶ For this testimony, I will focus on the immediate and long term costs associated with providing medical care to victims of gun violence.

Overview of the Financial Cost of Firearm Injuries to the Healthcare System

Despite the lack of complete data on the healthcare costs of firearm injuries, we do have a range of estimates available from discharge data, insurance data, and other sources. Within the existing literature, individual studies often can only tell a sliver of the whole story, but they are revealing parts of the story that should incentivize us to uncover the full picture.

Public Funding Covers the Majority of Initial Medical Costs for Firearm Injuries

It may be helpful to begin with some of the broad strokes. According to the federal government’s latest analysis, there are about 51,000 visits to emergency departments for firearm injuries, and separately, 33,000 inpatient stays, meaning 230 people go to the hospital every day because they are shot. That excludes victims who don’t make it to the hospital.⁷

Total initial hospital costs for those 84,000 patients are estimated to be about \$1.1 billion, with \$1 billion going towards inpatient stays. It is important to note that figure does not include ambulance transportation costs or costs of physicians’ time; the Centers for Disease Control has estimated in the past that the cost of physicians’ time increases healthcare costs by about twenty percent.⁸

⁴ Government Accountability Office, “Firearm Injuries: Health Care Service Needs and Costs,” [June 2021](#).

⁵ Ted Alcorn, “Trends in Research Publications About Gun Violence in the United States, 1960 to 2014,” *JAMA Intern Med.* [2017](#).

⁶ Mother Jones, “The True Cost of Gun Violence in America,” [April 15, 2015](#).

⁷ Government Accountability Office, “Firearm Injuries: Health Care Service Needs and Costs,” [June 2021](#).

⁸ Cora Peterson et al., “Professional Fee Ratios for US Hospital Discharge Data,” *Med Care*, vol. 53, no. 10, [2015](#).

Accessible Data for Figure 3: Estimated Annual Initial Hospital Costs of Firearm Injuries in the United States, by Expected Payer, 2016-2017				
n/a	Inpatient Stays for firearm injuries 2016-2017		Ed-only visits for firearm injuries 2016-2017	
Category	Percentage of annual cost	Annual average cost per patient	Percent annual cost	Annual average cost per patient
Medicare	6	\$28,998	5	\$1,256
Medicaid	52	\$35,862	30	\$1,523
Other public payers	7	\$29,702	7	\$1,576
Private Insurance	19	\$29,193	20	\$1,333
No Charge	1	\$22,864	1	\$1,697
Self-pay	15	\$22,735	37	\$1,543
Annual total	\$1,003,572,760	NA	\$75,465,103	NA

Source: Government Accountability Office, "Firearm Injuries: Health Care Service Needs and Costs," [June 2021](#).

In terms of the payor mix, or who pays for that initial healthcare, the analysis found that Medicaid and other public coverage paid for the majority of the initial costs.

The Initial Costs of Firearm Injuries are Three Times More Expensive than Other Injuries

For inpatient stays, the data shows that the average cost per patient is \$30,711, which is nearly triple the average overall inpatient hospital stay, which costs \$11,700.⁹ The same 3-to-1 ratio exists for patients who only visit the emergency department, whose average cost is \$1,478 compared to \$539 for other emergency department patients.¹⁰

That recent government analysis, which covered 2016 to 2017, is largely consistent with other studies. Researchers at the Stanford University School of Medicine analyzed cost of care data from more than 250,000 patients over eight years, between 2006 and 2014. They found that for patients who were hospitalized, their initial hospitalizations cost \$6.6 billion, or about \$734 million per year and \$25,000 per patient.¹¹ That figure did not include emergency room visits, readmissions, long term care, or costs for patients who were treated but died before technically being admitted. The studies' authors also note that because of gaps in available data, their calculations "substantially underestimate true health care costs."¹²

The Stanford study also found some notable differences between patients hospitalized for firearm injuries and people killed by firearms: "Although suicide is the biggest cause of mortality from firearms, accounting for 60.7% of all firearm deaths in 2015, they accounted for only 8.4% of patients initially hospitalized for firearm injuries. Suicide patients typically do not survive long

⁹ Lan Liang *et al.*, "National Inpatient Hospital Costs: The Most Expensive Conditions by Payer." Agency for Healthcare Research and Quality, [2017](#).

¹⁰ Government Accountability Office, "Firearm Injuries: Health Care Service Needs and Costs," [June 2021](#).

¹¹ Sarabeth A. Spitzer *et al.*, "Costs and Financial Burden of Initial Hospitalizations for Firearm Injuries in the United States, 2006–2014," *American Journal of Public Health*, [2017](#)

¹² *Ibid.* For example, the authors used the Healthcare Cost and Utilization Project Nationwide Sample from the Agency for Healthcare Research and Quality, which is the largest inpatient care database. They specify that it's possible their analysis excluded patients whose firearm injuries were miscoded, and their cost estimates for Medicaid may be too low because uninsured patients get enrolled in Medicaid during their hospital stays.

enough to be admitted and, thus, do not incur as many hospital costs. Furthermore, assault victims that survive long enough to be admitted typically survive; many assault victims die before hospitalization. Assault injuries accounted for 56.5% of initial hospitalizations and thus are associated with the highest costs.”

Unsurprisingly, treating gunshot wounds is far more expensive than treating for other kinds of violent injuries, such as stab wounds. While recent data on this is lacking, a 1997 study co-authored by Ted Miller, a recognized researcher in the field, identified the average cost of treating gunshot and stab wounds as \$154,000 and \$12,000 per patient, respectively. Those figures include extended treatment and rehabilitation. This study is decades old, another reason we desperately need federal funding for research, but it does provide a general scale of the comparative costs of care.¹³

Firearm Injuries are Five Times More Expensive than Motor Vehicle Injuries

A recent study compared the cost of providing care for child victims of gun violence to caring for children injured in motor vehicle collisions. The study examined the costs of care across 35 different hospitals from 2013 to 2017 for children who arrived at emergency departments. For children who appeared with gunshot wounds, 49% required additional, inpatient care, compared to only 14% of those who were injured in motor vehicle accidents. Children with gun injuries were also more likely to need expensive medical imaging than those with motor vehicle injuries: 83% compared to 49%. That makes a big difference in cost. The average cost of emergency care per child with gun injuries was \$3,816 — more than five times the cost of treating a child with motor vehicle injuries at \$685.¹⁴

Firearm Injuries Cause Health Care Costs to Skyrocket After Initial Care – For Victims Insured by Both Public and Private Payors

Patients who require long term care because of their firearm injuries see skyrocketing costs, and the cost is borne by both public and private insurers. Two recent studies shed light on the scale of these costs.

First, the Harvard Medical School study published last month looked at public and private insurance claims from 2008 to 2018. It compared changes in healthcare spending for firearm injury victims and their families from pre-injury through one year post-injury, and the results were striking but not surprising. After a non-fatal firearm injury, victims’ medical spending increased by \$2,495 per month (402%) compared to a control group; those costs included significant increases in psychiatric diagnoses and substance use disorders.¹⁵

When you extrapolate that per month cost to all survivors of firearm injuries in America, an estimated 85,000 people, healthcare spending “attributable to nonfatal firearm injuries nationally

¹³ Ted R. Miller, Mark A. Cohen, “Costs of gunshot and cut/stab wounds in the United States, with some Canadian comparisons,” *Accident Analysis & Prevention*. Volume 29, Issue 3, [1997](#)

¹⁴ Kiesha Fraser, Doh. MD, *et al.*, “Comparison of cost and resource utilization between firearm injuries and motor vehicle collisions at pediatric hospitals” *Academic Emergency Medicine*, [February 18, 2021](#)

¹⁵ Zirui Song, MD, PhD, *et al.*, “Changes in Health Care Spending, Use, and Clinical Outcomes After Nonfatal Firearm Injuries Among Survivors and Family Members,” *Annals of Internal Medicine*, [June 2022](#)

would exceed \$2.5 billion in the first year for new survivors alone. Long-term medical spending for traumatic brain injuries, disabilities, and other clinical consequences of nonfatal firearm injuries would augment these costs, as would any downstream spending from the increased psychiatric burden borne by family members.”¹⁶

The Harvard study also tried to rigorously determine whether a firearm injury victim’s family experienced a tangible change in overall wellbeing, finding that family members “had a 12% increase in psychiatric disorders relative to their control participants.”¹⁷ That evidence of negative health effects for family members of firearm injury victims builds on prior research showing that families often absorb significant out-of-pocket healthcare costs for their loved ones.¹⁸

Second, a Brown University study similarly looked at healthcare costs for firearm injury victims with private insurance in five states between 2015 and 2017 – both initial costs and costs for six months post-injury. The study found that compared with six months pre-injury, victims saw healthcare costs spike from \$3,984 to \$17,806 (347%) for those discharged from emergency departments, and from \$4,118 to \$92,151 (2,138%) for those who were hospitalized.

One author noted that, given the population they observed maintained private insurance throughout the study period, the study demonstrated that, “higher-income individuals [can] also be gunshot victims, [and] that injuries happen outside of high-crime neighborhoods. She went on to say that, “data collection and availability can lead to data-driven solutions to help us properly treat gunshot wounds and hopefully prevent future injury.”¹⁹

These costs can be thought of as the “hidden costs” of firearm injuries within the healthcare sector, and of course the costs can extend far beyond the first year or six months post-injury.²⁰ It is also worth reiterating that quality-of-life costs are borne by victims, their families, and society as a whole. Though they are beyond the scope of this testimony, they are significant and deserve serious attention from policymakers.

More Victims Need More Expensive Surgeries – But Thankfully More Patients are Surviving

Healthcare professionals go to every possible length to save patients’ lives, and while research into gun violence prevention is lacking, the medical community continues to pioneer life-saving technology and techniques that keep more and more patients alive when they arrive at the hospital. We’re seeing this when it comes to gun violence as well, and we should celebrate the fact that more people are surviving.

We should also recognize that the cost of care for serious gunshot wounds is increasing. In 2020, researchers published what is likely the first national, retrospective analysis of the cost of surgeries for serious gunshot wounds. They studied the costs associated with treating about

¹⁶ Ibid.

¹⁷ Ibid.

¹⁸ Everytown for Gun Safety, “The Economic Cost of Gun Violence,” [February 27, 2021](#).

¹⁹ Brown University News, “Firearm injuries cost a health insurer \$8.2 to \$41.2 million to treat, study finds,” [September 28, 2020](#).

²⁰ Rishi Rattan MD, *et al.*, “Hidden Costs of Hospitalization After Firearm Injury,” *Annals of Surgery*, [May 2018](#).

260,000 gunshot victims between 2005 and 2016 who underwent at least one major surgery. They found that by 2016, 23,500 patients required surgery for their wounds, an 18% increase compared to 2005. The costs of those patients' hospitalizations went up by about 27%, from \$15,100 to \$19,200, after adjusting for a number of factors. Over the same period of time, fatalities after surgery declined from 8.6% to 7.6% – despite the increase in admissions for gunshot wounds.^{21 22}

The Healthcare System Should Not be Asked to Sustain the Unrivaled Amount of Gun Violence in America

Even without a fully funded effort to research the causes, effects, and treatments for gun violence, it's clear that gun violence is incredibly expensive in the short and medium term, that the expense burdens public and private payors, and that costs to treat the most serious injuries are going up.

There is no comparison when it comes to America's peers. One study looked at mortality data in two dozen high income countries and found that: the gun homicide rate in the United States was 25.2 times higher than its peers; the suicide rates from firearms were 8 times higher; and unintentional firearm deaths were 6 times higher. And among all twenty three countries, more than 80% of all firearm deaths happened in America.²³

Conclusion

As a pediatric trauma surgeon, I routinely see some of the worst scenes one can imagine. We are trained to follow a routine if we want to save a child's life when a bullet pierces her neck: secure the airway, rapidly apply pressure to stop the bleeding, and do whatever you can to repair damaged tissues, nerves, and blood vessels.

As other parents are helping their kids get ready for school in the morning, picking them up from soccer practice in the afternoon, and cooking them dinner at night, my fellow doctors and I will still be here, rushing to meet ambulances. We'll continue to do everything in our power to save as many children as possible, one surgery at a time.

But even without all of the data and the research that we want, the evidence we do have clearly shows that we can begin to reduce the number of victims now. The recently concluded Harvard Medical School study of ongoing healthcare costs for firearm injury survivors, referenced earlier, included a gut-wrenching fact that should drive all of us to act – no matter our policy preferences. Of the 6,498 survivors in the study, 71% were injured in unintentional shootings.

²¹Dobaria, Vishal BS *et al.*, "National Trends and Cost Burden of Surgically Treated Gunshot Wounds in the US, Journal of the American College of Surgeons" [October 2020](#), Volume 231 - Issue 4

²² Science Daily, "New study documents increasing frequency, cost, and severity of gunshot wounds," [August 10, 2020](#).

²³ Erin Grinshteyn, PhD David Hemenway, PhD, "Violent Death Rates: The US Compared with Other High-income OECD Countries, 2010," American Journal of Medicine, [March 1, 2016](#).

Surely, that should tell us that whatever disagreements we have over certain policy solutions, we can at least make progress by trying to prevent those shootings through things like safe storage laws, improvements to firearm safety technology, and universal screening. While I personally believe Congress should go much further, I embrace a public health approach that allows us to make progress on areas of broad agreement.

Last week, I had the chance to meet with a few of the families who lost children at Robb Elementary School in Uvalde, Texas. What struck me most, beyond the pain and suffering they were experiencing, was how familiar it felt. I have met hundreds of those families, most of whom suffer quietly beyond the spotlight.

There is no one solution to address the epidemic of gun violence, which costs us billions of dollars and immeasurable pain every year. But if we begin to build consensus based on our common mission to keep our children safe and a common commitment to following the evidence, I know we will save lives and prevent our fellow Americans from ending up on the operating table in the first place.

###

Testimony of Ryan Busse
Author of *Gunfight*
Senior Advisor, Giffords
Joint Economic Committee Hearing on the Economic Cost of Gun Violence
July 20, 2022

I grew up on a ranch where guns were an integral part of our lives. When we had time for fun, it often involved guns; hunting and shooting with my father or brother or friends. Guns were also tools for work and protection. For me, firearms came to represent important parts of my culture, something quintessentially American.

But I was also taught that responsibility and safety are required to maintain this freedom. My dad insisted on this every time we touched a gun. Today I teach my own boys the same things.

I got a job in the firearms industry after I graduated from college. I helped build up a gun company and I was nominated for the most prestigious industry awards. For the first part of my career, the industry insisted on the same responsibility that my dad taught me. In fact, prior to the mid-2000s, the industry would not allow any tactical gear to be displayed in the main portions of industry trade shows. AR-15s and inexpensive pistols were outliers and represented only a small fraction of sales.

But by 2007 that self-imposed responsibility was mostly gone and everyone adhered to the same messaging: praising anything that sold more guns and attacked *anything or anyone* that might slow sales.

Even after mass shootings we were to cheer the “hell no” everyone knew would be the response to any proposal no matter how modest. Everyone knew the debate around those proposals would create profitable sales booms, and nothing else mattered.

The industry transformation was dramatic. Before 2007, gun sales never exceeded 8 million units in one year with almost no sales of assault rifles. By 2016, the industry was selling more than 16 million guns, and between January 1, 2020 and January 7, 2021, the industry sold more than 22 million guns. Most of those were handguns, and about 4 million were AR-15s. This represents a tripling of annual sales in less than 15 years; this expansion has produced huge increases in profits, with Smith and Wesson recently reporting an annual profit of more than \$243 million.

When people talk about our national challenges and what has changed in America, no rational person can look past this monumental transformation in the gun market.

This growth made fortunes for some, and it also brought modernization to the gun industry. Inexpensive polymer-framed handguns became the primary focus for most companies. Business pressures sped the investments that increased efficiencies, leading to much lower

prices for what we called “commodity handguns.” These are the same guns that are now flooding into urban areas of our nation.

These guns are cheap to make—many with hard costs of less than \$100 each but an average retail price of more than \$400. As profits increased, companies found more freedom to maneuver on price. When dips in the market happened, prices could be lowered to spur sales. Sometimes manufacturers even gave guns away to keep volumes up. It was not uncommon to see “buy 3 get one free” offers and that drove prices even lower. I saw this happen dozens if not hundreds of times in my career. I never heard anyone question what the proliferation of low-cost guns might mean for the country.

Growth pressures of the industry also meant that dealers and sales practices that should have received far more scrutiny were excused in order to maintain volume. No one was supposed to slow down or ask questions because doing so would slow sales. This is why there has been such vehement opposition from the industry to confirming an ATF Director. A good regulator will ask questions.

I wrote a book about my time in the industry, and about my battles to confront all of this. About how our country has changed. The experiences that informed the book and my experiences since the book came out have taught me much that is important for this hearing today.

First, balancing gun ownership with responsibility is absolutely central to the wellbeing of our democracy. I hear it from people all across the country every day.

Second, and very importantly for this committee, the feedback to my book proves to me that there are millions of gun owners who want to maintain their rights, but also want to be a part of the solution. They welcome reasonable policies that address the changed realities of guns and gun violence in America. They are tired of the loud extremists hogging the mic.

Third, we need to move forward on policies like universal background checks and raising the minimum age to purchase long guns to 21; the vast majority of gun owners agree.

I am one of those gun owners, and I am here today to represent the people who understand we cannot exist in a country where rights are not balanced with responsibilities and regulations. We cannot continue to allow profits to outweigh the rights of all citizens in places like Uvalde and Buffalo and Highland Park.

I am here to say that I know much has changed over the past 15 years, and it's high time we do some rebalancing to address those changes.



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Legislative Testimony

What Economists Can't Tell You About The Costs of Gun Violence

The Economic Toll of Gun Violence: How Our Nation Bears the Costs
Hearing before the U.S. Congress Joint Economic Committee
July 20, 2022

Amy E. Swearer
Legal Fellow, Edwin Meese III Center for Legal and Judicial Studies
The Heritage Foundation

Chairman Beyer, Ranking Member Lee, and distinguished members of Congress,

My name is Amy Swearer, and I am a Legal Fellow in the Edwin Meese III Center for Legal and Judicial Studies at the Heritage Foundation.¹ My areas of scholarship and study include, among other things, the Second Amendment, school safety, and the intersection of gun violence and mental health. I help run the Heritage Foundation's Defensive Gun Use Database and am heavily involved in the organization's School Safety Initiative, which was developed after the tragic 2018 school shooting in Parkland, Florida, to ensure that conservative voices played a prominent role in national conversations on gun control and student safety. I have testified on firearms policy at both the state and federal level, including before the House Judiciary Committee in 2019 on a bill to ban so-called "assault weapons," the Virginia State Crime Commission on the heels of the 2019 Virginia Beach mass shooting, and the Texas House Committee on Mass Violence and Community Safety following the 2019 mass shooting in an El Paso Walmart. I have more recently testified before the Senate Judiciary Committee and the House Judiciary Committee on an array of proposed gun control measures, recent nationwide spikes in violent crime, and keeping the nation's children safe from gun violence.

As may be obvious by that introduction, I am not an economist.

So why am I here, testifying before the Joint Economic Committee on the economic toll of gun violence? Why are any of my fellow witnesses, none of whom are economists or anything close to economists, here?

This committee on economic impact and policy has not called any economists to testify because it does not take anyone particularly skilled at math to tell you that gun violence imposes tremendous economic burdens every year. We may not be able to nail down its exact cost to taxpayers. We may disagree on the specifics of how best to calculate its annual price tag. But you did not call us because you are unsure whether gun violence is expensive or whether that expense is bad for the economy.

You called us because you need to know what to do about it.

This panel of witnesses and the testimony we give will sound very much like every other set of testimonies given by every other panel of witnesses at every other hearing on gun violence because it *is* the same problem, with the same solutions. There is nothing new or profound here. And it is time to stop pretending like we are not having the exact same discussion on the exact same policy disagreements about the exact same problems at these hearings. To summarize, lawful gun owners are largely not at fault for the problems of gun violence, while at the same time lawful gun ownership provides significant but underacknowledged protective economic value. Commonly proposed gun control policies are very unlikely to offer effective solutions because they either fail to understand or account for basic underlying realities of gun violence, or because they are patently unconstitutional. Often, they are both. Many of the

¹ The title and affiliation are for identification purposes. Members of The Heritage Foundation staff testify as individuals discussing their own independent research. The views expressed here are my own and do not reflect an institutional position for The Heritage Foundation or its board of trustees. The Heritage Foundation is a public policy, research, and educational organization recognized as exempt under section 501(c)(3) of the Internal Revenue Code. It is privately supported and receives no funds from any government at any level, nor does it perform any government or other contract work. The Heritage Foundation is the most broadly supported think tank in the United States. The Heritage Foundation's books are audited annually by the national accounting firm of RSM US, LLP.

policies that would be most effective at combating gun violence must be done at a state and local level, but Congress is not without methods or means of keeping the public safe and lowering the annual costs associated with gun violence.

I. Gun Violence Imposes A Significant Economic Burden, But Lawful Gun Owners Are Largely Not At Fault For These Costs.

There are many ways of measuring the economic toll of gun violence. Some of these costs are obvious, direct, and easily calculable, like annual emergency medical costs associated with treating gun injuries (\$1 billion),² or lost wages and productivity from victims (\$49 billion).³ Some costs are less direct and less readily calculable, such as depressed home values and stunted economic growth rates in communities that experience surges in gun violence, or the costs borne by the criminal justice system.⁴ And some costs are simply too intangible to measure at all. How does one even begin to put a price tag on the mental and emotional toll of gun violence? In total, many analyses—though they are just best guesses that almost certainly undercount the true impact—estimate that gun violence costs this nation several hundred billion dollars every year.⁵

That is, on the one hand, an economic cost that is not particularly high compared to other types of social ills unassociated with a constitutionally protected right. Alcohol-attributed crimes alone are estimated to cost this country over \$85 billion a year.⁶ The true overall cost of excessive drinking in 2010 was estimated to be over \$220 billion, and the Centers for Disease Control and Prevention has determined that excessive drinking kills more than 140,000 Americans every year.⁷ The same detrimental economic impact is felt from vehicle crashes, with the National Highway Traffic Safety Administration estimating that the nation's economy suffered \$277 billion in direct economic losses because of car crashes in 2010, with an additional \$594 billion lost in indirect costs, for a total cost of just under \$1 trillion that must then be adjusted for inflation.⁸ Total crime, committed with or without firearms, is estimated to cost nearly \$2.6 trillion every year.⁹ But on the other hand, the fact that the nation bears significant costs from other

² UNITED STATES GOVERNMENT ACCOUNTABILITY OFFICE, FIREARM INJURIES: HEALTH CARE SERVICE NEEDS AND COSTS. GAO-21-515 (June 2021), <https://www.gao.gov/assets/gao-21-515.pdf>.

³ Mark Follman et al., *The True Cost of Gun Violence in America*, MOTHER JONES (April 15, 2015), <https://www.motherjones.com/politics/2015/04/true-cost-of-gun-violence-in-america/>.

⁴ See, e.g., Yasemin Irvin-Erickson et al., *Gun Violence Affects the Economic Health of Communities*, URBAN INSTITUTE (June 2017), https://www.urban.org/sites/default/files/publication/90666/eigv_brief_0.pdf.

⁵ See Ivan Pereira, 'We All Bear A Burden': How Gun Violence Costs America \$280 Billion A Year, ABC News (Nov. 2, 2021), <https://abcnews.go.com/US/bear-burden-gun-violence-costs-america-280-billion/story?id=80245349>; Mark Follman et al., *The True Cost of Gun Violence in America*, Mother Jones (April 15, 2015), <https://www.motherjones.com/politics/2015/04/true-cost-of-gun-violence-in-america/>.

⁶ Conor Harris & Charles Fain Lehman, *Fixing Drinking Problems: Evidence and Strategies for Alcohol Control as Crime Control*, MANHATTAN INSTITUTE (May 2022), <https://media4.manhattan-institute.org/sites/default/files/harris-lehman-evidence-and-strategies-for-alcohol-control-as-crime-control.pdf>.

⁷ Centers for Disease Control and Prevention, *Excessive Drinking is Draining the U.S. Economy* (last updated Apr. 14, 2022), <https://www.cdc.gov/alcohol/features/excessive-drinking.html>; Jeffrey Sacks et al., *2010 National and States Costs of Excessive Alcohol Consumption*, 49 AM. J. PREVENTATIVE MED. E-73 (Nov. 1, 2015), [https://www.ajpmonline.org/article/S0749-3797\(15\)00354-2/fulltext](https://www.ajpmonline.org/article/S0749-3797(15)00354-2/fulltext).

⁸ L.J. Blincoe et al., *The Economic and Societal Impact of Motor Vehicle Crashes, 2010*, NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION (Revised May 2015), <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/812013>.

⁹ *New Research Examines the Cost of Crime in the U.S., Estimated to be \$2.6 Trillion in a Single Year*, Vanderbilt University (Feb. 5, 2021), <https://news.vanderbilt.edu/2021/02/05/new-research-examines-the-cost-of-crime-in-the-u-s-estimated-to-be-2-6-trillion-in-a-single-year/>.

social problems does not make gun violence any less worth addressing, especially considering the intensity of the emotional and mental impact associated with it.

To understand how best to address gun violence, we must first understand both its complexity and its underlying causes—including, importantly, the extent to which lawful gun owners perpetuate any specific type of gun violence.

A. Criminal Gun Violence Is Not Substantially Driven by Lawful Gun Owners

Most of the costs of gun violence are associated with criminal gun violence, as opposed to gun suicides or accidental firearm deaths or injuries. Even though suicides account for roughly 60 percent of all gun deaths, there are hundreds of thousands of nonfatal criminal firearm victimizations every year, resulting in tens of thousands of nonfatal firearm injuries that require emergency department medical care.¹⁰ Additionally, even where such criminal uses of firearms do not result in any injuries, they directly impact the economy through, for example, the value of stolen items or costs imposed on the criminal justice system. Unintentional firearm injuries and deaths together make up only about 1 percent of all gun deaths and injuries every year, and the problem has actually been steadily decreasing over the last two decades.¹¹

There is little overlap between individuals who add to the negative economic cost of criminal gun violence and individuals whose lawful gun ownership adds a tremendous protective counterweight. While a small minority of lawful gun owners will, at some point, use their legally purchased and possessed firearms for criminal purposes, the overwhelming majority of them will never harm themselves or others with their firearms. There is no evidence that lawful gun owners are a substantial driving force behind criminal gun violence. Violent crime and homicide rates plummeted during the 1990s and early 2000s, despite the fact that the number of guns per capita increased by about 50 percent during that time.¹² Moreover, to whatever extent violent crime and lawful gun ownership rates are correlated, it is exceedingly difficult to show how a causal connection is possible given the evidence that most gun crimes are committed by individuals who are not in lawful possession of their firearms.¹³ On the contrary, the

¹⁰ Grace Kena & Jennifer L. Truman, *Trends and Patterns in Firearm Violence, 1993–2018*, BUREAU OF JUSTICE STATISTICS NCJ 251663 (April 2022), <https://bjs.ojp.gov/content/pub/pdf/tpfv9318.pdf>. Importantly, nonfatal firearm crimes and injuries, just like firearm homicides, began declining dramatically during the 1990s and remained relatively stable during the first two decades of the 2000s, despite equally significant increases in the numbers of guns per capita.

¹¹ *Firearm Injury and Death in the United States*, VIOLENCE PREVENTION RESEARCH PROGRAM UNIVERSITY OF CALIFORNIA DAVIS at slide 5 (May 2021), https://health.ucdavis.edu/what-you-can-do/FirearmInjurySlides_WYCD_May21.pdf; Centers for Disease Control & Prevention, WISQARS Data on Unintentional Firearm Deaths by Year (last visited July 18, 2022), <https://wisqars.cdc.gov/fatal-reports> (showing that the rate of over unintentional firearm deaths fell by roughly 50 percent between 1999 and 2019).

¹² Michael Planty & Jennifer L. Truman, *Firearm Violence, 1993–2011*, Bureau of Justice Statistics NCJ 241730 (May 2013), <https://www.bjs.gov/content/pub/pdf/fv9311.pdf>; Christopher Ingraham, *There Are More Guns Than People in the United States, According to A New Study of Global Firearm Ownership*, WASH. POST (June 19, 2018), <https://www.washingtonpost.com/news/wonk/wp/2018/06/19/there-are-more-guns-than-people-in-the-united-states-according-to-a-new-study-of-global-firearm-ownership/>.

¹³ CITY OF CHICAGO OFFICE OF THE MAYOR, GUN TRACE REPORT (2017), <https://www.chicago.gov/content/dam/city/depts/mayor/Press%20Room/Press%20Releases/2017/October/GTR2017.pdf> (finding that in 95 percent of cases where the Chicago Police Department was able to identify the possessor of the crime gun, “that individual was not the original, lawful possessor of the firearm based upon the ATF record at the initial point of purchase”); Megan E. Collins et al., *A Comparative Analysis of Crime Guns*, 5 RSF 96 (2017), <https://ccjs.umd.edu/sites/ccjs.umd.edu/files/pubs/COMPLIANT2->

best available evidence indicates that a small number of serial offenders are responsible for a majority of violent crimes, including of those carried out with firearms.¹⁴ Many perpetrators of serious gun crimes are already prohibited from possessing firearms and obtained their firearms through illegal or informal channels.¹⁵

B. Non-Criminal Gun Violence

Perhaps the most substantial overlap between lawful gun owners and gun violence occurs in the space of gun suicide. Gun suicides account for roughly 60 percent of all gun deaths every year, but only about half of all suicides involve the use of a firearm.¹⁶ While the United States has a comparatively high rate of gun suicide, its overall age-standardized suicide rate is slightly lower than the European average, slightly higher than the OECD average, and is far lower than several countries with incredibly restrictive gun laws.¹⁷ Importantly, it is not that gun ownership in and of itself increases the risk of suicide, but rather that individuals who are suicidal are far more likely to fatally harm themselves if they have ready access to lethal means.¹⁸

To a much lesser extent than with suicides, lawful gun owners contribute to the overall gun violence burden when they are used in negligent or reckless ways to cause accidental deaths or injuries, many times through irresponsible storage or unsafe handling practices. These unintentional deaths and injuries

[Megan%20E.%20Collins%2C%20Susan%20T.%20Parker%2C%20Thomas%20L.%20Scott%2C%20and%20Charles%20F.%20Wellford.%20A%20Comparative%20Analysis%20of%20Crime%20Guns.pdf](#) (analyzing trace report data that generally shows crime guns are most typically not possessed by the initial lawful purchase at the time they are used in crimes).

¹⁴ United States Sentencing Commission, *Recidivism Among Federal Firearm Offenders* (June 2019), https://www.uscc.gov/sites/default/files/pdf/research-and-publications/research-publications/2019/20190627_Recidivism_Firearms.pdf; Philip J. Cook, et al., *Criminal Records of Homicide Offenders*, 294 JAMA 598 (2005), <https://jamanetwork.com/journals/jama/fullarticle/201308>; Keith Daniels, *Vicious Cycle of Repeat Offenders Fueling Crime in Baltimore*, Fox 5 News (Mar. 11, 2022), <https://foxbaltimore.com/news/local/vicious-cycle-of-repeat-offenders-fueling-crime-in-baltimore-attorney-suggests-solution>; NATIONAL INSTITUTE FOR CRIMINAL JUSTICE REFORM, GUN VIOLENCE PROBLEM ANALYSIS SUMMARY REPORT (Dec. 2021), https://cjcc.dc.gov/sites/default/files/dc/sites/cjcc/release_content/attachments/DC%20Gun%20Violence%20Problem%20Analysis%20Summary%20Report.pdf.

¹⁵ See, e.g., Mariel Alper & Lauren Glaze, *Source and Use of Firearms Involved in Crimes: Survey of Prison Inmates, 2016*, NCJ 251776 (Jan. 2019), <https://www.bjs.gov/content/pub/pdf/suficspi16.pdf> (finding, in a study of over 287,000 prisoners who possessed a firearm during their offense, 43 percent obtained it “off the street or from the underground market,” 14 percent obtained it via theft or found it at the location of the crime, while 25 percent had “obtained it from a family member or friend, or as a gift”);

¹⁶ Centers for Disease Control & Prevention, *Suicide and Self-Harm Injury* (last reviewed July 13, 2022), <https://www.cdc.gov/nchs/fastats/suicide.htm> (showing that out of 45,979 suicides in 2020, 24,292 involved the use of a firearm compared to 21,687 that involved other lethal means).

¹⁷ See *Death Rate from Suicides, 1990 to 2019*, OUR WORLD IN DATA (last visited July 17, 2022), <https://ourworldindata.org/grapher/suicide-death-rates?tab=chart&country=USA~GBR~European+Region%28WHO%29~OECD+Countries~BEL~KOR~JPN~LTU~DEU>; This is consistent with findings that gun prevalence, while associated with increases in gun suicide rates, is not associated with increases in overall suicide rates. See Gary Kleck, *Macro-Level Research on the Effect of Firearms Prevalence on Suicide Rates: A Systematic Review and New Evidence*, *Social Science Quarterly* (2019), <https://www.hoplophobia.info/wp-content/uploads/2015/08/2019-The-Effect-of-Firearms-Prevalence-on-Suicide-Rates.pdf>.

¹⁸ Eric W. Fleegler, *Our Limited Knowledge of Youth Suicide Risk and Firearm Access*, JAMA Network (October 8, 2019), <https://jamanetwork.com/journals/jamanetworkopen/fullarticle/2784797>.

account for only about 1 percent of all gun deaths or injuries in any given year, though they appear to be the type of gun violence most likely to involve death or injury to children. However, it is difficult to know how many of these unintentional deaths and injuries involve lawful, as opposed to unlawful, gun owners. For example, the gun control group Everytown for Gun Safety tracks the number of accidental shootings by juveniles. Through the first five months of 2022, the group recorded 126 such shootings, resulting in 55 deaths and 78 injuries.¹⁹ While some of these instances clearly involve guns that were lawfully owned (though sometimes illegally carried), the news reports and summaries often fail to indicate where the firearms at issue came from and whether they were lawfully possessed by the person whose reckless or negligent conduct led to the death or injury. A quick analysis of similar cases in recent months shows that, where such information is available, a meaningful percentage involve unlawful owners.²⁰

A major driving force behind criminal gun violence in this country is illegal firearm trafficking and the robust black market for firearms. Unfortunately, a significant source of these illegally trafficked and black market firearms is the mind-blowing number of guns that are stolen from lawful gun owners every year. The best available estimates suggest that tens of thousands, if not hundreds of thousands, of firearms are stolen annually from lawful gun owners, often finding their way into the hands of criminals through illegitimate channels.²¹ Many of these firearms are taken from unattended vehicles.²²

¹⁹ #NotAnAccident, EVERYTOWN FOR GUN SAFETY (Updated May 28, 2022),

<https://everytownresearch.org/maps/notanaccident/>.

²⁰ See, e.g., *Minneapolis Parents Charged in Shooting of 3-Year-Old Boy*, FOX 9 KMSP (June 13, 2022),

<https://www.fox9.com/news/minneapolis-parents-charged-in-shooting-of-3-year-old-boy> (alleging that child shot

and injured himself with loaded firearm left unattended in a bedroom by the father, who was prohibited from possessing guns or ammunition because of an ongoing court case); Associated Press, *Milwaukee Man Charged in Death of Child Who Discovered Gun*, NEWS 8000 (July 8, 2022), <https://www.news8000.com/milwaukee-man-charged-in-death-of-child-who-discovered-gun/> (alleging that child shot himself with loaded firearm left unattended

by prohibited possessor who was already convicted of reckless homicide in a previous case); Noah Feit, *Pregnant Woman Shot by Son While Waiting in Rush's Drive-Thru, Lexington County Cops Say*, THE STATE (June 9, 2022),

<https://www.thestate.com/news/local/crime/article262346307.html> (autistic boy found firearm in car that the mother

alleges belongs to one of her boyfriend's friends, who may or may not have been carrying illegally); Report:

Jacksonville Felon Wasn't Home When 3-Year-Old Died by Self-Inflicted Gunshot Wound, First Coast News (Apr.

5, 2022), <https://www.firstcoastnews.com/article/news/crime/reports-shed-new-light-what-led-jacksonville-mans-arrest-connection-toddlers-death-self-inflicted-gunshot/77-93bf40b8-f226-448b-a3b5-08b195faa2db> (gun used in

accidental shooting belonged to a prohibited possessor); Jim Melwert, *DA: 4-year-old Accidentally Shot, Killed Self*

With 18-year-old Brother's Loaded Gun in Coatesville, KYP NEWS RADIO (March 15, 2022),

<https://www.audacy.com/kynewsradio/news/local/victor-lara-ortiz-charged-brother-shot-self-gun-coatesville> (gun

belonged was bought via straw purchase by individual who lied on his firearm application and then illegally

transferred to 18-year-old who was not old enough to buy it himself); Gabriella Killet, *Toddler Shot at Costco*

Wounded Self With Stolen Gun His Brother Left in Car, Police Say, NOLA.com (July 13, 2022),

https://www.nola.com/news/crime_police/article_98d09452-02d2-11ed-abae-6bc9342695f1.html (firearm at issue

was stolen by teenager too young to legally purchase it).

²¹ See Lynn Langton, *Firearms Stolen During Household Burglaries and Other Property Crimes, 2005-2010*,

Bureau of Justice Statistics NCJ Number 239436 (Nov. 2012), <https://bjs.ojp.gov/library/publications/firearms-stolen-during-household-burglaries-and-other-property-crimes-2005>; David Hemenway et al., *Whose Guns Are*

Stolen? The Epidemiology of Gun Theft Victims, 4 *Injury Epidemiology* 1 (2017).

²² See, e.g., Martin Kaste, *More Guns in Cars Means More Guns Stolen From Cars*, NPR (May 9, 2019),

<https://www.npr.org/2019/05/09/717178960/more-guns-in-cars-mean-more-guns-stolen-from-cars>; Catherine

Catoura, *Atlanta Police Ask For Public's Help Reducing Number of Guns Stolen From Cars*, CBS 46 (Nov. 27,

2021), https://www.cbs46.com/news/atlanta-police-ask-for-publics-help-reducing-number-of-guns-stolen-from-cars/article_1dc29130-4fcb-11ec-8f74-4f24fd0c082b.html; Julie Moreno, *SAPD Urges People Not To Leave*

Firearms In Unattended Vehicles After 1,500 Guns Stolen From Cars in 2021, KSAT 12 (Nov. 30, 2021),

<https://www.ksat.com/news/local/2021/11/30/sapd-urges-people-not-to-leave-firearms-in-unattended-vehicles-after-1500-guns-stolen-from-cars-in-2021/>.

II. Lawful Gun Ownership Provides An Equally Significant Protective Economic Impact

To the extent that lawful gun ownership has a negative impact on the economy by contributing to the overall burden of gun violence, it also has an equally significant protective impact on the economy. One way in which lawful gun ownership offers significant protective economic value is through the regular successful interruption of criminal activity. According to almost every major study on the issue, Americans use their firearms in legitimate self-defense between 500,000 and 3 million times a year, substantially decreasing costs associated with crime.²³ Because most of these defensive gun uses do not involve a gun being fired and are therefore not likely to be reported in publicly available outlets, if officially reported at all, it is difficult to even construct a framework for assessing the protective value based on lives saved, injuries prevented, property retained, or criminal justice burdens reduced as a result of these defensive gun uses. If it is assumed that the general distribution of thwarted crimes is similar to the distribution of completed crimes,²⁴ then the probable protective value for even 1 million defensive gun uses is considerable.²⁵

This protective impact largely comes with little statistical risk to gun owners. In fact, the best, most comprehensive studies on crime victimization in the United States have found that victims who forcefully resist crimes are less likely to suffer serious injury or property loss than those who do not offer resistance.²⁶ This is true even though victims who defend themselves with weapons often resort to such armed resistance precisely because they faced disadvantageous circumstances, such as being outnumbered or confronted by armed assailants.²⁷ These conclusions are consistent with my own analysis of, and experiences interacting with, the Heritage Foundation's internal data from our Defensive Gun Use Database, which contains thousands of media-verified reports of defensive gun uses since January 1, 2019. Analysis of these media-verified defensive gun uses indicates that individuals who use firearms in

²³ CENTERS FOR DISEASE CONTROL AND PREVENTION, PRIORITIES FOR RESEARCH TO REDUCE THE THREAT OF FIREARM-RELATED VIOLENCE, at 15 (2013), <https://www.nap.edu/read/18319/chapter/3#15>.

²⁴ In recent years, property crimes have accounted for roughly 85 percent of all crimes, compared to 15 percent for violent crimes. See, e.g., Federal Bureau of Investigation, Uniform Crime Report 2019: Violent Crime, <https://ucr.fbi.gov/crime-in-the-u.s/2019/crime-in-the-u.s.-2019/topic-pages/violent-crime>; Federal Bureau of Investigation, Uniform Crime Report 2019: Property Crime, <https://ucr.fbi.gov/crime-in-the-u.s/2019/crime-in-the-u.s.-2019/topic-pages/property-crime>.

²⁵ Using the RAND Corporation's 2010 Cost of Crime Calculator and adjusting for inflation using readily available inflation calculators, one can roughly estimate the value of 1 million defensive gun uses in an assumed reality of similar distribution to completed crimes. See RAND Corporation, Cost of Crime Calculator, <https://www.rand.org/well-being/justice-policy/centers/quality-policing/cost-of-crime.html>. For example, the inflation-adjusted estimated cost of murder under the RAND calculator is \$11.8 million per offense, with the assumed distribution resulting in 2100 thwarted murders (1.4 percent of the estimated 150,000 violent crimes prevented), for an approximate protective value of \$24 billion in prevented murders alone.

²⁶ See, e.g., Gary Kleck & Jongyeon Tark, *Resisting Crime: The Effects of Victim Action on the Outcomes of Crimes*, 42 CRIMINOLOGY 861 (2004); Stephen M. Schnebly, *An Examination of the Impact of Victim, Offender, and Situational Attributes on the Deterrent Effect of Defensive Gun Use: A Research Note*, 19 JUSTICE QUARTERLY 377 (2002); Lawrence Southwick Jr., *Self-defense with Guns: The Consequences*, 28 J. CRIM. JUSTICE 351 (2000); Studies with contrary findings universally rely on irrelevant tests and fail to control for key confounders that consistently bias results against the effectiveness of armed resistance. See Gary Kleck, *How Hemenway and Sohnick Distorted the Effectiveness of Defensive Gun Use* (Last revised June 28, 2020), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3659333.

²⁷ Gary Kleck & Jongyeon Tark, *Resisting Crime: The Effects of Victim Action on the Outcomes of Crimes*, 42 CRIMINOLOGY 861, 897 (2004).

self-defense rarely incur injuries, and of those who are injured, a majority sustain only minor or moderately severe injuries that do not require inpatient hospitalization. Importantly, almost all injuries in our records occurred before the defensive gun use, or during the defensive gun use but after the assailant made his or her violent intentions clear. In other words, it was not the defensive gun use that caused the assailant to physically harm the victim, but the defensive gun use that stopped the scenario from becoming worse.

Even during the minority of completely unsuccessful gun uses, in many cases, the victim had nothing to lose by acting defensively, because the offender's intent to harm them was already manifest. Consider just one example from the small minority of unsuccessful defensive gun uses since January 1, 2021. In Arizona, two men—one of them wielding a baseball bat—forced their way into a hotel room and began hitting one victim with the bat. A second victim walked out of the bathroom with a firearm and fatally shot one of the assailants before running out of ammunition. The second assailant then beat the armed but now-defenseless victim to death.²⁸ Additionally, contrary to common talking points by some gun control activists, lawful gun owners who use their firearms in self-defense are rarely overpowered by assailants who take their guns and use them against the victims, especially compared to the number of times guns are successfully used in self-defense.²⁹

Not only are armed civilians better able to resist criminal activity when it occurs, but according to criminals themselves, knowing that potential victims might be armed effectively deters many crimes in the first place. According to one survey of imprisoned felons, roughly one-third reported being “scared off, shot at, wounded or captured by an armed victim,” while forty percent admitted that they had refrained from attempting to commit a crime out of fear that the victim was armed.³⁰ Well over half of the surveyed felons acknowledged that they would not attack a victim they knew was armed and almost three-quarters agreed that “one reason burglars avoid houses where people are at home is that they fear being shot.”³¹ Importantly, the study also found that felons from states with the greatest relative number of privately owned firearms registered the highest levels of concern about confronting an armed victim.³²

²⁸ Nienke Onneweer, *Phoenix Police Arrest Suspect in Deaths of 2 Men in Phoenix Hotel Confrontation*, ARIZONA REPUBLIC (Feb. 19, 2021), <https://www.azcentral.com/story/news/local/phoenix-breaking/2021/02/19/leonard-haggiu-arrested-deaths-gerald-feistner-rafed-al-izawi/4503050001/>.

²⁹ See, e.g., Amy E. Swearer, *Defensive Gun Use in the Context of Intimate Partner Domestic Violence*, Heritage Foundation (June 21, 2022), <https://www.heritage.org/testimony/defensive-gun-use-the-context-intimate-partner-domestic-violence> (finding only one case since January 1, 2021, where, in a domestic violence context, a defensive gun user was overpowered and had her gun taken then immediately used against her). Outside of a domestic violence context, there are several more available examples where victims had their firearms taken and used against them. Zak Wellerman, *Marshall Man Accused of Killing East Texas Pastor Declared Incompetent to Stand Trial*, MARSHALL NEWS MESSENGER (updated Dec. 31, 2021), https://www.marshallnewsmessenger.com/news/marshall-man-accused-of-killing-east-texas-pastor-declared-incompetent-to-stand-trial/article_6e53c0fe-8cb4-5e23-8ff8-e496dd723d90.html; Bill Gluber et al., *A Man's Shocking Downward Spiral Ended In Shocking Shooting*, MILWAUKEE JOURNAL SENTINEL (Feb. 15, 2021), <https://www.jsonline.com/story/news/2021/02/15/reports-interviews-reveal-tragic-steps-leading-kewaskum-tragedy/6713561002/>; Jonathan Cotto, *2 Men Wounded in Shooting During Altercation At RV Park, Police Say*, KSAT 12 (Aug. 27, 2021), <https://www.ksat.com/news/local/2021/08/27/2-men-wounded-in-shooting-during-altercation-at-rv-park-police-say/>.

But these must be compared against well over 1,000 successful media-verified gun uses, compared to only 137 in the context of intimate partner domestic violence.

³⁰ James D. Wright & Peter H. Rossi, *The Armed Criminal in America: A Survey of Incarcerated Felons*, NATIONAL INSTITUTE OF JUSTICE 26 (July 1985), <https://www.ojp.gov/pdffiles1/Photocopy/97099NCJRS.pdf>.

³¹ *Id.* at 27.

³² *Id.*

This is consistent with the conclusions of a study that analyzed the effect of a Memphis newspaper listing all Tennessee residents with a handgun carry permit in a publicly accessible database, locating them within their five-digit zip code. The database received more than a million views in 2009.³³ The study's authors concluded that, in the months following a newspaper article that dramatically increased online traffic to the database, zip codes with higher densities of carry permit holders experienced a 20 percent relative decrease in burglaries compared to zip codes with lower densities of carry permit holders.³⁴

International data, too, seems to indicate that criminals generally consider the likelihood of armed resistance and adapt their behavior accordingly. According to one study, only about 13 percent of burglaries in the United States take place when then occupants are home, a rate far lower than in many other developed countries like Canada, Great Britain, and the Netherlands.³⁵ Because these "hot burglaries" are far more likely to result in an assault against a victim than are burglaries of unoccupied homes, it is relatively easy to predict—as several researchers have—that the lower percentage of hot burglaries in the United States results in over half a million fewer assaults every year than would otherwise occur if the percentage of hot burglaries was on par with these other countries, saving the nation billions of dollars in avoided crime costs.³⁶

Finally, armed civilians played a significant but underacknowledged role in stopping active shooters, including those bent on acts of mass public violence. While mass public shootings account for only a fraction of a percent of gun deaths every year, they have an oversized role in both gun policy discussions and general feelings of safety in public spaces. Despite the common suggestion from gun control activists that "good guys with guns never stop mass shootings," the reality is that many mass public shootings occur in locations where law-abiding civilians are prohibited from being armed. However, of those mass public shootings that occur in areas where law-abiding civilians may be armed, armed citizens successfully intervene in almost half of them.³⁷ In the last five weeks, three armed civilians have stopped active shooters long before law enforcement arrived on the scene, saving countless numbers of lives.³⁸

Not only do lawful gun owners have a protective impact on the economy by thwarting and deterring crime, but the lawful gun industry contributes to the economy in significant ways. In 2021, it was estimated that the firearm and ammunition industry generated over \$70 billion dollars in total economic activity.³⁹ It directly employed almost 170,000 Americans in the manufacture, distribution, and sales of

³³ Alessandro Acquisti & Catherine Tucker, *Guns, Privacy, and Crime*, National Bureau of Economic Research Working Paper 29940 (April 2022), <https://www.nber.org/papers/w29940>.

³⁴ *Id.*

³⁵ David B. Kopel, *Lawyers, Guns, and Burglars*, 43 ARIZONA L. REV. 345 (2001), <https://davekopel.org/2A/LawRev/LawyersGunsBurglars.htm#FN:F107>.

³⁶ *Id.* Importantly, these dollar amounts likely increase significantly when accounting for inflation.

³⁷ John R. Lott, *Corrections to the FBI's Reports on Active Shooting Incidents*, CRIME PREVENTION RESEARCH CENTER (June 1, 2022), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3857331.

³⁸ *Police: Woman Killed Man Who Fired Rifle Into Party Crowd*, ABC NEWS (May 26, 2022), <https://abcnews.go.com/US/wireStory/police-woman-killed-man-fired-rifle-party-crowd-85002437>; Sam Burdette, *Surprise Shooter Acted in Self-Defense During Home Attack, Police Say*, ARIZONA REPUBLIC (July 11, 2022), <https://www.azcentral.com/story/news/local/surprise-breaking/2022/07/11/shooter-surprise-fatal-shooting-killed-self-defense-police-say/10034340002/>; Cheney Orr & Brendan O'Brien, *Witness to Indiana Mall Shooting Praised for Killing Gunman*, REUTERS (July 18, 2022), <https://www.reuters.com/legal/government/indiana-passer-by-hailed-after-shooting-mall-gunman-2022-07-18/>.

³⁹ NATIONAL SHOOTING SPORTS FOUNDATION, FIREARM AND AMMUNITION INDUSTRY ECONOMIC IMPACT REPORT 2022 (2022), <https://www.nssf.org/wp-content/uploads/2022/03/2022-Firearm-Ammunition-Industry-Economic-Impact.pdf>.

firearms and ammunition, with an additional 206,000 jobs generated in supplier and ancillary industries. All of this generates sizeable tax revenue—the industry and its employees paid over \$7.8 billion in property, income, and sales taxes in 2021.⁴⁰

III. Policymakers Can and Should Address the Costs of Gun Violence Without Undermining the Protective Economic Impact of Lawful Gun Ownership

Fortunately for policymakers, this does not come down to a choice between the costs of gun violence versus the protective economic benefits of lawful gun ownership.

A. Policy Assessment: What Doesn't Work

All of these proposals would impose significant enforcement costs on the economy while proving to be either constitutionally problematic or failing to meaningfully address gun violence in a way that lowers the economic costs associated with it.

Red Flag Laws

Red flag laws—also known as extreme risk protection orders—have come into the national spotlight over the last four years as a potential method of addressing a real and serious concern with respect to mass public shooters. With perhaps one notable exception, every mass public shooter in recent history passed a background check and legally procured firearms, often despite showing very alarming signs of being a danger to self or others.⁴¹ This is also unfortunately the case for many people who commit suicide with a firearm, which accounts for nearly 6-in-10 gun deaths every year.

Many individuals who are either suicidal or considering acts of mass public violence are able to pass background checks largely because federal law provides only a limited number of ways in which individuals lose their Second Amendment rights, most commonly by conviction of a felony or domestic violence misdemeanor, or by involuntary commitment to an inpatient mental health facility. People who have their Second Amendment rights revoked in this manner face a real likelihood of never having them restored, and these are, therefore, severe measures requiring that very high legal thresholds be met. Involuntary commitment, in particular, is often reserved for only the most serious of mental health crises, a problem often compounded by a lack of adequate inpatient mental health infrastructure in many states.

There are, at least in theory, constitutional ways of temporarily restricting gun ownership for individuals who are clearly a danger to themselves or others, regardless of whether they suffer from a diagnosable mental illness or have yet to commit a disqualifying felony. That said, the right to keep and bear arms is a fundamental constitutional right, and any deprivation of that right—even temporarily and for compelling

⁴⁰ *Id.*

⁴¹ The one possible exception is the individual who fatally shot seven people and wounded two dozen others during a shooting spree in Odessa, Texas, in August of 2019. That individual had, in fact, previously failed a background check and utilized an intrastate private sale to acquire his weapon. Dan Frosch & Sadie Gurman, *Texas Shooter Had Been Banned From Buying Firearms Because He Was Mentally Unfit*, Wall St. J. (Sept. 4, 2019). Of note, however, is the fact that the private seller from which he purchased the gun later pled guilty to violating federal law, and should have been required under the circumstances to obtain a Federal Firearms License and conduct a background check on prospective purchasers. Associated Press, *Seller of Gun Used in 2019 Texas Mass Shooting Gets 2 Years* (Jan. 7, 2021), <https://apnews.com/article/seth-aaron-ator-shootings-lubbock-texas-odessa-c18dce36fe8a5df583bdf5505ec8509b>.

reasons—requires the highest standards of due process. The closest corollary to red flag laws is the civil mental health commitment process for individuals alleged to be mentally ill and dangerous. While red flag laws raise additional concerns and aren't perfectly analogous, the civil commitment process provides at least a starting point for bare minimum due process standards—the right to an attorney, to cross-examine witnesses, and to testify on one's own behalf; the burden of the state to continually prove its case by clear and convincing evidence; ex parte or emergency orders limited only to serious threats of imminent harm; and principles limiting deprivations to the least restrictive means necessary.

Moreover, from the perspective of sound public policy, any red flag law should include comprehensive and detailed practical considerations, like specifying the methods for notifying defendants of the allegations and their rights, for storing seized firearms and returning them to their owners, for immediately remedying clear mistakes (such as cases of mistaken identity), and for promptly restoring a person's Second Amendment rights after orders expire. Just as importantly, any palatable law should be fully integrated with existing mental health, domestic violence, and addiction treatment infrastructures, and otherwise ensure that the process adequately addresses the underlying problems that led a person to be dangerous in the first place. It should never be about simply disarming people, but about restoring them to a point where they are no longer dangerous.

These are very important aspects of the theory behind red flag laws. Unfortunately, of the more than 20 red flag laws already on the books at the state level, not one adequately addresses all of the very real concerns that come with deprivations of a fundamental right. Some states have admittedly done a better job addressing these concerns than others—for example, Colorado's law is far less objectionable than New Mexico's—but all of them come up short in key areas, such as authorizing the use of low burdens of proof or failing to provide any mechanism for ensuring those deemed dangerous receive help. In short, states have proven themselves either unable or unwilling to ensure that red flag laws pass constitutional muster in practice, undermining the theory as a whole.

Worse, as advocates push for these laws at a federal level, there are even greater concerns about the federal government's role. There are two methods regularly floated by advocates of federal intervention on red flag laws: a "true" federal red flag law and a federal law that financially incentivizes states to adopt red flag laws that meet certain minimum standards outlined by Congress. Both ideas suffer from serious theoretical and practical problems.

Any "true" federal red flag law—one that enables red flag petitions to be filed through the federal court system—would likely suffer from a serious constitutional flaw. The federal government, unlike state governments, lacks general "police powers" and cannot broadly regulate the public safety, except in those limited scenarios specified by the Constitution.

While courts have broadly construed the federal government's ability to regulate "interstate commerce," they have also drawn a line at comparable laws criminalizing gun possession on school grounds. This is part of the reason why similar restraining orders based on violent behavior are exclusively issued at a state level. Additionally, there is no widely available mental health or addiction treatment framework at a federal level, nor is there a true federal equivalent of a local police force authorized to enforce federal red flag orders. That creates substantial practical barriers that all but ensure a "true" federal red flag law would fall short of providing dangerous or suicidal individuals with the help they desperately need.

As for a federal bill that attaches federal funding to the adoption of state red flag laws, that raises its own concerns. It is very unlikely that any set of minimal federal standards would compel states to provide either adequate due process protections or the sort of comprehensive, detailed approach necessary to avoid objection. That is especially true if the Justice Department's recently issued "model red flag law" is any indication of where federal advocates stand on this issue. The model law contains numerous nonstarters, including allowing a defendant's rights to be revoked at one-sided, ex parte hearings based on nothing more than "reasonable cause," an incredibly low burden of proof when dealing with fundamental constitutional rights.

The federal government should not bribe states into adopting a bare-bones framework for red flag laws, especially when states thus far have a less-than-stellar track record of writing and implementing them on their own. There is, frankly, no reason to believe that states desiring this federal funding would go through the rigorous process of fleshing out the federal minimum standards with sufficient safeguards. Any red flag laws would have to be much better than they are in states that have already taken a swing at them. The federal government in all likelihood will not improve upon laws passed at the state level and has other constitutional restraints on its ability to legislate in this area.

Universal Background Checks

Most people agree that it is both constitutional and reasonable to prohibit certain individuals from possessing firearms because they have demonstrated a high risk of danger to themselves or others.⁴² Federal law reflects this consensus by barring convicted felons and those with histories of serious mental health problems from legally purchasing or possessing firearms unless their civil rights have been restored.⁴³ In 1993, Congress strengthened the means of enforcing these prohibitions by establishing the National Instant Criminal Background Check System (NICS index) and requiring that Federal Firearms Licensees (FFLs) request FBI background checks through this index on all prospective firearm purchasers. Moreover, any person or entity "engaged in the business of dealing firearms" must go through the arduous process of obtaining a federal firearms license.⁴⁴

Under current federal law, then, it does not matter whether the gun sale or transfer takes place at a gun show, in a brick-and-mortar store, or over the internet. The vast majority of lawful gun transfers require a background check. The only time federal law does not mandate a background check is when a non-FFL sells or transfers a gun to a resident of the same state. Even then, it is unlawful for a person to sell or transfer a gun to anyone he or she "know[s] or [has] reasonable cause to believe" is prohibited from possessing that firearm.⁴⁵ Importantly, part of the reason for this limited exception for the background

⁴² This general agreement does not necessarily extend to laws that permanently disarm non-violent felons or fail to restore the rights of individuals who previously suffered from serious mental health issues but have been of sound mind for many years. See Amy Swearer, *Long-standing and Presumptively Lawful? Heller's Dicta vs. History and Dicta*, HERITAGE FOUND. LEGAL MEMORANDUM NO. 238 (Nov. 5, 2018), <https://www.heritage.org/sites/default/files/2018-11/LM-238.pdf>.

⁴³ See 18 U.S.C. § 922(g).

⁴⁴ See generally FEDERAL BUREAU OF INVESTIGATION, ABOUT NICS (last accessed Mar. 20, 2021), <https://www.fbi.gov/services/cjis/nics/about-nics>; Amy Swearer, *Let Us Reason Together: A More Effective, Less Partisan Approach to Gun-Related Violence*, 44 SIU L. J. 1, 18–19 (2019), <https://law.siu.edu/common/documents/law-journal/articles%20-%202019/fall-2019/1---Swearer-jr.pdf>.

⁴⁵ For a more in-depth analysis of the fact-specific tests determining who does or does not require a federal firearms permit, see BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES, DO I NEED A LICENSE TO BUY AND SELL FIREARMS?, ATF Publication 5310.2 (Jan. 2016), <https://www.atf.gov/file/100871/download>.

check mandate is that only FFLs can request NICS background checks. Private citizens cannot simply call up the FBI and easily determine the status of prospective buyers.

Nevertheless, universal background checks are centered on a legitimate concern: would-be criminals can plausibly use private intrastate sales by non-FFLs to circumvent background checks that would catch their prohibited status. Recent decades have given rise to online gun advertising platforms for stranger-to-stranger sales—situations where the seller is unlikely to have sufficient knowledge of the buyer to believe he or she is anything other than a law-abiding citizen. It is not inherently unreasonable to be concerned about how criminals in general might abuse these types of publicly advertised private gun sales.

The problem is that, in practice, bills put forward to address this legitimate concern have been poorly written and routinely suffer from far more problems than they could ever hope to address. Requiring background checks on private intrastate gun sales is, at best, a low-reward endeavor. Even in a best-case scenario where everyone willing to abide by the law does so, universal background checks fail to meaningfully address the primary ways in which would-be criminals obtain firearms. Most would-be criminals do not get their firearms through legitimate or formal sources but through black market gun sales, straw purchases, and informal transfers by friends or family members who likely already know the gun could be used for criminal purposes.⁴⁶ When would-be criminals do go through licensed dealers, it is presumably because they do not have disqualifying criminal or mental health histories and can pass a background check.⁴⁷ To whatever extent universal background checks may make it more difficult for prohibited people to obtain guns from strangers, they do nothing to address the plethora of other avenues available for the same purpose. There is a reason why studies routinely show that universal background checks, in and of themselves, have no effect on crime or suicide rates.⁴⁸

Despite this low-reward reality, universal background check bills—including many of the ones considered by this very body in recent years—seemingly go out of their way to impose heavy burdens on law-abiding gun owners making common, low-risk transfers, or temporary transfers. Perhaps worse, they have been written in ways that deter gun owners from taking some of the most commonsense, responsible, and even life-saving measures with their firearms. The fact that these bills keep getting traction without these very real concerns being addressed only underscores a very real fear by many gun owners that universal background checks will be used as the gateway to a de facto national gun registry.

⁴⁶ See, e.g., Mariel Alper & Lauren Glaze, *Source and Use of Firearms Involved in Crimes: Survey of Prison Inmates, 2016*, NCJ 251776 (Jan. 2019), <https://www.bjs.gov/content/pub/pdf/suficspi16.pdf> (finding, in a study of over 287,000 prisoners who possessed a firearm during their offense, 43 percent obtained it “off the street or from the underground market,” while 25 percent had “obtained it from a family member or friend, or as a gift”).

⁴⁷ See *id.* at 8. Only 7 percent of prisoners had purchased their gun under their own name from a licensed dealer, while only 1 percent “purchased a firearm from a licensed dealer at a retail store but did not purchase it under their own name”).

⁴⁸ See, e.g., Alvaro Castillo-Carniglia et al., *California’s Comprehensive Background Check and Misdemeanor Violence Prohibition Policies and Firearm Mortality*, 30 ANNALS OF EPIDEMIOLOGY 50 (Feb. 2019), <https://www.sciencedirect.com/science/article/abs/pii/S1047279718306161> (concluding that these policies were not associated with changes in firearm homicides in California, that changes in firearm suicides were similar to changes in non-firearm suicides, and that these findings in California are consistent with other recent evaluations of extended background check policies); Rose Kagawa et al., *Repeal of Comprehensive Background Check Policies and Firearm Homicide and Suicide*, 29 EPIDEMIOLOGY 494 (July 2018), <https://pubmed.ncbi.nlm.nih.gov/29613872/> (finding no evidence of an association between the repeal of comprehensive background check policies and firearm homicide and suicide rates in Indiana and Tennessee).

If Congress wants to pursue background checks for intrastate private sales, it should do so only with bills that are narrowly tailored to address the underlying problem without creating new and more significant problems. Instead of expanding the background check mandate to a variety of low-risk or temporary transfers, expansion could be limited to all publicly advertised sales regardless of the seller's FFL status. Congress could also consider modifying the existing background check system to allow non-FFLs some means of accessing the NICS system when conducting publicly advertised sales. Finally, the language for the "danger" exemptions could be significantly broadened to ensure the bill does not create needless and irrational barriers to potentially life-saving gun transfers.⁴⁹

Mandatory "Safe Storage" Requirements

Another common proposal is that of mandatory "safe storage" requirements for gun owners with juveniles in their homes. At their core, these laws seek to address a common theme among juvenile gun deaths—juvenile access to family firearms, which plays a role in both juvenile suicides and accidental deaths or injuries that result from juveniles handling firearms without supervision. Importantly, a person does not become more or less suicidal, or more or less prone to violence, based on mere access to a firearm.⁵⁰ However, when individuals who are already suicidal or prone to violence have access to a firearm, it increases the likelihood they will be able to seriously harm themselves or others.⁵¹

From a fundamental level, the federal government does not have either the constitutional authority to pass such laws or the practical capacity to enforce safe storage requirements. As with "true" federal red flag laws, the federal government lacks the general police power reserved to the states under the 10th Amendment, as well as any general police force to ensure these laws are followed. Even at a state level, pre-emptive enforcement is a practical impossibility. Even in an absurd (and blatantly unconstitutional) scenario where law enforcement officers could go door-to-door conducting mass warrantless searches for violations, the negative criminal justice implications of having their parents arrested would far outweigh any potential benefit to at-risk children.

These laws also suffer from practical problems, namely, that they may not actually work nearly as well as proponents suggest. While "child access prevention laws are associated with lower fatality rates among younger children," they "may not alter the risk among older youth" who are far more likely to experience suicidality or engage in criminal behaviors.⁵² As the same time, many gun owners teach their children principles of marksmanship, gun safety, and responsible gun ownership from an early age, and those juveniles—especially older ones—routinely access family firearms to save lives.⁵³ Moreover, these laws

⁴⁹ See also David B. Kopel, *Background Checks for Firearms Sales and Loans: Law, History, and Policy*, 53 HARV. J. LEGISLATION 303 (2016); David B. Kopel, *Textual Analysis of H.R. 8, Bill to "Require A Background Check for Every Firearm Sale"*, REASON (Jan. 9, 2019), <https://reason.com/volokh/2019/01/09/textual-analysis-of-hr8-bill-to-requi/>.

⁵⁰ Eric W. Flegler, *Our Limited Knowledge of Youth Suicide Risk and Firearm Access*, JAMA NETWORK (October 8, <https://jamanetwork.com/journals/jamanetworkopen/fullarticle/2784797>).

⁵¹ *Id.*

⁵² *Id.*

⁵³ *Shooting Death Rule Justifiable After Juvenile Shoots Back At Intruder*, WLXT NEWS 19 (Feb. 8, 2022), <https://www.wltx.com/article/news/local/shooting-death-ruled-justifiable-juvenile-shoots-back-intruder/101-555a968-f223-4860-826a-00c490af33b3>; *Video Shows 14-Year-Old Open Fire On Robbery Suspect in Family's Philly Pizza Shop*, WPVI-TV ABC 6 (Dec. 16, 2021), <https://6abc.com/teenager-shoots-suspect-philadelphia-pizza-shop-robbery-spring-garden-street-bolds/11347225/>; *La Porte Juvenile Shoots Family Member To Death To Prevent*

can seriously delay the ability of lawful gun owners to access loaded firearms in an emergency, with devastating consequences.⁵⁴ Additionally, it is unclear what, if any, potential benefits these laws would have with respect to preventing adult suicides and accidental gunshot wounds, or accidental gunshot wounds associated with adults mishandling firearms and unintentionally harming children.

Bans on So-Called “Assault Weapons” and Standard Capacity Magazines

Particularly on the heels of high-profile mass public shootings, almost without fail come calls to ban the civilian purchase or possession of certain semi-automatic firearms (mostly rifles) inappropriately mislabeled as “assault weapons.” These firearms are not—despite intentional attempts to frame them as such—fully automatic machine guns or “assault rifles” with select-fire capabilities, both of which are heavily regulated under the National Firearms Act. The features that separate “assault weapons” from “non-assault weapons” are not functional, and do not affect any meaningful measure of lethality, such as rate of fire, caliber, or muzzle velocity. No, the differences between semi-automatic “assault weapons” and semi-automatic “non-assault weapons” essentially boil down to cosmetic features like pistol grips, collapsing stocks, or barrel shrouds. In fact, the Associated Press recently updated its Stylebook with

Assault, ABC 13 (Sept. 18, 2021), <https://abc13.com/juvenile-shoots-family-member-to-death-11000-block-of-deaf-smith-road-deadly-shooting-protects-from-assault/11029782/>; Kaelan Deese, *12-Year-Old Boy Defending Mother Fatally Shoots Armed Home Intruder*, YAHOO NEWS (July 9, 2021), <https://www.yahoo.com/video/12-old-boy-defending-mother-190300013.html>; Janelle Griffith, *12-Year-Old Boy Fatally Shoots Intruder Who Tried to Rob Grandmother, Family Says*, NBC NEWS (Feb. 15, 2021), <https://www.nbcnews.com/news/us-news/12-year-old-boy-fatally-shoots-intruder-who-tried-rob-n1257955>; Emma Colton, *Teenager Opens Fire On Three Armed Men After Attempted Burglary, Killing One*, WASHINGTON EXAMINER (March 24, 2020), <https://www.washingtonexaminer.com/news/teenager-opens-fire-on-three-armed-men-after-attempted-burglary-killing-one>; Laura Gutschke, *Brown County 13-Year-Old Shoots Man Assaulting Teen’s Grandmother*, ABILENE NEWS REPORTER (Jan. 27, 2020), <https://www.reporternews.com/story/news/crime/2020/01/27/brown-county-13-year-old-shoots-man-assaulting-teens-grandmother/4591841002/>; *With 12-Year-Old Daughter’s Help, Salina Man Fends Off Intruder*, KWCH 12 (Sept. 20, 2019), <https://www.kwch.com/content/news/With-12-year-old-daughters-help-Salina-man-fends-off-intruder-560936071.html>; John Lowe, *14-Year-Old Girl Fires Gun To Save Sisters From Intruder*, WSAZ 3 (Aug. 7, 2019), <https://www.wsaz.com/content/news/Teenager-saves-sisters-from-intruder-526277011.html>; Karma Allen, *California 16-Year-Old Fatally Shoots Father While Defending His Mother, Police Say*, ABC NEWS (Oct. 16, 2018), <https://abcnews.go.com/US/california-16-year-fatally-shoots-father-defending-mother/story?id=58525535>; *Teen Girl Fires Shot At Armed Intruder In Spanaway*, KOMO NEWS (Sept. 8, 2018), <https://komonews.com/news/local/teen-girl-fires-shot-at-armed-intruder-in-spanaway>; *Woman Being Choked By Boyfriend Is Saved When Son Gets Gun, Daughter Shoots, Kills Man*, WBTV 3 (Updated Aug. 10, 2018), <https://www.wbtv.com/story/38860970/woman-being-choked-by-boyfriend-is-saved-when-son-gets-gun-daughter-shoots-kills-man/>; *Alone With Younger Sister, Teen Fires Shotgun At Would-Be Intruder*, WRIC (July 1, 2018), <https://www.wric.com/news/alone-with-younger-sister-teen-fires-shotgun-at-would-be-intruder/>; Peter Holley, *Alabama 11-Year-Old Shoots Suspected Home Invader*, CHICAGO TRIBUNE (May 1, 2016), <https://www.chicagotribune.com/nation-world/ct-alabama-boy-shoots-intruder-20160501-story.html>.

⁵⁴ Stephen Willeford’s attempt to stop the Sutherland Springs church shooter in 2017 was hindered by the time it took him to unlock his safe and load several rounds into an empty magazine. When he did get up to confront the shooter, the first thing he did was ask his wife to load more ammo and bring it to him. Willeford’s ensuing confrontation with the shooter caused him to stop attacking those inside the church and ultimately led to him fleeing the area. Michael J. Mooney, *The Hero of Sutherland Springs Shooting Is Still Reckoning With What Happened That Day*, TEXAS MONTHLY (Nov. 2018), <https://www.texasmonthly.com/articles/stephen-willeford-sutherland-springs-mass-murder/>.

guidance that that journalists avoid the term “assault weapon” altogether precisely because it is a “highly politicized term...[that] convey[s] little meaning about the actual function of the weapon.”⁵⁵

These features exist for the purpose of making the firearm safer to operate and easier to fire in a more accurate manner. For instance, barrel shrouds are a component of “assault weapons” that protect the operator’s hand by partially or completely covering the rifle barrel, which can often become hot enough to cause serious burns after as little usage as shooting through one standard magazine at a range.⁵⁶ The protective function of the barrel shroud is so fundamental to its existence that recently proposed legislation to ban its use defined the feature as: “a shroud that is attached to, or partially or completely encircles, the barrel of a firearm so that the shroud protects the user of the firearm from heat generated by the barrel.”⁵⁷ And yet, despite the fact that the entire function of a barrel shroud is to protect lawful users from injury during lawful use, gun control advocates routinely point to this feature as something that must be banned because it also protects unlawful users from injury.⁵⁸

Any ban on these firearms would suffer from a host of constitutional and practical problems. Semi-automatic rifles, with or without these cosmetic features, are the exact type of bearable small arm whose civilian possession is protected by the Second Amendment. They are the type of firearm least often used to perpetuate gun-related violence in the United States. In fact, they play such a minimal role in gun-related violence that, even if their prohibition could be immediately implemented with 100 percent effectiveness and no other firearms were ever substituted in their place, the law would fail to have a meaningful impact on overall rates of gun violence.

The Supreme Court has never reviewed a challenge to these types of prohibitions, including the federal prohibition on “assault weapon” sales between 1994 and 2004, and it is difficult to see how a post-*Heller* Court could uphold these laws while also remaining faithful to *Heller* and *McDonald*. Some lower courts have upheld challenges to these laws, but they have done so in ways that blatantly undermine core elements of *Heller* and *McDonald*.

From a practical perspective, these bans are also fraught with challenges. Without a doubt, the type of firearm most commonly used in suicides is the handgun, and even where semi-automatic rifles are used to commit suicide, the nature of suicide renders the type of firearm irrelevant. Far from being the weapon of choice for would-be criminals, semi-automatic rifles are statistically the type of firearm least likely to be used for unlawful purposes, particularly compared to handguns. Over the last decade, rifles of any kind were definitively used in only 3-4 percent of gun homicides, and it is not clear how many of those deaths actually involved the use of “assault weapons” compared to other types of rifles.⁵⁹ The average American

⁵⁵ Twitter, @APStylebook, July 13, 2022, 3:58 PM,

https://twitter.com/APStylebook/status/1547309549488640000?s=20&t=7vTIWgZF5g_jBMZBkauwDw.

⁵⁶ See Dennis P. Chapman, *Features and Lawful Common Uses of Semi-Automatic Rifles*, Working Paper, at 63–68 (last revised Aug. 29, 2019), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3436512.

⁵⁷ Assault Weapons Ban of 2013, S. 150, 113th Cong. § 2(b)(38) (2013).

⁵⁸ See Chapman, *supra* note 61, at 37–38; E. Gregory Wallace, “Assault Weapons” Myths, 43 S. Ill. U. L.J. 193, 211–212 (2018).

⁵⁹ Federal Bureau of Investigation, *Crime in the United States 2019, Expanded Homicide Data Table 8*, Federal Bureau of Investigation: Uniform Crime Reports (Last Reviewed June 6, 2022) <https://ucr.fbi.gov/crime-in-the-u.s/2019/crime-in-the-u.s.-2019/topic-pages/tables/expanded-homicide-data-table-8.xls>; Federal Bureau of Investigation, *Crime in the United States 2014, Expanded Homicide Data Table 8*, Federal Bureau of Investigation: Uniform Crime Reports (Last Reviewed June 6, 2022), <https://ucr.fbi.gov/crime-in-the-u.s/2014/crime-in-the-u.s.-2014/topic-pages/tables/expanded-homicide-data-table-8.xls>.

is, in fact, several times more likely to be stabbed to death than he or she is to be shot to death with a rifle of any kind.⁶⁰

Even where semi-automatic rifles were used to commit homicide, it is nearly impossible to determine how many of those homicides would not have been successfully committed if the perpetrator had relied on a different type of firearm. This same low estimate of rifle usage holds true across non-fatal firearm crimes, where 90 percent are attributable to handguns and only 10 percent are attributable to long guns of any kind.⁶¹ The official analysis of the 1994 federal assault weapons ban only underscores the reality that the prohibition of firearms least likely to be used in violent crime is an ineffective way of combating that violent crime. It concluded that “[s]hould it be renewed, the ban’s effects on gun violence are likely to be small at best and perhaps too small for reliable measurement. [Assault weapons] were rarely used in gun crimes even before the ban.”⁶²

Gun control advocates, politicians, and the media routinely characterize semi-automatic rifles, specifically the AR-15, as the “weapon of choice” for mass public shooters. This is far from an accurate depiction of the facts. Many mass shooters over the last decade have used handguns alone, and most in fact bring several different types of firearms.⁶³ To the extent that semi-automatic rifles are utilized by mass shooters, it is because they are popular among all Americans, the vast majority of whom will never use them for unlawful purposes.

The reality is that, even if all would-be mass public shooters were successfully diverted to the use of “non-assault weapons,” it would likely have no meaningful impact on their ability to kill large numbers of unarmed civilians. With only a few notable exceptions, such as the Las Vegas shooting in 2018, the type of firearm was simply not a major factor in the ability of mass shooters to cause significant casualties, particularly compared to other important factors such as the time the shooter remained unopposed by an armed response.⁶⁴ While it is deeply unsettling to consider, when individuals intent on evil have several

[2014/tables/expanded-homicide-data/expanded_homicide_data_table_8_murder_victims_by_weapon_2010-2014.xls](https://ucr.fbi.gov/crime-in-the-u.s/2019/crime-in-the-u.s.-2019/topic-pages/tables/expanded-homicide-data-table-8.xls).

⁶⁰ Federal Bureau of Investigation, *Crime in the United States 2019, Expanded Homicide Data Table 8*, Federal Bureau of Investigation: Uniform Crime Reports (Last Reviewed June 6, 2022), <https://ucr.fbi.gov/crime-in-the-u.s/2019/crime-in-the-u.s.-2019/topic-pages/tables/expanded-homicide-data-table-8.xls>; Federal Bureau of Investigation, *Crime in the United States 2014, Expanded Homicide Data Table 8*, Federal Bureau of Investigation: Uniform Crime Reports (Last Reviewed June 6, 2022), https://ucr.fbi.gov/crime-in-the-u.s/2014/crime-in-the-u.s.-2014/tables/expanded-homicide-data/expanded_homicide_data_table_8_murder_victims_by_weapon_2010-2014.xls.

⁶¹ Michael Planty & Jennifer L. Truman, *Firearm Violence, 1993–2011*, Bureau of Justice Statistics NCJ 241730 (May 2013), <https://www.bjs.gov/content/pub/pdf/fv9311.pdf>.

⁶² Christopher S. Koper, *An Updated Assessment of the Federal Assault Weapons Ban: Impacts on Gun Markets and Gun Violence, 1994–2003* (June 2004), <https://www.ncjrs.gov/pdffiles1/nij/grants/204431.pdf>.

⁶³ See John R. Lott, Jr., & Rebekah C. Riley, *The Myths About Mass Public Shootings: Analysis*, Crime Research Prevention Center (Sept. 30, 2014), <https://crimeresearch.org/wp-content/uploads/2014/10/CPRC-Mass-Shooting-Analysis-Bloomberg1.pdf>. More recent data compiled by the Mother Jones mass public shooting database for the 62 mass shootings between January 1, 2014, and June 6, 2022, shows that handguns continue to be the firearm of choice for mass public shooters, with the data showing 28 cases where the shooter used handguns alone but only 18 where the shooter used rifles alone. Mother Jones Mass Public Shooting Database, 1982–2019 <https://www.motherjones.com/politics/2012/12/mass-shootings-mother-jones-full-data/>. The remaining shooters

used some combination of handguns, shotguns, and rifles.

⁶⁴ Consider, for example, that just weeks after the shooter at Marjory Stoneman Douglas High School in Parkland, Florida, killed 17 people over the span of six minutes with a semi-automatic rifle, a shooter at Santa Fe High School,

minutes to hunt down and kill unarmed civilians confined together as “soft targets,” it does not matter whether the person has a shotgun, a handgun, or a rifle. It certainly does not matter whether he has straight, fixed stock instead of a pistol grip and collapsing stock. As the nation saw just last month in Buffalo, New York, “non-assault weapons” can be used to great effect by mass shooters precisely because those cosmetic features make little difference in those contexts.⁶⁵

Some of the deadliest mass public shootings in United States history have been carried out with nothing more than handguns. This includes the worst school shooting in U.S. history, at Virginia Tech in 2006, where the shooter was able to fire 174 rounds in roughly 11 minutes, killing 30 people and wounding 17 others with nothing more than common, relatively low-caliber handguns.⁶⁶ Similarly, in 1991, a shooter at a Luby’s Cafeteria in Killeen, Texas, fatally shot 23 and wounded another 19 with two handguns.⁶⁷

All of this must be factored in light of the incredibly small role mass public shootings play in the overall number of firearm-related violence, accounting for only a fraction of a percent of all gun deaths every year.⁶⁸ This is not to minimize the devastating impact such events can have on the families and communities impacted by them, and these acts certainly affect important public perceptions of overall safety from gun-related violence. It is, rather, to give important perspective to a policy proposal that, even if perfectly implemented without any risk of shooters substituting other firearms, would have a statistically insignificant impact on gun violence rates in this country.

A second commonly proposed gun control measure in the wake of many high-profile mass shootings is the implementation of bans on so-called “high capacity magazines,” or magazines capable of holding more than 10 rounds. As with bans on so-called “assault weapons,” any bans would suffer from serious constitutional and practical problems.

in Santa Fe, Texas, was able to kill 10 people in under four minutes with a shotgun and revolver. *See Unprepared and Overwhelmed*, SUN SENTINEL (Dec. 28, 2018), <https://projects.sun-sentinel.com/2018/sfl-parkland-school-shooting-critical-moments/#nt=of09a-2gp1>; Jack Healy and Manny Fernandez, *Police Confronted Texas School Gunman Within 4 Minutes, Sheriff Says*, N.Y. TIMES (May 21, 2018), <https://www.nytimes.com/2018/05/21/us/santa-fe-officer-wounded-john-barnes.html>.

⁶⁵ The Buffalo shooter used a semi-automatic rifle that he legally purchased and that was compliant with New York’s ban on “assault weapons.” Without the slightest hint of irony, media outlets nonetheless referred to the weapon as an “assault-style rifle,” despite the fact that this firearm was, according to New York law, a “non-assault weapon.” The only illegal modification made was to the 10-round magazine—the shooter removed a device known as a “magazine block” that initially been used to make the standard 30-round magazine compliant with state law. Sarah Taddeo, *What Kind of Gun Was Used in the Buffalo Shooting? What We Know*, Democrat & Chronicle (Updated May 16, 2022), <https://www.democratandchronicle.com/story/news/2022/05/15/buffalo-shooting-gun-used-ar-15-suspect-pavton-gendron-purchased-vintage-firearms-endicott/9786647002/>; Craig Whitlock et al., *Massacre Suspect Said He Modified Bushmaster Rifle to Hold More Ammunition*, WASHINGTON POST (May 15, 2022), <https://www.washingtonpost.com/investigations/2022/05/15/buffalo-shooting-gun-bought-bushmaster/>.

⁶⁶ The shooter used a .22 caliber Walther P22 and a 9mm Glock 10. TriData Division, *MASS SHOOTINGS AT VIRGINIA TECH: ADDENDUM TO THE REPORT OF THE REVIEW PANEL*, at 30-A (Nov. 2009), <https://scholar.lib.vt.edu/prevail/docs/April16ReportRev20091204.pdf>.

⁶⁷ *See* Thomas C. Hayes, *Gunman Kills 22 and Himself in Texas Cafeteria*, N.Y. TIMES (Oct. 17, 1991), <https://www.nytimes.com/1991/10/17/us/gunman-kills-22-and-himself-in-texas-cafeteria.html>; Paula Chin, *A Texas Massacre*, PEOPLE MAGAZINE (Nov. 4, 1991), <https://people.com/archive/a-texas-massacre-vol-36-no-17/>.

⁶⁸ *See* Amy Swearer, *Testimony before the U.S. House of Representatives “Protecting America from Assault Weapons,”* Appendix A, Heritage Found (Sept. 28, 2019) (breaking down the number of annual gun deaths attributable to mass public shootings and analyzing those numbers as a percent of total firearm deaths every year from 2010 through 2017). Since that time, mass public shooting deaths accounted for 0.203 percent of total firearm deaths in 2018, 0.180 percent in 2019, and 0.018 percent in 2020 (the last year for which complete data is available).

Magazines capable of holding more than 10 rounds are not “high capacity” in any meaningful sense. They are, rather, factory-standard components for the majority of firearms manufactured and sold in this country, and their common use by American civilians predates the ratification of the 14th Amendment. Like the semi-automatic rifles and handguns with which they are designed to work, these magazines are commonly possessed by law-abiding citizens for lawful purposes.

Most firearm-related deaths in the United States are suicides, where a firearm’s magazine capacity is effectively a moot point—one round is all that is necessary. The policy therefore fails to meaningfully address the major driving force behind American gun violence. As for the impact of these bans on overall rates of violent crime or gun homicide rates, few methodologically sound studies exist, and a recent review of that literature by RAND found that the evidence is, at best, inconclusive as to whether the bans have any effect whatsoever.⁶⁹

Indeed, the primary concern raised by advocates of banning these factory-standard magazines is related to the least common type of firearm violence—mass public shootings. The argument is that standard capacity magazines may increase the ability of would-be mass public shooters to inflict high numbers of casualties by decreasing the number of times they need to reload during the shootings. Even assuming that it is practical as a matter of policy to confiscate the tens of millions of these magazines already owned by law-abiding citizens, without any means of replacement for would-be criminals, limiting magazine capacity is still not likely to meaningfully lower casualty rates for mass public shootings. First, shooters can (and routinely do) side-step these laws by bringing several firearms and extra loaded magazines, easily replacing expended magazines within seconds. Second, at least one study has shown that mass public shooters typically do not fire at a fast enough rate for casualty counts to be attributed to magazine capacity. This conclusion is supported by the findings of various panels analyzing the effect of magazine capacity for individual mass shootings, as well as by the reality that high casualty counts have occurred during shootings where only “limited-capacity” magazines were used.

But, even beyond this, we simply do not live in a world where we can or should reasonably expect Americans to widely comply with these laws,⁷⁰ that the laws will be meaningfully enforced in a non-police state, or that widespread enforcement against even a fraction of non-compliant citizens would not have devastating consequences from a criminal justice perspective. Additionally, many “acceptable” low-capacity magazines can be illegally modified within a matter of minutes by anybody with access to the internet and a screwdriver—a reality that we saw had horrific effect in Buffalo, New York, where the shooter easily modified his magazines.

Raising the Minimum Age of Gun Purchase to 21

A third commonly proposed policy on the heels of mass public shootings is some variation on the idea that those under the age of 21 should have their access to firearms restricted, either by prohibiting future purchases of some or all long guns, or by outright banning the possession of most firearms for most young adults under most circumstances.

⁶⁹ RAND Corporation, *Effects of Assault Weapon and High-Capacity Magazine Bans on Violent Crime* (Updated April 22, 2020), <https://www.rand.org/research/gun-policy/analysis/ban-assault-weapons/violent-crime.html>.

⁷⁰ See, e.g., Jacob Sullum, *Gun Owners Don't Seem Eager to Comply With New Jersey's New Magazine Capacity Ban*, REASON (Dec. 20, 2018), <https://reason.com/2018/12/20/new-jerseys-gun-owners-do-not-seem-eager/>.

These individuals are in all other respects legal adults who, as full-fledged members of the American public, are endowed with all the rights and duties of citizenship.⁷¹ They can vote, serve on juries, sign legally binding contracts, and marry without permission. They may be drafted into the armed forces or called upon for state militia service. They are held fully accountable before the law for criminal actions, up to and including execution. There is, quite simply, little constitutional basis for divesting all law-abiding young adults of a fundamental constitutional right (or even for limiting their exercise of that right), solely because a small minority of their peers might commit crimes with those firearms.

Moreover, from a practical perspective, while young adults are statistically more likely than older adults to engage in criminal behaviors, they are also more likely to be victims of violent crime.⁷² To the extent that such laws limit the ability of young adults to engage in criminal behavior, they also limit the ability of the most vulnerable population of adults to engage in the core exercise of the Second Amendment—self-defense.⁷³ And it seems far from likely that young adults bent on crime would be meaningfully prevented from accessing firearms, given the prevalence of handgun-related homicides committed by young offenders despite federal prohibitions on handgun sales to those under 21.

It appears, once again, that the primary motivation behind this prohibition is the shocking nature of a handful of mass public shootings carried out by young adults in recent years, including two in just the last month. Put aside, once again, the fact that these shootings account for a fraction of a percent of all gun deaths. Even if the goal is simply to address mass public shootings due to their outsized impact on the national psyche, most of those shootings are not carried out by individuals under the age of 21. The Mother Jones Mass Shooting Database records 31 mass public shootings since Parkland in 2018. Of those, only six were carried out by individuals under the age of 21. In two of those cases, the individual was under 18, could not legally buy any firearms, and stole the weapons from his parents. In two more cases, the individual showed clear signs of being a danger to self or others and should have been rendered legally prohibited from purchasing firearms under existing laws, but those legal mechanisms were never pursued.

Mandatory Gun Owner Liability Insurance

In recent years, it has become increasingly popular to suggest that one way of forcing gun owners to shoulder the costs associated with gun violence is by mandating that they acquire some form of gun owner liability insurance. In 2021, the city of San Jose, California, became the first in the nation to implement this policy, roundly touting it as a viable solution for combating the costs of gun violence.

⁷¹ A common retort here is that young adults under the age of 21 may not legally purchase or consume alcohol in public. Alcohol consumption, unlike jury service, voting, and militia service, has never been considered a fundamental right or duty of citizenship. It is certainly not an enumerated individual right explicitly protected by constitutional amendment.

⁷² See, e.g., FBI Crime Data Explorer, All Violent Crime Offender v. Victim Demographics (last accessed June 6, 2022), <https://crime-data-explorer.app.cloud.gov/pages/explorer/crime/crime-trend>.

⁷³ See Craig A. Perkins, *Age Patterns of Victims in Serious Violent Crime*, BUREAU OF JUSTICE STATISTICS SPECIAL REPORT NCJ-162031 (July 1997), <https://www.bjs.gov/content/pub/pdf/apvsvc.pdf>; Sofi Sinozich & Lynn Langton, *Rape and Sexual Assault Victimization Among College-Age Females, 1995–2013*, BUREAU OF JUSTICE STATISTICS SPECIAL REPORT NCJ 248471 (Dec. 2014), <https://www.bjs.gov/content/pub/pdf/rsavcaf9513.pdf>.

This idea, however, suffers from a plethora of practical problems that limit coverage to the point of being effectively useless as a policy tool to lower costs associated with gun violence.⁷⁴ First, as a general rule, states currently prevent insurance policies from covering intentional or criminal actions, which together comprise the vast majority of annual acts of gun violence. Insurance would only be used to cover the much rarer acts of reckless, negligent, or accidental conduct, and even then, only when such acts are committed by an insured individual and injure innocent third parties. Moreover, policies covering liability for reckless or negligent conduct perversely risk disincentivizing gun owners from acting responsibly, because they would be indemnified against any financial consequences stemming from irresponsible actions.

Finally, the effectiveness of any such mandate would depend largely on widespread enforcement. But a majority of gun crimes and at least some portion of accidental deaths and injuries are the fault of unlawful gun owners, who could not obtain liability insurance even if they were inclined to comply with this specific gun law in ways they are not inclined to follow other gun laws. And unless a state has a gun owner registry, requires gun owners to submit proof of insurance on a regular basis, actively monitors which lawful gun owners have not obtained insurance, then meaningfully sanctions them for noncompliance, it cannot ensure the type of widespread compliance necessary to render such a mandate even remotely effective for the limited scenarios in which insurance policies would apply in the first place.

Waiting Periods

According to the RAND Corporation, evidence that waiting periods reduce overall suicides is limited, at best.⁷⁵ It is not at all clear why such waiting periods should apply to subsequent purchases, as suicidal individuals who already own firearms presumably already have those lethal means at their disposal. Meanwhile, individuals who are in immediate fear for their lives are delayed in their ability to exercise their Second Amendment rights precisely when it may be most important for purposes of self-defense.

B. Effective Strategies for Reducing the Toll of Gun Violence

(1) Increase Social Capital by Promoting Economic Growth and Family Stability

There is a plethora of evidence that social capital is inextricably linked to gun violence, whether that gun violence is related to suicide or criminal activity.⁷⁶ Communities with higher levels of social capital are

⁷⁴ See generally, Amy Swearer & Abby Kassal, *8 Problems With San Jose's Gun Insurance Mandate and Gun Ownership Tax*, HERITAGE FOUNDATION (Feb. 2, 2022), <https://www.heritage.org/firearms/commentary/8-problems-san-joses-gun-insurance-mandate-and-gun-ownership-tax>.

⁷⁵ RAND Corporation, *Effects of Waiting Periods on Suicides* (April 22, 2020), <https://www.rand.org/research/gun-policy/analysis/waiting-periods/suicide.html>.

⁷⁶ JOINT ECONOMIC COMMITTEE REPUBLICANS, AN OVERVIEW OF SOCIAL CAPITAL IN AMERICAN SOCIETY (June 2021), https://www.jec.senate.gov/public/_cache/files/8cb559c4-3764-4706-9009-b4d8565ec820/scp-volume-1-digital-final.pdf; Nathan Daniel Lucia Smith & Ichiro Kawachi, *State-Level Social Capital and Suicide Mortality in the 50 U.S. States*, 120 SOCIAL SCIENCE & MED. 269 (2014), <http://faculty.washington.edu/matsueda/courses/590/Readings/Smith%20and%20Kawachi%202014%20suicide.pdf>; Matthew D. Moore & Nicholas L. Recker, *Social Capital, Type of Crime, and Social Control*, 62 J. RESEARCH IN CRIME & DELINQUENCY 728 (2013), https://www.researchgate.net/publication/265727202_Social_Capital_Type_of_Crime_and_Social_Control;

also less likely to be victimized by mass public shooters.⁷⁷ Many aspects of rebuilding civil society and increasing social capital inherently involve private voluntary associations, and Americans are often better served by government “getting out of the way.”⁷⁸ From a federal policy perspective, one important way of addressing social capital concerns is through promoting economic growth and employment, which increases family stability and individual connectedness through the workplace.⁷⁹ As many of my colleagues at the Heritage Foundation have pointed out, there are plenty of specific, concrete measures Congress can take to ease the crushing effects of inflation on American families and provide a stable economy, which would promote family stability and lower the risks of suicide and crime associated with increased economic stress, divorce, and poverty.⁸⁰ There are also steps Congress can take to promote financial stability in working families, offer more educational opportunities that families control, and increase wages through pro-jobs tax policies.⁸¹

(2) *Combat Violent Crime by Fully Funding the Police and Prosecuting Offenders*

The presence of law enforcement officers has a major deterrent effect on criminals.⁸² Reducing police presence and pro-active, officer-initiated activity within communities has a devastating impact, including most markedly for poorer, minority communities.⁸³ A small number of serial offenders are responsible for a majority of violent crimes in many cities.⁸⁴ Focusing enforcement and prosecution resources on removing the worst offenders from communities for lengthy periods of time has a significant and positive impact on community safety.⁸⁵

On the surface, bolstering police activity and enforcing existing laws may seem like an easy solution. After all, it is already illegal to traffic in firearms, to sell or lend guns to prohibited persons, or for violent

⁷⁷ Roy Kwon & Joseph F. Cabrera, *Social Integration and Mass Shootings in U.S. Counties*, 42 J. CRIME & JUSTICE 121 (2019).

⁷⁸ See, e.g., JOINT ECONOMIC COMMITTEE REPUBLICANS, A POLICY AGENDA FOR SOCIAL CAPITAL (Dec. 2021), https://www.jec.senate.gov/public/_cache/files/f8f8bea06-cfc6-48da-9369-d9906710e9b/a-policy-agenda-for-social-capital.pdf.

⁷⁹ *Id.*

⁸⁰ Daren Bakst et al., *Inflation: Policymakers Should Stop Driving It and Start Fighting It*, HERITAGE FOUNDATION SPECIAL REPORT NO. 252 (Jan. 20, 2022), <https://www.heritage.org/markets-and-finance/report/inflation-policymakers-should-stop-driving-it-and-start-fighting-it>.

⁸¹ Marie Fishpaw et al., *Being A Parent Is Hard Enough: It's Time for Congress to Help Families Thrive*, HERITAGE FOUNDATION BACKGROUNDER NO. 3647 <https://www.heritage.org/marriage-and-family/report/being-parent-hard-enough-its-time-congress-help-families-thrive>

⁸² Robert VerBruggen, *De-Policing and What to Do About It*, MANHATTAN INSTITUTE ISSUE BRIEF (Oct. 2021), <https://media4.manhattan-institute.org/sites/default/files/MI-VerBruggen-depolicing.pdf>.

⁸³ See *supra*, note 15.

⁸⁴ Aaron Chafflin et al., *When Cities Add Cops, Black Residents Could Have The Most To Gain – And The Most To Lose*, NISKANEN CENTER (May 18, 2021),

https://www.nber.org/papers/w28202?utm_source=npr_newsletter&utm_medium=email&utm_content=20210419&utm_term=5326149&utm_campaign=money&utm_id=49355949&orgid=&utm_att1=money; Aaron Chaffin & Justin McCrary, *Are U.S. Cities Underpoliced? Theory and Evidence*, 167 REV. OF ECON. & STATS. (2018),

<https://direct.mit.edu/rest/article-abstract/100/1/167/58429/Are-U-S-Cities-Underpoliced-Theory-and-Evidence?redirectedFrom=fulltext>; Peter Moskos, *The Murder Spike of 2020: When Police Pull Back*, WSJ (Updated July 23, 2021), <https://www.wsj.com/articles/the-murder-spike-of-2020-when-police-pull-back-11626969547>; Paul G. Cassell, *Explaining the Recent Homicide Spikes in U.S. Cities: The 'Minneapolis Effect' and the Decline in Proactive Policing*, 33 FED. SENT'G REP. 83 (Dec. 2020) (last revised May 4, 2021, as University of Utah College of Law Research Paper No. 377).

⁸⁵ Thomas Hogan, *Crime Control in Cleveland*, CITY JOURNAL (Feb. 1, 2022), <https://www.city-journal.org/crime-control-in-cleveland>;

felons to possess firearms. It does not necessitate new laws. But to meaningfully enforce laws, many cities will need to change their policy approaches when it comes to law enforcement. Unfortunately, much of this task falls to states and local governments. It is shameful that so many of the federal government's state and local counterparts have singled out the rights of peaceable gun owners while at same time refusing to hold violent criminals—including those who unlawfully use firearms to harm innocent people—fully accountable for their actions.

But the federal government, for its part, is not left without recourse. It can encourage and even help states re-fund and re-invigorate local police departments after several years of morale-devastating cuts. It can continue cracking down on illegal gun trafficking and ensure that, at least at the federal level, those who are caught illegally trafficking firearms face swift, certain, and severe punishment. And while it cannot force rogue "progressive" prosecutors to fully enforce laws at a state or local level, it can publicly promote best practices for the prosecution of violent offenders that reflect an attitude of taking violence crime seriously.

(3) *Invest in School Choice*

School choice reduces the costs associated with gun violence in the short and medium term by helping students escape communities where bullying, gang-related violence, and other forms of school violence are common. Especially for at-risk males, persistently attending private schools through school voucher programs lowers their risks of participating in or being arrested for criminal behaviors.⁸⁶ The ability of parents to more easily remove their children from schools where they are bullied or face violent threats also helps alleviate the increased risks of suicide that come with those realities.⁸⁷ In the long run, better educational opportunities increase social capital, thereby decreasing the likelihood that an individual will either commit or be victimized by acts of gun violence.

The bulk of school choice initiatives should be conducted at the state level.⁸⁸ That said, the federal government is not without means to act in support of this crucial aspect of combating violence. Congress can put the D.C. Opportunity Scholarship Program on a permanent and expanded footing, instead of

⁸⁶ Corey DeAngelis & Patrick J. Wolf, *The School Choice Voucher: A "Get Out of Jail Free" Card?*, EDRE Working Paper 2016-03 (Mar. 8, 2016), <http://www.uaedreform.org/downloads/2016/03/the-school-choice-voucher-a-get-out-of-jail-free-card.pdf>; M. Danish Shakeel, *Can Private Schools Improve School Climate? Evidence From A Nationally Representative Sample*, 12 J. OF SCHOOL CHOICE 426 (Aug. 8, 2018), <https://www.tandfonline.com/doi/abs/10.1080/15582159.2018.1490383>; Andrew McEachin et al., *Social Returns to Private Choice? Effects of Charter Schools on Behavioral Outcomes, Arrests, and Civic Participation*, EDWORKING PAPER NO. 19-90 (2020), <https://www.edworkingpapers.com/ai19-90>.

⁸⁷ Jonathan Butcher & Chloe Shoemaker, *Youth Mental Health Crisis Gives More Urgency To School Choice Movement*, HERITAGE FOUNDATION (Mar. 31, 2021), <https://www.heritage.org/education/commentary/youth-mental-health-crisis-gives-more-urgency-school-choice-movement>; Corey A. DeAngelis & Angela K. Dills, *The Effects of School Choice on Mental Health*, 32 SCHOOL EFFECTIVENESS & SCHOOL IMPROVEMENT 326 (Dec. 3, 2020), <https://www.tandfonline.com/doi/abs/10.1080/09243453.2020.1846569?journalCode=nse20>; Editorial Board, *School Choice: Better Than Prozac*, WSJ (Dec. 17, 2020), <https://www.wsj.com/articles/school-choice-better-than-prozac-11608248279>.

⁸⁸ Lindsey Burke, *Why A Federal Tax-Credit Scholarship Program Will Not Advance School Choice In America*, HERITAGE FOUNDATION BACKGROUNDER NO. 3395 (Mar. 13, 2019), <https://www.heritage.org/education/report/why-federal-tax-credit-scholarship-program-will-not-advance-school-choice-america>.

perpetually trying to phase it out.⁸⁹ It can also expand school choice to military families and children attending Bureau of Indian Education Schools, the latter routinely being deemed some of the worst-performing schools in the nation.⁹⁰ Congress can also use its bully pulpit to promote these initiatives in a more high-profile manner, bringing attention to the positive impacts they have on the nation's young people.

(4) *Additional Opportunities for Federal Intervention*

- Fund anti-gang violence and other community initiatives that have proven to be incredibly effective at lowering rates of gun crime.⁹¹
- Remove unnecessary barriers to the exercise of Second Amendment rights by law-abiding citizens, who use their firearms in lawful defense of self or others somewhere between 500,000 to 3,000,000 times every year.⁹²
- Invest in genuine risk assessment training for state and local communities, better enabling them to prevent acts of targeted and mass violence.⁹³

⁸⁹ Jude Schwallbach, *D.C.'s Opportunity Scholarship Program Giving Students Access to In-Class Education*, HERITAGE FOUNDATION (Sept. 9, 2020), <https://www.heritage.org/education/commentary/dcs-opportunity-scholarship-program-giving-students-access-class-education>; Jude Schwallbach, *Military Families Deserve Flexible Education Options*, HERITAGE FOUNDATION (Apr. 14, 2021), <https://www.heritage.org/education/commentary/military-families-deserve-flexible-education-options>;

Lindsey M. Burke, *School Choice for Military Families Will Save DOD Money*, HERITAGE FOUNDATION (Mar. 1, 2018), <https://www.heritage.org/education/commentary/school-choice-military-families-will-save-dod-money>.

⁹⁰ Native American youths are also at an elevated risk of violent victimization, and are overrepresented in the criminal justice system. Preventing delinquency and increasing educational outcomes is a vital component of lowering violent crime, violent victimization, and suicide rates for this often-overlooked population.

⁹¹ For example, initiatives like Operation Ceasefire have not only been incredibly successful at reducing rates of gun crime, but that success has been replicated across a number of very diverse cities. See Anthony A. Braga et al., *Problem-Oriented Policing, Deterrence, and Youth Violence: An Evaluation of Boston's Operation Ceasefire*, 38 J. Research in Crime & Delinquency 195 (2001), https://www.d.umn.edu/~jmaahs/Correctional%20Assessment/Articles/Braga_problem_oriented%20policing_deterrence.pdf;

Operation Ceasefire and the Safe Community Partnership, U.S. Attorney's Office for the Northern District of California (Dec. 29, 2014), <https://www.justice.gov/usao-ndca/operation-ceasefire-and-safe-community-partnership>. On the other hand, initial data on acute 2020 crime spikes suggest that declines in "proactive policing" can play a major factor in violent crime increases. See Paul Cassell, *Explaining the Great 2020 Homicide Spike*, REASON (Feb. 1, 2021), <https://reason.com/volokh/2021/02/01/explaining-the-great-2020-homicide-spike/>.

⁹² A 2013 report by the Centers for Disease Control and Prevention concluded that "almost all national survey estimates indicate that defensive gun uses by victims are at least as common as offensive uses by criminals, with estimates of annual uses ranging from about 500,000 to more than 3 million." CENTERS FOR DISEASE CONTROL AND PREVENTION, *PRIORITIES FOR RESEARCH TO REDUCE THE THREAT OF FIREARM-RELATED VIOLENCE*, at 15 (2013), <https://www.nap.edu/read/18319/chapter/3#15>. Importantly, "Studies that directly assessed the effect of actual defensive uses of guns (i.e., incidents in which a gun was "used" by the crime victim in the sense of attacking or threatening an offender) have found consistently lower injury rates among gun-using crime victims compared with victims who used other self-protective strategies." *Id.* at 15–16. Last year, The Heritage Foundation created an interactive Defensive Gun Use Database to highlight just a fraction of the times Americans rely on the Second Amendment to protect their inalienable rights every year. *Defensive Gun Uses in the U.S.*, HERITAGE FOUND.

(Updated May 9, 2022), <https://www.heritage.org/data-visualizations/firearms/defensive-gun-uses-in-the-us/>.

⁹³ See, e.g., Amy Swearer, *The Kids Are Not Alright—But Not For The Reasons You Think*, HERITAGE FOUNDATION (June 21, 2022), <https://www.heritage.org/testimony/the-kids-are-not-alright-not-the-reasons-you-think>.

- Expand access to alternative healthcare options and give low-income Americans a choice in their own healthcare—including their mental healthcare. Refuse to underwrite anti-competitive state healthcare policies that raise the costs of healthcare—including mental healthcare—and reduce options for patients.
- Promote and encourage safe storage practices and responsible gun ownership without preemptively criminalizing gun owners for making reasonable decisions or inhibiting their ability to immediately respond to violent threats. Similar efforts to reduce unintentional gun deaths among children have proved incredibly successful.

IV. Conclusion

I am not an economist. But it does not take an economist to tell you that gun violence imposes a tremendous economic burden every year, or that lawful gun ownership is largely not to blame for the bulk of it. To any extent that lawful gun ownership does facilitate the costs of gun violence, it offers an equally significant protective value in the form of crime interference and deterrence, as well as through the economic value of a lawful multi-billion-dollar industry. This is, at its core, a very old conversation about gun policy, with the same easily refuted gun control talking points from the same advocates. It is far past time for Congress to stop having these same tired discussions focusing on the same utterly ineffective “solutions,” and to start actually implementing policies that will address the underlying problems that lead Americans to kill themselves and others with firearms in the first place.

RESPONSE FROM MS. SARAH BURD-SHARPS TO QUESTIONS FOR THE RECORD
SUBMITTED BY SENATOR KLOBUCHAR

You noted that gun violence costs the American taxpayers \$12.6 billion, which could be used for community violence intervention programs to address the root causes of gun violence. The Bipartisan Safer Communities Act included \$250 million to fund community-based violence prevention programs.

- **What are the long-term expenses cities face each year related to gun violence?**

Gun violence takes a toll not only on its victims but also on government budgets. The presence of significant gun violence in a city means more money spent on hospitals, first responders, rehab and institutional care, and criminal justice costs. Spending large amounts of money on the response to gun violence can prevent spending on the types of social services that can prevent it from occurring in the first place, including quality education and health care, mental health services, and more.

An Everytown analysis of the Nation's 20 largest US cities found that each city has an average of 186 gun homicides per year. These homicides add up to an average cost of \$2.2 billion per city, \$132 million of which come from government programs and services and is borne by taxpayers. Combining the cost in all 20 cities yields a total of \$45 billion, \$2.6 billion of which is paid by taxpayers. This amount is a very conservative estimate. It does not include the cost of suicides or gun injuries. It also does not include the negative impact gun violence has on businesses and property values in the hardest hit communities.

- **How does investing in violence prevention help to save resources that would otherwise be spent addressing the long-term effects of gun violence?**

Violence prevention through local violence intervention programs can significantly reduce costs related to gun violence by preventing hospitalizations, decreasing police and court expenditures, and improving quality of life. A 2015 cost-effectiveness analysis of San Francisco's Hospital Violence Intervention Program, the Wraparound Project, found that by reducing re-injury and hospitalizations, the program saved both money and quality-adjusted life years, compared to doing nothing. A 2016 study of abandoned building and lot remediation in Philadelphia ("cleaning and greening activities") found that these efforts reduced firearm violence, saving taxpayers an estimated \$5 per dollar invested in remediating buildings and \$26 per dollar invested in remediating lots. Initial results from a 2022 randomized control trial of READI Chicago—a program that offers cognitive behavioral therapy and employment to young men at the greatest personal and geographic risk of gun violence in the city—found that while the program cost an estimated \$60,000 per participant, \$185,000 was saved in societal harms.

RESPONSE FROM DR. CHETHAN SATHYA TO QUESTION FOR THE RECORD
SUBMITTED BY SENATOR KLOBUCHAR

You noted in your testimony that the United States spends over \$1 billion per year on medical costs associated with gun violence and that the costs of treating gunshot related injuries are substantially more expensive than treating other type of injury such as stab wounds or car accidents. Do you expect communities will see a decrease in medical costs associated with gun violence if they make an upfront investment in gun violence prevention initiatives, such as those run by your organization?

Early gun violence intervention programs can effectively reduce the number of firearm-related injuries—even without adequate funding for gun violence research, we know that. Investing in those programs, including community violence intervention and hospital-based violence intervention, can lower rates of gun violence and therefore the subsequent treatment costs. At the same time, we would benefit from more rigorous research that tracks community-based and hospital interventions with the costs of treating gun violence in the short and long term.

It's important for these investments to be part of a broader public health strategy that involves data collection, analysis, and appropriate adjustments based on that analysis. To tackle the cost of gun violence, we need to recognize and address its complex causes and invest in a public health approach that addresses each of them.

Similar public health crisis, such as motor vehicle collisions and smoking, have all seen a significant reduction in their healthcare associated costs and economic toll as a result of successful public health strategies.

At Northwell, we're piloting an NIH-funded universal screening protocol that asks our patients about their risk of firearm injury—whether that's suicide, unintentional shooting, or an assault. Our hope is that by identifying those risks early, we can both save lives and reduce the medical costs associated with gun violence.

