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February 19, 2018

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GUN SAFETY

Laws That Allow for Temporarily Removing Guns from High-Risk People Linked to a Reduction in Suicides

For every 10.5 guns collected under Connecticut's gun violence restraining orders, one person was stopped from taking his or her own life, researchers estimate. Eleven states are considering similar policies.

by **Dan Friedman** · @dfriedman33 · September 8, 2016

After several years during which fights to expand background checks dominated the agenda of the gun reform movement, advocates are encouraging sympathetic state legislators to also consider more targeted strategies that they say could prevent shootings by people deemed at risk of harming themselves or others.

About a dozen states appear poised in their upcoming legislative sessions to consider bills that would create "risk-based" gun removal laws. Such measures allow judges to issue orders instructing police to temporarily confiscate firearms when officers, or in some instances, family members, assert that an individual poses a threat.

Legislators in New York, Pennsylvania, New Jersey, Delaware, Virginia, Wisconsin, Illinois, Missouri, Minnesota, Michigan, and perhaps Massachusetts are expected to introduce gun violence restraining order

bills next year, according to advocates and legislators in those states. California's version of the law took effect January 1.

While high-profile shootings tend to drive the political impetus behind gun violence restraining order laws, a new study by Jeffrey Swanson, a psychiatry professor at Duke University's School of Medicine, and nine other researchers, shows how in one state — Connecticut — gun removals from high-risk people may have prevented **up to 100** suicides.

The study, shared with The Trace, examined 14 years of suicide data, from the law's passage through 2013. Though the researchers avoid calling their findings definitive, the results have encouraged advocates of a ballot initiative in Washington state that is likely to pass in November, according to polling, as well as legislators elsewhere.

Connecticut's law "was enacted out of concern for violence against other people, but as it has been used, most of time it has been because of suicide concerns," Swanson said. He called his paper a "kind of quasi-experiment as a way for policymakers think about" gun violence restraining orders.

Research shows that for people considering ending their own life, access to guns matters. More than half of all suicides in the U.S. are carried out with a firearm, even though guns account for a small minority of attempts. Bullets are exceptionally lethal: In 2014, about 87 percent of gun suicide attempts were fatal, compared to just three percent of attempts by drug overdoses, according to an analysis of Centers for Disease Control data.

Because suicide is often an impulsive decision, removing firearms from the immediate vicinity of a potential victim can reduce deaths. States with lower gun ownership rates have substantially lower suicide rates.

The Connecticut law allows police to confiscate guns for up to one year if a judge issues a "risk warrant" — a civil court action that does not create a criminal record — based on a law enforcement affidavit showing probable cause that someone will harm himself or others. Judges must consider recent threats, or acts of violence, and may weigh other factors, like drug and alcohol abuse. Persons subject to these gun violence prevention orders are also prohibited from further possessing firearms.

In its first eight years, the Connecticut law generated fewer than 10 such warrants per year. But it was used more widely after the 2007 mass shooting at Virginia Tech. The shooter at the university should not have been able to possess a gun due to a history of mental illness.

Through 2013, Connecticut courts issued 762 gun violence prevention warrants in the state. Ninety-two percent of subjects were men, who are about three times more likely than women to take their own lives. Sixty one percent of warrants affected people considered to be a risk to themselves; 32 percent were deemed to pose risk to others. (This correlates to national gun violence numbers: About two-thirds of the 33,000 annual deaths are suicides, and one-third are homicides).

Researchers determined 21 of the subjects of orders later committed suicide; six of them used guns to do so. That's an extremely high suicide rate — 40 times the national average. But Swanson told the Trace those results actually suggest the law effectively targets high-risk people — without the initial seizures, the rate would have been higher.

To estimate how likely subjects of the restraining orders would have been to use a gun on themselves, had they retained their firearms, Swanson and his team used national data on how likely male gun owners are to use a gun to attempt suicide. That comparison lead researchers to expect that, if the subjects of the restraining orders had remained armed, there would have been at least 71 additional suicides. That rough estimate equates to one averted suicide for every 10 to 11 guns seized in Connecticut.

The finding reflects research that shows people who survive suicide attempts usually don't try again.

"A lot of times the people who have their weapons seized are not having a bad life — they're having a bad moment," a former Connecticut prosecutor quoted in the study said.

Another benefit of the Connecticut law, the study found, was that in 44 percent of cases, the request for a warrant resulted in the subject receiving psychiatric treatment they might otherwise not have received.

In Connecticut, police officers told researchers that the law initially floundered because it was unknown to residents and was too labor intensive for cops; in small departments, the requirement that two on-duty officers appear before a judge could pose major logistical challenges.

California is the latest state to adopt a gun violence restraining order law. So far, it hasn't been used very much. Between January 1, when the law took effect, and August 4, judges in the state issued 53 such orders, according to data provided by the state's Department of Justice. In a state of 39 million people, that's a modest number. It suggests that many families who might use it are likely unaware of the law, said Nancy Skinner, who sponsored the bill in the California Assembly.

"What we've learned is that you have to have a robust implementation plan," said Josh Horwitz, executive director of the Coalition to Stop Gun Violence, which has lobbied lawmakers around the country to take up gun violence restraining order laws. "You can't just pass this law and think it will be reflexive. You need to educate people about what it does."

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