Guns as a Crime Deterrent: Does the Issuance of Concealed Carry Permits Reduce Crime?

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This paper examines the impact concealed carry laws have on crime in the United States. First, it examines the history of guns in the U.S., specifically the second amendment, and the laws enacted since the 1960's which have changed the way guns are purchased. Then it discusses the arguments for and against allowing law abiding citizens to carry concealed weapons through the issuance of concealed carry permits. Lastly, the paper presents several studies which have been done on the impact of concealed carry permits on crime, and then concludes that based on the research that has been done up to this point, the issuance of concealed carry permits results in a reduction of crime.

INTRODUCTION

On February 12, 2007 Sulejman Talovic, an 18-year-old Bosnian refugee armed with a shotgun and a .38 caliber pistol, walked into the Trolley Square Mall in Salt Lake City, Utah and began firing on shoppers. Talovic killed 5 people before being shot dead by police (Reavy & Winslow, 2007).

Two months later on April 16, 2007, 23-year-old Seung-Hui Cho committed the deadliest public shooting in American history on the campus of Virginia Tech University in Blacksburg VA. Cho shot his first victims near a dormitory around 7:15 am. Over the course of the next two and a half hours Cho killed another 29 people before committing suicide (Hauser & O'Connor, 2008).

Tragic events like the two mentioned above beg the question, what could have been done in preventing this type of crime? Many people, including Stacy Hanson, a survivor of the Trolley Square shooting, believe the solution lies in implementing harsher gun laws. Months after the shooting Hanson told the Deseret Morning News, “No one can tell me we don’t need to change our gun laws…. It’s obvious there needs to be stronger gun laws, not only in this state, but in this country. It’s gotta happen today. It’s gotta happen now in a strong way” (Reavy, 2007).

Others including John R. Lott, former chief economist of the United States Sentencing Commission, and Gary Kleck, a criminologist at Florida State University, argue that while these instances involving guns are tragic, regulating guns is not the answer. Lott (2003) and Kleck (2007) both believe that when owned by law abiding citizens, guns are an excellent means of personal protection and an effective crime deterrent.

In the last 30 years, 38 states have enacted laws which grant law abiding citizens the right to apply for a permit to carry a loaded concealed weapon on their person in public. This paper will analyze the history of gun policy in the United States, the arguments for and against concealed carry weapons, and the impact concealed carry weapons have on crime.

HISTORY OF GUNS IN THE UNITED STATES

SECOND AMENDMENT

In 1791, James Madison introduced ten constitutional amendments, known as the Bill of Rights. Among the amendments is the right for citizens of the United States to keep and bear arms. The Second Amendment of the Constitution states, “A well regulated Militia, being necessary to the security of a free state, the right of the people to keep and bear Arms, shall not be infringed” (The Constitution of the United States, 2005).

The adoption of the Second Amendment by the first U.S. Congress is the source of much debate in American politics today. The debate centers on whether the Second Amendment grants the right to bear arms to individuals, or if the right to bear arms is granted only to members of the militia.

In order to understand this debate it is important to understand the reasons behind establishing a militia. The founding fathers were reluctant to establish a national military for fear that doing so would lead to an eventual military dictatorship; however, they recognized that some mechanism
needed to be in place in case of an attack from a foreign enemy. As a compromise the framers of the Constitution determined that the best way to protect themselves without creating a national military would be the use of militia. A militia is a body of citizens organized for military service (Merriam-Webster Online, 2005). Each member of the militia was responsible for owning and maintaining his own gun (Schmittroth et al., 2003).

Many Americans believe that the references made in the Second Amendment to a “well regulated militia, being necessary to the security of a free state” gives the states, not the individual, the right to maintain well-regulated militia. This interpretation is based on the principal of collective rights, rather than individual rights. Collective right advocates believe that the phrase “the right of the people to keep and bear Arms shall not be infringed” is in reference to allowing the militia, who serve the people, to bear arms, not a guarantee that all citizens have the right to individually bear arms. Collective rights advocates point to the National Guard as the modern version of the militia. Like the militia in colonial times the National Guard protects citizens, therefore, the individual citizens do not need guns.

However, there are other Americans who disagree with the collective rights interpretation. Instead they believe that the Second Amendment is an individual right. They point to other amendments in the constitution in which the phrase “right of the people” is used in reference to the rights of individuals. For example, the Fourth Amendment says:

> The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized (The Constitution of the United States, 2005).

This amendment is protecting individuals from unreasonable searches, etc. Therefore it can be assumed that the founders are referring to the rights of individuals in the Second Amendment as well (Schmittroth et al., 2003).

**CHANGE IN ATTITUDE TOWARDS GUNS**

Until the twentieth century the idea that the rights granted in the Second Amendment applied to individuals was widely accepted. During the twentieth century the amount of crime in the United States increased substantially, and many people began to look at the Second Amendment and question what the founders intended purpose really was. As the number of gun related crimes increased, government leaders and citizens became more concerned about the impact gun ownership had on crime. In the early 1930s President Franklin D. Roosevelt, hoping to reduce crime, led an unsuccessful attempt to pass legislation requiring the registration of handguns.

**THE GUN CONTROL ACT OF 1968**

The 1960s were one of the most violent times in American history. The amount of violence hit home with the assassinations of President John F. Kennedy, Senator Robert Kennedy, and Dr. Martin Luther King Jr. In an attempt to reduce the amount of crime and violence, the Federal Government enacted the Gun Control Act of 1968.

The Gun Control Act of 1968 had two major sections; Title I and Title II. Title I required anyone dealing in firearms or ammunition, whether locally or across state lines, to be federally licensed under new increased standards and to keep records of all commercial gun sales. In addition, Title I also prohibited the interstate mail-order sale of all firearms and ammunition. It also forbade sales to minors, or those with criminal records, generally outlawed the importation of non-sporting firearms, and established special penalties for the use or carrying of a firearm while committing a crime of violence or drug trafficking. Title II, re-enacted the 1934 National Firearms Act and extended the Gun Control Act to cover private ownership of so-called “destructive” devices such as submachine guns, bombs, and grenades.

The enforcement of Title I and II became the responsibility of the U.S. Department of the Treasury. In 1972, the Treasury Department created the Bureau of Alcohol, Tobacco, and Firearms (ATF) to enforce the federal laws. The ATF has since come under control of the U.S. Department of Justice and is now called the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) (Schmittroth et al., 2003).

**THE FIREARMS OWNER’S PROTECTION ACT OF 1986**

Many gun owners were upset about the 1968 Gun Control Act; opponents felt that the Act unfairly targeted lawful owners, while neglecting criminals with firearms and people selling firearms illegally. In 1986, those who fought against the 1968 Gun Control Act were able to convince Congress to make some changes, and Congress passed The Firearms Owner’s Protection Act of 1986.

The 1986 legislation identified categories of people to whom firearms could not be sold by a Federal Firearms Licensee (FFL). These categories included convicted felons, drug abusers, and the mentally ill. The 1986 legislation makes it unlawful for anyone, whether licensed or not, to sell a gun to a “high-risk” individual.

Under the 1968 Act, it was unlawful to sell or deliver a firearm to someone in another state, unless the firearm was a rifle or a shotgun, in which case the sale was permitted as long as the buyer was a resident of a bordering state that had laws allowing such sales. The 1986 act amended the law to allow interstate over-the-counter sales of rifles and shotguns by licensed sellers, as long as laws of both states permit them.

The Gun Control Act of 1968 required that ammunition could only be purchased on the premises of an FFL, and FFLs were required to record all firearm and ammunition transactions. The 1986 law made the purchase of ammunition and
gun components by mail legal, and allowed dealers to only keep record of “armor-piercing” rounds. The 1986 Act also permits unlicensed stores that do not carry firearms to sell ammunition.

The 1986 law made it legal to transport any legally owned gun through a jurisdiction where it would otherwise be illegal, provided the possession and transportation of the weapon are legal at the point of origin and the point of destination. The law states that the gun must be unloaded and placed in a locked container or in the trunk of a vehicle.

Under the 1968 law, anyone who had been convicted of a crime and sentenced to prison for more than one year was restricted from shipping, transporting, or receiving a firearm and could not erase the conviction for federal purposes. The 1986 Act amended the law so that state pardons can erase convictions for federal purposes, unless the person is specifically denied the right to possess or receive firearms (Schmittroth et al., 2003).

THE BRADY ACT
In 1981, in an attempted assassination of President Ronald Reagan, John Hinckley Jr. shot Reagan’s press secretary James S. Brady. Hinckley’s assassination attempt led to the enactment of the Brady Law which went into effect February 23, 1994. The law established a national five-day waiting period before handgun sales could be completed. The five-day waiting period is to allow law enforcement enough time to conduct a background check on individuals interested in obtaining a handgun. The law also stated that five years after enactment the five day waiting period will be replaced with a national computerized instant criminal identification system to screen gun purchasers (Schmittroth et al., 2003).

In addition to the five day waiting period, the Brady Law prohibits firearms sales to individuals who have been charged or convicted of a crime punishable by imprisonment for more than one year. The law also prohibits sales to a fugitive from justice; an unlawful user of a controlled substance; a person judged mentally ill or someone who has been committed to a mental institution; a person who has renounced United States citizenship; as well as any individual who is subject to a court order restraining him or her from harassing, stalking, or threatening an intimate partner or a child; have been convicted of domestic violence; is an illegal alien; or has been dishonorably discharged from the military (Schmittroth et al., 2003).

In 1995 the Brady Campaign (formerly Handgun Control, Inc.), a gun control advocacy group, released the results of a survey of 115 law enforcement agencies. The results of the survey showed that the 115 agencies conducted 572,224 background checks and denied 19,098 for a denial rate of 3.34%. A follow-up survey by the Brady Campaign, of 22 law enforcement agencies in 15 states showed 470,470 background checks conducted, with 14,925 denials, for a denial rate of 3.17% (Handgun Control, Inc., 1997).

In an independent study published in the Journal of the American Medical Association, Ludwig and Cook (2000) concluded that the Brady Act appeared to be effective in reducing suicides of individuals 55 years and older but did not appear to reduce the number of homicide rates or overall suicide rates.

The denial rate reported by the Brady Campaign, and the reduction in gun induced suicides of individuals 55 years and older reported by Ludwig and Cook, indicates that the Brady Act has had some positive effects: the question is, is the Brady Act the most effective way to reduce crime or is there something better?

CONCEALED CARRY PERMITS
Concealed carry permit laws vary from state to state but the permit essentially grants permit holding individuals to carry a loaded firearm in their vehicle, or on their person in public (Department of Public Safety Bureau of Criminal Identification, 2008). In the United States, only three states do not issue permits. Wisconsin and Illinois prohibit the carrying of firearms for protection, while Vermont allows citizens to carry without a permit. The forty-seven states that do issue permits use either the “shall issue” policy or the “may issue” policy. In “shall issue” or “non-discretionary” systems any applicant who meets the requirements set by the state legislature is eligible to obtain a concealed carry permit. Under a “may issue” or “discretionary” system, the legal authorities grant the permits only to citizens who can demonstrate a need for carrying a concealed weapon.

The National Rifle Association (NRA), the most influential right to bear arms advocacy organization in the U.S., considers forty of the forty-seven states that issue permits to be right to carry states. Thirty-six of those states have “shall issue” laws. Vermont allows citizens to carry without a permit; while Alabama, Connecticut, and Iowa have what the NRA calls “fairly administered discretionary issue permit systems” (NRA-ILA, 2007).

ARGUMENTS FOR AND AGAINST THE POLICY
As the number of states with right to carry laws increases, the public debate of concealed carry weapons has intensified. The following are the main concerns raised by gun control advocates against issuing permits and the responses of people who support the policy.

LACK OF TRAINING
Many people who oppose shall issue permit policies believe that the average citizen lacks the training necessary to carry a loaded weapon. According to Britt Minshall, a Baltimore psychologist and former police officer, “...people without deep handgun training have no business having a gun on their person, and I include myself in that. They say it is for their pro-
tion. Instead of just committing a crime and then leaving the scene when they realize their intended victim is armed. The second flaw with Keller's argument is that she puts too much faith in the idea that if a victim complies with the wishes of a criminal, then the criminal will leave the victim unharmed. If a person is willing to rob you, it is unreasonable to trust that they would hesitate to physically harm you as well (Poe, 2001).

**ACCIDENTAL DEATHS**

On October 17, 1992 Yoshihiro Hattori a Japanese exchange student, was accidentally shot by Rodney Pears. Hattori and a friend were on their way to a Halloween party, and mistakenly took Peairs' house as the location of the party. Peairs thought the boys were potentially dangerous trespassers; he pointed his gun at the boys and told them to “freeze.” Hattori presumably did not understand the command and continued forward. Peairs shot and killed Hattori. Gun control advocates point to stories like this one as a reason to oppose the arming of citizens for protection (Poe, 2001).

Lott argues that while incidents like this are tragic, they are rare. In the entire United States only about 30 people a year are accidentally killed by private citizens who mistakenly believe the victim to be an intruder. Police, on the other hand, accidentally kill as many as 330 innocent individuals annually (Lott, 1998).

**PEOPLE WHO OWN GUNS PUT CHILDREN AT RISK**

In his book, *More Guns, Less Crime*, Lott (1998) explains that both good and bad things happen as a result of guns. The real question is what are the tradeoffs or as Lott phrased it “how many of these accidental gun deaths would have been avoided under different rules versus the extent to which such rules would reduce people's ability to defend themselves” Between the years 2000-2005 there were 412 accidental firearm deaths per every 100,000 people involving children between the ages of 0-14 years. Meanwhile 812 children per 100,000 in that same age group over the same time died in bicycle accidents, and 4,993 per 100,000 drowned (Centers for Disease Control and Prevention, 2008). Lott argues that, although gun deaths are tragic, we must weigh the bad with the good, i.e. the protection guns provide.
Banning swimming pools would help prevent drowning, and banning bicycles would eliminate bicycle accidents, but if fewer people exercise, life spans will be shortened. Heaters may start fires, but they also keep people from getting sick and from freezing to death. So whether we want to allow pools or space heaters depends not only on whether some people may be harmed by them, but also on whether more people are helped than hurt (Lott, 1998).

**Gun Control Leaves Law Abiding Citizens Defenseless**

One of the biggest complaints against gun control is that only law abiding citizens will abide by the law, leaving them defenseless against criminals who still have guns. It is unreasonable to assume that people who commit crime would adhere to laws prohibiting guns. The Virginia Tech tragedy is an excellent example. The campus of Virginia Tech is a gun free zone, and every person there who was unarmed was following the law. The problem is a person like Seung-Hui Cho, who has the capacity to murder over 30 people, is not going to respect a law that bans guns from being on campus. The only person who benefited by Virginia Tech’s campus from being a gun free campus was Cho, because it left all of his victims defenseless. On the other hand in the Trolley Square incident, an off duty police officer who was armed with a concealed weapon was able to stop Sulejman Talovic, and limit Talovic’s damage to five fatalities.

According to Lott, Britain and Australia provide an excellent example of the ineffectiveness of gun control. In 1996 Britain banned handguns. The ban was so extensive that shooters training for the Olympics had to travel to Switzerland or other countries to practice. Four years after the ban, gun crimes had risen 40 percent. Australia also passed severe gun restrictions in 1996, in the four years that followed, armed robberies rose 51 percent, unarmed robberies rose 37 percent, assaults rose 24 percent, and kidnappings rose 43 percent (Lott, 2003)

What is striking about these examples is that Britain and Australia are ideal geographic locations for gun control because they are both surrounded by water, which limits the methods available for smuggling guns in.

**Police Do Not Prevent Crime**

Many gun control advocates believe individuals do not need guns because the police will protect them. In the Seven Myths of Gun Control, Richard Poe (2001), explains that police do not have a legal or constitutional obligation to protect people from crime. Instead, their obligation is to enforce the laws, which often times means arresting criminals after a crime has been committed.

In 1959, a women living in New York name Linda Riss sought police protection from Burt Pugach, an ex-boyfriend who had threatened her, saying “if I can’t have you, no one else will have you, and when I get through with you, no one else will want you.” Shortly after Riss’ request for police protection was denied, a thug, hired by Pugach, threw lye, a corrosive alkaline substance, in her face, blinding her in one eye and scarring her for life (Poe, 2001).

Riss sued the city for their lack of protection but lost. The Court of Appeals of New York ruled that Riss had no right to police protection, and that the government could not afford to provide such protection even if it wished to do so.

The amount of protection that may be provided is limited by the resources of the community and by a considered legislative executive decision as to how these resources may be deployed....For the courts to proclaim a new and general duty of protection...even to those who may be the particular seekers of protection based on specific hazards, could and would inevitably determine how the limited police resources of the community should be allocated and without predictable limits (Poe, 2001).

In 1856 in the South v. Maryland case, the U.S. Supreme Court ruled that local police had no duty to protect any particular person. In 1982, in the Bowers v. DeVito case the U.S. Court of Appeals, Seventh Circuit Court, ruled that “There is no Constitutional right to be protected by the state against being murdered by criminals or madmen,” the Court went on to say “it is monstrous if the state fails to protect its residents against such predators but it does not violate the due process clause of the Fourteenth Amendment or, we suppose, any other provision of the Constitution” (Poe, 2001).

**Private Ownership of Guns Serves as a Deterrent to Criminals**

John Lott (1998) explains that in order to prevent crime there must be some type of deterrent to dissuade criminals from committing crime. Essentially, there are several types of deterrents; some are more effective than others. As explained above the police alone are not an effective deterrent. Their purpose is not to prevent crime; it is instead to enforce the laws and conduct investigations.

There are two ways that crime can be deterred. The first is through enacting severe penalties for committing crime, for example the death penalty, the most severe penalty the courts have at their disposal. The second is to increase the likelihood of failure in committing a crime. As mentioned earlier, criminals generally look for the easiest potential victim before committing a crime. In a taped conversation with police investigators, Darnell “Bubba” Lowery explained how he and his accomplice Walter “Fatman” Raglin robbed and murdered musician Michael Bany on December 29, 1995. The following is an excerpt from the Cincinnati Enquirer:

Mr. Lowery said on the tape that he and Walter “Fatman” Raglin, who is also charged with aggravated robbery and aggravated murder and is on trial in another courtroom, had planned to rob a cab driver or a “dope boy.”

He said he gave his gun and bullets to Mr. Raglin. They decided against robbing a cab driver or drug dealer because both sometimes carried guns, he said.
Instead, they saw a man walking across the parking lot with some kind of musical instrument. He said he looked out for police. Mr. Raglin approached the man and asked for money.

After getting the money, Mr. Raglin asked if the man’s car was a stick or an automatic shift. Then Mr. Raglin shot the man (Lott Jr., 1998, 5).

This sad story illustrates the principle that criminals are motivated by self preservation and therefore pick victims least likely to defend themselves. Providing individual citizens access to weapons threatens a criminal’s chances at self preservation and therefore serves as an additional deterrence.

**Requirements for Obtaining a Concealed Carry Permit**

The requirements for obtaining a concealed carry permit vary from state to state. In order to give the reader a general understanding of what is required to obtain a permit, the requirements for Utah are explained below. The Utah permit was chosen because Utah’s permit is recognized as valid by more states (32) than any other single state permit in the U.S.

Individuals interested in obtaining a concealed carry permit from Utah must receive a minimum of 4 hours of personal training from a state certified concealed firearms instructor, be fingerprinted, receive a background check by Federal Bureau of Investigation (FBI), and pay a non-refundable application fee of $35.00.

The cost of the fingerprinting is $10 at any police station, while the FBI background check costs $30.25. The cost of the personal training course varies with the instructor. Some instructors offer the course for as little as $40 a person (Nessen, 2008).

Many instructors offer to teach the course, as well as do the fingerprinting as part of their service. This is acceptable provided a full four hours is spent on course related material in which the instructor teaches the student proper firearm use and safety. If the instructor chooses to include fingerprinting, and taking photos for the permit into the course, then it must be done in addition to the four hours of training. The training must be done in person and not through any electronic means (Department of Public Safety Bureau of Criminal Identification, 2008).

The Utah Department of Public Safety Bureau of Criminal Identification provides instructors with guidelines on what material must be covered during the course. The Bureau supports instructors adding additional material to the course.

The Bureau requires instructors to cover basic handgun safety, and review all federal and state codes, rules, and regulations that pertain to firearms. The handgun safety portion of the class covers rules of handgun safety, handgun operation, ammunition, the fundamentals of shooting a handgun, and safe handling. The second portion of the class covers when the use of force is acceptable by law.

Individuals who have a permit are exempt from laws prohibiting the carrying of a loaded weapon inside of a vehicle, carrying a concealed firearm on your person, and carrying a concealed firearm on or about school property. The permit does not authorize individuals to carry a loaded or concealed firearm in secure federal buildings. These areas should always be posted (Department of Public Safety Bureau of Criminal Identification, 2008).

**Evidence**

There have been several studies done concerning the impact concealed carry permits have on crime. Many of these studies have been done by special interest groups including the Brady Center to Prevent Gun Violence, The Coalition to Stop Gun Violence, and the National Rifle Association. Studies done by these groups are difficult to accept because the groups conducting them are considered to be biased. Several other studies have been conducted by respected academics and published in academic journals. Some of those studies are summarized below.

**John R. Lott’s Research**

While working at the University of Chicago as the John M. Olin Visiting Law and Economics Fellow, John R. Lott Jr., conducted the most extensive research to date on the effects that concealed carry permits have on crime. Lott’s research was originally published in the *Journal of Legal Studies* in 1997, and then later published in Lott’s first book *More Guns Less Crime*.

In his research Lott examined both “time series data” as well as “cross sectional” data. Time-series data examines data in one particular area (a city, county, state) over many years; cross sectional data looks across many different geographic areas within the same year. In Lott’s study, he examined both time-series data and cross sectional data by comparing the way individual crime rates changed in all 3,054 counties in the United States over a sixteen year period.

In his research Lott found that across the United States, counties with “shall issue” laws have a lower amount of violent crime than counties without “shall issue” laws; murder rates are 86 percent lower, the amount of rape is 25 percent lower, the amount of aggravated assault is 82 percent lower, and robbery is 105 percent lower than similar counties without “shall issue” laws. He found similar results concerning property crimes. Counties with “shall issue” permit laws had 60 percent less auto thefts, 28 percent less burglaries, and 18 percent less larceny (Lott, 1998).

Lott also reports that when state concealed-handgun laws went into effect in a county, the amount of murders decreased by 8 percent, rapes decreased 5 percent, and aggravated assaults fell by 7 percent (Lott, 1998). Lott also found that in 1988 (which was the last year in which this data was available for the entire United States), there were 200 accidental deaths in the United States. Only...
22 of these accidental deaths were in states with concealed handgun laws, while 178 accidental deaths occurred in states without these laws (Lott, 1998).

Lott’s research also revealed that on average violent crime dropped 4 percent for each 1 percent increase in gun ownership. States which allowed citizens to carry concealed handguns had the most dramatic improvement. From 1977 to 1994 those states experienced an average drop in murders of 10 percent and a 4.4 percent drop in overall violent crime (Poe, 2001).

Lott’s (2003) research also demonstrated that concealed carry permits reduce the number of multiple victim public shootings. By definition a multiple victim public shooting is a shooting in which two or more people are killed or wounded in a church, business, bar, street, government building, school, place of public transit, place of employment, park, health care facility, mall, or restaurant. Both the Trolley Square shooting and the Virginia Tech shooting are examples of a multiple victim public shooting.

To reach this conclusion Lott examined multiple public shootings in the United States from 1977 to 1997. The study was restricted to the United States to enable Lott to compare states with and without right-to-carry laws at different points in time. Other factors were held constant to enable Lott to estimate the effects of a state changing its laws during the period. Multiple victim shootings that were byproducts of other crimes or that were products of gang activity were excluded. The reason for the exclusion is that criminals involved in gangs, drugs and organized crime are already engaged in unlawful activities that often require them to carry guns.

According to Lott’s (2003) research, the per capita rates of shootings and injuries are greater in states without right to carry laws in thirty-four of the forty-two comparisons. In 1995 there were twenty-nine states, including the District of Columbia without right-to-carry laws. For every 100,000 people, those twenty-nine states had .046 murders/injuries caused by public shootings. The number of shootings per 100,000 people in those twenty-nine states was 0.007. That same year, twenty-two states had right-to-carry laws. Among those twenty-two states there were 0.004 murders and injuries caused public shootings per 100,000 people, and the number of shootings per 100,000 people was 0.001.

In 1997 the number of states without right-to-carry laws dropped down to 20, but the number of murders and injuries in a public shooting per 100,000 increased to 0.103 and the number of shootings per 100,000 people increased to 0.028. The number of right-to-carry states increased to 31 and the number of murders and injuries per 100,000 increased to 0.069 and the number of shootings per 100,000 people increased to 0.024. Though murders and public shootings increased in both right-to-carry states and non right-to-carry states alike, the amounts of murders and public shootings remained higher in non right-to-carry states (Lott, 2003). Lott’s research caused quite a stir when first published and has lead to numerous research intended to test his assumptions. Several of the follow up research is discussed below.

**OLSON & MALTZ RESEARCH**

In the *Journal of Law and Economics*, in October 2001, David Olson and Michael Maltz re-evaluated the research of Lott. Olson and Maltz sought to replicate Lott’s work using a different data source. Rather than look at homicide with a broad brush they examined different types of homicide and then the effect that concealed carry permits had on those different types of homicide. Like Lott’s research,’ Olson and Maltz research indicates that concealed carry laws are associated with a decrease in total homicides, though their results were not as dramatic as Lott’s, they were still significant enough to indicate a decrease in homicide rates after concealed carry laws were enacted.

**AYERS & DONAHUE RESEARCH**

The *Stanford Law Review*, in 2003, evaluated the data presented by Lott and point out other possible causes of the decrease and increases in crime in the areas Lott researched. Among these possible alternative explanations, Ayers and Donohue argued that robbery over the years seems to follow an up and down pattern historically. Therefore any effect that seems to be a result of increased concealed carry permits may instead be the result of following historical trends. Another point that Ayers and Donohue argued is that much of the increase in crime in the non shall-issue states is due to a greater concentration of crack, and not because of the policy.

In addition to presenting other possible explanations to Lott’s data they also extended the state-wide data to 1999 and the county-wide data to 1997. Among their findings, Ayers and Donohue found that property crimes increase with the passage of shall-issue laws.

**PLASSMANN & WHITLEY RESEARCH**

In the *Journal of Law and Economics*, in 2003, Florenz Plassmann and John Whitley (2003) evaluated the research of Ayers and Donahue, as well as extended the Ayers and Donahue tests, using the same method to the year 2000. Plassmann and Whitley argued that the research of Ayers and Donahue was initially misread and that it actually strengthens the claim that guns do reduce crime. According to the research of Plassmann and Whitley’s (2003) research of county-level data for the entire United States from 1977 to 2000, there were annual reductions in murder rates between 1.5% and 2.3 % for each additional year that a right-to-carry law was in effect. Their research of state-level data illustrates that the robbery rates continued rising, though at a slower rate than before, for the first two years after the law was passed. However, after that, robbery rates in right-to-carry states fell relative to non-right-to-carry states for the next nine years and then remained fairly constant through year seventeen. The two sets of coun-
ty level estimates are even more dramatic. Robbery rates in right-to-carry states were rising until the laws were passed and then fell continually after that point. County-level estimates show that both rape and aggravated assault fell almost continually after the laws were enacted. The first six years during which the right to carry law is in effect are associated with about ten percent declines in murder and rape and an eight percent decline in robbery rates (Plassmann & Whitley, 2003).

**CONCEALED CARRY IN FLORIDA CASE STUDY**

In 1987 the state of Florida enacted a “shall issue” concealed carry policy. When Florida enacted its law many were fearful that the issuance of additional permits would cause an increase in crime. The director of the Metro-Dade County Police Department was especially fearful of the impact the additional permits would have on crime. The department required officers to fill out a form every time they were involved in a situation involving a concealed carry permit holder, even incidents that did not involve an arrest or violent act.

The meticulous record keeping done by the Metro Dade County Police Department, coupled with the fact that Dade County had the highest violence rate of any Florida county, made Dade County an ideal test case to measure the impact concealed carry laws would have on violent crime. When the new law went into effect the number of permits in Dade County increased from 1,200 permits to 21,092 permits (Kleck, 2001).

In a five year period, from September 30, 1987 through August 31, 1992 only twenty two permit holders were arrested, eight of them involved a violent crime with a gun. Therefore in a span of four years and ten months only 1.7 arrests per year were made of a permit holder committing a violent act with a gun, despite 17 times more people having a concealed carry permit (Kleck, 2001).

**KLECK AND GERTZ RESEARCH**

In another study published in the *Journal of Criminal Law and Criminology*, Florida State criminologists Gary Kleck and Marc Gertz examined the prevalence and nature of self-defense with a gun. Kleck and Gertz (1995) used anonymous telephone surveys. To eliminate some of the problems past surveys had with accuracy, the researchers excluded occupational defensive gun use, and defensive gun use against animals. Respondents were asked if they or someone in their household had used a gun for defensive use in the past year or anytime in the past five years. If the answer was yes the respondent was then asked 18 additional questions to determine if the gun use qualified as being defensive. The research done by Kleck and Gertz indicates that Americans use a gun for defensive gun use as often as 2.1 to 2.5 million times a year. The most common use of guns was for defense against burglary, assault, and robbery.

Kleck and Gertz (1995) then examined the number of crimes involving a gun as reported to the National Crime Victimization Survey (NCVS). In 1992, there were an estimated 847,652 violent crime incidents in which at least one offender possessed a gun. Between 16.6 percent and 63.4 percent of these incidents involved the gun actually being used in an attack or threat. However even when assuming that all 847,652 incidents involved the gun in an attack or threat, that number is still substantially lower than the 2.1 to 2.5 million times a year a gun is used defensively. Therefore according to Kleck and Gertz (1995), the benefits provided by guns outweigh the potential danger.

Marvin E. Wolfgang (1995), professor of criminology at the University of Pennsylvania, and strong gun-control advocate, said the following about the research done by Kleck and Gertz:

> I am as strong a gun-control advocate as can be found among the criminologist in this country. If I were Mustapha Mond of Brave New World, I would eliminate all guns from the civilian population and maybe even from the police. I hate guns—ugly, nasty instruments designed to kill people.

> What troubles me is the article by Gary Kleck and Marc Gertz. The reason I am troubled is that they have provided an almost clear-cut case of methodologically sound research in support of something I have theoretically opposed for years, namely, the use of a gun in defense against a criminal perpetrator.

> Can it be true that about two million instances occur each year in which a gun was used as a defensive measure against crime? It is hard to believe. Yet, it is hard to challenge the data collected. We do not have contrary evidence. The National Crime Victim Survey does not directly contravene this latest survey, nor do the Mauser and Hart studies.....The methodological soundness of the current Kleck and Gertz study is clear. I cannot further debate it.

> The Kleck and Gertz study impresses me for the caution the authors exercised and the elaborate nuances they examine methodologically. I do not like their conclusions that having a gun can be useful, but I cannot fault their methodology. They have tried earnestly to meet all objections in advance and have done exceedingly well.

**MCDOWALL ET AL. RESEARCH**

In the *Journal of Criminal Law and Criminology*, David McDowall, Colin Loftin, and Brian Wiersema (1995) examined the frequency of homicides before and after “shall issue” laws where implemented in Florida, Mississippi, and Oregon. The researchers used a time-series design, and limited the study to large urban areas within the three states, because urban areas have more violent crime than rural areas. According to McDowall et al. (1995), gun homicides increased by an average of 26 percent after the “shall issue” policy was implemented. Leading to the conclusion that “shall issue” laws do not reduce homicide in large urban areas.
CONCLUSION

It is difficult to make a strong conclusion on the impact of concealed carry permits on crime because there are studies that show contradictory results. However, based on the thorough research conducted by John R. Lott (2003), the evidence from the case study in Dade County, and the research conducted by Kleck and Mertz (1995), it appears that benefits of allowing law abiding citizens to carry a concealed weapon outweigh the negatives that guns can bring upon a society.

The concerns mentioned above against the policy are not substantiated by the evidence available. The evidence suggests that children are more likely to drown or die in a bicycle accident than to die from a loaded unlocked gun. In addition, private gun owners are far less likely to mistakenly kill someone than a police officer (Lott Jr., 1998).

Ultimately the policy appears to be effective in terms of crime reduction. However, each individual contemplating applying for a concealed carry permit must determine if they want the responsibility of owning a gun. In the concealed carry class taught by Lt. Colonel Ken Nessen, an instructor in Utah, students are instructed to prepare a “personal protection plan” (Nessen, 2008). In preparing their plan students should determine under what circumstances they would be prepared to use deadly force. Individuals willing to carry a concealed weapon must also be willing to bear the burden of responsibility that comes with carrying a deadly weapon.

The evidence suggests that carrying a concealed weapon does reduce crime and increases the safety of the individual, but the individual must be up to the responsibility of gun ownership.

REFERENCES


