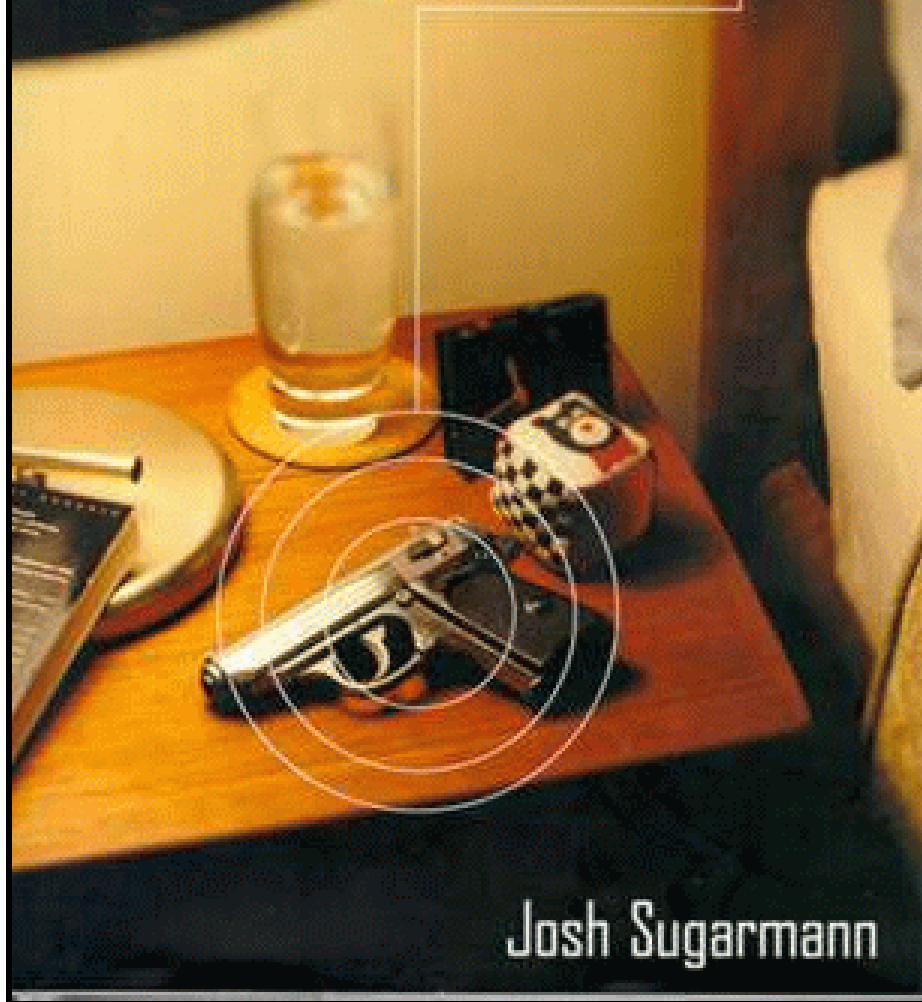


EVERY HANDGUN IS AIMED AT YOU

The Case for Banning Handguns



Josh Sugarmann

Workplace Shootings

Since 1986 there have been nine high-profile mass shootings in workplaces by current or former employees.¹⁷ As with school shootings, the one constant factor has been the use of handguns. Handguns were the only weapon used in eight of the nine shootings.¹⁸ A rifle was the primary weapon used in the remaining shooting, although handguns were also present. In seven of the shootings the guns were *legally* obtained, in one case illegally, and in one the origins of the guns are unknown.¹⁹ In the 1999 killing of seven at a Xerox Corporation office in Honolulu, not only was the gun purchased legally, the owner was licensed and the gun was registered with the state of Hawaii.²⁰ (For more on the limitations of licensing and registration of firearms please see Chapter 10.)

Mass shootings in the workplace have imprinted themselves onto the public consciousness and even entered the language. "Going postal," for example, is a reference to a series of shootings beginning with the 1986 handgun murder of 14 employees at the Edmond, Oklahoma, post office. In the 1997 novel *Going Postal*, the protagonist "bears a grudging admiration for...those frustrated and overworked postal workers who finally snap and start shooting."²¹

While mass shootings are extremely unusual events, homicides in the workplace remain all too common. According to the Bureau of Labor Statistics,

homicide was the *second* leading cause of death in the workplace between 1992 and 1996, with more than 1,000 murders occurring each year.²² More than 80 percent of these workplace homicides were committed with a firearm. Taxicab drivers and chauffeurs face exceptionally high risks of becoming homicide victims. In 1993, they constituted only one half of one percent of the work force, yet constituted nearly 10 percent of all work-related homicide victims.²³ Retail workers, including those in convenience stores, grocery stores, and restaurants also faced an above average risk. They accounted for about half of all workplace homicides in 1993, while making up only a sixth of the work force.

Like school shootings, workplace violence has led to increased security. Occupational Safety and Health Administration (OSHA) recommendations to counter workplace violence in retail settings include: physical barriers such as bullet-resistant enclosures; alarm systems; panic buttons; and, video surveillance equipment.²⁴ While of unquestionable value, such measures—like school security standards—degrade the workplace by penning employees behind glass walls and placing customers under perpetual “eye in the sky” observation. Such security measures have come to be accepted as normal components of our everyday environment, yet rarely do we stop to consider how much of where we go, and what we do, is affected by the easy access to handguns.

More Guns, Less Crime?

One of the diners present at the 1991 Luby's massacre in Killeen, Texas, was Suzanna Gratia Hupp, who was in the restaurant with her parents when George Hennard opened fire. Hupp's practice was to carry a handgun illegally, but she had left it in her car the day of the shooting. Both of Hupp's parents died in the shooting. Hupp was quick to blame Texas' ban on the carrying of concealed handguns as the true villain. If she had been allowed to carry her handgun into the restaurant, Hupp promised, she would have been able to stop the shooting and save her parents' lives.²⁵ While victims of gun violence and their families have long been successful spokespersons for increased gun control, the pro-gun Hupp offered her tragedy as evidence to the news media and elected officials of the need for less. By 1996, Hupp got the law she wanted, a "shall-issue" concealed weapons law signed by Texas Governor George W. Bush. In his 1994 campaign against then-Governor Ann Richards, Bush had cited his opposition to gun control and endorsed allowing Texans to carry concealed weapons as a defining difference between the two candidates. Under Texas' "shall-issue" concealed carry handgun law, state residents 21 years of age or older without a felony conviction who underwent a brief training regimen could carry a concealed handgun. Pro-gun advocates like Hupp (who later went on to become a Texas state representative) and Bush promise that concealed carry laws stop crime and reduce the risk of similar mass shootings. In the aftermath of the Columbine massacre, Hupp argued that an armed teacher might have prevented the

shooting—ignoring the fact that an armed security guard hadn't.²⁶

Supporters of the Texas law dismissed public safety concerns, echoing former National Rifle Association head lobbyist Tanya Metaksa, who asserted, "People who get [concealed carry] permits...are law-abiding, upstanding community leaders who merely seek to exercise their right to self-defense."²⁷ The reality, however, at least in Texas, is that although little evidence could be found of concealed carry license holders stopping crimes, evidence showed they were committing plenty of them. In the first three years after passage of the law, Texas concealed handgun license holders were arrested for a total of 2,080 crimes—nearly two crimes a day.²⁸ Crimes for which license holders were arrested included: murder/ attempted murder; kidnapping; rape/ sexual assault; weapon-related offenses; drug-related offenses; burglary; and, theft.

In fact, the gun industry recognized the importance of concealed carry to their bottom line and moved quickly to exploit it, designing new, more concealable handguns. Massad Ayoob explained the situation in a January 1996 *Shooting Industry* article:

Two bright rays of sunshine gleam through the dark clouds of the slump in the firearms market. One is the landslide of "shall issue" concealed carry reform legislation around the country. The other is the emergence of a new generation of compact handguns.²⁹

That same year former NRA chief lobbyist Tanya Metaksa acknowledged the organization's help in creating new customers for the firearms industry through its promotion of concealed carry. She told the *Wall Street Journal*, "The gun industry should send me a basket of fruit—our efforts have created a new market."³⁰

Yet by 1996 the NRA's campaign had begun to run out of steam. The remaining states were far less receptive to the emotional self-defense appeals of advocates like Hupp, and gun control advocates—although initially caught off guard—had become more organized and effective in their responses to the legislative assault. The fading campaign was given a last gasp of life from an unlikely source: a little-known University of Chicago researcher named John Lott.

Lott gave the fading concealed carry movement the one thing it lacked: an intellectual underpinning. Lott's argument was simple: more guns equal less crime. According to Lott, wherever concealed carry laws were passed, criminals—fearing confrontations with armed citizens—switched from violent crimes, such as murder, to property crimes, such as car theft. The man bites dog aspect of the story proved irresistible to some in the news media. For example, in an exclusive article *USA TODAY* gushed, "In a comprehensive study that may reshape the gun control debate, researchers have found that letting people carry concealed guns appears to sharply reduce murders, rapes and other violent crimes."³¹

As a gauge of his blind belief in the power of concealed weapons, following the March 1998 Jonesboro massacre Lott, like fellow concealed carry advocate Gracia Hupp, argued in a *Wall Street Journal* op-ed that the best way to prevent such shootings was to arm teachers. Wrote Lott, "Allowing teachers and other law-abiding adults to carry concealed handguns in schools would not only make it easier to stop shootings in progress, it could also help deter shootings from ever occurring."³²

Lott's research, however, has been thoroughly examined by other researchers and found to have insurmountable methodological flaws. [See Figure 9-2] For example, Georgetown University professor Jens Ludwig looked at the minimum age requirements for concealed carry licenses. Because only adults can obtain concealed carry licenses, Ludwig hypothesized that deterrent benefits of concealed carry laws should be concentrated among adults and would therefore be reflected in differences between adult and juvenile victimization rates. However, Ludwig found just the opposite, noting that Lott's data suggests that "shall-issue laws have resulted, if anything, in an *increase* in adult homicide rates."³³

In another study, "Two Guns, Four Guns, Six Guns, More Guns: Does Arming the Public Reduce Crime?," University of Chicago Professor Albert W. Alschuler hypothesized that if concealed-carry laws had a deterrent effect, it would be far greater for homicides between strangers than for intra-family homicides.³⁴ This is because gun possession in the home is already lawful and would be unaffected by

any new concealed weapons laws. By definition, such laws only affect handgun possession and use on the street. Yet Lott's study found that the proportion of stranger killings actually *increased* following the enactment of concealed-carry laws while the proportion of intra-family killings *decreased*. Concluded Alschuler: "At this point, there is essentially no reason for an intelligent consumer of social science research to accept the Lott...findings."³⁵

An examination of other writings by John Lott shows his views on guns are but one piece of a contrarian ideology which includes outlandish points of view on race, crime, health and safety, and the environment. For instance, an abstract of one of his studies states that "increases in the percent of minority police officers increase crime rates" and that "racial and gender changes in the composition of police forces resulted in at least 2,000 more murders" in cities he studied.³⁶ To put this view into perspective, Lott argues that arming untrained white men (the bulk of concealed carry license holders) saves lives, while arming trained minority police officers takes lives.³⁷

After Columbine, our nation, supposedly utterly jaded by gun violence, showed that it still had the capacity to be shocked and sickened. And yet after each mass shooting, the unspoken public hope is that it can't possibly get any worse. But it always does. From George Hennard in Killeen, Texas, to Eric Harris and Dylan

Klebold in Littleton, Colorado. And when the next shooting occurs, violating a previously safe haven—a ballpark, concert hall, supermarket, or shopping mall—what will our reaction be? Will we reach a point where we will lose hope that such shootings can ever be curtailed? Or will we recognize the one bloody thread that binds them: the handgun.

Academics Respond to Lott's Concealed Carry Study

"Shall-issue" laws have resulted, if anything, in an increase in adult homicide rates.

—Jens Ludwig, "Concealed-Gun-Carrying Laws and Violent Crime: Evidence from State Panel Data," *International Review of Law and Economics* 18 (1998): 239-254.

What we know from this study about the effects of "shall carry" laws is...nothing at all.

—Franklin Zimring and Gordon Hawkins, "Concealed Handguns: The Counterfeit Deterrent," *The Responsive Community* (Spring 1997): 46-60.

Inference based on the Lott and Mustard model is inappropriate, and their results cannot be used responsibly to formulate public policy.

—Dan A. Black and Daniel S. Nagin, "Do Right-to-Carry Laws Deter Violent Crime?," *The Journal of Legal Studies* 27, no. 1 (1998): 209-219.

The flaws in Lott and Mustard's study of shall-issue laws are so substantial, and the findings so at odds with criminological theory and research, that any conclusions about the effects of shall-issue laws based on this study are dubious at best.

—Daniel W. Webster et al., "Flawed Gun Policy Research Could Endanger Public Safety," *American Journal of Public Health* 87, no. 6 (1997): 918-921.

No credible criminologic theory can explain why a criminal would steal a car because he felt deterred from assaulting someone.

—Daniel W. Webster, *The Claims that Right-to Carry Laws Reduce Violent Crime are Unsubstantiated* (Baltimore, MD: The Johns Hopkins Center for Gun Policy and Research, 1997).

At this point, there is essentially no reason for an intelligent consumer of social science research to accept the Lott and Mustard findings.

—Albert W. Alschuler, "Two Guns, Four Guns, Six Guns, More Guns: Does Arming the Public Reduce Crime?," *Valparaiso University Law Review* 31 (Spring