

It will be interesting to see how producer Mike McNully treats the string of additional revelations since I saw the rough cut in mid-summer. Most of those revelations were already in the film, but not the investigations that the film's research has already triggered.

But far more interesting will be the question of who shows up, how they react and how the press treats it.

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Following is NRA ILA Executive Director Jim Baker's letter to Congressmen, which I mentioned in my report earlier today:

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(NRA Institute for Legislative Action Letterhead)

October 28, 1999

Dear Member of Congress:

It is our understanding that a draft conference provision relating to restrictions on gun shows is circulating among Republican Members. I would like to take this opportunity to explain the NRA's opposition to that provision as currently drafted.

As you know, the NRA supported final passage of H.R. 2122 in the House in June. The NRA's support was based on the inclusion of the Dingell Amendment, as well as the Hunter Amendment eliminating criminal liability for ownership of firearms by law-abiding citizens in the District of Columbia. However, the draft gun show legislation being circulated differs from the Dingell Amendment in two critically important ways.

1. NICS Record Retention: First, while H.R. 2122 required "immediate destruction" of instant check records of approved purchases, the draft provision requires only that instant check records of lawful purchases be destroyed "within 24 hours." This is completely unacceptable to the National Rifle Association since immediate destruction of records of NICS-approved purchasers holds an extremely high priority as a privacy issue of concern to our members, and retention of such records serves no purpose except to establish a framework for national gun registration. The NRA will actively oppose any conference report that does not afford such protection.

2. Extended 3-Day Check: The draft language under discussion limits the time period for resolving delayed background checks at gun shows to 24 hours except "in those cases in which the system reflects the existence of an arrest, civil commitment complaint, or other similar (official record) indicating that the receipt of a firearm by the prospective transferee may violate subsection (g) or (n) of section 922." In those cases, the current 3 business days would be allowed.

The NRA's position opposing the three day period for resolving

delayed background checks is based on our concern over the legality of delaying any checks in the first place. The national instant check system (NICS) was intended to approve transfers "if the receipt of a firearm would not violate" Federal or State law, or to deny a transfer if the system "determines that an individual is ineligible to receive a firearm."

Unfortunately, in creating this system, the FBI used databases such as NCIC and the Interstate Identification Index (III) which contain data, such as arrest records without records of final dispositions, which are irrelevant to the purposes of NICS. Only convictions, not arrests, are disqualifiers for gun ownership. Additionally, contrary to its own NICS regulations, the FBI has accepted flawed state data, such as non-finalized restraining orders and mental adjudications, which are not useful in determining eligibility of firearms purchasers. In order to accommodate the problems created by this data, the FBI administratively created an option to "delay" checks which would have been clearly approved or denied if the system had been constructed as originally intended. The Congress should address the core problem of NICS database deficiencies, rather than codify the current inadequacies by allowing incomplete records to be considered temporary disqualifiers.

The debate over allowing a longer period for resolving delayed checks would merely codify the FBI's practices in this regard, rather than requiring adherence to the original statute, and correction of the system's many problems. We have not been adamant on this point during this first year of NICS operations, but we do oppose any effort to codify this deviation from the statute, especially before expanding the use of the system.

In general, we believe that before expanding NICS checks to non-licensees at gun shows, NICS must be improved to ensure that instant checks are, in fact, instant. Technology should make this possible; in fact, the system was designed to function on the same level as credit card transactions of many years ago, when merchants had to call the card issuer to receive an approval. It is time to bring NICS into the 1990s.

By codifying the three-day period for virtually all checks, this provision also does absolutely nothing to address the special situation of gun shows, which was the principal purpose of the Dingell Amendment passed by the House. Gun shows are temporary events lasting only two or three days, and the system needs to recognize that fact rather than delay gun purchases by law-abiding individuals based on flawed information. The National Rifle Association will oppose any language more restrictive than H.R. 2122 as amended by Dingell.

I hope this information is helpful to you. If you need further assistance, please call NRA Federal Affairs at 202-651-2560 and we will be glad to be of service.

Sincerely,

James Jay Baker

## **MEMORANDUM**

TO: Juvenile Justice Conferees' Legislative Assistants

FROM: Marc Schindler (Youth Law Center) & Jill Ward (CDF)  
Co-Chairs, Juvenile Justice Coalition

DATE: October 28, 1999

RE: Juvenile Justice legislation

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As conferees consider juvenile justice legislation, we've provided you with a packet of recent news clippings and a copy of Justice Policy Institute's recent study on San Francisco's alternative crime policies and its declining crime rates.

If you need additional information, please feel free to contact either of us. We can be reached by phone at: 202/637-0377 (Marc) or 202/662-3503 (Jill) or by email at: [mschindler.ylc@erols.com](mailto:mschindler.ylc@erols.com) or [jward@childrensdefense.org](mailto:jward@childrensdefense.org).

Friday October 8, 1999

Protecting children should be a  
priority for Congress

by Keith Myers  
Special to The Times

## Editorials & Opinion

THE juvenile-justice bills now before a House-Senate conference committee in Congress contain punitive measures that, if included in the final bill that the full Congress is expected to vote on this fall, would make worse a juvenile-justice system already characterized by Amnesty International as being harmful to children.

Regressive measures in the two bills the committee will merge fail to take into account the downward trend in juvenile crime and, instead, hit hard on the punitive side. Incredibly, one proposal would allow offenders as young as 13 to be housed with adult inmates in federal prisons, subjecting them to greater likelihood of sexual abuse and suicide.

Any new federal legislation must balance accountability for criminal activity with prevention measures that help kids stay on the straight and narrow - and it must retain basic protections for children and youth who are already in contact with the juvenile-justice system.

Besides the proposal to house young offenders with adult prisoners, other potentially injurious measures include scrapping confidentiality protections, thereby reducing the likelihood that youthful offenders could re-enter mainstream society; expanding prosecution of juveniles in federal courts; allowing prosecutors alone, without review by judges, to determine if youthful offenders should be tried as juveniles or adults; and preventing judges from considering each case on its merits, requiring them to impose long sentences on offenders regardless of age.

Five U.S. senators, including Orrin Hatch (R-Utah), Jeff Sessions (R-Ala.), Strom Thurmond (R-S.C.), Patrick Leahy (D-Vt.) and Edward Kennedy (D-Mass.) and 20 House members will consider these proposals during the current session of Congress. Rejecting unnecessarily harsh proposals and placing emphasis on increasing resources for proven juvenile-crime-prevention programs will provide the most long-term benefit.

In particular, the committee should adopt two provisions in the Senate bill that would increase funding for prevention. One involves setting aside for prevention programs 25 percent of an existing block grant for juvenile programs. The other calls for establishment of a "parenting as prevention" program.

Because investments in proven crime-prevention programs are the key to curbing juvenile crime, it is essential for the conferees to adopt the 25 percent set-aside guarantee; otherwise, the funds will go for the establishment of more detention and correctional programs and facilities at the expense of helping children avoid getting into trouble in the first place.

The House bill is especially disturbing because it reinstitutes the dangerous practice of allowing young offenders in the federal system to be placed in cells with adults. Research has shown that juveniles commit suicide in adult jails eight times as often as those held in juvenile-detention facilities. They are five times more likely to be sexually assaulted, twice as likely to be assaulted by staff and 50 percent more likely to be attacked with a weapon.

The final bill should maintain current provisions calling for separation of children and adults, although even under present law more than 3,700 juvenile offenders have been sentenced to prisons where they are not separated from adults, according to Amnesty International.

The Senate bill repeals the already weak provision in federal law requiring states to address the disproportionate confinement of minority youth, who, like minority adults, are overrepresented in the nation's jails and prisons. The Senate provision should be dropped.

And both bills inappropriately give parents the right to waive federal protections for their errant children, granting them unwarranted powers and possibly subjecting the children to unacceptably long periods when they would be incarcerated with adults. This provision also should be dropped.

These are the best hopes for further reductions in juvenile crime.

Keith Myers is vice-president of counseling and consultation services for Family Services of Seattle, past president of the Washington State Society for Clinical Social Work, and president-elect of the Clinical Social Work Federation.

# Real Data Necessary to Guide Juvenile Justice

By Vincent Schiraldi

**S**HORTLY AFTER Congress reconvened following its summer recess, Senate Judiciary Chair Orrin Hatch, R-Utah, announced that passage of his juvenile crime bill was one of his major priorities. Unfortunately, lost amid the clamor over the bill's gun-control provisions was an equally important debate over race and America's juvenile justice system.

When the bill passed the Senate, it quietly eliminated a 7-year-old provision that required states to examine whether they were discriminating against minorities in their juvenile justice systems. The tenor of the debate over the issue was shocking.

Sen. Hatch surprised both his Senate colleagues and the civil rights community by stating flatly that he believed the justice system to be completely "color blind." In his floor statement, Hatch claimed, "I haven't heard one shred of information that proves there is discrimination here. When you prove that, I will be right there, side by side with you." More divisively, he asked, "Should they not be convicted when they sell drugs to our kids? Every body knows that it happens."

The program Hatch wants to eliminate has uncovered plenty of disparities. In 1991, the long-term custody rate for African American youth was nearly five times

the rate for white youth. In 1995, a black youth was seven times as likely to be held in a public detention facility as a white youth. Although national survey data show that whites and blacks use drugs at about the same rate, black males are confined for drug offenses at 30 times the rate of white males. In 1993, funded ironically by the federal monies now in jeopardy, Carl Pope and Richard Feyerherm found that even when youths had similar prior records and offenses, a minor's race affected the outcome of his or her case for the worse in about two-thirds of the studies analyzed.

The state-by-state data are even more alarming. In Wisconsin, minorities are 11 percent of the youth population, 19 percent of juveniles arrested, and 75 percent of juveniles locked up in adult prisons. And in both Connecticut and Texas, 100 percent of the juveniles held in adult jails in 1996 were minorities.

**N**one of this is to say that black and white teenagers commit exactly the same amount of crime and should therefore be locked up at exactly the same rate. But studies show that black teenagers report committing violent crime at a rate 50 percent higher than white teenagers, a much lower disparity than shows up in arrest or prison data. For example, at these same ages, black teenagers are about four times

as likely to be arrested and seven times as likely to be incarcerated for violent crimes as are white teenagers.

After their teenage years, however, white and black teenagers follow a different path. Studies show that white teenagers "mature out" of criminal behavior and begin to show sharply declining involvement in violence. African American teenagers show a resurgence of violence.

Importantly, when the teenagers under study possess either a job or a stable relationship, both whites and blacks experience the same sharp drop in violent behavior. While white teenagers are being afforded the opportunities to gain employment and form relationships that will help them grow out of their youthful violence, black teenagers are learning the hard lessons taught in America's jails and prisons.

These findings have profound implications for how we should treat these youths if we want them to "mature out" of violence at the same rate. That is a lesson we could not have learned if we had not taken a hard look at real data. Yet just when we are starting to gather the facts that will help inform enlightened policy, Sen. Hatch would plunge us back into a barroom conversation full of biases and half-truths.

*Vincent Schiraldi is director of the Justice Policy Institute.*

## **Opinion**

### **Editorial: Wrong way on kid crime**

Congress would make Florida the model for juvenile justice, even though Florida doesn't deserve to be the model.

While Congress bickers over the federal budget, a bad juvenile justice proposal that earmarks no money for crime prevention hangs in the balance.

The proposal, which Rep. Bill McCollum, R-Altamonte Springs, and Sen. Orrin Hatch, R-Utah, have championed, would give prosecutors the power to send youths as young as 13 to adult court for violent and nonviolent offenses. They have patterned the bill after Florida's system, which allows prosecutors to bypass juvenile court when they charge children 14 or older with multiple or violent crimes.

The problem: Florida doesn't deserve to be the national model. In 1995, Florida prosecutors sent nearly as many juveniles to adult court as all other states combined. That year, Florida had the second-highest rate of violent juvenile crime, 48 percent higher than the national average.

The Justice Policy Institute in Washington used research from the University of Central Florida, Florida State University, the Florida Department of Juvenile Justice, the Urban Institute and the U.S. Department of Justice to study Florida's practice of sending children to adult court. The study covered the period from 1981 through 1998. Among the findings:

Children sent to Florida's adult court system are 33 percent more likely to be arrested again than youths with similar records and charges who go through juvenile court.

Children transferred to adult court are arrested again nearly twice as quickly after their release as those in juvenile justice programs.

Children who have been through the adult system and are arrested again commit serious crimes at twice the rate of children who go through the juvenile justice system.

Across the country, arrests of juveniles for violent crime dropped 8 percent between 1997 and '98. Adult crime, by comparison, dropped only 4 percent. Yet Congress is determined to rewrite laws governing children who commit federal crimes. House and Senate negotiators are trying to reconcile different versions of the proposal, which would abolish basic protections for child defendants. It would allow jails to incarcerate children with adults, scrap confidentiality provisions for their records, require judges to impose long sentences regardless of age or circumstances and encourage states to build prison cells.

Locking up some violent children is necessary. Locking up all children simply will teach them how to be better criminals.



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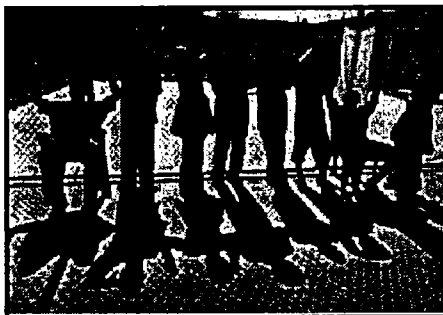
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## YOUNG AND DEADLY

### WHY CHILDREN KILL

**The issue of age.** Children gather in the recreation area of Orange County's 33rd Street facility, which is designed for adults. Florida leads the country in the number of juvenile delinquents transferred to adult criminal court.



GEORGE SKENE/THE ORLANDO SENTINEL

## A child, a crime -- an adult punishment

**Maya Bell**  
of The Sentinel Staff

*Published in The Orlando Sentinel on October 21, 1999.*

Prosecutors and politicians have a mantra: adult crime, adult time.

Given the widespread concern with juvenile violence, who could argue with such a policy?

Plenty of people, it turns out.

Kids who kill make headlines, turn stomachs and drive new policy. Reacting to their horrific and puzzling crimes, politicians have passed laws that make it easier to punish juveniles as adults.

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Not just kids who kill, though, but kids who break into their grandma's house, steal a pizza from a deliveryman, smoke a joint or even steal \$2 from a classmate.

Florida, in fact, leads the nation when it comes to transferring juvenile delinquents to adult criminal court. Almost 4,700 Florida children younger than 18, one not even 10, were sent to adult court last year -- nearly all of them by prosecutors who have broad discretion to charge offenders as young as 14 as adults. Their most common crimes: burglary, robbery and drugs.

"It's a very one-dimensional response that does more harm than good," said Randy Bazemore, a criminologist at Florida Atlantic University. "The idea that there is a new breed of 'superpredator' out there is largely a myth. But if you wanted to create a superpredator, you couldn't do any better than taking 14-year-olds and locking them in prison with other criminals."

Juvenile-justice authorities counter, however, that unlike other states, Florida chooses which children to treat as adults. George Hinchliffe, assistant secretary at the state Department of Juvenile Justice, notes that New York long ago lowered the age limit in its juvenile court to 15, effectively treating all 16- and 17-year-olds as adults. Florida, meanwhile, has kept its age limit at 17.

"We're painted as Neanderthals and fascists because we transfer 14-year-olds," he said. "But we're liberal compared to other states."

Those who oppose sending juveniles into the adult system agree that even young offenders deserve punishment. But many criminologists, psychologists and child advocates say the punishment needs to be smarter, not tougher.

They contend that the snappy "adult crime, adult time" sound bite is driven by fear and not facts. Research is thin, but every study on the subject, including the most thorough one conducted at the University of Florida, has shown that young offenders sent to adult prison commit more serious crimes quicker and more often after their releases than similar offenders who remain in the juvenile system.

Lee County Circuit Judge James Seals is not surprised.

"People think if we put more juveniles away, we'll





The impact has been significant. Today, more than 5,800 of the 66,000 inmates in the adult system were sent to prison for crimes committed when they were 17 or younger.

"Florida should wear that number as a badge of shame," said Steve Drizin of the Children and Family Justice Center at Northwestern University's School of Law. "Can we say with any degree of certainty that because a child has committed a horrible act while a teenager that we need to write him off for the rest of his life? From a research perspective the answer is clearly no."

That is a source of great frustration for child advocates and defense attorneys. They criticize politicians and prosecutors for ignoring the research and focusing more on the crime than the child.

In Orange and Osceola counties, for example, almost any youngster who uses a gun during a crime will be treated as an adult, even if the teenager has never been arrested before and the firearm is a BB gun.

Jason Stahlin, 16, a trumpet player in the Colonial High School band, was charged in June with robbing a Subway sandwich shop with an accomplice who pointed the BB gun. Charged with armed robbery as an adult, Jason faces 15 years in state prison.

"I've never even been in juvenile-detention before," Jason said, from the Orange County Jail. "I don't think I belong in prison."

In Palm Beach County any youngster who commits a violent act in school will be dealt with as an adult. No matter how minor the violence.

That latter policy turned Anthony Laster, a 15-year-old retarded and near-deaf middle-schooler, into a national poster child for the potential abuses in such a get-tough approach.

Shortly after his mother's death last year, Anthony asked a boy in his special-education class for lunch money. When the boy refused, Anthony reached into the student's pocket and grabbed \$2.

Instead of being hauled to the principal's office, Anthony was arrested and charged with strong-arm robbery and battery -- as an adult. He spent 48 days, including his first Christmas without his mother, behind bars.

After the case sparked widespread outrage, Palm Beach County State Attorney Barry Krischer dropped the charges, but, he said, only because the

victim had changed his story.

"Depicting and treating this forcible felony, this strong-arm robbery, in terms as though it were no more than a \$2 shoplifting fosters and promotes violence in our schools," Krischer wrote in defending his "zero-tolerance" policy for violence on school grounds.

Other transfer cases are not nearly as clear-cut nor as likely to engender public outrage. Orlando lawyer Lisa Munyon knows this when she mentions the case of Stacy Taylor, an Orlando boy who robbed three restaurants at gunpoint, shooting a waitress in the buttocks, in 1996.

Before the robberies, Stacy, 16 and college-bound on a scholarship, had never been in trouble. When his dad learned about the robberies, he took his son to the police station, where the teen confessed and named his accomplices.

Today, Stacy is serving 17 years in state prison, at an average cost of \$19,000 a year. Munyon thinks a wiser, more economical solution could have been found, with better long-term results.

"It was an extremely serious crime, and he deserves to be punished," Munyon said. "I know the state attorney says 'I'm sorry is not enough,' but could it have been handled differently and society would be as safe as it is now? I think so. You can't lock them all up."

Oddly enough, former state Sen. Gary Siegel, a Republican from Longwood, agrees. Siegel, chief sponsor of the 1994 juvenile-justice reforms, said he regrets the consequences of those reforms -- particularly if first-time offenders are being sent to state prison.

"I'm sick about it," he said. "No one at the time envisioned that we would be putting hundreds of children in adult prison. These are kids!"

Even prosecutors decry the lack of middle ground in Florida. Many would like to see a hybrid system that could keep young offenders in the more reform-oriented juvenile system at least until they mature.

"It would be wonderful if we could keep them to 19 and then boot them to the adult system," said Jim Phillips, a prosecutor in Marion County. "They're kids. They need special handling. Some of them have special needs."

Judge Seals agrees, but he sums up in a one word why such a solution is not viable: money. "Juvenile justice is supposed to be therapeutic and rehabilitative, and that's more costly."

### What is a child?

Treating kids as adults does not, of course, make them adults -- a fact that even hardened cops acknowledged when two Brevard County siblings -- ages 12 and 13 -- shot and killed their father's girlfriend earlier this year. Indicted as adults, Cathy Jones and Curtis Fairchild Jones pleaded guilty to second-degree murder and were sentenced Wednesday to 18 years in prison -- even though police acknowledged they had kid impulses, kid intentions and a child's limited understanding of culpability.

But as violent juvenile crime spiraled upward during the past decade, that indisputable distinction between kids and adults has blurred. Especially in Florida, which first gave prosecutors the power to charge children as adults in 1978.

Just 20 years ago, juvenile-court judges in Florida had the final say on most of those decisions after hearing arguments from both prosecutors and defense attorneys. Today, such hearings are extremely rare. Prosecutors make the unilateral decision 93 percent of the time -- something Siegel would change if he could do it all over again.

But he can't stop what Florida unleashed. Although the state has the most aggressive policy regarding the transfer of children to the adult justice system, it is by no means alone. Between 1992 and 1995, 14 more states gave prosecutors the power to send young offenders to adult court. And 41 states have passed laws expanding the offenses that make children eligible for adult prosecution. U.S. Rep. Bill McCollum, R-Longwood, wants to do the same at the federal level, giving prosecutors the discretion to try children as young as 13 in federal court.

"That small minority of kids who commit the most heinous crimes should be locked up in jail, and the key should be thrown away," McCollum said. "We then can concentrate our resources on the kids we can reach."

The dramatic shift, critics say, underscores the decreasing role of judges and a regression from the humanitarian goals of the juvenile-justice system. To child advocates, it also raises an important question on the eve of the new millennium: What is our vision of childhood?

"The vision used to be to integrate children into the social fabric, for the good of the child and for the good of society," said Stephen Harper, a veteran public defender who once headed the juvenile division in Miami-Dade County. "Now a child who commits a crime is disposable. Now we're saying, 'Regardless of the problems children have, regardless of their bad lives, they'll always be a danger, and we'll treat them that way.' That's the new vision. It's short-sighted, myopic and mean."

Prosecutors counter by saying their job is to protect society, and kids today just aren't like kids of yesteryear. They *must* be treated differently.

"Some of the choices these kids are making are not kid actions," said Nancy Clark, chief juvenile prosecutor in Orange County. "They are planning robberies and drive-by shootings. Those are not kid acts."

### **No angels**

The first juvenile court was created in Chicago in 1899 by reformers who were appalled that children were being housed in jails with hardened criminals. Central to the reform movement was a recognition that children are not just miniadults. They think and act and perceive the world differently. They don't weigh risks and consequences. They're easily influenced by peers and are less culpable for their actions.

And most importantly, they are more amenable to intervention and change -- which the juvenile-justice system was supposed to provide and foster. The assumption was that most delinquent children were struggling with other problems in life and simply needed help getting back on track so they could be productive adults.

But everybody on both sides of the issue recognizes the juvenile system has many flaws. Chronically underfunded and understaffed, it rarely provides troubled kids with the training, therapy, nurturing and punishment they need, for as long as they need.

Skip White, executive director of Florida's Juvenile Justice Accountability Board, equates the shortage of resources and effective programs in Florida to treating a patient with a deadly disease with only a partial dose of medicine.

"We give them subtherapeutic interventions and then send them right back to where they came from," White said. "When you've done that three times,

who can blame the prosecutor from saying, 'Hey look, this kid has had three interventions and hasn't learned; let's send him off to the adult system.' "

It is unclear how many youngsters sent to adult prison had the benefit of juvenile programs, but most have lengthy arrest records, according to the state Department of Corrections.

In February, a department analysis found that 477 of the inmates who were 17 or younger at the time had, on average, 16 prior arrests, with an average of 3.4 arrests for violent crimes.

"If you believe in the arrest stuff, these aren't choir boys and girls," said Bill Bales, who did the evaluation.

Critics, though, are bothered by another statistic: Black boys make up 27 percent of the juveniles arrested in Florida -- 40 percent of those arrested for violent offenses. But they make up 53 percent of the youngsters transferred to adult court. And last year alone, they made up 67 percent of the kids sent to adult prison.

Charles Frazier, one of the lead researchers on the UF transfer study, and other criminologists offer explanations beyond a higher violent crime rate or overt racism. They say white children are more likely to have better resources and stronger support systems that help keep them out of the juvenile system than poorer, minority kids. For instance, the parents of a white child may have insurance policies that pay for counseling and drug treatment.

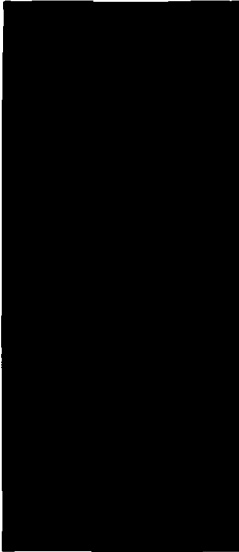
Many black or other minority children aren't as fortunate. They are more likely to have single mothers who don't have insurance or even a car to drive their children to therapy. So instead of entrusting those children to concerned parents, judges send them to juvenile programs.

"Blacks are more likely to be processed deeper into the criminal-justice system because of their social circumstances -- because they live with only one parent, because they live in poverty, because they have no social assets," said Barry Feld, University of Minnesota law professor who studies race in the criminal-justice system.

And that, critics say, underscores the real tragedy when Florida sends children to adult court: Kids who need the most help in overcoming youthful mistakes and problems may be getting it the least.

"The whole intention of that policy is to send a





message that these behaviors will not be tolerated," said Darryl Norvelle Roland, a black psychotherapist who works with students in Orange County schools. "I think it's a good message, but it's directed at the wrong folks. It needs to be directed at us."

[Posted 10/20/1999 9:30 PM EST]

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## YOUNG AND DEADLY

### WHY CHILDREN KILL

**Life of chaos.**  
Stephanie Powell, shown in prison recently, was 13 years old when she shot a West Palm Beach cabdriver to death



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FILE

## 'She knew she wasn't important'

**Maya Bell**  
of The Sentinel Staff

*Published in The Orlando Sentinel on October 20, 1999.*

MONTICELLO -- Her smile is riveting, lighting up her face. Her laughter spills forth at odd moments.

"Did your mom ever tell you she loved you?" she is asked.

"Nnnnooooo!" she says, her giggles fading into defiance: "It's not that kind of family."

It is the same odd behavior that prompted a veteran detective to call Stephanie Powell, 13 at the time, the coldest killer he had seen since his days in Vietnam.

It is the same attitude that made an annoyed judge ask, "Is there something funny about this?" when the sixth-grader pleaded guilty to second-degree murder in 1995 for shooting a cabdriver in the head as he gave her a ride home from a mall in West Palm Beach.

It is the same behavior that her uncle thinks is a

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regrettable coping mechanism for a child who all but raised herself and who was so poorly socialized she asked, "What's a father?" after she killed somebody else's.

Now 19 and serving a 21-year sentence, Stephanie still laughs a lot. She is cheerful and lively, a far cry from the seething and profane girl who spent so much time in solitary confinement for misbehavior that she was not able to see her family since being sent to prison.

She rarely thinks about Yves Quettant, the 39-year-old cabbie who worked two jobs to support relatives in Haiti and his family in West Palm Beach, including an unborn child he would never see.

"I just keep it behind me," Stephanie said, fidgeting in a prison conference room. "It bothers me, but I try not to think about it 'cause I get sad. And when I get sad I get attitude. And when I get attitude I get in trouble."

During her first few years in prison, Stephanie sent the unmistakable message that she didn't give a damn about anything.

She demolished a prison sink and sent a bomb threat to the prison superintendent. She repeatedly disobeyed, spat on and ridiculed guards. "Big fat whore," she called one. "Motherf-- afterbirth," she called another. She refused to cooperate in internal investigations, or she gave impolitic explanations in her defense.

"Yes I did say it and f--- ya'll!" she wrote once. "I did not say that, but who cares!" she wrote another time, concluding with a big happy face.

Her antics succeeded in getting her a transfer. In 1997, she was moved out of a prison for youthful offenders, where she was entitled to milk and special meals meant for growing bodies. She ended up at Jefferson Correctional Institution and then Broward Correctional -- where there are no special rations.

For Stephanie, that was par for the course. Her life, records show, is a textbook study of unmet needs. She grew up in a chaotic, violent home, devoid of routine, discipline, nurturing and love.

By the time she was 12, a school counselor said, she was so shut down emotionally that she couldn't talk. A year later, she would become an archetype for juvenile violence, spurring newspaper editorials and legislative proposals to treat all children older than

13 as adults if they commit a crime.

### 'I wasn't thinking'

Though a poor student who had failed two grades, Stephanie had never been in trouble before that January day in 1994 when she and two acquaintances, Willona Perry, then 17, and Kimberlee Smith, then 15, went to the mall and took a .25-caliber pistol with them. The gun belonged to Kimberlee's boyfriend, who was keeping it as collateral for an unpaid debt.

As the girls left the mall, planning to hail a cab and stiff the driver for the fare, Stephanie hid the gun in her waistband.

"I asked for the gun," she recalled, a hint of pride in her voice. "I wasn't thinking. I was the type of person who just does things without thinking."

As Quettant drove to the housing project where Stephanie and Willona lived, Stephanie began fiddling with the gun. Sitting in the back seat, she took the safety off. She aimed the pistol toward Quettant's head, wondering, she told police, what would happen if she pulled the trigger.

As the cab rolled to a stop, Willona said, she was about to tell Quettant she didn't have any money when -- bam! -- the gun fired. The bullet ripped through Quettant's head. Blood and brain splattered the dashboard, the odometer, the seat. Stephanie's mouth dropped open, Willona said, "like she was in shock."

With Stephanie still in the back seat, the station wagon sped downhill, crashing into a parked truck at 40 mph. Bewildered, Stephanie dashed from the cab and ran home, where a neighbor overheard her sobbing: "I didn't mean to do it. I didn't mean to do it."

Quettant died the next day, his heart strong, but his brain dead. Stephanie, Kimberlee and Willona were indicted as adults on first-degree murder, robbery and several other charges.

Today, Stephanie rebuffs questions about her version of Quettant's death. "It was something that just happened," she said, sounding exasperated. "It wasn't planned. It was an accident."

Prosecutors disagreed, but intentions didn't really matter. If someone dies during a felony, everybody

involved can be charged with murder. As far as prosecutors were concerned, all three girls planned to rob Quettant, so all were guilty of the ultimate crime.

For Stephanie, who was evaluated as borderline retarded, it was a concept difficult to grasp. "That's stupid," she told one psychologist.

Harder for just about everyone else to understand was her attitude. When she confessed to police, she sucked her thumb and displayed no remorse.

Or she smiled. Smiled at court hearings. Smiled when psychologists asked about the shooting. Smiled when her uncle explained his household rules.

### **A life of chaos**

Rules were alien to Stephanie. She never had been subjected to any -- couldn't even venture a guess as to why games had them.

Living in the projects in West Palm Beach, she was essentially the head of her chaotic household, the caretaker for her younger siblings, court records show.

She went to school tired and hungry. Her hair was uncombed. Her clothes were too big. Her coping skills were nonexistent. She was the butt of cruel jokes. By the time she was 8, guidance counselor Barbara Mendez wrote, "She knew she wasn't important." By the time she was 12, "She was so shut down emotionally that she couldn't talk."

At night, she came and went as she pleased, often staying out until morning, drinking beer and smoking pot. By the time she was 13, she was sexually active. Asked why her mother allowed her to run wild, she was puzzled: "She couldn't physically stop me."

Stephanie's mother, Dorothea Winn, 43, was reluctant to talk about her older daughter or the abusive relationships court records indicate Winn endured with Stephanie's father and other boyfriends. Instead, Winn cooed over her new grandchild: a baby girl recently born to Stephanie's 16-year-old sister.

A laundress at a nursing home, Dorothea Winn is the only one of six siblings who never achieved middle-class success. No education. No car. No

home of her own. She suffered a head injury as a child and is, according to court records, less capable than Stephanie of making sound decisions.

Sitting in his lovely home in the suburbs, one of Dorothea's brothers expressed regret that he had only "snapshots, not movies," of his niece's life. When he saw Stephanie at occasional family gatherings she seemed to be a happy, normal child.

An electronics technician for the U.S. Postal Service, Stephanie's uncle Al Winn would learn otherwise when he and his wife, Virginia, took Stephanie into their home after her arrest. They were stunned by her immaturity, her disobedience and her total lack of common sense and social graces.

She grew sullen when her uncle forbade her from calling the boy who brought the gun to the projects that fateful day. She didn't understand why she shouldn't wear jeans and a T-shirt to court.

She couldn't begin to fathom why Quettant's 16-year-old daughter was pictured crying in the local newspaper.

"When I told her it was because her father was dead, she said, 'What's a father?' " her aunt recalled. "She couldn't relate to someone grieving over a father."

She was similarly nonchalant about her grim situation, a facade one psychologist attributed to her way of coping with feelings of fear, hurt and abandonment that had defined her life.

The Winns think their niece deserved to be punished for Quettant's death. Given the circumstances, though, they say the punishment was too harsh, too heavy on retribution and too light on treatment.

"She was misconstrued," Al Winn said. "Nobody looked beyond what they mistook for impudence and arrogance to the raw child."

That's not the issue for Jeanne Howard, the prosecutor who decided to treat Stephanie as an adult.

"She took someone's life," Howard said. "That's the issue. In a perfect world, our prison system might be able to address those other issues. But we don't have a perfect world, so we have to protect public safety."

Now a young woman whose world is defined by barbed wire, chain-link fences and prison blues, Stephanie dreams about being a "computer engineer" one day. Laughing, she admits she really doesn't

know what one is. She is more certain about how her life could have been different.

"Somebody could've taken more time with me," she said. "Anybody."

[Posted 10/19/1999 11:07 PM EST.]

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# YOUNG AND DEADLY

## WHY CHILDREN KILL

### It's not race, poverty -- it's injured souls

**Maya Bell**  
of The Sentinel Staff

*Published in The Orlando Sentinel on October 19, 1999.*

T. Willard Fair looks at the faces of youngsters who kill and sees something that breaks his heart: So many of them are black teenagers.

Fair, a civil-rights leader in Miami-Dade County, does not shy away from the truth, though. He confronts it head-on, dismissing racial stereotypes that cloud the picture and challenging others to understand the real issues driving the tragic trend.

Young black males kill seven times more frequently than white males in the United States. And they are seven times more likely to die as a result of a homicide. In fact, blacks of all ages, including women and girls, kill and are killed at an alarmingly higher rate than their white counterparts.



Ernest Code, 15 (left), Christopher Hodges, 16 (center), and Sam Moore, 17, are awaiting trial in the Orange County Jail on charges of killing 3 different people. Code lived with relatives while his mom was in prison, and Moore grew up in foster homes.

GEORGE SKENE/THE ORLANDO SENTINEL

In Florida alone, black males make up 66 percent of the inmates in adult prison for killings or attempted slayings committed when they were juveniles.

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While many scholars point to poverty and racism as primary causes, Fair does not. The blame, he says, rests squarely with people who do not take responsibility for children they bring into the world.

Growing up in the inner city can be a living hell, Fair acknowledges. He has fought despair in those war zones -- neighborhoods with telling nicknames such as Germ City -- for 36 years in Miami-Dade County. The president of the Urban League of Greater Miami knows boys who would just as soon pull out a revolver and shoot someone dead than apologize for a slight.

But he also knows kids who are considerate and caring, who will escape the projects for futures full of promise.

Most of those children, he said, have an inner drive and strength that help them navigate through adversity. But most importantly, they have at least one caring, law-abiding adult in their lives.

"It may not be a mother or a father," Fair said. "It may be Miss Annie Pearl down the street, Coach Jones at the park, the reverend at church -- somebody who said, 'You're going to be somebody. I'm going to help you.' "

He is loath to blame poverty for the lethal violence and other social ills in poor, black communities. Rather, he points to a system of collapsing values in the United States, that, celebrated daily on television, is changing the boundaries of acceptable behavior -- from the White House down to the bleakest barrio.

## The series

### Sunday

They are children when they kill -- some no more than 12 or 13 years old. And they have plenty of accomplices: adults who either abandon them or abuse them and a society that offers them easy access to their weapon of choice: the gun.

What forces led Damon Peterson to that fateful encounter in which he took the life of German tourist Jorg Schell? Damon looks back on his hopeless childhood, his criminal life and the shot heard across the Atlantic.

### Monday

Dennis Calabrese, a devoted Boy Scout and gifted student, went from being his mom's pride and joy to her greatest shame and sorrow. What forces led Dennis to blow away two young men he hardly knew and then laugh about it?

### Today

Look at the faces of youngsters who kill, and many of them are black teenagers. Why? This is an explosive question, but the answer says more about the toxic combination of concentrated poverty, decaying values and the effects of racism than it says about race.

Selling crack cocaine gave Juan Calvin Langley an identity. It made him feel like somebody. Then Juan, just 13 at the time, shot his own cousin to death in a cheap drug deal.

### Wednesday

Her smile is riveting. Her laughter spills forth at odd moments. "Did your mom ever tell you she loved

Poverty, he said, exacerbates the consequences of decaying values and, in a vicious cycle, decaying values perpetuate poverty.

"It's not poverty, and it has nothing to do with the color of skin. It's the behavior and expectation and values promulgated by the adults on watch. It's that simple," Fair said.

The media, Fair said, also contribute to the deterioration. He indignantly recalled watching the Will Smith TV show *Fresh Prince of Bel-Air* in which a woman was in bed with a man she had met two days earlier.

"Why would anybody think a child would have any problem with promiscuous sex?" Fair said. "When I was growing up, there was a set of values that said, 'You will not and shall not, and if you do there is a penalty.' "

The cycle of teenage motherhood that produces so many children in poverty is one of the most damaging consequences of corroding values, Fair said. When he was growing up, Fair, 60, notes, there was a penalty for having a baby out of wedlock: The whole family was embarrassed, and the girl was ostracized. Today, children having children is often encouraged.

While teen motherhood is

ever tell you she loved you? she is asked. "Nnnnooooo!" she says, her giggles fading into defiance: "It's not that kind of family." It is the same odd behavior that prompted a veteran detective to call Stephanie Powell, 13 at the time, the coldest killer he'd seen since his days in Vietnam.

#### Thursday

Kids who kill make headlines, turn stomachs and drive new policy. Reacting to these crimes, politicians passed laws making it easier to punish juveniles as adults. Not just kids who kill, though, but kids who smoke a joint or even steal \$2 from a classmate. Florida leads the nation in transferring juvenile delinquents to criminal court.

Her dad named her Eve because he thought she was so beautiful that she looked like an angel. But Eve Postell turned out to be a hell raiser and, eventually, a killer.

James Conley shrugs when asked to talk about that day when, at age 12, he helped murder a homeless man. "Everybody was bragging me on -- keep going! It got out of hand. It was exciting."

While teen motherhood is by no means confined to the black community -- whites gave birth to 56 percent of the 69,000 babies born out of wedlock in Florida in 1997 -- the number born to blacks is disproportionately higher, and the effects are disproportionately harmful.

Whites are more apt to have a support network and the resources to break the cycle.

"Some of our youth have little emotional compunction to behave," said Darryl Norvelle Roland, a black psychotherapist who works with students in Orange County schools. "They are unnurtured, untutored, undisciplined and unafraid. Many are being raised by teenage parents with no training. Or by grandparents. They're not getting the rules laid down. Youngsters look for discipline and guidance, and they're lost without it."

Many also are lost by the time they get to school, which contributes to their low self-esteem, said psychologist Larry Capp, who has interviewed hundreds of delinquents in Miami-Dade.

"They have a hard time in school because they need to conform to a culture of education which is alien to them," Capp said. "These are often children whose mothers never read to them. Some of their mothers can't read."

#### Lost souls

Thomas Moore, author of *Care of the Soul*, writes this: "The great malady of the twentieth century, implicated in all of our troubles and affecting us individually and socially, is 'loss of soul.' When soul

is neglected, it doesn't just go away; it appears symptomatically in obsessions, addictions, violence and loss of meaning."

Soul, Moore says, is tied to all of life -- "good food, satisfying conversation, genuine friends and experiences that stay in the memory and touch the heart. Soul is revealed in attachment, love and community."

Look into the lives of most kids who kill, and you will find dead or dying souls. It is the common link, experts on violence say, no matter what their color, where they come from or why they kill.



Community activist T. Willard Fair blames the lack of caring, law-abiding adults in children's lives and parents who take no responsibility for their own children.

SUN-SENTINEL FILE

They feel an overwhelming sense of humiliation and shame, often brought on by parents who abandon them.

Whatever the reason, psychologists say, nothing wounds soul more than rejection.

Those feelings, which boys are taught to hide, are likely to be more pronounced in black boys born to absent fathers and teenage mothers. In addition to the shame inflicted by their parents, black boys are often burdened by another pervasive layer of rejection -- from society at large.

"Racism is central to that," said James Gilligan, a Harvard University psychiatrist and author of *Violence: Reflections on a National Epidemic*.

"People commit violence when they are subjected to overwhelming degrees of shame and humiliation, and in America there is no group that is treated more regularly . . . as if they were inferior than blacks."

As former medical director for the Massachusetts state prison system, Gilligan has interviewed scores

of inmates and learned that most who turn to violence are filling a void in their lives.

"I used to think armed robbers committed their crimes for money," Gilligan said. "But time after time, year after year, I heard from young men, 'I never got so much respect as I did when I pointed a gun at some dude's face.' The real motive behind armed violence is a wish for instant respect."

That wish often is passed on from generation to generation, by example. Tom Petersen, a retired Miami-Dade juvenile judge who spent 30 years in the justice system, remembers a 15-year-old girl with three children who worked at a grocery store Petersen started in the inner city. The young mother resolved a dispute with another girl by grabbing a butcher knife and trying to stab her foe in the back. Years later, Petersen can't forget the face of the young mother's toddler, wide-eyed on the porch, absorbing it all.

"The message that these kids learn in their culture and subculture is, the way you solve problems is by aggressiveness; the way you survive is by aggressiveness," Petersen said. "Negotiating skills are not big on the stoop."

### Branded

So when the most damaged souls prey on society, they are dismissed as "superpredators."

Few people ask how they became this way.

"Rarely do we hear of inquiries into their emotional lives or of efforts to make sense of their acts. Why is that?" Cornell University psychologist James Garbarino asks in his book, *Lost Boys*.

As James Bell of the Youth Law Center in San Francisco notes: "You saw the response to Columbine. When was the last time they sent grief counselors into the inner city after a drive-by shooting?" It's like, 'Oh those people -- they're used to that.' "

They may live with it, but they never get used to it. Across the country, desperate, grief-stricken residents in high-crime areas are banding together -- marching against violence and even confronting drug dealers on the streets.

They've had enough of the guns-and-drugs culture that has decimated their neighborhoods.

The NAACP has gotten into the act as well. In July,

the civil-rights organization filed suit against almost 100 gun makers in hopes of reducing killings by restricting the flow of firearms to kids. And the National Medical Association, the voice of black physicians, is starting an institute to combat violence in schools and homes, particularly among black males.



'Some of our youth have little emotional compunction to behave. They are unnurtured, untutored, undisciplined and unafraid,' says psychotherapist Darryl Norvelle Roland, who works with students in Orange County schools.

FRANK RIVERA/THE ORLANDO SENTINEL

themselves as middle class, but 39 percent of black children live below the poverty line.

Poverty by itself does not breed violence. Many poor people grow up to be successful adults, the vast majority of them never breaking a law.

But poor black people are, by and large, the only population concentrated in isolated pockets of poverty. And those pockets, experts say, are fertile grounds for virtually every risk factor known to increase a boy's chances of killing.

"There are more poor white people than black, but a white person in poverty is more likely to live in a nonpoor neighborhood," said Barry Feld, a professor and author of *Bad Kids: Race and the Transformation of the Juvenile Court*.

"It's not just that they are poor, but they are living with other poor people, and that concentration of unemployment, teenage mothers, lack of role models going to work -- the whole lifestyle of dependence and despair -- creates niches of alienation and crime

When the juvenile homicide rate peaked in 1993, black youths were killing 11 times more frequently than white youths. Criminologists blamed the escalation on drug warfare, but that hardly explains the historic trend. To understand that, researchers say, requires an understanding of what it's like for young black boys growing up in poverty.

Forty percent of black Americans classify

that profoundly affect the abilities of people to make choices."

Choices? Some poor black boys don't think they have choices. They look around their neighborhoods and are hard pressed to find men who get up and go to work every day. Some men sit on the corner drinking beer. Others are in jail. The boys figure they'll land there one day, too, and the odds are 1-to-3 they will.

One-third of all black men in their 20s either are in prison, in jail, on probation or on parole, a fact that Marc Mauer, assistant director of The Sentencing Project, traces to the uneven enforcement of tough, new anti-drug laws on minorities. In Florida alone, blacks made up 75 percent of all drug offenders sentenced to state prison last year.

The drug trade, particularly the easy-money crack street trade, is a powerful lure to young boys who see no future. Boys such as Juan Langley, who describes himself as "an unwanted child," found his place in the world, and his sense of self, on the dope corners in Brooksville.

A crack dealer before he reached his teens, Langley became a killer at 13, shooting his cousin over a crack deal.

Garbarino, who for 25 years studied youth violence in war zones abroad, said Juan lived in a perfect Petri dish for nourishing a killer:

"Neglect and/or abuse him early on, systematically deny him effective adult supervision, turn him, untreated and traumatized, loose on the social environment, enlist him in the illicit drug economy and give him access to a weapon."

[Posted 10/18/1999 8:36 PM EST]

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# YOUNG AND DEADLY

## WHY CHILDREN KILL

### 2ND IN A SERIES

## The kid next door, except he's a murderer

Maya Bell  
of The Sentinel Staff

*Published in The Orlando Sentinel on October 18, 1999.*

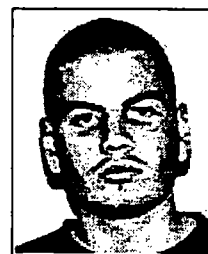
BLOUNTSTOWN -- He held so much promise, this easy-going boy who could count beyond 10,000 by age 3. Even then, he wanted to be a pilot, and his mom knew he had the right stuff.

By 5, he was absorbing books about volcanoes while other kids in his New York neighborhood were hypnotized by video games. In elementary school, he drove the teachers in his gifted classes half crazy, always raising his hand because he always knew the answer.

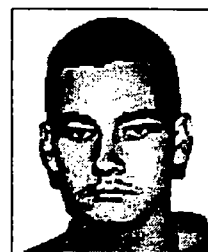
A Boy Scout in name and deed, he rescued gopher turtles, painting his phone number in white-out on their shells in his back yard.

Respectful and trustworthy, he baby-sat the children of his mother's friends and helped at the concession stand for the youth softball association to which his parents devoted their time after moving to Palm Bay.

In middle and high school, he took honors classes and loved mind challenges, exploring science and solving problems.



Robert McKevitt



Geoffrey Calvert

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problems.  
Skipping five ranks in his ROTC classes in one year, he was on his way to being a Marine aviator.

Dennis Calabrese, at 15, was his mother's pride and joy.

**Rebellion.** The price of Dennis Calabrese's wild streak: 2 dead.

SPECIAL TO THE SENTINEL

And then, almost overnight, he became her greatest shame and sorrow.

In one month in 1995, this golden boy with so much promise walked down the road to self-destruction and never returned.

On Feb. 7, he and some pals broke into a pawnshop, hauling away gold chains and a cache of handguns, including a midnight blue .357 Magnum that witnesses said he kept for himself. A week later, he indiscriminately fired the .357 at passing cars, indifferent to the two teens who were lucky to survive gunshot wounds.

Then two weeks after that, witnesses said, he casually blew away two young men he hardly knew, later laughing at their deaths and lamenting that his hollow-point bullets didn't do enough damage.

How could a good kid go so haywire?

There were plenty of explanations at his trial: His stepfather's closed-fist punches. His distracted mother's second divorce. A corrosive combo of drugs and alcohol. Wild, unsupervised friends.

And then there's the very simple and blunt explanation offered by Brevard County prosecutor Jack Griesbaum.

Dennis was just plain evil.

"He's smart, polite, nice, good-looking -- the kid next door," Palm Bay Detective George Santiago said.

"Except he's a murderer."

### Road to ruin

Now, 21, Dennis laughs at the detective's words. "Good ol' Santiago," he says. "He's always been hard-headed."



Small and boyish, Dennis hardly looks like someone to fear in the pecking order of state prison. Yet he holds his own at Calhoun Correctional Institution in Florida's Panhandle.

### The series

#### Sunday

They are children when they kill — some no more than 12 or 13 years old. And they have plenty of accomplices: adults who either abandon them or abuse them and a society that offers them easy access to their weapon of choice: the gun.

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Look at the faces of youngsters who kill, and many of them are black teenagers. Why? This is an explosive question, but the answer says more about the toxic combination of concentrated poverty, decaying values and the effects of racism than it says about race.

Selling crack cocaine gave Juan Calvin Langley an identity. It made him feel like somebody. Then Juan, just 13 at the time, shot his own cousin to death in a cheap drug deal.

"Most people don't want to be involved with someone like me 'cause of my charges," said Dennis, serving three life sentences for murder and armed robbery. "All they see is this big record that looks real bad, and they think, 'Man, this dude's crazy.'"

He was not crazy, just bored and rebellious, when he dropped out of school and began drinking alcohol, smoking pot and binging on LSD after his mother left his stepfather. It was the summer of 1994 and, free from what court records describe as his stepfather's harsh discipline and hot temper, Dennis chafed under any authority, including that of his mother, Rose Geier.

The once dutiful student stopped going to class. By Christmas of 1994, Rose called school and pleaded for help. She was losing her son. Someone recommended a program for incorrigible teens. Rose jotted down the number but never called.

"Where do you think you're going?" she would ask as he dressed late at night.

"Out," he would answer, playfully mussing her hair.

"Oh no you're not," she would insist as he walked

deal.

### Wednesday

Her smile is riveting. Her laughter spills forth at odd moments. "Did your mom ever tell you she loved you? she is asked.

"Nnnnooooo!" she says, her giggles fading into defiance: "It's not that kind of family." It is the same odd behavior that prompted a veteran detective to call Stephanie Powell, 13 at the time, the coldest killer he'd seen since his days in Vietnam.

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"Everybody was bragging me on — keep going! It got out of hand. It was exciting."

would insist as he walked out the door.

He walked right into a laissez-faire world, where parenting was loose at best, where teens picked hallucinogenic mushrooms in cow pastures, where 13-year-old girls slept at their boyfriends' houses, where a pudgy, beeper-wearing teen delivered drugs on his skateboard, his knowing mother happy to have the extra income.

It was the thrill and thought of easy money, Dennis said, that drove him to take part in the burglary of Palm Bay's Affordable Pawn Shop with a group of friends who called themselves Latino Spice. Among them were the two teens now serving life sentences with him: his boyhood chum, Geoffrey Calvert, 18, and a new friend, Robert McKevitt, 16, described by police and witnesses as a bully and "gang wannabe."

Dennis says he does not remember planning the break-in because he wanted a gun, as his friends later told police. But he might have. He was so drugged up during those days, he said, that

he doesn't remember much at all.

"The pawnshop was all insured. That's the way I looked at it," he said, laughing his easy laugh. "They weren't going to miss it. I guess that was drugs talking more than anything else. It was fun. Had it been left at that, we probably would have laughed about it 20 years from now, saying, 'That was stupid.' "

But they didn't leave it at that. A week later,

witnesses said, McKevitt encouraged Dennis, Calvert and some others to play a deadly game in the woods where they hung out: shooting randomly at passing cars.

One bullet grazed a driver's head. Another hit a passenger's back.

"I fired, but I wasn't trying to hit nobody," Dennis said. "That right there should have been a clue to get out. When I started to realize what kind of people I was around, what kind of trouble. . . . You look back now and say, 'Well, OK, it happened.' "

The shootings, it turns out, were just a warm-up for what happened 10 days later.

McKevitt's parents were out of town and McKevitt, Dennis, Calvert and some other teens were hanging at his house, hunting for some LSD.

McKevitt beeped a neighborhood kid, Kris Miller, a pudgy 15-year-old who rode over on a skateboard.

Smoking joints in the garage, the boys made a deal. Kris gave them one tablet of Ecstasy for a .25-caliber gun stolen from the pawnshop. Dennis and McKevitt split the inhibition-erasing drug and agreed to bring the gun to a midnight rendezvous at a nearby convenience store, where they could pick up 25 hits of acid.

As afternoon wore into evening, witnesses said, the talk turned to "jacking" Kris. McKevitt wanted the LSD but didn't want to part with any cash. So he suggested robbing Kris of his goods.

But what if Kris came with a ride instead of on his skateboard? As the evening wore on, witnesses said, McKevitt refined the plan:

After getting the LSD from Kris, Dennis would pretend to reach for his money, instead pulling out his gun and shooting the boy dead. McKevitt would shoot the driver. Calvert would take care of a third person, if there was one.

There was one hitch. McKevitt, the street tough, chickened out. When the moment came, he told police, he cocked his gun and pretended it was jammed.

"I was afraid to tell them that I couldn't pull the trigger," McKevitt testified in a deal that spared him the electric chair.

But Dennis had no such qualms, according to

McKevitt, Calvert and Dennis' friends. When Kris handed him the sheet of acid, they testified, Dennis pulled out his .357 and shot him in the neck. Pushing McKevitt, he then fired one shot into the passenger window of Matthew Amos' Blazer, shattering the glass and hitting Amos in the side.

Trying desperately to drive away, Amos, 22, held a black notebook to his head to deflect more shots. But the next hollow-point bullet tore through the paper, ripping off Amos' finger and embedding in his temple. He was unconscious for five days before dying.

The trio ran back to McKevitt's house and, as police sirens and ambulances wailed, fell asleep. The next day, they split the acid and started tripping. As the days passed, they also started talking.

Dennis "said he went up and put the gun right up to the back of the guy's head and fired," one of his best friends testified in court. "And he said it was the funniest thing in the world he ever saw."

Dennis maintained in his trial -- as he does today -- that McKevitt was the trigger man. He said he had no knowledge of the planned rip-off and insists he was just in the wrong place at the wrong time. Even so, he still counts McKevitt as a friend.

"Things happen," he said, shrugging. "We all did what we had to do, and we knew it. He told me, 'Look, they're offering me a deal, and I'm thinking about taking it. They're trying to put me in the chair.' I said, 'I understand you're going to say what you gotta say, and I'm going to say what I gotta say to get outta here.' "

Oddly enough, Dennis said, he's glad he's still in prison. Had he been convicted of just the pawnshop burglary, he said, he would probably have been committing even more crimes.

"If I just did a couple of years, I probably would have just got out and been even more rebellious," he said. "Like, 'All right you caught me this time. Well, catch me again.' That's the way I was thinking back then."

Those were the days he was more concerned about making up for lost fun than having a future. His mother had just left his stepfather, and Dennis took his newfound freedom to extremes.

Night after night, Dennis drank until dawn at block parties on dead-end streets. Or he gathered at the makeshift campsite that Latino Spice took over in a

remote, wooded area of Palm Bay. His bookshelf at home was lined with trophies of his exploits: dozens of empty beer and liquor bottles.

By the summer of 1994, Dennis hooked up with McKevitt, whom police, witnesses and court records painted as a tough guy who easily lost his cool.

When a girlfriend made fun of his nonstop jabber, she said, McKevitt pulled out a pistol and stuck it in her face. When he and his pals were sitting around watching TV, he made it known he was a tough guy who would take on any of them at the slightest provocation. When his stepfather and he argued, McKevitt fetched his gun and threatened him with it.

McKevitt was chubby as a young boy and was often bullied, beaten and teased, said his mother, Leslie. When he grew big and strong, he took revenge on his tormentors. For some reason, easygoing, laid-back Dennis was drawn to him.

"He had the same kind of rebelliousness in him that I did," Dennis said. "I guess that's what it was: Opposites attract."

### **Rough love**

But that certainly was not the case when it came to Dennis and his stepfather.

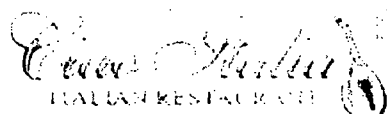
Depicted in court records as dictatorial and abusive, Ed Geier, now the mayor of Palm Bay, kept tight reins and imposed rigid rules on Dennis and his older brother, Jason. For instance, Rose Geier testified, Ed demanded the boys vacuum the house every single day. No excuses.

"He was, 'Just do it.' He didn't explain himself," Dennis said. "I don't think we ever had a whole conversation. I don't remember one in 11 years."

Dennis, Jason and their mother do remember a man they described in court as easily enraged over little things, such as dishes left on the counter. They said Geier would punch his stepsons with closed fists, in the face, the head, the ribs.

Sometimes, Rose testified, he made the boys balance phone books in their outstretched hands for long periods, hitting them if their hands dipped. Rose testified she left her husband of nine years when he dragged Jason from a car and beat him for going to a movie for which she had given permission.

Geier, elected to the Palm Bay City Council days after Dennis' convictions, did not testify and would



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## YOU ARE DEADLY

### WHY CHILDREN KILL

## Alone, confused and armed

**Maya Bell**  
of The Sentinel Staff

*Published in The Orlando Sentinel on October 17, 1999.*

Juan Langley learned the value of obedience early in life. When his mother asked for crack cocaine, the 12-year-old obliged and bought it for her.

Eve Postell learned the value of hard work. When she needed money, she went out to "make some" -- not by baby-sitting like other 13-year-olds, but by yanking gold chains off people's necks.

Damon Peterson learned the value of guns when he was 13, living by the golden rule: "Bite or be bitten."

James Conley learned the value of sharing. By the time he was 8, he was allowed a beer or two from his stepfather's six-pack.

By age 12, James had followed the tradition of most men in his life, landing behind bars but with a distinction all his own. He had become the youngest killer in Florida's adult prison system.

Today, Peterson, Postell, Langley and Conley are among Florida's growing army of young marauders, born in innocence but bred into violence.

Values? Compassion? Respect for life?

Such ideas were as foreign to them as theoretical physics or microbiology. And few people in the justice system -- prosecutors, defense attorneys, judges, child psychologists -- are surprised.

Young predators will continue to kill, they say, as long as children are born in chaos to irresponsible or inept parents, and as long as the weapon of choice -- the gun -- is easily accessible.



**Dennis Calabrese**



**James Conley**

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Most wayward children, of course, never kill or maim. And some children from seemingly loving, stable backgrounds commit unthinkable crimes.

As a rule, though, most children who kill have accomplices. It could be a detached mother trapped in poverty. An anonymous father. Dead-end role models. Drugs, abuse or neglect. A neighborhood awash in violence. Or a justice system too overburdened to recognize a child's cry for direction, or just plain love.

Florida warehouses a lot of these kids. Today, more than 1,250 inmates are serving time for killing someone or attempting to kill when they were 17 or younger. Ninety-five were 12, 13, or 14 at the time. Thirty-six are still under 18. Sixty-six percent are black males. Nearly 400 are serving life sentences. Seven are on death row.

Stephanie Powell, who at age 13 shot a cab driver in the head before skipping out on the \$6 fare, could be the poster child for many of her violent peers: She pretty much raised herself. Severely under socialized, the Palm Beach County teen never thought about consequences.

When told she killed someone's father, she replied: "What's a father?"

Across Florida, the scenes are eerily similar:

Timothy Brown and Keith King, 14 and 17, were riding double on a bike, high on pot and cocaine, when they made a bet: The first to kill a cop wins. The loser: a Broward County deputy finishing paperwork in his patrol car. One of the boys fired a .38-caliber pistol at the officer's head. He died instantly.

Fourteen-year-old Ricardo Gray shot a young man with a MAC 11 submachine gun a few days after the victim demanded that Gray apologize for stepping on his toe at a Miami flea market.

Ending a long-running feud, 13-year-old Princess Haliburton shot and killed her 14-year-old Orlando neighbor, who Princess thought was threatening her.

After each killing came the predictable, anguished communal cry, "How could this happen?"

There are no excuses, but there are plenty of clues.

Keith King watched his dad kill his mother and later die of AIDS. Tim Brown's mother, an addict,

box every business day.

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abandoned him as a baby. His father left when he was 11, and later was murdered.

Ricardo Gray, a runaway and dropout at age 14, lived on his own with siblings and friends, drinking and smoking pot.

Princess Haliburton's mother gave her the gun to carry for protection when Princess was only 11.

"I'm really the guilty person here," Jeannie Haliburton said as her daughter was led to prison.

### **What about Columbine?**

Like most children who kill, these youngsters came from a different world than the kids whose murderous school rampages stunned the nation in the past two years.

In one world, crime and death are staples of life. In the other, they're just staples of the nightly news or the latest computer game.

In one world, soccer moms haul their kids to practice in SUVs. In the other, mothers or grandmothers teach their children the survival game: how to dive into the bathtub when bullets fly.

That becomes second nature when homicide is the leading cause of death among minority youths in the United States.

Until a few months ago, most Americans didn't concern themselves with that world, or the children who populate it.

Then came Columbine in Littleton, Colo.

High school outcasts Dylan Klebold and Eric Harris, middle-class boys from two-parent families, killed 12 classmates, a teacher and then themselves, proving that the forces that lead children to kill are neither simple nor singular. No matter whose children they are. No matter where they live.

Littleton was a massacre, but it was quick -- one afternoon, 14 kids dead, noted James Garbarino, Cornell University psychologist and author of a new book about boys who kill.

"There is a long, slow massacre that has been going on for years that accounts for twice as many kids killing or getting killed every week," Garbarino said. "The families and communities of these kids have been putting teddy bears at memorials for a generation now, largely in silence."

Now, they are joined in their grief. Columbine established a common ground.

"No longer can we believe that we and our children are immune to lethal youth violence," Garbarino wrote, "because today almost every teenager . . . goes to school with a kid who is troubled enough to become the next killer, and chances are that kid has the access to the weapons necessary to do so."

### **An explosive mix**

Damon Peterson can teach that lesson better than any professor. Now 22, he has had six years to reflect on his hopeless childhood and the forces that led him to kill.

His words do not ring with the hollowness that comes from other killers who voice regret. Instead, they reflect a young man who has had time to think about himself and others who grew up under similar circumstances.

First, he says, he never should have been born. And neither should have many other children.

"There should be a law: If you want to have a child, have 15 years of planning," he says. "Someone who's not going to love their child, teach their child discipline and really nourish and train their child's mind should not have the right. If you want to fill your sexual desire, get a condom. But if you want a child, have 15 years."

It took 16 years for Peterson to become a killer.

He offers his advice from Charlotte Correctional Institution, where he is serving a life sentence for killing a German tourist during a robbery attempt. Abandoned by his crack-addicted mother and fending for himself since age 10, guns were his security blanket.

Peterson insists he didn't intend to murder Jorg Schell in 1993. The gun, he said, went off by accident during a robbery attempt in Homestead.

That's not unusual. Most kids who kill don't plan their murders. More common are haphazard killings by youngsters who are out of control, out of the mainstream, out of luck.

And in easy reach of a gun.

Even in the rarer cases of kids who plot their murders, guns play a major role. Nobody will ever

know whether Brevard County siblings Cathy Jones and Curtis Fairchild Jones would have killed Sonya Speights if they hadn't swiped their daddy's gun and hunted down the ammunition. But they did, taking turns shooting their father's fiancée, a teachers aide who the children feared would compete for their dad's love.

In Lake County, 11-year-old Patrick Boykin took his parents' revolver from a closet and shot his 13-year-old sister, Constance, four times.

Whatever their motives, these and thousands of other kids became lethal because of guns.

The number of killings committed by armed juveniles in the United States quadrupled between 1983 and 1993, the year the death toll peaked at 3,486. That was, on average, more than 67 slayings every week by a child with firepower. During the same period, however, nongun killings by youngsters barely changed.

In other words, remove guns from the mix and the seismic leap in juvenile killings this past decade would have been flat. The same is true for juvenile suicides.

"It's the guns, stupid," said Vincent Schiraldi, executive director of the Center on Juvenile and Criminal Justice. "If you wanted to make kids in America more murderous, you could hardly do better than double their number in poverty and give them a whole bunch more guns. That's basically what we did."

Researchers blame another scourge: crack. The introduction of the cheap form of cocaine into inner cities in the 1980s kick-started a youth arms race, according to a study by Alfred Blumstein, a criminologist at Carnegie Mellon University in Pittsburgh.

Poor people such as Juan Langley's mother, a welfare mom from the projects in Brooksville, could buy the drug one hit at a time -- or even send their children to buy it for them. Piecemeal street buying, though, required piecemeal street sellers who came cheap: impoverished kids who, looking around them, could not imagine a better future.

Suddenly, Blumstein said, youngsters such as Langley were vulnerable to theft and unable to go to the police. So they got guns from older boys. Or they traded for them. Or they stole them.

Over time, guns became status symbols, signaling

power, safety, manhood. Langley would use his gun to shoot his cousin in a fight that started over a \$5 crack sale.

By 1988, Blumstein said, the diffusion of guns reached white neighborhoods, and the youth arms race was on. Two years later, one of every 20 students reported having carried a gun to school in the previous 30 days, according to the U.S. Department of Justice.

Suddenly neighborhood brawls that used to end in bloody noses ended in shootouts. And drug deals too often ended in death.

The case of Brevard teens Dennis Calabrese, Robert McKevitt and Geoffrey Calvert is typical. All are serving life sentences after stealing guns, ambushing two young drug pushers and shooting them dead during an LSD deal.

"American kids are not more violent by nature," said Larry Steinberg, director of the MacArthur Foundation Research Network on Adolescent Development and Juvenile Justice. "We don't lead the world in non-gun violence -- assault, battery, aggravated assaults -- but compare gun-related violence, and we're off the charts."

Actually, out of this world: In 1996, handguns killed 30 in Great Britain, 15 in Japan and 9,390 in the United States.

Few people think, though, that ending youth homicide is as simple as keeping guns from kids. "People think the issue is guns," said Randy Means of the Orange-Osceola State Attorney's Office. "It's not. It's violence. Kids are violent, and they're violent for some reason."

### **The brain change**

Science has been shedding light on some of those reasons, and they pretty much parallel Means' armchair philosophy: "It begins at home. It's a function of poverty and parenting."

Deprivation or inadequate parenting, of course, is no excuse for murder. "For every murderer, there are five people who grew up in the same environment and didn't kill," said Chuck Morton, the Broward prosecutor who convicted the two teens who killed Deputy Patrick Behan on a dare.

However, scientists note that not every smoker gets

lung cancer, either. The key is sorting out who is at risk, and researchers in the hybrid field of child development and biology have made a pivotal discovery about the roots of violence:

Experience changes the brain.

In short, the brains of children repeatedly subjected to trauma -- chaos, abuse, neglect, fear -- are perceptibly different than the brains of kids blessed with most of the right stuff. The buttons that make them react to stress are permanently reset on high-alert, or on dead-numb.

Given the right set of wrong circumstances, some of these children will resort to violence. Given access to a gun, some will kill.

It's not the genetics of the brain that are changing, but the modern experiences imprinted on the brain, said Bruce Perry, a child psychiatrist and neurobiologist doing pioneering research on violence at Baylor College of Medicine.

Many children in today's violence-saturated world of walled communities and public housing are untethered. They have fewer ties to a belief system, to their culture, parents or communities. Across all socioeconomic spectrums, Perry said, they feel alienated.

And growing up in such a world changes how children behave because that's what the brain is designed to do, Perry said.

That's why specialists have said for 20 years that early experiences are so vital to healthy development. The experiences branded on the brain during the first three years of life act as a template, directing how a child will perceive, organize information, behave and respond to stress.

Imprinted with too much chaos, too many stressors and too little love, young brains physically change. Some adopt a persistent state of fear. Their flight or fight switch is always on. Others shut down emotionally, which Perry said may explain Stephanie Powell, the girl who killed the cabdriver.

"Explanations are not exculpations. So when kids do violent things, they should be held accountable," Perry said. "But the question is: 'Do we hold them accountable in the same way as a person who methodically planned a murder?'"

## Call for reform

Jan Staniszki doesn't think so.

A real estate developer in Orlando, Staniszki was foreman of the jury that convicted Princess Haliburton of manslaughter. The 13-year-old Orlando girl had been charged as an adult with first-degree murder and faced life in prison. The jury, though, decided that she did not plan to shoot neighbor Erika Bearden.

Three years later, Staniszki still can't get the case off his mind.

"One kid is dead," he said. "The other is in prison. Why? For premeditation? No. Because her mother gave her a gun. Give any child a gun at age 11 and there's a good chance it will be used."

He worries about Princess' future -- and ours. He finds it incomprehensible that a child her age was sent to a woman's prison for seven years because Florida's juvenile-justice system doesn't have a program appropriate for girls such as her.

Her attorney tried to get Princess in a program in another state, but the cost was too high. To Staniszki, the cost of not doing so is even higher.

"Obviously, you have to make a child aware of the gravity of the crime and be held accountable, but not in the same way as pathological killers," he said. "We have to be accountable, too. There needs to be reform with punishment."

Staniszki's lament is common. When kids kill, there is much anguish about the appropriate punishment and the likely result of their spending their formative years in prison with hardened criminals. One police officer described as cherubs the Brevard children who executed their father's girlfriend. He could not reconcile their sweet faces with their deeds.

But when faced with a child who kills, prosecutors have trouble reconciling their crimes with the limited punishment available in the juvenile system.

Juvenile offenders can be held only until they turn 19, or sometimes 21, but rarely is punishment lengthy.

The obvious solution would be to keep young killers, especially those who will be turned loose one day, in the juvenile system until they are old enough to be moved to the adult system.

And while that option is discussed, it also is dismissed as too expensive. Locking up kids in adult prison is much cheaper than treating them in a juvenile program.

But an increasing number of prosecutors and judges realize that the justice system can't afford to shrug off damaged children with an, "Oh well, another of life's casualties."

And little by little that attitude is changing. The juvenile homicide rate is dropping, and many factors are credited: gun buy-backs, get-tough policies, a strong economy and, not least of all, prevention, intervention and mentoring programs.

The approaches may differ from community to community, but the results of ignoring them don't.

Last year, 95 youngsters and teens were arrested across Florida on charges of murder, attempted murder or manslaughter; 72 were charged as adults. More than half were black males. Most were 16 or 17 years old, but 20 of them were 13 or 14.

If other children grow up like Damon Peterson, now a model inmate, a self-taught writer and the spiritual leader of Muslims in his prison, they may find incarceration their salvation from a worse fate.

"If I could trade my experience for a million dollars, I wouldn't do it," Peterson said.

"I wouldn't do it. Because the man I've become now, the feet that I'm standing on now, there ain't no way in hell I would have obtained that on the street."

[Posted 10/16/1999 11:26 PM EST]

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## YOUNG AND DEADLY

### WHY CHILDREN KILL

**Hopeless environment.** Damon Peterson grew up surrounded by drugs and violence. As a toddler, he was allowed to play with a real gun.

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Damon Peterson

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## He learned what he was taught -- to survive

**Maya Bell**  
of The Sentinel Staff

*Published in The Orlando Sentinel on October 17, 1999.*

**PUNTA GORDA --** Damon Peterson doesn't remember the first time he held a gun. But the moment is frozen in time, documented in baby pictures that are as haunting as his life.

In one snapshot, the diapered toddler balances on the hip of his grandmother's bleary-eyed friend. Hanging from the man's other hip is a big, shiny revolver.

In another photograph, Damon, still in diapers, is perched on the edge of a bed holding the gun in his dimpled hands. His eyes shine with excitement.

Today, at 22, those eyes are deep, penetrating, profound. They have seen much sorrow. A mother



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much sorrow: A mother who cared more about crack cocaine than about him. A father who never acknowledged his existence. A stream of violence that swept him up in its current. A life full of promise, wasted.

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His hands are large, powerful, graceful. They have held many guns. Revolvers. Semiautomatics. Shotguns. Assault rifles. They have caused their share of pain, fear and outrage. Once, they killed a man in a shot heard across the Atlantic.

For Damon, guns were a security blanket. By the time he was 13 or 14, he rarely went anywhere without one. Growing up alone, on the street, in a world without hugs or bedtime stories, they provided him a measure of comfort.

Later, guns were the tools of his trade, guided by a commandment of the street: Never sell a gun. It can help you get money.

He was packing the day he first met his dad, the only time he ever talked to the man whose name belongs in the blank on his birth certificate. An airline maintenance worker, his father was sitting in a car.

"He jumped out and said, 'Yeah, you must be Damon, 'cause you look just like me,' " Damon recalled. "He couldn't even look me in the eye."

Damon's father grabbed his son in a hug, their first hug, but he quickly drew back, repelled by the hard piece of steel he felt against his boy's belly.

"He said, 'I see you're growing up quick,' " Damon recounted. "I said, 'I ain't had no choice. You know my mother threw me out in the jungle.' "

### **Gypsy boy**

Damon's jungle was Miami's urban heart of darkness, nourished by a river of chaos and deprivation.

Born to Jo Ann Allen when she was 20, Damon spent his first years living with his mother and grandmother, women who shared two very bad habits: hooking up with abusive men and failing to mother their own children.

Damon's grandmother, Mary Corston, had five kids by four different men and sent daughter Jo Ann away because she "couldn't take care of her."

"I was on welfare and I had all those children,"

Corston, now 63, explained.

When Jo Ann grew up and had Damon, she didn't do any better, discovering alcohol and crack cocaine when he was about 3. From then on, little else registered on her radar. Not her job at a nursing home. Not her future. Not her son.

Allen and Damon began roaming Miami's poor neighborhoods gypsylike, sleeping in cars, or staying with one of several boyfriends who supported her habits. Violent or drug-addicted, they were the only male role models in the boy's life. And she treated Damon like the only real man in hers. Allen would often look to her young son to do for her what she never did for him: Protect her. Comfort her. Love her.

"Take care of your Mama," his mother would plead, sobbing on the couch after one of her boyfriends had beaten her.

Barely school-age at the time, Damon would stay by her side all night, devoted to her well-being, clinging to her neediness. He mistook it for affection.

As he grew older he felt responsible, but powerless, to keep his mother safe. He could not stop the grown men who fractured her arms, blackened her eyes, bruised her ribs and broke a toilet seat over her head. He could only cower when they turned their wrath on him, punching him, or breaking a broom handle on his leg.

Sometimes his mom abandoned him, leaving him to sleep on the floor and scavenge for food at one boyfriend's home while she moved on to another. But soon, her men friends booted him back out on the street.

He stayed with his grandma, a neighbor or a schoolmate. More often, though, he was homeless, hungry and alone.

His favorite haunts didn't include a ballpark or a fishing hole, but a Winn-Dixie.

"I never really had anyone cook me a meal," he said. "My favorite thing was to run into the store and eat it out until they run me out."

By the time Damon was 9, he spent many nights in Miami's Little River Park, stealing shirts from backyard clothes lines so he could go to school, not that school did him any good. Moving from place to place as he did, he attended nine schools in 10 years where he picked up a label -- severely learning

disabled -- but little value for, or concept of, education.

"I thought school was putting on nice clothes and looking good for the girls," he said.

### **Strung-out mom**

Through his early teen years, Damon stayed off and on with a family who lived by Little River Park. The son, noticing Damon in old, tattered clothing with no place to go, invited him home. The mother was a drug dealer and often out of town for weeks at a time, but Damon said, "she treated me like a son."

She agreed: "If he did something wrong, I would beat him just like I'd beat my own." At least he had an occasional place to eat and sleep.

Hanging in the neighborhood, he often saw his strung-out mother on the street. Other kids made fun of her, calling her "the baser." Oblivious, she often walked right past Damon, without a hint of recognition. Other times, she came to him, bumming money.

More often, though, he would seek her out, knowing which boyfriend's place she would be on which pay day. When he found her, she would greet him as if they had just finished dinner. "Hey, baby," she would say, "walk me to the store."

Just before his 14th birthday, he was accompanying his mother when a man beat her with a stick, cracking her ribs, fracturing her arm and damaging her hearing. At his mother's suggestion, Damon hunted down the man. He planned to kill that day, but his shotgun jammed, so he smashed the barrel against the man's head and walked away.

Police suspected his mother's boyfriend in the assault, so his mother turned in her son. After Damon completed his time for the attack, his mother left him at juvenile hall. She often did that, a cousin said, "just so she didn't have to bother with him."

By the time he was 15, Damon had been victim as much as victimizer. In a case of mistaken revenge, he was thrown in a car trunk, doused with gasoline and driven to a warehouse where he was sure he would die. Another time he was stabbed by an older woman. The scar is still there, covered by a tattoo on his stomach that reads: The Strong Survive.

He also had been arrested 10 times, for burglary, auto theft, larceny, grand theft, criminal mischief, robbery and shooting a deadly missile.

Usually the "missile" was a spark plug. Hurling through windshields, spark plugs shatter the glass, making it easy for someone to reach into a car and grab valuables from startled motorists.

In his view, he had no choice. He didn't see any other way of putting food in his mouth and clothes on his back.

"This was a way of life," he said, laughing the pained laugh of someone trying not to cry. "If I'm laughing, it's because I realize how much in darkness I was. I really thought that I was doing an occupation. I really thought that this was all I could do. . . . It's ugly. It's very ugly."

He remembers the moment when he subconsciously chose the dark side. It was the night he banished fear from his life. Sitting in Little River Park, he was tired and famished. He had nowhere to go, nothing to eat. Mosquitoes were having a feast.

"I cried like a baby. I cried so much I got mad and bit my lip. I promised myself that I would never give in to weakness again," he said. "I figured I didn't have time to be a little boy. . . . I wiped out fear. I left it in the park. I guess that's where it started."

The arrests continued, and so did the warning flags raised in juvenile court and school records.

Over and over again, experts chronicled Damon's plight. His home life was nonexistent. His emotional and physical needs were going unmet. Barely able to read, he was failing school. He suffered from chronic depression. If his mother bothered to show up for court at all, she was intoxicated.

Psychiatrists and social workers attributed his criminal behavior to "his chronic lack of any kind of effective parenting" and his need to "provide himself with the basic necessities of life."

And, as so many others would, they often recognized something intangibly special about him: " . . . [A]mazingly enough for one who has been kicked around from pillar-to-post, he still has the ability to form empathetic bonds with other people," one clinical psychologist wrote.

For the second time, the psychologist recommended the state assume custody of Damon and place him in a foster home. No one bothered.

Instead, he was sent to one delinquency program after another where, under daily structure, positive

reinforcement and a bed to sleep in, he usually thrived.

### Fatal choice

But soon after being released again to the chaos of the streets, he returned to his old ways. Just 31 days after finishing a stint in state school and the after-care program that followed, Damon made headlines around the world.

He was 16 at the time and spending the night at his girlfriend's townhouse in Homestead. A woman five years his senior, his girlfriend already had three children. Damon reveled in telling people he was the youngest child's father. It was the first time, he said, he felt "wanted and part of a family."

He loved being a dad and took the duty seriously. If his girlfriend wanted to go out but couldn't find a sitter, Damon stayed home. He yearned to be a role model, the man of the house, the provider, but filtered the responsibility through his own warped lens. From where he sat, there was only one way to make money.

"It's not like I wanted to be bad," he said. "It's not like I woke up and said, 'It's good weather for robbing.' I did what I did because I was forced. I didn't see where I had a choice."

On the night of March 11, 1993, Damon and two friends, one of them his girlfriend's brother, were driving around Homestead smoking pot and looking for someone to "jack." About 9:30 p.m., they spotted their target -- an elderly couple in an Alamo rental car. Following the car into the Days Inn lot, the boys watched eagerly as the wife locked the car and walked toward Room 112, where her husband was opening the door.

"Watch her," the driver said. "See if she's got a pocketbook."

Bingo! There it was on her arm. Damon jumped out of the car and raced toward the woman, a .380 semiautomatic revolver in his left hand. "Gimme your pocketbook," he yelled, grabbing for the purse.

"No! No!" the woman screamed. As her husband rushed to her aid, Damon was shocked. Why didn't she give it up? he thought. Didn't she see the gun? Didn't she know the rules of the street? What'd she want to be -- a hero?

Reaching over the woman's head, Damon said, he tried to smack her husband in the face with the gun.

Bam! It went off. Jorg Schell never had a chance. The bullet ripped into the hollow above his collarbone, drilling downward, cutting every major artery, tearing his lung and cracking four ribs before exiting his back. The German factory owner crumbled to the ground. His wife of 30 years, Sonja, collapsed in hysterics. Airlifted to the hospital, Schell died two hours later, literally bled dry.

Damon ran to the getaway car, the gun still hot in his left hand, his right hand empty. He hadn't even gotten the purse.

The next day, he would vaguely remember hearing Schell had died, but he didn't know the German tourist was the sixth foreign visitor in four months slain during a robbery attempt in Florida. He was equally clueless about the international uproar the murders caused.

The governor and tourism officials were in crisis mode. The Sunshine State had a huge black eye. Foreign governments were warning tourists to stay away. When Schell's killer was caught, the state would seek the death penalty.

No matter. In the world Damon lived in, headlines, like life, had little meaning. He went blithely and brazenly about his business -- in broad daylight. When most 16-year-olds were still in school, he, his girlfriend's brother and another buddy were in a Hyundai at a stoplight. Just ahead, they spotted another elderly couple in a car with an out-of-state tag.

Another target. Damon ran to the car, pitched a spark plug through the windshield and, reaching in, grabbed the passenger's purse. When Damon ran back to the Hyundai, his buddy burned rubber and, and driving at 75 mph, his friend raced back to the townhouse.

A truck driver who saw the robbery chased the Hyundai, but gave up when Damon leaned out of the passenger window and began firing at the truck. He was using the same .380 semiautomatic that, barely 12 hours before, had killed Jorg Schell.

The truck driver jotted down the Hyundai's tag number and within 30 minutes police were at the townhouse. In Damon's front pocket, they found four .380 rounds and \$111 cash. Under a mattress, they found the gun.

Later, Damon confessed to Schell's murder, just as he always confessed after an arrest. This time, he told the detective he had planned to buy "my kids"

Pampers and some clothes with his share of the take. Then he cried.

"It wasn't my intent to kill that man," he said. "It wasn't supposed to happen. I tried to hit him with the gun and it went off. It went off."

Flora Seff, the assistant state attorney who prosecuted Damon, agrees he probably didn't mean to kill Schell. "It was just something to do," she said. "Like going to the movies."

As Damon sat in the Dade County Jail, facing the electric chair at age 18, defense lawyers and social workers spent hundreds of hours documenting his life. The tragedy they uncovered persuaded Seff's boss, Miami-Dade State Attorney Katherine Fernandez Rundle, to waive the death penalty.

"The system clearly failed him," she would tell his attorney.

### **A new man?**

Sitting in an interview room at the Charlotte Correctional Institution just south of Punta Gorda, Damon is like a jungle cat. His eyes darting, his spine tense, he notes every movement, ready to pounce. When Seff's words about "just something to do" are repeated to him, his shoulders slump and his resonant voice quiets. He is visibly distressed, as if the words punched him in the stomach.

Just days before, he replayed in his head that scene in the Days Inn parking lot six years ago: He jumps out of the car. He runs toward Sonja Schell. He grabs her purse. And he wonders: "Why didn't you leave the gun in the damn car? Why? Damn!"

From his place in the world, he does not wonder: "Why did I rob? Why didn't I learn a different trade? Why didn't I become a doctor or a lawyer?" Such choices are inconceivable to a young man who grew up to be exactly what his baby pictures portended.

"I think society knows the problem," he said. "They know people aren't born evil or without soul. Society knows if someone lives in toxic waste, they're going to be toxic. They just don't want to take responsibility."

He takes responsibility for his own crimes, but he believes he is no longer the person who committed them. He thinks of Jorg Schell "all the time, sometimes too much." He thinks how the 59-year-old businessman was the backbone of his family, just like his own grandmother is "the

backbone of my so-called family." He thinks about how much pain Schell's widow feels. How Schell's daughter married without her father there. How he wishes he could tell Schell how it "wasn't me who did it."

Asked, "Who was it?" he pauses for a long moment.

"Someone caught in a trance," he said. "Someone caught in a way of life he didn't even understand.

"I know what you're thinking: That's bull. I knew what I was doing. I knew right from wrong. But at the time, right from wrong don't matter. Rules don't matter. They never applied to me. Rules are, you have a family, they help you build your mind. They teach you how to live. I had to live my own rules. I never had anyone believe in me. Never. Never. Never. I can't even remember anytime anyone really sat down and said, 'Damon, how ya doing?' "

[Posted 10/16/1999 11:30 PM EST]

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## THE EDUCATIONAL FUND TO END HANDGUN VIOLENCE

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### WOMEN AND GUNS

*Women have traditionally had much lower rates of gun ownership than have men. Recently, the gun industry has preyed on women's fears of victimization to attract potential female buyers and increase profits. These efforts have contributed to the public's confusion in understanding the ways in which guns and gun violence affect women. Yet, despite the confusion one fact remains clear: owning a gun will only decrease a woman's overall safety. Effective gun violence prevention initiatives, not increased gun ownership, will help protect the lives of many American women. The following are some facts about the effects of guns in relation to women's overall safety:*

#### **How many women and girls are killed by firearms each year?**

In 1997 (the most recent year for which figures are available), 4,680 women and girls died from firearms. Of these firearm-related deaths, 2,105 were homicides, 2,372 were suicides, 125 were reported to be unintentional, while 65 remained undetermined.<sup>1</sup>

#### **How does firearm violence differ for men and women?**

Women are much less likely than men to be homicide victims as a result of firearm violence. In 1997, 11,147 men were murdered by a firearm compared to 2,105 women.<sup>2</sup> Women are far more likely to be shot by their intimate partner than are men.<sup>3</sup> About twice as many women are shot by their intimate partner than are killed by strangers using firearms, knives, or any other means.<sup>4</sup> Men are much more likely to commit a homicide with a gun than are women. During the period from 1976 to 1987 men committed 96,923 homicides with guns compared to only 14,916 committed by women.<sup>5</sup>

#### **Can women protect themselves from victimization by owning a gun?**

Guns in general are not useful for self-defense. Statistics show that in actuality, guns are more of a danger than a means of security. Victims of homicide are more likely than the general population to have had someone in their family purchase a handgun in the past.<sup>6</sup> A firearm(s) in the home raises a woman's risk of suicide by a factor of five, while her risk of homicide is increased more than three times.<sup>7</sup> Another concludes that individuals are five times more likely to use a gun against an intimate partner or a family member than against a stranger.<sup>8</sup> In 1992 for every time a woman used a handgun to justifiably kill a stranger 239 women were murdered by a handgun.<sup>9</sup>

#### **Do guns help women in situations of domestic violence?**

Having a firearm in the home increases the likelihood that an abusive relationship will turn fatal. One study found that family and intimate assaults that involved firearms were 12 times more likely to result in death than those that did not involve firearms.<sup>10</sup> Keeping a firearm in your home makes it three times more likely that you or a person you care about will be shot by another family member or intimate partner.<sup>11</sup>

#### **How many women own guns?**

Pro-gun groups and gun manufacturers, since the middle of the 1980s, have been doing their best to create the impression of a surge in female gun-ownership. For instance, a 1989 article by the NRA publication *American Rifleman* announced that an "estimated 12 million women bought [handguns] during 1986."<sup>12</sup> However for all of 1986 only 1.5 million handguns were manufactured or imported in all of the United States.<sup>13</sup> This is but one example of their attempts to artificially inflate the rate of gun ownership among women. From 1980 to 1994 the percentage of women owning firearms has consistently hovered around 10 percent.<sup>14</sup>

#### **How does the gun industry market to women?**

Motivated by money, the gun industry attempts to increase its sales by scaring women into owning guns. Despite all of the scientific evidence to the contrary, gun advertisements consistently suggest that a woman is safer with a firearm. A recent advertisement in the *Ladies Home Journal* shows a mother tucking her young daughter into bed with the headline stating: "Self-protection is more than your right... it's your responsibility."<sup>15</sup>

However, researchers at the Johns Hopkins Center for Gun Policy and Research state that firearm advertisements are both deceptive and unfair because consumers are misled by their claims—because home gun ownership actually puts residents in greater danger—and may receive substantial injury as a result of buying the product.<sup>16</sup> Advocating female gun ownership under the guise of self-defense is a manipulative tactic that essentially undermines women's safety.

#### **How do women stand on the issue of gun violence prevention initiatives?**

Most women support gun violence prevention initiatives. For example, a 1993 survey found that 86% of women believe that "children's safety is endangered by so many guns being around these days."<sup>17</sup> A 1996 survey reports that 77.1% of the interviewed women favor handgun registration.<sup>18</sup>

## Endnotes

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## THE FACTS ABOUT GUN VIOLENCE

### How many Americans are killed by gun violence?

Firearms claimed the lives of 32,436 people in the United States in 1997, according to the Centers for Disease Control and Prevention (CDC). Of these deaths, 17,566 were suicides, 13,252 were firearm homicides, 981 were unintentional shootings, and 367 were of undetermined cause. This is down 18% from a high point of 39,595 in 1993. Yet, CDC Researchers estimate that by the year 2003, firearm fatalities will become the United States' leading cause of injury-related death, unless the violence is curbed.

### How many guns are in the U.S.?

In 1991, the Bureau of Alcohol, Tobacco and Firearms (ATF) reported that since the turn-of-the-century over 211 million firearms were manufactured in the United States, of which approximately 70 million were handguns. Since 1989, manufacturers and importers introduced an average of 3.5 million new guns into the U.S. market each year. These statistics indicate there is more than one gun for each adult in America.

### What is the impact of gun violence on children?

Every day, 12 children 19 years of age and under are killed by gunfire. According to a 1997 CDC study, the firearms-related death rate for U.S. children under 15 is nearly 12 times higher than that of 25 industrialized countries combined. A 1998 survey by the Department of Justice found that 1 out of every 17 high school students had carried a gun in the past month.

### How do other countries compare?

The U.S. has weaker firearm laws and more firearm deaths than all other industrialized nations, as well as most developing nations, according to a 1997 study by the United Nations. The total firearm death rate in the United States in 1997 was 12.1 per 100,000 persons — three times the average among other responding countries.

### Are handguns useful for self defense?

Guns are rarely useful for self-defense. A handgun only increases one's risk of death and injury and creates a false sense of security. Even police officers, who are trained in handling weapons, are at risk of having their gun used against them. A study published in the *American Journal of Public Health* found that twenty percent of police officers shot and killed in the last 15 years were killed with their own firearms. Research also shows that the use of a firearm to resist a violent assault actually increases the victim's risk of injury and death.

An Emory University study found that a gun kept in the home was 4 times more likely to be involved in an unintentional shooting, 7 times more likely to be used in a criminal assault or homicide, and 11 times more likely to be used to commit or attempt suicide, than to be used in self-defense.

Kellerman, et. al. "Injuries and Deaths due to Firearms in the Home." 1998.

### Is the Second Amendment a barrier to a ban on handguns?

No gun control law brought before the Supreme Court or other federal court ever has been overturned on Second Amendment grounds, including several local statutes outlawing handguns. The Supreme Court decided in the 1939 case, *U.S. v. Miller*, 307 U.S. 174, that possession of a firearm is not protected by the Second Amendment unless it has "some reasonable relationship to the preservation or efficiency of a well regulated militia."

The Supreme Court has stated that today's militia is the National Guard. Lower federal courts consistently follow the *Miller* decision. In *U.S. v. Toner*, 728 F.2d 115, 128 (2d Cir. 1984), the court states that gun possession is "clearly not a fundamental right." In *U.S. v. Swinton*, 521 F.2d 1255, 1259, cert. denied, 424 U.S. 918 (1976), the court states there is "no absolute constitutional right to possess a firearm."

### Are guns regulated?

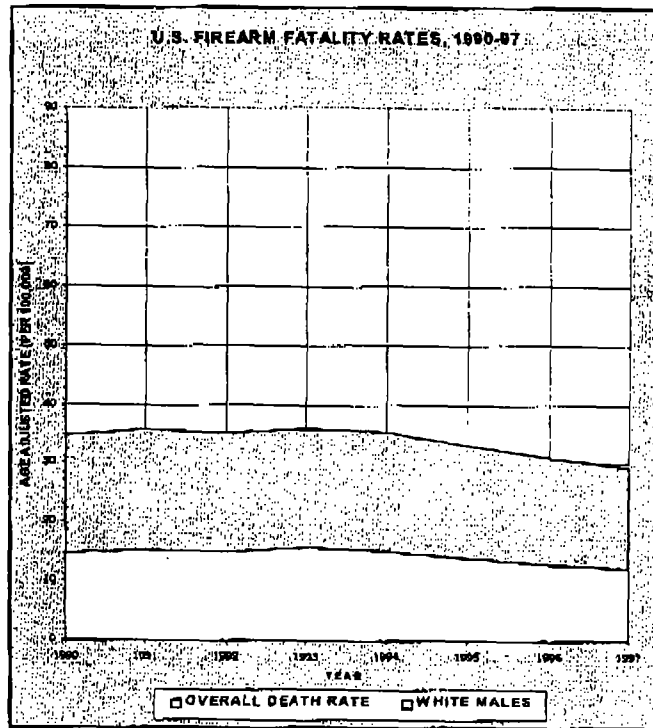
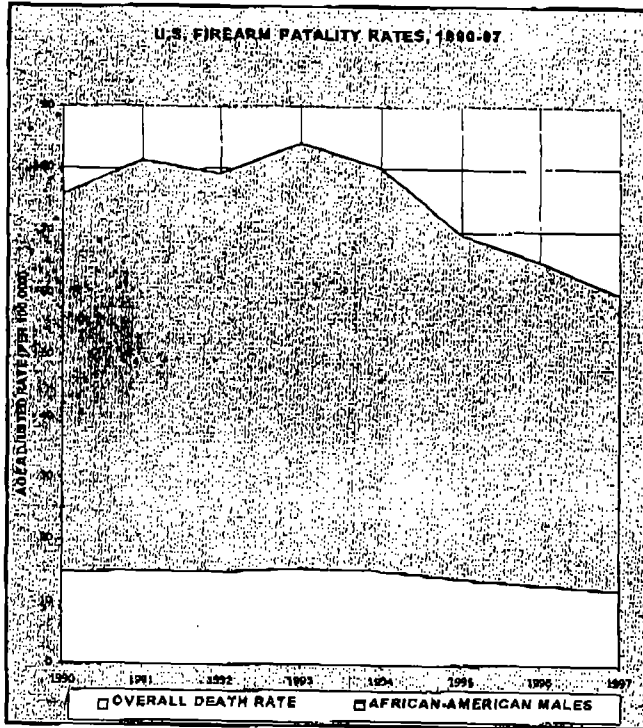
No, toy guns and teddy bears are more regulated than American-made handguns. The Bureau of Alcohol, Tobacco and Firearms (ATF) issues licenses to gun dealers and manufacturers who meet minimal requirements. Yet no federal regulatory agency, not even ATF or the Consumer Product Safety Commission, has the power to impose minimum design and safety standards on domestically manufactured firearms.

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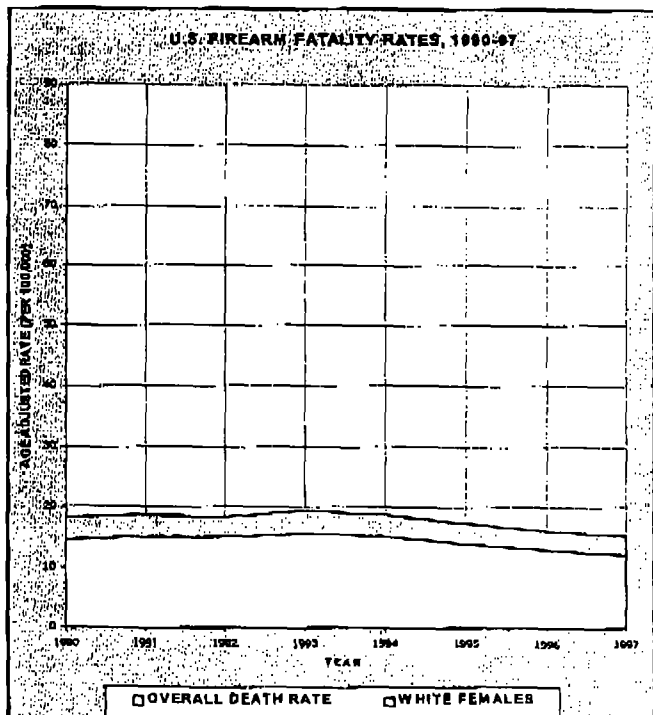
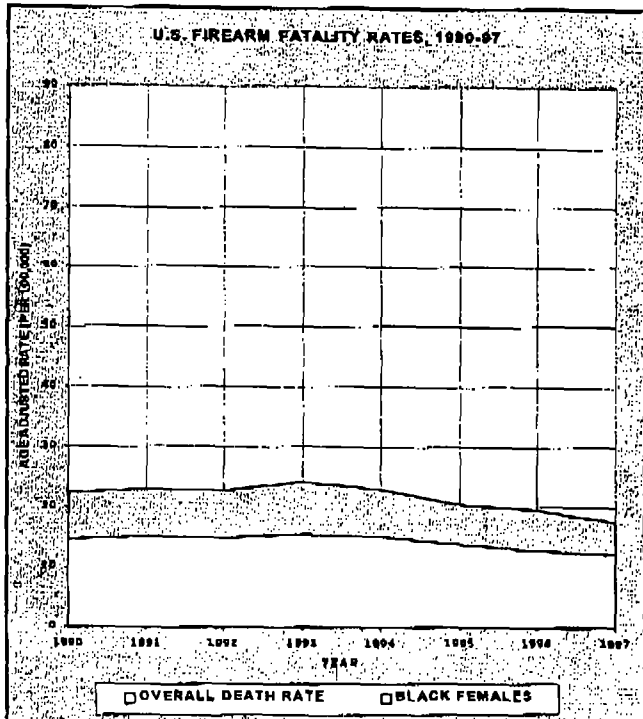
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## U.S. FIREARM FATALITY RATES: AGE-ADJUSTED RATES FROM 1990-1997 BY RACE AND GENDER



All data for graphs from: Hoyert, et. al. "Deaths: Final Data for 1997" Center for Disease Control and Prevention. *National Vital Statistics Report*, Vol. 47, No. 19, June 30, 1999 p. 71.



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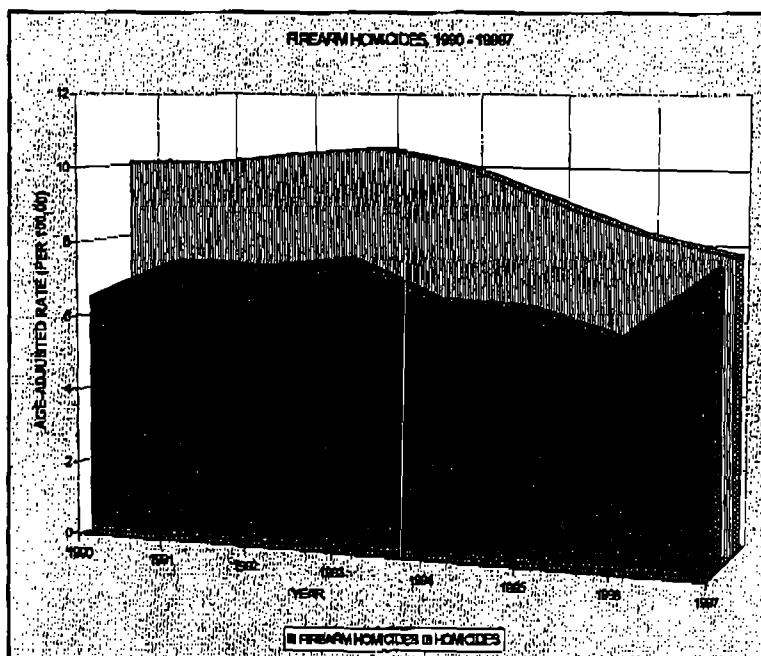
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## GUN VIOLENCE: HOMICIDE

*In 1997, the most recent year for which data is available, there were 32,436 deaths due to gun violence. Of these, 13,252 were homicides.<sup>1</sup>*

- Handguns, in particular, have fueled the increase in total homicides. Since 1985, murder by handguns has risen steadily while murder with all other weapons actually declined.<sup>2</sup>
- Over the last five decades, the increasing rate of firearm deaths in the United States has paralleled the rate of firearms production.<sup>3</sup>
- Firearm homicide is a rising trend. Despite a modest decrease in homicide in the past couple of years, overall this problem has increased. From 1985 to 1996, the nation's murder rate increased 3.5%, the firearm murder rate increased approximately 16%, and the handgun murder rate increased approximately 29%.<sup>4</sup>
- For the past five years (1993-1997), firearms have been used in violent crime more often than any other type of weapon.<sup>5</sup>
- Handguns are the firearm most frequently used in crime. While handguns represent only one-third of all firearms privately owned in the United States, they were responsible for 53% of all homicides and 78% of all homicides committed with a firearm.<sup>6</sup>
- The notion that gun violence is solely related to gang and drug violence is a myth. Despite the misconceptions about gun violence, in 1997 the most common known reason leading to a homicide was an "argument," representing 31% of all homicides, and suggesting some prior relationship rather than random violence.<sup>7</sup> In addition, when the relationship between victim and offender was known, most murder victims were killed by a friend, family member, acquaintance, or co-worker, rather than a stranger.<sup>8</sup>



Data from the Center for Disease Control and Prevention. "Deaths: Final Data for 1997" *National Vital Statistics Reports*

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## GUN VIOLENCE: SUICIDE

*In 1997, the most recent year for which data is available, there were 32,436 deaths due to gun violence. Of these, 17,566 were suicides.<sup>1</sup> Guns are the most lethal and popular method of committing suicide. The presence of a gun in a home increases the likelihood that a suicide will occur. Methods that reduce the accessibility of handguns can help save thousands of lives each year.*

### What is the most common tool used in suicide?

A firearm is the method of suicide most frequently used by both men and women.<sup>1</sup> On average, 60% of all suicides are committed with firearms.<sup>2</sup>

### How many people commit suicide with firearms?

Pro-gun groups often repeat the slogan that if you restrict gun ownership only criminals will have guns. The reality is that guns are often used for destructive purposes by their legal owners. In 1997, 17,566 people committed suicide with a firearm. This, compared to 13,252 who were victims of firearm homicides.<sup>3</sup> Firearm suicides have outnumbered firearm homicides in 40 out of the 50 years between 1933-1982.<sup>4</sup>

### Which type of firearm is most commonly used in suicide?

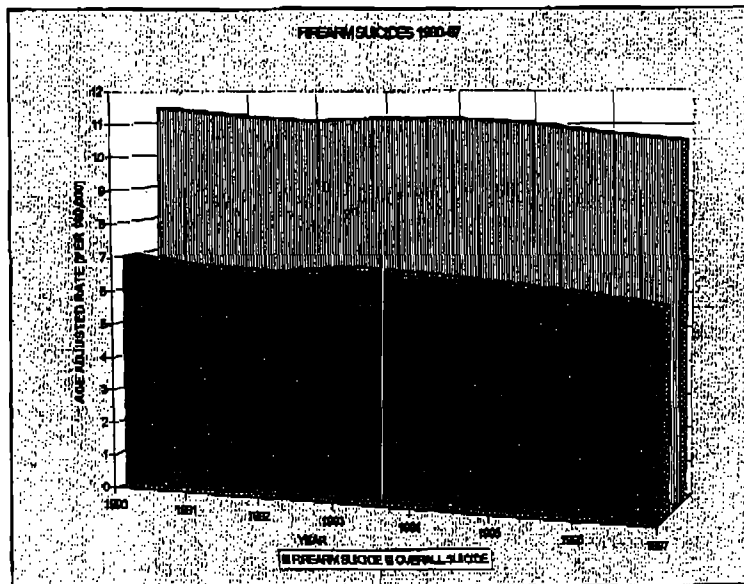
Handguns are the most popular type of firearm used in suicide. One study found that 69% of those who commit suicide with a firearm use a handgun.<sup>5</sup>

### How lethal are firearms when used to commit suicide?

Firearms are a highly lethal tool for suicide. One study found that 92% of suicide attempts with firearms result in a fatality.<sup>6</sup> Another study on youth suicide compared the rates of suicide fatalities with the method used. It found that although 75.5% of suicide attempts use drugs as a method, drug-related suicides account for only 0.4% of suicide fatalities. In comparison, firearm-related suicides account for only 0.6% of total suicide attempts, but comprise 78.2% of suicide fatalities.<sup>7</sup>

### What is the relationship between the presence of guns in the home and suicide?

A 1997 study showed that 44 million Americans owned one or more firearm. Approximately 35% of households own guns.<sup>8</sup> A person who commits suicide is more likely than the general population to have had someone in his or her family purchase a handgun in the past.<sup>9</sup> Another study notes that guns were twice as likely to be found in the homes of suicide victims as they were to be found in the homes of those who attempted to commit suicide but survived.<sup>10</sup> Research also shows that residents of homes where a gun is present are five times more likely to experience a suicide than residents of homes where there are no guns present.<sup>11</sup>



Data from the Center for Disease Control and Prevention. "Deaths: Final Data for 1997" National Vital Statistics Reports

### Are there differences in suicide among women and men?

Women are more likely to attempt suicide while men are more likely to complete it. Women attempt suicide 2 to 9 times more than men.<sup>12,13</sup> Men complete suicide 2 to 5 times more frequently than women.<sup>14,15</sup> This is primarily due to the different methods with which they attempt suicide. Women attempt suicide using less lethal methods such as through the ingestion of substances. Men are more likely to use violent and immediate methods such as firearms.<sup>16</sup>

### How can Americans prevent firearm suicide?

Gun violence prevention public policies may reduce the threat of suicide. This is particularly true in homes where there are youth present. One estimate claimed that reducing the accessibility of guns would potentially save about 20% of youth suicide victims.<sup>17</sup>

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# THE EDUCATIONAL FUND TO END HANDGUN VIOLENCE

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## GUN VIOLENCE: UNINTENTIONAL SHOOTINGS

*In 1997, the most recent year for which data is available, there were 32,436 deaths due to gun violence. Of these, 981 were unintentional shootings.<sup>1</sup> Some of the most tragic incidents of gun violence involve unintentional shootings. People who keep guns in the home for self-protection place themselves and their families at risk, particularly when the firearm is kept loaded and in an unsecured location and is easily available to children. Firearms pose a risk of injury even when they are not intended to be used as a weapon, largely because they are not subject to regulation standards like other consumer products.*

- Each year, approximately 18,500 Americans are unintentionally shot.<sup>2</sup>
- In 1997, there were 981 unintentional shooting fatalities. Of these, 306 fatalities were youth 19 years of age and younger.<sup>3</sup>
- A gun in the home is four times more likely to be involved in an unintentional shooting than to be used in self-defense.<sup>4</sup>
- Many unintentional shootings occur during routine gun-handling activities. A study appearing in a 1996 edition of the *Journal of the American Medical Association* found that the most common activity of individuals at the time of injury was cleaning a gun, followed by hunting, and then by playing with a gun.<sup>5</sup>
- Unlike other consumer products, neither the Consumer Product Safety Commission nor the Bureau of Alcohol, Tobacco and Firearms have the jurisdiction to regulate firearm safety. Therefore, dangerous and defective guns lacking basic safety devices remain on the market.
- Guns which lack basic safety measures as well as defective guns pose a phenomenal risk to the American public and greatly contribute to the high number of unintentional shootings every year. However, civil litigation can help to prevent accidental as well as intentional injuries by regulating the ways in which guns are manufactured, marketed and sold. (See also Firearms Litigation for Activists).
- Many gun owners do not take safety precautions:
  - Half of all gun owners keep their firearms in an unlocked area.<sup>6</sup>
  - One-fourth keep their firearms unlocked and loaded, leaving their guns vulnerable to theft, accidental shootings, suicide, and homicide.<sup>6</sup>
- Safety precautions are also lacking in homes with children.<sup>7</sup> A 1996 survey found that:
  - 32% of homes with children surveyed contained at least one gun.
  - 61% of homes with children had at least one gun unlocked – most likely a rifle.
  - 15% of homes with children had at least one gun loaded – most likely a handgun.
  - 7% of homes with children had a gun unlocked and loaded.
  - Only 30% of homes with children stored guns locked and unloaded.

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### INJURIES DUE TO GUN VIOLENCE

*Currently, no accurate means of data collection exists to count the exact number of firearm-related injuries that occur each year. Such a system would help accurately gauge the extent to which a particular type or make of firearm is responsible a specific type of injury, allowing preventative steps to be taken. Instead, we can only estimate the rate at which firearm injuries occur. Research indicates that the ratio of nonfatal firearm-related injuries to firearm fatalities is nearly three to one.<sup>1</sup>*

- The death rate is one way to measure gun violence in the U.S. Yet while 32,436 people died in 1997 from firearm-related injuries, the total number of people injured by firearms is not known.<sup>2</sup> Based on the most recently available figures, an estimated 125,000 Americans are shot each year, of which approximately 90,000 survive.<sup>3</sup>
- If firearm violence remains at its current level, researchers predict nearly three million firearm shootings, fatal and nonfatal, will occur between 1993 and 2000.<sup>4</sup>
- The Sporting Arms and Ammunition Manufacturers' Institute, Inc. (SAAMI), a gun industry trade association, admits that 1 of every 100 firearms "purchased lawfully from licensed dealers at retail are ever involved with any human gunshot wounds."<sup>5</sup> Imagine any other industry publicly admitting that one of every 100 of its products will cause an injury and one of every 750 will cause death.
- It is important to note that there exists no federal system to track key information on each shooting. For example, there is little known about the exact number of nonfatal firearm injuries and the types of guns involved in particular incidents. Therefore, it is necessary to enact a system that require physicians, coroners and other professionals to gather essential data on shootings.
- However, most evidence suggests that handguns are primarily responsible the majority of gun violence. The FBI reports that handguns are used in more than 78% of all gun murders.<sup>6</sup>
- As long ago as 1986, a John Hopkins University Study called for the development of a national fatal firearm injury reporting system that would be similar to the Fatal Accident Reporting System (FARS). This system would help determine the type of gun used most frequently and would also help in the development prevention strategies.<sup>7</sup> Maryland, Georgia, and Wisconsin have developed systems modeled after this concept to record firearm injury deaths, weapon(s) used to cause the injury, and the circumstances which lead to the injury death.

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## GUN VIOLENCE: HANDGUNS

The primary function of handguns is to kill human beings. Unlike rifles or shotguns, they serve no practical sporting purpose. Moreover, the handgun can be concealed easily, making it the weapon of choice for criminals. It is the concealable handgun which threatens and intimidates Americans. — not the hunting rifle or shotgun.

### What type of gun is responsible for the majority of firearm crime?

Handguns comprise only one-third of all firearms, but account for two-thirds of firearm crime and over 78% of all firearm homicides.<sup>1</sup> However, rifles and shotguns make up nearly two-thirds of the firearms in the U.S., but account for only one-third of all firearm crime.<sup>2</sup> Handguns are also the most frequently stolen type of gun.<sup>3</sup>

### How often are handguns used in violent crimes?

The Department of Justice reported that handguns were used in nearly 1 million violent crimes in 1994, accounting for 10% of all violent crimes and more than 1 out of 3 aggravated assaults.<sup>4</sup>

### Why are junk guns frequently used in crime?

Junk guns are small, inexpensive, easily concealable, poorly made handguns that usually lack adequate safety devices. They are frequently used in crimes because criminals are attracted to the low cost and easy concealability of junk guns. In 1995, the three most frequently traced guns used in criminal incidents were junk guns. According to a University of California-Davis Violence Prevention Research Program study, junk guns are nearly 3.5 times more likely to be involved in a crime than are other firearms.<sup>5</sup>

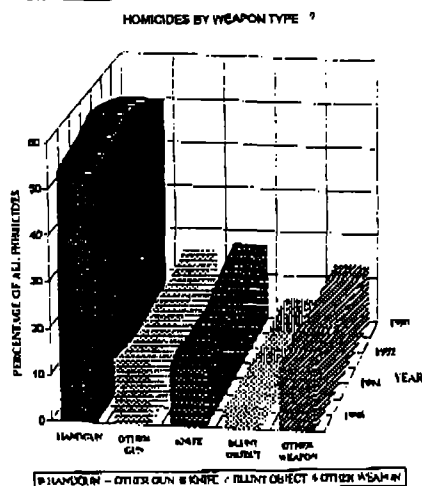
### Do guns serve a legitimate purpose for protecting one's home and family?

Keeping a handgun in the home for self-defense places a gun owner and his/her family in great jeopardy. A gun in the home is 4 times more likely to be involved in an unintentional shooting, 7 more likely to be used in a criminal assault or homicide, and 11 times more likely to be chosen as a method of suicide than it is to successfully be used against an assailant.<sup>6</sup> In fact, research indicates that the use of a firearm to resist a violent assault actually increases the victim's risk of injury and death.<sup>7</sup>

### Who regulates the safety and design of handguns?

Unfortunately, no federal regulatory agency, not even the Bureau of Alcohol, Tobacco, and Firearms (ATF) or the Consumer Product Safety Commission, has the power to impose minimal design and safety standards on domestically manufactured guns. In fact, toys guns and teddy bears are more regulated than American-made handguns. By the mid-1970's, ATF estimated that over half of all handguns made in the U.S. for civilians could not be imported legally.<sup>8</sup> Since firearms are not subjected to government regulation, they lack basic safety devices that protect against injury or unauthorized use.

Public officials and violence prevention activists have advocated various programs to reduce the danger of handguns in the United States. Some have supported public policies to ban or greatly restrict the private ownership of handguns, because the danger of handgun ownership greatly outweighs any potential benefit.



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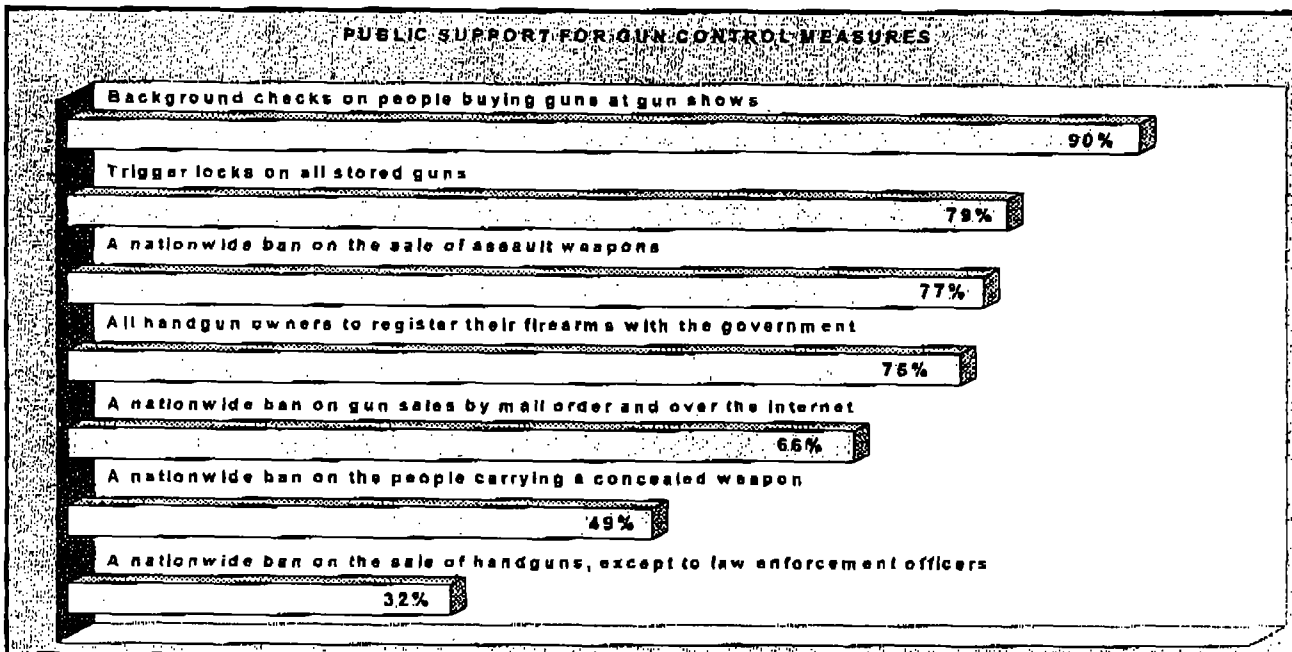
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## PUBLIC SUPPORT FOR GUN VIOLENCE PREVENTION

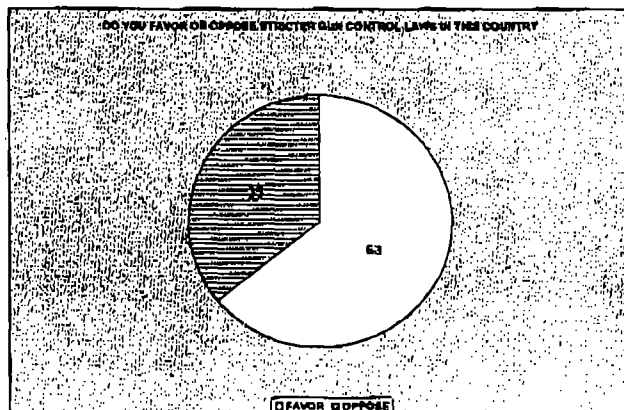
The American public show strong support for various gun control measures, yet legislators have proven unable to respond. A Washington Post – ABC News poll found that 90% of those surveyed favored background checks on individuals buying guns at gunshows. Such profound popular support for an issue should give Congress a mandate, but months after the shootings in Littleton, CO sparked a massive public outcry for meaningful gun control legislation, Congress has yet to close the gun show loophole. In addition, many people falsely assume that they are already protected by consumer product safety standards for firearms, or a system of firearm registration. Therefore, such measures simply become matters of common sense, and should be easy to implement. It also suggests that educating the public of the lax state of gun control laws and gun safety regulations may go a long way toward reducing gun violence.



A majority of Americans favor firearm safety design measures, including a majority of gun owners\*, according to a survey conducted by the Johns Hopkins University Center for Gun Policy and Research.

- 88%** Favored childproofing guns
- 71%** Favored devices that permit firing only by an authorized person
- 82%** Favored magazine safeties that prevent firing after the magazine clip has been removed
- 73%** Favored "loaded-chamber" devices which show whether the hand gun is loaded.
- 90%** Support mandatory tamper-resistant serial numbers.

Washington Post – ABC News Poll, September 9, 1999



Washington Post – ABC News Poll, September 9, 1999

Teret, Steve, et. al. Johns Hopkins Center for Gun Policy and Research. New England Journal of Medicine. 1998 Sept. 17; 339(12): 813-8. \* A majority of gun owners favored 20 of the 22 questions posed regarding stricter gun control.

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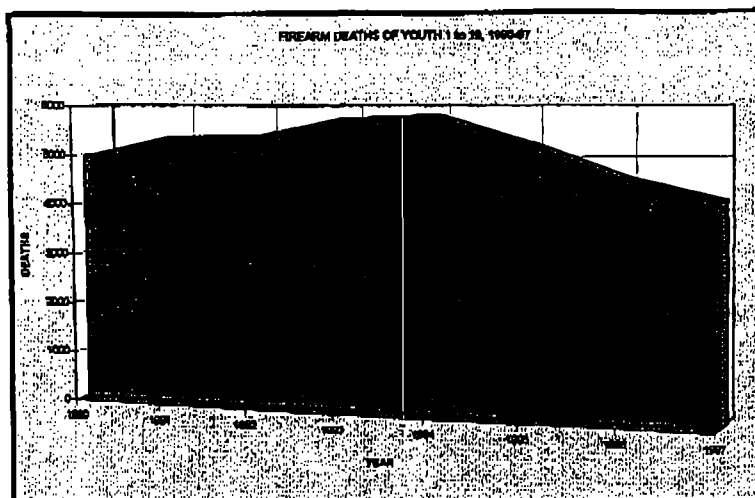
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## YOUTH AND GUNS

### How many young people are killed with firearms?

Every day 12 children ages 19 and under are killed with a firearm.<sup>1</sup> In 1997 (the most recent year for which data is available), 4,205 children ages 1-19 were killed by a gun.<sup>2</sup> Firearm injuries are the second leading cause of death for youth 10-24 nationwide.<sup>3</sup> In 1997, an African-American male teenager had a firearm fatality rate (90.6) more than four times than his White counterpart (21.6)



### Firearm Deaths: Youth 1-19 1985 v. 1997

|            | 1985  | 1997  |
|------------|-------|-------|
| Homicide   | 1,339 | 2,562 |
| Suicide    | 1,256 | 1,309 |
| Accidental | 517   | 306   |
| Unknown    | 72    | 75    |
| Total      | 3,184 | 4,205 |

### Has youth gun violence increased since 1985?

Yes, there was a dramatic increase in the number of young people killed with a firearm in 1997 compared with 1985. The number of youth firearm deaths increased for every year from 1985 to 1994. Between 1994-1995 there was nearly a 10% decrease in the number of youth killed with firearms. Although the number deaths due to firearm injury have fallen since 1990, numbers have still not reached the lower levels of 1985. The Department of Justice reported that the number of non-firearm juvenile homicide victims increased by 9% between 1985 and 1995, while the number of juveniles murdered with a firearm increased by 153%.<sup>4</sup> Guns make it easy to kill, far easier than with any other weapon commonly available.

### How easy is it for young people to get guns?

The majority of young people report having no difficulty in acquiring a gun. The Office of Juvenile Justice and Delinquency Prevention reported that a national opinion poll of youth in grades 6-12 found that 59% of the children surveyed "could get a gun if they wanted," and 35% believed that it would take less than one hour to acquire a firearm.<sup>5</sup> Another study conducted by the Centers for Disease Control and Prevention found that one in 20 high school students carried a gun in the past month.<sup>6</sup> Furthermore, a 1995 *Journal of the American Medical Association* study estimated that half of all households in the U.S. have a gun.<sup>7</sup> Another study in that same year found that 59% of parents who acknowledged having a gun in the home did not lock the gun away from their children.<sup>8</sup> As the recent high profile case in Jonesboro, Arkansas has illustrated, young people all too often get guns from the homes of friends and loved ones. New research has shown that persons with a history of at least one family handgun purchase have an increased risk of suicide or homicide.<sup>9</sup>

### How often are guns involved in youth homicides?

Homicide is the third leading cause of death for youth 5-14 years of age and the second leading cause of death for older teens and young adults ages 15-24.<sup>10</sup> The vast majority of these homicides are committed with a firearm. In 1995, 83% of homicides of juvenile victims ages 12 and over involved a firearm.<sup>11</sup>

**How often are firearms used in youth suicides?**

Firearms are used in most youth suicides. Data from the Centers for Disease Control and Prevention indicate that in 1995, 54% of suicides among youth ages 10-14 were committed with a firearm, while 64% of suicides completed by youth ages 15-24 were committed with a firearm.<sup>12</sup> Among persons aged 15-19 years, firearm related suicides accounted for 96% of the increase in the overall rate of suicide from 1980-1995.<sup>13</sup> For all youth who committed suicide in 1997, 2 out of 3 used a firearm.<sup>14</sup> In a moment of desperation, a gun can provide an all too fast and deadly means to end a life.

**How many fatal unintentional shootings of youth occur each year?**

In 1997, 306 children and teens ages 1-19 were killed in accidental shootings.<sup>15</sup> Tragic deaths such as these can and should be prevented. There are safety mechanisms such as trigger locks, loaded chamber indicators, or simply removing the gun from the home, would prevent many of these tragedies.

**How does the youth firearm death rate in the United States compare to that of other nations?**

According to a recent Centers for Disease Control and Prevention study, the U.S. has the highest rate of firearm death for children among the 26 industrialized countries surveyed. The study found that children in the U.S. are 12 times more likely to die from firearm injury than are children in all these other nations combined.<sup>16</sup>

**What do young people think about gun violence?**

In one study by Dr. David Hemenway, et al., of the Harvard School of Public Health found that a majority of youth said they: 1) would prefer to live in a society with fewer guns; 2) wish that it were impossible for teens to get guns; and 3) would feel safer if fewer students in school had access to guns.<sup>17</sup>

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12. *Id. supra* 10.

13. *Id. supra* 3. and *Suicide in the United States*, Centers for Disease Control and Prevention, February 2, 1998.

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## FIREARMS DEALERS

The prevalence of illegitimate gun dealers significantly contributes to illegal firearms trafficking and gun violence in the United States. Previously, it was relatively easy to get a Type 1 Federal Firearms License, and regulations on the licenses were not fully enforced. In a 1992 study, researchers found that the number of persons with such licenses was greater than the number of gas stations.<sup>1</sup>

A 1993 the Bureau of Alcohol, Tobacco, and Firearms (ATF) report, "Operation Snapshot," investigated 400 randomly selected federally licensed firearms dealers. The report found that only 18% conducted business from commercial premises and 74% operated out of their home.

- Another 8% did business on a commercial site, such as an auto repair shop or real estate office, whose primary purpose was not the sale of goods to the public.
- Many of these dealers acquired their licenses not to operate as legitimate dealers, but to purchase firearms at wholesale prices and through gun catalogs across state lines.
- In 1994, more than half of the crime guns traced by the ATF came from federally licensed firearms dealers<sup>2</sup>

Various factors have contributed to a decrease in the number of gun dealers in the United States in recent years. Between January 1994 and February 1996 the number of federally licensed firearms dealers in the United States dropped from 245,628 to 142,094.<sup>3</sup>

- The Brady Law of 1993 increased the fee for a new three-year federal firearms dealer license from \$30 to \$200.<sup>4</sup>
- Furthermore, the "Violent Crime Control and Law Enforcement Act of 1994," enacted on September 13, 1994, required that firearms dealers follow federal, state, and local dealer regulations.

Furthermore, local public policy measures can help limit the prevalence of gun dealers in the community by placing restrictions on how and where firearm dealers can operate.

- Zoning and business legislation can develop restrictions that can include fees to recover license processing cost and high levels of liability insurance, and can also impose safe storage and firearm training requirements.<sup>5</sup>
- One effective way to keeps guns out of the community is to enact a residential zone-ban. In the case of San Francisco, gun dealers are not permitted to operate within 1500 feet of residentially zoned areas. Banning gun dealers from operating within 1000 - 1500 feet of schools, day care centers, recreation facilities, bars, or other gun dealers is also an effective measure to reduce the number of gun dealers in the community.<sup>6</sup>

The Firearms Owners Protection Act of 1986 forbids the ATF from creating a national registration system in which gun owners would register their guns. A system of this type would speed the tracking of guns used in crime. Instead, the ATF must rely on sales records from dealers and manufacturers, and can only inspect these records once a year.<sup>7</sup>

Therefore, setting limitations on the locations and the practices on gun dealers can add to a significant reduction in gun violence and the illegal trafficking of firearms. Stricter standards on dealers will limit the amount of guns in circulation and ultimately save countless numbers of lives.

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# THE EDUCATIONAL FUND TO END HANDGUN VIOLENCE

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## THE COST OF GUN VIOLENCE

*Gun violence not only causes over 32,000 tragic deaths and even more injuries each year – it also produces significant financial costs. Treating victims of gun violence is a costly expense to our nation's cities, health care systems, taxpayers and privately insured citizens. In addition, economic costs such as lost productivity, and quality of life contribute a significant burden. In the end, gun violence costs us all, both as taxpayers and as fellow human beings.*

**The cost to treat the victims of gun violence is distinctly disproportionate to the cost it takes to treat victims of other injuries.** Firearm-related injuries make up 0.5% of all injuries, yet they represent 9% of total cost of injury over a lifetime. Almost 85-98% of all health-care expenses due to gunshot injuries and fatalities are charged to taxpayers.<sup>1</sup>

**Estimates of the total cost of gun violence vary.**

- Researchers Wendy Max and Dorothy P. Rice of the University of California School of Nursing estimate that the 1990 costs of direct medical spending and lost productivity in the United States totaled \$20.4 billion.<sup>2</sup>
- In a study appearing in the Textbook of Penetrating Trauma, researchers concluded that the total 1992 cost of firearm violence was \$112 billion when taking into consideration direct medical costs, lost productivity, and lost quality of life. This study also reported that each of the estimated 4.91 billion bullets sold in 1992 represented \$23 in costs due to firearm violence, including \$0.60 in medical and emergency services, \$7.20 in lost productivity, and \$15.10 in pain, suffering, and lost quality of life.<sup>3</sup>

**The financial costs of gun violence place a heavy burden on trauma care centers.**

- Between 1986 and 1991, 92 of the 549 trauma care centers in the United States closed, primarily because of the cost of uncompensated care for injuries such as gun violence.<sup>4</sup>
- The cost of treating gunshot wounds can reach over \$100 million a year at an average county hospital. Because many gunshot victims are uninsured, an estimated 85-96% of medical charges due to gunshots are paid by taxpayers through public health care and public debt.<sup>5</sup>
- A 1999 study revealed that for every firearm victim treated at a local trauma care center, an average of \$8,664 was lost to uncompensated care.<sup>6</sup>

**All Americans bear the responsibility for covering the health-care costs of uninsured victims of gun violence.** Hospital fees are structured so that insured patients cover the losses due to uninsured patients. This means that private health insurance plans compensate most of the medical costs caused by guns, even though they pay for only one-fourth of the actual injuries. The costs of treating uninsured gunshot victims that are not picked up through public health care are passed on to those privately insured through higher premiums. Moreover, hospitals must charge more for particular procedures in order to compensate for the uninsured. Therefore non-gun owners who are taxpayers and privately insured are paying for the problems created by widespread gun violence.<sup>7</sup>

The expense of treating victims of firearm violence places an enormous economic burden on society. The American public pays increased taxes and insurance premiums to pay for the ever-increasing cost of gun violence. Gun violence prevention initiatives can help to save lives and reduce these costs.

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### GUN VIOLENCE: AN INTERNATIONAL COMPARISON

The United States has weaker firearm regulations and higher numbers of deaths involving firearms than all other industrialized nations, and even most developing nations according to a 1997 study by the United Nations. The study surveyed 49 nations on their firearm legislation, manufacture, and trade regulations, as well as on their rates of firearm crime and death. The following are some comparisons between the U.S. and other nations, found in this study and others:

- ◆ The United States is one of only two countries—along with the Czech Republic—that does not have a firearm licensing system.<sup>1,2</sup>
- ◆ Thirty-five percent of households in the United States possess at least one firearm, over three times the average of other countries surveyed.<sup>1,2</sup>
- ◆ The United States is among only 22% of nations responding to the UN survey that do not have regulations regarding the storage of firearms.<sup>2</sup>
- ◆ While the United States rarely imports illegal firearms, it is one of only three countries who reported “frequent” instances of illegal exportation.<sup>2</sup>
- ◆ Of illegal handguns seized by the Japanese government from 1992 through 1996, 32.9% were manufactured in the United States, more than any other single country.<sup>3</sup>
- ◆ The total firearm death rate in the United States in 1995 was 13.7 per 100,000 people, three times the average rate among other responding countries, and the third highest, after Brazil and Jamaica.<sup>2,3</sup>
- ◆ In 1995, 1,225 people in the U.S. died from firearm accidents. This figure is over three times higher than the average rate of other responding countries.<sup>2,3</sup>
- ◆ The U.S. had the highest firearm suicide rate of all the countries surveyed, 7 per 100,000 people in 1995, nearly seven times greater than the average among other responding countries.<sup>2,3</sup>
- ◆ Children in the U.S. are 12 times more likely to die from firearm injury than are children in other industrialized nations.<sup>4</sup>
- ◆ The United States has the highest firearm death and suicide rates of all other industrialized countries.<sup>4</sup>

Compared to the rest of the world, the United States has remarkably high rates of firearm homicide, suicide, and accidental death, and comparatively weak firearm regulations. In 1997, the United Kingdom joined Japan and Vietnam as countries that ban the private ownership of all, or nearly all, handguns. Canada passed legislation in 1995 banning short-barrelled handguns, as well as semi-automatic assault weapons. Australia followed in 1997 by banning semi-automatic rifles. The country also has very tight restrictions on handguns.

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## INTERNATIONAL FIREARM DEATH RATES UNITED STATES V. COMPARABLY DEVELOPED NATIONS

| Country and Year of Statistic | Firearm Deaths<br>(Rate per 1,000) | Firearm Homicides<br>(Rate per 1,000) | Firearm Suicides<br>(Rate per 1,000) | Fatal Firearm Accidents<br>(Rate per 1,000) |
|-------------------------------|------------------------------------|---------------------------------------|--------------------------------------|---------------------------------------------|
| United States (1995)          | 13.7                               | 6                                     | 7                                    | 0.5                                         |
| Australia (1994)              | 3.05                               | 0.56                                  | 2.38                                 | 0.11                                        |
| Canada (1994)                 | 4.08                               | 0.6                                   | 3.35                                 | 0.013                                       |
| Germany (1995)                | 1.47                               | 0.21                                  | 1.23                                 | 0.03                                        |
| Japan (1995)                  | 0.07                               | 0.03                                  | 0.04                                 | 0.01                                        |
| Sweden (1992)                 | 2.31                               | 0.31                                  | 1.95                                 | 0.05                                        |
| Spain (1994)                  | 1.01                               | 0.19                                  | 0.55                                 | 0.26                                        |
| United Kingdom (1994)         | 0.57                               | 0.13                                  | 0.33                                 | 0.02                                        |

- United States data from: Anderson, Kochanek, and Murphy, "Report of Final Mortality Statistics, 1995," Monthly Vital Statistics Report (Hyattsville, MD: National Center for Health Statistics.) 45, no.11 (June 12,1997): 55-56.
- International data from: United Nations, Crime Prevention and Criminal Justice Division, United Nations Office at Vienna, *International Study on Firearm Regulation*, 1997, p. 109.

## GUN OWNERSHIP IN THE UNITED STATES

*America is a nation flooded with an overwhelming number of firearms. There are currently an estimated 192 million guns in private hands.<sup>1</sup> Studies report that 25% of individuals and 35% of households own at least one gun. (Note: since most households contain more than one resident, the likelihood that a home contains a gun is greater than for individuals).<sup>2</sup> The United States has higher rates of gun ownership than most other industrialized countries.<sup>3</sup> The following are some answers that help explain the numerous trends and patterns associated with gun ownership in the U.S.*

### **How many guns does each person own?**

Seventy-four percent of gun owners own more than one firearm. Most guns in America are concentrated within the hands of a small group of people. 42% of individuals and 34% of households report owning 4 or more guns. This means that 9.7 million individuals own 105.5 million guns, with the remaining 34.4 million individuals owning just 86.6 million guns.<sup>4</sup> These small arsenals are very dangerous since, as one study noted, a firearm in the home is 43 times more likely to be used for suicide or murder than self-defense.<sup>5</sup>

### **What types of guns do Americans own?**

Of guns owned in America, approximately 65 million are handguns, 49 million are shotguns and 70 million rifles.<sup>6</sup> Semi-automatics account for 40 percent of all shotguns and handguns.<sup>7</sup> Of these handguns are of particular worry since they account for 80% of all firearm homicides.<sup>8</sup>

### **What are the different reasons people own different types of guns?**

People own handguns and long guns for considerably different reasons. Of those who only own handguns, 75% claim that their main reason for owning it is for self-defense. Of those who only own long guns, 70% claim that their primary reason for owning it is for hunting.<sup>9</sup> It is important to remember that the belief that handguns are useful for self-defense is misguided. Studies show that when people do use a gun in self-defense they only increase their chances of injury and death.<sup>10</sup>

### **How long do people own guns?**

Typically, people that have owned a gun have done so for a significant amount of time. 63 % of gun owners report having owned their guns for more than 6 years.<sup>11</sup>

### **Do men and women have different rates of gun ownership?**

Men are far more likely than women to own a gun. Currently about 42% of men, compared to only 9% of women own at least one gun.<sup>12</sup> Pro-gun groups are vigorously attempting to recruit women to purchase more guns in order to increase manufacturers' profits. So far, women have ignored their calls and kept their rates of ownership steady.<sup>13</sup>

### **What are the racial and ethnic differences in gun ownership?**

Whites are significantly more likely to own a gun than is any other racial or ethnic group. A recent study found that 27% of whites own some type of gun. This compares to only 16% of blacks and 10% of Hispanics. However, handgun rates for blacks and whites are very similar, 16% of whites own at least one handgun compared to 13% of blacks.<sup>14</sup>

### **How does gun ownership vary geographically within the country?**

The highest rates of gun ownership are in rural or small town settings. Of those living in a rural area 40% own a firearm. Of those living in a small city 26% own a firearm. For all larger population centers the rate hovers around 19%. The difference between rural and urban ownership is less significant regarding handguns. Of rural residents, 22% own handguns compared to 14% of the residents of medium cities, suburbs and large cities.<sup>15</sup>

### **How much training have gun owners received?**

Most gun owners have received some kind of training. 58% of gun owners have received one or more types of formal training. 29% of gun owners have received at least informal training. The number of gun owners who have received no training of any kind is merely 13%.<sup>16</sup> Pro-gun groups argue that training will help solve much of the present firearm violence. Despite the fact that a majority of gun owners have received some sort of training, America continues to lead the industrialized world in firearm related violence.<sup>17</sup>

### **How are guns commonly stored?**

A notable amount of guns, particularly handguns, are not properly or safely stored. Of all gun owners 20% store their gun's unlocked and loaded. Of all handguns, 57% are kept unlocked, while 55% are kept loaded. Handguns are kept unlocked and loaded by 30% of their owners.<sup>18</sup> These common patterns of storage pose a huge danger to all those living nearby. America still has no federal regulations regarding firearm storage.

### **How often are guns stolen?**

Estimates of total firearm thefts range from 350,000 to 590,000 thefts a year.<sup>19</sup> Guns used in crime are often stolen. One survey found that of incarcerated felons who

had most recently used handgun in crime, acquired the gun through theft 32% of the time.<sup>20</sup> This points to the fact that guns in legal circulation often end up in the hands of criminals, thus increasing the threat society faces from the large amount of guns in circulation.

**What are some other trends involved in gun ownership?** Of current gun owners 80% had parents who owned a gun. This rate is three times higher than that of the general population. Those who own a gun have a relatively higher rate of arrests, 37.4% more for non-traffic offenses than the general population.<sup>21</sup>

**What are the common reasons that people choose not to own a gun?**

Many of those who do not own a gun have strong feelings against them. Twenty-one percent of those who do not own a gun choose not to because they believe "guns are dangerous." Another 21% of those who do not own guns are worried about the safety of their children. Seventeen percent of those who do not own a gun choose not to because of their general opposition towards guns.<sup>22</sup> These feelings of insecurity about guns in the home are backed up by an impressive amount of scientific research.<sup>23</sup>

Even though gun ownership is still pervasive, there has been a decline in that rate in recent years. This is a hopeful indication for those seeking to combat the destruction brought by guns in the United States.

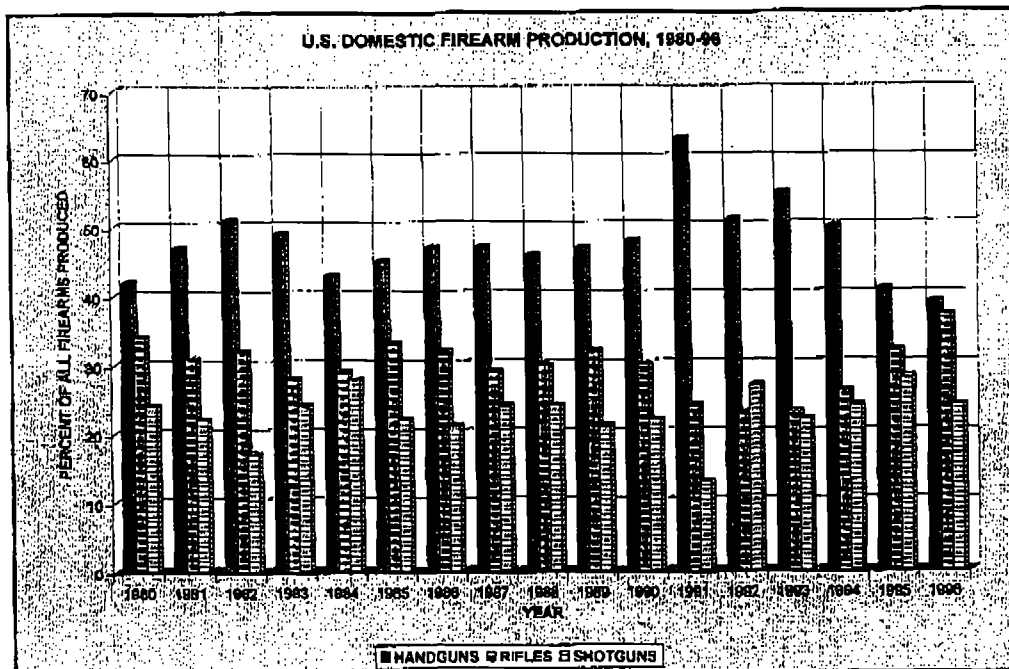
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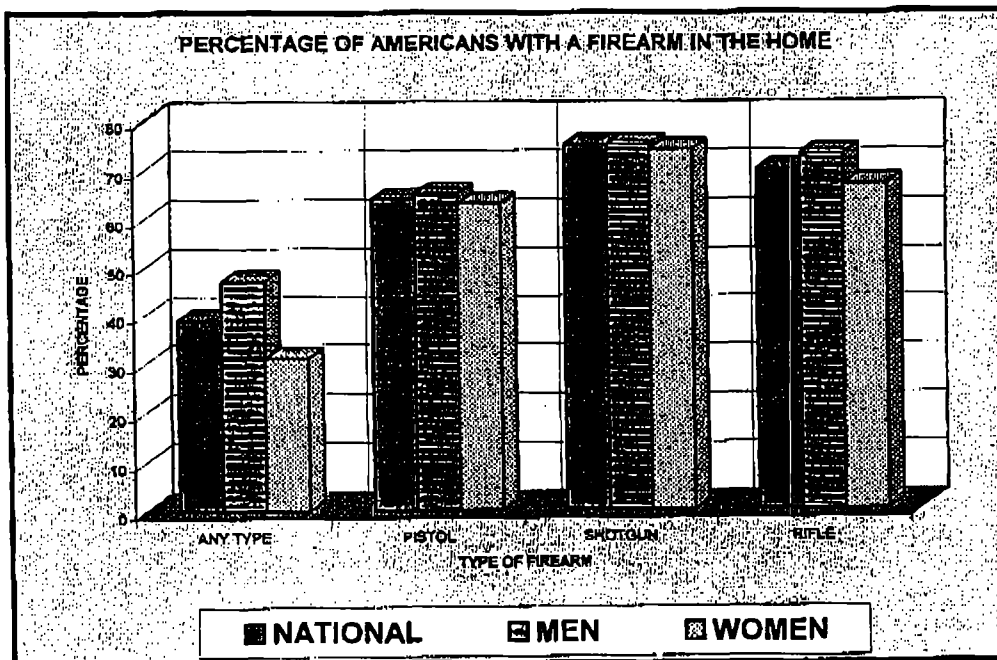
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Bureau of Alcohol Tobacco and Firearms, Department of the Treasury.



Sourcebook of Criminal Justice Statistics. Data from Louis Harris and Associates. 1999

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### NEW RESEARCH

#### CRIME

*Journal of the American Medical Association:* 1998 Dec 23-30;280(24):2083-7

**Prior misdemeanor convictions as a risk factor for later violent and firearm-related criminal activity among authorized purchasers of handguns.**

Wintemute GJ, Drake CM, Beaumont JJ, Wright MA, Parham CA

Violence Prevention Research Program, University of California, Davis, USA. gjwintemute@ucdavis.edu

Under current federal law, many persons with prior convictions for misdemeanor offenses pass criminal records background checks and legally purchase handguns. The studies objective was to determine whether authorized handgun purchasers with prior misdemeanor convictions are more likely than those with no criminal history to be charged with new crimes, particularly offenses involving firearms and violence.

A retrospective cohort study was conducted on a total of 5923 authorized purchasers of handguns in California in 1977 who were younger than 50 years, identified by random sample. The chief outcome measures sought were incidence and relative risk (RR) of first charges for new criminal offenses after handgun purchase.

The results revealed that of the 5923 authorized purchasers, 3128 had at least 1 conviction for a misdemeanor offense prior to handgun purchase, and 2795 had no prior criminal history. Follow-up to the end of the 15-year observation period or to death was available for 77.8% of study subjects and for a median 8.9 years for another 9.6%. Handgun purchasers with at least 1 prior misdemeanor conviction were more than 7 times as likely as those with no prior criminal history to be charged with a new offense after handgun purchase. Among men, those with 2 or more prior convictions for a misdemeanor were at greatest risk of a nonviolent firearm-related offenses such as weapon carrying, violent offenses in general, and offenses listed on the Violent Crime Index. However, even handgun purchasers with only 1 prior misdemeanor conviction and no convictions for offenses involving firearms or violence were nearly 5 times as likely as those with no prior criminal history to be charged with new offenses involving firearms or violence. The study concluded that handgun purchasers with prior misdemeanor convictions are at increased risk for future criminal activity, including violent and firearm-related crimes.

*American Journal of Preventive Medicine:* 1998 Feb;14(2):122-9

**Weapon-carrying, physical fighting, and fight-related injury among U.S. adolescents.**

Lowry R, Powell KE, Kann L, Collins JL, Kolbe LJ

Access to firearms and other weapons has been cited as an important factor contributing to the rise in violence-related injury among adolescents in the United States. This study analyzed data from the Youth Risk Behavior Survey supplement to the 1992 National Health Interview Survey to examine relationships among weapon-carrying, physical fighting, and fight-related injury among U.S. adolescents aged 12-21 years (N = 10,269). Adjusted odds ratios (OR) were used to describe the association of weapon-carrying during the past 30 days with physical fighting and fight-related injury during the past 12 months.

Results indicated that weapon carrying (15%) and physical fighting (39%) were common among adolescents. A little over three percent of adolescents reported receiving medical care for fight-related injuries. Controlling for demographic characteristics, youth who carried weapons were more likely than those who did not to have been in a physical fight. The association between weapon-carrying and physical fighting was stronger among females than among males, but it did not vary significantly by age, race/ethnicity, or place of residence (urban, suburban, rural). Controlling for frequency of physical fighting and demographics, adolescents who carried a handgun or other weapon were more likely than those who did not carry a weapon to have had medical care for fight-related injuries. The study concludes that among adolescents, weapon carrying is associated with increased involvement in physical fighting and a greater likelihood of injury among those who do fight. Efforts to reduce fight-related injuries among youth should stress avoidance of weapon carrying.

#### INTERNATIONAL

*South African Medical Journal:* 1999 Apr;89(4):407-10

**Firearm-related injuries and deaths among children and adolescents in Cape Town--1992-1996.**

Wigton A

The study sought to determine the epidemiological profile of firearm-related injuries among children and adolescents in Cape Town during recent years to further understand the epidemic of firearm violence as a public health problem in South Africa.

A retrospective investigation was conducted of hospital, medico-legal laboratory (mortuary) and police data. It involved all children and adolescents (under 19 years of age) with firearm injuries living in the Cape Town metropolitan during the study period.

During the study, at least 1,736 children and adolescents were victims of firearm-related incidents; of these, 322 died (19%). The incidence of firearm injuries among this group almost tripled from 20.2/100,000 in 1992 to 58.1/100,000 in 1996. The firearm mortality rate also almost tripled during the period under review from 3.8/100,000 in 1992 to 10.3/100,000 in 1996. Approximately 60% of victims were males of color, with 86% between 13 and 18 years of age. Other characteristics of the victims and the circumstances surrounding the incidents are presented in detail.

These findings demonstrate the escalating epidemic of firearm-related injuries is not unique to the United States. The study makes a strong case of a need for an integrated injury and death reporting system. Further research is needed to understand firearm-related injuries among children and adolescents in South Africa, and to develop policies and programs for prevention that are effective in this setting.

*Journal of Emergency Medicine*: 1999 May-Jun;17(3):529-37

**A call to arms: the emergency physician, international perspectives on firearm injury prevention and the Canadian gun control debate.**

**Fisher H, Drummond A.**

There are more than seven million firearms in Canada and approximately 1400 firearm-related deaths per year. These figures are far greater than those for most European countries, yet far less than those for the United States. This article discusses the different classes of firearm deaths and the associated costs. Public health issues are explored, especially as they relate to the involvement of the Canadian Association of Emergency Physicians, along with injury control recommendations.

*Psychology Reporter*: 1999 Feb;84(1):157-66

**Suicide among German federal and state police officers.**

**Schmidtke A, Fricke S, Lester D**

Most American studies report higher police officer suicide rates in comparison to age-matched populations. In the Federal Republic of Germany police organizations are comprised of Federal Customs, 16 state police, and 2 federal police organizations. A survey carried out in 1997 yielded higher suicide rates for police officers also in Germany in comparison to rates of the comparable age group (25 per 100,000 vs 20 per 100,000). The most commonly used suicide method was firearms (66-71%). Hypotheses often attribute this high rate among police officers to higher work stress than in other professions. Other hypotheses implicate individual variables such as psychiatric illnesses, alcoholism, and interpersonal and marital problems. A transactional model might explain these different views.

*American Journal of Forensic Medical Pathology*: 1997 Dec;18(4):391-6

**Firearm fatalities in Eastern Saudi Arabia: impact of culture and legislation.**

**Elfawal MA, Awad OA**

The paper examines all firearm fatalities in the Eastern Province of Saudi Arabia during a 10-year period from 1985 to 1994. The overall number of cases were 71 (0.35 per 100,000 population), of which 48% were homicides, 28% were suicides, and 24% were accidental. Most victims were young male Saudis; most were shot in the chest (41%) or the head (34%). Handguns were responsible for all suicides, 56% of homicides, and 71% of accidental deaths. The study reveals some correlation between homicide and suicide groups with regard to the age of victim, type of weapon used, and site of entrance wound. These findings are comparable to reports from other Middle East countries, but different from those in communities with different cultural and legislative backgrounds. The findings may support the argument that stricter firearm legislation is helpful in limiting the number of firearm fatalities in the community.

## **PUBLIC HEALTH**

*The American Journal of Surgery*: 1999; 177:371-374.

**Urban Trauma Care if Threatened by Inadequate Reimbursement**

**Fath JJ, Ammon AA, Cohen MC**

Hospitals struggle to support trauma care. Recent installation of cost accounting systems now provides information on actual costs for different categories of patients. This paper examines the cost of trauma care in an urban teaching hospital. All patients who entered into the hospital trauma registry for the period July 1, 1996 through June 30, 1997 were abstracted from the registry. Complete data were available for 667 patients and the remaining 96 were uninsured patients missing cost data.

The calculated cost of care for 667 patients was \$10,342,130: total expected revenue was \$10,396,456; estimated net revenue for insured patients was \$54,326. The estimated cost of care for the 96 uncompensated patients was \$1,619,969. The sample population included 168 nonfatal firearm injuries. These patients averaged a net deficit to the hospital of \$8,664 per patient, illustrating the enormous cost firearm violence has placed on urban trauma centers.

*Injury Prevention*: 1999 Jun;5(2):136-41

**Comparing pediatric intentional injury surveillance data with data from publicly available sources: consequences for a public health response to violence.**

**Stone DA, Kharasch SJ, Perron C, Wilson K, Jacklin B, Sege RD**

A hospital based intentional injury surveillance system for youth (aged 3-18) was compared with other publicly available sources of information on youth violence. The comparison addressed whether locally conducted surveillance provides data that are sufficiently more complete, detailed, and timely that clinicians and public health practitioners interested in youth violence prevention would find surveillance worth conducting.

The Boston Emergency Department Surveillance (BEDS) project was conducted at Boston Medical Center and the Children's Hospital, Boston. MEDLINE and other databases were searched for data sources that report separate data for youth and data on intentional injury. Sources that met these criteria (one national and three local) were then compared with BEDS data. Comparisons were made in the following categories: age, gender, victim-offender relationship, injury circumstance, geographic location, weapon rates, and violent injury rates.

Of 14 sources dealing with violence, only four met inclusion criteria. Each source provided useful breakdowns for age and gender; however, only the BEDS data were able to demonstrate that 32.6% of intentional injuries occurred among youth aged 12 and under. Comparison data sources provided less detail regarding the victim-offender relationship, injury circumstance, and weapon use. Comparison of violent injury rates showed the difficulties for practitioners estimating intentional injury from sources based on arrest data, crime victim data, or weapon related injury. It further suggests that surveillance is more complete, detailed, and timely than available publicly sources of data. Clinicians and public health practitioners should consider developing similar systems.

*Archives of Pediatric Adolescent Medicine*: 1998 Aug;152(8):749-56

**The smoking gun: do clinicians follow guidelines on firearm safety counseling?**

**Barkin S, Duan N, Fink A, Brook RH, Gelberg L**

The study's objective was to describe clinicians' behavior regarding firearm safety counseling practices, develop a model to predict current counseling behavior, and identify resources that might positively influence willingness to counsel according to medical guidelines.

Four hundred sixty-five primary care Los Angeles County, California, pediatricians, family physicians, and pediatric nurse practitioners who serve families with children aged 5 years and younger received mailed questionnaires of which 325 (70%) responded. Of the respondents, 80% stated that they should counsel on firearm safety yet only 38% do so. Of those clinicians who currently counsel, only 20% counsel more than 10% of their patient families. Firearm safety counseling behavior is positively associated with a clinician being 49 years or younger and household handgun. Clinician households that report gun ownership counsel differently than those clinicians that reported not possessing a household gun. There are no significant differences in the rates of counseling across specialties and crime area types. Forty-one percent of clinicians report that patient education handouts would increase their likelihood of counseling.

The findings revealed that in Los Angeles County gaps exist between clinicians' views of the benefits of counseling families with young children regarding firearm safety and their actual behavior. Guidelines and handouts are available from major medical organizations. The study suggests that research should focus on how to get practitioners to use available materials, enabling them to better adhere to guidelines.

*Injury Prevention*: 1999 Mar;5(1):48-52

**Pediatric practice based evaluation of the Steps to Prevent Firearm Injury program.**

**Oatis PJ, Fenn Buderer NM, Cummings P, Fleitz R**

The study's objectives were to estimate the prevalence of gun ownership and methods of gun storage in homes of pediatric patients before and after an educational intervention. The setting was a hospital based, inner city, pediatric primary care practice. The model consisted of a consecutive sample of parents of patients with appointments from August to November 1994.

Before the intervention, participants completed an anonymous questionnaire regarding ownership and storage of guns in their home. The intervention followed the Steps to Prevent Firearm Injury program of the American Academy of Pediatrics. It began after the parent completed the questionnaire and was reinforced at subsequent visits until July 1995. Families completing a baseline questionnaire and after returning to the office during the period July to October 1995 were resurveyed.

A gun(s) in the home was reported by 8.7% of respondents. Matched baseline and follow up questionnaires were available for 23.6% of families. In these, gun ownership reportedly decreased after intervention from 9.4% to 7.0%, handgun ownership fell from 5.4% to 3.0%, and long gun ownership fell from 6.1% to 5.5%. Storing guns outside of a locked container did not change from the baseline prevalence of 2.7%, but keeping any gun loaded fell from 1.6% to 0.5%. Unfortunately, this study was unable to demonstrate a statistically significant decline in gun ownership or improvement in gun storage after a practice based intervention designed to encourage these behaviors.



## YOUTH

*Archives of Pediatric Adolescent Medicine*: 1999 Jun;153(6):586-90  
**Firearm storage practices and children in the home, United States, 1994.**  
 Stennies G, Ikeda R, Leadbetter S, Houston B, Sacks J

The study's objectives were to estimate the national prevalence of firearm ownership and storage practices in the home, to compare storage practices in homes with and without children, and to analyze demographic characteristics related to firearm storage practices in homes with children. A 1994 random-digit dialing telephone survey was used to collect weighted data in providing a national estimates of ownership of working powder firearm(s) in home and/or vehicle and firearm storage practices in the home.

Of 5238 households surveyed, one third kept at least 1 firearm in the home and/or vehicle. Of 1598 households with firearm(s) in the home and known firearm storage practices, 21.5% kept at least 1 gun loaded and unlocked in the home, 30.0% stored all firearms unloaded and locked, and 48.5% stored firearms in a manners classified between these 2 practices. Households with children were more likely than households without children to store all firearms unloaded and locked (41.5% vs 20.9%); households without children were more likely than households with children to store at least 1 firearm loaded and unlocked (29.8% vs 11.1%). Among households with children and firearms, there were regional differences with respect to storage practices.

The study concludes these prevalence data show that children are potentially exposed to firearms in many households. This health threat illustrates the need for education about the issue of pediatric firearm injuries and for interventions to minimize associated risks. Health care providers should take advantage of opportunities to counsel patients regarding firearm safety in the home.

*Archives of Pediatric Adolescent Medicine*: 1999 Aug;153(8):875-8  
**Self-inflicted and unintentional firearm injuries among children and adolescents: the source of the firearm.**  
 Grossman DC, Reay DT, Baker SA

The source and ownership of guns used by children to shoot themselves or others is largely unknown. As such, this study attempts to determine the ownership and usual storage location of firearms used in unintentional and self-inflicted intentional firearm deaths and injuries. A retrospective case series was used to attain this information in King County, Washington. The sample was made up of youths aged from birth to 19 years who sought medical treatment at a level I trauma center for a self-inflicted or unintentional firearm injury between 1990 and 1995, or who presented to the county medical examiner with a fatal self-inflicted or unintentional firearm injury between 1990 and 1995.

Fifty-six fatal injuries and 68 nonfatal firearm injuries that met the criteria were identified. Of these, 59 were intentionally self-inflicted deaths and injuries and 65 were unintentional deaths and injuries. A firearm owned by a household member, living with the victim was used in 33 (65%) of 51 suicides and suicide attempts and 11 (23%) of 47 unintentional injuries and deaths. Additionally, a firearm owned by another relative, friend, or parent of a friend of the victim was used in 4 (8%) of the 51 suicides and suicide attempts and 23 (49%) of the 47 unintentional injuries and deaths. Parental ownership accounted for 29 (57%) of the 51 suicides and suicide attempts and 9 (19%) of the 47 unintentional injuries and deaths. More than 75% of the guns used in suicide attempts and unintentional injuries were stored in the residence of the victim, a relative, or a friend. The study's conclusions were that most guns involved in self-inflicted and unintentional firearm injuries originate either from the victim's home or the home of a friend or relative.

*Journal of Adolescent Health*: 1999 May;24(5):340-8  
**Students who carry weapons to high school: comparison with other weapon-carriers.**  
 Simon TR, Crosby AE, Dahlberg LL

The objective of the study was to determine if those who have recently carried a weapon on school grounds differ from those who carry weapons elsewhere. A hypothesis was made that involvement in other problem behaviors and exposure to school crime and violence would be associated with risk for weapon carrying on school grounds. The data in the study were from the 1995 Youth Risk Behavior Survey of 10,904 high school students. Logistic regression analysis was used to examine risk for weapon carrying on school grounds.

Among the students who carried a weapon, 48% carried a weapon on school grounds. Female gender, lower parental education levels, substance use on school grounds, involvement in physical fights, exposure to school crime and violence, frequency of weapon-carrying, and gun carrying distinguished students who carried weapons on school grounds from those who carried weapons off school grounds.

The results suggest that weapon-carrying on school grounds is associated with individual and school-related characteristics. Efforts to reduce weapon-carrying on school grounds might focus on reduction of students' actual and perceived vulnerability to victimization, as well as by helping students understand that other problem behaviors increase their risk for violence.