



# What Counties and Cities Can Do To Curb Gun Violence in Texas

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## **Contents**

- 1 Introduction and summary
- 5 Seven community-level actions to curb Texas gun violence
- 13 Conclusion
- 14 About the authors and acknowledgments
- 15 Endnotes

## Introduction and summary

Gun violence presents a significant challenge in Texas, approximately half of whose residents own a firearm and where a person is killed with a gun every two hours. High levels of gun ownership coupled with Texas' high rate of gun violence create a danger to public health.

According to Rand Corp., an average of 46 percent of Texas residents owned a firearm from 1980 to 2016.<sup>2</sup> However, this percentage likely increased after 2020, when the country saw a surge in gun sales associated with the COVID-19 pandemic. In contrast, estimates suggest that 32 percent of U.S. adults owned a firearm by the end of 2020.<sup>3</sup> Texas is also home to numerous federal firearm licensed (FFL) dealers.<sup>4</sup> Information from the U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) indicates that as of January 2022, the state had almost 10 percent—5,089—of all FFL dealers in the country.<sup>5</sup> Studies also report that thousands of gun shows<sup>6</sup> are organized in Texas every year.

Making a bad situation worse, Texas has relatively weak gun laws when compared with other states. As a matter of fact, the state received an "F" grade for the strength of its gun laws, according to the latest scorecard from the Giffords Law Center To Prevent Gun Violence. Texas does not require a gun owner or purchaser to obtain a license or require a background check for private gun sales that take place at gun shows or online. Furthermore, Texas does not ban or regulate assault weapons or high-capacity magazines. The state has not adopted extreme risk protection laws that allow family members or law enforcement to petition the court to temporarily remove firearms from an individual experiencing crises; does not provide funding for community-based violence intervention programs; and has not adopted measures to protect women against gun violence from domestic abusers. For example, Texas law does not prohibit people convicted of domestic violence crimes against a current or former dating partner from possessing a firearm, which is the case in 29 states. Texas law also does not require firearms or ammunition to be removed from the home after a domestic violence situation.

These are just a few of many reasons why Texas experiences one the nation's highest rates of gun violence. It does not have to be this way. There are several states and localities across that country that have implemented innovative programs that have effectively curbed gun violence and in so doing made their residents safer. This report highlights many of these actions, including efforts that incorporate proven best practices such as creating offices of gun violence prevention, promoting safe gun storage, providing protections for victims of domestic abuse, and employing racial equity and trauma-informed solutions.

Despite gun violence creating significant problems for Texas and its residents, the state legislature has failed to act. For example, in 2021, two state representatives introduced H.B. 118 and H.B. 52, bills which would have required a background check on all gun transfers in Texas, but lawmakers failed to vote these bills out of committee. <sup>12</sup> In fact, the state has not passed any meaningful gun reform measures in decades.

Moreover, Texas has adopted gun-related measures that endanger communities. In September 2021, for example, the state passed a bill allowing residents to carry handguns in public spaces without a permit, despite opposition from most Texan voters. A 2017 study found that states that weakened their gun permitting systems saw an 11 percent increase in gun homicides. Additionally, carrying guns in public has also been associated with higher levels of gun theft.

According to data from Everytown for Gun Safety, Texas' rate of nonfatal gun injuries is 27 percent higher than the national rate. Furthermore, 51 percent of homicides against women are perpetrated by intimate partners. Out of those, 61 percent are perpetrated with a gun. In other words, close to 1 in 3 women murdered in Texas are killed by an intimate partner with a firearm. Mass shootings, defined as instances in which four or more people are shot during a single incident, are also on the rise across the state. While Texas experienced 17 mass shootings in 2014—the first year for which data are available from the Gun Violence Archive—the state had 57 such cases in 2021. Texas has suffered some of the deadliest mass shootings in recent U.S. history, including the shooting in El Paso, Texas, in 2019 and the shooting in Sutherlands Springs at the end of 2017.

Texas also performs poorly when it comes to the volume of stolen firearms. According to data from the ATF, more than 7,000 firearms were stolen from FFL dealers across the United States from 2012 to 2021.<sup>20</sup> However, the problem of gun theft goes beyond FFL dealers. An analysis of FBI data indicates that from 2011 to 2020, close to 500,000 firearms were stolen in Texas from private

owners.<sup>21</sup> This raises major concerns, as these firearms are likely used in crimes or trafficked elsewhere. Texas is also a major supplier of crime guns recovered in other states. ATF data show that from 2010 to 2020, 37,000 guns recovered in crimes in other states were traced back to Texas. This places Texas as the state with the second-highest level of trafficked firearms to other states during that period after Georgia.<sup>22</sup> Finally, Texas is a major supplier of crime guns beyond U.S. borders. According to the U.S. Government Accountability Office, more than 10,000 firearms purchased in Texas were recovered during crime investigations in Mexico from 2014 to 2018.<sup>23</sup>

Despite the disturbing statistics, action on gun violence in the Texas legislature remains challenging, which makes it incumbent on counties and localities to take the lead. Admittedly, local action is complicated because of Texas' strict preemption laws,<sup>24</sup> which prevent cities and counties from passing virtually any legislation related to firearms. Still, cities and counties can take meaningful steps to address gun violence in Texas by adopting the following six community-led initiatives:

- Address gun violence with racial equity and trauma-informed solutions. Gun violence affects every community differently and disproportionately affects Black and Hispanic communities. The root causes of gun violence must be addressed to solve this issue.
- Improve data collection and reporting. Insufficient data result in challenges in accurately demonstrating the crisis of gun violence.
- Protect and support survivors of domestic violence. Investments in domestic violence services and strong firearm surrender protocols for abusers are necessary to protect survivors.
- Partner with schools and school boards. Schools play a pivotal part in addressing gun violence among youth. Bringing gun violence prevention conversations and safe storage education into schools can help keep students safe.
- Create offices of gun violence prevention. A gun violence prevention office or offices of violence prevention (OVPs)—within state and local government would offer coordinated efforts for the distribution of resources for violencereduction strategies.

- Provide and promote guidance for safe storage of firearms in the home. Every year, children and others access unsecured guns in the home, causing death, injury, and theft. Safe storage guidelines greatly reduce the risk of unwanted access to firearms.
- Provide facilities where veterans and others in crisis can temporarily store their firearms in moments of crisis. Every year, thousands of veterans lose their lives to gun suicides. Establishing areas where they can safely store their firearms in moments of crisis is crucial.

## Six community-level actions to curb Texas gun violence

Beyond state legislation, Texas cities and localities have the power to reduce gun violence in their communities by adopting these six actions.

# Address gun violence with racial equity and trauma-informed solutions

While implementing policies to reduce gun violence, it is imperative that solutions are tailored to those most affected. Community gun violence—a form of interpersonal violence that occurs in a city between individuals who are not intimately related<sup>25</sup>—makes up the majority of gun homicides in the nation and disproportionately affects Black and Latino men under the age of 50.<sup>26</sup> In 2020, Texas had 1,785 firearm homicides.<sup>27</sup> Black Texans accounted for 787—44 percent—of these firearm deaths, despite accounting for only 12.9 percent of the population.<sup>28</sup> In order to address this disproportionate impact, it is important to understand all factors that contribute to gun violence at the community level. Individuals in communities with high rates of gun violence are often already greatly affected by income inequality, healthy inequality, and underresourced public schools, and these issues intersect.<sup>29</sup> To be successful, approaches to ending community gun violence must address all contributing factors.

Trauma-informed solutions and practices involve acknowledging the life experiences of survivors of gun violence in order to develop and implement effective solutions.<sup>30</sup> Gun violence in communities does not just affect the person shot. The ripple effects of gun violence are felt by their families, loved ones, and the community.

Community trauma is based on the notion that trauma does not stop at the individual level, but that communities with shared traumatic experiences and systemic issues experience trauma.<sup>31</sup> Gun violence is not the result of one individual with a firearm, rather a systemic public health issue that should

be addressed using systemic changes. For example, racist policies—such as redlining, which segregates communities and results in underinvestment in specific neighborhoods—contribute to gun violence.<sup>32</sup> Investments in public spaces where community violence is most likely to occur is shown to reduce violence in some areas. For example, a 2019 study found that the presence of well-maintained green spaces reduces the number of locations where gun violence is likely to occur, decreasing community violence.<sup>33</sup>

In addition to investments in public spaces, investments in stable and affordable housing allow individuals the safety and stability they need. Pathways to homeownership can also help reduce community gun violence.<sup>34</sup> To that end, Texas should make meaningful investments in safe and affordable housing, clean and maintained public spaces, and the community violence intervention programs outlined below.

#### Improve data collection

A major problem when addressing gun violence and other firearm-related challenges is the lack of data. For example, there is no federal centralized database on nonfatal gun injuries, and few states have undertaken efforts to report timely information around this challenge. Cities and counties in Texas should compile information on nonfatal gunshot injuries from county and city hospitals and report aggregated data. Data should include characteristics of the victim (age, race, ethnicity, and sex); place of injury (household, street, etc.); type of injury; and initial hospitalization costs. When available, this data should include the intent of the injury (unintentional, self-harm, or interpersonal violence) as well as the relationship between victims and perpetrators. This type of detailed information can help detect patterns of nonfatal gun injuries and designing policy responses.

The U.S. Centers for Disease Control and Prevention (CDC) has helped fund programs aimed at compiling this type of information in a number of states.<sup>35</sup> Cities and counties in Texas should look for similar funding opportunities and develop programs to track and report nonfatal gun injuries.

The lack of data on stolen firearms is another major problem. The FBI compiles information from state and local police agencies on the value of stolen property.<sup>36</sup> This dataset includes a category that encompasses the value of stolen firearms. However, while this information is useful, there are limitations. Data are presented on monetary values and not on the actual number of stolen firearms.

To address this shortcoming, local police agencies and county sheriffs could compile data on the number as well as the value of stolen firearms and release periodic reports. This data should be broken down by type of firearm (rifles, pistols, revolvers, shotguns, etc.).

Finally, to understand the origin of crime guns recovered within their jurisdictions, cities and counties could replicate an effort by the Office of the Mayor of the city of Chicago. In 2017, following a year of unprecedented rates of gun violence, the city of Chicago released its Gun Trace report,<sup>37</sup> which focuses on the FFL dealers that are the sources of crime guns in Chicago.<sup>38</sup> The report found that 2 in 5 crime guns recovered in Chicago originated from FFLs in neighboring suburban counties.<sup>39</sup> Through this investigation, Chicago was able to determine which FFLs were primarily responsible for firearms recovered in the city. In fact, seven of the top 10 FFLs that supply guns recovered in Chicago are located in Illinois, and six of those seven are from just one county.<sup>40</sup> FFLs tied to short "time to crime" guns—those that they were used in a crime shortly after being purchased—clearly demonstrate that there are specific FFLs that routinely sell guns to straw purchasers and traffickers.41 This is a crucial data point for cities, counties, and law enforcement and is an example of the type of comprehensive data collection highlighted by the Chicago Gun Trace report and the types of data needed to address gun violence at the source.

## Protect and support survivors of domestic violence

In 2020, 228 Texans were killed by an intimate partner, with women bearing the brunt of this violence.<sup>42</sup> Sixty-seven percent of those deaths involved a firearm.<sup>43</sup> Texas prohibits some domestic abusers from accessing firearms, but more must be done to protect survivors of domestic violence. Providing adequate resources for survivors of violence as well as comprehensive solutions for the transfer of firearms when an abuser is convicted are crucial.

In September 2021, the National Network To End Domestic Violence reported that 77 of Texas' 88 domestic violence shelters served 6,113 survivors in just one 24-hour period.<sup>44</sup> An overwhelming 86 percent of the services provided were for emergency shelter.<sup>45</sup> On that same day, 1,122 requests for services went unmet due lack of resources. The data underscore the importance of safe accommodations for people experiencing abuse and that the demand unfortunately outpaces the available resources. The dangers of an abusive living situation only escalate when a firearm is involved. In fact, the presence of a firearm in a domestic violence situation increases the likelihood that a death will occur fivefold.<sup>46</sup>

Firearm surrender protocols—the logistics and practices that guide how those convicted of domestic violence can safely transfer firearms to comply with the law—are imperative for the safety of the survivor, their family, and the community. These types of programs are collaborative, community efforts that should be

done in partnership with domestic violence advocates and other stakeholders. Texas currently does not have protocols for the safe transfer or surrender of firearms by offenders. This increases the risk for survivors and leads to confusion for offenders seeking to comply with the statutes.

Nearly 1 in 11 girls and 1 in 14 boys reported experiencing physical dating violence in the past year.

As this report makes clear, addressing domestic violence requires a multipronged approach. Prevention methods must be prioritized in tandem with funding

that adequately meets the need. In the United States, nearly 1 in 11 girls and 1 in 14 boys reported experiencing physical dating violence in the past year. Engaging children and young adults to promote safe and healthy relationships can have a lasting effect on communities. One such effort is the Expect Respect program, which was created by Stop Abuse for Everyone (SAFE) Austin and serves 14,000 students across Texas. In 2017, the CDC conducted an analysis of the Expect Respect model involving more than 1,600 students from 36 Texas schools over a seven-year period. The study found that boys who participated in the program showed an incremental decline in psychological teen dating violence; both boys and girls demonstrated decreases in aggression; and boys demonstrated declines in teen dating violence perpetration.<sup>47</sup>

Programs such as Expect Respect demonstrate the potential for these sorts of programs to succeed in preventing domestic violence and, in turn, firearm violence. Texas can work with organizations such as SAFE to build upon this research and continue to implement prevention programs.

#### Partner with schools and school boards

Over the past few years, school boards have become a hotbed of political advocacy<sup>48</sup> as parents and political parties seek a stronger leading role in shaping their children's future while also shifting conversations around education.<sup>49</sup> Parents and activists long stymied by hostile state legislatures and an inactive Congress are pushing gun violence prevention measures in their schools to protect children's lives.<sup>50</sup>

In a state such as Texas, where state law preempts<sup>51</sup> sensible gun violence prevention policy at the local level, school board advocacy provides an opportunity to make a huge difference on issues concerning the safety of their children and communities. Organizations such as Everytown for Gun Safety<sup>52</sup> have created toolkits and policy proposals that community members can use to push for commonsense gun safety measures in schools.

One of the best ways to prevent shootings and suicides is through the safe storage of guns. School board-initiated safe storage resolutions<sup>53</sup> are a simple way to make gun owners aware of the opportunity to protect their children from the dangers of gun violence. Parents should reach out to their school board members and attend school board meetings to discuss the importance of safe storage and ask that the district send a letter to every family with information about storing all guns securely. Some school boards ask that parents sign an acknowledgment confirming receipt of the letter. Initiating a school board resolution on safe storage is exactly the sort of low-lift, high-impact policy win advocates across Texas can and should strive toward.

Another opportunity for school board activism is to push for increased mental health support. Too many schools do not have licensed mental health counselors. It is important that students and parents demand mental health resources, particularly in schools in which the ratio of students to mental health professionals is inadequate. In Texas, the student-to-counselor ratio is 442 to 1, while the American School Counselor Association recommends a ratio of 250 to 1. President Joe Biden has recognized this gap and plans to provide funding in fiscal year 2023 to expand access to mental health support in schools, colleges, and universities, an important step given the high risk of self-harm among adolescents. It is the duty of schools, and by extension school boards, to ensure children have a safe learning environment. Extending access to mental health services is a significant part of meeting that bar.

Finally, it is imperative that school districts reject efforts to increase police presence in schools. Police and school resource officers are not a solution to student safety. Many underresourced schools use officers as a method of discipline, which has adverse effects on students, particularly students of color. A study using 2015 and 2016 data found that schools disproportionately referred students of color to school resource officers, who in turn were more likely to arrest students in school. Additionally, Black students are three times more likely to be arrested than white students, and Black girls are eight times more likely to be arrested than their white classmates. Actions to prevent gun violence in schools should not cause additional harm and should be thoughtful, coordinated efforts between the school, parents, students, and the community.

#### **Create offices of violence prevention**

OVPs, known alternatively as offices of neighborhood safety, are offices within state and local governments that coordinate the distribution of resources for violence reduction strategies in a given jurisdiction. According to the Offices of Violence Prevention Network, two such offices already exist in Texas. Their stories and the work they do illustrate how important these offices can be to reducing gun violence and why they can and should be a focus of gun violence prevention efforts in the state.

In the state capitol of Austin, the office was created in 2021 through redirected Austin Police Department funds, as recommended by the city's Gun Violence and Reimagining Public Safety Task Forces. The Austin OVP takes a strategic and equitable investment approach to improving public safety in the city by taking interventions upstream in the cycle of violence. Its goal is to address the environmental causes of violence, heal the trauma caused by violence, and equip change agents to serve their communities.

The Austin OVP employs a public health approach to gun violence. The solutions they fund are based on changing the environments in which the violence rises: communities with low school ratings, food deserts, histories of systemic racism, and overpolicing. The programs implemented by OVP<sup>63</sup> include both policy recommendations and community outreach. On the policy front, they have safe storage campaigns to educate people on safe gun storage and are developing standard protocols for firearm surrenders to protect survivors of intimate partner violence. On the community investment front, they have a wide variety of programs focused on youth, including therapy, jobs programs, volunteer opportunities, and art projects. They are working to implement a Cure Violence<sup>64</sup> model of community violence intervention for their at-risk youth. Finally, the OVP makes community healing a priority by funding a trauma recovery center<sup>65</sup> and investing in community-rooted safety grants for local organizations. Trauma recovery centers offer specialized services for survivors of violence. Some of these services include evidence-based individual or group therapy legal advocacy or helping survivors file police reports or access victim compensation funds.

In Houston, the Harris County Department of Health runs an Office of Community Health and Violence Prevention Services. <sup>66</sup> The office has two goals: dispatching health-based first responders to nonemergency 9-1-1 calls arising from medical, behavioral health, or social welfare concerns through the Holistic Assistance Responder Team and reducing gun violence.

Similar to Austin, Harris County treats gun violence as a public health issue. They engage in multipronged violence intervention programs that include identifying vulnerable individuals in neighborhoods and even in hospitals to divert them from high-risk activities; sending "credible messengers" out to the community to mediate disputes and provide pathways for resources to connect individuals with the help they need; and addressing root causes through "coordinated care teams" made up of caseworkers from a variety of disciplines who work with individual clients and connect them with services such as mental health counseling, drug treatment, employment, and exiting gangs. The office also sponsors and coordinates communitywide events and activities to promote neighborhood cohesion, including post-shooting vigils, public education campaigns, and proactive communications about alternatives to violence and gun safety.

With high rates of gun violence in Texas and particularly within communities of color, Texas municipalities should create a statewide OVP that uses proven strategies to address violence in those communities. City and county officials should also create OVPs and violence intervention programs in their individual jurisdictions. Citizens should urge state lawmakers, mayors, city council members, and county commissioners to prioritize programs that reduce violence in the hardest-hit communities.

### Promote and publicize safe gun storage

In 2021, Texas had at least 26 unintentional shootings by children, half of which were fatal, making Texas the second-worst state for unintentional shootings by children that year.<sup>67</sup> Safe firearm storage can prevent these types of deaths. Making sure that a gun is safely secured and stored reduces the risk of unintended access to firearms by children or other unauthorized users. Safe storage practices refer to guidelines such as using effective gun locks and storing ammunition and firearms separately. Moreover, talking about safe firearm habits in the home can undoubtedly save lives among Texas children. Safe gun storage resources include Be SMART, a campaign that<sup>68</sup> provides detailed information on the importance of keeping firearms safely stored in addition to how to unload, lock, and store these firearms.<sup>69</sup>

Lock Arms for Life is a Texas-based program that educates the community about safe gun storage and works with partners, including Texas Gun Sense, to distribute gun locks and other types of practical community outreach. This partnership was key in securing ongoing funding for the Keep 'Em Safe, Texas campaign run

by the Texas Department of Public Safety and to place "Safe Storage Saves Lives" billboards and bus ads in Austin-Travis County. Texas should continue to invest in safe gun storage education, which carries broad public support.

In addition to reducing access to firearms by minors, safe storage practices also protect gun owners from theft. Nationally, there are an estimated 200,000 to 400,000 firearms stolen every year. <sup>71</sup> An analysis of 23,000 stolen guns found that most of those guns were later used in crimes such as other robberies, murders, and kidnappings. <sup>72</sup>

# Provide places where individuals can temporarily store their firearms in moments of crisis

Suicide is a crisis in the United States, and veterans are at particularly high risk.<sup>73</sup> In 2019, the year with the latest available data, the rate of veteran suicides in Texas was 88 percent higher than the overall state-level rate of suicide.<sup>74</sup> This suggests that gun suicide rates among veterans is also significantly higher than among nonveterans in Texas, and studies have identified access to firearms as a major risk factor for suicide. Firearms are particularly deadly in suicide attempts. Studies indicate that the lethality rate of firearms in suicide attempts is 85 percent.<sup>75</sup> In contrast, other methods of suicide such as drug overdose have a lethality rate of 3 percent.<sup>76</sup> Moreover, levels of gun ownership among veterans are higher when compared with the overall population. A 2015 study concluded that around 50 percent of veterans own a firearm. In contrast, reports and studies estimate that between 22 percent and 33 percent of the U.S. population owns a firearm. According to the most recent data from the U.S. Department of Veterans Affairs, 73 percent of veteran suicides in Texas involved a firearm.<sup>77</sup>

To help address this problem, it is important to create awareness about the role firearms play in suicides and to block access to guns for those veterans in crisis. One way to do so is to facilitate places where veterans and their loved ones can temporarily store their firearms in a moment of need. These places can include local police departments, sheriff's offices, or FFL dealers. This type of action could also protect other families experiencing a crisis, similar to the guidance by the Santa Clara Sheriff's Office that accepts voluntarily relinquishment of firearms from either the gun owner or a family member.<sup>78</sup>

## **Conclusion**

Gun violence in Texas is preventable. The tools, policies, and guidance detailed in this report are just a few of the actions Texas can take to reduce gun tragedies. Because of state preemption laws preventing local jurisdictions from enacting tough gun laws, local leaders in Texas should consider all of the community-based actions highlighted in this report, including working and partnering with community groups, school systems, and other local entities to provide equitable resources to assist communities in preventing gun violence in tangible and effective ways.

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