Assessing the feasibility of collecting additional data on the criminal use of firearms in Canada

Prepared by:
Sarah Johnston-Way
*Canadian Centre for Justice Statistics**
Statistics Canada

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Executive summary

Recent high profile firearm-related violent incidents have led to increased public attention and discourse on the criminal use of firearms in Canada. Within this context, numerous data points and sources of information were analyzed and cited regularly by the media, academics, government policy and decision makers, and the broader justice and public safety community in order to understand and describe the issue at hand. Through this discourse it was noted that there were critical data gaps related to the criminal use of firearms in Canada.

In response, the Canadian Centre for Justice Statistics at Statistics Canada, in collaboration with Public Safety Canada, conducted a feasibility study with several objectives. First, the study sought to determine what data is being collected and to understand whether or not critical data gaps can be filled. -

The present feasibility study aims to respond to the identification of firearm-related data gaps by the justice and public safety communities, by fulfilling the following objectives:

1. Identifying possible data sources on firearms not yet exploited and leveraged by Statistics Canada;
2. Identifying potential opportunities and limitations of these data; and
3. Recommending options for further data collection and analysis on firearms to contribute to building knowledge and the evidence base for decision making about firearm policy, programming and enforcement.

The feasibility study was undertaken by Statistics Canada in consultation with federal departments and agencies including Public Safety Canada, the Canadian Border Services Agency and the Royal Canadian Mounted Police. In addition, the consultation included the input of 33 police services representing diverse geographical, linguistic and urban-rural policing jurisdictions; representatives from non-governmental organizations; and subject matter experts from the academic community.

Results of the consultation revealed that there is a considerable amount of data being collected by police services, the Canadian Border Services Agency and the Royal Canadian Mounted Police that could allow for a more comprehensive analysis of the criminal use of firearms in Canadas Though this feasibility study, however, consultation with police services indicated that these data are not recorded systematically, rely on definitions that have not been standardized across police services, and have varying degrees of quality. Further, information obtained through firearms tracing[1] which could serve as an additional source of data on the origin of firearms, requires careful consideration due to their collection for intelligence purposes.

[1] Firearms tracing is the systematic tracking of the movement of a firearm from its first sale by a manufacturer or importer through the distribution chain in an attempt to identify the first retail purchaser, in order to provide investigative leads for criminal investigations. After the firearm is recovered and the identifiers are forwarded to the NTC, ATF contacts the manufacturer or importer to ascertain the sale or transfer of the firearm.

Against this backdrop, this report identifies opportunities to strengthen existing firearms data sources by recommending adjustments and new approaches that would allow for more detailed analysis of the criminal use of firearms in Canada, in the following areas:

- Updating the Uniform Crime Reporting Survey to capture to capture whether firearms have been seized in a criminal incident, and new variables to capture firearm characteristics for violent firearm-related offences;
- Standardizing the definition of a crime-gun across police services;
- Examining the privacy and security implications of publicly releasing information on the origins of firearms submitted for tracing;
- Considering amendments to existing legislation and regulations so it is required that all crime-guns are submitted for tracing;
- Conducting qualitative research with a sample of offenders convicted of firearms-related offences to determine the source of their firearms;
- Considering the collection and dissemination data on straw purchasing, and;
- Communicating the public safety value of additional data collection to the policing community to demonstrate return on investment.

With commitment and ongoing engagement from the policing community and other federal government partners, standardized definitions could be developed and more detailed data could be collected to address priority data needs. In turn, the Canadian Centre for Justice Statistics could exploit these data to provide more in-depth statistical analysis which would enhance capacity to develop—and measure the impact of—evidence-based and tailored policy, legislation and programs. As a result, these data could also assist in setting priority areas for targeted funding to improve public safety outcomes for Canadians.

Introduction

The issue of firearm-related violence in Canada—both in urban centres and in rural communities—has received considerable media and public attention in recent months, due in large part to several high profile cases resulting in deaths and serious injuries. As a result, there is considerable ongoing concern and dialogue about firearms, specifically about the threat to public safety and the ways in which firearms are being acquired and used by criminals to commit violent crime.

In August 2018, Prime Minister Trudeau created a new Cabinet portfolio and named the Honourable Bill Blair to lead it as the new Minister of Border Security and Organized Crime Reduction. In his mandate letter, Minister Blair was tasked with "leading an examination of a full ban on handguns and assault weapons in Canada, while not impeding the lawful use of firearms by Canadians."[2]

Within this context of heightened attention on firearm-related violence, numerous data points and information were cited regularly by the media, academics, government policy and decision makers, as well as the broader justice and public safety community. In doing so, numerous critical data gaps related to the criminal use of firearms in Canada were identified.

In response, the Canadian Centre for Justice Statistics (CCJS) at Statistics Canada, in collaboration with Public Safety Canada, undertook the present feasibility study. The main objectives of the study were to:

1. Identify possible data sources on firearms not yet exploited and leveraged by Statistics Canada;
2. Identify potential opportunities and limitations of these data; and
3. Recommend options for further data collection and analysis on firearms to contribute to building knowledge and the evidence base for decision making about firearm police, programming and enforcement.

The present feasibility study was conducted in two phases. The first phase consisted of a consultation with stakeholders in the areas of public safety, border security, firearm regulation and policing, as well as with non-governmental organizations and academics specializing in firearm-related issues. Detailed consultation guides and accompanying questionnaires were provided to stakeholders where they were asked to identify and prioritize their data needs related to firearms, as well as indicate current sources of data on firearms.

The second phase of the feasibility study consisted of mapping the existing data that are being collected by CCJS and public safety partners to identified data needs. The

[2]Prime Minister of Canada (2019) Mandate letter: Minister of Border Security and Organized Crime Reduction. Accessed at: https://pm.gc.ca/eng/minister-border-security-and-organized-crime-reduction-mandate-letter-august-28-2018

consultation and data mapping exercise informed the recommendations presented in this report.

It is important to note that links between firearm-related crime and organized crime—including gang affiliation—were not specifically explored as part of this feasibility study. A breadth of work to improve the quality of police-reported organized crime data has been undertaken by CCJS and the Police Information Statistics Committee (POLIS) of the Canadian Association of Chiefs of Police (CACP) in recent years.

Results from the consultation

From December 2018 to March 2019, CCJS consulted numerous stakeholders to determine what their data needs were, and to assess if there are data sources currently available that could address the identified needs. Broad participation was sought in an effort to ensure that this feasibility study accurately captured the current situation regarding priorities—and data needs and opportunities—in relation to firearms in Canada.

A questionnaire was sent to just under 70 stakeholders with expertise related to firearms. Consultation participants included:

- Federal departments and agencies including Public Safety Canada, Canadian Border Services Agency (CBSA) and the Royal Canadian Mounted Police (RCMP);
- Thirty-three police services representing diverse geographical, linguistic and urban-rural, and First Nations policing jurisdictions;
- Representatives from non-governmental organizations; and
- Subject matter experts from the academic community.

By March 2019, 50 responses had been received from across Canada representing considerable geographic diversity and stakeholder perspective, including representation across urban and rural, small and large, first nations police services as well as representation from all provincial police services, and police services in jurisdictions with border crossings.

Feasibility study consultation participants	
Stakeholder type	**Number of participants**
Police services	33
Federal departments and agencies	4
Subject matter experts from the academic community	5
Non-governmental organizations	8

The table below provides a breakdown of responses by stakeholder type. The overall response rate to the consultation was approximately 75%, as 67 stakeholders were invited to participate.

The consultation questionnaire was sent to one representative per stakeholder department, agency or organization, and one completed questionnaire was submitted to reflect a collective position (except in the case of Public Safety Canada and the RCMP, where two submissions were received for each that represented separate policy or operational areas or programs).

Objectives of additional firearms data collection

The collection of more detailed firearm data on a national level could serve a number of important objectives, including:

- Assisting policy makers to make informed, evidence-based decisions regarding firearms, including program development, regulation and enforcement;
- Improve public awareness and understanding related to the criminal use of firearms in Canada;
- Assist in measuring progress and performance of policies and programs; and
- Work toward consistent data recording practices.

Non-police stakeholders (non-governmental organizations, federal departments and agencies, and subject matter experts from the academic community) participating in the consultation were asked to identify and prioritize the two most important objectives. Most commonly, non-police stakeholders identified the following as the most important objectives:

1. Assisting policy makers to make informed, evidence-based decisions regarding firearms, including program development, regulation and enforcement; and
2. Assist in measuring progress and performance of legislation, policies and programs.

Further, non-police consultation participants were also asked if other objectives exist, and a number were provided, including:

- Focusing data collection on the criminal use of firearms—not the lawful use and activities of law abiding licence holders—including separating administrative firearms offences from criminal ones;
- Improving data reliability, as well as availability and accessibility;
- Enabling regional comparisons;
- Providing access to disaggregated data at lowest possible level of geography; and
- Standardizing definitions (i.e. crime-gun, gang, shooting)

These objectives demonstrate that firearm data serve a number of important purposes for a range of stakeholders, and additional collection of firearm data would serve the interests of this broad group.

Priority information needs

Through the consultation, priority data needs related to firearms were identified. Essentially, when simplified, all participants indicated a need to know “who is doing the shooting, why are they shooting and how are they their sourcing firearms?”

The following data needs were prioritized, in order of most requested to least requested:

- The origins of firearms used in the commission of a criminal offence;
- The links between firearms offences, firearms smuggling and organized crime;
- More information about seizures (where, when, why, number of firearms);
- More detail about the race and ethnicity of victims and accused persons,
- The context in which a firearm has been used in a criminal incident (e.g., intimate partner violence, gang-related crime, etc.);
- More information about the characteristics of firearms used in crime;
- Additional analysis on firearms trafficking—and firearms seized in these offences—and links to organized crime; and
- Additional analysis on the firearms licensing status of accused persons in firearm-related offences.

The consultation also revealed that there is a considerable amount of data being collected by police services, the CBSA and the RCMP Canadian Firearms Program (CFP) that could contribute to more comprehensive analysis of the criminal use of firearms. However, consultation indicated that these data are not recorded systematically, rely on definitions that have not been standardized across police services, and have varying degrees of quality.

The priority data needs identified through the consultation were mapped against existing data sources to identify possible avenues to strengthen data collection on the criminal use of firearms, which are outlined in detail later in this this report.

Firearms data in existing Statistics Canada surveys

In order to better understand the priority data needs articulated above and the opportunities for CCJS to exploit and leverage new data sources, it is essential to first outline the existing survey instruments through which data on the criminal use of firearms are collected.

These are outlined below.

The Uniform Crime Reporting Survey

The Uniform Crime Reporting (UCR) Survey includes two distinct ways of measuring firearm-related violent crime in Canada

1) **Most serious weapon present**

   This variable collects information on the most serious weapon present during the commission of the crime, regardless of whether the weapon was used or not. This variable captures incidents where a weapon was used against a victim causing injury, used against a victim without causing injury (i.e., as a threat), or was present during the offence and was not used in any manner but police deemed its presence as relevant to the incident.

2) **Weapon causing injury**

   This variable indicates the type of weapon used during the commission of a violent offence if the victim suffered a physical injury as a result of a weapon. While this captures information on the weapon used against victims, it does not include information on weapons used (i.e., as a threat) if no injury resulted. If multiple weapons were used to inflict injury, the weapon that was used to cause the most physical injury is recorded. For incidents involving firearms, weapon causing injury does not capture incidents where a firearm was fired but missed the victim.

Not all crime involving firearms is violent. In addition to the information on most serious weapon present and weapons causing injury, the UCR also captures information on administrative weapons offences, including those that involve firearms, such as possession, unsafe storage and improper documentation, including:

- Possession of weapons;
- Unsafe storage of firearms;
- Weapons possession contrary to order;
- Firearms documentation or administration;
- Offensive weapons, explosives;
- Weapons trafficking;
- Unauthorized importing or exporting of weapons;

- Offensive weapons, prohibited; and
- Offensive weapons, restricted.

The Uniform Crime Reporting Survey and organized crime

In the previous section—which outlined results from the consultation—it was noted that many stakeholders identified a need to link data on firearms to organized crime. While the scope of this feasibility study excludes the in-depth examination of this issue, it should be noted that considerable work and investment has been made by Statistics Canada and Public Safety Canada to collect statistics on organized crime through the UCR.

Recognizing the need for organized crime data, the CCJS, in partnership with the POLIS Committee of the CACP, developed a means of reporting organized crime involvement for all police-reported crimes through the UCR survey. An organized crime flag was created in 2005 so that police services could indicate, through the survey, for any UCR record, whether a specific incident was or was suspected to have been committed for the benefit of organized crime or street gangs. The creation and use of the flag was endorsed by the CACP.

However, due to consistently low reporting of organized crime to UCR survey by police, the publication or organized crime data was suspended in 2009. Since then, a substantial amount of work by CCJS and POLIS has been undertaken with the goal of improving the quality of these data. Recent efforts to address data quality issues involved a pilot project with several police services who collected organized crime data from 2014 to 2016. The pilot project resulted in a number of recommendations by police to police leadership to improve data quality and reporting. The recommendations were endorsed by the CACP Board of Directors. Since this time, the CCJS has made efforts to underscore the importance of high quality data, and communicate the need for this data as identified by policy and decision-makers. To address the heightened demand for the data by justice and public safety decision-makers, and the policing community, the CCJS has decided to resume annual publication of UCR data on organized crime in 2019, and has asked police services to validate 2016, 2017, and 2018 organized crime data.

The Homicide Survey

In addition to the UCR, Statistics Canada also collects data and provides analysis on firearm-related homicides through the Homicide Survey. This survey collects police-reported data on the characteristics of all culpable homicide incidents, victims and accused persons in Canada. It should be noted that the Homicide Survey includes a variable on gang-related homicide, firearm type and includes a standardized definition of what constitutes a gang related[3] incident.

[3] A homicide is classified as gang-related when police confirm or suspect that the accused person and/or victim involved in the homicide was either a member, or a prospective member, of an organized crime group or street gang or was somehow associated with an organized crime group or street gang, and the homicide was carried out as a result of this association.

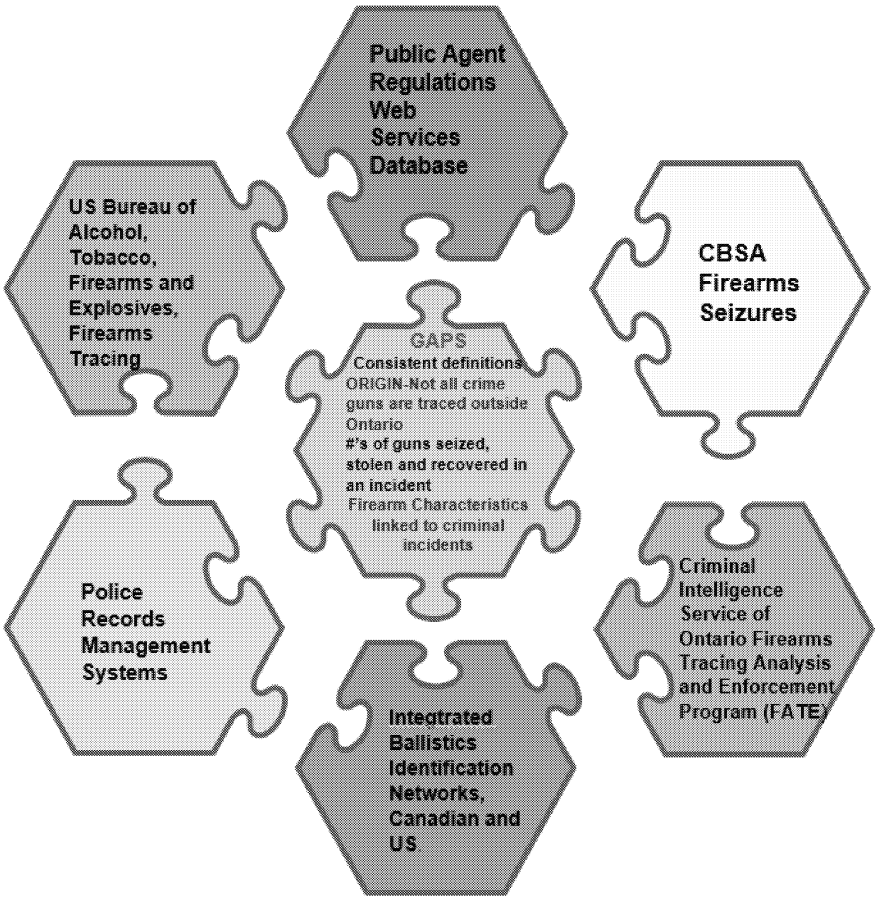
In addition, the Homicide Survey was recently updated to include additional firearm-related variables, and the following variables will be collected for the first time in 2019:

- The status of the illegally owned primary firearm at the time of the homicide (stolen from the legal Canadian owner; lost or missing from the legal Canadian owner; illegally purchased from the legal Canadian owner; illegal weapon[4]), unknown;
- Whether the firearm registered with the Canadian Firearms Registry or the province of Quebec's Service d'immatriculation des armes à feu;
- Whether the firearm was sent for tracing;
- The origin of the primary firearm (Canada—individual; Canada—business; United States—individual; United States—business), and;
- Whether the accused person that discharged the fatal shot possessed a valid firearms licence for the classification of firearm used in the homicide.

It is important to note that the Homicide Survey is a separate survey instrument from the UCR. The collection of firearm-related information in relation to culpable homicide is more easily obtained as, relative to other types of crime, there are fewer homicides each year and, due to the seriousness of the crime, investigations are more thorough.

[4] For example, never legally owned in Canada, smuggled into Canada, purchased on the dark net, homemade, etc.

Promising Data Sources on the Criminal Use of Firearms



Public Agent Firearms Regulations- Web Services Portal (Canadian Firearms Program

National data on seized, recovered, found or turned-in firearms are collected by the CFP, as provided by the *Public Agents Firearms Regulations*,[5] which have been in effect since 2008. These regulations require public service agencies and public agents, including police forces and CBSA, to report all agency-owned and protected (seized, turned in or found by police) firearms in their possession. Protected firearms that are

[5] Public Agent Firearm Regulations, SOR 98/203, Firearms Act (1998). Accessed at: https://laws-lois.justice.gc.ca/eng/Regulations/SOR-98-203/FullText.html

newly acquired must be reported within 30 days of coming into the possession of an agency. Disposal of all firearms must be reported within 30 days of destruction.[6]

The RCMP CFP maintains a Public Web Services portal, through which public agents record the information on the firearms that have come into their protected custody, as required by the regulations. The fields available include the following:

- Serial Number/Unknown Serial Number
- Make
- Manufacturer
- Model
- Type
- Action
- Calibre
- Shots
- Barrel Length
- Barrel shorter than 470mm
- Frame/Receiver Only
- Public Agency Case Number and Reference Notes
- Origin
- Detention Date

The Canadian Border Service Agency (CBSA) Firearms Seizures

The CBSA is required under the Public Agent Firearm regulations to report all guns that come into their possession, namely through interdiction of illegal firearms at the border, to report through the web services portal. Therefore, all of the fields mentioned above are captured and reported by the CBSA through the web services portal.

In addition, all guns seized at border crossings in Canada are sent for tracing to the Criminal Intelligence Service of Ontario's (CISO) Firearms Tracing and Enforcement Program (FATE). Further detail about this program outlined below.

In addition

Ontario Firearms Analysis Tracing and Enforcement Program

FATE was established by CISO in 1994, in response to a directive from the Policing Services Division, Ministry of the Solicitor General and Correctional Services. The directive stated that all Ontario police services must submit the details of all crime-guns seized. The program was created to identify and provide intelligence on the sources of

[6] Royal Canadian Mounted Police (2019) Important Facts for Police/Public Agents. Accessed at: http://www.rcmp-grc.gc.ca/cfp-pcaf/information/ppa-pap/faq-eng.htm

illegal firearms and to prove an investigative tool to Ontario Police services in identifying potential firearms traffickers.[7]

The FATE program collects, manages and collects information on the sources of crime-guns, and conducts tracing and analysis of recovered crime-guns submitted by Ontario police services, as well as the CBSA for Canada (from 2013 on) to fulfill this mandate. The Criminal Intelligence Service of Ontario, responsible for this program produces an annual report, with detailed statistics generated through tracing and analysis by police service on:

- Total number of crime guns traced
- Number of handguns and long guns
- Country of Origin (US, Canada, Other)
- Top U.S. Source States
- Guns reported as stolen

FATE also collects information on domestic firearms thefts, top five stolen firearms, types of firearms stolen, theft location, and stolen guns recovered. In addition, an onsite U.S. Bureau of Alcohol and Tobacco agent works with FATE to submit crime guns to ATF for detailed US tracing, and works to initiate collateral firearms investigations when required.

The FATE program is supported by a requirement in the Ontario Police Services Act that all crime guns be submitted for tracing. The FATE program shares all of its crime-gun statistics with the RCMP Firearms Integrated Support Services Division (FIESD). It is important to note that the FATE database does not have information about which firearms are still being retained by the police or public agents force or the particulars of any disposition of a firearm that was in police custody.

RCMP FIESD Canadian National Firearms Tracing Centre (CNFTC)

Through consultation, Statistics Canada has learned that the RCMP Canadian National Firearms Tracing Centre, part of the Firearms Integrated Support Services Division has implemented a new tracking system for internal management and statistical reporting purposes that began capturing detailed trace information as of January 2019, including:

- Province
- Priority
- Recovery (Recovered, Seized, Turned In, Found
- Firearm Type
- Action
- Serial Number (obliterated or restored)
- Classification

[7] Information and Privacy Commissioner of Ontario(2006). "Order PO-2455, Appeals PA-040228-1 and PA 0402290-1, Ministry of Community Safety and Correctional Services." Accessed at: https://www.ipc.on.ca/wp-content/uploads/2016/08/up-po_2455.pdf

- Crime Gun
- Crime Category
- Organized Crime Related
- Relation to Firearm
- License Class
- License Class
- License Status
- Trace Result (successful, unsuccessful, stopped, incomplete, not traced)
- Type of Trace (Canadian, United States, International)
- Firearm Origin (Domestic, Possibly Smuggled, Unknown)
- Last know purchaser sex (Male, Female, Other)
- 3D Printed Frame (Yes, No)
- Multiple Sale (Yes, No)
- Tracing Investigator
- Priority (Routine, Urgent)
- Collateral Investigation (Yes, No)
- Province/Agency

It is important to note, that unlike the CISO FATE program, police services outside Ontario are not required or directed to submit crime guns for tracing. The consultation revealed that often, the decision to submit a crime gun for tracing is left to the investigator's discretion as to whether tracing is relevant to the investigation or to the circumstances or context in the individual police jurisdiction. This points to a significant limitation of these data to provide nationally representative statistics about the origins of crime guns. If not all crime guns are traced, then not all crime guns will be represented in the statistics generated.

It is also important to note that comparisons should not be drawn between statistics that may be generated using the RCMP CNFTC tracking system/database, and the Ontario FATE database as a result of the fact that the CNFTC does not have mandate to trace all crime-guns, whereas as the FATE program does.

U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives

The U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) National Tracing Center (NTC) is the nation's only crime gun tracing facility. The NTC provides critical information that helps domestic and international law enforcement agencies solve firearms crimes, detect firearms trafficking and identify trends with respect to intrastate, interstate and international movement of crime guns. Canada submits trace requests to ATF of recovered firearms that are not registered or prohibited.

The results of the ATF traces of firearms recovered in Canada and submitted to the ATF are released publically on an annual basis, and shared with the RCMP Canadian Firearms Program.[8]

Police Services Record Management Systems

Police services collect considerable firearms related data through their records management systems. In Canada, records management systems are supplied by contracted third party operators, specifically Niche™ and Versaterm™. Through consultation with police services, it was learned that the fields required to report as required by the Public Agent Regulations, outlined earlier, are collected for the most part through RMS. Similarly, fields to report to IBIS, and ultimately to CIBIN are also widely captured.

The Integrated Ballistics Identification System (IBIS)-Ontario

Canadian Integrated Ballistics Identification Network (CIBIN) - Canada

National Integrated Ballistic Information Network (NIBIN) (US)

IBIS is a database used for the acquisition, storage and comparison of digital images from projectiles and/or cartridge/shotshell cases. The system is a screening tool that enables the laboratory to identify local, national and international linkages that may exist amongst firearms cases submitted for examination. Through the use of computers and a modified microscope, an operator can compare previously recorded images to new evidence received.

Firearms, projectiles, and cartridge/shotshell cases can be examined for IBIS upload. Images of projectiles and cartridge/shotshell cases are digitally captured and uploaded for comparison. The uploaded images will be electronically compared to those images stored in the Canadian Integrated Ballistics Identification Network (CIBIN).

Those images could also be compared to the National Integrated Ballistic Information Network (NIBIN) database in the United States of America (USA) where information indicates that the firearm may have originated or passed through the USA. The case submission must include the reason for the search (for example, firearm was stolen or purchased in the USA) and the specific state(s) that the agency would like to search. As a result of the design of the NIBIN search parameters, additional states that were not originally requested may also be searched. A complete list of the NIBIN sites that were searched is available upon request.

Searches of the IBIS database are dynamic and linkages may occur at the time the items are acquired onto the system or at a later date. When linkages to other cases are

[8] United States Bureau of Alcohol, Tobacco, Firearms and Explosives (2017) Firearms Trace Data 2017: Canada. Accessed at: https://www.atf.gov/resource-center/firearms-trace-data-2017

developed, a Case Linkage report or Firearms Investigative Aid Notification letter is be issued to notify the agencies involved.[9]

The data generated by these networks may be fruitful in helping to identify the local, national and international linkages that may serve to provide further information on how, when, and where guns are being acquired and used in criminal incidents. The Case linkage reports and Investigative Aid Notification letter are considered operational intelligence. As a result, further consultation is needed to determine whether there are privacy implications to aggregating data and publishing them for statistical purposes, despite the data being gathered for intelligence reasons.

[9] Ontario Ministry of Corrections and Community Safety (2019) Centre of Forensic Sciences Technical Information Sheets: Firearms and Toolmarks- Integrated Ballistics Identification System. Accessed at: https://www.mcscs.jus.gov.on.ca/english/centre_forensic/InformationforInvestigatorsSubmitters/TechnicalInformationSheets/FirearmsToolmarks/CFS_IBIS_tech.html

Opportunities to strengthen firearms data collection

Results of the consultation revealed that there is considerable data being collected by police services, CBSA and the RCMP CFP that could contribute to more complete analysis of the criminal use of firearms. However, consultation with these stakeholders indicated that these data are not recorded systematically, rely on definitions that have not been standardized across police services, and have varying degrees of data quality.

This section identifies opportunities to strengthen existing firearms data sources by recommending new approaches and adjustments that would allow for more detailed national analysis on the criminal use of firearms.

Seized, stolen or recovered firearms

As previously mentioned, national data on seized, recovered, found or turned-in firearms are collected by the CFP, as provided by the *Public Agents Firearms Regulations*,[10] which have been in effect since 2008. These regulations require public service agencies and public agents, including police forces and CBSA, to report all agency-owned and protected (seized, turned in or found by police) firearms in their possession. Protected firearms that are newly acquired must be reported within 30 days of coming into the possession of an agency. Disposal of all firearms must be reported within 30 days of destruction.[11]

Aggregate counts of firearms in possession, and seized by agencies are published annually in the Commissioner of Firearms Annual Report, and are available by type of agency, province or territory and class of firearm.[12]

CBSA is responsible for assessing and confirming non-resident firearms declarations, collecting applicable fees and administering other applicable provisions of the *Firearms Act* and related legislation. This involves determining the classification of imported firearms, establishing the destination and purpose for importing the firearms, screening imported firearms and ammunition, assessing the eligibility of the importer and ensuring all firearms are transported safely and in accordance with Canadian law. In situations involving firearms of a unique or ambiguous nature, CBSA often consults the RCMP CFP for its specialized firearms expertise.[13] In addition, CBSA provides integrated

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[10] Public Agent Firearm Regulations, SOR 98/203, Firearms Act (1998). Accessed at: https://laws-lois.justice.gc.ca/eng/Regulations/SOR-98-203/FullText.html

[11] Royal Canadian Mounted Police (2019) Important Facts for Police/Public Agents. Accessed at: http://www.rcmp-grc.gc.ca/cfp-pcaf/information/ppa-pap/faq-eng.htm

[12] Royal Canadian Mounted Police (2017) 2017 Commissioner of Firearms Report. Accessed at: http://www.rcmp-grc.gc.ca/en/2017-commissioner-firearms-report#a1

[13] Royal Canadian Mounted Police (2010) 2009 Commissioner of Firearms Report. Accessed at: http://publications.gc.ca/collections/collection_2010/grc-rcmp/PS96-2009-eng.pdf

border services, processing over 90 million travelers arriving in Canada annually and uses technology and dog teams to detect concealed firearms and other prohibited goods. CBSA collaborates with other domestic and international law enforcement agencies, working to curb the illegal smuggling of firearms and to trace seized firearms in order to identify trafficking networks.

While CBSA reports seizures of firearms to the Canadian Firearms program, as required by these regulations, CBSA also publishes counts of seized firearms on its public- facing website, where counts of seizures for prohibited commodities are provided. It should be noted that these are provided in a federal fiscal year format (April 1 to March 31) as opposed to the calendar year used by the RCMP Commissioner of Firearms Report.[14]

The data generated through the *Public Agents Firearm Regulations*, some of which are publicly available, point to the existence of a robust and regulated scheme for the collection of data with respect to seizures of firearms. Consultation with police services indicated that information specific to firearms seizures is captured, to a great extent in police services records management systems, as these systems are used to generate the data to enable the reporting required by the regulations. However, there is an opportunity to generate more detailed information on firearms seized, stolen or recovered if data were to be reported through the UCR.

Specifically a field in the UCR to count the firearms seized, stolen or recovered in an incident would allow for an analysis of other incident variables alongside firearm seizures, including the type of violations in the criminal incident (e.g., drugs, breach offences, violent crime, etc.) victim and offender relationship, the gender and age of the accused, location, and other offences involved in the incident, including potentially other dug and weapon offences. Further, this would enable data linkage that would essentially "follow" offenders, providing for an analysis of past criminal history and contact with the justice system, as well as future contact following firearm related incidents. This would provide many additional layers of analysis on firearms seized, which could contribute to a greater understanding of the criminal use of firearms in Canada, but would rely on the provision of personal identifiers in UCR data to Statistics Canada.

> **Recommendation 1** That UCR be updated to capture whether and how many firearm(s) have been seized, stolen or recovered in a criminal incident.

Firearm characteristics

Firearm characteristics are widely captured by the majority of police services consulted. However data on characteristics is collected in a variety of formats, including as notes in the occurrence report attached to records management systems.

[14] Canada Border Services Agency (2019) "Canadian Border Services Agency Seizures 2018-2019." Accessed at: https://www.cbsa-asfc.gc.ca/security-securite/seizure-saisie-eng.html

The majority of police services ranked these characteristics as high or medium level priority data need, and the report of the British Columbia Illegal Firearms Task Force identified these characteristics as priorities for data collection:

- Action
- Calibre
- Classification
- Owner (CSC, victim, other, unknown)
- Licensing status
- Status of illegally owned firearm[15]

Considering that police services are capturing and recording information on these characteristics of firearms, the UCR could be amended to provide for collection of firearm characteristics widely captured in police RMS systems. It should be noted that several police services participants noted the considerable data collection burden placed on front line officers and investigators through existing survey requirements from Statistics Canada. Therefore, the objective would be to update the UCR to track to the firearm characteristics that are already captured by police RMS, to reduce potential for increased burden on police.

Recommendation 2
That UCR be updated to include some firearm characteristics fields for violent firearm-related offences.

Shootings

There is widespread support among police services consulted as part of the feasibility study for the addition of another variable to the UCR capture incidents where a firearm was discharged and injury may have occurred. However, the consultation revealed that a consistent definition of a shooting is not applied by police services in Canada, nor are there consistent criteria used to assess whether a shooting has indeed occurred (i.e., witness heard shots fired, bullet casings found). While there is considerable interest in capturing shootings which did not result in injury in crime statistics generated by the UCR, a consistent definition and associated criteria is required to ensure consistency in possible future data collection. It is important to note that some police services collect shooting information currently, but any comparison of this data should be done so cautiously due to the lack of standardized definitions and criteria.

Recommendation 3
That the CACP POLIS Committee develop a standardized definition of 'shooting or discharge of firearm", with the CACP Special Purpose Firearms Committee a view of working toward including a variable in the UCR to capture shootings.

[15] B.C. Task Force on Illegal Firearms (2017). "B.C. Task Force on Illegal Firearms Final Report." Accessed at: http://www.llbc.leg.bc.ca/public/pubdocs/bcdocs2017_2/683148/iftf_final_report.pdf

The race and ethnicity of victims and offenders

Through the consultation, data on the ethnicity of victims and accused persons was identified as a priority need for some stakeholders. Fields in the UCR exist to capture this information; however, the availability and quality of the data remain significant barriers to the collection of this data for criminal offences, whether firearm-related or not.[16]

As context, Statistics Canada currently collects data from police on the Aboriginal identity[17] of victims of crime as well as for persons accused of committing a crime. These are fields on both the UCR and the Homicide Survey. However, with the exception of Homicide Survey data whereby data quality improved in 2014, there are data quality issues around the collection of this information, and a number of police services do not provide this information for crimes other than homicide.

As a complement police-reported data, Statistics Canada also administers a population-based survey, the General Social Survey on Canadians' Safety (Victimization). Conducted every five years, the GSS on Victimization asks Canadians about their self-reported experiences of victimization, regardless of whether the incident was reported to police. It also captures demographic information on victims, such as their age and sex, their Aboriginal identity, and their visible minority[18] and immigrant status.[19] Findings on victimization rates for Aboriginal, visible minority and immigrant populations have been released in numerous published Statistics Canada reports.[20]

As an alternative to police providing race/ethnicity, it should be noted that the provision of personal identifiers by police services to Statistics Canada would enable data linkage that could serve to produce information on race or ethnicity of victims and offenders.

Defining a crime-gun and a firearm-related offence

Police services in Canada do not have a consistent definition of the term crime gun. Currently the RCMP definition of a "crime gun" is: a firearm that meets any one of the following criteria: "any firearm that is illegally acquired, suspected to have been used in crime (includes found firearms), has an obliterated serial number, illegally modified (e.g., barrel significantly shortened)."[21] Some have suggested that by mixing together illegal acquisition with the use or suspected use of a firearm in a crime blurs the distinction between administrative and violent crimes. Further, how a crime gun is defined by a police service may impact whether the firearm is submitted for tracing.

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[16] The exception for this is hate crime- where data are collected on the ethnicity of victims and accused persons to capture racially motivated crimes.

[17] "Aboriginal identity" refers to those who represents Canada's Indigenous peoples. This includes those who identify as First Nations, Métis includes those who identify as First Nations, Métis or Inuit.

[18] Includes individuals, with the exception of Aboriginal persons, who self-identified as non-Caucasian in race or non-white in colour.

[19] Includes all individuals who were not born in Canada and/or were not Canadian citizens by birth.

[20] See for example: J. Boyce 2016, D. Ibrahim 2018 and, L. Simpson 2018.

[21] Provided by RCMP in consultation.

Recommendation 4

That the Police Information Statistics Committee of the Canadian Association of Chiefs of Police together with the Special Purpose Firearms Committee develop a standardized definition of crime-gun, and review the current definition of a firearm related offense in the UCR against this standardized definition to ensure consistency.

Origin or source of firearm

The control and regulation of firearms, and the associated enforcement of laws and regulations, aim to combat the smuggling, trafficking, illegal distribution and the criminal use of firearms. Knowledge about the source of firearms seized or recovered by police and public agencies is a key element in determining how guns fall into the wrong hands, and thereby can serve to help inform law enforcement and firearm regulation efforts. Monitoring of this nature is particularly needed given the accessibility of illicit firearms via the internet and the dark web.

Determining the source or origin of firearms can be an important piece of the investigation of crime, and involves a police service checking if the firearm that has come into police possession has been reported lost or stolen, has been legally registered in Canada, or smuggled.

For firearms of unknown origin, tracing is the only source for this information and is the systematic tracking of the history of recovered or seized firearms from the point of manufacture or importation, through the supply chain, until they became illicit. When origin is unknown, tracing can offer early investigative leads, contribute to cost efficiencies by linking crime guns to businesses in Canada rather than overseas and focus investigations. This is especially important, given that time is critical to solving crimes and help to build a strong evidentiary case to obtain a conviction.[22]

Firearms tracing and analysis

The Firearms Analysis Tracing and Enforcement Program (Ontario)

Information on the source of firearms that come into the possession of police is collected on systematic basis in the province of Ontario. Within the province, all police services are required to submit all crime guns for tracing and analysis to the The Firearms Analysis Tracing and Enforcement (FATE) Program of the Criminal Intelligence Service of Ontario (CISO).

FATE was established in 1994, in response to a directive from the Policing Services Division of the Ministry of the Solicitor General and Correctional Services. The directive

[22] Government of Canada (2018) Regulations Amending the Canadian Firearms Marking Regulations SOR/2018-239 November 9, 2018. *Canada Gazette .Part II, Volume 152, Number 24.* Accessed at: http://www.gazette.gc.ca/rp-pr/p2/2018/2018-11-28/html/sor-dors239-eng.html

stated that all Ontario Police services should submit the details of all seized crime guns for analysis and tracing. For the purposes of FATE, a crime-gun is defined as any firearm:

- That has been reported as lost or stolen;
- That is used, or has been used in a criminal offence;
- That is obtained, possessed or intended to be used to facilitate criminal activity;
- That has a removed or obliterated serial number(s); and
- Includes any weapon that has been adapted for use as a firearm.[23]

The program was created to identify and provide intelligence on the sources of illegal firearms and to provide an investigative tool to Ontario Police Services to identify potential firearms traffickers. Therefore, all crime guns seized in Ontario are submitted to FATE for analysis in tracing, not the CFP Canadian National Firearms Tracing Centre (CNFTC). It should also be noted that all crime-guns seized by CBSA in Canada (excluding Quebec) are also submitted to FATE. FATE maintains the FATE database which collect tracing data on all firearms submitted that are not registered in Canada, to record the history of each particular firearm and the crimes associated with it, and to develop investigative leads.

All crime-gun statistics generated by FATE are provided to RCMP Firearms Operations Enforcement Support, and FATE provides a detailed annual report on its activities and the intelligence it generates, which is confidential and disseminated only to CISO and Canada members only, or to other agencies on a need to know basis by the Director of CISO.

The Canadian National Firearms Tracing Centre (RCMP)

The CNFTC, falling under the umbrella of the RCMP CFP, processes firearm tracing requests for police services outside of Ontario, and CBSA Quebec region. Their tracing service assists national and international law enforcement agencies in their investigations by determining the origin and history of a firearm, and potentially linking the firearm to a crime.[24] Currently, the CNFTC does not collect or maintain statistics on the origin of firearms successfully traced. Information revealed through the tracing process is provided to police services, making them the data custodians of this information.

In Ontario statistical information revealed though tracing is collected by CISO. However, this information is collected for operational intelligence reasons, and not for statistical purposes. According to the British Columbia Illegal Firearms Taskforce Report,

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[23] Information and Privacy Commissioner of Ontario (2006). "Order PO-2455, Appeals PA-040228-1 and PA 0402290-1, Ministry of Community Safety and Correctional Services." Accessed at: https://www.ipc.on.ca/wp-content/uploads/2016/08/up-po_2455.pdf

[24] Royal Canadian Mounted Police (2017) 2017 Commissioner of Firearms Report. Accessed at: http://www.rcmp-grc.gc.ca/en/2017-commissioner-firearms-report#a1

"information sharing between the CFP (regulatory) and law enforcement (criminal) agencies needs to be improved. The partitioning of information collected for regulatory purposes and for law enforcement intelligence gathering creates a gap."[25] This gap is evident in the lack of publicly available information on tracing. This contrasts with the approach taken by the United States Bureau of Alcohol, Tobacco, Firearms and Explosives, which publishes detailed, publicly available state by state reports utilizing trace data, which "are intended to provide the public with insight into firearm recoveries."[26]

In sum, the origin or source of firearms can be determined by police by checking against existing police and CFP databases (e.g., Canadian Police Information Centre). When source information is not available this way, tracing can be a useful tool in determining origin, aiding with investigation and identifying trafficking networks. The consultation undertaken as part of this feasibility study revealed that outside of Ontario, information on the origin of firearms, when available, is not systematically collected by the police services consulted, or collected at all, and often relies on the discretion of the investigating officer. This is despite the fact that the majority of police services, and other stakeholders consulted identified the source of firearms as priority data need.

Further, because tracing of crime guns is not required by the current policy framework (outside of Ontario and CBSA) origin information is not a consistent and comparable data point across police jurisdictions. This constitutes a significant barrier in the collection of meaningful and nationally comparable data on the origin of firearms.

In order to meaningfully address origin being identified as the highest priority data need through the consultation, a new variable on the UCR could be created in order to capture origin information. This could be the same field as is currently contained within Statistics Canada's Homicide Survey, and would seek to obtain information directly from police services. This would require police services to record information on source when it is available through the investigation, and when source is not known, any information revealed through the tracing process, including 'unknown" when tracing is not successful.

Recommendation 5

That Public Safety Canada advance national data collection on the origin of firearms by creating a requirement that all crime-guns seized or recovered by police be submitted for tracing.

AND

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25 B.C. Task Force on Illegal Fireams (2017). "B.C. Task Force on Illegal Firearms Final Report." Accessed at: http://www.llbc.leg.bc.ca/public/pubdocs/bcdocs2017_2/683148/iftf_final_report.pdf

26 United States Bureau of Alcohol, Tobacco, Firearms and Explosives (2017) Firearms Trace Data 2017: Canada. Accessed at: https://www.atf.gov/resource-center/firearms-trace-data-2017

Recommendation 6

That UCR be updated to include a field on the origin of firearms seized or recovered in violent criminal incidents.

Further, another avenue that could serve to provide additional knowledge of on the origin of crime guns in the shorter term could come from an updated qualitative study of currently incarcerated offenders with a firearm-related conviction.

Results from Wright and Rossi's (1986) survey of close to 2,000 inmates in American prisons, indicates that the firearm market is driven primarily by informal interactions in which buyers and sellers generally operate through "off-the-record" transactions. Such transactions take place mostly with used firearms, in local settings, and within short time spans.

The informal nature of illegal firearm markets in the United States is consistent with two studies that gathered survey data on such matters in the Canadian context. Both focused on illegal acquisitions in Quebec. The first study was the subject of a doctoral dissertation, which focused exclusively on juvenile offenders.[27] The second was based on a small set of qualitative interviews with adult inmates who shared their experiences acquiring illegal firearms before their incarceration periods. In both studies, the prominence of informal networks as channels of acquisition in illegal firearm markets emerged as a key finding.[28] These Canadian studies are now 17 and 20 years old, respectively. Accordingly, updated data acquired from qualitative research with incarcerated offenders could provide a timely indicator of origin of firearms, while the policy framework and data collection infrastructure to capture more fulsome origin data is examined and addressed.

Such a study could provide significant social economic and other important context that may impact the availability of firearms, and the motivation behind the acquisition of a firearm in the first place, which may provide value for crime prevention, firearms regulation and operational policing efforts. This falls outside the scope of Statistics Canada's mandate and as such, Public Safety Canada may wish to consider pursuing a project of this nature as part of its short term firearms research agenda.

Recommendation 7

That Public Safety Canada undertake qualitative research to study a sample of incarcerated offenders convicted of firearms related-offences to determine how they sourced their firearms.

Straw purchasing and domestic firearms trafficking

One way that guns are diverted from the legal market to the illegal one is through straw purchasing. Straw purchasing occurs when an individual who is legally entitled to obtain

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[27] Longtin, Sandra (1999), *Motivations for Gun Carrying Among Juvenile Offenders in Quebec: A Focus on the Dimensions of Race and Language*. Doctoral dissertation, School of Criminal Justice, State University of New York at Albany.

[28] Morselli, Carlo (2002), "The Relational Dynamics of Illegal Firearm Transaction", *Canadian Journal of Criminology* 44: p. 255-276.

firearms purchases a firearm with the intention of providing it to the criminal market. A straw purchaser is someone who does not usually have a criminal record, has a valid Possession and Acquisition License and has often obtained the additional licensing requirement allowing them to buy restricted firearms. While straw purchasers may not be involved in other criminal activity, guns purchased this way are considered trafficked, and may be used to commit crimes.

In 2017, the CFP developed a new protocol and pilot project to detect abnormal firearms acquisition patterns, which would allow the enforcement community to identify criminal activity and to intercept potential domestic firearms trafficking. Beginning in 2017 CFP intelligence analysts reviews reports by Chief Firearms Officers in the provinces and territories to identify straw purchasers or domestic traffickers. These reports will identify multiple purchases of top crime firearms within short periods. Following checks against regulatory databases not typically available to law enforcement, potential straw purchasers will be reported to local law enforcement.

Currently there are no verified public data on straw purchasing of firearms, other than open source media or court information. Data on straw purchasing provides additional and important information on domestic weapons trafficking, and could contribute to greater understanding of the diversion of domestically produced firearms to the illegal market.

Recommendation 8

That careful consideration be given by Public Safety Canada to publically releasing, on an annual basis, existing information on the number and location of straw purchasers identified, and the number of firearms seized as a result of these investigations.

Communicating the public safety value of additional data collection

Police officers are now responsible for considerable data collection regarding their policing activities. Recognizing that this can be burdensome for police officers, additional data collection must be clearly identified and articulated as a need for increasing public safety. Imposing police with additional data collection and reporting responsibilities without clearly defining the expected benefit could result in a lack of compliance, if police do not clearly understand the value of the information they are being asked to collect, and particularly how it will impact local policing and public safety.

Recommendation 9

That Public Safety Canada and the Canadian Association of Chiefs of Police clearly communicate the public safety value of amending current police data collection practices and policies to capture more specific information to the Canadian policing community and it leaders, in an effort to secure support for the required investment in officer training, time and effort.

Conclusion

Based on consultations with stakeholders, it is clear that there is considerable data being collected by police services, the Canadian Border Services Agency and the Royal Canadian Mounted Police that could contribute to more complete analysis of the criminal use of firearms. However, consultation with police services though this feasibility study indicated that these data are not recorded systematically, rely on definitions that have not been standardized across police services, and have varying degrees of quality. Further, trace data, which could serve to provide an additional source of data on the origin of firearms, require further careful consideration due to their collection for intelligence purposes.

This study identified opportunities to strengthen existing firearms data sources by recommending new approaches and adjustments that would allow for more detailed national analysis on the criminal use of firearms. With engagement and commitment from the policing community and other federal government partners, standardized definitions could be developed and more detailed data could be collected to address some priority needs.

The opportunities and recommendations identified would allow for more in-depth statistical analysis on the criminal use of firearms. In turn, this analysis could enhance capacity to develop evidence-based and tailored policy, legislation, and programs. In addition to providing the tools for measuring the impact of policy and legislation, this data could also assist in setting priority areas for targeted funding to improve outcomes.

Note, the Canadian Centre for Justice Statistics at Statistics Canada received funding from Public Safety Canada to conduct this feasibility study. Any new or ongoing collection of the data in the coming years will be contingent on continued funding, as well as support and participation from the Canadian policing community and other stakeholders as required.

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Appendix A: List of recommendations

Recommendation 1 That UCR be updated to capture whether, and how many firearm(s) have been seized, stolen or recovered in a criminal incident.

Recommendation 2
That UCR be updated to include some firearm characteristics fields for violent firearm-related offences.

Recommendation 3
That the CACP POLIS Committee develop a standardized definition of 'shooting or discharge of firearm", with the CACP Special Purpose Firearms Committee a view of working toward including a variable in the UCR to capture shootings.

Recommendation 4
That the Police Information Statistics Committee of the Canadian Association of Chiefs of Police together with the Special Purpose Firearms Committee develop a standardized definition of crime-gun, and review the current definition of a firearm related offense in the UCR against this standardized definition to ensure consistency.

Recommendation 5
That Public Safety Canada advance national data collection on the origin of firearms by creating a requirement that all crime-guns seized or recovered by police be submitted for tracing.

AND

Recommendation 6
That UCR be updated to include a field on the origin of firearms seized or recovered in violent criminal incidents.

Recommendation 7
That Public Safety Canada undertake qualitative research to study a sample of incarcerated offenders convicted of firearms related-offences to determine how they sourced their firearms.

Recommendation 8
That careful consideration be given by Public Safety Canada to publically releasing, on an annual basis, existing information on the number and location of straw purchasers identified, and the number of firearms seized as a result of these investigations.

Recommendation 9

That Public Safety Canada and the Canadian Association of Chiefs of Police clearly communicate the public safety value of amending current police data collection practices and policies to capture more specific information to the Canadian policing community and it leaders, in an effort to secure support for the required investment in officer training, time and effort.

APPENDIX B: **Consultation Guide: Police Services**

Assessing the feasibility of collecting additional firearms data

Canadian Centre for Justice Statistics, December 2018

BACKGROUND

Recent shootings in Canada, particularly through the course of 2018, have garnered significant public, media and political attention. Careful consideration of the issues has identified some gaps in knowledge and understanding of the full breadth of issues related to the use of firearms in violent offences Canada. While there is currently significant information collected about firearms, there is presently a lack of available national level information related to the origins of firearms, specific information about violent incidents involving firearms, and the characteristics of the firearms associated with them.

PURPOSE OF THE CONSULTATION

In collaboration with Public Safety Canada, the CCJS will examine the feasibility of collecting additional data on firearms in Canada. The results of the feasibility study aim to provide a blueprint for potential new data collection on the origins of firearm used in crime, their characteristics, as well as the frequency and characteristics of shootings.

The feasibility study has three primary objectives:

1. To identify data sources on firearms to inform current data gaps;
2. To identify and recommend options for further data collection and analysis on firearms to contribute to building knowledge and the evidence base for decision-making about firearm policy, programming and enforcement, and;
3. To identify possible opportunities and limitations of these data.

In order to gain insight, the CCJS is seeking feedback from police services related to processes for data collection, data availability and quality, and potential barriers or challenges related to collecting data around firearms and sharing with Statistics Canada. The questionnaire below forms the basis of the consultation. Responses to the questionnaire should be provided by those with experience with the subject matter posed in the questions. Therefore, multiple representatives from one organization could be involved in responding to the consultation guide.

IDENTIFICATION OF CONSULTATION PARTICIPANT

The following information will help us to compile and analyze the results of the consultation.

Please note that all responses will remain confidential. If you have any questions or concerns regarding the consultation document, please contact **Sarah Johnston-Way**, Senior Analyst, Canadian Centre for Justice Statistics, Statistics Canada at sarah.johnston-way@canada.ca or 343-548-2539.

Please send your response to Sarah Johnston-Way by January 18, 2019.

Name:	
Title:	
Organization:	
Province:	
E-mail:	
Phone number:	
Fax number:	
Date:	

A. Data availability - Firearm Characteristics

A1. Does your organization currently collect information related to firearms in addition to what is currently collected in the UCR[29]? If so, please complete the table 1 below.

A2. Is there any data that your organization collects on firearms that is not referenced in the chart below? Please name this data in the "Other" column of the chart, and provide details about this data

[29] See Annex A for outline of firearm data currently collected in the UCR2

Table 1: Current data collection

Information about firearm seized or recovered	Is this info recorded when available (Yes/No)	If available, is info recorded on a systematic way or on a case by case basis[30]?	Where is this info recorded (RMS? CAD[31]? Other system? Paper forms?)	Reference period	What is the retention period of these data?	Why are these data collected, meaning for what purpose are they used?	Any data quality issues with these data? If so, please explain.
Action (single shot, semi-automatic, automatic)							
Calibre (e.g. 9mm, .22							
Ammunition Type							
Serial Number (e.g. intact, obliterated, none (kit gun)							

Classification (prohibited, restricted, non-restricted?)							
Accessories (e.g. suppressors, extended magazines)							
Specific storage location of firearm (e.g. Closet, glove compartment, etc.)							
Was the firearm traced?							
Owner (Charged/Suspect Chargeable- CSC? Victim? Other? Unknown?							
Was firearm legally owned?							
Did CSC possess a valid firearms licence linked to the firearm classification?							
Status of Illegally owned firearm (e.g. stolen from a legal owner, lost or missing from legal owner, illegally purchased from legal owner, illegal firearm, unknown?)							
Origin							

[30] Systematic means that the information, when available, is always recorded, whereas case by case means that recording the information is dependent on the circumstances of the case/investigation or practice of the individual responsible for recording

[31] RMS stands for Records Management System, whereas CAD stands for Computer Assisted Dispatch

(e.g. Canada from an individual or business? US from an individual or business? Other foreign country?							
Firearm linked to organized crime?							
OTHER:							
OTHER:							

B. Data Availability -Shootings

Background

The UCR2 Survey began in 1988 and captures detailed information on individual criminal incidents reported to police, including characteristics of victims, accused persons and incidents. These administrative data are collected from police automated RMS by an approved extraction program and are forwarded to the CCJS in a machine-readable format with a standard record layout.

The UCR2 Survey includes two distinct ways of measuring firearm-related violent crime and physical injury:

- **Most serious weapon present** collects information on the most serious weapon present during the commission of the crime, regardless of whether or not the weapon was used. This variable captures incidents where a firearm was used against a victim causing injury, used against a victim without causing injury (i.e., as a threat), or was present during the offence and was not used in any manner. It is not possible to distinguish which of these scenarios occurred.

- **Weapon causing injury** indicates the type of weapon used during the commission of a violent offence if the victim suffered a physical injury as a result of a weapon. While this captures information on the weapon used against victims, it does not include information on weapons used if no injury was suffered (e.g., if a victim was threatened with a weapon but the use did not cause physical injury). If multiple weapons were used to inflict injury, the weapon that was used to cause the most physical injury is recorded. Weapon causing injury does not capture incidents where the firearm was used or fired but missed the victim.

As a result of the structure of these variables, there is not currently specific data about shootings collected through the UCR2. For instance, the UCR 2 would not capture specific information about a drive by shooting, where no one is injured, but bullets shatter a window and enter a home.

Given recent attention on the prevalence gun violence, the number of shootings taking place whether they cause injury or not, are of particular interest and utility in understanding the full spectrum of the circumstances of gun violence.

B1. Does your police service have a specific definition for "shooting"? If so, what is it?

B2. Do you support adding a secondary variable to the UCR2 "most serious weapon present" to capture whether a firearm has been discharged? Why or Why not?

B3. Does your police service currently have a definition of crime-gun? What is it? If not, how do you feel crime gun should be defined?

C-Scenarios

The purpose of this section is to better understand the processes in your police service related to some typical firearm-related calls.

For each of the scenarios listed below, please provide an outline of what information is recorded and where, as well as what processes are followed.

Scenario 1: A gun is found by a citizen

Scenario 2: Guns are turned in by citizens during an Amnesty program

Scenario 3: Shots are heard by a witness

Scenario 4 Bullet Casings are found, but no gun

Scenario 5 Bullet holes and casings are found, but no gun

Scenario 6 A victim is shot, and the gun is found

C2. Can you provide any additional guidelines or procedures specific to **your police service** that would determine classifying weapons as gang-related, when weapons would be traced? What information is queried and whether the information kept would be updated.

C3. Are there criteria used by our police service to determine whether a firearm should be traced, or is this generally the investigating officer's discretion? (excluding Ontario police services, where firearm tracing is required)

D. INFORMATION PRIORITIZATION

To make recommendations on the types of data that should be collected related to firearms, it is crucial to understand priority information needs from the policing perspective. It is important to note that any data collected would be used to inform issues related to the nature and extent of firearm crime, and to inform potential legislative, policy and programmatic responses. While there may be operational purposes for this data, the scope of this feasibility study is not intended to assess the feasibility of data collection for these purposes.
In addition, it is also necessary to understand what information may be subject to security controls as a result of a security classification as a result of legislative and/or policy requirements, and potentially best presented in aggregate, should it be available.

D1. Please score the priority of the information need in the chart below, and indicate whether information may be subject to security controls.

Variable	**Priority (circle one)**	**Security classification of information/subject to security controls (circle one)**
Action	High Medium Low	Yes No
Calibre	High Medium Low	Yes No
Ammunition Type	High Medium Low	Yes No
Serial Number	High Medium Low	Yes No
Accessories	High Medium Low	Yes No
Classifcation	High Medium Low	Yes No

Whether Firearm was traced	High	Medium	Low	Yes	No
Owner (CSC, Victim, Other, unknown)	High	Medium	Low	Yes	No
Storage Location	High	Medium	Low	Yes	No
Status of Illegally Owned Firearm	High	Medium	Low	Yes	No
CSC in possession of valid firearms license	High	Medium	Low	Yes	No
Origin	High	Medium	Low	Yes	No
Link to organized crime	High	Medium	Low	Yes	No
Frequency/Count of shootings	High	Medium	Low	Yes	No
Other:_____					
Other:_____					

E. Barriers

E1. If the information presented in Table 1 was to be collected on a systematic basis by the UCR2, would what changes would need to happen in your police service to provide quality data (e.g. training, process changes such as sharing of information from by one section to another, additional validation of UCR records, etc.). Would your police service agree to make these changes in order to provide additional information to inform the issue of firearms in Canada. Please elaborate.

E2. Are there are any policies or directives related to data collection on firearms that your service follows that you be able to share? If so, please list here.

NEXT STEPS AND FOLLOW-UP

Please send responses to the questionnaire to Sarah Johnston-Way, Senior Analyst, CCJS at sarah.johnston-way@canada.ca. Should protected information be included in the response, please contact Sarah at 343-548-2539 to make arrangements for secure file transfer.

The information obtained through this consultation will be used to assess the feasibility of collecting additional about firearms and their origins. A report will be drafted which will include the summarized results of this consultation, as well as recommendations for moving forward. Findings will be shared with all police services who participated in the consultation as well as the Canadian Association of Chiefs of Police for information.

Thank you for your time and consideration in providing responses to this questionnaire. Your input is critical in moving forward on the task of collecting quality information on firearms. Your participation in this process will serve to foster the ongoing dialogue surrounding this important issue, and will aid in determining whether additional quality data that are both meaningful and useful can be collected.

APPENDIX C: **Consultation Guide: Federal Departments**

Assessing the feasibility of collecting additional firearms data

Canadian Centre for Justice Statistics, Statistics Canada
December 2018

BACKGROUND

Recent shootings in Canada, particularly through the course of 2018, have garnered significant public, media and political attention. Careful consideration of the issues has identified some gaps in knowledge and understanding of the full breadth of issues related to the use of firearms in violent offences Canada. While there is currently significant information collected about firearms, there is presently a lack of available national-level information related to the origins of firearms, specific information about violent incidents involving firearms, and the characteristics of the firearms associated with them.

PURPOSE OF THE CONSULTATION

In collaboration with Public Safety Canada, the Canadian Centre for Justice Statistics (CCJS) at Statistics Canada will examine the feasibility of collecting additional data on firearms in Canada. The results of the feasibility study aim to provide a blueprint for potential new data collection on the origins of firearms used in crime, their characteristics, as well as the frequency and characteristics of shootings.

The feasibility study has three primary objectives:

4. To identify data sources on firearms to inform current data gaps;
5. To identify and recommend options for further data collection and analysis on firearms to contribute to building knowledge and the evidence base for decision-making about firearm policy, programming and enforcement, and;
6. To identify possible opportunities and limitations of these data.

In order to gain insight, CCJS is seeking to consult with key stakeholders in a number of areas relevant to firearms, including academics, and organizations involved in public safety, border security, advocacy, regulation and enforcement. The consultation aims to identify information gaps and needs, potential data sources and approaches for filling these gaps.

IDENTIFICATION OF CONSULTATION PARTICIPANT

The following information will help CCJS compile and analyze the results of the consultation.

Please note that all responses will remain confidential. If you have any questions or concerns regarding the consultation document, please contact Sarah Johnston-Way, Senior Analyst, Canadian Centre for Justice Statistics at sarah.johnston-way@canada.ca or 343-548-2539.

Please send your response to Sarah Johnston-Way by January 18, 2019.

Name:	
Title:	
Organization:	
Province or Territory:	
E-mail:	
Phone number:	
Fax number:	
Date:	

This document is written in a general manner to gather feedback from a variety of stakeholders and experts in a broad array of firearm-related areas, including academics, advocacy organizations, border security, firearm regulation and public safety. Please respond to questions that correspond to your experience and/or area of expertise (not all questions require responses).

Section A: Objectives of Data Collection

The collection of more detailed firearms information on a national-level could serve a number of important objectives, including:

- Assisting policy makers to make informed, evidence-based decisions regarding firearms, including program development, regulation and enforcement
- Improve public awareness and understanding related to the criminal use of firearms in Canada
- Assist in measuring progress and/or performance of policies and programs
- Work toward consistent data recording practices

A1. Are there other objectives for data collection that have not been mentioned?

A2. Among the objectives listed above and any others that have been suggested, could you identify in order, the **two most important** objectives?

Section B: Information Needs and Priorities

To make recommendations on the types of data that should be collected related to firearms, it is crucial to understand current gaps and associated information needs.

B1. From you or your organization's perspective, what are the priority issues with respect to firearms in Canada?

B2. What statistical information is needed to inform these issues?

B3. Do you know if these data exist? If yes, where?

Section C: Data Availability

C1. Do you or does your organization currently collect or has it ever collected any data regarding firearms? Collection means systematic, ongoing tracking of information, or a one-time study.

C2. If yes, can you describe the following about the data?

- Type of information collected (key variables)
- Purpose of data collection
- Method of collection
- Reference period
- Retention period for data collected
- Are any findings resulting from analysis of these data available in a report? If so, can the report be shared?

C3. Are there any plans within your organization to collect any additional information? If so, what will be collected and how? Please indicate if these plans are tentative or formalized.

Section D: Other

D1. Is there anything that has not been covered in this consultation that you want to comment on with respect to collecting data on firearms in Canada?

Section E: Additional Consultation Participants

E1. An attempt has been made to include key stakeholders within the timeframe of this consultation process. Can you suggest an expert, or any organization, that you feel should be included?

Section F: Next Steps and Follow-up

The information obtained through this consultation will be used to assess the feasibility of collecting additional data about firearms and their origins. A report will be drafted which will include the summarized results of this consultation, as well as recommendations for moving forward. Findings will be shared with all stakeholders who participated in the consultation, and all responses will be kept anonymous.

Thank you for your time and consideration in providing responses to this consultation. Your input is critical in moving forward on the task of collecting quality information on firearms. Your participation in this process will serve to foster the ongoing dialogue surrounding this important issue, and will aid in determining whether additional quality data that are both meaningful and useful can be collected.

Please provide your response to Sarah Johnston-Way, Senior Analyst, Canadian Centre for Justice Statistics, Statistics Canada, at sarah.johnston-way@canada.ca by **January 18, 2019.**

APPENDIX D: Consultation guide: Other Stakeholders

Assessing the feasibility of collecting additional firearms data

Canadian Centre for Justice Statistics, Statistics Canada
December 2018

BACKGROUND

Recent shootings in Canada, particularly through the course of 2018, have garnered significant public, media and political attention. Careful consideration of the issues has identified some gaps in knowledge and understanding of the full breadth of issues related to the use of firearms in violent offences Canada. While there is currently significant information collected about firearms, there is presently a lack of available national-level information related to the origins of firearms, specific information about violent incidents involving firearms, and the characteristics of the firearms associated with them.

PURPOSE OF THE CONSULTATION

In collaboration with Public Safety Canada, the Canadian Centre for Justice Statistics (CCJS) at Statistics Canada will examine the feasibility of collecting additional data on firearms in Canada. The results of the feasibility study aim to provide a blueprint for potential new data collection on the origins of firearms used in crime, their characteristics, as well as the frequency and characteristics of shootings.

The feasibility study has three primary objectives:

7. To identify data sources on firearms to inform current data gaps;
8. To identify and recommend options for further data collection and analysis on firearms to contribute to building knowledge and the evidence base for decision-making about firearm policy, programming and enforcement, and;
9. To identify possible opportunities and limitations of these data.

In order to gain insight CCJS is seeking to consult with key stakeholders in a number of areas relevant to firearms, including academics, and organizations involved in public safety, border security, advocacy, regulation and enforcement. The consultation aims to identify information gaps and needs, potential data sources and approaches for filling these gaps.

IDENTIFICATION OF CONSULTATION PARTICIPANT

The following information will help CCJS to compile and analyze the results of the consultation.

Please note that all responses will remain confidential. If you have any questions or concerns regarding the consultation document, please contact Sarah Johnston-Way, Senior Analyst, Canadian Centre for Justice Statistics at sarah.johnston-way@canada.ca or 343-548-2539.

Please send your response to Sarah Johnston-Way by January 18, 2019.

Name:	
Title:	
Organization:	
Province or Territory:	
E-mail:	
Phone number:	
Fax number:	
Date:	

This document is written in a general manner to gather feedback from a variety of stakeholders and experts in a broad array of firearm-related areas, including academics, advocacy organizations, border security, firearm regulation, and public safety. Please respond to questions that correspond to your experience and/or area of expertise (not all questions require responses).

Section A: Objectives of Data Collection

The collection of more detailed firearms information on a national-level could serve a number of important objectives, including:

- Assisting policy makers to make informed, evidence-based decisions regarding firearms, including program development, regulation and enforcement
- Improve public awareness and understanding related to the criminal use of firearms in Canada
- Assist in measuring progress and/or performance of policies and programs
- Work toward consistent data recording practices

A1. Are there other objectives for data collection that have not been mentioned?

A2. Among the objectives listed above and any others that have been suggested, could you identify in order, the **two most important** objectives?

Section B: Information Needs and Priorities

To make recommendations on the types of data that should be collected related to firearms, it is crucial to understand current gaps and associated information needs.

B1. From you or your organization's perspective, what are the priority issues with respect to firearms in Canada?

B2. What statistical information is needed to inform these issues?

B3. Do you know if these data exist? If yes, where?

Section C: Other

C1. Is there anything that has not been covered in this consultation that you want to comment on with respect to collecting data on firearms in Canada?

Section D: Additional Consultation Participants

D1. An attempt has been made to include key stakeholders within the timeframe of this consultation process. Can you suggest an expert, or any organization, that you feel should be included?

Section E: Next Steps and Follow-up

The information obtained through this consultation will be used to assess the feasibility of collecting additional information about firearms and their origins. A report will be drafted which will include the summarized results of this consultation, as well as recommendations for moving forward. Findings will be shared with all stakeholders who participated in the consultation, and all responses will be kept anonymous.

Thank you for your time and consideration in providing responses to this consultation. Your input is critical in moving forward on the task of collecting quality information on firearms. Your participation in this process will serve to foster the ongoing dialogue surrounding this important issue, and will aid in determining whether additional quality data that are both meaningful and useful can be collected.

Please provide your response to Sarah Johnston-Way, Senior Analyst, Canadian Centre for Justice Statistics, Statistics Canada, at sarah.johnston-way@canada.ca by **January 18, 2019.**

Appendix E: Background on the control of firearms

The control of firearms in Canada is predominantly governed by the *Firearms Act* and the *Criminal Code*, and their regulations. Both the *Firearms Act* and the *Criminal Code* outline offences and penalties for illegal possession and misuse of a firearm.The *Criminal Code* defines the class of firearms, which include non-restricted, restricted and prohibited firearms (see Figure 1).

Figure 1 Class of firearms

NON-RESTRICTED	RESTRICTED	PROHIBITED
ordinary rifles and shotguns, other than those referred to in the other categories.	• handguns that are not prohibited; • semi-automatic, centre-fire rifles and shotguns with a barrel shorter than 470 mm; • rifles and shotguns that can be fired when their overall length has been reduced by folding, telescoping or other means to less than 660 mm; and • firearms restricted by *Criminal Code Regulations*.	• handguns with a barrel length of 105 mm or less and handguns that discharge .25 or .32 calibre ammunition, except for a few specific ones used in International Shooting Union competitions; • rifles and shotguns that have been **altered** by sawing or other means so that their barrel length is less than 457 mm or their overall length is less than 660 mm; • full automatics; • converted automatics, namely full automatics that have been altered so that they fire only one projectile when the trigger is squeezed; and • firearms prohibited by *Criminal Code Regulations*.

The *Firearms Act* regulates the possession, transport and storage of firearms. Canadian law has both licensing and registration requirements for the acquisition and possession of firearms. These requirements are administered by the RCMP through the Canadian Firearms Program (CFP). Applicants are required to pass safety tests before they can be eligible for a firearms licence. Applicants are also subject to background checks,

which take into account criminal, mental health, addiction and domestic violence records from the last five years.

Licensing and registration under the *Firearms Act* can be compared to a driver's licence and the registration of a vehicle. A firearms licence shows that the licence holder has met certain public safety criteria and is allowed to possess and use firearms. A registration certificate, required for restricted and prohibited firearms, identifies a firearm and links the firearm to its owner to provide a means of tracking the firearm.

There are two types of firearms licenses available to individuals in Canada:

1. The Possession and Acquisition License is the only license available to new applicants aged 18 and older.
2. The Minor's License allows individuals between the ages of 12 and 17 to use, but not acquire, a firearm.[32]

The CFP is responsible for the licensing of both individuals and businesses, through Section 5 of the *Firearms Act, which* provides Chief Firearms Officers in the provinces and territories with non-exhaustive criteria to be considered in determining eligibility to obtain a new license, renew an expiring license, or in determine a continuous eligibility to hold a license. This criteria considers whether the person has been treated for a mental illness associated with violence, has a history of violent behaviour, or has been convicted of certain *Criminal Code* offences.

In addition to licensing, the CFP is also responsible for the registration of restricted and prohibited firearms through the Registrar of Firearms and the Canadian Firearms Registry.

Karikera, Nadia

From: [redacted] PS/SP)
Sent: Thursday, January 9, 2020 12:09 PM
To: [redacted] (PS/SP); [redacted] (PS/SP); [redacted] (PS/SP); [redacted] (PS/SP); [redacted] (PS/SP); [redacted] (PS/SP); [redacted] (PS/SP); [redacted] (PS/SP); [redacted] (PS/SP); [redacted] (PS/SP); [redacted] (PS/SP); [redacted] (PS/SP)
Cc: Daly, Robert (PS/SP); Koops, Randall (PS/SP)
Subject: Firearms Paper 2019
Attachments: What Do We Know About Firearms in Canada_ A Systematic Scoping R.pdf

Document is publicly available here: https://core.ac.uk/download/pdf/232185576.pdf

Good afternoon,

Came across this 2019 Paper 'What do We Know About Firearms in Canada?; A Systematic Scoping Review. (Western University)

Thought you might be interested.

[redacted]

2019

What Do We Know About Firearms in Canada?: A Systematic Scoping Review

Lorna Ferguson
Western University, lfergu5@uwo.ca

Jacek Koziarski
Western University, jkoziars@uwo.ca

Pages 68 to / à 106

are public-denied pursuant to section

est public-refusé en vertu de l'article

68(a)

of the Access to Information

de la Loi sur l'accès à l'information

Karikera, Nadia

From: [redacted]
Sent: Wednesday, May 5, 2021 9:16 AM
To: [redacted]
Subject: Bans and Buybacks (Quick Comp Analysis)
Attachments: PS-SP-#3858791-v1-Bans_and_Buybacks_Research.DOCX

Bonjour,

Sending this FYSA – a quick report produced by Bartosz. As we will need to offer some form of coherent narrative to support they why(s) of a BBP, I did ask Bartosz to do a quick dive into bans and BBs experiences over the years to single out pros and cons; datasets AND, most important, the various issues/difficulties/nuances tied with outcome(s) interpretation(s).

Summary is just over a page and quite solid – and a good reason why we need to keep him onboard.

[redacted]

Bans and Buybacks Research

Table of Contents

Summary of Research

- Jurisdictions differ in their approaches to controlling handguns and assault weapons. For example, Australia and the UK have both enacted bans that limit or prohibit handguns. Federally, the US enacted a federal ban on assault weapons, but this ban expired in 2004 and no federal legislation to renew or replace the ban has since been enacted. In all cases, the data does not conclusively demonstrate that these handgun or assault weapon bans have led to reductions in gun violence, though some studies drew other conclusions. The variation in study results reflects the fact that patterns of gun violence are influenced by many factors and the impact cannot be attributed to one factor.

- The most cited document regarding the impact of the U.S. Federal Assault Weapons Ban (FWB) found that the ban's success in reducing criminal use of the banned guns and magazines had been mixed, allowing both pro- and anti-gun control groups to use the report in their respective favour. It also noted that it was premature to make definitive assessments of the ban's impact on gun crime, as the ban was still in effect when the report was published, and that the ban's effects (or lack thereof) could be better analyzed in the future.

- Since then, many studies have been conducted to reassess the success of the FWB. Although they were unable to conclusively prove that gun crime decreased because of the FWB, many studies found that there were fewer mass shootings, with fewer deaths and fewer injuries overall.

- Similar observations were made in studies analyzing the Australian 1996-1997 buyback program. Following the finalization of the buyback program, no mass shootings have been recorded in Australia; that said, although firearms violence also declined, it was impossible to attribute it to the buyback program.

- Most criticisms of buybacks surround their failure to reduce criminal activity or reclaim the types of guns used in local crimes. However, buybacks are effective as one component of a multipronged approach to raise awareness and education about gun safety. Buyback programs can remove unwanted improperly stored guns from homes; educate the community about the increased risk of gun-related injuries in the home and the importance of safe gun storage; and identify individuals possessing improperly stored guns at home and provide them with safety information and alternatives. A buyback program can contribute to create a symbiotic relationship between public health and public safety in the city; it can also foster an environment where the judiciary, police, medical, and civilian communities work together to reduce access to lethal means in the form of unsecured firearms in the home.

U.S. Federal Assault Weapons Ban (1994-2004)

The 2004 Federal Assault Weapons Ban Research Report[1]

The research report submitted to the U.S. Department of Justice, entitled "An Updated Assessment of the Federal Assault Weapons Ban: Impacts on Gun Markets and Gun Violence, 1994-2003", led by Christopher S. Koper of the University of Pennsylvania and published in 2004, is the most referenced document regarding the U.S. Federal Assault Weapons Ban (FWB) that was in effect from 1994 to 2004.

Given its authoritative status – sponsored by the National Institute of Justice and prepared for the U.S. government – and mixed key findings and conclusions, it still remains widely quoted by both pro- and anti-gun control groups to prove the FWB's (in)efficacy. Below are its key findings and conclusions[2]:

The Ban Attempts to Limit the Use of Guns with Military Style Features and Large Ammunition Capacities

- Title XI, Subtitle A of the Violent Crime Control and Law Enforcement Act of 1994 imposed a **10-year ban on the "manufacture, transfer, and possession" of certain semiautomatic firearms designated as assault weapons (AWs)**. The **ban is directed at semiautomatic firearms having features that appear useful in military and criminal applications but unnecessary in shooting sports or self-defense** (examples include flash hiders, folding rifle stocks, and threaded barrels for attaching silencers). The law bans 18 models and variations by name, as well as revolving cylinder shotguns. It also has a "features test" provision banning other semiautomatics having two or more military-style features. In sum, the Bureau of Alcohol, Tobacco, Firearms, and Explosives has identified 118 models and variations that are prohibited by the law. A number of the banned guns are foreign semiautomatic rifles that have been banned from importation into the U.S. since 1989.

- The **ban also prohibits most ammunition feeding devices holding more than 10 rounds of ammunition (referred to as large capacity magazines, or LCMs).** An **LCM is arguably the most functionally important feature of most AWs**, many of which have magazines holding 30 or more rounds. **The LCM ban's reach is broader than that of the AW ban because many non-banned semiautomatics accept LCMs**. Approximately 18% of civilian-owned firearms and 21% of civilian-owned handguns were equipped with LCMs as of 1994.

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[1] Koper, Christopher S. (2004). *An Updated Assessment of the Federal Assault Weapons Ban: Impacts on Gun Markets and Gun Violence, 1994-2003*. Report to the National Institute of Justice, U.S. Department of Justice. Philadelphia, PA: Jerry Lee Center of Criminology, University of Pennsylvania. 108 pages.
[2] Idem, pp.1-3.

- The **ban exempts AWs and LCMs manufactured before September 13, 1994**. At that time, there were upwards of 1.5 million privately owned AWs in the U.S. and nearly 25 million guns equipped with LCMs. Gun industry sources estimated that there were 25 million pre-ban LCMs available in the U.S. as of 1995. An additional 4.7 million pre-ban LCMs were imported into the country from 1995 through 2000, with the largest number in 1999.

- Arguably, **the AW-LCM ban is intended to reduce gunshot victimizations by limiting the national stock of semiautomatic firearms with large ammunition capacities – which enable shooters to discharge many shots rapidly – and other features conducive to criminal uses**. The AW provision targets a relatively small number of weapons based on features that have little to do with the weapons' operation, and removing those features is sufficient to make the weapons legal. The LCM provision limits the ammunition capacity of non-banned firearms.

The Banned Guns and Magazines Were Used in Up to A Quarter of Gun Crimes Prior to the Ban

- **AWs were used in only a small fraction of gun crimes prior to the ban**: about 2% according to most studies and no more than 8%. **Most of the AWs used in crime are assault pistols rather than assault rifles**.

- **LCMs are used in crime much more often than AWs** and accounted for 14% to 26% of guns used in crime prior to the ban.

- **AWs and other guns equipped with LCMs tend to account for a higher share of guns used in murders of police and mass public shootings**, though such incidents are very rare.

The Ban's Success in Reducing Criminal Use of the Banned Guns and Magazines Has Been Mixed

- **Following implementation of the ban, the share of gun crimes involving AWs declined by 17% to 72%** across the localities examined for this study (Baltimore, Miami, Milwaukee, Boston, St. Louis, and Anchorage), based on data covering all or portions of the 1995-2003 post-ban period. This is consistent with patterns found in national data on guns recovered by police and reported to ATF.

- **The decline in the use of AWs has been due primarily to a reduction in the use of assault pistols (APs), which are used in crime more commonly than assault rifles (ARs). There has not been a clear decline in the use of ARs**, though assessments are complicated by the rarity of crimes with these weapons and by substitution of post-ban rifles that are very similar to the banned AR models.

- However, **the decline in AW use was offset throughout at least the late 1990s by steady or rising use of other guns equipped with LCMs** in jurisdictions studied (Baltimore, Milwaukee, Louisville, and Anchorage). The **failure to reduce LCM use has likely been due to the immense stock of exempted pre-ban magazines, which has been enhanced by recent imports.**

It is Premature to Make Definitive Assessments of the Ban's Impact on Gun Crime

- **Because the ban has not yet reduced the use of LCMs in crime, we cannot clearly credit the ban with any of the nation's recent drop in gun violence. However, the ban's exemption of millions of pre-ban AWs and LCMs ensured that the effects of the law would occur only gradually. Those effects are still unfolding and may not be fully felt for several years into the future, particularly if foreign, pre-ban LCMs continue to be imported into the U.S. in large numbers.**

The Ban's Reauthorization or Expiration Could Affect Gunshot Victimizations, But Predictions are Tenuous

- **Should it be renewed, the ban's effects on gun violence are likely to be small at best and perhaps too small for reliable measurement.** AWs were rarely used in gun crimes even before the ban. LCMs are involved in a more substantial share of gun crimes, but it is not clear how often the outcomes of gun attacks depend on the ability of offenders to fire more than ten shots (the current magazine capacity limit) without reloading.

- **Nonetheless, reducing criminal use of AWs and especially LCMs could have nontrivial effects on gunshot victimizations.** The few available studies suggest that attacks with semiautomatics – including AWs and other semiautomatics equipped with LCMs – result in more shots fired, more persons hit, and more wounds inflicted per victim than do attacks with other firearms. Further, a study of handgun attacks in one city found that 3% of the gunfire incidents resulted in more than 10 shots fired, and those attacks produced almost 5% of the gunshot victims.

- **Restricting the flow of LCMs into the country from abroad may be necessary to achieve desired effects from the ban, particularly in the near future.** Whether mandating further design changes in the outward features of semiautomatic weapons (such as removing all military-style features) will produce measurable benefits beyond those of restricting ammunition capacity is unknown. Past experience also suggests that Congressional discussion of broadening the AW ban to new models or features would raise prices and production of the weapons under discussion.

- **If the ban is lifted, gun and magazine manufacturers may reintroduce AW models and LCMs, perhaps in substantial numbers. In addition, pre-ban AWs may lose value and novelty, prompting some of their owners to sell them in undocumented secondhand markets where they can more easily reach high-risk users**, such as criminals, terrorists, and other potential mass murderers. Any resulting increase in crimes with AWs and LCMs might increase gunshot victimizations for the reasons noted above, though this effect could be difficult to measure.

Recent studies regarding the FWB

As the research paper had stated, it was difficult to conclusively assess if the FWB had an impact on gun crime and mass shootings. In the years since, new research emerged.

Summaries appear below:

- University of Massachusetts researcher Louis Klarevas, author of the book "Rampage Nation," found that the number of gun massacres dropped by 37 percent and the number of gun massacre deaths feel by 43 percent while the ban was in effect compared to the previous decade. After the ban lapsed in 2004, those numbers dramatically rose – a 183 percent increase in massacres and a 239 percent increase in massacre deaths [2004-2014].[3]

- A 2019 study in the Journal of Trauma and Acute Surgery found that, based on data from 1981 to 2017, there were fewer mass-shooting deaths while the ban was in place. During the 10-year period the federal assault weapons ban was in effect, mass shooting fatalities were 70% less likely to occur compared to the periods before and after the ban.[4]

- A 2017 study in the Journal of Urban Health observed that law enforcement recovery of assault weapons fell nationwide while the ban was in base, indicating that they were used in fewer crimes, but increased after the ban expired. Assault weapons and other high-capacity semiautomatics appear to be used in a higher share of firearm mass murders (up to 57% in total), though data on this issue are very limited. Trend analyses also indicate that high-capacity semiautomatics have grown from 33 to 112% as a share of crime guns since the

[3] Ingraham, Christopher. (15 February 2018). *It's time to bring back the assault weapons ban, gun violence experts say*, Washington Post. Accessed on 3 May 2021. [https://www.washingtonpost.com/news/wonk/wp/2018/02/15/its-time-to-bring-back-the-assault-weapons-ban-gun-violence-experts-say/?noredirect=on]

[4] DiMaggio, Charles, et al. (January 2019). "Changes in US mass shooting deaths associated with the 1994-2004 federal assault weapons ban: Analysis of open-source data", *J Trauma Acute Care Surg.* 86(1), pp. 11-19.

expiration of the federal ban—a trend that has coincided with recent growth in shootings nationwide.[5]

- A 2015 study also suggests that state level assault weapons bans help to prevent mass shooting deaths. For the period 1982 to 2011, it was found that both state and federal assault weapons bans have statistically significant and negative effects on mass shooting fatalities but that only the federal assault weapons ban had a negative effect on mass shooting injuries.[6]

- A 1997 Justice Department study of the assault weapons ban found that it was responsible for a 6.7% decrease in total gun murders, holding all other factors equal. The same study also found that "Assault weapons are disproportionately involved in murders with multiple victims, multiple wounds per victim, and police officers as victims."[7]

- The use of assault weapons in crime declined by more than two-thirds by about nine years after 1994 Assault Weapons Ban took effect.[8]

- The percentage of firearms seized by police in Virginia that had high-capacity magazines dropped significantly during the ban. That figure has doubled since the ban expired.[9]

- When Maryland imposed a more stringent ban on assault pistols and high-capacity magazines in 1994, it led to a 55% drop in assault pistols recovered by the Baltimore Police Department.[10]

- 37% of police departments reported seeing a noticeable increase in criminals' use of assault weapons since the 1994 federal ban expired.[11]

- "[Author of the 2004 Research Paper Christopher S.] Koper concluded by saying that "a new ban on large capacity magazines and assault weapons would certainly not be a panacea for gun crime, but it may help to prevent further

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[5] Koper, Christopher S., et al. (2018). "Criminal Use of Assault Weapons and High-Capacity Semiautomatic Firearms : an Updated Examination of Local and National Sources", *Journal of Urban Health* 95, pp. 313-321.
[6] Gius, Mark. (2015). "The impact of state and federal assault weapons bans on public mass shootings", *Applied Economics Letters*, 22(4), pp. 281-284.
[7] Roth, Jeffrey A. & Christopher S. Koper. (March 1997). *Impact Evaluation of the Public Safety and Recreational Firearms Use Protection Act of 1994*.
[8] Koper, Christopher S. (June 2004). *An Updated Assessment of the Federal Assault Weapons Ban: Impacts on Gun Markets and Gun Violence, 1994-2003*, University of Pennsylvania, Report to the National Institute of Justice, U.S. Department of Justice.
[9] Fallis, David S. &James V. Grimaldi. (22 January 2011). *In Virginia, high-yield clip seizures rise*, Washington Post. Accessed on 3 May 2021. [http://www.washingtonpost.com/wp-dyn/content/article/2011/01/22/AR2011012204046.html]
[10] Weil, Douglas S. & Rebecca C. Knox. (February 1997). *Letter to the Editor, The Maryland Ban on the Sale of Assault Pistols and High-Capacity Magazines: Estimating the Impact in Baltimore*, 87 Am. J. of Public Health 2.
[11] Police Executive Research Forum, Guns and Crime: Breaking New Ground by Focusing on the Local Impact (May 2010).

spread of particularly dangerous weaponry and eventually bring small reductions in some of the most serious and costly gun crimes.""[12]

- Similarly, "Klarevas says that the key provision of the assault weapons bill was a ban on high-capacity magazines capable of holding more than 10 rounds. "We have found that when large capacity mags are regulated, you get drastic drops in both the incidence of gun massacres and the fatality rate of gun massacres." The opinion is shared among many researchers who study gun violence for a living. In 2016, for instance, the New York Times asked 32 gun policy experts to rate the effectiveness of a variety of policy changes to prevent mass shootings. The roster of experts included violence prevention researchers like Harvard's David Hemenway, as well as more ideologically driven gun rights advocates like John Lott. On a scale of effectiveness ranging from 1 (not effective) to 10 (highly effective), the expert panel gave an average score of 6.8 to both an assault weapons ban and a ban on high-capacity magazines, the highest ratings among the nearly 30 policies surveyed."[13]

- A new study from Northwestern Medicine says that the ten-year ban likely prevented as many as 11 mass shootings, and had it remained in place, as many as 30 more mass shootings could have been prevented. The lead author of the study, Lori Ann Post, professor of emergency medicine and medical sciences at Northwestern University's Feinberg School of Medicine, says that "if you prevent the access to assault weapons, high capacity magazines, and semi-automatic or rapid-fire guns, it prevents the actual incident itself." Post says that her numbers are based on analyzing the trend of mass shootings before the implementation of the assault weapons ban in 1994, what happened during the ban, and then what happen when it expired in 2004. Although deaths in mass shootings account for less than 1% of all gun deaths in the United States, Post says she wanted to focus on the issue of mass shootings because of the impact that they have on the American psyche. "They are such high media events. Every time there is a mass shooting – even though they account for less than 1% of all gun deaths each year – this is what gets people riled up and this is when people start talking about gun policy," said Post.[14]

- "The empirical evidence suggests that restrictions on assault weapons and high-capacity magazines can reduce the rising death toll from mass shootings."[15]

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[12] Farley, Robert. (1 February 2013). *Did the 1994 Assault Weapons Ban Work?* FactCheck.org. Accessed 3 May 2021. [https://www.factcheck.org/2013/02/did-the-1994-assault-weapons-ban-work/]

[13] Ingraham, Christopher. (15 February 2018). *It's time to bring back the assault weapons ban, gun violence experts say*, Washington Post. Accessed on 3 May 2021. [https://www.washingtonpost.com/news/wonk/wp/2018/02/15/its-time-to-bring-back-the-assault-weapons-ban-gun-violence-experts-say/?noredirect=on]

[14] Caine, Paul. (31 March 2021). *Northwestern Study Says 1994-2004 Federal Assault Weapons Ban Worked*, WTTW. Accessed on 3 May 2021. [https://news.wttw.com/2021/03/31/northwestern-study-says-1994-2004-federal-assault-weapons-ban-worked]

[15] Donohue, John J. (2020). "The Swerve to "Guns Everywhere": A Legal and Empirical Evaluation", *Law and Contemporary Problems* 83, pp. 117-136.

- "We found that public mass shootings — which we defined as incidents in which a gunman killed at least six people in public — dropped during the decade of the federal ban. Yet, in the 15 years since the ban ended, the trajectory of gun massacres has been sharply upward, largely tracking the growth in ownership of military-style weapons and high-capacity magazines. This decline is plausible because assault weapons are semiautomatic firearms designed for rapid fire and combat use, and large-capacity magazines increase the number of rounds that can be fired without reloading. While the gun lobby prevented the ban from being as effective as it could have been and saddled the law with a 10-year sunset provision, the ban did impede the easy access to the type of lethal weaponry that those intent on mass killing have readily available in most of the country today. The first studies of the law's effectiveness were inconclusive. For example, it was initially unclear whether a decline in gun massacres and deaths was simply part of a larger drop in crime, since violent crime declined by roughly 14 percent during the federal ban. But data from the 15 years following the ban's expiration now provide stronger evidence that permitting the gun industry to flood the market with increasingly powerful weapons that allow for faster killing has facilitated exactly that outcome. In the decade after the ban, there was a 347 percent increase in fatalities in gun massacres, even as overall violent crime continued downward. Similarly, fatalities per shooting incident fell during the assault weapon ban and have risen sharply since. With increasingly potent and readily available weaponry, the average number of people who die in a gun massacre has increased by 81 percent in just five years. Assault weapons were used in at least 11 of the 15 gun massacres since 2014; at least 234 of the 271 people who died in gun massacres since 2014 were killed by weapons prohibited under the federal assault weapons ban. And despite what critics of gun control may assert, mental illness is not driving the alarming growth in fatalities from gun massacres. The percentage of mentally ill Americans did not drop substantially during the 10 years of the federal ban and then suddenly rise rapidly when it was lifted. Gun industry advertisements play on the weaknesses of troubled young men, persuading them that their perceived grievances could be remedied if they possessed the latest assault weapons. The deeply troubled 20-year-old Adam Lanza used a semiautomatic Bushmaster rifle — advertised under the slogan "Consider Your Man Card Reissued" — to kill 26 at Sandy Hook Elementary School in 2012. No other industry is allowed to act so recklessly without facing legal challenge. But a 2005 law immunized gun manufacturers against lawsuits for harm caused by the criminal use of firearms. The extraordinary increase in the body count from public gun massacres since the end of the federal assault weapons ban and the passage of the federal immunity statute for the gun industry has one obvious explanation: the brazen promotion and the proliferating, loosely regulated, highly profitable sales of the most desirable and effective weaponry for committing mass murder."[16]

- "The body count from gun massacres was visibly restrained during the AWB and rose sharply after 2004 when President Bush reneged on his campaign promise

[16] Donohue, John J. & Theodora Boulouta. (4 September 2019). *That Assault Weapon Ban? It Really Did Work*, New York Times. Accessed on 3 May 2021. [https://www.nytimes.com/2019/09/04/opinion/assault-weapon-ban.html]

to renew it. Moreover, the number of deaths per gun massacre fell during the ban and has risen sharply over the next 15 years as the gun industry has flooded the market with increasingly more lethal weaponry. The decline in gun massacre fatalities during the AWB was not simply a product of declining violent crime, which has continued downward, even as mass shooting fatalities have skyrocketed. Importantly, *every* gun massacre in the last 5 years has used weaponry – a prohibited assault weapon or high-capacity magazine or both — banned by the federal AWB. The evident restraining impact of the AWB on gun massacre fatalities is not altered by using Sollum's preferred definition of four individuals killed. Even with these changes, we confirmed Klarevas' findings, which were strengthened by our analysis of five additional years of data. The pattern is extremely robust, across different datasets, different exclusions decisions (eliminating or retaining gang and domestic violence killings), using the Sollum preferred 4+ standard, or even looking at more extreme mass shootings that kill more than ten: the empirical evidence supports the view that the federal assault weapons ban saved lives."[17]

[17] Donohue, John J. & Theodora Boulouta. (15 October 2019). *The Assault Weapon Ban Saved Lives*, Stanford Law School Legal Aggregate Blog. Accessed 3 May 2021. [https://stanford.io/2MWNsrV]

Australian Buyback Program

- "Following enactment of gun law reforms in Australia in 1996, there were no mass firearm killings through May 2016. There was a more rapid decline in firearm deaths between 1997 and 2013 compared with before 1997 but also a decline in total non-firearm suicide and homicide deaths of a greater magnitude. Because of this, it is not possible to determine whether the change in firearm deaths can be attributed to the gun law reforms."[18]

- "There may have been a modest effect on homicides. The number declined continuing a preexisting trend. Given only five years of post-ban data, one could not reject the hypothesis that it had reduced homicides by 10 percent. The share of homicides committed with firearms fell sharply after the implementation of the NFA; among firearm homicides, an increasing share were with a handgun, whose ownership had been tightly restricted even before 1996. The fact that New Zealand, a similar nation in many respects, which did not introduce the new measures, saw no decline, provides a small piece of evidence in favor of an NFA effect. Suicide did not decline, but again there was a sharp decrease in the share involving a firearm, continuing a long trend. Although there has been a significant decrease in the number of armed robberies committed with a firearm, the decline began before 1996; the decline was more pronounced post-NFA. All this is generally consistent with a story of substitution. Firearms were never the dominant means of homicide or suicide and reducing the availability of one form of firearm was not likely to have a large effect. The more stringent registration and licensing requirements (including a twenty-eight-day waiting period for purchasers) may have made a difference; not enough detail is yet available on the characteristics of licensed weapons to allow analysis of this possibility. The buyback alone was an implausible candidate for reducing crime rates because the targeted gun type was one not much used in homicides or, presumably, other kinds of violent crime.65 Even if half of long-gun homicides were eliminated, homicide rates would decline by only 5 percent, difficult to detect in a series as noisy as this one. The hypothesis that gun owners would try to maintain their total inventory of weapons and thus reduce offender holdings of higher risk weapons, a hypothesis with low face plausibility, was not supported."[19]

- "The Australian Gun Buyback program is distinguished from Gun Buyback programs in other countries by its abrupt implementation, its narrow focus on a particular class of firearms, and its broad application across the entire population. We assess the impact of Australia's 1996 Gun Buyback program on national homicide rates using a synthetic control group quasi-

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[18] Chapman, Simon, et al. (19 July 2016). "Association Between Gun Law Reforms and Intentional Firearm Deaths in Australia, 1979-2013", *JAMA* 316(3), pp. 291-299.
[19] Reuter, Peter & Jenny Mouzos. (2003). "Australia: A Massive Buyback of Low-Risk Guns", in *Evaluating Gun Policy: effects on Crime and Violence* (Ludwig, Jens, and Philip J. Cook, eds.), Washington, D.C.: Brookings Institution Press. pp.140-141

experimental design, comparing the results to suicide and motor vehicle fatality trends to test for plausible alternative hypotheses. Results suggest that the Gun Buyback program significantly reduced Australia's homicide rate in the decade following the intervention (1997–2007)."[20]

- "In 1997, Australia implemented a gun buyback program that reduced the stock of firearms by around one-fifth (and nearly halved the number of gun-owning households). Using differences across states, we test whether the reduction in firearms availability affected homicide and suicide rates. We find that the buyback led to a drop in the firearm suicide rates of almost 80%, with no significant effect on non-firearm death rates. The effect on firearm homicides is of similar magnitude but is less precise. The results are robust to a variety of specification checks and to instrumenting the state-level buyback rate. […] With just under a decade of post-NFA deaths data now available, key studies based on time series data have agreed that there has been a significant fall in the number of firearm suicides in Australia since 1997. Firearm homicides also appear to have declined substantially, though with a smaller number of deaths per year, it is more difficult to be sure that this change was related to the NFA. At a minimum, there is some time series evidence against the notion that stricter gun laws have led to increases in total homicides. The results in this paper—using a different and more reliable source of identification—support the general findings of those time series studies. We show that the largest falls in firearm deaths occurred in states where more firearms were bought back."[21]

- "The Australian buyback, which was large, compulsory, and the guns on this island nation could not easily be replaced. For example, compared to the buyback of 650,000 firearms, annual imports after the law averaged only 30,000 per year, with many of these bought by law enforcement agencies. For Australia, a difficulty with determining the effect of the law was that gun deaths were falling in the early 1990s. No study has explained why gun deaths were falling, or why they might be expected to continue to fall. Yet most studies generally assumed that they would have continued to drop without the NFA. Many studies still found strong evidence for a beneficial effect of the law. From the perspective of 1996, it would have been difficult to imagine more compelling future evidence of a beneficial effect of the law. Whether or not one wants to attribute the effects as being due to the law, everyone should be pleased with what happened in Australia after the NFA—the elimination of firearm massacres (at least up to the present) and an

[20] Bartos, Bradley J., et al. (2 November 2019). "Controlling Gun Violence: Assessing the Impact of Australia's Gun Buyback Program Using a Synthetic Control Group Experiment", *Prevention Science* 21, pp. 131-136.
[21] Leigh, Andrew & Christine Neill. (20 August 2010). "Do Gun Buybacks Save Lives? Evidence from Panel Data", *American Law and Economics Review* 12(2), pp. 509-557.

immediate, and continuing, reduction in firearm suicide and firearm homicide."[22]

[22] Harvard Injury Control Research Center. (2011). "The Australian Gun Buyback", *Bulletins* Spring 2011 (4).

Other Information of Interest

- "This article uses more complete state panel data (through 2014) and new statistical techniques to estimate the impact on violent crime when states adopt right-to-carry (RTC) concealed handgun laws. Our preferred panel data regression specification, unlike the statistical model of Lott and Mustard that had previously been offered as evidence of crime-reducing RTC laws, both satisfies the parallel trends assumption and generates statistically significant estimates showing RTC laws increase overall violent crime. Our synthetic control approach also finds that RTC laws are associated with 13–15 percent higher aggregate violent crime rates 10 years after adoption. Using a consensus estimate of the elasticity of crime with respect to incarceration of 0.15, the average RTC state would need to roughly double its prison population to offset the increase in violent crime caused by RTC adoption."[23]

- "The best empirical evidence suggests that allowing citizens to carry concealed handguns as a matter of right will elevate violent crime." [24]

- "Although Judge Kavanaugh was correct that handguns kill more individuals overall than assault rifles, that does not pose an argument for preventing governmental action to ban assault rifles. Handguns also kill far more Americans than bazookas, hand-held missile launchers, and nuclear arms, but the notion that the right to keep and bear these arms cannot be infringed is hopefully beyond serious debate."[25]

- Most criticisms of buybacks surround their failure to reduce criminal activity or reclaim the types of guns used in local crimes. However, buybacks are effective as one component of a multipronged approach to raise awareness and education about gun safety. The goals of voluntary buyback programs are to (1) remove unwanted improperly stored guns from homes; (2) educate the community about the increased risk of gun-related injuries in the home and the importance of safe gun storage; and (3) identify individuals possessing improperly stored guns at home and provide them with safety information and alternatives. The program in Worcester has helped create a symbiotic relationship between public health and public safety in the city. It also fosters an environment where the judiciary, police, medical, and civilian communities work together to reduce access to lethal means in the form of unsecured firearms in the home. Buyback

[23] Donohue, John J., et al. (April 2019). "Right-to-Carry Laws and Violent Crime: A Comprehensive Assessment Using Panel Data and a State-Level Synthetic Control Analysis", *Journal of Empirical Legal Studies* 16(2), pp. 198-247.
[24] Donohue, John J. (2020). "The Swerve to "Guns Everywhere": A Legal and Empirical Evaluation", *Law and Contemporary Problems* 83, pp. 117-136.
[25] Idem.

programs encourage participation by having a "no questions asked" policy, allowing for anonymous disposal. [2627]

- The total cost for 8 years of the Worcester annual voluntary buyback program (2002-2009) was $99,250 or $53/gun, which is very modest compared with the cost of a single nonfatal gunshot wound – immediate medical treatment; lifetime medical costs; expenditures per case; resulting disability.[2829]

[26] Kasper, Rebecca E., et al. "And the survey said… evaluating rationale for participation in gun buybacks as a tool to encourage higher yields", *Journal of Pediatric Surgery* 52 (217), pp. 354-359.
[27] McGuire, Margaret, et al. "Goods for Guns – The Use of a Gun Buyback as an Injury Prevention/Community Education Tool", *The Journal of Trauma Injury, Infection and Critical Care* 71(5), November Supplement 2, 2011 (S537-540).
[28] Kasper, Rebecca E., et al. "And the survey said… evaluating rationale for participation in gun buybacks as a tool to encourage higher yields", *Journal of Pediatric Surgery* 52 (217), pp. 354-359.
[29] McGuire, Margaret, et al. "Goods for Guns – The Use of a Gun Buyback as an Injury Prevention/Community Education Tool", *The Journal of Trauma Injury, Infection and Critical Care* 71(5), November Supplement 2, 2011 (S537-540).

Considerations

- Of course, "both sides of the debate claim vindication in subsequent research. Comparing the various studies is difficult because they use different definitions of "assault weapon" and mass shooting."[30]

- "Assault weapon" is not a legally defined term in Canada's firearms legislation. Various international jurisdictions use different terms and definitions, often based on physical characteristics. For illustrative purposes, the US Department of Justice has used the following description: "in general, assault weapons are semiautomatic firearms with a large magazine of ammunition that were designed and configured for rapid fire."[31]

- "Several factors are important in assessing the extent to which the results from the Australian buyback can be extrapolated to other countries. Australian borders are more easily controlled than in countries that have land borders. In addition, Australia's government in general and its policing and customs services in particular are highly organized and effective. The NFA also had an extremely high degree of political support and was quite competently executed. And the buyback was accompanied by a uniform national system for licensing and registration of firearms. These factors should be borne in mind in considering the extent to which the results from the Australian NFA might generalize to other countries."[32]

- "It does not appear that the Australian experience with gun buybacks is fully replicable in the United States. Levitt provides three reasons why gun buybacks in the United States have apparently been ineffective: (a) the buybacks are relatively small in scale (b) guns are surrendered voluntarily, and so are not like the ones used in crime; and (c) replacement guns are easy to obtain."[33]

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[30] Elving, Ron. (13 August 2019). *The U.S. Once Had a Ban On Assault Weapons – Why Did It Expire?* National Public Radio. Accessed 3 May 2021. [https://www.npr.org/2019/08/13/750656174/the-u-s-once-had-a-ban-on-assault-weapons-why-did-it-expire]

[31] Public Safety Canada. (October 2018). *Reducing Violent Crime: A Dialogue on Handguns and Assault Weapons. Engagement Paper.* 6 pages.

[32] Leigh, Andrew & Christine Neill. (20 August 2010). "Do Gun Buybacks Save Lives? Evidence from Panel Data", *American Law and Economics Review* 12(2), pp. 509-557.

[33] Harvard Injury Control Research Center. (2011). "The Australian Gun Buyback", *Bulletins* Spring 2011 (4).

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https://www.vox.com/2015/8/27/9212725/australia-buyback

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Appendix A: Key Legislative Elements[34]

The features listed below are intended to provide a framework from which policy options may be considered.

- Definition of assault weapon is based on the generic features that characterize assault weapons (*California, Connecticut, New York, and the District of Columbia have the most comprehensive definitions*).

- Definition of assault weapon is based on a one-feature test (*New York, the District of Columbia and Cook County, Illinois each use a one-feature test for shotguns, rifles, and pistols; New Jersey uses a one-feature test for shotguns; California and Connecticut use a one-feature test for rifles and pistols*).

- Although a generic feature test is the most comprehensive approach, if the law also includes a list of banned weapons by name, it provides a mechanism authorizing an appropriate governmental official or agency to add new and/or modified models to the list (*District of Columbia*).

- Definition extends to parts that may be readily assembled into an assault weapon (*Connecticut and New Jersey*).

- Prohibited activities include possession, sale, purchase, transfer, loan, pledge, transportation, distribution, importation, and manufacture of assault weapons (*California has the broadest prohibition*).

- Pre-ban weapons are not exempted from a ban and instead are to be rendered inoperable or removed from the jurisdiction (*District of Columbia and Cook County, Illinois; New Jersey exempted only a small category of assault weapons*).

- Alternatively, if pre-ban weapons are exempted and treated as legacy weapons, there is a registration mechanism for legacy weapons, with strict limits on their transferability, use, and storage (*California, Connecticut, Hawaii, New Jersey, New York*).

[34] Giffords Law Center to Prevent Gun Violence. *Assault Weapons*. Accessed 3 May 2021. [https://giffords.org/lawcenter/gun-laws/policy-areas/hardware-ammunition/assault-weapons/]

Addendum: U.S. Bills similar to Bill C-21

S.1155 - Virginia Plan to Reduce Gun Violence Act of 2021 – To reform Federal firearms laws, and for other purposes.

S.878 - Stop Illegal Trafficking in Firearms Act of 2021 – To increase public safety by punishing and deterring firearms trafficking.

S.763 - Lori Jackson Domestic Violence Survivor Protection Act – To amend title 18, United States Code, to protect more victims of domestic violence by preventing their abusers from possessing or receiving firearms, and for other purposes.

S.190 - Ethan's Law - To amend chapter 44 of title 18, United States Code, to require the safe storage of firearms, and for other purposes.

Karikera, Nadia

From: O'Brien2, Judith (PS/SP) <judith.obrien2@canada.ca>
Sent: Tuesday, March 16, 2021 3:39 PM
To: [redacted](PS/SP); [redacted] (PS/SP); [redacted] (PS/SP); [redacted] (PS/SP); [redacted] PS/SP); [redacted](PS/SP)
Cc: [redacted](PS/SP)
Subject: FW: FYI - Stats Canada: Media inquiry - CBC: Guns used in crimes

FYI
Judy O'Brien
Senior Communications Advisor / Conseillère principale en communication
Public Safety Canada / Sécurité publique Canada
T: (613) 993-2596
C: (343) 998-6584

From: Media Relations / Relations avec les médias (PS/SP) <ps.mediarelations-relationsaveclesmedias.sp@canada.ca>
Sent: Tuesday, March 16, 2021 3:28 PM
To: O'Brien2, Judith (PS/SP) <judith.obrien2@canada.ca>; [redacted]PS/SP) [redacted]@canada.ca>
Cc: Media Relations / Relations avec les médias (PS/SP) <ps.mediarelations-relationsaveclesmedias.sp@canada.ca>; Scott, Isabelle (PS/SP) <isabelle.scott@canada.ca>
Subject: FYI - Stats Canada: Media inquiry - CBC: Guns used in crimes

Hello Judy,
Sharing the media enquiry below for your information only. Feel free to share it with your clients.
Zarah
Zarah Malik
613-995-2362
Cell: 613-797-2766
Zarah.malik@canada.ca

From: Magnan, Martin (STATCAN) <martin.magnan@canada.ca>
Sent: Tuesday, March 16, 2021 3:15 PM
To: Media Relations / Relations avec les médias (PS/SP) <ps.mediarelations-relationsaveclesmedias.sp@canada.ca>; mediacentre@pco-bcp.gc.ca; RCMP.HQMediaRelations-DGRelationsmedias.GRC@rcmp-grc.gc.ca
Subject: FYI - Stats Canada: Media inquiry - CBC: Guns used in crimes

Hello
As a fYI
Please note the following details of an interview that occurred yesterday.
***It is important to note that there is a CBC series coming out re firearms.
Journalist: [redacted]- CBC
Subject: Media inquiry - CBC: Guns used in crimes - Case: 1015199
Question: The reporter saw this article https://www.cbc.ca/news/canada/nova-scotia/gun-crime-statistics-canada-research-1.5579971
and is wondering if StatsCan is already collecting stats on guns used in crimes - both where they come from and how they were used. If it is already being collected, She would be interested in having whatever information you have.
Subject matter expert: Warren Silver
Summary of discussion:
Hello Everyone, I spoke to the journalist.
We went over in detail the feasibility study and recommendations and our consultation and changes we are making as a result. Many things I was able to speak to such as why national standards for definitions are important and why we are

doing this and what we are adding to the UCR and how it will be collected. I did mention also about the Homicide Survey. I told the journalist our final report will be submitted to POLIS (on UCR changes) in April and then it will be made public.
Some things I could not speak to, so I bridged back to our work and the UCR. These areas included why Ontario is the only jurisdiction with mandatory firearm tracing, why firearms are not routinely sent for trancing and analysis, who would be setting up better tracing information and how we can get better information of firearms sourcing. I did say that some of the feasibility recommendations apply to Public Safety setting up a study of how current inmates sourced their firearms and recommendations for tracing information that goes beyond Statistics Canada.
She will be speaking to other experts at RCMP tracing centre and Ontario Fate Program as well as local police. She is working on this with a partner and it is a larger series. Hopefully she can get those answers form the others. She will contact me with any follow up questions.
Thanks.
***
I will keep you posted on any developments
Martin Magnan
A. Chief – Strategic Communications and Stakeholder Relations Division, Corporate Services Field
Statistics Canada / Government of Canada
343-540-6813

Karikera, Nadia

From: D'Amour, Guylaine (PS/SP) <guylaine.damour@canada.ca>
Sent: Friday, January 22, 2021 5:55 PM
To: [redacted](PS/SP); D'Amour, Guylaine (PS/SP)
Subject: FW: New Study On Gun Carry Laws and Violent Crime
Attachments: Donohue_et_al-2019-JELS RTC Law and Viol Crime.pdf

Document is publicly available here: https://onlinelibrary.wiley.com/doi/epdf/10.1111/jels.12219

Pour ton info. J'avais communiqué avec lui avant que tu me demande de canceller.

Guylaine D'Amour
613-408-5687

-------- Original message --------
From: John Donohue
Date: 2021-01-22 5:29 p.m. (GMT-05:00)
To: "D'Amour, Guylaine (PS/SP)"
Subject: Re: New Study On Gun Carry Laws and Violent Crime

The attached article is about concealed carry laws and this is about assault weapons bans:

- "The Assault Weapon Ban Saved Lives," (with Theodora Boulouta), *Stanford Law School Legal Aggregate Blog*, October 15, 2019, https://stanford.io/2MWNsrV.

All best,
John
John J. Donohue
Carlsmith Professor of Law
Stanford Law School and National Bureau of Economic Research

From: "D'Amour, Guylaine (PS/SP)"
Date: Friday, January 22, 2021 at 7:43 AM
To: "donohue@law.stanford.edu"
Subject: FW: New Study On Gun Carry Laws and Violent Crime
Good day M Donohue,
Where can my team get your publications on **New Study On Gun Carry Laws and Violent Crime? We are a team in the government of Canada working on** Community Safety and Countering Crime Branch.
Thank you.
Guylaine D'Amour
Senior Administrastive Officer, Program Administration of the Secretariat
Public Safety Canada
guylaine.damour@canada.ca 613-408-5687
Agente administrative principale, Administration de programme du Secrétariat
Sécurité publique Canada
guylaine.damour@canada.ca 613-408-5687

From: D'Amour, Guylaine (PS/SP) <guylaine.damour@canada.ca>
Sent: Friday, January 22, 2021 9:52 AM
To: alumni.publications@law.stanford.edu
Cc: D'Amour, Guylaine (PS/SP) <guylaine.damour@canada.ca>

Subject: New Study On Gun Carry Laws and Violent Crime
Importance: High
Good day,
I would like to know where I can procure a copy of John Donohue (de Stanford University : **New Study On Gun Carry Laws and Violent Crime?**
Thank you.
Guylaine D'Amour
Senior Administrastive Officer, Program Administration of the Secretariat
Public Safety Canada
guylaine.damour@canada.ca 613-408-5687
Agente administrative principale, Administration de programme du Secrétariat
Sécurité publique Canada
guylaine.damour@canada.ca 613-408-5687

JOURNAL OF EMPIRICAL LEGAL STUDIES

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Volume 16, Issue 2, 198–247, April 2019

Right-to-Carry Laws and Violent Crime: A Comprehensive Assessment Using Panel Data and a State-Level Synthetic Control Analysis

*John J. Donohue, Abhay Aneja, and Kyle D. Weber**

This article uses more complete state panel data (through 2014) and new statistical techniques to estimate the impact on violent crime when states adopt right-to-carry (RTC) concealed handgun laws. Our preferred panel data regression specification, unlike the statistical model of Lott and Mustard that had previously been offered as evidence of crime-reducing RTC laws, both satisfies the parallel trends assumption and generates statistically significant estimates showing RTC laws *increase* overall violent crime. Our synthetic control approach also finds that RTC laws are associated with 13–15 percent *higher* aggregate violent crime rates 10 years after adoption. Using a consensus estimate of the elasticity of crime with respect to incarceration of 0.15, the average RTC state would need to roughly double its prison population to offset the increase in violent crime caused by RTC adoption.

I. Introduction

For two decades, there has been a spirited academic debate over whether "shall-issue" concealed carry laws (also known as right-to-carry or RTC laws) have an important impact on crime. The "More Guns, Less Crime" hypothesis originally articulated by John Lott and David Mustard (1997) claimed that RTC laws decreased violent

*Address correspondence to John J. Donohue, Stanford Law School, 559 Nathan Abbott Way, Stanford, CA 94305; email: donohue@law.stanford.edu. Abhay Aneja, Haas School of Business, 2220 Piedmont Avenue, Berkeley, CA 94720; email: aaneja@law.stanford.edu; Kyle D. Weber, Columbia University, 420 W. 118th Street, New York, NY 10027; email: kdw2126@columbia.edu.

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