



League of Women Voters of Minnesota Records

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THE LEAGUE OF WOMEN VOTERS

MINNESOTA

550 RICE STREET ST. PAUL, MN 55103
PHONE (612) 224-5445

FIREARMS STUDY DISCUSSION GUIDE

TO: Local League Firearms Study Chairs

FROM: Susan Moeser, LWVNM Study Chair, 218/724-6120

DATE: January 3, 1990

RESOURCE MATERIALS: "Facts and Issues: The Sale, Use and Possession of Firearms in Minnesota," January, 1990. (Mailed to every member mid-January)
Video of October 1989 "Focus on Firearms"

IN THIS MAILING: Discussion Guide
Consensus Questions
Consensus Report Form (Due in LWVNM office March 2, 1990)

PLANNING THE MEETING

The January 1990 "Facts and Issues" is being sent to all members. Publish the consensus questions and encourage members to read the "Facts and Issues" prior to the consensus meeting.

Schedule two hours for the consensus meeting (add time for coffee, announcements, etc.). Because this is a topic which will attract wide interest, we encourage League members to invite visitors and friends to attend.

This discussion guide is intended to be used during the meeting to help explain and clarify firearm issues and the consensus questions. Discussion questions are provided to promote an interchange of ideas. Use or not as you see fit.

The consensus questions are intended to establish agreement or disagreement with a general philosophy. Designate a recorder to record the votes and any comments made by the majority or minority.

MEETING FORMAT

- I. Firearm Focus Video - 30 minutes (This tape may be borrowed from the state League office. It requires a \$25 deposit.)
- II. Firearm Issues - An Introduction. The next 30 minutes should be spent in providing a brief summary of firearm issues. We would suggest the following review.
 - A. Statistical Information - 5 minutes. (See shaded boxes in "Facts and Issues" on U.S. Firearm Statistics, MN Firearms Statistics, Guns and Suicides, Children and Guns.)
 - B. Handguns - 5 minutes. (See section in "Facts and Issues" on Handguns and shaded box on Handgun Homicide Rates.)

Discussion Questions:

1. Do handguns have legitimate sporting uses - hunting, target shooting, gun collecting?
2. Are handguns too accessible to children, teenagers and as an impulsive response to anger?
3. Should handguns be more strictly controlled?
4. Why are many law enforcement organizations coming out in support of increased gun control?

C. Semi-Automatic Assault Rifles - 5 minutes. (See section in "Facts and Issues on Assault Weapons.")

Discussion Questions:

1. Should Minnesota protect the "right" of individuals to own semi-automatic assault rifles? For what uses?
2. Would legislation banning semi-automatic assault rifles hinder hunters and sportsmen?

D. Drugs and Crime - 5 minutes. (See section in "Facts and Issues" on Drugs, Crimes and the Gun Connection.)

Discussion Questions:

1. Can we have a successful war on drug-related crime without dealing with the issue of firearms?

E. Peril vs. Protection - 5 minutes. (See section in "Facts and Issues" on Do Guns Jeopardize or Protect People.)

Discussion Questions:

1. Do gun owners place themselves and their families in a position of danger through the possession of firearms or do firearms provide a legitimate means of protection?
2. Is the firearms injury epidemic in our health care industry one for which society must bear the cost in order to protect the firearms owners rights?

F. Constitutional Issues - 5 minutes. (See section in "Facts and Issues" on "The Right to Bear Arms: Firearms and the Second Amendment to the U.S. Constitution.")

Discussion Questions:

1. The U.S. Supreme Court has four times ruled that there is no individual constitutional right to bear arms. The NRA states that there is. Where do you stand?
2. If people are required to be educated and licensed to operate an automobile and if automobiles are required to be registered, why not firearms? Some say the present situation exists because gun ownership is a right and driving an automobile is a privilege. Do you agree or disagree?

III. Consensus Questions - 1 hour. Please provide the following direction to your members. Each of these questions must be dealt with on its own merits. You can not, for example, discount the issue of registration because ideally you would like a weapon banned. The League must be prepared to deal with all of these options independently.

Note: As a reference, please see "Regulation of Firearms: A Range of Options" in Facts and Issues for questions 1-9.

1. Do you support or oppose licensing owners of the following firearms?

	<u>Support</u>	<u>Oppose</u>
long guns	_____	_____
handguns	_____	_____
assault weapons	_____	_____

2. Do you support or oppose registration of the following firearms?

	<u>Support</u>	<u>Oppose</u>
long guns	_____	_____
handguns	_____	_____
assault weapons	_____	_____

3. Do you support or oppose a waiting period for the purchase of the following firearms?

	<u>Support</u>	<u>Oppose</u>
long guns	_____	_____
handguns	_____	_____
assault weapons	_____	_____

4. Do you support or oppose the use of an instant computer background check for the purchase of the following firearms?

	<u>Support</u>	<u>Oppose</u>
long guns	_____	_____
handguns	_____	_____
assault weapons	_____	_____

Note: Discussion leaders - Before answering question #5, read to your group the paragraph on Instant Computer Background Check.

5. In regard to purchase control legislation which of the following options is preferable?

_____ waiting period
_____ instant computer background check

6. Do you support or oppose a ban on the manufacture, sale and importation of:

	<u>Support</u>	<u>Oppose</u>
handguns	_____	_____
handgun parts	_____	_____
assault weapons	_____	_____
assault weapon parts	_____	_____

7. Do you support or oppose required firearm safety training before the purchase of a firearm?

Support _____ Oppose _____

8. Do you support or oppose the concept of gun owner liability when others are harmed due to the owner's negligence?

Support _____ Oppose _____

9. Do you support stiffer and/or mandatory penalties for people who commit crimes with guns?

Support_____

Oppose_____

Note: See "Minnesota 1985 Uniform Handgun Control Law" in Facts and Issues as a reference to question 10.

10. Do you support or oppose preventing local municipalities from regulating ownership and possession of firearms and ammunition more strictly than state law allows?

Support_____

Oppose_____

Note: See "Gun control and the Second Amendment" and "The Right to Bear Arms Amendment" in Facts and Issues as a reference to question 11.

11. Constitutional Right to Bear Arms: The U.S. Supreme Court and the MN Supreme Court have both ruled that an individual constitutional right to bear arms does not exist. Do you support or oppose an amendment to the Constitution of the State of Minnesota which would guarantee an individual right to keep and bear arms?

Support_____

Oppose_____

LOCAL LEAGUE FIREARMS CONSENSUS REPORT FORM

Local League: _____

Name of person preparing report: _____

Phone: _____

Total Membership in your League: _____

Number participating in consensus: _____

In the margin of your local League report to LWVN, please record the number of those responding to each consensus question.

DEADLINE: Please return your consensus report to the state League office as soon as possible after your League's consensus meeting. The report must be received in the state League office by March 2, 1990.

FIREARMS CONSENSUS QUESTIONS

1. Do you support or oppose licensing owners of the following firearms?

	<u>Support</u>	<u>Oppose</u>
long guns	_____	_____
handguns	_____	_____
assault weapons	_____	_____

2. Do you support or oppose registration of the following firearms?

	<u>Support</u>	<u>Oppose</u>
long guns	_____	_____
handguns	_____	_____
assault weapons	_____	_____

3. Do you support or oppose a waiting period for the purchase of the following firearms?

	<u>Support</u>	<u>Oppose</u>
long guns	_____	_____
handguns	_____	_____
assault weapons	_____	_____

4. Do you support or oppose the use of an instant computer background check for the purchase of the following firearms?

	<u>Support</u>	<u>Oppose</u>
long guns	_____	_____
handguns	_____	_____
assault weapons	_____	_____

5. Regarding purchase control legislation which of the following options is preferable?

_____ waiting period
_____ instant computer background check

6. Do you support or oppose a ban on the manufacture, sale and importation of:

	<u>Support</u>	<u>Oppose</u>
handguns	_____	_____
handgun parts	_____	_____
assault weapons	_____	_____
assault weapon parts	_____	_____

7. Do you support or oppose required firearm safety training before the purchase of a firearm?

Support _____ Oppose _____

8. Do you support or oppose the concept of gun owner liability when others are harmed due to the owner's negligence?

Support _____ Oppose _____

9. Do you support stiffer and/or mandatory penalties for people who commit crimes with guns?

Support _____ Oppose _____

10. Do you support or oppose preventing local municipalities from regulating ownership and possession of firearms and ammunition more strictly than state law allows?

Support _____ Oppose _____

11. Constitutional Right to Bear Arms: The U.S. Supreme Court and the MN Supreme Court have both ruled that an individual constitutional right to bear arms does not exist. Do you support or oppose an amendment to the Constitution of the State of Minnesota which would guarantee an individual right to keep and bear arms?

Support _____ Oppose _____

LEAGUE OF WOMEN VOTERS OF DULUTH
Box 3330
Duluth, MN 55803

*Gun amendment
file*

TO: All Minnesota Local Leagues
ATTN: Council Delegates
FROM: LWV-Duluth
RE: Emergency Program Adoption

Delegates to State Council, meeting on April 19, 1988, will be asked to approve the adoption of an emergency program item. The proposed program item would read:

The League of Women Voters of Minnesota opposes an amendment to the Minnesota Constitution that gives individuals the unrestricted right to bear arms.

Before voting on this proposal we ask you to consider and understand our objections.

This proposal is not for consensus or concurrence, both established League methods of reaching positions following study. It is a method of reaching position without study. It is a method of reaching position by polling those delegates attending the State Council meeting.

We believe that this precedent-setting method of reaching position without study will seriously damage League credibility not only on this issue but on all League positions - past, present and future. As our League leaders and lobbyists have repeatedly told us, League is respected and well-received because of our reputation for studying all sides of issues before reaching position.

In 1984, Minnesota Leagues were given the opportunity to concur with a position on gun control. At that time some Leagues did study the issue and agreed; some studied and disagreed; many did not participate due to lack of interest, time or leadership. The end result was no agreement or concurrence.

We believe it is improper to compare this proposal with the adoption of positions supporting ERA and lifetime learning. Those positions were preceded by several years of study and consensus on equal opportunity and education issues.

There is debate over whether the currently proposed constitutional amendment will, in fact, give individuals unrestricted rights to bear arms. Should it be determined that this amendment would not rule out such limitations as gun registration, waiting periods for gun purchase, etc., a position opposing "unrestricted rights" would likely be unusable in dealing with the currently proposed amendment. This points out a basic weakness in the proposed position, i.e. League could only oppose those constitutional amendments that would guarantee unrestricted rights. This proposal also would not give us a "gun control" position, just an opposition to a constitutional amendment regarding the right to bear arms. It has also been League procedure that

positions are based on issues, not proposed legislation. Legislation is then viewed in light of our positions.

LWVMN Legislative Coordinator Carolyn Hendrixson is quoted in The Minnesota Voter, Spring 1988, as being "hopeful the discussion will center around the merits of the issue rather than the process of approving the position." This statement suggests that only those opposed to gun control will oppose this position adoption. This is simply not true. It also suggests that the ends can justify the means . . . that the League process of study and action is unimportant when there is an "emergency" issue on which some people have strong feelings. We believe that both the position and the process were given insufficient attention and we oppose the adoption of the position on both counts.

Failure to adopt this program position will not mean that League will be unable to take a meaningful part in the debate over this proposed constitutional amendment. Leagues will be able to sponsor public forums on the issue, to distribute educational literature and to inform the public on what is necessary for the approval of constitutional amendments. League has been effective in this role in the past - sometimes more effective than when we have been supporting or opposing an amendment. It can certainly be more effective in this role again than it can be in having a position that it has not studied.

We urge State Council delegates to vote against the adoption of this program item. If you are unable to send delegates to the Council meeting and are concerned about the process, consider writing a letter to the LWVMN Board.

If you have further questions about our concerns, please call:

Rosemary Guttormsson	(218) 728-4037
Triss Harwood	(218) 728-3007
Marree Seitz	(218) 525-5647
Prudy Cameron	(218) 525-4164

Concurrence Report:

tee met on Feb. 15. Present: Erica Buffington, Barbara Hiles, Lynne Westphal, Lyn Hendrixson, Prudy Cameron, Peggy Leppik and Mindy Greiling.

Due to the percentage of members responding, the Handgun Concurrence did not pass.

There were 391 responses to the mail in ballot. Twenty-five ballots were not valid since they were not identified by either name or League. The remaining 366 ballots represent 16% of the total membership (minus Mpls). Of those voting, there were an overwhelming number of yes votes with only 8 no's on the first question and 15 no's on the second question.

There was a total of 37 Leagues represented in the voting, though some by very small numbers. 14 Leagues were nonmetro, 23 metro, and we had a good representation by geographic area with the exception of the "northern tier".

It was obvious that those Leagues who chose to have unit meetings on the topic participated in a far greater number than those who did not.

Evaluation of the process:

The committee would not recommend that a mail in ballot be used for a concurrence question.

Some of the problems that came out were objections to having members identified on the ballot, which would appear to be essential for a valid concurrence, and would remain a problem regardless of the concurrence question. Voters were misplaced prior to voting, whether in unit meetings or individually. New members did not receive the Voter or the ballot and local Leagues had to reproduce both article and ballot for them. Address of State office should be on ballot.

If mail in ballots are to be used again the committee would recommend the following: Provision be made for reproducing ballot in local Voters, with space for identifying the League on the ballot, and requiring that those ballots be mailed in together, or in an envelope identifying the league member by return address.

That Leagues be certain that all ballots are mailed to the State office by the deadline. It appears that some ballots were not received at the State office for some reason.

Fridley League of Women Voters

DEC - 5 1984

December 3, 1984

Ms. Jean Tews, President
Members of the Board
League of Women Voters of Minnesota
555 Wabasha
St. Paul, Minnesota 55102

Dear Ms. Tews and Members:

The Fridley League of Women Voters Board voted at our October meeting not to participate in the hand gun concurrence because of the danger we feel concurrence poses to League. We also decided it was essential to make both State and National aware of our objections

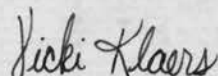
The credibility of League positions has been League's strength and the basis for all our lobbying efforts over sixty years of success. The consensus process, the thoroughness of our studies, the stimulating and democratic discussion of our subjects leading to consensus, have resulted in well-considered positions respected in city halls, state assemblies, and in the federal government.

In the words of League itself, "The consensus process is highly valued as the cornerstone of the democratic procedure which precedes all League stands. In essence, consensus means agreement among a substantial number of members, representative of the membership as a whole, and it is reached after sustained study and group discussion. Consensus is not just a simple majority, nor necessarily unanimity."

Concurrence bypasses these very elements that have been the strength of League positions. Concurrence does not require that we be well-informed, that our thinking be subject to the competition of ideas inherent in discussion. In fact, concurrence violates the grass roots selection process which is an integral part of each member's sense of involvement in League. We would just as well be part of a poll, or belong to Common Cause and just send in our money.

We are sacrificing the very core of League's credibility and strength any time we abandon consensus for concurrence.

Yours truly,



Vicki Klaers, President
7860 Alden Way N.E.
Fridley, Minnesota 55432

DEC - 5 1984

December 3, 1984

The attached letter regarding consensus has been sent to the following people.

Ms. Jean Tews, President
Members of the Board
League of Women Voters of Minnesota
555 Wabasha
St. Paul, Minnesota 55102

Marcia Walters, Editor
LWVMN VOTER
5112 Forest Road
Minnetonka, Minnesota 55343

Dorothy Ridings, President
Members of the Board
League of Women Voters of the United States
1730 M Street N.W.
Washington, D.C. 20036

Debra Duff, Managing Editor
LWVUS VOTER
1730 M Street N.W.
Washington, D.C. 20036

Vicki Klaers
Vicki Klaers, President
Fridley League of Women Voters



LEAGUE OF WOMEN VOTERS OF MINNESOTA

555 WABASHA • ST. PAUL, MINNESOTA 55102 • TELEPHONE (612) 224-5445

December 13, 1984

cc:
JT
Bry.
Niles
Cileas
Hendrix

Vicki Klaers, President
LWV of Fridley
7860 Alden Way N.E.
Fridley, MN 55432

Dear Vicki and members of the Board of Directors of LWV-Fridley:

Thank you for your letter of December 3rd expressing concern over the concurrence process. As you know, consensus is the League process most commonly used in determining member agreement upon an issue. Concurrence is a less frequently used process of arriving at a League position.

The use of the concurrence process has enabled our organization to study and take a position in a shorter period of time than is required of the Consensus process. The desirability of this shorter time period can become apparent in certain legislative sessions when the opportunity for taking effective action is confined to a period of a very few months.

Concurrence is requested on issues on which there is felt to be a fair measure of member understanding or awareness. LWVMN and/or the local League(s) requesting concurrence assist the process by supplying Leagues with resources for their own study of the issue. It is hoped that discussion will precede voting. However, in view of the active and diverse life styles of our members, we must recognize that some members cannot attend all meetings. They may, however, be able to read our publications, view our videotapes and come to an informed conclusion on an issue. These members want a voice too.

We have safeguards on the concurrence process: it must be requested by a majority of delegates to state council or convention or by the state board. Positions must meet the same voting requirements for the concurrence process as for the consensus process; that is agreement of 2/3 of the members.

The strength of the program of the League of Women Voters is in our grassroots process of program-making and action. Whether a position be achieved by consensus or by concurrence, all League members are given the opportunity to become well-informed before voting.

As citizens of the United States we are facing many changing social and political patterns in our country. The LWV has established a reputation of political responsibility but that reputation alone is not drawing or even retaining members for us. We should probably reconsider whether our organizational

Vicki Klaers

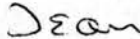
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December 13, 1984

structure and practices may need some modernization in order to attract the numbers of persons we need to keep the League alive and active. Member accessibility to the position-making process is important to every level of League.

I hope you will reconsider your decision to abstain from voting on the handgun concurrence. Again, thank you for your letter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jean".

Jean Tews
President

JT/rk



LEAGUE OF WOMEN VOTERS OF MINNESOTA

555 WABASHA • ST. PAUL, MINNESOTA 55102 • TELEPHONE (612) 224-5445

File

November 26, 1984

Elaine McGillvray, Secretary
League of Women Voters of Arden Hills/Shoreview
1270 Nursery Hill Court
St. Paul, Minnesota 55112

Dear Elaine:

I appreciate the concerns your League has about the handgun concurrence and will try to respond to them for you.

First, in response to your question about whether your members will still have the VOTER when you discuss this issue, I would assume you have advised them when this meeting is scheduled, and that they should read and keep the VOTER. We stressed the fact that the ballot would be necessary for voting on the issue, and can only hope League members will remember this directive.

Secondly, the lack of privacy. The Action Committee and the full Board discussed this at some length. We determined that we had to know that ONLY League members were voting on this issue, and with a mail-in ballot, felt this was the only way to do this. We do agree this is a concern.

I am not sure what you mean by "range of feeling," but members are welcome to enclose any remarks and they will certainly be considered. Yes, it will be possible to know the percentage of each League voting yes or no, but at this time we don't anticipate breaking it down to that extent. We won't know if there are any abstentions, unless the ballots are mailed in stating that fact. I agree that those members with the strongest feelings may be most likely to vote, but that is often the case on any issue.

Elaine, I hope you will share with your members and your Board, our appreciation of your concerns about this concurrence. Believe me, we thought long and hard about whether this could, or would, be a valid concurrence. We will be very careful in determining percentage of response from individual members, Leagues, and also the proportion of metro vs. greater Minnesota voting on this issue, before establishing a concurrence.

If I can be of any further help, please do not hesitate to contact me.

Best regards,

Barb Hiles

Barb Hiles, Criminal Justice Chair
League of Women Voters of Minnesota

H:m

League of Women Voters

Arden Hills/Shoreview

File

October 29, 1984

✓ Barb Hiles, Criminal Justice
League of Women Voters of Minnesota
555 Wabasha
St. Paul, Minnesota 55102

Dear Ms. Hiles:

At our last board meeting, some concerns were expressed about the handgun concurrence. Our president directed me to write to you about some of them.

From a purely logistical standpoint, we are wondering how many of our members will still have their Voter at the time when we discuss this issue. More important, however, are uneasy feelings about the basic nature of this kind of concurrence. Some of our board members were uncomfortable with the lack of privacy involved in the vote when the member's name and address appear on the back of the ballot. Also with a concurrence of this nature, will it be possible to really gauge the range of feeling in the response? Will it be possible to know the percentage of each league voting yes or no? How will it be known if there are any abstentions? In the cases where the individual league does not have a unit meeting and the voting is left up to the individual members, won't those with the strongest feelings on the issue be most likely to vote?

Thank you for your consideration of our concerns. We will be interested in seeing what kind of response this concurrence gets.

Sincerely,

Elaine McGillivray
Elaine McGillivray, secretary

FILE COPY

FAMILY VIOLENCE: OUT OF FOCUS ON HANDGUNS

A critique of
"Family Violence: A Focus on Handguns"

by Wendy Rudman
study Co-chair, LWVMpls

February, 1983

FAMILY VIOLENCE:
OUT OF FOCUS ON HANDGUNS

A Critique

by Wendy Rudman,
Study Co-Chair, "Family Violence: A Focus on Handguns"

(DRAFT)

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INTRODUCTION

This critique is meant solely to underscore the fact that the League of Women Voters of Minneapolis in its study "Family Violence: A Focus on Handguns" does not substantiate its textual comments with facts, but merely with opinions, sometimes in obvious and reckless disregard of the facts.

The passages discussed in each section are samples of the kinds of erroneous data which permeate the study. It is not the author's intention that these passages should be construed as the only defective passages in the text.

As Study Co-Chair, the author considers it her duty to bring these errors to light, so that this kind of abusive practice may be remedied.

SECTION I. FAMILY VIOLENCE: THE HANDGUN CONNECTION?

On page 2 of its study, the League states:

Data from the FBI Uniform Crime Reports for 1981 in the following table show that, of 20,053 homicides in the United States, 29.6 percent occurred where the victim/murder relationship was unknown, 15.5 percent of the victims/murderers were strangers and the remaining 54.9 percent of homicides occurred between family members, friends or acquaintances. These crimes are most frequently committed by persons not previously considered criminals.

- * IN FACT, ACCORDING TO THE F.B.I., ONLY SEVENTEEN PERCENT WERE MURDERS WITHIN FAMILY RELATIONSHIPS.
- * IN FACT, THESE CRIMES WERE MOST FREQUENTLY COMMITTED BY PERSONS PREVIOUSLY CONSIDERED CRIMINALS BY MAJOR U.S. LAW ENFORCEMENT AGENCIES.

Once again, the League has attempted to distort the facts by leaving out key F.B.I. data. The F.B.I. itself says:

As has been noted in prior issues of this publication, criminal homicide is primarily a societal problem over which law enforcement has little or no control. Supporting this statement is the fact that 55 percent of the murders committed in 1981 were perpetrated by relatives or persons acquainted with the victims. Seventeen percent of these killings were within family relationships, one-half of which involved spouse killing spouse.¹

Additionally, it should be noted that on page 3, the League tries to extrapolate statistical data which does not exist from the reproduced chart, to buttress its otherwise unsubstantiated contentions. Although "Arguments" was the largest single category listed under "Murder Circumstances/Motives" by the F.B.I., only 2.5% of murders attributed to arguments were within identifiable family relationships, i.e., a romantic triangle. The League's inferences about the 32.5% sub-

1) FEDERAL BUREAU OF INVESTIGATION, UNIFORM CRIME REPORTS FOR THE UNITED STATES 10 (1981).

class described as "Other Arguments" are grossly misleading. If the F.B.I. could have classified these "other arguments" as "family arguments" it would have, and it is somewhat presumptuous for the League to infer that it knows something about the F.B.I. data that the F.B.I. does not know.

Furthermore, the League's allegation that "these crimes are most frequently committed by persons not previously considered criminals" is completely false and, as one can see, is not footnoted.

One author, commenting on the popular myths surrounding this topic states:

The calculation of family homicides and accidents as costs of gun ownership is equally false. The great majority of these killings are among poor, restless, alcoholic, troubled people, usually with long criminal records. Applying the domestic homicide rate of these people to presumably up-standing citizens upon whom they prey upon is seriously misleading.²

More authoritative analysis of the characteristics of murderers can be gleaned from the F.B.I. Uniform Crime Reports itself, which detailed these characteristics until 1975, studies by the Chicago Police Department,³ the Senate Subcommittee on Juvenile Delinquency,⁴ and the Annual Homicide Analysis of the New York City Police Department,⁵ all of which show that 70-80 percent of suspected murderers have criminal careers of longstanding. The studies show that there have been an average of six arrests per suspect prior to the

2) Briggs, The Great American Gun War, 45 PUB. INTEREST 40 (1976).

3) CHICAGO POLICE DEPARTMENT, MURDER ANALYSIS (Volumes for years 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, and 1976).

4) HEARINGS ON S. 3691, before the SUBCOMMITTEE TO INVESTIGATE JUVENILE DELINQUENCY OF THE SENATE COMMITTEE OF THE JUDICIARY, (exhibit No. 7, pp. 75-76 (D.C. study) 1968).

5) NEW YORK CITY POLICE DEPARTMENT, HOMICIDE ANALYSIS (1977).

See also SEVERSEY & ENLOE, HOMICIDE IN HARLEM 17ff (1975).

the commission of the murder, half of them for violent crimes. Substantiating the first author's comments, these sources have also found that victims have similar records about 50% of the time.

Of interest to the League should be the fact that the New York City Homicide Analysis reveals that the most frequently used weapon in cases of domestic homicide is the knife,⁶ which is readily available in most kitchens.

Other studies have thoroughly rebutted the myth that domestic homicides are the result of sudden and irresistible impulse during an argument. A Police Foundation commissioned study analyzed domestic violence episodes requiring the summoning of police in Detroit and Kansas City, and found that:

- (1) in 90% of all domestic homicides, the police had been previously called to the residence because of beatings and other violent manifestations; and
- (2) in 50% of all domestic homicides, the police had been previously called to the residence to stop violent episodes on at least five occasions.⁷

There is NO substantiation whatsoever in the literature for the proposition that persons who commit murder most frequently have not previously been considered criminals.

6) New York City Police Department, HOMICIDE ANALYSIS (1980).

7) WILT, DOMESTIC VIOLENCE AND THE POLICE: STUDIES IN DETROIT AND KANSAS CITY, 23 (Police Foundation, 1977).

SECTION II. THE UNITED STATES CONSTITUTION:
IMPLICATIONS FOR HANDGUN CONTROL?

On page 5 of the study, the League states:

Most recently, in December 1982, the United States Surpeme [sic] Court, in Quilici v. Village of Morton Grove, ruled that the ordinance banning handguns for most citizens in Morton Grove, Illinois, with the exception of peace officers, those in similar categories, antique gun collectors and members of gun clubs, does not violate the United States Constitution [sic]. The Court referred to an earlier Supreme Court decision (Presser v. Illinois, 116 U.S. 252 [1886]) in which the Court held that the Second Amendment applied only to action by the federal government. Moreover, the Court ruled that it is clear that the right to bear arms is inextricably connected to the preservation of a militia. It ruled that the Second Amendment to the Constitution of the United States does not prevent states from regulating the rights of individuals to have and bear handguns.

The study reiterates this crucial point on page 10:

In November 1982 the California Supreme Court ruled that a strict ordinance passed in San Francisco did not comply with the Constitution of the State of California. In the Morton Grove Illinois case cited earlier, where a ban on handguns, with some exceptions, was in effect, the United States Supreme Court ruled that the Illinois Constitution granted sufficient police power to the state to allow the ordinance.

- * IN FACT, THE MORTON GROVE OPINION CAME NOT FROM THE UNITED STATES SUPREME COURT, BUT FROM A THREE JUDGE PANEL OF THE UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT.
- * IN FACT, THE CALIFORNIA DECISION, CAME NOT FROM THE CALIFORNIA SUPREME COURT, BUT FROM THE COURT OF APPEAL, FIRST DISTRICT, THIRD DIVISION.

The League does not footnote or give any citation in the second paragraph above, but does footnote the first paragraph. A check of the citation listed on page 5, footnote 9, reveals clearly the source of the Morton Grove decision - a three judge

panel of the U.S. Court of Appeals for the Seventh Circuit. This mistake is rather interesting in light of the fact that the League copied the Presser¹ citation correctly, and copied another sentence verbatim from the note. If the League was unclear as to whether the U.S. Court of Appeals for the Seventh Circuit is synonymous with the U.S. Supreme Court, it could have checked the reference in the note to 51 U.S.L.W. 2343. A cursory inspection of page 2343 shows that the majority opinion was written by Judge Bauer, and the dissenting opinion was written by Judge Coffey. Surely, not even the League believes that Judges Bauer or Coffey, however great their professional accomplishments, have as yet been elevated to the U.S. Supreme Court.

However, since this is not the League's first fabrication of a U.S. Supreme Court case in this study, perhaps the point is moot. Nevertheless, had the League been interested at all, it would have discovered that the Quilici case is being considered for a rehearing by the U.S. Court of Appeals for the Seventh Circuit. It would also have discovered that the dubious nature of the ruling has caused eleven states² to file amicus briefs, primarily on the grounds that the court violated the federal abstention doctrine.³ The League, if it had been interested, would have found out that Quilici has a companion case, Kalodimos v. Village of Morton Grove, No. 82-282 (Ill. App. Ct.), moving through the state court system in Illinois. The League, however, is apparently not interested, since, according to the paragraph cited on page 10, the League believes that the U.S. Supreme Court is the final decisionmaker on the meaning of state constitutional provisions. Again, the League's statement shows a fundamental misunderstanding of the judicial system.

1) Presser v. Illinois, curiously enough, also held that the First Amendment did not apply to the states through the Fourteenth Amendment. Presser v. Illinois, 116 U.S. 252, 267 (1886).

2) These states are: Arizona, Connecticut, Hawaii, Idaho, Louisiana, Missouri, Montana, Nevada, North Carolina, Oregon and Wyoming.

3) Railroad Commission v. Pullman Co., 312 U.S. 496, 61 S.Ct. 643, 85 L.Ed. 971 (1941).

It has long been established that in any area where a state law purports to expand civil liberties, the U.S. Supreme Court is not a higher court, since all federal civil liberties guarantees are minimum guarantees. Thus, if the Illinois Supreme Court rules that the State Constitution⁴ grants individuals the right to possess handguns, neither the U.S. Court of Appeals for the Seventh Circuit nor the U.S. Supreme Court could rule otherwise, regardless of how the Second Amendment of the U.S. Constitution is ultimately interpreted by the U.S. Supreme Court.

Since the League has expressed a willingness to relieve the U.S. Supreme Court's docket by issuing rulings for it, it would behoove the League to take note of the fact that there is one U.S. Supreme Court case that bears directly on the issue of "gun control" legislation. In Haynes v. United States, the Fifth Amendment, not the Second Amendment, was at issue. Reversing a conviction for possession of an unregistered sawed-off shotgun in violation of the National Firearms Act, 48 Stat. 1236, the U.S. Supreme Court, per Justice Harlan, stated:

We hold that a proper claim of the constitutional privilege against self-incrimination provides a full defense to prosecutions either for failure to register a firearm under §5841 or for possession of an unregistered firearm under §5851.⁵

The result is that persons who are forbidden by law from possessing certain firearms can NEVER be prosecuted for failure to register them, unless they make a knowing and intelligent waiver of their Fifth Amendment rights. Research has failed to disclose a single case where a prohibited person, such as a felon, has waived these rights. Any state or municipal law requiring registration of a firearm must specifically exempt

4) ILL. CONST. art 1, §22 provides:

Subject only to the police power, the right of the individual citizen to keep and bear arms shall not be infringed.

5) Haynes v. United States, 88 S.Ct. 722, 732 (1968).

prohibited persons from prosecution for violations of such law.⁶ Thus, the assertion that the "[d]iscussion of the "constitutionality" of handgun regulation centers around the interpretation of the Second Amendment" is also fallacious, since it conveniently dispenses not only with the Fifth Amendment, but also with the Fourth and Fourteenth Amendments, in short order.

Finally, the League's error concerning the California decision again reveals the League's slipshod approach to research in this study. The California decision came not from the California Supreme Court, but from an intermediate court of appeals.⁷

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- 6) For example, the Chicago Ordinance, Chapter 11.1 of the Chicago Municipal Code, provides in 11.1-4 that:

No registration certificate shall be issued to any person unless such person...

- (5) is not otherwise ineligible to possess a firearm under any federal, state, or local law, statute or ordinance.

Therefore, a felon, for example, could never be prosecuted under the Chicago Ordinance for failure to register a firearm, although a person with no criminal history certainly could be prosecuted for failure to obtain a registration certificate.

- 7) Doe v. City and County of San Francisco, 186 Cal. Rptr. 380 (1982).

SECTION III. LAWS IN [SPECIALLY SELECTED] OTHER JURISDICTIONS

On page 10 of the study, the League states:

Laws relating to handguns vary in their rigor in various cities and states across the nation, ranging from a requirement for registration to the complete banning of handguns except for specified exceptions. For example, in New York City, in order to carry a gun a person must obtain a permit issued by the New York City Police Department. In Chicago, Illinois; [sic] Washington, D.C.; [sic] and the State of Massachusetts, citizens have been given a fixed time in which to register their handguns...

- * IN FACT, LAWS IN OTHER JURISDICTIONS RANGE FROM NO LOCAL REQUIREMENTS, REQUIREMENT OF POSSESSION OF FIREARMS, AND MANDATORY ISSUANCE OF PERMITS TO CARRY UPON A SHOWING OF ELIGIBILITY, TO REGISTRATION AND DE JURE AND DE FACTO HANDGUN BANS.
- * IN FACT, ALL AVAILABLE EVIDENCE SHOWS THAT THE NEW YORK, WASHINGTON, D.C. AND MASSACHUSETTS LAWS HAVE EITHER HAD NO EFFECT OR AN ADVERSE EFFECT ON CRIME RATES.
- * IN FACT, ACCORDING TO THE CONGRESSIONAL RESEARCH SERVICE, THE VIEWS OF THE U.S. CONFERENCE OF MAYORS ON "GUN CONTROL" ARE INVALID.

Interestingly enough, the League chose to focus on three laws in its section entitled "Laws in Other Jurisdictions." A survey of the Bureau of Alcohol, Tobacco and Firearms publication entitled YOUR GUIDE TO FIREARMS REGULATION (1978) shows that 45,000 political subdivisions were surveyed with regard to their local firearms laws. Summaries of these laws are condensed into 282 pages of text, and a quick perusal shows the New York City Ordinance occupying approximately 5 pages and the Washington, D.C. Ordinance occupying approximately 4 pages. Apparently, the League is not interested in the existence of the other 270 pages or so of the BATF manual.

For example, the League refuses to discuss the ordinance of Kennesaw, Georgia,¹ requiring all residents, with a few enumerated exceptions, to possess firearms and ammunition in their dwellings, even though more municipalities have adopted this ordinance than have embraced the Morton Grove ordinance. In addition,

1) Code of Ordinances of the City of Kennesaw, Georgia, 8-10.

the League has apparently determined that the 39 state constitutional provisions protecting the right to possess firearms are not worthy of mention. In reference to the licensing of the carrying of handguns, the League omits such laws as those of Georgia,² Washington,³ and Connecticut⁴ which mandate the issuance of a permit upon a showing that the applicant is not a prohibited person. The League also fails to document that, in many jurisdictions, no local permitting laws exist.

The League makes no attempt to find out if the laws it does cite have decreased rates of crime and family violence. It does, however, on page 16, footnote 25, cite the U.S. Conference of Mayor's Study (1975) which purports to show a drop in the rates of crime, accidents, and suicides after the passage of a restrictive law in Washington, D.C. However, in the September 13, 1980 edition of the Congressional Record, the late Congressman John Ashbrook reported on the findings of the Congressional Research Service's analysis of the U.S. Conference of Mayor's Study:

Mr. Speaker, last June, the U.S. Conference of Mayors (USCM) released a much-publicized study which purported to prove that the 1974 District of Columbia handgun law, the most restrictive yet enacted, had actually reduced firearm crime substantially in Washington...I requested the Congressional Research Service to obtain the data on which this conclusion was based from the Mayor's Conference, and check the validity of the conclusions. The Congressional Research Service has done so, and has concluded that the study provides no grounds for the declaration made by the USCM.⁵

2) Criminal Code of Georgia §26-2904

3) R.C.W. §9.41.070

4) C.G.S. §29-28

5) Congressional Research Service Finds Mayor's Conference Conclusions on District of Columbia Gun Law Invalid, CONG. REC. (daily ed. September 13, 1980) E4939.

However, the League did consult the F.B.I. Uniform Crime Reports (1981), as cited in the study's bibliography. Conveniently, the League fails to report that Washington, D.C. has the ninth highest murder rate in the nation of 56 major metropolitan areas, with a murder rate of 35.1 per 100,000. The League also fails to report that New York City has the eighteenth highest murder rate, with a murder rate of 25.8 per 100,000. Conversely, the F.B.I. Uniform Crime Reports (1981) show that Minneapolis has the fifty-fourth highest murder rate of all major metropolitan areas, with a murder rate of 7.5 per 100,000. Thus, of all major metropolitan areas in the U.S., a Minneapolis resident is safer from the threat of murder than any other major metropolitan resident, except for residents of St. Paul, Minnesota and Virginia Beach, Virginia.

Using another F.B.I. statistic, one finds that New York State is the nation's leader in violent crime, with a violent crime rate of 1,069.6 per 100,000. New York's handgun law regarding possession is a statewide law. Minnesota, conversely, ranks forty-first on the list. According to the F.B.I., the states with the lowest levels of violent crime are our neighbors, North and South Dakota (50th and 49th, respectively). North and South Dakota have fewer gun laws than Minnesota. Also, it should not go unnoticed that South Dakota has the lowest unemployment rate in the nation. Ironically, the League itself recognized the "Unemployment Connection" to family violence in a previous study.⁶ It strikes one as odd that any mention of handguns or firearms was conspicuously absent from that study, given the fervor with which the League has pursued this topic recently.

It should also be of interest to the League to note that when the restrictive Bartley-Fox handgun law was enacted, Massachusetts was the nineteenth most violent state and Boston was the fifth most violent big city (pop. over 500,000) in the U.S. The 1981 Uniform Crime Reports now shows Massachusetts to be

6) THE LEAGUE OF WOMEN VOTERS OF MINNEAPOLIS, FAMILY VIOLENCE: HOW THE SYSTEMS RESPOND 1 (February, 1978).

the eleventh most violent state and Boston to be the most violent big city in the country, with violent crime rates rising about twice as fast as the U.S. generally and as other big cities during the intervening years.

An analysis of this data has had an impact on the U.S. Department of Justice's National Institute of Justice. In 1982, the N.I.J. released a policy brief which included a review of all the literature on the impact of Bartley-Fox, and concluded that any view that the law is working is based on "faith, not fact,"⁷ and that it is difficult, if not impossible, to substantiate the popular view that Bartley-Fox "is an effective tool for reducing crime."⁸ The study also commented that one result of the law may have been "to punish some less serious offenders, while the punishment for more serious crimes is postponed, reduced, or avoided altogether."⁹

The F.B.I. itself does not consider, and has never considered, handgun or firearm availability to be a causal factor in crime. The F.B.I. has, however, delineated eleven factors which it does consider to affect the volume and type of crimes which occur.¹⁰

Studies which have addressed the issue of whether gun laws reduce the crime rate have answered in the negative. A 1975 University of Wisconsin study found that "gun control laws have

7) CARLSON, MANDATORY SENTENCING: THE EXPERIENCE OF TWO STATES (A Policy Brief, National Institute of Justice) 16 (May, 1982).

8) Id.

9) Id. at 15.

10) UNIFORM CRIME REPORTS v (1981). These factors are:

Population density and size of locality and its surrounding area.
Variations in composition of the population, particularly age structure.

Stability of population with respect to residents' mobility and transient factors.

Economic conditions, including job availability.

Cultural conditions, such as educational, recreational, and religious characteristics.

Climate.

Effective strength of law enforcement agencies.

Administrative and investigative emphases of law enforcement.

Policies of other components of the criminal justice system (i.e., prosecutorial, judicial, correctional, and probational).

Attitudes of citizenry toward crime.

Crime reporting practices of citizenry.

no significant effect on rates of violence beyond what can be attributed to background social conditions." The study also found that gun laws do not limit access to guns by the violence-prone, and that accessibility to handguns "seems to have no effect on rates of violent crime and firearms accidents."¹¹

Of the greatest interest to League members should be the conclusion reached by a recent U.S. Department of Justice National Institute of Justice commissioned study, conducted by scholars at the University of Massachusetts at Amherst:

THERE APPEAR TO BE NO STRONG CAUSAL CONNECTIONS
BETWEEN PRIVATE GUN OWNERSHIP AND THE CRIME RATE.¹²

Since \$300,000 of the taxpayer's dollars went into this study, it is a shame that the League is depriving its membership and the public of its findings.

11) MURRAY, Handguns, Gun Control Laws and Firearm Violence, SOCIAL PROBLEMS 80-93 (1975).

12) WRIGHT & ROSSI, WEAPONS AND VIOLENT CRIME, EXECUTIVE SUMMARY 1 (1981).

SECTION IV. [NONSENSE] REASONS FOR OWNING HANDGUNS

On page 12 of the study, the League states:

A small proportion of handgun owners use their weapons for target shooting at organized gun clubs. This recreational function, controlled by the gun clubs, raises no problems. However, the vast majority of persons who purchase guns do so for self defense, and protection against burglary...

- * IN FACT, THERE IS NO SUPPORT IN THE LITERATURE FOR THE PROPOSITION THAT HANDGUNS ARE OWNED PRIMARILY FOR SELF DEFENSE AND AS A DETERRENT AGAINST BURGLARY.
- * IN FACT, THERE IS NO SUPPORT THAT THE USE OF A HANDGUN IN SELF-DEFENSE IS INEFFECTIVE.

Once again, the League finds itself reproducing patently false information. This is not surprising, given the fact that the League refuses to recognize the wide array of recreational firearms activities participated in by hundreds of thousands of Minnesotans.

The Wright & Rossi study reached the following conclusions, contrary to the League's uninformed opinion:

The preceeding estimates attribute roughly 5 million new handguns to growth in sport and recreational demand for weapons in the decade 1968 to 1978, and this thus contradicts the common claim that handguns have no "legitimate sport or recreational use." In point of fact, no credible study of sport and recreational handgun use has ever been conducted, and the few fragments of evidence that do exist strongly suggest that handguns are as likely to be owned for sport and recreation as for any other reason. Factoring out the weapons increases attributable to growth in sport and recreational demand therefore leaves no more than about 5 - 8 million handguns to be ascribed to other factors.¹

The authors also addressed the popular myth that the private arms buildup has resulted from increasing fears of burglary and violence. The authors conclude:

1) WRIGHT & ROSSI, WEAPONS AND VIOLENT CRIME, EXECUTIVE SUMMARY
14 (1981).

[T]here is little empirical support for the idea that the recent domestic arms buildup has been in reaction to fears of crime, violence, or civil disorder. At the outside, this source of demand amounts to perhaps 5 million handguns overall and is thus a minor factor in the overall weapons trend.²

Other authors have reached similar conclusions. One Duke University study conducted in 1977 performed a time-series analysis of handgun demand and found that the rates of violent crime had no significant impact on handgun demand.³ Another study analyzed applicants for permits to carry a concealed weapon in Seattle and reports that less than 20% of the applicants "claim prior victimization as a reason." The same study showed there was no relationship between crime rates and permit applications across Census tracts.⁴

As for the League's assertions about the burglary-deterrence relationship, research has disclosed that the only genuine study to survey this relationship has concluded that the risk to a robber or burglar of being shot by the intended victim is about the same as the risk of being apprehended, convicted and imprisoned, with both probabilities being on the order of 1 to 2%.⁵

According to the Wright & Rossi study, survey evidence from 1978 shows that 15% of the U.S. population has used a gun in self-defense, about half of which was in defense against animals. The study concludes that "the proportion of U.S. adults who have actually fired a gun in self-defense appears to lie somewhere between 2 and 6%."⁶ (emphasis in original) Extrapolating from

2) Id. at 17.

3) CLOTFELTER, Crime, Disorders, and the Demand for Handguns: an Empirical Analysis (unpublished paper, Duke University, 1977).

4) NORTHWOOD, WESTGARD & BARB, Law Abiding One-Man Armies, SOCIETY 69-74 (1978).

5) KLECK, Guns, Homicide, and Gun Control: Some Assumptions and Some Evidence, (paper read at the annual meeting of the Midwest Sociological Society, Minneapolis, Minnesota, 1979).

6) WRIGHT & ROSSI at 21.

this, it is apparent that usage of a gun in self defense has an equal probability of consisting merely of brandishing the gun or telling the intruder there is a gun on the premises. Available evidence shows that no study has yet been conducted which attempts to measure the number of homicides which would have been deterred had the victim had access to a handgun or other firearm.

In light of the available evidence, contentions that "[h]and-guns are more likely to be used to kill or injure members of the family, friends, acquaintances or police officers than to deter assailants" (p. 14 of study) are remarkably unsubstantiated and appear to be creatures of the imagination.

SECTION V. [WHIMSICAL] REASONS FOR OWNING HANDGUNS

On page 13 of the study, the League reproduces the following quotation of Minneapolis Police Chief Anthony Bouza, which appeared in the September 29, 1982 edition of the Twin Cities Reader:

If I thought that Americans would shoot burglars with their handguns, I'd be all for the proliferation of handguns...But that's not what happens. You buy a handgun for the protection of your home, and I'll tell you exactly what is most statistically probable; That your brother-in-law will shoot you, that your kids will shoot each other, that your wife will shoot you, that you will shoot your wife, that a burglar will shoot you or that the burglar will steal the gun and shoot three other people. Or that you will get drunk and shoot your neighbor. (emphasis in original)

* IN FACT, WHAT IS STATISTICALLY PROBABLE IS LAW ABIDING USE.

Using the available data, let's examine the validity of this quotation as a factual commentary on real life experience.

According to the F.B.I. Uniform Crime Reports for 1981, Minneapolis' population was 372,784. According to the Minneapolis Police Department, there were 30 murders in Minneapolis in 1981, by all methods, and there were 389 aggravated assaults by firearm. See APPENDIX.

- (1) Using the 50% national figure for murder by a person using a handgun, assume that 15 murders were committed in Minneapolis by a person using a handgun in 1981.
- (2) Assume all aggravated assaults by firearm, or 389 aggravated assaults, were committed by a person using a handgun.
- (3) Assume that each of the 15 murders and each of the 389 firearms aggravated assaults was committed by a family member or neighbor on a family member or neighbor.
- (4) Assume that no person committed a multiple offense.
- (5) Using the figure supplied by the Minnesota Poll, we find 18% of all Minneapolis residents own handguns. Multiplying this percentage by the 1981 population of Minneapolis, we find that

there are 67,101 handgun owners in Minneapolis.

- (6) Dividing the assumed homicides by the number of handgun owners (15/67,101), we find the handgun-homicide rate per owner has a p value of .00022, or 0.02%.
- (7) Dividing the number of aggravated assaults by the projected number of handgun owners (389/67,101), we find the assault rate per owner has a p value of .0058, or 0.58%.
- (8) Totalling the handgun-homicide rate per owner and the handgun-aggravated assault rate per owner, we find a total abuse rate of 0.6%.
- (9) Subtracting the total abuse rate from the total percentage population, we find a total non-abuse rate of 99.4%.

THEREFORE, WHAT IS "EXACTLY STATISTICALLY MOST PROBABLE" IS NON-ABUSE.

In every instance in calculating the abuse rate above, assumptions are made which greatly inflate the actual total abuse rate. This is true because:

- (1) not every firearms aggravated assault was committed by a person using a handgun;
- (2) few of the murders and firearms aggravated assaults were probably committed between family members or neighbors;
- (3) some offenders engaged in multiple offenses;
- (4) not all persons have an equal liklihood of committing a homicide or a firearms aggravated assault;
- (5) more than one person in a household may have access to a single handgun; and
- (6) the rate of handgun ownership is estimated by all authoritative sources to exceed 18%. The figure cited by the Minnesota Poll is likely to be extremely low since handgun owners characteristically will not tell strangers whether they, in fact, own handguns. (If this seems implausible, ask yourself how you would respond to a phonecaller asking whether you owned jewelry, or whether you locked your door at night.) (Or, as the saying goes, "you get what you poll for.")

It is highly irresponsible of the League to include what

was obviously a whimsical comment by Chief Bouza as a factual commentary, at least without parenthetical explanations that the comment was not intended to be used as such.

Significantly, while handgun ownership increased in the 1980-1981 interval, the Chief's Report shows a decrease of 18.9% in murder/nonnegligent manslaughter and a decrease of 9.5% in firearm aggravated assaults in Minneapolis in the 1980-1981 interval. See APPENDIX.

CONCLUSION

In its study, "Family Violence: A Focus on Handguns," the League of Women Voters of Minneapolis NEVER EVEN ATTEMPTED TO PROVE CAUSALITY BETWEEN FAMILY VIOLENCE AND HANDGUN OWNERSHIP. The League has provided its membership which virtually no information relevant to the topic, and has thus stifled an effective and informed decision-making process.

The study should have, and did not, address the following:

- (1) How many domestic homicides are committed with handguns in Minneapolis?
- (2) How many domestic aggravated assaults are committed with handguns in Minneapolis?
- (3) How many domestic homicides are committed by other methods (i.e., stabbings and beatings) in Minneapolis?
- (4) How many domestic aggravated assaults were committed with other methods (i.e., stabbings and beatings) in Minneapolis?
- (5) What kind a criminal, social, and economic profile does the domestic assailant in Minneapolis have?
- (6) How many domestic homicides were committed by persons under the influence of alcohol or other mood altering drugs?
- (7) How many domestic aggravated assaults were committed by persons under the influence of alcohol or other mood altering drugs?
- (8) In what percentage of cases was the domestic homicide/ domestic aggravated assault perpetrator who used a handgun prohibited by law from possessing a handgun?
- (9) What data exists on the "substitution effect" problem: i.e., the substitution of another deadly instrumentality for a handgun when a handgun is not present?
- (10) If causality is found, and the substitution effect disproved, what level of enforcement would yield a significant decrease of domestic violence?

- (11) Has enforcement of laws decreased the rate of domestic violence in any jurisdictions where previously implemented?
- (12) Does implementation of any law deprive any segment of the general public of civil liberties?
- (13) Does implementation of any law work a hardship upon a significant portion of the population when balanced against the expectation of reducing a certain identifiable percentage of domestic violence?

Since the League study did not concern itself with these issues, and since the information contained within the study has been demonstrated to be of little or no merit, the author, as Study Co-Chair, recommends that her original recommendations be adopted.

DATE: February 12, 1982

MINNEAPOLIS POLICE DEPARTMENT
CRIME ANALYSIS UNIT

CHIEF'S REPORT - UCR SUMMARY
OFFENSE/ARREST TOTALS

(PART I CRIMES JAN-DEC 1981)

Page 1 of 12

OFFENSE CLASSIFICATION		REPORTED OFFENSES			ACTUAL OFFENSES			ADULT ARRESTS			JUVENILE ARRESTS		
		1981	1980	%CHG	1981	1980	%CHG	1981	1980	%CHG	1981	1980	%CHG
<u>CRIMINAL HOMICIDE</u>	TOTAL	30	37	-18.9	30	37	-18.9	21	17	+23.5	2	6	-66.7
	A-MURDER/NONNEG MANSLTR.	30	37	-18.9	30	37	-18.9						
	B-MANSLAUGHTER BY NEGLIG.	0	0	0	0	0	0						
<u>FORCIBLE RAPE</u>	TOTAL	374	406	-7.9	367	402	-8.7	49	82	-40.2	3	17	-32.3
	A-RAPE BY FORCE	323	320	+0.3	316	317	-0.3						
	B-ATTEMPTS/FORCIBLE PAPE	51	86	-40.7	51	85	-40.0						
<u>ROBBERY</u>	TOTAL	2,312	2,347	-1.5	2,296	2,332	-1.5	326	179	+82.1	138	142	-2.8
	A-FIREARM	719	713	+0.8	714	711	+0.4						
	B-KNIFE OR CUTTING INSTR.	236	232	+1.7	234	232	+0.4						
	C-OTHER DANGEROUS WPN.	94	353	-73.4	93	346	-73.1						
	D-STRONG-ARM	1,263	1,049	+20.4	1,255	1,043	+20.3						
<u>AGG. ASSAULT</u>	TOTAL	1,199	1,285	-6.7	1,192	1,282	-7.0	221	138	+60.1	86	77	+11.7
	A-FIREARM	389	430	-9.5	386	429	-10.0						
	B-KNIFE OR CUTTING INSTR.	514	521	-1.3	512	520	-1.5						
	C-OTHER DANGEROUS WPN.	223	225	-0.9	222	225	-1.3						
	D-HANDS, FIST, FEET, ETC.	73	109	-33.0	72	108	-33.3						
<u>BURGLARY</u>	TOTAL	12,609	11,596	+8.7	12,543	11,550	+8.6	378	241	+56.8	487	442	+8.7
	A-FORCIBLE ENTRY	7,121	6,941	+2.6	7,103	6,926	+2.5						
	B-UNLAWFUL ENTRY-NO FORCE	4,617	3,937	+17.3	4,632	3,908	+18.5						
	C-ATTEMPT FORCIBLE ENTRY	813	718	+13.2	808	716	+12.8						
<u>LARCENY-THEFT</u>	TOTAL	19,017	17,684	+7.5	18,943	17,617	+7.5	2,978	2,255	+32.1	1,244	1,133	+9.8
<u>MOTOR VEHICLE THEFT</u>	TOTAL	2,881	2,840	+1.4	2,846	2,801	+1.6	178	90	+98.0	245	206	+18.9
	A-AUTOS	2,181	2,170	+0.5	2,148	2,134	+0.6						
	B-TRUCKS & BUSES	203	243	-16.5	203	241	-15.8						
	C-OTHER VEHICLES	497	427	+16.4	495	426	+16.2						
<u>ARSON</u>	TOTAL	82	91	-9.9	82	91	-9.9	19	23	-17.4	17	29	-41.4
GRAND TOTAL		38,504	36,286	+6.1	38,299	36,112	+6.0	4,170	3,025	+37.8	2,222	2,058	+8.3

FAMILY VIOLENCE:

A FOCUS ON HANDGUNS

(draft)

Prepared and Published

by

THE LEAGUE OF WOMEN VOTERS OF MINNEAPOLIS

Minneapolis, Minnesota 55403

February 1983

FAMILY VIOLENCE: A FOCUS ON HANDGUNS

(draft)

INTRODUCTION

The League of Women Voters of Minneapolis first voted to study family violence at its 1977 City Convention, resulting in the 1978 publication, Family Violence: How the System Responds. At its 1982 Convention, the League of Women Voters of Minneapolis voted to pursue the subject further by adopting a study of the effect of readily available handguns on family violence.

Scope and Definitions

The scope of this study includes the threat and the fear of danger, as well as the reality of physical harm.

The word "family" is defined in its broadest sense, to include any friendship, legal relationship, or acquaintanceship that would exempt an event from being considered a stranger-to-stranger confrontation. It includes friend to friend, employer to employee, former spouse to current spouse, child to friend of parents, and so on.

The term "handgun" will include all firearms which are basically hand-held when fired, as compared to shotguns and rifles which are additionally supported.

The study focuses on handguns within the broadly defined family, laws affecting the possession of handguns, and the positions of both proponents and opponents of handgun control, including studies and statistics.

Sources of Information

This study includes data gathered from a variety of sources. In addition to reading the published material listed in the bibliography (pp. 26-27), committee members interviewed local persons who deal with family violence and/or handguns; reviewed existing federal, state, and local laws regarding handguns; reviewed ordinances from several U.S. cities; and obtained statistical data from the Minneapolis Police Department.

Current Positions of Other Leagues

Since neither the League of Women Voters of the United States nor the League of Women Voters of Minnesota has studied the question of handgun control, and this is the first attempt to do so by the League of Women Voters of Minneapolis, there is no local position on the subject. However, some other Leagues do have positions.

The League of Women Voters of Chicago undertook a study of handguns in 1973. At the time members fully understood that local legislation and local League action would probably be ineffective, but they hoped that their study would be a starting point for state and national attention. The following position resulted:

The League of Women Voters of Chicago supports restrictive laws with stiff penalties for all gun violations, although lighter penalties may be appropriate for first offenders where there is no victim.

To carry out this position:

- Enforcement of gun laws should be vigorous and consistent;
- There should be national legislation, although legislation at other levels, especially local, would be desirable;
- The basic causes of handgun violations should be attacked, including especially societal factors and lack of public education.

The League of Women Voters of Chicago has since used its position to lobby for and support a local gun control ordinance--and to push for a study at the state level.

In 1976 the League of Women Voters of Illinois reached the following position in support of strict control of guns:

The League of Women Voters of Illinois believes that the proliferation of the private ownership of handguns and their irresponsible use must be controlled through legislation. The League, therefore, supports a ban on the further manufacture, sale, transportation and importation for private ownership of handguns and their parts. There should be a clear statutory definition of "Saturday Night Specials" which would make their regulation enforceable. The League supports restrictive legislation of all handguns and ammunition, enforcement of existing regulations at all levels of government, strict penalties for handgun crimes and better regulation of handgun dealers.

The League believes that handgun owners must assume complete responsibility for their handguns. To this end, the League supports registration of the handgun itself which will allow it to be traced to its owner. There should be comprehensive licensing procedures, with gun safety education, finger-

printing, photographs, plus a verification of the applicant's qualifications, and a permit system which restricts handgun ownership. The cost of these programs should be borne by fees paid by the handgun owner sufficient to cover a careful system which ideally would be administered locally under federal guidelines. The sale of ammunition should also be regulated.

The League supports additional penalties and strict enforcement for all crimes committed with handguns. All dealers selling handguns must be carefully regulated to assure that they are legitimate dealers and not merely persons wishing to have access to interstate shipments. The League recommends high fees, annual renewal of licenses and a thorough investigation of the dealer and his place of business. The League supports the need for further controls or elimination of mail order sales and interstate shipments.

The League supports handgun safety education only if it is required for owners as part of the licensing procedures, does not promote or glorify handgun usage or ownership, and is used to convey the dangers of handgun misuse and ownership.

The League favors federal legislation governing the use of handguns but will support state legislation meeting League criteria. The League will not support federal or state legislation for specific areas only, such as metropolitan or high crime areas.

Since then both the Chicago and the Illinois Leagues have joined with other Leagues in urging gun control as a study for the League of Women Voters of the United States.

CURRENT LAWS AFFECTING HANDGUNS

An estimated 20,000 to 100,000 federal, state and local laws regulate the possession, sale and transfer, transportation and carrying of handguns. Where the laws conflict, federal laws pre-empt state law, and state laws pre-empt local law. Applicable federal laws are located in Title 18 of the United States Code; state laws in Chapter 624 of Minnesota Statutes Annotated (MSA) and local laws in Chapter 393 of the Minneapolis Code. They cover the following subjects:

Possession

Laws at the various levels prohibit possession of handguns for persons falling under the following categories:

Age Limitations:

Federal: Persons under age 21

State: Persons under age 18

Local: Persons under age 18

Criminal Records:

Federal: Convicted felons

State: Persons convicted of crimes of violence (as defined in Minnesota Statutes Annotated (MSA) 624.712 [5]), unless 10 years have elapsed since restoration of civil rights or expiration of sentence.

Local: Persons convicted of a felony unless 10 years have elapsed since restoration of civil rights or expiration of sentence.

Drug Abuse:

Federal: Persons unlawfully using or addicted to marijuana or any depressant or stimulant or narcotic drug.

State: Persons convicted for unlawful use, possession or sale of a controlled substance other than a small amount of marijuana, unless satisfactory proof of recovery is established.

Local: Persons convicted of a crime or ordinance violation other than a felony relating to the use, sale, or possession of controlled substances or marijuana, hallucinogens, narcotics, or any other drug unless 5 years have elapsed; persons confined for a drug problem, unless 3 years have elapsed since release and the person possesses a certificate certifying that the holder no longer suffers from the disability.

Mental Incompetence:

Federal: Persons who have been adjudged to be mentally incompetent.

State: Persons who have been confined or committed for mental illness, unless satisfactory proof of recovery is established.

Local: Persons confined, voluntarily or involuntarily, by reason of mental illness, unless three years have elapsed since release and the person possesses a certificate certifying the holder no longer suffers from the disability.

Alcoholism:

State: Anyone who has been confined as an "inebriate person" or for alcoholic problems, unless satisfactory proof establishes that the person has not abused alcohol for two years.

(Alcoholism: continued)

Local: Persons who have been confined, voluntarily or involuntarily, by reason of an alcoholic problem unless three years have elapsed since the release and the person possesses a certificate that shows the holder is no longer suffering from the disability.

Citizenship Status:

Federal: Persons that have renounced their United States citizenship; persons receiving dishonourable discharges from the Armed Forces; and illegal aliens in the United States.

Firearms Misuse:

Local: Persons convicted of any law relating to firearms other than a felony unless three years have elapsed.

Sale and Transfer

Federal: Persons wishing to purchase handguns must fill out a special form (#4473), stating that they do not belong to the federally prohibited classes of persons. It is unlawful for a licensed importer, manufacturer, dealer, collector, or other transferor to sell any firearm to a person whom he knows or has reason to know is a member of a prohibited class, or who does not reside in the state in which the licensee's place of business is located. All licensees must maintain records of importation, production, shipment, receipt, sale or other disposition as prescribed by regulation (Department of the Treasury).

State: A seven-day waiting period is mandated before the transferee can take possession of a handgun from a federally licensed firearms dealer. The transferor must report the name, residence, telephone number, driver's license number, sex, date of birth, height, weight, and eye color of the proposed transferee, as well as the transferor's place of business, to the local police chief or county sheriff. That office is required to check criminal histories, records and warrant information relating to the proposed transferee. Unless the transferor receives adverse notification on the application within seven days, the delivery can take place. The transferee can then request that no record be maintained regarding the transfer, and the police chief or sheriff must then return the report to the transferee.

Alternatively, a person can apply for a pistol transferee permit by providing the local police chief or sheriff with the same information as above. Transferee permits are valid statewide and expire after one year, but can be renewed by following the same procedure. A valid permit to carry a handgun also constitutes a transferee permit (pursuant to MSA 624.714).

Purchasers are not restricted as to the number of handguns they may own. Transfers between unlicensed individuals are exempt from the state's reporting requirements, as are transfers of antique firearms.

Sales of "Saturday Night Specials" constitute a gross misdemeanor. Although the term is popularly used to mean cheap and readily available handguns, state law describes only its metallurgic aspects in its definition.

Local: Any transferor, including non-licensed persons, must file a report with the Minneapolis Department of Licenses and Consumer Services within five days of the agreement to sell, deliver or give a handgun to a transferee. The report must include the transferee's name, residence, date of birth, height, weight, color of eyes and hair, and any other distinguishing physical characteristics, plus the transferor's name and address. The transferor must report the caliber of the handgun, its make, model, and serial number.

Transportation

Federal: The law prohibits the shipment of handguns through the mails. It also prohibits the transport in interstate commerce of firearms which have had the importer's or manufacturer's serial number removed, obliterated, or altered. Non-licensed persons may ship firearms by common carrier to a licensed transferee as long as there is written notice to the carrier that a firearm is being shipped. However, only licensed importers, manufacturers or dealers may ship firearms in interstate commerce in the course of business.

State: Handguns may be transported in a motor vehicle, snowmobile, or boat only if the gun is unloaded and contained in a closed and fastened case. No permit is required to carry a handgun 1) about a person's dwelling, place of business, or other land; 2) from a place of purchase to the owner's dwelling or place of business, or to and from a place where repair work is done; 3) between a person's dwelling and place of business; and 4) in the woods or upon the waters for target practice.

Local: Essentially the same as state law; a handgun must be locked in the vehicle's trunk, or, if the vehicle has no trunk, it must be secured in the farthest rear position of the vehicle in an area not normally occupied by the driver or passengers.

Carrying of Handguns:

Federal: The carrying of handguns in public places is not regulated except for specific prohibitions, i.e., on airplanes.

State: Carrying a handgun without a permit is a gross misdemeanor. To obtain a permit a person must apply to the local chief of police or sheriff, stating his/her name, residence, date of birth, height, weight, color of eyes and hair, sex, and distinguishing physical characteristics. To qualify, an applicant: 1) must not be a prohibited person (pursuant to MSA 624.713) 2) must provide a Department of Natural Resources firearms safety certificate, evidence of successful completion of a test to use a firearm safely, or other satisfactory proof; and 3) must state an occupational or personal safety hazard requiring a permit to carry a handgun. If the applicant receives no response within 21 days of application, the permit is deemed to be granted.

Local: A person applies to the Department of Licenses and Consumer Services. In addition to the information the state requires, the city requires a description of every handgun to be covered by the permit, stating the caliber, make, model, and serial numbers. The police fingerprint the applicant, who must also submit three photographs and pass a written or oral exam covering the provisions of the local gun ordinances.

Laws in Other Jurisdictions

In various states and cities across the nation, laws relating to handguns range from a requirement for registration to the complete banning of handguns except for specified exceptions. In Chicago, Washington, D.C., New York City and Massachusetts, citizens have been given a fixed time in which to register their handguns. In all cases, a waiting period is prescribed to allow police time for investigation before approving the registration. Owners are required to notify the police if the guns are lost, stolen, or transferred to another person. At the conclusion of the waiting period, no more handguns may be registered, in effect freezing the number within the jurisdiction. Exceptions are made for police officers, the military, armed guards and recreational gun users where the guns are kept at a gun club in a secure place. Penalties include a fine, a jail sentence or both.

In both New York and Massachusetts it is illegal to carry a handgun anywhere in the state without a permit. In Massachusetts a one-year jail term is mandatory, while in New York the sentencing judge has discretion.

In 1981, Morton Grove, Illinois, adopted an ordinance banning the possession of handguns and its constitutionality was challenged. In December 1982 the Supreme Court, by a margin of two to one, upheld the ordinance as constitutional. However, in November 1982, the California Supreme Court held that a similar ordinance in San Francisco did not comply with the State Constitution.

POINTS OF VIEW

Few subjects arouse as much ill feeling as the control of handguns. While there are a few points of agreement between those who see the need for control and those who do not, their interpretations of the same facts vary widely.

The Constitution

The Second Amendment of the U.S. Constitution states that "a well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed."

Both proponents and opponents of gun control are aware of the historical perspective in which this amendment was written: colonists had reason to be concerned about the way they would be treated by their new government. Thus the Second Amendment was adopted to restrict the power of the federal government and to insure a balance between freedom and authority.

In recent years the Supreme Court has interpreted the Second Amendment with an emphasis on the phrase "a well-regulated militia being necessary to the security of a free state" as a guarantee of each state's right to maintain a military force. Further, the Court has ruled that the Second Amendment does not provide a guarantee to an individual or to a community to bear arms, on the grounds that neither qualifies as a "well-regulated militia".

The Court has not upheld the rights of individuals or groups to bear arms under the Second Amendment because of the possible oppression and uneven treatment they might receive at the hands of the government.

However, as opponents of gun control point out, at the same time the Supreme Court has had to address large numbers of cases that demonstrate clearly the uneven treatment of Black Americans, Indian Americans and other minorities throughout American history, including the present time.

Opponents question whether it is reasonable for the groups which have experienced inequity from the government to trust that they no longer need to fear.

Proponents of gun control may well question whether the possession of handguns does much to increase that trust.

The Relationship Between Handguns and Crime

Both proponents and opponents of gun control agree that there are between 50 and 60 million handguns in the United States, and that the number increases every year.

Proponents of stricter handgun legislation emphasize the high proportion of homicides and assaults that are "crimes of passion" and further point to data which shows firearms to be the most frequently used weapon. Opponents look at assaults, robbery and burglary as crimes that would inflict increased violence upon families if they were not allowed to own handguns as protection against these criminal intrusions.

To understand the role that handguns play in family violence, the focus of this study, it is necessary to look at:

- 1) The potential for handguns to be instruments of violence in the family, and
- 2) The potential for handguns to be deterrents and therefore protection to families in the face of crime.

Among the questions that come to mind are:

- Would stricter legislation on handguns have the effect of decreasing the extent and/or severity of family violence?
- Would stricter laws be equitable for all economic and sociological groups?
- Would stricter laws be enforceable, or would they be massively ignored or rejected by the citizenry?
- Would less stringent laws result in more or less family violence?
- In evaluating the type of legislation that might best address family violence, would the same laws that might decrease the incidence or the severity of family violence cause an increase in other criminal uses of handguns?

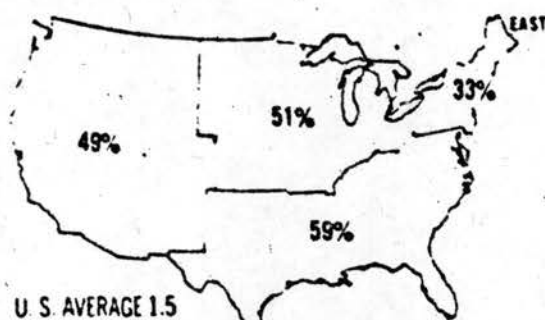
The following chapters will expand upon arguments for and against stricter legislation on handguns.

THE CASE FOR HANDGUN CONTROL

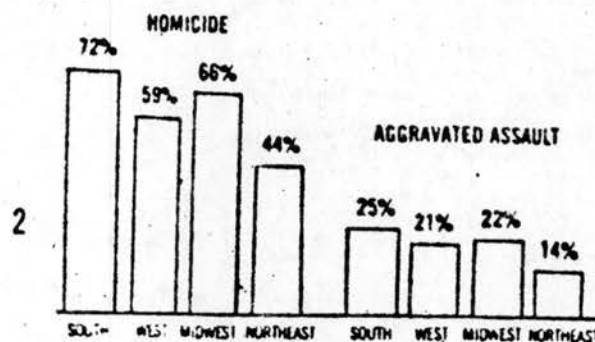
Handguns are abundant in the United States and their number is increasing. According to a report by the Chicago Bar Association/^{Special Committee on Handgun Control,} (February 5, 1982), the current estimate is ^{page 3} that there are more than 50 million privately owned handguns in the United States, with another 2,500,000 added every year. Total imports and domestic production increased from 744,000 in 1964 to nearly 2 million in 1973. According to the August 3, 1982 issue of Newsweek, although handguns make up less than 20 per cent of America's firearms, handguns are responsible for 90% per cent of all gun-related deaths and injuries. The FBI Uniform Crime Reports show that for the past five years the number of homicides resulting from the use of handguns is equal to the number of homicides using all other weapons, including rifles, shotguns, knives, personal weapons (hand, feet, fists, etc.) and such other weapons as clubs and poisons. The FBI Uniform Crime Report for 1981 shows that, of the 20,053 homicides in the U.S., 29.6 per cent occurred where the victim/murderer relationship was unknown; 15.5 per cent of the victims/murderers were strangers; the remaining 54.9 per cent of homicides occurred between family members, friends, or acquaintances. These so-called "crimes of passion" are most frequently committed by persons not previously considered criminals.

The following charts, taken from FBI Uniform Crime Reports, seem to show a direct correlation between the number of guns in circulation and the number of crimes committed with the use of guns. Further, they show that the victims of family violence often include those whose job it is to enforce the law--police officers.

Gun ownership and percentage gun use in homicide and aggravated assault by region.*



Source: U.S. Statistics of the United States, 1966 Unpublished data



Source: 1967 Uniform Crime Report; 1968 Harris poll

Firearms were the weapons used in 95 percent of the murders of law enforcement officers during 1981. Fifty-three percent of those officers killed by firearms were within 5 feet of their assailants at the time they were shot. The following chart shows that 80 percent of the murders by firearms were murders using handguns.

Law Enforcement Officers Killed, 1981

(By type of weapon)

Type of weapon	Number	Percent
Handgun	64	75.8
Rifle	12	13.2
Shotgun	5	5.5
Total firearms	86	94.5
Knife	1	1.1
Bomb		
Personal weapons		
Other (vehicles, etc.)	4	4.4
Total	91	100.0

Unsuccessful attempts to murder come under the category of assault. The two FBI Uniform Crime Reports charts shown below show that police officers are further victimized by guns in assault incidents.

Table 79.—Law Enforcement Officers Assaulted, Type of Weapon and Percent Receiving Personal Injury, 1977-1981

	Total	Firearm	Knife or cutting instrument	Other dangerous weapon	Hands, fists, feet, etc.	Number of agencies represented	Population	Number Police Officers
1977 Total assaults	49,156	2,809	1,481	4,626	40,240	8,742	168,868,000	322.7
Percent receiving personal injury	35.9	18.0	31.0	43.2	36.5			
1978 Total assaults	56,130	3,065	1,761	5,485	45,819	9,150	180,948,000	347.6
Percent receiving personal injury	38.7	17.8	35.0	42.7	39.7			
1979 Total assaults	59,031	3,237	1,720	5,543	48,511	9,638	182,027,000	340.7
Percent receiving personal injury	36.9	20.7	34.4	41.1	37.6			
1980 Total assaults	57,847	3,295	1,653	5,415	47,484	9,235	182,287,507	345.5
Percent receiving personal injury	37.2	22.5	34.4	38.0	38.2			
1981 Total assaults	57,116	3,330	1,733	4,800	47,253	9,019	177,836,000	332.5
Percent receiving personal injury	35.5	18.3	34.3	40.6	36.2			

Table 80.—Law Enforcement Officers Assaulted, Police Activity and Type of Weapon, 1981

(draft)

(9,019 agencies; 1981 estimated population 177,836,000)

Type of activity	Total ¹	Type of weapon			
		Firearm	Knife or cutting instrument	Other dangerous weapon	Hands, fists, feet, etc.
TOTAL ASSAULTS	57,116	3,330	1,733	4,800	47,253
Percent of individual activity	100.00	5.8	3.0	8.4	82.7
Responding to "disturbance" calls (family quarrels, man with gun, etc.)	18,338	1,072	754	1,218	15,294
Percent of individual activity	100.0	5.8	4.1	6.6	81.4
Burglaries in progress or pursuing burglary suspects	1,152	171	54	172	755
Percent of individual activity	100.0	14.8	4.7	14.9	65.5
Robberies in progress or pursuing robbery suspects	1,076	407	36	68	565
Percent of individual activity	100.0	37.8	3.3	6.3	52.5
Attempting other arrests	10,859	436	261	689	9,473
Percent of individual activity	100.0	4.0	2.4	6.3	87.2
Civil disorder (riot, mass disobedience)	1,021	11	46	134	830
Percent of individual activity	100.0	1.1	4.5	13.1	81.3
Handling, transporting, custody of prisoners	6,879	41	66	272	6,500
Percent of individual activity	100.0	.6	1.0	4.0	94.5
Investigating suspicious persons or circumstances	4,755	425	179	476	3,675
Percent of individual activity	100.0	8.9	3.8	10.0	77.3
Ambush - no warning	283	106	5	57	115
Percent of individual activity	100.0	37.5	1.8	20.1	40.6
Mentally deranged	985	42	85	80	778
Percent of individual activity	100.0	4.3	8.6	8.1	79.0
Traffic pursuits and stops	6,206	270	74	1,022	4,840
Percent of individual activity	100.0	4.4	1.2	16.5	78.0
All other	5,562	349	173	412	4,428
Percent of individual activity	100.0	6.3	3.1	11.0	79.6

¹Because of rounding, percentages may not add to total.

Note that the largest portion of assaults, 32 percent, occurred while officers were responding to all types of disturbance calls (family quarrels, man-with-gun calls, bar fights, and the like).

The FBI Uniform Crime Reports further give the following statistics regarding population comparisons and geographic divisions:

Table 78.—Law Enforcement Officers Assaulted, Weapon Used, 1981

(9,019 agencies; 1981 estimated population 177,836,000)

Population group	Total assaults	Firearm	Knife or other cutting instrument	Other dangerous weapon	Hands, fists, feet, etc.
TOTAL	57,116	3,330	1,733	4,800	47,253
PERCENT	100.0	5.8	3.0	8.4	82.7
Group I (250,000 and over)	19,284	1,553	649	1,519	15,563
Group II (100,000 to 249,999)	7,182	282	200	622	6,078
Group III (50,000 to 99,999)	5,750	228	150	557	4,815
Group IV (25,000 to 49,999)	5,640	216	162	495	4,767
Group V (10,000 to 24,999)	5,658	199	138	398	4,923
Group VI (under 10,000)	5,642	262	155	394	4,832
Suburban Counties	6,209	186	193	670	4,960
Rural Counties	1,750	204	86	145	1,315
Suburban Area ¹	16,476	769	444	1,519	13,744
Geographic division	Total assaults	Firearm	Knife or other cutting instrument	Other dangerous weapon	Hands, fists, feet, etc.
TOTAL	57,116	3,330	1,733	4,800	47,253
PERCENT	100.0	5.8	3.0	8.4	82.7
New England	3,931	58	51	401	3,421
Middle Atlantic	11,756	657	371	592	10,136
East North Central	4,797	405	140	308	4,044
West North Central	4,987	294	126	382	4,185
South Atlantic	13,266	851	474	1,149	10,790
East South Central	996	126	30	72	768
West South Central	4,679	381	164	376	3,758
Mountain	3,452	198	125	380	2,749
Pacific	9,254	460	252	1,140	7,402

¹Includes suburban city and county law enforcement agencies within metropolitan areas. Excludes core cities. Suburban cities and counties are also included in other groups.

(draft)

While incidents of family violence often result in injury or death to officers called to handle the situation, they more often result in injury or death to family members. The following charts from the FBI Uniform Crime Reports show a breakdown of murder victims and the weapons used for 1981 and also the relationship of the victims/murderers.

Murder Victims—Weapons Used, 1981

Age	Number	Weapons										
		Fire-arm	Cutting or stabbing instrument	Blunt object (club, hammer, etc.)	Personal weapons (hands, fists, feet, etc.)	Poison	Explosives	Arson	Narcotics	Strangulation	Asphyxiation	Other weapon or weapon not stated
Total	20,053	12,523	3,886	1,038	1,132	12	16	258	20	337	150	681
Infant (under 1)	182	6	10	16	79		2	6	1	3	16	43
1 to 4	312	30	15	33	150	3		33	1	6	7	34
5 to 9	156	44	18	9	26	1		28	1	7	10	12
10 to 14	214	107	36	16	13			16		6	7	13
15 to 19	1,588	1,026	330	55	48		3	17		45	6	58
20 to 24	3,295	2,245	664	99	100	2	2	24	4	52	14	89
25 to 29	3,310	2,262	666	116	97	2	2	16	3	53	11	82
30 to 34	2,748	1,895	528	110	88	1		19	2	36	6	63
35 to 39	1,805	1,208	361	87	67		3	12	2	17	8	37
40 to 44	1,401	924	273	68	76		1	2		17	8	32
45 to 49	1,102	719	203	66	48		1	6		13	3	23
50 to 54	1,049	619	224	71	63		1	17	2	13	6	31
55 to 59	808	478	137	73	54	1		12	1	11	5	35
60 to 64	578	320	125	42	42			9		15	6	19
65 to 69	374	190	75	42	39			10		10	1	7
70 to 74	285	170	62	34	31			4	1	8	8	15
75 and over	477	116	94	32	101	2		14	1	16	24	27
Unknown	369	194	62	19	8			13	1	9	4	59

Circumstance by Relationship, 1981

[Percent distribution]

Victim	Total	Felony type	Suspected felony type	Romantic triangle	Argument over money or property	Other arguments	Miscellaneous non-felony type	Unable to determine
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Husband	3.8	.2	.3	9.9	2.3	8.2	3.9	.5
Wife	4.8	.2	.7	7.3	2.0	8.3	6.6	2.2
Mother .....	.6	.1	.3			.8	1.0	.3
Father .....	.9	.1	.4		1.2	1.4	1.5	.4
Daughter	1.0	.5	.1	.2		.3	3.3	.4
Son	1.3	.6	.3		.3	1.1	3.5	.5
Brother	1.3	.5	.4	.2	2.8	2.3	1.2	.3
Sister .....	.2		.4			.3	.3	.1
Other family	3.0	1.4	.6	1.6	2.8	5.3	3.9	.4
Acquaintances	79.5	20.2	8.7	53.9	56.4	40.5	36.1	9.0
Friend	3.8	1.9	1.2	8.4	12.5	5.6	3.4	1.7
Boyfriend	1.3	.1	.3	4.7	.8	2.7	1.0	.2
Girlfriend	1.8	.1	.7	6.7	1.0	3.2	1.9	.5
Neighbor	1.5	1.6	1.8	1.0	3.1	2.1	1.2	.5
Stranger	15.5	39.2	7.8	8.4	9.2	9.8	13.4	9.8
Unknown relationship	29.6	33.4	76.2	3.7	5.4	7.9	17.8	73.2

Translated to percentages, the type of weapon used in murders for the year 1981 by region is as follows:

Murder, Type of Weapon Used, 1981

Percent distribution]

Region	Total all weapons used ^a	Fire-arms	Knife or other cutting instruments	Unknown or other dangerous weapons	Personal weapons
Northeastern States	100.0	53.4	24.0	14.6	7.9
North Central States	100.0	62.8	18.2	13.0	6.0
Southern States	100.0	68.0	17.2	10.7	4.1
Western States	100.0	57.6	21.3	14.2	6.6
Total	100.0	62.4	19.4	12.5	5.6

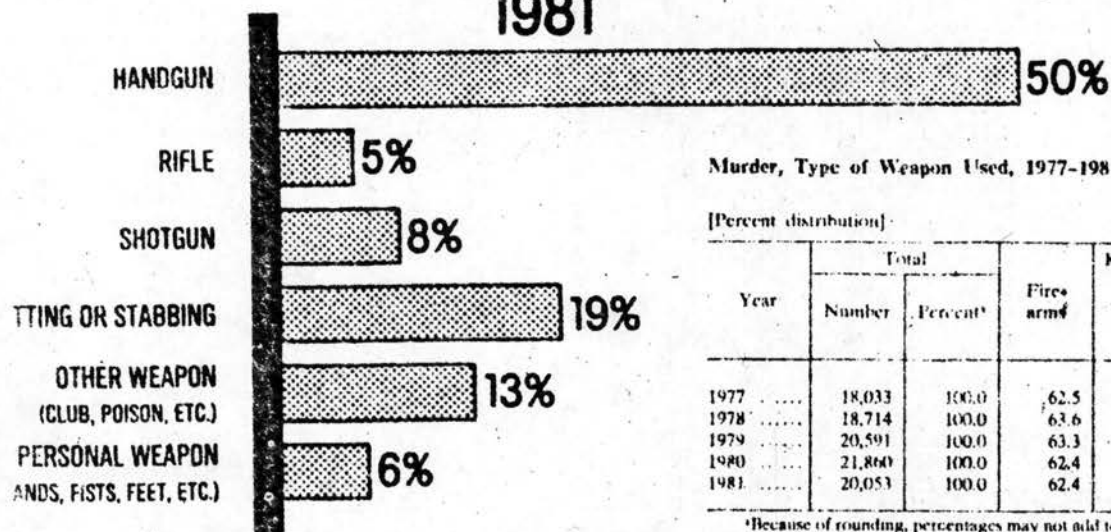
^aBecause of rounding, percentages may not add to total.

The Uniform Crime Reports further state that of those murders for which the weapon was reported, 50 percent were by handguns, 8 percent by shotguns, and 5 percent by rifles. Fifty-five percent of the

murders committed in 1981 were perpetuated by relatives or persons acquainted with the victims. Seventeen percent of these killings were within close family relationships, one-half of which involved spouse killing spouse. The year 1981 does not appear to vary significantly from the statistics for the past 5 years. Graphically, the type of weapon used dramatically points to handguns.

MURDER

TYPE OF WEAPON USED 1981



Murder, Type of Weapon Used, 1977-1981

[Percent distribution]

Year	Total		Fire arm	Knife or other cutting instruments	Unknown or other dangerous weapons	Personal weapons
	Number	Percent ¹				
1977	18,033	100.0	62.5	19.1	12.9	5.6
1978	18,714	100.0	63.6	18.8	11.8	5.7
1979	20,591	100.0	63.3	19.2	11.9	5.6
1980	21,860	100.0	62.4	19.3	12.5	5.8
1981	20,053	100.0	62.4	19.4	12.5	5.6

¹Because of rounding, percentages may not add to total.

Further data shows the murder circumstances/motives for 1977 through 1981.

Murder Circumstances/Motives, 1977-1981

	1981	1980	1979	1978	1977
TOTAL	20,053	21,860	20,591	18,714	18,033
PERCENT ¹	100.0	100.0	100.0	100.0	100.0
FELONY TOTAL	17.2	17.7	16.9	16.7	16.7
Robbery	10.4	10.5	10.5	10.2	9.9
Narcotics	1.8	1.5	1.9	1.7	1.7
Sex Offenses	1.4	1.5	1.6	1.4	1.7
Other Felony	3.6	3.7	2.9	3.3	3.4
SUSPECTED FELONY	5.5	6.7	5.3	5.6	5.9
ARGUMENT TOTAL	42.2	44.6	42.9	45.5	46.6
Romantic Triangle	2.5	2.3	2.4	2.7	2.8
Influence of Alcohol and/or Narcotics ²	4.1	4.8	4.5	5.3	5.3
Property or Money	3.0	2.6	3.0	3.5	3.3
Other Arguments	32.5	35.0	33.0	33.9	35.2
OTHER MOTIVES OR CIRCUMSTANCES	17.1	15.9	17.2	18.3	16.6
UNKNOWN MOTIVES	17.8	15.1	17.7	13.8	14.2

¹Because of rounding, percentages may not add to totals.

²Murders committed during arguments while under influence of narcotics are not counted in felony murders.

The charts above, showing that 50 percent of all murders are committed with handguns, and that 62.5 percent involve a firearm of some kind, indicate that an attempt to kill is more successful with a firearm than with other weapons.

By definition, unsuccessful murder attempts fall under the category of assault. A breakdown of the weapons used in assaults in 1981 shows that firearms were used 23.6 percent of the time. The high statistics regarding the use of personal weapons,

(draft)

that is, hands and feet, show that such confrontations, although they may often involve a physical attack, are much more likely to result in injury than in death.

Aggravated Assault, Type of Weapon Used, 1981

[Percent distribution]

Region	Total all weapons ¹	Fire-arms	Knife or other cutting instruments	Other weapons, club, poison, etc.	Personal weapons
Northeastern States	100.0	16.9	23.5	28.4	31.1
North Central States	100.0	22.5	20.7	30.5	26.3
Southern States	100.0	27.8	23.6	26.1	22.4
Western States	100.0	23.3	19.1	29.0	28.5
Total	100.0	23.6	22.0	28.1	26.3

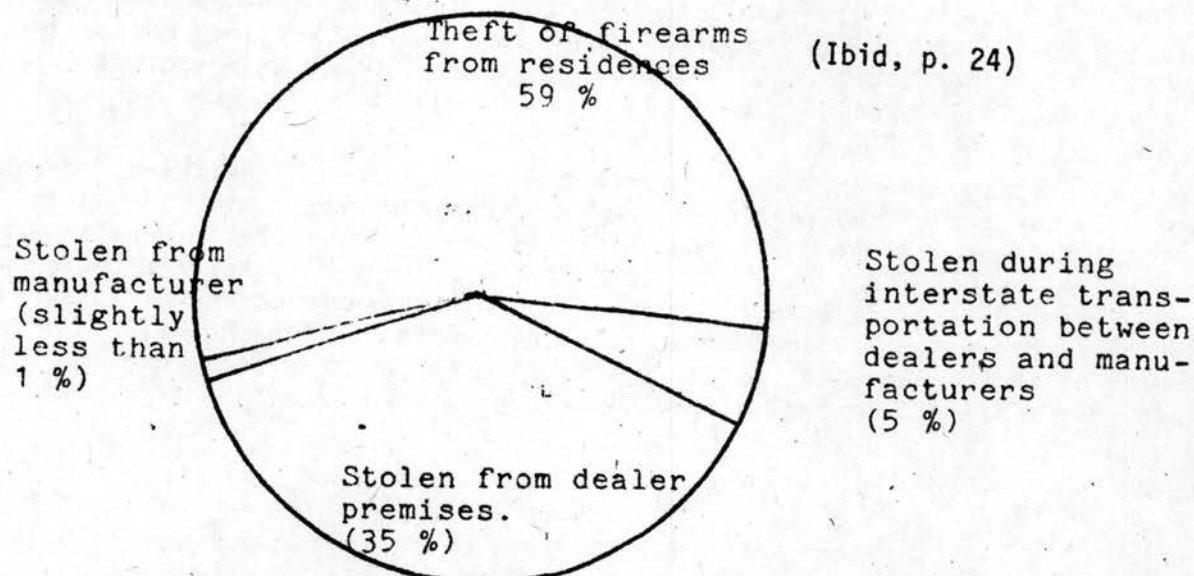
¹Because of rounding, percentages may not add to totals.

Local statistics, from the Minneapolis Police Department Crime Analysis Unit, are included in the appendix (page_).

Why Own a Handgun?

A small proportion of gun owners use their weapons for target shooting at organized gun clubs. This recreational function, controlled by the gun clubs, raises no problems.

However, the vast majority of owners buy their guns for self-defense and protection against burglary. While owning a gun may give one a sense of security, studies indicate that the facts are otherwise. And, while burglars prefer to enter empty houses, sometimes they do get into one that is occupied. Seldom does the householder, taken by surprise, have a gun within reach. On the other hand, few householders are shot by burglars. In 18,000 home burglaries in the Detroit area in 1967, only one victim was shot. The more likely result is that a householder's gun will be stolen. An estimated 100,000 guns are stolen from private homes each year. (U.S. Conference of Mayors Report, 1975, p. 42, and "Handgun Control. . .Issues and Alternatives", Joseph D. Oliviane and William Drake.)

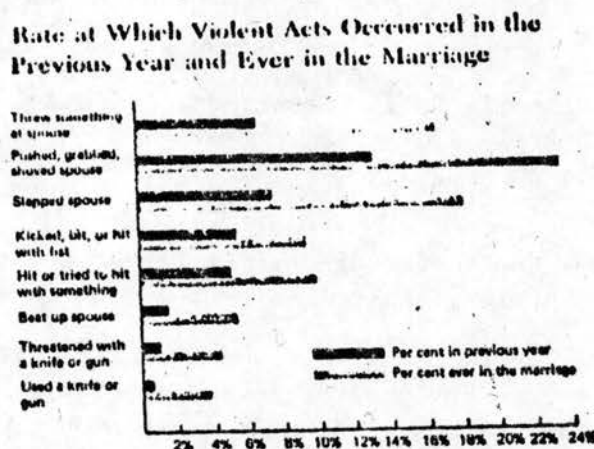


If guns do not deter burglars, how are they used?

The U.S. Conference of Mayors Study (1975) quotes Federal Judge George C. Edwards of the Sixth Circuit Court of Appeals: "... Most murders in real life come from a compound of anger, passion, intoxication, and accidents--mixed in varying proportions. The victims are wives, husbands, girl friends, boy friends, prior friends, or close acquaintances."

The chart on page 13, "Circumstances by Relationship," from the 1981 FBI Uniform Crime Reports, shows that the situation has not changed.

In a study of family violence by Straus, Gelles and Steinmetz, guns play a role as shown in the following chart: (Behind Closed Doors - Violence in the American Family, Murray A. Straus, Richard J. Gelles, and Suzanne K. Steinmetz, 1980, Anchor Press/Doubleday, Garden City, New York. p. 33.)



Extrapolating from this example, the authors estimate that in 1975, 1.7 million Americans faced a spouse wielding a gun or knife. They also estimate that between 900,000 and 1.8 million children have had a parent use a gun or knife on them at some time. Use of a gun between siblings is infrequent but not unknown. And, as has been stated previously, not only are guns sometimes used as the final argument in a family quarrel, they are often used to shoot the police officer who is called to intervene.

A gun in a household can also lead to accidental death. The 1982 Chicago Bar Association study reports 2,000 fatal accidents and 10,000 suicides a year involving guns. And, according to the 1975 study for the U.S. Conference of Mayors, four to six family members are killed accidentally by handguns for every burglar that is shot.

In Minneapolis, figures from the Harriet Tubman Center for Battered Women indicate that six percent of the residents had been attacked with a gun or a knife and 35 percent had been threatened. An article in the May 2, 1982 Minneapolis STAP quoted Police Chief Anthony Bouza as saying, "I don't mind burglars being shot by home owners, but that doesn't happen. . . More likely are domestic slayings, accidents, suicides, and stolen weapons that end up in criminal hands." Lt. Dale Dowson of the Minneapolis Police Family Violence Division says that 30 to 35 percent of the cases they handle involve handguns, used as a threat in most cases.

Handgun Liability

Can handgun manufacturers be held responsible for "unreasonable" dangers caused by their product? In recent years lawyers have successfully used that standard against products as diverse as drugs, pesticides, and non-fire-retardant children's sleepwear. A Dallas lawyer is making that case in an innovative barrage of lawsuits aimed at making handgun manufacturers liable for the damage inflicted by their weapons. He argues that a handgun is inherently and exclusively a "tool of destruction" and "when marketed to the general public poses an unacceptable risk of injury and harm to society."

As a case in point, Presidential Press Secretary James Brady has sued the company that made the pistol John Hinckley used in his attempted assassination of the President. According to Brady's lawyers, the manufacturers were negligent in failing to determine whether Hinckley was fit to own and use their .22 pistol and, further, "they had reason to know...that the reliability and poor construction of their handguns would, in almost all cases, preclude their...proper use."

As another case in point, the City of St. Paul requires anyone with a permit to carry a handgun to carry liability insurance as well, insuring the City of St. Paul against possible suit as a result of its issuing the permit.

Is There Public Support for Regulation?

Since 1965, five different Presidential Commissions on Law Enforcement have been appointed. All have stressed the need for a national firearms policy and strong gun controls. Groups as diverse as the U.S. Conference of Mayors, the American Bar Association, the AFL-CIO, the International Association of Chiefs of Police, and various church organizations all urge some form of national control and regulation of guns. (U.S. Conference of Mayor's Study, 1975, p. 33--.) In addition, from 1938 onward the American public has supported the need for gun regulation as shown by the Gallup Poll. For example, a poll taken in 1975 surveyed the level of support for the registration of firearms:

(draft)
(1975 Gallup Poll surveying the level of support for firearm registration)

Favor	67%
Oppose	27%
No Opinion	6%

A 1975 survey on the possession of handguns, also by Gallup:

Favor	41%
Oppose	55%
No Opinion	4%

Summary

In summing up the case for stricter handgun control, the following points can be made:

- 1) Handguns are not effective defense against burglary.
- 2) They are often stolen and become available for criminal use.
- 3) They are most likely to kill or injure family, friends, or police officers, rather than assailants.
- 4) Their easy availability in the home encourages accidents, suicides, and crimes of passion.

THE CASE AGAINST HANDGUN CONTROLHandguns and Crime

If guns were the cause of crime, more guns should cause more crime in proportion to or greater than their rate of increase. Yet, in a 1982 advertising campaign, the Committee for Effective Crime Control said that between 1974 and 1980 handguns in domestic murders declined about 30 per cent, while there was a 25 per cent increase in the number of handguns.

However, there may be a relationship between the rising crime rate and the increase in the ownership of handguns, since "security" is the reason given most often for owning a handgun. Many persons buy guns to protect their homes and/or businesses; partly to defend themselves, partly as a perceived deterrent when it is known that there is a gun on the premises. Crime statistics indicate that the criminal justice system does not provide the protection the citizens need. For example, in 1980 there were more than 625,000 felony complaints in New York, yet fewer than 87,000 suspects were arrested and less than 9,000 actually sentenced. (New York Magazine, Feb. 8, 1982, p. 38.)

Over the past ten years, the fear of crime has increased as the rate of crime has gone up. The charts on succeeding pages, from FBI Uniform Crime Reports, show the growth of crime over the past ten years.

In Minneapolis, there are handguns in about a third of all homes, according to the Committee for Effective Crime Control. However, in interviews with police officers and advocates of gun ownership, both suggest that as many as 50 to 60 per cent of Minneapolis homes contain at least one handgun. And they are not limited to homes. Local ordinance provides that a person with special security needs (or persons employed as security personnel) may apply for a permit to carry a gun under specific circumstances. One interviewee stated that Minneapolis citizens would be shocked at the number of business and professional people who carry guns in their brief cases or upon their persons. According to that interviewee, gun owners include all segments of the socio-economic spectrum.

Table 1.—Index of Crime, United States, 1981

Area	Population ¹	Crime Index total	Modified Crime Index total ²	Violent crime ³	Property crime ³	Murder and non-negligent manslaughter	Forcible rape	Robbery	Aggravated assault	Burglary	Larceny-theft	Motor vehicle theft	Arson ⁴
United States Total	229,146,000	13,290,256		1,321,906	11,968,350	22,516	81,536	574,134	643,720	3,739,821	7,154,541	1,073,988	
Rate per 100,000 inhabitants		5,799.9		576.9	5,223.0	9.8	35.6	250.6	280.9	1,632.1	3,122.3	468.7	
Standard Metropolitan Statistical Area	171,299,879												
Area actually reporting ⁵	98.0%	11,309,356		1,136,119	10,173,237	18,717	70,897	556,452	596,655	3,153,856	5,730,757	966,924	
Estimated total	100.0%	11,313,693		1,184,296	10,129,397	18,815	71,401	557,510	591,570	3,183,353	5,699,638	976,085	
Rate per 100,000 inhabitants		6,604.6		691.4	5,913.3	11.0	41.7	322.5	316.2	1,658.4	3,484.6	570.3	
Other Cities	24,022,300												
Area actually reporting ⁵	95.0%	1,174,749		75,336	1,099,413	1,292	4,707	13,758	55,669	275,252	771,663	53,547	
Estimated total	100.0%	1,240,182		79,173	1,161,009	1,279	4,983	14,541	58,370	291,594	824,246	56,679	
Rate per 100,000 inhabitants		5,163.9		329.6	4,834.3	5.3	20.7	60.5	243.0	1,208.9	3,389.7	215.7	
Rural	33,823,731												
Area actually reporting ⁵	91.0%	694,843		54,804	640,039	2,221	6,779	6,614	41,170	250,219	511,749	78,041	
Estimated total	100.0%	736,081		58,417	677,664	2,422	5,152	7,083	43,780	266,664	571,207	86,373	
Rate per 100,000 inhabitants		2,176.2		172.8	2,003.5	7.2	15.2	20.9	129.4	786.6	1,697.5	119.4	

¹Populations are Bureau of the Census provisional estimates as of July 1, 1981, and are subject to change.

²Although arson data were introduced in the trend and clearance tables with this issue, sufficient data are not available to estimate totals for this offense.

³Violent crimes are offenses of murder, forcible rape, robbery, and aggravated assault. Property crimes are offenses of burglary, larceny-theft, and motor vehicle theft. Data are not included for the property crime of arson.

⁴The percentage representing area actually reporting will not coincide with the ratio between reported and estimated crime totals, since these data represent the sum of the calculations for individual states which have varying populations, portions reporting, and crime rates.

Table 2.—Index of Crime, United States, 1972—1981

Population ¹	Crime ² Index total	Modified ³ Crime Index total	Violent ⁴ crime	Property ⁴ crime	Murder and non-negligent manslaughter	Forcible rape	Robbery	Aggravated assault	Burglary	Larceny-theft	Motor vehicle theft	Arson ⁵
Number of offenses												
1972-208,230,000	8,248,800		834,900	7,413,900	18,670	46,850	376,290	393,090	2,375,500	4,151,200	587,200	
1973-209,851,000	8,718,100		875,910	7,842,200	19,640	51,400	384,220	420,650	2,565,500	4,347,900	628,800	
1974-211,392,000	10,253,400		974,720	9,278,700	20,710	55,400	442,400	456,210	3,039,200	5,762,500	977,100	
1975-213,124,000	11,256,600		1,026,280	10,230,300	20,510	56,090	464,970	484,710	3,252,100	5,977,700	1,000,500	
1976-214,659,000	11,304,800		986,580	10,318,200	18,780	56,730	470,210	490,850	3,089,800	6,270,800	957,600	
1977-216,332,000	10,915,800		1,009,500	9,926,300	19,120	63,020	464,850	522,510	3,052,200	5,905,700	968,400	
1978-218,059,000	11,141,300		1,061,830	10,079,500	19,560	67,130	417,040	558,160	3,104,500	5,983,400	991,600	
1979-220,099,000	12,152,700		1,178,540	10,974,200	21,460	75,990	466,800	614,210	3,299,500	6,577,500	1,037,200	
1980-225,149,264	13,295,400		1,308,900	11,986,500	23,040	82,090	548,810	654,940	3,759,100	7,112,700	1,114,700	
1981-229,146,000	13,290,256		1,321,906	11,968,350	22,520	81,540	574,130	643,720	3,739,800	7,154,500	1,073,900	
Rate per 100,000 inhabitants ⁶												
1972	3,961.4		401.0	3,560.4	9.0	22.5	180.7	188.8	1,140.8	1,993.6	426.1	
1973	4,154.4		417.4	3,737.0	9.4	24.5	183.1	200.5	1,222.5	2,071.5	432.6	
1974	4,850.4		461.1	4,389.3	9.8	26.2	206.4	215.8	1,437.7	2,484.5	462.2	
1975	5,241.7		481.5	4,800.2	9.6	26.3	213.2	227.4	1,525.9	2,894.8	469.4	
1976	5,264.4		459.6	4,806.8	8.8	26.4	195.5	228.7	1,439.4	2,921.3	446.1	
1977	5,055.1		466.6	4,588.4	8.8	29.1	187.1	241.5	1,410.9	2,729.9	447.6	
1978	5,109.3		486.9	4,622.4	9.0	30.8	191.3	255.9	1,423.7	2,743.9	454.7	
1979	5,521.5		515.5	4,986.0	9.7	34.5	212.1	279.1	1,494.1	2,988.4	480.5	
1980	5,899.9		580.8	5,319.1	10.2	36.4	243.5	290.6	1,668.2	3,156.3	494.6	
1981	5,799.9		576.9	5,223.0	9.8	35.6	250.6	280.9	1,632.1	3,122.3	468.7	

¹Populations are Bureau of the Census provisional estimates as of July 1, except April 1, 1980, preliminary census counts, and are subject to change.

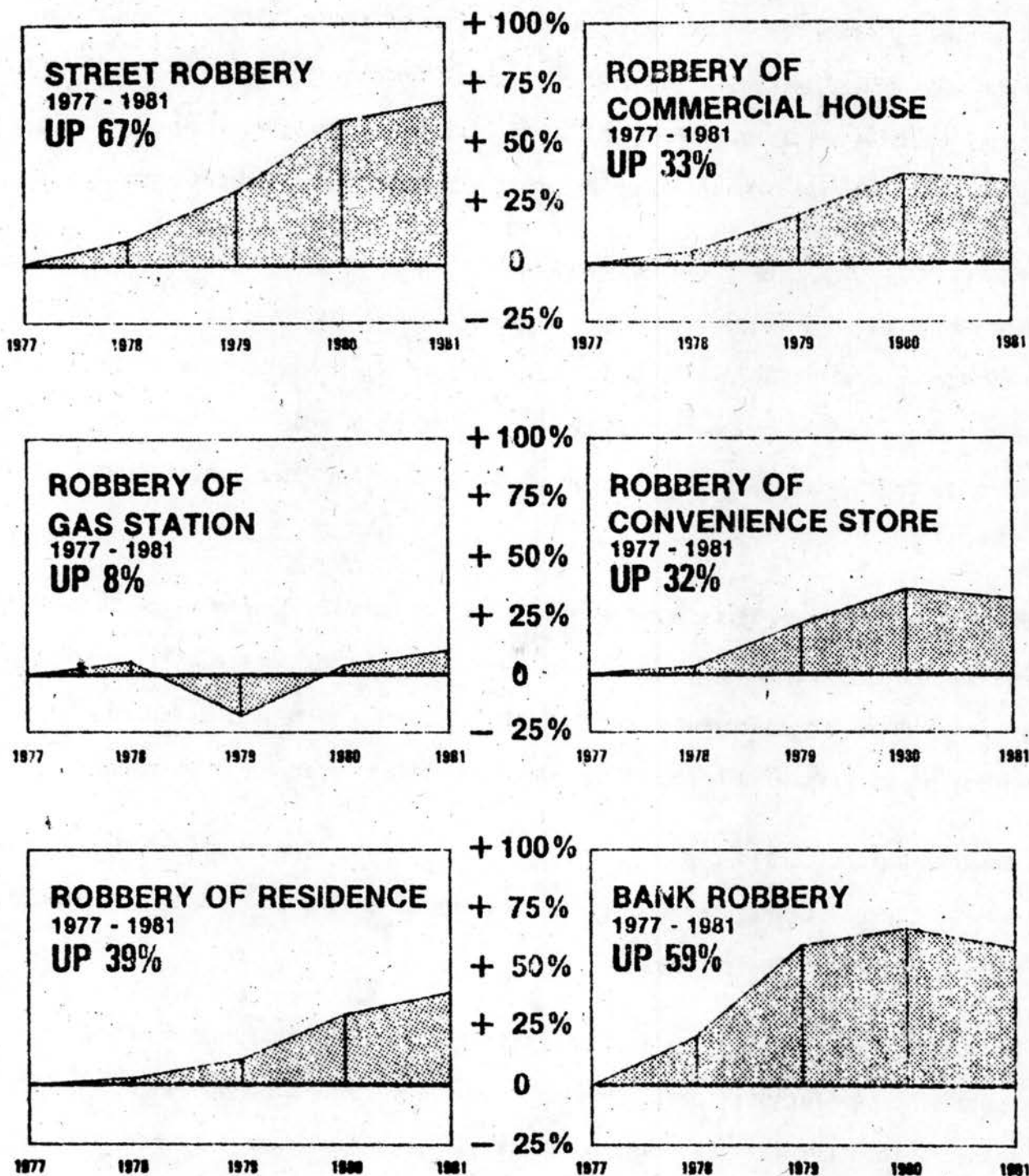
²Due to rounding, the offenses may not add to totals.

³Although arson data were introduced in the trend and clearance tables with this issue, sufficient data are not available to estimate totals for this offense.

⁴Violent crimes are offenses of murder, forcible rape, robbery, and aggravated assault. Property crimes are offenses of burglary, larceny-theft, and motor vehicle theft. Data are not included for the property crime of arson.

⁵Crime rates calculated prior to rounding number of offenses.

(draft)



FBI Uniform Crime Reports, 1981

The Question of Enforceability

A wide variety of people own handguns for the sense of security they provide and, while gun owners feel strongly about their need for handguns, they are equally adamant about their right to bear arms. (See "The Constitution", page 8) In addition, many people have serious doubts that strict gun control legislation is enforceable.

Opinions vary as to the effectiveness of gun registration or the freezing of gun ownership at a given level. (See "Laws in Other Jurisdictions", page 7) A 1975 study of Washington, D.C. for the U.S. Conference of Mayors after that city required gun registration, reported that the crime, accident and suicide rates all dropped. Yet other factors, such as better police patrolling, might have contributed to the reduction.

However, presumably many gun owners would fail to comply if confronted with laws and regulations limiting or prohibiting their use of handguns or their ability to acquire them. Based upon the experience of other cities where gun registration has been attempted, no more than 10 per cent of owners would register their weapons.

As a case in point, consider Morton Grove, Illinois. It adopted an ordinance, upheld by the Supreme Court, banning the possession of handguns. Yet only a handful of citizens turned in their guns.

The Eighteenth Amendment to the U.S. Constitution, the "Noble Experiment" which made alcoholic beverages illegal, provides an example of what happens when a law is unacceptable to otherwise law-abiding citizens. Laws that cannot be enforced have the effect of creating criminals. In addition, the anti-war, anti-nuclear protests in recent years provide examples of citizens resorting to civil disobedience when they feel that their government is wrong.

Is There Public Support for Stricter Controls?

Both proponents and opponents of stricter legislation claim that public support is on their side. As an example of where the support really lies, consider the State

of Idaho, 1978. As a result of an initiative, voters in a referendum over-whelmingly approved banning gun controls in that state. (Restricting Handguns, page xi)

Also in 1978 the Carter Administration proposed legislation that would have imposed regulations on the firearms industry that gun organizations believed was the first step toward national gun registration. Groups on both sides of the issue circulated pleas for public support. The National Coalition to Ban Handguns and the National Council to Control Handguns actively sought supporters, as did the National Rifle Association on the opposing side. Of the 345,000 cards and letters received from the public, 7,800 favored the legislation and 337,000 opposed it. (Restricting Handguns, page 26-27.)

In his introductory comments to a book by Don B. Kates, Jr., called Restricting Handguns: The Liberal Skeptics Speak Out, North River Press, address unlisted, 1979), Senator Frank Church states, "Activists for minority rights, women's rights, rights for the poor--all human rights--are coming to understand that gun controls work against their interest. In the inner cities where the police cannot offer adequate protection, the people will provide their own. They will keep handguns at home for self-defense, regardless of the prohibitions that relatively safe and snug inhabitants of the surrounding suburbs would impose on them."

Summary:

In summing up the case against handgun control, the following questions can be raised:

- 1) If a law cannot be enforced by virtue of its inherent cumbersomeness, its vagueness, or its repugnance to society, is it wise to enact such a law?
- 2) Can such legislation result in a decrease in crime or family violence?
- 3) Can it reasonably be argued that the climate is right for public acceptance of stricter gun legislation?

CONCLUSION

Both sides of the handgun issue--to control more strictly or not to control--have been explored to some extent. Statistics bear out the idea that handguns play a significant role in family violence. They are used as a threat and also escalate the possibility of physical injury or death. It also is evident that opponents of handgun control question the enforceability as well as the desirability of handgun control. Opinions vary widely.

Proponents of stricter gun control say:

The need to curb family violence is important. While the causes of family violence are complex, one thing is very simple: the presence of a handgun escalates the probability of serious or fatal injury. The number of guns circulating in the country is increasing. Injuries and deaths from these guns are increasing. Is there a way to break this cycle?

Opponents of stricter gun control say:

The need to curb family violence is important. However, it will not be curbed by attempting to control instruments that can be used in the offense. The solution may be found in getting control of the sociological, psychological and economic causes of this continuing cycle of violence. Is there a way to break this cycle?

Possible Range of Gun Regulations

There is a wide range of options for the control of handguns, listed here from the least to the most restrictive:

- 1) Unrestricted ownership
- 2) The status quo
- 3) Requirement for education in the safe use of guns
- 4) Increased penalties for crimes in which a gun is used
- 5) Registration of handguns

- 6) Requirement for handgun owners to carry liability insurance
- 7) Requirement for a permit to own and/or carry a gun
- 8) Confiscation and ban of handguns altogether

Of the measures listed above, both proponents and opponents of gun control agree on two: Education in the use of guns and stricter penalties for gun-related crimes.

Criteria for Evaluating Control Measures

Should any measures be proposed regarding the control of handguns, the following ideas could be taken into account:

- 1) Cost: How will the measure be funded? Are there hidden costs? Who will bear the costs? Can reliable budget figures be established?
- 2) Workability: Is the measure enforceable?
- 3) Equity: Is the impact of the measure borne fairly by all citizens? Does it discriminate against the poor in its cost or in its enforcement?
- 4) Need: What is the desired effect of the measure? As drawn, does it meet the needs of the community?
- 5) Rights: Does this measure deny the rights of any group of people?

There is another question to consider: Is it possible to control the irresponsible use of handguns and, at the same time, protect the rights of responsible gun owners? How?

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(draft)

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Morton Grove, Illinois, 1981

New York

San Francisco, 1982.

Washington, D.C.

APPENDIX

to

FAMILY VIOLENCE :

A FOCUS ON HANDGUNS

by

The League of Women Voters of Minneapolis

February 1983

**MINNEAPOLIS POLICE DEPARTMENT
CRIME ANALYSIS UNIT**

CHIEF'S REPORT - UCR SUMMARY
(JAN - OCT 1982)

PART I OFFENSES	ACTUAL OFFENSES			ADULT ARRESTS			JUVENILE ARRESTS		
	1982	1981	%CHG	1982	1981	%CHG	1982	1981	%CHG
<u>CRIMINAL HOMICIDE</u>	27	24	+12.5	25	18	+38.9	2	2	0
A-MURDER/CONNEG. MANSLTR	27	24	+12.5						
B-MANSLAUGHTER BY NEGLIG.	0	0	0						
<u>FORCIBLE RAPE</u>	271	311	-12.9	30	32	-6.2	2	2	0
A-RAPE BY FORCE	215	268	-19.8						
B-ATTEMPTS/FORCIBLE RAPE	56	43	+30.0						
<u>ROBBERY</u>	2,119	1,944	+9.0	237	292	-18.8	71	122	-41.8
A-FIREARM	587	590	-0.5						
B-KNIFE OR CUTTING INSTR.	293	206	+42.2						
C-OTHER DANGEROUS WPN.	103	77	+33.8						
D-STRONG-ARM	1,136	1,071	+6.1						
<u>AGG. ASSAULT</u>	1,148	1,027	+11.8	199	193	+3.1	47	81	-42.0
A-FIREARM	317	327	-3.1						
B-KNIFE OR CUTTING INSTR.	470	442	+6.3						
C-OTHER DANGEROUS WPN.	253	195	+29.7						
D-HANDS, FIST, FEET, ETC.	108	63	+71.4						
<u>BURGLARY</u>	9,499	10,524	-9.7	254	328	-22.6	362	401	-9.7
A-FORCIBLE ENTRY	5,704	5,872	-2.9						
B-UNLAWFUL ENTRY-NO FORCE	3,299	3,980	-17.1						
C-ATTEMPT FORCIBLE ENTRY	496	672	-26.0						
<u>LARCENY-THEFT</u>	15,980	16,178	-1.2	2,352	2,476	-5.0	1,040	1,051	-1.0
<u>MOTOR VEHICLE THEFT</u>	2,043	2,459	-16.9	151	148	+2.0	127	220	-42.3
A-AUTOS	1,400	1,867	-25.0						
B-TRUCKS & BUSES	243	163	+49.1						
C-OTHER VEHICLES	400	429	-6.8						
<u>ARSON</u>	48	69	-30.4	9	17	-47.1	6	17	-64.7
TOTAL	31,135	32,536	-4.3	3,257	3,504	-7.0	1,657	1,896	-12.6

PART II OFFENSES	ACTUAL OFFENSES			ADULT ARRESTS			JUVENILE ARRESTS		
	1982	1981	%CHG	1982	1981	%CHG	1982	1981	%CHG
<u>SIMPLE ASSAULT</u>	3,024	3,560	-15.1	682	743	-8.2	273	321	-14.9
<u>VANDALISM</u>	4,554	5,621	-19.0	231	252	-8.3	145	252	-42.5
<u>WEAPONS VIOL.</u>	279	363	-23.1	134	203	-34.0	30	40	-25.0
<u>PROSTITUTION</u>	999	564	+77.1	970	628	+54.5	83	58	+43.1
<u>SEX OFFENSES</u>	560	620	-9.7	62	174	-64.4	43	45	-4.4
<u>NARCOTIC DRUG LAWS</u>	494	543	-9.0	306	283	-8.1	48	66	-27.3
<u>D.W.I.</u>	1,491	1,273	+17.1	1,473	1,254	+17.5	18	19	-5.3
<u>ALL OTHER PART II</u>	1,218	1,151	+5.8	8,589	7,955	+8.0	1,282	1,517	-15.5
TOTAL	12,619	13,695	-7.9	12,447	11,492	+7.5	1,922	2,318	-17.1
PART I & II OFFENSES GRAND TOTAL	43,754	46,231	-5.4	15,704	14,996	+4.7	3,579	4,214	-15.1

DATE: February 12, 1982

MINNEAPOLIS POLICE DEPARTMENT
CRIME ANALYSIS UNIT

CHIEF'S REPORT - UCR SUMMARY
OFFENSE/ARREST TOTALS

(PART I CRIMES JAN-DEC 1981)

Page 1 of 12

draft

OFFENSE CLASSIFICATION		REPORTED OFFENSES			ACTUAL OFFENSES			ADULT ARRESTS			JUVENILE ARRESTS		
		1981	1980	%CHG	1981	1980	%CHG	1981	1980	%CHG	1981	1980	%CHG
CRIMINAL HOMICIDE	TOTAL	30	37	-18.9	30	37	-18.9	21	17	+23.5	2	6	-66.7
A-MURDER/NONNEG MANSLTR.		30	37	-18.9	30	37	-18.9						
B-MANSLAUGHTER BY NEGLIG.		0	0	0	0	0	0						
FORCIBLE RAPE	TOTAL	374	406	-7.9	367	402	-8.7	49	82	-40.2	3	17	-92.3
A-RAPE BY FORCE		323	320	+0.3	316	317	-0.3						
B-ATTEMPTS/FORCIBLE RAPE		51	86	-40.7	51	85	-40.0						
ROBBERY	TOTAL	2,312	2,347	-1.5	2,296	2,332	-1.5	326	179	+82.1	138	142	-2.8
A-FIREARM		719	713	+0.8	714	711	+0.4						
B-KNIFE OR CUTTING INSTR.		236	232	+1.7	234	232	+0.4						
C-OTHER DANGEROUS WPN.		94	353	-73.4	93	346	-73.1						
D-STRONG-ARM		1,263	1,049	+20.4	1,255	1,043	+20.3						
AGG. ASSAULT	TOTAL	1,199	1,285	-6.7	1,192	1,282	-7.0	221	138	+60.1	86	77	+11.7
A-FIREARM		389	430	-9.5	386	429	-10.0						
B-KNIFE OR CUTTING INSTR.		514	521	-1.3	512	520	-1.5						
C-OTHER DANGEROUS WPN.		223	225	-0.9	222	225	-1.3						
D-HANDS, FIST, FEET, ETC.		73	109	-33.0	72	108	-33.3						
BURGLARY	TOTAL	12,609	11,596	+8.7	12,543	11,550	+8.6	378	241	+56.8	487	442	+8.7
A-FORCIBLE ENTRY		7,121	6,941	+2.6	7,103	6,926	+2.5						
B-UNLAWFUL ENTRY-NO FORCE		4,617	3,937	+17.3	4,632	3,908	+18.5						
C-ATTEMPT FORCIBLE ENTRY		813	718	+13.2	808	716	+12.8						
LARCENY-THEFT	TOTAL	19,017	17,684	+7.5	18,943	17,617	+7.5	2,978	2,255	+32.1	1,244	1,132	+9.8
MOTOR VEHICLE THEFT	TOTAL	2,881	2,840	+1.4	2,846	2,801	+1.6	178	90	+98.0	245	206	+18.9
A-AUTOS		2,181	2,170	+0.5	2,148	2,134	+0.6						
B-TRUCKS & BUSES		203	243	-16.5	203	241	-15.8						
C-OTHER VEHICLES		497	427	+16.4	495	426	+16.2						
ARSON	TOTAL	82	91	-9.9	82	91	-9.9	19	23	-17.4	17	29	-41.4
GRAND TOTAL		38,504	36,286	+6.1	38,299	36,112	+6.0	4,170	3,025	+37.8	2,222	2,053	+8.2

MINNEAPOLIS POLICE DEPARTMENT
CRIME ANALYSIS UNIT

CHIEF'S REPORT - PCR SUMMARY

*****YEAR TO DATE*****

(DECEMBER - 1980)

		OFFENSES REPORTED TO POLICE			NUMBER OF ACTUAL OFFENSES		
OFFENSE CLASSIFICATION		1980	1979	CHG	1980	1979	CHG
CRIMINAL HOMICIDE	TOTAL	37	68	-45.5	37	48	-22.9
	A-MURDER & NONNEG MANSLTR	37	42	-11.9	37	37	0
	B-MANSLAUGHTER BY NEGLIGENCE	0	26	-2600.0	0	11	-1100.0
FORCIBLE RAPE	TOTAL	406	335	+17.4	402	327	+18.6
	A-RAPE BY FORCE	320	286	+10.6	317	279	+11.9
	B-ATTEMPTS/FORCIBLE RAPE	86	49	+43.0	85	49	+42.3
ROBBERY	TOTAL	2,347	2,034	+13.3	2,322	1,988	+14.7
	A-FIREARM	713	476	+33.2	711	470	+33.8
	B-KNIFE OR CUTTING INSTR	232	262	-11.4	232	255	-9.0
	C-OTHER DANGEROUS WPN	353	126	+64.3	346	120	+65.3
	D-STRONG-ARM	1,049	1,170	-10.3	1,043	1,143	-8.7
ASSAULT	TOTAL	4,998	5,451	-8.3	4,982	5,407	-7.8
	A-FIREARM	430	385	+10.4	429	382	+10.9
	B-KNIFE OR CUTTING INSTR	521	559	-6.7	520	549	-5.2
	C-OTHER DANGEROUS WPN	225	361	-37.6	225	356	-36.7
	D-HANDS, FIST, FEET, ETC.	109	272	-59.9	108	267	-59.5
	E-OTHER - SIMPLE NOT AGG.	3,714	3,874	-4.1	3,701	3,853	-3.9
BURGLARY	TOTAL	11,506	10,077	+13.0	11,550	9,949	+13.8
	A-FORCIBLE ENTRY	6,941	4,837	+30.3	6,926	4,806	+30.6
	B-UNLAWFUL ENTRY-NO FORCE	3,937	4,677	-15.8	3,908	4,611	-15.2
	C-ATTEMPTED FORCIBLE ENTRY	718	563	+21.5	716	562	+21.5
LARCENY - THEFT	TOTAL	17,084	15,358	+13.1	17,617	15,243	+13.4
MOTOR VEHICLE THEFT	TOTAL	2,840	3,496	-18.7	2,801	3,285	-14.7
	A-CARS	2,170	2,572	-15.6	2,134	2,398	-10.6
	B-TRUCKS & BUSES	243	472	-48.5	241	453	-46.7
	C-OTHER VEHICLES	427	452	-5.5	426	434	-4.0
GRAND TOTAL		39,908	36,819	+7.7	39,721	36,247	+8.7

(CLASS I CRIMES)

-CONTINUED-

HANDGUN TRANSFERS APPLIED FOR

YEAR	REQUESTED	REFUSED
1979	1530	57
1980	1722	32
1981	1930	84
1982 THROUGH JUNE	757	40

FIREARMS PROCESSED BY PROPERTY ROOM (INCLUDES FIREARMS CONFISCATED, PLACED IN SAFEKEEPING, & RECOVERED)

WEAPONS	1977	1978	1979	1980	1981
HANDGUNS	431	616	438	427	573
LONGGUNS	373	707	402	402	492
SAWED OFFS	29	31	31	23	22
TOTAL	833	1354	871	852	1087

NUMBER OF PERMITS TO CARRY HANDGUNS GRANTED

YEAR	NEW PERMITS	RENEWALS	TOTAL
1979	159	367	526
1980	118	410	528
1981	133	422	555

FIREARMS USED IN CRIMES (UCR DATA)

CRIME	1980	1981	1982 (THROUGH JULY)
ROBBERY	711	714	399
AGG ASSAULT	429	386	215

PERCENTAGE OF CRIMES INVOLVING FIREARMS (UCR DATA)

CRIME	1980	1981	JANUARY THROUGH JULY	
			1981	1982
ROBBERY	31%	31%	32%	29%
AGG ASSAULT	34%	32%	30%	27%

OFFENSES AND ARRESTS FOR WEAPON VIOLATIONS (UCR DATA)
(Includes but is not limited to firearms.)

	1980	1981	JANUARY THROUGH JULY	
			1981	1982
OFFENSES	334	430	271	207
ARRESTS	189	292	189	120

NUMBER OF INCIDENTS WHERE OFFICERS DISCHARGED WEAPONS

YEAR	NUMBER OF INCIDENTS
1980	17
1981	20
1982	10

So far in 1982, shots were fired by officers at suspects in six incidents. Two injuries to suspects resulted, one fatal. Four incidents involved accidental discharge (usually of a shotgun). No injuries resulted from these discharges.

TO: Doug Hicks

DATE: 9/17/82

FROM: Pieri

SUBJECT: Gun Discharges

1980

At suspects - 8
At dogs - 2
Injuries - 1 (human)
Accidental - 5 (shotgun 1) (revolver 4)
Warning shot - 1

Total 17

1981

At suspects - 0
At dogs - 1 (fatality)
At deer - 1 (fatality)
Injuries - 2 (human)
Fatality - 2 (human)
Accidental - 3 (shotgun 2) (revolver 1)
Warning shot - 2

Total 20

Firearms count for the year 1981

Handguns (revolvers, pistols & derringers) - 573

Shotguns - 249

Rifles - 243

Sawed off shotguns - 19

Sawed off rifles - 3

BB Guns / Pellet Guns (rifles & handguns) - 168

Starter Pistols - 20

Replicas/Cap Guns/Toys - 8

Others -

Pengun (1)

Duckfoot Gun (1)

Musket (1)

Tear Gas Guns (3)

Minneapolis Police Department Property Room - Inventory of Firearms

1977 -	handguns	431	
	long guns	373	
	sawed-off guns	29	
1978 -	handguns	616	(161)
	long guns	707	(293)
	sawed-off guns	31	
1979 -	handguns	438	
	long guns	402	
	sawed-off guns	31	
1980 -	handguns	166	pistols
		261	revolvers
	long guns	202	shotguns
		200	rifles
	sawed-off guns	23	
	machine gun	1	
	starter pistols	5	
	replicas/toys	3	
	teargas gun	1	
	mini cannon	1	
	spear gun	1	

"FAMILY VIOLENCE: A FOCUS ON HANDGUNS"

A CRITIQUE

by

Wendy Rudman
Study Co-Chair

January 2, 1983

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cc: Betty Bayless, State Action Chair
Naxdine Mutsch, State Liaison

January 2, 1983

Mrs. Joan Higinbotham, President
Minneapolis League of Women Voters
730 Hennepin Avenue Suite 608
Minneapolis, Minnesota 55403

Dear Mrs. Higinbotham,

As Study Co-Chair, I have raised a continuing objection to the League's nebulous approach to this "study," and its unwillingness to employ any accepted scientific methodology in researching this issue. An extensive analysis of the end product, entitled "Family Violence: A Focus on Handguns," reveals that the topic was, indeed, intended by the League only as a vehicle for a "gun control" smorgasbord.

From its inception, the League was aware that the subject matter is extraordinarily complex, even though it may appear deceptively simple to some. On September 28, 1982, I moved that the study be conducted according to approved statistical methods. The motion was rejected by all other members of the study group attending. At that time, the League informed me that no original research would be conducted, and that only secondary sources would be used, even though I had outlined a detailed plan to get at the precise issue the League was supposed to be studying.

The League was informed that by setting up a "for gun control"/"against gun control" format it would be deliberately obfuscating the topic under consideration. The League, as an organization which performs many studies, surely must be aware that such a format is appropriate only where specific proposals exist, and then not in the context of "family violence." My experience as a part of this group has led me to wonder whether the League is interested in whether a correlation exists between family violence and handgun ownership or use.

After thoroughly examining the draft, I feel compelled to make a two part critique based on my findings. The first part will show why the study is irreparably flawed. The second part will demonstrate how manipulative even a single sentence in the study is. This critique format is necessary, unfortunately, because I am unable to compose a lengthy sentence-by-sentence review in the time I am given to analyze the paper.

PART I

The comments in this part should be regarded as general in nature only, and should not be construed to be limited only to those criticisms enumerated below.

* In its definition section, the League has defined a most unusual "family," which apparently includes "acquaintance-ship." This definition was necessitated because the League wanted to use the F.B.I. Uniform Crime Reports in an authoritative manner, even though the F.B.I. data does not purport to be structured so as to reflect family violence statistics. However, the F.B.I. data is structured to reflect such relationships as pimp-to-prostitute, drug-pusher-to-drug-addict, etc., as well as more conventional "family" relationships.

* Most of the reviewed material is omitted from the bibliography. Only selected sentences are footnoted.

* The League reproduces ordinances from cities having the most restrictive ordinances only. The League has made no analysis of the provisions of any ordinance. The League has made no attempt to find out if any ordinances have been subsequently challenged or amended. The League has made no attempt to find out if any ordinance it cites was enacted in whole or in part for the purpose of deterring family violence. The League has made no attempt to find out if any ordinance cited has had an impact on family violence. In only one instance, the Washington, D.C. ordinance, has the League tried to demonstrate a relationship between the ordinance and crime, by using the U.S. Conference of Mayors study. Yet, the League deliberately omits a reputable study in its possession entirely discrediting the cited study's statistical analysis.

* The "laws in other jurisdictions" mentioned are only those which are the most restrictive. As in "ordinances reviewed," the League intentionally omits "laws in other jurisdictions" which it doesn't like.

* The League did not obtain "statistical data" from the Minneapolis Police Department. The League did obtain raw numbers, relating to every imaginable offense in the City of Minneapolis. The League made no attempt whatsoever to analyze these raw numbers. Presumably, the League itself does not understand its own definition of "family," since it makes no attempt to draw any distinction

between "family violence" and crime, even though it purports to be studying it.

* The reproduced section of the Illinois League study reveals that the Illinois League was either not aware of, or was not interested in, what is popularly referred to as the federal Gun Control Act of 1968.

* The League does not know the difference between the United States Supreme Court and a Circuit Court of Appeals.

* The League does not know the difference between the United States Supreme Court and a state appellate court.

* The League does not know the difference between a constitutional provision and a statute.

* The League misstates questions of constitutional law.

The League makes no attempt to understand or enumerate the legal questions surrounding the Second Amendment.

* In attempting to draw mythical correlations for which no substantiation exists, the League ignores treatises which have analyzed the data reproduced and have found no such correlations.

In attempting to make inferences concerning police officers and handguns, the League ignores the conclusions of law enforcement journals.

In attempting to make inferences concerning handgun ownership and crime, the League ignores the conclusions of the latest released N.I.J. commissioned sociological research.

In attempting to make inferences concerning "crimes of passion," the League ignores the conclusions of the latest released N.I.J. commissioned treatise on criminal behavior.

* The League does not understand, and generally misstates, the reasons why handguns are owned. The League does not understand that a person who shoots a mere burglar in Minnesota may face charges as severe as murder in the second degree.

The League makes no attempt to list or describe the wide array of handgun recreational activities available in this State. The League deliberately omits hunting as a reason for handgun ownership.

* The League deliberately clouds the issue by failing to distinguish between "handgun" and "firearm" or between "firearm" and "knife" where convenient.

* The League makes inferences about accidents and suicides in direct contradiction to the information contained in literature

supplied to it.

* The League devotes much attention to a wishful legal theory on products liability, which flies in the face of hundreds of years of criminal law, and which bears no relationship to family violence. At the same time, although the League is concerned about home burglaries of firearms, the League deliberately omits the proposal of Attorney General Humphrey relating to possession of stolen handguns.

* The League deliberately ignores all evidence of popular opinion it doesn't like.

Despite its awareness, the League has suppressed the results of the November, 1982 elections involving referenda.

The League deliberately omits the results of the freeze-registration vote in California.

The League deliberately omits the results of "right to keep and bear arms" votes in Nevada and New Hampshire.

The League knows, and does not see fit to reproduce, the results of a 1976 Massachusetts ban initiative.

The League deliberately ignores the results of a poll taken by D.M.I., which contradicts the results of the Gallup poll cited.

* The League deliberately ignores the racially discriminatory enforcement characteristic of virtually all gun control measures.

* The League deliberately ignores other documented civil liberties abuses that have occurred under existing laws.

A logical conclusion is that the League's purpose in bifurcating the "study" into a "for" and "against" format was to deliberately render intelligent discussion of the issues impossible, and to close minds.

As previously noted, many of the above criticisms are relevant only because the League saw fit to get involved with the presentation of tangential and irrelevant subject matter. A legitimate study would be unconcerned about popular opinion, court rulings, municipal ordinances, and even the legitimate uses of handguns, for that matter. That would be true regardless of whether such matters were favorable or unfavorable to a particular point of view. A legitimate study would look only at whether a relationship exists between a condition and a hypothesized cause. PROOF OF CAUSALITY WAS NEVER EVEN ATTEMPTED IN THIS STUDY.

My concern is that the survey is extremely misleading, both to the membership and the general public. People trust the League of Women Voters, and would take its conclusions, even those presented in a non-recommended study, to be fact. It is therefore not only inappropriate, but an abuse of the public trust, to present conjecture as fact. Such a course of action would bring only disrepute about the League's other work, and upon the League's good reputation.

My recommendations are as follows:

- (1) The study should be discarded as biased, poorly researched and misleading; or
- (2) The study should be delayed until such time as a proper study can be conducted, so that the membership and the public can have the benefit of concrete and truthful information on this topic.

PART II

In order to illustrate the manipulative nature of the League's "study," I have selected one sentence from the body of the report to dissect. That sentence, appearing on page 8 of the text, reads as follows:

The Court has not upheld the rights of individuals or groups to bear arms under the Second Amendment because of the possible oppression and uneven treatment they might receive at the hands of the government.

[The "Court" is a reference to the United States Supreme Court, if read in context.] This is a true statement. But a better way of expressing the same thought would be:

The Court has not upheld the rights of individuals or groups to bear arms under the Second Amendment because of the possible oppression and uneven treatment they might receive at the hands of the government, BECAUSE THAT ISSUE HAS NEVER BEEN LITIGATED.

Why would the League of Women Voters of Minneapolis deliberately misstate a question of constitutional law? Aside from the fact that a discussion of the extent of the guarantees of the Second Amendment does not bear on the issue of whether a correlation exists between handgun ownership and/or use and family violence, what was the League attempting to do?

After much thought, I realized that the sentence was included as a means of circumventing the League Principle that, "The League of Women Voters believes that ... no person or group should suffer legal, economic or administrative discrimination." (League Newsletter, January, 1983) The League is legitimately concerned that no position it advocates should have discriminatory consequences, and that it should be known as a guardian of equality among citizens. However, the League was also aware of minority discontent with an announcement by a City Councilperson in April, 1982, that a restrictive handgun ordinance might be considered, since the League cited a relevant advertisement as a source in its bibliography ("A Better Name Would Be Black Control," Minneapolis Spokesman, 13 May 1982.) The League was also given materials that document racial discrimination and other civil liberties abuses under past and extant

"gun control" measures, which it chose to ignore.

Had the League researched the issue, instead of reporting opinions, it would have discovered that its brief summary of the issue does irreparable harm to its reputation. In lieu of the sentence the League wrote, it might have considered the following:

"Gun control" measures in the United States had their origins in state legislation prohibiting the bearing of arms by blacks. In the antebellum states, the Second Amendment of the United States Constitution was viewed as an impediment to social control. In State v. Newsom, 27 N.C. 204 (1844), the Supreme Court of North Carolina upheld an act to prevent free persons of color from carrying firearms on the ground that free persons of color were not considered citizens. Similarly, in Cooper v. Savannah, 4 Ga. 68 (1848), Georgia upheld a similar law on the grounds that "Free persons of color have never been recognized here as citizens; they are not entitled to bear arms, vote for members of the legislature, or to hold any civil office." Id. at 72. Several years later, the North Carolina courts once again perpetuated slavery by sentencing blacks to twenty lashes for technical infractions of a law which provided that "no slave shall go armed with a gun, or shall keep such weapons." State v. Hannibal, 51 N.C. (6 Jones) 57 (1859).

Following in this line of judicial reasoning, the United States Supreme Court had its first, and last, opportunity to consider, even tangentially, "the rights of individuals or groups to bear arms under the Second Amendment because of the possible oppression and uneven treatment they might receive..." in 1857. In Dred Scott v. Sandford, 60 U.S. (19 How.) 393, 15 L.Ed. 691 (1857), the Court conceded that if persons of African descent were rightfully regarded as "citizens":

It would give to persons of the negro race, who were recognized as citizens in any one State of the Union, the right to enter every other State whenever they pleased, singly or in companies...; and it would give them full liberty of speech...; to hold public meetings upon political affairs, and to keep and carry arms wherever they went. (emphasis added) 60 U.S. at 417.

Chief Justice Taney further explained that, as far as "citizens" are concerned, "Nor can Congress deny to the people the right to keep and bear arms..." Id. at 449-50. Thus was born the idea that if blacks became citizens, they would have the benefits constitutionally afforded to citizens.*

Subsequently, when the Southerners perceived that the Civil War was being lost to the Yankees, the Virginia legislature passed a bill repealing its laws against the bearing of arms by blacks in order to enable willing slaves to participate in the war effort. 61 THE WAR OF THE REBELLION, ser. 1, pt. 2 1068, 1315 (1880-1901). Congress, however, could not afford freedmen their rights until after the war. While the slave codes, which limited blacks access to land, the courts, and arms, had been extinguished, the same prohibitions quickly reappeared in the form of post-war black codes. W.E.B. DuBOIS, BLACK RECONSTRUCTION IN AMERICA 167, 172, and 223 (1962). Support among Northerners swelled for the Civil Rights Act of 1866 (a portion of which survives as 42 U.S.C. §1982 (1976) which was intended to abolish the badges of slavery contained in the black codes, such as provisions which prohibited "any negro or mulatto from having fire-arms." CONG. GLOBE 39th Cong., 1st Sess., pt. 1, 474 (Remarks of Senator Lyman Trumbull (R., Ill.), Chairman of the Senate Judiciary Committee, Jan. 29, 1866). Another Senator explained:

In my State for many years...there has existed a law of the State based upon and founded in its police power, which declares that free negroes shall not have the possession of firearms or ammunition. This bill proposes to take away from the States this police power..." Id. at 478 (Remarks of Sen. William Saulsbury (D., Del.)

Typical of such laws was an 1866 Alabama law which provided: "it shall be unlawful for any freedman, mulatto, or freeperson of color in this State, to own firearms, or carry about his person a pistol or other deadly weapon." Id. at 1838. The statute also provided that it was illegal "to sell, give, or lend fire-arms or ammunition of any description whatever, to any freedman, free negro, or mulatto..." Id. In contemplation of such enactments, Representative Henry J. Raymond (R., N.Y.) described how

* The legal distinction between "citizen" and "person" has long since been erased from the law.

the 1866 act would work:

Make the colored man a citizen of the United States and he has every right which you or I have as citizens under the laws and the Constitution of the United States ... He has a defined status; he has a country and a home; a right to defend himself and his wife and children; a right to bear arms... (emphasis added) Id. at 1266.

Shortly after enactment of the Civil Rights Act, Congress realized the necessity for the Fourteenth Amendment to the United States Constitution, in order to secure the objectives of the Act against infringement by the states. One legislator observed that the 1866 Act was

pronounced void by the jurists and courts of the South. Florida makes it a misdemeanor for colored men to carry weapons without a license to do so from a probate judge, and the punishment of the offense is whipping and the pillory. South Carolina has the same enactments ... Cunning legislative devices are being invented in most of the States to restore slavery in fact. Id. at 3210. (Remarks of George W. Julian (R., Ind.)

Thus it was that one of the primary advocates of adoption of the Fourteenth Amendment referred to the fact that it would ensure the guarantee of personal rights and liberties in the first eight Amendments of the United States Constitution, including "the right to keep and bear arms." Id. at 2765 (Remarks of Senator Jacob M. Howard (R., Mich.) The Amendment was adopted in 1868.

Despite such legislative enactments, the black man continued to be terrorized by the Ku Klux Klan as well as local law enforcement agencies, according to a famous report by Representative Benjamin F. Butler (R. Mass.) on violence in the South. The report observed about blacks that:

In many counties they [law enforcement agencies] have preceded their outrages upon him by disarming him, in violation of his right as a citizen to 'keep and bear arms,' which the Constitution says shall never be infringed. H.R. REP. No. 37, 41st Cong., 3rd Sess. 3 (1871).

A few years later, during introduction of the Civil Rights

Bill of 1875, now 42 U.S.C. §1984, the Senate was offered evidence that blacks were still unprotected from deprivation of their civil rights. One report detailed that "negroes who were whipped testified that those who beat them told them they did so because they had voted the radical ticket...and wherever they had guns took them from them." S. REP. No. 41, 42nd Cong., 2nd Sess. 35 (1872). During discussion of the Fourteenth Amendment's applicability, extensive legislative records reveal that it was the understanding of Southern Democrats and Radical Republicans alike that the right to keep and bear arms, like other Bill of Rights freedoms, was made applicable to the states by the Fourteenth Amendment.

Nevertheless, strong rudiments of white supremacy persisted, through the guise of "gun control," as well as through other discriminatory laws and practices. After the passage of the Fourteenth Amendment, the states continued to defy Congress by depriving blacks of the civil liberties enjoyed by others. In 1870, the Tennessee legislature banned all handguns but "the Army and Navy model," the most expensive model, which blacks and poor whites could not afford. KATES, RESTRICTING HANDGUNS 14 (1979). The Klan, of course, experienced no inconvenience, since it had either long since acquired its firearms, or used weapons supplied by corporate employers. Id. In 1881, the Arkansas legislature enacted a virtually identical law, toward the same purpose and effect. Id.

In other states, such as Mississippi and Florida, as previously noted, pre-emancipation practice was simply continued in the absence of formal legislation. Local practice required retailers to report blacks who purchased pistols or ammunition to the local authorities, who would then confiscate these items, sometimes turning them over to the Klan. Id. By the turn of the century, the Southern states formalized these practices by erecting more economic barriers to firearms ownership by undesirables whenever possible. Enactments in Alabama in 1893 and in Texas in 1907 imposed heavy business and/or transaction taxes on handgun sales, Id. at 15, while South Carolina in 1902 banned all pistol sales except to sheriffs and their deputies - many of whom were Klan members themselves. Id.

Today, much "gun control" legislation perpetuates the white

supremacist philosophy of the slavocracy of the nineteenth century.* For example, the term "Saturday Night Special," although not descriptive of any particular type, make or model of handgun, derives its name, as the League knows, from the expression "niggertown Saturday night." The League is also aware that:

- (1) the federal #4473 form requires race to be listed; and
- (2) the Minnesota state permit to purchase form requires race to be listed; and
- (3) the Minneapolis pistol transfer permit requires the listing of the transferee's race; and
- (4) the Minneapolis permit to carry application requires photographs of the applicant; and
- (5) the cost of handguns is already prohibitive (there were several lengthy discussions about the cost of handguns; when the League ascertained their market value, all mention of this topic was dropped from the survey); and
- (6) the Illinois League supports "high fees" on handgun owners, interestingly enough.

Most important, the League is aware of, but chose to omit completely, the numerous discriminatory enforcement practices under existing federal, state and local "gun control" laws, as well as other civil liberties violations arising out of the enforcement of such laws.

What conclusion may be drawn from the evaluation of a mere sentence of this draft? As the draft would say, "is there a way to break this cycle?"

* Interestingly, it was not until 1979 that the federal government's special restrictions on selling firearms to Native Americans was abolished. Washington Post, January 6, 1979, §A at 11, col. 1.

FAMILY VIOLENCE: A FOCUS ON HANDGUNS

The LEAGUE of WOMEN VOTERS of MINNEAPOLIS

February 1983

FAMILY VIOLENCE:
A FOCUS ON HANDGUNS

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At its 1982 City Convention the League of Women Voters of Minneapolis adopted a study of the effect of readily available handguns on family violence. This is intended as a sequel to the first study of family violence adopted at the 1977 Minneapolis League Convention which resulted in the 1978 publication Family Violence: How the System Responds¹. This new study, while not a comprehensive treatise, looks at the question of family violence from a slightly different--and narrower--perspective.

Scope and Definitions

The scope of this study includes the threat and the fear of danger in family confrontations, as well as the reality of physical harm.

Different agencies and commentators use varying definitions of "family." Frequently "family" is defined to mean the nuclear family composed of a married couple and their children. Or, "family" may refer to the broader family defined by blood ties. The Minneapolis Police Department defines "family" as those persons living together under one roof, whether or not they are formally married or biologically related.

For the purposes of this study "family" is defined broadly to include the relationships of ex-spouses and boyfriends and extended family as well as those residing under one roof.

It is important to note also that secondary victims of family violence are police officers who are injured or killed in "domestic" incidents.

The term "handgun" will include all firearms which are basically hand-held when fired, as compared to shotguns and rifles which are additionally supported.

This study focuses on handguns within the family (as defined above), laws affecting the possession of handguns, and the positions of both proponents and opponents of handgun control.

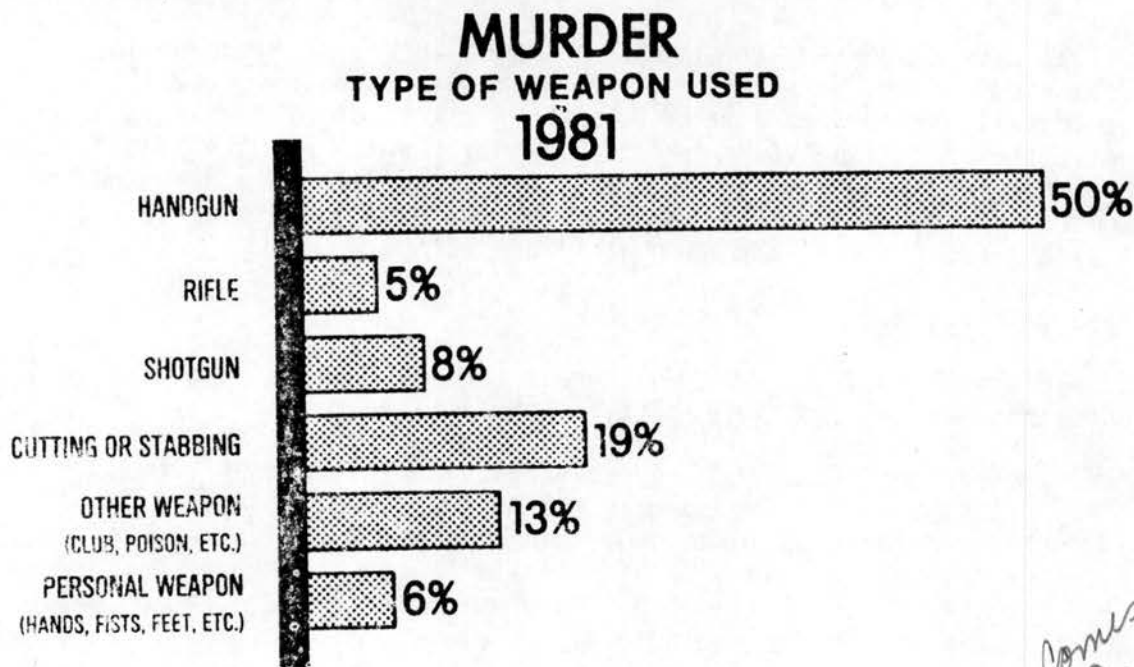
Sources of Information

This study includes data gathered from a variety of sources. In addition to reading the published material listed in the bibliography, committee members interviewed local persons who deal with family violence and/or handguns (See Appendix A), reviewed existing federal, state and local laws regarding handguns; reviewed ordinances from several cities in the United States; and obtained data from the Minneapolis Police Department.

Family Violence: The Handgun Connection

FBI Uniform Crime Reports show that for the past five years the number of homicides resulting from the use of handguns equals the number of homicides

resulting from the use of all other weapons, including rifles, shotguns, knives, personal weapons (hands, feet, fists, etc.) and such other weapons as clubs and poisons. The bar graph for 1981 illustrates this:



Source: F.B.I., Uniform Crime Reports for the United States, 1981, p. 18.

Data from the FBI Uniform Crime Reports for 1981 in the following table show that, of the 20,053 homicides in the United States, 29.6 percent occurred where the victim/murder relationship was unknown, 15.5 percent of the victims/murderers were strangers and the remaining 54.9 percent of homicides occurred between family members, friends or acquaintances. (These crimes are most frequently committed by persons not previously considered criminals.)

Circumstance by Relationship, 1981								[Percent distribution]	//
Victim	Total	Felony type	Suspected felony type	Romantic triangle	Argument over money or property	Other arguments	Miscellaneous non-felony type	Unable to determine	
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	
Husband	3.8	.2	.3	3.9	2.3	8.2	3.9	.5	
Wife	4.8	.2	.7	7.3	2.0	8.3	6.6	2.2	
Mother	.6	.1	.3			.8	1.0	.3	
Father	.9	.1	.4		1.2	1.4	1.5	.4	
Daughter	1.0	.5	.1	.2		.3	3.3	.4	
Son	1.3	.6	.3		.3	1.1	3.5	.5	
Brother	1.3	.5	.4	.2	2.8	2.3	1.2	.3	
Sister	.2		.4			.3	.3	.1	
Other family	3.0	1.4	.6	1.6	2.8	5.3	3.9	.4	
Acquaintances	29.5	20.2	8.7	53.9	56.4	40.5	36.1	9.0	
Friend	3.8	1.9	1.2	8.4	12.5	5.6	3.4	1.7	
Boyfriend	1.3	.1	.3	4.7	.8	2.7	1.0	.2	
Girlfriend	1.8	.1	.7	6.7	1.0	3.2	1.9	.5	
Neighbor	1.5	1.6	1.8	1.0	3.1	2.1	1.2	.5	
Stranger	15.5	39.2	7.8	8.4	9.2	9.8	13.4	9.8	
Unknown relationship	29.6	33.4	76.2	3.7	5.4	7.9	17.8	73.2	

Source: FBI, Uniform Crime Reports for the United States, 1981, p. 11.

The following table demonstrates that, in the years 1977-1981, the number of murders resulting from "arguments" was by far the largest category. This includes arguments among family members.

Murder Circumstances/Motives, 1977-1981

	1981	1980	1979	1978	1977
TOTAL	20,053	21,860	20,591	18,714	18,033
PERCENT ¹	100.0	100.0	100.0	100.0	100.0
FELONY TOTAL	17.2	17.7	16.9	16.7	16.7
Robbery	10.4	10.8	10.5	10.2	9.9
Narcotics	1.8	1.7	1.9	1.7	1.7
Sex Offenses	1.4	1.5	1.6	1.4	1.7
Other Felony	3.6	3.7	2.9	3.3	3.4
SUSPECTED FELONY	5.5	6.7	5.3	5.6	5.9
ARGUMENT TOTAL	42.2	44.6	42.9	45.5	46.6
Romantic Triangle	2.5	2.3	2.4	2.7	2.8
Influence of Alcohol and/or Narcotics ²	4.1	4.8	4.5	5.3	5.3
Property or Money	3.0	2.6	3.0	3.5	3.3
Other Arguments	32.5	35.0	33.0	33.9	35.2
OTHER MOTIVES OR CIRCUMSTANCES	17.1	15.9	17.2	18.3	16.6
UNKNOWN MOTIVES	17.8	15.1	17.7	13.8	14.2

¹Because of rounding, percentages may not add to totals.

²Murders committed during arguments while under influence of narcotics are not counted in felony murders.

Source: F.B.I., Uniform Crime Reports for the United States, 1981, p. 12

There is also a close relationship between the circumstances surrounding murders and aggravated assaults--crimes defined legally as "an attack for the purpose of inflicting serious bodily injury usually accompanied by a weapon or other means likely to produce death or serious bodily harm." The presence of handguns escalates the severity of a violent attack and makes it much more likely that death or serious injury will result. 23.6 percent of the weapons used in aggravated assaults in 1981 were firearms¹²

As mentioned earlier, police officers are sometimes injured or killed when called to intervene in domestic disputes. Of all the law enforcement officers killed in 1981 in the United States, 75.8 percent were killed by handguns.¹³ While statistics showing the circumstances of these deaths are not available, the following chart indicates that 32 percent of assaults on policemen occurred while officers were responding to "disturbance calls"--including family quarrels, man-with-gun calls and the like.

Table 80.--Law Enforcement Officers Assaulted, Police Activity and Type of Weapon, 1981

(9,019 agencies; 1981 estimated population 177,836,000)

Type of activity	Total ¹	Type of weapon			
		Firearm	Knife or cutting instrument	Other dangerous weapon	Hands, fists, feet, etc.
TOTAL ASSAULTS	57,116	3,330	1,733	4,800	47,253
Percent of individual activity	100.00	5.8	3.0	8.4	82.7
Responding to "disturbance" calls (family quarrels, man with gun, etc.)	18,338	1,072	754	1,218	15,294
Percent of individual activity	100.0	5.8	4.1	6.6	83.4
Burglaries in progress or pursuing burglary suspects	1,152	171	54	172	755
Percent of individual activity	100.0	14.8	4.7	14.9	65.5
Robberies in progress or pursuing robbery suspects	1,076	407	36	68	565
Percent of individual activity	100.0	37.8	3.3	6.3	52.5
Attempting other arrests	10,859	436	261	689	9,473
Percent of individual activity	100.0	4.0	2.4	6.3	87.2
Civil disorder (riot, mass disobedience)	1,021	11	46	134	830
Percent of individual activity	100.0	1.1	4.5	13.1	81.3
Handling, transporting, custody of prisoners	6,879	41	66	272	6,500
Percent of individual activity	100.0	6	1.0	4.0	94.5
Investigating suspicious persons or circumstances	4,755	425	179	476	3,675
Percent of individual activity	100.0	8.9	3.8	10.0	77.3
Ambush - no warning	283	106	5	57	115
Percent of individual activity	100.0	37.5	1.8	20.1	40.6
Mentally deranged	985	42	85	80	778
Percent of individual activity	100.0	4.3	8.6	8.1	79.0
Traffic pursuits and stops	6,206	270	74	1,022	4,840
Percent of individual activity	100.0	4.4	1.2	16.5	78.0
All other	5,562	349	173	612	4,428
Percent of individual activity	100.0	6.3	3.1	11.0	79.6

¹Because of rounding, percentages may not add to total.

Source: F.B.I. Uniform Crime Reports for the United States, 1981, p. 305.

Handgun Control...Issues and Alternatives, published by the Handgun Control Project of the United States Conference of Mayors in 1975, quotes Federal Judge George C. Edwards of the Sixth Circuit Court of Appeals, "...Most murders in real life come from a compound of anger, passion, intoxication, and accidents--mixed in varying proportions. The victims are wives, husbands, girl friends, boy friends, prior friends, or close acquaintances."¹⁴ The chart on the top of the previous page "Murder Circumstances/Motives 1977-1980" shows that the situation has not changed.

In a study of family violence by Straus, Gelles and Steinmetz published in 1980, guns played a role in domestic disputes. The authors estimate that, in 1974, 1.7 million Americans faced a spouse wielding a gun or a knife. They also estimate that between 900,000 and 1.8 million children have had a parent use a gun or knife on them at some time. Use of a gun between siblings is infrequent but not unknown.¹⁵

In Minneapolis, figures from the Harriet Tubman Center for Battered Women indicate that six percent of the more than 300 women residents who live in the center each year had been attacked with a gun or a knife and that 35 percent had been threatened.¹⁶

A gun in a household can also lead to accidental death. The 1982 Chicago Bar Association Study reports 2,000 fatal accidents and 10,000 suicides a year involving guns.¹⁷ And, according to the United States Conference of Mayors report cited earlier, four to six family members are killed accidentally by handguns for every burglar who is shot.¹⁸

THE LEGAL CONTEXT

The United States Constitution: Implications for Handgun Regulation

Discussion of the "constitutionality" of handgun regulation centers around the interpretation of the Second Amendment to the Constitution of the United States which reads "a well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed."

The Second Amendment and the other first nine amendments to the Constitution comprise the Bill of Rights which were added to the original Constitution to secure its ratification by nine of the original 13 states. Together these amendments were designed to ensure that states and individuals would be protected against abuses by a powerful central government. They were specifically directed against those laws which had been particularly resented by the American colonists before the Revolution.

For a number of years opponents of gun control legislation have cited the Second Amendment as an argument against regulation of handguns and firearms in general.

However, the United States Federal Courts have interpreted the Second Amendment with an emphasis on the phrase "a well regulated militia being necessary to the security of a free state" as a guarantee of each state's right to maintain a military force. The Courts have ruled that the Second Amendment does not ensure the right of each individual or community to bear arms since neither qualifies as a "well-regulated militia."

Most recently, in December 1982, the United States Supreme Court, in *Quilici v. Village of Morton Grove*, ruled that the ordinance banning handguns for most citizens in Morton Grove, Illinois, with the exception of peace officers, those in similar categories, antique gun collectors and members of gun clubs, does not violate the United States Constitution. The Court referred to an earlier Supreme Court decision (*Presser v. Illinois*, 116 U.S. 252 [1886]) in which the Court held that the Second Amendment applied only to action by the federal government. Moreover, the Court ruled that it is clear that the right to bear arms is inextricably connected to the preservation of a militia. It ruled that the Second Amendment to the Constitution of the United States does not prevent states from regulating the rights of individuals to have and bear handguns.

Opponents of gun control laws and ordinances disagree with this interpretation of the Second Amendment. They place particular stress on the historical pattern of denial of arms to minority citizens and argue that the possession of arms may still be necessary to protect all citizens against an all powerful central government as well as against public enemies which the government is unable to control.

Current Laws Affecting Handguns in Minneapolis

Many federal, state and local laws regulate the possession, sale and transfer, and carrying of handguns. Where the laws conflict, federal laws pre-

empt state law, and state laws pre-empt local law. Thus, state or local laws can be more stringent but not more lenient than those at a higher governmental level. Applicable federal laws are located in Title 18 of the United States Code; state laws in Chapter 624 of Minnesota Statutes Annotated (MSA) and local laws in Chapter 393 of the Minneapolis Code. They cover the following subjects:

Possession

Laws at the various levels of government prohibit possession of handguns for persons under the following categories:

Age Limitations:

Federal: Persons under age 21

State: Persons under age 18

Local: Persons under age 18

Criminal Records:

Federal: Convicted felons

State: Persons convicted of crimes of violence (as defined in Minnesota Statutes Annotated (MSA) 624.712 [5]), unless ten years have elapsed since restoration of civil rights or expiration of sentence.

Local: Persons convicted of a crime or ordinance violation other than a felony relating to the use, sale, or possession of controlled substances or marijuana, hallucinogens, narcotics, or any other drug unless five years have elapsed; persons confined for a drug problem, unless three years have elapsed since release and the person possesses a certificate certifying that the holder no longer suffers from the disability.

Drug Abuse:

Federal: Persons unlawfully using or addicted to marijuana or any depressant or stimulant or narcotic drug.

State: Persons convicted for unlawful use, possession or sale of a controlled substance other than a small amount of marijuana, unless satisfactory proof of recovery is established.

Local: Persons convicted of a crime or ordinance violation other than a felony relating to the use, sale, or

possession of controlled substances or marijuana, hallucinogens, narcotics, or any other drug unless five years have elapsed; persons confined for a drug problem, unless three years have elapsed since release and the person possesses a certificate certifying that the holder no longer suffers from the disability.

Mental Incompetence:

- Federal: Persons who have been adjudged to be mentally incompetent.
- State: Persons who have been confined or committed for mental illness, unless satisfactory proof of recovery is established.
- Local: Persons confined, voluntarily or involuntarily, by reason of mental illness, unless three years have elapsed since release and the person possesses a certificate certifying the holder no longer suffers from the disability.

Alcoholism:

- State: Anyone who has been confined as an "inebriate person" or for alcoholic problems, unless satisfactory proof establishes that the person has not abused alcohol for two years.
- Local: Persons who have been confined, voluntarily or involuntarily, by reason of an alcoholic problem unless three years have elapsed since the release and the person possesses a certificate that shows the holder is no longer suffering from the disability.

Citizenship Status:

- Federal: Persons that have renounced their United States citizenship; persons receiving dishonorable discharges from the Armed Forces; and illegal aliens in the United States.

Firearms Misuse:

- Local: Persons convicted of any law relating to firearms other than a felony unless three years have elapsed.

Sale and Transfer

- Federal: Persons wishing to purchase handguns must fill out form #4473 stating that they do not belong to the federally prohibited classes of persons (See page 6).

It is unlawful for a licensed importer, manufacturer, dealer, collector, or other transferor to sell any firearms to a person whom he knows or has reason to know is a member of a prohibited class, or who does not reside in the state in which the licensee's place of business is located. All licensees must maintain records of importation, production, shipment, receipt, sale or other disposition as prescribed by regulation. (Department of the Treasury.

State: A seven-day waiting period is mandated before the transferee can take possession of a handgun from a federally licensed firearms dealer. The transferor must report the name, residence, telephone number, driver's license number, sex, date of birth, height, weight, and eye color of the proposed transferee, as well as the transferor's place of business, to the local police chief or county sheriff. That office is required to check criminal histories, records and warrant information relating to the proposed transferee. Unless the transferor receives adverse notification on the application within seven days, the delivery can take place. The transferee can then request that no record be maintained regarding the transfer, and the police chief or sheriff must then return the report to the transferee.

Alternatively, a person can apply for a pistol transferee permit by providing the local police chief or sheriff with the same information as above. Transferee permits are valid statewide and expire after one year, but can be renewed by following the same procedure. A valid permit to carry a handgun also constitutes a transferee permit (pursuant to MSA 624.714).

Purchasers are not restricted as to the number of handguns they may own. Transfers between unlicensed individuals are exempt from the state's reporting requirements, as are transfers of antique firearms.

Sales of "Saturday Night Specials" constitute a gross misdemeanor. The term is popularly used to mean cheap and readily available handguns. To provide a precise definition, state law describes the metallurgic aspects of such guns, i.e., their low melting point.

Local: Any transferor, including non-licensed persons, must file a report with the Minneapolis Department of Licenses and Consumer Services within five days of the agreement to sell, deliver or give a handgun to a transferee. The report must include the transferee's

name, residence, date of birth, height, weight, color of eyes and hair, and any other distinguishing physical characteristics, plus the transferor's name and address. The transferor must report the caliber of the handgun, its make, model, and serial number.¹¹⁰

Transportation:

Federal:

The law prohibits the shipment of handguns through the mails. It also prohibits the transport in interstate commerce of firearms which have had the importer's or manufacturer's serial number removed, obliterated, or altered. Non-licensed persons may ship firearms by common carrier to a licensed transferee as long as there is written notice to the carrier that a firearm is being shipped. However, only licensed importers, manufacturers or dealers may ship firearms in interstate commerce in the course of business.

State:

Handguns may be transported in a motor vehicle, snowmobile, or boat only if the gun is unloaded and contained in a closed and fastened case. No permit is required to carry a handgun 1) about a person's dwelling, place of business, or other land; 2) from a place of purchase to the owner's dwelling or place of business, or to and from a place where repair work is done; 3) between a person's dwelling and place of business; and 4) in the woods or upon the waters for target practice.

Local:

Essentially the same as state law: a handgun must be locked in the vehicle's trunk, or, if the vehicle has no trunk, it must be secured in the farthest rear position of the vehicle in an area not normally occupied by the driver or passengers.

Carrying of Handguns:

Federal:

The carrying of handguns in public places is not regulated except for specific prohibitions, i.e., on airplanes.

State:

Carrying a handgun without a permit is a gross misdemeanor. To obtain a permit a person must apply to the local chief of police or sheriff, stating his/her name, residence, date of birth, height, weight, color of eyes and hair, sex, and distinguishing physical characteristics. To qualify an applicant: 1) must not be a prohibited person (pursuant to MSA 624.713); 2) must provide a Department of Natural Resources firearms safety certificate, evidence of successful completion of a

test to use a firearm safely, or other satisfactory proof; and 3) must state an occupational or personal safety hazard requiring a permit to carry a handgun. If the applicant receives no response within 21 days of application, the permit is deemed to be granted.

Local: A person applies to the Department of Licenses and Consumer Services. In addition to the information the state requires, the city requires a description of every handgun to be covered by the permit, stating the caliber, make, model, and serial numbers. The police fingerprint the applicant, who must also submit three photographs and pass a written or oral exam covering the provisions of the local gun ordinances.¹¹

Laws in Other Jurisdictions

Laws relating to handguns vary in their rigor in various cities and states across the nation, ranging from a requirement for registration to the complete banning of handguns except for specified exceptions. For example, in New York City, in order to carry a gun a person must obtain a permit issued by the New York City Police Department. In Chicago, Illinois; Washington, D. C.; and the State of Massachusetts, citizens have been given a fixed time in which to register their handguns. In all cases, a waiting period is prescribed to allow the police time for investigation before approving the registration. Owners are required to notify the police if their guns are lost, stolen, or transferred to another person. At the conclusion of the waiting period, no more handguns may be registered, in effect freezing the number within the jurisdiction. Exceptions are made for police officers, the military, armed guards and recreational gun users where the guns are kept at a gun club in a secure place. Penalties include a fine, a jail sentence, or both.

In both New York and Massachusetts it is illegal to carry a handgun anywhere in the state without a permit. In Massachusetts a one-year jail term is mandatory; in New York, as in Minnesota, the sentencing judge has discretion.

deliberate slipshod thing?
State constitutions also vary. In November 1982 the California Supreme Court ruled that a strict ordinance passed in San Francisco did not comply with the Constitution of the State of California. In the Morton Grove Illinois case cited earlier, where a ban on handguns, with some exceptions, was in effect, the United States Supreme Court ruled that the Illinois Constitution granted sufficient police power to the state to allow the ordinance. *lower court*

Different states and municipalities use different approaches to handgun regulation. The city of St. Paul requires anyone with a handgun permit to carry liability insurance as well, insuring the City against possible suits as a result of issuing the permit.

Product Liability Suits

Can manufacturers of handguns, including "Saturday Night Specials," be held responsible for "unreasonable" dangers caused by their products? In recent years lawyers have successfully used that standard against products as diverse as drugs, pesticides, and non-fire-retardant children's sleepwear. Several suits, including one on behalf of Presidential Press Secretary James Brady, are currently pending. They charge, among other things, 1) that manufacturers and distributors of handguns are liable since they make little effort to stop the guns from falling into the hands of criminals, 2) that the inherent dangerousness of such guns outweighs any social usefulness, and 3) that the Saturday Night Special is intended for criminals rather than legitimate owners of firearms since its concealable two-inch barrel melts after five or six shots are fired.¹²

POINTS OF VIEW

Both proponents and opponents of gun control agree that there are millions of handguns in the United States and that the number increases every year. Proponents of stricter handgun legislation emphasize the high proportion of homicides and assaults that are "crimes of passion" and further point to data which show a firearm to be the most frequently used weapon. Opponents contend that, if families were not allowed to own handguns as protection against criminal intrusions, assaults, robbery and burglary would inflict increased violence upon them.

To understand the role that handguns play in family violence, the focus of this study, it is necessary to look at:

- 1) the potential for handguns to be instruments of violence in the family, and
- 2) the potential for handguns to be deterrents and therefore protection to families in the face of crime.

Among the questions that come to mind are:

- Would stricter legislation on handguns have the effect of decreasing the extent and/or severity of family violence?
- Would stricter laws be equitable for all economic and sociological groups?
- Would stricter laws be enforceable, or would they be massively ignored or rejected by the citizenry?
- Would less stringent laws result in more or less family violence?

-In evaluating the type of legislation that might best address family violence, would the same laws that might decrease the incidence or the severity of family violence cause an increase in other criminal uses of handguns?

The following sections will expand upon arguments for and against stricter restrictions on handguns.

The Case For Handgun Control

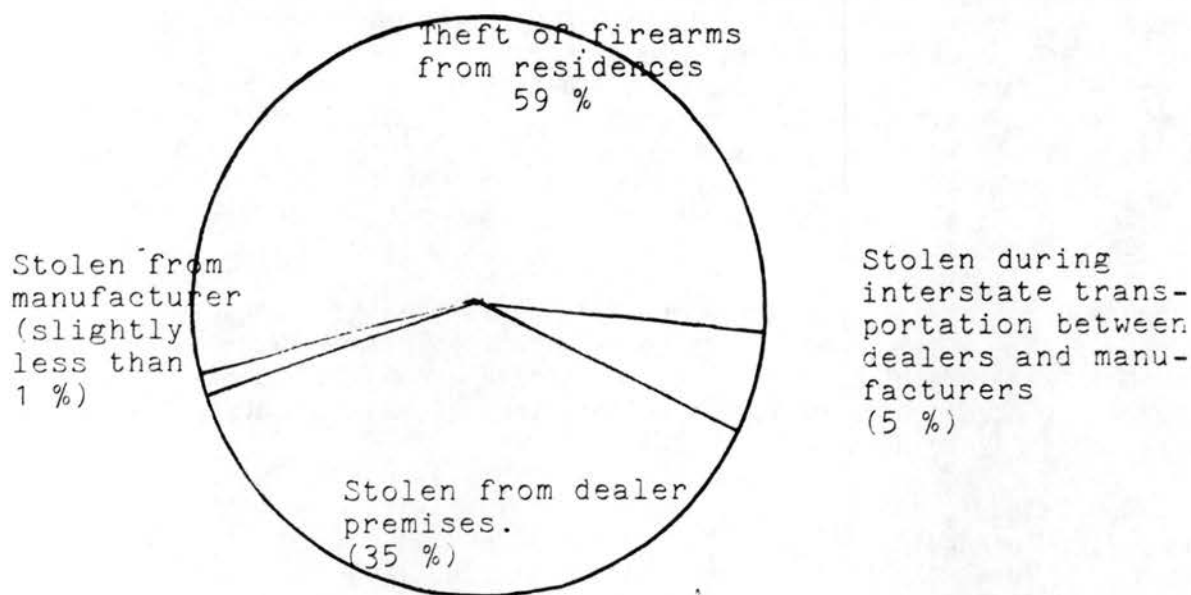
Handguns are abundant in the United States and their number is increasing. According to a report by the Special Committee on Handgun Control of the Chicago Bar Association in 1982, there are more than 50 million privately owned handguns in the United States and another 2,500,000 are added each year. Total imports and domestic production increased from 744,000 in 1964 to nearly two million in 1973.¹³ And, although handguns make up less than 20 percent of America's firearms, they are responsible for 90 percent of all gun-related deaths and injuries, according to Newsweek, August 3, 1982.¹⁴

Reasons for Owning Handguns

A small proportion of handgun owners use their weapons for target shooting at organized gun clubs. This recreational function, controlled by the gun clubs, raises no problems.

However, the vast majority of persons who purchase guns do so for self-defense and protection against burglary. If burglars do enter an occupied house the householder, taken by surprise, rarely has a gun within reach. Moreover, many handgun owners lack training in gun use and do not know how to use them effectively in crises. There is also reason to believe that fears of being killed by burglars are exaggerated. Relatively few householders are actually shot by burglars. In 18,000 home burglaries in the Detroit area in 1967, for instance, only one victim was shot.¹⁵

It is much more likely that the householder's gun will be stolen during a burglary. An estimated 100,000 guns are stolen from private homes each year. At the following table shows, the largest proportion of stolen firearms are those stolen from residences:



Source: Joseph D. Alviani and William R. Drake, Handgun Control...issues and alternatives, p. 6.

If guns do not deter burglars, how are they used?

In article in the September 20 - October 5, 1982 Twin Cities Reader, Minneapolis Police Chief Anthony Bouza declared: "If I thought that Americans would shoot *burglars* with their handguns, I'd be all for the proliferation of handguns...But that's not what happens. You buy a handgun for the protection of your home, and I'll tell you exactly what is most statistically probable: That your brother-in-law will shoot you, that your kids will shoot each other, that your wife will shoot you, that you will shoot your wife, that a burglar will shoot *you* or the burglar will steal the gun and shoot three other people. Or that you will get drunk and shoot your neighbor." 16

Public Opinion Supports Regulation

Since 1975, five different Presidential Commissions on Law Enforcement have been appointed. All have stressed the need for a national firearms policy and strong gun controls. Groups as diverse as the U.S. Conference of Mayors, the American Bar Association, the AFL-CIO, the International Association of Chiefs of Police, and various church organizations all urge some form of national control.17 In addition, public opinion polls from 1938 through 1975 indicated support for gun regulation.18

Minnesota Poll data from early 1981 also show a majority of Minnesota adults in support of regulation of handguns. Fifty-two percent of the respondents to a Minnesota Poll question asked in telephone interviews in February and early March 1981, before the attempted assassination of President Reagan, favored stricter controls on handgun ownership. Twenty-nine percent opposed stricter controls and 19 percent didn't know. Results were tabulated on the basis of a sample of 1,216 adults who were asked: "Would you be for or against stricter controls on handgun ownership, or haven't you thought much about it?" ¹⁹

However, there were considerable differences among various groupings in the sample. For instance, more women than men--59 to 44 percent--favored stricter pistol controls. Two-thirds of the residents of Minneapolis and St. Paul favored handgun control while residents outside the metropolitan area opposed stricter controls, 42 to 34 percent.

Opinions also varied according to the educational level of respondents. Two thirds of college graduates polled supported stricter controls for handguns as compared with less than half of those with high school educations. Respondents with less education were also more likely to respond as having no opinion.

Opinion on stricter handgun controls was also related to ownership of guns. A majority of the 18 percent who reported owning pistols in "usable condition" opposed tougher controls, but opinion was almost evenly split among the 52 percent who reported owning rifles.

Respondents to earlier Minnesota Poll questions on handgun controls had supported them more strongly than the 1981 sample. In 1977, 92 percent of respondents favored a 14-day waiting period to enable police to check the backgrounds of persons before they bought pistols. In 1972, 68 percent of respondents reported that they favored stricter pistol controls.

Summary

In summing up the case for stricter handgun control in the interest of protecting families from violence, the following points can be made:

- P.142
- 1) Although a family may own a handgun for protection, handguns are not effective defense against burglary; they are more likely to be stolen from the home and become available for criminal use.
 - 2) Handguns are more likely to be used to kill or injure members of the family, friends, acquaintances or police officers than to deter assailants.
 - 3) The easy availability of handguns in homes makes accidents, suicides, and crimes of passion more likely to occur than they would be otherwise.

The Case Against Handgun Control

Handguns and Crime

If handguns were the major direct cause of crime, gun control opponents contend, more guns would cause a rise in crime in proportion to their rate of increase. Yet, the Committee for Effective Crime Control reported in 1982 that between 1974 and 1980 the use of handguns in domestic murders actually declined approximately 30 percent, while there was a 25 percent increase in the number of handguns.¹²⁰

Since "security" is the reason given most often for owning a handgun, however, there may be a relationship between the rising crime rate and the increase in the ownership of handguns. Many persons buy guns to protect their homes and/or businesses; partly to defend themselves, partly as a perceived deterrent when it is known there is a gun on the premises. Crime statistics indicate that the criminal justice system does not provide the protection citizens need. For example, in New York there more than 625,000 felony complaints, yet fewer than 87,000 suspects were arrested and less than 9,000 actually sentenced.¹²¹

Over the past ten years, the fear of crime has increased as the rate of crime has risen. And, as the following chart illustrates, crime rose very significantly between 1972 and 1981:

Table 2.—Index of Crime, United States, 1972—1981

Population ¹	Crime ² Index total	Modified ³ Crime Index total	Violent ⁴ crime	Property ⁴ crime	Murder and non- negligent man- slaughter	Forcible rape	Robbery	Aggra- vated assault	Burglary	Larceny- theft	Motor vehicle theft	Arson ⁵
Number of offenses:												
1972-208,230,000	8,248,800		834,900	7,413,900	18,670	46,850	376,290	393,090	2,375,500	4,151,200	887,200	
1973-209,851,000	8,718,100		875,910	7,842,200	19,640	51,400	384,220	420,650	2,565,500	4,347,900	928,800	
1974-211,392,000	10,253,400		974,720	9,278,700	20,710	55,400	442,400	456,210	3,039,200	5,262,500	977,100	
1975-213,124,000	11,256,600		1,026,280	10,230,300	20,510	56,090	464,970	484,710	3,252,100	5,977,700	1,000,500	
1976-214,659,000	11,304,800		986,580	10,318,200	18,780	56,730	420,210	490,850	3,089,800	6,270,800	957,600	
1977-216,332,000	10,935,800		1,009,500	9,926,300	19,120	63,020	404,850	522,510	3,052,200	5,905,700	968,400	
1978-218,059,000	11,141,300		1,061,830	10,079,500	19,560	67,130	417,040	558,100	3,104,500	5,983,400	991,600	
1979-220,099,000	12,152,700		1,178,540	10,974,200	21,460	75,990	466,880	614,210	3,299,500	6,577,500	1,097,200	
1980-225,349,264	13,295,400		1,308,900	11,986,500	23,040	82,090	548,810	654,960	3,759,200	7,112,700	1,114,700	
1981-229,146,000	13,290,300		1,321,900	11,968,400	22,520	81,540	574,130	643,720	3,739,800	7,154,500	1,074,000	
Rate per 100,000 inhabitants:⁶												
1972	3,961.4		401.0	3,560.4	9.0	22.5	180.7	188.8	1,140.8	1,993.6	426.1	
1973	4,154.4		417.4	3,737.0	9.4	24.5	183.1	200.5	1,222.5	2,071.9	442.6	
1974	4,850.4		461.1	4,389.3	9.8	26.2	209.3	215.8	1,437.7	2,489.5	462.2	
1975	5,281.7		481.5	4,800.2	9.6	26.3	218.2	227.4	1,525.9	2,804.8	469.4	
1976	5,266.4		459.6	4,806.8	8.8	26.4	195.8	228.7	1,439.4	2,921.3	446.1	
1977	5,055.1		466.6	4,588.4	8.8	29.1	187.1	241.5	1,410.9	2,729.9	447.6	
1978	5,109.3		486.9	4,622.4	9.0	30.8	191.3	255.9	1,423.7	2,743.9	454.7	
1979	5,521.5		535.5	4,986.0	9.7	34.5	212.1	279.1	1,499.1	2,988.4	498.5	
1980	5,899.9		580.8	5,319.1	10.2	36.4	243.5	290.6	1,668.2	3,156.3	494.6	
1981	5,799.9		576.9	5,223.0	9.8	35.6	250.6	280.9	1,632.1	3,122.3	468.7	

¹Populations are Bureau of the Census provisional estimates as of July 1, except April 1, 1980, preliminary census counts, and are subject to change.

²Due to rounding, the offenses may not add to totals.

³Although arson data were introduced in the trend and clearance tables with this issue, sufficient data are not available to estimate totals for this offense.

⁴Violent crimes are offenses of murder, forcible rape, robbery, and aggravated assault. Property crimes are offenses of burglary, larceny-theft, and motor vehicle theft. Data are not included for the property crime of arson.

⁵Crime rates calculated prior to rounding number of offenses.

Source: F.B.I., Uniform Crime Reports for the United States, 1981, p. 39.

Street robbery rose 67 percent from 1977 to 1981 and robbery of residences rose 39 percent. ²²

Many Citizens Already Own Handguns

Estimates of the number of handguns in Minneapolis vary. As mentioned earlier, only 18 percent of the sample answering the Minnesota Poll in early 1981 reported owning pistols in usable condition. However, the Committee for Effective Crime Control estimates that there are handguns in approximately one third of all Minneapolis homes. ²³ Police Chief Anthony Bouza in an interview with League of Women Voters committee members declared that one would be "appalled" at the number of guns in respectable homes. ²⁴

And handguns are not limited to homes. Local ordinance provides that a person with special security needs (or persons employed as security personnel) may apply for a permit to carry a gun under specific circumstances.

The Question of Enforceability

A wide variety of people own handguns for the sense of security they provide and, while gun owners feel strongly about their need for handguns, they are equally adamant about their right to bear arms. They argue that more limitation on the right of citizens to own and carry handguns will only result in a situation where criminals alone are armed and therefore armed with impunity.

Opinions vary as to the effectiveness of handgun registration or the freezing of handgun ownership at a given level. A study of Washington, D.C., by the U.S. Conference of Mayors in 1975 found that rates of crime, accidents and suicides all dropped after the city required handgun registration. ²⁵

Opponents of handgun control, however, contend that these facts are incorrect. They contend that murders and robberies both increased after the passage of the 1976 law. Moreover, they contend that only approximately ten percent of those owning guns actually register them when a law requiring registration is passed. They argue that only a handful of citizens actually turned in their guns in Morton Grove, Illinois, after their strict ordinance was passed. ²⁶

As the experience with Prohibition through the Eighteenth Amendment to the Constitution demonstrated, legislation which is unacceptable to otherwise law-abiding citizens cannot be enforced. Laws that cannot be enforced effectively create criminals. In addition, as the more recent anti-war and anti-nuclear protests in recent years demonstrate, citizens will resort to civil obedience when they feel that their government is wrong.

Voters Have Opposed Restrictions on Handguns

Both proponents and opponents of stricter legislation claim that public support is on their side. Opponents stress particularly the fact that voters in several states have recently either blocked legislation to regulate handguns

or secured the adoption of amendments or legislation banning or freezing gun controls. In Idaho in 1978 voters overwhelmingly approved banning gun controls in that state through the initiative and referendum process.

In California in 1982 anti-handgun groups were seriously weakened when a proposition aimed at freezing the number of handguns in the state was defeated by a 63 to 37 percent margin. Although "Californians Against Street Crime" gained widespread editorial support, they lost to an effective and well-funded campaign by the opposition, particularly the National Rifle Association. ¹²⁷

Also, in the November 1982 elections voters in both New Hampshire and Nevada strongly supported the "right to keep and bear arms." ¹²⁸

And, in the East, voters in Massachusetts overwhelmingly defeated "Question 5" which would have given that state the strictest control over firearms in history. ¹²⁹

On the national level, groups opposed to regulations on the firearms industry proposed by the Carter Administration in 1978 were also more successful in generating letters opposing the legislation than supporting groups were in mustering support. The National Coalition to Ban Handguns and the National Council to Control Handguns actively sought public support for the legislation; the National Rifle Association rallied opponents. Of the 345,000 cards and letters received from the public, only 7,800 favored the legislation and 337,000 opposed it.

In his introductory comments to a book by Don B. Kates, Jr., Restricting Handguns: The Liberal Skeptics Speak Out, in 1979, then Senator Frank Church states:

Activists for minority rights, women's rights, rights for the poor--all human rights--are coming to understand that gun controls work against their interest. In the inner cities where the police cannot offer adequate protection, the people will provide their own. They will keep handguns at home for self-defense, regardless of the prohibitions that relatively safe and smug inhabitants of the surrounding suburbs would impose on them. ¹³⁰

Summary

In summing up the case against handgun control:

- 1) It cannot be shown that a reduction in the number of handguns will result in a decrease in crime or in family violence.
- 2) It is not wise to enact a law which cannot be enforced because of its inherent cumbersomeness, its vagueness or its repugnance to society.
- 3) Recent referenda show that the American public does not favor stricter gun control legislation.

- 4) Depriving citizens of their right to bear arms is inherently un-American.
- 5) Depriving minority citizens in the inner city of their right to bear arms would be one more piece of legislation which could be applied with racist implications.
- 6) Since the police cannot control crime, citizens must have the right to protect themselves.

CONCLUSION

Both sides of the handgun issue--to control more strictly or not to control--have been explored to some extent. Statistics bear out the fact that handguns play a significant role in family violence. They are used as a threat but may escalate the possibility of physical injury or death. Yet opponents of handgun control question the enforceability, the fairness and the desirability of more handgun regulations. Opinions vary widely.

Proponents of stricter gun control say:

It is important to curb family violence. While the causes of family violence are complex, one thing is very simple: the presence of a handgun escalates the possibility of fatal or serious injury. The number of handguns circulating is increasing. Injuries and deaths from these guns are increasing. Is there a way to break this cycle?

Opponents of stricter gun control say:

It is important to curb family violence. However it will not be curbed by attempting to control instruments that can defend the family from harm. The solution should be found in attacking the root causes of this continuing cycle of violence. Our resources should be directed toward breaking this cycle.

The Possible Range of Gun Regulations

Although vocal proponents and opponents of gun control speak of "bans" or "handgun regulation" as if there were one simple proposal, there is actually a continuum of options for the control of handguns, both in existing legislation in the country and in recommendations in the literature. They are listed here from the least to the most restrictive:

- 1) Unrestricted ownership
- 2) The status quo
- 3) Requirement of education in the safe use of guns

- 4) Increased penalties for crimes in which a gun is used
- 5) Registration of all handguns
- 6) Requirement for handgun owners to carry liability insurance
- 7) Requirement for a permit to own and/or carry a gun
- 8) Ban on all handguns except for exceptions like peace officers, members of the Armed Forces and members of gun clubs

Criteria for Evaluating Control Measures

Should any measures be proposed regarding the control of handguns in Minneapolis, the following concerns should be taken into account:

- 1) Cost - How will the measure be funded? Are there hidden costs?
Who will bear the costs? Can reliable budget figures be established?
- 2) Workability - Is the measure enforceable?
- 3) Equity - Is the impact of the measure borne fairly by all citizens?
Does it discriminate against the poor in its cost or in its enforcement?
- 4) Need - What is the desired effect of the measure? As drawn, does it meet the needs of the community?
- 5) Rights - Does this measure deny the rights of any group of people?

NOTES

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2 Federal Bureau of Investigation, U.S. Department of Justice, Uniform Crime Reports for the United States, 1981, Table "Aggravated Assault, type of weapon used" (Washington, D. C.), p. 20.

3 Ibid.

4 Joseph D. Alviani and William R. Drake, Handgun Control...issues and alternatives, Handgun Control Project, U. S. Conference of Mayors (Washington, D.C., 1975) pp. 4-5.

5 Murray A. Straus, Richard J. Gelles and Suzanne K. Steinmetz, Behind Closed Doors: Violence in the American Family (Garden City, New York, 1980), pp. 33-34.

6 League interview with Renee Ward, Executive Director, and Karlyce Pestello, Coordinator of Women's Programs, Harriet Tubman Women's Shelter, Inc., October 11, 1982.

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8 Alviani and Drake, op. cit., p. 8.

9 Cited in "City Ordinance Banning Handguns Is Constitutionally Inoffensive," The United States Law Week, The Bureau of National Affairs, Inc., Washington, D.C., Volume 51, No. 23, December 14, 1982, Section 1, 51 LW 1089.

10 See Appendix B "Minneapolis Police Department Statistics" for number of handgun transfers in Minneapolis, 1979 through June 1982.

11 See Appendix B for number of permits to carry handguns in Minneapolis, 1979 through June 1982.

12 Rita Ciolli, "Brady, Tylenol Suits May Expand Liability Law," Minneapolis Tribune, December 26, 1982, 23A.

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22 FBI, Uniform Crime Reports, 1981.

23 Untitled advertisement, Committee for Effective Crime Control.

24 League interview with Chief Anthony Bouza, October 5, 1982.

25 United States Conference of Mayors, Handgun Control in the District of Columbia, The Analysis of the Firearms Control Act of 1975, Executive Summary, Washington, D. C., 1980.

26 Untitled advertisement, Committee for Effective Crime Control

27 Congressional Quarterly, November 6, 1982, p. 2810.

28 "Election Reports," U.S. News and World Report, November 15, 1982, p. 30.

29 "A 'No' to Change," Newsweek, November 15, 1976.

30 Senator Frank Church in Don B. Kates, Jr., Restricting Handguns: The Liberal Skeptics Speak Out, North River Press (address unlisted, 1979).

APPENDIX A

INTERVIEWS

We are grateful to the following persons for agreeing to share their expertise and time in interviews with members of our committee in 1982. The study itself and any conclusions are, of course, the responsibility of the League of Women Voters of Minneapolis.

Norby Blake, Administrator, Family Health Program, Fairview Deaconess Hospital.

Anthony Bouza, Chief of Police, Minneapolis Police Department.

Betty Cavanaugh, Nursing Supervisor, Emergency Services Department, Hennepin County Medical Center

Dan Cohen, Attorney, Member of National Rifle Association, Committee for Effective Crime Control

Lieutenant Dale Dowson, Family Violence Division, Minneapolis Police Department

Ron Edwards, Chairman, Minneapolis Civil Rights Commission

Mark Kaplan, 8th Ward Alderman, Minneapolis City Council

Karlyce Pestello, Coordinator Women's Programs, Harriet Tubman Women's Shelter, Inc.

Renee Ward, Executive Director, Harriet Tubman Women's Shelter, Inc.

APPENDIX B

PARTIAL MINNEAPOLIS POLICE DATA REGARDING FIREARMS*

HANDGUN TRANSFERS APPLIED FOR

<u>YEAR</u>	<u>REQUESTED</u>	<u>REFUSED</u>
1979	1530	57
1980	1722	32
1981	1930	84
1982 THROUGH JUNE	757	40

NUMBER OF PERMITS TO CARRY HANDGUNS GRANTED

<u>YEAR</u>	<u>NEW PERMITS</u>	<u>RENEWALS</u>	<u>TOTAL</u>
1979	159	367	526
1980	118	410	528
1981	133	422	555

*Source: Minneapolis Police Department Crime Analysis Unit,
Chief's Report

"Sloppy footnoting"

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