

FIREARM CHILD ACCESS PREVENTION IN VIRGINIA

Senate Bill 1096 / House Bill 2285 Will Help Save Lives

Overview

Under Virginia's current firearm child access prevention (CAP) law it is a misdemeanor if an individual recklessly leaves a loaded and unsecured firearm in such a manner that endangers any child under the age of 14. However, this law does not protect all children from the lethality of firearms, nor does it adequately hold irresponsible gun owners accountable. Far too many children – including teenagers aged 14-17 – have easy access to a firearm and are dying by unintentional and self-inflicted shootings. These deaths are preventable. Robust evidence suggests that strong firearm CAP laws, which protect children up to age 18 and which hold irresponsible gun owners accountable with stronger penalties, reduce child firearm deaths.

SB1096/HB2285 will amend Virginia's current child access prevention law to:

- 1) Protect teenagers ages 14 to 17
- 2) Makes it easier for prosecutors to hold irresponsible gun owners accountable
- 3) Strengthen penalties

Firearms are the second leading cause of death among US children¹

- In 2017, Virginia faced the highest number of child firearm deaths since 1982.²
- 45 children in Virginia ages 0-17 died by firearms in 2017, a 150% increase from 2013.³

The majority of Virginia's child firearm deaths are teenage suicides and unintentional shootings; most of these children were over age 14 and not protected by the current CAP law

- In the past decade (2008 to 2017), 139 children died by firearm suicide and 24 died by unintentional shootings.³
- Five out of every six child suicides and unintentional injuries from 2008 to 2017 in Virginia occurred among children 14 to 17.³

Teenage suicides in Virginia are increasing – firearms make up nearly half of these deaths

- The teenage suicide rate (age 14 to 17) increased by 32% over the last five years, accounting for 35 deaths in 2017. Firearms were used in 46% of these suicides.³
- Evidence suggests that teenage suicides are often impulsive, meaning lives can be saved by restricting easy access to a loaded and unsecured firearm.⁴
- An estimated 82% of adolescent firearm suicides involve a gun belonging to a family member.⁵

In Lynchburg Virginia at 1:15 AM on December 30, 2016 the parents of high school student Hope Canzone woke to the sound of a gunshot. They immediately knew that Hope tried to take her own life. Fortunately, she survived. Hope describes how at the last second she changed her mind saying "the longer you just sit there thinking about it the more into light you come." Hope shares her story to help others.

WLSL 10 News Video Interview⁶

Hope's story highlights the dangers of having unsecured firearms within the home of a suicidal teenager.

Unintentional shootings of children in Virginia

- According to news coverage, in 2018, four children under the age of six were killed by unintentional shootings in Virginia.^{7,8}
- On average, one child under age 10 is killed by an unintentional shooting each year in Virginia.⁹
- Nearly one in three young children killed by firearms in Virginia were shot unintentionally.¹⁰

In May 2018, 3 children died from unintentional gun shootings in Virginia. On one day, two innocent lives were lost to gun violence. In Roanoke County, a 2-year-old boy mistook a loaded gun that he found in his apartment for a toy and fatally shot himself. About 150 miles away, in Louisa County, another 2-year-old boy was fatally shot; this time by his 4-year-old brother. He also thought that the gun was a toy. Earlier that month, a 4-year-old boy was killed in Henrico County after shooting himself with what he believed was a toy gun.^{7, 8}

A wide range of research suggests strong CAP laws reduce suicides and unintentional injuries

- CAP laws are associated with a 26% reduction in firearm suicides among youth¹¹ and an 8% reduction in overall youth suicide rates.¹²
- CAP laws are associated with a 17% reduction in child unintentional shooting deaths and a 25% reduction in child unintentional shooting injuries.^{13,14}

SUPPORT SENATE BILL 1096 / HOUSE BILL 2285 BECAUSE IT:

- Helps prevent child firearm suicides and unintentional injuries, backed by nonpartisan evidence.¹⁵
- Promotes responsible gun ownership.
- Allows the state to prosecute negligent and irresponsible behavior on a case-by-case basis.
- Modifies an already existing statute, minimal administrative and financial burden.
- Is supported by conservative and liberal state legislatures alike.
- Does not infringe on Second Amendment rights.

BOTTOM LINE: CAP laws are effective when they 1) makes it easier for prosecutors to hold irresponsible gun owners accountable, 2) increase the criminal charge to a felony, and 3) extend the age to cover all minors up to age 18. These three components mirror SB1096/HB2285's proposed changes to the Virginia CAP.

¹ Cunningham, R. M., Walton, M. A., & Carter, P. M. (2018). The Major Causes of Death in Children and Adolescents in the United States. *New England Journal of Medicine*, 379(25), 2468–2475. <https://doi.org/10.1056/NEJMs1804754>

² National Center for Injury Prevention and Control, CDC. Fatal Injury Reports 1981-1998, National, Regional, and States (ICD-9) http://www.cdc.gov/injury/wisqars/fatal_injury_reports.html

³ Centers for Disease Control and Prevention, National Center for Health Statistics. Underlying Cause of Death 1999-2017 on CDC WONDER Online Database, released December 2018. Accessed at <http://wonder.cdc.gov/ucd-icd10.html>

⁴ Bridge, J. A., Goldstein, T. R., & Brent, D. A. (2006). Adolescent suicide and suicidal behavior. *Journal of child psychology and psychiatry*, 47(3-4), 372-394.

⁵ Johnson, R., Barber, C., Azrael, D., Clark, D. E., & Hemenway, D. (2010). Who are the owners of firearms used in adolescent suicide? *Suicide and Life-Threatening Behavior*, 40(6), 609–611.

⁶ Louissaint, M. Lynchburg teen tells suicide attempt story, wants to help others. *WLSL 10 News*. Sept. 2017. <https://www.wsls.com/news/virginia/lynchburg/lynchburg-teen-tells-story>

⁷ Harris, S. Three children under four have died from accidental shootings in Virginia this month. *Wavy.com Local News*. May 2018. <https://wtvr.com/2018/10/08/henrico-police-investigating-highland-springs-shooting/>

⁸ Freeman, V. Boy 7, accidentally kills 5-year-old sister with grandfather's gun. *CBS 6 News*. Oct. 2018. <https://wtvr.com/2018/10/08/henrico-police-investigating-highland-springs-shooting/>

⁹ Disease Control and Prevention, National Center for Health Statistics. Underlying Cause of Death 1999-2017 on CDC WONDER Online Database, released December 2018. Unintentional firearm injuries among children under age 10, VA, 2000–2017 Centers. Accessed at <http://wonder.cdc.gov/ucd-icd10.html>

¹⁰ Disease Control and Prevention, National Center for Health Statistics. Underlying Cause of Death 1999-2017 on CDC WONDER Online Database, released December 2018. Unintentional firearm injuries among children under age 10, VA, 2008-2017 Centers. Accessed at <http://wonder.cdc.gov/ucd-icd10.html>

¹¹ DeSimone, J., Markowitz, S., & Xu, J. (2013). Child access prevention laws and nonfatal gun injuries. *Southern economic journal*, 80(1), 5-25.

¹² Webster, D. W., Vernick, J. S., Zeoli, A. M., & Manganello, J. A. (2004). Association between youth-focused firearm laws and youth suicides. *Jama*, 292(5), 594-601.

¹³ Webster, D. W., & Starves, M. (2000). Reexamining the association between child access prevention gun laws and unintentional shooting deaths of children. *Pediatrics*, 106(6), 1466-1469.

¹⁴ DeSimone, J., S. Markowitz, and J. Xu, "Child Access Prevention Laws and Nonfatal Gun Injuries," *Southern Economic Journal*, Vol. 80, No. 1, 2013, pp. 5–25

¹⁵ The Effects of Child-Access Prevention Laws. Gun Policy in America. RAND Corporation. <https://www.rand.org/research/gun-policy/analysis/child-access-prevention.html>