



COMMUNITY JUSTICE ACTION FUND

United States Senate Committee on the Judiciary Constitutional and Common Sense Steps to Reduce Gun Violence Written Statement of the Community Justice Action Fund

Chairman Durbin, Ranking Member Grassley and Members of the Committee:

Thank you for the opportunity today to present a written statement to the Committee and to the American people on constitutional and common sense steps to reduce gun violence. The Community Justice Action Fund, a project of Tides Advocacy, works to build power with and for communities of color to end gun violence. We do this by building community survivors, frontline workers, and concerned advocates; shifting the narrative around gun violence to highlight the needs of marginalized communities and elevate the everyday pain that communities of color feel across the country; and advancing policy that addresses gun violence as a public health issue instead of a criminal justice issue.

Treat All Forms of Gun Violence as Public Health Crisis

Gun violence is a leading cause of premature death in the U.S. Guns killed more than 43,000 people in 2020 and caused nearly as many injuries.¹ The American Public Health Association (APHA), America's premier collective of public health experts, recognizes that a comprehensive public health approach to addressing this growing crisis is necessary.²

Viewing gun violence as a public health crisis will provide cities, counties, states, and the Federal government with a renowned and respected approach and an existing infrastructure at the city, state and national level to fund, respond and research gun violence like any other disease. Unlike a public safety response to gun violence, which focuses on the individuals involved in the incident of gun violence, a public health approach will use all of its tools such as:

1. Monitor health status to identify and solve community health problems
2. Diagnose and investigate health problems and health hazards in the community
3. Inform, educate, and empower people about health issues, including how preventable instances of interpersonal violence (domestic violence, sexual violence, hate-based violence against LGBTQ people) can lead to gun violence
4. Mobilize community partnerships and action to identify and solve health problems
5. Develop policies and plans that support individual and community health efforts
6. Enforce laws and regulations that protect health and ensure safety
7. Link people to needed personal health services and assure the provision of health care when otherwise unavailable
8. Assure competent public and personal health care workforce, including professionals with experience in addressing interpersonal violence (domestic violence, sexual violence, hate-based violence against LGBTQ people) as a precursor to gun violence

¹ Gun Violence Archive. "Past summary ledgers." <https://www.gunviolencearchive.org/past-tolls>

² American Public Health Association "Gun Violence." <https://apha.org/Topics-and-Issues/Gun-Violence>

9. Evaluate effectiveness, accessibility, and quality of personal and population-based health services
10. Research for new insights and innovative solutions to health problems

By supporting America's public health system to include gun violence as a major area of focus Congress and this Committee will be in a better position to protect and support children, young adults, families, and communities, who are regularly facing elevated rates of interpersonal violence and other gun violence risk factors and environmental causes that are routinely unaddressed by a public safety response.³

About 760 people were shot and killed by intimate partners between 2006 and 2014⁴, according to an Associated Press analysis of reported federal and state homicides. Of the homicides reported, 80 percent were women. Often, gun violence is the final step in the cycle of intimate partner violence, but for many women, particularly women of color, public safety resources are rarely effective before violence becomes deadly. According to a study conducted by the National Domestic Violence Hotline, 1 in 4 women⁵ who reported an incident of domestic violence would not contact police again were another incident to take place. Further, in the same study, 59 percent were afraid the police would not believe⁶ them or would do protect them, and 70 percent were afraid that involving police would make things worse,⁷ endangering them or their dependents. Gun violence against LGBTQ people is also a critical concern, particularly violence against transgender, and gender non-conforming people. In 2020, nearly 40 transgender or gender non-conforming people were fatally shot or killed⁸ by other violent means, most women of color. Statistics do not paint the full picture of gun violence, because gun violence doesn't just impact the one person who is killed – it impacts an entire community. These factors and causes when left unaddressed at both the community and individual level leads to failures academically, interferes with work productivity, damages interpersonal relationships, increases the risk of suicide and other forms of violence. These unaddressed impacts are leaving clusters of American communities experiencing shorter lifespans.

We ask Congress and this Committee to establish a new national narrative and response to America's Gun Violence crisis by leading all hearings with the following Centers for Disease Control and Prevention (CDC) public health questions: Where does the problem begin? How could we prevent it from occurring in the first place? Starting gun violence dialogues with these questions will allow Congress to move away from waiting until the incident of gun violence occurs and allowing the public safety response that follows to be seen as the sole solution. This public health reframe will also provide Congress with the opportunity to accurately respond to the unaddressed risk factors and environmental root causes that cause multiple forms of violence to occur at once.⁹

³ Lopez, J., public health expert

⁴ Associated Press. "Domestic shooting homicides." <http://data.ap.org/projects/2016/domestic-gun-homicides/>

⁵ National Domestic Violence Hotline. *Who Will Help Me? Domestic Violence Survivors Speak Out About Law Enforcement Responses*. Washington, DC (2015).

⁶ *ibid.*

⁷ *ibid.*

⁸ Human Rights Campaign. *An Epidemic of Violence: Fatal Violence Against Transgender and Gender Non-Conforming People in the United States in 2020*

⁹ Lopez, J., public health expert

Importance of Funding Community-Based Solutions

Frontline gun violence prevention leaders of color across the country like Erica Ford in New York City and Alex Sanchez from Los Angeles have advocated for, implemented, studied and researched the healing aspects of treating gun violence like a disease as the key ingredient to creating safe and just communities.¹⁰ They develop deep relationships with community members, especially people that have experienced the trauma of violence and are likely to continue the cycle of violence. This public health approach includes addressing immediate needs, such violence interruption which actively defuses violent situations, and long-term needs such as employment and health services.¹¹ Community-based violence prevention leaders provide mentorship and opportunities for people returning home from periods of incarceration, and support healthy lifestyle changes for those that used to be drivers of neighborhood violence.¹²

Across the nation cities and states have invested small scale municipal funds to establish and/or pilot community-based violence intervention programs. Programs exist and are thriving in small cities like Jacksonville (Florida) to the five boroughs of New York City. Researched and renowned gun violence prevention models such as Cure Violence, Advance Peace, Hospital Based Responder and Group Violence Intervention support the training, approach and on the ground activities being led on a daily basis. These evidence-informed models and programs have been researched and are cited in academic literature¹³, but remain chronically underfunded at every level of government, prolonging the daily loss of life. In addition, the National Institute of Justice has reviewed the research on these types of initiatives and rated Operation Peacekeeper in Stockton, CA and Operation Ceasefire in Boston, MA as effective¹⁴ and Cure Violence in Chicago, IL as promising.¹⁵ One successful example is Oakland's Gun Violence Reduction Strategy (Ceasefire) that was launched in October 2012. In 2012 there were 126 homicides and 556 non-fatal shootings. In 2017, the fifth year of the Oakland Strategy implementation, there were 72 homicides and 277 non-fatal shootings, a 46 percent reduction in homicides and a 49 percent reduction in injury reductions. In 2017 Baltimore, MD community members launched the Baltimore Ceasefire 365 initiative, organizing on a grassroots level to cease shootings on specific weekends. As of April 2020 research shows that the Baltimore Ceasefire 365 reduced shootings by 52 percent on the weekends in which the ceasefire was in effect.^{16,17}

In some but not all where these programs exist, cities have established small Offices of Violence and or Gun Violence prevention and Neighborhood Safety. These offices exist with little to no public health

¹⁰ Community Justice Action Fund. *Policymakers Playbook*. 2020

¹¹ LIFE Camp. "About us." <https://www.peaceisalifestyle.com/about-us/lifecamp>

¹² Homies Unidos. "Alex Sanchez" <http://homiesunidos.org/about/alex-sanchez/>

¹³ Butts, J., Roman, C., Bostwick, L., and Porter, R. "Cure Violence: A Public Health Model to Reduce Gun Violence" *Annual Review of Public Health*. 2015. Vol. 36 pp. 39-53

¹⁴ National Institute of Justice, "Program Profile: Operation Peacekeeper," June 6, 2011, <https://www.crimesolutions.gov/ProgramDetails.aspx?ID=51>; National Institute of Justice, "Program Profile: Operation Ceasefire," December 15, 2011, <https://www.crimesolutions.gov/ProgramDetails.aspx?ID=207>

¹⁵ National Institute of Justice, "Program Profile: Cure Violence (Chicago, Illinois)," November 21, 2011, <https://www.crimesolutions.gov/ProgramDetails.aspx?ID=205>

¹⁶ Phalen, P., Bridgeford, B., Grant, L., Kivisto, A., Ray, B., and Fitzgerald, S. "Baltimore Ceasefire 365: Estimated Impact of a Recurring Community-Led Ceasefire on Gun Violence. *American Journal of Public Health*. 2020. Vol. 110, No. 4

¹⁷ Lopez, J., public health expert

funding and support to coordinate prevention and eradication strategies. To strengthen America's public health infrastructure to combat gun violence and gun deaths we need a coordinated approach that centers public health as a key system response across local, state and federal agencies. Federal gun violence prevention efforts are currently constrained to law enforcement and public safety approaches, but by supporting public health centered community-based partners, law enforcement communities will have new trusted partners, new layers of neighborhood analysis, and coordinated response that will make cities and everyone's job safer. The Department of Justice provides grants worth hundreds of millions of dollars, but we know from experience, research and outcomes that some of that funding can be redirected to public health centered community-based solutions.¹⁸

Accountability

Everyday gun violence in communities of color doesn't happen in a vacuum. There are institutional and structural pillars in our society upholding a system that fuels violence across the country. Shootings are often viewed only as senseless actions by individuals violating the law; not taken into account are the ways that law and policy allow - and in some cases, foster - gun violence.¹⁹ Research shows that there is a correlation between community violence and trust in law enforcement²⁰; people may be more likely to engage in retaliatory gun violence if they don't trust the police and don't believe that law enforcement can protect them. It is not enough to call for reform, we must dismantle the institutional and structural pillars that uphold the system and enact new policies that value the human dignity and worth of all people.²¹ We must rethink how the state works with communities to achieve public safety, not relying on traditional law enforcement to solve social problems. Congress must ensure real accountability for law enforcement when an act of harm is committed.²²

Similarly, non-law enforcement individuals must be held to account for gun violence and not allowed to use the legal system as a shield. Unscrupulous gun traffickers take advantage of laws meant to protect responsible gun owners, leading to the proliferation of illegal guns that are used in violent crimes in cities and suburbs across the country. Congress must pass legislation that honors and respects victims of gun violence and responsible gun owners. The Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) must be allowed to do its job holding illegal dealers accountable and tracing lost and stolen guns that are used in violent crimes.

We want to be very clear that gun violence is a public health crisis that has yet to be funded as one. We do not see our advocacy in this space as done until we have a national and long term gun violence prevention and eradication strategy enacted. We look forward to continuing to work with you on solutions and building the guideposts for gun violence prevention.

¹⁸ Lopez, J., public health expert

¹⁹ Community Justice Action Fund. *Policy Agenda*. December 2020

²⁰ Kane, R. "Compromised Police Legitimacy as a Predictor of Violent Crime in Structurally Disadvantaged Communities," *Criminology*. August 2005, 43(2): 469-498

²¹ Community Justice Action Fund. *Policy Agenda*. December 2020

²² *ibid.*