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Congress Should Be Ashamed: The Concealed Carry Criminal Act of 2017

A message from the Presidents of Americans Against Gun Violence
December 8, 2017

Following the mass killing of 20 first grade children and six adult staff in Sandy Hook Elementary School in Newtown, Connecticut in December of 2012, former U.S. Congresswoman Gabrielle Giffords, who was critically wounded herself by a gunshot to the head in a mass shooting in January of 2011, issued the following statement:

In response to a horrific series of shootings that has sown terror in our communities, victimized tens of thousands of Americans, and left one of its own bleeding and near death in a Tucson parking lot, Congress has done something quite extraordinary — nothing at all.¹

On Wednesday, December 6, in passing H.R. 38, the Concealed Carry Reciprocity (CCR) Act of 2017 by a vote of 231-198, the U.S. House of Representatives once again proved that Congresswoman Giffords' assessment was too kind. Instead of taking action to stop gun violence, the House of Representatives pandered to the gun lobby and took action that will make the problem worse.

You can [click on this link](#) to find how your U.S. Representative voted on H.R. 38. If your member of Congress voted against the bill, [please call](#) and thank him or her for having the common sense and political courage to do so. If, on the other hand, your Representative was one of the 231 members who voted "Aye," I'd suggest [calling to let your member of Congress know that he or she should be ashamed](#). Read on for more details.

The CCR Act provides that someone who can legally carry a concealed handgun in one state – even if no permit at all is required in that state – can legally carry the concealed gun in every other state in the Union, regardless of the gun laws in the other states.

A committee of the National Academy of Science conducted an extensive review of the effect of concealed carry laws and concluded that the available evidence does not support claims by the gun lobby that allowing private citizens to legally

carry concealed weapons reduces crime.² On the contrary, a subsequent, even more extensive study by researchers from Stanford and Johns Hopkins universities showed that the adoption of laws facilitating the concealed carrying of handguns in 32 states between 1979 and 2006 was followed by a statistically significant increase in rates of aggravated assault in those states, with gun assaults increasing by as much as 33%.³ There were also trends toward increases in rates of rape, robbery, and murder, although these trends did not reach the same level of statistical significance.

The Violence Policy Center has documented over a thousand firearm related killings committed by persons with concealed weapons (CCW) permits since May of 2007, including numerous mass shootings, murder suicides, and killings of police officers.⁴ Another study by the VPC showed that over a five year period, Texas CCW permit holders were arrested for 5,314 crimes, including murder, rape, robbery, child molestation, and kidnapping.⁵ Moreover, CCW permit holders were arrested for weapons related crimes at a rate that was 81% higher than the general population. Another study of CCW permit holders in Florida showed that over 1,400 individuals who had pleaded guilty or no contest to felony crimes had subsequently been granted CCW permits.⁶

There is no credible evidence to support the romantic notion that someone with a concealed handgun is likely to be able to stop a mass shooting in progress. In a study of 160 active shooter incidents between 2000 and 2013, the FBI found only one case in which an armed bystander other than an off duty police officer or a paid security guard stopped the shooter.⁷ In 21 cases, unarmed bystanders successfully disabled the shooter. In the aftermath of the mass shooting in which Congresswoman Giffords and 12 others were wounded and six people, including a nine year old girl and a district court judge were killed, a bystander with a concealed handgun nearly shot Ken Veeder, the unarmed man who took down the shooter, Jared Loughner.⁸ One of the authors of the FBI report on active shooter incidents, J. Pete Blair, has warned, "The last thing you want to do in an active shooter event is to pull your gun and go looking for the shooter."⁹ In addition to the risk of shooting an innocent person, he warned that someone who draws a concealed weapon increases the chances of being shot himself or herself by the perpetrator, by someone else in the crowd with a concealed handgun, or by police who respond to the incident.

There is also no credible evidence to support the argument that carrying a concealed weapon protects the individual gun owner. In fact, a study of assault victims in Philadelphia showed that someone who was carrying a gun at the time of an assault was more than four times more likely to be killed than someone who was not carrying a gun.¹⁰

Despite the extensive evidence that carrying concealed handguns confers much greater risk than benefit both to the person carrying the gun and to the general public, the NRA has been remarkably successful in bullying states into adopting liberal concealed carry laws. Currently, 12 states don't require any permit at all for

people to carry concealed handguns.¹¹ Of the other 38 states that do require permits for concealed weapons, 30 have “shall issue” policies that allow authorities little or no discretion in refusing to issue a permit if the person requesting the permit is not prohibited by state or federal criteria from owning a gun. The other eight states have “may issue” policies under which authorities may refuse a request for concealed weapon permit from a legal gun owner if the authority believes the person requesting the permit doesn’t have a good reason for carrying a concealed handgun or is otherwise at risk for misusing a firearm.

If there’s any good news about the CCR Act passed by the House of Representatives, it’s that it doesn’t become law until a similar bill is also passed in the Senate and signed by the President. I don’t suggest that you waste your time in contacting Donald Trump, who promised in a speech to NRA members at their annual convention earlier this year, “I will never ever let you down.”¹² I do suggest, though, that you [contact your U.S. Senators](#) and ask them to oppose S.446, the Senate version of the CCR Act.

Gun violence has been appropriately called America’s “shameful epidemic.”¹³ There is no mystery as to why the United States is the only high income democratic country in the world in which mass shootings occur on a regular basis or why the rate of gun related deaths in our country is 10 times higher than the average in other civilized nations.¹⁴ It’s because of our lax gun control laws and the resultant plethora of privately owned guns. And there’s no mystery regarding what we need to do to stop the shameful epidemic of gun violence that afflicts our country. We need to adopt stringent gun control laws comparable to the laws that have long been in place in every other high income democratic country of the world. Such laws include stringent restrictions, if not complete bans, on civilian ownership of handguns and all semi-automatic rifles. Stringent gun control laws do not require responsible target shooters and hunters to give up their sports using traditional sporting rifles. They do require, though, that many of the other guns currently in circulation must be surrendered and destroyed.

The 231 members of the House of Representatives who voted to make requirements for carrying a concealed handgun in every state as lax as the regulations in the weakest state should be ashamed. [If one of these members of Congress represents you](#), I suggest that you [call and tell them so](#).

But American society, as a whole, also bears the blame for the shameful epidemic of gun violence in our country. We know the cause of the epidemic. We know how to stop it. But as a country, we choose not to do so.

Thanks for doing your part to help stop the shameful epidemic of gun violence. If you haven’t already done so, please [become an official paid member of Americans Against Gun Violence, and please consider making an additional tax deductible year end donation, if you’re able](#). Please also go to the [Facts and FAQ’s page](#) of the Americans Against Gun Violence website to learn of other actions that you can take right now to help stop gun violence. Such actions include talking to family

members, friends, and colleagues about the obvious and urgent need to adopt stringent gun control laws in the United States comparable to the laws in other high income democratic countries. If people tell you, as they sometimes tell me, that it's never going to happen, I suggest that you reply that some day it will happen. The only question is how many more innocent people in our country will die of gunshot wounds before that day arrives. Thanks for your help in making that day come sooner rather than later.

Sincerely,

A handwritten signature in cursive script that reads "Bill".

Bill Durston, M.D.
President, Americans Against Gun Violence

Note: Dr. Durston is a retired emergency physician. He is also a former expert marksman in the United States Marine Corps and a combat veteran of the Vietnam War, decorated for "courage under fire."

References

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