

CONCEALED CARRY OF FIREARMS: FACTS *vs.* FICTION



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Carrying a concealed handgun in public has the potential to enable would-be victims of violent crime to thwart attempted acts of violence, but also poses potential threats to public safety.

Because of these potential threats, states have historically regulated the carrying of concealed firearms. These regulations have included requiring a permit to carry a concealed weapon and basing the issuance of these permits on whether applicants met training, safety, and even personal character requirements. Additionally, states have limited the places in which the permit holder could carry a concealed firearm.



PENDING FEDERAL BILL: CONCEALED CARRY RECIPROCITY

In both houses of Congress in 2017, bills have been introduced (H.R. 38; S.B. 446) that would mandate “concealed carry reciprocity.” This means that each state would be required to honor a concealed carry permit issued by another state. Currently, each state has its own rules about which carry permits, if any, from other states it will honor. But under concealed carry reciprocity, for example, Maryland – a “may issue” state – would be required to honor a permit granted by the state of Utah – a “shall

issue” state which grants permits without discretion, even to out of state residents. Maryland would then have to allow the Utah permit holder to carry a concealed firearm everywhere within Maryland that a local permit holder may carry. In addition, residents from the 12 permitless carry states who may legally possess firearms in their state could legally carry concealed firearms – without obtaining a permit – even in the other 38 states that normally require permits.

FACTS ABOUT RIGHT-TO-CARRY (RTC) LAWS AND CIVILIAN GUN USE

Supporters of RTC laws in general, and concealed carry reciprocity in particular, make a number of arguments in support of these laws. Such arguments are often based on flawed assumptions that are contrary to the best available research. [Here are the facts.](#)

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State Licenses to Carry Concealed Firearms are Not Like Drivers' Licenses

To obtain a driver's license in each of the 50 states and in the District of Columbia, applicants must demonstrate a knowledge of relevant laws and proficiency in safely driving a motor vehicle on public roads or in a simulated environment. In contrast, in just 23 of the 30 RTC states are permit applicants required to complete any kind of training. And in 13 of those states, the permit applicants need not demonstrate any hands-on use of a firearm. Requirements for hands-on use of a firearm, however, should not be equated with demonstration of proficiency in safe firearm handling, proper decision making about whether to use a firearm, or the ability to effectively use a firearm in various situations a civilian might encounter if they routinely carried a concealed firearm.

These facts run counter to the claim that armed civilians are adequately trained and able to successfully deter or interrupt various types of crimes or even mass shootings. In fact, in zero of the 111 mass shooting incidents^a analyzed by researcher Louis Klarevas in his book, *Rampage Nation: Securing America from Mass Shootings*, did an armed civilian effectively intervene and terminate a mass shooting in progress.² An FBI analysis of active shooter situations further revealed that unarmed civilians are more than 20 times as likely to successfully end an active shooting than are armed civilians (excluding armed security guards).³

^a For the years 1966 through 2015.

Firearms Transaction Record

WARNING: You may not receive a firearm if prohibited by Federal or State law. The information you provide will be used to determine whether you are prohibited from receiving a firearm. Certain violations of the Gun Control Act, 18 U.S.C. 921 et. seq. are punishable by up to 10 years imprisonment and/or up to a \$250,000 fine.

Read the Notices, Instructions, and Definitions on this form. Prepare in original only at the licensed premises ("licensed premises" means a business temporarily conducted from a qualifying gun show or event in the same State in which the licensed premises is located) unless the transaction qualifies under 18 U.S.C. 922(c). All entries must be handwritten in ink. "PLEASE PRINT."

Section A - Must Be Completed Personally By Transferee/Buyer

Transferee's/Buyer's Full Name (If legal name contains an initial only, record "IO" after the initial. If no middle initial or name, record "None") (Including suffix (e.g., Jr, Sr, II, III))

First Name	Middle Name
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2

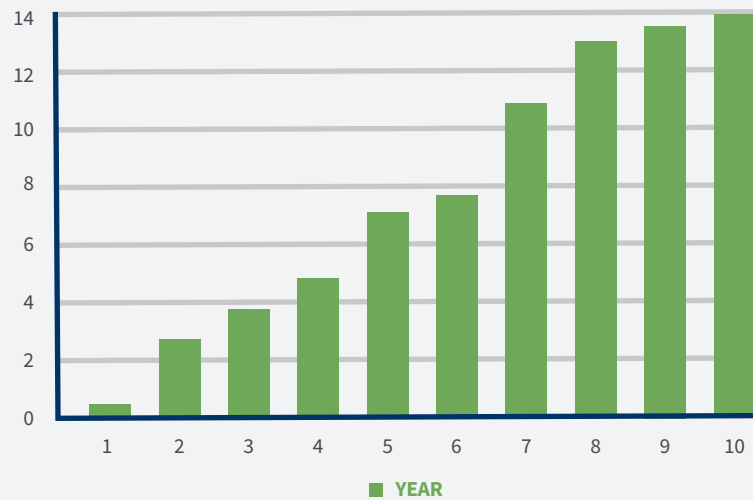
In RTC States, Many Persons with Criminal Histories May Legally Carry Concealed Guns

Federal law and the laws of most states specifically forbid felons and those convicted of certain misdemeanor crimes of domestic violence from owning guns. But in many states residents with a criminal record may still own guns. This includes individuals who have been convicted of violent misdemeanors (some of which may have originally been charged as felonies prior to a plea bargain), have multiple drunk driving violations, a history of multiple arrests, and those who had restraining orders for domestic violence issued against them that expired. In RTC states and in states without any permitting system for concealed carry, anyone who can own a gun can easily qualify to carry it in public and in their vehicles. In the 13 states with the lowest standards for legal gun ownership, 60% of those who are incarcerated for committing violent crimes with guns legally possessed the guns they used in those crimes.⁴ Each of these 13 states have RTC or permitless carry laws. Very few state agencies release information

about who has a concealed carry permit or how many permit holders commit violent crimes with guns. This makes it impossible to document how many violent crimes are committed by legal gun carriers or how many permit holders committing crimes had prior criminal convictions or restraining orders. Using data mostly from news reports, the Violence Policy Center (VPC) has documented that since May 2007, more than 1,000 people have died at the hands of persons who held concealed carry permits.⁵ These incidents include 31 mass shootings and the killings of 19 police officers. The VPC has documented histories of domestic abuse, criminality, substance misuse, and suicidal behavior among many of the concealed carry holders who committed fatal shootings.

% Increase in Violent Crime Associated with Each Year a RTC Law is in Effect

Donohue, Aneja, & Weber, 2017



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RTC Laws Appear to Increase Violent Crime

In his book, *More Guns, Less Crime*, as well as in other published articles, John Lott claims that RTC laws save lives and reduce violent crime. Lott argues that when more law-abiding citizens carry guns, more crimes will be deterred or successfully interrupted. Importantly, he contends that those who can legally own guns have such low rates of criminal offending, that the net effect of RTC laws and more legal gun carrying is to significantly lower rates of violent crime.

Lott's research to support these claims, however, has been found to be flawed in many important ways.^{6,7,8,9} When those flaws are corrected, no crime-reducing effects of RTC laws are evident.

The most comprehensive, and arguably most rigorous, study on the effects of RTC laws was recently published by economists John Donohue

(Stanford), Abhay Aneja (University of California, Berkeley), and Kyle Weber (Columbia). Donohue and colleagues found that violent crime rates increased with each additional year a RTC law was in place, presumably as more people were carrying guns on their person and in their vehicles.^{b,10} By years 7 through 10 following the adoption of a RTC law, violent crime rates were 11% to 14% higher than predicted had such laws not been in place. After controlling for changes in incarceration rates and the number of police per capita, RTC laws were associated with a 10% higher murder rate 10 years following the adoption of RTC laws.¹¹ This is consistent with findings from a prior study showing that violent crime increased with each year an RTC law was in place¹² and a recent study that found RTC laws are associated with a 10.6% increase in homicides committed with handguns.¹³

b In addition to increasing the risk of legal gun carriers committing assaults with firearms, more guns are being stolen from motor vehicles.

Civilians Rarely Use Concealed Guns to Defend Themselves from Criminal Victimization

Those who argue against regulating civilian gun carrying claim that legal gun owners in the U.S. use guns to successfully defend themselves millions of times each year. The most commonly cited study to support this claim – a telephone survey of a national sample of about 5,000 adults – was conducted in 1993 by criminologist Gary Kleck.¹⁴ Based on this survey, Kleck estimated that there were approximately 2.5 million civilian defensive gun uses (DGUs) per year in the U.S. in the early 1990s,^c a time when legal gun carrying in public places was far less common than is the case now. Kleck's estimates of DGUs were considerably higher than the approximately 1.5 million crimes committed with firearms in 1993.

There are several reasons why Kleck's estimate of the number of DGUs is likely to be flawed. For example, Kleck's survey projects more than 200,000 criminals per year shot in the act of committing a crime by civilians defending themselves. This is more than twice as high as the current annual estimates of all persons treated in hospital emergency departments for nonfatal gunshot wounds

resulting from criminal assaults or shootings by law enforcement.^d Second, there is good evidence that many events reported as DGUs are not purely defensive, justified, or lawful. From national surveys conducted by Harvard, researchers presented to criminal court judges verbatim explanations of circumstances from respondents reporting DGUs.¹⁵ Only 43% of reported DGUs were deemed to be legally justified uses of firearms by the judges.

The National Crime Victimization Survey (NCVS) is conducted by the U.S. Census Bureau and surveys nearly 160,000 individuals age 12 and older every 6 months for three years.¹⁶ A report of a DGU in the NCVS is only recorded if the respondent first reports that a crime occurred or was attempted against them and if the respondent indicates that he or she did something in self defense. NCVS data for the years 2007-2011 show an average of about 47,000 DGUs per year,¹⁷ which represents about 1% of all nonfatal criminal victimizations. In 17% of these DGUs, the respondent reported a DGU in response to only verbal threats.¹⁸

^c Other researchers using Kleck's flawed methodology derive similar estimates.

^d This is true for any of the 15 years (2001-2015) the US Centers for Disease Control and Prevention have tracked such cases.

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National Crime Victimization Survey Data Indicate No Clear Safety Benefit to Using a Gun in Defense During a Criminal Attack

Some claim that having a gun available during a perceived imminent threat, on average, gives one the upper hand to prevent a would-be victimization or reduce injury. David Hemenway and Sara Solnick analyzed criminal victimizations using NCVS data and victims' actions to thwart those crimes. Contrary to those claims, they found that using a firearm did not alter injury risk during criminal victimization; 4% of victims were injured after they used or attempted to use a firearm in self-defense compared to 4% of victims who were injured after they took other proactive protective measures.¹⁹

6

The Vast Majority of Mass Shootings in the U.S. Do Not Occur in “Gun Free” Zones

There is no evidence that mass shooters target so-called “gun-free” zones, locations in which no one, not even law enforcement, may carry concealed guns. A comprehensive analysis by researcher Louis Klarevas determined that, of 111 mass shootings involving 6 or more victims since 1966, just 18 occurred in a “gun-free” or “gun-restricting” zone (locations where law enforcement or security are permitted to carry concealed guns, but not civilians).²⁰ Rather than choosing a target because it is perceived to be “gun free,” perpetrators often have some prior connection to the location and/or the victims targeted.²¹⁻²²



Most gun owners want higher safety standards for civilians who carry concealed firearms and oppose gun carrying on college campuses, places of worship, government buildings, schools, bars, or sports stadiums.

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The Second Amendment Does Not Prevent States from Regulating Who May Carry a Weapon in Public

Until recently, the federal courts were unanimous in declaring that the Second Amendment was not an obstacle to even broad laws regulating gun ownership or carrying. In 2008, however, in a case called *District of Columbia v. Heller*, the U.S. Supreme Court concluded that the Second Amendment protects an individual's right to own a handgun in the home, invalidating a Washington D.C. law. But the Court has not yet ruled on whether the Second Amendment protects the right to carry a weapon in public and lower federal courts disagree on this issue. Even if such a right is protected, the Supreme Court has said that the Second Amendment is "not a right to keep and carry any weapon whatsoever in any manner whatsoever and for whatever purpose."²³

8

83 Percent of Gun Owners and 83 Percent of Republicans Want Much Higher Safety Standards for Concealed Carry Permit Holders than are Required in Right-to-Carry and Permitless States

Data from a national survey conducted in January 2017 by the Johns Hopkins Center for Gun Policy and Research found that 83% of gun owners agreed "... that a person who can legally carry a concealed gun should be required to pass a test demonstrating they can safely and lawfully handle a gun in common situations they might encounter."²⁴ The same percentage (83%) of Republicans agreed with this statement. There was little difference across political affiliation, with 87% of Democrats and 84% of Independents also agreeing that a person who can legally carry a concealed gun should be required to pass a test demonstrating they can safely and lawfully handle a gun in common situations they might encounter. Such high standards are rare, especially among states with RTC laws, and the 12 permitless states require no safety training. A 2015 national survey found large majorities of the public opposed laws allowing concealed carry permit holders to carry firearms on college campuses (64.3%), or in places of worship (65.8%), government buildings (66.8%), schools (69.3%), bars (69.4%), or sports stadiums (70.1%).²⁵

ABOUT THE CENTER FOR GUN POLICY AND RESEARCH

The Johns Hopkins Center for Gun Policy and Research is dedicated to reducing gun-related injuries and deaths through the application of strong research methods and public health principles. Its faculty have pioneered innovative strategies for reducing gun violence, and achieved a national reputation for high-quality, policy-relevant research.

The Center examines the public health effects of guns in society and serves as an objective resource for policy makers, the media, advocacy groups, and the general public. For the past two decades its faculty has helped shape the public agenda in the search for solutions to gun violence. Graduates of the School's academic programs hold leadership positions in the field of gun violence prevention worldwide.



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ABOUT THE BLOOMBERG AMERICAN HEALTH INITIATIVE

The Bloomberg American Health Initiative is an impact-focused effort to improve domestic health. The Initiative is a major investment in a healthy future for the United States, with a particular focus on five priority areas: Addiction and Overdose, Environmental Challenges, Obesity and the Food System, Risks to Adolescent Health and Violence.

As part of its mission, the Initiative is preparing the next generation of public health professionals, offering full-tuition scholarships to Bloomberg Fellows who are working in their communities in one of the five focus areas. By training individuals while also strengthening local organizations, the Initiative is building a network of individuals and organizations across the country — a network that reaches far beyond the traditional world of public health.

Firmly rooted within communities and involving direct collaboration between national and local partners; Fellows; and the Johns Hopkins Bloomberg School of Public Health, the Bloomberg American Health Initiative is an ambitious effort to tackle some of society's thorniest problems.

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