# **Gun Violence**



Prepared for the Amanda Qualls Campaign

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# Gun Violence and State Policy: A Summary

he United States has the highest number of firearms in civilian hands, both in absolute figures and per capita. Unfortunately, this large volume of firearms is accompanied by high levels of gun violence: in 2016, the U.S. was second only to Brazil in the number of firearms-related deaths (37,200 against Brazil's 43,200)<sup>2</sup>, and, at 4.43 firearms-related deaths per 100,000 people, had the 28th-highest death rate in the world in 2017.<sup>3</sup>

# Gun Violence by the Numbers

As is true for the country as a whole, suicides account for the majority of gun deaths in Indiana. Between 2008 and 2017, 8,139 Hoosiers were killed with guns; of those deaths, 5,050 (approximately 6 out of 10) were suicides, while 2,923 (nearly 4 out of 10) were homicides.<sup>4</sup> The remaining 166 deaths resulted from unintentional shootings.<sup>5</sup> For every year between 2014 and 2018, Indiana ranked among the top half of states, both in the number of gun deaths and the death rate.<sup>6</sup>

Figures from the Federal Bureau of Investigation for that same five-year period reveal "98 homicide incidents, and 111 offenses reported in Indiana by at most 120 law enforcement agencies that submitted incident-based data [emphasis added]."<sup>7</sup> The use of weapons was reported in 107 of those incidents: 42 involved handguns, 18 involved unspecified

<sup>&</sup>lt;sup>1</sup> Karp, Aaron. (2018, June). *Estimating Global Civilian-Held Firearms Numbers*. Small Arms Survey Briefing Paper. <a href="http://www.smallarmssurvey.org/fileadmin/docs/T-Briefing-Papers/SAS-BP-Civilian-Firearms-Numbers.pdf">http://www.smallarmssurvey.org/fileadmin/docs/T-Briefing-Papers/SAS-BP-Civilian-Firearms-Numbers.pdf</a>

<sup>&</sup>lt;sup>2</sup> Naghavi, Mohsen, et al. (2018, June 23). *Global Mortality From Firearms*, 1990-2016. American Medical Association. <a href="https://jamanetwork.com/journals/jama/fullarticle/2698492">https://jamanetwork.com/journals/jama/fullarticle/2698492</a>

<sup>&</sup>lt;sup>3</sup> Aizenman, Nurith & Silver, Marc. (2019, August 5). *How the U.S. Compares With Other Countries in Deaths From Gun Violence*. National Public Radio. <a href="https://www.npr.org/sections/goatsandsoda/2019/08/05/743579605/how-the-u-s-compares-to-other-countries-in-deaths-from-gun-violence">https://www.npr.org/sections/goatsandsoda/2019/08/05/743579605/how-the-u-s-compares-to-other-countries-in-deaths-from-gun-violence</a>

<sup>&</sup>lt;sup>4</sup> Center for American Progress. *Indiana Gun Violence Factsheet*. (2019, November). <a href="https://cdn.americanprogress.org/content/uploads/2019/11/18061952/IndianaGunViolence-Factsheet.pdf">https://cdn.americanprogress.org/content/uploads/2019/11/18061952/IndianaGunViolence-Factsheet.pdf</a>

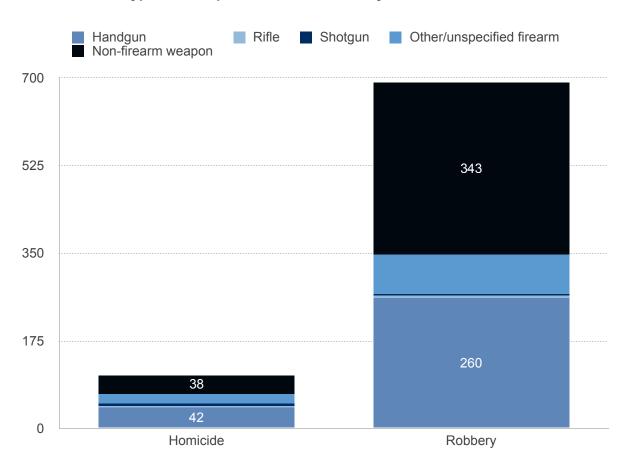
<sup>&</sup>lt;sup>5</sup> Center for American Progress. *Indiana Gun Violence Factsheet*.

<sup>&</sup>lt;sup>6</sup> Firearm Mortality by State. (n.d.) Centers for Disease Control and Prevention. <a href="https://www.cdc.gov/nchs/pressroom/sosmap/firearm">https://www.cdc.gov/nchs/pressroom/sosmap/firearm</a> mortality/firearm.htm

 $<sup>^7</sup>$  Crime Data Explorer: Indiana. (n.d.) Federal Bureau of Investigation. <u>https://crime-data-explorer.fr.cloud.gov/explorer/state/indiana/crime</u>

firearms, 5 involved shotguns, 2 rifles, and 2 other firearms were reported used.<sup>8</sup> Of the total number of homicides in that timeframe, 39 were mass shootings (where that term is defined as incidents where four or more people are shot or killed, not including the perpetrator),<sup>9</sup> leading to the deaths of 36 individuals and injuries to 146 more.<sup>10</sup>

Guns, of course, are employed in crimes other than homicide. The FBI reports 634 robberies<sup>11</sup> in the state between 2014 and 2018; 348 firearms were used in connection with those incidents, the overwhelming majority of which were handguns.<sup>12</sup>



Types of Weapons Used in Indiana by Crime, 2014-2018

<sup>&</sup>lt;sup>8</sup> Crime Data Explorer: Indiana.

<sup>&</sup>lt;sup>9</sup> Center for American Progress. *Indiana Gun Violence Factsheet*.

<sup>&</sup>lt;sup>10</sup> Center for American Progress. *Indiana Gun Violence Factsheet*.

<sup>&</sup>lt;sup>11</sup> Again, reported by at most 120 law enforcement agencies that submitted incident-based data.

<sup>&</sup>lt;sup>12</sup> Crime Data Explorer: Indiana.

Figures for aggravated assault in that same period include 2,804 reported offenses; guns featured less prominently in these incidents, with only 316 firearms reportedly used.<sup>13</sup> Where a firearm was used, handguns again were the weapon of choice: 185 versus 15 shotguns, 11 rifles, 1 automatic handgun, and 104 other firearms.<sup>14</sup>

# Current Status of Firearms in Indiana

#### • Gun Culture

As of 2019, there were 133,594 registered guns in the state of Indiana, making it the state with the 13th highest number of registered guns. While registration of firearms is the generally the most reliable indicator of the total number of guns in civilian hands, federal law requires only specific categories of weapons to be registered and Indiana law has no such requirement, making it difficult to ascertain the exact number of privately owned guns within the state. According to a study published in 2015, the percentage of Hoosiers who own guns is approximately 33.8 percent, higher than the national ownership rate of 29.1 percent. Property of the state of 29.1 percent.

Despite this, polls have shown broad acceptance of various measures aimed at curbing gun violence, suggesting that the concern is not one that divides gun owners and non-owners. A telephone survey conducted in 2004 by the Indiana University Center for Survey Research showed that 89 percent of respondents supported background checks for private sales, and 87 percent supported a mandatory waiting period prior to the purchase of a handgun. Fifteen years later, the group Everytown for Gun Safety released a poll indicating that Hoosiers were

<sup>&</sup>lt;sup>13</sup> Crime Data Explorer: Indiana.

<sup>&</sup>lt;sup>14</sup> Other firearms were unclassified in the data.

<sup>&</sup>lt;sup>15</sup> Number of registered weapons in the U.S., in 2019, by state. (2020). Statista. <a href="https://www.statista.com/statistics/215655/number-of-registered-weapons-in-the-us-by-state/">https://www.statista.com/statistics/215655/number-of-registered-weapons-in-the-us-by-state/</a>

<sup>&</sup>lt;sup>16</sup> Karp, Aaron. Estimating Global Civilian-Held Firearms Numbers.

<sup>&</sup>lt;sup>17</sup> Kalesan, Bindu, Villareal, Marcos D., Keyes, Katherine M., & Galea, Sandro. (2015, June 29). *Gun ownership and social gun culture.* Injury Prevention. BMJ Publishing Group Ltd. <a href="https://injuryprevention.bmj.com/content/injuryprev/early/2015/06/09/injuryprev-2015-041586.full.pdf?keytype=ref&ijkey=doj6vx0laFZMsQ2">https://injuryprev-2015-041586.full.pdf?keytype=ref&ijkey=doj6vx0laFZMsQ2</a>

<sup>&</sup>lt;sup>18</sup> Survey finds fewer Indiana residents owning guns. (2004, November 23). NWI Times. <a href="https://www.nwitimes.com/news/state-and-regional/survey-finds-fewer-indiana-residents-owning-guns/article\_2add7062-a82d-5a11-8387-42717e177c85.html">https://www.nwitimes.com/news/state-and-regional/survey-finds-fewer-indiana-residents-owning-guns/article\_2add7062-a82d-5a11-8387-42717e177c85.html</a>

still highly in favor of universal background checks (90 percent support).<sup>19</sup> The Everytown poll also found broad support for prohibiting domestic abusers from purchasing guns (85 percent).<sup>20</sup>

Were such measures to be enacted into law, however, enforcement could very well be a different story. Former Elkhart County Sheriff Brad Rogers drew national attention during his time in that office for his public statements indicating that he would not enforce certain gun control laws, and that current laws were "probably overdone." Additionally, as of the time of writing this report, 25 of Indiana's 92 counties have declared or sought to designate themselves "Second Amendment sanctuaries," rejecting the enforcement of state and federal firearms regulations. 22

#### Current Law

Indiana is frequently criticized for its perceived laxity in regulating firearms, particularly in relation to the high levels of gun violence in Chicago, in neighboring Illinois. President Barack Obama, during a CNN town hall in 2016, claimed that a significant portion of guns seized in connection with crimes committed in Chicago were coming from "Indiana across the border.... folks will go to a gun show and purchase a whole bunch of firearms, put them in a van" and sell them in the South Side of Chicago.<sup>23</sup> A 2014 Chicago Police Department report corroborated the claim, finding that Indiana supplied 19 percent of

<sup>&</sup>lt;sup>19</sup> Hakim-Shabazz, Abdul. (2019, April 22). *Gun Safety Group Releases Poll Ahead of Indy NRA Convention*. IndyPolitics. <a href="http://indypolitics.org/gun-control-group-releases-poll-ahead-of-indy-nra-convention/">http://indypolitics.org/gun-control-group-releases-poll-ahead-of-indy-nra-convention/</a>

<sup>&</sup>lt;sup>20</sup> Hakim-Shabazz, Abdul. Gun Safety Group Releases Poll Ahead of Indy NRA Convention.

<sup>&</sup>lt;sup>21</sup> Indiana Sheriff: I'd 'Disregard' Obama Executive Orders on Gun Registration. (2015, October 5.) Fox News Insider. <a href="https://insider.foxnews.com/2015/10/15/indiana-sheriff-i-will-disregard-any-obama-executive-order-gun-registration">https://insider.foxnews.com/2015/10/15/indiana-sheriff-i-will-disregard-any-obama-executive-order-gun-registration</a>

<sup>&</sup>lt;sup>22</sup> See <a href="https://sanctuarycounties.com/category/states/indiana/">https://sanctuarycounties.com/category/states/indiana/</a>, cataloging actions of county boards and law enforcement officers.

<sup>&</sup>lt;sup>23</sup> Obama, Barack. (2016, January 7). Guns in America town hall with Obama transcript (full text). CNN. https://www.cnn.com/2016/01/07/politics/transcript-obama-town-hall-guns-in-america/index.html

Chicago's illegal guns, and noting that the state did not require background checks for private firearms purchases.<sup>24</sup>

It remains true that Indiana does not require universal background checks. It is also the case that licensing and registration requirements are non-existent, and that the only permit mandated by state law is a permit for carrying a handgun.

RIFLES & SHOTGUNS	HANDGUNS
No	No
No	No
No	No
No	Yes
	No No

Table from *Indiana Gun Laws. (2017, December 19.)* National Rifle Association Institute for Legislative Action. https://www.nraila.org/gun-laws/state-gun-laws/indiana/

Indiana is "shall issue" state, meaning Indiana State Police must issue a permit to carry if the applicant meets the following criteria:

- has a proper reason for carrying a handgun;
- is of good character and reputation;
- is a proper person to be licensed; and
- is either a citizen of the United States or a non-citizen allowed to carry a firearm in the U.S. under federal law.<sup>25</sup>

An individual applying for a carry permit need not undergo any training or testing in firearms safety.

<sup>&</sup>lt;sup>24</sup> Chicago Police Department. (2014, May 27). Tracing the Guns: The Impact of Illegal Guns on Violence in Chicago. <a href="https://www.chicagobusiness.com/Assets/downloads/20151102-Tracing-Guns.pdf">https://www.chicagobusiness.com/Assets/downloads/20151102-Tracing-Guns.pdf</a>

<sup>&</sup>lt;sup>25</sup> Indiana Code 35-47-2-3(f).

There is presently no ban on certain types of guns deemed assault weapons, nor are there restrictions on the bulk purchase of guns or ammunition. Additionally, Indiana does not impose the following regulations on ammunition:

- license for the sale or purchase of ammunition;
- minimum age to purchase or possess ammunition; or
- requirement that sellers to keep a record of purchasers.

By state law, political subdivisions (as that term is defined in Indiana Code 3-5-2-38) are powerless to act with respect to the purchase, transfer, possession, registration, carry, storage, or taxation of firearms, ammunition, or accessories, irrespective of the scope of gun violence within their jurisdictions, with some exceptions.<sup>26</sup>

However, it does bear noting that the state has been a leader in adopting other measures aimed at preventing gun violence. In 2005, for example, Indiana enacted a "red flag law," allowing police to temporarily confiscate firearms from persons who may be dangerous to themselves or others, making it only the second state to do so.<sup>27</sup> It is also one of 27 states to enact laws curbing child access to firearms.<sup>28</sup> A recent review of 123 studies found that, of 18 policies examined, only child-access prevention laws had supportive evidence in favor of decreased unintentional injuries and deaths, as well as suicides ("supportive" meaning at least 3 methodologically sound studies found a decreasing effect using at least 2 independent data sets).<sup>29</sup> Among those laws are requirements that guns be secured in locked areas by youth camps,<sup>30</sup> caregivers in child care homes,<sup>31</sup> and certain

<sup>&</sup>lt;sup>26</sup> Indiana Code 35-47-11.1-2.

<sup>&</sup>lt;sup>27</sup> Hanna, Jason & Ly, Laura. (2018, March 7). *After the Parkland massacre, more states consider 'red flag' gun bills*. CNN. <a href="https://www.cnn.com/2018/03/07/us/gun-extreme-risk-protection-orders/">https://www.cnn.com/2018/03/07/us/gun-extreme-risk-protection-orders/</a> index.html

<sup>&</sup>lt;sup>28</sup> Child Access Prevention. (n.d.). Giffords Law Center to Prevent Gun Violence. <a href="https://lawcenter.giffords.org/gun-laws/policy-areas/child-consumer-safety/child-access-prevention/">https://lawcenter.giffords.org/gun-laws/policy-areas/child-consumer-safety/child-access-prevention/</a>

<sup>&</sup>lt;sup>29</sup> Rand Corporation. (2020, April 22). What Science Tells Us About the Effects of Gun Policies. <a href="https://www.rand.org/research/gun-policy/key-findings/what-science-tells-us-about-the-effects-of-gun-policies.html">https://www.rand.org/research/gun-policy/key-findings/what-science-tells-us-about-the-effects-of-gun-policies.html</a>

<sup>&</sup>lt;sup>30</sup> 410 Indiana Administrative Code 6-7.2-21(g).

<sup>&</sup>lt;sup>31</sup> 470 Ind. Admin. Code 3-1.1-48(e).

child care facilities,<sup>32</sup> and the imposition of criminal penalties for providing a gun to a child or permitting one to possess a gun, under certain circumstances. With the exception of "dangerous possession" of a firearm by a child, all following offenses require some awareness of the child's criminal history or other ineligibility to purchase a firearm and/or the child's intent to commit a crime with the firearm.

#### Indiana Code 35-47-10-5 Dangerous possession and unlawful transfer of a firearm

Who commits: A child (defined in Ind. Code 35-47-10-3 as a person younger than 18 years old)

Offense	Knowingly?	Intentionally?	Recklessly?	Action
Dangerous possession	~	~	<b>~</b>	Possessing a firearm for any purpose not described in IC 35-47-10-1
Unlawful transfer	<b>~</b>	<b>~</b>		Providing a firearm to another child

#### Indiana Code 35-47-10-6 Dangerous control of a firearm

Who commits: An adult (defined in IC 35-47-10-2 as a person at least 18 years old)

Knowingly?	Intentionally?	Recklessly?	Action
<b>~</b>	<b>✓</b>		Providing a firearm to a child

#### Indiana Code 35-47-10-7 Permitting child to possess a firearm

Who commits: A child's parent or legal guardian

Knowingly?	Intentionally?	Recklessly?	Action
<b>V</b>	<b>✓</b>	<b>✓</b>	Permitting the child to possess a firearm

<sup>&</sup>lt;sup>32</sup> 470 Ind. Admin. Code 3-18-10(a).

Current laws also prohibit the following categories of people from possessing firearms:

- persons convicted of a "serious violent felony,"<sup>33</sup> generally defined "to include violent conduct that results in serious bodily injury, involves battery with a deadly weapon, or stalking with credible threats of serious bodily injury or death";<sup>34</sup>
- persons convicted of domestic battery<sup>35</sup> (although those individuals may, after a minimum of 5 years after their conviction, petition a court to restore their right to possess a gun); and
- persons unlawfully present in the United States.<sup>36</sup>

Courts may also include prohibitions on possessing guns in some domestic violence protective orders and may prohibit gun possession if it finds a person is dangerous to himself or to others.<sup>37</sup>

Additionally, it is a Level 5 felony to knowingly or intentionally sell, give, or otherwise transfer ownership or possession of a handgun to another person when the seller/transferor knows the person is ineligible for any reason other than age to purchase a handgun from a dealer or intends to use the handgun to commit a crime.<sup>38</sup> However, the requirement of *knowledge* of a person's ineligibility to purchase a firearm disincentivizes private sellers from voluntarily conducting background checks: a seller who does not conduct such checks — and therefore is unaware of a purchaser's criminal history — may earn money from a transaction with a serious violent felon, and escape legal liability at the same time.

<sup>&</sup>lt;sup>33</sup> Ind. Code 35-47-4-5.

<sup>&</sup>lt;sup>34</sup> Categories of Prohibited People in Indiana. (2019, November 6). Giffords Law Center to Prevent Gun Violence. <a href="https://lawcenter.giffords.org/categories-of-prohibited-people-in-indiana/">https://lawcenter.giffords.org/categories-of-prohibited-people-in-indiana/</a>

<sup>&</sup>lt;sup>35</sup> Ind. Code 35-47-4-6.

<sup>&</sup>lt;sup>36</sup> Ind. Code 35-47-4-8.

<sup>&</sup>lt;sup>37</sup> Ind. Code 34-26-5-9(d)(4)

<sup>&</sup>lt;sup>38</sup> Ind. Code 35-47-2-7(d).

# Legislative Action in Indiana

he following section summarizes legislative action that has been taken within the last two years. The font colors used below indicate the party to which the legislator belongs, where blue is 'Democratic' and red is 'Republican.'

# Recently Passed Legislation

### • Public Law 183/Enrolled Senate Bill No. 119 (2019)

Author Name (District)	* = co-author
Sen. James Tomes (49)	Sen. Jack Sandlin (36)
Sen. Blake Doriot (12)	Sen. Chris Garten (45)*
Sen. Aaron Freeman (32)*	Sen. Lonnie Randolph (2)*
Sen. John Crane (24)*	Sen. Mike Bohacek (8)*
Sen. Victoria Spartz (20)*	
Sponsor Name (District)	
Rep. Jim Lucas (69)	Rep. Ben Smaltz (52)
Rep. Christy Stutzman (49)	

Makes it a Level 5 felony to sell or transfer a machine gun to a minor.

# • Public Law 107/House Enrolled Act No. 1284 (2019)

Author Name (District)	* = co-author
Rep. Jim Lucas (69)	Rep. Christy Stutzman (49)*
Rep. Ben Smaltz (52)*	Rep. Terry Goodin (66)*
Sponsor Name (District)	
Sen. James Tomes (49)	Sen. Mark Messmer (48
Sen. Chris Garten (45)	Sen. Blake Doriot (12)
Sen. Jon Ford (38)	Sen. Erin Houchin (47)
Sen. Aaron Freeman (32)	Sen. Eric Koch (44)

Sponsor Name (District)	
Sen. Mike Bohacek (8)	Sen. Linda Rogers (11)
Sen. Dennis Kruse (14)	Sen. John Crane (24)
Sen. Jeff Raatz (27)	

Creates immunity against lawsuits brought by persons injured through the use of force, where the injured party was committing/attempting to commit a forcible felony at the time of injury. Also extends the four-year License to Carry a Handgun to five years and eliminates the license fee. Requires officers who process license applications to consult local and state data banks, in addition to the National Instant Criminal Background Check System (NICS), when conducting background check

### • Public Law 289/Enrolled House Bill No. 1651 (2019)

Author Name (District)	* = co-author
Rep. Donna Schaibley (24)	Rep. Wendy McNamara (76)*
Rep. Carey Hamilton (87)*	
Sponsor Name (District)	
Sen. Erin Houchin (47)	Sen. Mark Messmer (48)

Provides that a judicial finding of "dangerousness" may be used to initiate temporary commitment proceedings, and that such dangerous persons may not apply for or receive a license to carry a handgun. Transferring or selling a firearm to a dangerous person is a Level 5 felony. Any firearms seized from the person shall be returned after a court hearing in which it is determined that the person is not dangerous (or is no longer dangerous).

# Recently Failed Legislation

All following bills are from the 2020 legislative session, unless otherwise noted in parentheses.

#### • Senate Bill 16

Author Name (District)	* = co-author
Sen. Mike Bohacek (8)	Sen. Michael Young (35)
Sen. Ron Alting (22)	Sen. Lonnie Randolph (2)*
Sen. David Niezgodski (10)*	Sen. John Ruckelshaus (30)*
Sen. J.D. Ford (29)*	

Prohibiting juvenile delinquents from possessing firearms until at least the age of 26, if adjudicated delinquent for an offense involving a firearm.

#### • Senate Bill 28

Author Name (District)	* = co-author
Sen. Mark Stoops (40)	Sen. J.D. Ford (29)*
Sen. Lonnie Randolph (2)*	

Aimed at effectively implementing universal background checks, by requiring private sales, trades, or transfers of firearms to be conducted through a firearms dealer, who would be required to contact NICS and comply with applicable federal laws. Of all proposals introduced in the state, universal background checks would produce the greatest effect on gun violence. Studies show that states with these laws have homicide rates 15 percent lower than states without them.<sup>39</sup>

<sup>&</sup>lt;sup>39</sup> Colarossi, Jessica & McAlpine, Kat J. (2019, August 6). *The FBI and CDC Datasets Agree: Who Has Guns — Not* Which *Guns — Linked to Murder Rates*. The Brink. Boston University. <a href="https://www.bu.edu/articles/2019/state-gun-laws-that-reduce-gun-deaths/">https://www.bu.edu/articles/2019/state-gun-laws-that-reduce-gun-deaths/</a>

#### • Senate Bill 29

Author Name (District)	* = co-author
Sen. Mark Stoops (40)	Sen. J.D. Ford (29)*

If enacted, would have banned keeping guns on one's own property if: (1) one knows or reasonably should know that a child would likely gain access to the gun; (2) a resident of the premises is not allowed, under law, to possess a gun; or (3) a resident of the premises poses a risk of imminent personal injury to themselves or to others.

#### • Senate Bill 127

Author Name (District)	* = co-author
Sen. Jean Breaux (34)	

Requiring completion of a handgun safety and training program before applying for a license to carry.

#### • Senate Bill 203

Author Name (District)	* = co-author
Sen. Greg Taylor (33)	Sen. Mark Stoops (40)*

Banning the sale, trade, or transfer of a firearm to a person under 21 years of age.

#### • House Bill 1287

Author Name (District)	* = co-author
Rep. Vernon Smith (14)	

Would mandate court issuance of orders — upon conviction of a crime of domestic battery or domestic violence — that prohibit possession of a firearm and require defendants to surrender any firearms and licenses/carry permits in their possession.

### • Senate Bill 125 (2019)

Author Name (District)	* = co-author
Sen. Greg Taylor (33)	

Would make it a Class A misdemeanor to open carry a semiautomatic, centerfire rifle.

### • House Bill 1022 (2018)

Author Name (District)	* = co-author
Rep. Jim Lucas (69)	Rep. Ben Smaltz (52)*

Sought to repeal IC 35-47-2-1, which requires a license to carry a handgun, and allow anyone who is not otherwise prohibited from carrying or possessing a handgun to have one.

#### OTHER RECENTLY FAILED LEGISLATION OF NOTE

- **Senate Bill 263** Would have required specialized weapons training for any school employee or other staff member authorized by the applicable school board to carry a firearm in/on school property.
- **House Bill 1152** If enacted, would make it a Class B misdemeanor to knowingly make a false report that another person is dangerous, for purposes of firearms seizure proceedings.
- **House Bill 1383** Aimed to collect, monitor, and publish statistics related to the confiscation and retention of firearms taken from dangerous individuals, including the type of firearm and whether the seizure was pursuant to a warrant.
- **Senate Bill 321 (2019)** Would provide that the parent or legal guardian of a child, who makes a reasonable effort to prevent the child from accessing or preventing a firearm, would be exempt from the statute concerning dangerous control of a child

# Legislative Action in Other States

Tithin the last few years, numerous states have introduced laws intended to address firearms violence, many driven by the mass shooting at Marjory Stoneman Douglas High School in Parkland, Florida on February 14, 2018. What follows is a brief summary of some of those laws along with any relevant comments as to their potential efficacy, based on existing research. Proposed bills and statutes substantially similar to (or weaker than) existing Indiana laws are not discussed below, nor are proposed bills substantially similar to (or weaker than) bills that were recently introduced and subsequently failed in the Indiana General Assembly.

Where reference is made to the Rand Corporation's meta analysis of over 100 studies, the following definitions are used.

#### **Strength of Evidence Definitions**

#### NO STUDIES

No studies meeting our inclusion criteria evaluated the policy's effect on the outcome.

#### **INCONCLUSIVE**

Studies with comparable methodological rigor identified inconsistent evidence for the policy's effect on an outcome, or a single study found only uncertain or suggestive effects.

#### LIMITED

At least one study meeting our inclusion criteria and not otherwise compromised by serious methodological weaknesses reported a significant effect of the policy on the outcome, and no studies with equivalent or stronger methods provided contradictory evidence.

#### MODERATE

Two or more studies—at least one of which was not compromised by serious methodological weaknesses—found significant effects in the same direction, and contradictory evidence was not found in other studies with equivalent or stronger methods.

#### **SUPPORTIVE**

At least three studies not compromised by serious methodological weaknesses found suggestive or significant effects in the same direction using at least two independent data sets.

# California

**Bill**: AB 3129

Status: Signed into law in 2018

Imposes a lifetime ban on gun ownership for anyone convicted of misdemeanor domestic violence.<sup>40</sup> Potentially effective, as a pair of recent studies have shown that banning people convicted of violent misdemeanors from possessing guns may significantly reduce gun-related deaths (one study found an 18 percent reduction in homicide rates).<sup>41</sup> The Rand Corporation, in reviewing studies of gun prohibitions associated with domestic violence, concluded there was moderate evidence these laws reduced violent crime.<sup>42</sup>

#### Florida

**Bill**: SB 7026

**Status**: Signed into law in 2018

Creates a 3-day waiting period for the purchase of all firearms, raises the minimum age to purchase a firearm from 18 to 21 years, and bans bump stocks.<sup>43</sup> Existing literature provides moderate evidence that waiting periods decrease suicides (the leading cause of firearms-related deaths) and violent crime.<sup>44</sup> Evidence for the effectiveness of minimum age requirements is inconclusive.<sup>45</sup>

## Ohio

**Bill**: HB 647

**Status**: Introduced in 2020

<sup>&</sup>lt;sup>40</sup> Assemb. Bill No. 3129, 2017-2018 Reg. Session (ch. 883), 2018 Cal. Stat. <a href="https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\_id=201720180AB3129">https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\_id=201720180AB3129</a>

<sup>&</sup>lt;sup>41</sup> Colarossi, Jessica & McAlpine, Kat J. The FBI and CDC Datasets Agree: Who Has Guns — Not Which Guns — Linked to Murder Rates.

<sup>&</sup>lt;sup>42</sup> Rand Corporation. (2020, April 22). What Science Tells Us About the Effects of Gun Policies. <a href="https://www.rand.org/research/gun-policy/key-findings/what-science-tells-us-about-the-effects-of-gun-policies.html">https://www.rand.org/research/gun-policy/key-findings/what-science-tells-us-about-the-effects-of-gun-policies.html</a>

<sup>&</sup>lt;sup>43</sup> SB 7026, 2018 Legislature, Reg. Session (Fla. 2018). <a href="https://www.flsenate.gov/Session/Bill/2018/7026/BillText/er/PDF">https://www.flsenate.gov/Session/Bill/2018/7026/BillText/er/PDF</a>

<sup>&</sup>lt;sup>44</sup> Rand Corporation. What Science Tells Us About the Effects of Gun Policies.

<sup>&</sup>lt;sup>45</sup> Rand Corporation. What Science Tells Us About the Effects of Gun Policies.

Proposes a ban on the manufacture and sale of high capacity magazines (accepting more than 100 rounds of ammunition).<sup>46</sup> Though such bans are frequently proposed as solutions to gun violence, available data does not show much promise for them: the Rand Corporation concluded that the evidence was inconclusive as to their effect on mass shootings or on violent crime,<sup>47</sup> while others found no effect on homicide rates.<sup>48</sup>

### **Tennessee**

**Bill**: HB 1112

**Status**: Signed into law in 2017

A person convicted of domestic violence must, within 48 hours of the conviction, relinquish all guns in their possession "by any lawful means," which may include "transfering possession to a third party who is not probated from possessing firearms."<sup>49</sup>

<sup>&</sup>lt;sup>46</sup> HB 647, 133rd Gen. Assemb., Reg. Session (Ohio 2020) <a href="https://www.legislature.ohio.gov/legislation-summary?id=GA133-HB-647">https://www.legislature.ohio.gov/legislation-summary?id=GA133-HB-647</a>

<sup>&</sup>lt;sup>47</sup> Rand Corporation. What Science Tells Us About the Effects of Gun Policies.

<sup>&</sup>lt;sup>48</sup> Colarossi, Jessica & McAlpine, Kat J. *The FBI and CDC Datasets Agree: Who Has Guns — Not* Which *Guns — Linked to Murder Rates*.

 $<sup>^{49}</sup>$  HB 1113, 110th Gen. Assemb., Reg. Session (Tenn. 2017). <u>https://legiscan.com/TN/text/HB1112/id/1803250</u>

# Relevant Advocacy Groups

Brady: United Against Gun Violence

(formerly The Brady Campaign)

Everytown for Gun Safety

Giffords Law Center to Prevent Gun Violence

Gun Owners of America

Hoosiers Concerned About Gun Violence

The Liberal Gun Club

National Rifle Association

https://www.bradyunited.org/

https://everytown.org/

https://lawcenter.giffords.org/

https://gunowners.org/

https://hcgv.org/

https://theliberalgunclub.com/

https://home.nra.org/