



Kids & Guns

# 5 Simple Steps To A Safer Home





## INTRODUCTION

My children aren't perfect (profound revelation, right?). Though I love them with every ounce of my being, oftentimes, I feel like they are intentionally conspiring to step on every toe, cross every line and get on every last nerve. I don't know about you, but as an instructor, parent and former child, I believe that children need boundaries, rules and some good, old-fashioned tough love. Enough of all this "let them explore who they are" drivel and the "let's approve of everything our kids choose" madness. To be productive, respectful contributors to society, our little ones need to be monitored, reprimanded, listened to and taught. And sometimes those lessons need to be repeated — a lot — no matter what the topic is. From learning to save money, share toys, show empathy, put things away, give their best effort and leave firearms alone, kids need direction.

Of course, as we all well know, kids still make mistakes, and they still make bad choices. Teaching them about safety — especially firearms safety — never ends. That's why we can never let our guards down. Our children are always watching us, always listening. They are always absorbing and observing our beliefs and our values, and like it or not, they're often mimicking our actions. As parents who choose to have firearms in our homes and in our lives, we must never disregard the foundational safety rules, overlook the value of safe storage or underestimate the power of preparation and planning. Never compromise these things. Never believe it's OK to skip a step or to bend or break a rule. We can't get complacent or comfortable. We have to be vigilant, and we have to be committed to constant, consistent teaching and instruction.

# 1

## SAFELY STORE PERSONAL PROTECTION TOOLS

As a friend and retired NYPD detective lieutenant said to me, “Kids are smarter than we give them credit for, and a hidden gun is likely not hidden from them at all.” In fact, research has shown that children who live in homes where guns are kept are almost always aware of where the hiding spots are located, even if the parents believe the children don’t know.

This can be dangerous. First of all, not telling, training or teaching children makes the topic of firearms taboo. And that often makes it even more intriguing and appealing to them. If children have not been taught from early on that firearms are not to be touched, then they may make a poor decision and get out a gun and play with it (or worse, they may fire it). Beyond that, younger children, especially toddlers, have to be protected and watched. My toddler is at that stage right now where she throws open every drawer and cabinet door and pulls out everything she can get her hands on. If firearms were in any of these reachable areas, that would be an unforgivable error.

So how do we store guns and keep our children safe? Balancing between having a gun available for when you might need it and keeping guns and ammo safely stored is not an easy task. From a legal standpoint, it is imperative that you are fully aware of local, state and federal regulations pertaining to the safety and storage of defensive weapons in your household.

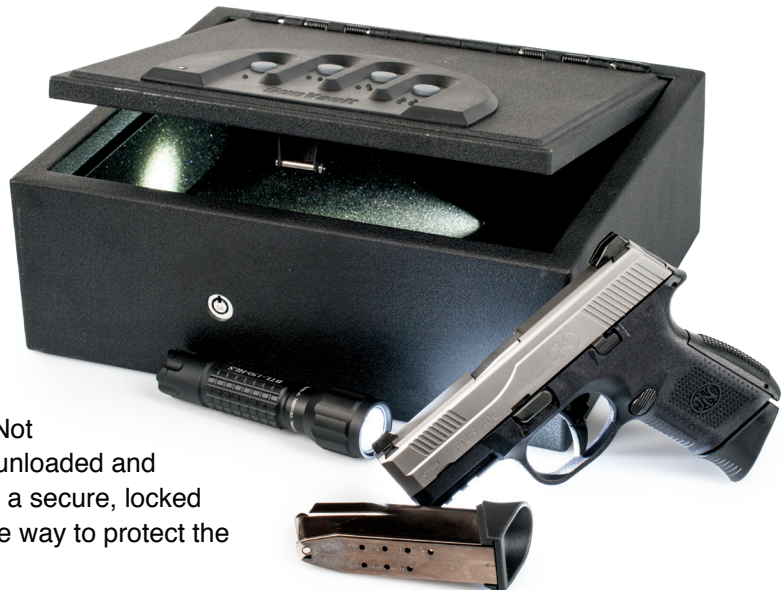
Of course, most parents would agree that there is no such thing as being too careful with children and firearms. There are too many terrible examples of young ones who have been injured or who have injured others. Thus, access to firearms in the home should be available only to those who are trained and know how and when to use them. Fortunately, there are many effective options for keeping firearms out of little hands. In addition to rigorously teaching gun safety, every parent needs to choose what method or option works best for his or her family.



## SAFE IN THE GUN SAFE

For the majority of gun owners, a safe is the No. 1 common-sense, go-to option. After all, a good gun safe is fireproof and theft-proof, and it is designed to deter the most crafty, power-tool-wielding grown-up, so there's an excellent chance that it will keep firearms out of the hands of even the most high-spirited or unruly toddler. And a safe is a practical and sensible choice, especially in homes with multiple guns to store. With that, gun safes are available in all sorts of shapes and sizes that fit varying space and budgetary needs. They can also feature some pretty cool options. Some even utilize unique technology such as biometrics, which open with the swipe of a fingerprint. Others have radio frequency identification, which accesses the gun via the wave of a key fob, bracelet, card or sticker.

While nothing is ever foolproof, a gun safe is a big deterrent for children of any age and activity level. Will guns become unnoticed and uninteresting when they are locked away? Not probable. Will a safe protect your children in every situation? Not possible. But storing firearms — unloaded and separately from ammunition — in a secure, locked safe is arguably the most effective way to protect the little ones in your home.



## HIDDEN IN PLAIN SIGHT

While not quite gun safes, there are some options that effectively store guns while keeping them well-hidden from unauthorized users. Aside from clever concealment furniture, shelves, clocks, mirrors and benches, there are also books, bookshelves and hanging garment bags with hidden compartments designed specifically for firearms storage. These types of concealed spaces and hollowed-out areas are handy and convenient, but they don't — and won't — fool children. Kids are smarter than we give them credit for, and a gun stored in the pages of a particular book or behind an unusual mirror is likely not hidden from them at all. It is much better to talk about gun safety and to be open and honest about the location of firearms within the home and to teach children upfront about respecting guns and leaving them alone.





## KEPT OUT OF REACH

Many gun owners choose to keep guns in hard-to-reach locations, such as on top of an armoire, in the back of a drawer or up high on a shelf. Out of sight, out of mind is often the first layer of safety. For instance, a gun stored unloaded with the magazine out in a hard-shell case on a high closet shelf may be out of sight, out of mind and out of reach for children, but it's still easy enough for authorized users to access in case of a dangerous or unsafe situation. The key issue here is selecting a place that isn't tempting to kids. And never be fooled; the secret location is most likely not a secret at all.

Overall, when it comes to keeping guns out of little hands, what works best will be different for every family. As USCCA contributor John Caile wrote, "Our home layouts, lifestyles (urban versus rural) and family makeup are different. But no matter what our living situations, we all have a solemn duty to do everything in our power to protect the children in our lives, whether our own or our neighbor's. The alternative is a lifetime of guilt." Just keep in mind that children learn best by observing the adults around them. As gun-owning parents, if we consistently practice safe conduct, our actions will teach safe conduct. And, ultimately, that's the most effective gun safety there is, no matter where our firearms are stored.

## FIREARMS STORAGE TIPS

With safety always at the forefront, especially with children in the home, here are a few tips for making sure your firearms are safely stored:

- 1 Store firearms in places where they're accessible only to you or to designated members of your family.
- 2 Use a storage location that is out of reach of children and that can be secured with some kind of lock. Gun safes, cabinets, vaults or other storage cases are all good options.

- 3 Keep guns and magazines unloaded when stored.
- 4 Store ammunition in a separate location that is locked and out of reach of children.
- 5 Make sure keys or combinations are kept in a place where children and unauthorized users cannot access them.
- 6 Get into a set routine for securing your concealed carry firearm, and go through the same motions every time.
- 7 Use a gun-locking device, such as a cable lock, as an extra safety precaution whenever and wherever firearms are stored.
- 8 Remember that some states and municipalities have restrictions regarding how unattended firearms and ammunition should be stored in a home, business or motor vehicle. This makes it incumbent upon you to ensure that your storage locations and access methods fall within the local guidelines to keep you out of trouble on all fronts.

## 2

## EDUCATE CHILDREN ABOUT FIREARMS AND PERSONAL PROTECTION

Many of us would love to create some sort of protective bubble for each of our children. We worry about their safety. We worry about their choices. We worry about bad people and the possible dangers all around them. But we can't just lock them up or baby-proof the entire world. So it's important that we are always vigilant about two things: teaching them and watching them.

Of course, what makes teaching young people about guns even more challenging is that it's about more than the type and the size of the gun, the particular cartridge, the distance to the target, the recoil and the amount of experience a child has had with firearms. It's not just about stance, grip, sight picture and trigger press. For any learning experience, it is also important to consider each child individually and to think about his or her character, temperament, strengths, weaknesses, emotional intelligence and learning style. It's more than just determining the correct age; it's determining the appropriate developmental stage.

There are so many things to consider when teaching children. Think about everything involved with learning to drive a car. Most 15-year-olds are chomping at the bit to get a driver's permit and to start practicing those three-point turns in the abandoned parking lot down the street. But parents know that not every 15-year-old should be driving. Some



teenagers have small builds or limited strength and cannot safely maneuver those hulking SUVs. Some teens are too antsy or anxious and may need some time to mature or to learn to manage their moods. Similarly, while some 6-year-old boys may be interested in shooting, they may not be ready or able to handle a firearm safely. Likewise, while some 14-year-old girls may be “old enough to shoot,” they may be completely uninterested and distracted.

I mention all this to encourage gun owners to continue their safe firearms practice and training, to continue to foster an appreciation for the 2<sup>nd</sup> Amendment in their children, and to continue to share their knowledge and know-how with others. But I also mention this to remind us all that there are many, many factors to consider when instructing children. What is acceptable, appropriate and right for one may not be for another. Don't overlook the significance of ages and stages.

My husband and I have purposeful, valuable and meaningful discussions about safety and personal protection with our three children based on their individual levels of maturity and understanding. We teach them the basic firearms safety rules over and over — and over — again. We share real stories about bad people, about helpful law enforcement officers, about negligent shootings and about responsible gun ownership. We also teach our kids how to safely, confidently and proficiently shoot a gun. As role models who practice what we preach, we provide teachable moments so our children can see the good and the bad, so they can recognize the truths from the lies, and so they can continue to use safe and responsible habits, even when we're not around.





Atop the universal safety rules, we teach our children four things about guns when they are old enough to understand. We teach them first that “every gun is real.” In today’s world, real guns can look fake, and fake guns can look real. So we play it safe and tell our kids that *every* gun is real. That way, they treat *every* gun with respect, even water guns and Nerf guns.

Second, we tell our kids that “every gun is loaded.” This way, they always assume that any firearm in front of them is ready to use and thus is off-limits to them. That’s why the third thing we stress is: “No, don’t touch.” That’s an important one. Unless a parent or a responsible, trained adult has given them permission (or has determined that the gun in front of them is just for blowing bubbles), our children are not to touch any firearm. Finally, we tell our kids that if they ever come across a gun, they must tell an adult. We don’t want them to be exposed to any potential temptation, and we don’t want them to be checking things out for themselves.

For older kids, typically around 7 to 12 years old, USCCA contributor Michael Martin suggests that, “depending upon your child’s maturity and his or her ability to grasp all four universal safety rules, as well as his or her physical ability to handle a firearm safely, this age group is ready to shoot a BB gun or a .22-caliber rifle ... under your close supervision.” He states, “When I observe my son plinking away with his BB gun, I usually watch him, rather than watching the target, so that I can monitor his safe gun handling. Regardless of how many times you have to say, ‘Watch your muzzle’ or ‘Take your finger out of the trigger guard,’ keep saying it. You own the responsibility for drilling these rules into your child’s brain.”

Martin also mentions that for teenagers who have demonstrated maturity and rock-solid safety when using BB guns and .22 rifles, they may be ready to step up to learning how to operate handguns. “With their shorter barrels, handguns can sometimes reintroduce muzzle control problems, so watch closely to ensure that all safety rules are being maintained,” he cautions.



Whatever works for you, be safe and consistent. When it comes to safe training, don't ever give up or give in. I don't know about you, but I certainly don't want to ignore the topic of firearms and let my kids find out about guns on their own. And I don't want them to learn everything they'll ever know about guns from television shows, movies, video games, peers or complete strangers either. Just as Martin stated, "You can educate your kids about firearms, or you can trust their education to unreliable and questionable sources. Taking the opportunity to set the tone for your kids [and their understanding of firearms and personal defense] will not only keep them away from forming dangerous perceptions and practices, but it will also bring you closer together as a family."

# 3


## CONSIDER IN-HOME AND OUT-OF-HOME PROTECTION & SAFETY

On July 21, 2015, around 10:30 p.m., a young couple was walking back to their home with their 1-month-old son after visiting a neighborhood friend. As they pushed the stroller along, a dark sedan drove past and stopped about 10 yards ahead of them. Two men jumped out and pointed guns at the man and his wife, demanding that they get on the ground.

Scared for their lives, the couple cooperated with their attackers, begging for them not to harm their child. Then one of the men grabbed the diaper bag from the stroller, knocking it — and their newborn son — to the pavement. The two men bolted. Thankfully, the baby and his parents were uninjured, but the couple was quite shaken by the alarming encounter.

**Q:** DID THESE PARENTS DO THE RIGHT THING?





A few years earlier on Nov. 10, 2010, another young couple encountered a frightening experience at a gas station parking lot. As the couple stopped at a Phillips 66 for a stretch break and for a quick chat with relatives who were traveling with them in separate vehicles, a man jumped into the driver's seat of their running car. Their 6-month-old daughter was in the back seat.

There was no way this mom and dad were going to let a carjacker drive off with their child. They knew that if they couldn't stop the vehicle immediately, they might never see their baby girl again. Using all of her strength and a push from her husband, the mother broke the passenger-side window. As she was being dragged away by the moving car, her husband jumped through the shattered window and started kicking the carjacker as hard as he could. The criminal finally gave in, exited the vehicle and ran off. Except for some bumps and bruises, the parents were not seriously injured, and their daughter, though scared and crying, was safe and unharmed.

### **Q: DID THESE PARENTS DO THE RIGHT THING?**

No matter what your answers are regarding the actions of these two couples, for both sets of parents, these incidents were terrifying wake-up calls. Even in our own communities or with our own families, we can still become victims of crimes. And these families' negative experiences, though positive in outcome, can serve as powerful testaments to the enormous strength of parents' love for their children. These offenses can also serve as cautionary tales for those of us who carry concealed firearms for protecting our loved ones.

Clearly, there is no way to predict when, where or how a crime may occur, and there is no way to calculate the best course of action for every situation. But the goal for parents in any of these circumstances (whether in our own homes or out and about in our communities) is always the same: to protect our children.

So outside of a quick course in Brazilian Jujitsu or the liberal application of body armor, how do we keep ourselves and our families safe in violent encounters? It's important to take some extra precautions and to put in some extra thought.



## PREPARE MENTALLY

Neither of the couples from these stories had firearms with them at the times of the incidents. And a good guy or gal with a gun may have completely changed the game. Even so, the No. 1 priority if a child or children are involved in an attack is to make sure that they are safe. In some cases, depending on the ages of the children and the situation itself, that might mean not unholstering or using a weapon. There are so many variables involved that there is no way to present a right answer.

Even so, for any parent with a gun, it's important to think through what you would do to protect your family right here and now — before anything happens. This mental preparation may involve making choices to avoid potentially dangerous situations altogether. It could mean checking and double-checking your surroundings before leaving a building or even your home. It could mean making extra phone calls, taking a different route or leaving a situation that makes you uncomfortable.

Just always keep your guard up. Don't let life's distractions prevent you from possibly spotting or eluding a problem before it befalls you. You must make a conscious commitment to ensure your family is safe at all times and make a firm decision to do whatever is necessary to stop any threat against it.

## ACT QUICKLY AND EFFICIENTLY

Even though it is impossible to map out a safety plan for your family from start to finish, no matter what happens, you should always be prepared to act immediately and resourcefully. For this, you can take some cues from nature. George Harris, president and CEO of International Firearms Consultants, mentions that parents can depend on their natural instincts for a purist form of preservation. He states, "Look at it from this simple perspective: Preserve your little ones and yourself using whatever methods you can."

Some of these quick-thinking, fast-acting methods can be observed in wildlife. If you've ever witnessed animals in danger, you may have seen the youngsters scatter. Or you may have watched them quickly move to find cover and hide. Meanwhile, the mom or dad leads the predator away and fights off the attacker. Those are some of the basic methods and instincts.



Luckily, we can also add in all the human advantages. “Consider all the mechanical devices and tools we have available to us that animals don’t, and then factor in all the other things we can use for self-defense,” Harris says. And be sure to act immediately with whatever tools you have — be it a purse, stick, hands, legs or firearms. Use whatever means you have, both physical and psychological, to fight back. And don’t ever trust an aggressor. If you have kids with you in a vehicle, it may very well be the time to push the gas pedal and run into or over something or someone.

You can also use one of nature’s best and most effective deceptions: feigning compliance as a distraction. “Be like the momma grouse who flops about on the ground as if she has a broken wing and is pleading for her attacker not to hurt her,” Harris states. “Break the mindset of the attacker, if even briefly, in order to gain the advantage. Then get out of there or do what you must do. Just do it quickly. Timing is everything.”

## ACT WISELY

I know that as a mother, my first instinct when my children are in danger is to grab them and pull them in close to me. That would work perfectly to help them with a boo-boo, to calm them during a storm or to get them away from a scary animal. But it is a terrible idea if someone is coming at you with a weapon.

While it may feel like you are doing the wrong thing, you may have to push your baby’s stroller behind a wall or set down that infant carrier by a tree and run in the other direction. In some cases, your precious cargo may be safer left in a car or hidden in a nearby building. Just don’t pull your children into you or try to hide them behind you while you are attempting to defend yourself unless that is your only option.

You might think that you are acting like a shield, but it’s best for them to get away from you and to get to safety as quickly as possible. This protects them and you on several levels. Your children will not witness the event, and they will not be in the line of fire. In addition, you will not have to worry about or be distracted by little ones around your feet or behind your back if you need to draw or use your firearm to stop the threat.







## PLAN AHEAD

Besides mentally preparing yourself, in order to plan ahead, you should do as much talking and training with your kids as possible. Talk to them about situational awareness, about being observant and safe, and about being an extra set of eyes and ears for you as you go about your everyday lives.

Of course, what you talk about and how you train will depend on a variety of issues, such as how old your children are, what they comprehend and how disciplined they might be. But you can come up with a trigger word or code word that they can recognize as a time to either give you their immediate attention or to take specific action. Practice your chosen word to get them in the habit of following orders closely. Plan ahead so that when your kids hear this special alert, they know that they need to run away from danger — to go to where the bad people aren't — and to keep going until they find someone, such as a police officer, a firefighter, a person of authority, a store worker or a trustworthy friend or family member, to help.

You can also teach your family about cover and concealment, meaning which materials protect them from bullets and which ones don't. Should you ever have to draw your gun, you can use your alert word and instruct your family to get away from you and call the police. But if they are not able to get away, teach them to get behind cover and to continuously look for possible exits, better cover and opportunities to escape. This will generally be teaching older kids to carry, guide or help the little ones.

Teach your children to yell, scream, punch, kick, hit or do whatever is necessary if they can't get away from an aggressor. If the kids are old enough, they can take self-defense classes or participate in martial-arts training. You can also talk to them about looking for weak or sensitive spots. Examples include poking a bad guy in the eyes; punching or kicking him in the nose, throat, solar plexus or stomach; or hitting him in the knees, ankles, wrists and other joints.

Whatever you do, be sure to explain to your children that you give them special permission to not be polite, quiet or nice in a violent encounter and that they can do whatever they need to do to get away. Make sure that they understand that it's OK to say "no" and to run away from dangerous or uncomfortable situations and find help.

In many scenarios, when people forcefully, purposefully and immediately fight back, their attackers are taken by surprise. They may realize that they have much more to deal with than they bargained for. That temporary disability or distraction may be the deciding point for them to back off or go away, or it may be the break you need to draw your firearm and protect your loved ones.



## SET EXPECTATIONS

If you haven't prepared your family for what may happen before, during and after a self-defense shooting, you may be in for a rude awakening. So ... what can you expect to happen, and how can you prepare your family for the aftermath of a violent encounter?

According to Barry and Lara Alvis of the Law Firm of Alvis and Alvis, LLC, in Birmingham, Alabama, there is no one-size-fits-all answer. And, unfortunately, you may have scarcer options and fewer rights than you may have thought.





“A self-defense shooting is such a fluid situation,” Barry stated. “So there’s not a ‘right’ answer for what you should tell your family. There are too many factors involved, from the child’s age and whether he or she was a witness, to the facts of the shooting and all the details about the people involved.”

Still, while all these aspects will come into play for each unique case, there are some general ideas of what you can expect, as described by this top team of lawyers. For example, law enforcement officials can question your children whenever they want, wherever they want, even without your permission or presence. Barry explained, “Your child could be put into a squad car and taken to the police station. And they may ask things like, ‘What did you see or hear? What did the bad guy say? What did daddy or mommy say? How many shots did you hear? What happened after the shooting? Did someone call 911?’”

Even if no one in your family was a witness at the scene, the police can come to your house and question your entire family if they think there is any relevant testimony. They do not even need a warrant. Lara explained, “Basically, if your child is a witness, or if the police decide to investigate something, you are powerless to deny them access to your children. Your kids will have to tell them what happened. And law enforcement officials will have not violated any law by approaching minors without parental permission. Of course, I’d personally tell the police that I’ll cooperate fully, but I don’t want my children to go through this right now. I’d ask for the chance to bring the children to them at a later time. The problem is, once you ask for more time, they’ll think that your children have been coached.”

Barry added, “It’s a tough situation all around. Investigators can sweet-talk your children, give them toys and even lie to them about what you’ve said or done. They can try to pressure your children to dig up dirt and paint a bad picture of you. And they can use all that information against you.”

In addition, it’s possible that DHR and child protective services may step in during the process, and legally, you have no right to stop any of it. Your child can also be called to testify in court. A judge can deem a child a credible witness if he or she can answer five to six basic questions. Barry, who once had to cross-examine a 5-year-old witness, explained that they don’t get into abstract concepts. “All it could take is something like: ‘This book is red. Is that a truth or a lie?’ And they’re in.”

It seems preposterous that a kindergartner could be expected to not only testify in court but also remember all of the details over the long period of time before a trial occurs. That kind of pressure would make any age group uncomfortable. Granted, no one wants a child to suffer, and the court will keep the child’s best interest in mind. But as Lara mentioned, even child psychologists will assert that “trauma remains in the brain,” and they will definitely question children in the courtroom.

## BE READY

Now that you know some of the uncomfortable truths, I’m sure you’re asking if there’s anything at all you can do to protect your family under such a situation. You don’t want to come across as being overzealous, but it’s not in anyone’s best interest to hit the other end of the spectrum and do little or nothing at all. So what is the right balance for advance planning and after-incident action? Barry and Lara shared five important pieces of advice:

- 1** *Educate yourself.* Learn the rules in your state, and learn your rights. Train, go to classes, be competent with your firearm and learn how and when you can legally use deadly force.
- 2** *Educate your children.* Teach your children the basic rules of gun safety. Just keep it simple when they’re little, and talk to them more seriously when they’re old enough to understand. Lara added, “If your kids respond under pressure that mommy and daddy always taught them to stay away from firearms, then that’s not a bad thing.”
- 3** *Have a plan for the financial aftermath.* Barry acknowledged that one of the main challenges with a self-defense shooting is the cost involved. “Personally, I joined the USCCA, even though I am a defense lawyer and this is what I do for living. I know how expensive this can be, and I want to be prepared.” You should also educate your family about the details of any

policies and even give each of them a copy of any membership cards so that they know what you've planned and what steps you are likely to take.

- 4 *Research and find a lawyer.* A good defense lawyer can assist you and even do some damage control. "Look for someone who's familiar with trying cases and preferably has a thorough, working knowledge of firearms," Barry said. "You may even need to consider a lawyer for other family members if they were involved or were witnesses to the shooting. They may not be able to invoke any rights, but a skilled lawyer will be able to help guide your family throughout the process."
- 5 *Be a responsible gun owner.* The best way to plan ahead and to protect your family is to be safe and responsible now. Always follow the safety rules. "And be careful what you say and do — even on social media," Barry mentioned. "People are watching, and these kinds of things can be used against you. Actions may speak louder than words, but your words can certainly count too."



Unfortunately, when it comes to violent encounters, there are no right or wrong answers except to do what you need to do to stop the threat and to keep your family safe. But taking precautions now can help protect you and your children in unpredictable circumstances. Use your best judgment and experience, do what's right for your situation and have a course of action for you and your family in place in the event of an unsafe situation.

As Lara so aptly put it, "Ultimately, you just need to teach your children to tell the truth." That may sound scary, but it could be worse if your child boldly proclaims that he or she is not allowed to talk to the police. You don't want it to sound like you've spent years planning a shooting. You want it to sound like you've spent years being a responsible gun owner and a responsible parent."





## 4 RECOGNIZE COMMON MISTAKES

Getting children involved with firearms requires a lot of dedication and attention. Parents, teachers and instructors all know the importance of the universal safety rules and repetition of anything you want a kid to learn. Even so, accidents or mistakes may occur.

Research and statistics on firearms injuries tend to be skewed because self-inflicted injury and criminal gang activity are often included. However, researchers who analyzed data from hospitals in order to get a national representative sample of non-fatal injuries in children and adolescents (up to age 20) did uncover some interesting findings:

- 1 The most common types of firearms injuries in children included open wounds, fractures and internal injuries of the thorax, abdomen or pelvis.
- 2 In children under age 10, 75 percent of firearms-related hospitalizations were due to unintentional injuries.
- 3 Rates of firearms-related injuries were highest for adolescents from ages 15 to 19 (27.94 per 100,000).
- 4 Of all firearms-related hospitalizations, 89 percent were for males; the hospitalization rate for males was 15.22 per 100,000, compared with 1.93 per 100,000 for females.

So how do we keep these injuries or errors from occurring? Beyond being vigilant about safety and keeping a careful eye on children, we must keep in mind that ages and stages come into play. Not every child will be ready, physically or mentally, at the exact same time or when he or she reaches some magic height, age or grade. Watch them. Talk to

them. Look for signs that they might be ready to move forward in their training. Observe and accept clues that they are not ready. For instance, it is important to recognize that most children as young as 3 years old are strong enough to manipulate the triggers of many handguns. Therefore, keeping firearms out of their reach and saying, “No,” “Don’t touch,” and “Not a toy,” is imperative at this time. Also, children under the age of 8 cannot always tell the difference between real guns and toy guns or fully understand that playing with a gun might cause serious injury or death. In this case, they may not be able to comprehend the seriousness of the training. According to cognitive development theories, children between the ages of 3 and 7 are still guided by “egocentric thinking,” which means that they think only according to their own individual experiences, often making their thinking illogical. This is why children under the age of 5 or 6 will misunderstand events and will also have trouble expressing them. Since this age group is typically more curious, mobile, active and able, we need to guide them carefully. More physical ability and independence can easily put these children at higher risk for injuries.

As mentioned earlier, it’s imperative that you be willing and able to teach your children and watch them as well. Always supervise kids. Unintentional shootings most often occur when children are not being watched: in the hours when they are out of school, on weekends and during summer and holiday vacations. While it is impossible to watch children every minute of every day, setting rules, teaching safety and accident prevention, and knowing what they are up to are important parts of keeping your children safe around firearms.







## 5 UNDERSTANDING CAP LAWS

Child Access Prevention (CAP) laws are relatively new legislation intended to limit access to firearms and prevent injuries caused by children. It is important to know what laws are present in your state since CAP laws can impose criminal and civil liability on parents, guardians or other adults if children have unsupervised access to guns. These laws establish criminal penalties for owners who do not store firearms in the manner defined (for example, unloaded, in a locked compartment and separate from ammunition).

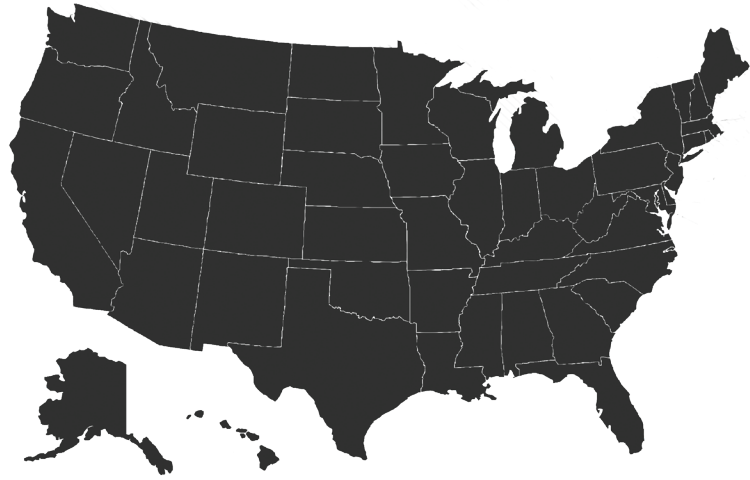
The NRA has lobbied against these laws, sometimes referred to as “mandatory storage laws,” arguing that they are unnecessary and ineffective, endangering law-abiding gun owners and infringing on their right to protect themselves in their homes. In addition, law-abiding gun owners run the risk of violating CAP laws and incurring civil or criminal liability for participating in legitimate recreational, training and competitive activities involving youth and firearms.

There are no CAP laws at the federal level. In *District of Columbia v. Heller*, the United States Supreme Court struck down laws that require “firearms in the home be rendered and kept inoperable at all times.” The Court affirmed that “the need for defense of self, family and property is most acute” in the home, and the 2<sup>nd</sup> Amendment “elevates above all other interests” the right “to use arms in defense of hearth and home.”





Nevertheless, as of this time, 27 states (California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Illinois, Indiana, Iowa, Kentucky, Maryland, Massachusetts, Minnesota, Mississippi, Missouri, Nevada, New Hampshire, New Jersey, North Carolina, Oklahoma, Rhode Island, Tennessee, Texas, Utah, Virginia, and Wisconsin) and the District of Columbia have enacted CAP laws. Moreover, 14 states (California, Connecticut, Florida, Hawaii, Illinois, Iowa, Maryland, Massachusetts, Minnesota, New Hampshire, New Jersey, North Carolina, Rhode Island and Texas) and the District of Columbia have laws that impose criminal liability on people who negligently store firearms where minors could or do gain access to them.



Currently, CAP laws can take a variety of forms. The strictest laws impose criminal liability when a minor is likely to gain access to a negligently stored firearm, regardless of whether or not the minor actually gains access. The less-severe examples prohibit certain people (such as parents or guardians) from directly providing a firearm to a minor. There is also a wide range of laws that falls somewhere between these extremes, including laws that impose criminal liability for a negligently stored firearm when a child uses the firearm and causes death or serious injury. Other laws impose penalties in the event of reckless, knowing or intentional conduct by the adult. State CAP laws also differ on the definition of “minor,” ranging from children under 14 to those under 18.





Following is an overview of some current CAP laws:

- 1 Criminal liability is imposed on people who negligently store firearms under circumstances in which minors could gain access to the firearm, regardless of whether the minor actually gains access to or uses the firearm (California, Massachusetts, Minnesota, District of Columbia).
- 2 Criminal liability is imposed on people who negligently store firearms, even when the firearm is unloaded (Hawaii, Massachusetts, District of Columbia).
- 3 Civil liability for damages resulting from the discharge of a firearm is imposed on people who negligently store firearms when a minor gains access (California).
- 4 All firearms are required to be stored with a locking device in place (Massachusetts).

According to a study entitled “Safe Storage Gun Laws: Accidental Deaths, Suicides, and Crime” by John R. Lott and John Whitley, there is no evidence that CAP laws reduce juvenile accidental firearms deaths or suicides. Instead, these laws make it harder for law-abiding gun owners to protect themselves. Out of 10 states that had CAP laws for at least four years, relative violent crime stopped falling when these statutes were adopted, and violent crime ended up even higher at the end of the four-year period. The only consistent effect found was that CAP laws were significantly related to higher rates of rape, robbery and burglary.





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