

### Violence Policy Center Continues to Misfire on Concealed Carry Holders

This year, Wisconsin became the 49<sup>th</sup> state to recognize the right of its citizens to carry firearms. <sup>1</sup> Now, only one state remains in the Dark Ages -- that being the state of Illinois.

But as can be imagined, the anti-gun media is predicting that letting citizens carry firearms will result in carnage in the streets, shootouts in bars, and angry parents settling scores on the ball field with their firearms.

And to supposedly prove their point, they cite a bogus report of the Violence Policy Center (VPC), entitled "Concealed Carry Killers." The faux report says that "since May 2007 at least 300 people -- including 11 law enforcement officers -- have been killed by private citizens legally allowed to carry handguns in killings not ruled self-defense ...."<sup>2</sup>

An article at *PajamasMedia.com* has done a good analysis of the VPC "report," showing that the anti-gun group:

- Double counts victims to inflate their statistics;
- Counts people who are still alive today, as though they had been murdered by concealed carry permit holders;
- Includes deaths that were caused by rifles, beatings or strangulation -- in other words, tabulating deaths that were clearly NOT caused by concealed handguns; and
- In some cases, even counts "murderers" who were later cleared in court as having acted in self-defense. <sup>3</sup>

According to the *Pajamas Media* analysis, less than half of the deaths which were attributed to concealed carry holders by the VPC were actually "committed by a permit holder drawing and firing his or her concealed weapon."<sup>4</sup>

Less than half?

Yes, less than half of the killings were actually committed by a handgun that was in the possession of a concealed carry permit holder. That was the analysis as of December 21, 2009. Sadly, VPC's reporting has not gotten any better in the following two years.

### **VPC still embellishing its figures to demonize gun owners**

With the Wisconsin law set to go into effect on November 1, 2011, VPC is excoriating the Badger State for ignoring the "bloody record of police deaths, mass shootings, and attempted political assassination" which have supposedly been perpetrated by concealed carry holders.

There are some in the media who are peddling this hype and using VPC's bogus statistics to scare the public.<sup>5</sup> But what goes unnoticed by a gullible media is that VPC is still inflating the number of "concealed killers," even while they ignore the fact that the average citizen -- yes, even the average cop -- is much more likely to commit a crime with a gun than is a gun owner with a concealed carry permit. (More on this below.)

As for inflating the statistics, the VPC:

- Counts non-permit holders who, in some cases, were even *prohibited by law* from carrying a firearm;
- Uses non gun deaths to inflate "concealed carry" killings; and
- Adds accidental killings to its totals -- even including a case where an errant shot was fired at a robber.

Okay, let's take these up one-by-one.

**Non-permit holders *prohibited by law* from carrying a firearm.** Over the past couple of years, the VPC has counted several non-permit holders in their "concealed carry killers" tally. But a notable case that is still currently on their website is Jared Loughner, who shot Arizona Congresswoman Gabrielle Giffords -- injuring her and killing six people.

The VPC claims that because of Arizona's new law which allows law-abiding citizens to carry concealed handguns without a permit, "Loughner was able to legally carry his pistol to the Giffords event in his assassination attempt."

But what VPC misses is that this right applies ONLY to law-abiding citizens. Arizona law clearly states that,

A person commits misconduct involving weapons by knowingly: (1) Carrying a deadly weapon ... concealed on his person or within his immediate control in or on a means of transportation *in the furtherance of a serious offense* ... [or] (8) Using or possessing a deadly weapon *during the commission of any felony offense* .  
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(Emphasis Added.)

Thus, Arizona's law specifically PROHIBITS and DISALLOWS the concealed carry of a handgun with the intent to commit a crime! Jared Loughner was most certainly NOT able to *legally* carry his pistol to commit the crimes he perpetrated in January, 2011, as the VPC claims.

But this sloppy "scholarship" (if you can call it that) is just the tip of the iceberg. Take this next category.

**Non gun deaths used to inflate "concealed carry" killings.** VPC has the audacity to inflate

its statistics by using murders that were not committed by handguns -- and, in some cases, were not even committed by any type of firearm at all.

A classic case is that of Tony Villegas, a Florida man who strangled a woman in her own garage. Did you get that? She was strangled by Villegas' hands (presumably) and not his gun.

Commenting on this twisted logic by the VPC, *Chicago Tribune* columnist Steve Chapman asks, "How can strangulation be blamed on a concealed weapon permit? If a fisherman kills someone, do we ban fishing rods?"

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Using non gun deaths is not the only way that VPC inflates its statistics. Consider how the organization slips non permit holders into its "concealed carry killers" totals.

**Accidental killings -- by non-permit holders.** Accidental shootings have been the long-time shibboleth of anti-gun legislators and media. They like to demonize all gun owners because of the tragic accidents that occur with firearms.

But if we're going to follow VPC's logic, then we should also ban those items which accidentally kill *far more* people than guns do -- things like cars, doctors, trans fats (which lead to heart disease), etc. It's strange that the anti-gunners never seem to much care about these other deadly killers, or about the fact that food and water kill more children than guns do.

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Nevertheless, anti-gunners focus on the gun -- and the gun only. To wit, VPC on several occasions lists examples where children have accidentally fired a gun, killing themselves or others. While these cases are very tragic, one has to ask: Why are these unintentional shootings being added to the list of "concealed carry killers"?

Well, the answer is probably obvious. The VPC is desperately trying to inflate its statistics. And that is why they have included examples where children grabbed a parent's gun and unintentionally inflicted harm.

Again, these cases are very tragic, but let's be clear. One can peruse the newspapers and find examples where the children of POLICE OFFICERS have experienced the same type of tragedy. So, to follow VPC's logic, should police officers be disarmed?

**Accidental killings -- including errant shots fired at criminals.** Now, as mentioned above, some of the accidental killings listed in the VPC report don't even directly involve the concealed carry holder. But setting that aside, VPC includes the case of Edward Bell, who accidentally shot an innocent bystander while he was being robbed.

Mr. Bell is a 65-year old man who lives in a very dangerous area of Detroit. He was working in his yard one day when a gunman held him up and stole his Chevrolet Suburban sport utility vehicle.<sup>9</sup>

Bell's mistake, while understandable, is that he fired at the crook after he drove off. It has long been established in the Common Law that self-defense ends when the attack is over. While that's the law, it's understandable that Mr. Bell -- with his adrenaline pumping and being upset that his vehicle was just stolen at gunpoint -- wanted to get it back. Bell fired at the thief, and one of the bullets entered a home and killed Geraldine Jackson, who was cooking dinner at the time.

Certainly, this does not excuse Mr. Bell's miscalculation.<sup>10</sup> But for VPC to include this story as evidence that concealed carry holders are perpetrating crimes is simply disingenuous. And it ignores the fact that this same problem happens with police officers, as well.

Just last month, police injured two innocent bystanders in San Francisco by firing at a suspect who was running away from them.<sup>11</sup> Of course, this sounds similar to Mr. Bell's case. Which makes one wonder: had the bystanders in the Bay area died, would the VPC have included these two police shootings in their "concealed carry killers" totals?

**Permit holders more law-abiding than average population -- even more so than cops!**

Written by Erich Pratt

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The VPC wants to focus on the few bad apples in the concealed carry community and suggest that citizens can't be trusted to carry firearms. But using their own logic, they should be arguing for cop disarmament, because they break the law far more often.

As compared to concealed carry permit holders, the average American is almost 8 times more likely to be convicted of crimes and over 40 times more likely to be convicted of burglary -- and police officers are almost 800 times more likely to violate the law.<sup>12</sup>

There are an estimated six million citizens who possess a concealed carry permit.<sup>13</sup> The number of legal concealed carriers is probably higher, considering the growing number of states that recognize the right of their citizens to carry without a permit.

Press reports indicate that concealed carry is at an ALL TIME HIGH, even while crime rates have been dropping in the U.S. over the past few years. Yet, we've been hearing the Chicken Little cries of doom and gloom as far back as the mid-1980s, when Florida kicked off the modern concealed carry movement with the enactment of its "shall issue" law.

Prior to its passage in 1987, there was a vigorous debate in the Florida legislature. Opponents of the law claimed that a carry law would turn the Sunshine State into the "Gunshine State." It was a cute jingle, but their dire predictions never materialized. Murder rates started dropping immediately after the passage of the law, prompting one of the chief opponents, Rep. Ron Silver, to admit that he had been wrong about concealed carry.

Such was the case in Texas, as well. One of the chief opponents in the Lone Star State was Senior Cpl. Glenn White, who is president of the Dallas Police Association. White lobbied against the law in 1993 and 1995 because he thought it would lead to wholesale armed conflict.

Senior Cpl. White admits, though, "All the horror stories I thought would come to pass didn't happen. No bogeyman. I think it's worked out well, and that says good things about the citizens who have permits. I'm a convert."

It takes guts to look at the evidence and admit you were mistaken. Kudos to Rep. Silver and

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Senior Cpl. White for being “man enough” to admit they were wrong.

Who knows, maybe the VPC will own up and admit they were also wrong about all the fear and paranoia they’ve peddled in their faux report. But then again, don’t hold your breath.

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1 - While there are 49 states which allow for concealed carry in some shape or form, there are various levels of restrictions in those states. Wisconsin’s carry law goes into effect on November 1. At that point, 40 states will have relatively liberal policies regarding concealed carry. Most of them are known as “shall issue” states, where the officials must issue permits to those who apply -- as long as the law does not disqualify the applicants from possessing firearms in some way. Of these states, four (Alaska, Arizona, Wyoming and 98% of Montana) also provide an option for citizens to peacefully carry their firearms without getting a permit or permission from the government. This is similar to the law in Vermont, which does not require or issue permits at all. Nine states are “may issue” states which means just that -- officials “may” issue a permit to applicants (but they don’t have to do so) -- even if the applicant is not prohibited by law from possessing a firearm. Only Illinois completely bans concealed carry.

2 - The “Concealed Carry Killers” report can be found at: <http://www.vpc.org/ccwkillers.htm>

3 - Bob Owens, “[Violence Policy Center Makes It Up as They Go Along -- Again](#),” *PajamasMedia.com* (Dec. 21, 2009) at: <http://pajamasmedia.com/blog/violence-policy-center-makes-it-up-as-they-go-along-%E2%80%94-again>

4 - *Ibid.*

5 - Steven Elbow, “Open or concealed? Gun owners in Wisconsin will soon be able to choose

mode of carry," *The Capital Times*, June 22, 2011, at:  
[http://host.madison.com/ct/news/local/crime\\_and\\_courts/blog/article\\_8729ec02-9c46-11e0-91ec-001cc4c002e0.html](http://host.madison.com/ct/news/local/crime_and_courts/blog/article_8729ec02-9c46-11e0-91ec-001cc4c002e0.html)

6 - Arizona Statutes, Section 13-3102 at:  
<http://www.azleg.gov/FormatDocument.asp?inDoc=/ars/13/03102.htm&Title=13&DocType=ARS>

7 - Steve Chapman, "False fears about concealed guns -- Illinois should give licensed citizens the right to carry around weapons," *Chicago Tribune* (March 31, 2011) at:  
[http://articles.chicagotribune.com/2011-03-31/news/ct-oped-0331-chapman-20110331\\_1\\_concealed-carry-permit-holders-brady-campaign](http://articles.chicagotribune.com/2011-03-31/news/ct-oped-0331-chapman-20110331_1_concealed-carry-permit-holders-brady-campaign)

8 - See the Gun Owners of America Fact Sheet at: <http://gunowners.org/fs0404.htm>

9 - At the moment the robbery was occurring, Mr. Bell had no way to know that the thief was actually using a fake gun.

10 - In July 2010, Mr. Bell received one year of probation for the events that occurred on May 12, 2010. See "Edward Bell to get probation deal in shooting death of grandmother," *The Michigan Standard* (July 9, 2010) at:  
<http://www.michiganstandard.com/edward-bell-to-get-probation-deal-in-shooting-death-of-grandmother>

11 - "Two bystanders wounded in S.F. police shooting," *San Francisco Chronicle* (Sept. 17, 2011) at: <http://blog.sfgate.com/crime/2011/09/17/bystanders-wounded-sf-police-shooting>

12 - Crime statistics related to concealed carry permit holders are difficult to come by, as every state does not publish detailed figures relating to their permit holders. Some (like Texas) do provide these statistics. Interestingly, a study of concealed carry in Texas over a four year period (2002-2005), found that non concealed carry permit holders are 7.89 times more likely to be convicted of crimes than permit holders -- and 40.58 times as likely to be convicted of



burglary. [See Tables 1 and 3 in Howard Nemerov, "Concealed Handguns: Danger or Asset to Texas?" at <http://www.prattontexas.com/documents/Texas%20CHL%20Study.pdf>.] Moreover, according to the Bureau of Justice Statistics, 4.72% of all officers (state and local) were found to have committed police abuse in 2002. [Bureau of Justice Statistics, "Citizen Complaints about Police Use of Force [in 2002]" (published 2006) at <http://bjs.ojp.usdoj.gov/content/pub/pdf/ccpuf.pdf>.] Comparing the BJS figures to the Texas data -- showing that just over six-thousandths of one percent (.0062%) of permit holders were convicted of crimes in 2002 -- one can make some interesting correlations. While somewhat different, it is interesting to note that police reviewing authorities found that officers had committed crimes at 761 times the rate that the Texas study found for convictions of concealed carry holders for the same criminal acts. [Compare BJS, "Citizen Complaints" to Nemerov, "Concealed Handguns."]

13 - Mike Stuckey, "Record numbers licensed to pack heat -- Millions obtain permits to carry concealed guns," *MSNBC.com* (June 24, 2010) at [http://www.msnbc.msn.com/id/34714389/ns/us\\_news-life/t/record-numbers-licensed-pack-heat](http://www.msnbc.msn.com/id/34714389/ns/us_news-life/t/record-numbers-licensed-pack-heat)

14 - Clayton E. Cramer and David B. Kopel, "'Shall Issue:' The New Wave of Concealed Handgun Permit Laws" (1994), p. 14.

15 - Scott Parks, "Charges Against Texans with Gun Permits Rise; Law's supporters, foes disagree on figures' meaning," *Dallas Morning News* (December 23, 1997).

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