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ADDITIONAL DISCUSSION ABOUT EASING CONCEALED FIREARMS LAWS†*

DAVID MCDOWALL, COLIN LOFTIN, BRIAN WIERSEMA**

I. INTRODUCTION

Like most social issues involving firearms, the link between guns and violence can be an emotional topic. If social scientists are to provide useful guidance in this area, it will be through careful data collection and logical analysis. While the tools of social science are limited, over time the accumulation of its findings can establish a trustworthy basis for understanding the issues.

Accordingly, we are pleased by the articles in this Symposium. For the most part, each author closely attends to factual matters and to consistent patterns in the available data.

Yet we believe that Professor Daniel Polsby's commentary is a partial exception to this approach. Polsby's comments advocate a position, building an argument for a conclusion that he favors. Polsby makes his case politely and with grace. Still, in presenting his position, he is often unfair to work that does not support it.

Polsby devotes much of his attention to our Article, *Easing Concealed Firearm Laws: Effects on Homicide in Three States*. His discussion of our Article is similar to other critiques, especially to a memorandum by Paul H. Blackman, Research Coordinator for the National Rifle Association's lobbying arm.¹ Because of the frequency of these criticisms, we will consider them in detail.

Polsby raises three major issues about our article. Two of these are empirical matters, and one is theoretical. We will address each separately.

† Authors requested rebuttal [Eds].

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¹ PAUL H. BLACKMAN, INITIAL EVALUATION OF UNIVERSITY OF MARYLAND/CDC STUDY OF STATE RIGHT TO CARRY LAWS (1995).

II. HOMICIDES IN MIAMI

First, Polsby notes that we studied twenty years of data for four cities in our analysis, but only ten years of data for Miami. He says that if we had examined twenty years of Miami data, we would have found that firearms homicides declined there.

As we pointed out in our Article, Miami homicide counts were relatively low before the May 1980 boatlift of refugees from Marial, Cuba. Killings in the city then skyrocketed, and they remained at this higher level through 1992.

Our research design compared homicide counts before and after the 1987 shall issue law. If we had ignored the earlier boatlift, logic suggests that we would have found an increase in Miami homicides after the licensing policy began.

There are two ways to handle this problem. First, we might have analyzed the entire twenty year period in Miami, allowing for the effects of the boatlift. Second, we might have begun the Miami analysis after the effects of the boatlift had worked themselves out.

We thought that the second strategy was more conservative, and we employed it in our Article. We now report results using the first strategy in Table 1. This analysis includes intervention models for the Marial boatlift and for the shall issue law, and it uses all 240 months between January 1973 and December 1992.

The estimates in Table 1 show large increases in Miami homicides following the boatlift. As in our original analysis, firearm homicides increased after the shall issue law, while other homicides fell. The major difference from the earlier results is that the increase in firearms homicides is now statistically significant.

Based on this analysis, we would conclude that firearms homicides significantly increased in *four* of the five cities that we studied, rather than in only three. An analysis of all 240 months of Miami data thus strengthens the original conclusions.

III. HOMICIDES IN THE STATE OF FLORIDA

Polsby's second point is that homicides decreased statewide after Florida's shall issue law began. He says that because we examined only three Florida cities, we reached mistaken conclusions about the general effects of the state's law.

This point actually raises two issues. First, how could we find that firearms homicides increased in three cities if they declined statewide? Second, why did we use cities to study a state law?

The first issue is a matter of data selection. Most claims about decreases in Florida homicide rates compare only two years, 1987 (the

year the law began) and a single year after the law. Invariably, the year after the law is 1991 or later.

According to our data, Florida's firearms homicide rate was 7.98 per 100,000 persons in 1987. The 1988 rate was 9.54, the 1989 rate was 8.52, and the 1990 rate was 8.18. By 1991, the rate was 7.19—below that in 1987—and in 1992, it was 6.86.

Thus, for three years after the law, Florida witnessed higher rates of firearms homicide. Only in 1991 and later years did gun homicides dip below their 1987 level. Claims of a decrease in homicides thus depend on using data from 1991 or later for comparison.

Yet, as we noted in our Article, Florida began background checks and a waiting period for handgun purchases in 1991. Comparisons that use only 1991 or later years thus confound the effects of shall issue licensing with those of the other two laws. A decrease in homicides after 1991 might as easily be due to the background checks or waiting period as to the licensing policy.

Our basic research design used 240 monthly observations, with no gaps over twenty years. The research design for the other comparisons used two annual observations, with large gaps. Our research design is reasonably strong, while the design in the other comparisons is very weak. We encourage readers who doubt these points to consult the sources that we cited in our Article.

Besides the comparison periods, there also is the issue of why we studied the Florida law separately in each of three cities. Simply, we thought that this approach was the most reasonable way to examine the outcome of the licensing policy.

The three Florida cities in our analysis are geographically separated, and they differ in their demographic makeup. Each city thus provided a separate chance to test the law's effects. Indeed, the difference in the Miami results from those in the other areas raised questions that might otherwise have gone unnoticed.

Although we believe that the city analysis is more useful, we present results for the entire state in Table 2. This analysis includes intervention models for the shall issue policy and for the background check and waiting period laws. It covers the period between 1983 and 1992.

The first panel of Table 2 contains estimates of the effects of the policies on monthly homicide counts. The second panel contains estimates of their effects on annual homicide rates. Both panels show that firearm homicides significantly increased statewide after the shall issue law began. The only major difference from the city results is that homicides without guns significantly decreased in the state after the

law. Thus, while we prefer the city analysis, estimates for the state lead to similar conclusions.

IV. HOW SHALL ISSUE LAWS MAY AFFECT HOMICIDES

Polsby's third point is a theoretical issue. We noted in our Article that there is no evidence showing that legal firearms carriers use their weapons to commit crimes. We suggested instead that shall issue laws may give criminal offenders more incentive to carry and use guns for protection from victims. That is, relaxed concealed firearm laws may set off an arms race in which criminals obtain guns to protect against victims who obtained guns to protect against criminals.

Polsby is skeptical of this explanation. He says that our logic also implies that criminals will carry guns to protect themselves from the police, a possibility he believes to be "farfetched." He suggests instead that fear of armed citizens may *discourage* criminal gun carrying.

We cannot show beyond doubt that our theory is correct. The rare involvement of permit holders in crime is an important issue, and it deserves emphasis. As we stressed in the Article, additional study in other areas is necessary before drawing firm conclusions about shall issue laws.

Yet some theories accord better with the data than do others. In presenting his theory, Polsby overlooked a way to test it against our explanation.

In particular, in a survey of prison inmates, Wright and Rossi asked criminals why they carried guns. Thirty percent of regular gun carriers said that armed police officers were a "very" or "somewhat" important reason for their actions.² Sixty-two percent of regular carriers cited armed victims as a "very" or "somewhat" important reason.³

These findings suggest two conclusions. First, some criminals do carry guns to protect themselves from the police. Second, armed victims are a major reason for criminal carrying. Wright and Rossi conclude that "the possibility of confronting an armed victim appears to have been a more important motivator in the felon's decision to carry a weapon than the fact that the police have guns."⁴ Shall issue laws thus may have a uniquely strong influence on criminal firearm use.

V. CONCLUSIONS

We believe that an essential difference between advocacy and science lies in openness to the evidence. Although we disagree with

² JAMES D. WRIGHT & PETER H. ROSSI, ARMED AND CONSIDERED DANGEROUS 150 (1986).

³ *Id.*

⁴ *Id.*

most of Polsby's criticisms of our work (and the work of others), we readily agree that our findings are not beyond dispute. As Polsby notes, we (and other authors) do not draw unalterable conclusions. Instead, we point to areas where further study may help clarify the issues. We believe that such study will ultimately be more useful than arguments in support of a preexisting opinion.

Table 1

CHANGE IN MEAN NUMBER OF HOMICIDES PER MONTH IN FLORIDA, BY METHOD, AFTER MARIAL BOATLIFT AND IMPLEMENTATION OF SHALL ISSUE LICENSING

Type of Homicide	Change After the Shall Issue Law*			Change After the Marial Boatlift**		
	Coefficient	SE	t-Statistic	Coefficient	SE	t-Statistic
Firearm	6.76	3.40	1.99	15.57	3.47	4.49
Other Methods	-1.59	0.83	-1.92	4.15	0.76	5.46

* Mean change in homicides after implementation of the shall issue law, controlling for the Marial boatlift.

** Mean change in homicides after the Marial boatlift, controlling for the shall issue law.

Table 2

CHANGE IN MEAN NUMBER OF HOMICIDES PER MONTH IN FLORIDA, BY METHOD, AFTER IMPLEMENTATION OF SHALL ISSUE LICENSING AND WAITING PERIOD AND BACKGROUND CHECK LAWS

Series and Type of Homicide	Change After the Shall Issue Law*			Change After Waiting Period and Background Check Laws**		
	Coefficient	SE	t-Statistic	Coefficient	SE	t-Statistic
Monthly Counts						
Firearm	18.13	2.38	7.62	-13.93	3.02	-4.61
Other Methods	-5.32	2.43	-2.19	-11.08	2.96	-3.74
Annual Rates Per 100,000 Residents						
Firearm	.88	0.26	3.38	-1.72	0.32	-5.37
Other Methods	-1.11	0.32	-3.47	-1.17	0.40	-2.92

* Mean change in homicides after implementation of the shall issue law, controlling for the waiting period and background check laws.

** Mean change in homicides after implementation of the background check and waiting period laws, controlling for the shall issue law.