



THE COALITION TO
STOP GUN VIOLENCE

Statement for the Record
Submitted to the United States Senate Committee on the Judiciary
Full Committee Hearing
“Constitutional and Common Sense Steps to Reduce Gun Violence”

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I am pleased to submit this statement to the Senate Committee on the Judiciary on behalf of the Coalition to Stop Gun Violence and would like to thank Chairman Durbin for his continued leadership on the issue and for holding this important hearing on gun violence prevention. The Coalition to Stop Gun Violence is the nation’s oldest gun violence prevention organization founded in 1974. We use public health and equity lenses to identify and implement evidence-based policy solutions and programs to reduce gun violence in all its forms.

Gun violence is a public health epidemic that affects the well-being and public safety of all Americans. The latest Centers for Disease Control and Prevention (CDC) data show that 39,707 people, 86% of whom were male, lost their lives to gun violence in 2019.¹ It was the third consecutive year of nearly 40,000 gun deaths, and part of a three year cluster with a higher gun death rate than any other time in the last two decades. Americans are impacted by various forms of gun violence – including suicide, homicide, and unintentional deaths, as well as nonfatal gunshot injuries, threats, and exposure to gun violence in communities and society. Each year millions of Americans face the trauma of losing a loved one or living in fear of being shot. The impacts of gun violence, both direct and indirect, inflict an enormous burden on American society.

Further, in 2019, almost one in ten (3,390) gun deaths were children and teens, the second-highest number of annual child and teen gun deaths in twenty years.² Firearms were the leading cause of death for American children, teens, and young adults ages 1 to 24. When a child or young adult is shot and killed, they lose decades of potential: the potential to grow up, have a family, contribute to society, and pursue their passions in life.

The fact is, gun violence in the U.S. remains persistently high, and lives will continue to be lost needlessly without meaningful national leadership. To stem this tide and effectively cure the epidemic of gun violence, a comprehensive public health approach is needed. Congressional action to pass life-saving

¹ Educational Fund to Stop Gun Violence and Coalition to Stop Gun Violence. (2021). A Public Health Crisis Decades in the Making: A Review of 2019 CDC Gun Mortality Data. Available: <http://efsgv.org/2019CDCdata>

² Ibid.

gun violence prevention laws and sufficiently fund research, community programming, and implementation of laws is both necessary and overdue.

Public Health Approach for Gun Violence Prevention

Public health is the science of protecting and improving the health and well-being of communities through the use of data, research, and effective policies and practices. Policymakers, researchers, and advocates have successfully used the public health approach in the United States to eradicate diseases like polio, promote widespread usage of vaccines, reduce smoking-related deaths, address environmental toxins, and decrease motor vehicle crashes.

The CDC and World Health Organization outline a public health approach to violence prevention based on four steps: (1) define and monitor the problem, (2) identify risk and protective factors, (3) develop and test prevention strategies, (4) ensure widespread adoption of effective strategies.^{3,4} Within each step of the approach, the Coalition to Stop Gun Violence has outlined immediate actions Congress can and should take to stop gun violence in all its forms and create a future free from gun violence.

STEP 1 – DEFINE AND MONITOR THE PROBLEM

The first step of the public health approach to gun violence prevention is to understand the magnitude of the problem – who is perpetrating gun violence, what types of gun violence occur, when does gun violence most often happen, where is gun violence most likely to occur, and why is gun violence occurring in the first place. In order to accurately answer these questions and understand the scope and complexity of gun violence, we need reliable and timely data on the number of firearm fatalities and nonfatal injuries that occur in the United States each year. While firearm fatality data is widely available and robust, it does not provide the whole picture, especially for interpersonal gun violence. While we know there are more nonfatal gun violence injuries than there are deaths,⁵ there is no comprehensive national nonfatal injury database available to accurately track and share this data. Without reliable data on nonfatal firearm injuries, researchers are limited in their ability to investigate firearm violence and design effective interventions. To improve nonfatal firearm injury data, Congress should direct the CDC to expand the number of hospitals included in the National Electronic Injury Surveillance System (NEISS) database, to incorporate the Nationwide Emergency Department Sample (NEDS) data into the CDC's Web-based Injury Statistics Query and Reporting System (WISQARS) database in order to adjust the current online estimate, and add a nonfatal shooting category to the FBI's Uniform Crime Reporting program.

Further, while firearm fatality data is widely available through the CDC's WISQARS or Wide-Ranging Online Data for Epidemiologic Research (WONDER) databases, it is not released in a timely manner. The 2019 fatality data only became available on WONDER in December 2020 and on WISQARS in February 2021 – an unacceptable delay that hampers potential responses. We cannot solve a problem we cannot quantify, and without timely data, we lack the information we need to make the best possible

³ Centers for Disease Control and Prevention. The National Center for Injury Prevention and Control, Division of Violence Prevention. [The Public Health Approach to Violence Prevention](#).

⁴ World Health Organization. Violence Prevention Alliance. [The Public Health Approach](#).

⁵ Gani F, Sakran JV, & Canner JK. (2017). Emergency department visits for firearm-related injuries in the United States, 2006–14. Appendix 13. Health Affairs.

decisions. For example, there are indications that homicides have risen dramatically in 2020,⁶ and emerging data suggest there may be a disproportionate rise in suicides among Black people,⁷ but because our country lacks a standard and timely system for collecting and reporting gun deaths, we won't know the full scale of the problem for many months to come. The CDC is the federal agency responsible for protecting Americans by ensuring that data is properly collected to develop solutions to our nation's public health crises, including gun violence. Congress should direct the CDC to improve the timeliness of releases of fatal firearm injury data and increase its funding accordingly.

STEP 2 – IDENTIFY RISK AND PROTECTIVE FACTORS

The public health approach focuses on prevention and addresses risk factors that lead to gun violence and protective factors that reduce gun violence. Research has identified specific risk factors which increase the likelihood of engaging in gun violence. At an individual level, having access to guns is a risk factor for violence, increasing the likelihood that a dangerous situation will become fatal. Simply having a gun in one's home doubles the chance of dying by homicide and increases the likelihood of suicide death by over three-fold.⁸ Other individual risk factors closely linked to gun violence include a history of violent behavior, exposure to violence, and risky alcohol and drug use.⁹ Community level factors also increase the likelihood of gun violence. Under-resourced neighborhoods with high concentrations of poverty, lack of economic opportunity, and social mobility are more likely to experience high rates of violence.¹⁰ These community level factors are often the result of deep structural inequities rooted in racism.

Having a clear understanding of risk and protective factors allows policymakers to enact targeted legislation that will be effective in stopping gun violence. Despite the dogged persistence of dedicated researchers who studied gun violence and prevention through decades of federal funding freezes, there is much we do not know and enhanced federal research funding is needed to help further our understanding of these factors and how best to reduce risks and enhance protections.

Specifically, more robust research is needed to better understand risk factors for unintentional firearm deaths, homicide deaths, and suicide deaths; to help inform best practices for safe gun ownership, safe storage, and safe gun usage; to further learn about the role of alcohol and the role of illicit substances in firearm violence; to better understand the risk factors for committing gun violence; to know how physicians can effectively counsel suicidal patients on safe gun storage; and best practices for implementing gun laws. We simply need more information in order to help us understand what contributes to gun violence in all its forms – and what can be done to most effectively prevent these injuries and deaths. Congress should appropriate at least \$50 million for gun violence research at the CDC and National Institute of Health (NIH).

STEP 3 – DEVELOP AND TEST PREVENTION STRATEGIES

Gun violence prevention policies should address the risk and protective factors for gun violence. These interventions should be routinely tested to ensure they are effective and equitable; rigorous evaluations

⁶ Jackman T. (2021). [Homicides rose 30 percent in 2020, survey of 34 U.S. cities finds](#). *Washington Post*.

⁷ Bray MJC, Daneshvari NO, Radhakrishnan I, et al. (2020). [Racial Differences in Statewide Suicide Mortality Trends in Maryland During the Coronavirus Disease 2019 \(COVID-19\) Pandemic](#). *JAMA Psychiatry*.

⁸ Anglemyer A, Horvath T, & Rutherford G. (2014). [The accessibility of firearms and risk for suicide and homicide victimization among household members: a systematic review and meta-analysis](#). *Annals of Internal Medicine*.

⁹ Consortium for Risk-Based Firearm Policy. (2013). [Guns, public health, and mental illness: An evidence-based approach for state policy](#).

¹⁰ Centers for Disease Control and Prevention. (2019). [Risk and Protective Factors](#).

should be conducted on a routine basis. The following cornerstones of gun violence prevention policy will be even more meaningful if implemented at the federal level. We encourage the Senate to take swift action to pass these pieces of legislation.

Universal Background Checks:

Background checks are a critical tool used by law enforcement to stop prohibited purchasers from purchasing and possessing firearms. The 1993 Brady Act requires that anyone wishing to purchase a gun from a federally licensed firearms dealer, such as at a gun store, undergo a background check. However, there is a dangerous loophole in the current background check system – the law only applies to guns purchased through federally licensed firearms dealers “engaged in the business” of selling firearms. This private sale loophole creates an avenue for prohibited purchasers – including people convicted of felonies and crimes of domestic violence – to easily buy guns. Millions of people acquire guns without background checks every year, and they are more likely to do so in states that do not regulate private gun sales.¹¹ Background checks provide the foundation for many other gun violence prevention policies by ensuring prohibited purchasers are stopped from buying guns at the point of sale. The Senate should immediately follow the House of Representatives’ lead and pass S. 529, the Background Check Expansion Act.

End Default Proceed Sales:

The current background check system on federally licensed firearm dealers is widely effective in flagging individuals who are prohibited from owning a gun. However, there is a loophole that allows some individuals prohibited from owning a gun to slip through the cracks. While the vast majority of federal gun background checks are done instantly, if the FBI cannot immediately tell if a potential gun buyer is prohibited, they have three business days to complete the background check. If the firearm dealer does not hear from the FBI within those days, the dealer can sell the gun to the buyer. An analysis of FBI data found that each year this loophole allows hundreds of thousands of people to buy guns from licensed dealers without first obtaining a background check. In 2018 alone, the FBI reported at least 3,960 cases where prohibited purchasers bought guns from a licensed dealer because of this loophole. At least 785 of these individuals were convicted of a domestic violence misdemeanor and 77 had domestic violence restraining orders filed against them.¹² The Senate should follow the House of Representatives’ lead and pass S. 91, the Background Check Completion Act, which would close this loophole by eliminating default proceed sales and require that a gun background check must be completed before a firearm sale can proceed.

Reauthorize the Violence Against Women Act:

Firearms and domestic violence are a lethal combination. Guns are used in over half of all murders of women by an intimate partner and women are five times more likely to be murdered by an abusive partner when the abuser has access to a gun.¹³ Strengthening federal laws related to domestic violence and firearms and reducing abusers’ access to guns saves lives. Policies that prevent abusers from accessing guns have been shown to reduce intimate partner homicides by as much as 25%.¹⁴ The Senate should follow the House of Representatives’ lead and immediately pass the Violence Against Women (VAWA) Reauthorization Act. This comprehensive bill includes lifesaving provisions related to firearms and

¹¹ Miller M, Hepburn L, & Azrael D. (2017). Firearm acquisition without background checks: results of a national survey. *Annals of Internal Medicine*.

¹² National Instant Criminal Background Check System (NICS) Section. [2018 operations report](#). P21.

¹³ Websdale N, Ferraro K, & Barger SD. (2019). [The domestic violence fatality review clearinghouse: introduction to a new National Data System with a focus on firearms](#). *Injury Epidemiology*.

¹⁴ Zeoli AM, & Webster DW. (2010). Effects of domestic violence policies, alcohol taxes and police staffing levels on intimate partner homicide in large US cities. *Injury Prevention*.

domestic violence including closing the loopholes allowing stalkers, abusive dating partners, and people subject to temporary domestic violence protective orders to continue accessing guns.

STEP 4 – ENSURE WIDESPREAD ADOPTION OF EFFECTIVE STRATEGIES

While it is essential to pass strong laws, it is equally important to enforce and implement these laws and to scale up evidence-based programs. Strong gun violence prevention policies are only effective if they are properly implemented and enforced in an equitable manner. The public health approach also includes a focus on allocating funds for implementation and evaluation of these gun violence prevention strategies.

Support Implementation of Extreme Risk Laws:

Extreme risk laws (also called Extreme Risk Protection Order or ERPO laws) allow law enforcement, and, depending on the state, family members, health professionals, and school administrators, to prevent incidents of interpersonal violence and suicide that take place across this country every day by temporarily prohibiting someone from accessing firearms if a court finds they pose a threat to themselves or others. Based on its explicit focus on evidence-based risk factors and the growing body of research suggesting its effectiveness in preventing gun violence, extreme risk laws have gained the support of legislators, stakeholders, and citizens across the political spectrum. As of March 2021, 19 states and D.C. have enacted extreme risk laws. However, these laws cannot be effective if they are not implemented fully and with fidelity. Congress can play an important role in helping states and localities implement these laws by passing the Extreme Risk Protection Order Act, which would establish a federal grant program through the Department of Justice’s Office of Community Oriented Policing Services (COPS) to support implementation efforts, while also creating an incentive for additional states to enact these laws. Funding should be used for enhancing the capacity of law enforcement and state and local courts by providing personnel, training, technical assistance, data collection, and other resources; training judges, court personnel, healthcare professionals, legal professionals, and law enforcement officers; developing and implementing law enforcement and court protocols, forms, and orders so they can carry out the law in a safe, equitable, and effective manner; and raising public awareness and understanding of the law.

Invest in Community Violence Intervention and Prevention Programming:

One-third of gun deaths are homicides and these deaths reveal a painful story of the effects of racism and inequity: 37% of gun homicide victims are Black males between the ages of 15 and 34 – although they make up only 2% of the U.S. population. In 2019, their gun homicide rate was more than 20 times higher than White males of the same age group.¹⁵ Community-based violence prevention programs that interrupt cycles of violence and provide a wide range of social services to address the root causes of gun violence are essential to preventing shootings in communities impacted by daily gun violence. Programs include street outreach programs such as the Cure Violence Model, Group Violence Intervention/ focused deterrence, hospital-based violence intervention programs, trauma-informed programs that employ cognitive behavioral therapy, and shooting review commissions. Congress should appropriate at least \$210 million to support these programs as part of violence prevention efforts.

Congress should also appropriate dedicated funding to support community economic development. Social and economic inequalities are often at the root of gun violence. Supporting sustainable community economic development will help improve health, promote opportunity, and reduce gun violence. Congress should support fund job training programs and youth development opportunities; recreation and

¹⁵ Educational Fund to Stop Gun Violence and Coalition to Stop Gun Violence. (2021). A Public Health Crisis Decades in the Making: A Review of 2019 CDC Gun Mortality Data. Available: <http://efsgv.org/2019CDCdata>

community centers, after school programs, and other pro-social development programs; programs that clean and rehabilitate blighted and abandoned property; affordable, stable, and high quality housing; affordable health and mental health services that are culturally responsive and trauma informed.

Expand Training for Lethal Means Safety Counseling:

The majority (60%) of gun deaths are suicides and the firearm suicide rate has been steadily growing over the last decade.¹⁶ Suicide (by any method) continues to be the 10th leading cause of death in the country, and firearms continue to account for half of all suicides.¹⁷ Healthcare providers have an important opportunity to engage in firearm suicide prevention by providing lethal means safety counseling to patients or parents of pediatric patients who may be at risk of suicide. Lethal means safety counseling is a process that healthcare providers undertake to help patients and their families or friends find ways to reduce access to lethal means of suicide attempt, at least temporarily, during times of elevated risk of suicide. They first work to determine if a person at risk of suicide has access to lethal means, like firearms. The provider then works with the person and their family or friends to reduce access until the risk of suicide decreases. Healthcare professionals should be trained on lethal means safety counseling as an injury prevention intervention. Congress should direct Substance Abuse and Mental Health Services Administration (SAMHSA) to develop and disseminate programs to provide specialized training and resources on lethal means safety counseling training for health care providers, including nurses, social workers, case managers, certified peer workers, among others, and encourage the Department of Health and Human Services to develop national guidelines for medical schools and health systems on how and when providers should be assessing access to lethal means and providing lethal means safety counseling.

Promote Justice in Policing:

Police violence is a form of gun violence. For far too long our police forces have been overmilitarized and have used unjustified excessive force in Black and Brown communities. Black people are shot by police at much higher rates than White Americans¹⁸ and this persistent crisis of police violence and brutality in America has led to a deterioration of police-community relations and a lack of police legitimacy. Today many Black and Brown communities across America are apprehensive to trust law enforcement and often are reluctant to partner with police to act as witnesses and prevent violence. Instead, some rely on informal channels of justice – like retaliatory violence – to resolve conflict.¹⁹ This has contributed to cycles of daily gun violence that have a devastating toll on communities of color. The George Floyd Justice in Policing Act is the first step in building a new and healthier relationship between law enforcement and the communities that they serve and includes meaningful provisions that can enhance police-community relationships and build police legitimacy, which is a vital component in reducing community gun violence. The reforms outlined in the Justice in Policing Act will encourage police departments to adopt procedurally just practice to build trust and more effectively work with community members to solve gun crimes, prevent future violence, and co-produce public safety. The Senate should follow the House of Representatives' lead and swiftly pass the George Floyd Justice in Policing Act.

Ban Assault Weapons and Large Capacity Magazines:

Assault weapons and large capacity magazines allow even novice shooters to fire dozens of rounds within seconds. These types of firearms and accessories have been used in our nation's deadliest shootings. They are designed for one purpose — to kill as many humans as possible as quickly as possible. It is no wonder

¹⁶ Educational Fund to Stop Gun Violence and Coalition to Stop Gun Violence. (2021). A Public Health Crisis Decades in the Making: A Review of 2019 CDC Gun Mortality Data. Available: <http://efsgv.org/2019CDCdata>

¹⁷ Ibid.

¹⁸ Balko R. (2020). There's overwhelming evidence that the criminal justice system is racist. Here's the proof. Washington Post.

¹⁹ Leovy J. (2015). Ghettoside: A true story of murder in America. Spiegel & Grau.

why assault weapons are often the weapon of choice for mass shooters. Assault weapons and firearms equipped with large capacity magazines have been used in some of the deadliest mass shootings in the United States, with one study estimating assault weapons accounted for nearly 86% of the mass-shooting fatalities reported from 1981-2017.²⁰ Further, it is estimated that large capacity magazines are involved in half to two-thirds of public mass shootings and firearm mass murders involving six more fatalities.²¹ Shootings involving these weapons often result in more shots fired, more people wounded, and more wounds per victim compared to attacks with other firearms.²² The Senate should pass S. 736, the Assault Weapons Ban, and ban the importation, sale, manufacture, transfer, and possession of assault weapons and large capacity magazines.

Conclusion

Gun violence is a complex issue requiring many approaches to its prevention. We at the Coalition to Stop Gun Violence are committed to evidence-based policies, programs, and practices and ensuring that all of these preventative measures are designed and implemented equitably, and we encourage Congress to follow our lead. As outlined above, there are clear, actionable steps Congress can and should take to stop gun violence in all its forms and create a future free from gun violence. We urge Congress to act swiftly for the health, wellbeing, and indeed the lives of all Americans.

²⁰ DiMaggio C, Avraham J, Berry C, Bukur M, Feldman J, Klein M., ... & Frangos S. (2019). Changes in US mass shooting deaths associated with the 1994–2004 federal assault weapons ban: Analysis of open-source data. *Journal of trauma and acute care surgery*.

²¹ Koper CS. (2020). Assessing the potential to reduce deaths and injuries from mass shootings through restrictions on assault weapons and other high-capacity semiautomatic firearms. *Criminology & Public Policy*.

²² Ibid.