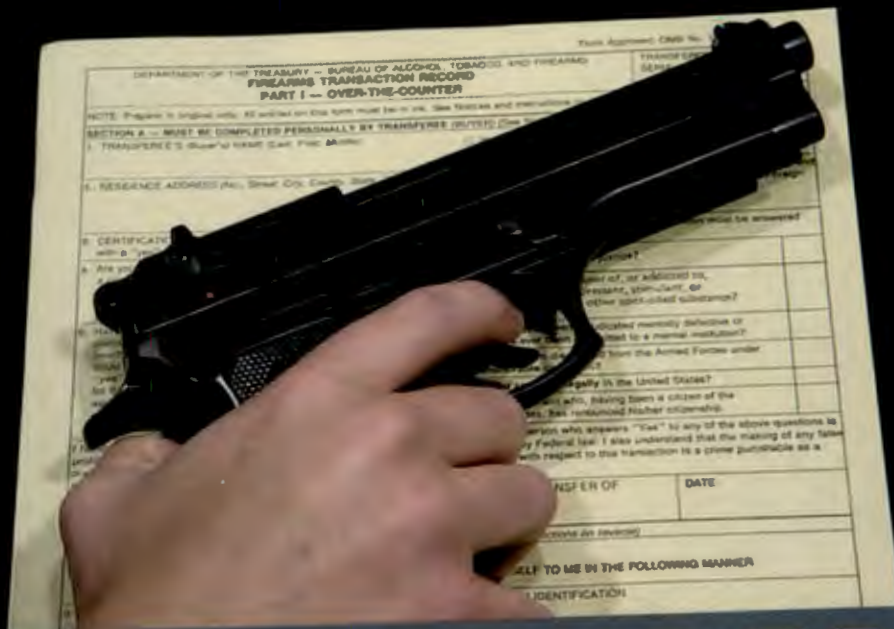


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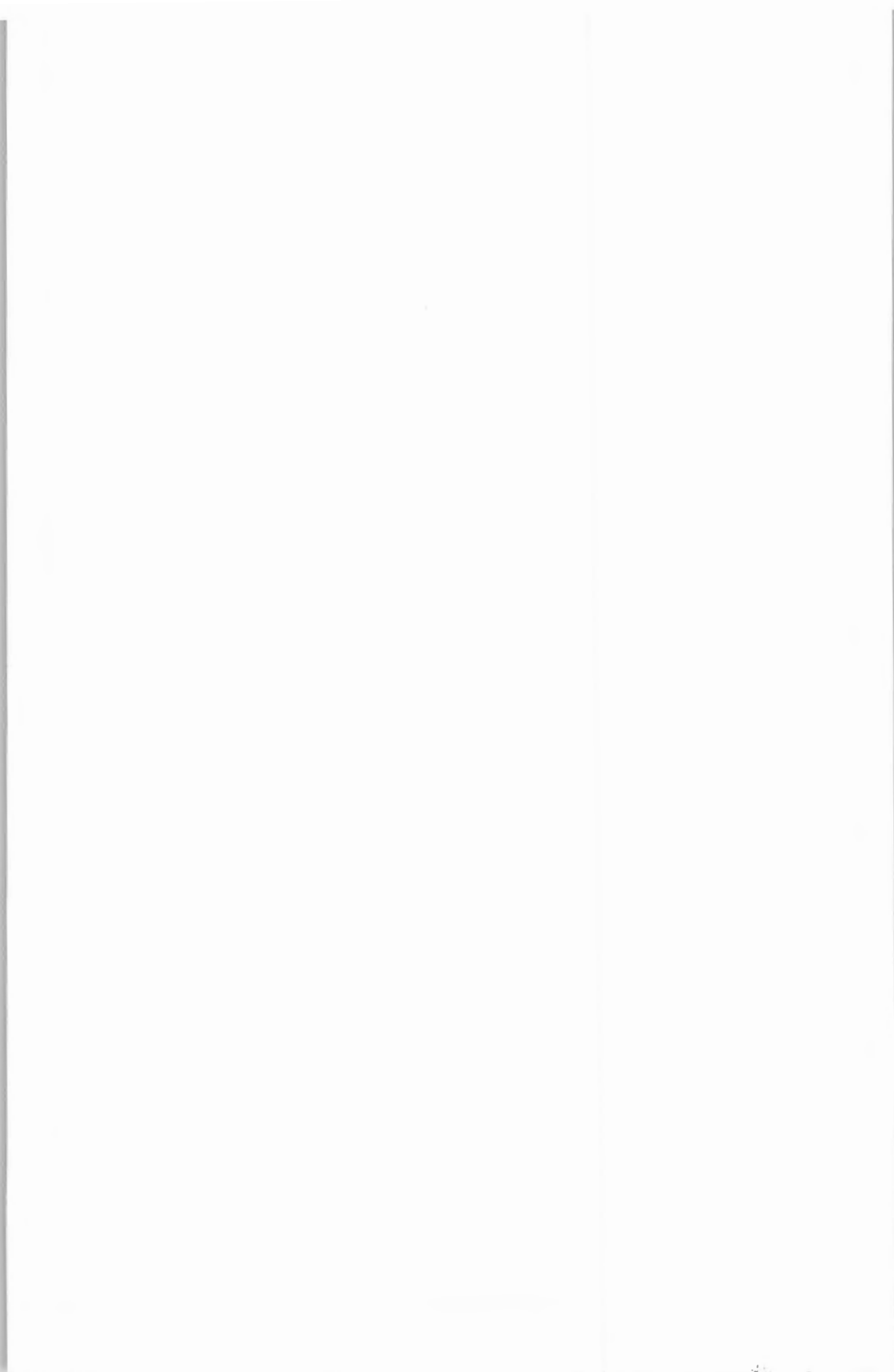


UNINTENDED CONSEQUENCES

Pro-Handgun Experts Prove That Handguns
Are a Dangerous Choice For Self-Defense

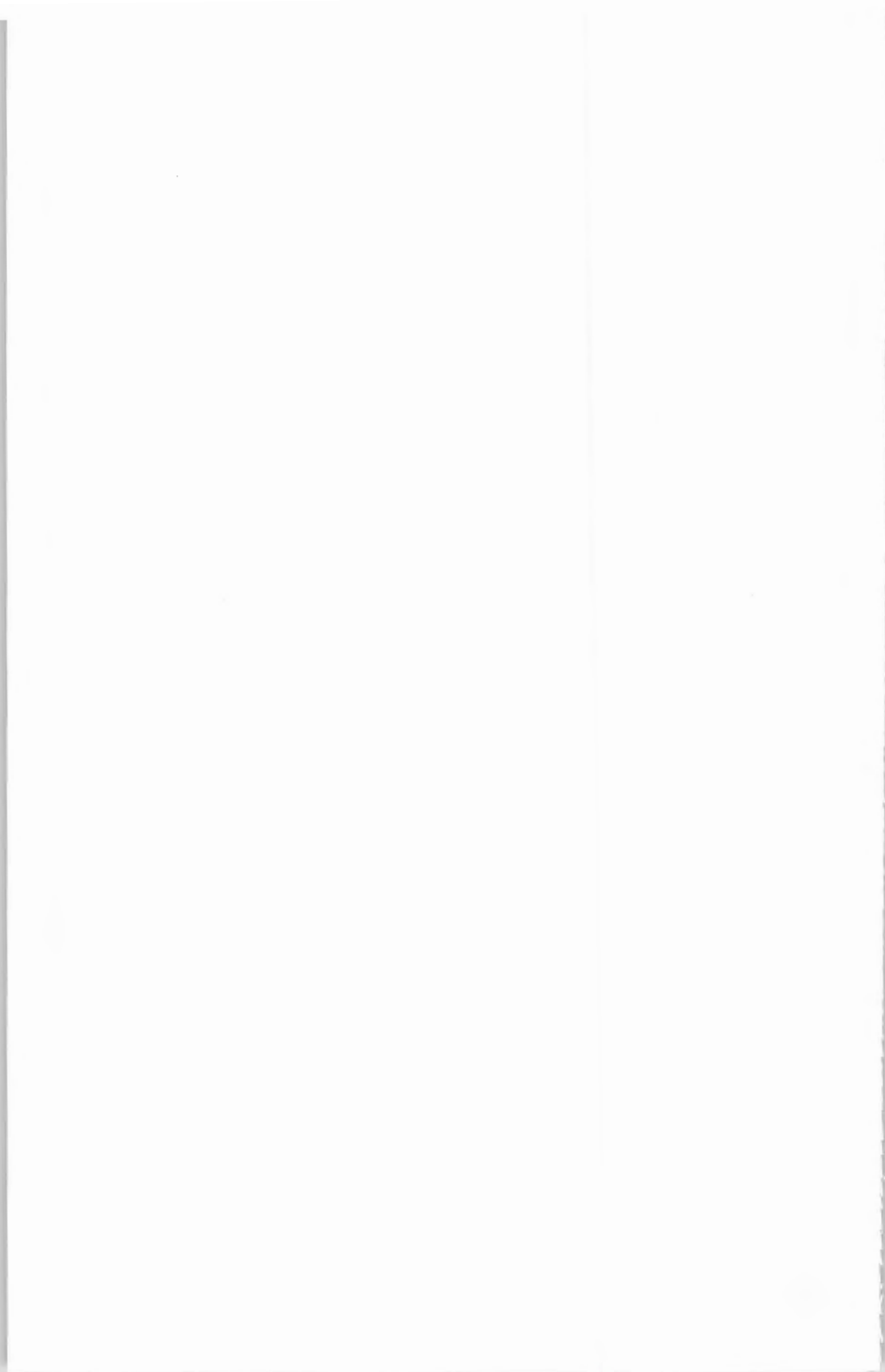


Violence Policy Center



UNINTENDED CONSEQUENCES

**Pro-Handgun Experts Prove That Handguns
Are a Dangerous Choice for Self-Defense**



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 gun-related death and injury.

This study was authored by VPC Senior Policy Analyst Tom Diaz and edited by VPC Publications Coordinator Aimée Stenzel.

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- *Voting from the Rooftops: How the Gun Industry Armed Osama bin Laden, Other Foreign and Domestic Terrorists, and Common Criminals with 50 Caliber Sniper Rifles* (October 2001)
- *Shot Full of Holes: Deconstructing John Ashcroft's Second Amendment* (July 2001)
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- *Cease Fire: A Comprehensive Strategy to Reduce Firearms Violence* (Revised, October 1997)

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Summary

One question lies at the heart of the public health and safety approach to gun control: Do the risks associated with firearms outweigh their benefits?^a The question is particularly acute with respect to handguns, which are responsible for most of America's gun violence.

The gun industry's answer is clear. Over the last 30 years it has promoted the putative value of handguns for self-defense more than any other benefit, such as recreation. The gun business argues that this supposed self-defense benefit outweighs the risk of harm from pistols and revolvers that is demonstrated year after year in America's unparalleled handgun death and injury rates.

This report is not a primer on the law of self-defense and lethal force, but a brief survey of basic principles and how experts view the matter, as it is popularly interpreted. It illuminates the patent danger of our present practice of allowing citizens to carry concealed handguns with only minimal screening and hardly any educational requirements. Based on the work of widely recognized *pro-gun* experts on the use of handguns for self-defense, it demonstrates that the industry's position is false. These experts' own words are quoted at length in this report. They show that for entirely practical reasons *handguns in particular are a dangerous choice for all but a tiny minority of exceptionally well-trained people who maintain their skills with regular and intensive practice*. The vast majority of handgun owners put not only themselves, but their families, their neighbors, and wholly innocent bystanders at unreasonable risk of harm, including death and catastrophic injury. The costs of this harm are borne largely by the non-gun owning public.

The gun industry has made billions of dollars and sold millions of handguns over the last 30 years by zealously marketing pistols and

^a The public health approach does not conflict with the purported Second Amendment right to "keep and bear arms" because it advocates only reasonable control of some classes of guns in relation to the risk they present to society at large. This approach has been uniformly upheld in federal appellate decisions.

revolvers as ideal self-defense weapons.^b This marketing—fueled to a major extent by handgun imports from countries that forbid the sale of the same handguns to their own citizens—has driven handguns from a mere eight percent of firearms offered for sale in the civilian market in 1946 to 54 percent in 1994.¹

Gun-industry marketing has had a clear impact on the gun-owning public. According to the National Shooting Sports Foundation (NSSF), the gun industry trade and lobbying group, 63 percent of handgun owners possess their handgun primarily for personal protection.² The independent Police Foundation reported in 1996 that among those who own *only* handguns, 74 percent reported that self-defense was the primary reason they owned their handgun—compared to 10.8 percent who reported target shooting and 0.5 percent who reported hunting as the primary reason for owning a handgun. Conversely, among those who own *only* long guns, 14.9 percent report self-defense and 69.9 percent report hunting as the primary reason for owning their guns.³

Meanwhile, the National Rifle Association (NRA) and other members of the gun lobby have succeeded in blocking serious controls on handguns by claiming that handguns are needed as tools for self-defense. The gun lobby's success is in large part because the industry's arguments—aided by the pseudo-scientific work of pro-gun advocates like author John Lott—have been accepted into conventional wisdom to an amazing degree. Many journalists and academics have been persuaded that handguns make their owners safer, *and thus that continuing to pour millions of handguns into our society is an acceptable trade-off for the tens of thousands of handgun deaths, injuries, and gun crimes we suffer annually.*

^b In the period from 1970 to 1997, a total of 61.1 *million* handguns were manufactured or imported for sale in the United States, according to data from the U.S. Census Bureau and the Bureau of Alcohol, Tobacco and Firearms. In 1996 *alone*, new handgun sales were valued at roughly \$386 million. U.S. Treasury Department, *Commerce in Firearms in the United States* (Washington, DC: U.S. Government Printing Office, February 2000), 8. This does not include used handguns sold in the secondary market during the same period. Such sales of firearms are estimated to total about 40 percent of overall firearm sales.

Even some gun-control advocates are pursuing various panaceas that they feel are more “politically acceptable” than banning handguns. These include the chimera of the “safe” or “smart” handgun,^c advocating minor steps such as mandatory safety locks,^d or resuscitating the hoary and ineffective idea of licensing and registration. In contrast to these limp panaceas, banning handguns responds forcefully and directly to the precise factor that is causing the carnage.

This uncritical acceptance of the industry’s self-serving risk-benefit analysis has had another unfortunate effect: many of the five out of six Americans who do *not* own a handgun have overcome their sound instincts and come to believe, albeit grudgingly, that self-defense is a legitimate reason for their neighbor to own a handgun.

This report demonstrates that *precisely the opposite is true*. Handguns in the real world—as opposed to the industry’s fantasy world of virtuous defensive gun use—make people who own them much less safe. Using the experts’ own words, this report shows that the overwhelming majority of people who own handguns:

- are ignorant of—or ignore—basic handgun safety rules;
- do not have the necessary handgun combat marksmanship skills to effectively defend themselves *without harming innocent others*; and,

^c One prominent advocate of the “smart” gun went so far as to have secret meetings with Colt’s Manufacturing Company. Colt enjoyed a tax-funded grant of \$500,000 from the U.S. Department of Justice to help it develop such a gun, which it hoped would open up a vast new market. Matt Bai, “Unmaking a Gunmaker,” *Newsweek*, April 17, 2000; author’s telephone conversation with advocate, April 10, 2000.

^d Safety locks would, under the best of circumstances, prevent no more than a few hundred of the more than 30,000 gun deaths America suffers every year. In 1998, a total of 262 persons 19 years of age and under died of unintentional gunshot wounds. Sherry L. Murphy, “Deaths: Final Data for 1998,” *National Vital Statistics Report* 48, no. 11 (2000): 67. Safety locks, if used, might have prevented some proportion of these deaths but would have had no effect on most of the 30,000 other deaths in that year.

- are not prepared for the extreme physiological and psychological effects that the experts, many of whom have on-the-street law enforcement experience with firearms, agree inevitably occur in an armed life-or-death confrontation (the only situation in which lethal force is justified in self-defense).

The expert opinions documented in this report are staggering proof that gun manufacturers have falsely advertised their products for decades. Previous claims that the gun industry's advertising is misleading have relied on academic and clinical risk studies, inferring the risk of harm from rates of death and injury. For the first time, *this report adds to the debate the candid voices of pro-handgun experts and exposes through expert opinion the gun industry's lies about the illusory benefits of handguns for self-defense.*

The structure of this report is outlined below:

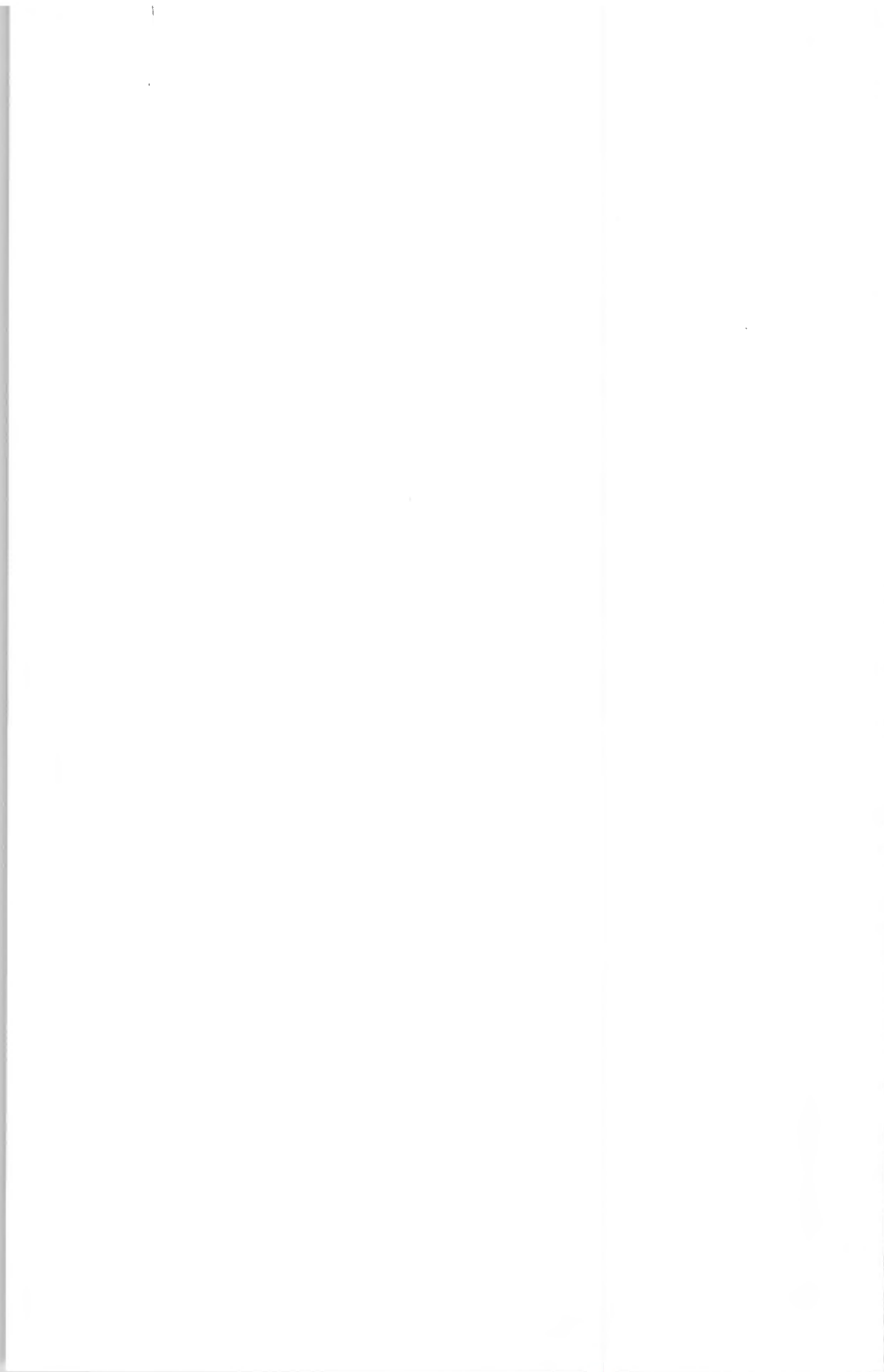
- The *Introduction* explains the public health and safety approach to gun control and introduces the surprising views of some pro-gun experts.
- *Chapter One* outlines the history of gun-industry marketing of handguns for self-defense. The rest of the report follows the trail of self-defense handgun ownership, from purchase to potential use.
- *Chapter Two* documents the abysmal safety practices of gun owners in homes and businesses.
- *Chapter Three* contrasts the meager training of the vast majority of handgun owners with the demands of the real world of lethal-force encounters. It includes a discussion of the ignorance of most gun owners of the relevant principles of the law of self-defense.
- *Chapter Four* describes what actually happens "where the rubber hits the road" in a lethal-force encounter—the powerful psycho-physiological effects of mortal fear that are inevitable in a lethal-force encounter. It explains the

enormous negative impact these effects have on the handgun owner's ability to function safely and effectively.

- *Chapter Five* recommends a number of policy actions.

Two appendices address points related to the risk-benefit argument:

- *Appendix A* contains biographies on noted pro-gun self-defense experts quoted in the study.
- *Appendix B* is a compilation of academic rebuttals to the work of pro-gun advocate John Lott, who has become the principal policy voice in favor of arming Americans—including school teachers—with more handguns.



Introduction: The Emerging Public Health Debate

Handguns inflict a staggering toll on our society. More than one million Americans have died in firearm homicides, suicides, and unintentional shootings since 1962. Handguns were used in more than 670,000 of these fatal shootings.⁴ On average, if someone gets shot and killed, four out of five times it will be with a handgun. In 1998, for example, handguns were used in 80.7 percent of all firearm homicides.⁵

There is thus plenty of evidence that handguns cause substantial harm and, perhaps more importantly, that America's "gun violence" problem is really a *handgun* violence problem. But do handguns do enough good to offset the risk of this perennial harm? Pro-gun advocates claim that the utility of handguns for self-defense is a sufficient benefit to justify their incontrovertible risks. This report critically examines that claim.

The key question the public health and safety approach asks of any consumer product is, what are the product's relative risks and benefits? If a product inflicts more harm than is reasonable compared to the good, the inquiry then is whether the cause of harm is a defect in design or some factor inherent in the nature of the product. If the source of harm is a design defect, like a motor vehicle with a tendency to roll over on curves, it may be possible to correct the design. Some products, however, like highly toxic pesticides, are so inherently dangerous that no amount of design modification can make them reasonably safe. In such cases, the product may either be restricted to specific persons or banned outright.

What are the results when we apply this analysis to handguns?

The Risks of Handguns

Even pro-gun experts agree that handguns make violent encounters more likely to result in death or injury. Here, for example, is what pro-gun author Chris Bird wrote in a manual intended for people who wish to carry a concealed handgun:

Members of the gun-control movement believe that there are far too many guns of all kinds in American society and that these guns are responsible for much of the violence. This is probably true. Guns facilitate violence. A killer can do in a fraction of a second by exerting a few pounds of pressure on a trigger what it might take him ten minutes and a lot of exertion to do with a baseball bat.⁶

Why Handguns are the Major Cause of Firearms Death and Injury. Handguns play such a prominent role in "facilitating" firearms violence because of two characteristics: they are portable and they can be easily concealed. Gun advocate Duane Thomas sees this as a virtue in his pro-gun book, *The Truth About Handguns*:

The only thing handguns really have going for them as weapons is their small size, with its resultant portability, concealability, and maneuverability. In other words, unlike a bulky rifle or shotgun, a handgun can *be there* when you need it.⁷

A third factor, the widespread availability of handguns, has also become important in recent decades as handgun production and import have soared over that of rifles and shotguns—the sporting long guns.⁸

The Public Health and Safety Analysis. Public health and safety experts view the ready availability of the handgun very differently than does Duane Thomas.

Unlike traditional "gun-control" advocates who focus on criminal use of firearms,⁹ public health and safety experts look at physical

⁹ Most gun violence is not criminal in its inception. Suicides, for example, are the majority of gun deaths every year. Even most homicides occur between people who know each other, such as spontaneous killings by previously "law-abiding" angry spouses. Adding unintentional shootings to these suicides and acquaintance shootings leaves a decided minority of shootings that originate as part of a criminal act. However effective gun control measures aimed at criminal violence may be, they have little impact on the vast amount of non-criminal gun violence.

causes of death and injury and seek ways to reduce the effects by modifying the physical causes. Thus, when people being hurled out of or through the windshields of cars was demonstrated to be a factor in motor-vehicle deaths and injuries, these experts advocated seatbelts and other restraints as effective means to reduce harm.

To such experts, the fact that an implement as lethal as a handgun has become ubiquitous and can be concealed and carried around becomes a significant risk factor. It plainly makes it much more likely that a human being will be killed or seriously injured in circumstances where, without the presence of a handgun, only bruised egos or minor injuries would occur. "A lighted match can certainly start a fire, but the potential for serious injury or death is much greater if you toss in a bucket of gasoline," wrote public health expert Dr. Arthur L. Kellermann. "Likewise, violence can certainly cause harm, but the potential for serious injury or death is increased when a firearm is involved."⁹

The public health and safety approach has become a well established and highly effective way to reduce deaths and injuries from virtually every consumer product other than guns, including motor vehicles, toys, and power tools (among thousands of other products). But because the firearms industry is specifically exempted from the federal Consumer Product Safety Act,¹⁰ handguns have escaped the sort of close scrutiny to which every other consumer product in America is subject.

This situation has begun to change somewhat in recent years, however, as the public health community, gun control advocates, and policymakers have come to understand that the same techniques that have reduced deaths and injuries from motor vehicles, pesticides, and flammable clothing can be applied to guns. Ironically, gun experts also frequently compare handguns to other consumer products. "Think of your gun as a power tool," writes Bill Clede, author of *The Practical Pistol Manual*.¹¹ Chris Bird writes, "A gun is a tool, but like a car, it can do a lot of damage if not used correctly and treated with respect."¹² And Ed Shultz, then-president of handgun maker Smith & Wesson, told *The Wall Street Journal*, "I make consumer products."¹³

Nevertheless, Congress has failed to enact legislation—such as the Firearms Safety and Consumer Protection Act introduced by Senator Robert Torricelli (D-NJ) and Representative Patrick Kennedy (D-RI)—that would subject firearms to federal consumer product health and safety regulation, just like power tools and cars.

Putative Benefits From Handguns

We quoted gun advocate Chris Bird acknowledging that guns increase violence. He also wrote, however, that “it is also true that guns prevent violence.”¹⁴ And gun expert Massad Ayoob dismisses advice against buying a handgun for self-defense as “bullshit, all bullshit. Guns are the only weapons that put a physically small or weak person at parity with a powerful, very possibly armed, criminal.”¹⁵

No one questions that it is possible to kill or disable another human being with a handgun. But the public health questions remain: is it true that the handgun is an effective tool for self-defense in a *real* way, as opposed to a merely *theoretical* or *rhetorical* way?¹ And, if it is true only in a limited number of cases, does the possibility that handguns *may* prevent *some* violence outweigh the risks of the greater non-defensive violence they *certainly* cause?

The modern gun industry was built on the premise that handguns are good for self-defense. Until late in the last century, handguns were a small part of the American firearms mix. In 1946 handguns accounted for only eight percent of all firearms available for sale.¹⁶ But this product mix began to change in the mid-1960s as the gun industry, faced with declining rifle and shotgun demand, heavily marketed handguns for self-defense. Today, handguns regularly account for at

¹ Some pro-gun advocates have made greatly inflated claims about the number of so-called “defensive gun uses” each year. Although refuting these claims in detail is beyond the scope of this report, there is a substantial body of academic analysis critically questioning or entirely refuting these claims. See Otis Dudley Duncan, “Gun Use Surveys: In Numbers We Trust?” *The Criminologist* 25 (January/February 2000): 1-7, for a summary of the key issues and sources cited in Appendix B.

least half of the firearms that come onto the market from domestic manufacture and importation combined,¹⁷ and—in some years—more. Whatever else handguns have done to America, they have been a lifeline to keep the gun industry alive.

The Embarrassing Subtext—Handguns Don't Make One Safer.

The many pro-gun experts quoted in this report make the pro forma argument in their works that the person who owns a handgun is safer because he is able to defend himself against others who are bigger, meaner, more violent, or criminal in intent. However, the *substance* of their own work undercuts this premise to an amazing degree. The words of these experts demonstrate authoritatively and convincingly that handguns are so difficult to shoot accurately, and the stresses of actual mortal fear so great, that *only a tiny minority of handgun owners* possess the requisite skill and judgment to effectively use their guns for self-defense in legally appropriate circumstances without needlessly endangering the lives of innocent people.

Expert Bird, for example, points out quite candidly that handguns are crude, difficult-to-master tools, ill-suited for self-defense:

Like many things in life, a handgun is a compromise. It is the least-effective firearm for self defense. Except at very close quarters—at arm's length—shotguns and rifles are much more effective in stopping a drug-hyped robber or rapist intent on making you pay for his lack of social skills. A handgun is the hardest firearm to shoot accurately, and, even when you hit what you are shooting at, your target doesn't vaporize in a red mist like on television.¹⁸

This is a staggering admission that raises on its face the question of misleading advertising by the handgun industry. No handgun manufacturer includes in its advertising or instructional materials the candid statement that a handgun is the *"least-effective firearm for self-defense."* Expert Ayoob writes this critique:

The uninitiated tend to make two kinds of mistakes with firearms: they either use guns when they shouldn't, or do not use them properly in the rare circumstances when they should.¹⁹

Like Ayoob, expert Bill Clede undercuts the need for handguns by noting how rarely they are needed for self-defense:

Many police officers reach the end of their careers without ever drawing—much less firing—a gun in the line of duty. The odds against your ever needing to use your gun are even greater.²⁰

Assuming a real self-defense need and a theoretical utility of handguns to meet that need, does the typical handgun owner have the requisite skill and judgment to effectively use his handgun *without unreasonably endangering the lives of other innocent parties*? Here is how Ayoob, one of the most prominent and vociferous writers in the pro-gun panoply, summed the matter up:

Too many people believe they can shoot suspected criminals when, in fact, they may have no right to do so. Too many people are incapable of using their guns in a combat situation with sufficient expertise to either prevent an armed criminal from taking innocent lives, or to be sure of not hitting bystanders with their own stray bullets. Both knowledge and ability should be pre-requisites for the privilege of carrying a gun in public. It is my personal opinion that every applicant for a carry permit should pass a written examination on self-defense and lethal force laws, and a close-range qualification run over a combat pistol shooting course.²¹

No state requires such demanding qualification as a condition to owning or carrying concealed a handgun.

We examine these points in more detail throughout this report. But this preliminary examination of expert pro-gun opinion makes clear that the real world is far different from the glossy advertising of the gun industry and the glib propaganda of the National Rifle Association.

In the real world, gun owners lack minimal skills and don't know when they can legally, much less morally, shoot another human being. In the real world, criminals shoot back. And in the real world, innocent people—gun owners and bystanders alike—pay the price with their lives.

Chapter One: Selling A Lie

According to gun makers and the gun lobby, packing heat for self-defense has always been as American as apple pie. In their version of history, "responsible" gun owners from the beginning of the American experience have relied on a revolver in the nightstand and a pistol in the jacket pocket to make their families safe.

Neither the historical record nor contemporary real-world facts support this myth. It is an invention, a cynical artifact of gun industry advertising and gun lobby propaganda designed to sell handguns. It has cost millions of lives and inflicted tens of millions of needless injuries.

From Colonial America to Frontier Gun Control

Early America was vastly different from the handgun-happy images one sees on television, in movies, and in the pages of gun magazines. Serious historians have documented that early Americans had little interest in guns. Until the mid-1800s, owning a gun was surprisingly *uncommon*. Those who owned firearms almost always owned long guns.

Historian Michael Bellesiles, for example, examined more than a thousand probate records from northern New England and Pennsylvania filed from 1765 to 1790. He found that only 14 percent of household inventories included firearms—and more than half of these were inoperable.²² Colonial settlers got meat mostly from domesticated animals like cows and pigs. When they wanted wild game, they bought it from native Americans or professional hunters, most of whom trapped their prey.²³ Prior to 1850, at *most* only a tenth of the nation's population individually owned guns of any kind.²⁴

Colt Introduces Handgun Hype. In 1835 the situation began to change for the worse. That year Samuel Colt patented the first of his famous revolvers. Historian Bellesiles notes that Colt's revolver was basically useless for either hunting or militia service, intended only for personal use in violent situations:

Unable to discover a large demand for such weaponry, Colt tried to create one through the cleverest advertising yet seen in America. He engraved his guns with heroic scenes....He filled eastern newspapers with advertisements identifying his revolver with the romance of the West, commissioning Currier & Ives to craft beautiful portraits of Colt hunting buffalo with a revolver.²⁵

These fictional scenes marked the first of several waves of equally clever gun-industry marketing efforts intended to sell handguns as useful tools for self-defense.

Frontier Violence and the Rise of Gun Control. Colt's successful introduction of the mass-marketed handgun signaled a shift in the means by which Americans killed one another. Guns replaced beating, drowning, poisoning, and strangling as the favored way to kill another human being.²⁶ Besides increased lethality, modern handguns put physical and psychological *distance* between killer and victim.

After the Civil War, handguns enjoyed increased popularity in the western United States, resulting in an acceleration of gun violence. Historian David Courtwright observes, "In the most expansive and violent years of the range cattle industry, the late 1860s and 1870s, many cowboys were combat veterans and almost all carried firearms,"²⁷ usually military-issue 44 and 45 caliber revolvers. Their arrival in town set off end-of-trail binges of drunkenness and firepower.

If this Western violence is familiar, the story of how it was brought under control is surprisingly *unfamiliar*. The local governments of cattle towns identified the problem and moved to solve it. They banned handguns. Handgun carrying was outlawed in most cattle towns by the early 1870s, with cowboys expected to "check" their guns upon arrival. Weapons were exchanged for metal tokens at the city gates or were left at a local livery stable.²⁸ Ranchers and cattlemen derided the "pernicious and useless habit" of handgun carrying and advised their men to "give up your pistol...."²⁹

Modern Marketing

Since the end of the Second World War the gun industry has spawned two more noteworthy epidemics of handgun self-defense fever.

The 1960s—Rights, Riots, and Revolvers. The first wave of violence came in the mid-1960s, when the country experienced an extraordinary series of assassinations⁹ and racial tensions rose as the civil rights movement challenged discrimination throughout the South. Notwithstanding the peaceful intentions and tactics of most civil rights activists, a few resorted to militance and some opponents responded violently. Large scale race-related riots, sparked by a variety of causes, broke out in many cities, including the nation's capital.

These events were accompanied by mass anti-war demonstrations, flamboyant civil disobedience, and rising violent crime rates. By 1968, polls found that 81 percent of the American people believed that law and order had broken down. In response, politicians promised to "get tough on crime."³⁰ The cumulative impact of these events raised in some a fear that the country was on the edge of revolution.

The gun industry tilled this ground ruthlessly. David Ecker, president of Charter Arms, explained in a 1981 interview the fortuitous timing of the company's entry into the handgun market in the 1960s:

You had a terrific civil rights problem, with riots all across the country. There was a terrific boom in firearms sales. So any firearm that was being manufactured or imported was being sold.³¹

The handgun industry saw the civil rights "problem"—laden with race-based fears—and disorders associated with racial conflict as a

⁹ President John F. Kennedy was assassinated in Dallas on November 22, 1963; Malcolm X was shot to death in New York on February 21, 1965; Dr. Martin Luther King, Jr., was assassinated in Memphis, Tennessee, on April 4, 1968; and, Robert F. Kennedy was assassinated in Los Angeles scarcely two months later, on June 4, 1968.

marketing boon. Domestic production of handguns soared during the 1960s to nearly twice that of the 1950s. With growing foreign imports added in, the number of handguns that poured into the American civilian market during the 1960s was almost three times that of the preceding decade.³²

The 1980s to Today—Pistols, Pushers, and Profits. Since then, the gun industry has exploited similar fears of violent crime, with subtly inferred racial overtones, linked to periodic civil disorders and episodes of spectacular criminal gun play associated with the traffic in illegal drugs. This exploitation swelled to a near-frenzy in the mid-1980s and persists to this day. Gun manufacturers continue to design and market increasingly lethal “self-defense” handguns and ammunition, introducing the mass marketing of high-capacity semiautomatic pistols and “pocket rockets.”

The National Rifle Association helped stoke sales with a series of sensational fear-mongering ads aimed at taking “gun owners’ rights down to gut level.” The ads used garish photos, inflammatory copy, and hyped headlines to push for the use of firearms for self-defense. Typical captions included: “Should you shoot a rapist before he cuts your throat?” and “If you’re attacked on your porch, do you want your neighbors to be opposed to gun ownership or members of the NRA?”³³

Gun manufacturers saw the “personal-defense” market as a lifeline out of flat handgun sales. For example, then-president of Smith & Wesson Ed Schultz said in 1992 that he expected to see growth in this personal protection market.³⁴ By 1997, *Shooting Industry* boasted that “concealment handguns and other defensive firearms are the bright spots in gun retailing,” and advised retailers, “It’s time to jump in on the defensive handgun market if you haven’t already.”³⁵

Ayoob summed up the extent to which this second wave of “personal-defense” marketing changed the American gun market in a *Shooting Industry* article:

I recently was leafing through an issue of *Shooting Industry* from 1971. Talk about a blast from the past! A quarter century later, things have changed dramatically.

In *SI* back then, it appeared that shotguns and .22s were the mainstay of the firearms business. A firearms retailer today knows that...that type of sporting market is stagnant at best. The guns that are selling during this sales trough in the industry are defensive firearms, particularly handguns thanks to reformed "shall issue" concealed carry rules in several states....

Defensive firearms, sold with knowledgeable advice and the right accessories, offer the best chance of commercial survival for today's retail firearms dealer.³⁶

In another article entitled "'Trend Crimes' and the Gun Dealer," Ayoub advised using fear to sell more guns on "impulse," stating:

Customers come to you every day out of fear. Fear of what they read in the newspaper. Fear of what they watch on the 11 o'clock news. Fear of the terrible acts of violence they see on the street. Your job, in no uncertain terms, is to sell them confidence in the form of steel and lead.³⁷

A recent rash of NRA-sponsored "concealed-carry" laws has opened up a new market for handguns. Although the NRA claims that it represents the gun consumer and not the gun industry, its former chief lobbyist, Tanya Metaksa, tells a different story. In a 1996 interview with *The Wall Street Journal* she claimed credit for generating new gun-industry sales by means of these laws:

The gun industry should send me a basket of fruit—our efforts have created a new market.³⁸

A gun industry magazine headline put the effect of these laws bluntly: "More Gun Permits Equal More Gun Sales."³⁹

But not all voices within the industry have been as enthusiastic about concealed carry as Ms. Metaksa. *Guns & Ammo's* "personal security" writer opined in July 1992, that:

If someone carries weapons concealed, he must really be *looking for* or *expecting* trouble instead of *avoiding* it (whether they were carried legally or not).⁴⁰ [emphasis in original]

The steady rise of handguns to first place in the American sales market reflects the effects of the self-defense boom. But, as detailed in the rest of this report, pro-gun writers like Ayoob ironically document what a poor choice the handgun really is for the consumer.

Chapter Two: Safety Last

Every handgun is inherently deadly. None can ever be considered safe. Therefore, safety issues begin to multiply from the moment a person accepts the industry's arguments and brings home a handgun for self-defense.^h

Even if the handgun is never called to use for self-defense, the owner must recognize and deal properly with a host of questions. Does he know how to load, unload, clean, and carry the handgun safely? Where and how will the gun be stored? What other persons will have access to the handgun, authorized or not, and at what risk to themselves or others? Are there special factors at home that increase the risk of inappropriate usage?

The handgun industry and the gun lobby often gloss over these questions by rhapsodizing about "responsible" handgun owners. But handgun self-defense experts shudder when they write about what they see in real life. Starting from the initial decision to buy a handgun, through general safety knowledge, to home storage and the effects of carrying a gun on one's personality, the real world in which the experts teach and train differs dramatically from the idyllic glossy centerfolds of the handgun business and the NRA's ideologues.

Who Should Own and Carry a Handgun?

Who *ought* we allow to own and carry a handgun? Expert Ayoob takes a surprisingly cautious view that emphasizes "privilege" over "right," stating that:

^h Safety issues actually begin even before the new owner takes possession. Buyers and sellers alike have unintentionally shot each other. See, e.g., "Man kills himself after accidentally shooting friend in gun store," *Associated Press*, 6 November 1999. A 1994 article in the industry magazine *SHOT Business*, for example, described several incidents that resulted in dealers being held liable to customers, including the case of a retailer "30 years in the business" who "shot the customer without realizing there was a round in the chamber." Tim Goral, "A Lesson on Liability," *SHOT Business*, July/August 1994, 22.

...the license to carry concealed, deadly weapons in public is not a right but a privilege. To be worthy of this privilege, one must be both discreet and competent with the weapon. The gun-carrying man who lacks either attribute is a walking time bomb.⁴¹

Hotheads and Racists? As will be seen throughout this study, useful insight can be drawn from the training and experience of law enforcement officers, most of whom carry handguns daily. One handgun expert aptly compared the even temperament that we justifiably demand of police officers with that of civilians who carry handguns:

Clearly, a police officer who flies off the handle easily will generate, rather than solve, problems, and the same is true for other citizens. *A hothead should not carry a gun.*⁴² [emphasis in original]

Ayoob opines similarly that "there is no place for racist paranoids with guns on an integrated American street."⁴³ This is no mere theoretical observation, given the number of recent handgun murders in public places allegedly inspired by racist motives.ⁱ

These common sense observations are fine advice. But they raise a profound question: How *do* we detect the "hothead," the racist paranoid, or other inherently dangerous persons who "should not carry a gun?" Unfortunately, the answer is that in America we try only weakly—and ineffectively at that. Like the emperor's absent clothes, this problem is studiously ignored by many, even by gun control advocates who should know better.

ⁱ For one example, on August 10, 1999, self-proclaimed white supremacist Buford O. Furrow, Jr., shot up the North Valley Jewish Community Center in Granada Hills, California, and shortly thereafter killed postal employee Joseph Santos Iletto. Furrow reportedly confessed that he killed Iletto, a Filipino-American, as a "target of opportunity." "Alejandro Mayorkas Holds Briefing With Others on the Furrow Case," *FDCH Political Transcripts*, August 12, 1999.

Candidates for the police force are now often screened by psychological testing and observation during training—*before* they are set loose on the street with a handgun. “It used to be that people became cops because they wanted to hit somebody upside the head,” said Dr. Ellen Kirschman, a psychologist and author on police families. “We screen them out now.”⁴⁴

But we find out about civilian hotheads and other loose cannons only *after* they shoot one or (increasingly) more of us in moments of jealousy, rage, hatred, or mental imbalance. Although the Brady Law and a few state licensing laws screen out certain classes of persons presumed by law to be too dangerous to possess firearms, such as convicted felons and persons *already adjudicated* as mentally ill, neither they nor any screening procedure imaginable can detect the kind of dangerous hotheads who are “walking time bombs” if allowed to own a concealable, portable handgun.ⁱ

The “Make My Day” Effect. The problem is compounded by the potential changes in one’s personality when carrying a handgun, described by expert Chris Bird:

[B]e aware that when you start carrying a gun, your personality may change. You may become more confident but also more aggressive. You may go to places that you would not have gone before simply because you are armed. You may think you are invincible, but you’re not.⁴⁵

This might be called the “Make My Day” effect. As Bird says, “most police officers and probably civilians who carry guns fantasize at some time or other about winning a gunfight.”⁴⁶ Ayooob also warns, “Civilians who buy guns for street defense tend to think that their very

ⁱ In any case, the Brady Law suffers several other serious defects: It covers only sales by licensed gun dealers. It does not cover the 40 percent of gun transfers made in the so-called secondary market between private individuals, at gun shows, through newspaper ads, and across backyard fences. And it misses most records of serious mental illness. Fox Butterfield, “Hole in Gun Control Law Lets Mentally Ill Through,” *The New York Times*, 11 April 2000, p. A1.

possession will alleviate the dangers," and may thus unwisely stroll into situations where it may later appear "he was looking for trouble." If the gun owner does end up shooting someone, a prosecutor may ask, "But what were you doing there at that ungodly hour? Were you *looking* for a legal excuse to shoot somebody?"⁴⁷

High on Cocaine, Drinking Champagne? The problem gets worse if one is under the influence of alcohol or drugs. "People tend to do stupid things after a few drinks, so if you know you are going to a party or function where you are going to drink, leave your gun at home," advises expert Bird.⁴⁸

In a training video, expert Ayoob addressed the same point in what appears to be a jaded or highly skeptical manner. At the very moment Ayoob says, "The next time you all are at a party and really juiced...with your guns safely locked up at home, of course," he rolls his eyes in an exaggerated way and looks up at the ceiling.⁴⁹ His remarkable facial gesture appears to acknowledge, if not condone, an open secret, which is that most people who feel the need to carry a handgun are not likely to leave it locked up at home if they are going out to party—and perhaps planning on getting "really juiced."^k

The use of drugs, illegal and legal alike, has become commonplace in our society. It is silly to think otherwise. Bird tackles the interaction of handguns and drugs in this casual way:

Some people are permanently on drugs for medicinal purposes. There is no reason they can't enjoy shooting. Just don't shoot or handle firearms when you are impaired.⁵⁰

The Cumulative Effect on Public Safety. It is sobering to think about the cumulative effect of just the four factors these experts warn about: a "hothead" or "racist paranoid," whose personality has become

^k It must also be noted in fairness that Ayoob advises in one of his books that one should: "Never touch a firearm while under the influence of alcohol, or display one at an occasion when liquor is flowing, (never take a gun into a bar or cocktail party)." Massad F. Ayoob, *In the Gravest Extreme: The Role of the Firearm in Personal Protection* (Massad F. and Dorothy A. Ayoob, 1980), p. 121.

"more aggressive" because he is carrying a gun, decides to have "a few drinks" or is "permanently on drugs." Society's only defense against this deadly mix is that person's self-restraint, which by definition is already impaired. Motor vehicle codes prohibit driving while under the influence of drugs or alcohol. But there is no such offense as "armed while an impaired-aggressive-racist hothead." And, if there were, how would we enforce it?

In the end, we trust a self-selected class of barely screened handgun owners not to take their guns to town when they are angry, aggressive, drunk, drug impaired, or all four.

What Basic Skills?

A person who buys a handgun in America today is on his own when it comes to learning how to safely use it.

Safe Handling? Gun manufacturers include only cursory cautionary information about basic safe-handling procedures in their product packaging. If the gun is bought from a licensed dealer, the dealer's interest is to make the sale. Few, if any, dealers are likely to limit their gun sales to persons who demonstrate gun-handling skills.¹ No federal law, and very few state or local laws, require that a handgun owner show any competence in how to safely handle, store, or use the gun. The result is predictable. "Unfortunately, many new shooters are unaware of basic firearms safety, and many trained shooters become complacent in their application," according to Dave Lauck of *Tactical Shooter* magazine.⁵¹

That Lauck's observation is of real-life concern is confirmed by the litany of "unintentional shootings" among handgun owners regularly reported in the news media. A brief survey of examples from the endless annual toll include shootings that occurred while unloading the handgun,⁵² while moving a pile of laundry in which a handgun was

¹ In over 20 years of frequently hanging around gun stores and buying and selling firearms of all types through licensed dealers, the author never witnessed a single instance of a dealer questioning his or any other potential buyer's skill level.

concealed,⁵³ while cleaning the handgun,⁵⁴ while showing off the “unloaded” handgun,⁵⁵ while explaining gun safety,⁵⁶ and “a combination of horseplay and unfamiliarity” with a .357 Magnum revolver.⁵⁷

Effects of Stress on Gun Safety. If gun owners don’t know, or choose not to follow, basic safe handling rules in the best of times—when they are simply cleaning or “showing off” their handguns—how can they be expected to follow rules for the safe use of guns in highly stressful self-defense situations?

Let us examine, for example, a prime rule frequently stressed by handgun safety experts: keeping one’s finger off of the trigger until ready to fire. Here is the ideal, as explained by expert Bill Clede:

...let’s suppose....Your assailant’s movements require you to move around. What’s the safest way to do that? First, remember that your adrenaline is already flowing. What if a family member suddenly comes on the scene and startles you? *Keep the gun pointed in a safe direction*—usually downward at a 45 degree angle—and *keep your finger off the trigger.*⁵⁸

Later chapters discuss in detail the problems of moving assailants, random family members and other innocent bystanders, and the effects of adrenaline. Here the question is simply whether frightened people are likely to act in this ideal way. Expert Duane Thomas clearly thinks not. He writes:

...in the real world, people with less-than-expert skill levels often do wind up carrying and using handguns, and to base your attitude toward firearms safety on the way you think the world *should* be, instead of the way the world *is*, strikes me as more than a little stupid....

And, yes, it is true that keeping your finger outside the trigger guard unless you’re actually firing or about to fire the piece is a mandatory habit for the well-trained shooter. However, again, in the real world, the majority of people carrying and using guns are not well-trained

(although it would be surely nice if they were). When most people feel threatened by a criminal, so much so they wind up pointing a gun at their potential robber, mugger, rapist, or murderer, trigger fingers do have a tendency to gravitate toward triggers.⁵⁹

In fact, even highly trained police officers sometimes, to their later regret, forget that rule, as in the case of a Salt Lake City officer who was found to have broken it when he unintentionally shot an unarmed man in a traffic stop. "That's the most commonly taught rule, but it's also the most commonly violated," an assistant chief said of the incident.⁶⁰

Conflicting Priorities—Storing the "Self-Defense" Handgun in the Home

The new handgun owner gets safely home with his "self-defense" gun. Now what? Well, if he has kids, he immediately faces a dilemma:

If you intend to keep a gun or guns ready for self defense and you have children in your house, you have a problem. You have two conflicting priorities. You don't want your children or their friends to hurt themselves or anyone else with your guns. But a gun kept for self defense must be kept easily accessible and ready to shoot at a moment's notice.⁶¹

The Training "Cop Out." Suppose our new handgun owner has taken a basic firearms course. Is he or she likely to have gotten good advice on this issue from the instructor? Not according to expert Jim Cirillo:

Another important aspect of safety concerns the student's weapon and the immediate family. This is a facet of weapons safety that is rarely mentioned or only touched upon. There are many serious implications if the wrong information is given, so many firearms instructors cop out and simply tell students that they must safeguard their weapons from family members and leave it at that. This minimal advice could lead to a tragedy.⁶²

It is no wonder that firearms instructors “cop out” on the question of how to safely store a self-defense handgun, because there is *no way* to both safely store a handgun and yet keep it ready for instant use to defend oneself. “There is no such thing as a childproof firearm,” warns Ayoob, while also observing that “the achingly long fumbling for the locked up gun and cartridges can be a nightmarish experience when the invader’s footsteps are rapidly ascending the stairs.”⁶³

Children: Little Gun-Finding Machines. Expert Bird proffers this platitudinous and curiously contradictory advice about home gun security:

The best way to keep your self-defense handgun out of the hands of children and others is to wear it. If you are not wearing it and it isn’t under your direct control, it must be made secure. Putting the gun on a high shelf will keep it out of reach of a toddler but not from a teen. Hiding it is also not a good approach. Remember when you were a kid? Was there anywhere in your house that you hadn’t explored? As a kid, I remember finding a .32 semi-automatic and ammunition in a drawer in my father’s dressing room.⁶⁴

Ayoob puts the problem of the child’s curiosity more bluntly and candidly. He states:

Do not believe for a moment that you can keep a gun in an accessible place without his knowledge. There are few items in your house that your children have not found and curiously examined, with or without your knowledge.⁶⁵

Gun Week, published by the Second Amendment Foundation, recently reported the case of a five-year-old child who got his mother’s handgun, pointed it at playmates and then fired it into the ground. Police declined to prosecute the mother because the gun was “properly stored,” i.e., unloaded and on a high shelf. But the boy nonetheless found the gun and ammunition. He told police that he had learned how to load and fire the gun from watching television.⁶⁶

If keeping the handgun away from one's own teens and toddlers is hard, what about burglars and the *neighbor's* kids?

When burglars break into a house, the first place they look for a gun is in the bedside stand. If you have children, they will quickly learn that's where you keep your gun. Think about it. Is the bedside stand a good place to keep a gun? Of course not....

Even if you have no children, can you guarantee that none will ever come into your house? Probably not.⁶⁷

So, strapping on your shooting iron is impractical (not to mention embarrassingly foolish) for most people. Sticking the self-defense handgun in the nightstand is an invitation to theft. And "hiding it is not a good approach" to keep it away from children, as hundreds of unintentional shootings of children every year testify to. But even all this is not the end of the new handgun owner's worries.

Other Problems

Mental or Medical Problems in the Home. Children and burglars are obvious problems. A more subtle problem is that of gauging and dealing with the states of mind of other adults in the household, a ticklish third-party variant of the "hothead" problem discussed above:

If someone in your family is under medical care, is taking medication or drugs, or has some psychological problem, the weapon must be safeguarded. There is no way to predict how someone's mind is working when, for example, they know they have a dreaded terminal disease.⁶⁸

If there is "no way to predict" how another's mind will work, how can the self-defense handgun be "safeguarded?"

Ammunition Selection. Given the general level of ignorance about firearms that is apparently prevalent among handgun owners, it

is safe to infer that most have no idea that their choice of ammunition will have a direct effect on the safety of their families, neighbors, and innocent bystanders.

Two factors are at work here: the physical shape of the bullet, and the power with which it is propelled (usually a function of the amount of powder, or propellant, in the round). Simply put, bullets with hard round noses (known as "ball") tend to go through objects, as opposed to expanding (hollow-point) bullets, which tend to break up or stop within the object. Similarly, higher powered rounds tend to go through whatever they hit. In a practical sense, this means that hard, high-powered bullets may have a tendency to go through walls and human beings alike, and hit whatever is on the other side.

Writer Jim Williamson discussed the power issue recently in the Second Amendment Foundation's *Gun Week*, warning his readers that the powerful .44 Magnum handgun was best used with "moderate loads." He states, "Full-power rounds slam though humans, wasting much of their great power beyond the target, possibly wounding or killing innocent bystanders."⁶⁹

Expert Ayoob recently discussed the merits of hollow-point over ball ammunition in *Shooting Industry*. He described several incidents in which law enforcement officers were killed by ball rounds fired by another officer that hit but went through the target and struck the unfortunate partner:

It happens with civilians, too. In the Midwest, a citizen shot an armed robber with a non-expanding .357 Magnum slug. It went through the perpetrator, who lived. It continued into a bystander, who died. The man who fired was charged with murder in the death of the bystander.⁷⁰

Ayoob constructs this harrowing potential scenario in which the wrong ammunition choice could have deadly consequences for the family:

If the customer doesn't think bullet type and penetration matter.... Remind them that they might be down on their

back, about to be stabbed by the attacker who is straddling them....Their oldest son runs up behind the attacker to pull him off the parent, but can't be seen. The parent fires the gun into the chest of the attacker with the boy directly in line with him. Ask them if they really want that bullet to be a 9mm or .45 ball that can pierce more than two feet of solid muscle!⁷¹

Expert Bird, however, demonstrates that the question of ammunition selection can turn out to be a Hobson's choice, with no ultimately good option:

Firing a hollow-point bullet through sheetrock increases its penetration because the sheetrock will fill the hollow point and make it act like a round-nosed bullet. In other words, it will penetrate rather than expand. This is something to remember if you have to shoot someone in an apartment with neighbors just the other side of a sheetrock wall.⁷²

These expert warnings are not merely hypothetical. A Boston police officer shot and killed her only son when a round she unintentionally fired during a violent argument with a former boyfriend pierced a wall and struck the 15-year-old in the temple.⁷³ In Palmdale, California, a man shot his wife while he was cleaning a 45-caliber pistol. The bullet "went through the kitchen wall into the family room and struck his wife in the back," according to police.⁷⁴ A Minneapolis police officer shot his neighbor when his service pistol went off unintentionally and the round went through a wall separating their apartments.⁷⁵ The New York City Police Department found in a study of unintentional police shootings in 1995 and 1996 that 19 officers were hit by ball rounds that passed through people (17) or objects (two). Only four officers were hit by hollow-points, and of these only one passed through another person.⁷⁶

Dangerous Misconceptions About Armed Confrontations in the Home. In spite of all these safety problems that mere ownership of a handgun involves, and the clinical evidence that bringing a handgun into the home dramatically increases the risk of suicide or homicide within the family, some people still believe they are safer owning a handgun

for self-defense than living without. In fact, some pro-gun advocates argue that the more guns a society has, the safer it is. Here, however, is how gun-defense expert Massad Ayoob assesses the reality of the preparation of most home-defense gun owners:

Everyone who keeps guns has considered, however briefly, the possibility of an armed confrontation in the home. And herein lies the problem: the only thought most people have given to the use of a defense gun has been cursory at best....

The average American has more misconceptions about lethal force in the home than in any other self-defense situation. He not only has little understanding of his legal position under these circumstances; he has no idea of how to conduct himself if, by infinitesimal chance, the day comes when his home actually is turned into a battleground he must defend against armed criminals.⁷⁷

Should that "infinitesimal" event occur, here is what Ayoob opines awaits most gun owners:

[There] are few situations where you will be on even an equal footing with an armed intruder....In almost any intrusion situation, be it in the depths of night or during waking hours, the intruder will have surprise in his favor, and this is an almost insurmountable advantage to him....

You, the head of the family, are awakened out of a sound slumber. It will be at least a few minutes, if you're the average man, before your reflexes and the acuteness of your sensory perception reach full capacity....

Altogether, you are not in ideal shape to be fighting for your or your family's lives....

He is better prepared than you are.⁷⁸

Nothing in this scenario addresses the powerful effects of mortal fear (discussed in detail in Chapter Four) on the defender's abilities,

which are likely to be rudimentary at best. The experts agree that these effects will enormously complicate the gun owner's ability to respond to whatever has alarmed him. Yet the owner's problem has just begun. What if the noise that woke him from his sound slumber is innocent? Ayooob writes:

It is entirely possible that someone has gone downstairs for a midnight snack, or maybe your teenage son, whom you didn't wait up for, brought home an intoxicated buddy to sleep it off on the living room sofa. Some hideous tragedies have occurred this way; not as many as implied by [those] who advocate disarming the public, but enough to teach a lesson of caution.⁷⁹

Chapter Three: Paper Targets Don't Shoot Back and Have No Right to Live

It is difficult to shoot a handgun accurately, even under the most tranquil of circumstances. "The handgun is the most difficult firearm to shoot accurately and rapidly; skill comes only with practice," according to Massad Ayoob.⁸⁰ But many handgun owners don't practice at all. The result is predictably low marksmanship, according to handgun defense expert Duane Thomas:

Most cops and civilian gun carriers are *lousy* handgun shots. The level of ineptitude of many people who carry guns on a daily basis is nothing short of appalling.⁸¹

The relative few who do practice with their handguns typically shoot at paper targets. Sometimes they practice on targets of human silhouettes, some of which feature scowling faces and threatening postures. Handgun enthusiasts who make a sport of target practice may achieve some skill at punching holes in paper targets.

Paper targets, however, do not act anything like real assailants. They don't lunge out of darkness, arrive in groups, jump around, hide behind cover, or attempt to take the victim's gun away. Most of all, paper targets don't shoot back.^m They therefore do not evoke the heart-pounding fright which normal human beings *inevitably* feel under circumstances that legally justify the use of deadly force in self-defense. (The physiological and psychological effects of mortal fear and their impact on the gunfighter are discussed in detail in the next chapter.) This chapter examines expert views on the differences between punching holes in paper targets and exchanging shots in real gun fights.

^m Many law enforcement agencies train their officers under circumstances where the bad guys *do* shoot back. They use, among other things, paint ball guns and simulated ammunition rounds that sting but do not seriously wound, and interactive simulators that present "shoot-don't shoot" situations in which the officer not only has to avoid shooting innocent persons, but avoid getting "shot" himself.

Handguns are Not Magic Amulets

Gun industry advertisements make handguns seem like magic amulets that ward off evil forces just by their presence. Buy one of these, they imply without elaboration, and you'll be able to protect yourself. Massad Ayoob describes the mentality of some handgun owners who buy into this myth as follows:

"OK, I've got the gun, now I'm safe, but, God, I'll never have to shoot anybody." You know, "I'll just have it to be safe," right, like somehow the gun will project an aura that will save me.⁸²

The experts are well aware that there is no such "aura," and that real life is much different than the fantasies of gun-industry marketing and most handgun owners.

No Quick Surrenders. Fictional drama has convinced some gun owners that they will probably never have to shoot anyone because the bad guy will surrender. Noting that the average American "has never witnessed—probably never even read a complete, official report of—a real, armed confrontation," Ayoob contrasts the typical television scenario that dangerously influences a gun owner's plan with the inconveniences of real life:

On TV, the one who has the drop on his opponent yells "Hold it right there," and the gunman freezes, then slowly opens his hand to let his weapon fall. But in real life, the criminal does not freeze at the unexpected challenge....

If you analyze a number of official police reports of confrontations with armed criminals, you will reach the inescapable conclusion that sudden and violent resistance is, statistically, a much more likely response than surrender.⁸³

Small, Deadly Business. Homeowners are not alone in the widespread delusion that having a handgun around makes them safer. Many proprietors of small retail establishments have also armed themselves with handguns. Ayoob notes that many retailers who have done so "are dangerously unfamiliar with firearms," adding:

The average manager or storeowner who keeps one or more guns on the premises has probably acquired them with a vague view toward "self-defense" and "security."⁸⁴

Such "vague" thinking often leads to predictably tragic results. Using a handgun safely and effectively involves much more than just taking it out of the box and waving it around. The following story related by handgun defense expert Bill Clede makes this point precisely:

In Tucson, Arizona, in 1992 Daniel Bennett was working in his pizzeria when two armed men entered and shot him in the chest. He drew his newly acquired Glock and returned fire, but the gun failed to function after the first round, and the attackers fired five more shots into him. Bennett sued the gun manufacturer....

At the trial, it was revealed that Bennett had bought the gun and a box of ammo, had learned to load the magazine, had put it into the pistol, and had chambered a round. And that was it. He did have the presence of mind to draw his gun in self-defense, but *he had never learned to shoot it!* Apparently, he "limp-wristed" the self-loading pistol so that it failed to chamber the second cartridge.ⁿ Gun writer Jeff Smith calls this "the classic freshman flunk."⁸⁵

Daniel Bennet survived. But Austrian handgun maker Glock doesn't feature his story in its advertising—not even as a cautionary footnote, even though the NRA's official magazine warns: "In a personal-protection situation, one can't be sure of having a firm, two-handed shooting-range grip, so a pistol's functioning from a weak grip is an important point."⁸⁶

ⁿ Most semiautomatic pistols use recoil energy to drive a slide back against a spring. During its rearward travel, the slide ejects the spent shell casing. When the recoil energy is sufficiently spent, the spring drives the slide forward, and the slide picks up and chambers a new round. "If the shooter fails to take a firm grip on the pistol, the slide may fail to recoil fully, causing failures to eject or feed," ("Limp-Wristing' Pistols," *American Rifleman*, August 1997, 22).

It is impossible to say how many other would-be defenders like Bennett have died or been injured because they simply didn't know how to operate their handguns.^o But it is distressingly easy to find other examples of handgun "self-defense" gone awry in small business settings.

In New Jersey, for example, a record-store owner unintentionally shot his business partner to death with a Glock .40 S&W pistol during a "training" exercise the two men were reportedly staging, simulating a robbery in order to "prepare themselves to fend off a real holdup."^p The two had never been robbed but had recently bought the two guns they were using during the simulation.⁸⁷ In Tampa, a store clerk shot himself in the leg when he apparently knocked the store gun off the counter and it discharged upon hitting the floor.⁸⁸ In Philadelphia, a store owner killed an eight-year-old boy when he fired at an armed robber, missed, and hit the boy instead.⁸⁹ A jeweler in Franklin Township, New Jersey, unintentionally shot and killed his wife when he fired at a robber who had knocked her to the floor.⁹⁰

The Trouble with Pistols. Unfamiliarity is especially problematic for the novice owner of the semiautomatic pistol. A revolver is a simple mechanism that almost anyone can figure out intuitively how to work and generally does not contain a safety. But some pistols require a

^o Detailed national incident data is routinely collected about deaths and injuries caused by many consumer products, such as motor vehicles, and is widely available for researchers analyzing causes and safety measures. But no comprehensive database exists in relation to gunshot deaths and injuries. This is largely because of the opposition of the National Rifle Association and other members of the gun lobby.

^p In a curiously similar incident, an Ohio police officer shot and seriously wounded a fellow officer while they were "practicing for a role-playing training session." The two, using real but theoretically "unloaded" Glock pistols, overlooked a round in the chamber of one of the guns, (Lisa Perry, "Officer Indicted for Shooting," *Dayton Daily News*, 27 January 1998, p. 5B).

preliminary movement—such as moving a safety lever or racking the slide back to cock the hammer—before they can be fired.⁹

This is not merely a theoretical problem. Ayoob cites several instances in which he says law-enforcement officers survived after resisting suspects took away their pistols because the suspects could not figure out how to prepare the pistols for firing. He also describes a Florida police department's experiment measuring how long it took lay employees to figure out how to fire a revolver and a pistol respectively at a paper target "officer." Said Ayoob, "On the average, the testers were able to pick up the revolver and 'kill the officer' in 1.2 seconds. Their average time with the safety-locked automatic was approximately 17 seconds."⁹¹ The additional 15.8 seconds spent fumbling with the gun would be more than enough in the typical gunfight to get the owner killed or seriously injured.

Innocent Bystanders

The "appalling ineptitude" in marksmanship that gun expert Thomas described above is more than an unfortunate handicap for handgun owners. It is a direct threat to innocent bystanders in every shooting. Ayoob notes that "it is reasonable to assume that there will be bystanders present" when a defense handgun must be used in public:

Your competency with the weapon you carry must be such that you will not fire an accidental or panicky shot into a group of bystanders....

⁹ This does not imply that semiautomatic pistols are any safer around children, for example, who discover their hiding place in the home. Unlike a novice and operationally ignorant owner suddenly thrust into a self-defense situation, children have more time to play around with the pistol's mechanism. In addition, a pistol's trigger resistance is lighter than that of a revolver, so it is actually easier for younger children to pull and fire the gun. "Let it be repeated: *no gun is childproof*. No matter how many levers and buttons it has, the child will eventually figure out the combination." Massad F. Ayoob, *In the Gravest Extreme: The Role of the Firearm in Personal Protection* (Massad F. and Dorothy A. Ayoob, 1980), 124-125.

What frightens me most about civilians with guns is that so many of them are incredibly rotten pistol shots....

There are too many people carrying guns they don't know how to shoot straight, guns they haven't fired in ten years.⁹²

Semiautomatic Pistols Increase the Danger. Bad marksmanship is an especially serious threat with high-capacity semiautomatic pistols. "Not only do shooters armed with 9mms fire more rounds than those folks armed with other weapons, they also fire more *misses*," according to expert Duane Thomas. This, he says, "is extremely bad, as every miss is a wild shot that potentially endangers the lives of innocent bystanders."⁹³

Another expert agrees that high-capacity pistols are a special problem because users of such handguns use "'spray and pray' tactics in real-world shootings. Without a doubt, 'spray and pray' is happening in police-involved shootings....it can be said with certainty that high magazine capacity can cause as many problems as solutions."⁹⁴ Jim Williamson, roving editor of *Gun Week*, adds, "The average cop now shoots more, but hits less. Marksmanship has lost out to volume of fire, too often."⁹⁵ (There is no reason whatever to believe that civilian handgun owners are more disciplined in shooting their semiautomatic pistols than are police, and much reason to believe that they are less disciplined.)

Innocents Lost. Innocent bystanders are a serious concern at all times, even putting aside wild shots from poor marksmen and spray-and-pray shooters with semiautomatic pistols. A well-trained and highly disciplined police officer should automatically scan for bystanders, as Jim Cirillo describes:

During one of my stakeout confrontations....When I came out of our position to confront the robbers, a group of hotel guests appeared directly behind the gunmen. I did not dare fire with innocents in the background.⁹⁶

Unfortunately, the real world is often not so cautious. Even trained police officers unintentionally shoot innocent bystanders. For example, in New York City a police officer who shot at a man with a knife missed and hit a bystander on a bicycle.⁹⁷ In the same city, 21 innocent bystanders were hit by police bullets fired during 1995 and 1996.⁹⁸ In North Carolina, a police officer unintentionally shot an 11-year-old boy in the leg while shooting at a pack of wild dogs. The boy was half a mile away at a water fountain near a baseball field.⁹⁹ In similar incidents in Seattle,¹⁰⁰ Oakland,¹⁰¹ and Ft. Lauderdale,¹⁰² police officers shooting at threatening dogs unintentionally shot fellow officers. In a separate Seattle incident, police bullets fired in a rush-hour shootout with suspected bank robbers struck an occupied car but did not hit any of the passengers.¹⁰³ In California, a bank employee was unintentionally shot by a police officer searching for holdup men.¹⁰⁴

If police make such mistakes, what can be reasonably expected of the poorly trained civilian—or the civilian with *no* training, such as Daniel Bennet, the pizzeria owner from Arizona cited earlier. Contrasting the reactions of sworn police officers and civilians in moments of extreme excitement, Ayoo asserts, "Civilians, who generally don't carry guns eight hours a day or receive several hours of justifiable force instruction, tend to be awfully bloodthirsty."¹⁰⁵

Putting aside blood lust, does the civilian in a moment of extreme fear even see the innocent bystander in the background, much less have the skill to avoid shooting him? Bill Clede observes:

If you are using a pistol for self-defense, you've already identified your target—but what's behind that target? What if a lunatic is shooting at you while standing in front of a crowded playground? Can you risk killing someone's child?¹⁰⁶

In addition, as Chris Bird observes, those in danger may be blocks away from the action:

Imagine being attacked by a mugger in front of the polished granite wall of a bank. You fire three shots at your assailant. Two hit but the third strikes the granite wall and ricochets, striking a woman standing half a

block away at a bus stop. Now, you almost certainly face a civil suit. If your life was in danger, your decision to shoot was right. It's better to be alive and facing a civil suit than dead and facing the undertaker. But it is something to think about.¹⁰⁷

It is certainly "something to think about" for the unfortunate bystander who is hit by a "stray" shot—especially if the shooter's life was not actually in danger.

To Kill or Not to Kill?

In addition to deficiencies in practical skill, many handgun owners have not thought through the moral decision involved in shooting another human being. "To win a gunfight," advises expert Bird, "you need to be more than able to shoot your attacker: you must be willing. If you do not believe you can kill another human being, you have no business carrying a gun."¹⁰⁸

Fatal Procrastination. Failure to come to terms in advance with this threshold question is likely to be a fatal procrastination. According to Ayooob, "the thing that kills innocent people in gunfights is their own morally-inbred hesitation to kill fellow beings."¹⁰⁹

Surprise—the essence of the deadly encounter—is an important factor in this issue. It is too late to make up one's mind about this profound moral issue once the encounter commences. "Police officers go into situations sensible citizens avoid, and the officers are trained to be prepared. Nevertheless, in 30 percent of some six thousand shooting incidents investigated by the New York City police, the need to shoot came as a surprise to the officers."¹¹⁰

Unlike police officers, civilians are not required to pursue danger. Therefore, a higher percentage of incidents in which the use of lethal force is justified by civilians must by definition be cases of surprise. The police officer who learns of potential danger cannot just walk away from it, but the civilian who has advance notice of danger and time, space, or both in which to find safety, can and must—with a few narrow exceptions—avert the possibility of a deadly encounter.

Suppose the handgun owner honestly believes escape is impossible and he has no alternative? Then he is faced with the moral decision whether or not to kill. "Simply stated, you must be willing to kill any man who would harm you or your family," writes handgun defense expert Gabriel Suarez. "You must be willing to offer greater violence for violence offered."¹¹¹

The fact is, however, that most people today "are extremely reluctant to harm another person, even when that person has taken clearly overt hostile actions toward them....Such a mind-set must be overcome if we want to live to tell about it when we have to shoot for our lives."¹¹² Author Bird offers this advice as an aid to achieving the correct mind-set, incidentally illustrating the moral character of the heavily armed society:

Another approach that may help you to pull the trigger on another human being is to dehumanize him. Think of your assailant as a target, rather than a person possibly with a wife, a mother, children. When we go to war with another nation, we try to dehumanize our enemy. We talked of "Gooks" and "Japs" in an attempt to make killing them easier. It may help you to pull the trigger if you look on your attackers as "trash" or "peckerwoods" or "scumbags."¹¹³

Some people who shrink from killing another human being believe they can escape the dilemma by simply brandishing a firearm to deter a criminal attack. Expert Ayoob dismisses this thought as inviting a fatal result for the defender:

*ANYONE who really feels this way should abandon any thoughts of keeping guns. A criminal can tell when a person isn't going to shoot, the way a dog can smell fear. And to pull a gun you don't intend to use is to flaunt a power you do not really command: you are inviting the opponent to take it away from you, and antagonizing him to use it against you.*¹¹⁴

Ignorance of the Law of Self-Defense and Lethal Force

The risk to innocent life is further compounded by the palpable ignorance of most handgun owners about the law of lethal force. This prompts them to display or use handguns in inappropriate and often criminal ways. According to expert Ayoob:

There is a remarkable degree of confusion among the general public as to just when lethal force is warranted. Other important concepts of degree of force in defense situations not only aren't fully understood, but are often completely unknown to some who legally go armed.¹¹⁵

Degree of Force. Well-trained police officers use a spectrum of force available for potential use in any encounter. This ranges from the simple authority of the officer's physical presence in uniform, through verbal commands, martial skills, various non-lethal weapons, such as batons and disabling sprays, to the use of the firearm. The firearm, lethal force, is the last resort.

Part of the risk of civilians armed with handguns is that much of this spectrum (such as the civic authority invested in the officer) is not available to civilians at all. Also, many civilians are not trained, or inclined, to employ any degree of force other than the lethal degree of their handgun:

If verbal force is not effective, the citizen is not likely to know or be able to use impact weapons or take-down techniques. Having no other options, out comes the handgun and we arrive at deadly force. The obvious problem is that the civilian permit holder is missing the whole middle of the force continuum. He will basically jump from harsh language to gunfire in one quick step.¹¹⁶

But making that jump can land the handgun owner in criminal court unless he is on solid ground under the law of self-defense.

The Ideal World of the Law. Most self-defense experts agree that the armed citizen has a duty to know the law:

All fifty states and many branches of the federal government have their own laws and interpretations on the *use of force*....when you decide to carry a gun, you become responsible for familiarizing yourself with the laws of your state.¹¹⁷

In their writings Ayoob and Clede repeatedly state how narrow the right to kill in self-defense is in all states:

- American laws universally condone homicide ONLY WHEN UNDERTAKEN TO ESCAPE IMMINENT AND UNAVOIDABLE DANGER OF DEATH OR GRAVE BODILY HARM.¹¹⁸
- Whether you're at home or on the street, you shoot to stop a felonious assault *only if the attacker may cause death or grievous bodily injury to you or a family member*. Your actions will be judged later by police and possibly in a courtroom. You must be able to explain your behavior. The fact that you were *frightened* does not mean that you were actually *threatened* and does not legally justify shooting.¹¹⁹
- All courts will hold, by statute or by logic, that "bare fear" does not warrant deadly force. *While the attacker need not actually be about to kill or maim you, or another party you are justified to protect, you must have sound reason to believe he is* before you pull the trigger.¹²⁰
- For instance, an individual walks past a group of tough-looking persons on a street corner. One of them, perhaps, makes a snotty remark. "Oh, my God, they're going to *get* me," panics the individual, going for his gun. He is at this moment in the grip of bare fear—a morbid fantasy without basis in fact, on the grounds of which he is about to wrongly employ lethal force.¹²¹

- A cornerstone of a legitimate claim of self-defense is the innocence of the claimant. He must be entirely without fault. If he has begun the conflict or quarrel, or if he has kept it going or escalated it when it lay in his power to abort it before it became a killing situation, he shares a degree of culpability. The self-defense plea, in this case, will not be allowed.¹²²
- Nor is the armed citizen altogether free to intervene with deadly force in an assault involving others. For instance, he cannot always tell who is the guilty party, and who is the victim: what if the latter has managed to overpower his assailant at the moment the potential rescuer comes on the scene?¹²³

These rules define an extraordinary set of circumstances—essentially reasonably induced mortal fear—under which resort to the handgun will be justified. But how widely understood and applied are these rules in real life?

The Real World of Handgun Ownership. According to the experts, most handgun owners think more in terms of “B” grade Western movies than the law as it is. For example, Ayoob writes, “It is a widespread and dangerous misconception that all criminals are fair game for the bullets of good guys.”¹²⁴

In addition to wilful indifference, another reason for the general ignorance of handgun owners may be the reluctance of many police agencies, and even the National Rifle Association, to take the responsibility of teaching civilians when it is okay to kill other civilians. A Nevada trainer certified by the NRA described the problem in *The Police Marksman* magazine:

Then there is that pesky liability problem of the police teaching people when and how to shoot, and then being held responsible for errors of omission and commission....

Due no doubt to the aforementioned liability considerations, the NRA does not allow their instructors to teach the "when to shoot" portion of this class. Instead, they require that a guest lecturer, who must be an attorney or law enforcement officer, handle this area.¹²⁵

The Problem of "Brandishing." Pro-gun advocate John Lott often promotes the idea that merely "brandishing" a handgun is an effective form of self-defense that averts the possibility of any harm. He claims to have found that "98 percent of the time that people use guns defensively, they merely have to brandish a weapon to break off an attack."¹²⁶ Putting aside the fact that an independent analysis of Lott's claim—published in the official newsletter of the American Society of Criminology—has found the source for this claim to be mysteriously non-existent,¹²⁷ gun experts dismiss the idea of brandishing as a dangerously bad idea.

Here, for example, is what the "personal security" expert for *Guns & Ammo* magazine recently wrote about the idea (similar to the advice of expert Ayoub quoted earlier):

As many a policeman has found out, there are a lot of thugs running around who are all too comfortable with approaching while a weapon is pointed at them saying, "Go ahead, shoot. You *know* you can't." And they're right....

I am always surprised at the lack of understanding of violent confrontations displayed by so many "experts" who offer advice. Brandishing a firearm, for example, is a crime in most states. True enough, it can bring a violent encounter to an end. Or it can escalate it to a deadly force situation....And if it was reasonable to brandish a firearm, wouldn't it have been reasonable to use a less lethal weapon if one was at hand, such as an aerosol irritant?¹²⁸

In addition, as is so sadly often the case, "merely" brandishing a handgun is likely to lead to tragically unintended consequences. In Huntington Beach, California, for example, a 77-year-old man unintentionally shot and killed his wife when he tried waving his gun from his car at the occupants of another vehicle whom he thought had threatened him.¹²⁹

Firing Ranges are Not Real Gunfights

Even assuming that the handgun owner is conscientious enough to learn how to load and fire his gun, has visited a shooting range to develop some skill, and knows the basic legal constraints, his handgun is still far from an effective defense. Because, as the experts warn, "shooting on the target range and shooting under duress are not the same. You may be able to hit the target with every shot at practice, but when you're threatened" everything is turned on its head.¹³⁰ Survival demands much different and well-honed skills:

At this very moment in the United States, there are probably thousands of police officers on duty who hold their department's rating of expert in firearms. These same police officers are riding or foot patrolling their areas with total confidence that they will be able to handle any threat that comes their way....Civilians who have carry permits and attend approved handgun firearms courses may also feel that they can handle any armed threat that may arise. Their confidence comes from the instructor's certificate of qualification.

If the above training is all the police officer or the pistol licensee is relying on to protect him, then God forbid that he should ever get into a gunfight. If he does get in one and luckily survives, the difference between what he learned in formal firearms training and what he experienced during the real thing will be a revelation to him.¹³¹

The "Firing-Range Mind-Set." Expert Chuck Taylor cautions against the "firing-range mind-set—the creation of tactics and techniques that work only under controlled conditions....A handgun fight does *not* take place under such conditions."¹³² He warns that this mind-set "can get you killed in a hurry when the bullets fly."¹³³

Real-Life Differences. Experts on the use of handguns for self-defense reel off a number of real-life factors for which range shooting does not prepare the handgun owner:

- **The Physical Environment.** One obvious difference is that shooting ranges optimize lighting and view. The handgun owner, however, has no control over the environmental conditions under which he may perceive the need to use his gun. The experience of police officers in real shootouts shows that "light conditions are often too poor to allow using the sights. Officers normally practice and qualify on well-lit ranges that allow full use of sights. Conditions on the street are rarely as favorable as range conditions."¹³⁴ Poor lighting and confusing situations in real life increase the risk that the gun owner will make an error in judgment and harm an innocent person, or be harmed himself because he cannot use his handgun effectively. The range of potential environmental differences from a shooting range is enormous, from a dark bedroom to a rainy street corner or a bitter cold evening when the gun owner is wearing bulky gloves.
- **Physiological Stress.** Mortal fear does not accompany shooting at paper targets. But in a life or death situation "your heart thuds in your chest and your breathing accelerates and you have to react rapidly."¹³⁵ This fear seriously affects one's shooting ability. "The real world of combat means a highly stressful event in which a very small percentage of bullets fired even strike the

target.”¹³⁶ Even well-trained police officers who are taught to expect such stress reactions miss their targets many more times than they hit them.

- ***Assailant Movements.*** A handgun owner may be quite proud of the hits he has scored in the “kill zone” on stationary paper targets. But, as many police officers have learned, assailants don’t stand still waiting to be shot. “What a revelation. I was never so terrified in my whole life. They never told me in the academy that the targets were going to jump and move all over the place. There wasn’t one 3’ by 2’ target to shoot at like on the police range.”¹³⁷
- ***Unexpected Assailant Reaction.*** More often than not, in the movies and on television, people who are “shot” simply fall down and stay down. End of fight. In real life, the opposite is often true, especially if the assailant is on alcohol or drugs. They either don’t fall down, or they get back up and keep coming. “We can presume that in half of the police-involved shootings, the felon will not lay down and be cooperative instantly. In fact, many shooting reports included information to suggest that the felon showed no indication that he had been hit....Hitting such a moving target with a handgun, under extreme stress, is not easy.”¹³⁸
- ***Ambiguous Situations.*** There is no doubt about whether to shoot the targets at a shooting range—they are there as surrogate bad guys. But many real-life situations are ambiguous: is the “assailant” really a threat? Is the threat deadly enough to justify the use of lethal force? From his own experience, seasoned New York City police officer and author Jim Cirillo notes: “Many times,

situations looked like armed robberies but turned out to be innocent. At such times, a man with no compassion might shoot when he shouldn't, or he might not consider bystanders during his moment of danger."¹³⁹

- ***Disarmament Moves.*** Is the civilian gun owner prepared when the assailant attempts to disarm him, or simply shoots anyway? Is he aware that some criminals learn specific procedures to do just that? Probably not. But being suddenly disarmed or outgunned is a threat in the real world. "There are many instances where the suspect has drawn a weapon and killed an officer after the officer pointed his weapon and issued the proper challenge. The suspect just plain beat the officer....The Aryan Brotherhood prison gang, along with the Hell's Angels outlaw motorcycle gang, have developed a technique to disarm an officer from a distance of 21 feet. It works in conjunction with an officer's natural lag time."¹⁴⁰

Training for Real Life. The point is *not* that it is impossible to train effectively for defensive use of a handgun in real life, but that at a minimum "training to survive a deadly force encounter...takes knowledge, commitment, and lots of practice."¹⁴¹ The better police agencies try to do so—

Most police officers are bright, highly motivated individuals with good athletic ability who can easily acquire knowledge and motor skills for firearms and defensive tactics training. But this is not enough. They must be able to automatically choose the right combination of skills under extreme stress and a high arousal state....

¹ The fact that even trained law enforcement officers suffer their share of unintentional shootings of both civilians and officers underscores the perilous nature of any armed encounter.

[Y]ou want to practice deadly force training that instills fear and forces you to make fast choices in response to a rapidly changing situation.¹⁴²

Only a decidedly *tiny minority* of people who acquire handguns for self-defense seek out and complete this kind of committed training and continued practice to ensure not only their own safety, but also that they are not a danger to *innocent people* when they perceive the need to use their gun. "You owe it to yourself, and to the innocent people around you, to be able to deliver your self-defensive gunfire into the vital organs of the criminal who gravely threatens you and nowhere else," says Ayoob. "A man who can't control the deadly force of his gun adds to the general jeopardy."¹⁴³

Where to Learn?

A threshold problem for the handgun owner who wants effective training is finding a place to get it. "You'll find many local clubs that teach target shooting, but fewer that teach practical shooting," writes one expert.¹⁴⁴ Moreover, warns another, "No formal or informal firearms course I ever attended came close to teaching me how to survive a real gunfight. In fact, some courses teach you to do things that may endanger you."¹⁴⁵

The reference to dangerous teaching is to so-called "practical pistol" shooting, which experts like Chuck Taylor and others warn has become a ritualized sport that encourages practices that are actually dangerous in real life:

...virtually everything about even so-called "practical" (really a synonym for "combat") competition reflects a lack of knowledge of what the combat handgun is about and the nature of the environment in which its [sic] used....

Many observers of "practical" competition comment that there is little about it that is truly practical. In fact, the more astute among them go so far as to make the observation that what they see in such events is suicidal if attempted in an actual gunfight.¹⁴⁶

What to Learn? Assuming that the handgun owner is able to find a course that won't teach him "suicidal" techniques, what should he learn? The experts warn: "Under the high-arousal states dictated by the natural fear response, you will usually give little or no conscious thought to your actions. Your body has been programmed by Mother Nature to go into autopilot mode, and you respond automatically based on all your training and past experiences."¹⁴⁷ A person who has neither training nor experience obviously will have no basis on which to react safely and effectively to a life-threatening incident.

The experts generally agree that one must acquire such a level of skill that one's reactions become virtually automatic, even under the extraordinary "high-arousal" physiological challenges alluded to above and described in detail in the next chapter. A reviewer for *Gun World* states that "the true mission of the handgun...is to provide reactive defense capability against unexpected attack at close quarters."¹⁴⁸ Here is one expert's description of the rigor that is required to achieve a level of "reactive" skill that is useful in the unexpected attacks of real life:

Before you can fire your new handgun *reactively*, you must learn to shoot it on purpose. Note I did not say *instinctively*. You may have a natural talent for shooting, but the psychomotor skill of shooting (and hitting the target) is not instinctive. The muscular movement and the eye-hand coordination require practice. Even more practice is necessary to make this skill reactive—something you can do virtually without thinking about it. Instructors' estimates vary, but they generally concur that this takes between two thousand and four thousand repetitions.¹⁴⁹

The Bottom Line of "Bullet Placement." The necessary skills involved are much more than simply pointing a handgun and pulling the trigger, because real assailants don't stand still and present passive expanses of space like paper targets. This means that, in real-life encounters: "Bullet *placement* is the key to stopping a felonious assault."¹⁵⁰ In order for a handgun to be an effective self-defense weapon, the owner must be able to hit a small, moving target, quite possibly while he is also moving, seeking cover. "Police weapons

training should always include movement; learn to shoot while moving. Whenever possible, you should practice with a moving target and a moving shooter."¹⁵¹

The actual experience of seasoned police officers illustrates how extraordinarily difficult this real-life shooting challenge is for the typically untrained or poorly trained civilian handgun owner. Former NYPD officer Jim Cirillo, for example, reports that "in many confrontations, I was only offered head shots—the gunmen who did not give up when challenged generally ducked for cover, leaving only their heads or a portion of their heads for a target."¹⁵² The difficulty of hitting such a target is underscored by Ayoob, who writes "the head is a small, bobbing target, difficult to hit even on stationary silhouette targets. Facing a living human being, it becomes close to impossible."¹⁵³

Several experts discuss problems *beyond the fact that the target is small and likely moving* that make head shots "totally unpredictable."¹⁵⁴ For one thing, it is not unusual for bullets to glance off of the hard human skull. So, as expert Duane Thomas describes, accuracy becomes even more important and even more difficult:

In order to make a "head shot" work, you'd have to slip a bullet through the eye sockets or the nasal septum. On a full-grown man, this is a target area approximately two inches high by four inches wide. In the real world, under stress, in bad lighting, with both you and your opponent moving (all of which are possible, if not probable), making that sort of shot is going to be very difficult. It will require a higher degree of shooting skill than most people possess. It's not that shots like this can't be made, it's just that most people can't shoot well enough under stress to count on the head shot as a reliable stopper.¹⁵⁵

But, even if the assailant does not present such a limited target: "The only part of the body certain to produce an instant stop is the central nervous system," advises another expert. "Hitting such a moving target with a handgun, under extreme stress, is not easy."¹⁵⁶

Keeping Up Skill Level. The handgun owner who finds the right place to learn and diligently applies himself must continue to practice

because, experts warn, proficiency with firearms is a perishable skill.¹⁵⁷
"If you used to ride a bicycle everywhere but you haven't been on one for years, you don't expect to hop on a bike and be as sharp as you were as a kid. The same is true of shooting and of any other motor skill."¹⁵⁸

Chapter Four: Scared to Death

Is good marksmanship enough? Not if you're scared to death, or, as self-defense expert Massad Ayoob says in his training course, "almost paralyzed with fear."¹⁵⁹

The human physiological and psychological response to mortal danger—the only situation in which one would be justified in using lethal force in self-defense—is well-documented. Often called the "fight-or-flight reflex" and accompanied by an enormous surge in adrenaline, "the most powerful hormone in the body,"¹⁶⁰ the relevant effects include: the loss of fine motor skills, tunnel vision, auditory exclusion, trembling, loss of control of bodily functions, and more. Although these effects may be lessened by intensive training,^s their advent is independent of personal will:

Fear is an *automatic* physical reaction to a *perceived threat* that will result in predictable *physical, emotional, perceptual, and cognitive* changes because of high physical arousal states....

The physical changes that bring on the fear response are controlled by a part of your nervous system called the autonomic nervous system.¹⁶¹

The effect of these unavoidable changes is well documented. The handgun owner is not only *less* likely to be able to effectively use the gun for self-defense, he is also *more* likely to endanger himself, members of his family, and innocent bystanders.

^s Law enforcement officers "rarely take flight, rarely freeze, and rarely fight out of control during a deadly force encounter because they continually train to confront problems. They are successful because they are trained to use to their advantage the natural physical, emotional, perceptual, and cognitive changes that occur during the fear response." Alexis Artwohl and Loren W. Christensen, *Deadly Force Encounters: What Cops Need to Know to Mentally and Physically Prepare for and Survive a Gunfight* (Boulder, Colo.: Paladin Press 1997), 37.

Gunfight Dynamics

It is a deadly mistake to think that the average person faced with a life-threatening encounter is likely to respond as coolly and calmly as is portrayed in movies and videos. "The average person who's never been involved in a shooting cannot fathom the mental and physical stress that you undergo right during the event and immediately afterward," said San Antonio police officer Shayne Katzfey.¹⁶² This extraordinary stress occurs when what Massad Ayoob calls the "body alarm reaction" kicks in: "when the brain has perceived [that] this organism is in danger, it trips that survival instinct, that survival reflex."¹⁶³

Fight or Flight. The survival reflex is not a matter of personal "courage" or lack thereof. It is a profound and complex physiological event designed to prepare the animal within to either fight or flee for its life:

When fear explodes inside of you, your sympathetic nervous system instantly dumps a variety of natural drugs and hormones into your body to cause a high arousal state known as fear. You are literally under the influence of these natural chemicals, so your body operates differently, just as it would under the influence of a chemical you deliberately ingested.¹⁶⁴

These chemically induced changes take effect immediately and last for a "significant" period of time.¹⁶⁵ They have specific implications for one's ability to effectively use a handgun for self-defense without needlessly endangering the lives of innocent persons.

One common effect is distortion of perceived time, called *tachypsychia*.¹⁶⁶ "An event that takes milliseconds may seem like minutes as everyone and everything appears to move in slow motion."¹⁶⁷ Other physical changes typically include pounding heart, muscle tension, trembling, dizziness, nausea, dry mouth, tingling sensations, the urge to urinate and defecate,¹⁶⁸ and hyperventilation and fainting in some cases.¹⁶⁹ Several of these effects specifically, directly, and dramatically degrade the handgun owner's ability to use his

weapon. For example, temporary paralysis—"momentarily freezing as your body is desperately trying to catch up to the sudden awareness that your life is in danger"¹⁷⁰—is an obvious inconvenience.

Loss of Fine Motor Control. Among the temporary consequences of the adrenaline dump are sudden surge in gross muscle strength, increase in speed associated with increased muscle strength, and insensitivity to pain.

These changes enhance basic animal fighting skills, so they may be useful in a hand-to-hand brawl. "The fight or flight response has not changed since caveman days, when people fought with their bare hands or with clubs and rocks," writes Chris Bird.¹⁷¹ But, expert Ayoob advises, "there is a downside to this....you will experience gross, severe, dramatic, cataclysmic loss of fine motor coordination. Dexterity falls through your ass....The hands will begin to tremble."¹⁷²

This is a serious problem because "the firing of the gun is dexterity intensive. You can't change that."¹⁷³ In short, the use of fine motor skills for tasks like firing handguns are not part of the body's survival design: "Our bodies have not yet adapted to the possibility that fighting may involve a delicate trigger squeeze."¹⁷⁴ Loss of fine motor control also means that reloading, also a high-dexterity skill, especially in revolvers, becomes much more difficult.¹⁷⁵

Experts advise that it is possible to compensate for the loss of dexterity by diligent and proper training. "However," writes expert Duane Thomas, "the sad truth is that very few people who carry a gun on a daily basis, in either the police or civilian sectors, have committed themselves to that level of training."¹⁷⁶

The necessary training requires more than time on a well-lighted, comfortable shooting range and a few hours leafing through "self-defense technique" articles in handgun fan magazines.¹ It means,

¹ Firearms fan magazines frequently feature articles purporting to describe handgun self-defense techniques. For an example of the genre, see Gila Hayes, "Alternative Sighting Methods for Speed Shooting," *American Guardian*, November/December 1999, 26. Expert Chuck Taylor warns, "It's

according to Ayoob, learning carefully thought through ways of shooting the handgun that "minimize the degree to which you are dependent upon fine motor coordination as opposed to gross muscle coordination."¹⁷⁷

It may surprise some handgun enthusiasts that the "combat" pistol techniques they have learned in popular "practical pistol" or "combat shooting" courses may get them killed in real life. Ayoob explains that "it becomes almost criminally negligent to teach officers and law abiding armed citizens to defend themselves with combat shooting techniques...that rely heavily on several dexterity-dependent coordinates being accomplished perfectly to index the weapon with the target under stress."¹⁷⁸ The "specific dexterity prescriptions" called for in some of these training regimens—applying precise amounts of pressure with each hand within a specific two-hand combat grip—go out the window "when your body goes out of control with superhuman strength and a total loss of dexterity....It's bullshit."¹⁷⁹

The flip side of motor control is the possibility of unintended shootings stemming from the inability to fine-tune one's actions:

You may mean only to keep him covered, but under the stress of a potentially life-threatening confrontation, your finger may ride that trigger too heavily. There are no excuses for shooting someone by mistake.¹⁸⁰

If one is startled, the situation can be even worse. Ayoob describes:

You drew the gun because you perceived yourself to be in danger, and that means body alarm reaction or even fight or flight reflex have kicked into gear: you're

easy to read gun magazines, of course, but remember that many writers simply paraphrase things written by someone else who is also paraphrasing from another source—which doesn't make it true. It's experience that allows us to separate the wheat from the chaff." Chuck Taylor, "Proper Instruction is Vital," in *The Gun Digest Book of Combat Handgunnery*, 4th ed. (Iola, Wis.: Krause Publications, 1997), 91.

stronger and faster and meaner, but you're also clumsy and jumpy as hell. A tense person who is startled or thrown off balance tends to respond with convulsive muscular movements, and this could make your gun go off. At best, this is embarrassing and can give your position away; at worst, you can shoot an innocent person accidentally.¹⁸¹

Impaired Thinking. One's very "ability to think in a rational, creative, and reflective manner" is likely to be reduced or perhaps eliminated under mortal threat conditions.¹⁸² This "will generally cause a massive block of the brain's ability to process thought functions."¹⁸³ The inability to process thought functions rationally and reflectively will have an obvious effect on one's ability to clearly sort out whether the situation is appropriate for the use of lethal force.

At the practical level, impaired thinking is also likely to block the ability of the handgun owner to deal with such likely problems as a jammed pistol. "Everyone who shoots a semi-automatic will, at some time or another, experience a malfunction or jam," writes expert Chris Bird.¹⁸⁴ He suggests three separate "immediate action" drills that a shooter with a jammed gun should try. But other experts doubt that any but the simplest such drill is of use in the real world of the lethal force encounter. "Most people in this situation will not be able to determine much more than the fact that the weapon is not working....Adrenaline rush will probably preclude the ability to analyze, maybe even recognize the malfunction."¹⁸⁵ In short: "The more complex a motor skill behavior is, the more likely it is to be forgotten or bungled under extreme stress."¹⁸⁶

Tunnel Vision, Temporary Blindness, and Auditory Exclusion ("tunnel hearing"). Other physiological changes impact not only the ability of the handgun shooter, but the safety of innocent bystanders: tunnel vision, temporary blindness, and auditory exclusion (also known as "tunnel hearing"). According to expert Ayoob, these are a result of a primeval decision in the cortex of the brain that "there is only one thing that concerns us now, destroying or escaping the thing that is attempting to destroy us....The eyes still see and the ears still hear, but the cortex of the brain is screening out anything that is extraneous."¹⁸⁷

Tunnel vision is a loss of peripheral vision. For example: "Your field of vision may narrow to mere inches and you may lose your depth perception and your ability to see what is behind the threat."¹⁸⁸ Thus, tunnel vision makes the shooter concentrate so much on the perceived danger that he may not see other "bad guys" on his flanks or innocent bystanders behind or near to the person he is concentrating on.¹⁸⁹

Other experts warn that, as part of this effect, the shooter may lose the ability to see or focus on the gun's front sight, which is obviously bad news for the owner who trained to shoot using those sights.¹⁹⁰

Hysterical or temporary blindness, *amaurosis fugax*, is another serious visual effect that, according to Ayoob, "seems to happen to people who are not prepared for violence and who are not trained for it," whom he calls "lightweight amateurs." This visual "whiteout" occurs because "the mind has seen something so terrifying, it refuses to look at it any longer."¹⁹¹

"Tunnel hearing" is a distortion the most common manifestation of which is diminished sound, "which can range from total loss to sounds seemingly muffled and distant."¹⁹² Thus, the shooter may not hear shouts warning of danger, attempts to explain that the appearance of danger is misleading and actually benign, or commands of arriving police officers:

Somebody's behind you screaming, "Don't shoot, don't shoot," and all the witnesses say, "Yeah, the cop was behind him yelling 'don't shoot, don't shoot,' and he fired"....auditory exclusion: the mind is saying, "No, we've got to focus on the danger."¹⁹³

Assorted Other Effects. The experts describe numerous other effects that are likely to degrade the defensive shooter's ability and endanger innocent bystanders. These include a "denial response...this sudden, awful, overwhelmingly unexpected thing can't be happening,"¹⁹⁴ going into a "state of fugue...an almost somnambulant, zombie-like state,"¹⁹⁵ and intrusive, irrelevant, and distracting

thoughts.¹⁹⁶ Sometimes the person under stress feels disconnected from events, even from things he is doing, or as if he is watching the entire scene from somewhere else: "The next thing I knew, I heard shots. I felt my Model 10 Smith & Wesson bucking in my hands, and I was asking myself mentally, 'Who the hell is shooting my gun?'"¹⁹⁷

The Practical Implication—This Can Get You Killed

"Sorting Out the Situation." All of this leads to another problem inherent in any display of a handgun by a civilian in a public place: the difficulty law enforcement officers may have in deciding who is the good guy and who is the bad guy.

Any time a civilian uses deadly force—or even displays a firearm—responding police officers will be on edge. Let's say you are holding a would-be attacker at gun point when police arrive. What do they see? Two citizens—both unknown to them—one of whom is armed. Promptly obey any orders they give, and then identify yourself. Do whatever they ask, and let them sort out the situation.¹⁹⁸

This advice to obey police orders may seem self-evident on its face. But the problems of tunnel vision, auditory exclusion, and general degradation of one's mental faculties make it problematic whether the civilian handgun owner will see, hear, or have the presence of mind to obey such orders. And suppose they are given by an officer or detective in plain clothes?

This problem is underscored by the unfortunate incidents of police shooting other police when they encounter each other in plain clothes or in off-duty situations. One of the more spectacular of these happened in the New York City subway after a youth dropped a shotgun and it went off in a train car. An off-duty police officer stepped into the car, identified himself, and picked up the gun. Within seconds, an undercover transit officer wearing plain clothes also arrived at the scene and had drawn his gun. The first officer shot the second, seriously wounding him and ending both officers' careers.¹⁹⁹ A similar

incident occurred in Rhode Island when an off-duty police officer in civilian clothes saw a man with a gun confronting two police officers. The off-duty officer was fatally shot by the officers when he rushed to help them.²⁰⁰ A dispatcher's mix-up in Austin, Texas, resulted in a police officer's shooting of an off-duty sheriff's deputy.²⁰¹

Helping the Police? The latter of these cases illustrates the high probability that a "virtuous" attempt by an armed civilian to "help" a police officer can go terribly wrong. Ayooob explains:

The legal protection offered to the man who is assisting an officer goes into effect *only when the officer asks you to assist him*. The man who is just driving by, witnesses a pursuit, and joins in, will not be considered a volunteer police officer....

And never forget that support officers racing in to assist may mistake you for the bad guy and blow you up. "Oops," as we say in the trade.²⁰²

Remembering the Drill. Given all of these effects of mortal fear, it is likely that the *untrained* handgun owner will find it difficult, if not impossible, to recall much less act upon theoretically good advice that he may have gained from "book learning" about using his handgun. For example, Bill Clede advises the pistol owner to "*never move sideways by crossing one leg over the other*. You don't want to stumble or trip with a loaded gun in your hand, so if you must move, sidle."²⁰³

Will that gem pop into the mind of the person who is trembling, losing control of his bowels, experiencing tunnel vision, and loss of rational thinking ability? Probably not, which is why law enforcement trainers teach their officers to learn, drill repeatedly, and rely on thoroughly learned practical and virtually automatic responses when in lethal force situations. Firearms instructor Jim Cirillo writes:

In all of my firearms courses, I strive to bring forth that subconscious reaction that I know students may need if they are confronted suddenly with the moment of truth....[an] ability that would be difficult to achieve with the conscious mind alone.²⁰⁴

Getting Shot Back. A final word is necessary about the potential for the defender to get shot himself in the course of the encounter. Does he know how to react to that event? Experts point out that survival may well depend not only on knowing how to control shock, but also on not exposing oneself to further injury or death. Here is a lesson one expert draws from paint-ball exercises:

The paintballs, of course, are not lethal, but they do sting. In this case, one trainee was playing the role of an officer who had the suspect covered. The "officer" was shielded by the corner of a building, but one of his legs was sticking out. The "suspect's" partner was able to hit the officer's thigh with a paintball. Reacting to the sting, the trainee reached over to grasp his leg—and was hit twice on his face shield. In real life, he would have been killed. So the rule is, *if you are hurt in a confrontation, address the threat first. Your injury can wait.*²⁰⁵

Chapter Five: Facing Facts

The United States leads the industrialized world in firearms violence. Most of that violence involves handguns, which in America are uniquely easy to acquire. By what right do civilian handgun owners—a minority of one in six—think they are entitled to threaten the rest of us with this relentless violence? Is it worth it to indulge the demonstrably deluded self-defense fantasies of this minority?

Summing Up the Violence. More than two out of three of the one million Americans who have died by firearms violence since 1962 were killed with handguns—a tally now in excess of 670,000.²⁰⁶ This is all the more striking because most American guns aren't handguns. Of the more than 190 million guns estimated to be in the country, two thirds are rifles and shotguns. Only one third are handguns.²⁰⁷ And yet handguns are involved in the great majority of homicides and suicides and in almost nine out of 10 crimes, such as robbery, assault, and rape where a gun is used.²⁰⁸

The impact of our 65 million handgun population²⁰⁹ can be seen by comparing ourselves to countries that strongly limit access to handguns. For example, in 1995 the U.S. firearms death rate was 13.7 per 100,000; in Canada 3.9 per 100,000; in Australia 2.9 per 100,000; and, in England and Wales it was 0.4 per 100,000.²¹⁰ The United States is not more violent than other cultures. In fact, as Western Europe grows more violent, the U.S. becomes less so.²¹¹ The main difference between those nations and our own is the difference in *lethal* violence stemming from our easy access to handguns. As public health researcher Susan P. Baker has noted: "People without guns *injure* people; guns *kill* them."²¹²

The Lack of Basic Regulation. Because of the mythology woven around the handgun, the firearms industry has succeeded in being specifically exempted from the basic federal health and safety regulation that affects every consumer product from teddy bears to jumbo jets. Aside from the issuance of pro forma licenses for manufacturing and distribution, no federal agency reviews firearms in comparative terms, balancing the benefits they offer society against the damage they do.

Weighed in the Balance. Clearly, handguns fail this cost/benefit standard. Public health researchers have in the past made a compelling case that this is true simply by looking at the *results* of handgun violence, demonstrating by this comparison the preponderance of detrimental effects of civilian handgun ownership over the theoretical benefits they are purported to deliver. For example, for every time in 1998 that a civilian used a handgun to kill in self-defense, 51 people lost their lives in handgun homicides alone. Add in suicides and the ratio stretches to *134 to one*.²¹³ This passes any point of rational justification for condoning the availability of this product on the open market.

This is not to deny that handguns are *never* effectively used for self-defense. Of course, incidents do occur in which people use handguns in self-defense against an unknown attacker but, compared against the total universe of gun crime and violence, they are extremely few in number. Out of the 7,875 handgun homicides reported in 1998, only 95 (1.2 percent) were justifiable handgun killings of an assailant previously unknown to the person defending themselves.²¹⁴

Then what about those cases where a handgun is wielded for defense and no one is killed? First, it must be noted how extensively handguns are used as tools of violent crimes such as assaults and robberies. In 1993, there were about 1.3 million such crimes committed with a firearm—and 86 percent of the time the weapon was a handgun.²¹⁵ Conversely, the federal government reports that Americans use guns *of all types* to defend themselves approximately 65,000 times in an average year—a minute percentage compared to the total figure of violent crime.²¹⁶ Considering what the FBI has been reporting year in and year out—that most gun deaths do not take place in the course of felony crime, but result from arguments between people who know each other²¹⁷—it is clear that a handgun purchased for self-protection poses the gravest danger to the very persons it is supposed to protect.²¹⁸

Recognizing these facts as their Achilles' heel, the National Rifle Association and other pro-gunners have—fronted by tame academicians—disseminated wildly inflated numbers supposedly showing handguns to be an effective form of self-defense.²¹⁹ As noted

earlier in this report, their methodologies are dubious and their numbers evaporate under scrutiny. Although handguns are marketed primarily for their self-defense value, bringing one into the home has exactly the *opposite* effect and places residents at a much higher rate of risk than those living in a gun-free environment.

The Self-Defense Myth Exposed. This report adds to the scale the impeaching words of some of the strongest pro-gun advocates in the country. These men *know* and in their candid moments *say and write* evidence that the handgun is a dangerously reckless device for the vast, vast majority of Americans. This missing link in the evidence to date strongly explains why the bad uses of handguns far outweigh their good uses.

Appendix A: The Experts

This study is built directly upon a close reading of the published writings of the nation's top-ranked experts in the use of firearms for self-defense, and in the nature and consequence of deadly force encounters. The following are the principal experts whose work is quoted, although a number of other experts and authorities are cited where appropriate.

Massad Ayoob. Like many firearm experts, Ayoob has made a business of promoting guns for self-defense, both as a pro-gun writer and instructor. A former police officer, he has appeared in court as an expert witness on the use of lethal force in self-defense. He is the founder and director of the Lethal Force Institute in Concord, New Hampshire, a school specializing in the defensive use of firearms. Ayoob also offers training courses through interlocking arrangements with schools founded by other gun experts, such as Chuck Taylor's American Small Arms Academy (see below). A prolific author, Ayoob writes a regular column for the premier gun industry magazine, *Shooting Industry*, and his work often appears in gun enthusiast magazines. He has written numerous books including *In the Gravest Extreme: The Role of the Firearm in Personal Protection* (Massad F. and Dorothy A. Ayoob, 1980), cited in this study, and produced training videos, such as the *Physio-Psychological Aspects of Violent Encounters* (Police Bookshelf, undated videocassette), also cited herein.

Chris Bird. A native of England now residing in Texas, Bird is a journalist. A longtime handgun shooter, he is a certified concealed handgun instructor and is the first vice president of the Texas Concealed Handgun Instructors Association. Bird's book, *The Concealed Handgun Manual: How to Choose, Carry, and Shoot a Gun in Self Defense* (San Antonio: Privateer Publications, 1998), cited herein, won praise from expert Massad Ayoob as having "the third dimension of depth," and was called "Outstanding!" by Texas State Senator Jerry Patterson, author of the state's concealed handgun carry law.

Jim Cirillo. Now retired, Cirillo was firearms instructor for, and an active member of, the New York City Police Department's stakeout squad. In that capacity, he was personally engaged in 17 armed confrontations with criminals, resulting in 11 fatalities. He has since served as chief firearms instructor for the U.S. Customs Service and as a senior firearms instructor at the Federal Law Enforcement Training Center. He teaches occasionally at various schools around the country. He is the author of *Guns, Bullets, and Gunfights: Lessons and Tales from a Modern-Day Gunfighter* (Boulder, Colo: Paladin Press, 1996), cited herein, and the subject of a training video titled *Secrets of a Master Gunfighter: Jim Cirillo's Advanced Guide to Combat Shooting and Gunfight Survival*.

Bill Clede. A retired Connecticut police officer, Clede is an instructor and the administrator of the Smith & Wesson Online Police Academy, through which he teaches the course "Concealed Handgun Carry for Police." Among his numerous articles and publications is the work cited herein, *The Practical Pistol Manual: How to Use a Handgun for Self Defense* (Ottawa, Ill: Jameson Books, Inc., 1997).

Gabriel Suarez. Cuban-born Suarez is a veteran of several southern California police agencies, including the Los Angeles County Sheriff's Department. Now a full-time professional weapons and tactics instructor, writer, and consultant, he is the author of several books in addition to *The Tactical Advantage: A Definitive Study of Personal Small-Arms Tactics* (Boulder, Colo: Paladin Press, 1998), cited herein.

Chuck Taylor. A decorated veteran of Vietnam combat service qualified in SWAT and counter-terrorist operations, Taylor is the founder and director of the American Small Arms Academy, a private firearms training school. He has trained law enforcement and security personnel, including covert military and police special operations units. Taylor is a prolific author who writes for several publications. In addition to *The Gun Digest Book of Combat Handgunnery*, 4th ed. (Iola, Wis.: Krause Publications, 1997), cited herein, Taylor has authored several books and more than 1,300 magazine articles.

Duane Thomas. A professional free-lance writer on gun-related topics, Thomas is the author of a number of magazine articles, in addition to *The Truth About Handguns: Exploding the Myths, Hype, and Misinformation* (Boulder, Colo: Paladin Press, 1997), cited herein.

Dr. Alexis Artwohl and Loren W. Christensen. The authors of *Deadly Force Encounters: What Cops Need to Know to Mentally and Physically Prepare for and Survive a Gunfight* (Boulder, Colo.: Paladin Press 1997), have nearly 40 years of combined experience working with law enforcement officers. Artwohl is a clinical psychologist in Portland, Oregon, who has worked with many police officers and family members after such traumatic events as deadly force encounters. Christensen, a career Portland police officer, has written a number of articles and books on the martial arts and police-related topics.

Appendix B:
Bibliography of Studies Criticizing Lott and Mustard's Findings

John Lott's book, *More Guns, Less Crime*, is often cited by pro-gun advocates as evidence supporting the right to carry concealed weapons for self-defense. *More Guns, Less Crime* is based on a study conducted by Lott and David Mustard entitled "Crime, Deterrence, and Right-to-Carry Concealed Handguns," which appeared in the January 1997 issue of *The Journal of Legal Studies*. The study maintains that arming citizens deters violent crime.

The Claims that Right-to-Carry Laws Reduce Violent Crime are Unsubstantiated, Daniel W. Webster, Johns Hopkins Center for Gun Policy and Research, March 1997. (Available at <http://support.jhsph.edu/departments/gunpolicy/research.cfm>; INTERNET.)

This paper criticizes the Lott and Mustard study for its methodological and factual flaws. The author notes that Lott and Mustard mistakenly categorize some state laws as shall-issue laws even though a reading of the laws reveals that there is still discretion allowed in granting a concealed carry license. Lott and Mustard's statistical models use arrest ratios (arrests per crime committed in a given year) to predict changes in crime rates—a method deemed inappropriate nearly two decades ago by a National Academy of Sciences panel of experts. As a result of such flawed methodology, Lott and Mustard's findings depart from well-established facts about crime. For example, Lott and Mustard deduce that criminals, in response to shall-issue laws, commit property crime to substitute for crimes which do not involve money or property. The author notes that "no credible criminologic theory can explain why a criminal would steal a car because he felt deterred from assaulting someone."

Concealed Handguns: The Counterfeit Deterrent, Franklin Zimring and Gordon Hawkins, *The Responsive Community*, Spring 1997, pp. 46-60.

This essay examines two types of flaws in Lott and Mustard's study: their comparisons between states and their assumptions characterizing shall-issue states. First, Zimring and Hawkins write, comparing state crime trends without sufficient controls is misleading because factors such as poverty, drugs, and gang activity vary significantly between right-to-carry states and other states. Second, the authors point out, after confirming that a shall-issue statute was passed, Lott and Mustard make no attempt to measure carrying of handguns by citizens, use of handguns by citizens in self-defense, or offender behavior in relation to street crime. The authors conclude that "what we know from this study about the effects of 'shall carry' laws is, therefore, nothing at all."

Two Guns, Four Guns, Six Guns, More Guns: Does Arming the Public Reduce Crime?, Albert W. Alschuler, *Valparaiso University Law Review*, Spring 1997, pp. 365-373.

This paper summarizes other researchers' critiques of Lott and Mustard's study and raises new questions about their overall conclusions. For example, the author notes that, because gun possession in the home is lawful without concealed carry laws, the deterrent effect of concealed carry should be far greater for stranger homicides than for intra-family homicides. Yet Lott and Mustard report that the proportion of stranger killings *increases* following the enactment of concealed carry laws, while the proportion of intra-family killings *declines*. The author concludes, "At this point, there is essentially no reason for an intelligent consumer of social science research to accept the Lott and Mustard findings."

Flawed Gun Policy Research Could Endanger Public Safety, Daniel W. Webster, Jon S. Vernick, Jens Ludwig, and Kathleen J. Lester, *American Journal of Public Health*, June 1997, pp. 918-921.

This article examines methodological problems in Lott and Mustard's study and finds that several serious shortcomings

render Lott and Mustard's conclusions insupportable. For example, relative to other demographic groups, young black males have very high rates of criminal offending and victimization and older black females have much lower rates of offending and victimization. Lott and Mustard's statistical methods are so badly flawed that their results indicate the proportion of young black males in a county's population was only weakly associated with higher rates of crime, while the proportion of black females older than 65 in a county's population had large positive effects on murder and auto theft, while reducing all other violent crimes. The authors conclude that "the flaws in Lott and Mustard's study of shall-issue laws are so substantial, and the findings so at odds with criminological theory and research, that any conclusions about the effects of shall-issue laws based on this study are dubious at best."

Do Right-to-Carry Laws Deter Violent Crime?, Dan A. Black and Daniel S. Nagin, *The Journal of Legal Studies*, January 1998, pp. 209-219.

This paper demonstrates that Lott and Mustard's results are highly sensitive to small changes in their model and sample. As a result, the data provide no basis for confident conclusions about the impact of right-to-carry laws on violent crime. For example, once Florida is removed from the sample, there is no longer any detectable impact of right-to-carry laws on the rates of murder and rape—the two crimes that Lott and Mustard use to account for 80 percent of the alleged social benefit of right-to-carry laws. The authors conclude that "inference based on the Lott and Mustard model is inappropriate, and their results cannot be used responsibly to formulate public policy."

Concealed Gun Carrying Laws and Violent Crime—Evidence from State Panel Data, Jens Ludwig, *International Review of Law and Economics*, September 1998, pp. 239-254.

This paper critiques the Lott and Mustard study by focusing on the minimum age requirements for concealed carry licenses.

Because only adults can obtain concealed carry licenses, the author hypothesizes that any deterrent benefits of concealed carry laws should be concentrated among adults and should also be reflected in the difference between adult and juvenile victimization rates. However, the author's results find just the opposite—undermining Lott's argument that concealed carry laws have reduced the rate of homicide. In fact, Ludwig writes, his re-analysis of the Lott and Mustard data suggests that "shall-issue [concealed carry] laws have resulted, if anything, in an *increase* in adult homicide rates."

Book Review of *More Guns, Less Crime*, David Hemenway, *New England Journal of Medicine (NEJM)*, December 31, 1998, pp. 2029-2030. Follow-up correspondence: *NEJM*, May 20, 1999, pp. 1599-1600.

This article reviews the Lott book, *More Guns, Less Crime*, focusing on the core of the book, a large statistical study of state "right-to-carry" laws. The author points out that crime moves in waves, but Lott's analysis does not include variables—such as gangs, drugs, or community policing—that can explain these cycles. This omission leads to illogical results. For example, according to Lott's results, having fewer older black women in a sample will lead to a more dramatic reduction in homicide rates than increasing arrest rates or enacting shall-issue laws. Additionally, some of the data used in the analysis is simply wrong. The reviewer concludes that while Lott deserves high marks for attempting to study a difficult issue, "he deserves failing marks for pressing policy makers to use his results despite the substantial questions that have been raised about his research."

Myths about Defensive Gun Use and Permissive Gun Carry Laws, Daniel Webster and Jens Ludwig, paper presented at the "Strengthening the Public Health Debate on Handguns, Crime, and Safety" meeting, Chicago, IL, October 1999. (Available at <http://support.jhsph.edu/departments/gunpolicy/research.cfm>; INTERNET.)

This paper focuses on problems with the Lott and Mustard study and the authors' interpretations of the findings. Aside from the errors made in the study and analysis, the fundamental problem with Lott's research is that "correlation is not causation." Variables may be related to one another, yet not cause one another. The authors provide the example that, while there is a significant association between a child's shoe size and the child's writing ability, this correlation does not prove that large shoes improve writing ability. Thus the difference in crime rates between Florida and California may mistakenly be attributed to the presence of a permissive concealed carry law in the former, when all or part of the difference may be due to other unmeasured differences, including poverty, drugs, gang activity and police resources, for which Lott does not adequately control. The authors conclude that "the many limitations of Lott's...research indicate that there is no reason to move from [the] view of guns and violence backed by research in previous decades."

Endnotes

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4. Data sources: "Fatal Firearm Injuries in the United States, 1962-1994," *Violence Surveillance Summary Series, No. 3* (Atlanta, GA: National Center for Injury Prevention and Control, 1997); Robert N. Anderson, "Report of Final Mortality Statistics, 1995," *Monthly Vital Statistics Report* 45, no. 11 (1997); Kimberly D. Peters et al., "Deaths: Final Data for 1996," *National Vital Statistics Report* 47, no. 9 (1998); Donna L. Hoyert et al., "Deaths: Final Data for 1997," *National Vital Statistics Report* 47, no. 19 (1999).
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6. Chris Bird, *The Concealed Handgun Manual: How to Choose, Carry, and Shoot a Gun in Self Defense* (San Antonio: Privateer Publications, 1998), 7.
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15. Massad F. Ayoob, *In the Gravest Extreme: The Role of the Firearm in Personal Protection* (Massad F. and Dorothy A. Ayoob, 1980), 38.
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About the Author

Tom Diaz is senior policy analyst at the Violence Policy Center. His first book, *Making a Killing: The Business of Guns in America*, a comprehensive examination of the firearms industry and its manufacture of increasingly deadly guns as a marketing tool, was published in 1999 by The New Press. Before joining the Violence Policy Center, he was counsel to the Subcommittee on Crime of the U.S. House of Representatives from 1993 to 1997, acting as the lead Democratic counsel on matters involving firearms and terrorism. A former member of the National Rifle Association and self-professed "gun nut," Tom Diaz learned to shoot in the Boy Scouts as a teenager in Mississippi and belonged to a rifle team while in high school. He also used firearms while serving in the U.S. Air Force reserve and in the Army National Guard, where he was an anti-tank platoon sergeant. An expert shot, Diaz competed in a pistol league and has owned and shot a wide variety of firearms, including handguns, rifles, and shotguns.

About the Violence Policy Center

The Violence Policy Center (VPC) is a national nonprofit educational organization working to reduce death and injury from firearms. As America's premier think tank on gun policy, the VPC studies current firearms issues and provides information to policymakers, journalists, public health professionals, and grassroots activists.

The virtually unrestricted distribution of firearms is more than a crime problem, it is a national health crisis. Unlike every other consumer product, firearms are exempt from federal health and safety laws. Guns—especially handguns and assault weapons—are inherently dangerous products, and the failure to regulate them like all other products costs thousands of lives and billions of dollars every year. By conducting research on key issues in firearms policy, the VPC counters the gun lobby's distortions and brings hard facts to the debate over firearms death and injury.



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