

FIREARM CHILD ACCESS PREVENTION IN VIRGINIA

Strengthening Virginia's Child Access Prevention Law Will Help Save Lives

Overview

Under Virginia's current firearm Child Access Prevention (CAP) law (§ 18.2-56.2), 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 to 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 hold irresponsible gun owners accountable with stronger penalties - reduce child firearm deaths.

Lawmakers should strengthen 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 leading cause of death among Virginian children ages 1 to 17.¹

- In the past decade (2008 to 2017), 139 children died by firearm suicide and 24 died by unintentional shootings.³
- In 2017, Virginia faced the highest number of child firearm deaths since 1982.²
- Five out of every six child suicides and unintentional injuries by firearm from 2008 to 2017 in Virginia occurred among children 14 to 17.³

Unintentional shootings of young children in Virginia

- On average, one child under age 10 is killed by an unintentional shooting each year in Virginia.³
- Nearly one in three young children killed by firearms in Virginia were shot unintentionally.⁴

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}

Research suggests strong CAP laws reduce child suicides and unintentional injuries

- Strong CAP laws are associated with a 26% reduction in firearm suicides among youth⁵ and an 8% reduction in overall youth suicide rates.⁶
- Strong CAP laws are associated with a 17% reduction in child unintentional shooting deaths and a 25% reduction in child unintentional shooting injuries.^{7,8}

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. Lawmakers should strengthen Virginia's CAP law to have these three components.

Sources:

¹ Centers for Disease Control and Prevention, National Center for Health Statistics. Underlying Cause of Death, 2013-2017. Deaths and Rates per 100,000. WONDER Online Database, 1999-2017. Available: <https://wonder.cdc.gov/controller/saved/D76/D59F692>

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 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>

⁴ 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>

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

⁶ 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.

⁷ Webster, D. W., & Starnes, M. (2000). Reexamining the association between child access prevention gun laws and unintentional shooting deaths of children. *Pediatrics*, 106(6), 1466-1469.

⁸ 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