

CeaseFire Maryland Bulletin

Working to free Maryland from gun violence

CeaseFire Maryland Education Fund, Inc.

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A new name for a new era in gun violence prevention

In April, Marylanders Against Handgun Abuse (MAHA) announced a name change to **CeaseFire Maryland**. Leah Barrett, Executive Director, said: "CeaseFire Maryland says what we are about: stopping the gunfire that kills over 650 Marylanders each year and injures countless others."

Matt Fenton, President of **CeaseFire Maryland** added: "MAHA has long led the way in Maryland and the country toward reducing gun violence. But, we still have much work to do to make the Free State the Safe State. Changing our name to CeaseFire Maryland will help us attract and focus the enormous public support for sensible gun laws in our state."

Barrett said: "Gun violence is rising across America. It is a time when lawmakers are allowing the gun industry to escape legal scrutiny, and when updating the federal ban on military-style assault weapons will be a huge task. It has never been easy to enact sensible laws to save the 30,000 American lives lost each year to gun violence. Under the current Administration and Congress, it has become even harder."

Leah Barrett and middle school students from Glenelg Country School following a presentation on gun violence prevention.

Since 1986, MAHA has worked to make Maryland among the most progressive states on gun laws. Yet much remains to be done. In 2000, homicide was the second leading cause of death for Maryland youth ages 15-24 years, followed by suicide. Eight of ten homicides and half of suicides for this group were committed with guns. **CeaseFire Maryland** will work for an updated assault weapons ban and better implementation of existing gun laws. Fenton concluded: "We will continue to expand our advocacy and are optimistic about our future prospects for safety."

Barrett concluded: "CeaseFire Maryland will continue to expand its effective advocacy under its new name. We are optimistic and enthusiastic about our future prospects for safety."

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Marylanders support assault weapons ban

A statewide survey of Maryland voters last March showed clear support for a ban on military-style assault weapons. Nearly two-thirds of Maryland voters (64%) said they favor a ban on the future sales of military-style assault weapons, while 33% opposed a future ban. The remaining 3% gave no answer.

During the last legislative session, the General Assembly considered a state ban, which did not make it to the floor for a vote. A state ban is especially important since the federal assault weapons ban, passed in 1994, is due to expire in September 2004 unless reauthorized by Congress and the Bush Administration. The General Assembly bill would have banned the sale of copycat assault weapons such as the Bushmaster used in the Washington area sniper murders last autumn. The Bushmaster is a close copy of the M-16 military assault rifle.

The survey demonstrated broad support for an assault weapons ban among the Maryland electorate with majorities in favor in every demographic sub-group in the survey, including Republicans (52%), Eastern Shoremen (58%), and Western Maryland voters (53%). Men (57%) give the

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Did you know?

Each year more than 20,000 children and youth under age 20 are killed or injured by firearms in the United States.

“We’ve got a bunch of right-wing wackos at the NRA controlling everything.”

*Robert A. Ricker,
former chief lobbyist and
Executive Director of the
American Shooting Sports
Council*

A bronze plaque at the Silver Spring Ride-On Bus Depot which was dedicated in May in honor of Conrad Johnson, the last victim of the DC area sniper. Conrad’s mother, Sonia Wills, has joined the CeaseFire Maryland Board.

Marylanders support assault weapons ban, cont’d

(Continued from page 1)

proposal majority support, but women (71%) are more enthusiastic. Baltimore City voters (79%), African-Americans (77%), and Democrats (73%) are the biggest supporters of a ban on future sales of military-style assault weapons. Other states that have enacted bans on these weapons are: New Jersey, Massachusetts, Hawaii, Connecticut and California. Maryland has a ban on assault pistols (1994), so a ban on assault weapons would close an important loophole in the state.

The survey clearly shows that Marylanders do not want these devastating weapons of war on our streets. Maryland needs to take action to protect its citizens from the real possibility that Congress will fail to reauthorize and strengthen the federal assault weapons ban when it sunsets in September,

(Continued on page 3)

The case against giving the gun industry legal protection

In April, the House of Representatives passed H.R.1036 and as I write this, the Senate is considering S.659, sweeping pieces of legislation, which would bar city, county and individual lawsuits from being filed against the gun industry, and would throw out all such suits currently pending. These bills would grant an unprecedented level of special immunity from liability to an industry which makes and sells products that kill nearly 30,000 people in this country every year. It would grant the gun industry special immunity which no other consumer product maker in this nation enjoys.

In an affidavit filed in court in San Diego in February, Robert A Ricker, a former chief lobbyist and executive director of the American Shooting Sports Council, had some interesting things to say about the behavior of the gun industry. He said that the gun makers had long known that “the diversion of firearms from legal channels of commerce to the black market” takes place “principally at the distributor/dealer level.” He went on to say that “leaders in the industry have long known that greater industry action to prevent illegal transactions is possible.” But industry officials have “resisted taking constructive voluntary action,” he said and have “sought to silence others within the industry.” This has resulted in a “see-no-evil, hear-no-evil approach,” said Mr. Ricker. Mr. Ricker said he felt compelled to speak up about rogue dealers because “we’ve got a bunch of right-wing wackos at the NRA controlling everything.”

These bills will deny rights to victims of gun violence, who will not be allowed to sue when a design defect of a gun or the manner in which it was distributed and sold contribute to injury or loss of life. No other class of consumer product is protected against liability to consumers or other members of the public injured by them. No other victims of death or injury caused by consumer products are denied the right to sue.

It has long been recognized that litigation can be a powerful tool to promote the public’s health by getting private business to behave more responsibly, to correct dangerous product flaws and improve bad marketing practices. Taking away the right to sue will curb incentives to make changes in the way gun manufacturers design their products and in the way that gun manufacturers, distributors and dealers market, distribute and sell guns. Changes brought about by the threat of lawsuits and by lawsuits which seek changes in practice rather than monetary awards are extremely important incentives to protect our families and communities from all sorts of ills, including the devastation of gun violence.

Litigation is an especially important tool in the case of the gun industry, since guns are one of only two products specifically exempt from regulation by the Consumer Product Safety Commission (tobacco is the other product). Hence, gun manufacturers are exempt from federal oversight in the design and safety of their products as well as from regulation of the lethality of their products. To bar lawsuits against the gun industry would be to close the door to the only place victims can seek redress, and where the public can be protected in the future. Without civil litigation to bring unsafe practices to light and seek their end, the gun industry will be given a literal license to kill.

The case against giving the gun industry legal protection, cont'd

(Continued from page 2)
2004.

In pushing for legal immunity, the gun industry has maintained that lawsuits against it are frivolous and contravene legal principles. Nothing could be further from the truth. Individuals killed or injured by guns that could include better safety features often sue under the principle of *foreseeable misuse*. If a manufacturer can foresee a particular misuse, the manufacturer should design a safety feature into the product to try to prevent that misuse. There are also the legal principles of *negligence* and *negligent entrustment*. A person may be negligent if he/she does not protect the community from unreasonable risk or may be guilty of negligent entrustment if he/she gives something to someone who should not be entrusted with it, such as giving car keys to someone who is obviously drunk. Some cases use public nuisance law, a legal strategy for protecting the public welfare.

These bills, if passed by the Senate, will dismiss *pending* litigation—a drastic measure. Since October 1998, thirty-three cities and counties and one state have filed suits against the gun industry. While some of these suits have been dismissed by judges, others are moving forward. This is the way the legal system is designed to work in the US.

In addition, lawsuits have also been filed by individuals and an organization. Individuals filing lawsuits include relatives of victims of the Washington area snipers. It is well known that Bull's Eye Shooting Supply, the Tacoma, Washington gun dealer, could not account for 238 of its guns, including the Bushmaster assault weapon used by the snipers. If S. 659 passes, these suits will be thrown out of court. The NAACP has filed a lawsuit against gun manufacturers and distributors in federal court in New York City. The plaintiffs are alleging that the manufacturers and distributors, by their negligent actions, are putting illegal guns into the community, which disproportionately causes devastation in the lives of African-American citizens. This lawsuit is not seeking monetary damages – only changes in distribution practices to prevent guns from flowing into the illegal market.

Did you know?
The NAACP lawsuit against gun manufacturers is not asking for monetary damages, just that the gun industry change its craven practices of supplying guns to the illegal market.

Study shows gun in home hikes gunshot death probability

At least one statistical study now confirms a popular belief: keeping a gun in your home greatly increases the likelihood that you will die from a gunshot wound. A study in the June issue of the journal, *Annals of Internal Medicine*, was conducted by the Violence Prevention Research Group at the University of California at Los Angeles.

It found that people who have guns in their homes were almost twice as likely to die in a gun-related homicide and 16 times more likely to use a gun to commit suicide than people who don't have guns in their homes. Handguns accounted for 40% of all domestic homicides and a third of all suicides, the study found. It compared 1,720 homicide victims and 1,959 suicide victims over age 18 with other American adults.

"Keeping guns at home is dangerous for adults regardless of age, sex, or race," study author Douglas J. Wiebe says in a news release. "Our findings suggest that when violence occurs and a gun is accessible, the gun may be selected for use over a weapon that is less lethal. That is particularly significant in terms of suicide and domestic violence," Wiebe says.

The study supports widely-debated studies published a decade ago in the *New England Journal of Medicine* that also linked the presence of a gun in the home to higher rates of murder and suicide. The US National Institute of Justice says there are firearms in 1 in every 3 households in the US, which works out to a total of nearly 200 million guns. In any 24-hour period, more than 160 people are treated for gunshot wounds at US hospital emergency rooms.

Did you know?

The Bureau of Alcohol, Tobacco and Firearms, responsible for regulating the nation's more than 100,000 federally licensed firearms dealers, has just 2600 agents to do the job? And that in addition to firearms, these same agents must oversee tobacco, explosives and alcohol. Talk about overworked, understaffed and underpaid!

McCarthy/Conyers assault weapons ban bill will save lives



The "Assault Weapons Ban and Law Enforcement Protection Act of 2003" (H.R. 2038) was recently introduced by Representatives John Conyers (D-MI) and Carolyn McCarthy (D-NY). The legislation will not only make the assault weapon and high-capacity magazine ban permanent, but will significantly strengthen current law.

The 1994 assault weapons ban will expire on September 12th, 2004, unless renewed by Congress and signed by the President. However, the ban needs strengthening since most of the assault weapons banned by name in 1994 are back on the market – *entirely legal under existing law*. Assault weapons are guns designed for war and semiautomatic assault weapons are civilian versions of military assault weapons, the guns of choice of cop-killers, drug dealers, militias and gangs.

The gun industry has cravenly circumvented the intent of the law and continues to make assault weapons despite the 1994 ban. The Colt Match Target rifle is functionally identical to its predecessor, the AR-15. Moreover, the availability of AR-15 clones has exploded. One need look no further than the Bushmaster rifle, an AR-15 clone, used by the Washington area snipers back in October to kill ten and wound three people. The May 2003 issue of a popular gun magazine gloats: "...ARs are far from dead. Stunned momentarily, they sprang back with a vengeance and seem better than ever.

Purveyors abound producing post-ban ARs for civilians and pre-ban for government and law enforcement agencies, and new companies are joining the fray." There are several AK-47 clones as well.

Lisa Miller Delity, Board Member of CeaseFire MD said: "I, personally, feel particularly strongly about the need for this legislation, as my brother, FBI Agent Mike Miller, was shot and killed in 1994 by a man wielding a concealed TEC-9, an assault pistol that was banned under the current Assault Weapons Ban (AWB). However, soon after the AWB was in place, the manufacturer began making and selling the AB-10 (AB cynically for After Ban), which is essentially identical to the TEC-9. Many models of other supposedly banned assault guns are newly available. The bill introduced today by Reps. McCarthy and Conyers will ban precisely the weapons that the original AWB tried, but did not succeed, to ban, such as the one that killed my brother."

It's important to remember that military assault weapons were designed and developed for a specific military purpose – *laying down a high volume of fire over a wide killing zone*, also known as 'hosing down' an area. Al- Qaida and Jihad training manuals have advised terrorists to take advantage of American gun laws. While the gun industry has cynically skirted the intent of the law and continues to make assault weapons for civilian use, scores of Americans continue to die, including law enforcement officials. A recent Violence Policy Center study, 'Officer Down', reveals that at least 41 of the 211 law enforcement officers slain in the line of duty between January 1, 1998, and December 31, 2001, were killed with assault weapons.

"The gun industry's open evasion of the assault weapons ban continues to place America's law enforcement officers at the highest possible risk."
Kristen Rand, Violence Policy Center

Gun-law loopholes could 'make a terrorist's day'



The US Government has made a concerted effort to strengthen homeland security since the 9/11 attacks. But a congressional research team recently released a report about US gun laws that could make a terrorist's day. The report reveals that gaping holes have been left in gun regulations that could easily be exploited by terrorists.

The National Criminal Background Check System, a database designed to prevent felons from buying guns, does not include information about individuals who are on the international terrorist watch lists. The report also points to federal laws that allow foreign visitors to purchase guns and explosives after spending just ninety days in America. The easy access is more worrying since Al-Qaida manuals found in Afghanistan recommended terrorist trainees buy their guns in the US and practice target shooting at US firing ranges.

The study was conducted at the request of Senator Frank Lautenberg (D-NJ) who has introduced a bill to close loopholes in American gun laws that terrorists may exploit. Senator Lautenberg said: "Americans stood in long lines at airports giving up their toenail clippers," while lethal weapons are easily available to people who want to harm Americans.

Violently Acquired Spinal Cord Injury (VASCI) and the P.E.A.C.E. Project

By Michael Countee, Director, P.E.A.C.E. Project

The P.E.A.C.E. Project was designed to address the rising incidence in America of Violently Acquired Spinal Cord Injury (VASCI). The majority of VASCI cases result from gunshot wounds. The P.E.A.C.E. Project provides support and assistance for living and coping to those who have been shot and paralyzed. P.E.A.C.E. stands for **P**revention, **E**arly Intervention, **A**ssistance, **C**ounseling and **E**ducation and **E**mployment. The program is funded by foundation grants.

The largest percentage of those suffering VASCI is African-American and Hispanic-American males aged from 14 to 30 years. Increasing numbers of females in this age group are also now being seen. In at least nine major cities in the United States, gunshot injuries have surpassed automobile accidents as the number one cause of spinal cord injuries. Those cities are: Atlanta, Baltimore, Chicago, Detroit, Houston, Los Angeles, Miami, Philadelphia and Washington, D.C. The deleterious consequences to society of large numbers of young people with crippling, chronic and catastrophic injuries are incalculable.

Most of those suffering VASCI do not have the financial resources or medical insurance to pay the massive costs of emergency, acute and chronic medical care and management that follows a spinal cord injury. Spinal cord injury (SCI) care averages more than \$125,000 during the first year alone. At the present time, Medicare and the Medicaid programs pay more than two billion dollars annually for the 15-20,000 VASCI survivors nationwide. Only a very few of this group will ever be gainfully employed.

The specific activities of the P.E.A.C.E. Project consist of:

- Violence prevention education presentations in middle and senior high schools, with a theme of 'Choices and Consequences' and the goal of diminishing the glamour of guns and the use of violence as a primary means of resolving real and imagined disputes and conflicts.
- Basic information to the SCI patient and family within 72 hours of diagnosis.
- Assistance with understanding the initial medical and rehabilitative phases of SCI, and the life prognosis.
- Counseling of SCI victims and families in coping skills, life planning management and goal setting.
- Encouraging and assisting those with SCI to actively reenter their communities and, after the post injury adjustment process is well underway, to take advantage of educational and employment opportunities. The ultimate objective is to lessen the dependence on public assistance and to stimulate a sense of independence and empowerment. Finally, we work to encourage a positive curiosity about the manifold possibilities of life after SCI.

The P.E.A.C.E. Project Director is responsible for carrying out the objectives of the project with close cooperation of trauma and rehabilitation hospital staff, the police departments, school system administrators, social workers, the Justice Department and local politicians. The P.E.A.C.E. Project has operated in Washington, D.C. since May, 1998 and in Baltimore since January, 2000. We have achieved our goals of giving VASCI survivors and their families the idea that they are not alone and are not forgotten. We have stimulated a sense of hope in this group and tried to make real the concept that the quality and outcomes of their lives are intrinsically important and valuable to some segments of society.

While VASCI might appear at first glance to be purely a medical issue with perhaps some legal overtones, it is actually replete with uniquely American social and political ramifications. This is due to the central, controversial and politically polarizing role of guns in American culture. The costs to society of thousands of gunshot victims, killed, paralyzed for life, maimed and wounded cannot be either rationally debated or quantified in any forum on any level in America.

Accurate data surrounding the issue of gun ownership and use, even with adding in death or injuries from gunshot wounds or any other negative consequences, is difficult to develop due to the strong and highly organized opposition of the gun lobby. This opposition is based on the theory that any inquiry is designed to take away the right to own any and every type of gun. As a result, any attempt to manage guns and gun ownership over the past 25 years, as is done with cars, skateboards, dolls, furniture, televisions, ladders and every other consumer product sold in America, is automatically opposed by the gun lobby.

When the American people insist that a truly rational national dialogue take place about the roles and real costs of a heavily armed civilian population, we may, finally, see a move towards a more just nation, closer to the ideals of our founders.

***CeaseFire Maryland
Education Fund, Inc.***

3000 Chestnut Avenue, Suite 203
Baltimore, MD
21211

Phone: (410) 889 1477
Fax: (410) 889 1480
Email: CeaseFireMD@aol.com

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Oscar-Winning 'Bowling for Columbine' has Baltimore Screening

By Matt Fenton

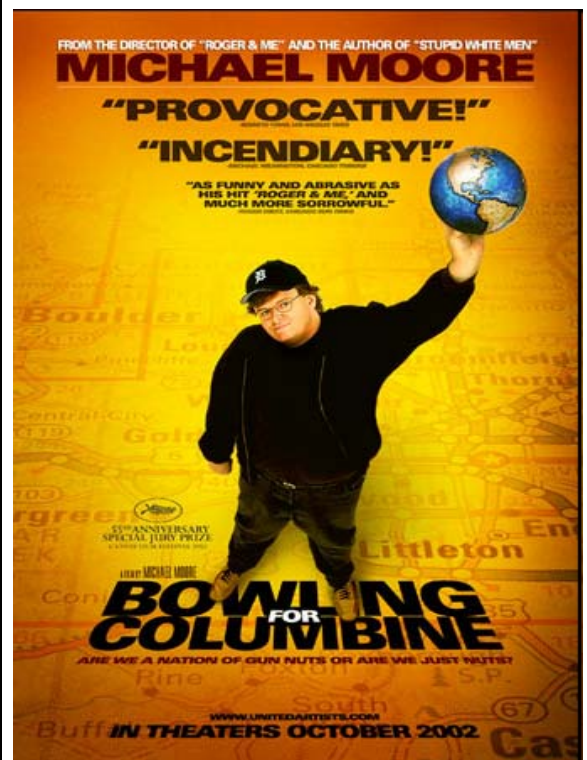
A special advance screening of Michael Moore's Academy Award winning documentary, *Bowling for Columbine*, was held for CeaseFire Maryland, then known as Marylanders Against Handgun Abuse or MAHA. The MAHA MOVIE EVENT was held in Baltimore on October 8th at the Charles Theater.

Bowling for Columbine, a stinging examination of America's love affair with guns and full of Michael Moore's ironic humor is a serious indictment of America's deadly gun culture. The film takes its title from the little-known fact that the two killers, Dylan and Eric, were supposed to be in bowling class at Columbine High School on the morning of the murders.

In one scene, Michael Moore opens a bank account at the North Country Bank in Michigan and walks out with a free gun. As Moore puts it: "...they are giving you all of the interest the account will earn in the form of a gun."

Besides winning this year's Oscar for Best Documentary, the film won two special awards at last year's Cannes Film Festival.

Attorney General Joseph Curran spoke before the screening and Matt Fenton led a discussion afterwards. Many CeaseFire Maryland supporters attended, including the late peace activist Father Phillip Berrigan. Although not everyone in attendance agrees with filmmaker Moore's political views, everyone does agree that his film makes you think.



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