



Violence Policy Center

1140 19th Street, NW
Suite 600
Washington, DC 20036

202.822.8200 voice
202.822.8205 fax
www.vpc.org web

BROKEN PROMISES

The Failure of the Trigger Lock "Deal" Between the
Gun Industry and the White House



October 1998

The Violence Policy Center is a national non-profit educational organization that conducts research and public education on firearms violence and provides information and analysis to policymakers, journalists, grassroots advocates, and the general public. The Center examines the role of firearms in America, analyzes trends and patterns in firearms violence, and works to develop policies to reduce firearm-related death and injury.

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Past studies released by the Violence Policy Center include:

- *When Men Murder Women: An Analysis of 1996 Homicide Data—Females Murdered by Males in Single Victim/Single Offender Incidents* (September 1998)
- *Where Did You Get That Statistic?—A Firearms and Firearms Violence Bibliography and Research Guide for Advocates Working to Reduce Firearms Violence* (February 1998)
- *License to Kill: Arrests Involving Texas Concealed Handgun License Holders* (January 1998)
- *Joe Camel with Feathers: How the NRA with Gun and Tobacco Industry Dollars Uses Its Eddie Eagle Program to Market Guns to Kids* (November 1997)
- *Cease Fire: A Comprehensive Strategy to Reduce Firearms Violence* (Revised, October 1997)
- *Who Dies?—A Look at Firearms Death and Injury in America* (August 1997)
- *Kids Shooting Kids: Stories From Across the Nation of Unintentional Shootings Among Children and Youth* (March 1997)
- *Concealing the Risk: Real-World Effects of Lax Concealed Weapons Laws* (August 1996)
- *Female Persuasion: A Study of How the Firearms Industry Markets to Women and the Reality of Women and Guns* (December 1994)
- *Use the Schools: How Federal Tax Dollars are Spent to Market Guns to Kids* (December 1994)

Violence Policy Center
1350 Connecticut Avenue, NW
Suite 825
Washington, DC 20036

202-822-8200 phone
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The Agreement: A Rose Garden Unveiling

More than one year ago, on October 9, 1997, President Clinton announced at a Rose Garden ceremony that his Administration had reached a voluntary agreement with a number of firearm manufacturers to supply child safety devices with new guns. The deal was brokered by the American Shooting Sports Council (ASSC), a gun industry trade association, and negotiated with senior White House staff. The President touted the resulting agreement as a "breakthrough...in our efforts to protect children from gun violence." He also lauded the gun industry, stating:

Today, because of the voluntary action of the firearms industry, millions of our citizens will receive this protection. I'm pleased to announce that eight of the largest handgun manufacturers will now provide child safety devices with every new handgun they sell. This will affect eight of 10 handguns made in America, and it will save many young lives.

ASSC Executive Director Richard Feldman also attended the Rose Garden ceremony, and echoed the President's words:

Within the coming year, most major handgun manufacturers will institute company policies of providing safety devices with all handguns shipped in the United States.

This statement was repeated in gun industry publications and on the ASSC web site. Soon after, the ASSC also printed advertisements in the *Washington Times* and *Roll Call* featuring the agreement participants, which had increased in number to a total of 15 (see Appendix A). The ads promised that the companies "currently have, or will soon institute, policies which provide security devices with firearms they ship." Gun industry publications later listed several more companies that joined the agreement after it was announced.

In all, 20 handgun manufacturers were listed in the December 1997 issue of *Shooting Industry* as agreement participants. The list follows; those included in the ASSC advertisement are indicated with asterisks:

Handgun Manufacturers With Executives Present at the Rose Garden Ceremony

Beretta, USA *

Glock *

Harrington & Richardson (H&R 1871) *

Heckler & Koch *

O.F. Mossberg & Sons *

SIGARMS *

Smith & Wesson *

Taurus Firearms *

Other Handgun Manufacturers That Joined the Agreement

Davis Industries*	Browning
Kahr Arms*	European American Armory
North American Arms*	Intratec
Sturm, Ruger & Company*	KBI
Heritage Manufacturing*	Lorcin Engineering
Savage Arms*	Para Ordnance

Gibbs Rifle Company also joined the agreement, but the company does not manufacture handguns.

The Aftermath: Legislation Stymied

When the White House agreement was announced, momentum was increasing on Capitol Hill behind pending legislative proposals to mandate that all new handguns be sold with safety devices. Not surprisingly, the firearms industry was anxious to avoid any such federal requirements. Firearm manufacturers are virtually the last unregulated manufacturer of a consumer product in America, a status the industry is eager to preserve.

The industry's hope that the voluntary agreement would forestall federal legislation seemed to be confirmed by then-White House spokesman Mike McCurry at his press briefing the day the agreement was announced. In response to a reporter's question about the outlook for legislation mandating safety locks, McCurry responded:

[W]hen industries step forward and voluntarily do these things, the ease of implementation is greater, the likelihood of litigation over rulemaking or regulation is less, and you get the job done. I think we had a decision by the private sector to step forward today and say they're going to get the job done....

When commenting publicly, industry spokespersons insisted that the companies were acting purely out of a desire to be good corporate citizens. On the day the agreement was announced, Feldman of the ASSC told *The New York Times*, "We very much want to be the responsible industry, and perceived that way by the public." Without White House action, Feldman told the *Times*, the industry would eventually have offered the locks anyway, "but not as quickly."

Yet in the more private setting of gun industry publications, participants in the voluntary agreement openly acknowledged that the deal's greatest benefit was that it effectively killed any federal legislation mandating that safety devices be sold with weapons. The December 1997 issue of *Shooting Industry* noted:

The agreement reached between Clinton and the firearms industry means that the White House will not push for mandatory legislation on trigger locks, and anti-gunners have admitted those proposals are basically dead in the water....No one was more enthusiastic about the results of the Rose Garden ceremony than those industry executives who actually attended.

Glock's Paul Jannuzzo, displaying the antipathy and fear with which the firearms industry views even the slightest hint of regulation, went further:

I'm not at all comfortable with someone like [Representative] Charlie Schumer (anti-gun Congressman) telling us how to lock up a pistol or revolver or shotgun or anything else. Lord knows that if he or someone like him—whether it be [Senators] Feinstein, Boxer or Kennedy—wrote legislation like that, there would be some firearm that it would be impossible to fit. And that would probably outlaw the firearm. I'd much rather have something on a voluntary basis where we can make the decision as to what fits mechanically our own products as opposed to somebody whose real goal is to outlaw firearms deciding how they should be locked up.

Or, as Feldman summed up the gun industry's motivations:

'Unprecedented' is an over used word, but this really was unprecedented. I hope when we look back on the event we won't talk about that we were there, but that it was a turning point in the way we handle firearm issues in this country. If we don't start playing smart politics, we're going to lose.

The Assessment: A Failed Deal

When a reporter at the White House briefing asked McCurry whether the new deal meant that the White House saw no need for legislation, he responded:

[I]t's our view that the industry's step forward today made a commitment to do this....[W]e, of course, will expect full implementation of that and don't have any reason to think that won't happen.

In anticipation of the one-year anniversary of the agreement, the Violence Policy Center (VPC) set out to determine whether the White House's high expectations for the agreement's success have been fulfilled.

The VPC, working with the Illinois Council Against Handgun Violence (ICHV) and the Pacific Center for Violence Prevention (PCVP), conducted a nationwide survey to ascertain whether handgun manufacturers are supplying child safety devices to distributors and dealers, and whether gun dealers are in turn providing the devices to consumers who purchase handguns. The survey included three components:

Telephone survey of wholesale gun distributors. The Violence Policy Center surveyed six major firearm distributors to ascertain which firearm manufacturers were complying with the agreement. The VPC holds a Federal Firearms License (FFL); many distributors require an FFL before they will discuss their products.

Telephone survey of retail gun dealers. Staff from the Violence Policy Center, Illinois Council Against Handgun Violence, and Pacific Center for Violence Prevention conducted telephone surveys of 45 retail gun dealers in 25 states.

In-person visits to gun stores. VPC staff visited retail firearm outlets in Virginia and Pennsylvania, while ICHV staff visited stores in Illinois. A total of seven gun stores and other retail firearm outlets were visited in person.

This research found that **16 of the 20 handgun manufacturers that promised to include safety devices with their guns have apparently not done so.** Of the four remaining companies, three were *already* supplying safety devices *before* the White House agreement was finished. In addition, several of these companies had spotty compliance, and some offered low-quality safety devices that are inadequate to fulfill their intended purpose.

The survey also found that although most gun dealers and distributors were aware of the agreement, there was widespread confusion regarding its implementation—and often contradictory responses about which companies were supplying safety devices with their weapons and which were not.

The most common response was that virtually no firearms came with safety devices. And although several respondents said that "all guns" came with safety devices, further research reveals that such statements could not possibly be true.

Distributor Phone Survey

Like other consumer products, firearms make their way to consumers through a wholesale distribution chain. The VPC began its survey by focusing on regional and national firearm distributors.

The VPC used its FFL to contact nine major firearm distributors by telephone for information about their products during the month of August 1998. Of these, six responded to the VPC's inquiries. Distributors were asked about price and availability of six specific models of new handguns chosen from company catalogs:

- Beretta Mini Cougar
- Davis P380
- Glock M33
- Lorcin L380
- Sturm, Ruger & Company P95
- Taurus M85UL

Distributors were then asked if each of the models came with a "trigger lock." Two of the four distributors that carry the Taurus indicated that the handgun comes with an integrated hammer lock. None of the distributors replied that the Sturm, Ruger & Company handgun came with a "trigger lock," although the company's handguns are sold in a plastic box with a key lock. None of the distributors answered that any of the remaining four companies' models came with a trigger lock. Summaries of statements by distributor representatives are recounted below:

Badger Shooters Supply (Owen, WI): Sturm, Ruger & Company and Glock are sold without locks. Badger does not stock any Davis, Lorcin, Taurus, or Beretta products.

Bumble Bee Wholesale (North Hollywood, CA): Beretta and Glock are sold without locks. Bumble Bee does not stock any products by Davis, Lorcin, Taurus, or Sturm, Ruger & Company.

Davidson's (Prescott, AZ): Taurus, Beretta, Glock, and Sturm, Ruger & Company are sold without locks. Davidson's does not stock any Davis or Lorcin products.

Dixie Shooters Supply (Blakely, GA): None of the six models are sold with locks.

Lew Horton Distribution Company, Inc. (Westboro, MA): The Taurus comes with a hammer lock. The company representative stated that he "didn't recall" if the Beretta or Glock were sold with safety devices. Lew Horton does not stock any Sturm, Ruger & Company, Davis, or Lorcin products.

RSR Wholesale Guns, Inc. (Rochester, NY): The Taurus comes with a hammer lock. Davis, Lorcin, Beretta, and Glock are sold without locks. RSR does not stock any Sturm, Ruger & Company products.

Dealer Phone Survey

The VPC, working with the ICHV and the PCVP, telephoned gun stores and other retail outlets that sell firearms in different geographic areas of the United States. There were 45 stores where an employee participated in the survey; only one employee was surveyed in each store. Employees were asked to participate in a brief five-question survey (see Appendix B for copy of survey). The questions were intended to discover both the degree to which retail gun dealers were providing the devices promised in the agreement, and the extent of retail sales personnel's knowledge about the agreement and the availability of safety devices.

The Violence Policy Center contacted and conducted telephone survey interviews with stores in:

Little Rock, AR
Flagstaff, AZ
Bakersfield, CA
Denver, CO
Newington, CT
Orlando, FL
Doraville, GA
Hailey, ID
Glenwood, IL
Fort Wayne, IN
Rockville, MD
West Springfield, MA

Flint, MI
Springfield, MO
Lincoln, NE
Haledon, NJ
Syracuse, NY
Columbus, OH
Bristol, PA
Memphis, TN
Austin, TX
Woodbridge, VA
Olympia, WA
Milwaukee, WI

The Illinois Council Against Handgun Violence contacted and conducted telephone survey interviews with stores in:

Chicago, IL (four stores)
Indianapolis, IN
Detroit, MI
Minneapolis, MN
Kansas City, MO

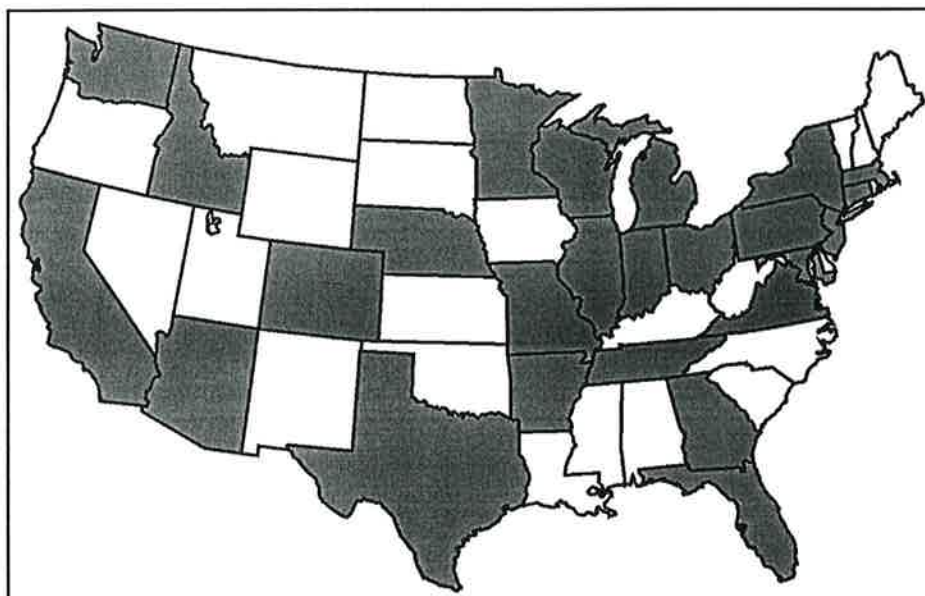
St. Louis, MO
Cleveland, OH
Milwaukee, WI
Superior, WI

The Pacific Center for Violence Prevention contacted and conducted telephone survey interviews with stores in:

Sacramento, CA (three stores)
El Cerrito, CA
Rancho Cordova, CA

San Francisco, CA (two stores)
Oakland, CA
San Leandro, CA

States Where Interviews Were Conducted



Awareness of the safety device agreement's existence was very high. Of the 45 employees surveyed, only three said they did not know about the deal.

However, more specific questions asking for information about which particular companies supplied safety devices with their handguns uncovered widespread confusion and misinformation. Employees were asked, "Do any of the handguns,

rifles, or shotguns you sell come with trigger locking devices supplied by the manufacturers?" If the response was "yes," the employees were then asked, "Could you tell me the name of the manufacturer(s) and the type of trigger locking device it comes with?"

Four employees responded that "most" or "all" companies provided safety devices but did not name specific manufacturers. The table below lists the number of times each handgun manufacturer participating in the agreement was cited by each of the 41 remaining respondents.

**Manufacturers Cited as Providing Safety Devices with Handguns,
According to Responses of 41 Gun Dealers in Survey**

Company	Number of Citations
Smith & Wesson	33
Taurus	15
O.F. Mossberg & Sons	14
Sturm, Ruger & Company	10
SIGARMS	6
Heckler & Koch	2
Savage	1
Beretta USA	0
Glock	0
Harrington & Richardson (H&R 1871)	0
Davis Industries	0
Kahr Arms	0
North American Arms	0
Heritage Manufacturing	0
European American Armory	0
Intratec	0
KBI	0
Lorcin Engineering	0
Para Ordnance	0

Store Visits

Finally, the VPC and the ICHV also conducted on-site visits to retail gun outlets in their local regions. The VPC visited three stores in Virginia and one in Pennsylvania. The ICHV visited three stores in Illinois. The only handguns sold with safety devices at these stores were those manufactured by Smith & Wesson, Taurus, and Sturm, Ruger & Company.

An interaction with a store clerk in Virginia illustrates the confusion surrounding the voluntary agreement—and sheds light on the four respondents to the telephone survey who claimed that "most" or "all" firearm manufacturers provide safety devices with their handguns. When asked during the on-site visit which handguns came with trigger locks, the clerk responded that all handguns carried by the store came with trigger locks provided by the manufacturer. When asked by VPC staff to show the types of trigger locks that came packaged with the various handguns, however, he soon realized that only Smith & Wesson came with an actual trigger lock; Taurus and Sturm, Ruger & Company provided other safety devices. The salesman was unable to identify any other firearm in his stock which included manufacturer-provided locking devices. Other handguns in stock at the store included Glock and SIGARMS.

Overall Results

All the store visits, and the overwhelming majority of telephone surveys of distributors and dealers, conformed to the same result. The distributors who sell guns to dealers, and the dealers who sell guns to ordinary consumers, only cited four manufacturers with any consistency as supplying safety devices with handguns: Smith & Wesson, Taurus, Mossberg, and Sturm, Ruger & Company. The other 16 handgun manufacturers that promised to supply safety devices were rarely or never cited.

Of these four companies, three were *already* providing safety devices *before* the agreement was announced. In addition, each provides a different type of safety device, and it is unclear whether these unproven devices will function as intended.

Smith & Wesson: Smith & Wesson was cited by 33 of the dealers surveyed as selling its handguns with safety devices. Smith & Wesson's safety device is a trigger lock. Smith & Wesson had already included locks with its handguns before the White House agreement was completed.

Taurus International: Taurus was cited by 15 of the dealers surveyed as selling its handguns with safety devices. A Taurus handgun was also included in the survey of distributors. When asked whether the Taurus M85UL had a trigger lock, two of the four distributors who stocked the gun said that it did, while

two others said that it did not. Taurus' device is a hammer lock that is integrated into the gun and operated with a small key. The lock is incorporated into most, but not all, of its handguns.

O.F. Mossberg & Sons: Mossberg was cited by 14 of the dealers surveyed as selling its firearms with safety devices. Most Mossberg firearms are shotguns, which the company has manufactured for many years. Only recently has Mossberg been in and out of the handgun market with a line of UZI pistols. Due to mechanical defects and a subsequent recall of many of the UZIs, Mossberg does not currently sell handguns in the United States. The safety device provided with Mossberg shotguns is a cable lock. The safety device that had been provided with the UZI pistol was a trigger lock. Mossberg included these devices with its products before the White House agreement was completed.

Sturm, Ruger & Company: Sturm, Ruger was cited by 10 of the dealers surveyed as selling its handguns with safety devices. The "safety device" in question is a plastic box with an external lock. This box is flimsy enough to be opened with a sharp instrument. Sturm, Ruger & Company had been selling handguns in these boxes before the White House agreement was completed.

Furthermore, when discussing handguns sold by these four companies, the professional sales representatives at gun distributors and dealers offered jumbled responses. Three of the four companies were named by fewer than half of the retail dealers surveyed. Such pervasive confusion and conflicting information among the people who actually sell these handguns further undermines the effectiveness of the agreement.

By any measure, the agreement between the White House and the gun industry has failed. It has certainly fallen short of President Clinton's confident pronouncement at the Rose Garden ceremony: "This will affect eight of 10 handguns made in America, and it will save many young lives."

The Analysis: The Deal's Fatal Flaws

Promises were made by the gun industry in the White House Rose Garden on October 9, 1997, and they have been broken. The impression left by that day's event was that soon—and certainly within a year—virtually all new handguns would be sold with a safety device. Nothing of the sort has occurred.

Unfortunately, the White House deal was flawed from its inception. Its voluntary nature allowed the gun industry to make its own rules. The shape of the agreement was thus determined not by the public interest, but by the special interests of the gun industry.

The inevitable result was a weak deal that was doomed to failure. Among the deal's most serious flaws:

No Document: Despite repeated requests from the VPC and others, the White House never produced a written version of the agreement. In fact, beyond the statements made in the Rose Garden, no official document detailing the agreement between the Administration and the industry seems to exist. There appears to be no dotted line to sign. If so, this is a mere handshake deal, ignoring the essential Washington wisdom to get everything in writing.

No Mandate: Because participation in the agreement is voluntary, numerous firearm manufacturers have not even committed to the minimal requirements of the deal. Those that do agree to participate are free to drop out at any time without consequences.

No Participation Beyond Manufacturers: The agreement never included firearm distributors or dealers. As this survey demonstrates, these members of the firearms industry—who have the closest contact with gun purchasers—lack basic knowledge about the terms of the deal. They are certainly not supplying safety devices on most handguns. In fact, there is no requirement at all that safety devices would actually have to be passed on to consumers—even if every manufacturer supplied them.

No Monitoring: This survey is the only organized attempt to determine whether the firearms industry is complying with the agreement. Because no entity is charged with the responsibility of monitoring compliance, there is no formal means to identify companies that are not living up to their promises.

No Quality Standards: There are no standards for the type of safety device that would be provided with handguns. The Violence Policy Center has found that the majority of child safety devices available are of such shoddy quality or

design that they are inadequate to prevent children or other unauthorized users from gaining access to a firearm. Even if manufacturers did provide some type of safety device, there is no way to ensure that the device itself would work. Sturm, Ruger & Company is in technical compliance with the agreement, but its plastic boxes can be cut open with a sharp instrument. One of the most popular trigger locks on the market is so fragile that it can shatter if a person steps on it. Clearly, such poor excuses for safety devices will do very little to prevent firearms injury or death.

No Enforcement: There are no sanctions imposed for failure of companies to comply. This is the most serious flaw of all, because there is very little incentive for a company to abide by the promises it has made if there are no consequences for breaking them.

The Alternative: Real Progress Toward Reducing Gun Death and Injury

No federal agency has the authority to issue health and safety rules for firearms and ammunition. That makes guns virtually the only unregulated consumer products in America. This unique status must change if we are to see any meaningful reduction in the 36,000 deaths associated with firearms each year.

Effective child safety lock legislation must include minimum safety standards for the locks themselves in addition to enforceable requirements that all guns be equipped with such devices. Moreover, the law must cover all entities in the chain of distribution to ensure that child safety devices actually reach consumers. Such legislation must authorize the Treasury Department to actively monitor the industry's compliance and empower the agency to enforce the law through the imposition of civil and criminal penalties. The VPC has drafted model legislation that meets these requirements.

Moreover, safety devices and locks alone are not a solution to the plague of gun injury and death in America. A well-drafted lock law could be a small component of that solution, not a panacea. Until firearm manufacturers are held to the same health and safety standards as every other industry, guns will continue to end lives that could have been saved with a little more political courage.

Appendix A: ASSC Advertisement, *Roll Call*, October 13, 1997



FIREARM SAFETY THINK! LEARN! PRACTICE!

Today, the American Shooting Sports Council, Inc. (ASSC) and the firearm industry we represent, reaffirms our long time commitment to providing the American people with the safest, most reliable products possible. *We are proud of our long standing tradition of promoting safe and responsible firearms ownership, storage and use.*

Nearly half of all U.S. households have at least one firearm. This means the chances are good that you, or someone you know, owns a rifle, a shotgun, or a handgun.

While firearm ownership had increased over the years, the most recent National Safety Council statistics show accidental firearm fatalities are at an all time low.

American firearm owners are to be congratulated for this enviable safety record. In an effort to further promote safety awareness, the following ASSC companies currently have, or will soon institute, policies which provide security devices with firearms they ship.

Smith & Wesson	Glock
BerettaUSA	H&R 1871
SIGARMS	Savage Arms
Heckler & Koch	Davis Industries
Taurus Firearms	Kahr Arms
Sturm, Ruger, & Co.	Heritage Manufacturing
North American Arms	Gibbs Rifle Company
O. F. Mossberg & Sons	

In addition, ASSC supports the Senate Judiciary Committee in promoting a provision in the Hatch-Sessions Violent & Repeat Juvenile Offender Act of 1997, calling for firearm retailers to make available for sale to their customers a selection of security devices.

As with any product or tool, however, the safest firearm is one that is in the hands of a safe, knowledgeable and responsible user. It is an individual obligation and duty to know how to safely store firearms to prevent their unauthorized access. No specific security device is a foolproof solutions to the negligent or deliberate misuse of firearms. Education and awareness about safe storage practices and responsible gun ownership is the key.

The ASSC and the firearm industry invite the President, the Congress and all Americans to join in promoting a voluntary national firearm safety awareness campaign.

**Firearms are our business.
Firearm safety is everyone's.**

Paid for by The ASSC, 1845 The Exchange, Atlanta, GA 30332, (770)933-0200

Appendix B: Telephone Survey of Retail Gun Dealers

Hello. I'm calling from the Violence Policy Center in Washington, DC. We're conducting a brief five-question survey on the effectiveness of the Clinton Administration's voluntary trigger lock agreement with specific gun manufacturers and I was wondering if I could take a few minutes of your time?

1) Are you aware of the October 9, 1997 agreement between the Administration and certain gun manufacturers to supply trigger locking devices with their guns?

2) Do any of the handguns, rifles, or shotguns you sell come with trigger locking devices supplied by the manufacturer?

If Yes:

3) Could you tell me the name of the manufacturer(s) and the type of trigger locking device it comes with?

If No:

4) I am now going to read a list of firearm manufacturers. Could you please tell me if you sell new firearms made by any of the following companies?

Beretta
Browning
Davis Industries
Glock
Gibbs Rifle Company
Harrington and Richardson
Heckler and Koch
Heritage Manufacturing
Kahr Arms
Lorcin Engineering
North American Arms
O.F. Mossberg
Savage Arms
SIG Arms
Smith and Wesson
Sturm, Ruger
Taurus

5) Are you aware of any companies that will soon be supplying trigger locks with their guns?

6) Are there any other comments you would like to add?

Thank you for your participation in this survey.

