

April 1, 1994

MEMORANDUM

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SUBJECT: Full Subgroup Reports from the Interdepartmental
Working Group on Violence

In January, we submitted to you an overall summary report from the Interdepartmental Working Group on Violence and the executive summaries of the reports from each of the ten subgroups. The subgroups have completed their full reports, and they are enclosed in this notebook.

We had ten subgroups within the Working Group: Firearms; Media; Juvenile Crime and Violence; Schools; Youth Development; Family Violence; Hate Violence, Ethnic Conflict, and Gangs; Sexual Assault; Place; and the Pulling America's Communities Together (PACT) project. You will find final reports from each of these subgroups except for PACT, which was called the CITIES project in the previous report. The executive summary for that group, which you received previously, serves as their full report.

Firearms

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Firearm Violence

Report of the Working Group on Firearms

For the Interdepartmental Working Group on Violence

February 1994

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Executive Summary

Description of the Problem

Firearms play a large role in our epidemic of violence. Children and adolescents may not be fighting more often, but when they do fight, the flood of guns makes death a far more likely outcome than ever before. Both the victims and perpetrators of homicides have become younger and younger.

We have reached a tragic point, unparalleled in our history: Firearm-related death rates for women, teenage boys, and young adults are higher now than at any other time. For young people 10 to 34 years of age, firearms are the second leading cause of death, and one out of five deaths to U.S. teens is due to firearms. Young people can easily obtain firearms, and they carry guns on a regular basis. A recent U.S. Department of Justice survey found that 22% of male students at ten inner city high schools have guns and that 12% carry them routinely. In 1990, more U.S. teenagers died from firearm-related injuries than from all natural diseases combined. New research has demonstrated that there are high risks and minimal protective benefits to having a gun in the home.

In 1991 alone, firearms were used to commit 17,986 homicides, 18,526 suicides, 1,441 unintentional deaths, and an even larger number of suicide attempts and nonfatal unintentional shootings. Tragically, firearm deaths and injuries are largely predictable and preventable.

The United States has never tried a comprehensive approach to preventing firearm injuries. Federal laws regulating firearms are piecemeal, underenforced, and do not treat firearms as the dangerous consumer products they are. Rational public policy, well-executed science, and effective enforcement can help end this epidemic of gun violence.

In the area of firearms safety and restrictions, we should consider accelerating research, program evaluation, and new technology development. On the whole, the federal government invests few resources in preventing firearm injuries. Firearm

injuries, however, can be prevented in much the same ways as past efforts have made a difference in preventing other leading causes of death. For example, in 1966, the federal government made highway safety a national priority by passing the National Traffic and Motor Vehicle Safety Act and the Highway Safety Act. Over the next few years, the National Highway Traffic Safety Administration and the Federal Highway Administration provided the leadership. The federal government has invested more than \$250 million in research and program development to prevent motor vehicle injury deaths, saving 250,000 lives over the past 25 years. We should be able to do at least as well in preventing firearm injuries, provided that we change to blend criminal justice strategy with approaches that deal with public health, jobs, education, housing, transportation, and substance abuse prevention. A major prevention effort must involve people from all communities, all backgrounds, all ethnic groups, all political persuasions, and all regions.

Implementing Programs that Work

There is no simple or quick solution to firearm violence. We must study and plan to implement a broad array of interventions. And we can begin incrementally with policies that have a good probability of preventing firearms injuries and do not impinge upon law-abiding gun owners.

For example, the recently passed Brady law mandates a waiting period before a handgun purchase but does not require a criminal record or mental health background check. States which have implemented such checks report that they prevent legal firearm purchase by thousands of prohibited persons each year. We should evaluate if more aggressive background checks and improved criteria for identifying potentially criminal users can reduce firearm injuries. If so, we will have a method for restricting access by potential criminal users without compromising access by legitimate users.

We must establish a credible scientific basis for preventing firearm injuries and direct our resources toward programs of proven effectiveness. Given the terrible consequences of violence in our society, it is remarkable that research and development funds for all law enforcement and criminal justice efforts in the United States amount to only seven cents of every \$100 spent for research and development by the federal government. What is worse is that only a tiny part of that seven cents is being devoted to the prevention of firearm violence. To inform the public, and to inform new policymaking in firearm violence prevention, the federal government should invest in research on patterns of firearms ownership, use, supply, fatalities and injuries.

The federal government should also begin to evaluate the effectiveness of laws and strategies designed to limit the supply of firearms, restrict access to firearms, and limit their deliberate misuse. Most such laws, including the Brady law, have never been

vigorously evaluated, but several have been evaluated and found to be effective. Laws that prohibit carrying guns in public and that impose a mandatory sentence for crimes perpetrated with a firearm such as the Bartley Fox law in Massachusetts have been found to have small but positive effects on reducing firearm homicides.

Recommendations

Make It Harder for People Who Should Not Have Guns To Get Them

Under existing federal law, access to firearms and ammunition in the United States is largely unregulated. As a result, an estimated 200 million firearms are currently in circulation. Inevitably, the wrong people have access to guns. Many of them are people who intend to commit crimes. Others are people who lack the careful judgment that should accompany gun ownership: people who are impaired by a mental illness, impaired by alcohol or drugs, or blinded by rage. Federal law does not currently specify that any of these characteristics be included in a background check. In fact, some characteristics such as emotional lability and acute rage could not be part of a routine background check, but might be addressed in part through a mandated cooling-off period. Keeping firearms out of the hands of children and youth should be an especially high priority. So long as the supply of firearms and access to firearms remain essentially unrestricted, these groups will continue to do harm to themselves and others. The federal government should study the effectiveness of strict licensing laws on reducing firearms deaths.

To complement the above measures, effective firearm control should consider limiting production of certain new firearms and ammunition, especially the most dangerous weapons. In addition to bans on new production of assault weapons (as in Senator Feinstein's amendment to the Crime Bill), consideration should be given to placing higher taxes on handguns, which remain the weapon of choice among criminals, accounting for approximately 80% of all firearms homicides.

It is also possible that increased excise taxes on handguns and particularly dangerous ammunition would help offset the cost of providing medical care to gunshot victims and support state regulatory and enforcement efforts to prevent firearms injuries. If additional taxes are going to be imposed, consideration should be given to setting them at a cost per gun or bullet, rather than a percentage of manufacturers' prices, because cheap guns and expensive guns can do equal damage.

By themselves, restrictions on new manufacture and sales of various firearms will not reduce our huge existing arsenal of firearms, or keep those firearms away from criminals and those who may cause harm. State or local amnesty or buy-back programs may help reduce the arsenal as suggested by the recent experience with the Toys R Us swap program, as would elimination of the government practice of selling

to civilians the firearms that are seized in crimes. New requirements that firearms purchasers be licensed and/or be mandated to register their firearms, combined with stricter enforcement of laws prohibiting sale of firearms to certain groups of people, could significantly reduce access to guns by those who should not have them. Increasing dealer liability for negligent sales would also help.

In addition to, or as an alternative to, a licensing scheme (where firearms purchasers might have to pass a gun safety test and a background check to receive a permit to buy any firearm or ammunition), the federal government should consider creating a class of "restricted weapons." This list would include all handguns and semi-automatic long guns that are not otherwise outlawed. Restricted weapons could be purchased or carried only by persons holding valid registration certificates, which could be issued by the local police or licensing authorities only after applicants had passed a background check for felonies, violent misdemeanors, mental illness, etc.; demonstrated a satisfactory knowledge of the safe and responsible use of firearms; accepted liability for injuries resulting from the negligent use or storage of these weapons; and showed that the firearm would be used only for specified legitimate purposes. Restricted weapons could be possessed only in one's home or place of business, on the premises of a target range (depending on the terms of the registration certificate), or while being transported to or from any of the above. Possession of an unregistered, restricted firearm or unlawful public carrying of a restricted firearm would be a punishable federal offense. Developing this class of restricted firearms would divide firearms into three groups: banned, restricted, and unrestricted (i.e. long guns that are not semi-automatic).

Tighter restrictions on retail firearm sales must be supplemented by efforts to block the two streams by which criminals most often obtain their firearms—the illegal black market and theft. Such a regulatory scheme might look as follows: The federal government would regulate secondary transfers of all firearms to prevent their delivery to those prohibited by law to have weapons. To transfer a firearm, a person not licensed to sell firearms would be required, along with the transferee, either to go to the premises of a licensed dealer and document the transfer in the dealer's records, or to mail a transfer application to the local police (including the name and residence of both the transferor and transferee). The transferee would be required to certify that he is not a prohibited purchaser (as he must now do in order to buy a firearm from a licensed dealer), and, in the case of a handgun, to wait five days for a background check. To control theft from licensed dealers, the federal law would require dealers to store their firearms securely. The regimen would involve stricter penalties for gun theft, as well. Licensing and registration requirements will not be effective unless we tighten various loopholes. A list of people prohibited to own guns should include those with a record of crime or violence. And we should require licensed dealers to comply with existing federal firearm laws. Congress should consider funding assistance to states for the improvements in criminal recordkeeping that are mandated in the Brady law. Research currently in progress indicates that gun purchase applicants with

criminal records, but without prior felony convictions, may be *15 times* more likely to use a firearm in a crime, but without competent recordkeeping it will be impossible to screen out criminals.

To ensure dealer compliance, we suggest reducing the number of licensed firearm dealers (currently numbering almost 250,000) by implementing higher fees such as the Bureau of Alcohol, Tobacco, and Firearms (BATF) has recommended (the Brady law mandates fees of \$200 for a three year license, and the BATF is considering fees as high as \$600 per year) and tighter application standards beyond those accomplished by the Brady law.

Also the federal government, as well as the states, should redouble efforts to monitor and regulate licensed dealers. Furthermore, we could consider adopting on a national basis the Virginia law prohibiting licensed dealers from selling more than one firearm per month to any single individual. The Brady law requires that dealers notify state or local law enforcement authorities of multiple sales of two or more pistols or revolvers in any five-day period to an unlicensed person.

Regulate How Firearms Are Stored, Carried, and Used

Regulation of firearms should be designed not only to limit access by criminals and people with a background of violence or mental illness, but also to stop those people who do gain possession of firearms from using them unlawfully. The federal government should take steps to encourage passage of tougher penalties for unlawful gun possession and for gun crimes, as in the Senate's Crime Bill, and commit the resources to ensure swift punishment for such crimes. We should consider making the use of a firearm in a crime a federal offense, considering how the potential for better recordkeeping on gun-related crimes balances with the predicted changes in the actual effectiveness and enforcement of these laws. Also, federal law might require firearms be safely carried, stored, and used; prohibit the carrying of firearms in locations such as schools, hospitals, work sites, bars, and safe havens; and promote public education about the risks and benefits of firearm ownership and access.

Laws that prohibit the carrying of guns in public and that impose a mandatory sentence for crimes perpetrated with a firearm have been found to have small but positive effects in reducing firearm homicides. Campaigns against smoking and drunk driving have been quite successful: similarly, the federal government might spearhead a public service campaign about the risks of firearm ownership and use. Pending health care legislation and ongoing programs at the U.S. Department of Health and Human Services can incorporate training in the prevention of firearm violence. We should encourage states and local jurisdictions to pursue firearm violence prevention by locally appropriate means. No federal regulation in this area should preempt stricter regulations at the state or local level.

Reduce the Lethality of Firearms

The manufacture and importation of firearms that are inherently unsafe and excessively lethal continues in the United States. Federal law requires imported weapons to adhere to design and safety standards; however, current federal policies do not impose the same design and safety standards on domestically manufactured weapons and ammunition. Many handguns now manufactured in the United States for civilian use would fail these tests.

The recent approval of the Feinstein amendment to the Senate's Crime Bill, which would prohibit the new manufacture and sale of 19 specified assault weapon models and any copycat versions, together with the existing ban on production of certain armor-piercing ammunition, demonstrates a willingness to ban extremely dangerous firearms and ammunition. Both efforts have substantial public support. We should consider the further steps of adopting specific performance standards that would prohibit manufacture of firearms capable of firing more than a certain number of rounds or a certain number of bullets per second as well as ammunition that, under specified firing conditions, pierces armor, expands more than a certain percentage upon impact, or ignites upon contact.

Additionally, the federal government should require domestically-manufactured firearms to incorporate the same safety features as imported firearms. We should encourage or mandate the use of trigger locks, limit magazine sizes, and continue to fund research into "smart gun" technologies capable of rendering firearms unusable except by their owners.

Support Research To Develop a Sound Scientific Basis for Preventing Firearm Injuries

- Undertake research through the CDC and NIJ to better understand the risks and benefits of firearm ownership; the patterns of acquisition, ownership and use; and the causes of firearm injuries.
- Establish a National Firearm Injury Reporting System at CDC.
- Evaluate interventions to measure their effectiveness in preventing firearm injuries, and support an accelerated research and demonstration program to accomplish this.
- Explore technological innovations that can promote firearm safety and identify nonlethal alternatives for self-protection.

Interdepartmental Working Group on Violence

Final Subgroup Reports

April 1994

Reframe the Public Debate on Firearms

- Change the stage from politics and philosophy to science: We need to reframe the public discussion about firearms injuries, from a political or philosophical debate on "gun control" as an all-or-none binary intervention to a discussion based on scientifically documented risks and benefits of firearm access and rigorously evaluated policy options. This is a paradigm shift.
- Place specific changes in the context of multiple interventions: We need to let people know that progress in preventing firearms injuries will come just as the great progress we made in reducing motor-vehicle deaths came not by banning cars, but from building safer cars and safer roads, getting drunk drivers off the roads, and enforcing licensing requirements. No one measure is the answer. The Brady law is one small step forward. The answer is not "either. . .or"; it is "this and this and this. . . ."
- Focus on children: Nobody will oppose programs to prevent children from shooting children. We need to focus on reducing access by children to firearms. This is an area in which we can achieve consensus.
- Stress the importance of changing behavior and the social environment as additional ways to prevent firearm violence: We need to rebuild the social capital and address poverty, discrimination, lack of jobs, lack of education, lack of hope, and drugs and alcohol abuse. We have learned a lot of lessons about how to change behaviors and about firearms themselves. You cannot take guns away from men who are frightened, from women are scared, or from communities that are scared without giving them reassurance and a sense of security.
- Enlist the vast middle ground in the discussion of firearms injuries. Expand the participants in the debate on firearms to include the vast majority of citizens, not just those at the extremes, who are either strongly for "gun control" or strongly opposed to any suggestion of regulation whatsoever.

Acknowledgments

This report was prepared by the Working Group on Firearms of the Interdepartmental Working Group on Violence, convened in fall 1993 by the White House. Participants came from a number of federal departments, each with an express interest in the problem of firearm violence in the United States. Members of the Working Group on Firearms are

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I. Firearms in the United States

The Federal Bureau of Investigation's *Uniform Crime Reports* for 1992 indicates that firearms were used in 68% of the 22,540 reported homicides.¹ Eighty-one percent of firearm-related homicides involved handguns, 7% involved shotguns, and 5% involved rifles. Forty percent of the robberies committed that year involved firearms, the only weapon category to show an increase. About 562,000 of the homicides, robberies, and aggravated assaults involved firearms; nearly one quarter of the aggravated assaults were committed with a firearm. In addition to playing a central role in interpersonal violence, firearms are responsible for tens of thousands of suicides and attempted suicides as well as fatal and nonfatal unintentional injuries each year.² A key contributing factor to the increase in firearm-related violence among young people is that they can easily obtain firearms, and they carry guns on a regular basis.^{3,4} A recent U.S. Department of Justice survey found that 22% of male students at ten inner-city high schools had guns and that 12% carried them routinely.⁵

Although about two thirds of firearms in circulation are "long guns" (rifles and shotguns), handguns are the most likely weapon to be used in homicides, by a factor of more than 3 to 1.¹ Even though a high proportion of handguns are used in violent crimes, the risk of violent use is not evenly distributed among handguns in circulation. A 1987 study indicated that new handguns (those acquired most recently) are especially likely to be involved in violent crimes.⁶ Estimates indicate that 33 violent crimes are committed for every 100 new handguns sold.⁷

Despite the role of firearms in violence in the United States, this country has never tried a comprehensive approach to preventing firearm injuries. Federal laws regulating firearms are piecemeal and underenforced and do not treat firearms as the dangerous consumer products that they are. On the whole, the federal government invests few resources in finding out new and effective ways to prevent firearm injuries (Figure 1). Firearm injuries, however, can be prevented in much the same way that other leading causes of death have been prevented. For example, in 1966, the federal government made highway safety a national priority by passing the National Traffic and Motor Vehicle Safety Act and the Highway Safety Act. The National Highway Traffic Safety Administration and the Federal Highway Administration provided leadership, and the federal government invested more than \$250 million in research and program development to prevent deaths from motor-vehicle-related injuries. Over the past 25

years, 250,000 lives have been saved on the nation's highways.⁸ From 1968-1991, deaths from motor-vehicle crashes declined 21%; at the same time, deaths from firearm injuries increased 60%.^{9,10} If these trends continue, the number of firearm-related deaths will surpass the number of motor-vehicle crashes by the year 2003, and firearms will become the leading cause of injury-related death (Figure 2).^{9,10,11} We should be able to reverse the trend in deaths from firearms just as we have reversed the trend in highway deaths, provided we begin to blend criminal justice strategy with approaches that deal with public health, jobs, education, housing, transportation, and the prevention of substance abuse. A major prevention effort must involve people from all communities, all backgrounds, all ethnic groups, all political persuasions, and all regions.

The Human and Economic Costs Related to Firearms

While firearm-related homicide is fueling the increased public concern about firearm violence, it represents less than half of all firearm-related deaths and injuries. In 1991, over 38,000 people died from firearm-related injuries; 47% (17,986) of these deaths were due to homicide, 48% (18,526) were due to suicide, and 4% (1,441) were due to unintentional circumstances.¹²

In addition to the tens of thousands of people who die from firearm injuries, many more thousands are nonfatally wounded. National estimates, developed by combining information from state and national hospital discharge data, indicate that about 65,129 people were hospitalized for firearm-related injuries in 1985; another 171,000 were injured by firearms but not hospitalized.¹³ Another study estimates that for every homicide, 5.7 nonfatal gunshot injuries occur during assault.¹⁴ Because no existing data system tracks nonfatal firearms injuries, national estimates of the number of these injuries are very imprecise.

American children are extremely vulnerable to firearm violence. In 1991, children and adolescents (ages 0-19) were the victims of nearly 3,000 homicides, 1,500 suicides, and over 500 unintentional shootings.¹² Among teenagers 15 to 19 years old, one of every four deaths is attributable to a firearm injury.¹⁵ Between 1985 and 1990, the risk of dying from a firearm injury increased by 87% for teenagers 15 to 19 years of age.¹² Each year, over 30,000 adults die as a result of firearm injuries, a loss that affects the children who are their sons and daughters, brothers and sisters, nieces, nephews, and neighbors.¹⁶

Firearm homicide is the leading cause of death among young black males 15-24 years of age, and young black men in their twenties face the greatest risk of any age-race-sex group.^{12,17} Homicide rates for black males aged 15-24 have increased from 85.5 per 100,000 in 1987 to 158.9 per 100,000 in 1991; almost all of the increase can be attributed to firearm-related homicide.^{12,18} For 1988-1991, the homicide rate for all

young U.S. men aged 15-24 was nearly nine times higher than that for young men in the industrialized country with the next highest rate (Italy)—the rate for young black men 15-24 years of age was 37 times higher (Figure 3).¹⁹

Such significant numbers of fatalities and injuries obviously result in large economic costs. Injuries from firearms are estimated to be the third most costly type of injury.¹³ The average cost per fatality (\$373,520) is the highest of any cause of injury. The overall cost of firearm-related injuries that occurred in 1985 is estimated at \$14.4 billion, which includes the cost of treatment, rehabilitation, and lost productivity over the remainder of the victims lives.¹³ Two studies have found that 80% of the cost of treatment, hospitalization, and rehabilitation is paid by public sources.^{20,21}

The Prevalence of Firearms

Based on records going back to 1899, The Bureau of Alcohol, Tobacco and Firearms (BATF) estimates that an accumulation of some 213 million firearms were available for sale in the United States through 1992 (Bureau of Alcohol, Tobacco and Firearms, BATF Firearms Production Statistics; unpublished data). The estimate includes about 72 million handguns, 76 million rifles, and 65 million shotguns. The total number of firearms produced has doubled about every 20 years, from 54 million in 1959 to 104 million in 1970, to the current 216 million. Estimated 1992 firearm production is 5.6 million—2.4 million handguns, 2 million rifles, and 1.2 million shotguns. BATF estimates that between 150 million and 200 million firearms are actually in circulation.

For almost three decades, nearly one half of all households in the United States have had some type of firearm.¹⁴ The proportion of households owning a handgun rose from 13% in 1959 to about 24% in 1978, where it has remained.¹⁴ The General Social Survey conducted by the National Opinion Research Center has developed similar estimates—about 45% of households own a firearm, and about 30% of households own a handgun.²² A recent study sponsored by the Centers for Disease Control and Prevention and published in the *New England Journal of Medicine* provides evidence that access to firearms in the home poses significant risks to owners and their families.²³ In a well-designed study that controlled for other known risk factors, the presence of a gun in a household was found to increase the risk of suicide almost five-fold and the risk of homicide almost three-fold.²⁴ Research also shows that for every time a gun kept in the home is used in self defense, it is used 43 times in a criminal homicide, suicide, or unintentional shooting.²⁵ Surveys generally conclude that the fraction of households owning firearms is greatest in rural areas and small towns; higher for whites than for blacks; highest in the South, lowest in the Northeast; and higher for high-income households than for low-income households.^{14,26}

The Federal Regulatory Scheme

In contrast to other hazardous products, firearms have escaped comprehensive federal regulation. The current regulatory scheme for firearms is essentially piecemeal and haphazard, with the federal government doing little more than attempting to ban automatic weapons, prevent weapons from crossing state lines, and seek to prevent access to firearms by likely misusers. As a result, people who should not have firearms can get them too easily; firearms are frequently used unlawfully or unsafely; and many inherently unsafe or excessively lethal firearms are available.

For certain firearms, federal law seeks only to supplement a patchwork of state legislation. The Gun Control Act of 1968 (GCA) generally prohibits the purchase and sale of firearms across state lines by anyone except licensed dealers or manufacturers and requires comprehensive licensing and recordkeeping by dealers, manufacturers, and importers of all firearms. Under the GCA, manufacturers and importers of most firearms have paid an annual licensing fee of \$50, and dealers have paid an annual fee of only \$10 (the Brady law increases license fees to \$200 for three years). The GCA further prohibits felons and certain other classes of persons from receiving and possessing firearms and ammunition, and bans the manufacture, sale, and import of certain types of armor-piercing ammunition. Finally, the GCA restricts the import of firearms, but leaves domestic manufacture of firearms by licensed persons largely unregulated.

The National Firearms Act of 1934 (NFA) imposes taxes and certain registrations on certain classes of "gangster-type firearms," including machine guns, sawed-off shotguns, and short-barreled rifles. The act regulates transfer and possession of existing stock and prohibits the manufacture and sale of such firearms for civilian purposes without prior approval by the Secretary of the Treasury.

The Brady law mandates a five-day waiting period and some type of background check for prospective handgun purchasers to ensure that they are not prohibited by federal law from purchasing or possessing firearms.

General Accessibility of Firearms

Recent surveys indicate that young people have ready access to guns, and the prevalence of young people who carry guns confirms these findings. Fifty-nine percent of students surveyed in a 1993 Joyce Foundation/Harris poll responded that firearms are "easily obtainable"; 35% maintained that it would take them less than one hour to acquire a firearm.⁴ About 4% indicated that they had carried a handgun to school during the last year, and 9% claimed they had fired a gun at someone on at least one occasion. Data from the Centers for Disease Control and Prevention's 1991 Youth Risk Behavior Survey paint a similar picture.³ About 20% of students had

carried a weapon to school on a regular basis, 16% of students had been threatened with a weapon at school, and 7% reported being injured with a weapon.

A recent study sponsored by the National Institute of Justice, which surveyed students and inmates of juvenile correctional facilities, also tends to confirm the results suggested by the Harris poll—41% of students felt that they could get a firearm with "no trouble at all"; 70% of inmates felt that, upon release, they could do the same.⁵ Results of this study also indicated that both students and inmates would be most likely to get weapons from family or friends or "from the street." These answers, combined with earlier information on how firearms are obtained, point to illegal and somewhat readily available sources of firearms—if family or friends cannot supply a firearm, an abundant black market network can be found on the street.⁵

Furthermore, in part because the annual licensing fee for dealers has been only \$10, there is a huge number of licensed dealers in the United States. BATF records indicate that there are currently over 287,000 federal licensees (producers and other licensees as well as dealers)—an increase of about 200,000 since 1968.²⁷ About 250,000 licensees are dealers. In fact, there are more licensed firearm dealers in the nation than there are gas stations, and firearm dealers outnumber schools more than two to one.^{28,29} According to a survey of a sample of licensed dealers, about three quarters conduct their business in their homes.³⁰ In the twelve months before the survey, 45% of dealers acquired no firearms, a little more than one third acquired one to ten firearms, 13% acquired 11 to 50 firearms, and 6% acquired over 50 firearms. Percentages for disposition of firearms were similar to acquisition figures. Approximately 7% of dealers had sold two or more handguns to the same person during a five-day period.

Accessibility to Firearms by Dangerous Persons

The GCA prohibits certain persons from receiving or possessing firearms or ammunition, including persons who have been convicted of a crime punishable by imprisonment for a term exceeding one year (or, if the crime is a misdemeanor, punishable by more than two years); unlawful drug users or persons addicted to any controlled substance; persons who have been adjudicated "mentally defective" or who have been committed to a mental institution; and aliens unlawfully in the United States. The GCA also authorizes the Secretary of the Treasury to reinstate firearm possession rights to members of these excluded groups upon application, if the applicant is not dangerous and the public interest would not be compromised.

The GCA further prohibits dealers from selling or delivering firearms or ammunition to anyone under 18 years of age and, in the case of firearms other than shotguns or rifles or their ammunition, to anyone less than 21 years of age. Underage persons are not, however, prohibited from having firearms and so may receive those purchased by

a parent or other adult. The Senate's pending anticrime bill would ban juvenile receipt or possession of handguns.

Notwithstanding these provisions, federal firearms laws have not achieved their aim of keeping firearms out of the hands of persons most likely to misuse them. This is in part because the huge supply of firearms and ammunition makes them readily available. Furthermore, not everyone who should be prohibited from purchasing and possessing firearms is currently prohibited from doing so. For example, courts have interpreted current law as denying firearm rights only to those who have been judicially committed or committed under a nonjudicial process expressly substituting for judicial commitment. Thus, under present law, persons who have been temporarily, involuntarily detained in a mental hospital on the basis of a physician's determination that they were dangerous to themselves or others remain free to possess firearms.^{31,32} Similarly, tourists, asylum-seekers, and other nonresident aliens legally in this country, who would be more difficult to screen under the Brady law, may purchase and possess firearms as long as they have lived in a particular state for at least 90 days or have received authorization from their consulate or embassy. Most persons convicted of misdemeanors receive a prison term of less than two years and, thus, are not prohibited from possessing firearms under the GCA, even if the misdemeanors constitute crimes of violence or are drug-related. (Currently, eight states prohibit the sale of firearms to, or receipt or possession of firearms by, persons convicted of at least some violent misdemeanors, variously defined.) Finally, juveniles, domestic abusers, and persons subject to restraining orders may lawfully possess firearms, including handguns, although the Senate's pending anticrime bill would deny or restrict possession by these individuals.

In addition to being too sparing in its list of proscribed purchasers, present law is too lenient in allowing them to obtain "relief from disabilities" and have their possession rights restored. Currently, *all* proscribed persons—including those who have been convicted of violent or drug-related crimes—may apply for, and receive, restoration of their firearm possession rights from BATF. Under the GCA, any person whose state civil rights have been restored is also entitled to have his or her federal firearms rights restored, and many states automatically restore a convict's civil rights after he or she has served the sentence, without application to or approval by BATF. Moreover, a licensed dealer who applies for relief from disabilities is not barred from further operations while the application for relief is pending.

The enormous number of licensed dealers makes it extremely difficult to ensure compliance with federal firearm laws. BATF estimates that over 70% of licensed dealers conduct no regular business operations and primarily use their license to obtain the benefits of trading interstate, avoiding waiting periods in their community, and buying firearms at wholesale. Because a minimum level of business activity is required to qualify for a license and because federal resources for monitoring the large number of licensees are limited, many dealers are able to continue to operate in

violation of federal firearm laws governing proscribed purchasers, not to mention state and local licensing, taxing, and other business-related laws.

Persons likely to misuse firearms are able to obtain firearms not only through licensed dealers, but also through unregulated private, secondary transfers of firearms.

Research currently in progress indicates that gun purchase applicants with criminal records, but without prior felony convictions, may be *15 times* more likely to use a firearm in a crime (Garen Wintemute, University of California, Davis; unpublished data). Neither the GCA nor any other provision of federal law regulates intrastate transfers by unlicensed persons of firearms not covered by the NFA. Such secondary transfers are lawful provided the purchaser is not prohibited by any provision of the GCA from acquiring or possessing a firearm, a provision that is, in effect, unenforceable. The GCA also does not regulate multiple sales of firearms to the same person; however, the Brady law now requires that local police be notified of multiple handgun sales.

II. Implementing Programs and Policies that Work

There is no simple or quick solution to firearm violence. We must study and plan to implement a broad array of interventions. And we can begin incrementally with policies that have a good probability of preventing firearms injuries and do not impinge upon law-abiding gun owners.

We must establish a credible scientific basis for preventing firearm injuries and direct our resources toward programs of proven effectiveness. Given the terrible consequences of violence in our society, it is remarkable that research and development funds for all law enforcement and criminal justice efforts in the United States amount to only seven cents of every \$100 spent for research and development by the federal government. What is worse is that only a tiny part of that seven cents is being devoted to the prevention of firearm violence. To inform the public and policymakers, the federal government should invest in research on patterns of firearms ownership, use, supply, fatalities, and injuries.

The federal government should also begin to evaluate the effectiveness of laws and strategies designed to limit the supply of firearms, restrict access to firearms, and limit their deliberate misuse. Although most such laws, including the Brady law, have never been vigorously evaluated, several have been evaluated and found to be effective. Laws, such as the Bartley Fox law in Massachusetts, that prohibit carrying guns in public and that impose a mandatory sentence for crimes perpetrated with a firearm, as well as restrictive licensing laws,³³ have been found to have small but very important effects on reducing firearm homicides.

Regulation of Unsafe or Unlawful Uses of Firearms

The GCA authorizes a five-year sentence for any person who makes a false statement in connection with acquiring or attempting to acquire a firearm, ammunition, or dealer license and a ten-year sentence for any person who knowingly sells a firearm or ammunition to a proscribed purchaser and for any proscribed person who possesses or receives a firearm or ammunition. Furthermore, the GCA permits penalties of up to ten years for any person who ships or receives a firearm or ammunition intending to use it (or knowing that it will be used) to commit a felony, as well as for any person

who transfers a firearm or ammunition with knowledge that it will be used to commit a drug trafficking crime or violent crime. Finally, the GCA currently imposes several mandatory minimum sentences for firearms offenses: for instance, a five-year mandatory minimum sentence enhancement for persons carrying a firearm during a federal drug trafficking crime or crime of violence (over and above the sentence imposed for the crime of violence or drug trafficking crime).

The Senate's anticrime package, if passed in current form, would increase the penalties for a wide range of federal gun crimes and create several broad, new federal gun crimes, accompanied by stiff penalties. For instance, the Senate's bill would create federal jurisdiction over state crimes of violence and state drug trafficking crimes involving firearms that had crossed state lines, and increase mandatory minimum sentence for crimes of violence or drug trafficking crimes involving use of a firearm (over and above the sentence imposed for the underlying crime). Finally, the Senate's package would make any murder involving a firearm that had moved in interstate commerce a federal offense, punishable by death.

In addition to penalizing illegal use, federal law attempts to regulate the use of firearms by imposing a federal excise tax on the sale of pistols and revolvers, as well as on all other firearms, shells, and cartridges sold by firearms manufacturers, producers, and importers. The excise tax is currently 10% on sales of pistols and revolvers, 11% on sales of firearms other than pistols and revolvers, and 11% on sales of shells and cartridges. Revenues from this excise tax presently are used to fund wetlands preservation efforts.

Although the federal government has funded some general violence prevention initiatives, it lacks a comprehensive plan for teaching the dangers and risks of firearms and does not currently fund any public education programs designed to prevent firearm violence. Education programs dealing with the prevention of firearm violence have, however, made a start in some schools and community centers. Most of these programs are in nascent stages, and evaluation and effectiveness data are only now being prepared. The following programs merit further exploration:

- *School-based anti-gun campaigns:* Straight Talk About Risks (STAR)—a pre-K through 12 curriculum designed by the Center to Prevent Handgun Violence—aims to decrease firearm violence among youth by showing them nonviolent ways of coping with anger and resolving conflicts. Public schools in New York; New Jersey; Dade County, Florida; and San Diego, Oakland, and Los Angeles, California, have used STAR.

- *Health practitioner training in firearm injury prevention:* The American Academy of Pediatrics and the Center to Prevent Handgun Violence jointly conduct a campaign to provide pediatricians with materials and guidelines for counseling parents on the risks of keeping firearms in the home. This campaign was evaluated and found

effective. The University of New Mexico School of Medicine recently implemented a more integrated program to prevent gunshot injury (with cooperation from the National Rifle Association) that strove to promote firearm safety awareness among health-care professionals and firearm owners.

- *Community-based campaigns:* In 1985, the Charlotte, North Carolina, police department, assisted by the Police Executive Research Forum and the Handgun Information Center, launched a communitywide awareness program, "Handgun Safety Month." During this month, local police made numerous television and radio appearances and public service announcements; made presentations to neighborhood watch groups, schools, and public housing sites; distributed brochures; and conducted demonstrations concerning safe firearm use and storage. This program had some success in persuading members of the community to lock away their handguns.³⁴

Regulation of Inherently Unsafe or Excessively Lethal Firearms

Although federal law imposes certain safety features on imported firearms (such as requiring that handguns be designed so that they will not fire if dropped and restricting the size of guns so they cannot be easily concealed), it does not mandate similar safety features on domestically manufactured firearms. As a result, BATF estimated that, in the mid-1970s, over half of the handguns produced domestically would fail the import criteria. Moreover, except for banning production and sale of machine guns, sawed-off shotguns, short-barreled rifles, and certain armor-piercing ammunition, federal law does not restrict the domestic manufacture of inherently unsafe or excessively lethal firearms, such as semi-automatic weapons and handguns.

Additional elements of the anticrime package pending in Congress would stop production of some of the most dangerous weapons and ammunition. Specifically, the Senate's bill would place a qualified ban on future manufacture and sale of 19 specified assault weapons and copycat versions of the prohibited models, and ban manufacture and possession of high-volume, detachable ammunition magazines (those capable of holding more than 10 rounds of ammunition) and steel-covered armor-piercing bullets, such as the M-39B bullet.

Interaction of State Laws

Where federal law has left firearm ownership unregulated, as it has in most respects, many states have filled some of those gaps through their own gun control measures. Most of these state measures are not preempted by federal law, and further federal firearm regulatory efforts should expressly allow more restrictive state and local regulation to continue in force, unless they are in direct conflict with federal law. Further, local option should be upheld, so that the laws in a given locality would be

honored throughout the country. For example, if a city banned handguns, dealers elsewhere in the country would not sell handguns to that city's residents.

As of 1989, 21 states had imposed waiting periods on prospective purchasers of at least some types of firearms. Twenty-seven states had required prospective purchasers of certain firearms to first obtain a license or permit to possess the particular firearm to be purchased. Twenty-three states had required persons dealing in firearms to have both a federal and state license, with some states imposing recordkeeping requirements upon state licensees that extended beyond those imposed as a condition of a federal license. Finally, six states had restricted the sale or possession of assault weapons.³⁵

Additionally, a number of states regulate secondary transfers of firearms. For example, Illinois forbids transfer unless the transferee displays a currently valid license to purchase a firearm, and requires the transferor to maintain records of such transfer for ten years. Indiana and Minnesota go further, generally requiring even the occasional, private transferor of a handgun (Indiana) or pistol (Minnesota) to forward a transfer application or report to the local police; unless waived, a seven-day waiting period is required for the police to conduct a background check on the transferee before the firearm may be transferred.

The recently passed Brady law mandates a waiting period before a handgun purchase but requires only that local law enforcement officials make a "reasonable effort" to ascertain a person's criminal history and does not require a check into mental health history. States that have implemented such checks report that each year they prevent the legal purchase of firearms by thousands of persons prohibited from owning firearms. We should evaluate whether more aggressive background checks and improved criteria for identifying potentially criminal users can reduce firearm injuries. If so, we will have a method for restricting access by potential criminals without compromising access by legitimate users.

Interventions to Prevent Firearm violence

Firearm violence can be prevented by altering behavior as well as by restricting access to firearms or changing the environment. However, few interventions for preventing violence have been thoroughly evaluated. Many have not been evaluated at all. The tension between the need to do something right now and the need to test programs to see if they work before making large investments in them is enormous. Because the problem is so urgent, this tension will not go away. We will have to adopt a learn-as-we-go approach by which we act to prevent violence and at the same time rigorously evaluate programs so that we can refine and shape them. What is clear is that in any evaluation and in any program, the community must be involved in all phases and must be involved from the outset.

Some specific behavioral interventions have been proven effective in preventing violence. These include nurse home visitation programs where public health nurses visit expectant parents and talk about the risks of child abuse and how to prevent it. They then make appointments to revisit the parents after the child is born. These visits have been proven to reduce subsequent child abuse, which in turn helps to break the cycle of violence by which children who are abused are likely to inflict violence on others later in life.³⁶

Some restrictive firearms initiatives have been evaluated and proven to be at least moderately effective. For example, laws that prohibit carrying guns in public and laws that impose a mandatory sentence for crimes perpetrated with a firearm have been found to produce modest reductions in firearms fatalities.³³ One intervention that has been proven effective is the type of restrictive licensing law that was put into effect in Washington, D.C., in 1977. This law prohibits handgun ownership by everyone except previous gun owners and people who qualify for special permits to carry handguns, such as police officers and security guards. After passage of the law, firearm suicides and homicides declined by 25%.³³ In the absence of this law, recent increases in the D.C. homicide rates may have been even higher.

A wide range of interventions that appear promising are currently being evaluated to see if they are, in fact, effective in preventing violence. Although these interventions focus on the broad issue of violence, their value could well extend to preventing firearms injuries. These range from conflict resolution curricula, to mentoring programs, to programs to give youth educational opportunities, job training, and jobs.³⁷ Other interventions would change the physical environment by creating playgrounds, safe havens, and safe routes to school; by installing metal detectors at schools; and by providing better lighting in neighborhoods.

Many prominent interventions have not been evaluated at all. These include making owners liable for damage done by their guns, installing metal detectors in schools, providing gun safety education, requiring waiting periods for buying guns, and buying back guns. Much more work is needed in determining the most effective strategies, and we will need to work together to find the answers. We must apply our scientific strength to this problem so that we can learn what works and how best to go about preventing firearm violence.

III. Recommendations

Given the tremendous social and public health costs associated with firearms, the federal government must undertake a coordinated, national policy to curb their misuse. The following five comprehensive strategies should be pursued simultaneously: make it harder for people who should not have guns to get them; regulate how firearms are used, carried, and stored; reduce the lethality of firearms; develop a sound scientific basis for preventing firearm injuries; and reframe the public debate on firearms.

Make It Harder for People Who Should Not Have Guns To Get Them

Under existing federal law, access to firearms and ammunition in the United States is largely unregulated. As a result, an estimated 200 million firearms are currently in circulation. Inevitably, people who should not have guns have access to them. Many of them are people who intend to commit crimes. Others are people who lack the careful judgement that should accompany gun ownership: people who are impaired by mental illness, alcohol, or drugs. Federal law does not currently specify that any of these characteristics be included in a background check. Other characteristics that impair judgement, such as acute rage, could not be part of a routine background check; however, they might be addressed in part through a cooling-off or waiting period such as that now required for the purchase of handguns by the Brady law. Keeping firearms out of the hands of children and youth should be an especially high priority. So long as the supply of firearms and access to firearms remain essentially unrestricted, these groups will continue to do harm to themselves and others. Specific recommendations follow:

Limit the Supply of Firearms and Ammunition

- *Manufacture of handguns and ammunition.* Limit the production of certain new firearms and ammunition, especially the most dangerous weapons. In addition to bans on new production of assault weapons (as in Senator Feinstein's amendment to the Crime Bill), consideration should be given to

placing higher taxes on handguns, which remain the weapon of choice among criminals and account for approximately 80% of all firearm-related homicides.

- *Existing stock of weapons.* By themselves, restrictions on new manufacture and sales of various firearms will not reduce our huge existing arsenal, nor will they keep those firearms away from criminals and those who may cause harm. State or local amnesty or buy-back programs may help, as suggested by the recent experience with the Toys R Us swap program, as would elimination of the government practice of selling to civilians the firearms that are seized in crimes.
- *Licensing purchasers.* New requirements that firearms owners and purchasers be licensed and/or be mandated to register their firearms, combined with stricter enforcement of laws prohibiting sale of firearms to certain groups of people, could significantly reduce access to guns by those who should not have them. A licensing scheme could include the requirement of passing a gun safety test, as well as a background check. Increased dealer liability for negligent sales would also help make dealers more responsible.

Tax Firearms and Ammunition

- *Handguns.* Increase the amount of the tax on handguns—it makes no sense that handguns are taxed at 10% while rifles are taxed at 11%. Any additional taxes should be set at a cost per gun, rather than a percentage of manufacturers' prices, because cheap guns and expensive guns can do equal damage.
- *Ammunition.* As an alternative to an outright ban on particularly lethal ammunition, such as Black Talon and 50-caliber ammunition, such products could be taxed punitively. Any additional taxes should be set at a cost per bullet, rather than a percentage of manufacturers' prices.
- *Health Care Trust Fund.* Place some or all of the revenue from the excise tax into a Health Care Trust Fund that would be available to help offset the public cost of providing medical care to gunshot victims.

Expand the List of Proscribed Purchasers

- *Juveniles.* Ban transfer to and possession of *all* firearms and ammunition by persons under 18, with appropriate exception for sporting activities. Even if

the Senate's pending Crime Bill were enacted, juveniles could possess firearms other than handguns without restriction.

- *Domestic violence and stalking.* Encourage passage of the amendment to the Senate's pending bill that would preclude those convicted of domestic violence and those under restraining orders from possessing or receiving firearms.
- *Persons in mental institutions.* Prohibit possession of firearms by all persons presently or previously confined involuntarily to mental institutions for treatment of mental disorders *regardless of length of confinement or formalities of the detention process.*
- *Persons with mental disorders.* Clarify that the definition of persons who are "mentally defective," a group that is now prohibited from possessing firearms, includes the mentally ill. Some courts have interpreted the term to pertain only to persons with markedly subnormal intelligence, and not to include those with mental illnesses.
- *Legal aliens.* Prohibit all persons lawfully in the United States who are neither resident aliens nor U.S. citizens from transferring, receiving, or possessing firearms and ammunition, except that such aliens may possess (but not purchase or transfer) firearms and ammunition upon receiving written authorization from their consulates or embassies that they have legitimate use for such firearms (e.g., foreign skeet-shooting sport teams).
- *Violent and drug- or alcohol-related misdemeanors.* Bar persons convicted of any crime of violence or drug- or alcohol-related crime, including misdemeanors, from transferring, receiving, or possessing firearms and ammunition.

Restrict Restoration of Firearm Possession Rights

- *States' restoration of civil rights.* Eliminate language from the 1986 amendment to the GCA allowing states to restore firearm rights automatically, without approval from the Secretary of the Treasury.
- *Relief from disabilities.* Deny application for, or receipt of, relief from disabilities to proscribed persons convicted of crimes of violence or of drug- or alcohol-related crimes involving the attempted or threatened use of a weapon or explosive.
- *Cost for relief from disabilities.* Impose "user fees" on applicants for relief from disabilities that would begin to offset the government's expense for

background checks, each of which currently costs approximately \$20,000-\$25,000.

Control Access to Particular Firearms

- *Handguns and semi-automatic long guns.* Create a class of "restricted weapons." This list would include all handguns and semi-automatic long guns that are not otherwise outlawed. Restricted weapons could be purchased or carried only by persons holding valid registration certificates, which could be issued by the local police or licensing authorities only after applicants had passed a background check for felonies, violent misdemeanors, mental illness, etc.; demonstrated a satisfactory knowledge of the safe and responsible use of firearms; accepted liability for injuries resulting from the negligent use or storage of these weapons; and showed that the firearm would be used only for specified legitimate purposes. Restricted weapons could be possessed only in one's home or place of business or on the premises of a target range (depending on the terms of the registration certificate) or while being transported to or from any of the above. Possession of an unregistered, restricted firearm or unlawful public carrying of a restricted firearm would be a punishable federal offense. Developing this class of restricted firearms would divide firearms into three groups: banned, restricted, and unrestricted (i.e., long guns that are not semi-automatic).
- *Existing stock of newly banned assault weapons.* Add whatever semi-automatic assault weapons are banned by the Senate's Crime Bill to the list of firearms regulated by the National Firearms Act (NFA), so that such newly-banned assault weapons already in existence must be registered and transfers must be approved by the Secretary of the Treasury.

Enforce Compliance of Firearms Dealers

To ensure dealer compliance, we recommend reducing the number of licensed firearms dealers by implementing higher licensing fees. We also recommend that the federal government, as well as the states, redouble efforts to monitor and regulate licensed dealers. Specific recommendations follow:

- *License fees.* Reduce the number of licensed firearms dealers by implementing higher fees such as the Bureau of Alcohol, Tobacco and Firearms has recommended (the Brady law mandates fees of \$200 for a three year license, and BATF is considering fees as high as \$600 per year) and tighter application standards beyond those accomplished by the Brady law. If fees can be raised to exceed the costs of administering the licensing

program, then part of the monies could be used to offset the public cost of providing medical care to gunshot victims.

- *"Engaged in the business."* Refine the definition of "engaged in the business" and require applicants to provide proof of intent to engage in actual business operations during the term of their licenses.
- *Identification.* Encourage passage of the provision in the Senate's Crime Bill that would require submission of fingerprints for persons listed on applications for licenses, to assist in identifying an applicant's criminal or other disqualifying history.
- *Employee background checks.* Require an applicant's employees to undergo background checks, the cost of which would be paid for by the applicant. No background checks are currently conducted on applicants' employees.
- *Convicted licensees.* Require immediate cessation of business operations and suspension/revocation of a license when a dealer is convicted of a disqualifying crime. Currently, licensees convicted of crimes punishable by imprisonment for a term exceeding one year are allowed to continue operations pursuant to an existing license until their convictions become final and while any appeals are pending.
- *Licensees seeking relief from disabilities.* Require suspension of dealer, manufacturer, and importer licenses when a licensee's application for relief from disabilities is pending.
- *Cost of relief from disabilities.* Impose "user fees," to cover the government's cost of background checks on dealer, manufacturer, or importer licensees applying for relief from disabilities.
- *Gun shows.* Provide resources to BATF to inspect gun shows and flea markets to prevent illegal firearm sales. Under current law, licensees may display and take orders for firearms at gun shows located outside the state in which they are licensed to do business, and out-of-state orders may be filled at the dealer's licensed premises.
- *Inspections.* Restore BATF's authority to inspect a dealers operation more frequently than once a year (as provided for in the Senate's pending anticrime package), remove the requirement for "inspection warrants," and mandate BATF to provide for the inspection of every licensee at least once every three years.

- *Lost or Stolen Firearms.* Require dealers to report lost or stolen firearms to BATF within 24 hours, and encourage security inspections by local law enforcement agencies of dealers premises to ensure that firearms and ammunition are adequately stored. Consider expanding civil and criminal liability for negligent sales, etc. The Senate's pending anticrime package would require dealers to report lost or stolen firearms to BATF within 48 hours.
- *Model coordinated enforcement efforts.* Expand the Firearms Trafficking Control Program initiated in FY 1993 by the Bureau of Justice Assistance (BJA), under direction and request by President Clinton, to include at least six replicable new projects for coordinating enforcement efforts. BJA is currently developing and implementing programs designed to coordinate such efforts between BATF and state and local law enforcement agencies. These programs are in three areas: conducting background investigations on applicants for new dealer licenses and license renewals; targeting and prosecuting individuals and organizations involved in the unlawful use, sale, or acquisition of firearms; and identifying and prosecuting violent career criminals using firearms.

Regulate Currently Unregulated Modes of Transfer

Tighter restrictions on retail firearm sales must be supplemented by efforts to block the two streams by which criminals most often obtain their firearms—the illegal black market and theft. Such a regulatory scheme might include:

- *Secondary transfers.* Regulate secondary transfers of all firearms not already restricted by the National Firearms Act by requiring the transferor and transferee to go to the premises of a licensed firearms dealer and document the transfer in the licensee's records. Dealers would record the firearm in their acquisition records as well as in their disposition records. Transferees would, in effect, have to go through the same requirements as initial purchasers of firearms (e.g. 4473 forms, etc.), so the process would help prevent private transfers to prohibited persons. In the wake of the Brady law, it should also be possible to impose a waiting period on secondary transfers of handguns (as some states have done) and to require dealers to forward the transfer information to the local police for background checks. The transferor and transferee could also be allowed to complete a transfer application and mail it directly to the local police for the requisite background checks. Both the transferor and transferee would receive a record of the transaction.

Transferors and transferees who violated these procedures would be guilty of a federal offense, and any person in possession of a firearm who could not produce the original bill of sale or official record of transfer could be sanctioned, as could the person on record as the original owner of the firearm or as the last official transferee, if he or she could not prove that the firearm was lost or stolen. Additionally, the person on record as the original owner or as the last official transferee of a firearm could be held strictly liable for all injuries inflicted by the firearm or criminally liable as an abettor to the crime, if that person lacked proof the firearm was stolen.

- *Multiple sales.* Consider adopting on a national basis the Virginia law prohibiting licensed dealers from selling more than one firearm per month to any single individual. The Brady law requires that dealers notify state or local law enforcement authorities of multiple sales of two or more pistols or revolvers in any five-day period to an unlicensed person. We should further require licensees to report multiple sales of firearms other than handguns and to include a description of the firearm by make, model, serial number, and caliber.
- *Interstate sales.* Prohibit interstate sales of all firearms and ammunition to unlicensed persons, including interstate sales of rifles, shotguns, and ammunition.
- *Theft.* To control theft from licensed dealers, federal law should require dealers to store firearms securely.

Regulate How Firearms Are Used, Carried, and Stored

Regulation of firearms should be designed not only to limit access by people who should not have guns, but also to stop those people who do gain possession of firearms from using them unlawfully. The federal government should take steps to encourage passage of tougher penalties for unlawful gun possession and for gun crimes, as called for in the Senate's Crime Bill, and should commit the resources to ensure swift punishment for such crimes. Also, federal law might require that firearms be safely used, carried, and stored; prohibit the carrying of firearms in locations such as schools, hospitals, work sites, bars, and safe havens; and promote public education about the risks and benefits of firearm ownership and access.

The federal government might spearhead a public service campaign about the risks of firearm ownership and use. Pending health care legislation and ongoing programs at the U.S. Department of Health and Human Services can incorporate training in the

prevention of firearm violence. We should encourage states and local jurisdictions to pursue firearm violence prevention by locally appropriate means. No federal regulation in this area should preempt stricter regulation at the state or local level. Specific recommendations follow:

Penalize Illegal or Unsafe Use of Firearms

For the most part, penalties currently authorized for various federal firearms offenses, as enhanced by the Senate's pending anticrime package, are more than sufficient. However, certain additional measures could be helpful:

- *Enforcement.* Improve enforcement of existing laws.
- *Recordkeeping.* Make it a felony, rather than a simple misdemeanor, for a dealer knowingly to fail to maintain required records, to falsify records, or to fail to surrender records upon going out of business.
- *Violations of the National Firearms Act.* Increase the statute of limitations for violations of the National Firearms Act from three to five years. Currently, federal jeopardy under the GCA for criminal possession of a conventional rifle is longer than for criminal possession of a machine gun.
- *Negligent storage.* Consider enacting penalties for negligent firearm storage. In 1989, Florida authorized misdemeanor penalties for negligent domestic firearm storage that results in a minor's improper or threatening exhibition of a firearm. The state also authorized felony penalties for persons storing or leaving a loaded firearm within the reach or easy access of a minor who uses the firearm to injure or kill someone.

Regulate Places and Conditions of Carrying Firearms

Consider passage of laws prohibiting the carrying of concealed weapons on the streets and in public places.

Promote Public Education about the Risk of Firearm Access and Ownership

Although the effectiveness of public education efforts in preventing firearm violence has yet to be evaluated, the Administration should undertake a widespread public service campaign about the risks of firearm ownership and use. The campaign should feature high-level Administration personnel, television, movie and sports stars, and other publicly known Americans advising about the risks of firearms, especially handguns, in the home and the importance of restricting access by youth to all firearms. The message should include a call for turning in and destroying firearms not able to be safely stored by their owners. Such a proposal could involve some

rudimentary training in how to deal safely with firearms (e.g., how to take a firearm away from a sibling who has picked one up). In addition, the following pending federal legislation and existing federally-funded prevention programs could assist in preventing firearm violence:

- *Health Security Act.* The President's Health Security Act contains several provisions that could support violence prevention in general, and firearm-related violence in particular:
 - Title III, Subtitle C, authorizes an expanded biomedical and behavioral research program at the National Institutes of Health. Violence is not listed explicitly among the bill's research priorities; however, prevention of violence involving firearms could be addressed through several identified priority areas. Additionally, the Health Services Research Initiative, to be carried out by the Agency for Health Care Policy and Research, could increase research efforts relating to identification and treatment of victims and perpetrators of violence.
 - Title III, Subtitle D, would give grants to states to strengthen their core public health functions, including activities to reduce violence. Subtitle D would also make additional funds available to state and local agencies and private nonprofit organizations for priority health problems. The Secretary of the U.S. Department of Health and Human Services could designate violence as a priority under this program.
 - Title III, Subtitle G, would make funds available to support health education programs in schools; among the targeted areas are intentional and unintentional injuries. The bill would also fund school-related health services provided by local community partnerships, with a preferences for communities with high levels of poverty and high rates of health-risk indicators among children and youth, including intentional and unintentional injuries and gang violence.
 - Title I, Subtitle B, permits health plans to offer education and training to encourage patients to reduce risky health behaviors. Such training could include classes in firearm injury prevention and safety.
- *Safe Schools Act.* If passed, the Safe Schools Act would authorize grants to local education agencies for a variety of violence prevention activities, including educating students and parents about the danger of firearms, supporting weapon-free schools, and installing metal detectors. It is critically important to evaluate all of these interventions before supporting their widespread implementation.

- *Drug-Free Schools and Communities Act.* The Administration's reauthorization proposal for the Drug-Free Schools and Communities Act would expand the program to include various initiatives designed to prevent school violence. The proposal is much broader in scope than the Safe Schools Act and is likely to reach virtually all school districts; the current act serves 90+ % of local educational agencies.
- *Existing community-based youth violence prevention programs.* The federal government already funds and oversees a number of community-based programs for general violence prevention that could incorporate specific firearm components. For example, the Public Health Service—through the Centers for Disease Control and Prevention and the Office of Minority Health—supports community-based efforts aimed at youth, particularly minority youth, and the Administration for Children and Families funds community-based efforts to prevent gangs.
- *Ongoing federal programs.* Many existing federal health and human services programs could incorporate firearm violence prevention activities into other services offered. For example, the U.S. Department of Health and Human Services could provide health providers in Community and Migrant Health Centers, the Indian Health Service, Health Care for the Homeless, and Title X family planning clinics with protocols for screening for firearm violence and educating to prevent it. Issues about firearm ownership could be added to the list of other health issues raised in clinical settings, such as tobacco use, drug and alcohol use, and sexual activity.

Federal agencies could be asked to examine existing programs for opportunities to incorporate firearm violence prevention. For example, prevention messages could be distributed through the U.S. Department of Housing and Urban Development's public housing programs or through the U.S. Department of Agriculture's Food Stamps and Women, Infants and Children programs.

Reduce the Lethality of Firearms

The manufacture and importation of firearms that are inherently unsafe and excessively lethal continues in the United States. Federal law requires imported weapons to adhere to design and safety standards; however, current federal policies do not impose the same design and safety standards on domestically manufactured weapons and ammunition. Many handguns now manufactured in the United States for civilian use would fail these tests. The federal government should require domestically manufactured firearms to incorporate the same safety features as imported firearms.

We should also consider the further steps of adopting specific performance standards for firearms and ammunition. Specific recommendations follow:

Ban Assault Weapons And Superlethal Ammunition

- *Assault weapons.* The recent approval of the Feinstein amendment to the Senate's Crime Bill, which would prohibit the new manufacture and sale of 19 specified assault weapon models and any copycat versions, together with the existing ban on production of certain armor-piercing ammunition, demonstrates a willingness to ban extremely dangerous firearms and ammunition. Both efforts have substantial public support. We should consider the further steps of adopting specific performance standards that would prohibit manufacture of firearms capable of firing more than a certain number of rounds or a certain number of bullets per second. A model-by-model ban such as the one in the Feinstein amendment, although designed also to prohibit production of firearms with certain generic features similar to the banned models, invariably lags behind the innovative firearms manufacturer who can produce substantially different weapons with the same deadly effect. Therefore, it is desirable to enact legislation that would prohibit new manufacture of any firearms, regardless of how constructed, that fire bullets more rapidly than any legitimate sportsman could desire.
- *Superlethal ammunition.* Ban flame-throwing, 50-caliber, and Black Talon ammunition (a hollow-point handgun bullet that expands upon impact, exposing sharp edges) or, preferably, adopt performance standard legislation that would ban new manufacture and sale of bullets that, under specified firing conditions, expand more than a specified percentage upon impact, ignite upon contact, pierce armor (current law, even as it would be revised by the Senate's pending anticrime package, covers only armor-piercing ammunition with specified materials in the core or jacket of the bullet), or that are 50 calibers or more in size. This ban should be extended to hand-loaded ammunition assembled by private individuals. Further, ammunition manufacturers should be encouraged, in the interim, to cease production of such particularly lethal ammunition, as Winchester recently did by withdrawing the Black Talon cartridge from the market. There are still 20-25 other similar types of high-performance handgun ammunition on the market.
- *Accessory and replacement parts.* Prevent both the conversion of existing semi-automatic weapons into illegal machine guns and the assembly of new machine guns by requiring all purchases of accessory and replacement parts for automatic weapons to be made through licensed dealers. These dealers

would, in turn, be required to verify legal ownership of automatic weapons before completing sales transactions for automatic weapons parts.

Make Firearms Inherently Safer

- *Safety features.* Encourage or mandate the use of trigger locks; limit magazine sizes; require that guns be designed so that they will not fire if dropped; restrict the size of guns so that they cannot be easily concealed. Continue to fund research into "smart gun" technologies capable of rendering firearms unusable except by their owners.
- *Domestically manufactured firearms.* Require the same design safety features for domestically-manufactured firearms as for imported firearms.

Support Research To Develop a Sound Scientific Basis for Preventing Firearms Injuries

In our efforts to combat the crisis of firearm violence, we are impeded by what we do not know. Presently, for example, there is no way for authorities to systematically collect national data on firearms fatalities and injuries. We know little about the type of handguns used in most homicides, about the circumstances surrounding such shootings, or about how the risks of firearm violence vary by socioeconomic status or gender. By providing data about the scope of the problem, the effectiveness of initiatives now underway, and the problem-solving potential of new technologies, research into firearm violence will enable us to craft intelligent and effective policy solutions. Currently, our investment in research into firearm violence is so low that it barely registers when compared graphically with our investments in research into other health problems (Figure 1). Specific recommendations follow:

Evaluate Firearm Ownership and the Causes of Firearm Injury

- *Kids and guns.* Our efforts at controlling access to firearms should be primarily focused on keeping guns out of the hands of young people. We can begin to do this by taking four steps:
 - *Determine which kids carry firearms and why.* As a guide for designing programs to reduce access to firearms by adolescents, we need a better understanding of where kids get firearms and what motivates them to want them. Present research on youth at high risk for violence against others needs to be expanded to include youth at high risk of using firearms to harm themselves.

- *Evaluate the effectiveness of current intervention strategies.* We must also know whether providing kids a corridor of safe passage between school and home and other intervention strategies actually reduce the fear level of kids. Do kids stop carrying firearms as a result of such efforts?
- *Evaluate the effect of enhanced penalties.* For example, do stiffer penalties (from suspension to jail time) work to deter firearm incidents at school?
- *Develop technology to make schools safer.* We must continue to research and develop technologies such as a sophisticated electromagnetic device used in schools to detect weapons.
- *Patterns of firearm acquisition, ownership and use.* Each year, thousands of Americans decide whether to acquire a firearm with little, if any, knowledge of whether firearm ownership increases or decreases the risk of injury to them or their families. We must ascertain the assumptions and motivations underlying firearm ownership and use in order to help individuals make informed decisions about firearms. Four research inquiries will help us begin to understand both the risks and true costs of firearm possession:
 - How frequently are firearms used to successfully ward off potentially violent attacks?
 - Do the risks, benefits, and costs of firearm possession vary according to where you live, who you are, or what you do?
 - How do the risks, benefits, and costs of firearm possession vary according to gender?
 - What are the risks, benefits, and costs associated with keeping a firearm in the home, storing a loaded or unlocked firearm, or carrying a concealed firearm in public?

Establish Systematic Monitoring of Firearm Injuries

Information on the magnitude, characteristics, and costs of mortality, morbidity, and disability caused by firearms and their distribution should be monitored systematically and on a continuing basis. We should take the following three steps in an effort to acquire a more complete picture of the problem of firearm violence:

- *Establish a National Firearm Injury Reporting System at the Centers for Disease Control and Prevention (CDC) to monitor both fatal and nonfatal firearm injuries.* Current systems for collecting information on fatal firearm injuries (e.g., vital statistics or the Uniform Crime Reporting System [UCR]),

while providing some information on homicides, fail to provide key data on the type of firearm used, the location of the fatal injury, and the surrounding circumstances. Indeed, 10% of all homicides are not recorded in the UCR. At a minimum, a reporting system is needed to provide sufficient data on the firearm itself (type, make, model, caliber, serial number), the type of death (homicide, suicide, unintended, or undetermined), the victim (age, race, sex, drug/alcohol involvement), the shooter, the circumstances of the shooting, and the involvement of emergency medical services.*

Over the past four years, CDC has been testing the use of the National Electronic Injury Surveillance System (NEISS) to obtain national estimates of the number of nonfatal firearm injuries treated in hospital emergency departments. NEISS, which consists of a national probability sample of 91 acute care hospitals with emergency departments, is operated by the U.S. Consumer Product Safety Commission (CPSC). The CPSC uses the data obtained to track product-related injuries. The NEISS system can be used to identify and obtain information about the nature and surrounding circumstances of firearm injury. Such data can be supplemented with information from police departments and other sources.

- *Modify existing surveys to improve available information on firearm injuries.* In addition to implementing new data collection systems, modifications to the National Crime Victimization Survey (NCS) and the National Health Interview Survey (NHIS) may help improve the availability of information on firearms and firearms injury.
- *Support and expand systems for routinely collecting information on firearms injuries at the state and local level.* National data collection systems are often of limited use to state or local agencies and communities where localities lack the resources to analyze adequately the collected information. Therefore, there is also a need to support the development of data collection systems that can be used to guide and support local prevention efforts. Certain states and localities, such as Massachusetts and Harlem, New York, are already piloting firearm injury surveillance systems based in emergency departments. Support should be provided for maintaining and expanding such systems, as well as establishing similar operations in other localities.
- *Monitor the true cost of firearms injuries.* In addition, we need a fuller understanding of how firearms injuries contribute to long-term disabilities and,

* See: Tared et al. The firearm fatality reporting system: a proposal. JAMA 1992;(267);3073-4.

more generally, how much such disabilities add to the nation's annual health care costs.

Evaluate Interventions

- *Restrictive gun control policies.* In states across the country, as well as on the federal level, a broad array of restrictive gun control policies are currently being implemented. They include laws holding an owner liable for injuries caused by the use of his or her firearm, metal detectors in schools, educational efforts to teach firearm safety, waiting periods, firearm buy-back programs, increasing firearm and ammunition taxes to discourage demand, restricting firearm imports, and tighter federal regulation on initial firearm transfers, as well as on the interstate movement of firearms.

Few of these initiatives have been fully evaluated. Therefore, we must assess these efforts, using an approach that accurately measures intervention success. Such measurements might include the cost-effectiveness of the program, the monthly decrease in homicides from firearm violence, and any differential and unintended effects such policy interventions have on specific populations. Any analysis must account for the unique circumstances and needs of the community in which the initiative was implemented.

- *Disruption of illegal firearm markets.* If we are to stem the flow of firearms into our neighborhoods, we must first understand from where they originate and how they get to the streets. This requires rigorous efforts to illuminate the structure and operation of illegal firearm markets.** Intuition suggests that the illegal markets in drugs and firearms are linked, but we have little data on the intricacies of illegal firearm markets and the patterns of firearm acquisition by criminals, juveniles, and other prohibited groups. To effectively disrupt illegal trafficking in firearms, therefore, we must take three initial steps:
 - *Acquire more data.* We need more data on the structure of illegal firearms markets, as well as research into how weapons "leak" from legitimate channels into illicit ones.
 - *Evaluate and expand current firearm-tracing efforts.* Firearms policies are most likely to be effective when directed against possession and the illegal use of firearms: phenomena about which we have the greatest knowledge.

** "Illegal gun markets" are those firearms transactions that are unlawful, including: stolen weapons transfers, interstate transfers by an unlicensed person, transfers to prohibited persons (such as juveniles or felons), and transfers that are an adjunct to an illegal enterprise.

Therefore, we must look closely at what is happening at the levels of possession and illegal use. Programs that attempt to trace confiscated weapons should be evaluated and, provided they are effective, expanded. In addition, because illegal firearm trafficking often occurs across state lines, information gathered from tracing efforts should be systematically collected and made available to state and local officials to assist them in their firearm control efforts.

- *Apply resources already being used in the fight against drugs to the illegal firearm markets.* We should be sure to use antidrug resources, both investigative and prosecutorial, in the fight against illegal firearms. As with antidrug efforts, local authorities are likely to find that breaking up illegal firearm markets is much more easily achieved with direct community involvement. Local residents can help authorities with intelligence and, through social and peer pressure, enforcement. Communities must, therefore, be encouraged to become full partners with law enforcement officials in the effort to eliminate firearms from their streets. Experiments involving the community in drug law enforcement should be studied and evaluated.
- *Harsher penalties.* Finally, we must ascertain whether various punitive measures, such as stiffer sentences for using a firearm while committing a crime, actually deter firearm misuse.

Explore Technological Innovations

We should move forward with technological research and other efforts that promote firearms safety. The following areas show promise in this regard:

- *"Safe guns."* Using defense technology, "safe" or "smart" firearms are rendered useless if used by anyone other than the owner. One device would recognize the owner's palm, making use by another impossible. Another would be proximity-based, allowing the firearm to be fired only when within a certain proximity to the owner's holster.
- *Ammunition.* We must establish handgun ammunition performance standards that are linked to the ability of the bullet to pierce body armor. If the ammunition penetrates a body armor vest, it should be disallowed for manufacture and use.
- *Advanced weapons detection.* A system combining advanced electromagnetic technology and a firearms database is currently being developed. Such a device would be highly accurate in detecting concealed firearms while minimizing

privacy intrusions. The goal is to develop a hand-held version of such a device, usable by police officers on the street.

- *Less-than-lethal technologies.* To provide law enforcement with effective, safer incapacitating alternatives to firearms, we should continue to research methods of developing products such as "pepper" mace. If effective, these technologies may later be transferred to civilian use.
- *Education.* We should implement/identify and evaluate public education efforts, such as a public awareness campaign on firearms safety (covering issues such as safe storage and safe use).

Reframe the Public Debate on Firearms

Because the problem of firearm injuries and guns is so contentious and because we want to inject rationality and science into the discussion, it is critical that this issue be approached with some consistency and clarity throughout the administration. Specific recommendations follow:

Change the stage from politics and philosophy to science

We need to reframe the public discussion about firearms injuries, from a political or philosophical debate on "gun control" as an all-or-none binary intervention to a discussion based on scientifically documented risks and benefits of firearm access and rigorously evaluated policy options. This is a paradigm shift.

Place specific changes in the context of multiple interventions

We need to let people know that progress in preventing firearms injuries will come just as the great progress we made in reducing motor-vehicle deaths came not by banning cars, but from building safer cars and safer roads, getting drunk drivers off the roads, and enforcing licensing requirements. No one measure is the answer. The Brady law is one small step forward. The answer is not "either...or"; it is "this and this and this...."

Focus on children

Nobody will oppose progress to prevent children from shooting children. We need to focus on reducing access by children to firearms. This is an area in which we can achieve consensus.

Stress the importance of changing behavior and the social environment

We need to broaden the range of solutions to include changes in behavior and the social environment as well as focusing on firearms themselves. We need to rebuild the social capital and address poverty, discrimination, lack of jobs, lack of education, lack of hope, and drug and alcohol abuse. You can't take guns away from men who are frightened, from women who are scared, or from communities that are living with fear without giving them reassurance and a sense of security.

Enlist the vast middle ground in the discussion of firearms injuries

Expand the participants in the debate on firearms to include the vast majority of citizens, not just those at the extremes, who are either strongly for "gun control" or strongly opposed to any suggestion of regulation whatsoever.

References

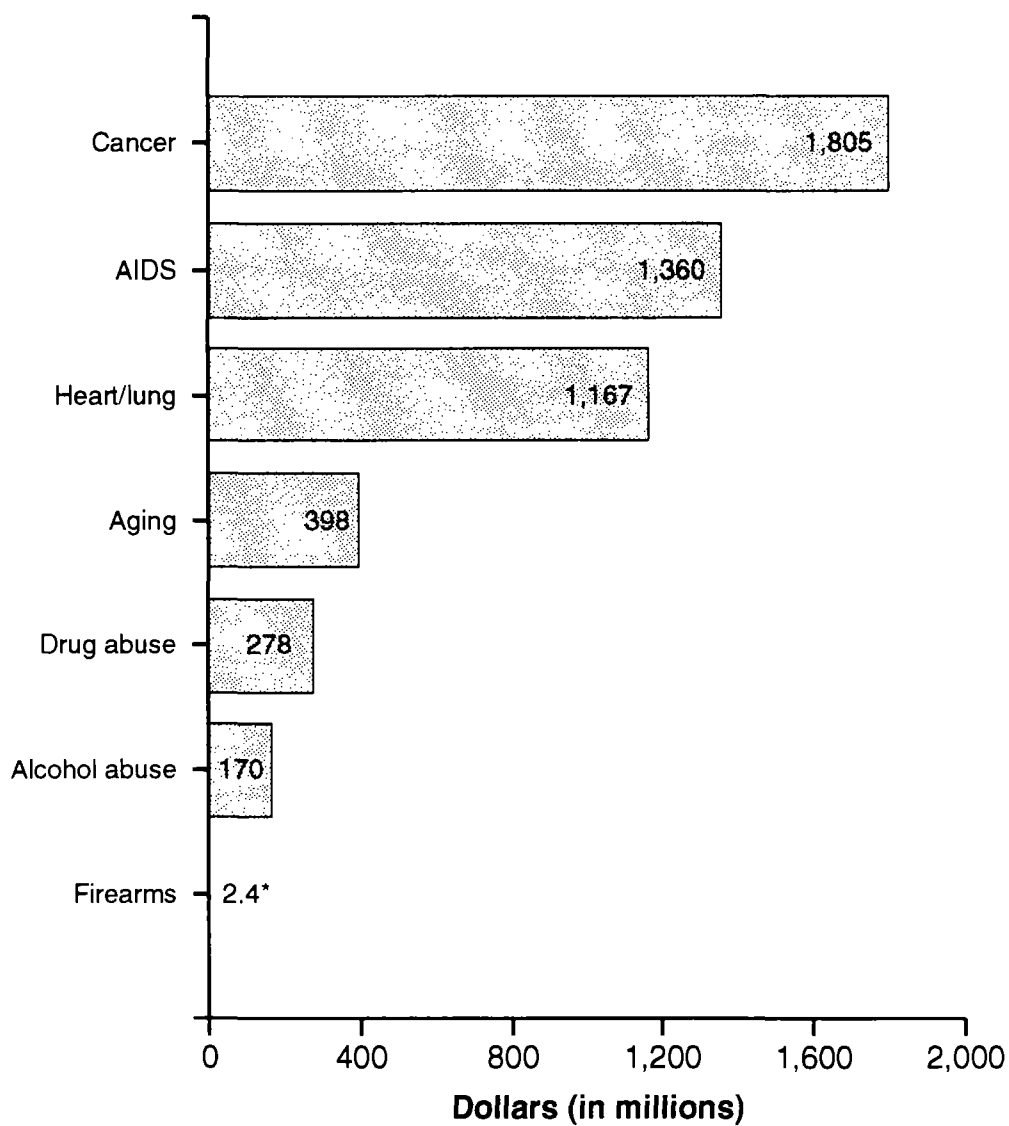
1. Federal Bureau of Investigation. Crime in the United States, 1992: uniform crime reports. Washington, DC: Federal Bureau of Investigation, 1992.
2. Mercy JA, Rosenberg ML, Powell KE, Broome CV, Roper WL. Public health policy for preventing violence. *Health Aff* 1993;12:7-29.
3. Centers for Disease Control and Prevention. Behaviors related to unintentional and intentional injuries among high school students—United States, 1991. *MMWR* 1992;41:760-765,771-772.
4. LH Research, Inc. A survey of the American people on guns as a children's health issue. New York: LH Research, Inc, 1993.
5. Sheley JF, Wright JD. Gun acquisition and possession by selected juvenile samples. Washington, DC: US Department of Justice, National Institute of Justice, 1993. Research in brief series.
6. Zimring FE, Hawkins G. The citizen's guide to gun control. New York: Macmillan Publishing Company, 1987.
7. Cook PJ. Guns and crime: the power of long division. *J Policy Analysis and Management* 1981;fall:120-5.
8. National Highway Traffic Safety Administration. Moving America more safely; an analysis of highway travel and the benefits of federal highway, traffic, and motor vehicle safety programs. Washington, DC: US Department of Transportation, 1991.
9. Centers for Disease Control and Prevention. Deaths resulting from firearms- and motor-vehicle-related injuries—United States, 1968-1991. *MMWR* 1994;43:37-42.

10. Fingerhut LA, Jones C, Makuc D. Firearm and motor vehicle injury mortality--variation by state and race and ethnicity: United States, 1990-1991. Hyattsville (MD): US Department of Health and Human Services, Public Health Service, Centers for Disease Control and Prevention, 1994. (Advance data from vital and health statistics, No. 242).
11. Wintemute G. Motor vehicles or firearms: which takes a heavier toll? [letter] JAMA 1993;269:2213.
12. National Center for Health Statistics. Advance report on final mortality statistics, 1991. Monthly vital statistics report. Vol 42, No 2, Suppl. Hyattsville (MD): US Department of Health and Human Services, Public Health Service, Centers for Disease Control and Prevention, 1993.
13. Dorothy P. Rice, Ellen J. MacKenzie, and Associates. Cost of injury in the United States: a report to Congress. San Francisco (CA): Institute for Health & Aging, University of California and Injury Prevention Center, The Johns Hopkins University, 1989.
14. Cook PJ. The technology of personal violence. In: Tonry M, editor. Crime and justice: a review of research. Vol. 14. Chicago: University of Chicago Press, 1991.
15. Fingerhut LA. Firearm mortality among children, youth, and young adults 1-34 years of age, trends and current status: United States, 1985-90. Hyattsville (MD): US Department of Health and Human Services, Public Health Service, Centers for Disease Control and Prevention, 1993. (Advance data from vital and health statistics, No. 231.)
16. Christoffel KK, Christoffel T. Handguns as a pediatric problem. Pediatr Emerg Care 1986;2:75-81.
17. Centers for Disease Control and Prevention. National summary of injury mortality data, 1985-1991. Atlanta (GA): Centers for Disease Control and Prevention. In press.
18. Centers for Disease Control and Prevention. Homicide Surveillance, 1979-1988. In: CDC Surveillance Summaries. MMWR 1992;41(No. SS-3):1-33.
19. Fingerhut LA, Kleinman JC. International and interstate comparisons of homicide among young males. JAMA 1990;263:3292-5.
20. Wintemute GJ, Wright MA. Initial and subsequent hospital costs of firearm injuries. J Trauma 1992;33(4):556-60.

21. Martin MJ, Hunt TK, Hulley SB. The cost of hospitalization for firearm injuries. JAMA 1988;260:3048-50.
22. Davis JA, Smith TW. General social surveys, 1972-1991: cumulative codebook. Chicago: National Opinion Research Center, 1991. National Data Program for the Social Science Series, No. 12.
23. Kellerman AL, Rivara FP, Somes G, Reay DT, Francisco J, Banton JG, et al. Suicide in the home in relation to gun ownership. N Engl J Med 1992;327:467-72.
24. Kellerman AL, Rivara FP, Rushforth NB, Banton JG, Reay DT, Francisco JT, et al. Gun ownership as a risk factor for homicide in the home. N Engl J Med 1993;329:1064-91.
25. Kellerman AL, Reay DT. An analysis of firearm-related deaths in the home. N Engl J Med 1986;314:1557-60.
26. Wright JD, Rossi PH, Daly K. Under the gun: weapons, crime and violence in America. Hawthorne (NY): Aldine Publishing Company, 1983.
27. Bureau of Alcohol, Tobacco and Firearms. ATF ready reference. Washington, DC: Bureau of Alcohol, Tobacco and Firearms, 1993.
28. Sugarman J, Rand MK. More gun dealers than gas stations: a study of federally licensed firearms dealers in America. Washington, DC: Violence Policy Center, 1992.
29. National Center for Education Statistics. Digest of education statistics. Washington, DC: National Center for Education Statistics, 1992.
30. Bureau of Alcohol, Tobacco and Firearms. Operation Snapshot. Washington, DC: Bureau of Alcohol, Tobacco and Firearms, 1993.
31. *United States v Giardina*, 861 F2d 1334, 1335 (5th Cir 1988).
32. *United States v Hansel*, 474 F2d 1120 (8th Cir 1973).
33. Loftin C, McDowall D, Wiersema B, Cottey TJ. Effects of restrictive licensing of handguns on homicide and suicide in the District of Columbia. N Engl J Med 1991;325:1615-20.
34. Vogel RE, Dean C. The effectiveness of a handgun safety education program. J Police Sci Admin 1986;14:242.

35. Bureau of Alcohol, Tobacco and Firearms. State laws and published ordinances: firearms. 19th ed. Washington, DC: Bureau of Alcohol, Tobacco and Firearms, 1989.
36. Olds DL, et al. Preventing child abuse and neglect: a randomized trial of nurse home visitation. *Pediatrics* 1986;78:65-78.
37. National Center for Injury Prevention and Control. The prevention of youth violence: a framework for community action. Atlanta (GA): US Department of Health and Human Services, Public Health Service, Centers for Disease Control and Prevention, 1993.

Figure 1. Estimated 1993 federal research expenditures, by health issue



* The expenditure for firearms is too small to plot.

Figure 2. Recent observed and projected firearm- and motor-vehicle-related injury deaths, United States

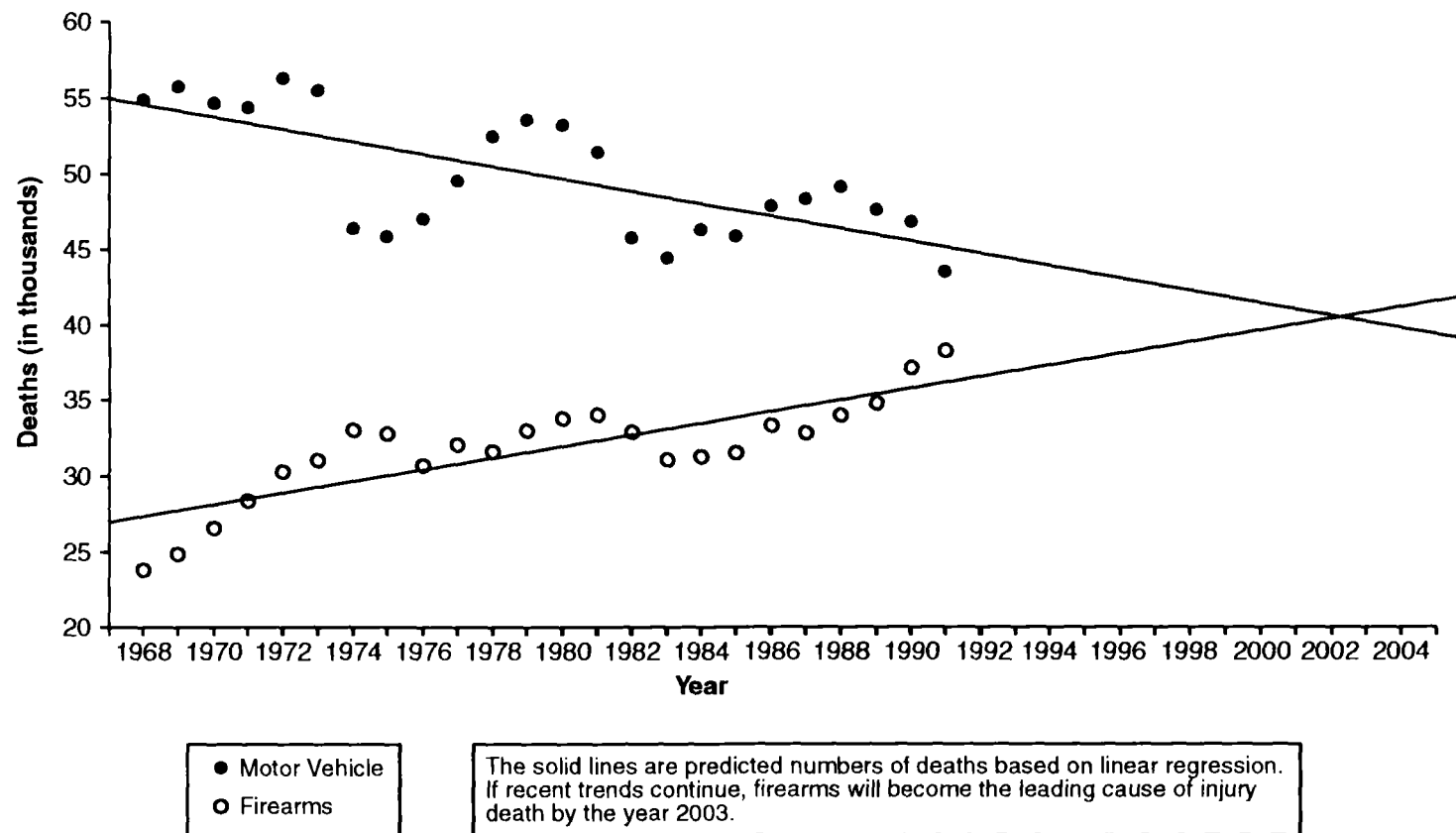
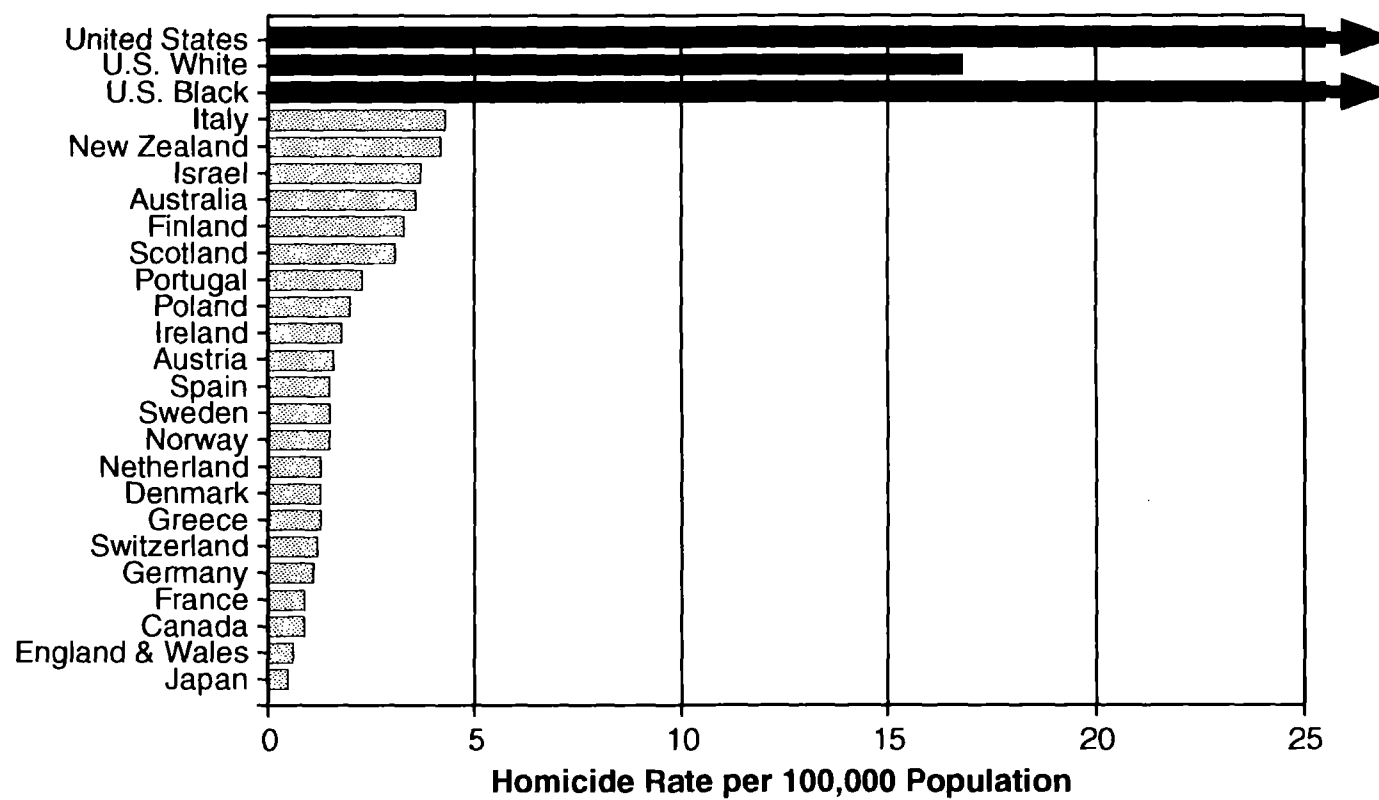


Figure 3. International Comparisons of Homicide Rates Males, 15-24 Years of Age, 1988-1991



U.S. age-specific rates were calculated using data from 1991.

Age-specific rates for all other countries were calculated using data for the most recent years available

Data Source: NCHS Vital Statistics; WHO Health Statistics

Figure 3, cont. International Comparisons of Homicide Rates Males, 15-24 Years of Age, 1988-1991

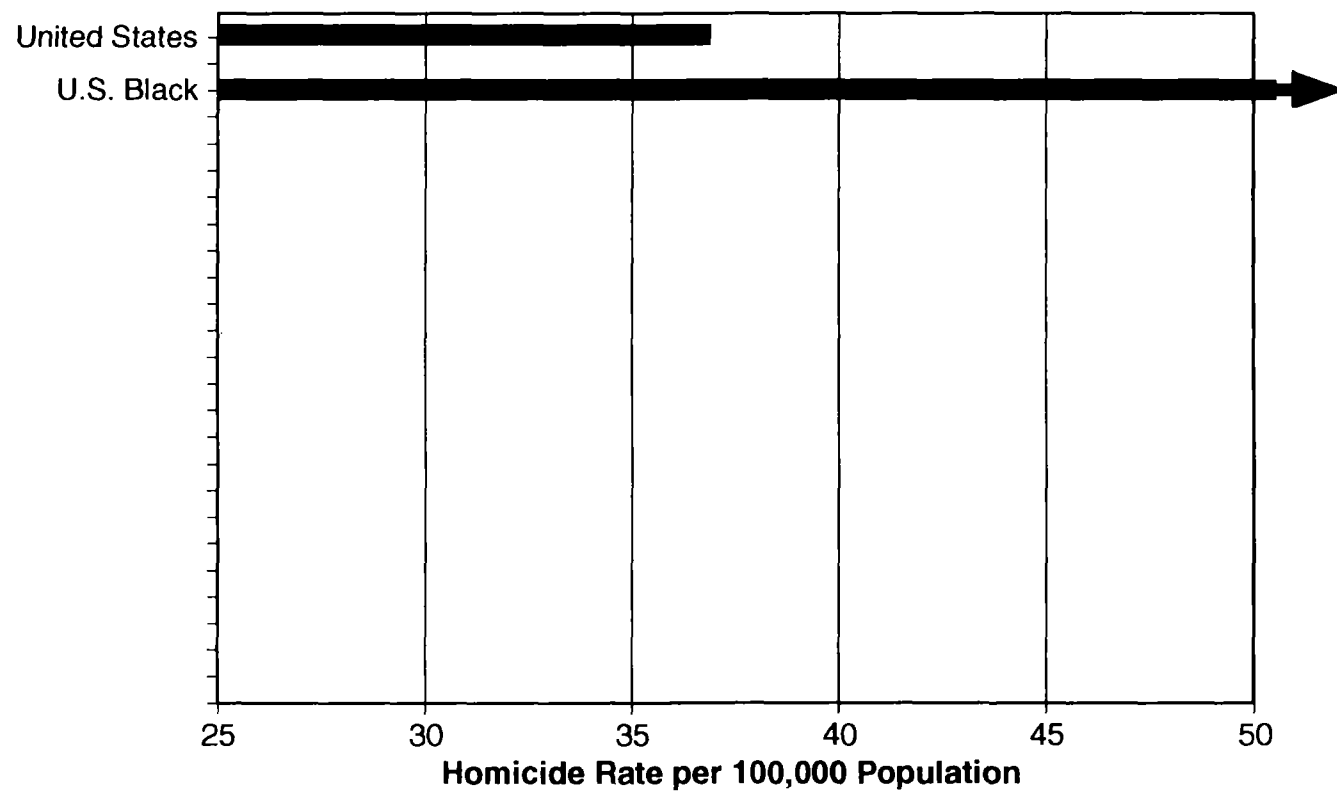


Figure 3, cont. International Comparisons of Homicide Rates Males, 15-24 Years of Age, 1988-1991

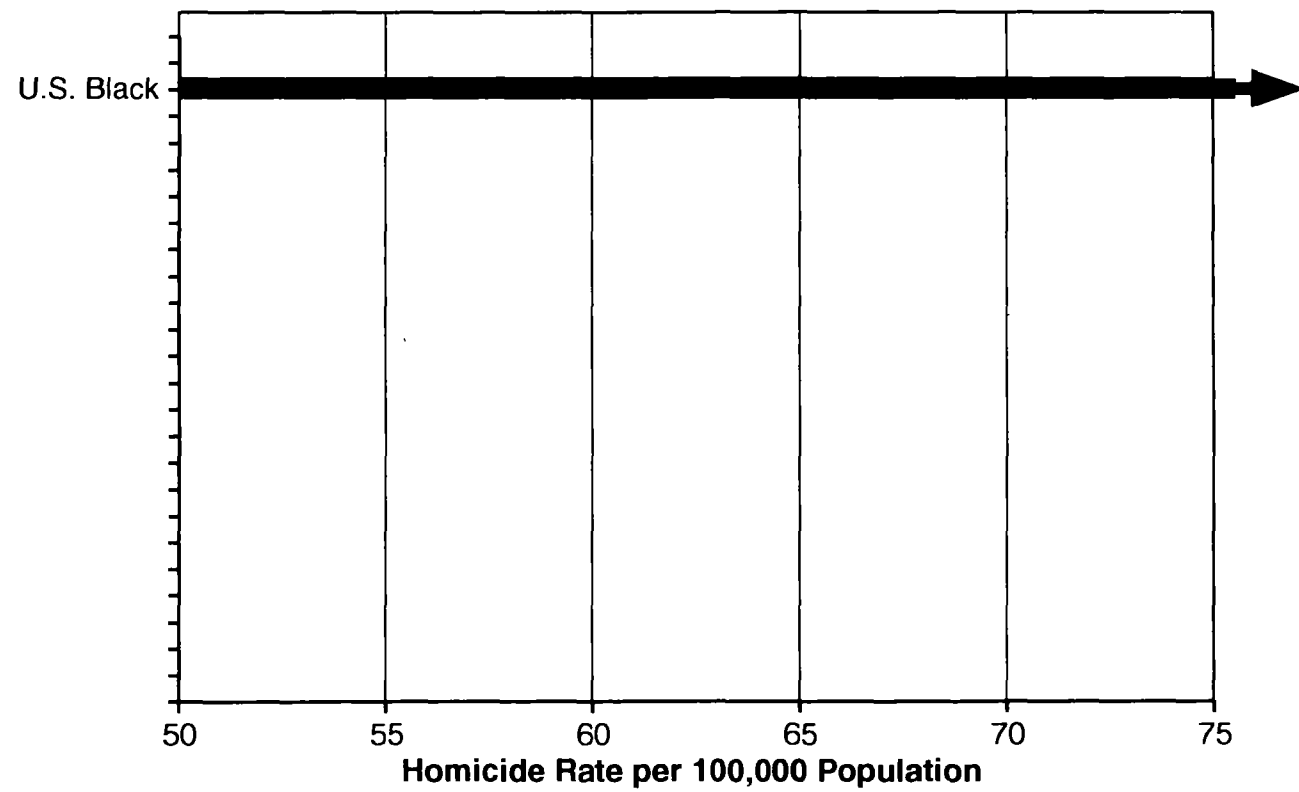


Figure 3, cont. International Comparisons of Homicide Rates Males, 15-24 Years of Age, 1988-1991

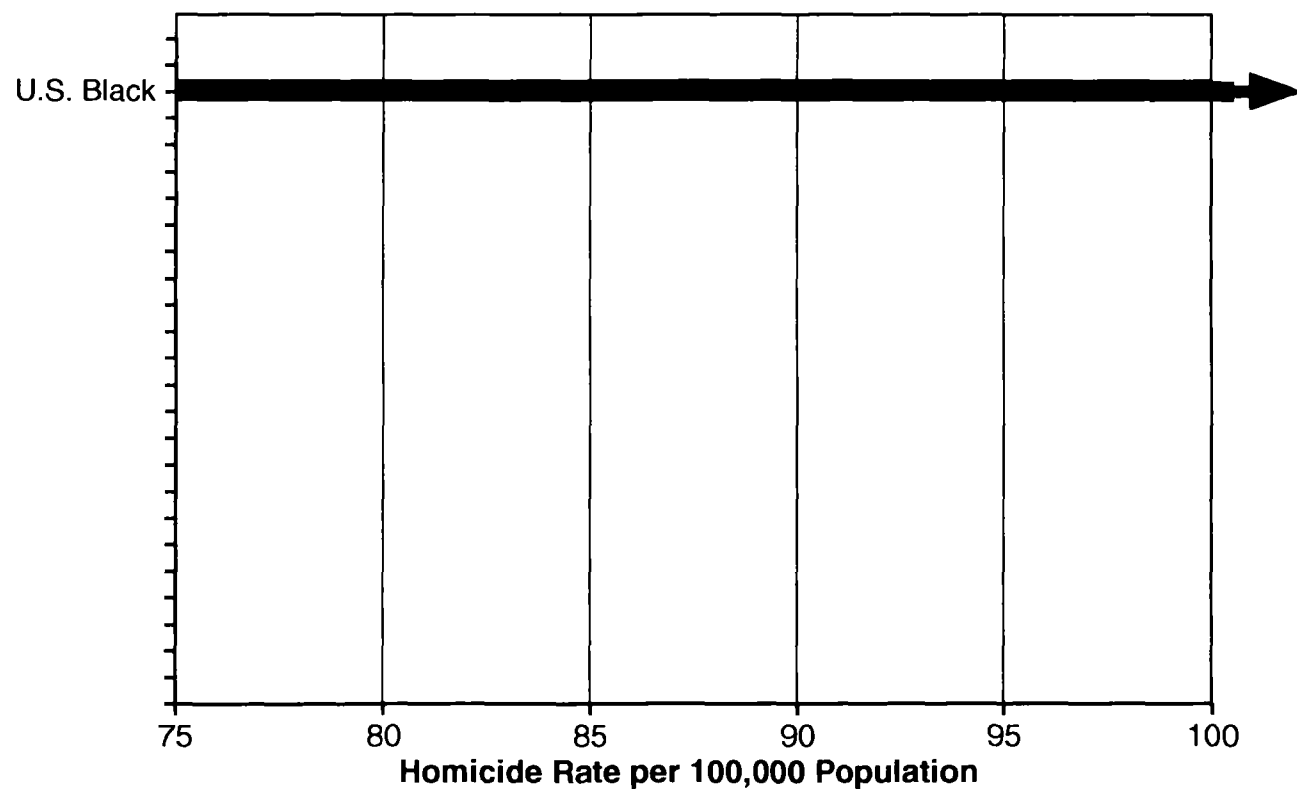


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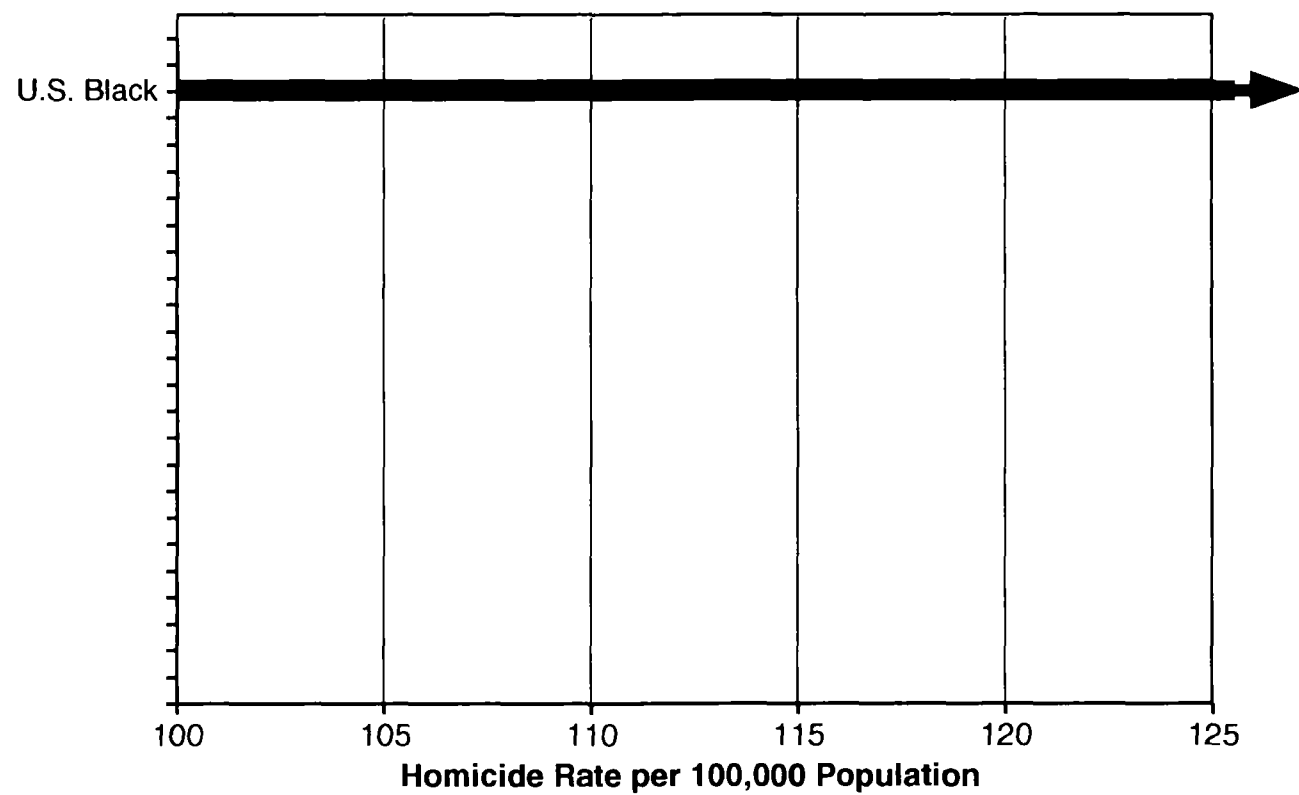


Figure 3, cont. International Comparisons of Homicide Rates Males, 15-24 Years of Age, 1988-1991

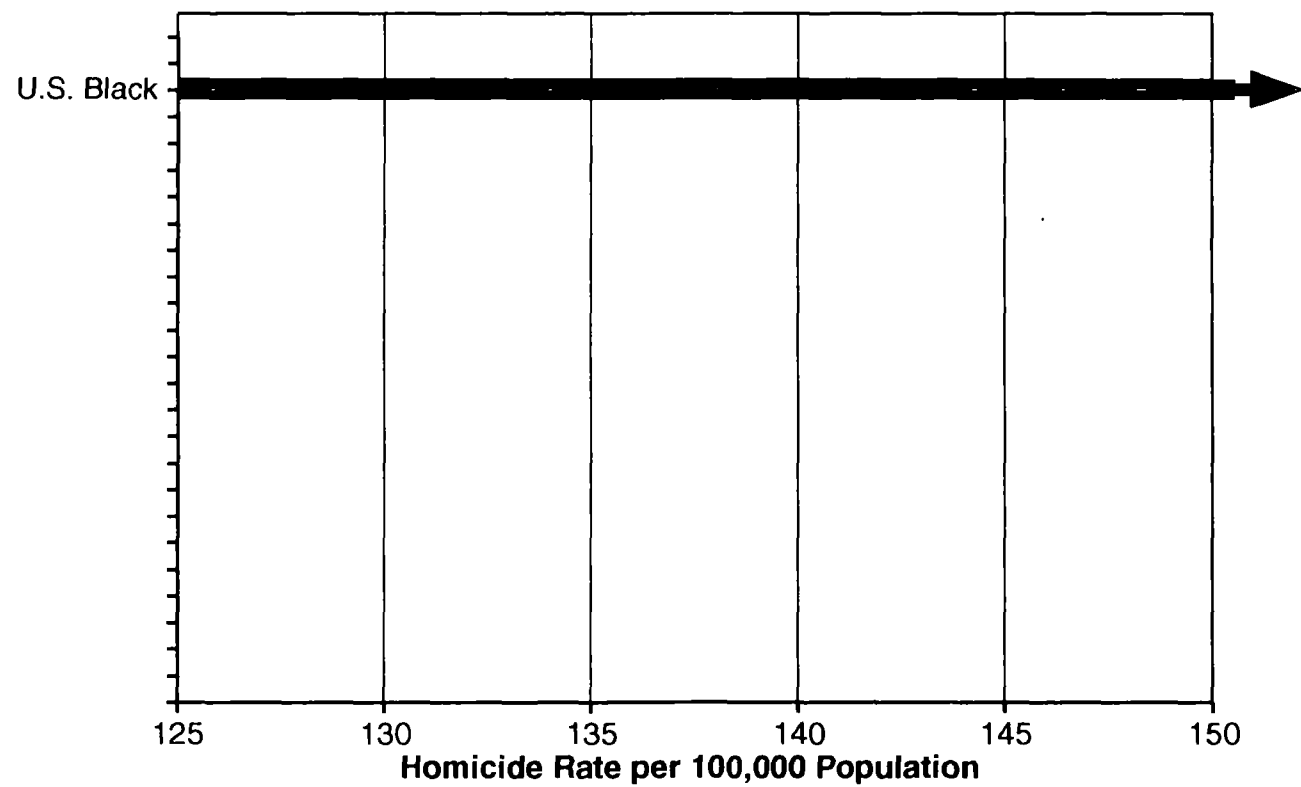
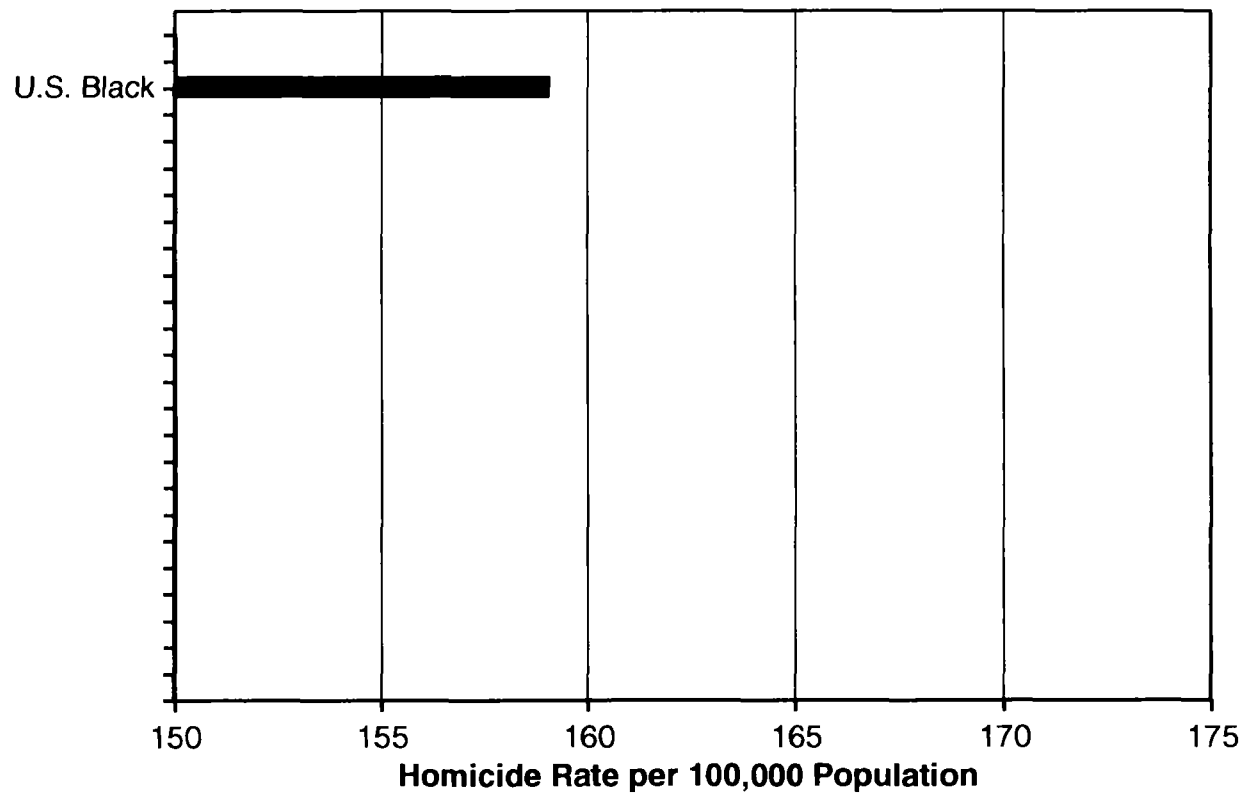


Figure 3, cont. International Comparisons of Homicide Rates Males, 15-24 Years of Age, 1988-1991



Media

February 7, 1994

Violence and the Media
Subgroup of the Interdepartmental Working Group
on Violence



Excerpt from the August 22, 1992 issue of "TV Guide" on a panel discussion involving Dick Wolf, producer of such series as "Miami Vice" and "Law & Order."

Wolf: I have an 8-year-old and a 5-year-old child. They've never seen any of the shows I've produced. They shouldn't be watching them. They're not allowed to watch Saturday morning cartoons.

Moderator: Why not?

Wolf: Why not? Because they're extremely violent.

Violence and the Media Subgroup Members:

Co-Chairs:

Michele Cavataio	Department of Education
Allan Rivlin	Department of Health and Human Services

Members:

Bill Barrett	ACTION
Bert Brandenburg	Department of Justice
Jim Breiling	The National Institute of Mental Health
Carter Collins	Department of Education
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Oliver Elders	Department of Education
Chuck Everett	ACTION
Mary Ann Fenley	The Centers for Disease Control and Prevention
Tony Fowler	Department of Education
Karl Kensinger	The Federal Communications Commission
Elisa Koff	Department of Health and Human Services
Pat Lehrer	Department of Housing and Urban Development
Oliver Moles	Department of Education
Corinna Nicolaou	Department of Health and Human Services
Cynthia Nila	National Telecommunications and Information Administration
Dave Thomas	Department of Education
Stephanie Willerton	Department of Education

Violence and the Media

Executive Summary

The Problem and the Opportunity

Americans consume an enormous amount of media. A great deal of it includes violence, and heavy consumption of violent media can have harmful consequences.

According to a 1993 report by the American Psychological Association (APA) on Violence and Youth, 98% of American homes have at least one television. The average child between the ages of 2 and 11 years old watches television 28 hours per week, and the average teenager watches 24 hours per week. The average American child watches 8,000 murders and 100,000 acts of violence on television before finishing elementary school.

This level of consumption can have dangerous consequences. Over the past two-and-a-half decades, a large body of research has indicated a significant correlation between viewing media violence and aggressive behavior. While, as in all behavioral research, it is difficult to prove cause and effect even where there is a strong correlation, the conclusion of the research community is that there is enough information to warrant concern and action.

Research also demonstrates the positive potential of pro-social¹ media messages to educate children and adults and to alter societal norms and individual behaviors. In the past decade, the media have worked effectively with government agencies to address smoking, drug abuse, drunk driving, teen pregnancy, and HIV/AIDS. A similar effort to address violence, already partially underway, could have a dramatic effect in educating people about the many forms violence takes, and about strategies to reduce the level of violence in American society.

The problem of media violence is not limited to network primetime television. Each of the media industries (newspapers, magazines, books, comic books, live and recorded music, radio, broadcast television, cable television, movies, video cassettes, video games, computer software, and the new technologies envisioned by the National Information Infrastructure) raises a different set of challenges when it comes to descriptions or depictions of violence. Further, government's level of influence over each industry faces different limitations. The federal government's policies must address all of the media industries and be appropriate for each one.

¹ Pro-social messages in media are generally described as those messages that encourage rational and responsible participation in society.

In October, the Attorney General testified before the Senate Commerce Committee on the subject of media violence. Identifying media violence as one factor among many causes of violence in America, the Attorney General challenged the media to present a plan to address the problem. She also said the bills then under consideration in Congress did not present First Amendment problems (though she did express some concern about difficulties in defining "violence" in some of the bills.)

In early December, President Clinton spoke to a group of entertainment executives and celebrities in Hollywood and challenged them to be more sensitive to the effects of media violence on young people from troubled homes and depressed economic conditions who are most at risk for crime and violence. The President called upon the media to accept their share of the responsibility for rebuilding the country's future, recognizing that these problems cannot be fixed "by the passage of a law or by an official declaration of the President of the United States." The President's remarks were well received in the entertainment industries and widely reported in the press.

Recommendation 1: A Government/Media Anti-violence Partnership

The Administration should follow the President's remarks by issuing a more specific challenge to the media industries to join in a partnership to constructively address the national violence crisis. A government/media anti-violence partnership could take many forms depending on the level of government involvement. A balance must be struck between a necessary level of leadership and an excessive level of control. We recommend the government's role should be to:

- set the agenda,
- assemble the participants,
- suggest options for voluntary actions

The government would not predetermine the process the partnership would follow or the outcomes that would be reached.

Set the Agenda

Simply bringing attention to the role of the media in the nation's violence problem is an important leadership step. The media should not be singled out for blame, but should be challenged to participate in a search for solutions.

It is important to include all of the media industries with emphasis on those that are most important to young people; movies, broadcast television, cable television, music, music videos, radio, video games, and computer entertainment software.

It is also important to address violence in all of its forms. The Administration's message must push beyond the "urban violence" stereotypes and include all of the forms of violence.

The media has a continuing role in addressing the problems of youth violence, domestic abuse, elder abuse, and hate violence.

Assemble the Participants

A major White House event could be used to kick-off a series of discussions among media executives, the creative community, government representatives, community leaders already active in this area, and others. Alternatively, or in addition, an event could be used as the culmination of such a process where concrete results are presented.

In addition to including representation from all of the media industries, it is important to reach beyond the Washington representatives and top media executives to include creators, producers, directors, writers, performers, programmers, advertisers, and game designers as well. There are a number of non-profit organizations with expertise in fostering pro-social entertainment media which could be called upon to assist in selecting the participants.

Offer Suggestions for Voluntary Actions

From the government's seat at the table, the government could suggest specific options that media organizations may wish to consider. There are a number of successful approaches that have been introduced by some media organizations which could be adopted more broadly. The federal government's role would be to encourage wide adoption of the industry's best practices.

Examples of actions that could be taken voluntarily by the media industries to give greater information and control to consumers and parents include: product content labeling, viewer warnings, the creation of children's and family viewing hours, active promotion and instruction in the use of existing cable channel blocking technology, and consultations or "violence audits" with independent experts.

The federal government can offer to play a role in helping to develop the consumer demand for television sets that offer parents the ability to screen out violent programming. Parents can have access to effective control technology through voluntary cooperation between television manufacturers and programmers. Leadership by the Executive Branch in this area could lessen the need for the mandates in proposed Congressional legislation.

There are also a number of steps the media industries could take in partnership with the government to creatively address the national violence problem through positive, pro-social, anti-violence messages. While we would not be starting at square-one (there have been many music videos, movies, television shows and public service announcements with anti-violence themes, and many more are in preparation), federal leadership could take these efforts to a higher level.

The government can bring a great deal to the table. Even projects currently in the planning stages could benefit greatly

from government support including, important national spokespersons and hard data from government research. In addition, the federal government could establish a national Violence Information Center with a toll-free number to disseminate information about violence and potential strategies for addressing violence at the family, community, and national levels.

Recommendation 2: Increase Support for Research and Ensure that Research is Effectively Turned into Practice.

While the correlation between media violence and aggressive behavior is well established, further research is needed to clarify which specific media depictions of violence increase the likelihood of aggressive and violent behaviors, and in which contexts, and for which types of viewers. In addition, little research exists on the effects of violence in newer media forms such as video games and music videos.

Research can also help evaluate programs designed to mitigate the adverse effects of media violence. Research is needed to identify the critical components of effective programs, as well as the training, consultation, and management required for their effective implementation. Evaluative research is also needed to assure that what should work, in fact, does work. The Violence Information Center, proposed above, provides an opportunity for effective research to be translated into practice.

Recommendation 3: Strengthen Alternatives to Violent Media Consumption Among Young People

It is worth noting that programs designed to keep young people out of trouble also help reduce the amount of media (including violent media) they consume. Many young people view inordinate amounts of media and those most at risk of violent behavior often view much more than average. Television and video games are often alternatives to other constructive activities for young people. The federal government's support for extracurricular activities for youth can thus be viewed as an anti-violence program and also as one important way to limit the harm of violent media. When, for example, Americorps and VISTA volunteers are used to help provide activities in communities for parents and children, a side benefit is the reduced consumption of violent media. The federal government can also encourage the media to highlight the most successful programs.

Federal support for good children's television programs that foster pro-social behavior can also be viewed as an anti-violence initiative. Research can help guide their production so that these shows are appealing to and effective for high-risk children in diverse cultural and ethnic groups. The federal government can support this effort through greater funding for public broadcasting that fosters pro-social behaviors. Working with

foundations or the media, the government could also sponsor awards to recognize outstanding children's programming.

Recommendation 4: Promote Media Literacy in Homes and Schools.

With the proliferation of media in our culture, it is important to provide young people with the skills they need to view the media more critically and in a broader context. Media literacy educational programs help young people understand the media they are consuming. Media literacy programs can help young children learn the difference between fantasy and reality, and can give older children a chance to make their own productions. Media literacy programs can be incorporated into violence prevention programs in the schools as well as other academic subjects. The federal agencies can support media literacy programs in schools with funds from the Crime Bill or the Safe School Act.

An effective media literacy campaign involves reaching teachers as well as professionals responsible for what the media produces. Federal agencies such as DOJ, ED and HHS can continue to provide teacher guides or parent guides to films. Also, the federal agencies can develop or adopt existing guides for critical TV viewing and distribute them widely to the public, especially to parents.

Recommendation 5: Study Legislative and Regulatory Options

While challenging the media industries to implement plans to address violence in the media and in society, the Administration must continue to study legislative and regulatory options and review congressional proposals. The options include the legislated creation of violence free family viewing hours, violence content ratings, media violence health warnings, and mandated "V-chip" violence blocking technologies.

Great care must be taken in evaluating each option. In every case, there are industries that would oppose any action, and for several options there is a substantial likelihood of litigation. However, some of the proposals have merit and deserve further review.

Violence and the Media

Introduction

Several statements about the role of the media in America's violence problem are relatively non-controversial. First, Americans consume an enormous quantity of media. Our national culture is dominated by a popular culture that is delivered to us electronically. Most adults spend several hours each day watching television, and among most young children, pre-teens, and teens, consumption of cable TV, music videos, portable music, and video games fill nearly every waking hour except those spent in the classroom.

Second, there is little debate that there is a great amount of violence available in the offerings of the media. Based on counts of depictions of violence in the media one can calculate that on average there is an act of violence every seven or eight minutes on prime time network television, and every three minutes on MTV.¹ In some violent movies and video games the rate averages several acts of violence per minute.

Third, in recent congressional testimony, representatives of some major media industries seem to have pulled back from their longstanding denial of the existence of a link between media violence and aggression. This change may represent a shift in public relations tactics, or it may be a surrender in the face of several authoritative reviews of the research.

Despite these major points of agreement, great care must be taken in formulating the federal government's policy in the area of violence in the media. Violence is as complex as any human behavior, and "the media" is as complicated as any other industry. Media violence is a highly visible part of the violence problem in America, but frequent viewing of violent media is just one of many factors that indicate that a person is at a greater risk of committing an act of violence, and most people who view violent movies and television never commit a violent crime.

In October of 1993, the Attorney General testified before the Senate Commerce Committee on the subject of media violence. Identifying media violence as one factor among many causes of violence in America, the Attorney General challenged the media to present a plan to address the problem.

In response to questions from several Senators, the Attorney General testified that she did not believe that the bills then under consideration in Congress presented major First Amendment problems. However, she did express some concern about some of the bills. In particular, she said there may be difficulties in defining "violence" in some of the bills.

In early December, 1993, President Clinton spoke to a group of entertainment executives and celebrities in Hollywood and challenged them to be more sensitive to the effects of media

violence on young people from troubled homes and depressed economic conditions who are most at risk for crime and violence. The President called upon the media to accept their share of the responsibility for rebuilding the country's future, and invited the industry's leaders to join the federal government in a partnership to address problems that cannot be fixed "by the passage of a law or by an official declaration of the President of the United States." The President's remarks were well received in the entertainment industries and widely reported in the press.

The Need for Balance

If our overriding goal is to limit the harm of violence in society, then we have two goals when it comes to the media:

- 1) we seek to reduce any negative influence caused by the violent images presented in the media, and
- 2) we seek to enhance the positive influence the media can exert through constructive efforts to address this national social crisis.

Both goals are important and interrelated. Care should be taken so that our pursuit of one of these goals does not inhibit our success in pursuit of the other. The federal government's policy would be, at best, a partial success if efforts to limit portrayals of violence in the media were so intrusive that they resulted in an end to efforts on the part of the media to address the problem constructively. However, a full-scale anti-violence campaign by the major media will have little effect if it is overwhelmed by continual repetition of messages that present violence as a solution to life's problems, or as a means to financial or sexual reward. Thus, the government's policies must seek progress in reaching both goals.

Criticisms of objectionable programming on television that do not acknowledge the positive role that some in the media have attempted to play will be seen by some in the media industry as a signal that the federal government's approach will be purely adversarial. While this is likely to gain the attention of industry leaders, and some accommodation of the government's goals, it also tends to weaken the position of those in the media who have made efforts to limit portrayals of violence, help raise the issue, educate the public, and change normative behaviors.

Definitions

For the purposes of this report, "violence" and "the media" are each broadly defined. The definition of violence used in this section does not differ from that used throughout this report. (Violence is physical harm that is inflicted intentionally or recklessly by people on other people.) However, disagreements over definitions of violence frequently cloud discussions of violence in the media. Different definitions are used in research on the link between consumption of media violence and violent behavior. There is also a great deal of controversy

about the definition of violence for the purposes of measuring the amount of violence contained in different television programs. Giving all forms of violence equal weight makes no distinction between a pie in the face and a stab with a knife, but other schemes are inherently subjective and therefore open to dispute.

Frequently, the word "gratuitous" is used to modify violence. Gratuitous violence in the media is generally defined as depictions of violence that are unnecessary to the telling of the story or the development of the characters. In practice however, the term "gratuitous violence" may have limited usefulness, in that film and video producers will argue that depictions of violence are necessary to tell violent stories and develop the violent characters. The standards and practices codes of American television networks already restrict gratuitous violence. The recently adopted Canadian Association of Broadcasters (CAB) code calls for a complete elimination of gratuitous violence. It will be interesting to see if this, in fact, leads to any real change in Canadian programming.

In this section the media can be understood to include all forms of mass communication. This includes newspapers, magazines, books, comic books, live and recorded music, radio, broadcast television, cable television, movies, video cassettes, video games, and computer software.

Usage patterns of media are changing rapidly, and the young and very young consumers of media, who arguably should be the focus of much of our concern, are generally at the cutting edge of change. Thus, our statements and policies about the media must keep up with, or stay ahead of, the wave of technological innovation, consumption trends, and artistic fashion among the young.

The various forms of print media and network broadcast television will continue to play an important role in our national culture, but adults, reflecting the technologies of their childhoods, may tend to overvalue the importance of these sources to the young, while undervaluing the importance of cable TV, music videos, video cassettes, video games, and computer software.

Each new form of media seems to present new forms of violent images, and new challenges to those who would prefer that our children experience less violent stimulation. Unless our policy is well informed of the differing degrees of violence presented by each type of media, we will not be able to communicate clearly to either the providers or the consumers of these images.

This paper will illuminate the problem of violence in the media by looking at the supporting research as well as the gaps in the research. Following that, we briefly describe the regulatory history and pending legislation. The paper concludes with recommendations for action.

Research on Violence in the Media

The causes of violence are complex and multidimensional. While no specific social experience inevitably leads to violence, a number of factors have been identified that indicate a person is at greater risk of engaging in violent behavior. These factors include, but are not limited to, parental dysfunction, domestic and child abuse, educational underachievement, limited employment and educational opportunities, involvement with drugs or alcohol, and frequent exposure to violence in the media. Violence in the media should be viewed in context of the many societal factors that affect aggressive and violent behavior.

Levels of Exposure to Media Violence

According to a 1993 report by the American Psychological Association (APA) on Violence and the Media, 98% of American homes have at least one television, which is watched an average of 28 hours per week by children between two and eleven years old and 24 hours per week by teenagers.² One year earlier, an APA report presented the statistic that bears repeating - the average American child watches 8,000 murders and 100,000 acts of violence on television before finishing elementary school.³

Children from low-income families are the heaviest viewers of television, and often the least supervised.⁴ According to MEE Productions, a research, consulting and video production firm specializing in communicating with inner-city youth, urban youth spend more time involved in media-related activities than with their parents, in school, and reading combined. MEE Production's research shows that, on average, African-American teenagers consume three to four movies per month, buy two to three rap albums or CDs per month, and their households watch over 70 hours of TV per week. In addition, they found that 94% of the African American teens in their sample have a VCR in their home.⁵

According to the APA,⁶ the level of violence on commercial television has remained about the same over the past two decades. In prime time shows, there are currently five to six acts of violence per hour. Saturday morning children's programs contain an average of 20 to 25 acts of violence per hour. Using a different method to estimate the quantity of violence on television, the National Coalition on Television Violence (NCTV) reports that the three major networks (ABC, NBC, and CBS) have decreased the number of violent acts shown during prime time from 8.6 per hour in 1991 to 7.7 per hour in 1992. Since hitting a peak in 1985, NCTV reports that the networks have continued to decrease slightly the amount of violence shown during prime time.

While the three major networks may be decreasing the frequency of violent acts on their prime time shows, the growing availability of cable television and VCR rental films has increased the availability of violent programming for adults and unsupervised children. According to A.C. Neilson Co., the number of households subscribing to cable has increased from 9.2 million in 1975 to 57.2 million in 1992, and the number of households with

VCRs has increased from 28.8 million (31% of households) in 1986 to 75.1 million (80.9%) in 1993.

While access to non-network television has increased, research on violence in cable television is limited. The few studies that have been done on violence in media other than broadcast television show that some cable programming may depict comparatively large numbers of violent acts. A major study in 1992 by the Center for Media and Public Affairs found more violence on MTV than the major networks combined. In 1992, NCTV calculated 20 acts of violence per hour on MTV. Many video games also include depictions of violent acts. According to a 1989 NCTV study looking at 176 Nintendo games, 80 percent contained what they termed "harmful violence".

The amount of media available will continue to expand as technology increases. Technological advances may make possible the provision of up to 500 channels of programming to the home. In addition, several new technologies may expand the range of choices available to consumers. Direct broadcast satellite service and video dial tone service, provided by telephone companies, may soon be widely available. Many of these new technologies make possible a greater degree of choice by consumers as to the programming they receive, especially where the program is sold on a pay-per-channel or pay-per-view basis.

Reaching the Young

For several reasons, it is appropriate to focus on the violent images consumed by the young. The media can have its most lasting and significant effect on young minds. This translates into a greater potential for harm posed by repeated violent images, as well as a greater opportunity to use the media to help parents and educators teach young people non-violent strategies for resolving conflicts.

Specifically, we should pay particular attention to the media's effect on three groups:

- 1) very young children, ages three to seven, who are especially susceptible to media influence as they form their understanding of normative behavior,
- 2) pre-teenager, ages eight to twelve, who are forming views on adult relationships and sexual norms, and
- 3) youth who are at risk for violent behavior, ages 0 to 18, who have one or more of the important risk factors for violence.

The Relationship Between Media Depictions of Violence and Real Life Violence

The effects of violence in the media can be viewed along a continuum from direct to indirect. Direct effects include copycat violence that results from imitating violent acts that

are viewed in the media. Intermediary effects cover other aggressive behavior resulting from watching violence in the media, and indirect effects include desensitization and the promotion of negative stereotypes. The degree to which children are affected by violence in the media depends largely on their cognitive development and other intervening factors, such as their attachment to their peers and the community and parental involvement in media viewing.

Media Violence and Copycat Behavior:

There have been a number of incidents in which people have imitated acts of violence and recklessness that they have seen on television or in films. In two surveys commissioned by ABC of young male felons imprisoned for committing violent crimes, (e.g., homicide, rape and assault,) 22% to 34% reported having consciously imitated crime techniques learned from television programs, usually successfully.⁷

Recently, a number of children and teens have imitated reckless behavior that they saw on the screen.⁸ In one of the most recently publicized destructive acts, a five-year-old boy copied MTV's animated "Beavis and Butthead", who used an aerosol can like a torch. The five-year-old burned his house to the ground.

Another series of incidents were inspired by the film The Program. A number of young people have imitated the young men in the movie who test their courage by lying down on a busy highway. Three boys have been killed. Although these last two examples represent a handful of copycat examples among millions of viewers, they are, however, troubling.

It is likely that perpetrators who learn techniques from television have a predisposition to commit violent acts, but often young children innocently repeat what they see without necessarily knowing whether the behavior should be imitated. Federal courts have held that broadcasters and advertisers are not liable under tort law for harm resulting from copycat rapes, suicides, or accidental injuries.

Media Violence and Aggressive Behavior:

The effects of media on behavior are widely acknowledged by advertisers, political candidates and others who spend billions of dollars each year to sell their products. Television's influence is evidenced by the number of children who learned to dial 911 from watching the popular television series of the same name, or the many children who learned the alphabet from Sesame Street. Most parents can attest to the pleas of children to buy a special brand of cereal or sneakers after seeing a commercial during the Saturday morning cartoons. Images on the screen are clearly a powerful communicator.

The APA reports that "[t]here is absolutely no doubt that higher levels of viewing violence on television are correlated with increased acceptance of aggressive attitudes and increased aggressive behavior." At least three major national studies and

countless smaller studies provide a plethora of evidence to substantiate these findings, particularly among youth.⁹

The effects of portrayals of violence in the media on children are of particular interest. As the level of violence in American society has risen in recent decades, the age of perpetrators of violence has steadily declined. Children from every societal group are being convicted of violent crimes. Children are increasingly becoming perpetrators and victims of violent crimes at younger and younger ages. The number of homicides of youth ages 14 to 17 years old doubled in the decade from 1981 to 1991 (from 5.1 deaths per 100,000 to 10.5 deaths per 100,000). The number of homicides of African American males ages 14-17 went from 24.2 per 100,000 to 65.9 per 100,000. At the same time, juveniles were committing murders at a much greater rate. Youth ages 14-17 committed twice as many murders in 1991 as in 1981. African American males were eight times more likely to commit acts of murder than white males ages 14-17.¹⁰

In 1992, the American Psychological Association published Big World, Small Screen, a report of a committee of psychologists that provides a second substantial update of the literature on television effects. With the benefit of further research on the effects of violence, the APA report observed:

The accumulated research clearly demonstrates a correlation between viewing violence and aggressive behavior -- that is, heavy viewers behave more aggressively than light viewers. Children and adults who watch a large number of aggressive programs also tend to hold attitudes and values that favor the use of aggression to resolve conflicts. These correlations are solid. They remain even when many other potential influences on viewing and aggression are controlled, including education level, social class, aggressive attitudes, parental behavior, and sex-role identity.

Leonard Eron from the University of Michigan studied crime rates and personal characteristics of 875 boys and girls from age eight to 30 since 1960. He found that those who watched more violent television:

- were convicted of more serious crimes,
- were more aggressive under the influence of alcohol, and
- used violence more often to punish their own children, who in turn showed signs of aggressiveness.

In another study of boys, he found that their preferences for more violent shows at age 10 were predictive of aggressive behavior at age 18.

Other studies provide corroboration, as well as other conclusions about the adverse effects of viewing violence in the media. For example:

- there are few long-term effects on children whose first exposure to violent television is after the age of 12;
- people who continuously view media violence are more likely to resort to violence;

The television industry has also commissioned studies on the effects of violence. CBS sponsored a study by William Benson in 1978 controlling teenage boys for 100 variables. It found that teenage boys who had watched above-average quantities of television violence before adolescence were committing acts of serious violence (e.g. assault, rape, major vandalism) at a rate 49% higher than teenage boys who had watched below-average quantities of television violence.¹¹

An often-cited and often-disputed NBC study of 2,400 school children in 1982 found the same correlations between exposure to violent television and aggressive behavior found in other studies. But after analyzing the statistical data further, the study concluded that television violence had no significant effect on the children's behavior.

Indirect Effects:

In focusing on the direct effects of media violence on the young, we should be careful not to ignore the important indirect effects of violent media on all viewers. Violent portrayals in the media are also charged¹² with perpetuating racial stereotypes and lowering the expectations of teachers, social service providers and others toward the minority youth in their charge.

Psychological research also documents a "desensitization effect"; viewers of violent images are more willing to accept the violence around them as normal. Studies¹³ show that:

- people who continuously view media violence are more likely to become desensitized to violence;
- children who view violence in the media may feel an increased sense of vulnerability and insecurity;
- viewing violence against women increases acceptance of violence against women.

Unanswered Questions

Over the past two-and-a-half decades, a large body of research findings has indicated a correlation between viewing media violence and aggressive behavior. However, as in all behavioral research it is difficult to prove cause and effect even where there is a strong correlation. In addition, there are significant research questions and gaps that remain to be addressed in order to formulate more specific policies and

practices. The recommendation section addresses this need for a renewed Federal research concern in this area as well as the need for an explicit focus on translating research findings into effective practice.

Research on the Use of Educational and Entertainment Media to Promote Pro-social Messages

The previous section outlines what we know about the impact of media on aggressive behavior. However, the media can also encourage pro-social behavior, and in some instances this positive impact has been demonstrated in psychological research. Pro-social messages in media are generally described as those depicting attitudes or behaviors considered as socially desirable by most members of society, or those attitudes and behaviors that depict a rational and responsible participation in society. The types of media that have particular relevance to pro-social messages are educational media, entertainment media, and news programs.

Educational television has long been the vehicle through which pro-social messages have been delivered to special audiences, including children. Television and other forms of visual media take people to places that they may never see or allow them to witness events far removed geographically or in time. Other programs, particularly those for children, can be designed and developed specifically with the educational and social development needs of the audience in mind. Evaluations of programs such as Sesame Street, Mister Roger's Neighborhood and others in this genre show the effectiveness of using television to educate children and deliver pro-social messages.^{14 15}

For example, in 1972, researchers Stein and Friedrich reported on preschoolers' behavior in a nursery school setting before and after watching certain television programs. Those who watched pro-social programming generally showed more increases in self-control than those who watched aggressive or neutral programming.

In a study several years later in 1975, the same researchers investigated the effects of instruction and role-playing after watching episodes of Mister Roger's Neighborhood. They found that the children who watched pro-social programming in relation to those who watched neutral programming could correctly answer questions about pro-social behavior, could spontaneously verbalize pro-social messages, and were more likely to help another child.

One of the problems in evaluating educational television results from a limited audience, which is mainly composed of children from professional and upper managerial class parents.¹⁶ However, because the entertainment media reaches a much broader audience, a number of people in the fields of communication and education are investigating ways to use entertainment media effectively in delivering pro-social messages.

The effectiveness of entertainment media in delivering pro-social messages is more difficult to determine. There have been many more studies on the anti-social effects of entertainment media (as described above). However, one survey conducted by CBS in 1974 (Libert, Sprafkin, Davidson, 1985) showed that 90% of the 700 children who watched specific episodes of Fat Albert and the Cosby Kids were able to verbalize at least one pro-social message. Messages often identified by these children concerned being kind to friends in trouble, being honest, and valuing property.

One report on lessons learned that resulted from a 1989 conference on entertainment-education for social change, sponsored by the Annenberg School of Communications at the University of Southern California in Los Angeles, included a recommendation that entertainment-education be used to increase knowledge of an issue rather than to change overt behavior regarding the issue. This concept can be reinforced by evaluation of several recent efforts to educate the public through entertainment television in other public health campaigns. The use of designated drivers to reduce alcohol-related crashes and subsequent injuries has been promoted heavily in entertainment media by the Harvard Alcohol Project. This campaign has been successful in making Americans aware of the dangers of drinking and driving and represents one method of reducing injuries relating to this behavior.¹⁷ The positive effects of increasing knowledge about HIV infection and AIDS through entertainment television was recently demonstrated when the calls received by the CDC National AIDS Hotline increased 16.8 times (82,378 calls versus the normal 4,911 on a Saturday) after ABC broadcast a two-hour entertainment and AIDS outreach special, In a New Light.

Although there is some controversy over the development of news programs for school use that also advertise products,^{18 19} news programs, especially those designed for children, also can be instrumental in developing an awareness of important issues.²⁰ However, issues of local versus national control and commercial/noncommercial sponsorship need to be addressed.

The Federal Government's Role in Addressing Media Violence

Past

The Federal Communications Commission (FCC) has occasionally addressed the issue of television violence. In a 1976 report, the FCC concluded that "[r]egulatory action to limit violent and sexually-oriented programming which is neither obscene nor indecent is less desirable than effective self-regulation, since government-imposed limitations raise sensitive First Amendment problems."

The networks and the National Association of Broadcasters (NAB), after prompting from FCC Chairman Wiley, developed guidelines for broadcasting during a so-called "Family Viewing Hour." These

guidelines were incorporated in the NAB Code. The FCC's actions were challenged on First Amendment grounds, and the NAB's and network's actions on antitrust grounds. Under the pressure of this litigation, the NAB suspended the portions of the Code concerning violence. More recently, the NAB, at the urging of Chairman Sikes, adopted a statement of principles concerning television violence and other programming issues.

Present

The U.S. government, unlike some governments, does not directly license programmers, such as the national broadcast networks (ABC, NBC, CBS, Fox), or the national cable networks (e.g. CNN, C-SPAN, TNT, USA), motion picture studios, or the sound recording industry. Instead, the FCC licenses individual radio and television stations to broadcast using the electromagnetic spectrum.²

The public may raise objections concerning a station's performance when the station seeks to renew its license. Television licenses expire every five years, and radio licenses every seven years. In the event a station's renewal is challenged, that station's positive efforts to address issues of importance to the needs and interests of its listeners or viewers weigh in favor of renewal.

The law expressly prohibits censorship of licensees by the FCC. However, Congress has authorized the Commission to regulate programming in two areas in which the interests of parents and children are of particular concern. First, the law prohibits the broadcast of "indecent" material. Citing the "pervasiveness" of the broadcast medium, the Supreme Court has upheld this prohibition if it is applied to material broadcast at times when children are likely to be in the audience. Congress has also adopted limits on the amount of commercials aired in connection with children's programming on either broadcast stations or cable television systems, and has directed the FCC to review television station license renewal applications to determine whether the licensee has aired programs addressing the informational and educational needs of children.

While the FCC regulates some aspects of the cable industry, cable systems, unlike broadcast stations, are not licensed by the FCC. Instead, cable systems are franchised by state and local authorities, and these authorities share regulatory authority with the FCC. The courts are only beginning to address the extent of the government's authority to regulate cable programming. Some courts have indicated, however, that cable can be considered less "pervasive" than broadcast television, in that receiving cable requires the affirmative act of subscribing to cable, and because "lock boxes" provide a greater degree of

²Some of the national broadcast networks and some motion picture studios are FCC licensees, but this is because they own individual radio or television stations.