

Response to Phillip Cook's "Reducing Access to Guns by Violent Offenders"

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Prepared for the CHESS Workshop held on October 28, 2016

First, I would like to thank the coordinators of CHESS for giving me the chance to respond to Professor Cook's paper and to engage with an area of research that I rarely have the opportunity to explore. To Professor Cook, I would like to thank you providing us with such a thoughtful and in-depth paper on one of the most important issues in public discourse today.

Professor Cook's paper considers the ways in which access to guns can be limited for violent offenders, paying particular attention to the underground market which supplies the majority of these weapons. Overall, he argues that our efforts should be aimed at limiting access to guns, rather than reducing crime, because guns act to intensify the violent outcomes of criminal activity. By limiting the violent aspects of crime, we stand to limit the social costs of crime, even if the overall volume of crime remains unchanged. What Professor Cook is fundamentally proposing is a harm reduction strategy to gun violence, aimed at targeting the availability of harmful guns instead of ending the factors behind the use of guns to commit crimes.

In exploring the ways in which access to guns in the underground market can be reduced, Professor Cook begins with a picture of the overall trends in gun ownership, and most notably, the seemingly contradictory developments of decreased gun ownership (in terms of individuals and households) and the explosion of gun sales in recent decades. Next, he asks us to consider the potential social benefits of guns, for example as forms of self-defense, before arguing that the role of guns in securing those benefits is dubious. More importantly, any likely benefits are probably outweighed by the potential for guns kept for these purposes to be used in suicides or accidental shootings. Turning to the social costs of guns, Professor Cook moves beyond the

“cost of lives” approach used so frequently in this literature to instead frame costs in terms of their “contingent value,” or the subjective quality of life for those living in communities most strongly impacted by gun violence. This serves to reframe the importance of gun violence away from suicide, which accounts for most victims, and towards the overall social costs of that violence.

Next, Professor Cook turns to the strategies currently employed to reduce firearm violence, noting three general approaches: raising price while reducing availability, restricting access, and controlling uses. Finally, he concludes with the true purpose of the paper, considering ways which the underground market can be directly policed. Noting the “thin and balkanized” nature of this market, Professor Cook argues that “diffuse transactions and small-time brokers and traffickers are suitable targets for concerted enforcement.” To that end, he offers four enforcement options: regulatory enforcement against licensed dealers, policing of internet sales and gun shows, prosecuting interstate traffickers and local brokers, and finally, targeting straw purchasers and diffuse private transactions.

I find Professor Cook’s conclusion that the social costs of gun violence have to be addressed, and that the underground market provides the best opportunity to do so, is indisputable. Nonetheless, I am left with a number of questions that I hope you, Professor Cook, can elaborate on in the course of our discussion today.

My first question relates to the shape of the secondary market. You provide ample evidence in Section 6 of your paper that a large percentage of the guns used in violent crimes come from illegal transactions in the secondary market. Using data gathered from a survey of state prisoners involved in violent crimes, you also highlight that a majority of guns they used (70%) came from close social connections. Your conclusion that “the underground gun ‘market’

is thin and balkanized, with great variability in price and other transactions costs” is a logical one.

However, given that the aim of this paper is to suggest that limiting these transactions in the underground market is a worthwhile endeavor, I would be interested in learning more about how those individuals within the criminal’s social network received the guns in the first place. The enforcement options you highlight at the end of your paper suggest the possible entry points for guns into the illicit market, but the language used in this section appears to indicate the lack of data on just how many guns come from these sources. For example, you argue that even though gun shows and the internet “scarcely figure in offenders’ self-reports of where they obtain their guns,” they might nonetheless be a source for trafficking pipelines. Do we have any evidence this is the case, and if so, what is the volume of guns used in violent crimes which come from these sources? Similarly, you suggest that the interstate trafficking of guns has largely been ignored because “trafficking is typically conducted by individuals and small partnerships,” and hence unlikely to attract the attention of law enforcement. But if this is the case, wouldn’t this also suggest that the volume of guns sold through these pipelines is relatively small? The only data I could find in your paper dealing with this question suggests that “85-90% of the guns recovered in New York City were first sold in another state”, but that leaves the question of how they ended up in the hands of those with close social ties to criminals. Overall, I would like to know more about the numbers behind the Venn diagram in Figure 3 and where they came from.

My second question relates to the feasibility of actually impacting these sources of guns into the underground market. I find it interesting that the first series of gun regulations in America came at the same time as prohibition. One needs only to look at the utter failure of the

war on drugs and other prohibitions in America to see that attempts to end the exchange of illicit goods is a Sisyphean task. Given that drug overdoses killed nearly twice as many people as guns in 2014 (including deaths from accidental shootings and suicides), despite drug trafficking being the target of the most intensive policing campaign in recent memory, I think that it is reasonable to doubt the efficacy of heavier policing on the sales of guns.

While I realize you have problems with this comparison, and would prefer to emphasize the similarities between the underground gun market and underage drinking, I would suggest that this comparison is only more suggestive of the futility in trying to end these types of exchanges, given that people aged 12 to 20 years old drink 11% of all alcohol consumed in the United States according to the CDC. This is after states have enacted a number of laws targeting underage drinking in recent decades, including raising the minimum drinking age to 21 and enacting zero-tolerance laws that outlaw driving after any amount of drinking for people under 21. The fact that these exchanges are *not* large scale and profitable would suggest to me that they are less responsive to cost increases associated with intensified prosecution. Overall, do we have reliable data on how effective the enforcement options from Section 6 of your paper would be?

Furthermore, a suggestion I would offer for strengthening the paper would be to consider the historical trends and processes which have shaped the structure of the current underground gun market. Perhaps the most central historical trend bearing on your paper is the relationship between police and minority communities in America. Given the prominence of Black Lives Matter and police militarization in American political discourse today, the fact that your conclusion for how to disrupt the underground gun market is essentially “targeted policing” needs to confront the historical reality of racism and police abuse in America. While I do not doubt your conclusion that “the best scientific evidence suggests that taking a focused approach

to high-crime places works,” will this not disproportionately target minority and economically disadvantaged communities? You acknowledge the civil-rights issues involved with policies like stop-and-frisk, but nonetheless conclude that “gun-oriented patrol tactics have the potential to reduce gun violence.” The very nature of the underground market being tied strongly to social networks would also seem to suggest that active prosecution of these transactions has the possibility to only further fracture the already strained cohesion of minority communities and families in the face of systematic racism. It strikes me that increased harassment at the hands of police, and even worse the police killing of young men of color while pursuing illegal guns, will undoubtedly lead to a high “contingent valuation” cost for your proposed policies, potentially even higher costs than could be curtailed by a decrease in the number of guns used in crime.

My final question, which concerns reproducibility, is both methodological and pragmatic. It is interesting that replication studies have played such a crucial role in research on gun violence, for example, by casting doubt on the research by Gary Kleck on defensive gun uses (DGUs) and J.R. Lott on the relationship between the loosening of regulations and decreased homicide. You note that “the scientific process has worked quite well in [these cases], since replication has challenged dubious findings.” This is striking, to me at least, given the general “replication crisis” in science more generally. Scholars like Brian Novak from the University of Virginia, who founded the Reproducibility Project, have identified the need for research seeking to reproduce and validate the findings of others, a pursuit historically discouraged by the need to publish innovative research as part of the tenure process. Even in fields such as psychology, where replication has played an important role in recent research, the challenge these studies pose to forming a corpus of shared knowledge has proved difficult to overcome. Susan Fiske of Princeton even charged her colleagues in Psychology with “methodological terrorism” for

focusing on replication. Given these issues, in contrast to the success of replication in your field, do you have any recommendations for those gathered today about how to encourage reproducibility in our own social scientific research?

In conclusion, I am hoping you can elaborate on the structure of gun transfers to the underground market, the feasibility of the enforcement methods you propose, the historical trends which shape the issue of gun violence and its regulation, and finally, how replication studies can be fostered in social science more broadly. Thank you again for your time and for providing us with such a thought provoking paper.