


Karin Kullman

07/31/2000 02:22:09 PM

Record Type: Record

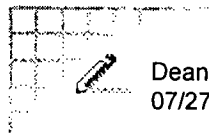
To: See the distribution list at the bottom of this message
cc: See the distribution list at the bottom of this message
Subject: JAMA Brady Report News Release.

See the release below that was put out on Friday embargoed for this Wednesday that is critical of the Brady Law's effectiveness in preventing gun homicides. [NOTE: Not all bad news in the article - the writers actually defend the law and believe the ineffectiveness is due to loopholes in the law -- but we can expect that it might be used against the law in general.]

You should note that Handgun Control, Inc. released a report on Friday which they believe indicates that over 9,000 lives have as a result of the Brady Law. HCI has also been critical of the research methods used in the JAMA article report. We have not endorsed either report, but wanted you to be aware of both of them.

DPC will provide Q&A to the press office for Wednesday on this issue.

----- Forwarded by Karin Kullman/OPD/EOP on 07/31/2000 01:14 PM -----



Deanne E. Benos
07/27/2000 07:13:41 PM

Record Type: Record

To: Bruce N. Reed/OPD/EOP@EOP, Barbara Chow/OMB/EOP@EOP, Leanne A. Shimabukuro/OPD/EOP@EOP
cc: Jennifer E. McGee/OPD/EOP@EOP, Sarah C. Lucas/OPD/EOP@EOP, Karin Kullman/OPD/EOP@EOP, Anna Richter/OPD/EOP@EOP
Subject: JAMA Brady Report News Release.

This is the news release on the study by Phil Cook that will run in JAMA on Aug. 2nd that states that the Brady Law has not reduced gun homicides.

Attached below is the press release Duke University put out regarding the JAMA paper.

Hold for release:
4 p.m. EDT, Tuesday, Aug. 1, 2000

Contact: Keith Lawrence
(919) 681-8059
keith.lawrence@duke.edu

Note to editors: Philip Cook can be reached for additional comment at (919) 613-7360; Jens Ludwig can be reached at (202) 687-4997.

NO EVIDENCE THAT BRADY ACT CURBS HOMICIDE RATE; LOOPHOLES TO BLAME, RESEARCHERS SAY

DURHAM, N.C. - There is no evidence that the Brady Handgun Violence Protection Act, designed to curb violence by requiring background checks and waiting periods for all people buying guns from licensed dealers, has lowered homicide rates in the United States, say two researchers who have analyzed the 1994 law's impact. But it may have saved lives by reducing suicide rates.

The reason that the Brady Act didn't have a more substantial effect on gun homicides, say public policy professors Jens Ludwig of Georgetown University and Philip Cook of Duke University, may be unregulated secondary-market gun sales -- such as those at gun shows -- which provide "an enormous loophole" that works to limit the law's effectiveness against violent crime.

In the Aug. 2 issue of The Journal of the American Medical Association (JAMA), Ludwig and Cook describe how they used homicide and suicide data from 1985 to 1997 to evaluate the Brady Act's performance. Eighteen states already had background-check and waiting-period requirements when the Brady Act went into effect in February 1994 and were viewed as a "control" group; the other 32 states had to implement new, more stringent procedures and were treated as an "experimental" group. The researchers focused solely on homicides and suicides involving people age 21 and older because people younger than that were already effectively prevented from buying handguns from licensed dealers.

"What we found, particularly in the case of homicide rates, was there appeared to be very little difference in those two groups of states," Cook, ITT/Sanford professor of public policy studies at Duke, said in an interview. "The states directly affected by the Brady law had about the same pattern in homicide rates and gun homicide rates as we found in the states that did not have to change the regulations or procedures for transferring handguns during that period."

Suicide rates for people 55 and older did drop significantly in states that had instituted both waiting periods and background checks when compared to the control group of states. Cook said he thinks the five-day waiting period required by the Brady Act prompted some people to seek professional counseling during that interval or the delay just helped them "get past the gloomiest period of their depression."

"It does seem that it's potentially important that there be a waiting period for some people who are considering suicide. It's a chance, in effect, to count to 10 and reconsider."

Ludwig noted in an interview that the five-day waiting period was phased out of the Brady Act in late 1998. "So if our findings are right - that increases in waiting periods were an important part of Brady effect on gun suicides - then the sun-setting of the waiting period may contribute to an increase in the suicide rate," said Ludwig, an assistant professor of public policy at Georgetown. The latest national suicide and homicide figures are from 1997, so it is not yet possible to assess the effects of removing the waiting period.

In an earlier study, Cook and Ludwig found that 30 to 40 percent of all gun sales in the United States each year do not involve a licensed gun dealer. These guns may have been purchased from friends or relatives, at gun shows or from illegal gun traffickers.

"These secondary market gun sales are almost completely exempt from the current regulatory system," Ludwig noted. "Not surprisingly, this secondary market in guns is the main source of guns used in crime. The fact that there's a very large and active secondary market in guns very much undermines the effects of the Brady Act."

Added Cook, "Our conclusion is not that the Brady law was a bad idea, but rather that it represented a fairly small step in the effort to gain control over gun markets. If we're going to make real strides in this area, we must close that gaping barn door of secondary market sales that were unregulated by the Brady law."

Until now, Cook noted, the success of the Brady Act was measured by counting the number of people who, after background checks, were prevented from buying guns from licensed dealers. "For example, in 1996 there were 44,000 people who were turned away due to having a prior felony conviction or some other reasons. That creates the impression that the Brady law is highly effective in discouraging felons from obtaining guns and presumably using them in crime."

"What we're doing is taking the argument one step further, that stopping the felon from obtaining a gun from a licensed dealer is one step along the way but it doesn't necessarily lead to the prevention of a serious crime. Other sources are all too readily available."

"Another interpretation of our article would be that regulating gun dealers in the absence of any regulation of the secondary gun market is very, very difficult, which highlights the importance of extending Brady-type regulations to also cover the kinds of private sales that are currently almost completely unregulated," Ludwig said.

The research for the study was supported by a grant from the Joyce Foundation in Chicago.

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**JAMA Brady Report
Question & Answer
July 30, 2000**

Q: The report by Cook & Ludwig recently published in the Journal of the American Medical Association (JAMA) indicates that there is no evidence that implementation of the Brady Act was associated with a reduction in homicide rates. Doesn't that suggest that the Brady Law is ineffective?

A: Absolutely not. Both the Cook/Ludwig paper and the report by the Center to Prevent Handgun Violence released last week show that violent crime with firearms dropped nationally immediately after the Brady Law was passed. We believe that the Brady Act contributed to that decline as a key component of this Administration's comprehensive strategy to reduce crime and violence in our nation – a strategy that includes passing stronger gun laws, tough enforcement of existing gun laws, putting more police on the street and a historic investment in community crime prevention. Since passage of the Brady Law, handgun crimes have declined 52 percent while total crime has only fallen by 26 percent – nearly twice the rate. In addition, the 536,000 felons, fugitives and stalkers prevented from acquiring guns as a result of background checks attest to that success.

As the JAMA article argues, however, the full effectiveness of the Brady Law is undermined by the unregulated secondary market – such as gun shows and other places where background checks aren't conducted. That is why the President has been fighting for legislation to close the gun show loophole. In addition, the President has called for a state-based licensing system to require every handgun purchaser to obtain a license showing that they have passed a background check.

Q: How would you explain the findings of the Cook/Ludwig report that say the Brady made no difference in gun homicides?

A: The findings of the Cook/Ludwig report are largely based on one conclusion: After implementation of the Brady Law, homicide did not decline faster in the 32 states that did background checks for the first time under the Brady Law compared to states that already had a system of background checks for gun purchases. An important clarification made by the authors, however, is that they did not research the possibility that the Brady Law may have had an impact in the homicide rates in both sets of states by reducing illegal gun trafficking. As a recent ATF report showed that 44 percent of illegal gun trafficking investigations involve guns trafficked interstate, the significance of interstate sales should not be overlooked when assessing gun crime patterns. For example, prior to the Brady Law, criminals easily purchased firearms in states that didn't require background checks and then illegally trafficked them into states that required background checks. Thus, the Brady Law has very likely helped cut down on the flow of crime guns *between* states, thereby affecting the homicide rate in all states. In addition, the report suggests that the impact of the Brady Law could be much greater if Congress closed loopholes in the law

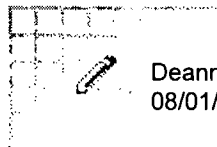
that allow criminals and other prohibited persons to buy guns at gun shows and other unregulated markets without background checks.

Q: Is the Cook/Ludwig study irreconcilable with the report recently published by Handgun Control, Inc.?

A: No. Taken together, both reports show a decrease in gun violence (including gun suicides) since Brady was enacted, and illustrate the need to extend the protections of the Brady Law to other forums for gun transactions, like gun shows.

Report descriptions:

The Cook/Ludwig report in JAMA concludes that there was little difference in the decline in the homicide rate in states that had background checks before the Brady Law as compared to states that had background checks for the first time after Brady. The report released last week by the Center to Prevent Handgun Violence indicates that the national percentage of firearm robberies, assaults and related deaths in all states has decreased since the implementation of the Brady Law -- estimating that 9,368 lives [from 1994-1998] have been saved because guns were less available to criminals.



Deanne E. Benos
08/01/2000 12:44:13 PM

Record Type: Record

To: Bruce N. Reed/OPD/EOP@EOP, Barbara Chow/OMB/EOP@EOP, Karin Kullman/OPD/EOP@EOP
cc: See the distribution list at the bottom of this message
Subject: Reminder -- Embargo lifts at 4 p.m. today on JAMA Brady Report.

This is a reminder that the embargo lifts at 4 p.m. today on the JAMA Brady Report.

Attached below is the press release Duke University put out regarding the JAMA paper.

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4 p.m. EDT, Tuesday, Aug. 1, 2000

Contact: Keith Lawrence
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keith.lawrence@duke.edu

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counseling during that interval or the delay just helped them "get past the gloomiest period of their depression.

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In an earlier study, Cook and Ludwig found that 30 to 40 percent of all gun sales in the United States each year do not involve a licensed gun dealer. These guns may have been purchased from friends or relatives, at gun shows or from illegal gun traffickers.

"These secondary market gun sales are almost completely exempt from the current regulatory system," Ludwig noted. "Not surprisingly, this secondary market in guns is the main source of guns used in crime. The fact that there's a very large and active secondary market in guns very much undermines the effects of the Brady Act."

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FOR IMMEDIATE RELEASE
July 27, 2000

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**CRIME MINUS GUNS = LIVES SAVED:
NEW STUDY SHOWS LINK BETWEEN
BRADY LAW AND CRIME DEATH DROP**

(Washington, D.C.) A new analysis of FBI crime statistics for the first five years of the Brady Law presents compelling evidence that the lives of more than 9,000 people were saved because guns were less available to criminals. The report, *Saving Lives by Taking Guns out of Crime*, was released today by the Center to Prevent Handgun Violence.

In 1997, two eminent criminologists, Frank Zimring and Gordon Hawkins, identified the "use of firearms in assault and robbery as the single environmental feature of American society that is most clearly linked to the extraordinary death rate from interpersonal violence in the United States." *Saving Lives* documents the decline in violent crime committed with guns between 1994 and 1998, as well as the precipitous increase in violent gun crime that preceded the Brady Law's passage, from 1990 to 1993. Since assaults and robberies committed with guns result in a higher death rate, the pre-Brady years saw a larger number of murdered crime victims than could be accounted for by the crime rate. In the post-Brady years, the trend reversed itself; from 1994 through 1998 an estimated 9,368 fewer people died than "expected" as a result of the significant decline in the proportion of violent crimes committed with guns.

"If 500,000 felons and other prohibited purchasers -- many of whom may be gun traffickers -- can't get guns the easy way at a gun store, it's common sense to assume that fewer crimes with guns are being committed and lives are being saved," said Sarah Brady, Chair of the Center and wife of James Brady, for whom the Brady Law is named. "This study demonstrates statistically what common sense tells us: tough gun laws save lives."

Saving Lives builds on previous research that illustrated the value of the Brady Law. A September 1997 Center study, *Traffic Stop*, showed that the Brady Law's background check and waiting period requirements disrupted interstate gun trafficking -- precisely the type of impact needed to reduce the supply of guns available in the illegal market and the use of guns in crime. Specifically, *Traffic Stop* showed that states that began conducting background checks on handgun purchasers when the Brady Act was implemented in 1994 were as much as 86% less likely to be sources of guns used in crimes in other states than they were prior to when the checks were performed.

- more -

In Ohio, for example, the study examined ATF data for guns traced back to that state from Illinois, Michigan, New York and Pennsylvania -- states that accounted for more than 52% of crime guns recovered and traced back to Ohio between 1989 and 1997. Controlling for when the guns were purchased -- pre- or post-Brady -- Ohio's share of out-of-state guns recovered in Michigan fell by 66%, in Illinois by 87.5%, in New York by 78.5%, and in Pennsylvania by 36%. Gun dealers in Kentucky sold a significantly smaller share of post-Brady crime guns recovered in Illinois, New York and Pennsylvania (falling by 63%, 32% and 34% respectively) compared to recovered guns acquired before Brady took effect. Guns recovered in Michigan originally obtained in Mississippi -- another "Brady state"-- fell by 63%. These consistent results demonstrate that the Brady Law has an effect in preventing criminals from finding the easiest state in which to "lie and buy" their way into gun purchases, so as to bring those guns into states with tougher gun laws to commit crimes.

"By preventing gun sales to felons and other prohibited purchasers and by disrupting the movement of illegal guns across state lines, the Brady Law reduces criminal gun use," said Dr. Douglas Weil, Director of Research for the Center. "This report quantifies in human lives how important it is to take guns out of crime and provides compelling evidence of the life-saving impact of the Brady Law."

The Brady Law was implemented in February 1994. Prior to its passage, 32 states had no system of background checks for gun purchasers; a felon could walk into a gun store, sign a form stating that he or she has never been convicted of a felony, and buy a gun. Felons were confident that their criminal records would not be discovered because the form would simply get filed away. The Brady Law closed this "lie and buy" loophole -- creating a system by which all retail gun sales today are conditioned on a background check of the prospective buyers. Initially, Brady created a five-day waiting period for handgun purchases in combination with the background check requirement.

The National Rifle Association led the opposition to the Brady Bill and continues to dismiss the effectiveness of the Brady Law today. "The background check and waiting period were deemed too 'inconvenient' for gun owners," noted Dr. Weil. "This 'inconvenience' has saved thousands of lives and would have saved thousands more had the National Rifle Association not fought passage of the Brady Bill for seven years."

Visit our website to view the Executive Summary and full text of *Saving Lives by Taking Guns Out of Crime: The Drop in Gun-Related Crime Deaths Since Enactment of the Brady Law*.

The report is available in Adobe Acrobat at <http://www.handguncontrol.com/research/studies/savinglives.asp>.

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The Center to Prevent Handgun Violence, chaired by Sarah Brady, was founded in 1983 to reduce gun violence through education, legal advocacy, research, and outreach to the entertainment community. Based in Washington, DC, CPHV's national initiatives include prevention programs for parents and youth on the risks associated with guns, legal representation for gun violence victims, work with the entertainment community to encourage deglamorization of guns in the media, and research of the risks associated with guns and the efficacy of gun control laws. More information about CPHV and its affiliated organization, Handgun Control, can be found on our website at www.cphv.org.