

MEMORANDUM

To: Representative Allen Farley
From: Professor Fred Vars, UA Law
Date: 11/3/2017
Re: Potential Impact of “Constitutional Carry”

I haven't yet seen the before and after crime data you described on Tuesday. But now that I've looked at when each state adopted constitutional carry, I don't think it's possible to know its impact one way or the other. However, as explained below, I believe constitutional carry is more likely to *increase* crime than to decrease it.

For several reasons, it would be a mistake to evaluate the impact of “constitutional carry” by looking only at crime rates before and after a state adopted constitutional carry.

1. As we discussed, such raw numbers do not account for state or national trends in crime. For example, if crime rates were trending down before a state adopted constitutional carry, an observed decline may reflect the trend and have nothing to do with constitutional carry.
2. Relying on raw statistics assumes that every other crime-related factor in each state remained unchanged over time. A change in crime rates could just as easily have been the product of a change in the unemployment rate, for example.
3. There are not enough years of data to draw a conclusion. Most of the states that have adopted constitutional carry did so recently, so the long-term impact of the change is unknown.

A better way to estimate the likely impact of constitutional carry is to look at careful studies of the analogous shift from “may issue” to “shall issue” concealed carry permits (also known as right-to-carry laws or RTC). The best two studies correct for all three of the defects described above.

- The most recent and strongest study of these laws finds that: “Ten years after the adoption of RTC laws, violent crime is estimated to be 13-15% percent higher than it would have been without the RTC law.”¹
- Another very recent study found that: “‘Shall issue’ laws were significantly associated with 6.5% higher total homicide rates, 8.6% higher firearm homicide rates, and 10.6% higher handgun homicide rates.”²

These studies demonstrate that more gun carrying increases violent crime. Constitutional carry will likely lead to even more gun carrying than under RTC laws and therefore lead to even more violent crime.

¹ John J. Donohue et al., Right-to-Carry Laws and Violent Crime: A Comprehensive Assessment Using Panel Data and a State-Level Synthetic Controls Analysis, NBER Working Paper No. 23510. Issued in June 2017.

² Michael Siegel et al., Easiness of Legal Access to Concealed Firearms Permits and Homicide Rates in the US States, *Am J Public Health*. Published online ahead of print October 19, 2017: e1–e7. doi:10.2105/AJPH.2017.304057.