

## Cities to share strategies in suits against gunmakers

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WASHINGTON -- Officials from at least 15 cities are meeting in Chicago Thursday to discuss how to file lawsuits against the firearms industry.

At the center of the discussion are lawsuits filed in October and November by the mayors of New Orleans and Chicago.

New Orleans Mayor Marc Morial wants the gun industry to pay the city for the cost of police and emergency services and health care expenses resulting from gun violence.

The lawsuit filed by Chicago Mayor Richard Daley seeks \$433 million. It accuses the industry of saturating Chicago's suburbs with more guns than could be bought by law-abiding citizens. As a result, the suit alleges, the surplus is ending up in the hands of city gangs and other criminals. Gun sales are banned in Chicago.

The U.S. Conference of Mayors is sponsoring Thursday's session. Executive Director Tom Cochran said the mayors, legal officers and law enforcement officials attending will investigate whether the technology is available to make guns safer. For example, they will try to determine whether "smart guns" that only fire when authorized people hold them can be manufactured on a wide scale.

They also will try to reach consensus on how to hold the gun industry responsible for violence.

The results of Thursday's meeting will be presented at a conference meeting in January. One possibility is that mayors will join in a class-action lawsuit holding the firearms industry responsible for gun violence.

Cochran said the issue of lawsuits against the gun industry first came up last June at a conference meeting in Reno. He said the goal is "to keep guns out of the hands of felons, criminals and juveniles and to make guns safer. We're not talking about banning guns," he said.

Among the cities expected to send representatives are Miami; Newark, N.J.; San Francisco; and St. Louis.

Doug Painter, spokesman of the Sporting Arms and Ammunition Manufacturers' Institute, said the Chicago and New Orleans lawsuits "contain a great deal of misleading information."

Painter said the New Orleans suit is based on the premise that the industry has created "smart guns" but is not making them available to the public. "This owner recognition technology is very much in the development stage," he said.

Painter said the issue in Chicago centers on illegal gun sales from suburban dealers. "Our comment is if a dealer makes an illegal sale, that dealer should be prosecuted," Painter said.

Richard Feldman, executive director of the American Shooting Sports Council said the issues could be addressed without lawsuits. Educating the public on what to do when they encounter guns and the continuing support of gun locks that stop firearms from firing would solve part of the problem, he said.

Journal Sentinel

# Gun lawsuit deserves exploration here

12/2/98

Should Milwaukee sue the gun industry just as Chicago did? Maybe.

But beyond a doubt, Milwaukee should explore the issue. Both the Common Council and the County Board are entertaining proposals to do just that — proposals that deserve passage.

Guns take a heavy toll in Milwaukee — in lives and limbs, in ambulance and hospital costs, in the sense of neighborhood safety.

The Chicago suit, as well as a private suit in New York City, are exposing as myth a central claim of the gun lobby: that legitimate dealers don't sell to hoodlums. The evidence uncover-

ed in those suits demonstrates that licensed gun peddlers do a good portion of their business with the criminal element — directly or at most directly.

In the Chicago case, undercover cops posing as street thugs openly involved in nefarious activity had no trouble buying weapons at gun shops. The New York City case is making use of new federal statistics showing that a good share of the guns used in crimes had only recently left the store.

Any lawsuit exploration here must, of course, be both factual and legal. How does the gun market actually work in the Milwaukee area?

And what are the legal hooks on which Milwaukee can hang a suit?

Though the proposals before the Common Council and County Board are independent of each other, the city and the county should give some thought to joining forces to explore the issue. Both Cook County and the City of Chicago are plaintiffs in their lawsuit.

Government can sue factories for polluting, cigarette makers for promoting death and disease, car makers for life-threatening defects in their products. Maybe it can sue the gun industry for promoting murder and mayhem. In any event, that issue deserves exploration.

# Firearm Fatalities & Injuries



In the United States, there were 34,040 firearm related deaths in 1996.

- 18,166 (53%) firearm related suicides
- 14,327 (42%) firearm related homicides
- 1,547 (5%) undetermined/unintentional firearm related deaths<sup>1</sup>



In Wisconsin, there were 500 firearm related deaths in 1996.

- 340 (68%) firearm related suicides
- 142 (28%) firearm related homicides
- 18 (4%) undetermined/unintentional firearm related deaths<sup>1</sup>



Within the Firearm Injury Reporting System's (FIRS) 8 county surveillance area, there were 233 firearm related deaths in 1996.

- 106 (45%) firearm related suicides
- 124 (53%) firearm related homicides
- 3 (1%) undetermined/unintentional firearm related deaths<sup>1</sup>

Unless indicated, mortality statistics are based on information contained in death certificates completed by local medical examiners or coroners. Each state requires review of firearm fatalities by medical examiners or coroners and compiles information from death certificates.

Data reported by the Firearm Injury Reporting System is based on information from local medical examiners or coroners, law enforcement records and Wisconsin State Crime Lab records.

## Firearm Fatalities: An Overview

There is one firearm related death every 14 minutes in the United States.

- One firearm suicide every 29 minutes
- One firearm homicide every 33 minutes<sup>1</sup>

There is one firearm related death every 17 hours in Wisconsin.<sup>1</sup>

Firearm fatalities will soon overtake motor vehicle crashes as the leading cause of injury death in the U.S. Motor vehicle related deaths decreased 21% from 1968 to 1991. During that same period of time, firearm related deaths increased by 60%. By 1992 firearm related injury deaths surpassed motor vehicle deaths as the leading cause of injury death in nine states, the District of Columbia and many

individual communities.<sup>3</sup>

- Alaska, California, Illinois, Louisiana, Maryland, Nevada, New York, Texas, Virginia

Firearm fatalities outnumber motor vehicle crash deaths in Milwaukee County by a 2.6 : 1 margin.<sup>2</sup> Firearms have been the number one cause of injury death since the mid 1980's in Milwaukee County.<sup>4</sup>

If current trends continue, firearm related injuries will become the leading cause of injury death in the United States by the year 2003.<sup>3</sup>

The total number of U.S. firearm deaths increased from 16,720 in 1962 to 39,595 in 1993. That represents a 137% increase.<sup>3</sup>

According to a 1997 study by the United Nations, the U.S. had higher numbers of deaths involving firearms than all other industrialized nations.<sup>7</sup> The total firearm death rate in the U.S. in 1996 was 12.8 per 100,000 people, three times the average rate among other responding countries. The U.S. had the highest firearm suicide rate, at 6.8 per 100,000 people, nearly seven times greater than the average among other responding countries. Medical examiners and coroners reported 1225 deaths in the U.S. due to firearm accidents, over three times the average rate of other responding countries.<sup>8,1</sup>

A gun in the home is 22 times more likely to be involved in the injury or death of its owner, a family member or acquaintance than in the injury or death of another in self defense.<sup>9</sup> This new information involves a study of fatal and non-fatal firearm injuries in three cities: Memphis, Tennessee; Seattle, Washington; and Galveston, Texas.<sup>12</sup>

## Firearms

Handguns represent approximately one-third of all privately owned firearms in the United States. However, handguns account for 56% of all suicides and 81.9% of all firearm homicides.<sup>10</sup> Research indicates that as many as 69% of firearm suicides involve handguns.<sup>11</sup>

In southeastern Wisconsin, handguns are the weapon of

choice for both homicides and suicides. 94% of all firearm homicides in 1996 involved a handgun while another 5% involved shot guns. 70% of all the firearm suicides involved handguns, 18% rifles and 12% shotguns.<sup>2</sup>

## Firearm Injury Hospitalizations

For every fatal firearm injury in the U.S., there are an additional 2 injuries requiring hospitalization and an estimated 5.4 injuries not severe enough for hospital admission.<sup>12</sup>

In the U.S., there were an estimated 99,025 individuals treated for nonfatal firearm related injuries in hospital emergency departments according to an annual sampling National Electronic Injury Surveillance System (NEISS) from 6/92 through 5/93.<sup>13</sup>

- In Wisconsin, there were 524 firearm related hospital admissions in 1996.<sup>14</sup>
- In southeastern Wisconsin, the 8 counties under surveillance by FIRS account for 391 (75%) of those Wisconsin firearm related hospitalizations.<sup>14</sup>

## FIRS - Southeastern Wisconsin

According to 1996 data collected by the Firearm Injury Reporting System, suicides account for 89% of the firearm deaths in rural counties. In the urban counties surveyed,

63% of the firearm deaths were homicides while suicides represented 35% of firearm deaths.<sup>2</sup>

51% of all firearm homicide victims in southeastern Wisconsin did not graduate from high school. 38% of the victims obtained a high school diploma and 11% had some college education.<sup>2</sup>

In comparison, 19% of the victims of a firearm related suicide in 1996 did not graduate from high school while 41% had a high school diploma. 41% of the firearm suicide victims had some college education.<sup>2</sup>

## Homicides

In the U.S., there were 20,634 individuals who died due to an act of homicide in 1996.

- 69% (14,327) of all homicides resulted from the use of a firearm
- There are 39 firearm homicides each day in the United States<sup>1</sup>

In Wisconsin, 211 lives were lost to homicide in 1996. 142 (67%) of these homicides involved a firearm.<sup>1</sup>

Homicide ranked as one of the top ten leading causes of death for individuals ages 1-44.

- Number one leading cause of death for African Americans ages 15-24
- Second leading cause of death for all individuals ages 15-24
- Sixth leading cause of death for African American males

➤ Tenth leading cause of death for males of all ages<sup>1</sup>

From 1985 to 1995 the U.S. homicide rate increased 13.8%. Firearm homicide rates increased 31.6% and handgun homicide rates increased 47.9%.<sup>10</sup> Increased rates of firearm homicides account for the increase seen in the overall homicide rate.

A study comparing homicide rates among males ages 15-24 between the U.S. and 21 other developed countries revealed that the U.S. homicide rate (21.9 per 100,000) was more than four times the next highest rate in Scotland (5.0). Most countries had rates that were between 1 and 3 per 100,000. Three quarters of U.S. homicides involved the use of firearms contrasted with less than one quarter of all homicides in comparison countries.<sup>11</sup>

Homicide is the second leading cause of job-related deaths (number one cause of death for female workers). In 1994, there were 1080 job-related homicides in the U.S., 934 or 86.5% of these were committed with a firearm.<sup>12</sup>

Nationwide, 107 law enforcement officers were killed in the line of duty in 1995. 71 (66%) of these deaths were by gunfire.<sup>17</sup> During 1980 to 1989, 21% of officers killed with a handgun were shot with their own service weapon and others were killed with a handgun taken from a fellow officer.<sup>18</sup>

## Suicides

In the United States, 30,903 individuals committed suicide in 1996.

- 59% (18,166) of all suicides resulted from the use of a firearm

➤ There are 50 firearm suicides each day in the United States<sup>1</sup>

In Wisconsin, 601 individuals committed suicide in 1996.

- 340 (56%) of these suicides involved a firearm<sup>1</sup>

Suicide was the 9th leading cause of death in the United States in 1995 for people all ages.

- Suicide was the third leading cause of death for individuals ages 15-24<sup>1</sup>
- Suicide by firearms was the most common method for both men and women<sup>1</sup>

The rate of firearm suicide has risen for the last several decades while suicide by all other means has remained unchanged.<sup>19</sup>

Evidence suggests that keeping one or more firearms in a home is strongly associated with an increased risk of suicide in the home (adjusted odds ratio 4.8%). Homes with handguns and homes where firearms were not locked up or were kept loaded were even more likely to be the scene of a suicide than homes where firearms were kept securely stored (adjusted odds ratio up to 9.2). In homes where firearms were stored, 86% of victims used a firearm to commit suicide. In contrast, in homes where no firearms were stored, only 6% of victims used a firearm to commit suicide.<sup>20</sup>

Studies show that more than 92% of suicide attempts with firearms are successful.<sup>21</sup> In comparison, 23% of suicide attempts with poisons and 4% of suicide attempts with knives are successful.<sup>22</sup>

## Unintended/Undetermined Fatalities

In the U.S., according to medical examiners and coroners reports, firearms were involved in 1547 unintentional deaths in 1996.<sup>1</sup>

- In Wisconsin, firearms were involved in the unintentional/undetermined death of 18 people in 1996<sup>1</sup>

According to the International Hunter Education Association Annual Report of Hunting and Hunting Related Accidents for 1995, there were 1242 hunting accidents in the United States and parts of Canada. 1201 of these occurred in the U.S. 98% of these accidents were firearm related resulting in 105 deaths and 1110 non-fatal injuries.<sup>23</sup>

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## Firearm Injury Center

The Firearm Injury Center, founded in 1997, is supported in part by funding from the Joyce Foundation. The Center is dedicated to the reduction of firearm injuries and deaths. The Center provides comprehensive, objective, accurate information and analysis of firearms and related morbidity and mortality. The Center collaborates with policy makers, community-based organizations and agencies, and individuals at local, regional and national levels to support effective prevention strategies.

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## Firearm Choice

75% of total hospital charges resulted from handgun injuries.<sup>5</sup>

The average charges per case by firearm type were:

- shotguns \$19,314
- handguns \$13,620
- rifles \$11,784
- non-powder firearms \$7,352<sup>5</sup>

## Who Pays & How Much?

Studies reach different conclusions regarding who absorbs the costs of firearm related injury. The demographics of persons injured by firearms are such that government programs, especially Medicaid, have been believed to pay for the majority of these medical costs. However, due to the practice of cost shifting, payments by private payers subsidize the costs of providing care to the uninsured and

those covered by Medicaid or local government assistance programs.<sup>2</sup>

In one study at least 80% of hospital charges for treatment of firearm injuries were reimbursed directly by government entitlement programs or borne indirectly by the public as a hospital write-off.<sup>5,6</sup>

A study conducted at the University of California, Davis, Medical Center found that a substantial majority of patients with firearm related injuries did not have private health insurance (70%). Providing inpatient care for those patients carries potentially significant financial exposure. However, despite incurring a loss by providing care to two thirds of patients with firearm related injuries, the institution's pricing structure is such that firearm related wounds, in aggregate, contributed nearly \$4.4 million to the hospitals net income during the study period.\*

➤ 66% of the patients treated for firearm related injuries were covered by Medicaid, the Medically Indigent Adults program or had no insurance coverage (private or public). The three year net losses for these hospitalizations based on actual costs of providing care totaled nearly \$2.2 million

- 34% of the patients treated for firearm related injuries were covered by private indemnity insurance, Medicare or contracts with HMO's or other managed care plans. These hospitalizations resulted in a net gain of \$6.5 million for the institution during the three year period. This net gain more than offset the losses incurred by those patients covered by public funds.
- The mean net income to the institution per firearm related injury was \$5,809.<sup>2</sup>

\*It is important to note the differences between actual hospital costs and the charges a hospital submits for each hospitalization. These numbers often differ substantially and this must be taken into careful consideration when evaluating the societal costs of firearm injuries.

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# Costs of Firearm Injuries & Fatalities



\$20.4 Billion: the estimated cost of firearm injuries in the United States in 1990. This includes:

- \$1.4 billion for direct expenditures for health care and related goods
- \$1.6 billion in lost productivity resulting from injury-related illness and disability
- \$17.4 billion in lost productivity from premature death.<sup>1</sup>

*The magnitude of societal costs related to firearms, particularly for non-fatal injuries is difficult to determine. However, understanding the economic impact of firearm injuries is particularly important in order to inform and evaluate public policies and prevention strategies. More comprehensive studies are needed to accurately characterize the financial and social impact firearm injuries have on society.*

It is estimated that the cost of firearm injuries increased 42% in the five-year period from 1985 to 1990. 55% of that increase is attributed to direct medical costs.<sup>1</sup>

The actual cost of providing medical care for firearm related injuries in the United States in 1995 was projected to be \$4.0 billion.<sup>2</sup>

In 1985, firearm injuries cost society \$14.4 billion.

- Although fatal injuries represented only 12% of the total number of injuries, they accounted for 84% of the societal cost.
- Two-thirds of firearm injuries were not severe enough to require hospitalization and they resulted in only 1% of total costs.
- Considering both direct and indirect costs, the total per person costs were as follows:
  - \$374,000 per fatality injured person
  - \$33,000 per hospitalized injury
  - \$500 per non-hospitalized injury<sup>1</sup>

The cost per firearm fatality is higher than for any other type of fatal injury or for any of the four leading causes of death. Firearm injuries are responsible

for greater morbidity per person than are any other injuries. Hence, firearm injuries are relatively more costly compared with both other injuries and other illnesses.<sup>1</sup>

The National Association of Children's Hospitals and Related Institutions reported an average cost of treating a child wounded by gunfire to be more than \$14,000, enough to pay for an average year of tuition, room and board at a private college.<sup>3</sup>

## Potential Life Lost

In 1991, firearm injuries were the fourth leading cause of years of potential life lost before age 65.<sup>4</sup>

In 1985, firearm injuries resulted in 1.4 million years of potential life lost.

- 1.2 million years lost to premature death
- 187,000 years of lost productivity due to hospitalization from firearm injuries
- 1,350 years of potential life lost due to non-hospitalized firearm injuries<sup>1</sup>

Fatally injured males lost an average of 34.6 years each and females lost 41.0 years each.<sup>1</sup>