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*****MEDIA ADVISORY*****

ARIZONA AFTERMATH: PERMIT-FREE CARRY LAW PREVENTED LAW ENFORCEMENT FROM HAVING AN OPPORTUNITY TO STOP JARED LOUGHNER FROM CARRYING A GUN

States like Arizona enable dangerous individuals to freely carry guns by not requiring permits to carry guns

Firearms Policy Experts Available for Interview

Arizona is one of only three states that don't require a permit to carry a concealed gun. In light of that, even if police had any indication that the Arizona shooter, Jared Loughner, was carrying a gun as he approached Representative Giffords and the other victims, it is unlikely they could have stopped him.

In 2010, the Arizona legislature enacted S.B. 2010, removing the requirement that gun owners obtain a permit from law enforcement before carrying a concealed gun outside of their home. Before changing its law, Arizona required every person who wanted to carry a concealed gun to apply to law enforcement for a carry permit, undergo a background check, and receive safety training.

Under former Arizona law, Loughner may have been denied a concealed carry permit

Under Arizona's old concealed carry permit law, police could have denied Loughner's permit application if they determined that he suffered from mental illness. Arizona's standard for denying a gun permit on the basis of mental illness is tougher than federal law, which says only that people adjudicated incompetent or committed to a mental institution cannot possess guns. In Loughner's case, his community college's decision to suspend him pending a mental health evaluation could have been evidence of mental illness.

Under the laws of 24 other states, Loughner might well have been denied a concealed carry permit

In 24 other states, Loughner might well have been denied a concealed carry permit under current law. Those states allow law enforcement to exercise some degree of discretion to deny a carry permit for a range of reasons, including an officer's determination the person is a danger to others. In many of these states, the discretionary permit process requires the reviewing police

officer to interview the applicant. In these states, Loughner might well have been denied such a license after law enforcement uncovered his drug-related arrest, his suspension from college due to serious concerns about his mental health, and/or his rejection from enlisting in the army due to an admission of drug use and a failed drug test.

The 24 states are Alabama, Arkansas, California, Colorado, Connecticut, Delaware, Iowa, Indiana, Maine, Maryland, Massachusetts, Michigan, Missouri, Minnesota, Montana, New Hampshire, New Jersey, New York, Oregon, Pennsylvania, Rhode Island, Utah, and Wyoming.

Laws that require permits to carry concealed guns give law enforcement an important tool to stop suspicious people carrying guns

Concealed carry permitting gives law enforcement the basis to stop a suspicious person, search them and possibly arrest them on further information. Under Arizona's current law, a law officer who saw a bulge in Loughner's clothing that suggested he was carrying a gun, likely would not have been able to stop and search him because to do so requires reasonable suspicion that he was committing a crime.

Representative Peter King, Chair of the House Committee on Homeland Security, has proposed a law that would give law enforcement a basis to stop suspicious people with guns at political events. The proposal would make it a federal crime to knowingly possess a gun within 1,000 feet of where senior federal officials are working, including holding public events and running for office. This proposal would allow law enforcement to intercept and arrest would-be shooters before they pull the trigger—something they can't do now in states like Arizona.

Granting law enforcement discretion to deny concealed carry permits is associated with reduced rates of interstate gun trafficking

Granting law enforcement discretion to deny concealed carry permits not only helps police officers keep guns out of the hands of dangerous individuals but is also associated with lower rates of interstate gun trafficking. As was reported in September 2010 by Mayors Against Illegal Guns in its report, *Trace the Guns*, states like Arizona that do not give law enforcement the discretion to approve or deny concealed carry permits export crime guns at more than twice the rate of states that do grant such discretion (19.9 vs. 9.6 crime guns per 100,000 inhabitants). Interstate crime gun export rates measure the number of crime guns initially purchased in one state but recovered from crime scenes in another, controlling for the population of the state where the gun was purchased. A concealed carry permit can facilitate gun trafficking by allowing a gun trafficker to carry guns across state lines and by exempting permit holders from other laws that may impede gun trafficking.

Also, when controlling for population, Arizona exports guns recovered in Mexican crimes at a higher rate than any other U.S. state.

For more information, please read *Trace the Guns* at http://www.mayorsagainstillegalguns.org/downloads/pdf/trace_the_guns_report.pdf and the

coalition's *Issue Brief: the Movement of Illegal Guns Across the U.S.-Mexico Border* at http://www.mayorsagainstillegalsguns.org/downloads/pdf/issue_brief_mexico_2010.pdf.

Available for Interviews

- **Edgar Domenech**, former Acting Director and Deputy Director of ATF who led ATF's VA Tech investigation and is now New York City Sheriff.
- **John Feinblatt**, Chief Advisor to NYC Mayor Michael Bloomberg for Policy and Strategic Planning
- **Arkadi Gerney**, Special Advisor to Mayor Bloomberg on firearms policy and staff for Mayors Against Illegal Guns

About Mayors Against Illegal Guns

Since its inception in April 2006, Mayors Against Illegal Guns has grown from 15 mayors to over 550. Mayors Against Illegal Guns has united the nation's mayors around these common goals: protecting their communities by holding gun offenders and irresponsible gun dealers accountable, demanding access to trace data that is critical to law enforcement efforts to combat illegal gun trafficking, and working with legislators to fix gaps, weaknesses and loopholes in the law that make it far too easy for criminals and other prohibited purchasers to get guns.

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