

## **BACKGROUNDER ON UCSB / ISLA VISTA SHOOTING RAMPAGE (5/27/2014, 8AM)**

*This document is meant to provide background on the Isla Vista shooting and its potential connection to 3 issues relating to gun laws and enforcement. Please note: the available facts in this case are evolving.*

### **THE GUNMAN: WHAT WE KNOW**

- The alleged gunman is Elliot Rodger.
- There were seven fatalities in the rampage: 3 victims were shot, 3 others killed by other means, and Rodger died from a self-inflicted gunshot wound. Thirteen others were wounded, eight from gunshots.
- Rodger had **three prior interactions with local law enforcement**:
  - In July 2013, Rodger was in a local hospital recovering from injuries sustained in an assault and was [interviewed by an officer who concluded Rodger may have been the aggressor in the assault](#);
  - In January 2014, officers were called to Rodger's apartment when he made a "citizen's arrest" in a dispute with a roommate.
  - On April 30, 2014, [seven Sheriff's deputies responded to Rodger's apartment](#) after his mother reported concerns about Rodger's mental state. The officers concluded that Rodger was not an imminent risk and did not conduct a search of his apartment. Writing in his 141-page manifesto discovered after the shooting, Rodger [described the encounter](#): "If they had demanded to search my room that would have ended everything. For a few horrible seconds I thought it was all over."
- Rodger left YouTube videos and a 141-page manifesto describing his anger at women and sexual repression. He was a [regular contributor to PUAHate.com](#), a bulletin board website focused on exposing the pick-up artist consultants offering advice on how to seduce women.
- Rodger was receiving psychiatric treatment in the months prior to the rampage. His psychiatrist apparently [prescribed the anti-psychotic drug Risperidone](#).
- Rodger used three semi-automatic pistols:
  - a Glock 34, purchased in November 2012 from [Goleta Valley Gun and Supply for \\$700](#) and picked up from the [store in December 2012](#);
  - a SIG Sauer P226, [purchased in the spring of 2013 for \\$1000](#) at an [Oxnard, CA gun dealer](#); and,
  - a second SIG Sauer P226, purchased at a Burbank, CA gun dealer.
- During the rampage, Rodger was in possession of [41 10-round magazines, 7 for the Glock and 34 for the SIGs](#).

### **SO FAR, THE CASE APPEARS TO IMPLICATE AT LEAST 3 ISSUES RELATING TO GUN LAWS:**

#### **1. We Need to do More to Keep Guns Out of the Hands of Dangerous People – Current Federal Gun Laws are Under-Inclusive and Not Flexible Enough**

Eight in 10 Americans agree that we should do more to keep guns out of the hands of dangerous people. Federal law prohibits nine categories of dangerous persons from possessing firearms, including people who have been involuntarily committed to a mental institution or have been adjudicated "mentally defective."

- The current prohibitions and associated **background checks are important and are saving lives**:
  - Since the background check system was put in place, more than [2.1 million prohibited persons have been blocked from purchasing guns](#) and tens of thousands of others who then illegally obtained guns have been prosecuted for illegal possession.
  - The number of mental health records in the gun background checks system has grown from less than 300,000 just prior to the Virginia Tech massacre (2007) to [more than 3.38 million records](#) today. The state of **California alone has submitted 563,000 mental illness records** to the FBI.
- Research shows that **gun background checks generally that include mental illness records are effective**.
  - In late 2006 Connecticut started submitting mental illness records to the FBI background check system. In the three years that followed the submission of the records, the rate at which included persons committed a [violent crime dropped by 50% compared](#) to the rate in the three years prior.

- However, the **current federal mental illness prohibition is under-inclusive and not sufficiently flexible**.
  - Current federal law requires a formal adjudication that the individual is dangerously mentally ill.
  - But in many prominent cases, mass shooters – like Jared Loughner and James Holmes – have had significant mental illness histories that did not trigger the current federal prohibition.
    - In a lesser-known case in Indiana, police confiscated 9 guns from Kenneth Anderson after he was deemed “delusional and dangerous” during a psychiatric evaluation. They were forced to return them when he was not committed to an institution, and he went on to use those same guns several months later to [murder his mother and a policeman](#).
  - **There should therefore be an intermediate step through which law enforcement can temporarily disarm individuals who appear to pose an imminent threat to public safety.** A few states have taken this step and enacted laws to temporarily disarm such individuals:
    - **Indiana:** In 2004, the state passed [a law](#) allowing police officers to temporarily remove guns from dangerous individuals without a warrant, and hold them for up to 5 years with court approval.
    - **California:** [The state can hold people during psychiatric crisis](#). "5150," named for the section where it appears in California's Welfare and Institutions Code, lets mental health professionals commit those deemed to be a danger to themselves or others to a care facility for as long as 72 hours. Doing so automatically flags the person in the state background check system and then prohibits them from possessing or owning a gun for 5 years. **An open question in this case is whether the pattern of information and interactions should have provoked the police to seek to commit Rodger under 5150.**
- The **right answer is to [reexamine the mental illness gun prohibition](#)** to make it more inclusive and flexible, with temporary mental illness prohibitors in the case of individuals who undergo emergency psychiatric hospitalization and are otherwise deemed to pose a risk to themselves or others.
- If we take these steps – **and require background checks on all gun sales** – more shootings will be prevented.

## 2. **Violence Against Women and Gun Violence: Two Overlapping Challenges**

Women are particularly vulnerable to gun violence, especially victims of domestic violence and stalking.

- More than [one in three women](#) will experience rape, violence, and/or stalking at the hands of an intimate partner in their lifetimes.
- Although women are murdered less frequently than men, when they are killed it is much more likely to be due to domestic or intimate partner violence: [nearly 1 in 5 murder](#) victims between 1980 and 2008 were killed by an intimate partner, but 2 out of 5 female murder victims were killed by an intimate.
- Access to firearms dramatically increases the risk that domestic abuse will turn fatal: the presence of a **gun increases the risk of homicide of an intimate partner [by eight times compared](#)** to households without guns and this risk increases by 20 times when there is a history of domestic violence in the family.
- An estimated [16.2% of women](#) in the United States experience stalking in their lifetime and **stalkers use weapons to harm or threaten victims in [1 out of 5 cases](#)**.

Federal and state laws [should be strengthened](#) to better protect women from gun violence at the hands of dangerous abusers and stalkers.

## 3. **High-Capacity Magazines Make Mass Shootings More Deadly**

After murdering three people in his apartment, Rodger drove around firing shots multiple locations. It appears from reports that he would empty a 10-round magazine at each shooting location and drive on.

- Rodger carried 41 10-round magazines. California [bars the sale of magazines of more than 10 rounds](#).
- One eyewitness, Manny Rodriguez, described the scene as one of the shooting locations, outside the I.V. Dell Mart. "The guy unloaded a full clip," Rodriguez said. "He was shooting fast." And, [Rodriguez described Rodger as having to pause to reload](#).
- Had Rodger had high-capacity magazines, the shooting may have been more deadly.
  - A Mayors Against Illegal Guns analysis of 93 mass shooting between January 2009 and September 2013 showed that the use of an assault rifles or a high-capacity magazine (HCM) was associated with more deadly mass shootings. The [use of such weapons resulted in 151% more people getting shot and 63% more people dying than in mass shootings](#) where no HCMs or assault rifles were employed.