

Public health implications of carrying concealed weapons: Have we thought this policy through?

Stephen W. Hargarten, MD, MPH

Last year, the Wisconsin Legislature was one vote away from overriding Governor Doyle's veto of legislation that would have allowed individuals to carry concealed weapons ("conceal and carry"). Because the override failed, at the time of this writing Wisconsin remains one of four states that prohibit the concealed carrying of dangerous weapons by civilians.¹ Legislators who supported last year's efforts have already indicated their intent to reintroduce such "personal protection" legislation² and supportive organizations have promised a vigorous advocacy campaign to garner passage and enough votes to override another veto.³ During previous debate, the potential impact of conceal and carry laws on the public's health and on injury experience was not fully investigated nor discussed. It is imperative that policymakers and the public should vigorously discuss the implications of conceal and carry legislation from an evidence-based perspective of public health risk and benefit.

Why is Policy Needed?

The primary issue to be addressed is why this legislation is needed. The policy discussion about conceal and carry laws has been largely focused

on crime, with supporters arguing that personal protection with firearms lowers the crime rate. A recent report of the National Academies of Science has concluded, however, that the available body of research does not support claims that conceal and carry laws have a measurable impact on crime.⁴ The recent rise in the number of homicides committed in Milwaukee suggests that policy-makers should focus on policies that have a known measurable effect and that these leaders examine multiple strategies that effect behavior, access to lethal means, and the environment.

A main concern about the conceal and carry legislation is the potential public health risk of injury to vulnerable populations, especially youth. Wisconsin's youth suicide rate is 36% higher than the national rate.⁵ A conceal and carry law could potentially result in more loaded handguns in the environment. We know that almost 60% of youth firearm suicides in Wisconsin involve someone else's gun; 83% of the time, it belongs to a parent or guardian.⁶ Are we really certain that conceal and carry is a thoughtful, timely policy for Wisconsin?

Potential Problems

In the event of such legislation succeeding in this legislative session, two important issues should be considered. First, what kinds of guns should be allowed to be concealed and carried? There is little information about the type and characteristics of firearms associated with deaths and injuries.⁷ Additionally, the safety of particular types of firearms should be studied. Design defects in firearms contribute

to unintended fatalities.⁸⁻⁹ One such design defect, exposed hammers that rest on firing pins, is present in the Ruger Blackhawk revolver, and has been associated with over 40 deaths and numerous injuries.¹⁰⁻¹² Anecdotal accounts reflect the tragic outcomes that can occur when unsafe handguns are carried. For example, a Davis D-32 derringer with an exposed hammer resting directly on the firing pin was carried into a public setting, dropped, and discharged, injuring two women.¹³⁻¹⁴

The design and safety characteristics of firearms should be taken into account when determining the types of weapons that may be carried concealed. This is particularly important since past legislation would have immunized firearm manufacturers and dealers from liability for design negligence.¹⁵ Unlike almost all other consumer products, there is no national product safety oversight of firearms. Legislators may wish to limit the availability of more dangerous firearms through safety standards such as California's "drop safety" requirement for all new handguns sold in the state.¹⁶ The standards applied by the federal government to the importation of handguns could also be adopted to assure standard safety features.¹⁷

It is estimated that as many as 30,000 applications for permits will be made in the first year of conceal and carry and that as many as 100,000 permits will be issued over a 5-year period.¹⁸ The public health implications of tens of thousands of individuals carrying handguns with a spectrum of potential safety defects have not been adequately discussed.

Doctor Hargarten is codirector of the Firearm Injury Center at the Medical College of Wisconsin (MCW), and is also chair of the Emergency Medicine Department at MCW. Please address correspondence to: Stephen W. Hargarten, MD, MPH, Firearm Injury Center, Medical College of Wisconsin, 8701 Watertown Plank Rd, Milwaukee, WI 53226; phone 414.456.7676; fax 414.456.6472.

Emerging technologies, such as personalized handguns that would be inoperable to unauthorized users, should be critically examined.¹⁹ There has also been no evaluation of the risk that a legitimate conceal and carry permit holder could have his or her handgun forcibly taken away and used for criminal purposes. One study of law enforcement fatalities has found that 21% of officers killed with handguns while on duty were killed with their own service weapons.²⁰

Second, how are we going to know if this policy has had a positive or negative effect? The National Academies of Science report recommends that more comprehensive data and analysis are essential to the development and evaluation of policies and programs that involve firearms.²¹ Currently, states like Wisconsin are unable to fully evaluate the effects of conceal and carry legislation. Expanded support of Wisconsin's new Violent Death Reporting System (WVDRS) would contribute greatly to the state's capacity to evaluate these and other weapons-related policies.²² Provisions contained in Wisconsin's previous proposed conceal and carry legislation would have made the evaluation capacity difficult by impeding or prohibiting the use of license application information or the experience of license holders either as perpetrators or as victims of crime and violent injury. Such information will be necessary to assess the public health and criminal justice impact of conceal and carry legislation. A new concern arises as provisions are being drafted in this session's bill that would allow private firms or law enforcement groups to issue the conceal and carry permits and immunizing these groups from possible lawsuits.² Decentralization of the licensing process creates further concern about data collection and adequate evaluation of the legislation.

Conclusion

Failure to address the public health implications of conceal and carry policies and practices may have unintended consequences for the health of the public. Do we really need this

policy implemented to address crime and homicide? Do we want loaded, defective, or poorly-designed guns in our environment? Do we have the funds and infrastructure to accurately evaluate this policy?

Everyone needs to examine these issues critically before adopting a conceal and carry personal protection legislation. Physicians, public health professionals, criminal justice professionals, policy-makers, and the public should engage in a broader evidence-based public health policy discussion.

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