

Testimony Submitted to the Full House Judiciary Committee
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I was pleased to learn of the Committee's interest in the enforcement of current gun laws. The fact that this legislative body is moving beyond its law making function to assure that the laws passed are in fact being used is, in my opinion, a noteworthy step. Implementation and enforcement of laws receive too little attention, and I encourage your decision to address what is a non-traditional role for a legislative committee. That being said, I would like to offer to the members of the committee some opinions about how enforcement resources should be prioritized and balanced along side your law making responsibilities.

A Framework for Considering Gun Policy Options

There are many types of gun policies. Policies that aim to reduce the number of deaths and injuries may be thought of as intervening at different points in the life of guns. Policies may focus at the stage when guns are manufactured, sold, or used. Traditionally, policy approaches to reducing gun deaths have focused on gun use. While such laws serve an important role in our society – to punish people who commit gun crimes – such laws are essentially reactive. In order for enforcement of these “use” laws to occur, some harm must take place. I believe a more effective policy strategy includes attention to the manufacture and sale of guns, for such laws have the potential to prevent gun death and injury; not merely react to crimes committed.

Law Making and Law Enforcement: Striking an Effective Balance

In considering the status of current enforcement of gun policies in Pennsylvania, take a moment to assess whether existing laws move beyond punishing the person who pulls the trigger. Does existing law regulate the manufacture of guns so as to minimize the harm that may result once the product leaves the factory? Federal law does not require gun manufactures to incorporate safety considerations into the design process, and I am unaware of any Pennsylvania statute which addresses the manufacture of guns. Gun crimes are often committed by people who are prohibited from purchasing guns. However, the question of who is supplying proscribed purchasers with guns is rarely asked. There are legislative options for restricting access to guns by those prohibited from purchasing them, such as criminals and youth. Policies and enforcement strategies that disrupt illegal gun markets have the potential to reduce gun homicide.

If the interest of the Committee lies in preventing gun deaths in the Commonwealth, which I believe it does, then gun policies and enforcement priorities should be similarly focused. Consider policy and enforcement strategies which aim to prevent gun deaths by mandating safer gun designs, such as personalized guns which can only be fired by authorized users, and consider strategies to punish those who illegally supply guns to criminals and youth through private transactions. Gun violence is a deeply entrenched social problem. Neither existing laws nor existing enforcement represent our best efforts to address this problem. I encourage you to continue to improve both the reach of gun policies and their enforcement.