

A black and white photograph of a young child, possibly a girl, sitting on a couch. The child is holding a handgun with both hands, looking down at it with a serious expression. The background is dark and out of focus, showing parts of the couch and other people in the room.

# INNOCENTS LOST

A YEAR OF UNINTENTIONAL CHILD GUN DEATHS

  
**EVERYTOWN**  
FOR GUN SAFETY

  
**MOMS  
DEMAND  
ACTION**  
FOR GUN SENSE IN AMERICA



# INNOCENTS LOST

A YEAR OF UNINTENTIONAL CHILD GUN DEATHS

JUNE 2014





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## EXECUTIVE SUMMARY

In Asheboro, North Carolina, a 26-year-old mother was cleaning her home when she heard a gunshot. Rushing into the living room, she discovered that her three-year-old son had accidentally shot her boyfriend's three-year-old daughter with a .22-caliber rifle the parents had left in the room, loaded and unlocked.<sup>1</sup> In Fayette County, Pennsylvania, a two-year-old toddler took his stepfather's pistol out of his mother's purse and shot himself in the head while the adults were in another room.<sup>2</sup> And in northeast Houston, when his mother stepped away for a moment, a five-year-old boy picked up a loaded rifle and accidentally shot his older brother in the back.<sup>3</sup>

In all three incidents, adults left loaded and unlocked guns easily accessible to children. Miraculously, the children survived their injuries. But in far too many unintentional shootings they do not.

Federal data from the Centers for Disease Control indicate that between 2007 and 2011, an average of 62 children age 14 and under died each year in unintentional shootings.<sup>4</sup> By this measure, American children are sixteen times more likely to be killed in unintentional shootings than their peers in other high-income countries.<sup>5</sup>

But our analysis of publicly reported gun deaths in the twelve months after the mass shooting in Newtown, Connecticut, shows that the federal data substantially undercount these deaths:

**FROM DECEMBER 2012 TO DECEMBER 2013, AT LEAST 100 CHILDREN WERE KILLED IN UNINTENTIONAL SHOOTINGS – ALMOST TWO EACH WEEK, 61 PERCENT HIGHER THAN FEDERAL DATA REFLECT.**

And even this larger number reflects just a fraction of the total number of children injured or killed with guns in the U.S. each year, regardless of the intent.

**ABOUT TWO-THIRDS OF THESE UNINTENDED DEATHS – 65 PERCENT – TOOK PLACE IN A HOME OR VEHICLE THAT BELONGED TO THE VICTIM’S FAMILY, MOST OFTEN WITH GUNS THAT WERE LEGALLY OWNED BUT NOT SECURED.**

Another 19 percent took place in the home of a relative or friend of the victim.

**MORE THAN TWO-THIRDS OF THESE TRAGEDIES COULD BE AVOIDED IF GUN OWNERS STORED THEIR GUNS RESPONSIBLY AND PREVENTED CHILDREN FROM ACCESSING THEM.**

Of the child shooting deaths in which there was sufficient information available to make the determination, 70 percent (62 of 89 cases) could have been prevented if the firearm had been stored locked and unloaded. By contrast, incidents in which an authorized user mishandled a gun – such as target practice or hunting accidents – constituted less than thirty percent of the incidents.

While our analysis finds these tragedies to be far more common than previously reported, it also gives reason for optimism. First and foremost, it shows that unintentional child gun deaths can be prevented: if fewer gun owners left their guns loaded and unlocked, fewer children would lose their lives.

Second, we provide the first detailed analysis of a twelve-month period of unintentional child deaths across the country – including how the shooters obtained the guns; where the fatal shootings occurred; who pulled the trigger; whether the deaths resulted in criminal charges; and, crucially, whether the deaths could have been avoided if guns were stored safely.

Finally, based on these findings and the existing scientific research, the report presents several ways that we can reduce the number of children killed in unintentional shootings – including enhancing responsible firearm storage by educating gun owners; deterring irresponsible storage practices through child access prevention laws; and fostering new technologies.

It concludes with several recommendations:

- States should adopt stronger laws to prevent children from accessing unsecured guns, by authorizing criminal charges if an adult gun owner stores his or her gun negligently, a child gains access to the firearm, and harm results.
- Congress should appropriate funds for research to improve public health surveillance of unintentional child gun deaths and to develop effective educational materials for promoting safe storage.
- Congress should earmark funding for the Consumer Product Safety Commission to evaluate and set standards for emerging technologies that promote gun safety, such as biometric gun safes.
- Doctors should be allowed and encouraged to promote gun safety, and efforts to gag physicians should be opposed.
- Greater awareness of the issue should be promoted through a national public education campaign enlisting law enforcement, corporate, and non-profit partners.



## BACKGROUND

### UNSECURED GUNS AND UNINTENTIONAL SHOOTINGS

Public health research has demonstrated a clear relationship between household firearm ownership, unsafe storage practices, and unintentional shootings.

About a third of American children live in homes with firearms, and of these households, 43 percent contain at least one unlocked firearm. Thirteen percent of households with guns contain at least one firearm that is unlocked and loaded or stored with ammunition.<sup>6</sup> In all, more than two million American children live in homes with unsecured guns – and 1.7 million live in homes with guns that are both loaded and unlocked.<sup>7</sup>

Children in these homes are at elevated risk of being injured or killed in unintentional shootings.<sup>8</sup> Studies have shown that a majority of unintentional gun deaths of children occur in the home, and that the highest numbers of unintentional child shootings take place in the late afternoon hours, when children are home from school but their parents may still be working.<sup>9</sup>

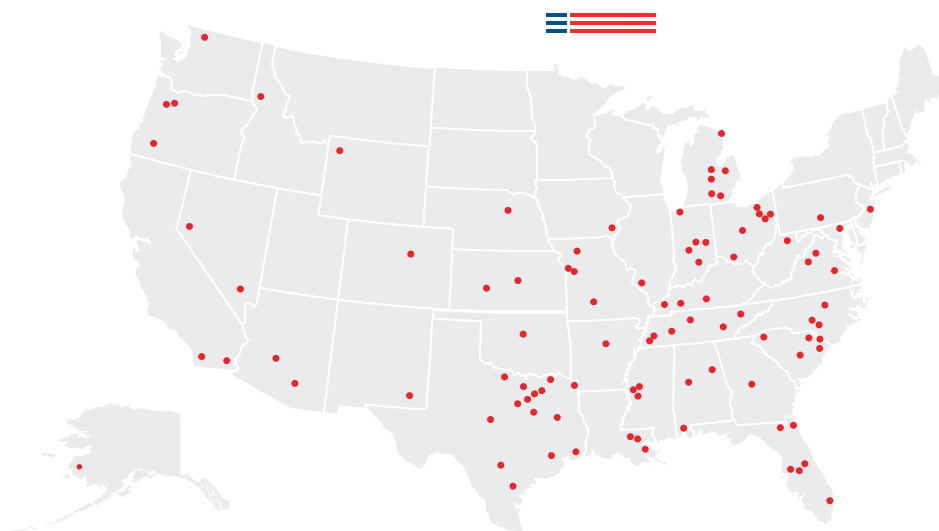
Parents underestimate the extent to which their children know where their household guns are stored and the frequency with which children handle household guns unsupervised. A Harvard survey of children in gun-owning households found that more than 70 percent of children under age 10 knew where their parents stored their guns – even when they were hidden – and 36 percent of the children reported handling the weapons. Thirty-nine percent of parents who thought their child was unaware of the location of the household's gun were contradicted by their children, and one of every five parents who believed their child had not handled the gun was mistaken.<sup>10</sup>

As a consequence of the high prevalence of

unsecured firearms in the U.S. and the risk this imposes on American children, the country has one of the highest reported rates of unintentional child gun deaths in the world. Data compiled by the Centers for Disease Control and Prevention (CDC) indicate that 311 children age 14 and under were killed in unintentional shootings between 2007 and 2011 – an average of 62 per year.<sup>11</sup> And an estimated 660 children are hospitalized each year with non-fatal, unintentional firearm injuries.<sup>12</sup>

But public health research and investigative reporting suggest that the actual total of unintentional child firearm deaths is even higher. When a young child perpetrates a shooting their intent may be difficult to determine, and state coroners and medical examiners – who are responsible for classifying and counting gun deaths before submitting them to the CDC – tend to err towards classifying these as homicides. In 2003, a review of pediatric firearm deaths in Miami-Dade County found that many unintentional deaths were not classified as accidents by the medical examiner.<sup>13</sup> A Seattle Times analysis of unintentional gun deaths in Washington State in 2012 concluded that “official totals of accidental shootings undercount the problem” and that half of accidental child shooting deaths that year were misclassified.<sup>14</sup> And in 2013, a New York Times review of child gun deaths in eight states found that more than half of unintentional deaths had been misclassified as intentional homicides rather than unintended shootings.<sup>15</sup>

Everytown for Gun Safety and Moms Demand Action for Gun Sense in America conducted a national census of publicly reported unintentional child gun deaths from December 15, 2012 to December 14, 2013. Our analysis confirms that the official data significantly undercount the scale of the phenomenon. The actual number of children killed in unintentional shootings during the study period was more than 61 percent higher than official data reflect.



## UNINTENTIONAL CHILD SHOOTINGS

December 15, 2012 —  
December 14, 2013

## A CENSUS OF UNINTENTIONAL CHILD GUN DEATHS

We examined every publicly reported incident involving a child 14 and under killed in an unintentional shooting in the twelve months following the mass shooting at Sandy Hook Elementary School. Reports of unintentional shooting deaths were obtained from subscription-based news databases and publicly available news reports. Whenever possible we identified how the shooter got the gun; where the fatal gunshot occurred; who pulled the trigger; whether the gun was legally owned; and whether criminal charges were brought after the deaths. In cases where information was not specified in public accounts or an investigation was ongoing, we contacted local officials to learn further details.

We identified 100 unintentional child gun deaths. The incidents took place in 35 states across every region of the country — in major cities, suburbs, and sparsely populated rural communities.

This data likely undercounts the true national total because it does not include deaths that were not reported in the papers, and deaths in which authorities said the gun may have been fired accidentally but could not say so definitively. It

also excludes numerous cases in which a child accidentally shot and killed an adult.

Among the heartbreaking incidents we identified were the following:

- ≡ Just hours after enjoying a Christmas dinner of chicken and macaroni and cheese, a father in Conway, South Carolina turned to make a phone-call and his two-year-old boy picked up his loaded handgun from the living-room table and accidentally shot and killed himself.
- ≡ Visiting his aunt's home in Prichard, Alabama, after attending church on Easter Sunday, a four-year-old boy came across a loaded .22-caliber pistol and fatally shot himself in the chest while his seven-year-old brother looked on in horror.
- ≡ On Mother's Day, an 11-year-old boy in Lake City, Florida discovered his 2- and 4-year-old siblings playing with a gun, and as he tried to take the gun away, it accidentally discharged, hitting him in the neck and killing him.

Narrative descriptions of all 100 identified deaths are located in an appendix to this report. In isolation they are tragedies. But seen as a group, patterns emerge — as do opportunities for prevention.



# PATTERNS IN UNINTENTIONAL CHILD GUN DEATHS

## UNSAFE STORAGE

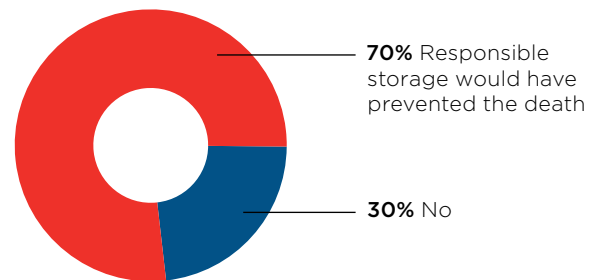
Of the child shooting deaths in which there was sufficient information available to make the determination, 70 percent (62 of 89) could have been prevented if the firearm had been stored locked and unloaded. (The remaining shootings included incidents in which an authorized possessor mishandled a firearm — for example, unintentional shootings that occurred on hunting trips or during target practice.)

Properly locking guns out of children's reach could also prevent some incidents in which children take their parents' unlocked guns to school — incidents that occur with troubling frequency, and often with deadly consequences. A separate analysis of school shootings in the 14 months following Newtown identified at least 20 that were perpetrated by minors. Of those shootings where the source of the firearm was known, three-quarters obtained their guns from home.<sup>16</sup>

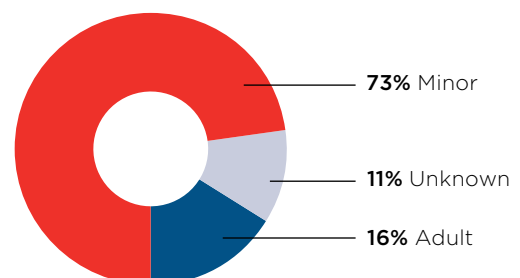
## CHILDREN SHOOTING CHILDREN

In a majority of unintentional child gun deaths, the shooter was also a minor. The shooter was 14 or under in 73 percent of incidents.

## WOULD RESPONSIBLE STORAGE HAVE PREVENTED THE DEATH?



## SHOOTER AGE



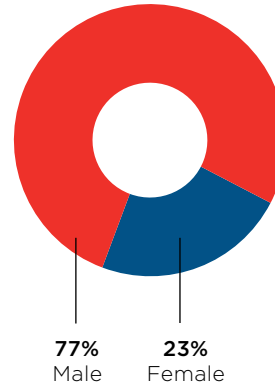


## GENDER OF SHOOTERS AND VICTIMS

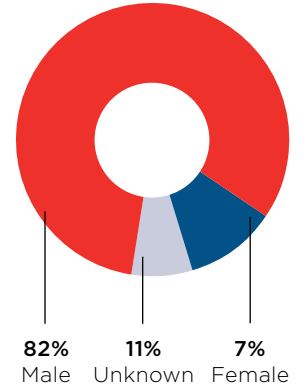
Boys were killed in unintentional shootings more than three times as often as girls. And boys were more than 10 times as likely as girls to pull the trigger in an unintentional shooting.

Girls were victims in a third of incidents (19 of 57) in which someone other than the victim pulled the trigger. Girls were the victim in only 11 percent of incidents (4 of 35) in which the victim pulled the trigger him or herself.

### VICTIM GENDER



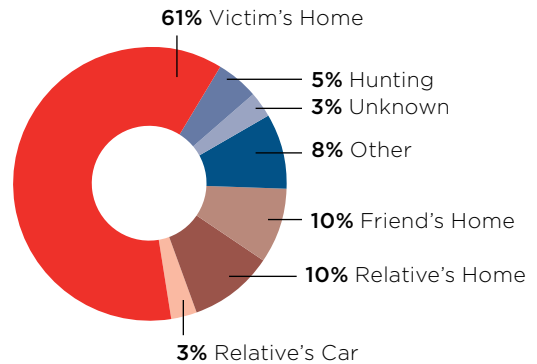
### SHOOTER GENDER



## WHERE THE FATAL SHOOTINGS TOOK PLACE

The overwhelming majority of shootings occurred in a place likely thought of as safe. Eighty-four percent of deaths occurred in the home or car of the victim's family, or in the home of a friend or relative.

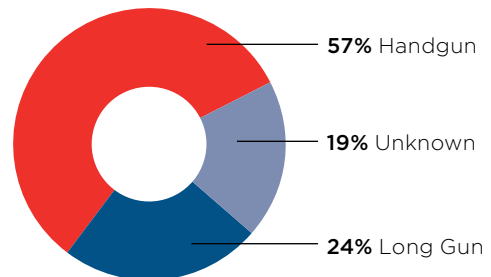
### LOCATION



## TYPE OF GUN USED

Handguns were used in 57 percent of the shootings, more than twice as many as those inflicted with long guns. In 19 percent of the cases the type of gun could not be determined.<sup>17</sup>

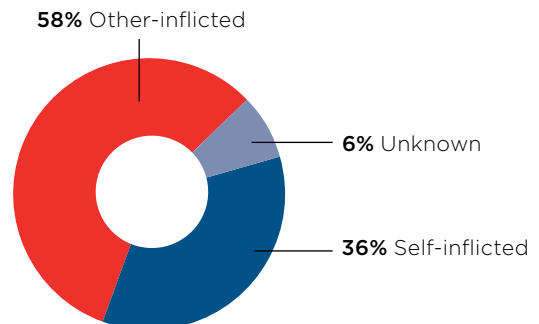
### GUN TYPE



## WHO PULLED THE TRIGGER

In 58 percent of cases, the victim was killed by someone else, and in 36 percent the victim shot him- or herself. Toddlers were more likely to die in self-inflicted shootings, whereas older children were more likely to be shot by someone else.

### CIRCUMSTANCE

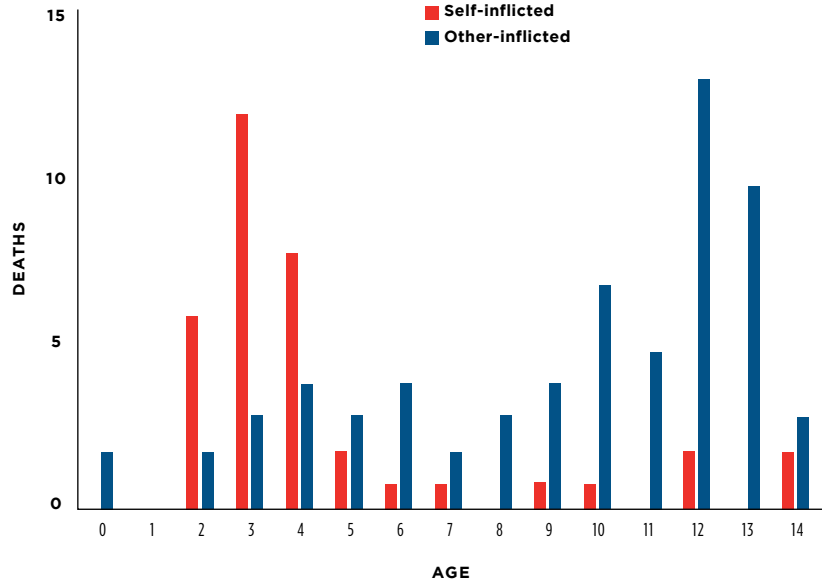




### VICTIM AGE

Children appear to be at greatest risk when they are toddlers (ages two to four) and older children (ages twelve to fourteen). As noted above, toddlers were more likely to fatally shoot themselves and older children were more likely to be shot by someone else. This is consistent with social science research demonstrating that older children are at higher risk of other-inflicted unintentional shootings, while children four and under are more likely to be killed in a self-inflicted unintentional shootings.<sup>18</sup>

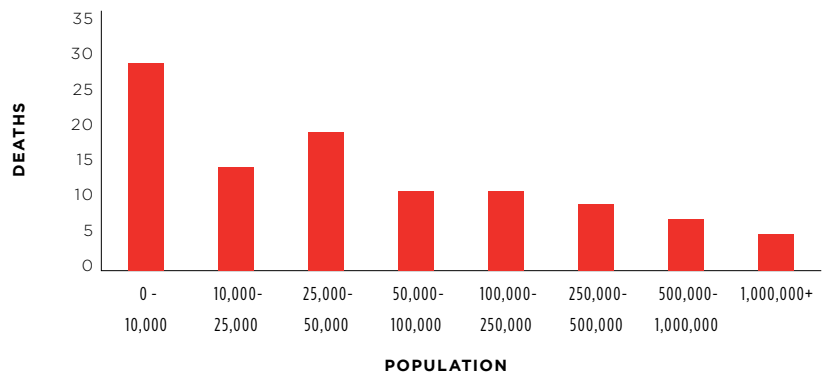
VICTIMS – SELF AND OTHER-INFLECTED – BY AGE



### GEOGRAPHIC DISTRIBUTION OF INCIDENTS

A majority of incidents took place in towns with populations less than 50,000 people, whereas only 10 percent of incidents occurred in cities with more than 500,000 people.

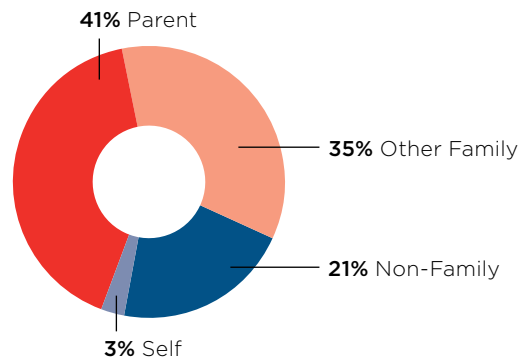
UNINTENTIONAL CHILD SHOOTINGS BY CITY POPULATION



### WHO OWNED THE FIREARM

Of the 66 shootings where the firearm’s legal owner was reported, 41 percent belonged to a parent and 35 percent belonged to other family members.

SHOOTINGS BY OWNER OF FIREARM

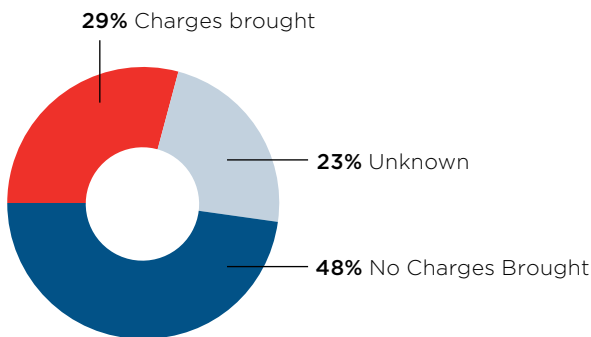


## LEGAL CONSEQUENCES

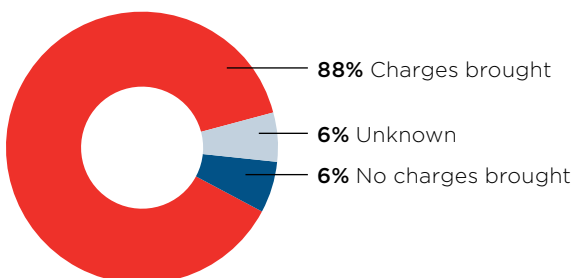
Two-thirds of incidents involved legally-owned guns, whereas 16 percent of incidents involved unlawfully owned guns. (In another 17 percent of cases, the legality of gun ownership could not be confirmed.)

The legal consequences — whether the shooter or gun owner was charged criminally — differed dramatically depending on the legal status of the gun's ownership. In cases where guns were legally owned, charges were brought in only about a quarter of cases. By contrast, in nearly nine of ten cases involving guns that were unlawfully owned, charges were filed against the gun owner or shooter — for illegal possession, negligent homicide, child endangerment, or similar charges.

### LEGAL CONSEQUENCES: LEGALLY OWNED GUNS



### LEGAL CONSEQUENCES: UNLAWFULLY OWNED GUNS



## ADULTS ACCIDENTALLY SHOT AND KILLED BY TODDLERS

JUST AS UNSAFELY STORED FIREARMS RESULT IN HUNDREDS OF CHILD INJURIES AND DEATHS EACH YEAR, THEY ALSO RESULT IN THE UNINTENTIONAL SHOOTING OF PARENTS OR OTHER ADULTS.



Tennessee Deputy Sheriff Daniel Fanning had invited relatives over for a family cookout and was in his bedroom showing his gun collection to a relative. Moments after placing a loaded gun on the bed, Fanning's 48-year-old wife, **Josephine Fanning**, entered the bedroom with her four-year-old nephew. In what the county sheriff called a "sad, sad set of circumstances," the toddler picked up the gun off the bed and accidentally fired a single shot, killing Josephine.

An army special forces veteran and former military policeman, **Justin Stanfield Thomas**, 35, had faced and survived lethal threats while on duty in Iraq. One day after returning and settling in Phoenix, he took his four-year-old son on a drive to Prescott Valley to visit a former roommate. Within minutes of their arrival at Thomas's friend's house, the little boy came upon a loaded handgun, picked it up, and asked what it was. The gun discharged, striking his father in the chest. He was rushed to a hospital but died a short time later.



**Michael Bayless**, 33, was watching television with his wife and their children at their Indiana home when his three-year-old son picked up his dad's loaded handgun and accidentally fired a single shot, striking his father squarely in the chest. By the time emergency responders arrived, Bayless was dead. "It was an accident that could have prevented if the handgun had been out of the reach of a three-year-old child," a sergeant of the Indiana State Police told reporters. "Unfortunately, it didn't happen that way."



## PREVENTING UNINTENTIONAL CHILD GUN DEATHS

The findings detailed above illustrate when, where, and how unintentional child gun deaths occur, and highlight opportunities for preventing these tragedies. Together with existing social science research, they provide evidence that unintentional child gun deaths can be prevented by educating parents; deterring irresponsible storage practices; and fostering new safety technologies.

### EDUCATING PARENTS

In more than two-thirds of cases where there was sufficient information to make a determination, unintentional child gun deaths occurred because a gun owner — most often a parent or other family member — left a legally-owned firearm unsecured. The easiest form of prevention is educating parents and other gun owners about the importance of storing firearms responsibly.

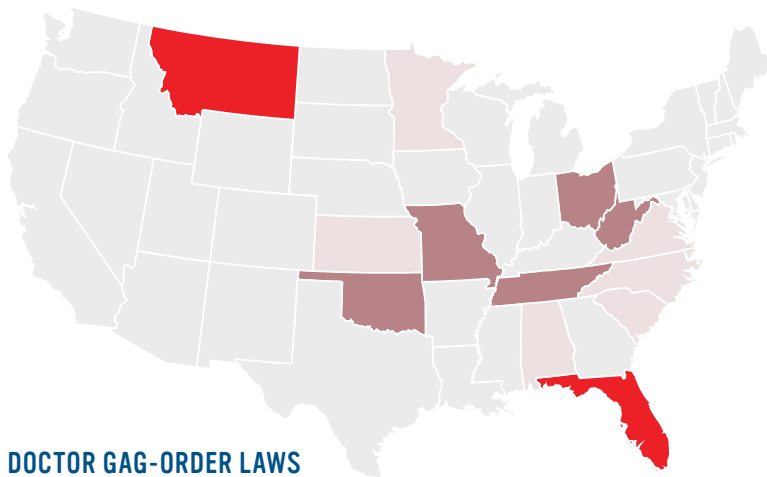
Studies show that parents who are counseled by their pediatricians are more likely to adopt responsible gun storage practices. A study of 127 family practice patients who reported gun ownership found that those who were counseled by a doctor about safe firearm storage were 2.2 times as likely to improve their practices as those who were not. Seventy percent of patients reported that they were not bothered by the questions, and eight percent commented that it was a “good idea,” they were “glad their doctor was interested,” or thought it was “an important issue.”<sup>19</sup> A nationwide, randomized controlled trial

found that patients who were counseled by their pediatrician about gun safety — and who were offered free firearm cable locks — were 22 percent more likely to report following the recommended gun storage practices six months later.<sup>20</sup>

The American Academy of Pediatrics, the American Academy of Family Physicians, the American College of Physicians, the American College of Surgeons, and the Society for Adolescent Medicine all recommend that doctors inform parents of the risks of gun injuries and how to prevent them.<sup>21</sup> But despite the risks posed by unsecured guns and the potential of doctor counseling to limit unintended shootings, the gun lobby has vigorously opposed such counseling.

With prompting from the NRA, state legislators in at least thirteen states have introduced laws that would discipline doctors who ask patients whether they have guns in their homes, prohibit doctors from recording information about gun ownership in medical files, or bar doctors from using questions about gun ownership to determine what patients they will treat.<sup>22</sup> In 11 of 13 states where these bills were introduced, they have not passed the legislatures. But in 2011, Florida’s legislature passed — and Governor Rick Scott signed — a law that subjected doctors who asked patients whether they owned guns to disciplinary action.<sup>23</sup> In 2013, Montana enacted a law that prohibits doctors from using questions about gun ownership to decide what patients they will treat.<sup>24</sup>

Florida’s law was challenged on First Amendment grounds shortly after it was signed into law. The federal trial court in Miami struck the law down after concluding that it impermissibly restricted doctors’ free speech rights by prohibiting them from providing truthful, non-misleading information about guns to their patients — while doing nothing to interfere



## DOCTOR GAG-ORDER LAWS

- SIGNED INTO LAW
- PENDING IN 2014 LEGISLATIVE SESSION
- INTRODUCED, FAILED IN PAST LEGISLATIVE SESSION

with Floridians' right to own, possess, or use firearms.<sup>25</sup> But Governor Scott vowed to fight the court decision, and the state appealed. The U.S. Court of Appeals for the Eleventh Circuit heard the appeal in July, 2013, and a decision is expected soon.<sup>26</sup>

Even if the courts refuse to allow NRA-sponsored doctor gag laws to be enforced, political support for such policies can chill doctors' speech and discourage efforts to engage medical professionals in public education efforts to promote gun safety, putting children at risk.

## DETECTING IRRESPONSIBLE STORAGE

There is evidence that well-tailored child safety laws can reduce the number of children killed or injured in unintentional shootings — and also substantially reduce child gun suicides. The approach parallels that taken towards drunk driving — in which administrative license suspensions and mandatory jail terms were found to reduce recidivism in DWI offenders and deter such behavior in the broader population.<sup>27</sup> Particularly promising are laws that deter irresponsible storage by imposing criminal liability when gun owners do not store their firearms responsibly and harm results — so-called “Child Access Prevention” or “CAP” laws.

Florida was the first state to enact a CAP statute, in 1989, and now more than half the states have some type of CAP law on the books. Under Florida's law, if a gun owner fails to secure a firearm in a locked box or with a trigger lock and a child accesses the gun, the owner can be charged with a misdemeanor if the child exhibits the gun in public or uses it in a threatening manner. If a child causes injury or death, a negligent gun owner can be charged with a felony. Studies provide evidence that such laws can reduce child gun injuries and deaths.

A study of hospital discharge data in 21 states with CAP laws found they were associated with a 32 percent decline in nonfatal gun injuries among children 18 and under, and a 64 percent reduction in self-inflicted gun injuries. The authors estimated that CAP laws prevented 829 injuries in 2001, saving \$37 million in avoided medical costs.<sup>28</sup>

Another study concluded that, controlling for other factors, states that adopted CAP laws experienced an 8.3 percent decline in firearm suicides by 14- to 17-year olds. The authors estimated that CAP laws prevented 333 such firearm suicides during the period they observed (1989-2001).<sup>29</sup>

A third study focused on Florida's adoption of a CAP law. Whereas laws with weak penalties that were adopted in other states were not associated with a statistically significant decline in child deaths, passage of a strong law in Florida was associated with a 51 percent decline in unintentional child shooting deaths between 1989 and 1997. The study's authors hypothesized the decline was due in part to a major public education campaign that accompanied the law's passage, the felony penalty imposed by the law, and the state's high baseline rate of child accidental gun deaths.<sup>30</sup>



# CHILD ACCESS PREVENTION LAWS ON THE BOOKS

Twenty-eight states and the District of Columbia have some laws on the books that, to varying degrees, hold gun owners criminally liable if children access their guns. The laws vary substantially.

In the fourteen least-strict states, a gun owner is liable only if he recklessly, knowingly, or intentionally gives a gun to a minor; mere careless storage is not criminalized, even if a minor finds the gun and causes injury or death. At the other extreme are three states and the District of Columbia, in which a gun owner can be liable if a minor “may” or “is likely to” access a negligently stored gun — even if the child doesn’t actually do so.

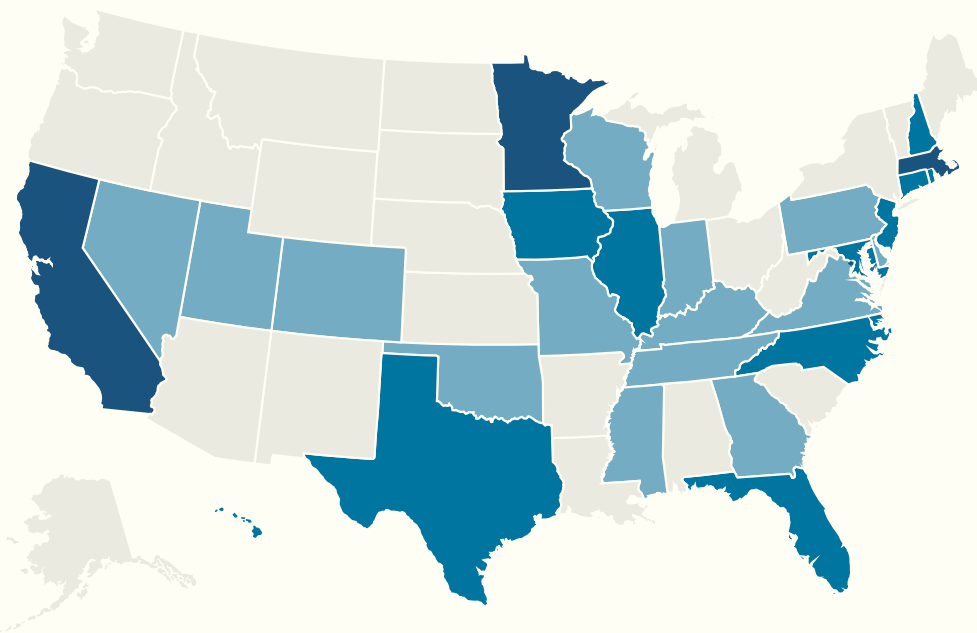
Between these extremes are 11 states where a gun owner may face criminal liability if he stores a gun negligently and a minor gains access to it. In a majority of these states, an owner will not be criminally charged if a child merely handles a gun — the child must actually cause some harm after gaining access to the firearm. These laws generally impose criminal penalties if a child uses the gun in a threatening manner or during a crime; if the child causes serious injury or death; or in both circumstances.

Among all the states with CAP laws, several have exceptions for parents of children injured or killed in unintentional shootings:

- ▬ In New Hampshire, Rhode Island, and California, a parent whose child is injured or killed as the result of an unintentional shooting cannot be charged unless they behaved in a “grossly negligent” manner.
- ▬ In Georgia, Indiana, Kentucky, Oklahoma, and Tennessee, parents can only be charged if they provided a gun to their child knowing there was a substantial risk the child would use the gun to commit a felony (or, in some of these states, if the child has previously been convicted of a violent crime).
- ▬ Texas law provides that a family member of a child who is shot cannot be arrested for negligent gun storage within 7 days of the shooting. (California make a similar exception for parents.)

## CAP LAWS BY STATE

- CHARGES IF CHILD MAY OR IS LIKELY TO ACCESS CARELESSLY STORED GUN
- CHARGES IF CHILD ACCESSES A CARELESSLY STORED GUN
- CHARGES ONLY IF OWNER INTENTIONALLY, KNOWINGLY, OR RECKLESSLY GIVES A GUN TO A CHILD
- NO CHILD ACCESS PREVENTION STATUTE



**CHARGES IF CHILD “MAY” OR “IS LIKELY TO” ACCESS CARELESSLY STORED GUN**

STATE	STATUTE	CHARGES CAN BE BROUGHT EVEN IN ABSENCE OF HARM OR INJURY	AVAILABLE PENALTY
CALIFORNIA	CAL. PEN. CODE § 25000-25110	✓	MISDEMEANOR OR FELONY
DISTRICT OF COLUMBIA	D.C. CODE § 7-2507.02	✓	MISDEMEANOR OR FELONY
MASSACHUSETTS	140 ANN. LAWS MASS § 131L(C)	✓	FELONY
MINNESOTA	MINN. STAT. § 609.666	✓	MISDEMEANOR

**CHARGES IF A CHILD ACCESSES A CARELESSLY STORED GUN**

STATE	STATUTE	CHARGES CAN BE BROUGHT EVEN IN ABSENCE OF HARM OR INJURY	AVAILABLE PENALTY
CONNECTICUT	CONN. GEN. STAT. § 29-37i, § 53A-217A.		FELONY
FLORIDA	FLA. STAT. § 790.174, § 784.05		MISDEMEANOR OR FELONY
ILLINOIS	720 ILL. COMP. STAT. § 5/24-9		MISDEMEANOR
IOWA	IOWA CODE § 724.22		MISDEMEANOR
HAWAII	HAW. REV. STAT. §§ 134-10.5; 707-714.5	✓	MISDEMEANOR
MARYLAND	MD. CRIM. LAW CODE ANN. § 4-104	✓	MISDEMEANOR
NEW HAMPSHIRE	N.H. REV. STAT. ANN. § 650-C:1		MISDEMEANOR
NEW JERSEY	N.J. STAT. § 2C:58-15	✓	MISDEMEANOR
NORTH CAROLINA	N.C. GEN. STAT. § 14-315.1		MISDEMEANOR
RHODE ISLAND	R.I. GEN. LAWS § 11-47-60.1		MISDEMEANOR
TEXAS	TEX. PENAL CODE § 46.13	✓	MISDEMEANOR

**CHARGES ONLY IF OWNER INTENTIONALLY, KNOWINGLY, OR RECKLESSLY GIVES A GUN TO A CHILD**

STATE	STATUTE	CHARGES CAN BE BROUGHT EVEN IN ABSENCE OF HARM OR INJURY	AVAILABLE PENALTY
COLORADO	COLO. REV. STAT. § 18-12-108.7	✓	FELONY
DELAWARE	11 DEL. CODE § 1456; 11 DEL. CODE § 603		MISDEMEANOR
GEORGIA	GA. CODE ANN. § 16-11-101.1	✓	FELONY
INDIANA	IND. CODE § 35-47-10-7	✓	FELONY
KENTUCKY	KY. STA. ANN § 527.110	✓	FELONY
MISSISSIPPI	MISS. CODE § 97-37-15	✓	MISDEMEANOR
MISSOURI	MO. REV. STAT. § 571.060	✓	MISDEMEANOR
OKLAHOMA	21 OKL. ST. § 1273	✓	MISDEMEANOR
NEVADA	NEV. REV. STAT. ANN. § 202.300	✓	MISDEMEANOR OR FELONY
PENNSYLVANIA	18 PA. C.S. § 6110.1(C)	✓	FELONY
TENNESSEE	TENN. CODE ANN. § 39-17-1320	✓	MISDEMEANOR
UTAH	UTAH CODE ANN. § 76-10-509.6	✓	MISDEMEANOR OR FELONY
VIRGINIA	VA. CODE ANN. § 18.2-56.2	✓	MISDEMEANOR
WISCONSIN	WISC. STAT. § 948.55		MISDEMEANOR

**NO CHILD ACCESS PREVENTION STATUTE**

ALABAMA, ALASKA, ARIZONA, ARKANSAS, IDAHO, KANSAS, LOUISIANA, MAINE, MICHIGAN, MONTANA, NEBRASKA, NEW MEXICO, NEW YORK, NORTH DAKOTA, OHIO, OREGON, SOUTH CAROLINA, SOUTH DAKOTA, VERMONT, WASHINGTON, WEST VIRGINIA, AND WYOMING



## PROVIDING STORAGE SOLUTIONS

Because preventing children from accessing loaded and unlocked guns can prevent children from being injured or killed, the federal government and some states require that locking devices be included with at least some gun sales. A few municipalities and one state — Massachusetts — have gone further, and mandate that guns be locked if they are not being carried by or in the direct control of the owner.

At the federal level, the Protection of Lawful Commerce in Arms Act of 2005<sup>31</sup> prohibits federally licensed dealers from selling or transferring handguns without including a “secure gun storage or safety device” — in essence, either a gun safe, trigger lock, or equivalent safety device.<sup>32</sup> But this requirement does not apply to unlicensed sellers, who are responsible for approximately 40 percent of all gun sales and need not include safety devices when they sell guns. Nor does the requirement apply to rifles and shotguns, which federal law allows anyone to sell without a lock or gun safe.

Eleven states — California, Connecticut, Illinois, Maryland, Massachusetts, Michigan, New Jersey, New York, Ohio, Pennsylvania, and Rhode Island — have adopted their own gun lock laws. Nearly all of these mirror the federal requirement that safety devices or safes be included along with gun sales. Some of these states go beyond federal law by requiring locks to be included with all gun sales, not just sales by licensed dealers. Some extend federal law by requiring locks or safes to be included with all gun sales, including rifles and shotguns along with handguns.<sup>33</sup>

At least two large cities — New York and San Francisco — and the state of Massachusetts have adopted stricter laws that require not just that

safety devices be included with gun sales, but that all gun owners actually store their guns locked or in a secure safe when the weapon is not being carried by or under the control of the owner.<sup>34</sup> A few other states require gun safes or locks to be used under certain circumstances: New York, for example, requires guns to be locked or stored in a safe if the gun owner lives with someone who has been convicted of a felony or domestic violence crime, has been involuntarily committed, or is currently under a restraining order.<sup>35</sup> California requires the same if the gun’s owner resides with anyone who is prohibited under state or federal law from purchasing or possessing a firearm for any reason.<sup>36</sup>

## FOSTERING INNOVATIVE SAFETY TECHNOLOGIES

Unintentional shootings may occur when the person holding the gun mistakenly believes it is unloaded and pulls the trigger — often because the person has removed the magazine but left one round in the chamber. Shootings may also occur when a child or unauthorized adult handles a gun that they are unfamiliar with and accidentally causes it to discharge. Three technologies have the potential to reduce these risks, but gun manufacturers have not widely incorporated the features.

The first two features could help reduce incidents in which someone pulls the trigger thinking a loaded gun is unloaded. A “chamber load indicator” indicates by some visual means when a round is present in the chamber. A “magazine disconnect mechanism” prevents firearms with detachable magazines from being fired when the magazine is removed.

Despite the promise of these technologies, gun manufacturers have been reluctant to incorporate them into their products. In an effort to spur their adoption, California and



Massachusetts have mandated one or both technologies. Since 2007, to be legally sold in California, handguns must include both a chamber load indicator and, if they have a detachable magazine, a magazine-disconnect mechanism.<sup>37</sup> Massachusetts prohibits sales of handguns that do not contain at least one of these two features.<sup>38</sup>

A third technology, used in so-called “smart” or “personalized” guns, relies on biometric, magnetic, or radio frequency identification to ensure that a gun can only be fired by its owner. Some smart gun designs rely on fingerprint or palm readers to verify that the owner or another authorized user is holding the gun. Others rely on features that only allow the gun to be fired when it is within inches of a watch or ring that communicates with the gun through radio frequency — so if the gun is knocked from the owner’s hand or discovered by a child while the owner is elsewhere, it cannot be fired.

Smart guns are designed to prevent children from accidentally discharging weapons and endangering themselves and others. The technology would also render stolen guns useless and, given that hundreds of thousands of guns are stolen every year, could eliminate a major public safety threat.<sup>39</sup>

Smart gun models are not commercially available, but a series of products are reportedly on the cusp of widespread availability. Biometric technologies are already widely used in gun safes and gun locks<sup>40</sup> — to say nothing of other products, like iPhones — and the National Institute of Justice has certified that several smart gun models are ready to be commercialized.<sup>41</sup>

To accelerate their development, a group of Silicon Valley investors has announced a challenge grant of one million dollars for

entrepreneurs to develop a marketable smart gun.<sup>42</sup> And at least two manufacturers — a German company called Armatix and a Utah firm, Kodiak Industries — have developed models that they plan to market in the immediate future.<sup>43</sup>

Effective smart gun technology has the potential to limit unintentional shootings. But legislative efforts to mandate its use have been controversial. Maryland law requires the state’s Handgun Roster Board to issue an annual report on the status of smart gun technology,<sup>44</sup> and a New Jersey statute will make it illegal to sell firearms lacking smart gun technology beginning three years after the state Attorney General certifies that smart guns are commercially available for retail purchase.<sup>45</sup> The gun lobby has fiercely resisted the New Jersey law and sought to block smart gun makers’ efforts to market their products, fearing that once even a single smart gun is on the market, other guns will be banned.<sup>46</sup> To ease resistance to the development and marketing of smart guns, and speed their introduction into the market, the majority leader of the New Jersey Senate offered to revoke the smart gun law if the NRA would “make a public commitment to not stand in the way of the manufacture, distribution, or sale” of smart guns.<sup>47</sup> The NRA did not accept the offer.

The gun lobby continues to resist smart guns, and for the time being the technology remains largely in the hands of developers, not gun owners. Further refinement of smart gun technology may be required before it is widely accepted by gun owners, but this development should be encouraged, and efforts to make guns commercially available should be accelerated.



# RECOMMENDATIONS

Policy makers in the states and Congress should adopt legislation in three key areas:

▬ **STATES SHOULD ADOPT STRONGER LAWS TO PREVENT CHILDREN FROM ACCESSING UNSECURED GUNS.**

States without child access prevention laws should adopt them, and the states with weaker laws should strengthen them. States like Florida, Iowa, and North Carolina authorize criminal penalties if a gun owner stores a gun negligently, a child gains access to the firearm, and some harm results — other states should follow suit. Additionally, states should consistently and uniformly apply these laws when preventable shootings occur.

▬ **CONGRESS SHOULD INCREASE FUNDING FOR PUBLIC HEALTH RESEARCH ON CHILDREN INJURED AND KILLED IN UNINTENTIONAL SHOOTINGS.**

A public health approach to motor vehicle injuries, with technical and policy responses informed by epidemiological research, has resulted in dramatic reductions in traffic fatalities. The CDC and other federal agencies should approach firearm injuries and deaths with similar rigor.

▬ **CONGRESS SHOULD EARMARK FUNDING FOR THE CONSUMER PRODUCT SAFETY COMMISSION TO EVALUATE AND SET STANDARDS FOR EMERGING TECHNOLOGIES USED IN GUN SAFETY DEVICES, SUCH AS BIOMETRIC GUN SAFES AND LOCKS.**

Although the gun lobby succeeded in prohibiting the Consumer Product Safety Commission from establishing safety standards for firearms or ammunition,<sup>48</sup> there is no such prohibition on the CPSC testing or setting standards for gun safety devices like trigger locks or biometric safes. At least five states — California, Connecticut, Maryland, Massachusetts, and New York — already set standards for safe storage equipment or maintain a list of approved devices, and in January 2013, President Obama signed an executive order calling on the CPSC to evaluate gun safety devices and voluntary industry standards. This is particularly important as new technologies emerge in the marketplace.

Eliminating unintentional child gun deaths will also require public campaigns to increase understanding of how these tragedies occur and how they can be prevented. Ultimately, talking about the risks of gun accidents and storage practices to prevent them must become the norm. A wide range of stakeholders — including public health professionals, elected officials, educators and non-profits, law enforcement, gun manufacturers, and the media — should be engaged:

- **DOCTORS SHOULD BE FURTHER ENGAGED IN EFFORTS TO PROMOTE GUN SAFETY, AND EFFORTS TO GAG PHYSICIANS SHOULD BE OPPOSED.** Pediatricians are well positioned to talk to children and parents about gun safety. Efforts to restrict how doctors do their jobs should be rejected — as should other attempts by the gun lobby to seal off information related to gun safety and injury.<sup>49</sup>
- **GREATER AWARENESS OF THE ISSUE COULD BE PROMOTED THROUGH A NATIONAL PUBLIC EDUCATION CAMPAIGN ENLISTING LAW ENFORCEMENT, CORPORATE, AND NON-PROFIT PARTNERS.** The Ad Council’s “Friends Don’t Let Friends Drive Drunk” and “You Could Learn a Lot from a Dummy” are two classic public service campaigns that helped reduce alcohol-related fatalities and increase safety belt usage, respectively, over the past three decades. A similar campaign, with the support of corporate and non-profit partners, could raise public awareness of responsible gun ownership.



# NOTES

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- 35 N.Y. Penal Law § 265.45.
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# APPENDIX: A YEAR OF UNINTENTIONAL CHILD GUN DEATHS

DECEMBER 15, 2012 – DECEMBER 14, 2013

## GUTHRIE, OKLAHOMA, DECEMBER 15, 2012

On the day after the tragedy in Newtown, three-year-old Ryder Rozier was visiting the home of his uncle Ian Rozier, a 37-year-old Oklahoma highway patrolman. Ryder entered his uncle's bedroom, came upon the state trooper's loaded handgun, and accidentally shot himself in the head. He was pronounced dead on the scene.

**Victim:** Ryder Rozier, age 3

**Incident Location:** Victim's uncle's home

**Who Pulled Trigger:** Victim

**Gun Details:** Unspecified handgun

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** No

## HARRISON, TENNESSEE, DECEMBER 20, 2012

Less than a week before Christmas, two-year-old Brennan Nowell was visiting the home of his grandfather, Stan Nowell, a pastor and missionary who established an organization called Forgotten Child Ministries to help street children in Honduras. Stan Nowell owned a .40-caliber pistol, which he had left unattended on a chair. Brennan discovered the gun and accidentally shot himself; he died in the hospital later that night.

**Victim:** Brennan Nowell, age 2

**Incident Location:** Victim's grandfather's home

**Who Pulled Trigger:** Victim

**Gun Details:** .40-caliber handgun belonging to Stan Nowell, the victim's grandfather

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** No. The Hamilton County District Attorney's Office pursued a charge of criminally negligent homicide, but the grand jury returned a no bill, so the gun's owner faced no criminal charges.

## MEMPHIS, TENNESSEE, DECEMBER 25, 2012

On Christmas day, Tranell Gipson was out shopping for a Christmas gift she planned to give to her ten-year-old son, Alfreddie. Unbeknownst to Ms. Gipson, Alfreddie's

15-year-old brother had recently purchased a handgun on the street, after being bullied at school. The two brothers were jumping on a bed in the family home when the gun slipped from beneath the mattress. When Alfreddie's brother bent to pick the gun up and replace it under the mattress, it discharged, hitting Alfreddie in the stomach and killing him.

**Victim:** Alfreddie Gipson, age 10

**Incident Location:** Victim's home

**Who Pulled the Trigger:** Victim's older brother

**Gun Details:** Unspecified handgun

**Legally or Illegally Owned:** Illegally owned

**Criminal Charges Brought?** No

## CONWAY, SOUTH CAROLINA, DECEMBER 25, 2012

After burglars attempted to break into his family's house while the family was home, Rondell Smith purchased a .38-caliber handgun to defend his family. Two weeks later, he set the gun down on the family's living room table and turned to make a phone call. Just hours after enjoying a Christmas dinner of chicken and macaroni and cheese, Smith's two-year-old son, Sincere, picked the loaded gun up off the table. Within seconds, Sincere had pulled the trigger, firing a single shot that tore through his chest. He died on the way to the hospital.

**Victim:** Sincere Tymere Smith, age 2

**Incident Location:** Victim's home

**Who Pulled Trigger:** Victim

**Gun Details:** .38-caliber handgun

**Legally or Illegally Owned:** Illegally owned, as the victim's was prohibited from owning the gun because of previous drug convictions.

**Criminal Charges Brought?** Yes, the victim's father was charged with involuntary manslaughter and unlawful child neglect. He pleaded guilty and was sentenced to five years in prison.

## WAKE FOREST, NORTH CAROLINA, DECEMBER 28, 2012

Twelve-year-old James Lee Parker loved to hunt with his father and other family members, and had hunted since he

was four years old. On December 28th, he rose early for an early morning deer hunt with his father, uncle and stepbrother. Just before 8:00 a.m., his uncle accidentally fired his 12 gauge shotgun, blasting James in the chest and killing him from a distance of 100 yards. The boy's grandfather said that "he died doing what he loved and took his first deer last year." His uncle was charged with obtaining a license under false pretense and involuntary manslaughter after investigators determined that, while he had legally obtained his hunting license, he had not taken the hunter safety course that was required before he could use the license, rendering it invalid. He pleaded guilty, received a suspended sentence, and will be on supervised probation for a year and unsupervised probation for another year. During that time, he is barred from hunting.

**Victim:** James Lee Parker, age 12

**Incident Location:** Woods

**Who Pulled the Trigger:** Victim's uncle, age 30

**Gun Details:** 12 gauge shotgun

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** Yes

### PARIS, TEXAS, DECEMBER 28, 2012

At around 2:00 in the afternoon on December 28, 2012, sixth grader Cade Franklin Curry was hunting with a nine-year-old friend in a pasture area near the boys' homes. The nine-year-old boy tripped and fell, causing his single shot .22-caliber rifle to discharge, striking Cade in the chest. He was taken to the Paris Regional Medical Center where he died of his injuries.

**Victim:** Cade Franklin Curry, age 12

**Incident Location:** Woods

**Who Pulled the Trigger:** Victim's nine-year-old friend

**Gun Details:** Single shot .22-caliber rifle

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** No

### PRAIRIEVILLE, LOUISIANA, DECEMBER 28, 2012

Three youths — aged 13, 14, and 18 — were playing with a .38 special revolver in the bedroom of a mobile home on the afternoon of December 28th when the 14-year-old boy accidentally fired the weapon, striking 13-year-old Christian Crain in the head and killing him. The 14-year-old told police officers who responded to the scene that he had smoked marijuana prior to the accidental shooting, and that he had disposed of the gun after the incident in the backyard of the trailer. Police subsequently learned that the gun had been stolen from a vehicle in a nearby neighborhood a few days earlier. The 14-year-old boy was arrested and charged with negligent homicide, possession of a stolen firearm, possession of marijuana, and possession of a handgun by a

minor. Three adults who were in the home at the time of the shooting, but not in the bedroom where the shooting occurred, were also arrested and charged.

**Victim:** Christian Crain, age 13

**Incident Location:** Victim's home

**Who Pulled the Trigger:** Victim's 13-year-old friend

**Gun Details:** .38 special revolver

**Legally or Illegally Owned:** Illegally owned

**Criminal Charges Brought?** Yes, the shooter was charged with negligent homicide, possession of a stolen firearm, possession of marijuana, and possession of a handgun by a minor.

### BEEVILLE, TEXAS, DECEMBER 29, 2012

At approximately 4:30 on a Friday afternoon, three boys — aged nine, 12, and 13—were shooting a .22-caliber rifle at a trash pit behind the home of the 13-year-old, Joe Andy Cardenas. Under unclear circumstances, a shot was fired that struck Joe Andy Cardenas in the head and killed him. Investigators with the Bee County Sheriff's Office called the shooting "a tragic accident," and no charges were filed.

**Victim:** Joe Andy Cardenas, age 13

**Incident Location:** Outside victim's home

**Who Pulled the Trigger:** Victim's friend

**Gun Details:** .22-caliber rifle

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** No

### BENNETTSVILLE, SOUTH CAROLINA, DECEMBER 30, 2013

Thirty-year-old Justin Brueger was cleaning his rifle when it accidentally discharged and struck his eight-year-old son Easton in the stomach. The boy was taken to the hospital where he later died of his injuries. Police alleged that Mr. Brueger had placed his son at unreasonable risk of harm by pointing his gun in the boy's direction while cleaning it; he was charged with unlawful conduct towards a child.

**Victim:** Easton Brueger, age 8

**Incident Location:** Victim's home

**Who Pulled the Trigger:** Victim's father

**Gun Details:** Unspecified rifle

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** Yes, the father was charged with unlawful conduct toward a child.

### ELKTON, MARYLAND, DECEMBER 31, 2013

Aaliyah Destiny Boyer, a fourth-grader, was visiting her grandfather's home on New Year's Eve when she stepped outside to watch fireworks being set off by neighbors. Moments later, she was struck on the top of her head by a stray bullet that authorities concluded was fired in



celebration of the New Year. The girl was rushed to the trauma center at a local hospital and later transferred to the A.I. DuPont Hospital for Children in Wilmington, Delaware. After three tests in three days confirmed an absence of any brain activity, the girl's family removed life support, and Aaliyah passed away. Her family donated her organs in hopes of bringing life to another girl in need of a transplant.

**Victim:** Aaliyah Destiny Boyer, age 10

**Incident Location:** Outside victim's grandfather's home

**Who Pulled the Trigger:** Unknown

**Gun Details:** Unknown

**Legally or Illegally Owned:** Unknown

**Criminal Charges Brought?** Investigation ongoing

### PLEASANT VALLEY, ALABAMA, JANUARY 8, 2013

Two weeks after Christmas, 12-year-old William Parris and his 12-year-old cousin were playing on a trampoline outside the cousin's home when the cousin went inside to fetch a prized Christmas gift to show William. While an adult was in the home cooking dinner in the kitchen, the cousin returned outside to show William the gift: a new shotgun.

Unbeknownst to the cousin, the shotgun was loaded, and when he pulled the trigger, the gun discharged, striking William in the chest. The boy was airlifted to a hospital, where he was pronounced dead.

**Victim:** William Parris, age 12

**Incident Location:** Outside his cousin's home

**Who Pulled the Trigger:** Victim's cousin

**Gun Details:** Unspecified shotgun

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** No

### KANSAS CITY, MISSOURI, JANUARY 10, 2013

Just three days after her fourth birthday, Trinity Ross was playing with her six-year-old brother and another five-year-old boy in their family home. Trinity's 58-year-old stepmother, who was watching the three children, stepped outside to retrieve something from her car and while she was outside the home, Trinity's six-year-old brother found a revolver under a jacket lying on a chair. He picked up the gun and pulled the trigger, accidentally striking her in the head. After several days on life support, Trinity was removed from a ventilator and died. Trinity's stepmother told police that she had not known there was a gun in the house until the shooting occurred. Trinity's father, who was not home at the time of the shooting, told police that he owned the gun and forgot that he had left it in the living room. The Jackson County Prosecutor, Jean Peters Baker, said that the incident was an "unfortunate tragedy," and that "[i]n the interest of

justice," no criminal charges would be brought because Trinity's father "normally kept the gun on his person or in a gun safe."

**Victim:** Trinity Ross, age 4

**Incident Location:** Victim's home

**Who Pulled the Trigger:** Victim's 6-year-old brother

**Gun Details:** Unspecified revolver

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** No

### BRECKENRIDGE, MISSOURI, JANUARY 12, 2013

On a Friday evening, Kathy Curtis and her husband left home to run errands, leaving their 12-year-old son Steven at home with a friend and his 13- and 16-year-old siblings. Steven's mother described him as an avid outdoorsman who loved to hunt, and who had a hunter's safety certification. Nevertheless, while the other children were in a bedroom watching a movie, Steven got into a locked gun safe in the family's living room and removed a handgun. Investigators later concluded that Steven mishandled the gun in the hallway, accidentally shooting himself. He died the following day after he was taken off a respirator.

**Victim:** Steven Curtis, age 12

**Incident Location:** Victim's home

**Who Pulled the Trigger:** Victim

**Gun Details:** Unspecified handgun

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** No

### TUSCALOOSA, ALABAMA, JANUARY 13, 2013

Will May, an eighth grader at Rock Quarry Middle School, was with a group hunting rabbits in a hunting club on the border of Sumter County when he was accidentally shot. Sumter County Sheriff Tyrone Clark said another teen in the group had accidentally fired the gun, killing Will.

**Victim:** Will May, age 13

**Incident Location:** Outside

**Who Pulled the Trigger:** Another teen in victim's hunting party

**Gun Details:** Unspecified long gun

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** No

### CLEVELAND, OHIO, JANUARY 19, 2013

At 1:45 p.m. on a Saturday afternoon, 23-year-old Edmund Benson sent his six-year-old daughter, Neveah, upstairs in the family home to get something. He later told police that when he went upstairs to check on his daughter, he discovered that Neveah had come across a handgun and



accidentally shot herself in the face. She was rushed to Rainbow Babies and Children's hospital, but died shortly after arriving. Her father, who owned the gun, was charged with child endangerment and illegal gun possession, because of previous felony convictions for receiving a stolen vehicle and possessing criminal tools.

**Victim:** Neveah Benson, age 6

**Incident Location:** Victim's home

**Who Pulled the Trigger:** Victim

**Gun Details:** Unknown

**Legally or Illegally Owned:** Illegally owned

**Criminal Charges Brought?** Yes, the victim's father was charged and pleaded guilty to attempted involuntary manslaughter and having a gun after a felony conviction. He was sentenced to three years in prison.

### BATON ROUGE, LOUISIANA, JANUARY 21, 2013

Terrance Varise, 18, told authorities that he was "carelessly playing" with a .357-caliber handgun that he got from a friend, "cocking it back and forth" when it accidentally discharged and struck his two-year-old brother, Travin, in the abdomen. Terrance, who an uncle described as "trying to play fake gangster," was legally prohibited from owning the gun because of a prior burglary conviction in Plaquemine. His two-year-old brother later died, and Terrance was indicted on multiple charges.

**Victim:** Travin Varise, age 2

**Incident Location:** Victim's home

**Who Pulled the Trigger:** Victim's brother

**Gun Details:** .357-caliber handgun

**Legally or Illegally Owned:** Illegally owned

**Criminal Charges Brought?** Yes, the victim's brother was charged as a felon in possession and for negligent homicide and cruelty to a juvenile.

### AKRON, OHIO, JANUARY 23, 2013

When Jamella Allen's four-year-old son Jamarcus discovered his father's pistol in their family home, she scolded Jamarcus and demanded that her husband Terrance remove the gun from their home. At some point thereafter, Terrance moved the gun to his car, but failed to adequately secure it. Several days later, Terrance took Jamarcus along for the ride when he drove to drop an older son off at high school. According to a police investigator, after they dropped the older son off at school, Jamarcus somehow got ahold of the gun and accidentally fired it inside the car, striking himself. Terrance pulled over and flagged down a sheriff's deputy; police rushed Jamarcus to the hospital where he was pronounced dead. Terrance was legally barred from owning the gun because of a prior felony

conviction for burglary; he was charged with involuntary manslaughter, felony child endangering, having weapons under disability, and tampering with evidence.

**Victim:** Jamarcus Allen, age 4

**Incident Location:** Victim's father's car

**Who Pulled the Trigger:** Victim

**Gun Details:** Unspecified handgun

**Legally or Illegally Owned:** Illegally owned

**Criminal Charges Brought?** Yes, the victim's father was charged with involuntary manslaughter, felony child endangering, having weapons under disability, and tampering with evidence.

### GREENVILLE, SOUTH CAROLINA, FEBRUARY 1, 2013

While their grandparents sat in the family's living room, three-year-old Tmorej Smith and his seven-year-old sister were playing in a bedroom. The children found a pink handgun that they believed was a toy. As they played with the gun, a shot was accidentally fired, killing Tmorej with a gunshot wound to the head.

**Victim:** Tmorej Smith, age 3

**Incident Location:** Victim's home

**Who Pulled the Trigger:** Victim

**Gun Details:** Unspecified handgun

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** No

### OID, MICHIGAN, FEBRUARY 2, 2013

Around 4:00 on a Saturday afternoon, sixth grader Paige McGinnis and her 14-year-old brother Dillan were home alone. Dillan was handling a shotgun that he believed was unloaded when it accidentally discharged, striking Paige in the head and killing her. Authorities concluded the incident was an accident and declined to bring charges.

**Victim:** Paige McGinnis, age 13

**Incident Location:** Victim's home

**Who Pulled the Trigger:** Victim's 14-year-old brother

**Gun Details:** Unspecified shotgun

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** No

### PADUCAH, KENTUCKY, FEBRUARY 9, 2013

Nicholas Barbee, 21, had recently purchased a gun in response to a number of break-ins in his Paducah neighborhood. While at the home of his girlfriend, Barbee accidentally discharged his new gun, firing a single shot that struck Barbee's girlfriend's three-year-old son, Braydion Scott Matlock. The child was rushed to Vanderbilt University



Medical Center in Nashville, and was pronounced dead. Barbee was charged with second degree manslaughter.

**Victim:** Braydion Scott Matlock, age 3

**Incident Location:** Victim's home

**Who Pulled the Trigger:** The victim's mother's 21-year-old boyfriend

**Gun Details:** Unspecified

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** Yes, the victim's mother's boyfriend was charged and sentenced to five years in prison for reckless homicide.

### MEMPHIS, TENNESSEE, FEBRUARY 11, 2013

Jessica Johnson was at home sleeping when her four-year-old son Joshua found a loaded handgun that her mother's boyfriend, Clarence Coleman, had stored in a shoe box. Joshua began playing with the gun and accidentally shot himself. He was pronounced dead on the scene. Jessica Johnson was charged with reckless homicide and Clarence Coleman was charged with reckless endangerment.

**Victim:** Joshua Johnson, age 4

**Incident Location:** Victim's home

**Who Pulled the Trigger:** Victim

**Gun Details:** Unspecified handgun

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** Yes

### BAZINE, KANSAS, FEBRUARY 15, 2013

At 7:00 on a Friday evening, the Ness County Sheriff's office received a call of a shooting in Bazine. Upon arriving on the scene, deputies found that sixth grader Courie Cox had been shot in her family home, and was receiving CPR from a family member. Courie later died. The Kansas Bureau of Investigation declared the shooting accidental and that an unspecified family member had discharged the weapon that fatally wounded Courie.

**Victim:** Courie Cox, age 12

**Incident Location:** Family's home

**Who Pulled the Trigger:** Victim's family member

**Gun Details:** Unspecified

**Legally or Illegally Owned:** Unspecified

**Criminal Charges Brought?** No

### DECATUR, OHIO, FEBRUARY 18, 2013

According to the Brown County Sheriff, nine-year-old Sebastian Swartz was fascinated by the laser sight on his father's Glock handgun. At about 4:00 on a Monday afternoon, Sebastian found his father's gun and was playing with it in the family home when his sister tried to wrestle the

gun away from him. As she attempted to take the gun from Sebastian, it discharged and a bullet struck him in the head. He was flown to Cincinnati Children's Hospital and remained in critical condition for several days before succumbing to his injuries. His parents, Chris and Shanna Schwartz, were charged with felony child endangerment.

**Victim:** Sebastian Swartz, age 9

**Incident Location:** Victim's home

**Who Pulled the Trigger:** Victim

**Gun Details:** Unspecified Glock handgun

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** Yes, the victim's parents were charged with felony child endangerment.

### GARLAND, TEXAS, FEBRUARY 20, 2013

At about 6:00 on a Wednesday evening, police officers responding to a 911 call from the parent of a three-year-old child, John O'Brien, who had suffered a gunshot wound to the head. They rushed the toddler to Children's Medical Center in Dallas, where he later passed away. Officials later announced that the child had discovered a loaded handgun in his parent's home and had accidentally fired it at his head. Both parents and two young siblings were in the home when he was shot.

**Victim:** John O'Brien, age 3

**Incident Location:** Victim's home

**Who Pulled the Trigger:** Victim

**Gun Details:** Unspecified handgun

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** Investigation ongoing

### HOUSTON, TEXAS, FEBRUARY 24, 2013

As was their custom, four-year-old Jaiden Pratt Calloway and his father were spending the weekend together, anticipating that Jaiden's mother would pick the boy up on Sunday afternoon. The father and son were napping on the couch, but Jaiden woke up and found his father's .40-caliber Glock handgun. He began playing with the gun and accidentally fired it, hitting himself in the stomach. His father, Marquez Pratt, immediately woke up, grabbed the boy, and ran outside calling for help, but Jaiden died at the scene. Officers responding to the scene arrested Pratt after finding that the gun Jaiden shot himself with had been reported stolen, and after discovering crack cocaine and marijuana in his apartment.

**Victim:** Jaiden Pratt Calloway, age 4

**Incident Location:** Victim's father's apartment

**Who Pulled the Trigger:** Victim

**Gun Details:** .40-caliber Glock handgun

**Legally or Illegally Owned:** Illegally owned

**Criminal Charges Brought?** Yes, the victim's father was charged with felony child endangerment and possession of a controlled substance with intent to distribute.

### **LIBERTY TOWNSHIP, MICHIGAN, MARCH 2, 2013**

At approximately 5:30 p.m., as Deputy Sheriff Mark Easter was on his way to work, authorities received a 911 call seeking assistance at Easter's home. Upon arrival, they found Easter's three-year old son, Michael Richard Leland Easter, had been wounded by a single shot. Michael had found a loaded, unsecured gun that belonged to his parents and accidentally shot himself. The child was transferred to a local hospital, where he was later pronounced dead.

**Victim:** Michael Richard Leland Easter, age 3

**Incident Location:** Victim's home

**Who Pulled Trigger:** Victim

**Gun Details:** Unspecified handgun

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** No

### **NASHVILLE, TENNESSEE, MARCH 14, 2013**

While iron worker Larry Bass, 30, worked on the construction of the Music City Center, a new convention center in downtown Nashville, he and his wife Jacquelin, 28, were living with their three sons in the Extended Stay America Hotel near the Nashville airport. Originally from Texas, the family had been living in the hotel for about six weeks when, as Larry Bass handled his semi-automatic handgun one evening, the gun accidentally discharged and hit his 10-month-old son Adam in the chest. Jacqueline and the couple's other two- and three-year-old sons were in the room at the time of the shooting, and the family immediately called for help. Police responded within three minutes, but they were unable to resuscitate the child. Investigators believed the gun may have fired because of a possible mechanical error; a Davidson County grand jury indicted the father several months after the incident.

**Victim:** Adam Bass, age 10 months

**Incident Location:** Victim's family's extended stay hotel room

**Who Pulled Trigger:** Victim's father

**Gun Details:** Unspecified semi-automatic handgun

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** Yes, the father was indicted for felony reckless endangerment and aggravated child neglect.

### **LAKE NONA, FLORIDA, MARCH 22, 2013**

At a little after 2:00 on a Friday afternoon, 12-year-old

Christian Velez and his 16-year-old brother were home alone. The older brother heard some noise and became afraid that an intruder trying to break into the home. He called out for Christian, but did not hear a response, and when Christian startled his brother, he accidentally shot and killed his little brother. The older brother immediately called 911 and Christian was transported to the Arnold Palmer Hospital for children, but died within hours. A police spokesman characterized the shooting as accidental, and stated that the older brother would not face any charges. At the time of the incident, however, investigators were exploring possible charges against the boys' parents, and investigating how Christian's brother accessed the legally owned gun.

**Victim:** Christian Velez, age 12

**Incident Location:** Family's home

**Who Pulled the Trigger:** Victim's 16-year-old brother

**Gun Details:** Unspecified

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** Investigation ongoing

### **FAIRMONT, NORTH CAROLINA, MARCH 24, 2013**

Christopher Stanlane, 34, was sitting in his living room with his eight-year-old daughter and ten-year-old son while his wife made dinner in the kitchen. As his son, Christopher Jr., sat on the floor in front of the couch watching TV, Stanlane was cleaning his shotgun on the couch. The gun accidentally discharged, striking Christopher Jr. squarely in the back of the head and killing him instantly. His father had the butt of the gun on the ground, and Christopher was sitting on the floor. The father was wiping the side of the gun down when it went off, hitting the boy in the head.

**Victim:** Christopher Stanlane, Jr., age 10

**Incident Location:** Victim's home

**Who Pulled the Trigger:** Victim's father

**Gun Details:** 12 gauge shotgun

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** No

### **PINAL COUNTY, ARIZONA, MARCH 28, 2013**

At around 8:00 p.m. 11-year-old Joan Plumb was scrapbooking with a friend as her 15-year-old brother showed his new .22-caliber rifle to an 11-year-old friend from the neighborhood. Plumb's brother removed the magazine from the rifle and set it down on a table—but left one bullet in the chamber. When the 11-year-old boy picked up the weapon, it accidentally discharged, and Joan Plumb was struck in the head. Joan's father, who was in a back bedroom at the time of the shooting, rushed to his daughter's aid and called 911. Joan was taken to a local



hospital and then airlifted to Phoenix Children's Hospital, but was pronounced dead there. A spokesperson for the Pinal County Sheriff's Office reported that all the children in the home had been trained in firearm safety and handling.

**Victim:** Joan Plumb, age 11

**Incident Location:** Victim's home

**Who Pulled the Trigger:** Victim's brother's friend

**Gun Details:** .22-caliber rifle

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** Investigation ongoing

### MIAMI-DADE, FLORIDA, MARCH 30, 2013

At about 6:00 on a Saturday evening, Turquisha Peacock, 26, was preparing to drive her son, daughter, and another boy home from a visit to her children's grandparents' home. The three children were in a car parked in the driveway of the grandparents' home, and as Peacock prepared to enter the vehicle, the children found a gun in the car. Rahquel's six-year-old brother picked up the gun and as he handled it, it accidentally discharged, striking Rahquel's upper body. She was taken to Jackson Memorial Hospital's Ryder Trauma Center, where she died.

**Victim:** Rahquel Carr, age 4

**Incident Location:** Inside a car parked outside victim's grandparents' house

**Who Pulled the Trigger:** Victim's 6-year-old brother

**Gun Details:** Unspecified handgun

**Legally or Illegally Owned:** Unknown

**Criminal Charges Brought?** Investigation ongoing

### PRICHARD, ALABAMA, MARCH 31, 2013

Just after attending church on Easter Sunday—and gathering the most Easter eggs of any children his age during the church's Easter egg hunt—four-year-old Roderick Paige was visiting his aunt's home when he and other children discovered a gun on a dresser in a bedroom. The gun belonged to the aunt's boyfriend, who had previously been convicted a non-violent felony, and who left the gun loaded and in plain view in the bedroom. Roderick picked up the gun, which an uncle described as a .22-caliber single shot pistol, and accidentally shot himself in the chest. His seven-year-old brother was in the room, saw his brother pull the trigger, and ran into the kitchen to get help. The family rushed to the University of South Alabama Children's and Women's Hospital, but Roderick died.

**Victim:** Roderick Paige, age 4

**Incident Location:** Victim's relative's house

**Who Pulled the Trigger:** Victim

**Gun Details:** Unspecified .22-caliber single-shot pistol

**Legally or Illegally Owned:** The gun's owner was prohibited under federal law from owning the gun because of his felony conviction, but was not prohibited under Alabama law, which only prohibits gun possession by persons convicted of violent felonies.

**Criminal Charges Brought?** Investigation ongoing

### BROWNWOOD, TEXAS, APRIL 7, 2013

Around 8:15 on a Sunday evening, four-year-old Gracie Morin was in her family's living room while her father was cleaning his semi-automatic handgun in a closed bedroom. As he cleaned the gun, it discharged, sending a bullet through the wall and fatally wounding Gracie in the living room. Police characterized the incident as a "horrible tragedy" and a "tragic accident," and declined to bring charges.

**Victim:** Gracie Morin, age 4

**Incident Location:** Victim's home

**Who Pulled the Trigger:** Victim's father

**Gun Details:** Unspecified semi-automatic handgun

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** No

### TOMS RIVER, NEW JERSEY, APRIL 8, 2013

Six-year-old Brandon Holt was playing "pretend shooting" games with a four-year-old friend who lived nearby when the friend entered his family's home and emerged with a loaded .22-caliber rifle that had been stored, unlocked, in his father's bedroom. The younger boy, just yards away from Brandon, lifted the gun and a single shot rang out. It struck Brandon in the head, killing him. After authorities found five firearms close to ammunition, unlocked, and accessible to his children in the younger boy's home, his father, an avid hunter, was charged with multiple counts of child endangerment and enabling access by minors to a loaded firearm.

**Victim:** Brandon Holt, age 6

**Incident Location:** Outside a neighbor's house

**Who Pulled the Trigger:** Victim's 4-year-old friend

**Gun Details:** Unspecified .22-caliber rifle

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** Yes, the gun's owner was charged with failing to secure weapons and multiple counts of child endangerment.

### SUMTER, SOUTH CAROLINA, APRIL 9, 2013

Three-year-old Qui'ontrez Moss, a Georgia resident, was staying at a Sumter, South Carolina apartment when he came upon a loaded gun that had been left in the open. The gun was owned by his uncle, a certified law enforcement

officer with Shaw Airforce Base in Sumter. There were four people inside the apartment at the time, including at least one adult, but Qui'ontrez picked up the loaded gun, fired a shot into his upper body, and accidentally killed himself.

**Victim:** Qui'ontrez Moss, age 3

**Incident Location:** Relative's apartment

**Who Pulled the Trigger:** Victim

**Gun Details:** Unspecified

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** Investigation ongoing

### JACKSONVILLE, FLORIDA, APRIL 13, 2013

Just after 3:00 on a Saturday afternoon, five children were playing without adult supervision in the home of one of the children, an 11-year-old boy. The boy was playing with a .22-caliber handgun that belonged to his mother's boyfriend. He entered a bedroom where the oldest child, the 13-year-old daughter of a friend of his mother's, was playing. The boy told investigators that when he entered the room, the gun accidentally fired and struck the girl, Titania Mitchell. The bullet pierced Titania's forehead and killed her instantly. The 11-year-old's mother and her boyfriend, who said he kept the handgun and a shotgun for protection, were charged with culpable negligence and having an improperly stored firearm for allowing the children access to the gun.

**Victim:** Titania Mitchell, age 13

**Incident Location:** Victim's friend's home

**Who Pulled the Trigger:** Victim's friend

**Gun Details:** Unspecified .22-caliber handgun

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** Yes, the gun owner and shooter's mother were charged with culpable negligence and having an improperly stored firearm.

### SALINA, KANSAS, APRIL 13, 2013

Seven-year-old Gavin Lee Brummett was out shooting with his father and two brothers on a Friday afternoon. Their father reported that he heard two shots in rapid succession before turning to see his young son fallen and bleeding. He rushed Gavin to the local hospital, and the boy was airlifted to Wesley Medical Center in Wichita. He died there the next day. Investigators reported that Gavin shot himself with his father's Master Piece Arms semi-automatic .9 mm handgun. A county deputy sheriff said the case underscored the need for "basic firearm safety . . . and having that close parental supervision right there with them."

**Victim:** Gavin Lee Brummett, age 7

**Incident Location:** Outside, on a family shooting trip

**Who Pulled the Trigger:** Victim

**Gun Details:** Master Piece Arms semi-automatic 9 mm handgun

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** No

### OREGON CITY, OREGON, APRIL 14, 2013

Just before 5:00 p.m. on a Sunday afternoon a few weeks before her 10th birthday, Shayla May Schonnekter was playing in the back yard of her family home. At the same time, her mother's live-in fiancé, 32-year-old Joseph Wolters, was in a back room of house, about 40 or 50 yards from where Shayla was playing. An honorably discharged Iraq War veteran and active reservist who was studying to be a police officer, Wolters had recently been hired as a security guard for an armed transport company. As he was practicing drawing and holstering his 9 mm handgun in preparation for his new job, Wolters accidentally fired a single shot. The bullet pierced the outer wall of the family's home and struck Shayla in the face. She was airlifted to Oregon Health & Science University Hospital, and pronounced dead there. Authorities declined to bring any charges after noting that Wolters had cooperated throughout the investigation; had showed "deep and catastrophic remorse and depression;" had legally owned the weapon; and had no prior criminal history or drug or alcohol use at the time of the incident.

**Victim:** Shayla May Schonnekter, age 9

**Incident Location:** Backyard of victim's home

**Who Pulled the Trigger:** Victim's mother's boyfriend

**Gun Details:** Unspecified 9 mm handgun

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** No

### LAPWAI, IDAHO, APRIL 17, 2013

Nez Perce Tribal Police responding to a call at a home on the Nez Perce Indian Reservation found that eight-year-old Michael A. Bisbee III had been shot in the chest. He was taken to the hospital where he died of his injuries. Authorities released little information on how the boy was shot and few details on the gun involved, but Nez Perce County Sheriff Joe Rodriguez classified the shooting as accidental.

**Victim:** Michael A. Bisbee III, age 8

**Incident Location:** Victim's home

**Who Pulled the Trigger:** Unspecified

**Gun Details:** Unspecified

**Legally or Illegally Owned:** Unspecified

**Criminal Charges Brought?** Unspecified



### DONALD, OREGON, APRIL 20, 2013

Four-year-old Cody Hall's mother and twin siblings were napping in the late afternoon when Cody somehow accessed a loaded handgun that had been hidden on a high shelf in a utility room. The gun had been stored with the safety on in a holster in an unlocked gun case, but Cody managed to find the gun and take it out. He accidentally fired the gun, killing himself with a shot to his abdomen. The Marion County Sheriff called the death a "tragic situation" and the county's District Attorney ruled the death an accident and declined to bring charges.

**Victim:** Cody Ryan Hall, age 4

**Incident Location:** Victim's home

**Who Pulled the Trigger:** Victim

**Gun Details:** Unspecified handgun

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** No

### VICKSBURG, MISSISSIPPI, APRIL 22, 2013

Ten-year-old Gerald Tucker Jr. was playing video games in the living room of his family home while his 20-year-old half-brother and a 21-year-old man sat in the room. Gerald's brother had put a small-caliber handgun he owned on the table, and the 21-year-old man asked to see it. When he picked up the weapon, it accidentally discharged, shooting Gerald in the back of the head and killing him. When police responded, they found the gun that fired the fatal shot in a creek behind the house. Both Gerald's half-brother and the other man were charged with manslaughter, and the 21-year-old man was charged with being a felon in possession.

**Victim:** Gerald Tucker Jr., age 10

**Incident Location:** Victim's home

**Who Pulled the Trigger:** Victim's half-brother

**Gun Details:** An unspecified small-caliber handgun

**Legally or Illegally Owned:** Illegally owned by the 21-year-old felon

**Criminal Charges Brought?** Yes, two men were charged with manslaughter, and one as a felon in possession.

### KANSAS CITY, MISSOURI, APRIL 24, 2013

Fourteen-year-old Montee Hall, his 12-year-old brother, and two friends ages 16 and 17 were playing with a neighbor's gun in Montee's home when his younger brother accidentally fired the weapon, killing Montee. The surviving boys panicked and attempted to hide the body, first covering it with a comforter in the basement and eventually burying the body in a shallow grave behind an apartment complex near the family's home. Montee's younger brother was charged with involuntary manslaughter, and he and the 16-year old boy were charged

as juveniles with abandonment of a corpse and confined to juvenile detention. The 17-year-old was charged as an adult with felony abandonment of a corpse.

**Victim:** Montee Ross, age 14

**Incident Location:** Victim's home

**Who Pulled the Trigger:** Victim's brother

**Gun Details:** Unspecified

**Legally or Illegally Owned:** Unspecified

**Criminal Charges Brought?** Yes, the shooter was charged with accidentally killing his brother, and two other youths were charged in connection with the attempted disposal of the body.

### MARENGO, OHIO, APRIL 25, 2013

Ten-year-old Dalton Wayne Taylor was playing in his garage with a group of friends while his father was working on a fence in the family's backyard. The boys discovered a 12 gauge shotgun in the garage, which, along with other hunting gear, had recently been removed from a vehicle and placed in the garage. While the boys handled the shotgun, it discharged, and Dalton was shot in the chest. He later died, and police deemed the shooting accidental.

**Victim:** Dalton Wayne Taylor, age 10

**Incident Location:** Garage of victim's home

**Who Pulled the Trigger:** Victim's friend

**Gun Details:** Unspecified 12 gauge shotgun

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** No

### MOUNTAIN VILLAGE, ALASKA, APRIL 29, 2013

A five-year-old girl and her eight-year-old brother were home alone just after 2:00 on a Monday afternoon, one day after the brother had been hunting with a Ruger 10/22 rifle. As the boy handled his rifle that afternoon, it discharged, fatally wounding his sister.

**Victim:** Name Withheld, age 5

**Incident Location:** Family's home

**Who Pulled the Trigger:** Victim's brother

**Gun Details:** .22-caliber Ruger Rifle

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** Investigation ongoing

### BURKESVILLE, KENTUCKY, APRIL 30, 2013.

Stephanie Sparks's five-year-old son, Kristian, and her two-year-old daughter, Caroline, were with Stephanie as she cleaned their home. When Stephanie stepped outside for a moment just after 1:00 p.m., Kristian picked up the Crickett rifle—marketed as "My First Rifle"—that he had been given as a gift the previous year. His parents had stored the rifle in

a corner that they considered to be a “safe spot,” and had believed that it was unloaded, but in fact a bullet had been left in the gun. Kristian accidentally fired a single shot, striking his sister, who later died at the hospital. The Cumberland County Commonwealth’s Attorney declined to press charges after determining there was “no probable cause that any crime occurred.”

**Victim:** Caroline Marjorie Brooke Sparks, age 2

**Incident Location:** Victim’s home

**Who Pulled the Trigger:** Victim’s five-year-old brother

**Gun Details:** .22-caliber single-shot Crickett rifle

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** No

### YUMA, ARIZONA, MAY 1, 2013

Rachel B. Spry, 35, was staying at her daughter’s home to help her daughter and grandson pack for a move. Spry was sorting clothes in a bathroom and did not see her three-year-old grandson, Darrien Nez, come into the room and take her backpack off the top of the dryer. Minutes later, she heard a gunshot, and looked over to see Darrien bleeding from the nose. The boy had found his grandmother’s 9 mm handgun in the backpack and accidentally shot himself; he was later pronounced dead at Yuma Regional Medical Center. After police found that the backpack also contained a methamphetamine pipe, Spry was charged with reckless manslaughter per domestic violence, possession of a dangerous drug, possession of drug paraphernalia, and possession or use of a weapon in a drug offense.

**Victim:** Darrien Nez, age 3

**Incident Location:** Victim’s home

**Who Pulled the Trigger:** Victim

**Gun Details:** Unspecified 9 mm Handgun

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** Yes, the victim’s grandmother was charged with multiple drug charges and reckless manslaughter.

### TAMPA, FLORIDA, MAY 7, 2013

Jeffery Walker, 29, purchased his 9 mm handgun at a Tampa area gun shop, and had a legal concealed weapons permit. He failed to secure his gun, however, in the home that he shared with his nephew, three-year-old Jadarrius Speights, and Jadarrius’s parents. While the boy’s parents were in their bedroom, Jadarrius found his uncle’s gun in a second bedroom. He accidentally discharged the gun and shot himself; emergency responders rushed him to Florida Hospital Tampa, but could not revive him. Authorities

charged his uncle with culpable negligence.

**Victim:** Jadarrius Speights, age 3

**Incident Location:** Victim’s home

**Who Pulled the Trigger:** Victim

**Gun Details:** Unspecified 9 mm handgun

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** Yes, the gun’s owner was charged with culpable negligence.

### CORSICANA, TEXAS, MAY 8, 2013

Chris Davis, 35, had worked as a store firearms manager, and owned a gun because his home had been broken into. Less than a month before his son, Kinsler, would turn three years old, Davis was looking in a walk-in closet at about 8:45 p.m. when Kinsler entered the same closet. Kinsler was standing just feet away from his father, but nevertheless found his father’s handgun, which was loaded and unlocked. Before his father could stop him, Kinsler discharged the weapon, accidentally shooting himself in the head. He was transported to a local hospital and airlifted to Dallas, where he was pronounced dead just after 11:00 p.m.

**Victim:** Kinsler Alan Davis, age 2

**Incident Location:** Victim’s home

**Who Pulled the Trigger:** Victim

**Gun Details:** Unspecified handgun

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** Investigation ongoing

### DENTON, TEXAS, MAY 11, 2013

Late on a Saturday morning, while his parents were at work but his grandparents were home, 5-year-old Jason Haley was playing with an 8-year-old friend in a bedroom in the home. The older boy found a loaded, unsecured .22-caliber rifle, and accidentally fired a shot that struck Jason in the head. Jason was rushed to a local hospital and airlifted to Children’s Medical Center in Dallas, where he was pronounced dead. His death was the second accidental shooting of a child in North Texas in less than a week.

**Victim:** Jason Haley, age 5

**Incident Location:** Victim’s home

**Who Pulled the Trigger:** Victim’s 8-year-old friend

**Gun Details:** Unspecified .22-caliber rifle

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** Investigation ongoing

### LAKE CITY, FLORIDA, MAY 12, 2013

On Mother’s Day, 11-year-old Jarvan Jackson and his two- and four-year-old brother and sister were among six children



and at least one adult in an apartment. When Jarvan saw his two younger siblings playing with a gun, he attempted to take the gun away from them. Jarvan's four-year-old sister accidentally fired a shot, striking Jarvan in the neck. The woman who called 911 told reporters that when she came on the scene, Jarvan was "laying on his back" and "the children were covered in blood." Jarvan was rushed to the Shands Hospital, where he remained in critical condition for approximately two days before dying.

**Victim:** Jarvan Jackson, age 11

**Incident Location:** Victim's home

**Who Pulled the Trigger:** Victim's 4-year-old sister

**Gun Details:** Unspecified

**Legally or Illegally Owned:** Unspecified

**Criminal Charges Brought?** Investigation ongoing

### DAYTON, NEVADA, MAY 19, 2013

Twelve-year-old Gage Wilkinson was playing with two friends at his best friend's home when one of the boys went to get something from another room. Under unclear circumstances, a gun was fired from the room, hitting Gage in the head as he stood in the hallway. The Lyon's County Sheriff's Office pronounced the death "100 percent accidental."

**Victim:** Gage Wilkinson, age 12

**Incident Location:** Friend's home

**Who Pulled the Trigger:** Victim's friend

**Gun Details:** Unspecified

**Legally or Illegally Owned:** Unspecified

**Criminal Charges Brought?** Investigation ongoing

### CROZET, VIRGINIA, MAY 21, 2013

Pastor Paul Hollifield and his wife Anne had left their four home-schooled children, aged 9- to 15-years-old, at home alone on a Tuesday morning. The previous evening, their 13-year-old son had cleaned and taken apart his shotgun in the living room as he tried to get the gun, a gift from a relative, to work properly. The next morning, he was trying to see if it was working properly, loading some rounds and then removing them from the gun. He accidentally left one round in the chamber, however, and as his 10-year-old sister Maggie stood behind a love seat where their nine-year-old sibling was sitting, the shotgun accidentally discharged, striking Maggie and killing her. Authorities declined to bring any charges against the victim's brother or parents.

**Victim:** Maggie Hollifield, age 10

**Incident Location:** Victim's home

**Who Pulled the Trigger:** Victim's 13-year-old brother

**Gun Details:** Unspecified shotgun

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** No

### GREENVILLE, TEXAS, MAY 24, 2013

Just before 11:00 a.m. on the Friday of the Memorial Day weekend, police responded to a call of a gunshot and found that 12-year-old Keshawn Carter Davis had been shot once in the chest. The boy was with four other children—one four- and one nine-year-old, and two other 12-year-olds—and under no adult supervision when the shooting took place. Keshawn was taken to Hunt Regional Medical Center, where he was declared dead.

**Victim:** Keshawn Carter Davis, age 12

**Incident Location:** Unspecified

**Who Pulled the Trigger:** Unspecified

**Gun Details:** Unspecified

**Legally or Illegally Owned:** Unspecified

**Criminal Charges Brought?** Investigation ongoing

### TEXARKANA, ARKANSAS, MAY 25, 2013

One of six siblings, 14-year-old Deontre' Noble was an advanced honors student and played quarterback in his middle school. On a Saturday afternoon, police responded to a call at Deontre's home and found him suffering from a gunshot wound. The coroner pronounced Deontre' dead on the scene, and police declared the shooting accidental.

**Victim:** Deontre' Noble, age 14

**Incident Location:** Victim's home

**Who Pulled the Trigger:** Unspecified

**Gun Details:** Unspecified

**Legally or Illegally Owned:** Unspecified

**Criminal Charges Brought?** Investigation ongoing

### RUSK, TEXAS, MAY 29, 2013

In 2012, two-year-old Trenton Mathis and three other children had been removed from their parents because of abuse and neglect, and placed with Trenton's great-grandparents. Just after 3:00 on a Wednesday afternoon, Trenton was looking for a piece of gum when he entered his great-grandparents' bedroom. While the lock on the bedroom door was engaged, the door was not closed all the way, which allowed Trenton to enter the room. There, he found his great-grandfather's 9 mm semi-automatic handgun on a nightstand. He accidentally shot himself in the face, and after emergency workers were unable to resuscitate him, he was pronounced dead at the hospital. Child Protective Services removed the remaining children from the home after the incident.

**Victim:** Trenton Mathis, age 2

**Incident Location:** Victim's home

**Who Pulled the Trigger:** Victim



**Gun Details:** Unspecified 9 mm semi-automatic handgun  
**Legally or Illegally Owned:** Legally owned  
**Criminal Charges Brought?** Investigation ongoing

### LAS VEGAS, NEVADA, JUNE 4, 2013

On the afternoon before the last day of seventh grade, 13-year-old Brooklyn Mohler and two other teens were in one of the teen's home. One of the girls was holding a handgun, which came from the residence, when it discharged, striking and killing Brooklyn. Police characterized the shooting as a "tragic accident," and said that because the gun accidentally discharged and "had been stored in a reasonable hiding place," they did not anticipate filing any charges.

**Victim:** Brooklyn Mae Mohler, age 13  
**Incident Location:** Victim's friend's home  
**Who Pulled the Trigger?** Victim's friend  
**Gun Details:** Unspecified handgun  
**Legally or Illegally Owned:** Legally owned  
**Criminal Charges Brought?** No

### SAN DIEGO, CALIFORNIA, JUNE 4, 2013

Ten-year-old Eric Klyaz was playing with a nine-year-old girl while the girl's older sibling babysat them. While the children were in the garage of the girl's home, they found a 9 mm handgun. Eric was handling the gun when it accidentally discharged, hitting him in the chest. The girl's father, who owned the gun, stated that he had stored the gun unloaded and apart from the ammunition, but he was charged with and pleaded guilty to charges of involuntary manslaughter, child endangerment, and negligent firearm storage.

**Victim:** Eric Klyaz, age 10  
**Incident Location:** Garage of victim's friend's home  
**Who Pulled the Trigger:** Victim  
**Gun Details:** Unspecified 9 mm semi-automatic handgun  
**Legally or Illegally Owned:** Legally owned  
**Criminal Charges Brought?** Yes, the gun's owner was charged with multiple crimes.

### JOSHUA, TEXAS, JUNE 4, 2013

Emilee Bates was celebrating her 13th birthday when she was accidentally shot and killed by her 19-year-old stepbrother, Austin McCord. McCord was cleaning his AK-47 semiautomatic rifle, and ejected two dummy rounds that were above the loaded magazine, and pulled the trigger, thinking that it was safe. Unfortunately, he fired a bullet that struck Emilee in the stomach. She was taken to the hospital and died from her injuries. Officials said the incident was an accident and declined to bring charges.

**Victim:** Emilee Bates, age 13  
**Incident Location:** Victim's home  
**Who Pulled the Trigger:** Victim's stepbrother, age 19  
**Gun Details:** AK-47 semiautomatic rifle  
**Legally or Illegally Owned:** Legally owned  
**Criminal Charges Brought?** No

### SWEET LAKE, LOUISIANA, JUNE 4, 2013

At just after 6:00 on a Tuesday evening, Wesley Quinn and his cousin were playing with a .22-caliber revolver in what the Cameron Parish Sheriff described as "two boys in the house playing with guns." Wesley's cousin accidentally fired a shot that struck Wesley in the chest. He was rushed to a local hospital where he was pronounced dead. The sheriff said that he did not plan to bring any charges.

**Victim:** Wesley Quinn, age 12  
**Incident Location:** Victim's home  
**Who Pulled the Trigger:** Victim's cousin  
**Gun Details:** .22-caliber revolver  
**Legally or Illegally Owned:** Legally owned  
**Criminal Charges Brought?** No

### GENEVA, INDIANA, JUNE 17, 2013

Around 11:30 on a Monday night, while his parents were sleeping, Seth Box's 16-year-old brother was moving a .22-caliber rifle when it suddenly discharged, striking 12-year-old Seth in the head. The family had been target shooting earlier in the day, and the older boy believed that the gun was unloaded. Seth was transferred to the Riley Hospital for Children in Indianapolis, where he later died. The police described the incident as a tragic incident; no charges were brought.

**Victim:** Seth Box, age 12  
**Incident Location:** Victim's home  
**Who Pulled the Trigger:** Victim's 16-year-old brother  
**Gun Details:** Unspecified .22-caliber rifle  
**Legally or Illegally Owned:** Legal  
**Criminal Charges Brought?** No

### KNOXVILLE, TENNESSEE, JUNE 19, 2013

Ken Mason, 40, and Angela Major, 26, were in the middle of an argument around 1:30 in the afternoon when a handgun was produced. They struggled over the weapon when it discharged, striking Mason in the hand and the couple's six-year-old daughter, Kelsey Major, in the head. Kelsey was transported to the University of Tennessee Medical Center and pronounced dead. The girl's parents were charged with reckless homicide.



**Victim:** Kelsey Major, age 6 months  
**Incident Location:** Victim's home  
**Who Pulled the Trigger:** One of the victim's parents  
**Gun Details:** Unspecified handgun  
**Legally or Illegally Owned:** Unspecified  
**Criminal Charges Brought?** Yes, the victim's parents were charged with reckless homicide.

### MINERVA, OHIO, JUNE 21, 2013

Nine-year-old Matthew Schreckengaust was visiting relatives. He and a 14-year-old cousin were handling a gun belonging to the cousin's father when it accidentally discharged, striking Matthew. The boy was taken to Aultman Hospital in Canton, where he died.

**Victim:** Matthew Schreckengaust, age 9  
**Incident Location:** Victim's cousin's home  
**Who Pulled the Trigger:** Victim's 14-year-old cousin  
**Gun Details:** Unspecified  
**Legally or Illegally Owned:** Legally owned  
**Criminal Charges Brought?** Investigation ongoing

### MODOC, INDIANA, JUNE 22, 2013

Mitchell Gilliland, 36, was placing a rifle into a gun cabinet in his home when the weapon accidentally discharged. The bullet struck 12-year-old Kyle Fisher II in the chest. Kyle was rushed to a local hospital where he was pronounced dead. Police and the Randolph County Coroner's office ruled the shooting an accident. Kyle would have started seventh grade in the Fall. No charges have been filed.

**Victim:** Kyle Fisher II, age 12  
**Incident Location:** Home of individual with unspecified relationship to victim  
**Who Pulled the Trigger:** Mitchell Gilliland, 36  
**Gun Details:** Unspecified rifle  
**Legally or Illegally Owned:** Legally owned  
**Criminal Charges Brought?** Investigation ongoing

### NEW ORLEANS, LOUISIANA, JUNE 23, 2013

Laderika Smith, 28, had left her home to buy some milk, and was gone for approximately 10 minutes. When she returned, she saw blood on a closet door frame and, after opening the door, found her daughter with a gunshot to her head. The five-year-old girl, Brandajah, had accidentally shot herself after finding a .38 special revolver belonging to her mother's boyfriend, a felon. Brandajah was rushed to the emergency room, but died hours later. A grand jury charged her mother with second-degree murder after finding she had been criminally negligent for leaving the child unsupervised with a gun in the home. Her boyfriend was charged as a felon in possession.

**Victim:** Brandajah Smith, age 5  
**Incident Location:** Victim's home  
**Who Pulled the Trigger:** Victim  
**Gun Details:** Taurus .38-caliber revolver  
**Legally or Illegally Owned:** Illegally owned  
**Criminal Charges Brought?** Yes, the victim's mother and her boyfriend were both charged.

### GRANTS PASS, OREGON, JUNE 27, 2013

Jon Andrew Meyer, Jr., 30, was sitting on the couch at a friend's apartment when he decided to use his fully automatic assault rifle as a crutch to help him stand up. In the process of leaning on the weapon, Meyer caused it to discharge, firing a burst of bullets that penetrated the ceiling. Five-year-old Alysa Bobbitt was with her mother and another woman in the apartment directly above when the bullets crashed through the floor, killing Alysa and wounding the other woman. Meyer was charged with second-degree manslaughter, third-degree assault, unlawful possession of a machine gun, and possession of methamphetamine.

**Victim:** Alysa Bobbitt, age 5  
**Incident Location:** Victim's home  
**Who Pulled the Trigger:** Jon Andrew Meyer, age 30  
**Gun Details:** Unspecified automatic assault weapon  
**Legally or Illegally Owned:** Illegally owned.  
**Criminal Charges Brought?** Yes, the shooter was charged with manslaughter, assault, illegal possession of a machine gun, and drug charges.

### BRISTOL, WEST VIRGINIA, JUNE 30, 2013

Tina Owens, 57, and her son were next door neighbors whose homes were about 200 yards apart. One night, while her 11-year-old grandson William was in bed at his father's house, his father and grandmother thought they heard intruders tampering with property around their homes. In an attempt to scare off any would-be burglars, Owens walked outside her home with a .40-caliber pistol and fired several shots. One of these shots penetrated the wall of her son's home, striking and killing her grandson as he slept. The Harrison County prosecutor announced that he was seeking charges against the grandmother, saying that it was an important, if difficult, case, given "the responsibility that comes along with exercising your Second Amendment rights."

**Victim:** William Owens, age 11  
**Incident Location:** Victim's home  
**Who Pulled the Trigger:** Victim's grandmother, age 57  
**Gun Details:** Unspecified .40-caliber pistol  
**Legally or Illegally Owned:** Legally owned  
**Criminal Charges Brought?** Yes

### HOPKINSVILLE, KENTUCKY, JUNE 30, 2013

Six-year-old Elyssia Marie Karlsen's father had pulled out his pistol and, thinking it was unloaded, was preparing to clean the weapon. When he set it down and walked away for a moment, Elyssia's four-year-old brother picked it up and the gun discharged. It hit his sister in the mouth, and the bullet lodged in her spine. She was rushed to Jennie Stuart Medical Center and later flown to Vanderbilt Children's Hospital for emergency care, but did not survive the injury. The Police Chief reported that an investigation was ongoing, and added, "People have to be careful. If they're going to have a weapon they have to be responsible."

**Victim:** Elyssia "Ellie" Marie Karlsen, age 6

**Incident Location:** Victim's home

**Who Pulled the Trigger:** Victim's 4-year-old brother

**Gun Details:** Unspecified .38-caliber handgun

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** Investigation ongoing

### CHESTERFIELD, VIRGINIA, JULY 4, 2013

On July 4th, 7-year-old Brendon Mackey was walking with his father in a restaurant parking to go watch some nearby fireworks when he was struck in the head and killed by a bullet that officials suspect was fired to celebrate July 4th. Brendon fell down and after his father, noticing blood, initially thought Brendon had bumped his head. After the boy was rushed to the hospital, doctors discovered the bullet wound in the top of his head. He died the following day. The shooter has not been found.

**Victim:** Brendon Mackey, age 7

**Incident Location:** Outside

**Who Pulled the Trigger:** Unknown

**Gun Details:** Unspecified .40-caliber pistol

**Legally or Illegally Owned:** Unknown

**Criminal Charges Brought?** Investigation ongoing

### YOUNGSTOWN, OHIO, JULY 7, 2013

Pamela Easterly, 52, was in her living room on a Sunday night as her 4-year-old grandson Ray-twon Briggs played with two other children, ages one and five, in a bedroom. The children came across a loaded handgun and a shot was discharged, striking Ray-twon in the face and killing him within seconds. Police officials ruled the shooting an accident and announced that Ray-twon had shot himself. Police investigating the scene found three accessible guns in total. They charged Ray-twon's grandmother with felony child endangerment for allowing the children to play in a room with accessible firearms.

**Victim:** Ray-twon Briggs, age 4

**Incident Location:** Victim's home

**Who Pulled the Trigger:** Victim

**Gun Details:** Unspecified handgun

**Legally or Illegally Owned:** Unspecified

**Criminal Charges Brought?** Yes, the victim's grandmother was charged with child endangerment.

### BELLEVILLE, ILLINOIS, SEPTEMBER 14, 2013

Eleven-year-old Leonard J. Smith Jr. was at a family barbecue at a relative's house, playing with a six-year-old relative and another child. While the adults were on the first floor of the home, Smith and the other children went upstairs to a bedroom. They found a handgun there, and while the six-year-old boy handled the gun, it discharged, shooting Smith in the head. He was transported to Belleville Memorial Hospital and pronounced dead. Police announced that the gun was being held by a resident of the home for another family member who was not present at the time of the shooting.

**Victim:** Leonard J. Smith, Jr., age 11

**Incident Location:** Victim's relative's home

**Who Pulled the Trigger:** Victim's 6-year-old relative

**Gun Details:** Unspecified handgun

**Legally or Illegally Owned:** Unspecified

**Criminal Charges Brought?** Investigation ongoing.

### COPIAH COUNTY, MISSISSIPPI, JULY 17, 2013

9-year-old Isaac Tervino and his parents were visiting Isaac's grandparents at their home, and while his parents were eating dinner at the kitchen table, Isaac and two other boys, Isaac's ten- and 13-year-old cousins, entered the grandparents' bedroom. They came upon the grandfather's loaded gun, sitting out in the open. The ten-year-old boy picked up the gun and it discharged, hitting Isaac above the right eyebrow. He was taken to River Region Medical Center and airlifted to the University of Mississippi Medical Center in Jackson, where he died. The shooting was ruled accidental and no charges were filed.

**Victim:** Isaac Tervino, age 9

**Incident Location:** Victim's grandparents' home

**Who Pulled the Trigger:** Victim's cousin

**Gun Details:** Unspecified

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** No



### BATTLE CREEK, NEBRASKA, JULY 17, 2013

At noon just four days before his seventh birthday, Lawson Walz was shot and killed in his home. The Madison County Attorney declared the incident as “an accidental shooting,” noting that “[n]o foul play is suspected . . . and the investigation is essentially closed.”

**Victim:** Lawson Walz, age 6

**Incident Location:** Victim’s home

**Who Pulled the Trigger:** Unknown

**Gun Details:** Unspecified

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** No

### CABOT, ARIZONA, JULY 21, 2013

Around 3:45 on a Sunday afternoon, three-year-old Noah Chambers was at the home of a family friend when he found a 9 mm handgun, picked it up, and shot himself. He was pronounced dead on the scene. Authorities charged a 30-year-old man who lived in the home with endangering the welfare of a minor and other charges.

**Victim:** Noah Chambers, age 3

**Incident Location:** Family friend’s home

**Who Pulled the Trigger:** Victim

**Gun Details:** Unspecified 9 mm automatic handgun

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** Yes, the gun’s owner was charged with child endangerment.

### SEDRO-WOOLEY, WASHINGTON, JULY 21, 2013

Four-year-old Dwayne Kerrigan was handling a handgun belonging to his mother’s boyfriend when it discharged, shooting him in the head and killing him. Police initially suspected that the boyfriend had shot Dwayne, but an autopsy confirmed that the deadly wound was self-inflicted. The boyfriend was prohibited from owning a firearm because of a previous felony conviction, and was arrested as a felon in possession; prosecutors may bring additional criminal charges against him for endangering the four-year-old child.

**Victim:** Dwayne Kerrigan, age 4

**Incident Location:** Victim’s home

**Who Pulled the Trigger:** Victim

**Gun Details:** Unspecified handgun

**Legally or Illegally Owned:** Illegally owned

**Criminal Charges Brought?** Yes

### WICKENBURG, ARIZONA, JULY 26, 2013

Days after Brady Baker celebrated his thirteenth birthday, and a few weeks before he started eighth grade, he was visiting a friend’s house on a Friday evening. Brady’s friend was handling a handgun his family had bought as a safety precaution when the friend’s 19-year-old sister began dealing with a stalker who threatened the family. His father, who was not home at the time, had left the gun with his children thinking they could protect themselves if the stalker appeared and presented a danger. But Brady’s friend accidentally fired a shot that struck Brady in the head; he was transferred to Phoenix Children’s Hospital but passed away the following day.

**Victim:** Brady Baker, age 13

**Incident Location:** Victim’s friend’s home

**Who Pulled the Trigger:** Victim’s 13-year-old friend

**Gun Details:** Unspecified handgun

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** Investigation ongoing

### WICHITA FALLS, TEXAS, AUGUST 2, 2013

Nine-year-old Daniel Wiley lived in Pennsylvania, but was visiting his grandfather, Danny Bowman, in North Texas as part of his summer vacation. Bowman, 56, kept a 12 gauge shotgun loaded and in plain view in his living room. When Mr. Bowman left Daniel and another 13-year-old grandson alone with their disabled great-grandmother while he drove to get beer one Friday evening, the boys took the shotgun to the backyard. As the boys attempted to exchange the weapon, it fell to the ground, and when the older brother attempted to pick it up, it discharged, shooting Daniel and killing him. Mr. Bowman was charged with second degree felony child abandonment or endangerment.

**Victim:** Daniel Wiley, age 9

**Incident Location:** Victim’s grandfather’s house

**Who Pulled the Trigger:** Victim’s brother

**Gun Details:** Unspecified shotgun

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** Yes, the victim’s grandfather was charged with child endangerment.

### ANDERSON, INDIANA, AUGUST 5, 2013

Logan Armendariz, 13, had graduated from the sixth grade before the summer, and was home with his 10-year-old brother when his brother found the keys to the family’s gun safe. Logan’s younger brother opened the safe, which was in a closet, pulled out a revolver, and—not knowing that there was a single bullet in the chamber—pulled the trigger. The bullet struck Logan in the chest, and he died shortly after being taken to the hospital. A police detective lamented that

"All the safeguards were taken, yet the child was able to find a way to the gun." He added: "The parents took the appropriate precautions in this situation, but young people can find ways around some of our best made plans, which is what makes this even more tragic."

**Victim:** Logan Anthony Armendariz, age 13

**Incident Location:** Victim's home

**Who Pulled the Trigger:** Victim's 10-year-old brother

**Gun Details:** Unspecified revolver

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** No

### HURON, TENNESSEE, AUGUST 18, 2013

Terry York, 48, was showing his AR-15 rifle to friends in a backroom at his home when it accidentally discharged. The accidental shot set off a small fire in the room, where York stored a large amount of ammunition. As York's twelve-year-old son, Luke, attempted to help his father extinguish the blaze, it reached the ammunition and set off a series of explosions, killing both father and son. The Tennessee Bureau of Investigation and bomb and arson investigators were investigating the incident.

**Victim:** Luke York, age 12

**Incident Location:** Victim's home

**Who Pulled the Trigger:** Victim's father

**Gun Details:** AR-15 rifle

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** No

### DUNDEE, MICHIGAN, AUGUST 19, 2013

Joshua Greenhill, 30, was a friend of three-year-old Damon Holbrook's father, and was staying in the Holbrook family home. Greenhill was a registered concealed pistol license holder and after returning from work one Sunday afternoon, he placed his .40-caliber handgun, loaded with 15 rounds, in an unlocked case in his bedroom closet. As the adults living in the home were downstairs in the kitchen talking, the children were playing upstairs. Damon found Greenhill's gun, began playing with it, and accidentally shot himself. He was rushed to St. Joseph Mercy Hospital in Ann Arbor, where he was pronounced dead. Greenhill was arrested and charged with manslaughter and careless discharge of a firearm causing death.

**Victim:** Damon Holbrook, age 3

**Incident Location:** Victim's home

**Who Pulled the Trigger:** Victim

**Gun Details:** .40-caliber handgun

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** Yes

### SHIPPENSBURG, PENNSYLVANIA, SEPTEMBER 1, 2013

Jessica Pfaff was sleeping on a Sunday afternoon when her 6-year-old son Matthew woke her and said, "I shot Alex." While his mother slept, Matthew had found a loaded revolver tucked between the mattress and bedframe and accidentally shot his eight-year-old brother, Alex, in the head. Alex was taken to Penn State Hershey Medical Center, where he died of his wounds days later. Police recovered the loaded handgun and a loaded rifle that had been kept next to the bed in the master bedroom, readily accessible to the children. The District Attorney later said that the handgun involved in the shooting "looked much more like a toy than the firearms [police] carry ... It looked kind of like the cap pistols I played with when I was a kid, but it's a real gun." Police also seized drug paraphernalia and prescription pain killers. Matthew was placed in the custody of child protective services after police declared the home unfit for children based on the accessible guns as well as trash, clutter, and piles of dirt in the home. Jessica Pfaff was charged with felony involuntary manslaughter, two counts of recklessly endangering another person, and two counts of endangering the welfare of a child; the District Attorney said the investigation "showed a pattern of neglect of her two boys; the presence of ... prescription drugs in her system to the point where she was not awakened by a gunshot mere inches from where she was; and a failure to take even the most simple steps to ensure the safety of her children."

**Victim:** Alexander Pfaff, age 8

**Incident Location:** Victim's home

**Who Pulled the Trigger:** Victim's 6-year-old brother

**Gun Details:** Unspecified revolver

**Legally or Illegally Owned:** Unspecified

**Criminal Charges Brought?** Yes, multiple charges were brought against the victim's mother.

### CARLSBAD, NEW MEXICO, SEPTEMBER 4, 2013

Twelve-year-old Jeremy Hatfield and his 15-year-old cousin, Michael Schulz, were very close. As the boys were hanging out one day, Jeremy was handling a pistol BB gun and pointed it at his cousin. Michael responded by pulling out an actual handgun. The cousin, who told police that he thought the gun was unloaded, pulled the trigger, shooting Jeremy in the chest. Police declared the shooting accidental, but charged Michael, who got the gun from a friend, with involuntary manslaughter and illegal possession.

**Victim:** Jeremy Hatfield, age 12

**Incident Location:** Outside the victim's home

**Who Pulled the Trigger:** Victim's 15-year-old cousin

**Gun Details:** Unspecified handgun

**Legally or Illegally Owned:** Illegally owned



**Criminal Charges Brought?** Yes, the shooter was charged with involuntary manslaughter, tampering with evidence, and unlawful possession of a handgun by a person under the age of 19.

### **SAGINAW, MICHIGAN, SEPTEMBER 6, 2013**

Terence Holliday, 14, had just started as a freshman at Arthur Hill High School when he was shot and killed. Police announced that Holliday had been killed in an accidental shooting, but announced in a press release that they would not provide additional information on the incident.

**Victim:** Terence Holliday, age 14

**Incident Location:** Unspecified

**Who Pulled the Trigger:** Unknown

**Gun Details:** Unknown

**Legally or Illegally Owned:** Unknown

**Criminal Charges Brought?** Unknown

### **YELLOWSTONE, WYOMING, SEPTEMBER 7, 2013**

Three-year-old Ella Marie Tucker and her family lived in Pocatello, Idaho, but were visiting Yellowstone National Park on a family vacation. Under a federal law that took effect in 2010, carrying a gun in a national park is legal, and Ella's father brought his handgun along on the vacation. Ella found her father's gun and accidentally shot and killed herself.

**Victim:** Ella Marie Tucker, age 3

**Incident Location:** Yellowstone National Park

**Who Pulled the Trigger:** Victim

**Gun Details:** Unspecified handgun

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** Investigation ongoing

### **MICHIGAN CITY, INDIANA, SEPTEMBER 15, 2013**

Zachariah Grisham, 24, was in the mobile home he shared with his girlfriend and her sons, playing with the younger boy, three-year-old Lance Wilson. Grisham and Lance were playing a game where they pretended to shoot at each other; the boy was using his hand as a fake gun, pointing his finger at the adult and pretending to shoot when Grisham pulled out a real handgun and pointed it at the boy. According to the LaPorte County Prosecuting Attorney, Grisham thought the gun was unloaded and pulled the trigger, accidentally shooting Lance in the head and killing him. Grisham was charged with felony counts of child neglect and reckless homicide.

**Victim:** Lance Wilson, age 3

**Incident Location:** Victim's home

**Who Pulled the Trigger:** Victim's mother's live-in boyfriend

**Gun Details:** Unspecified handgun

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** Yes, the shooter was charged with child neglect and reckless homicide.

### **SAN ANTONIO, TEXAS, DECEMBER 22, 2013**

Lloyd Hayes, 14, was on a Sunday hunting trip when he was accidentally shot and killed. According to an investigator from the Wilson County Sheriff's Office, Lloyd and his family were hunting doves when the boy accidentally shot himself in the head with a 12 gauge shotgun.

**Victim:** Lloyd Hayes, age 14

**Incident Location:** Wilson County woods

**Who Pulled the Trigger?** Victim

**Gun Details:** Unspecified 12 gauge shotgun

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** No

### **MACON, GEORGIA, OCTOBER 11, 2013**

Marquez Blount, 13, was outside with a 16-year-old friend, and the boys were handling a handgun when the gun accidentally discharged, striking Marquez in the face. A witnesses reported that the older boy said, "I didn't mean to, I didn't mean to," before running away; he was later arrested and charged with possession of a firearm by a person under the age of 18 and possession of a gun with an altered serial number. Marquez died the following day, and investigators anticipated bringing additional charges against the 16 year old.

**Victim:** Marquez Blount, age 13

**Incident Location:** Outside

**Who Pulled the Trigger:** Victim's 16-year-old friend

**Gun Details:** Unspecified handgun

**Legally or Illegally Owned:** Illegally owned

**Criminal Charges Brought?** Yes

### **FAYETTEVILLE, NORTH CAROLINA, OCTOBER 19, 2013**

Two-year-old Samarri Beauford was at home with her grandmother and aunt when she found a loaded handgun that her father, 19, had left under the living room couch. The toddler picked up the gun and accidentally shot and killed herself. Her father, a convicted felon, was charged with illegal gun possession and involuntary manslaughter.

**Victim:** Samarri Tyana Beauford, age 2

**Incident Location:** Victim's home

**Who Pulled the Trigger:** Victim

**Gun Details:** Unspecified .22-caliber handgun

**Legally or Illegally Owned:** Illegally owned

**Criminal Charges Brought?** Yes, the victim's father was charged as a felon in possession and with involuntary manslaughter.

### **SALADA, COLORADO, OCTOBER 19, 2013**

Ian Dante Muro, 14, had gone on a Saturday hunting trip with his parents and grandfather in the San Isabel National Forest, and had walked a short distance away from the rest of the hunting party when the others heard a single gunshot. They found the boy lying motionless on his back, with his rifle across his chest, and a single gunshot wound to the chest. His family took him to a local hospital, where he was pronounced dead. Investigators reported that Ian's shooting appeared accidental.

**Victim:** Ian Dante Muro, age 14

**Incident Location:** San Isabel National Forest

**Who Pulled the Trigger:** Victim

**Gun Details:** Unspecified rifle

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** No

### **VIDOR, TEXAS, OCTOBER 21, 2013**

Melissa Ann Ringhardt, 19, had been living with the Read family for a few months, and was a regular babysitter for Kayla and Joe Read's two children, five-year-old John and a six-month-old sibling. Ringhardt had a semi-automatic .40-caliber pistol which she was carrying because she was afraid of being alone in the home with the children. She set the gun down on a coffee table in the living room and fell asleep. When she awoke, she discovered that John had found the handgun and accidentally shot and killed himself. Ringhardt was charged with felony child endangerment.

**Victim:** John Allen Read, age 5

**Incident Location:** Victim's home

**Who Pulled the Trigger:** Victim

**Gun Details:** Unspecified .40-caliber handgun

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** Yes

### **PRATTS, VIRGINIA, OCTOBER 26, 2013**

One Saturday afternoon while Daniel Ray Dixon was at work, his twelve-year-old son Dax was with a friend in the woods near their homes. Mr. Dixon owned a number of guns, and had taught Dax about the importance of gun safety. Nevertheless, shortly after 5:00, authorities received an emergency call and when they responded, they found Dax dead at the scene. They characterized the incident as an accidental shooting involving two juveniles.

**Victim:** Dax Dixon, age 12

**Incident Location:** Woods near victim's home

**Who Pulled the Trigger:** Victim's friend

**Gun Details:** Unspecified

**Legally or Illegally Owned:** Unspecified

**Criminal Charges Brought?** Yes, Dax's friend was charged with involuntary manslaughter.

### **FREDERICK, COLORADO, OCTOBER 28, 2013**

When Dione Warren took her daughter to school one morning, she left her three-year-old son, Sheine, at home alone. When she returned and called out for Sheine, he did not answer, and she discovered him on the floor of her bedroom just after 9:00 in the morning, bleeding from the head. She initially thought he had fallen and struck his head. But when police responded to her call for help, they discovered a recently-fired gun near Sheine and determined that he had accidentally shot himself in the head while handling the gun. The gun, a .40-caliber Glock, was legally owned by Shein's stepfather, Jeremy McCollem, who was not at home at the time of the incident. Warren told investigators that the gun was always returned to its gun safe in the mornings, but that her husband must have forgotten to do it that day, and must have left it under the mattress. She was charged with negligent child abuse.

**Victim:** Sheine Stein, age 3

**Incident Location:** Victim's home

**Who Pulled the Trigger:** Victim

**Gun Details:** .40-caliber Glock handgun

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** Yes, the victim's mother was charged with felony negligent child abuse.

### **ROGERSVILLE, MISSOURI, OCTOBER 28, 2013**

Zoie Dougan and her mother were visiting a friend of her mother's about 45 miles from their home in Branson, Missouri. A 24-year-old man who lived in the home was taking target practice in the back yard with a .22-caliber rifle. Zoie and some other children were playing in the home's front yard, but unbeknownst to the man, four-year-old Zoie wandered from the front yard into the area where he was shooting. Before the man saw Zoie, she walked into his line of fire, and was struck by a single bullet in the head. She later died on her way to the hospital. The man who shot Zoie was interviewed by police but no charges were brought. Zoie's mother told her pastor that she was sure the shooting was accidental, emphasizing that she and Zoie were very close to the family they were visiting when the shooting occurred.

**Victim:** Zoie Dougan, age 4

**Incident Location:** Behind victim's friend's home

**Who Pulled the Trigger:** Friend of the victim's family

**Gun Details:** Unspecified .22-caliber rifle

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** No



### MEDIAPOLIS, IOWA, NOVEMBER 5, 2013

When deputies from the Des Moines County Sheriff's Office responded to reports of a gunshot at a Mediapolis home, they found 12-year-old Kyler Schnedler bleeding from a single, self-inflicted gunshot wound. He was transported to a local hospital and from there to the University of Iowa Hospital, where he was admitted in critical condition. He later died from his wounds. Police closed the investigation after finding that there was no foul play involved.

**Victim:** Kyler Schnedler, age 12

**Incident Location:** Victim's home

**Who Pulled the Trigger:** Victim

**Gun Details:** Unknown

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** No

### WARREN COUNTY, MISSISSIPPI, NOVEMBER 12, 2013

After a fire destroyed their home, Jamerica Ragsdale and her four sisters temporarily moved in with their grandmother while the family prepared to move into a new home. Six-year-old Jamerica was in her grandmother's living room when a 16-year-old boy, a boyfriend of one of the girls, handled a .22-caliber handgun in an adjacent bedroom. The gun had jammed, and as the teen attempted to fix the problem, he accidentally fired two shots. One of the shots penetrated the wall between the bedroom and living room and struck Jamerica in the head. She was rushed to the hospital, but did not recover from her wounds, and passed away two days later. The teenage shooter was arrested and held in juvenile detention for possession of a firearm as a minor as authorities investigated the case and determined whether to bring additional charges.

**Victim:** Jamerica Ragsdale, age 6

**Incident Location:** Victim's temporary home

**Who Pulled the Trigger:** A boyfriend of a family member, age 16

**Gun Details:** Unspecified .22-caliber handgun

**Legally or Illegally Owned:** Illegally owned

**Criminal Charges Brought?** Yes

### HAWKS, MICHIGAN, NOVEMBER 13, 2013

Ten-year-old Wyatt Saile was a fifth grader at St. Ignatius Catholic School in Rogers City. At about 8:20 on a Tuesday night, officers from the Presque Isle County Sheriff's Office responded to a report of an accidental shooting at Wyatt's home. When they arrived, they found that Wyatt had already died from a single gunshot wound. Police did not release additional details on the shooting, and an investigation was ongoing.

**Victim:** Wyatt Thomas Saile, age 10

**Incident Location:** Victim's home

**Who Pulled the Trigger:** Unknown

**Gun Details:** Unspecified Unknown

**Legally or Illegally Owned:** Unknown

**Criminal Charges Brought?** Investigation ongoing

### FAYETTEVILLE, NORTH CAROLINA, NOVEMBER 16, 2013

Jefferey David Perez, 32, was a soldier in the U.S. Army, stationed at Fort Bragg. Shortly before 11:00 on a Saturday morning, his four-year-old son, Killian, came upon Perez's loaded handgun on top of the refrigerator. He picked up the gun and it accidentally discharged, fatally wounding himself. Two other children were present in the family home, but only Killian, who was declared dead at the scene, was harmed. Perez was arrested and charged with involuntary manslaughter and failure to secure a firearm.

**Victim:** Killian Perez, age 4

**Incident Location:** Victim's home

**Who Pulled the Trigger:** Victim

**Gun Details:** Unspecified handgun

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** Yes, the victim's father was charged with involuntary manslaughter and failure to secure his firearm.

### DALLAS, TEXAS, NOVEMBER 23, 2013

Seven-year-old Quindell Lee was dropped off at his stepfather's house on a Saturday afternoon, along with his nine- and 13-year-old brothers. The boys were with their stepfather in a garage apartment behind the main house, when the man left them alone for 15 minutes to go to the main house. While he was gone, the boys located a loaded handgun, and as the oldest brother handled the weapon, it discharged, striking Quindell. He was taken to Children's Medical Center of Dallas and while his condition initially stabilized, it later deteriorated and he died. Child Protective Services and law enforcement were investigating to find out how the boys accessed the gun and whether criminal charges were warranted.

**Victim:** Quindell Lee, age 7

**Incident Location:** Victim's stepfather's home

**Who Pulled the Trigger:** Victim's brother, age 13

**Gun Details:** Unspecified handgun

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** Investigation ongoing



### MARLETTE TOWNSHIP, MICHIGAN, NOVEMBER 23, 2013

Sixth grader Tyler Dunn was having a sleepover with a twelve-year-old friend at the friend's house — with no adult supervision — when the boys removed a rifle from a storage area. After Tyler's friend showed him the rifle, he moved to lean it in the corner of the room where they were playing, and it discharged, fatally wounding Tyler. The Sanilac County Sheriff reported that investigators concluded "it was an accident, unintentional," and added, "It's tragic. Two lives were affected. One boy won't be with us, and one will have to deal with this for the rest of his life." After an investigation, the county prosecutor charged the preteen who shot Tyler and his father; the father was charged as a felon in possession and with contributing to the delinquency of a minor; his son was charged with careless discharge of a firearm causing death. The prosecutor noted that the boys had been left alone for "a considerable period of time" and that charges were appropriate because of the "lack of adult supervision, the presence of guns, and the failure to take appropriate measures to ensure the guns present in the house were out of reach."

**Victim:** Tyler Dunn, age 11

**Incident Location:** Victim's friend's house

**Who Pulled the Trigger:** Victim's friend, age 12

**Gun Details:** .30-30 lever-action rifle

**Legally or Illegally Owned:** Illegally owned

**Criminal Charges Brought?** Yes

### LAKELAND, FLORIDA, NOVEMBER 25, 2013

When Stephanie Nealy, 29, walked outside her family home to retrieve a pre-paid card from her family's truck, her two-year-old son, Taj Ayesh, followed her. She opened the truck to look for the card, and moved aside a loaded handgun that was in the truck. She turned away momentarily and was facing away from her son when she heard a single gunshot, and turned to see her son fall to the ground. Nealy and Taj's father, Hathum Ayesh, 36, rushed the boy to Lakeland Regional Medical Center, but doctors were unable to save him from the self-inflicted wound.

**Victim:** Taj H. Ayesh, age 2

**Incident Location:** Outside victim's home

**Who Pulled the Trigger:** Victim

**Gun Details:** Unspecified handgun

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** No

### INDIANAPOLIS, INDIANA, DECEMBER 7, 2013

In what an Indianapolis police officer described as a "gut-wrenching" incident, a three-year-old boy pulled a loaded handgun off a kitchen counter where it had been left unattended and accidentally shot himself in the head. His parents and an older sibling were at home when the shooting occurred. The boy was rushed to Riley Hospital for Children, but died approximately five hours later. A neighbor stated that he'd known the family "had guns; they've carried them in public on their side, they've got permits for them and I just thought they always were a little bit more responsible than that." An investigation was ongoing.

**Victim:** Name withheld, age 3

**Incident Location:** Victim's home

**Who Pulled the Trigger:** Victim

**Gun Details:** Unspecified handgun

**Legally or Illegally Owned:** Legally owned

**Criminal Charges Brought?** Yes. The boy's mother was charged with neglect of a dependent and his father was charged with neglect of a dependent causing death.

# INNOCENTS LOST

A YEAR OF ACCIDENTAL CHILD GUN DEATHS

