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POLICE VIOLENCE:
A RIGHTS-BASED ARGUMENT *FOR* GUN CONTROL

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The best arguments against gun control invoke moral rights—it might be good if there were fewer guns in circulation, but there is a moral right to own firearms.ⁱ Rather than emphasizing the potential benefits of gun control, this paper meets the best arguments on their home turf. I argue that there simply is no moral right to keep guns on one’s person or in one’s residence. In fact, our moral rights support the mutual disarmament of citizens and police.

1. NO RIGHT TO CARRY; NO RIGHT TO KEEP AT HOME

Gun advocates have developed two rights-based arguments. One cites recreation; the other invokes self-defense.

The recreation argument holds that citizens are entitled to use guns for “target shooting, various sorts of shooting competitions, and hunting.”ⁱⁱ Fortunately, gun control needn’t rule out any of these activities. Consider a variation on China’s gun laws: Citizens may neither carry

firearms nor keep firearms in their residences. If they wish to shoot, citizens may use and store certain kinds of guns at certified ranges. If they wish to hunt, citizens can apply for a temporary permit to check out hunting rifles or single-shot shotguns—though these permits will be granted only to those who pass a gun safety exam and whose background is free of certain red flags (e.g., domestic abuse, mental illness, or assault charges).ⁱⁱⁱ Recreation is a common foundation for rights-based arguments against gun control.^{iv} All such arguments fail: recreation is compatible with robust gun control.

What about self-defense? The right to self-defense, as sensible gun advocates agree, does not entail the right to keep weapons we cannot use safely and reliably—there is no right to keep bombs or nerve gas.^v The problem is that there is little reason to believe that ordinary citizens can safely and reliably defend themselves with guns.

Gun advocates write as though firearms make self-defense easy—even the physically frail can simply pull the trigger and the ne'er-do-well goes down.^{vi} Some of our surest evidence tells a different story: trained professionals *routinely* hit the wrong things, particularly in high-pressure situations. One study found that in gunfights between 1998 and 2006, officers in the New York Police Department missed 82% of their shots.^{vii} Outside gunfights their accuracy was better, but they still missed 70% of the time. A second study examined the accuracy of 5 different police departments over 10 years and found that police miss 70-85% of the shots they take.^{viii} Several further studies reach virtually identical conclusions, estimating that “bullet hit rates”—the percentage of bullets fired by police that *hit* their intended targets—hover between 14% and 30%.^{ix} Still another study references the “well-documented inaccuracy of police officers,”^x and yet another concludes (a bit scathingly) that “it is difficult to reconcile

demonstrated police handgun accuracy with the commonly held notion that the police are competent with their handguns by way of their participation in mandated ... training.”^{xi}

I do not make these observations to criticize police officers. The point is that professionals with significantly more training and experience than ordinary citizens regularly hit the wrong things. The point is that ordinary citizens will probably be worse.

Compare: If taking free throws on weekends is your only practice, you should not expect to become a competent basketball player. Good coaches schedule scrimmages so that players can practice split-second decision-making and hone their technique under pressure. Even then, players find that mere scrimmage is not enough. They need regular, real-game experience to prepare for the pace and tension of actual play. Performing under pressure is a skill that needs to be practiced.

Wielding a gun against a mortal threat is, to put it mildly, performing under pressure. As one military veteran puts it:

Fight or flight. Adrenaline floods your body. Time doesn't exist. Your heart beats outside your chest. Fine motor skills stop working. People urinate and defecate themselves. Good luck holding steady aim at a moving target.^{xii}

That is a description of highly trained military personnel facing gunfire. It is absurd to think that ordinary citizens—whose training and experience consists mostly of ‘free throws’ taken under the controlled conditions of the range—will outperform cops. These points should be obvious, but they need to be said. Free throws won't make us basketball stars; trips to the firing range

won't make us better than police officers at confronting armed threats; and average citizens are not action heroes in waiting.

Critics will probably counter by pointing to high estimates of defensive gun use—ordinary people can use guns just fine; we have studies that prove it. But those studies are problematic for two reasons.

First, they might not be accurate. In *More Guns, Less Crime*, John Lott argues that guns deter crime and that more guns deter crime better. But as several experts have already pointed out in peer-reviewed journals, Lott explains a decrease in crime by citing Right to Carry laws when the shift is more plausibly explained by the end of the crack epidemic.^{xiii} No longer employed by a College or University, Lott has continued to do research in the Crime Prevention Research Center, a conspicuously pro-gun non-profit. Much of its leadership has ties to the National Rifle Association (NRA).^{xiv} Its website advertises Lott's discredited *More Guns, Less Crime* alongside more obviously partisan works—such as Lott's *The War on Guns: Arming Yourself Against Gun Control Lies*.^{xv}

No one—including me, of course—is wholly free of bias. But Lott and the Crime Prevention Research Center are particularly concerning. Compare: Big soda companies have sponsored studies suggesting that high consumption of sugar has few, if any, bad effects on health. Their obvious bias combined with their history of standing behind discredited research mean that we should be *highly* skeptical about the next study sponsored by big soda. Lott's and the Crime Prevention Research Center's obvious bias, combined with their history of standing behind discredited research, should together inspire a similar skepticism.

Gary Klek and Marc Gertz famously conducted a telephone survey asking the heads of 5,000 households whether they had used a gun in self-defense.^{xvi} On that basis, they estimated

that Americans successfully use guns in self-defense roughly 2.5 million times per year. Asking people about their experience using guns seems like a perfectly reasonable thing to do. But as David Hemenway points out, it invites social desirability bias.^{xvii} People often shade the truth when their doctor asks how much they drink. By the same token, people are likely to exaggerate when a social scientist asks about their feats of self-defense. This is not a criticism of the people Kleck and Gertz interviewed. It is a well-documented psychological tendency that researchers have to account for.

Kleck responds to Hemenway's critique.^{xviii} But the response does not appear in a standard academic journal. It appears in the *Journal on Firearms and Public Policy*—a publication funded by the Second Amendment Foundation, whose self-described mission is “education in support of gun rights,”^{xix} and whose financial sponsors include gun manufacturers.^{xx} Moreover, Kleck's response is odd. He complains that Hemenway focused on design flaws (e.g., social desirability bias) that would lead to overestimation while ignoring design flaws that would lead to underestimation. But if one (a) knows that there are design flaws, (b) doesn't know how much some of those flaws will raise the overall estimate, and (c) doesn't know how much others will lower it, skepticism is the rational conclusion.

There are other high estimates of defensive gun use, but they stand opposed to a formidable volume of peer-reviewed research. In less than an hour, I found more than 20 peer-reviewed studies in reputable journals that (a) criticize high estimates of defensive gun use, (b) conclude that guns are highly correlated with increased homicide rates, (c) find that gun control decreases homicide rates, or (d) report that guns are not, on average, useful for self-defense.^{xxi} And I barely scratched the surface.

Furthermore, scientific consensus is not favorable to gun advocates. Between 2011 and 2014, social scientists published 468 articles on firearms. Surveys suggest that 71% of the authors believe that “strong gun laws help reduce homicide.”^{xxii} Only 5% believe that guns make a household safer, and only 12% believe that carrying a gun outside the home reduces one’s chance of being killed. Admittedly, my training is in moral theory, not data collection or linear regression. I cannot be absolutely certain that the scientific consensus is correct. But one thing is perfectly clear: anyone who focuses on a handful of studies that suggest high rates of defensive gun use is ignoring a *mountain* of contrary evidence.

The second problem with high estimates of defensive gun use is that *even if* scientific consensus is wrong to doubt them, they often measure the wrong thing. They need to show that ordinary citizens reliably hit their target—and only their target—when they are terrified and fighting for their lives. Instead, such studies often aim to show that people who use guns to ‘resist’ crime are better able to protect themselves. But ‘resistance’ is a broad category—it includes, for example, brandishing a gun one can’t reliably use and scaring off would-be criminals by incompetently spraying bullets about.^{xxiii} Compare: If ordinary people can’t safely and reliably deploy nerve gas, they shouldn’t have it—even if a study shows that nerve gas is useful for scaring off would-be criminals.

Can’t ordinary people train and become competent with firearms? Possibly. But police departments across the country are full of trained professionals who routinely hit the wrong things. We should not expect ordinary citizens to do better. Perhaps you have used a gun in self-defense. Unfortunately, even that might not be solid evidence. There are an enormous number of guns in circulation, and sheer luck guarantees that ordinary citizens will win a few

firefighters. Given that trained professionals miss so often, the rational conclusion is probably that you got lucky.

So: There is no moral right to keep a gun on one's person or in one's residence. The recreation argument is compatible with robust gun control and the self-defense argument fails. There is no reason to believe that average citizens—even those who visit the firing range to take 'free throws'—are action heroes who will reliably outperform cops.

2. AN ARMED POLICE FORCE VIOLATES OUR MORAL RIGHTS

A 1979 study on police violence reports that the U.S. “simply does not know how many of its own citizens it kills each year under the authority of the state.”^{xxiv} Thirty-nine years later, there is still no official tally of citizens shot dead by police, but a few organizations have recently begun counting online news reports. In each of 2015, 2016, and 2017, estimates suggest that U.S. police shot and killed roughly one thousand citizens.^{xxv}

In many of these cases, the officer involved was responding to an armed threat. But in 2015 alone, reports indicate that the police shot an estimated 235 unarmed people.^{xxvi} In other cases, victims were mentally ill, obeying the law while armed, or breaking the law without posing the sort of threat that warrants lethal force. How many have U.S. police wrongfully killed since they began carrying guns in the mid 1800's? Each wrongful death is a straightforward violation of a citizen's right to life.

If data on police killings is scant, data on injuries is almost nonexistent. But it strains credibility—well past its breaking point—to suppose that an organization shooting often enough to kill a thousand in a single year isn't also hurting quite a few. Non-fatal injuries can ruin

people's lives, causing debilitating pain and major cognitive deficits. Not all of these injuries are wrongful—in some cases the officer had good reasons to pull the trigger. But it would be naive to think all injurious shootings are justified. Wrongful injuries are a second straightforward violation of citizens' rights.

There is a third: in addition to causing death and injury, police sometimes use their firearms to wrongfully intimidate citizens. We have probably all, by now, seen footage of police drawing their guns on harmless, unarmed people. In one case, the victims were children, simply playing basketball at the time.^{xxvii} In some cases of intimidation, officers pointed their firearms at citizens. But guns can contribute to wrongful intimidation without being drawn. Some gun advocates argue that firearms deter at least some would-be criminals; the inevitable flip side of the coin, however, is that firearms make wrongful intimidation all the more terrifying.

How common is wrongful intimidation? There is, once again, no even remotely comprehensive database. But there are many communities—such as Ferguson, Missouri—that have largely adversarial relationships with police. The Truth Telling Project has given Black citizens in Ferguson and elsewhere a platform to explain their experience. According to their testimony, bullying and intimidation by police is a wholly expected, routine fact of life.^{xxviii} Ferguson is far from the only community in America with an adversarial relationship to the police, so it would be *exceptionally* naive to think that wrongful intimidation is a small-scale problem.

One might object: “Lots of public services cause casualties—ambulances inevitably cause the odd accident and buses inevitably hit a pedestrian now and again. There should be nothing surprising or troubling about the fact that the practice of law enforcement has a human cost. The only question is whether law enforcement does more good than harm.”

The objection fails because while the casualties caused by ambulances and buses are tragic, they are accidental. The drivers are not out looking for people to run down, nor has the state issued them tools whose main purpose is to kill. By contrast, police in the United States are given guns and ordered to use their near-monopoly on lethal force. Some officers deliberately kill, injure, or intimidate citizens who ought not be killed, injured, or intimidated.

Political conservatives sometimes criticize liberals for trusting the state—and while my sympathies typically run to the progressive left, the conservatives are on this score exactly correct. The great insight of conservatism is that governments are not grand impartial arbiters dispassionately pursuing the common good. Rather, as Mill observes in his critique of Hobbes, governments are social machines that “must be worked by men, and even by ordinary men.”^{xxix} Ordinary people are capable of great good. But in our worst moments, we are vindictive and violent, petty and power-hungry, or frightened and unreliable. Wrongful deaths, injuries, and intimidation are the predictable result of giving ordinary people guns, badges, and the discretion to use lethal force—at least in the United States.^{xxx}

Nothing thus far should be controversial—no one can seriously think that citizens have no right against wrongful death, injury, and intimidation. One might, however, be tempted to minimize the moral problem: relative to the size of the U.S. population, arming police does not lead to all that many rights violations.

A quick word of caution: What was true in 1979 is still true. We simply do not know how many the police wrongfully kill, injure, or intimidate. Current estimates are probably low. But there is a deeper issue. The moral problem resides not just in the sheer *number* of rights violations, but also in their *nature*.

Three factors combine to make these rights violations an urgent matter of justice. First, an armed police force costs money, and the government coercively extracts the necessary resources from citizens. Our government forces victims to finance the violation of their own rights.

Second, police officers have a special obligation to protect citizens' wellbeing. Compare: it is terrible for anyone to assault children. But it is especially egregious when parents assault their own children. Children have a moral right to their parents' protection, and that raises the moral stakes. The moral bonds between parents and children are thicker than the bonds between state and citizen, but the point remains: police have a special obligation to protect citizens' wellbeing. Wrongful death, injury, and intimidation are terrible in their own right, but they are especially egregious when police victimize the citizens they are sworn to protect.

Third, whereas public transportation—by its very nature—requires buses or other high capacity vehicles, law enforcement does not require firearms. Americans often regard unarmed police as a bizarrely impractical idea. But officers without guns are the reality in much of the U.K., New Zealand, Iceland, and elsewhere. In fact, the British Metropolitan Police chose not to carry guns precisely because of their dedication to the nature of police work. They saw order achieved through armed coercion as the task of an occupying military, and sought to create a “civil police [that] could not win the compliance of the civil population by fear and coercion.”^{xxxix}

Of course, countries with unarmed police don't typically have high rates of gun ownership. But that doesn't compromise the point. The nature of police work doesn't require guns in the same way that the nature of mass transit requires high capacity vehicles. So we have a choice: we can (a) disarm both citizens and police, or (b) allow citizens to keep their guns and

also arm the police. The choice between (a) and (b) is a question of values, and I am making in this paper a values-based (specifically a rights-based) argument that we should choose (a).

Put these three factors together and the deep moral problem comes into view. The state forces citizens to pay for officers' guns—lethal tools not required by the nature of law enforcement. The predictable result is that people with a right to protection are instead wrongfully killed, injured, and intimidated. Imagine a parent who took money from her child's piggybank to finance disciplinary schemes that, in addition to being unnecessary, were likely to cause death, injury, or terror. Such a parent would be a criminal—even if she treated her child well on other occasions. The special obligations between parent and child are, again, stronger than those between state and citizen. But the difference between these cases is one of degree, not one of kind. From a moral perspective, we cannot condemn the parent's conduct without reaching a similar conclusion about governments that arm police.

My argument, so far, is guilty of a major omission. Police disproportionately violate the rights of minorities, especially Black and Native Americans.^{xxxii} Police violence and race is topic enough for a book, and I am not the person to write it. But one thing should be obvious: as wrong as it is to make people finance the needless violation of their own rights, it is even worse when the victims tend to be minorities who face discrimination on many other fronts too. Arming the police predictably leads to *urgent* violations of citizens' rights.

3. WHAT SHOULD WE DO?

What should we do? The moral ideal is clear. Arming police predictably leads to serious, widespread violations of our rights. Realistically, we cannot disarm the police without first

disarming ourselves. But since there is no moral right to keep guns on one's person or in one's home—recreation is compatible with gun control; the self-defense argument fails—there is no rights-based argument against doing that. The morally ideal response is mutual disarmament of citizens and police.

Mutual disarmament could help police and citizens see each other in a less threatening light. Too often, an officer mistakes a harmless object for a gun, pulls his own weapon, and shoots a citizen wielding only a sandwich, an umbrella, a cellphone, an apron, or a Bible.^{xxxiii} Some of these are clear examples of officer incompetence. But I do not think all of them are. Imagine: You are an officer. You know that there are more than three hundred million guns in the United States, and you know of fellow officers killed on the job. Then you go on patrol looking precisely for armed and dangerous people. These conditions are *perfect* for making normal people see threats and guns where neither exists. Our lack of meaningful gun control puts well-intentioned police in a terrible situation.

Is mutual disarmament unrealistic? A knee-jerk affirmative answer is common, but there is little argument behind it. Australia got rid of its most dangerous guns by making it illegal to possess a wide range of firearms, and then launching a buyback program to compensate gun owners for the weapons that were newly illegal. In the United States, that strategy would require repealing or modifying the Second Amendment, which could prove difficult. But there are alternatives. We could impose substantial taxes on ammunition and then offer to buy back the guns that people can no longer afford to shoot. It would be the Australian plan with economic persuasion instead of legal coercion: rather than selling their guns to the government to avoid legal prosecution, citizens could sell their guns to recoup money on an investment they could no longer afford to use. Or we could do something more radical. We could require that bullets sold

in or imported to the U.S. have a non-standard diameter, so that new bullets couldn't be fired by any of the guns currently in circulation. The guns in circulation would eventually run out of bullets to shoot.^{xxxiv} A buyback program would then give citizens the chance to recoup money from firearms they could no longer find ammunition for. The fact that guns are useless without ammunition is a foothold: we may be able to begin mutual disarmament before undertaking the long legal struggle of repealing or revising the Second Amendment.

And we needn't stop there. The solution to America's gun problem might be multi-pronged. We could, in addition to the above, impose strict liability on gun manufacturers: manufacturers could be held legally accountable for harms perpetrated with certain classes of firearms. The idea is that gun manufacturers would be less cavalier about what they sell, and to whom, if they had 'skin in the game.' We could impose strict liability on gun owners—so that owners could be held legally accountable for any harm caused by their weapons. We could require universal background checks, make it illegal to sell to people with a history of domestic abuse or other violent crime, make it illegal to carry guns outside gun ranges or hunting trips, and more. Again, as section 1 shows, there is no rights-based objection to any of these measures.

I hope that some combination of these strategies could, in time, make America a mostly gun-free society. Our gun problem is daunting, and it may take decades to solve, but the field is *wide open*: we haven't tried anything. So I want this last section of my paper to serve as an invitation. Perhaps you have ideas about how gun control could work, about how to minimize negative consequences, or, if mutual disarmament is unrealistic after all, about how close we can get.

In closing, my suggestion is that we try to respect *everyone's* moral rights. By allowing gun owners to use and store certain weapons at certified ranges, and by allowing qualified

citizens to temporarily check out hunting rifles or single-shot shotguns, we can respect the right to recreation. By not allowing citizens to carry guns on their person or keep guns in their homes, perhaps we can disarm police and respect citizens' moral right against wrongful death, injury, and intimidation. The violation of these rights is not only shockingly common, but egregious: officers violate the rights of those they are sworn to protect, and citizens are forced to finance it. That is not something we can accept in the name of being 'realistic.' Particularly not before we have even tried to fix it.

Suggested Further Reading:

- (a) Michael Huemer, "Is There a Right to Own a Gun?", *Social Theory and Practice* 29, no. 2 (April 2003): 297-234.
- (b) Nicholas Dixon, "Handguns, Violent Crime, and Self-Defense," *International Journal of Applied Philosophy* 13, no. 2 (1999): 239-260.
- (c) Nicholas Dixon, "Handguns, Philosophers, and the Right to Self-Defense," *International Journal of Applied Philosophy* 25, no. 2 (2011): 151-170.
- (d) Testimony of Black citizens in Ferguson, Missouri and elsewhere: available through <http://thetruthtellingproject.org/>.
- (e) D. Hemenway and E.P. Nolan, "The Scientific Agreement on Firearm Issues," *Injury Prevention* 23, no. 4 (August 2014): 221-225.

ⁱ Bernstein, Hsiao, and Palumbo build their argument on the "right of self-defense" (C'zar Bernstein, Timothy Hsiao, and Michael Palumbo, "The Moral Right to Keep and Bear Firearms," *Public Affairs Quarterly* 29, no. 4 (October 2015): 346. Michael Huemer argues that

“individuals have a right to own firearms ... that is not overridden by utilitarian considerations” (Michael Huemer, “Is There a Right to Own a Gun?”, *Social Theory and Practice* 29, no. 2 (April 2003): 297. And according to Lance Stell, our fundamental rights condemn gun control (Lance K. Stell, “Gun Control and the Regulation of Fundamental Rights,” *Criminal Justice Ethics* 20, no. 1 (2001): 28-33.

ⁱⁱ Huemer, “Is There A Right”, 301-306.

ⁱⁱⁱ For a comparison of different countries’ gun laws, see: “How to Buy a Gun in 15 Countries,” *The New York Times*, accessed March 13, 2018, <https://www.nytimes.com/interactive/2018/03/02/world/international-gun-laws.html?action=click&module=Top+Stories&pgtype=Homepage>.

^{iv} Huemer, “Is There a Right,” 304-306.

^v Huemer, “Is There a Right,” 323. Deane-Peter Baker, “Gun Bans, Risk, and Self-Defense,” *International Journal of Applied Philosophy* 28, No. 2, (2014): see abstract. Bernstein, Hsiao, and Palumbo, “The Moral Right,” 323.

^{vi} Huemer never even mentions the difficulty of wielding a gun in self-defense (Huemer, “Is There a Right”). Bernstein, Hsiao, and Palumbo go even further, writing that “firearms are relatively easy to use” (Bernstein, Hsiao, and Palumbo, “The Moral Right,” 348). Deane-Peter Baker is to my knowledge the *only* philosophical defense of gun ownership that recognizes the need for training (Baker, “Gun Bans,” footnote 28). But Baker relegates the point to a footnote, and his article does not leave the impression that the relevant training will be all that difficult.

^{vii} Bernard D. Rostker, Lawrence M. Hanser, William M. Hix, Carl Jensen, Andrew R. Morral, Greg Ridgeway, and Terry L. Schell, *Evaluation of the New York City Police Department Firearm Training and Firearm-Discharge Review Process* (Rand Center on Quality Policing, 2008), 14. Available for download at http://www.nyc.gov/html/nypd/downloads/pdf/public_information/RAND_FirearmEvaluation.pdf.

^{viii} Bryan J. Vila and Gregory B. Morrison, “Biological Limits to Police Combat Handgun Shooting Accuracy,” *American Journal of Police* 13, no. 1 (1994): 1-30.

^{ix} For a survey of these results, see “Gregory B. Morrison and Bryan J. Vila, “Police Handgun Qualification: Practical Measure or Aimless Activity,” *Policing: International Journal of Police Strategies and Management* 21, no. 3 (1993): 526-527.

^x Michael D. White, “Hitting the Target (Or Not): Comparing Characteristics of Fatal, Injurious, and Noninjurious Police Shootings,” *Police Quarterly* 9, no. 3 (September 2006): 303-330. See abstract.

^{xi} Morrison and Vila, “Police Handgun Qualification,” 529.

xii “I’ve Been Shot in Combat. And as a veteran, I’m telling you: allowing teachers to be armed is an asinine idea,” *Charlotte Five*, accessed March 13, 2018, <https://www.charlottefive.com/arming-teachers/>.

xiii David Hemenway, “Review of More Guns, Less Crime: Understanding Crime and Gun Control Laws/Making a Killing: The Business of Guns in America,” by Lott, J., *New England Journal of Medicine* 339, no. 27 (1998): 2029-2030. John Donohue, “The Final Bullet in the Body of the More Guns, Less Crime Hypothesis,” *Criminology and Public Policy* 2, no. 3 (2003): 397-410.

xiv Ted Nugent is a former rock star and a fixture on the board of directors for the NRA. Brad Thor is a controversial novelist and a “lifetime member of the NRA” (<https://www.facebook.com/BradThorOfficial/posts/10202509209910132>). David Clarke Jr. is an embattled former Sheriff who has received substantial gifts from the NRA (“Bice: As Sheriff Clarke’s Profile Soars, Gifts Roll In,” *Journal Sentinel*, accessed March 31, 2018, <https://www.jsonline.com/story/news/investigations/daniel-bice/2016/09/18/bice-sheriff-clarkes-profile-soars-gifts-roll/90429910/>). And Joyce Lee Malcolm is the Patrick Henry Professor of Constitutional Law and the Second Amendment at George Mason’s Law School, a position funded by the NRA.

xv “Crime Prevention Research Center,” accessed March 13, 2018, <http://crimeresearch.org/cprc-research/>.

xvi Gary Kleck and Marc Gertz, “Armed Resistance to Crime: The Prevalence and Nature of Self-Defense with a Gun,” *Journal of Criminal Law and Criminology* 86, no. 1 (1995): 150-187.

xvii David Hemenway, “Survey Research and Self-Defense: An Explanation of Extreme Overestimates,” *The Journal of Criminal Law and Criminology* 87, no. 4 (1997): 1430-1445.

xviii Gary Kleck, “Degrading Scientific Standards to Get the Defensive Gun Use Estimate Down,” *Journal on Firearms and Public Policy* 77 (1999): 77-137.

xix “Return of Organization Exempt from Income Tax,” accessed March 15, 2018, <https://www.saf.org/wp-content/uploads/2017/12/SAF-990-2016.pdf>.

xx “Sponsors,” accessed March 15, 2018, <https://www.saf.org/sponsors/>.

xxi *See, e.g.*, Andrew Anglemyer, Tara Horvath, and George Rutherford, “The Accessibility of Firearms and Risk for Suicide and Homicide Victimization Among Household Members: A Systematic Review and Meta-analysis,” *Annals of Internal Medicine* 160, No. 2 (2014): 101-110. Donohue “The Final Bullet.” Eric W. Fleegler, Lois K. Lee, Michael C. Monuteaux, *et al.*, “Firearm Legislation and Firearm-Related Fatalities in the United States,” *JAMA Internal Medicine* 173, No. 9 (2013): 732-740. David Hemenway, “Review of More Guns, Less Crime.” David Hemenway, “Survey Research and Self-Defense.” David Hemenway, T. Shinoda-Tagaway, and Matthew Miller, “Firearm Availability and Female Homicide Victimization,”

Journal of the American Medical Women's Association 57 (2002): 100-104. David Hemenway and Sara J. Solnick, "The Epidemiology of Self-Defense Gun Use: Evidence from the National Crime Victimization Surveys 2007-2011," *Preventative Medicine* 79 (October 2015): 22-27. David Hemenway and Matthew Miller, "Firearm Availability and Homicide Rates Across 26 High-Income Countries," *Journal of Trauma and Acute Care Surgery* 49, No. 6 (December 2000): 985-988. David Hemenway and Matthew Miller, "State-Level Homicide Victimization Rates in the US In Relation to Survey Measures of Household Firearm Ownership, 2001-2003," *Social Science & Medicine* 64, No. 3 (February 2007): 656-664. Lisa M. Hepburd and David Hemenway "Firearm Availability and Homicide: A Review of the Literature," *Aggression and Violent Behavior* 9, No. 4 (2004): 417-440. Leo Kahane, "The Effectiveness of Gun Control Laws: A comment on the work by Kwon, Scott, Safranski and Bae and their Debate with Kovandzic," *American Journal of Economics and Sociology* 58, No. 3 (July 1999): 523-528. B. Kaleson, M.E. Mobily, O. Keiser, J.A. Fagan, and S. Galea, "Firearm Legislation and Firearm Mortality in the USA: A Cross-Sectional, State-Level Study," *Lancet* 387 (April 2016): 1847-1855. Arthur L. Kellermann, Frederick P. Rivara, Norman B. Rushforth, *et al.*, "Gun Ownership as a Risk Factor for Homicide in the Home," *The New England Journal of Medicine* 329 (1993): 1084-1091. Martin Killias, "Gun Ownership and Violent Crime: The Swiss Experience in International Perspective," *Security Journal* 1, No. 3 (1991): 169-174. Martin Killias and Henriette Hans, "The Role of Weapons in Violent Acts: Some Results of a Swiss National Cohort Study," *Journal of Interpersonal Violence* 17, no. 1 (January 2002): 14-32. Ik-Whan G. Kwon and Daniel W. Baack, "The Effectiveness of Legislation Controlling Gun Usage," *The American Journal of Economics and Sociology* 64, No. 2 (April 2005): 533-547. L.K. Lee, E.W. Fleegler, C. Farrell, E. Avakame, S. Srinivasan, D. Hemenway, and M.C. Monuteaux, "Firearm Laws and Firearm Homicides: A Systematic Review," *JAMA Internal Medicine* 177, no. 1 (January 2017): 106-119. Frederic Lemieux, "Effect of Gun Culture and Firearm Laws on Gun Violence and Mass Shootings in the United States: A Multi-Level Quantitative Analysis," *International Journal of Criminal Justice Sciences* 9, No. 1 (June 2014): 74-93. M. Siegel, C.S. Ross, and C. King, "The Relationship Between Gun Ownership and Firearm Homicide Rates in the United States, 1981-2010," *American Journal of Public Health* 103, No. 11 (2013): 2098-2105. M. Siegel, C.S. Ross, and C. King, "Examining the Relationship Between the Prevalence of Guns and Homicide Rates in the USA Using a New and Improved State-Level Gun Ownership Proxy," *Injury Prevention* 20, No. 6 (December 2014): 424-426. Wolfgang Stroebe, "Firearm Availability and Violent Death: The Need for A Culture Change in Attitudes Toward Guns," *Analyses of Social Issues and Public Policy* 16, No. 1 (2016): 7-35.

^{xxii} "Firearm Researcher Surveys," accessed March 14, 2018, <https://www.hsph.harvard.edu/hicrc/firearm-researcher-surveys/>. These survey results were the foundation for a peer-reviewed journal article: D. Hemenway and E.P. Nolan, "The Scientific Agreement on Firearm Issues," *Injury Prevention* 23, no. 4 (August 2014): 221-225.

^{xxiii} One study, for example, found that victims reduce their chance of injury when they use guns to resist their assailants. But part of the reported reduction comes by way of making threats rather than actually firing a gun (Gary Kleck and Miriam A. Delone, "Victim Resistance and Offender Weapon Effects in Robbery," *Journal of Quantitative Criminology* 9, no. 1 (1993): 55-81).

^{xxiv} L.W. Sherman and R.H. Langworthy, “Measuring Homicide by Police Officers,” *The Journal of Criminal Law & Criminology* 70, no. 4, (1979): 553.

^{xxv} For 2015, see: <https://www.washingtonpost.com/graphics/national/police-shootings/>). For 2016, see: <https://www.washingtonpost.com/graphics/national/police-shootings-2016/>. For 2017, see: https://www.washingtonpost.com/investigations/nationwide-police-shot-and-killed-nearly-1000-people-in-2017/2018/01/04/4eed5f34-e4e9-11e7-ab50-621fe0588340_story.html?utm_term=.ac9e52ada509. The true number of citizens shot dead by police will include those whose stories did not make the news, and those whose cases were inaccurately reported.

^{xxvi} “The Counted: People Killed by Police in the US,” *The Guardian*, accessed March 31, 2018, <https://www.theguardian.com/us-news/ng-interactive/2015/jun/01/the-counted-police-killings-us-database>.

^{xxvii} “‘Don’t Shoot Me’: Video Shows Police Stop 5 Black Youths at Gunpoint,” *M Live*, accessed March 31, 2018, http://www.mlive.com/news/grand-rapids/index.ssf/2017/04/police_release_video_of_five_b.html.

^{xxviii} Many testimonies and media clips can be found through <http://thetruthtellingproject.org/>.

^{xxix} John Stuart Mill, *Considerations on Representative Government* (Project Gutenberg, 2013), chapter 1, <https://www.gutenberg.org/files/5669/5669-h/5669-h.htm>.

^{xxx} Japanese police carry guns, but rarely use them. But that does not mean that rights violations are not the predictable result of arming American police. First, lots of things are very different in Japan, including extremely strict gun control. Unlike their American counterparts, Japanese police don’t worry about being shot by citizens. Second, there is not, so far as I know, data on how often Japanese police wrongfully intimidate citizens. Though they rarely shoot, Japanese police might still be violating citizens’ rights.

^{xxxi} P. A. J. Waddington, “Armed and Unarmed Policing,” in *Policing Across the World: Issues for the Twenty-First Century*, edited by R. I. Mawby (Taylor and Francis Group, 1999), 155.

^{xxxii} “The Forgotten Minority in Police Shootings,” *CNN*, accessed March 31, 2018, <https://www.cnn.com/2017/11/10/us/native-lives-matter/index.html>.

^{xxxiii} “8 Harmless Objects That The Police Have Mistaken for Guns,” *The Grio*, accessed March 31, 2018, <http://thegrio.com/2014/10/10/8-harmless-objects-mistaken-for-gun/>.

^{xxxiv} I first heard this idea in a conversation with Mark Lance.