

Protecting Colorado Youth from Gun Violence



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KEY MESSAGES

Suicide is a leading cause



of death among 10-24 year olds in Colorado

Firearm-related injuries are a

leading cause of US child and adolescent death, second only to motor vehicle accidents

Among high-income countries,



91% of firearm deaths of children

aged 0 to 14 years occur in the US

Youth firearm suicides, homicides, and injuries

are preventable by limiting access and requiring safe storage



This brief reviews the impact of gun violence on youth in Colorado and across the United States, assessing current gun safety policies to present evidence-based opportunities to strengthen gun safety legislation to protect Colorado youth from suicide, homicide, and accidental gun death:

- Child access prevention and safe storage laws
- Background and licensing laws
- Weapon design safety and restrictions
- Public health research on gun violence and policy efficacy

Background

It has been 20 years since the Columbine High School shooting that tragically took the lives of 12 teens and shocked the country as the worst mass murder event to happen in public school ever known. Since that time, over 55,000 children and teens have died in gun homicides, suicides and accidents across the US.¹ That is the equivalent of nearly 3,000 children and teens or 120 classrooms of 25 children each, dying every year for 20 years. In Colorado, suicide is a leading cause of death for youth aged 10-24, with more than half of these deaths resulting from gun suicides. The accidental and intentional use of guns has an enormous impact on our youth in Colorado and across the US.

Addressing this epidemic will require a multipronged approach. Colorado seeks to promote education, physical safety and behavioral health in the name of wellness and longevity so children can live to their highest potential. There is a crucial opportunity to do this through strengthening gun safety laws, while protecting the legal use of guns. Additional needs include bolstering mental health education, access and services to promote wellness, resiliency, support and recovery for children and adolescents.

Youth Access to Firearms

Youth are able to access firearms at startling rates. In families where guns are kept in the home, 75% of children aged 5-14 with gun-owning parents know where firearms are kept in the home and 22% have handled a gun in the home without their parents' knowledge.² There are 4.6 million US children residing in homes with at least one loaded, unlocked firearm.³

Research has shown that not only do children know where guns are kept in the home, but also that weapons obtained from the home are more often the choice for a suicide or homicide than a firearm obtained illegally. In 37 school shootings from 1974-2000, it was found that in more than 65% of cases, the attacker got the gun from his or her own home or that of a relative.⁴ More than half of youths who committed suicide with a gun obtained the gun from their home, usually a parent's gun.⁵ Firearms are the most lethal means of intentional self-harm, with a case fatality rate of approximately 90%.⁶ In comparison, suicide attempts by drug overdoses have a 2% fatality rate.



ECONOMIC IMPACT OF GUN VIOLENCE

\$229 billion

every year to the American economy

\$8.6 billion

in direct expenses including emergency and medical care

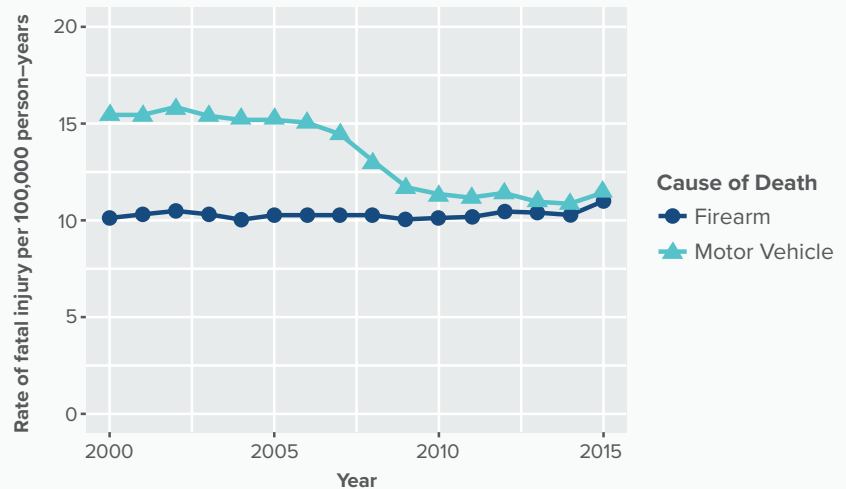
\$700+

per American each year = more than the total cost of obesity and almost as much as the price tag for the entire Medicaid program¹⁰

Gun Violence and Youth: National and International Context

Across the US, a child or teen is killed with a gun every 2 hours and 48 minutes.⁷ Firearm-related injuries are a leading cause of child and adolescent deaths, second only to motor vehicle crashes.⁸ In contrast to fire-arm related death, while still a leading cause of injury death, the annual motor vehicle death rate has declined by 90% from 1925 to 1997 in spite of a 10-fold increase in the number of miles traveled and an eleven-fold increase in the number of motor vehicles due to public health efforts to make roads and cars safer.⁹ Whether we measure the years of productive life lost, disability, fear, or economic costs, the costs of gun violence are extensive, reaching \$229 billion annually.¹⁰

Age-Adjusted Rate of Fatal Injury per 100,000 Person-Years in U.S. by Cause and Year, 2000-2015



Data Source: CDC WISQARS

The US has the highest number of firearms per capita in the world. The mortality rate from guns is notably higher in the US compared to other countries. Despite similar overall crime rates, the gun homicide rate is about 25 times higher in the US than other high-income Western democracies, and 49 times higher for those aged 15-24 years.¹¹ In fact, the US has 10 times the rate of gun homicides as in Japan, Germany, and the United Kingdom combined.¹¹ In 2016, the US had the highest gun suicide rate when compared to 189 other countries.¹²

A Shifting National Dialogue and Growing Youth Activism

On February 14, 2018, 17 were killed and 17 were injured in the mass school shooting at Marjory Stoneman Douglas High School in Parkland, Florida. While school shootings in the United States have become commonplace, this tragedy became a turning point in history. After the shooting, students of Marjory Stoneman Douglas High School spoke on national television and organized a rally in Washington on March 24, 2018, the "March for Our Lives," with hundreds of partner rallies across the country demanding action. During the summer of 2018, they toured the country, registering people to vote and advocating for more gun control policy.

Their movement has earned the attention of both state and federal legislators and has shifted the national dialogue. Since the Parkland shooting, states across the country, including 14 with Republican governors, enacted 50 new laws restricting access to guns, ranging from banning bump stocks to allowing authorities to temporarily disarm potentially violent people.¹³

Young Americans who have witnessed school shootings firsthand and those who live in an era where “code red” drills are commonplace are speaking up and demanding that government officials take action to protect children. “We are the generation that’s had to be trapped in closets, waiting for police to come or waiting for a shooter to walk in to our door,” Parkland survivor Alex Wind said.



NATIONAL STORIES OF YOUTH AFFECTED BY GUN VIOLENCE¹⁴

Alexander Dworet, shot at age 15.

His brother was killed in the shooting.

A bullet skimmed my head. There was blood, but it didn't feel like it could be real. There had been a bunch of rumors that there was going to be a test, where they were going to use paintballs. Some days, I'll be really sad. Usually, I'm all right. The friends that weren't there don't really ask about it. I'm glad they don't. Sometimes it gets me in a really bad mood when they do. I haven't gotten involved in too much of the activism. I don't like to draw attention to myself. But it definitely changed how I feel about gun control. I think there should be more.

Anthony Borges, shot at age 15.

Barricaded a door to a classroom to protect other students, saving as many as 20 lives. Was the last of the injured to leave the hospital.

I was in the hospital for like two months. I wasn't bored — the pain wouldn't let me get distracted. It was all over my body, not just where I'd been shot. Imagine that someone stabbed you with a knife and wouldn't take it out, would just push it in. The physical therapy is helping a lot. A lot of the exercises are like the things you do before a soccer game. Still, I can't feel my left foot. I've gotten skinnier, and when I stand up, I have trouble breathing. The goal is just to be able to move my entire body normally. I can't run, and I want to run. I'm doing homeschooling now. I'm not sure when I'll go back to school. I don't want to; I don't feel safe. I don't talk about it with anybody — I get really upset. I can't talk about it with my friends. I did what I had to do — that's why I don't like being called a hero. I want people to remember what happened as a miracle, from God.



LOCAL COLORADO AFTER SCHOOL PROGRAM

Peers Building Justice (PBJ), spoke with students regarding gun violence, and here is what they had to say about it:¹⁵

Maddy, 16: *As a general rule, no I don't feel particularly safe when going to school every day, knowing that guns are so easily accessible and schools are such easy and common targets. All of us, and especially those with power in schools, and particularly politics, have a duty to prevent future mass shootings.*

Enrique, 15: *If the government truly cares about public opinion, they will see the amount of support shown in our movement and will propose a solution. Also, all these movements will impact the consideration for new legislation because all these protests will get a lot of attention bringing in more support from others.*

Tatai, 17: *I really hope that the amount of students that will be marching will be enough to convince our government that they need to protect us and not their guns.*



MASSACHUSETTS CAP AND STORAGE LAWS

Massachusetts is the only state in the nation that requires that firearms be stored with a locking device in place in all cases when they are not in use.

Massachusetts law prohibits the storage or keeping of any firearm in any place unless the gun is secured in a locked container or equipped with a tamper-resistant mechanical lock or other safety device. Massachusetts law also penalizes a lawful owner or user who keeps or stores firearms in a place where a person under age 18 who does not possess a valid firearm identification card may gain access.

Evidence: Gun Safety Laws Improve Child Health

Promising data illustrate improved health outcomes related to gun safety laws. Generally, states without strict firearm laws have higher firearm-related injury rates, higher firearm-related mortality rate, and significant potential years of life lost compared to states with strict firearm laws.¹⁶ There have been multiple studies that illustrate this overall protective effect of stronger laws. Even counties that border states with strong gun laws observe a decrease in overall gun homicide rate, including when their laws were more lenient. This suggests that bolstering state laws can affect neighboring states.¹⁷

The following gun safety laws have all been found effective for reducing gun violence and factors associated with gun violence. None of these regulations prevent law-abiding citizens from owning guns.

Child Access Prevention (CAP)

These laws require gun owners to store their guns so that children and teens cannot access them unsupervised. CAP laws make it possible to hold adults liable if children gain access to firearms, regardless if children are living in the home where the gun is kept. There is a wide range of these laws, with stronger laws imposing liability for negligently stored firearms. Studies have found that states implementing these laws reduce accidental shootings of children by as much as 23% and suicides of adolescents by 8%.^{18,19,20} Specifically, keeping firearms locked and unloaded and storing ammunition in a locked location separate from the firearm has been shown to reduce youth suicide as well as accidental nonfatal injuries.^{21, 22}

Gun Safe Storage

Similar to CAP laws, these laws require gun owners to responsibly store their firearms and ammunition when not in use to prevent minors, thieves, and unauthorized users from gaining access. The main difference is these laws usually entail certain specific safety requirements. Gun locks make a difference. Research demonstrates that states with a law in place that requires handguns to be locked have as many as 40% fewer suicides per capita and 68% fewer firearm suicides per capita than states without storage safety laws.²³ This impact persists when controlling for the effects of poverty, population density, age, education, and race/ethnicity. In Massachusetts, where storage laws are a key component of gun safety, the overall suicide death rate is 35% below the national average.²³

Waiting Periods

Waiting period laws require a specified number of days after a gun is purchased before the purchaser may take possession. The goals are intended to establish a “cooling off period” to help prevent impulsive acts such as suicide, as well as allowing time to complete a background check. Preventing access during this critical window may prevent suicide. In the year immediately following the repeal of their waiting period law, South Dakota saw a 7.6% increase in its overall suicide rate compared with 3.3% for the United States in general.²⁴

In the case of the mass murders of nine people at Emanuel AME Church in Charleston on June 16, 2016 the killer had a history of prior conviction for a felony drug charge. Although this should have prevented him from being able to purchase a firearm, there was only a three-day period in which to complete the background check. A waiting period would have given the investigator time to complete this check and prevent the purchase.²⁵

Extreme Risk Protection Orders (ERPO)

Allows family, roommates and law enforcement officers to ask a judge for an extreme risk protective order to remove guns from someone who is suspected of acting violently for a brief period. There are multiple stories about individuals who have committed suicide or mass murder, who were identified as dangerous to themselves or others prior to the tragedies. This includes the Parkland school shooter who had been reported to the FBI at least twice. This year in Colorado, there have been four members of law enforcement — three deputies, one officer — who were shot in the line of duty. On New Year's Eve 2017, Deputy Zackari Parrish was killed by a 37 year-old man who was known to be mentally ill, had harassed his family, and made threats against his law school professors and against local police, who had been concerned about him for months. In states with ERPO laws, individuals that should not have access to guns are being disarmed, and disasters averted. On April 12, 2018, the day after Vermont enacted this policy, law enforcement obtained an ERPO against an 18-year old who had planned a mass shooting at a high school. While specific data looking at ERPO laws are insufficient, there are several studies that demonstrate suicide prevention through reducing access to firearms.⁶

Background Checks

Along with many other states, Colorado requires background checks to identify persons prohibited from owning firearms for making purchases from licensed gun dealers and from private sales. Federal law does not require background checks from private sales, and there are data that show states that have additional background check requirements have benefited from taking this extra step, specifically when it comes to firearm suicide. One study looking at handgun regulation found that states requiring background checks on all handgun sales or permits had 35% fewer gun deaths by suicide per capita than states without that background check requirement.²³

Licensing of Gun Owners

As of 2018 10 states and the District of Columbia required prospective purchasers to acquire some type of permit or license prior to purchase or transfer. These laws help prevent prohibited individuals such as felons and minors from obtaining guns. The most comprehensive law requires owners to obtain a license and regularly renew it. Requiring training and safe handling promotes responsible gun ownership. One study found that states requiring a license for all handgun sales led to fewer guns used in crimes than states that do not have licensing laws.²⁶ Since Missouri has repealed its licensing law, also requiring a background check, the firearm homicide rate has risen almost 25%. This constitutes an estimated additional 49 to 68 murders every year.²⁷ When surveyed, 77.3% of Americans support a requirement of having a license before purchasing a gun.²⁸

Assault Weapon Restrictions

The federal assault weapons ban, which prohibited the sale and manufacture of certain military-style semiautomatic weapons and high capacity magazines in the US expired in 2004. High capacity magazines have been used in most of the high profile mass shootings in the United States including those at Columbine High School (Colorado), Virginia Tech (Virginia), Tucson (Arizona), Aurora (Colorado), Oak Creek (Wisconsin), and Newtown (Connecticut).



STATE HIGHLIGHT CONNECTICUT

Since Connecticut passed a permit-to-purchase law requiring background checks for anyone buying a handgun in 1995, there has been a 40% reduction in the state's firearm-related homicide rate and a 15% reduction in firearm suicides.^{29, 30}

Where Does Colorado Stand?

The death rates of Coloradans by firearm have been rising. In Colorado, suicide is a leading cause of death for youth aged 10-24,¹ the 10th highest rate in the country. Of these deaths, 52.3% were firearm suicides. Guns are used more often in suicides in Colorado compared with the rest of the nation, with 10.6 suicide deaths involving firearms per 100,000 people, compared to 6.9 nationally.³¹ In Denver, there are more firearm-related deaths due to suicide than any other category of firearm-related deaths, including homicide.⁹

Firearm injuries to children resulting in a hospital visit are common in Colorado, occurring about every 4-5 days. Firearm injuries are much more likely to result in death compared to other injuries. There is a 28 times greater risk of death due to firearm injury than automobile injury. Most of these injuries were unintentional.³²

Age-adjusted death rates are calculated per the CDC's reporting standards for death rates per 100,000 population



Colorado's Current Laws³³

Colorado has passed several important pieces of legislation on gun safety, but there is opportunity for further modifications and improvements.

IN 2000



Expanded federal prohibitions for purchasers to include those under arrest for crimes, and extended categories of prohibited juvenile offenders.



Straw Purchases: Persons who knowingly purchase or obtain a firearm for a person who is ineligible to possess a firearm under federal or state law commits a felony.



Child Access Prevention (CAP law): a person who intentionally, knowingly, or recklessly provides a handgun to any person under age 18 is criminally liable for a felony.

IN 2013



Universal background checks are required by a federally licensed firearm dealer for anyone receiving or buying a gun. This is paid for by the buyer, not the taxpayer.



Domestic Violence Offenders: Persons who are under a protection order are prohibited from possessing or attempting to purchase or receive a firearm or ammunition while the protection order is in effect. Upon conviction of a domestic violence offense or imposition of a domestic violence protection order, the offender must relinquish his or her firearms and ammunition and is prohibited from acquiring firearms or ammunition for the duration of the order.



High Capacity Ammunition Ban: Prohibits the sale and transfer of fixed and detachable large capacity ammunition magazines designed to accept more than 15 rounds. Owners may continue to possess, but not transfer or sell, those magazines purchased before July 1, 2013.

IN 1989, 1994, 2018



Assault Weapons Ban: Denver, Vail, and Boulder each have city specific ordinances that ban semi-automatic rifles with detachable magazines. Denver bans 15 or more rounds, Vail bans 21 or more, and Boulder's ordinance bans 10 rounds or more.

IN 2019



Extreme Risk Protection Order (ERPO): ERPO will provide the ability for family members and law enforcement to remove guns from a dangerous situation by petitioning the court. The petitioner must establish by a preponderance of the evidence that a person poses a significant risk to self or others by having a firearm in his or her custody or control or by possessing, purchasing, or receiving a firearm. The new law will go into effect January 1, 2020.

CAP laws are in place in 28 states and the District of Columbia currently. Compared with other states, Colorado has a relatively weak CAP law and no firearm safe storage laws. Colorado's CAP law only applies to handguns and there is no criminal liability if a child gains access to a firearm as a result of negligent storage of the firearm – only if they gain access from adults providing handguns “intentionally, knowingly, or recklessly”.

Policy Actions: Strengthen Child and Public Safety in Colorado

An abundance of evidence suggests that firearm deaths, unintentional or due to suicide, are preventable. These policy recommendations would increase public safety and decrease firearm deaths in youth. With modifications or implementation of state level legislation and reasonable regulations, Coloradans have the power to protect children's lives while maintaining the right to legal ownership and use of guns.

Child Access Prevention (CAP) Laws

- Strengthen current Colorado law to impose criminal liability for negligent storage of a firearm in circumstances where a child may have access to a firearm, such as homes where minors live.
- Expand current law to include all firearms, not just handguns.

Safe Firearm Storage Laws, in conjunction with CAP law already in place

- Require all firearms be kept unloaded, disabled, with a locking device and ammunition locked and stored separately except when an authorized user is carrying it on his or her person or has the firearm under his or her immediate control.
- Require child-proof safety locks and "loading indicators" for all guns sold in Colorado.

Waiting Period Requirements

- Impose a waiting period between the time a firearm is purchased and when it is physically transferred to the purchaser.

Assault Weapon Restrictions

- Adopt Denver, Vail, or Boulder's ban at the state level.

Public Health Research

- Allocate state funds for the Colorado Department of Public Health and Environment to continue to conduct research on gun violence and efficacy of new gun laws.

Licensing of Gun Owners & Purchasers Licensing laws

- Require an individual to obtain a license or permit authorizing the individual to purchase and/or possess a firearm. Although licensing laws vary, the most comprehensive laws require all gun owners—not just owners of handguns or prospective firearm purchasers—to obtain a license. That license will be issued only after the applicant has provided proof of residency and fingerprints, and/or passed written and performance-based tests showing that the applicant knows how to safely load, fire, and store a gun, and has knowledge of relevant firearms laws.

Bump Stocks

- Ban the manufacturing and purchase of 'bump stocks' that convert legal weapons into assault weapons statewide.

Design Safety for Handguns

- Reverse exemption of firearms from the Consumer Product Safety Act, which imposes health and safety standards on consumer products. "Junk" handguns or "Saturday Night Specials" are cheaply manufactured weapons made with inferior metal and are more likely to malfunction or misfire. These types of weapons are disproportionately used by criminal young adult and juvenile offenders.



ARMING TEACHERS IS NOT THE ANSWER

Columbine and Marjory Stoneman Douglas High Schools both had an armed guard; Virginia Tech had a full campus police force.

The presidents of the National Education Association and the American Federation of Teachers, representing teachers and other school staff at all levels, strongly reject the Trump administration and National Rifle Association's suggestion to place armed police officers in every school in this nation and arm educators, calling the idea "ill-conceived, preposterous, and dangerous."³⁴

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