

## **INTEGRATED STRATEGY TO REDUCE GUN VIOLENCE**

Combating gang violence requires an integrated strategy – a strong policing and justice response, measures to choke off the supply of illegal firearms and efforts to address the roots of violence.

### **1- Primary Prevention Is Critical**

- Gang members are not born, they are bred. The conditions in which many children live are appalling and many families in large urban centers face significant challenges. Preventing gun violence in the future requires investments now.
- As with cancer, early intervention is most effective. Once the problem has emerged it is much more difficult to “treat” it. Primarily school teachers often identify children at risk but lack the mechanisms and resources needed to address the problems.
- The high school dropout rate has reached 30% in Toronto and is much higher for young men in some neighborhoods. Schools need resources to support healthy learning environments.
- Addressing the root causes of violence requires a long term investment in families and children and providing opportunities for young people.
- Investing in children produces the biggest impact.
- We need to ensure kids graduate from high school and have further education, training and employment opportunities.
- We need to address the culture of violence and images of masculinity that glamorize guns.
- We need to ensure that all citizens feel safe in their communities. There is research suggesting insecurity is one of the factors driving the demand for weapons.
- The illegal gun trade is closely linked to the drug trade and substance abuse is a factor fuelling violence.
- Effective primary prevention is multi-sectoral with health care providers, schools, faith organizations and community organizations being absolutely fundamental.
- There are a range of community groups and community based programs including many programs aimed at keeping young people in school.

### **2- Choke off the Supply of Illegal Firearms and Reduce the Risks**

#### **a) Maintain Strong Controls of Legal Firearms**

The Coalition for Gun Control focuses on ensuring implementation of existing laws.

- Carefully screen and license firearm owners to reduce the chances people who are a risk get guns. Continuous eligibility monitoring helps remove guns from people who are a threat to themselves or others. Resources have been cut from the screening program in Ottawa. In addition, an amnesty was declared in 2006 and renewed since for people who failed to renew their licenses for rifles and shotguns or register their firearms. In 2009 alone, \$15 million in firearm renewal fees were refunded or waived by the Harper government.
- Register guns to increase gun owner accountability and reduce the chances of diversion of legal guns to illegal markets. Registration also supports law enforcement in taking preventative action and in prosecuting illegal possession. Currently the system is used 11,085 times a day by police<sup>1</sup>. In 2008, 5118 affidavits were produced with information from the system to aid in prosecution.<sup>2</sup> Legislation is before the House of Commons to

eliminate the requirement to register rifles and shotguns. According to the RCMP, repealing registration of rifles and shotguns will save, at most, \$3 million per year.

- Control the sale of ammunition. A license is required to legally purchase ammunition but these laws are not well-enforced.
- Enforce safe storage laws. Currently gun theft is a major source of illegal guns.
- Monitor gun collectors and dealers. Often collectors have hundreds of firearms. Powers to inspect these collections are seldom used because the police lack resources.
- Apply the existing legal powers to prohibit semi-automatic assault weapons. The list of prohibited guns has not been updated since 1995. The firearm used at Dawson College should not have been allowed into Canada. The AR-15 used to shoot Louise Russo should also be a prohibited as should other firearms designed primarily for military purposes including the Ruger Mini 14 used in the Montreal massacre.
- Ensure community groups and professionals understand the risks associated with firearms and the measures for intervening. There are many cases where effective use of existing laws could have prevented tragedies.
- Some groups including the Mayor of Toronto, the Premier of Ontario, victims groups and safety organizations want additional restrictions such as a ban on handguns. The Premier of Quebec has passed legislation to strengthen controls on restricted firearms in Quebec.

## **b) Stem the flow of illegal guns**

*Stronger Border Controls:* Since 9/11 discussions of security and safety have tended to focus on reassuring Americans that Canadians are not a threat to their security. We need to be equally concerned about the threats to Canada's security that US guns pose. Strengthening, not relaxing, border controls is needed. Both the Canadian Police Association and the Canadian Association of Police Boards called on the government to consider impacts on the security of Canadians of initiatives to relax border controls. In addition, discussions of relaxing border controls in the interests of trade have failed to recognize that as you facilitate the movement of legal goods you also facilitate the movement of illegal ones. It is notable that 10% of the guns recovered at the border are carried by truckers. Easily concealed handguns can be purchased for \$50 to \$100 in the U.S. and sold here for \$200 to \$400 or more. Most are being traced back to states such as Ohio and Florida with lax gun control laws. Recent reports indicate that Americans bringing guns into Canada may be simply held until they pay a \$500 fine. Often charges are laid under the Canada Customs Act rather than the Criminal Code when guns are brought into the country illegally. Clearly, smuggling needs to be treated more seriously.

*Encourage all Countries, including the US, to Regulate Firearms:* Law enforcement officials and politicians in the US never hesitate to tell Canada what it should do with its laws. Yet they do not take responsibility for the problem of US guns coming into Canada. The Organization of American States (OAS), the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms (1997) and The UN Convention on Transnational Organized Crime Firearms Protocol establish international standards for import, export and transit shipments of firearms. The UN 2001 Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects provided a Program of Action (PoA) to address the problem. In recent years, the American gun lobby and United States government has blocked many international efforts to address this problem.

### **3- Effective Police and Justice Responses**

#### **a) Prioritize Community Based Policing**

Information is the lifeblood of policing - it is key to understanding the problems of violence, to solving criminal investigations and to prosecuting cases successfully. Building relationships between police and the community is essential not simply improving sense of security and cooperation. There are no cookie-cutter solutions – all strategies need to be developed and implemented with regard to the local context. Project Trident in London England is said to have increased the clearance rate from 15 to 75%.

The shootings in Toronto are a particularly complex issue because of a lack of trust in some communities. Better cooperation would help the police in their investigation and would lead to more arrests. For instance, a Toronto resident lent his bike to a police officer in order to help arrest two men. The suspects were arrested and it turned out that a loaded 9-mm semi-automatic handgun was found inside the car. The police are expecting such help from the community in order to curb gun violence.<sup>3</sup>

#### **b) Increase Targeted Policing**

There is considerable evidence that targeted policing can produce results in high crime neighborhoods. Identifying "hot-spots" and increasing police patrols has been effective in terms both of improving the sense of security in these neighborhoods and in suppressing crime. The Toronto Police Service has already assigned more officers to some of the city's toughest neighborhoods. In August, 2005, Chief Bill Blair of the Toronto Police redeployed 100 officers from desk jobs to patrolling duties on street. He also welcomed 95 new constables from the police academy.<sup>4</sup>

#### **c) Provide Tools for Police and Prosecutors**

Real time access to information about who owns which firearms is critical to support police efforts to reduce risk, to identify and lay charges for illegal possession of firearms and to successfully prosecute firearm offences. Under the old system only 1/3 of gun owners had FACs and only handguns were registered. Access to the system was during business hours via the telephone. Access is now online and integrated with CPIC. It is estimated that over 90% of gun owners are licensed and 85% of legal guns are registered. Currently the firearms licensing and registration system is queried over 11,000 times a day by police. Several hundred affidavits based on the information in the system have been used to prosecute firearm crimes, in the last two years, a significant increase in volume from the old system. Moreover, in 2008, there were a total of 254,036 prohibition orders from possessing a firearm issued by the court.<sup>5</sup>

#### **d) Strengthen Support for Collaborative Law Enforcement and Training**

Targeted enforcement efforts and coordinated projects like the RCMP's NWest are important for tracking and prosecuting gun traffickers. It includes enforcement representatives from federal, provincial and municipal agencies located in each province. It works closely with its counterparts in the US on illicit firearms issues, particularly US Customs and the Alcohol, Tobacco and Firearms Administration (ATF). In Ontario the Provincial Weapons Unit provides similar functions. Targeted intelligence to help identify hot spots and trafficking routes as well as investigations and prosecutions is important to closing down gunrunners. NWest also stresses the importance of training ALL police officers on the risks associated with guns, the importance of checking for the presence of firearms (including querying the registry and interviewing), the means for removing them from at risk situations, and the importance of collecting investigative information such as routinely asking "WHERE DID THEY GET THE GUN?"

### **e) Training for Prosecutors and Awareness for Judges**

Ensuring that prosecutors are familiar with the full range of offences and the appropriateness of them is important. Often charges are not laid, for example, for violations of safe storage offences. The appropriate application of prohibition orders and immediate execution of them in the cases of legal firearm owners are critically important, especially in cases of domestic violence.

### **f) Justice System Reforms**

Appropriate sentences - prohibition orders, application of mandatory sentences for general deterrence, etc. may have an impact. In general, certainty of punishment is a clearer deterrent than severity of punishment. Canada's 1995 legislation included mandatory 4-year sentences for a variety of gun crimes. We need to examine current sentencing practices, including the effects of plea bargains, before calling for changes to sentencing laws. We also need to examine the effects of longer sentences and special courts. Project Exile, which included special federal courts for gun crime in Richmond, Virginia did not produce the results anticipated.

### **g) Disarming, Demobilizing and Reintegrating Gang Members**

This presents an enormous challenge, but we need to continue to find ways to reintegrate gang members into the community.

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<sup>1</sup> "Facts and Figures (October-December 2009), Canadian Firearms Program". <http://www.rcmp-grc.gc.ca/cfp-pcaf/facts-faits/index-eng.htm>

<sup>2</sup> "Facts and Figures (October-December 2009), Canadian Firearms Program". <http://www.rcmp-grc.gc.ca/cfp-pcaf/facts-faits/index-eng.htm>

<sup>3</sup> "Just call them Loan Rangers", Metro News Toronto, August 25, 2005

<sup>4</sup> Choi, Paul, "More police needed, union president says", The Globe and Mail, Sept. 15, 2005, page A12

<sup>5</sup> "Facts and Figures (October-December 2009), Canadian Firearms Program". <http://www.rcmp-grc.gc.ca/cfp-pcaf/facts-faits/index-eng.htm>; RCMP, "Commissioner of Firearms – 2008 Report," 2009. Table 3.