

A black handgun is positioned horizontally in the upper half of the image, resting on a dark wooden surface. In the foreground, several bullets with brass casing and silver primers are scattered. The background is a plain, light-colored wall.

Solutions in Durham: A Study of Gun Violence Programs

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1 *Executive Summary*

1.1 Policy Question

How can the Durham County Criminal Justice Resource Center and the Gang Reduction Strategy interrupt the informal networks that facilitate illegal possession of firearms?

1.2 Recommendations

To answer this question, we evaluated programs that will decrease supply, decrease demand, and/or supply more information to law enforcement.

1. **Facilitate critical debriefings for minors who have witnessed violence, including homicide, assault, and domestic violence.** This will help break the cycle of violence in Durham that perpetuates the demand for guns in informal markets. Additionally, it will help build trust and a relationship between the police and communities affected by gun violence.
2. **Implement an educational campaign in conjunction with the Durham Police Department with three components: safe gun storage within the home, recording the serial numbers of guns owned, and retaining mock bullet casings received at gun purchase.** This will decrease the supply of guns to the informal market through theft and will also increase police intelligence on the origin of guns used in criminal activity.
3. **Expand the misdemeanor diversion program to cover more first-time offenders.** The program can be expanded to include first-time misdemeanor offenders up to the age of 25, first time low-level felony offenders (Class B-E, with the exception of sexual offenders), or a combination of the two. This will decrease the demand for guns on the informal market.
4. **Encourage the sheriff department to conduct a systematic audit of pistol purchase permits.** These permits are valid for five years, and private sellers have no way to verify if a holder is eligible to own a gun at the time of purchase. By auditing the permits on a systematic basis, the supply of guns to individuals who are disqualified from ownership will decrease.

1.3 Background

Despite considerable economic development over the last decade, gun violence continues to impact the lives of Bull City families. Since 2013, Durham has seen a dramatic rise in aggravated assault cases in which a gun was used, while homicides remained relatively stable. To reduce gun violence in Durham, the following needs to happen: decrease supply and demand for guns on the informal market that enables criminals to access firearms and expand the capacity of police intelligence to better track

the guns used in criminal activities. Durham law enforcement, advocacy organizations and municipal leaders cited many factors as the primary contributors to gun violence, including theft, drugs, gangs, poverty, and cycles of violence among others.

We began our research by looking into the national trends of gun violence. We then examined gun programs of cities similar to Durham and identified programs around the country that could transfer to Durham on a smaller scale. We focused on cities with population numbers, income inequality, and/or crime rates comparable to Durham. To assess Durham's specific needs, we analyzed data on gun crimes in Durham County, and identified and interviewed stakeholders.

2 Glossary

The following glossary highlights terms that are used throughout the report. The definitions provided are how our team used them within the context of this report.

Aggravated Assault - an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury.¹

Census Tract - a small, relatively permanent statistical subdivisions of a county or equivalent entity. The primary purpose of census tracts is to provide a stable set of geographic units for the presentation of statistical data.²

Concealed Handgun Permit - a permit that allows a person to carry a gun on their persons wherever not specifically prohibited by law.³

Critical Debriefing - a program intended to counsel individuals who have witnessed an episode of violence process the event; intended to break cycles of violence.

Diversion Program - a program that removes individuals from the criminal justice system and provides a form of intervention, whether it be counseling, substance abuse treatment, etc.

Durham County Criminal Justice Resource Center (CJRC) - a division of Durham County's government that oversee Pretrial Services, Youth Services, Reentry Services, and Substance Use Disorder Treatment.

Durham Directors - working group of Durham City and County agency and municipal directors.

Formal Market - all primary means of gun transfer.

Focused Deterrence - a crime reduction strategy that focuses law enforcement efforts and resources on a subset of individuals identified as high-risk to commit a crime.

Gangs - an organized group of individuals associated with a common informal organization that sometimes conducts criminal activity.

Gang Reduction Strategy (GRS) - subdivision of CJRC that aims to increase the safety of Durham citizens by reducing gang-related crime and violence.

Gang Reduction Strategy Steering Committee (GRSSC) - multi-organization committee that oversees GRS; comprised of law enforcement, local government, and advocacy organizations.

¹ "Uniform Crime Reporting." *FBI: UCR*, Federal Bureau of Investigation, 9 May 2012. ucr.fbi.gov/.

² "Geographic Terms and Concepts." *US Census Bureau*, Dec 6, 2012. https://www.census.gov/geo/reference/gtc/gtc_ct.html

³ North Carolina Department of Justice, Law Enforcement Liaison Section, et al. "North Carolina Firearms Law." 2015.

Gun Incident – an event in which a gun is fired; a person may or may not be the target.

Gun Victim - a person who has been killed, injured, or the target of gun violence.

Homicide - murder and non-negligent manslaughter.⁴

Hot Spots - concentrated locations with a known propensity for criminal activities.

Illegal Possession - firearm possession by an individual who has been disqualified from ownership, whether it be through felony conviction or another disqualifying circumstance.

Informal Market - all secondary market means of gun transfer including illegal means, but excluding gun shows.

Informal Network - a social network that facilitates transactions on informal markets.

Pistol Purchase Permit - a permit that allows someone to purchase a single pistol; this permit does not allow the holder to carry the pistol in a public place.

Primary Market - federally licensed firearm dealers and shops that transact guns.

Scofflaw - licensed gun dealer who knowingly sells firearms to individuals who are disqualified from ownership.⁵

Secondary Market - platform for gun transactions outside of licensed firearm dealers and shops, such as gun shows, private transactions, or inheritance.

Shot Callers (otherwise known as OG's) - a top gang leader, sometimes who has been recently released from jail, or owns a gun.⁶

Straw Purchases - primary purchase of a firearm in which a person who is disqualified from buying one enlists another person to buy a firearm on their behalf.⁷

⁴ FBI Uniform Crime Report, 2012

⁵ Braga, Anthony A. "Long-Term Trends in the Sources of Boston Crime Guns." *RSF: The Russell Sage Foundation Journal of the Social Sciences*, vol. 3, no. 5, 2017, <https://www.rsfsjournal.org/doi/pdf/10.7758/RSF.2017.3.5.04>

⁶ Downey-Piper, Melissa. Personal Interview, 6 April, 2018.

⁷ Wintemute, Garen J. "Firearms Licensee Characteristics Associated with Sales of Crime-Involved Firearms and Denied Sales: Findings from the Firearms Licensee Survey." *RSF: The Russell Sage Foundation Journal of the Social Sciences*, vol. 3, no. 5, 2017, <https://www.rsfsjournal.org/doi/pdf/10.7758/RSF.2017.3.5.03>

3 Policy Question

In response to the escalation of gun violence in Durham since 2013, CJRC and members of the Durham community are actively seeking a solution to Durham's gun violence problem.⁸ CJRC hopes to implement initiatives that interrupt the informal networks that facilitate illegal possession of firearms in Durham. CJRC seeks to provide support and interventions for those involved in the criminal justice system in Durham County.⁹

At the onset of this project, CJRC was focused on interrupting gun access by ex-felons and gang members. However, due to informational and legal barriers, identifying transactions that allow for gun access and ownership to ex-felons and gang members is challenging. Importantly, federal and state law prohibit the compiling of a searchable, accessible database of gun owners and gun permit holders. These laws make it

difficult for law enforcement to track the flow of guns on secondary markets in the United States.¹⁰ While ex-felons are disqualified from possessing guns, there are no laws that prevent gang members from possessing guns, provided they have not been convicted of a felony.¹¹

After discussion between our team and CJRC, we refined our question to address informal networks, while still addressing CJRC's concern of illegal possession. These informal networks are the focal point of our research because they help facilitate illegal access to firearms. We tailored the policy question to what we felt would be the most helpful to CJRC:

How can the Durham County Criminal Justice Resource Center and the Gang Reduction Strategy interrupt the informal networks that facilitate illegal possession of firearms?

⁸ Jacobs, Wendy. Personal Interview, 16 March 2018

⁹ *Criminal Justice Resource Center | Durham County*, Durham County NC, www.dconc.gov/government/departments-a-e/criminal-justice-resource-center/.

¹⁰ Sloan, Timothy. Personal Interview, 13 March 2018.

¹¹ Rose, Todd. Personal Interview, 6 March 2018.

4 Recommendations

4.1 Critical Debriefings

We recommend implementing critical debriefings for minors involved in violence, including shootings, homicide, assault and domestic violence. When children feel unsafe or bullied, they join a gang or get a gun to fulfill their desire for security and protection.¹² This behavior creates a cycle of violence. Children who have witnessed violence need ways to process what they have seen so that it doesn't become normalized to them.

Durham Directors is exploring the feasibility of this program with the creation of a taskforce that will include representatives from Emergency Medical Services, Durham Police Department (DPD), Durham Public Schools, Durham Housing Authority, Durham Public Health, Durham County Sheriff's Department, Department of Social Services, the juvenile court system, the District Attorney's office and Alliance Healthcare. We propose that CJRC partner with these other organizations to facilitate the development of a critical debriefing program. Under this program, when a shooting happens, Alliance Healthcare's therapists will counsel any minors involved to help them process the event. Alliance Healthcare's therapists and DPD officers will conduct a follow-up visit with the minors to provide continued

counseling services. Such a program would combat the normalization of violence in the community and increase the community's trust in local law enforcement and municipal leaders.

The main barrier to implementing this program would be the cost of therapists since Alliance contracts out its services. An important question the taskforce must answer is whether they have the resources to target all children affected in every incident throughout the county, or just children in high-risk areas.

4.2 Educational Campaign

Based on interviews with Deputy Chief Rose and DA Echols, theft is a major source of illegal gun possession in Durham. Therefore, we recommend GRS and CJRC develop and implement an educational campaign in conjunction with DPD. We recommend this program have three components: securing guns safely in the home, recording serial numbers of guns owned, and retaining mock bullet casings received at gun purchase.

Federal law dictates that a "secure storage or safety device" be provided with every gun sold at an official arms dealer, but this does not apply to private sales and secondary market

¹² Washington, Jerome. Personal Interview, 9 February 2018.

transactions.¹³ Studies demonstrate that educational campaigns are effective in increasing safe gun storage when coupled with the provision of a safety device.¹⁴ The campaign should provide a safety device, as well as instructions of proper device use and recommendations on where to safely store guns within the home. We recommend providing gun cable locks. These locks are inexpensive, but still deter theft. Locks are less than \$10 each.¹⁵ The Supreme Court case of *District of Columbia v. Heller* forbids local law enforcement from requiring the use of gun locks on stored weapons. Therefore, the educational campaign can only provide the locks and suggest usage, not require gun owners to use the locks. The campaign should emphasize the prevalence of gun theft in Durham, and that these locks, coupled with safe storage, can protect the guns from that potential theft. This campaign could decrease the supply of illegal weapons in Durham while improving community-police relations.

State law prohibits the existence of a searchable, accessible database of gun owners and serial numbers of the guns they own. The educational campaign

should encourage gun owners to take responsibility for their weapons by recording the serial numbers of their guns and retaining mock bullet casings. When a gun is confiscated by local law enforcement, the ATF uses the serial number and mock bullet casings to trace the gun's possession. Serial numbers and mock bullet casings also help local law enforcement draw the connection between stolen guns and confiscated guns. If recorded by the owner, the serial number of a stolen gun can be shared with the ATF, facilitating the ATF's efforts to trace the recovered guns back to their original owners. This contributes to increased intelligence for law enforcement, so a more targeted intervention can be developed to stem the supply of guns to potentially dangerous individuals.¹⁶

4.3 Extend Misdemeanor Diversion Program

Currently, CJRC runs a misdemeanor diversion program (MDP) that focuses on 16 to 21-year-old first-time misdemeanor offenders. The program is 90 days long and aims to avoid arrests for low-risk individuals in Durham County. An individual who is an eligible first-time misdemeanor offender is

¹³ Masters, Kate, "Freebies May Be the Key to Safe Gun Storage Programs," *The Trace*, 1 Mar. 2016, <https://www.thetrace.org/2016/03/safe-gun-storage-research/>, Accessed 7 April 2018.

¹⁴ Rowhani-Rahbar, Ali, et al. "Effectiveness of Interventions to Promote Safe Firearm Storage." *Epidemiologic Reviews*, vol. 38, 13 Jan. 2016, doi:10.1093/epirev/mxv006.

¹⁵ "Everything You Need to Know about Gun Cable Locks." *Firearm Training Center*, Firearms Training Center, 24 May 2014. www.ftcenter.org/everything-you-need-to-know-about-gun-cable-locks/.

¹⁶ Sloan Interview

brought to a diversion court, and then referred to a diversion program based on individual needs and circumstances. At the completion of the program, the individual is released from the MDP and their incident report is closed with no criminal record.¹⁷

The success of the initial MDP, originally intended only for 16 and 17-year-olds, prompted Durham County to extend the program to 18 to 21-year-olds.¹⁸ This expansion was in part due to the success of the program and in part due to the wishes of former Mayor Bryant Bell to divert lower level drug offenders. To make the drug diversion effort easier, DPD recommended keeping the same uniform criteria for misdemeanor offenders as the 16 to 17-year-old MDP. Since the program expanded, it has a 99% completion rate and a 90% recidivism avoidance rate for individuals who were one year out from program completion.¹⁹

Based on the success of the MDP, we recommend that CJRC work with DPD and the Mayor's office to further expand the MDP. Expanding the MDP could be implemented several ways: extending services to first-time misdemeanor offenders up to the age of 25 (the upper

limit of individuals that CJRC serves); extend services to first-time, low-level felony offenders (Class B-E felony offenders, with the exception sex-offenders).

The idea of extending the diversion program comes from New York State. In 2009, the state passed Article 216, which allowed for diversion of low-level first-time non-violent felony offenders (Class B-E) with the exception of sex-offenders.²⁰ The state allowed local jurisdictions to create their own diversion programs. The state runs PED through the Division of Probation and Correctional Alternatives. PED supports local diversion programs for first-time, non-violent felony offenders, excepting sex-offenders, that would otherwise be put on trial.²¹ The diversion programs vary by jurisdiction: some targets all low-level felonies while others only focus on drug-related felonies.

Studies of a drug diversion program implemented in New York City found that for that program drug felony cases decreased. Even so, individuals being transferred to a drug court for treatment increased.²² While little research has been conducted on the effectiveness of all the state's programs, initial research

¹⁷ CJRC

¹⁸ CJRC

¹⁹ Parmer, Gudrun. Personal Interview, 16 March 2018.

²⁰ New York Laws Criminal Procedure Article 216. *Justia US Law*, 2017.

²¹ Division of Criminal Justice Services

²² "Felony Drug Court Activity Among Offenders Eligible Under 2009 Drug Law Changes." New York State Division of Criminal Justice Services, November 2011, <http://www.criminaljustice.ny.gov/drug-law-reform/documents/drug-court-activity-report.pdf>.

indicates that PED has helped reduce violent felonies, especially among 16-17-year-olds.²³

In 2019 the Durham County Court will take over the MDP for all 16 and 17-year-old offenders, shifting responsibility from CJRC to the court.²⁴ This shift will open up capacity at CJRC. We believe CJRC will be able to take on this additional workload with the help of the Mayor's office and DPD. No matter how CJRC chooses to expand MDP, doing so will divert offenders from the criminal justice system in an impactful way, helping break cycles of violence, and in turn reducing the demand for guns.

4.4 Audit Pistol Purchase Permits

In our meeting with Major Martin, we discussed the process of issuing a Pistol Purchase Permit and a Concealed Handgun Permit. Major Martin explained that in reviewing the application, the Sheriff's Department has access to considerable information, including a background check. He feels that the Sheriff's department does a thorough job reviewing these applications, and that the department is good at identifying individuals who should not be issued a permit. He does acknowledge

that the process is imperfect. There may be no indications that an individual could use the gun dangerously. However, when there are signs, the Sheriff's Department will deny the permit request.²⁵

Once a gun permit is issued, the ability of the Sheriff's Department to review whether an individual should hold a gun permit is significantly reduced. Major Martin corroborated the story we heard from Deputy Chief Rose: an individual could apply for and be issued a permit, commit a crime and become disqualified from possession. Because a Pistol Purchase Permit is valid for five years and because there is no mechanism to review whether a person who was arrested was ever issued a gun permit, it is not possible for the Sheriff's department to confiscate the Pistol Purchase Permit. In this scenario, the permit holder, who is now disqualified from possession, may transact privately with a well-intentioned gun owner. Because the permit holder is able to furnish a valid pistol purchase permit, the gun owner selling his or her gun has no way of knowing that the permit holder is disqualified from possession^{26,27}

²³ Rempel, Michael et al., "The Adolescent Diversion Program: A First Year Evaluation of Alternatives to Conventional Case Processing for Defendants Ages 16 and 17 in New York." Center for Court Innovation, January 2013, https://www.courtinnovation.org/sites/default/files/documents/ADP_Report_Final.pdf.

²⁴ Durham Directors. Personal Interview, 21 March 2018.

²⁵ Martin Interview

²⁶ Rose Interview

²⁷ Martin Interview

To address this concern, the Sheriff's department randomly audits gun permits issued as long as they remain in the system. Permits stay on the system for one year.²⁸ We recommend that CJRC assist the Sheriff's Department in establishing a system to review all gun permits issued to verify that any person issued a Pistol Purchase Permit

continues to be eligible for it. Once a month, the Sheriff's Department should review all permits issued eleven months prior in order to verify that all permit-holders are still eligible for gun possession. Doing so will limit the ability of people ineligible for possession to access a gun.

²⁸ Martin Interview

5 Landscape Analysis

5.1 National Trends

Gun ownership is a central, controversial, and unique part of American culture. The Supreme Court has interpreted the Second Amendment of the Constitution as guaranteeing every American the right to own and operate a gun.²⁹ Only a person meeting certain criteria may be denied the right to own and operate a firearm.³⁰ This implies a presumption of eligibility; all Americans are eligible unless disqualified from possessing a firearm because of specific, documented circumstances.

Gun markets are highly decentralized. Although dealers and gun shops must register with the federal government, they are required only to record, not report gun transactions.³¹ Similarly, participants in private sales are sometimes required to record, but typically not to report, the transaction. In the case of private sales, recording requirements are not strictly enforced.³² It is unclear from research to what extent gun markets facilitate gun violence.

Advocates of stricter gun laws argue that guns are lethal, cause unnecessary violence, and pose a public health risk.³³ Advocates of gun ownership argue that gun crimes are committed by criminals and not by law abiding citizens.³⁴

Research corroborates both arguments. Recent studies at the University of Pittsburgh indicate that most crimes are committed with illegally acquired firearms. Researchers found that 79% of guns confiscated at the scene of a crime did not belong to the perpetrator of the crime.³⁵ Duke University Professor Phil Cook found that criminals who commit violent crimes are likely to commit these crimes with or without access to firearms. Even so, the probability for major injury or fatality is increased significantly when a gun is involved.³⁶ Cook diagnoses that “gun availability does not ‘cause’ violence but does intensify it.”³⁷

To better understand gun markets, Cook offers a useful visualization that helps to

²⁹ Supreme Court of the United States. *District of Columbia Et Al. v. Heller*. no. 07–290, 26 June 2008.

³⁰ Cook, Philip J., and Harold A. Pollack. "Reducing Access to Guns by Violent Offenders." *RSF: The Russell Sage Foundation Journal of the Social Sciences*, vol. 3, no. 5, 2017, <https://www.rsfsjournal.org/doi/pdf/10.7758/RSF.2017.3.5.01>

³¹ Sloan Interview

³² Sloan Interview

³³ Cook, 2017

³⁴ Fabio, Anthony, et al. "Gaps continue in firearm surveillance: Evidence from a large U.S. City Bureau of Police." *Social Medicine*, vol. 10, no. 1, 2016, <http://www.socialmedicine.info/index.php/socialmedicine/article/view/852/1649>.

³⁵ Fabio, 2016

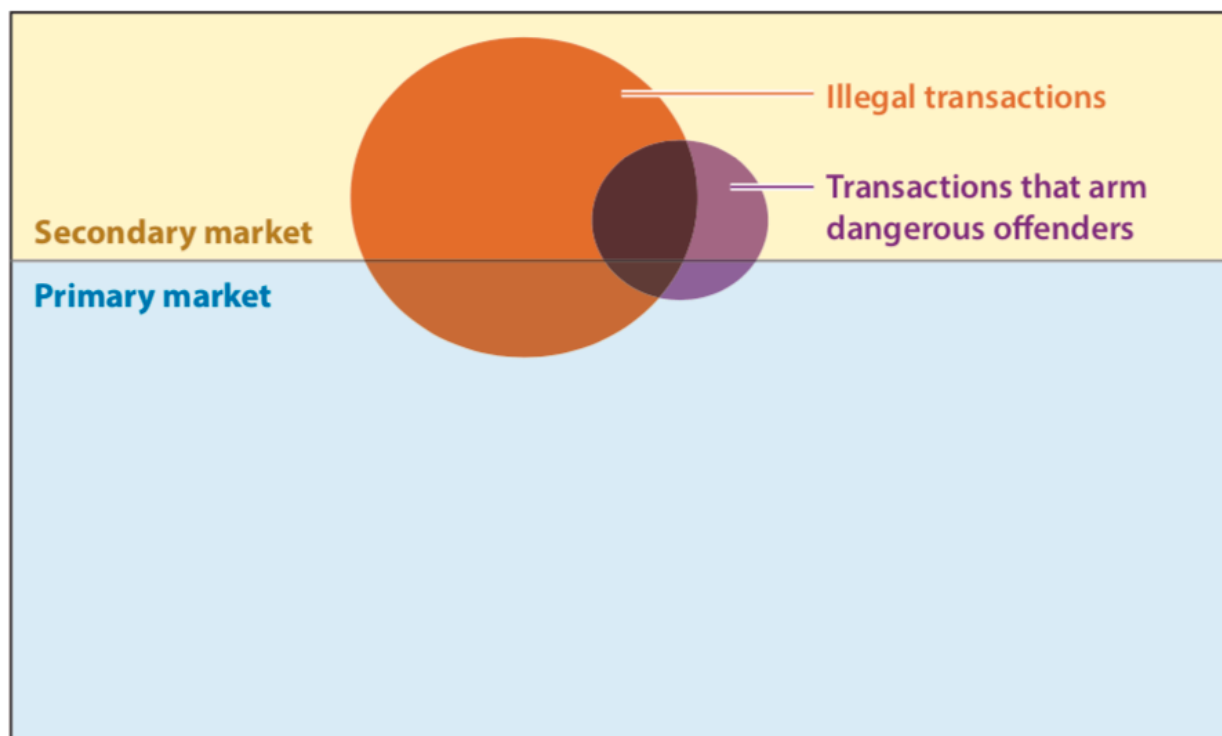
³⁶ Cook, 2017

³⁷ Cook, 2017

clarify the language around gun markets (Figure 1: Types of Gun Transactions). Guns may be legally transacted in primary or secondary markets. Primary markets are the first point of entry for a newly manufactured gun; sellers on primary markets include licensed dealers and gun shops. Most purchasers acquire guns through this primary marketplace. Studies found that 79% of gun purchases take place in primary markets.³⁸

The overwhelming majority of transactions in primary markets are legal. However, there are some instances of guns being stolen before the first point of entry³⁹. Besides theft, primary market transactions that facilitate illegal possession come in two forms: straw purchases and scofflaws.⁴⁰ Weapons transacted illegally in the primary market disproportionately turn up in criminal investigations.⁴¹ Research conducted by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) suggests that only a small number of

Figure 1: Types of Gun Transactions



Source: Cook

³⁸ Azrael, Deborah, et al. "The Stock and Flow of U.S. Firearms: Results from the 2015 National Firearms Survey." *RSF: The Russell Sage Foundation Journal of the Social Sciences*, vol. 3, no. 5, 2017, <https://www.rsjournal.org/doi/pdf/10.7758/RSF.2017.3.5.02>

³⁹ "How Do Criminals Get Their Guns." *Ways and Means Show* from Sanford School of Public Policy, 30 Jan. 2018, <http://www.waysandmeansshow.org/episodes/2018/1/30/s3e3-how-do-criminals-get-their-guns>

⁴⁰ Braga, 2017

⁴¹ Wintemute, 2017

dealers illegally transact guns. The ATF found that 57% of guns confiscated in crimes come from 1% of licensed dealers.⁴² This small percentage indicates the supply of guns to criminals comes from alternative sources, such as theft or family members, rather than rogue dealers.

Not all transactions that facilitate gun violence are illegal. Sometimes, a potentially dangerous gun purchaser transacts legally in the primary market because he or she has exhibited no behavior that would indicate he or she may use a gun to commit a violent act. On the primary market, there is not much that communities can do to interrupt legal gun transactions that arm potentially dangerous offenders, unless an individual has been officially disqualified from purchase.⁴³

The informal market roughly mirrors the primary market. Transactions outside federally licensed dealers and gun shops are informal markets transactions. Informal market transactions include private sales, exchanges, inheritances and theft. All of these transactions facilitate gun flows from formal to informal markets, and gun flows within informal markets. Transactions on the informal market may be legal or illegal

and may or may not arm potentially dangerous offenders. As with formal markets, transactions that arm potentially dangerous offenders may be legal or illegal.⁴⁴

While it is straightforward to define the scope of illegal transactions that arm potentially dangerous offenders in the abstract, it is much more challenging to do so in practice. Informal markets are just that – informal.⁴⁵ Typically, social networks, including families and gangs, facilitate such transactions. Cook compares the ability of an individual to purchase a gun illegally in informal markets to the ability of a teenager to buy beer: the individual simply asks family or a friend for help, just as a teenager leverages social relationships to access beer.⁴⁶ Although rare in gun markets as a whole, theft continues to play an outsized role in informal markets. A stolen gun is illegally possessed. Though the presence of guns increases the chance of violent crime, data does not tell a clear story on how much theft specifically contributes to violent crime.⁴⁷

Because secondary market transactions go unreported and largely unrecorded, distinguishing between legal and illegal

⁴² Bureau of Alcohol, Tobacco and Firearms. “Commerce in Firearms in the United States.” *U.S. Department of Treasury*, Washington, http://www.joebrower.com/RKBA/RKBA_FILES/GOV_DOCS/BATF_report_020400.pdf.

⁴³ Cook, Philip. Personal Interview, 28 February 2018

⁴⁴ Cook Interview

⁴⁵ *Ways and Means*, 2018

⁴⁶ *Ways and Means*, 2018

⁴⁷ Azrael, 2017

transactions is difficult. It is nearly impossible to track a gun once it reaches informal markets, whether by social exchange, scofflaws, straw purchases, inheritance, or theft.⁴⁸ From a law enforcement point of view, the information barrier curtails efforts by police to intervene in transactions that arm potentially dangerous offenders.⁴⁹ The difficulty of tracking guns on the informal market encourages regulators to focus on the flow of legal, primary market gun transactions to illegal, secondary market gun transactions. Instead, Braga argues that regulators should focus efforts on the flow of legal, secondary market gun transactions to illegal, secondary market transactions.⁵⁰

5.2 State Trends

To legally purchase a handgun, North Carolina law requires buyers to obtain a Pistol Purchase Permit or a North Carolina Concealed Handgun Permit.⁵¹ Both permits are valid for five years and are obtained from local sheriffs' departments. A Pistol Purchase Permit allows the permit holder to purchase one handgun; the buyer is permitted to shoot the handgun at approved locations and carry the handgun openly, but not concealed, in a public place. The

Concealed Handgun Permit allows the permit holder to buy an unlimited number of handguns and carry these handguns concealed on their person, except for in designated gun-free zones like schools and parades.⁵² For first-time permit holders, sheriffs' departments require an eight-hour gun safety course. It is legal for any person or firm to sell a handgun only if the recipient has a North Carolina Concealed Handgun Permit or a Pistol Purchase Permit.⁵³ This report is primarily concerned with handguns; moving forward we will use "guns" in place of "handguns" for brevity.

Local sheriffs' departments run background checks on all applicants through the FBI before granting permits. In North Carolina, local sheriffs' departments deny permits for the following reasons:

- An applicant is under investigation or has been convicted of a felony.
- For a shotgun or rifle, an applicant is under 18 years of age. For a handgun, an applicant is under 21 years of age.
- An applicant is not a U.S. citizen, including illegal aliens and resident aliens.

⁴⁸ Ways and Means, 2018

⁴⁹ Rose Interview

⁵⁰ Braga, 2017

⁵¹ North Carolina Department of Justice, 2015

⁵² National Rifle Association — Institute for Legislative Action. "North Carolina Gun Laws." 2014. <https://nra.org/gun-laws/state-gun-laws/north-carolina/>.

⁵³ North Carolina Department of Justice, 2015

- An applicant who received a dishonorable discharge from the United States Military.
- An applicant who is under a restraining order or convicted of activity that caused fear to an immediate family member or intimate partner.⁵⁴
- An applicant with a drug addiction or mental illness severe enough that a court requires involuntarily commitment to a hospital.⁵⁵

A major challenge to law enforcement is the limitations imposed by state and federal prohibitions on a searchable, accessible database of gun owners. Although considerable information is gathered and reviewed in the permit application process, local sheriffs' departments are not permitted to maintain this information in a database.⁵⁶ Likewise, although transactions in primary and secondary markets must be recorded, there is no reporting requirement. In fact, gun shops are prohibited from entering transaction information into a computer database.⁵⁷ This means that when a person who already holds a Pistol Purchase Permit

commits a crime or becomes otherwise ineligible for gun possession, there is no mechanism to identify that person as a permit-holder or gun owner.⁵⁸

5.3 Durham County Trends

Despite considerable economic development over the last decade, gun violence continues to impact the lives of Bull City families. In 2016, the city experienced 31 incidents of gun homicide, marking a nearly four-decade high for the city (Figure 2). The number of aggravated assaults with a gun rose from 214 in 2013, to 465 in 2017. Between 2016 and 2017 alone, aggravated assault incidents with a gun jumped by 52.⁵⁹ These reports understate the incidence of total gun violence because official reports do not account for shootings where there is no direct victim.⁶⁰ In 2017, the total number calls to the police reporting shots fired in Durham rose from 703 in 2016 to 729.⁶¹

⁵⁴ North Carolina Department of Justice, 2015

⁵⁵ "Mental Health Reporting in North Carolina." *Giffords Law Center*. 2017. <http://lawcenter.giffords.org/mental-health-reporting-in-north-carolina/>.

⁵⁶ Martin, Paul. Personal Interview, 10 March 2018.

⁵⁷ Rose Interview

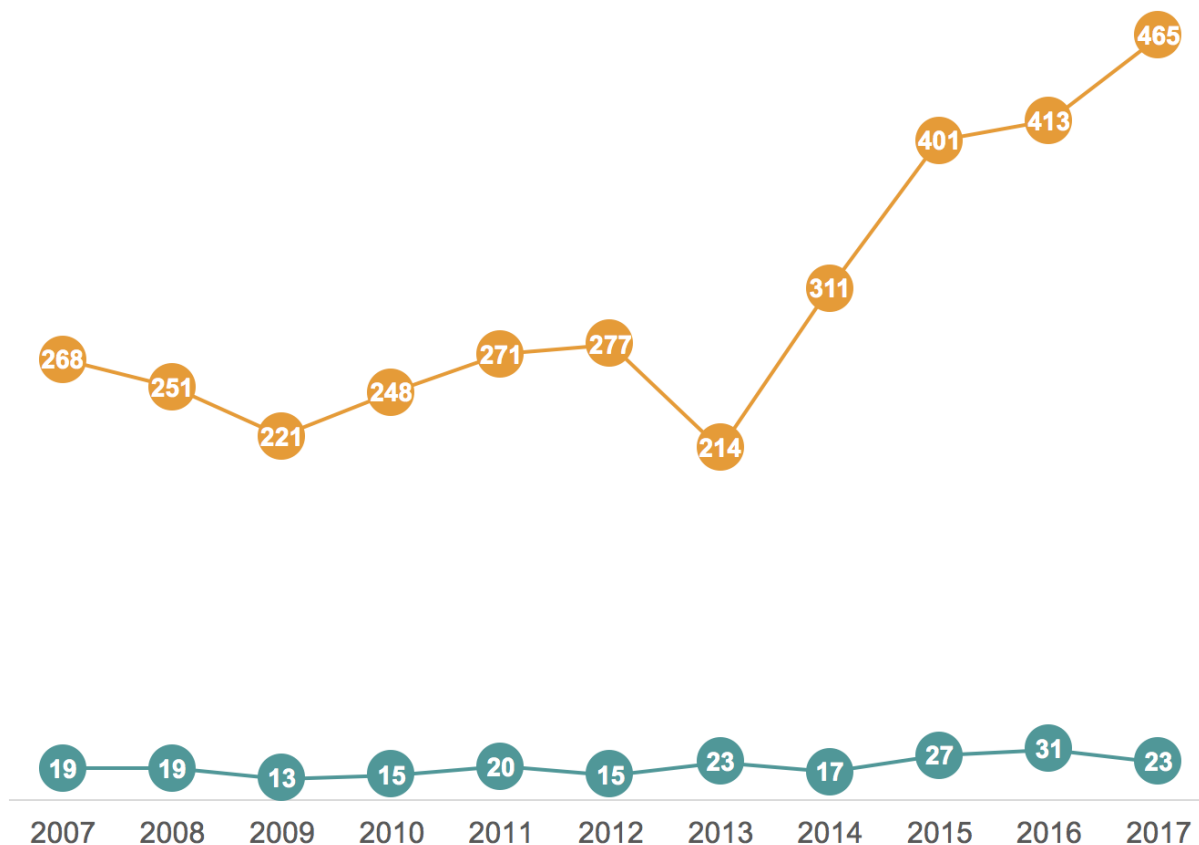
⁵⁸ Rose Interview

⁵⁹ Schiess, Jason. Personal Interview, 12 March 2018.

⁶⁰ Schiess Interview

⁶¹ Inge, Leoneda, "Bull City United Fights Crime In Durham Like It's A Treatable Disease," WUNC, 23 Jan. 2018, wunc.org/post/bull-city-united-fights-crime-durham-it-s-treatable-disease#stream/0.

Figure 2: Since 2013, the number of **aggravated assaults with a gun** has increased, while the number of **homicides and non-negligent manslaughter with a gun** has remained relatively constant.



In interviews, members of law enforcement repeatedly cited the frequency of break-ins and thefts of guns from licensed gun owners. Deputy Chief Rose indicated that the two biggest causes of gun theft come from drug addicts looking to steal guns to sell on the informal market and gang members looking for more weapons.⁶² To combat this trend, DPD launched two robbery taskforces in 2016: one focuses

on robberies of businesses and residential areas, and the other focuses on robberies involving dangerous weapons.⁶³ These taskforces work with investigators from the Durham County Sheriff's Department, ATF and a county crime analyst to help the department identify trends in the robberies.⁶⁴

A number of other state and local organizations are working together to

⁶² Rose Interview

⁶³ Bridges, Virginia. "233 people were shot in Durham this year. When violence 'hits home'." *The Herald Sun*, 27 Dec. 2017, www.heraldsun.com/news/local/crime/article191667109.html.

⁶⁴ Staff Reports. "Durham Police Form Task Force to Fight Spike in Robberies." *News & Observer*, News & Observer, 3 Dec. 2016, www.newsobserver.com/news/local/community/durham-news/article118675988.html.

address the gun violence problem in Durham. In addition to GRS and CJRC, Bull City United is working to reduce gun violence in Durham using the Cure Violence model. Cure Violence is a nationwide public health and crime reduction model recommended by the U.S. Department of Justice.⁶⁵ The organization operates in two of the highest poverty census tracts in Durham: the Southside neighborhood and the McDougald Terrace housing community.^{66,67}

Bull City United employs three strategies to discourage violence: detecting and interrupting conflicts, identifying and treating individuals at high-risk of crime involvement, and changing the social norms that tolerate violence in the community.⁶⁸ The violence interrupters, using their own networks and experience, focus their efforts on top gang leadership, known as shot-callers or OGs, encouraging them to break the cycle of retaliatory violence.⁶⁹ When there is a shooting, Bull City deploys its shooting outreach team. The outreach workers confront gang members and

offer them employment services, education and other support services. The program is only in its first year, but initial data indicates that gun crime has decreased in the McDougald and Southside communities.⁷⁰

5.4 Durham County Criminal Justice Resource Center

CJRC is a division of Durham County's government. CJRC oversees Pretrial Services, Youth Services, Reentry Services and Substance Use Disorder Treatment. Pretrial Services creates a systematic approach for recommending release and community supervision for defendants who do not pose a risk to the community before their trial. Youth Services provides support to Durham's youth in order to reduce and prevent juvenile crime and gang activity in Durham. Youth Services also connects minors returning from incarceration to needed services and resources through GRS, the Local Reentry Council, and the Juvenile Crime Prevention Council. Reentry Services eases the transition of offenders from the North Carolina prison system back into the community after

⁶⁵ Ransford, Charles. "The Relationship Between Cure Violence (CeaseFire) and the Increase in Shootings and Killings in Chicago." *Cure Violence*. 2016. http://cureviolence.org/wp-content/uploads/2017/03/2017.02.15_Chicago-Increase-Research-Summary2.pdf

⁶⁶ Bridges, Virginia. "Bull City United negotiates peace in Durham's most violent neighborhoods." *The News & Observer*, 31 Jan. 2017, www.newsobserver.com/news/local/community/durham-news/article129453799.html.

⁶⁷ "Bull City United: What We Do." *Durham County of North Carolina*, Durham County of North Carolina, www.dconc.gov/government/departments-f-z/public-health/services/healtheducation/bull-city-united/what-we-do.

⁶⁸ Bull City United

⁶⁹ Downey-Piper Interview

⁷⁰ Downey-Piper Interview

incarceration. Substance Use Disorder Treatment reduces Durham residents' ability to obtain illegal drugs.⁷¹ Together these initiatives provide a network of services, support, and intervention for persons along the criminal justice continuum.

5.5 Gang Reduction Strategy

GRS operates under the Youth Services program at CJRC. Jim Stuit, the client, manages GRS under the stewardship of GRSSC. GRS's stated mission is "to increase the safety of Durham citizens by significantly reducing gang-related crime and violence."⁷² To accomplish this, GRS implements and evaluates prevention and intervention programs for children and young adults. Stuit has researched and written a number of reports about gang and illegal gun activity in Durham. These reports are available online.⁷³

GRS works to ensure the safety of Durham citizens by reducing gang-related crime and violence. Using the Department of Justice's Office of

Juvenile Justice and Delinquency Prevention Comprehensive Gang model as a reference, Durham implemented this administrative structure through GRS by hiring a project coordinator and creating a steering committee and an intervention team. Membership of the GRSSC includes city and county leaders, law enforcement, and members of the community.⁷⁴ Members meet on a bi-monthly basis to work through the recommendations identified in the 2014 Updated Gang Assessment for Durham and delegate responsibilities to specific agencies. GRSSC designated the Juvenile Justice Institute at North Carolina Central University to perform ongoing assessment of Durham's Gang Violence Prevention Program.⁷⁵ GRS receives its funding from a city-county interlocal agreement. Under this structure, GRS serves both Durham city and county families. Lying at the intersection of the city and county puts GRS in a position to serve as a coordinator between agencies seeking to address gun crime in Durham.

⁷¹ CJRC

⁷² *Gang Reduction Strategy*, Durham, NC, <http://www.dconc.gov/government/departments-a-e/criminal-justice-resource-center/youth-services/gang-reduction-strategy>.

⁷³ GRS

⁷⁴ "GRS Steering Committee Overview." Durham County of North Carolina, www.dconc.gov/home/showdocument?id=12897.

⁷⁵ "Timeline of Events – Durham's Gang Reduction Strategy." *Durham County of North Carolina*, www.dconc.gov/home/showdocument?id=20781.

6 Methods

We began our research by looking into the national trends of gun violence and found that practitioners typically tailor solutions to city-specific characteristics. Therefore, we examined reports on gun violence programs in cities similar to Durham in order to identify innovative programs around the country that could be translated to Durham on a smaller scale. We focused on cities with population numbers, income inequality, and/or crime rates comparable to Durham. Population and crime rate similarities suggest that the scale of a program would be transferable. Income inequality similarity points to the underlying causes of gun violence, suggesting that a program may address gun violence in a context similar to Durham. We looked at program specifics, such as agencies involved, and why the programs succeeded or ultimately failed, to find a program that could be successfully implemented in Durham. To assess Durham's specific needs, we analyzed data on gun crimes in Durham County, and identified and interviewed stakeholders.

6.1 Case Studies

We used official reports and studies to conduct our case studies, as well as investigative journalist articles and unofficial reviews of gun violence-reduction programs.

New Orleans experiences similar income inequality challenges as Durham and is comparable in population size.⁷⁶ After New Orleans experienced hot spot gun violence, the city began an initiative called 'NOLA for Life' in 2012. The program used focused deterrence, whereby a program manager and criminal analyst worked with police to identify individuals at the highest risk of committing violence. The police department, in conjunction with community leaders, focused efforts on these high-risk individuals, communicating clear incentives for compliance and consequences of criminal activity.⁷⁷ Officers brought in known or suspected offenders, such as violent gang members, and forewarned violent gang members if they are caught committing a crime, they would be prosecuted to the fullest extent of the law.⁷⁸ The initiative succeeded in

⁷⁶ "2010 Census Participation Rates - Medium Household Income." *Census Explorer*, United States Census. census.socialexplorer.com/pop-flash/.

⁷⁷ "Focused Deterrence Strategies." *Center for Evidence-Based Crime Policy*. George Mason University, <http://cebcp.org/evidence-based-policing/what-works-in-policing/research-evidence-review/focused-deterrence/>. Accessed 22 Feb 2018.

⁷⁸ Corsaro, Nicholas and Robin S. Engel. "Most Challenging of Contexts: Assessing the Impact of Focused Deterrence on Serious Violence in New Orleans." *American Society of Criminology*, vol. 14, no. 3, 2015.

decreasing the murder rate by 20% during the program's lifetime and resulted in a higher rate of indictments for gun-related crime.⁷⁹ Though effective, the program required extensive personnel and monetary resources. As a result, the city decreased resource allocation gradually, ultimately rendering the program ineffective. Eventually the city suspended the program altogether and the murder rate returned to its pre-program levels.⁸⁰

Chicago piloted the Cure Violence model that is now implemented throughout the United States, including in Durham. This model is adaptable to cities of all sizes and levels of income inequality, making its positive effects transferrable. Cure Violence believes violence is an epidemic that can be cured through community intervention. Trained members of the community, known as Violence Interrupters, identify those at highest risk for violence and work with them to develop peaceful solutions. Violence Interrupters promote weapon surrender and encourage whole communities to reject violence.⁸¹ According to a study by the Department of Justice, shootings dropped between

41% and 73% in participating communities.⁸² As explained earlier, though crime has increased in Durham overall, Durham has seen similar positive effects in the two communities where Cure Violence program was implemented.⁸³

A separate focused deterrence program in New Haven, Connecticut offers a promising solution to interrupting social networks and reducing violence. Like Durham and New Orleans, New Haven historically suffers from intense gun violence due to income inequality. In 2012, after an especially violent year, local authorities, prosecutors and community leaders joined the city government in launching Project Longevity. This project gave young gang members a choice of exiting the gangs known for perpetrating gun violence in exchange for social support services provided by the city. If the members did not leave the gang, they would face a crackdown by local and federal law enforcement and receive harsh sentences for gang-related crimes. The ultimatum paid off: homicides dropped

⁷⁹ "New Orleans and the Hard Work of Pushing Down the Murder Rate." *All Things Considered*, NPR. 23 Feb. 2017, <https://www.npr.org/2017/02/23/516669151/new-orleans-and-the-hard-work-of-pushing-down-the-murder-rate>

⁸⁰ NPR

⁸¹ Ransford, 2016

⁸² *National Gang Center*, U.S Department of Justice https://www.nationalgangcenter.gov/#focus_areas, accessed January 31, 2018.

⁸³ Downey-Piper Interview

54% and complaints to police of shots fired dropped by 79%.⁸⁴

New York State implemented an innovative diversion program, Probation Eligible Diversion (PED). PED targets first-time, non-violent felony offenders (class B-E) who might otherwise receive a state prison sentence, excluding sex offenders. The New York Division of Probation and Correctional Alternatives partners with local programs to identify felony offenders who pose a low-risk to their communities. PED diverts those identified out of the criminal justice system, interrupting the cycle of violence and incarceration. PED includes a comprehensive risk and needs assessment through COMPAS (Correctional Offender Management Profiling for Alternative Sanctions), a designated case worker, strong connections to community treatment providers, and may include enhanced supervision through electronic monitoring and intensive reporting requirements to ensure continued compliance.⁸⁵ The program hopes to combat mass incarceration and interrupt the cycle of violence, thus preventing escalation to more serious, violent crimes, such as aggravated assault and homicide.

6.2 Durham Data

We relied on two sources for data: DPD's uniform crime report and a series of ATF reports detailing the flow of guns into and out of Durham County.

The data from the DPD confirmed what we had heard from other sources: that since 2013 Durham has experienced a rapid increase in aggravated assaults with a gun. During the same period, homicides with a gun have remained relatively stable. This suggests that there has been an escalation of shooting incidents in which the goal was to intimidate or punish but not to kill the victim. DPD data is measured by incident, rather than victim, to allow us to evaluate the role of location in gun violence. DPD does not retain the data on shooting incidents in which there was no direct victim, though these have also escalated. Such a shooting includes a drive-by home shooting in which no person was hit by a bullet. The Uniform Crime Reporting Standards do not allow a place for the police to record this type of shooting.⁸⁶

Reports compiled by ATF provide meaningful context to gun violence in Durham. The ATF data indicates that southern states are generally supply states that pass guns to northern states

⁸⁴ Caniglia, John. "What Cities Can Learn from New Haven's Fight to Rein in Gang Violence: Seeking Solutions." *The Plain Dealer*, 24 Mar. 2016, http://www.cleveland.com/court-justice/index.ssf/2016/03/what_cleveland_can_learn_from.html

⁸⁵ Criminal Court Programs and Services. New York State Division of Criminal Justice Services, April 6, 2018, <http://www.criminaljustice.ny.gov/opca/crimcourtprogserv.htm>.

⁸⁶ Schiess Interview

through informal networks, some of which are legal and some of which are not. Guns do pass through Durham County. However, there is no clear narrative to these exchanges. It does not seem that there is an active gang or drug related network that is shipping guns into Durham to be used in Durham; nor does it seem that there is an active gang or drug related network that is collecting guns in Durham County to be used elsewhere. Gangs and drug networks in Durham County that wish to access guns are able to do so without reaching outside the county (ATF). The ATF is limited, in part, by inadequate data. Despite its sophisticated process for tracing confiscated guns, the ATF cannot trace the ownership of guns that are not identified by law enforcement. Many guns on informal networks go unidentified by law enforcement. Such guns may be legally or illegally owned and may or may not be owned by a potentially dangerous offender. This limitation is true of all data related to guns. Data is blind to what it cannot see.⁸⁷

6.3 Interviews

We conducted interviews with members of law enforcement, municipal leaders, and advocacy organizations. The interviews indicated that there is no strong consensus about the source of gun violence in Durham, nor is there strong consensus about which solutions

would be most effective in combatting it. Community leaders do share concerns that the ease of access to guns contributes to violence. Guns have become the go-to tool for intimidation, and the use of guns for intimidation has escalated. We conducted interviews between February and April 2018.

6.3.1 Law Enforcement

We met with Officer Jason Schiess at DPD on March 12. Officer Schiess is a data analyst at DPD. Meeting with him helped us better understand how gun-related data collection occurs, how gun-related data is organized, and how it is reported by DPD. Importantly, we learned that although the FBI's Uniform Crime Reporting guidelines provide a methodical way to collect information on aggravated assaults and homicides, among other violent crimes, there are no guidelines and no reporting requirements for shooting incidents without a victim. Officer Schiess explained that an officer may arrive at a scene where there had been reports of shots fired, and may even find bullet casings on the ground, but without a bystander wishing to make an incident report or a clear victim, there is no mechanism to record such an incident in the official record. As a result, the official record provides an incomplete picture of gun violence in Durham. Officer Schiess reiterated concerns we heard elsewhere about the recent escalation of shootings

⁸⁷ Sloan Interview

and the escalation of intimidation-driven, non-fatal shootings. Without data on intimidation-driven, non-fatal shootings, it is difficult to analyze and understand these crimes. Enforcement and intervention could be more effective with better information.

We met with Agent Timothy Sloan at the ATF field office in Raleigh on March 13. Agent Sloan oversees the field office. The ATF has broad jurisdiction to investigate crimes related to or using firearms and supports the work of local, state and federal prosecutors. The ATF supports the investigative work of other law enforcement agencies including the FBI, sheriff's departments and local police departments. It was important to speak with the Agent Sloan because the ATF is responsible for tracing confiscated and recovered guns. Agent Sloan and a colleague walked us through the process of tracing an illegally owned weapon. They explained that although the process is labor intensive, for guns that were recently manufactured they are almost always able to trace its possession. The Agents identified serial number retention as a critical source of tracing information. The Agents also discussed their hopes that the National Integrated Ballistic Information Network (NIBIN) will assist in data collection. Rather than tracking possessors of guns, NIBIN will enable the ATF to track guns themselves. In addition to serial numbers, retaining the mock bullet casings, which are typically included

with a newly manufactured gun, will help facilitate the NIBIN system. NIBIN machines are operated at local law enforcement offices. DPD already has a machine.

We spoke with Deputy Chief Todd Rose of the Durham Police Department at DPD on March 6. Deputy Chief Rose serves in an ex-officio capacity on GRSSC. The goal of our meeting was to better understand illegal gun networks from the perspective of local law enforcement. Deputy Chief Rose explained that most gun thefts happen when gun owners fail to properly secure their guns at home. He suggested that gun owners have to take greater responsibility for proper gun storage and that an educational campaign on gun storage could be effective. Deputy Chief Rose also contextualized the role of gangs in gun violence; he shared that gang-related gun violence is no longer just Crips versus Bloods, but also includes Crips versus Crips and Bloods versus Bloods. Sects within gangs may use gun violence to expand territory, increase power, or retaliate for personal differences. Deputy Chief Rose explained that a gun buyback program is not effective in North Carolina due to state law. All guns collected by the police department have to be sold to a licensed firearms dealer.

We spoke with Officer Paul Martin of the Durham County Sheriff's Department at the Durham County Courthouse on March 10. Officer Martin oversees

Support Services at the Sheriff's Department. In interviewing Officer Martin, our goal was to include the county law enforcement's perspective on gun violence. From Officer Martin we learned about the Pistol Purchase Permit and Concealed Handgun Permits. According to Officer Martin, the drug trade lies at the heart of the gun violence problem in Durham County. Officer Martin provided more information on what law enforcement offices may do with confiscated firearms. To deal with the state law requirement that local law enforcement sell confiscated firearms back into the primary market, the Durham County Sheriff's Department endeavors to sell the guns in parts. Officer Martin also explained that weapons used in violent crimes, dysfunctional and damaged weapons, and fully automatic weapons may be destroyed by local law enforcement. In order to combat the effects of escalating gun violence in Durham, Officer Martin emphasized the need for a system to provide critical debriefings to children who are witnesses and bystanders to violence to help them safely process the event, including shootings, assaults and domestic violence.

We spoke with District Attorney Roger Echols over the phone in March 9. As the District Attorney, Echols is a member of the GRSSC. The DA's office places a very high priority on violent crime in Durham, but they are overburdened. According to DA Echols, theft is a major

driver of gun transactions through informal networks. The DA's office will not be able to solve Durham's gun violence problems by arresting offenders on a case by case basis. Instead, the DA's office must get to the source of guns in Durham, which will require more investigative man power. The DA's office is willing to participate in solutions, including educational and judicial interventions.

6.3.2 *Municipal Leaders*

On March 16, we spoke with Ms. Gudrun Parmer, the director of CJRC. Director Parmer is important to our project because she can help facilitate any new initiatives GRS may want to take up. The most important theme that ran through our conversation is how important it is to intervene and keep individuals out of the criminal justice system. Director Parmer emphasized that by putting individuals through the criminal justice system, we perpetuate cycles of violence and inequality that are rampant in Durham.

We met with City Manager Thomas Bonfield on March 12 at his office in downtown Durham. Manager Bonfield expressed concern over the escalation of shootings over the last few years. He discussed the network of prevention, suppression and intervention in Durham. One thing that this model does well is that it has elicited broad participation from many community partners, including Durham Public Schools, the District Attorney's office, the Probation Court and CJRC. He emphasized what

we heard from other members of the community: because of ease of access, guns have become the go-to tool for intimidation. Some of this intimidation is gang-related and is as often intra-gang as it is inter-gang. In either case, the use of guns for intimidation has escalated and is a major concern from the City Manager's Office.

We held a call with Chair of the County Board of Commissioners Wendy Jacobs on March 16. We discussed her concerns over the escalation of intimidation shootings and the effect that this may have on communities. We also discussed the work of the Durham Directors' working group, and their interest in implementing critical debriefings for witnesses and bystanders to violent crime. She invited us to sit in on their meeting the following week, which we attended.

We held a call with Mayor Steve Schewel on March 20. Mayor Schewel was elected last year; he is committed to inclusive development in Durham. We discussed with Mayor Schewel what he hopes can be gained from a program to reduce gun violence. He identified two primary goals: first, to increase trust between the community and law enforcement; second, to strengthen and stabilize communities. Mayor Schewel explained that Durham already does some of this very well, including police training in de-escalation, crisis intervention and racial bias training. As with many other members of the

community, Mayor Schewel is concerned with the escalation of non-homicide shootings.

6.3.3 *Advocacy Organizations*

We spoke with Melissa Downey-Piper by phone on April 6. Director Downey-Piper serves as the Director of Health Education for Durham County and Bull City United. We hoped that Director Downey-Piper could provide the community's perspective on gun violence and a better understanding of the role of Bull City United. Director Downey-Piper highlighted the good work that Bull City United is doing. She explained that because this type of work is resource-intensive, it would be difficult to expand the program county-wide. Bull City United oversees the implementation of the Cure Violence model in Durham.

We spoke with Pastor Jerome J. Washington at Mt. Vernon Baptist Church on February 9. Pastor Washington serves as senior pastor of Mount Vernon Baptist Church. Pastor Washington represents the faith community on GRSSC. Pastor Washington believes the focus should not be on gangs, but on improving the neighborhoods where many of these gang members reside. He wishes to see summer programs or skills-based training to help children in lower income communities obtain employment and to see intense reentry programs.

On April 5 we spoke with Marcia Owen by phone; Ms. Owen was formerly the director of the Religious Coalition for a Nonviolent Durham. Ms. Owen emphasized that while counseling and outreach are helpful, they are only effective if they are sustained. This is true for services that support victims and for services that help former offenders. Ms. Owen explained that counseling is only effective if those who need help are attending their appointments. Similarly, debriefings will not be successful in breaking cycles of violence if clinicians and police only speak to the victims and communities at the time of the crime. Without continued support, communities will feel helpless against gun violence and will resort to other means for security.

6.4 Preliminary Considerations

Our team considered a focused deterrence program for Durham, similar to its S.T.A.R.S Notification Program in the early 2000's. S.T.A.R.S. succeeded in reducing the number of times targeted offenders encountered the criminal justice system by 36%.⁸⁸ However, these results were not high enough for the

program to be sustained, when weighed against the program's high personnel and monetary costs. We decided against proposing a focused deterrence strategy because we felt that it would be extremely costly to Durham County. While such a program could cut down on criminal behavior, the effect on the supply of guns in Durham is unclear.

Initially, our team was interested in the feasibility of gun buy-back programs for Durham. Under a gun buy-back program, residents could turn in their guns to police for money or shopping discounts.⁸⁹ Law enforcement could then sell those guns to a licensed firearms dealer or destroy them.⁹⁰ A gun-buyback program would not address the concern of illegal possession of firearms in Durham for two reasons. First, most of the guns turned in to buy-back programs are legally owned; as a result, buy-back programs have a limited impact on illegal gun possession.⁹¹ Second, North Carolina state law forbids law enforcement from destroying guns unless there is a mechanical error, the gun is missing its serial number, or the gun was involved in a violent crime like homicide.⁹² Under state law, law

⁸⁸ Gathings, M.J. and James M. Frabutt, "Evaluation of the Durham Police Department's S.T.A.R.S. Notification Program." Center for Youth, Family, and Community Partnerships, August 2005, <https://durhamnc.gov/DocumentCenter/View/759>.

⁸⁹ Letson, Al. "Where Criminals Get Their Guns." Reveal, 24 Mar. 2018, www.revealnews.org/episodes/where-criminals-get-their-guns/.

⁹⁰ Maeda, Wendy, "Success of Gun Buyback Program Is Debated - The Boston Globe," BostonGlobe.com, 13 Feb. 2014, www.bostonglobe.com/metro/2014/02/12/success-gun-buyback-program-debated/PsITjPCyPkrG9C7fFr979O/story.html.

⁹¹ Rose Interview

⁹² NC G.S. 15-11.1b1

enforcement agencies must sell all other confiscated guns back to primary dealers. This includes guns found in drug raids, gang raids and suicides. In the past, North Carolina law enforcement agencies needed a judge's permission to sell or destroy guns.⁹³

An alternative program discussed by Cook is to offer an amnesty day whereby people who possess guns illegally may register the guns appropriately with the police. An amnesty day would forgive "paperwork" crimes in which the possession is illegal only because of a record-keeping or reporting issue, and not because the possessor is disqualified from ownership.⁹⁴ In some states, such a program might work if there were rules in place that govern private gun transactions. In North Carolina, there are no reporting

requirements for private gun transactions. North Carolina law is indifferent to the status of the gun transaction; a gun is possessed illegally only when the possessor is disqualified from ownership. The status of the transaction is irrelevant to the legality of the possession. An amnesty day does not apply to Durham because any person disqualified from gun possession should not receive amnesty.⁹⁵

State and Federal laws constrain GRS, DPD and the Durham County Sheriff's Department from collecting important data on gun owners and storing it in a database. This issue can only be resolved by revising the law itself.⁹⁶ We considered advising CJRC to lobby the state government for a change in the laws, but we are unconvinced that such an effort would be successful.

⁹³ Pearce, Matt, "'Save the Gun' Law Bars North Carolina Cops from Destroying Guns," Los Angeles Times, Los Angeles Times, 2 Sept. 2013, articles.latimes.com/2013/sep/02/nation/la-na-nn-north-carolina-guns-20130901.

⁹⁴ Cook Interview

⁹⁵ North Carolina Department of Justice

⁹⁶ Sloan Interview

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