

## **Gun Control Research- Dr. Gary Kleck- Gun most effective way to resist robbery and assault- up to 2.5 million defensive gun uses per year by U.S. adults**

Dr. Kleck, a professor of criminology at Florida State University is a registered Democrat, a member of the ACLU, does not own guns, and takes no money from anyone on either side in the debate. In 1988, Kleck published an article in the journal, *Social Relations*. This article, the first major research effort that measured defensive gun use, was based on state and national studies.

Dr. Kleck estimated that about 1 million adults per year use a gun for self-defense in the U.S. Kleck's research included studies done for the anti-gun National Alliance Against Violence, and the National Crime Victimization Surveys. Kleck concluded that gun use was the most effective and safest way of resisting a robbery or assault, safer than not resisting, running away, or using another method of resistance.

In 1991, Dr. Kleck published *Point Blank: guns and violence in America*. The book won an award in 1993 from the American Society of Criminology for an "outstanding contribution" to the field.

Not satisfied with the sources for his previous work, Dr. Kleck and his colleague Marc Gertz created a new survey with a sample size of about 5,000 individuals to better measure defensive gun use. With the new survey, Kleck and Gertz estimated between 2.2 to 2.5 million defensive gun uses per year in the U.S. Women were the defenders in about 46% of the cases reported. Less than 25% of the reporting defensive users indicated that they fired a shot during the incident under consideration. There is a less than 1% chance that a defender's gun will be taken from him or her by an assailant, according to Dr. Kleck.

Dr. Marvin Wolfgang was asked to critique the Kleck/Gertz Study. Dr. Wolfgang's review included the following: "I am as strong a gun-control advocate as can be found among... criminologists... they (Kleck and Gertz) have provided an almost clear-cut case of methodologically sound research in support of something I have theoretically opposed for years... the use of a gun in defense against a criminal perpetrator... I do not like their conclusions that having a gun can be useful, but I cannot fault their methodology."

The absolute lowest estimates of about 100,000 defensive gun uses per year in this country come from the Department of Justice, using U.S. Census information. There is no question in the survey that asks about defensive firearms' use. This estimate is probably a serious undercount.

The Clinton Justice Department funded what was supposed to be a counter study debunking the Kleck/Gertz research. In 1996, anti-gun researchers Ludwig and Cook came up with about 3 million defensive gun uses per year. They then decided that it is impossible to measure the true number of persons who use guns in America for self-defense.

The research done by Kleck and Gertz indicates that defensive use of firearms by private citizens is a significant factor in stopping criminal violence. The research also lends itself to the conclusion that in most cases where a gun is used to resist robbery or assault, no shots are fired.

### Sources:

- ❑ Blackman, Paul H., Ph.D., "Armed Citizens and Crime Control," <http://www.nraila.org/issues/articles/read.aspx?id=125>.
- ❑ Kopel, David, Independence Institute, panel discussion on guns and self-defense, Warwick Hotel, Denver, Colorado, July, 2009. <http://vids.myspace.com/index.cfm?fuseaction=vids.individual&VideoID=60107462>
- ❑ "How Often Are Firearms Used in Self-Defense?" [http://www.guncite.com/gun\\_control\\_gcdguse.html](http://www.guncite.com/gun_control_gcdguse.html).
- ❑ Stevens, Richard W., "Statistics and 'Gun Control,'" Jews for the Preservation of Firearms Ownership, Inc, <http://www.jpfo.org/filegen-a-m/data-docs.htm>.  
Firearms Coalition of Colorado, PO Box 1454, Englewood, CO 80150-1454

Gun Control Research-Wright and Rossi Department of Justice Study  
(Deterrent effect of armed citizens upon criminal behavior)

Professors James D. Wright and Peter Rossi of the Social and Demographic Research Institute at the University of Massachusetts conducted a study in 1982 and 1983 paid for by the U.S. Department of Justice. (Professor Rossi was a former President of the American Sociological Association.) The researchers interviewed 1,874 imprisoned felons in ten states.

Professors Wright and Rossi initially believed that strict gun control deterred crime. The results of their research led them to the conclusion that armed citizens have a beneficial effect in reducing criminal behavior and that harsh laws, such as handgun bans, could result in criminals using sawed off rifles and shotguns with more deadly results. 88% of the criminals surveyed by Wright and Rossi agreed with the statement that, "A criminal who wants a handgun is going to get one."

A 1986 review of the professors' work, *Armed and Considered Dangerous*, by Raymond G. Kessler of the Department of Criminal Justice of Memphis State University, concluded, "Although *Armed and Considered Dangerous* is not free of methodological problems, it is the best policy-oriented study of criminals and their guns available."

Wright and Rossi reported that:

81% of interviewees agreed that a "smart criminal" will try to determine if a potential victim is armed.

74% indicated that burglars avoided occupied dwellings, because of fear of being shot.

57% said that most criminals feared armed citizens more than the police.

40% of the felons said that they had been deterred from committing a particular crime, because they believed that the potential victim was armed.

57% of the felons who had used guns themselves said that they had encountered potential victims who were armed.

34% of the criminal respondents said that they had been scared off, shot at, wounded, or captured by an armed citizen.

Based on this government-funded research by Wright and Rossi, it would appear that armed citizens do have a deterrent effect on crime.

Wright, James D., Rossi, Peter H., Daly, Kathleen, *Under the Gun, Weapons, Crime, and Violence in America*, Aldine de Gruyter, New York, 1983.

Wright, James D., Rossi, Peter H., *The Armed Criminal in America*, U.S. Department of Justice, 1985.

Wright, James D., Rossi, Peter H., *Armed and Considered Dangerous, a Survey of Felons and their Firearms*, Aldine de Gruyter, New York, 1986.

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Testimony in opposition to: HB24-1349 Firearms and Ammunition Excise Tax  
Senate Finance Committee

Thank you, Chair and Committee.

My name is Robert Edmiston. I am with the Firearms Coalition of Colorado, an NRA-affiliated, all-volunteer, grassroots organization dedicated to the protection of individual rights and public safety. I am a former U.S. Army officer and vocational rehabilitation counselor. I have a master's degree in psychology, counseling, and guidance.

I am writing in opposition to the measure under consideration. We believe this proposal will have no effect on so-called "gun-violence."

The bill will, however, drive up the cost of firearms and ammunition, leaving less money in an individual's pocket for range time and training. The primary burden of this increase will fall most heavily on those least able to afford it. The wealthy will simply pay the tax. For everyone else, there will be reductions in expenditures that will actually result in less safe gun handling and accuracy in tactical situations.

We often hear about the concern of the Colorado State Legislature for the possible disparate impact of legislation on marginalized groups, such as persons with economic disadvantages, and people of color. We believe this bill will have such an impact. We are frankly astonished that the majority caucus is willing to accept such a discriminatory, unintended consequence in order to achieve the supposed benefits of this measure.

We also believe this bill is an unconstitutional burden, analogous to a poll tax, on a constitutional right. It seems highly unlikely that the majority caucus would be willing to impose similar restricts on the First Amendment, or on voting rights.

Given the compelling research that documents the overall benefits of firearms to American Society, it appears odd that a bill has been proposed that will discourage the ownership and use of guns for self-defense. This bill would seem to punish law-abiding gun owners, benefit criminals, and foster the growth of an underground market in firearms and ammunition that will increase the power of gangsters.

(Please see the attachments on the deterrent effects of firearms on criminal behavior, the extremely common defensive use of firearms, and the benefit of firearms in ending mass shooting incidents.)

For the overall safety, security and preservation of the natural right to self-defense guaranteed to all Colorado Citizens by the US and Colorado Constitutions, we urge a "No" vote by members of the committee.

Thank you for your consideration,

Robert Edmiston  
Volunteer  
The Firearms Coalition of Colorado  
PO Box 1454, Englewood, CO 80150-1454

Attachments:

Wright and Rossi  
Gary Kleck  
David Kopel

Group,

## HB 24-1349 Excise Tax on Firearms, Ammunition and Accessories

The intent of HB 24-1349 is to provide funding for victim services in CO. In 2018 the Federal Victims of Crime act (VOCA) provided a lot of funding for these programs. The 2023 Colorado budget for VOCA and victim compensation was \$29,775,000. The state also received federal VOCA funding of \$29,222,000 in 2023.

VOCA grants are awarded to a variety of public and private organizations. You will see grants earmarked at Law Enforcement Victim Services. These grants go to police and sheriff departments across the state. You will see Victim Witness Services. These funds go to district attorneys throughout the state. Victim legal services started in 2019 and provide legal services to victims of crimes.

Here are the VOCA non-profit organization types.

- CASA - Court appointed special advocate
- Child Advocacy
- Domestic violence victim services
- Domestic violence sexual assault
- Sexual assault
- Victim services

There are a couple of smaller grants for things like identity theft.

The proposed excise tax (now 9% instead of 11%) is to provide consistent funding to these organizations as the federal VOCA funds are drying up. The expected revenue from the excise tax is \$54,000,000. \$32,000,00 from firearms and \$22,000,000 from ammunition and accessories. There is a change to the bill to now provide money for school safety that was not included in the original bill. I see how they came up with the \$32,000,000 but the number is flawed.

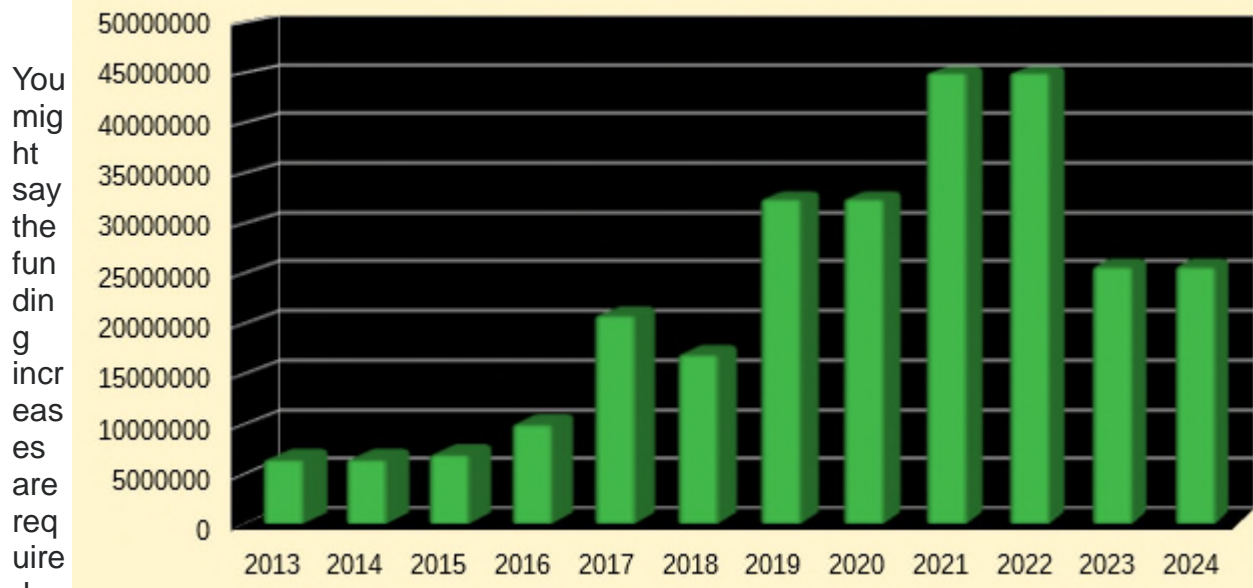
They created a standard value of \$548 for handguns and \$932 for long guns. They then said 58% of firearm purchases are for handguns. They then said there were 508,000 approved background checks in CO in 2023. The math becomes simple.

One of the flaws is the excise tax is only on CO sales. Internet and private sales are not subject to the tax. However, they are included in the background check count.

I have asked how the ammunition and accessories were derived and I have been ignored.

The VOCA grant money was very consistent from 2013 through 2016. It exploded in 2017 and became insane in 2021/2022 because of the federal grants. A note on the money. The VOCA grants started reporting 2 year periods in 2019. That is why the numbers are flat for 2 year periods. I took the total and divided by 2. 2023/2024 saw a drop because of federal program cuts. Regardless of the cuts the grants are almost 5 times as large as they were 8 years ago.

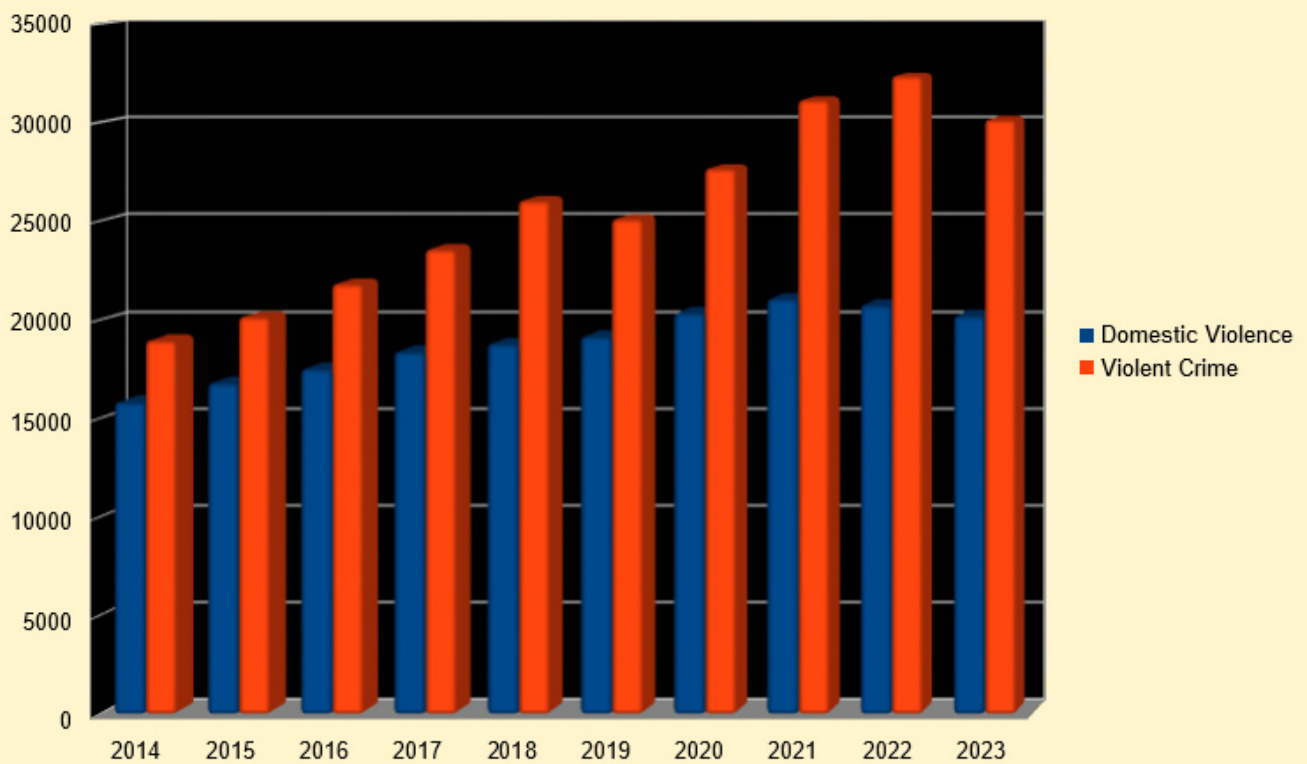
VOCA Grant Spending by Year



You might say the funding increases are required

because crime has increased. That is partially true.

DV and Violent Crime by Year

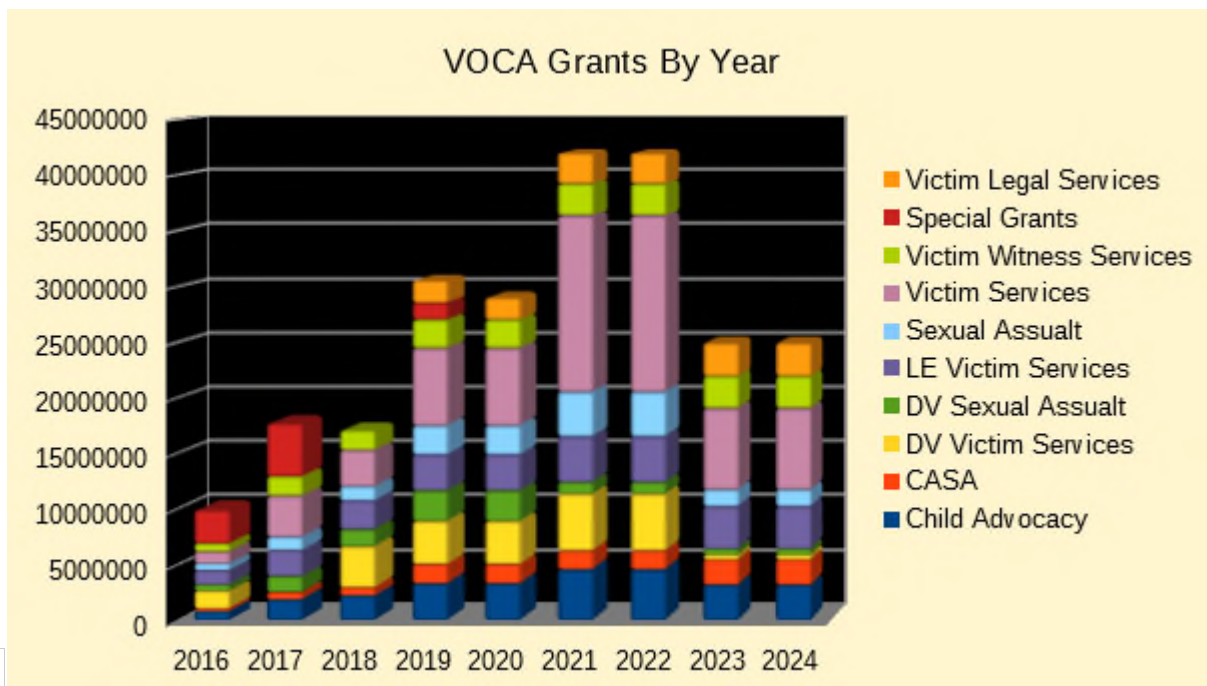


What you see in the past 10 years is domestic violence increased 27.7%.  
 Violent crime increased by 59%. A further dive into violent crime shows murders doubled from 152-310.  
 Non-consensual sex (there is more than rape he and it is all bad) increased 2.3% from 5630 to 5760.  
 Aggravated assault doubled from 10137 to 20296. That seems to be an issue.  
 Robbery increased 25% from 3034 to 3799.

No matter how you slice it VOCA grants grew exponentially faster than the rate of crime. BTW the state population increased 9% during this time.

The original bill listed funding VOCA grants at a rate of \$45,000,000 per year + any federal grants. In 2015 VOCA grants totaled \$6,974671. This bill would increase the VOCA grants by 6 times their 2015 rate and that is not including the federal funds.

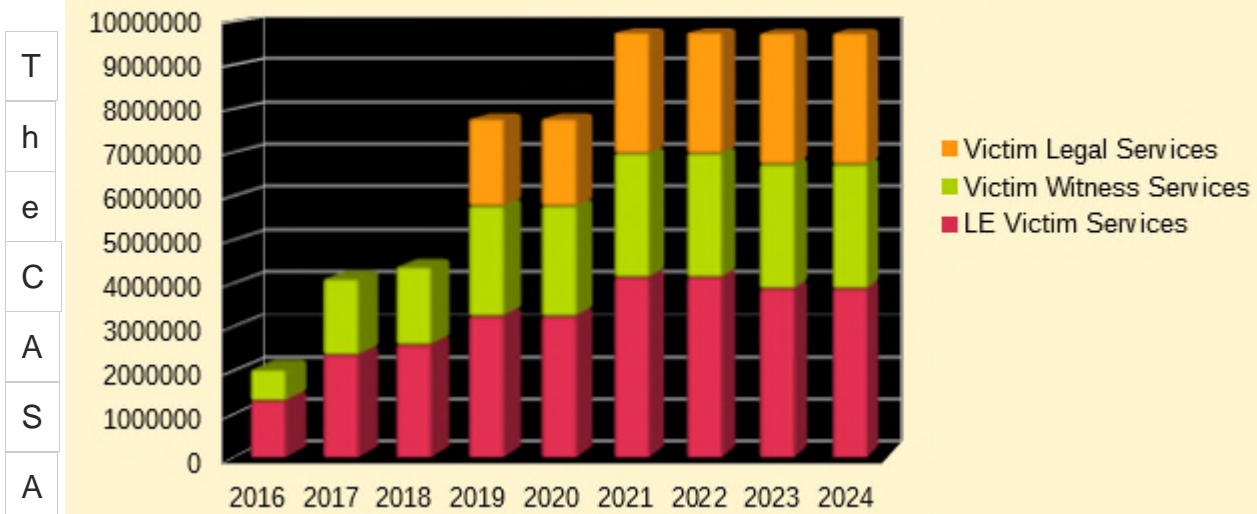
So, where is all this money going?



It would be interesting. The VOCA grants awarded to police/sheriff, district attorneys and victim legal services did not take a significant drop when the federal funding dropped in 2023/24. Another note is the 2023/2024 VOCA grants for these groups is roughly equal to the total VOCA grants in 2016. There 2023/24 funding is 5 times larger than 2016.

## Law Enforcement, District Attorneys, Lawyers

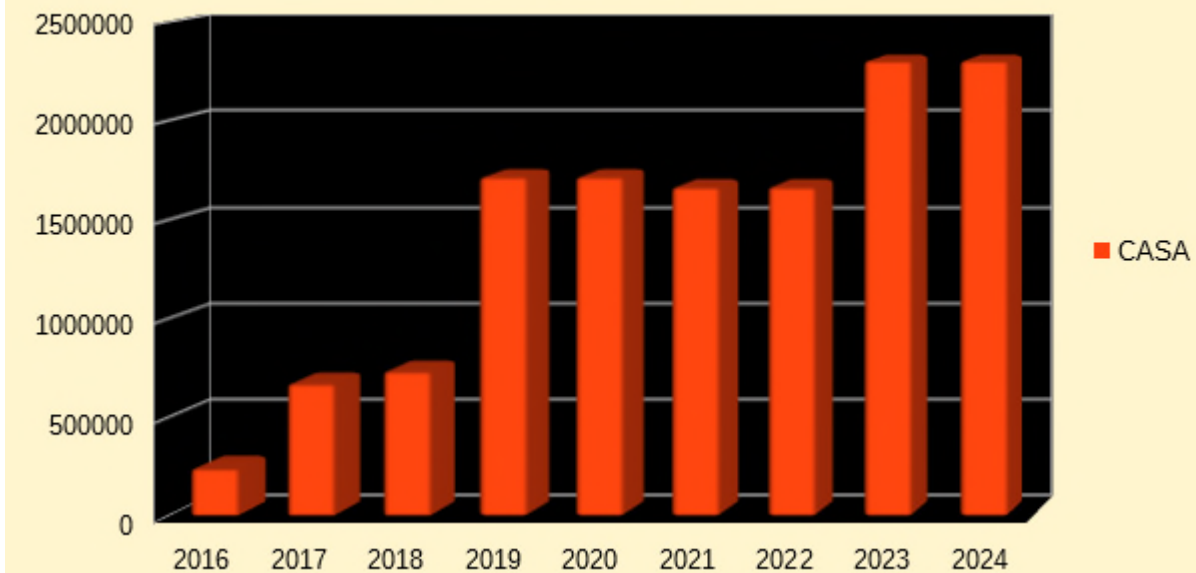
### VOCA Grants



(urt Appointed Special Advocate ) grants are also very interesting.

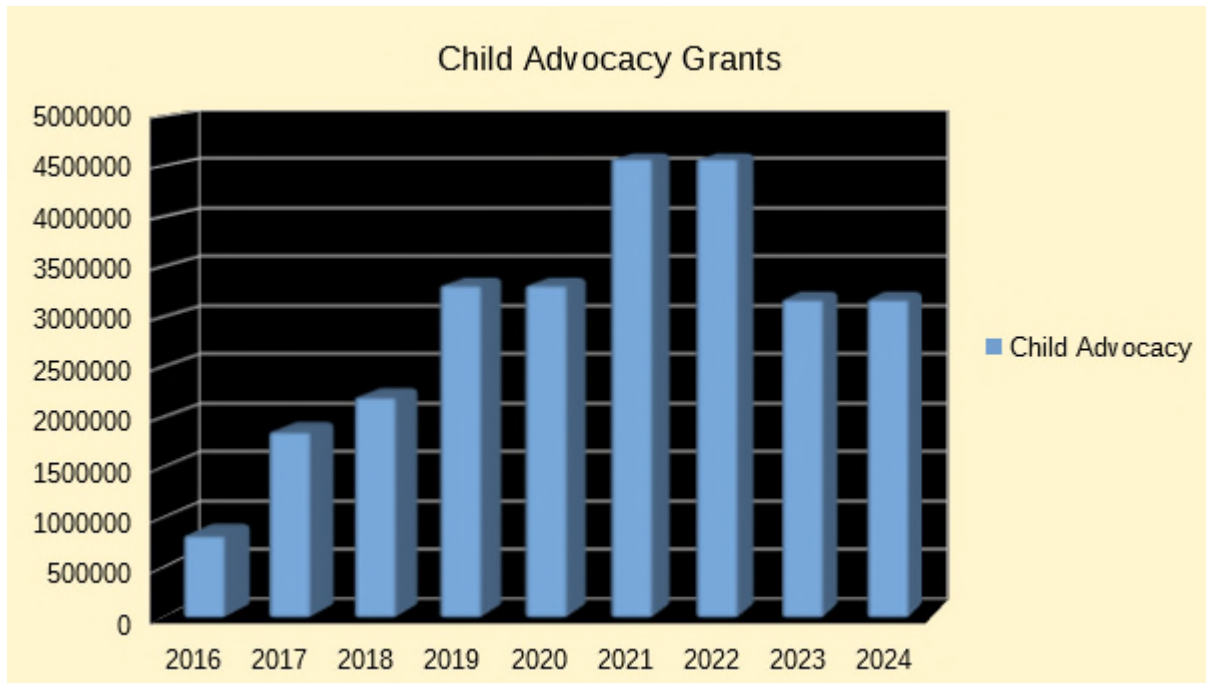
In 2016 they were \$239,249. In 2023/2024 they ballooned to \$2,303,596. That increase is roughly 10 times the 2016 funding amount. Furthermore, most groups took a cut in funding for 2023/24. Not CASA.

### CASA Grants By Year



n about child advocacy? Well maybe we should look at the numbers. In 2016 there grants

totaled \$822,324. In 2023/2024 they received \$3,176,596. That number is down from their peak of \$4,581,802 in 2021/2022.

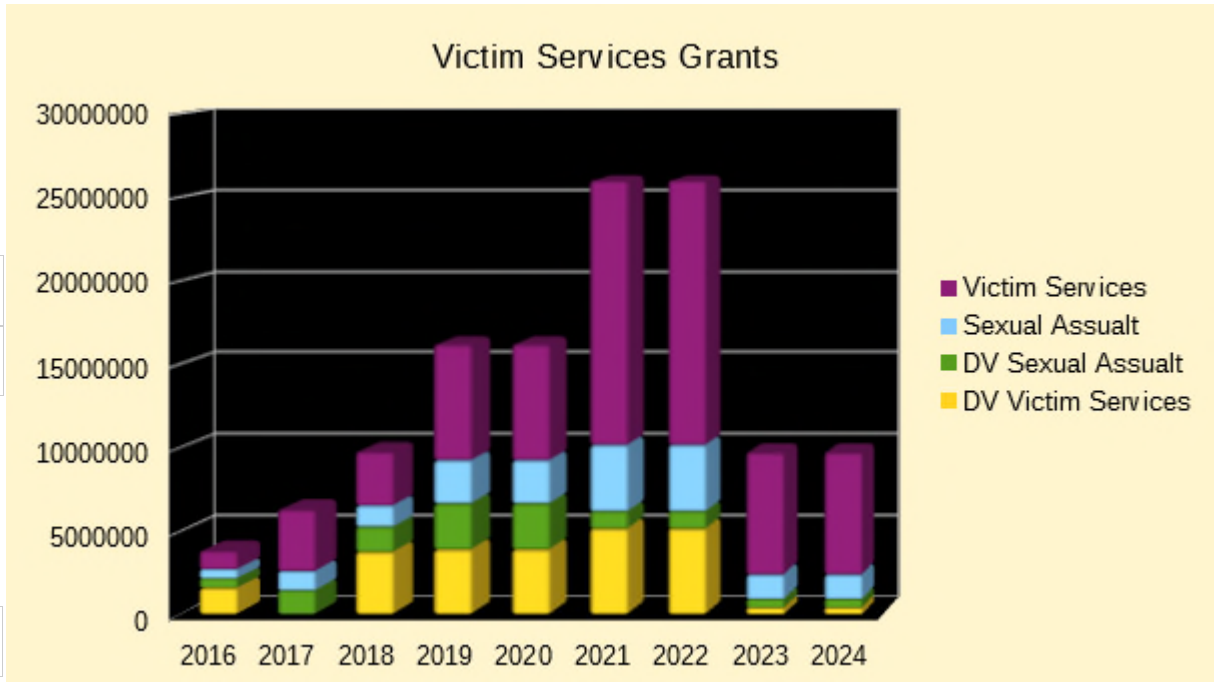


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the other groups into a single chart. The breakdown of the data is difficult because the assignment of the groups seemed to be inconsistent. I decided to not try and clean up the data but to simply present it as it was provided.

The general Victim Services seems to receive most of the funding. Their growth is probably the most shocking. In 2016 this group received \$1,106,034. In 2021/2022 it ballooned to \$15,866,080. They received 15 times more funding per year in 2021/22 than they did in 2016. The per year funding dropped in 2023/24 to a measly \$7,345,054. Heck that is only 7 times the 2016 amount. To be fair the other groups Sexual Assault, DV Sexual Assault and DV Victim Services did see dramatic cuts in their grants. I suspect this is probably the result of inconsistent classification rather than an almost complete lack of funding. The overall funding went from \$4,791,170 in 2016 to \$9,601,887 in 2023/2024. The 2019/2020 per year grants of \$17,315,439 and the 2021/2022 per year grants of \$30,115,562 are simply insane.

It is understandable that the non-profits in this group would be hard pressed for increased funding. The probably expanded thinking the money tree would continue bearing fruit.



be prudent to investigate the non-profit funding to ensure the tax payers are getting what they are paying for. When providing a growth of funding at this level it would be reasonable to expect that the funds are not being used efficiently. Adding massive additional funding to this group will only add to the problem.

Expecting a small segment of the population (gun owners) to bear the entire burden of funding these team is simply unfair to the gun owners. The problem is a statewide problem and the resolution/s need to be statewide resolutions.

The ultimate solution would be to not have any victims. Unfortunately, given our society that seems like an unlikely goal. However, that doesn't mean there can't be improvements. For example, Aggravated Assaults doubling in the past 10 years needs to be addressed. Did

the defund the police movements aggravate the problem? Domestic Violence is a more complicated issue and will require some real thought on how to bring that number down.

I believe the issue of funding can be resolved without targeting a specific group. The excise tax rates on alcohol are some of the lowest in the county. Beer is taxed at \$0.08 per gallon. Wine is taxed at \$0.28 per gallon and distilled spirits are taxed at \$2.28 per gallon. Only 3 states have lower excise tax on distilled spirits. 2 states have a lower excise tax on beer and we are tied with 3 others. 3 states have lower excise tax on wine than Colorado.

Taxing alcohol rather than firearms seems to make more sense. I suspect alcohol use plays a part in many of the crimes that require VOCA funding. I suspect alcohol use is more widespread than firearm ownership.

There are 2.25 gallons in a case of beer. Raising the tax to \$0.28 would increase the cost of a case of beer by \$0.45. That would be hardly noticeable by the consumer. Furthermore, using the alcohol excise tax would eliminate any potential constitutional questions.

The last question I have regarding the tax increase that has not been discussed is what happens to the VOCA money that is in the current budget? Does this get placed in the general fund or is it returned through Tabor?

Please feel free to contact me with questions or concerns.

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## Research

### Professor David Kopel on Defensive Gun Uses

There is usually some discussion concerning defensive gun uses by armed defenders that stop potential spree killings. We sometimes hear that defenders have not stopped a single mass shooting. This is not the case.

Since most spree killings occur in “gun free” zones, more properly named, “criminal-safe free fire zones,” it is remarkable that defenders have been able to react at all in time to defend innocent would-be victims; however, David Kopel, Second Amendment expert, author, law professor, and Director of Research at the Independence Institute, has identified a number of cases where armed citizens have stopped spree killings. To quote Professor Kopel at length:

“Over the last 25 years, there have been at least 10 cases in which armed persons have stopped incipient mass murder: a Shoney’s restaurant in Alabama (1991); Pearl High School in Mississippi (1997); a middle school dance in Edinboro, Pennsylvania (1998); Appalachian School of Law in Virginia (2002); Trolley Square Mall in Salt Lake City (2007); New Life Church in Colorado (2007); Players Bar and Grill in Nevada (2008); Sullivan Central High School in Tennessee (2010); Clackamas Mall in Oregon (2012; three days before Newtown); and Sister Marie Lenahan Wellness Center in Darby, Pennsylvania (2014).

Gun prohibitionists insist that armed teachers, or even armed school guards, won’t make a difference, but in the real world, they have- even at the Columbine shooting, where the armed school resource officer (a sheriff’s deputy, in that case) was in the parking lot when the first shots were fired. The officer fired two long-distance shots and drove the killers off the school patio, saving the lives of some of the wounded students there...

The contrasts are striking and tragic. The attempted massacre at New Life Church in Colorado Springs was stopped by a private citizen with a gun; the massacre at South Carolina’s Emanuel AME wasn’t. The mass murder at Pearl High School was stopped by a private citizen (the vice principal) with a gun; the mass murder at Newtown’s elementary school wasn’t stopped until the police arrived. The shootings at Appalachian Law School ended when private citizens (armed students) subdued the gunman; the shootings at Virginia Tech continued until the police arrived. More licensed-carry laws that reduce the number of *pretend* gun-free zones are an effective way to save lives.”

Some arguments put forth by proponents of “criminal-safe free fire zones” rest on the premise that innocents will be caught in a “crossfire” between the defenders and the criminal or terrorist involved in a spree killing. The most deadly position for an innocent adult or child is to be at the mercy of a killer without effective opposition by defenders, who has the time to select his or her victims and slay them without regard for his or her own safety. Even individuals protected by upper body armor are vulnerable to wounds to the pelvic region and legs, or to well-directed head shots. Even rounds deflected by body armor may confuse and distract the criminal or terrorist and allow potential victims to escape.

Kopel, David, *Costs and Consequences of Gun Control*, Cato Institute Policy Analysis # 784, 12-01-2015.

The Firearms Coalition of Colorado, PO Box 1454, Englewood, CO 80150-1454



Members of the Senate Finance Committee,

My name is Lex Loutzenhiser and I am a Policy Manager with Illuminate Colorado, a statewide nonprofit working to strengthen families, organizations, and communities to prevent child maltreatment. I am submitting written testimony **to ask you for a 'yes' vote on HB24-1349 Firearms & Ammunition Excise Tax.**

As the Colorado chapter of Prevent Child Abuse America, we recognize that Colorado must take additional steps to promote healing and access to supportive services for victims and survivors of child sexual abuse. Research published in 2021, indicates that across Colorado, and in our own backyards, child sexual abuse is a major public health concern which must be addressed as a core element of child safety and family well-being. From 2014 to 2019 rates of child sexual abuse steadily rose, impacting 7400 Colorado children during these 5 years.<sup>1</sup> Although rates declined in 2020, over 1000 children were victims of substantiated sexual abuse.<sup>2</sup>

Although child sexual abuse impacts thousands of Coloradans, Colorado lacks the funding and capacity to serve victims and survivors of abuse. In 2022, federal Victims of Crimes Act (VOCA) funding was substantially cut. HB24-1349 would establish a dedicated, sustainable state funding stream for the Colorado Crime Victims Services Fund, filling large gaps in federal funding without drawing heavily from lacking General Funds.

The Colorado Crime Victims Services Fund is crucial in ensuring wraparound services for children and families impacted by child sexual abuse. Currently, Coloradans, and especially Coloradans in rural and frontier counties, lack timely access to these services, including examinations from Sexual Assault Nurse Examiners or SANE nurses. Our partners in child sexual abuse prevention and response have informed us that families are traveling multiple hours and to other states to receive a timely examination from a SANE nurse. This not only leaves children and families searching for support after a traumatic incident, delaying healing, but also causes services to be inaccessible to some families. This is just one example of the many services that could be made more accessible by passing HB24-1349.

When children and families have access to wraparound supportive services, we strengthen the foundation for families to heal. **We urge you to support dedicated funding for the Colorado Crime Victims Services Fund by voting 'yes' on HB24-1349.**

Sincerely,

Lex Loutzenhiser, Policy Manager

[lloutzenhiser@illuminatecolorado.org](mailto:lloutzenhiser@illuminatecolorado.org)

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<sup>1</sup> Colorado Department of Human Services, Types of Allegations of Maltreatment Report Time Period: January 1, 2014 – December 31, 2020. (2021).

<sup>2</sup> Colorado Department of Human Services, Types of Allegations of Maltreatment Report Time Period: January 1, 2020 – December 31, 2020. (2021).