

Sheldon Jacobson: How can we prevent deaths caused by guns? DUI laws may prove helpful.

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FULL TEXT

Imagine that 25 children and three teachers are riding on a school bus on a field trip to a local museum, but a semitruck broadsides the bus after it goes through a red light. The bus rolls over several times; 19 children and two teachers die, as does the truck driver.

It is determined that the truck driver had a blood-alcohol concentration over the legal limit at the time of the crash. The driver had no prior violations for driving under the influence, though there is a prior interaction with the law that involved disorderly conduct under the influence of alcohol.

Such a tragedy would be mourned across the nation. Investigators would look into the full background of the truck driver, and the school district may adopt policies to avoid the possibility of such a heinous event happening again.

Though the bus scenario differs from what happened in Uvalde, Texas, in late May, there are important lessons that can be drawn from comparing firearm deaths to drunken driving fatalities.

Notably, drunken driving fatalities are typically not premeditated, while many fatalities caused by firearms, such as those that resulted from the mass shooting in Uvalde, are planned in advance.

In 2020, more than 11,000 people died in alcohol-related crashes. That same year, some 45,000 people died in firearm incidents. This means that over four times as many people died from firearms than drunken driving. But almost all of those deaths were premature and preventable.

Every state has driving under the influence laws, though they differ on the criteria used to determine drunken driving and the penalties imposed. Utah has the lowest threshold for blood alcohol concentration (0.05), while the state of Washington has among the highest fines –up to \$5,000 for the first offense.

A study by researchers from the Boston University Schools of Medicine and Public Health, Georgia State University School of Public Health and the Pacific Institute for Research and Evaluation found that tougher DUI laws were associated with fewer alcohol-related vehicle fatalities. Utah recently observed fewer automobile accidents and deaths after adopting its 0.05 blood-alcohol concentration threshold for DUIs.

What such a study reveals is that laws that penalize driving under the influence have a deterrent effect that results in fewer fatalities.

The question is whether similar laws could be enacted to have a similar effect on reducing premature deaths involving firearms?

No single policy would be airtight, since what drives people to commit suicide with a gun or initiate a mass killing is highly variable, which means that multiple layers of policies would be needed to reduce the risk of these premature deaths.

The layers used to deter driving under the influence and prevent related fatalities include penalties such as jail time, fines, mandatory education and community service. Given that a mass shooter knows that he or she is likely to be killed during the incident, none of these would be effective.

The layers then would need to work toward preventing a person from being able to execute the event. Keeping the firearm out of the hands of the potential perpetrator is the objective. Safeguards could focus on age, a person's background, prior history that would be a concern and the need for the weapon. Even something as simple as requiring safe and secure firearm storage could go a long way toward keeping firearms away from people with the

intent of doing harm. Wrapping all such information together would serve as a guardrail toward reducing risk. Whether one believes that anyone should have access to a firearm or that all firearms are a threat and should be eliminated from society, a common goal that everyone could agree on is reducing premature and preventable deaths. That is why we have laws to keep people from driving while under the influence. And that is why we need multiple layers of law to keep firearms out of the hands of those who would cause premature and preventable deaths.

Florida's "red flag" law is an example of one such layer that is gaining traction elsewhere.

Fortunately, the majority of people who own firearms are not the problem. The challenge is finding those who wish to use guns to kill while permitting the lawful possession of firearms.

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