

The 48 Hours Myth

The Truth About Assault Weapons and Crime in Maryland

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CeaseFire Maryland recently published a study entitled "Every 48 Hours - An Analysis of Assault Rifles Traced To Crime In Maryland." It asserts that "on average, assault weapons are so frequently used in crime that one assault rifle is traced back to a Maryland crime every 48 hours."¹

Unfortunately, the "every 48 hours" statistic has been taken at face value, and been repeated as fact far too many times. In reality, the CeaseFire study is deeply flawed and misleading. It uses bad source data, exaggerates findings from that data, exaggerates the significance of those findings, and fails to put its findings into context or perspective.

Bad Source Data

The only source data used to write *Every 48 Hours* was ATF gun trace data². However, the Congressional Research Service (CRS) has repeatedly stated that:

"Firearm trace data may be biased: consequently, **such data cannot be used to test for statistical significance between firearm traces in general and the wider population of firearms available to criminals or the wider American public.** Neither the Federal Bureau of Investigation (FBI) — the principal federal agency charged with the collection of national crime statistics — nor ATF has endorsed the use of firearm trace data for any purpose other than advancing compliance with firearms commerce laws and bona fide criminal investigations."³
[emphasis added]

Ceasefire has done exactly what the CRS has stated the data cannot be used to do: test for statistical significance.

Exaggerated Findings

The CeaseFire study finds that there were 789 assault weapons traced to crimes in MD between January 2, 1998 and December 31 2001. The raw data used for the study is not published for peer review, but CeaseFire does list 508 of the most common rifle models traced. Of those 508, at least 432 of those, and possibly as many as all 508, are not considered assault weapons by current Maryland law.⁴

CeaseFire does make mention of the definition of assault weapon from *proposed* legislation from the 2006 session (which did not pass). But then they go even farther and include the M1 Carbine as an assault weapon as well, conveniently increasing the number of results to suit their agenda.

Exaggerated Significance

Those 789 guns were traced to 789 crimes in Maryland. But CeaseFire is not specific as to what sort of crimes.

According to the ATF, which provided the gun trace data, "a crime gun is any firearm that is illegally possessed, used in a crime, or suspected to have been used in a crime. An abandoned firearm may also be categorized as a crime gun if it is suspected it was used in a crime or illegally possessed."⁵

Note that a gun need only be *suspected* of being used in a crime to qualify. Note that illegal possession qualifies as a crime. Also note that the National Tracing Center trace request form includes crime codes for fraud, tax revenue, election laws, and traffic offense.⁶ And larceny. A gun included among recovered stolen property, if traced, would qualify as a “crime gun” linked to the crime of its own theft.

Illegal possession. Suspected use. Traffic offenses. Hardly the trail of bodies that the “every 48 hours” statistic seems to imply.

No context

Let us for a moment give CeaseFire the benefit of the doubt, and make the following unlikely assumptions:

- That the source data is not in fact invalid for this type of study
- That the 789 guns they found are in fact all assault weapons
- That the crimes to which the guns were traced were in fact all violent crimes

Making those assumptions, we are left with 789 assault weapons traced to violent crimes in MD between January 2, 1998 and December 31 2001. About 1 every 48 hours. Exactly what the CeaseFire study claims.

What they fail to mention is that during the same time period there were 163,101 violent crimes reported in Maryland. 789 would account for a mere 0.4% of that total.⁷

Of those violent crimes, 1,854 were murders. Only 10 of those murders were committed with rifles (0.5% of the total).⁸ That number is for all rifles including assault weapons and non-assault weapons.

A violent crime occurs in Maryland once every 13 minutes. At that rate, once every 48 hours doesn’t sound so bad after all.

Conclusion

CeaseFire Maryland would have you believe that crimes involving assault weapons are an epidemic in Maryland. The truth is they are an anomaly. Incidents like the frequently referenced “Beltway Snipers” Muhammad and Malvo are newsworthy simply because they are so exceedingly rare.

Using junk science and exaggeration, CeaseFire can link assault weapons to *at most* 0.4% of the violent crime in Maryland. In reality, the percentage is likely much lower. Assault weapons are a non-issue when it comes to crime, but CeaseFire Maryland is willing to bend, stretch, and distort the truth to convince you otherwise.

¹ CeaseFire Maryland, *Every 48 Hours - An Analysis Of Assault Rifles Traced To Crime In Maryland* (September 2006).

Available online at <http://www.ceasefiremd.org/Reports/CeaseFireMDAssaultWeaponsStudy.pdf>

² To be completely fair, there *are* other sources referenced in the footnotes of *Every 48 Hours*. They include things like:

- A similarly flawed study of trace data by the Violence Policy Center
- News reports of individual crimes (*none of them in Maryland*)
- Quotes of individuals’ personal opinions

But as far as actual data used to obtain the “every 48 hours” statistic, only ATF gun trace data was used.

³ Congressional Research Service, *Gun Control: Statutory Disclosure Limitations on ATF Firearms Trace Data and Multiple Handgun Sales Reports* 3 (June 16, 2006), page 3.
Available online at <http://www.fas.org/sgp/crs/misc/RS22458.pdf>

⁴ MD Code, § 5-101 p
Available online at <http://www.atf.gov/firearms/statelaws/26thedition/maryland.pdf>

Neither would they have been considered assault weapons under the expired federal ban. The discrepancy between 432 and 508 depends on whether any of the Colt AR-15's were Sporter H-BAR models (exempted from the definition), and whether any of the Ruger mini14's were folding stock models (all other models exempted).

⁵ Federal Bureau of Alcohol, Tobacco, Firearms, *The Youth Crime Gun Interdiction Initiative—Crime Gun Trace Reports (2000) National Report*, July 2002, page A-3.
Available online at <http://www.atf.gov/firearms/ycgii/2000/appendixa.pdf>

⁶ Federal Bureau of Alcohol, Tobacco, Firearms, *The Youth Crime Gun Interdiction Initiative—Crime Gun Trace Reports (2000) National Report*, July 2002, page C-4.
Available online at <http://www.atf.gov/firearms/ycgii/2000/appendixc.pdf>

⁷ Federal Bureau of Investigation, *Uniform Crime Reports – Crime in the United States (1998, 1999, 2000, 2001)*, Section II, Table 5
Available online at <http://www.fbi.gov/ucr/ucr.htm>

Since 1930 the FBI has been maintaining and publishing reliable, uniform statistics on crime in the United States, the Uniform Crime Reports. They are intended to be used for statistical and research purposes, unlike the gun trace data used for *Every 48 hours*.

⁸ Federal Bureau of Investigation, *Uniform Crime Reports – Crime in the United States (1998, 1999, 2000, 2001)*, Section II, Table 20
Available online at <http://www.fbi.gov/ucr/ucr.htm>

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