

# Expand California Child Access Prevention laws to the entire nation

Sydney James, April 2019

## BRIAN CROWELL'S STORY

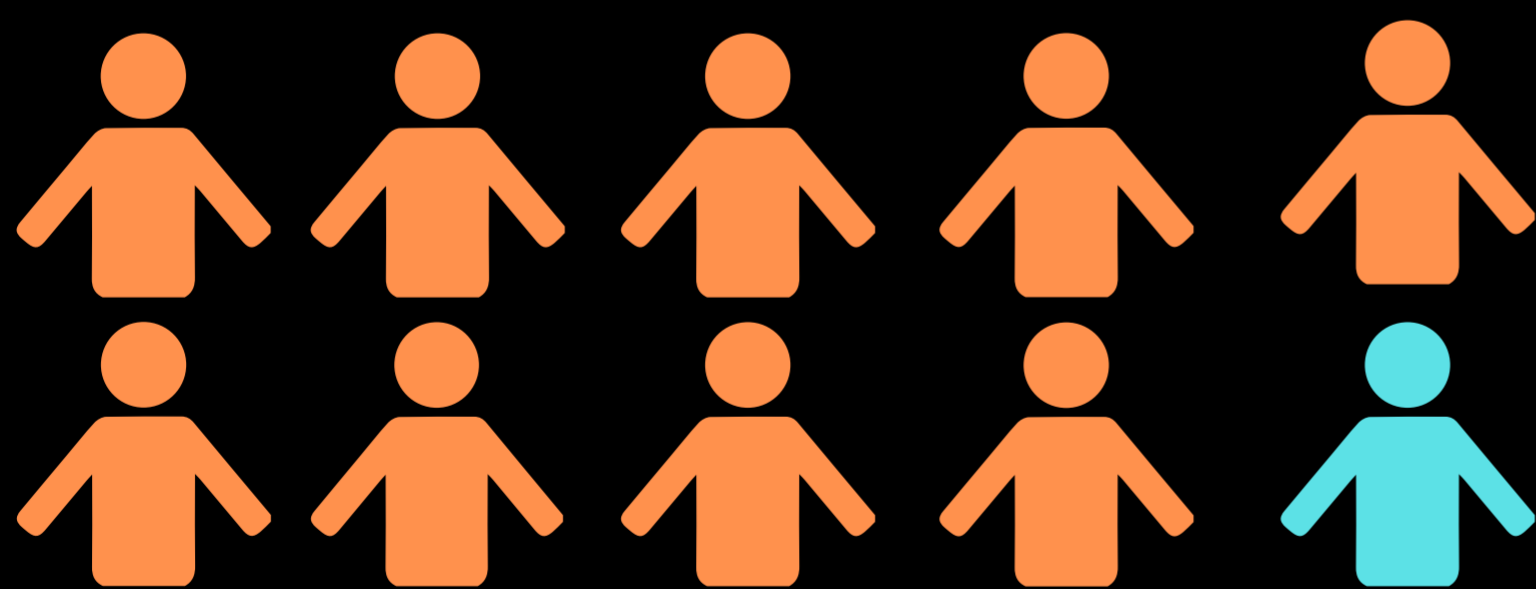
Brian was on the phone with his sister at a friend's house when his friend brought out a gun he found hidden in his mother's room. The gun was loaded and unlocked, unknown to the friend. Playing around, the friend pulled back the hammer, heard the click, and accidentally fired, shooting Bryan in the neck. Bryan died hours later in a hospital surrounded by his family.<sup>5</sup>

**It is my mission to get the message out to others about handgun safety and how the terrible accident that took our son from us could have been prevented. And should have been prevented. Education of our children is one thing ... but I feel that the adult owner of a handgun should be responsible for accessibility and safe storage of their handgun."**

**Brian's mother Ann Marie Crowell**

## WHAT'S HAPPENING NOW

In March 2019, a 6-year-old accidentally shot himself in the head after he found a loaded gun in his house.<sup>1</sup> American minors are killed by gun incidents at least once a day, and one of every three homes in America have a gun.<sup>2</sup>



91% of the firearm deaths that take place in high-income countries occurred in the United States.

National Center for Biotechnology Information, 2016

## BACKGROUND INFO

Child Access Prevention laws (CAPs) are set by individual states regarding gun ownership and usage. Policies vary in how strict they are.

## CURRENT POLICY

There are no CAP laws at the federal level. Current gun ownership is rooted in the Second Amendment with regulations concerning who can buy guns, and which guns are prohibited. The Gun Control Act of 1968 (GCA) restricts "prohibited persons" (fugitives, convicts, etc.) from buying guns. Various states laws have been passed since then. States with the strictest laws have the least amount of firearm deaths.<sup>3</sup>

## DIFFERENT CAPS<sup>4</sup>

- Criminal Liability for Allowing a Child to Gain Access to the Firearm, Regardless of Whether the Child Uses the Firearm or Causes Injury
- Criminal Liability Only if a Child Uses or Possesses the Firearm
- Criminal Liability for Negligent Storage of Unloaded Firearms
- State Laws Prohibiting Intentional, Knowing or Reckless Provision of Firearms to Minors

1. AdWright, Colleen. "Counselors, Superintendent Visit School of 6-year-old Who Accidentally Shot Himself." Miamiherald. March 18, 2019. Accessed April 10, 2019.

<https://www.miamiherald.com/news/local/community/miami-dade/miami-gardens/article228103074.html> dy text

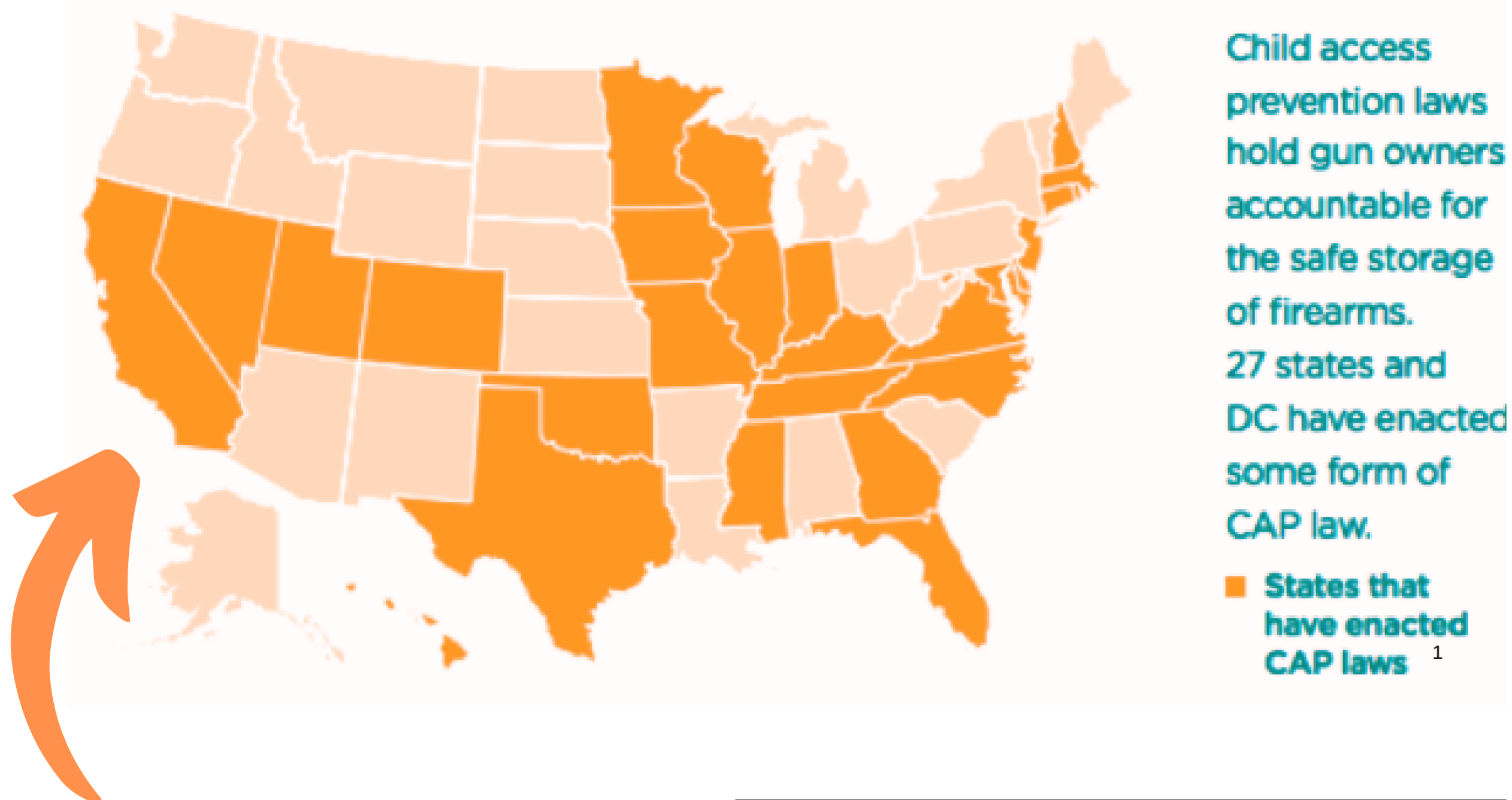
2. Busch, Monica. "9 Statistics That Show Why This Campaign To Keep Guns Safe From Children Is Crucial." Bustle. December 17, 2018. Accessed April 10, 2019. <http://www.bustle.com/p/9-statistics-on-children-guns-that-highlight-why-the-end-family-fire-campaign-is-so-crucial-10027555>.

3. "Child-Access Prevention Laws," RAND Corporation, , accessed April 18, 2019, <https://www.rand.org/research/gun-policy/analysis/child-access-prevention/unintentional-injuries.html>.

5. "Child Access Prevention." Giffords Law Center to Prevent Gun Violence. Accessed April 10, 2019. <https://lawcenter.giffords.org/gun-laws/policy-areas/child-consumer-safety/child-access-prevention/#federal>.

5. "Stories." Stop Handgun Violence. Accessed April 10, 2019. <https://www.stophandgunviolence.org/stories/>.

## A Popular Solution: CAP Laws Across the Nation



States with the some of the most strict CAP laws are California, Massachusetts, New Jersey, Connecticut and Hawaii. The strictest laws correlate to the least amount of firearm deaths per population. California has the most strict CAPs<sup>3</sup> and the 44/50 most firearm deaths; 7.8 people out of every 100,000.

## Legislatures can take action.

The CAP laws of California should be adopted on a federal level. By passing this law, adults would have to store guns in their homes, out of the reach of children. They would be held criminally liable if a child had even a possibility of coming in contact with a gun in the household without parental supervision and/or approval.

### IT'S TIME FOR CHANGE

This policy is already implemented in California, so it would just need to be expanded to the national level. Gun-ownership would be protected and the process to obtain a gun wouldn't change. Unintentional gun incidents would drastically decrease and intentional gun incidents would be closer to complete prevention.

If change doesn't happen, kids will continue dying. One life is too many, but firearm injuries happen daily, and survivor's lives are forever changed. The proof is there, now we need action. Vote to pass Child Access Laws in all 50 states, making it illegal to have a gun where a child has any opportunity to gain access to it.

# 39%<sup>2</sup>

of parents didn't know their kids knew where the gun in the house was hidden.

# 14<sup>1</sup>

states have a CAP that guns must be stored in safes, or somewhere else children can't reach them.

# 75%

of suicide attempts from minors with firearms have taken place with a gun in their house or a friends.

# 3rd

leading cause of child deaths are from firearm injuries.

1. Detroit Free Press. "States Rejecting Bills Intended to Keep Guns Away from Kids." WZZM. May 24, 2017. Accessed April 10, 2019. <https://www.wzzm13.com/article/news/nation/states-rejecting-bills-intended-to-keep-guns-away-from-kids/442491733>.

2. Busch, Monica. "9 Statistics That Show Why This Campaign To Keep Guns Safe From Children Is Crucial." Bustle. December 17, 2018. Accessed April 10, 2019. <http://www.bustle.com/p/9-statistics-on-children-guns-that-highlight-why-the-end-family-fire-campaign-is-so-crucial-10027555>.

3. "Child Access Prevention." Giffords Law Center to Prevent Gun Violence. Accessed April 10, 2019. <https://lawcenter.giffords.org/gun-laws/policy-areas/child-consumer-safety/child-access-prevention/#federal>.